

Officers Report

Planning Application No: 136604

PROPOSAL: Outline planning application for erection of 69 no. dwellings- access to be considered and not reserved for subsequent applications - resubmission of 131181.

LOCATION: Land at Brigg Road Caistor Lincolnshire LN7 6QG
WARD: Caistor and Yarborough
WARD MEMBER(S): Councillor O Bierley. Councillor A Lawrence
APPLICANT NAME: Mr R Oxley & Mr R Marriot

TARGET DECISION DATE: 03/11/2017
DEVELOPMENT TYPE: Major - Dwellings
CASE OFFICER: Jonathan Cadd

RECOMMENDED DECISION: That the decision to grant planning permission, subject to conditions, be delegated to the Chief Operating Officer, to enable the completion and signing of an agreement under section 106 of the Planning Act 1990 (as amended) pertaining to:-

- The delivery of no less than 15% as affordable housing (70% rented – 30% shared ownership) or equivalent housing contribution if no registered provider can be identified;
- Measures to secure the delivery, and ongoing maintenance and management of public open space, drainage features and ecological areas;
- A capital contribution towards primary education (based on a set formula relating to housing size and numbers).

In addition to the s106 agreement the Community Infrastructure Levy (CIL), is in force and a contribution will be required in accordance with WLDC's regulation 123 list. The exact detail of the contribution will be determined at the reserved matters stage, when floor space can be accurately calculated.

In the event of the s106 not being completed and signed by all parties within 9 months from the date of this Committee, then the application be reported back to the next available Committee meeting following the expiration of the 9 months.

Executive Summary:

This is an outline application for 69 dwellings with all matters reserved except for access.

This is a resubmission application following refusal of a previous proposal for 69 houses (ref. no. 131181). The current application seeks to address the previous reason for refusal. The reason for refusal was:

- The surface water drainage strategy submitted is not sufficient to be able to conclude that the proposal would adequately dispose of water in a safe and sustainable manner without increasing the risks of: flooding on site and to adjoining land and pollution to the environment including local streams of ecological importance. In addition to this, the proposal fails to adequately justify measures to ensure foul water from the development can be disposed of viably to and within the existing foul drainage network. The proposed development is therefore contrary to saved Local Plan Policies STRAT1, NBE14 and RES1 of West Lindsey Local Plan First Review 2006 and the National Planning Policy Framework.

The application site is located to the immediate north of Caistor adjoining the existing developed area and fronting Brigg Road (A1084). It has an area of 3.34ha and until recently was grazed. Ground levels raise to the east and south by approximately 20m. The north of the site is bounded by a beck beyond which is open countryside.

The majority of the site is allocated within the Central Lincolnshire Local Plan for housing, ref. no. CL1888 which has an area of 2.21ha with an indicative number of dwellings being noted as 50. The majority of land outside the allocation, however, is shown on the indicative plan as open space.

Access would be to Brigg Road with the access road to the estate being 5.5m wide with paving either side.

Objections have been received from Sir Edward Leigh MP and Caistor Town Council. The objections mirror the objections of residents including impact on stretched services, over development of the site, highway safety, impact on ecology, lack of drainage capacity, potential for flooding (foul and surface water), lack of affordable housing and the need to bury electricity cables.

Objections from 21 individual addresses (some of which include multiple communications) have been received. The objections can be summarised as

- Highway safety – The proposed junction would have limited visibility, the road is very busy especially in summer with HGV's, farm traffic, motorbikes, no account taken of new developments in area, 270 car movements a day would be generated by this proposal. The road never dries out it is an accident waiting to happen. Traffic constantly speeds here.
- Accessibility - The footpath to North Street is narrow, overgrown and needs cleaning and widening. It is very dark here reducing visibility and trees also obscure streetlights. Any children crossing to the sports/ playground close to a blind bend would make matters worse. Most facilities would be up hill and links would be poor.
- Character - Caistor is a traditional market town with listed buildings not housing estates. The development would not be in keeping with the rest of the town.
- Loss of greenfield - The site is one of Caistor's beauty spots that would be lost forever, its loss would affect many locals who use the area for walking or who

enter the village in this location on the Viking Way. The site is not in an AONB but it is the AGLV. These footpaths are the town's tourist draw and this development would put the valley at risk.

- Flood Risk (surface water) - The site is prone to flooding, that is why it is called Waterhills. Canada Lane floods regularly. Proposals would make it worse.
- Flood Risk (foul) – Sewerage treatment works is at capacity and trucks take waste away. Anglian Water previously stated the network couldn't cope, any improvements would cause significant nuisance to residents.
- Ecology - The Chalk Stream rare in Europe and Caistor's would also be harmed. The latest design in terms of surface water drains into the chalk stream with 1 huge attenuation tank and one downstream defender unit. If this fails polluted water would flow straight into the stream. Wildlife in this area would be impacted upon with a wide range of species seen. Flora would be similarly effected and would be lost.
- Density & Need - The developers have exceeded the amount of houses Caistor Town Council recommended by up to 20 houses. There are better brown field sites more central to Caistor which should be used. Greenfield sites at the edge of a settlement is the last in the hierarchy to be developed.
- Infrastructure - The doctors and schools are full, no dentist at all
- Open space - The open spaces on site would be either too small or are too steep to be useable for recreation. Children would need to cross the road and this would reduce safety.
- Affordable housing – No affordable homes or less than policy – 20% required.

1 letter of support has been received praising the provision of new homes for locals.

The majority of the site (2.21 ha) is already allocated in the CLLP for housing (policies LP2 and LP50). However, additional growth on non-allocated sites in appropriate locations outside of but immediately adjacent to the developed footprint may be considered favourably, though these are unlikely to be supported if over 50 dwellings (policy LP2). Only a small proportion of the unallocated area of site would be likely to be used for housing (due to topography and ecology) and when the site is developed as a whole it would be adjacent to the developed footprint of Caistor. It is considered that the proposal would accord with these dual elements of policies LP2 and LP50.

The Caistor Neighbourhood Plan does not include land use allocations for new development but policy 2 indicates new development will be permitted in order to support growth whilst contributing to the sustainability and viability of the town. Given the housing allocation in the CLLP identifying a local housing need, its sustainable location, connections to the town and its proximity to the Market Place (less than 800m) the proposal would accord to the principles of the CNP.

Although not adopted at the time of the original application, ref. no. 131181, the policies of the CLLP are not materially different from the policies of the Submitted Central Lincolnshire Local Plan considered previously. The Caistor Neighbourhood Plan had full weight when the previous proposal was considered. In policy terms the principle of development in this location has not materially changed compared to that considered previously. The reason given for refusal of application ref. no. 131181 relates specifically to drainage and ecology issues only. Unless a material change has occurred (either in policy or physically) any additional reasons for refusal would be difficult to sustain.

The site is located adjacent to the town and will give good access to local facilities. Whilst placing additional pressure on such facilities the applicant will provide the full contribution required towards primary education to mitigate such impacts. A viability appraisal has been submitted in support of this contributions and has been assessed by officers. In addition, the applicant has offered 15% affordable houses (up to 10.35 units) and has accepted the development is CIL liable which would provide funds for the Lincoln Eastern Bypass and/or Secondary Education. No NHS contributions have been requested.

The development of the majority of the site is allocated within the CLLP. The principle of developing the site into residential area has been accepted. The proposed indicative plan, though just that, shows that the site plus the smaller additional area, could be developed whilst retaining the character of the Caistor and having an acceptable impact on the surrounding area, including setting of Caistor.

The acceptability of the site access for accommodating housing has been looked at, in detail, on at least three occasions. Firstly through the CLLP allocation/adoption process, secondly, through the application 131181 and thirdly through this current submission. On none of these occasions have the Local Highway Authority raised any substantive objections which could not be addressed through conditions. Highway officers are well aware of more recent developments in the area (Caistor Lakes, Wolds View & Wold Retreat) and safety concerns of the residents of Caistor. It is considered, however, that the highway and the proposed access would be acceptable on capacity and safety grounds.

The main reason for refusal of application ref. no. 131181 related to drainage. Since the refusal of that application the applicant has had a number of meetings (including a MAG meeting) with the Lead Local Flood Authority. Accepting the nature of the site, topography and geophysical nature, the revised draft drainage strategy is more traditional in nature and the development would be serviced by pipes and attenuation tanks, with fewer SUDs features to provide the necessary storage levels for a 1 in 100 year (plus climate change) storm event. This would discharge into the existing stream at 5 litres per second (greenfield rate). This would ensure that the development would not lead to flooding of the surroundings areas. Within the drainage system, a defender system would be used to trap potential contaminates before releasing water into the stream. This is an on line system to which all water would be directed. This would protect the chalk stream. The MAG meeting included a representative of the Lincs Wildlife Trust who indicated their acceptance of such a method to protect the environment.

Further work has been undertaken with Anglian Water, including various modelling assessments. The applicant has agreed that foul water would need to be pumped up gradient to the nearest suitable manhole. Resizing various manholes and the piped network would be required to be undertaken by Anglian Water and paid for in part by the applicant. Anglian Water has accepted its responsibility to undertake any off line improvements and has requested conditions to ensure no development commences until improvements to the network have been agreed in accordance with policy LP14 of the CLLP.

As the design of the scheme is reserved for later consideration the impact on residential amenity is difficult to assess at this stage, however, indicative plans provide sufficient detail to show that 69 dwellings could be accommodated without unacceptable impacts on existing residents.

Description:

This application seeks outline permission to erect 69 houses with access to be considered and all other matters reserved. The application site is located to the north of Caistor and fronts onto Brigg Road. The application site is irregular in shape with an area of 3.34ha. The site does not include an electrical substation which fronts Brigg Road and has its own access.

The layout provided is indicative but access is under consideration and would be to Brigg Road. The access would have a width of 6m with paving either side. Of the site, approximately 2.41ha would be developed leaving an area of 0.93ha as open space. The proposed development would have a range of housing types from bungalows to houses (up to three storeys in height). An area of land to the front of the site would be available as open space whilst a more substantial area of open space would also be formed to the northern section of the site adjoining the stream and the open countryside.

The site was until recently grazing land. Whilst relatively flat to the north western parts of the site, gradients rise to the east and south east considerably. The maximum change in ground levels at its greatest would be 20m. Gradients at the site would be more severe on some parts of the site compared to others. The northern part of the site includes a stream and is the lowest part of the site and has the steepest gradients.

To the north, north east and east of the site is further grazing land, part of the Waterhills area a locally designated area of nature conservation. To the south east is residential development within the North Street area of Caistor. To the south and west is Brigg Road (A1084) which is the main road running through Caistor to the north. Beyond this road are further dwellings within the Keyworth Drive area. Also to the north west of the A1084 is Caistor Sports Ground.

Relevant history:

131181 **Outline planning application for erection of 69no. dwellings-access to be considered and not reserved for subsequent applications. Refused 23rd Dec 2016.** Reasons for refusal:

The surface water drainage strategy submitted is not sufficient to be able to conclude that the proposal would adequately dispose of water in a safe and sustainable manner without increasing the risks of: flooding on site and to adjoining land and pollution to the environment including local streams of ecological importance. In addition to this, the proposal fails to adequately justify measures to ensure foul water from the development can be disposed of viably to and within the existing foul drainage network. The proposed development is therefore contrary to saved Local Plan Policies STRAT1, NBE14 and RES1 of West Lindsey Local Plan First Review 2006 and the National Planning Policy Framework.

Representations:

Ward member: Requested to be kept informed of progress but has not commented on proposal

Sir Edward Leigh: Object - If approved this will inevitably place greater pressure on already over stretched services

Caistor Town Council: Object (In summary)

Highway Issues:

- The Council has sought advice from a highway safety specialist consultant. Given the position of the highway access/ egress, which is approached from the west, is on a bend and in summer is shaded by tree growth the Council has grave concerns re existing highway safety especially given the number of unreported no injury accidents particularly during the winter.
- Two new tourist sites have opened since the 2013 traffic survey and a new survey should be undertaken.
- The Council supports the decrease in speed limit as part of any traffic calming measures proposed. A speed indicator with vehicle number plate recognition device is requested as a condition.

Infrastructure

- The Council notes the previous reasons for refusal and notes Anglian Water does not have capacity to treat flows. The Council therefore fully supports the condition to improve capacity before commencement of any work.
- Surface water is also a major concern and has very real concerns over flooding downstream. The area has many springs and hence its name Waterhills.

- The NHS facilities in the town are inadequate. The Council is disappointed that NHS England have previously failed to request funding towards evidenced lack of built facility to expand or build a new facility.

Density and massing

- 70 dwellings is over development of the site. Whilst the majority of the site is within the settlement limit the remainder is in open countryside. The allocation is suggesting 50 dwellings not 70.

Affordable housing

- The lack of affordable housing is unacceptable. There should be 14 dwellings on site to meet local need. CLLP policy LP11 indicates the Council may consider a reduction in numbers but not a complete loss of such houses. Together with the reduction of other contributions and it is assumed CIL payments would be at total variance to the CLLP. The development of this site will be difficult and costly to develop but this should not be to the detriment of the town, where there are much easier brownfield sites to develop.

Drainage

- The Waterhills area is a catchment area for the North Kelsey Beck which is a chalk stream on the western edge of the Lincolnshire Chalk Streams Project. Greater Lincs Nature Partnership describe these streams as "rare habitats unique to the south and east of England and Normandy in France."

The rolling hills of the Wolds, which includes Waterhills, has underlying chalk. Rain that falls on the slope is filtered through the underlying chalk aquifer. Water then moves through the fissures in the chalk and emerges at ground level from springs which in turn filter into the North Kelsey Beck. Development on this land would have a serious and detrimental effect on the chalk stream included in the project which promotes landscape scale conservation to restore and improve Lincolnshire's chalk streams for the benefit of wildlife and the community. Council has concerns relating to contamination of the aquifer and flooding downstream as expressed previously.

Wildlife

- Part of the Waterhills is a designated Local Wildlife site and 9.34 hectares of the low land meadow is listed as priority habitat. This site provides a valuable corridor for protected habitats and species and is connected by the watercourse to the wildlife site. The potential for pollution is significant therefore.

Electric Cables

- The Council request that the burying of cables be conditioned to occur.

Inaccuracies

- Q13 Biodiversity – should be answered yes as the site is adjacent or close to a designated site.
- The Caistor neighbourhood Plan does not include any allocated sites.

Other

- The Council supports the comments of the Police, Fire & Rescue and Rights of Way Officer.

Following amended plans further comments include:

- Foul water issues are still not resolved. Canada Lane drain is already unable to cope with existing water. This will be worsened by the development. The Eco Management Plan addresses some of the concerns with the chalk stream contamination but who will be responsible for maintenance? Conditions required. Still no comments from LCC Highways.

Local residents

Chapel House (x4), Plough Hill, 102 Brigg Road 15 Cherry Holt (x2), 2 Keyworth Drive, 16 Ayscough Grove, Belleau Lodge Grimsby Road, 10 & 12 Whitegate Hill, 84, 88, 90 (x2) North Street, 42 Kelsway, 21 Nettleton Road, 20 High Street, 5 Spa Top, 20 Lincoln Drive (x2), 5, 8 Spa Top, Hansard Crescent, 24 Kinloch Way, Immingham:

Objections to the scheme as originally submitted can be summarised as:

- Highway safety and capacity

A former police driver and secretary of Lincolnshire Institute of Advanced Motorists has disagreed with the experts findings and considers the road is potentially dangerous. In February a Council maintenance truck ran off the road at the near corner smashing off the rear mudguard. On an evening in May two motorcyclists travelling towards Brigg left the road on the same corner with luckily only cuts and bruises. In June a car towing a caravan ran into the hedge at the same corner. These accidents were witnessed but others I have heard about as well. It is far too dangerous to add traffic from 70 more residents on this road. Cars are seen very late on even at existing junctions within the area.

270 car movements a day would be generated by this proposal reducing safety. As the road never dries out it is an accident waiting to happen.

Two houses on Brigg Road were turned down for access points by WLDC as two dangerous. An access for 20 houses (Keyworth Drive) was turned down on safety grounds – it was opposite the current proposed access – so what has changed – nothing, it should be refused.

Although not classed as a busy road over 24 hours at certain times of the day it certainly is and is used by heavy lorries, farm machinery, motorbikes, sometimes numbering 50 or more and speeding cars.

The report submitted is still out of date and does not take account of summer traffic or more recent developments. This includes caravans and motorbikes. The survey should be done during the summer.

Cars travel too fast along this road increasing danger, particularly if cars are seeking to turn into the site.

As a pedestrian you cannot see cars coming so you have to listen. There is a sharp bend to north which to the south the road bends, dips and rises through an area shaded by overhanging trees. It is a difficult road to cross for mothers with prams and for old people. The footpath between North Street and the proposed entrance is narrow and overgrown and needs cleaning and widening. It is very dark here reducing visibility and trees also obscure streetlights. Any children crossing to the sports/ playground close to a blind bend will make matters worse.

Cars turning right will block road to the west into Caistor blocking the road.

An assessment of the number of cars using the proposed junction should include the additional traffic likely to be generated by the allocated site to the east CL2093.

Given the market place is up hill most people will use the car to access the market place so the Neighbourhood Plans guidelines not a guarantee for sustainability.

Please can we have the trees cut back and speed limit reduced?

Internal estate roads are only 3-4m wide reducing ability to be serviced or cars to turn around and will have to use driveways.

Some of the roads will be in excess of 7% gradients, how will gritters access the site, if at all?

Not enough car parking leading to parking on streets.

Where are the pathways linking to other areas?

- Character

Caistor is a traditional market town with listed buildings not housing estates. The development is not in keeping with the rest of the town.

There is no need for this development especially on the edge of the Water Hills – refuse again. There are two existing sites on the flattest areas of Caistor that are not yet built out and houses are for sale in the village for over a year.

Once land has gone it has gone for good depriving our future generations from the beauty we have enjoyed. The site is one of Caistor's beauty spots that will be lost forever. The locals cherish this area and its loss will affect many who use the area for walking or who enter the village in this location.

The site is not in an AONB but it is the AGLV with footpaths crossing close by. These footpaths are the town's tourist draw and this development will put the valley at risk.

LP22 – promotes green space and areas and views of special features unique to the area. It is argued that Waterhills of which this site forms part of should be designated under paragraphs 5.8, 5.82 and 5.85 as providing a green lung for the people of Caistor. It is within easy reach of the town unlike the land to the south of the A46 where you take your life in your own hands.

- Flooding

The area was refused on flood grounds last year for good reason. The site is prone to flooding as shown on signs in area, it never dries out. That is why it is called Waterhills

Brigg Road at the junction with Canada Lane constantly floods in winter with mud over the pathway and the carriageway constantly wet.

The development will drain into a chalk stream which is very rare ecology. If it is contaminated it is lost.

What will stop the stilling pond from overflowing into the stream during heavy periods of rain? Also costs seem to indicate the price of only 2 downstream defender units and there are three on the drawing!

Streets are so narrow they will funnel water and with no kerbs this would lead to flooding at end of the street.

The latest design in terms of surface water drainage into a chalk stream has put all its eggs in 1 basket at the bottom of the site with 1 huge attenuation tank and 1 downstream defender unit instead of 3 sets as previously shown. If the only filtration before the watercourse is the single downstream defender and it becomes blocked (it only removes 80% of solids) it will bypass and put polluted water straight into the stream with 0 % filtration- surely the Environment Agency should make some comment on this layout ?

- Policy and density

The developers have exceeded the amount of houses Caistor Town Council recommended by up to 20 houses. None are designed as affordable and if this site is approved the next site will be developed too and this adjoins the Viking Way.

There are better brown field sites more central to Caistor which should be used. The sequential approach to brownfield sites first has not been undertaken. There are plenty of small sites which could be used first. Greenfield sites at the edge of a settlement is the last in the hierarchy.

- Infrastructure

The doctors cannot cope (two weeks for an appointment), the schools are full, no dentist and drainage cannot cope.

No one walks (as it is up hill) so the Market Place and surrounding area is over run with cars as there aren't enough car parking spaces. The same is true of school children with parking chaos when schools are operational.

The bottom of Canada Lane was awash with water in recent rain

Sewerage tankers take the waste way from Caistor as the treatment works cannot cope.

The sewerage network does not have capacity to even get sewerage to the treatment works. A gravity system will not work so an expensive pumped system will be needed to be improved which will be expensive. When the cost of this is taken into account and the cost of burying overhead electric cables this explains why there is no money for schools, affordable housing and doctors. The fact that this site would fall within the Neighbourhood Plan's distance criteria should not blind people to the cost of such a development, its problems and the lack of any benefit to the town.

The applicant quotes exact figures to upgrade network but where does this come from? Where are the details to back this up? Will it involve the closing of the main Brigg Road whilst they put a new main in, this will be not be popular with Caistor residents and businesses alike. Anglian Water report has lots of errors and requires odorous and hazardous solutions close to dwellings and the Grammer School. There is no guarantee the works will be done! Who will pay...residents of Caistor.

The open spaces on site are either too small or are too steep to be useable for recreation. Children will need to cross the road and this will reduce safety.

- Affordable housing

This will not benefit anyone from Caistor. There are no affordable houses or infrastructure improvements so children will continue to need to leave the town for Lincoln/ Grimsby where there are suitable affordable houses. The proposals offer nothing but profit for applicants.

Policy requirements are for 20% affordable housing and the fact that this is a difficult site to develop is not a reason to let the developer off this requirement. Developers do not need to be incentivised to develop. Surely it would be better to focus on allocated sites further down Kelsey Road.

Other estates are not being built out and the Navigation Road site has high levels of housing association families.

The fact that the affordable housing and s106 contributions are different should ensure this application is not treated as a resubmission but a completely new application where all issues can be re-considered including highway safety.

- Ecology

Wildlife in this area will be impacted upon with a wide range of species seen. Flora is similarly effected and will be lost.

The Chalk Stream rare in Europe will also be harmed.

Will horses in the area be able to stay once development has been completed?

- Other

People have chosen to make homes in Caistor because of the positive atmosphere of the town. All this new development in the town is radically changing the atmosphere and people no longer have the same bonds and ties and awareness of each other. People who want larger bustling town with more available amenities should live there and leave Caistor to have a close community.

Support: 15 Teal Close

- Growth, housing and economy

More housing is a good thing and it's good for the local economy.

Civic Society: This development would encroach on the Waterhills which is a local beauty spot much appreciated by local people and tourists. The Society provide guided walks which helps your Council's tourism policy.

The proposed access to Brigg Road causes much concern about highways safety. Local people know how dangerous this section of road can be. It is also worrying that the layout of the proposed development shows that there is a road leading to the adjoining field to the east of the site. Would this be the thin edge of the wedge to further encroachment into Waterhills?

The Planning Committee will gather that there is very strong local opposition to this proposed development. Please ensure that Local Government prevails.

LCC Highways & Lead Local Flood Authority: *(in summary) Requests conditions be attached to any approval:*

- a) *A scheme for the provisions of a 1.8m wide footpath across the frontage of the site (including drainage provisions). Including approval and implementation;*

- b) Scheme for the creation of a tactile paved uncontrolled crossing point with 1.8m wide footpath on the opposite site of the site and implementation;
- c) The first 60m of the access road be completed before any dwellings are commenced;
- d) Drainage scheme to be submitted to include attenuation to restrict discharge rates to a maximum of 5 litres per second. Details of maintenance of scheme shall be included.

NHS England: NHS England will not be putting a s106 tender for the development of 70 dwellings in Caistor

Lincolnshire Police: (in summary) Provide advice on design whilst accepting the outline nature of the scheme. In particular the police raise concerns over the need for habitable windows to front onto habitable streets to contribute to natural surveillance. Particular concern is raised with respect to the covered car ports. This parking is likely to be away from and out of sight of the residential dwellings and therefore have a lack of natural surveillance limiting the attractiveness of this area to users. It could also increase anti-social behaviour. Any subsequent detailed design should allow for all round natural surveillance, clear lines of sight and appropriate lighting.

LCC Rights of Way: Definitive Footpath No.29 and Bridleway (Caistor) No. 30 are in the vicinity of the site but the new development would not directly affect them. 70 new homes would add considerably to the demands placed on these footpath. General guidance is also proposed as an advice note.

Comments;

i/ It is expected that there will be no encroachment, either permanent or temporary, onto the right of way as a result of the proposal.

ii/ The construction should not pose any dangers or inconvenience to the public using the right of way.

iii/ If any existing gate or stile is to be modified or if a new gate or stile is proposed on the line of the public right of way, prior permission to modify or erect such a feature must be sought from this Division.

Should the blue ownership outline extend to Bridleway 30 then this development would make it prudent to create a further public footpath to link to this to the north of the site to facilitate opportunity for local exercise. Planners are invited to consider imposing a condition that a further link path be provided in this way.

Archaeology: No objection

Environmental Protection: No objection in principle but need to address contamination from substation and potential hot spots of contamination resulting from long term burning on the site. Should also consider noise from the substation. Need to consider the terrain which would need to mitigate the surface water generated by the proposal and the ability to store, attenuated and infiltrate the surface water on site.

Education: A contribution of £157 870 is requested for the primary school

Environment Agency: Originally raised concerns with respect to foul drainage but following additional information the agency raises **no objection** subject to a condition requiring an adequate scheme for the provision of mains foul sewerage infrastructure on and off site to have been submitted to and approved by the Local Planning Authority:

Condition: No building works which comprise the erection of a building required to be served by water services shall be undertaken in connection with any phase of the development hereby permitted until full details of a scheme including phasing, for the provision of mains foul sewerage infrastructure on and off site has been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be occupied until the works have been carried out in accordance with the approved scheme.

Reason: To prevent flooding, pollution and detriment to public amenity through provision of suitable water infrastructure.

Informative

In order to satisfy the above condition, an adequate scheme would need to be submitted demonstrating that there is (or will be prior to occupation) sufficient infrastructure capacity existing for the connection, conveyance, treatment and disposal of the quantity and quality of water within the proposed phasing of development.

Lincolnshire Wildlife Trust: No response at time of writing

Anglian Water: Have confirmed that there is not capacity to accommodate a 70 house development within the Caistor Water Recycling Centre sewerage network. Anglian Water are obligated to accept foul flows from development with planning consent and should take the necessary steps to ensure that there is sufficient treatment capacity should the planning authority grant planning permission.

Development will lead to an unacceptable risk of flooding downstream. A drainage strategy will need to be prepared in consultation with Anglian Water to determine mitigation measures.

A condition requiring the drainage strategy covering the issue(s) is requested to be agreed.

CONDITION

No development shall commence until a foul water strategy has been submitted to and approved in writing by the Local Planning Authority. No dwellings shall be occupied until the works have been carried out in accordance with the foul water strategy so approved unless otherwise approved in writing by the Local Planning Authority.

REASON

To prevent environmental and amenity problems arising from flooding.

Surface water is not a matter relevant to Anglian Water and the Environment Agency should be contacted.

Lincolnshire Fire & Rescue: Do not make an objection provided the following items are included within the development:

I. Access to buildings for fire appliances and fire fighters must meet with the requirements specified in Building Regulations 2010 Part B5. These requirements may be satisfied with other equivalent standards relating to access for fire-fighting, in which case those standards should be quoted in correspondence.

II. Lincolnshire Fire and Rescue also requires a minimum carrying capacity for hard standing for pumping appliances of 18 tonnes, not 12.5 tonnes as detailed in the Building Regulations 2010 part B5. This weight limit would also apply to any private/shared access roads in order to achieve the above item.

III. Lincolnshire Fire and Rescue recommends that fire hydrants be installed within this development at the developer's expense. However, it is not possible, at this time, to determine the number of fire hydrants required for fire-fighting purposes. The requirement will be determined at the water planning stage when site plans have been submitted by the water companies.

Relevant Planning Policies:

Development Plan

Central Lincolnshire Local Plan (Adopted April 2017)

<https://www.n-kesteven.gov.uk/central-lincolnshire/local-plan/>

LP1: A presumption in favour of sustainable development

LP2: The spatial strategy and settlement hierarchy

LP3: Level and distribution of growth

LP9: Health and wellbeing

LP10: Meeting housing needs

LP11: Affordable housing

LP12: Infrastructure to support growth

LP13: Accessibility and transport

LP14: Managing water resources and flood risk

LP16: Development on land affected by contamination

LP17: Landscape, townscape and views

LP21: Biodiversity and geodiversity

LP24: Creation of new open space, sports and recreation facilities

LP25: The Historic Environment

LP26: Design and amenity

LP51: Residential allocations – Market Towns

Caistor Neighbourhood Plan (CNP) Made Version

<https://www.west-lindsey.gov.uk/my-services/planning-and-building/neighbourhood-planning/neighbourhood-plans-being-prepared-in-west-lindsey/caistor-neighbourhood-plan/>

CNP Policies:

- 1 - Growth and the resumption in favour of sustainable development
- 2 - Type scale and location of development
- 3 - Design quality
- 4 - Housing mix and affordable housing provision
- 5 - Improved pedestrian and cycling linkages
- 8 – Leisure facilities
- 10 - Tourism
- 14 – Community infrastructure requirements

Aspiration 1 – Transport, traffic and highway infrastructure delivery and management strategy

The Caistor Neighbourhood Plan has been produced following extensive public consultation. The formal making of the plan occurred on the 6th March 2016. Through the making of the plan the CNP now forms part of the Adopted Development Plan for West Lindsey and is used to determine planning applications.

National guidance

National Planning Policy Framework (NPPF)

<https://www.gov.uk/government/publications/national-planning-policy-framework--2>

National Planning Practice Guidance (NPPG)

<http://planningguidance.communities.gov.uk/blog/guidance/>

Other

Adopted West Lindsey Landscape Character Assessment

Draft Central Lincolnshire Development Contributions Supplementary Planning Document (SPD).

Main issues

- *Principle of housing in this location, sustainability & facilities (LP1, LP2, LP3, LP9, LP10, LP11, LP12, LP15, LP23, LP24 & LP51)*
- *Character, design & nature conservation issues (LP2, LP17, LP21, LP25 and LP26, NBE15 and NBE20)*
- *Highway safety and capacity (LP2, LP13 and LP51)*
- *Drainage and Flooding (LP14)*
- *Archaeology (LP25)*
- *Design and residential amenity (LP17 & LP26).*

Assessment:

- *Principle of housing in this location sustainability & facilities*
 - i) *Provisions of the Central Lincolnshire Local Plan*

Planning law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise.

The Central Lincolnshire Local Plan contains a suite of policies relating to the planning principle for the area and land allocations. The plan categorises settlements as per their function, scale, services and connections. Policy LP2 indicates that Caistor is classified as Market Town. Here policies indicate that Caistor will be the focus for significant but proportionate, growth in housing... Most of its growth it notes will be via sites allocated in this plan, or the intensification or renewal of the existing urban area. However, additional growth on non-allocated sites in appropriate locations on the edge of these market towns (but immediately adjoining the developed footprint) may also be considered favourably though these are unlikely to be supported if over 50 dwellings/ha per site (whichever is the smaller).

Policy LP51 of the CLLP includes allocation CL1888 which has an area of 2.21ha with an indicative number of dwellings being noted as 50 (23 dwellings per ha (dph)). This allocation covers the majority of the application site with only the northern eastern corner falling outside the allocated area. The remaining part of the site is unallocated open countryside. It should be noted that of the 3.34ha application site approximately 0.93ha would fall outside of the allocation and be open countryside. The majority of the site outside the allocation, however, is shown on the indicative plan as open space. Whilst the plan is indicative, this part of the site includes the steepest section of the site so it less likely to be used for development. Nonetheless, the plan shows 12 dwellings either partially or wholly within this area. As the proposal, including the non-allocated area would be developed as a whole with the allocation, it is considered that the development would accord with policy LP2.

It should also be noted that the indicative number of houses of 50 identified in the policy is simply that, indicative. This figure is an average of housing development per ha found in Central Lincolnshire. Therefore development on any particular site could be higher or lower dependant on detailed considerations. In principle, therefore, it is considered that 69 houses (32 dph) in this location would not be unacceptable in principle. It is also noted that whilst the previous application (ref. no. 131181) for 69 dwellings was refused in September 2016 it was not resisted in principle or on density grounds. Whilst the Central Lincolnshire Local Plan was not adopted in Sept 2016 it had reached an advanced stage and the allocation policies relating to Caistor have not changed since that stage. Whilst objectors therefore seek the refusal of this application on policy and density grounds it would be very difficult to defend any such appeal given the merits (discussed later in this report) of the scheme, the grounds of refusal given the previous decision and the current adopted development plan policies.

ii) Caistor Neighbourhood Plan

Paragraph 184 of the NPPF indicates: *Neighbourhood planning provides a powerful set of tools for local people to ensure that they get the right types of development for their community. The ambition of the neighbourhood should be aligned with the strategic needs and priorities of the wider local area. Neighbourhood plans must be in general conformity with the strategic policies of the Local Plan.*

The NPPF further notes that: *Once a neighbourhood plan has demonstrated its general conformity with the strategic policies of the Local Plan and is brought into force, the policies it contains take precedence over existing non-strategic policies in the Local Plan for that neighbourhood, where they are in conflict (para 185).*

The Caistor Neighbourhood Plan should be given full weight in this application assessment as it has now been made. The CNP does not allocate development sites but its policies seek to provide a broad criteria for future development to meet. Of particular note is policy 1 which seeks a presumption in favour of sustainable development. Policy 2 goes further and provides guidance as to the type, scale and location of development. The policy indicates, amongst other requirements, that proposals should reflect the character and appearance of the town and be within 800m of the market square where a large number of the town facilities are.

The application site falls clearly within this distance based criteria, a well-used tool for assessing sustainable access. In addition to this, the site falls outside of allocated natural and semi-natural green spaces as shown within the Composite Plan of the CNP.

The impact on the character of the area is an important consideration but will be assessed below.

Sustainability & facilities

Paragraph 7 of the NPPF identifies three dimensions to sustainable development: economic, social and environmental. It is important to note from paragraph 37 of the Dunholme appeal decision that *“the NPPF enjoins the planning system to seek joint and simultaneous gains across the three mutually dependent dimensions of sustainable development: social, economic and environmental”* and *“the overall balance must look across all three strands”* but that *“weakness in one dimension did not automatically render a proposal unsustainable.”*

Caistor is classified as a Market Town (CLLP LP2). The settlement contains: primary and secondary schools, churches, community and sports facilities, shops, public houses, medical facilities and employment opportunities. The site is located approximately 400 - 600 metres from the centre of the village which would be a comfortable walking distance even taking account of topography. It is accepted that as a maximum distance access to some of the schools would be approximately 1km away from the site and uphill however, whilst 800m is a comfortable 10 minute walk this is not the upper limit of advice as 2km is deemed a realistic alternative to the motor car (Manual for Streets DCLG 2007). Similarly, cycling has the potential to replace motor vehicles for trips of 5km or less. The application site is also opposite the sports ground which includes play equipment increasing use of such facilities without having to resort to the use of a motor vehicle.

Caistor is reasonably well served by bus routes and these services are considered to provide a sustainable method of connecting to Grimsby/ Lincoln, Market Rasen and indeed Brigg (although with a very limited service). The bus stop closest to the site is

within the Market Place within approximately 400m (600m from the furthest part) of the site.

The application site would also connect to the existing footpath network at the site frontage. The Highway Authority has requested that a 1.8m high footpath be formed to the frontage of the site to link and enhance the existing footpath network. In addition to this, a tactile paved uncontrolled crossing points are proposed to the site frontage and to the opposite site of Brigg Road to connect to another proposed 1.8m wide pavement leading to the access to the sports club. The objectors points are noted and the improvements to the footpath network would also enhance access to the wider area. It is noted in one area that the footpath would remain narrow but this is not considered of such detriment to warrant a recommendation of refusal. At reserved matters stage it is also likely that detailed designs would be required to ensure footpath and cycle routes would permeate within the site to aid accessibility. This would accord with the requirements of CLLP policy LP13.

As LP12 of the Central Lincolnshire Local Plan requires developments to be supported by, and have good access to, all necessary infrastructure. Planning permission it notes will only be granted where it can be shown that there is, or will be, sufficient infrastructure capacity to support and meet all necessary requirements arising out of a scheme not just on site or its immediate vicinity. Supporting paragraphs to the policy indicate that this includes water and drainage energy, communications, leisure and green infrastructure, education health and transport. This accords with policy 7 of the CNP which require support of local facilities.

NHS England have advised that a financial contribution would not be required to contribute to the capital cost of health care infrastructure in this instance. Whilst the concern over the capacity of the local GP practise is important, the issue of doctor recruitment is not a planning matter and is a national issue which cannot be rectified by individual developments or developers.

The Education Authority have stated that the development would result in a direct impact on local schools. A £157 870 contribution is therefore requested to mitigate against the impact of the development at local level. This is a valid request compliant with legislation and would need to be secured through the S106 planning obligation. The applicant has indicated a willingness to agree to such a figure.

The application site is located outside the Lincoln Strategy Area, SUE's and as a result CLP policy LP11 requires that 20% of housing development to be affordable. The applicant has indicated that the development could not support the full contribution on viability grounds but has offered 15% (10.3 units) affordable units on this site.

In assessing the proposal, officers are aware that the site would also be liable for Community Infrastructure Levy (CIL). This requires development across Central Lincolnshire over 100 sq. m (housing) to contribute to important infrastructure requirements. The West Lindsey CIL seeks contributions to the Lincoln Eastern Bypass and secondary school education. The contribution is assessed on the basis of floor area and so at outline it is not usually possible to identify an exact figure. The applicant has calculated a ball park figure based on West Lindsey average house size

to aid his assessment of costs. This has had an effect of increasing contributions required from developers above that considered in the last application.

Due to the limitations on contributions a viability assessment has been provided to your officers to assess. Due to the difficulties of developing this site and low sale values within the area the full request is not deemed viable. It is therefore recommended that the education contribution be supported in full and the CIL contributions are met. The applicant is also willing to provide 15% affordable housing. This could be provided on site or through a financial contribution which could then be used off site within Caistor to assist other affordable led proposals.

Despite the affordable housing contribution being 5% below the usual standard, it is recognised that the applicant is now required to support CIL payments. Having considered the viability assessment officers are content that the evidence provided to meet less than the full contribution has been justified. It is also noted that a similar shortfall in affordable housing was outlined in the previous application (131181) but did not generate a reason for refusal when it was determined by this authority. It is recommended that the Planning Committee support the recommendation subject to a s106 legal agreement being drawn up to include the education, open space and affordable housing requirements.

The application site would provide approximately 1.16 ha of open space on site and this will provide a level of amenity for future occupants and users of the site. It accepted however, that a significant proportion of this space would be of visual amenity value due to the steepness of the site. Other areas would though be available for informal recreation. Policy LP24 states that Central Lincolnshire Authorities will seek to:

- Reduce public sports open space, sports and recreational facilities deficiency;
- Ensure development provides an appropriate amount of new open space, sports and recreational facilities; and
- Improve the quality of, and access to, existing open spaces, sports and recreational facilities.

The policy notes that residential development will be required to provide new or enhanced provision of public open space in accordance with the appendix c of the CLLP and indeed the Draft Central Lincolnshire Development contributions Supplementary Planning Document.

The application site is well located for access to the Caistor Sports and Recreation Club located almost opposite the site. This provides good and easy access to the facilities including both formal (cricket, football, tennis pitches) and informal play equipment. It is noted in the Playing Pitch Needs & Evidence report that supported the Central Lincolnshire Local Plan that the cricket pitch facilities were good but over used with an additional synthetic wicket requested and along with enhanced changing facilities including official's accommodation. With reference to more informal play the CNP policy 8 indicates the wish to provide a skate/ roller blade/ BMX track to be supported.

Policy LP24 notes that where such facilities are available in the area, within the correct distances, and where on site provision is not feasible or suitable consideration will be given to a financial contribution to the creation of a new facility or the upgrade and improvement of an existing useable facility will be considered.

In this instance, whilst the proposal would increase the use of facilities locally the existing range and quality of facilities available opposite the site which provides activities for all ages, including both informal and formal play/ sports is considered sufficient. Whilst enhancements could be made as discussed above these are not considered essential to support the recreational wellbeing of future residents nor would the existing facilities be overwhelmed by the demands placed on it by future residents. As such it is considered that the scheme would not be contrary to policy LP24.

- *Character, design & nature conservation issues*

The application site is positioned on the edge of Caistor and is located outside the built up area of the town but directly adjoins it. The application site falls into an Area of Great Landscape Value (AGLV) but is not within the Area of Outstanding Natural Beauty (AONB).

Policy LP17 of the CLLP seeks to protect and enhance the intrinsic value of our landscape and townscape, including the setting of settlements. Proposals, it notes, should have particular regard to maintaining and responding positively to any natural and man-made features within the landscape and townscape which positively contribute to the character of the area, such as (but not limited to) historic buildings and monuments, other landmark buildings, topography, trees and woodland, hedgerows, walls, water features, field patterns and inter visibility between rural historic settlements. Where a proposal may result in significant harm, it may, exceptionally, be permitted if the overriding benefits of the development demonstrably outweigh the harm: in such circumstances the harm should be minimised and mitigated. Policy LP17 also states that: all development proposals should take account of views in to, out of and within development areas: schemes should be designed (through considerate development, layout and design) to preserve or enhance key local views and vistas, and create new public views where possible. Particular consideration should be given to views of significant buildings and views within landscapes which are more sensitive to change due to their open, exposed nature and extensive inter visibility from various viewpoints.

Noting the importance of the Lincolnshire Wolds, AONB and AGLV policy LP17 states: The considerations set out in this policy are particularly important when determining proposals which have the potential to impact upon the Lincolnshire Wolds AONB and the Areas of Great Landscape Value (as identified on the policies map) and upon Lincoln's historic skyline.

Within the West Lindsey Landscape Character Assessment the area is noted as forming part of the North West Wolds Escarpment although the lower edge of the site adjoins the Heathland Belt character area. The Escarpment forms the backdrop to this part of the district and the slopes are steep, hummocky and indented by the action of streams and landslips. Although Caistor extends up the escarpment and punctures the skyline in places, the adopted Countryside Design Summary for the area advises that new development should be severely restricted along the prominent ridgeline and scarp face. New buildings it notes should only be accommodated on the lower slopes, following the existing settlement pattern.

It further notes that careful consideration should be given to the siting of buildings, taking account of local topography, vegetation and views. Buildings which are situated at the foot of slopes or in the folds of undulating ground are characteristic; they should be associated with substantial tree planting designed to integrate them with the surrounding contours and landscape pattern. Developments should not be linear but seek to ensure buildings contribute to the setting of the village. Substantial blocks of development would be inappropriate in this natural landscape setting.

CNP policy 2 notes that the growth of the town is welcomed but that growth needs to be at a scale and in locations that reflect the historic character of the town and avoid undue expansion.

The visual impacts of this proposal on the character of the area are twofold: a) impact on the character of the countryside including the entrance to Caistor itself and b) the layout and design of the development.

a) Impact on the character of the countryside including the entrance to Caistor

As noted the site is currently grazing land which extends from Brigg Road upwards along the escarpment to the east and to existing dwellings to the south, south east. To Brigg Road the site wraps around a large fenced compound that accommodates a single storey brick substation and transformer. This compound is partially screened from the road with hedges but is nonetheless clearly seen particularly when arriving into Caistor from Brigg. It is also present in many of the views of the escarpment from Brigg Road. On a more positive note mature trees existing in the southern corner of the site currently provide a green entrance to the village.

It is considered that the proposed development would modify the character of the entrance to the village in this location but that the harm of the existing substation could be reduced through screening of some views with positive housing designs either side of the compound. This could enhance the entrance to Caistor particularly with the retention of the mature trees in southern corner of the site, the mature hedges to the site boundary and the creation of a village green type area to the Brigg Road frontage. In addition to this, the termination of the development short of the curve in the road and the stream to the north would retain some undeveloped views of the escarpment/ Waterhills beyond. The site is also partially opposite the housing to Keyworth Drive which is formed of two storey buildings. This provides a partial setting for the site along Brigg Road.

The Viking Way is positioned to the east of the site, some way up the escarpment. This well-known long distance pathway does not directly adjoin the application site which is some 120m to the west. Views from the pathway especially during the summer months is heavily screened by hedging and trees which form a canopy over the pathway. In addition to this, the topography of the land relative to this long distance footpath would considerably reduce views of large sections of the development.

Similarly, although more views of the site would be possible from Canada Lane, again hedging and mature trees would screen most views whilst from closer sections any development would be seen in the context of the housing to North Street, the substation and Keyworth Drive beyond. Therefore whilst again changing the character

of this area it is not deemed significant nor sufficient to seek to resist development on landscape grounds.

Views from other public vantage points on top of the escarpment at Riby Road would be limited by the brow of the descent with the development being on the lowest levels of the hill in accordance with the West Lindsey Character Assessment.

b) The layout, density and design of the development

Although outline in form and as such any plan is indicative, the applicant has sought to consider the character of the development through assessing the layout of Caistor, its building types, position, density and spaces. It seeks to provide a unique design that follows the character of the town rather than a standard estate plan. The proposal also seeks to address the open countryside with a reduction in density towards the edges of the site. Building heights are also indicative but range from single storey to three storey in height. Similarly, detached, semi-detached and terraced formats are proposed again mimicking the town itself.

Therefore whilst the proposal would replace a greenfield site and some views from public vantage points would change, the impact on views of acknowledged importance would be limited whilst other views would benefit from the screening of the substation.

It should also be noted that as an allocated site, within the Central Lincolnshire Local Plan there is an expectation that the majority of this site would be developed for housing which in itself would lead to a significant change to the character of the area. Although slightly larger than the allocated site, in area, a large proportion of this wider area would be undeveloped and remain open making any difference compared to the allocation limited. Another consideration is the increased density of the proposal. The indicative density of the site is for 50 dwellings (23 dwellings per ha) whilst proposed development at 69 dwellings (32 dwp ha) whilst a 40% increase in scale the visual impact on the surrounding area would be limited and would create the general scale and density of the more historic parts of Caistor as opposed to newer suburban areas. Given the importance of design as outlined within policy 3 of the CNP this increase is deemed acceptable. Similarly, it should be noted that a similarly dense development (ref. no. 131181) was not opposed on design grounds in 2016 and is almost identical to the current proposal.

Ecology

The site is not designated as an ecologically important site but it is close to Waterhills Local Wildlife Site (LWS).

The CLLP includes policy LP21 which relates to biodiversity and geodiversity. It notes: *All development should:*

- *protect, manage and enhance the network of habitats, species and sites of international, national and local importance (statutory and non-statutory), including sites that meet the criteria for selection as a Local Site;*
- *minimise impacts on biodiversity and geodiversity; and seek to deliver a net gain in biodiversity and geodiversity.*

Planning permission will be refused for development resulting in the loss, deterioration or fragmentation of irreplaceable habitats, including ancient woodland and aged or veteran trees, unless the need for, and benefits of, the development in that location clearly outweigh the loss or harm.

Proposals for major development should adopt a landscape scale and ecosystem services approach to biodiversity and geodiversity protection and enhancement identified in the Central Lincolnshire Biodiversity Opportunity Mapping Study.

Development proposals should create new habitats, and links between habitats, in line with Biodiversity Opportunity Mapping evidence to maintain a network of wildlife sites and corridors to minimise habitat fragmentation and provide opportunities for species to respond and adapt to climate change. Development should seek to preserve, restore and re-create priority habitats, ecological networks and the protection and recovery of priority species set out in the Lincolnshire Biodiversity Action Plan and Geodiversity Action Plan.

Where development is within a Nature Improvement Area (NIA), it should contribute to the aims and aspirations of the NIA.

Development proposals should ensure opportunities are taken to retain, protect and enhance biodiversity and geodiversity features proportionate to their scale, through site layout, design of new buildings and proposals for existing buildings.

Mitigation

Any development which could have an adverse effect on sites with designated features and / or protected species, either individually or cumulatively, will require an assessment as required by the relevant legislation or national planning guidance. Where any potential adverse effects to the biodiversity or geodiversity value of designated sites are identified, the proposal will not normally be permitted.

Development proposals will only be supported if the benefits of the development clearly outweigh the harm to the habitat and/or species.

In exceptional circumstances, where adverse impacts are demonstrated to be unavoidable, developers will be required to ensure that impacts are appropriately mitigated, with compensation measures towards loss of habitat used only as a last resort where there is no alternative. Where any mitigation and compensation measures are required, they should be in place before development activities start that may disturb protected or important habitats and species.

As noted, the proposal would not fall within the designated LWS and is separated from it by a section of field. Nevertheless, the site has value of its own and is connected to the Waterhills LWS by the watercourse. A number of ecological surveys have been undertaken which have shown that the site is generally made up of poor quality grassland but that there are areas which are species rich within the northern section of the site close to the watercourse. Whilst such areas are limited they would meet the LWS designation criteria for such species. These areas should therefore be protected and enhanced. The applicant has shown the areas of interest to fall into areas of open grassland to the north of the site where the gradient of the site is greater. Although

some houses within the site would have gardens extending down to the stream it is recommended that these are limited and areas shown green on the latest indicative plan be conditioned to be maintained as public open space. Such conditions would be required to agree a management scheme at the site. Although no response has been received from the Lincolnshire Wildlife Trust the trust has been involved with the previous application and pre application discussions for this submission. It is considered that such conditions would address the previous concerns of the Trust. The applicant has indicated a willingness to accept conditions to this affect.

The other issue is the potential pollution of the water course. Such pollution could impact on the Waterhills LWS. The applicant was originally seeking to direct surface water drainage directly into the watercourse which would have increased the potential for pollution. The proposal, however, has now been amended to include an attenuation tank with a defender in place to cleanse water before discharging the water into the watercourse. Although the design has slightly changed since submission the principle of such protection has been considered by the Lincolnshire Wildlife Trust at pre application state as being acceptable and would be maintain the quality of water entering into the Chalk Stream. Conditions are proposed to agree the detailed designs of the actual scheme including its future management. It is likely that subject to detailed designs it is considered that such features would protect the LWS but also allow for enhanced biodiversity on site.

Consideration of wildlife using the site are noted but are not considered significant. Standing advice is therefore recommended whilst enhancement works suggested would assist the support of other animals and birds. This together with the previous planting recommendations of the Lincolnshire Wildlife Trust accord with policy LP21 of the CLLP.

- *Highway safety and capacity*

The proposed development would be accessed from Brigg Road the A1048. Access is not a matter reserved and can be considered in detail. The proposed access would be located approximately 27m to the north of the substation access. The access road would be 5.5m wide with a pavement either side of the carriageway.

Taking account of vehicle speed at this part of Brigg Road (40mph) the visibility splays required at the access would be between 90 and 116m. Calculated stopping distance for traffic in wet weather is between 96 to 120m. This also accords with Lincolnshire County Council guidance. The applicant has shown that the proposed site access could meet a 116m visibility envelope. The position of nearby access to the sports club has also been noted. Taking account the nature of the site and details submitted the proposal has not been objected to by the Highway Authority. It is noted that some drivers do not always obey speed limits but this is not a matter for the planning authority and can be enforced by the police. The applicant has offered to reduce the speed limit in this area but even with the proposed development the Highway Authority does not seek to impose such a requirement.

Accident data has been assessed from 2009 to 2015 which indicates that 31 accidents have occurred in the surrounding area but only one slight accident, occurred within the vicinity of the application site at the Brigg Road/North Kelsey Road junction. This

involved a car and cyclist and took place late in the evening and is attributed to driver error and distraction. This indicates that safety concerns at this location are not significant. Concerns over motor cycles are noted, however, the road is considered safe so as to not justify an objection on these grounds.

Traffic counts have been undertaken at the site, with approximately just under 300 vehicles per hour passing the site at worst and typically under 200 for the rest of the day. A 69 dwellings estate is considered to generate approximately 296 trips per day, some 34 in the morning peak hour and 25 in the afternoon/evening peak hour. It is noted that a 6.1m wide road, to which the A1084 conforms, can accommodate an hourly flow of 750 vehicles in a single direction. Brigg Road would, even taking account of Caistor Lakes, the Wolds Retreat and the time of year of the survey, be sufficient to accommodate the flows proposed.

It is noted that some objections received have noted that the assessment is out of date due to its age. The Highway Authority, however, is content that the traffic situation within Caistor has not significantly changed to the extent that a new survey is required.

As noted above the proposal would generate pedestrian traffic due to its proximity to the Town Centre. The site is currently served by a sub-standard 1m wide footpath. In recognising this the applicant has proposed an enhanced footpath across the site and this would be supported by a condition for a 1.8m footpath. Due to the topography of the site however, the embankment in the south western corner of the site would preclude significant enhancement in this location. To assist pedestrians it is also proposed that a tactile crossing point close to the sports field is also conditioned.

- *Drainage and Flooding*

The site is located within the western escarpment of the Lincolnshire Wolds. It is characterised in part by its steep gradients (1 in 10) within the site and ground levels which generally fall to the north east to the beck which runs along its northern boundary. The area is known to locals as Waterhills although the actual extent of this area is disputed by some.

The site falls within Environment Agency Zone 1 indicating it is not at significant risk from sea or river flooding. No sequential assessment is therefore required. The main issue therefore is surface water drainage both in terms of current flows but also those generated by the proposal. No significant areas of flooding/ponding were noted on site during site investigation during the month of November.

To seek to meet the latest Sustainable Urban Drainage (SUDs) guidance a sequential assessment of potential drainage systems should be considered with on-site infiltration being the ideal system followed by drainage into existing water courses and finally drainage into existing sewerage network. The drainage of the site has been a major issue for this scheme and led to the refusal of previous application 131181 in 2016. Since then the agent has, in discussion with the Lead Local Flood Authority considered a number of options. Following an acceptance that despite permeable soils the gradients on site would render infiltration unworkable a more traditional approach has been advocated. Similarly, only small areas of traditional swales or permeable road surfaces (as a means to clean water before directing them to carrier pipes) are likely

to be possible on this site. As such the more traditional form of drainage gullies, pipes leading to an underground attenuation tank (1128 cubic metre capacity) is recommended. This would be large enough to store water generated on the site for during a 1 in 100 year flood event plus climate change allowance (40%) with water being released into the stream at maximum rate of 5l/s (greenfield rates). As noted above the scheme would include the installation of a defender system to ensure that contaminated water would not enter the chalk stream.

The LLFA has accepted this drainage strategy in principle as workable but recommend conditions for a full drainage scheme to be submitted and approved before construction commences.

Foul drainage would be to the main foul sewer in Brigg Road/North Street junction. A pumped system would be required and the applicant has shown a pumping station within the north western corner of the site. Anglian Water has indicated that neither Caistor Water Treatment Works nor the network leading to it has capacity for the flows generated by this proposal.

Additional investigation work has taken place with Anglian Water (AW) and as a result a number of enhancements to the network has been recommended including the enhancement and up sizing of manhole connections, vertical realignment (re-grading) pipes and enlarging others to provide sufficient capacity to the system. An off line storage solution including a deep storage capacity solution at the junction of Brigg Road and North Kelsey Road is also an option. The applicant has agreed to partially fund such works which ever final design is determined to be the best option. AW requests that conditions are placed to ensure that development does not take place until a final detailed scheme has been agreed with a timescale for network enhancements to take place. AW also confirm it is their responsibility to upgrade the treatment works.

It is considered therefore that subject to conditions it is appropriate to recommend this revised proposal for approval.

- *Archaeology*

Caistor is known to have pre-historic and Roman origins and has resulted in a number of important finds and features being identified within the town and surrounding countryside. Although there have been no finds on the application site Romano- British pottery has been identified in the garden of a bungalow at the western end of Canada Lane some 100m to the north west of the site.

Following submission of a desk top survey negotiations led to a geophysical survey being undertaken at the site. This found a number of features including buried ditches and areas of ridge and furrow. Ferrous rich materials were also found which corresponded with modern boundaries indicating they were likely to be the result of modern interventions. To be certain however, intrusive investigations in the form of dug trenches were undertaken in those areas where the geophysical survey showed potential. Eleven trenches were dug and were overseen by an officer from LCC Archaeological Service. The results of such investigations were of limited interest although some small flint finds were made which correspond with surrounding field

work at Sandbraes Farm confirming the presence of low level flint working in the vicinity.

The result show that there is limited archaeological interest at the site and no further investigations or mitigation are required.

- *Design and residential amenity*

The outline nature of the proposal makes the assessment of the design difficult. The applicant has, however, provided an indicative layout which indicates that 69 dwellings could be accommodated on the site. The design and access statement also indicates that the proposal would take its layout and design references from the town itself with housing close to pavements and irregular street form and town green type arrangements. The density whilst higher towards the centre reduces to the edge of the development.

In a similar way, the impact on existing residents cannot be fully assessed as the layout is only indicative. What can be determined, however, is that a scheme of 69 dwellings could be accommodated on site with each property having a reasonable outlook, garden space and parking areas to maintain residential amenity.

It is noted that some of the dwellings are proposed to be three storeys in height. Such heights are characteristic of Caistor and are located at the lowest part of the site. This would have the impact of making a positive character to the entrance of town but also allowing them to be seen in the context of higher ground levels and dwellings beyond. In a similar way the two and a half storey units are shown located just forward of where land rises to the rear in quite a pronounced way reducing the impact of such properties on surrounding the area. Whilst deemed acceptable such matters can be determined in more detail at reserved matters stage.

The noise of the substation is an issue but the applicant has indicated a willingness to agree to condition to mitigate noise levels through acoustic fencing/ other measures. It should be noted that in many cases housing is close to such facilities including for example Bob Reynolds Way in Gainsborough.

Other issues

The position of the site adjoining the substation could lead to contamination but Public Protection colleagues indicate conditions would suffice to determine the potential and remediation of such ground conditions.

The reduction in house value is not a material consideration in the planning system.

Conclusion

The proposed development would provide a range of dwellings up to 69 in number. The majority of the site is allocated within the Central Lincolnshire Local Plan (LP50) for housing but a portion is located in open countryside. The incursion of some development into the open countryside would still accord with policy LP2 of the CLLP as being immediately adjacent to the developed footprint of the town and allocation.

Its position close to Caistor Market Place would accord with Caistor Neighbourhood Plan policy 2 and provide good links to services without recourse to motor transport. It is considered that this should attract significant positive weight.

The design of the development whilst, greater in density to the indicative capacity would accord with that found in the traditional areas of Caistor as would the heights and mix of housing types suggested. The proposal would, in part, screen the substation whilst views from other public vantage points, including the Viking Way would again, in part, be screened by topography or mature hedgerows and trees. Where views are possible the development would generally be seen in the context of existing housing as such it is considered the proposal would accord with CLLP policies LP1, LP2 and LP17.

The applicant indicates the designs, whilst indicative could provide a range of house types to meet local housing need and would also accept a condition that 30% of the properties would be constructed to meet Building Regulations M4 (3) to assist people with mobility impairments to remain in houses when alterations are required. The proposal would also provide 10.3 affordable housing units which should be afforded significant weight in accordance with CLLP policy LP11 despite the reduced offer due to viability.

Access to the site can be achieved without harm to highway safety or capacity and improvements to footpaths and crossing points would allow easy access to the site subject to conditions and s106 legal agreement to accord with policy LP13.

Facilities and services within the town would be impacted upon, however, the applicant will provide the full education contribution to reduce the impact on the school. In addition to this, the development will be subject to CIL which would support infrastructure including the Lincoln Eastern bypass and secondary education in accordance with policy LP12.

Although the site is not part of an ecologically important area it is linked to one and includes areas of grassland that are worth managing and enhancing in accordance with ecological guidelines to enhance bio-diversity. Details provided show that the designated site would be protected whilst subject to conditions the areas of grassland deemed worthy of enhancement on site are also maintained. The drainage proposals also include details of protection measures to ensure that the receiving chalk stream is protected.

The proposal would, however, lead to a loss of a greenfield site and views which are cherished by some locals. Once built upon this site as an amenity, despite being in private ownership, would be lost. The site is however allocated for the development. Notwithstanding this as has been noted views are already limited and in part are eroded due to the position of the substation close to Brigg Road or protected by topography and landscaping. Conditions are proposed to provide a landscaping scheme.

The development of the site as with all new developments would generate additional traffic, however, noting the concerns of local residents, no objections on the grounds of harm to highway safety have been raised by the Highways Authority.

Surface water drainage is an issue in this area and the gradients on site has led to a considerable investigation as to its impacts. Building on greenfield locations such as this increases runoff which could exacerbate flooding. Following the refusal of planning application 131181 a redesign process has been undertaken, the result of which has been a more traditional but acceptable form of drainage scheme of gullies, pipes and attenuation tanking before controlled discharge into the stream. This, subject to detailed designs, secured by planning conditions is deemed to meet previous concerns of the Lead Local Flood Authority.

Similarly, foul water disposal has been known to be an issue in the area due to capacity issues. Anglian Water the network operator and the applicant has been involved in additional negotiations and a mutual agreement has been reached to upgrade the foul network in the area to accommodate flows. A condition is requested therefore to prevent the development until improvements to the network capacity have been completed. The proposal therefore accords with policy LP14 of the Central Lincolnshire Local Plan.

The occupants of 69 new dwellings would use local services including local schools, pre-schools and medical facilities which are under stress. The applicant has indicated a willingness to provide additional funding for schools to mitigate this impact. No request has been made from the NHS as was the case in the previous application. Whilst the concern over the capacity of the local GP practise the issue of doctor recruitment is not a planning matter and is a national issue which cannot be rectified by individual developments or developers. The proposal is therefore considered to accord with policy LP12 of the Central Lincolnshire Local Plan.

The proximity to the Water Hills Local Wildlife site and its connection through the beck is noted. The loss of the site to development would reduce ecological interest particularly as it is known to be used by animals and birds and is also home to various plant species some of which are afforded a level of protection. Surveys indicate however, that the proposal would not lead to a significant loss of habitat of species/types of importance and that schemes for mitigation can be agreed to protect and enhance areas of importance. Similarly, subject to the design of the surface water drainage scheme including the defenders it is considered that the quality of the chalk stream would be maintained in accordance with policy LP21 of the CLLP.

The application for housing on this greenfield site has courted a lot of interest and debate. The proposal for dwellings in this location would accord with Local Plan policies and provide accommodation in a sustainable location, including the provision of 15% affordable housing. Subject to conditions and s106 legal agreement it is considered that the proposal would be acceptable and would not have a detrimental impact on the character of the area nor entrance to the town, highway safety/capacity, residential amenity, ecology, drainage nor the availability of services in accordance with policies LP1, LP2, LP3, LP9, LP10, LP11, LP12, LP13, LP14, LP17, LP21, LP25 and LP51 of the CLLP and policies 1, 2, 3, 4, 5 of the Caistor Neighbourhood Plan.

RECOMMENDATION: That the decision to grant planning permission, subject to conditions, be delegated to the Chief Operating Officer, to enable the completion and

signing of an agreement under section 106 of the Planning Act 1990 (as amended) pertaining to:-

- The delivery of no less than 15% as affordable housing (70% rented – 30% shared ownership) or equivalent housing contribution if no registered provider can be identified;
- Measures to secure the delivery, and ongoing maintenance and management of public open space, drainage features and ecological areas;
- A capital contribution towards primary education (based on a set formula relating to housing size and numbers).

In addition to the s106 agreement the Community Infrastructure Levy (CIL), is in force and a contribution will be required in accordance with WLDC's regulation 123 list. The exact detail of the contribution will be determined at the reserved matters stage, when floor space can be accurately calculated.

In the event of the s106 not being completed and signed by all parties within 9 months from the date of this Committee, then the application be reported back to the next available Committee meeting following the expiration of the 9 months.

1. Details of the appearance, landscaping, layout, and scale, (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority for the development. Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of 3 years from the date of this permission. No development shall commence unless approval of the reserved matters has been obtained from the local planning authority. Development shall be carried out in accordance with the approved details.

Reason: This development is in outline only and the local planning authority wishes to ensure that these details which have not yet been submitted are appropriate for the locality and to accord with the Central Lincolnshire Local Plan, Caistor Neighbourhood Plan and the provisions of the National Planning Policy Framework 2012.

2. The development hereby permitted shall be begun not later than the expiration of two years from the approval of the last of the reserved matters for the development.

Reason: To conform with Section 92 (2) of the Town and Country Planning Act 1990 (as amended).

3. No development shall take place until a surface water drainage scheme for the site, based on sustainable urban drainage principles and an assessment of the hydrological and hydrogeological context of the development has been submitted to and approved in writing by the Local Planning Authority. The scheme shall:

a) Provide details of how run-off will be safely conveyed and attenuated during storms up to and including the 1 in 100 year critical storm event, with an

allowance for climate change, from all hard surfaced areas within the development into the existing local drainage infrastructure and watercourse system without exceeding the run-off rate for the undeveloped site;

b) Provide attenuation details and discharge rates which shall be restricted to 5 l/s;

c) Provide details of the timetable for and any phasing of implementation for the drainage scheme; and

d) Provide details of how the scheme shall be maintained and managed over the lifetime of the development, including any arrangements for adoption by any public body or Statutory Undertaker and any other arrangements required to secure the operation of the drainage system throughout its lifetime.

The development shall be carried out in accordance with the approved drainage scheme and no dwelling shall be occupied until the approved scheme has been completed or provided on the site in accordance with the approved phasing. The approved scheme shall be retained and maintained in full in accordance with the approved details.

Reason: To prevent the increased risk of flooding, to improve and protect water quality, ensure future maintenance of the surface water drainage system and in accordance policy LP14 of the Central Lincolnshire Local Plan to accord with the provisions of the National Planning Policy Framework 2012.

4. No building works which comprise the erection of a building requiring to be served by water services shall be undertaken until full details of a scheme (identified by Anglian Water) for the provision of mains foul sewage infrastructure on and off site has been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be occupied until these works have been completed in accordance with the approved scheme.

Reason: To ensure adequate foul water drainage disposal scheme is provided to serve the development and to prevent pollution of the water environment in accordance with West Lindsey Local Plan First Review Policy LP14.

5. The details to be submitted in accordance with condition no. 1 above shall include:
 - a) Design and Access statement identifying how the development would maintain the character of the Caistor, the Waterhills and provide an acceptable transition from open countryside to Market Town;
 - b) A landscaping scheme which details boundary treatment to existing residential dwellings and road frontage Brigg Road Caistor;
 - c) A landscaping and open space scheme to provide an acceptable transition from village to open countryside; and
 - d) An overall drainage plan for the site to identify suitable sustainable urban drainage solutions within the reserved matters layout.

The development shall thereafter proceed in strict accordance with the approved details.

Reason: To maintain the character of the area and to protect residential amenity in accordance with policies LP17 and LP26 of the Central Lincolnshire Local Plan.

6. The details to be submitted in accordance with condition no. 1 above shall include:
 - a) a Landscape Management Plan setting out management responsibilities and maintenance schedules for all landscaped areas, inclusive of trees, hedges, streams, grassland, ditches/ swales, any balancing ponds/ drainage basins and areas identified in the Biodiversity Protection, Enhancement, Mitigation;
 - b) a Biodiversity Protection, Enhancement, Mitigation and Management Scheme for dry and wetland habitat maintenance including water quality, chalk streams, grassland management, and (but not exclusively) the provision of bat roosts and bird boxes and retention of trees and hedgerows, as recommended by Scarborough Nixon ;
 - c) details of management, mitigation and protection measures before, during and after construction and setting out management responsibilities and maintenance schedules for the protection of unimproved grassland and chalk stream and;
 - d) timescales for the implementation of matters approved.

The development shall proceed only in strict accordance with the approved details.

Reason: In the interests of landscape and visual amenity, residential amenity and in the interests of biodiversity enhancement, in accordance with the National Planning Policy Framework and policies LP17, LP26, LP21 and LP24 of the Central Lincolnshire Local Plan.

7. No development on site shall take place, until a Construction Method Statement for the development has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
 - (i) the routing and management of construction traffic;
 - (ii) the parking of vehicles of site operatives and visitors;
 - (iii) loading and unloading of plant and materials;
 - (iv) storage of plant and materials used in constructing the development;
 - (v) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
 - (vi) wheel cleaning facilities;
 - (vii) measures to control the emission of dust and dirt during construction;
 - (viii) details of noise reduction measures;
 - (ix) a scheme for recycling/disposing of waste resulting from demolition and construction works;
 - (x) no construction works (including use of machinery and vehicles entering and/or leaving the site) shall take place outside of the hours of 7.30am – 6pm Monday to Friday and 8am to 1pm on Saturdays and at no time on Sundays or Public Holidays unless agreed with the LPA
 - (xi) mammal ramps to be installed in any uncovered trenches overnight

(xii) measures to prevent contamination of the stream and grassland areas during construction.

Reason: In the interests of amenity, and ecological protection and in accordance with policy LP1, LP13, LP26 and LP21 of the Central Lincolnshire Local Plan.

8. No development shall take place before a scheme has been agreed in writing by the local planning authority for the construction of a 1.8 metre wide full frontage footway and uncontrolled tactile crossing point, together with arrangements for the disposal of surface water run-off from the highway at the frontage of the site. The agreed works shall be fully implemented before any of the dwellings are occupied.

Reason: To ensure safe access to the site and each dwelling/ in the interests of highway safety in accordance with policy LP1 and LP13 of the Central Lincolnshire Local Plan.

9. No development shall take place before a scheme has been agreed in writing by the local planning authority for the construction of a uncontrolled tactile paved crossing point and a 1.8 metre wide footway link from points A, B to C on the attached plan (Brigg Road, Caistor - 136604), together with arrangements for the disposal of surface water run-off from the highway at the frontage of the site. The agreed works shall be fully implemented before (any of) the dwellings are occupied. Or in accordance with a phasing arrangement to be agreed in writing with the Local Planning Authority.

Reason: To ensure safe access to the site and each dwelling in the interests of highway safety and in accordance with policy LP1 and LP13 of the Central Lincolnshire Local Plan.

10. No development shall take place until, details of all finished floor levels and any land level regrading proposed to the site shall be submitted to and approved in writing by the Local Planning Authority and the development shall only be carried out in accordance with those details so approved.

Reason: To ensure that the development does not adversely affect the amenities of adjoining properties, surface water flooding does not occur and the character or appearance of the area are protected in accordance with Central Lincolnshire Local Plan policies LP14, LP17 and LP26.

11. Notwithstanding the indicative plans supplied details to be submitted in accordance with condition no. 1 above shall include an area of useable open green space on site in accordance with the requirements of policy LP24 of the Central Lincolnshire Local Plan. Any details provided shall include a timetable for the provision of such space and measures for the securing of on-going maintenance of this area.

Reason: To ensure sufficient open amenity space is available for recreation, surface water drainage and wildlife promotion and in accordance with policies

LP14, LP21 & LP24 of the Central Lincolnshire Local Plan and the provisions of the National Planning Policy Framework.

12. No dwelling shall be occupied until a Residential Travel Plan has been submitted to and approved in writing by the local planning authority and the provisions of the plan relevant to the occupation of that dwelling have been implemented.

Reason: To promote sustainable development and limit the use of motor vehicles and in accordance with policies LP1 and LP13 of the Central Lincolnshire Local Plan and the provisions of the NPPF.

13. Detailed plans at reserved matters stage shall be submitted to show that at least 30% of the houses approved can and will be built to Building Regulation Part M4(3) standard. The development shall then proceed in accordance with the approved details.

Reason: To meet a specific housing need and in accordance with policy LP10 of the Central Lincolnshire Local Plan.

14. As part of the reserved matters applications required by condition 1 of this decision, details of the housing mix (size, type and tenure of dwellings proposed) shall be submitted to and approved in writing by the Local Planning Authority. The development shall proceed in accordance with the plans approved thereafter.

Reason: To ensure housing need is appropriately considered and in accordance with policy LP10 of the Central Lincolnshire Local Plan and the National Planning Policy Framework.

15. The details to be submitted in accordance with condition no. 1 above shall include:

- a) A plan showing the location of , and allocating a reference number to each existing tree on the site and adjoining land which has a stem with a diameter exceeding 150 mm (measured over the bark at a point 1.5 metres above ground level), showing which trees are to be retained, height and the crown spread of each tree and root protection area;
- b) Details of the species, diameter (measured in accordance with paragraph (a) above) and the approximate height, and an assessment of the general state of health and stability of each retained tree and of each tree which is on land adjacent to the site and to which paragraphs (c) and (d) below apply;
- c) Details of any proposed topping or lopping of any retained tree, or of any tree on the land adjacent to the site;
- d) Details of any proposed alterations in existing ground levels, and of the position of any proposed excavation, within the crown spread of any retained tree or of any tree on land adjacent to the site;

- e) Details of the specification and position of fencing and of any other measures to be taken for the protection of any retained tree or tree on adjoining land from damage before or during the course of development.
- f) A detailed assessment, including visual representation, of the impact of the trees on adjoining land on the general light and sunlight levels within any proposed residential dwellings and gardens on the application site.
- g) A timetable for the implementation of the protection measures.

The development will then proceed in strict accordance with the approved details.

Reason: In the interest of visual and residential amenity, tree health and biodiversity in accordance with Central Lincolnshire Local Plan Policies LP17, LP26 and LP21.

16. No dwellings (or other development as specified) shall be commenced before the first 60 metres of estate road from its junction with the public highway, including visibility splays, as shown on drawing number 2315.P103 rev M has been completed.

Reason: In the interests of safety of the users of the public highway and the safety of the users of the site and to enable calling vehicles to wait clear of the carriageway of Brigg Road, Caistor in accordance with Central Lincolnshire Local Plan Policy LP 13.

17. No development shall commence until details have been submitted to and approved in writing by the Local Planning Authority, of noise attenuation measures proposed for any residential properties and their gardens adjoining and/or abutting the electricity substation and the scheme as approved shall be implemented in full before the dwelling is first occupied.

REASON: To maintain residential amenity from noise nuisance from the electricity substation adjoining the site and in accordance with policy LP26 of the Central Lincolnshire Local Plan.

18. No development shall take place until, a contaminated land assessment and associated remedial strategy, together with a timetable of works, have been submitted to and approved in writing by the Local Planning Authority (LPA) and the measures approved in that scheme shall be fully implemented. The scheme shall include all of the following measures unless the LPA dispenses with any such requirement specifically in writing:

- a) The contaminated land assessment shall include a desk study to be submitted to the LPA for approval. The desk study shall detail the history of the site uses and propose a site investigation strategy based on the relevant information discovered by the desk study. The strategy shall be approved by the LPA prior to investigations commencing on site.
- b) The site investigation, including relevant soil, soil gas, surface and groundwater sampling, shall be carried out by a suitably qualified and accredited consultant/contractor in accordance with a Quality Assured sampling and analysis methodology.

c) A site investigation report detailing all investigative works and sampling on site, together with the results of analysis, risk assessment to any receptors and a proposed remediation strategy shall be submitted to the LPA. The LPA shall approve such remedial works as required prior to any remediation commencing on site. The works shall be of such a nature as to render harmless the identified contamination given the proposed end-use of the site and surrounding environment including any controlled waters.

d) Approved remediation works shall be carried out in full on site under a quality assurance scheme to demonstrate compliance with the proposed methodology and best practice guidance. If during the works contamination is encountered which has not previously been identified then the additional contamination shall be fully assessed and an appropriate remediation scheme agreed with the LPA.

e) Upon completion of the works, this condition shall not be discharged until a closure report has been submitted to and approved by the LPA. The closure report shall include details of the proposed remediation works and quality assurance certificates to show that the works have been carried out in full in accordance with the approved methodology. Details of any post-remedial sampling and analysis to show the site has reached the required clean-up criteria shall be included in the closure report together with the necessary documentation detailing what waste materials have been removed from the site.

Reason: In order to safeguard human health and the water environment and identify potential contamination on-site and the potential for off-site migration as recommended Environmental Protection due to the presence of a current and historical electrical substation in accordance with policy LP16

19. No development shall take place until, a plan showing the position and depth of all existing and proposed services has been submitted to and approved in writing by the Local Planning Authority. The installation of services shall be carried out in accordance with the approved details.

Reason: To ensure that trees are not affected by the installation of services in the interest of visual amenity in accordance with policy LP17 of the Central Lincolnshire Local Plan.

20. No development shall take place until a phasing plan for the whole development to include the provision of necessary infrastructure including drainage and access arrangements has been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of proper planning

Conditions which apply or are to be observed during the course of the development:

20. The total number of dwellings to be developed on the site shall not exceed 69.

Reason: To maintain the character of the area, highway safety and capacity, residential amenity and drainage and in accordance with policies: LP2, LP13, LP14, LP17, LP21, LP24, LP26 and LP51 of the Central Lincolnshire Local Plan.

21. No tree(s) or hedges on the site shall be felled or removed without the prior written agreement of the Local Planning Authority.

Reason: In the interest of visual amenity and the protection of wildlife in accordance with policies LP17, LP26 and LP21 of the Central Lincolnshire Local Plan 2006 and the National Planning Policy Framework.

22. No works shall take place involving the loss of any hedgerow, tree or shrub other than outside the bird nesting season (1st March to 31st August), unless it has been thoroughly checked for any nests and nesting birds by a suitably qualified person who has confirmed there are no active nests present.

Reason: To protect the wildlife using the hedge in accordance with policy LP21 of the Central Lincolnshire Local Plan and the National Planning Policy Framework

23. Before each dwelling is occupied the roads and/or footways providing access to that dwelling, for the whole of its frontage, from an existing public highway, shall be constructed to a specification to enable them to be adopted as Highways Maintainable at the Public Expense, less the carriageway and footway surface courses.

The carriageway and footway surface courses shall be completed within three months from the date upon which the erection is commenced of the penultimate dwelling.

Reason: To ensure safe access to the site and each dwelling/ in the interests of residential amenity, convenience and highway safety in accordance with policies LP13 and LP26 of the Central Lincolnshire Local Plan.

24. Before any dwelling is commenced, all of that part of the estate road and associated footways that forms the junction with the main road and which will be constructed within the limits of the existing highway, shall be laid out and constructed to finished surface levels in accordance with details to be submitted and approved by the local planning authority.

Reason: In the interests of safety of the users of the public highway and the safety of the users of the site and in accordance with policies LP13 and LP26 of the Central Lincolnshire Local Plan.

25. None of the dwellings hereby approved shall be first occupied until the surface water drainage system serving that dwelling including for the highway serving that dwelling has been completed in accordance with the details required by condition 4. The approved system shall be retained thereafter.

Reason: To prevent the increased risk of flooding, to improve and protect water quality, ensure future maintenance of the surface water drainage system and to accord with policy LP14 of the Central Lincolnshire Local Plan and the provisions of the National Planning Policy Framework 2012.

26. With the exception of the detailed matters referred to by the conditions of this consent, the development hereby approved shall be carried out in accordance with the following:

Drawings: 2315.P001, 2315.P002, 2315.P103 rev M (access highway access and junction works only) and 1376/001.

Documents: Design & Access Statement, Travel Plan, Archaeological Desk Based Assessment – OPUS, Archaeological Evaluation Report – PCA Services Ltd, Archaeological Geophysical Survey – PCA Services Ltd, Phase 1 (Desk Study) Investigation Report – OPUS, Planning Statement – Hodson Architects, Transport Statement - May 2016, Transport Statement (update) Aug 2017, Ecology & Protected Species Survey Dec 2013 – Scarborough Nixon, Update April 2015 – Scarborough Nixon. The works shall be carried out in accordance with the details shown on the approved plans and in any other approved documents forming part of the application.

Reason: To ensure the development proceeds in accordance with the approved plans in the interests of proper planning and to accord with the National Planning Policy Framework and policies LP1, LP2, LP3, LP9, LP10, LP11, LP12, LP13, LP14, LP17, LP21, LP24, LP25, LP26 and LP50 of the Central Lincolnshire Local Plan.

Conditions which apply or relate to matters which are to be observed following completion of the development:

None

Notes to the Applicant

Prior to the submission of details for any access works within the public highway you must contact the Head of Highways - on 01522 782070 for application, specification and construction information.

You are advised to contact Lincolnshire County Council as the local highway authority for approval of the road construction specification and programme before carrying out any works on site.

Please contact Lincolnshire County Council Streetworks & Permitting team on 01522 782070 to discuss any proposed statutory utility connections and any other works which will be required in the public highway in association with this application. This will enable Lincolnshire County Council to assist you in the coordination and timings of such works.

The development approved is outline in form and reserved matters application will be required. It is important to ensure that the access roads, private drives and home zone areas, whether to be adopted or not, should be of sufficient width with useable turning facilities, parking and service strips to meet Lincolnshire County Council Highway Standards. The indicative layout provided would fall somewhat short of the required standards. It is recommended that prior to any submission of reserved matters advice is requested on this matter from the Head of Highways on 01522 782070.

The development approved is outline in form and reserved matters application will be required. It is important to ensure that any proposal is design to reduce the opportunities for crime. The indicative plans show a parking court which would raise security concerns and should be reconsidered and redesigned to remove these issues.

Reasons for granting permission

The approved development would provide 69 new dwellings almost wholly on an allocated site within the Central Lincolnshire Local Plan. The proposed development would have an acceptable impact on the character of the area, setting of the town within the countryside and allow a mix of residential dwellings to be provided. The proposal would, subject to conditions, not have a detrimental impact on residential amenity, highway safety, surface and foul water drainage, facilities and infrastructure in the area and would protect the majority of existing trees in the area and ecological interests in accordance with policies LP1, LP2, LP3, LP9, LP10, LP11, LP12, LP13, LP14, LP16, LP17, LP21, LP24, LP25, LP26 and LP50 of the Central Lincolnshire Local Plan and policies 1, 2, 3, 4, 5, 8, 10 & 14 of the Caistor Neighbourhood Plan and the provisions of the National Planning Policy Framework (NPPF).

Human Rights Implications:

The above objections, considerations and resulting recommendation have had regard to Article 8 and Article 1 of the First Protocol of the European Convention for Human Rights Act 1998. The recommendation will not interfere with the applicant's and/or objector's right to respect for his private and family life, his home and his correspondence.

Legal Implications:

Although all planning decisions have the ability to be legally challenged it is considered there are no specific legal implications arising from this report