

## **Officers Report**

### **Planning Application No: 137789**

**PROPOSAL:** Outline planning application for up to 9no. dwellings with all matters reserved

**LOCATION:** Land east of Laughton Road Adj Irwin Road Blyton  
**WARD:** Scotter and Blyton

**WARD MEMBER(S):** Cllr Mewis & Cllr Rollings  
**APPLICANT NAME:** Mr Maris

**TARGET DECISION DATE:** 15/11/18 (Extension of time agreed until 30/11/18)

**DEVELOPMENT TYPE:** Minor - Dwellings

**CASE OFFICER:** Martin Evans

**RECOMMENDED DECISION:** Approve subject to conditions.

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This application has been referred to the Committee on the basis that Officers have considered it appropriate to do so, in view of the levels of opposition who challenge whether the development accords with the strategic policies of the Local Plan.

#### **Description:**

Outline application for residential development of up to 9 dwellings with all matters (layout, scale, appearance, landscaping and access) reserved.

Although all matters are reserved, the applicant has provided an indicative plan and a draft drainage strategy in the form of a plan. The site is likely to be accessed from Irwin Road a relatively new estate road connecting to the A159 to the west.

The site is located on an agricultural field adjoining the north eastern corner of the village of Blyton. The site falls considerably to the south and east towards the north eastern corner of the site from approximately 15m AOD to 11m AOD at its lowest point. A field hedge wraps around the site to the north. To the south the boundary changes to 1.8m high domestic fencing where it adjoins existing houses to the Irwin Road estate. A shallow drainage ditch also runs to the southern boundary that links to a similar one to the east. The site is open to the east and the remaining field.

Adjoining the site to the south and west is an existing housing estate at Irwin Road with its access drive to the A159 Laughton Road. Properties facing the site to the west are generally two storeys in height with many having facing windows and doors. Some two storey properties also have dormer windows to the roof. To the south houses generally side onto the application site. To the

north and east of the site is further open countryside. Although access is not a matter under consideration it is likely to enter Irwin Road to the west of the development. This road is 5m wide with a pavement down one side. Street lighting is available on this access.

### **Relevant history:**

There have been a number of refusals on the actual application site although all relate to larger site areas and greater level of development than the present proposal.

- **137047 Outline planning application to erect up to 15no. dwellings with all matters reserved-resubmission of 134722 Refused 26<sup>th</sup> Jan 2018**

The two reasons for refusal are as follows:

1. The proposed development of 15 dwellings would be constructed on a greenfield site on the edge of the village of Blyton, extending the village into open countryside. The quantum of development would be above that accepted on single sites within medium villages under policy LP2 of the Central Lincolnshire Local Plan. Exceptional reasons, justified by local circumstances have not been demonstrated to justify a development coming forward at a larger scale, and it does not have clear local community support. The proposal is therefore contrary to the Central Lincolnshire Local Plan, particularly policies LP1, LP2, LP3 and LP4 and the provisions of the National Planning Policy Framework (NPPF).
2. The detail provided relating to the disposal of foul and surface water is insufficient to conclude that the site can be developed without unacceptable impacts on the existing drainage network leading to potential flooding, health and contamination concerns contrary to policy LP14 of the Central Lincolnshire Local Plan and the provisions of the NPPF.

- **134722 Outline planning application to erect up to 25 dwellings with all matters reserved. Refused 18 July 2017**

The three reasons for refusal are as follows:

1. The proposed development of 25 dwellings would be constructed on a greenfield site on the edge of the village of Blyton, extending the village into open countryside. The quantum of development would be above that typically accepted on single sites within medium villages under policy LP2 of the Central Lincolnshire Local Plan. Exceptional circumstances, justified by local circumstances have not been demonstrated to justify coming forward at a larger scale, and it has not been otherwise demonstrated that the proposals have clear community support. In addition to this, there has been no sequential analysis of

more appropriate alternative sites more central to the village which would better maintain the core shape and character of the village, potentially avoid the loss of greenfield land and would allow easier access to local facilities and services including recreational and health facilities. The proposal is therefore contrary to the Central Lincolnshire Local Plan, particularly policies LP1, LP2, LP4, LP9 and LP24, and the provisions of the National Planning Policy Framework (NPPF).

2. Insufficient detail has been provided to conclude that the site can be constructed without unacceptable impacts on the natural environment and ecology contrary to policy LP21 of the Central Lincolnshire Local Plan and the provisions of the NPPF.
3. The details provided relating to the disposal of foul water/ waste is insufficient to conclude that the site can be constructed without unacceptable impacts on the existing foul drainage network leading to health and contamination concerns contrary to policy LP14 of the Central Lincolnshire Local Plan and the provisions of the NPPF.

The only other entries to the relevant planning history on the actual site also relate to a wider site area to include the current housing estate to the south and land to the east as well.

- W8/1381/89 **Outline application to erect 75 dwellings - Refused** 9 Feb 1990
- M00/P/1044 **Outline planning for residential development – Refused** 23 Aug 2001 **Appeal Allowed** 26/7/2002

There are however other application sites to be considered relevant to the application and these are as follows:

Land off High Street Blyton

- 137616 **Outline planning application for up to 4no. dwellings with all matters reserved.** Approved 12<sup>th</sup> June 2018.
- 136431 **Outline planning application for the erection of 7no. dwellings with access to be considered and not reserved for subsequent applications – Granted** 27<sup>th</sup> September 2017
- 132782 **Outline planning application for the erection of up to 19no. dwellings-access to be considered and not reserved for subsequent applications – Granted** 10 February 2016

**Representations:**

Chairman/Ward member(s):

Cllr Mewis requests the application be determined by Planning Committee whilst acknowledging the request was submitted after the 28 day call in period. The Cllr wants determination by committee due to the level of local objection, Blyton Parish Council objection and petition. Concern is raised at conflict with Policy LP2- it doesn't retain core shape and form, will change core shape and form, creating linear ribbon development away from core services. Site is outside developed footprint of the village and conflicts with LP4. Proposal contrary to LP14 due to flooding and drainage issues on adjacent estate and failure to provide SUDS.

Blyton Parish Council:

"Blyton Parish Council objects to this application on the grounds stated below:

1.Previous Application under Application Numbers 134722/137047 The Applicant previously applied for planning permission under application numbers 134722 (25 dwellings) and 137047(15 dwellings) which were both refused. Council cannot see any of the reasons for objection stated previously have been addressed other than a reduction in size of the development.

Location of Development

The Application relates to a greenfield site on the edge of the village, the lowest priority site for development. A number of sites around the village have been identified that may be more preferential to the village. It is the view of the Parish Council that these sites should be explored further before proceeding with development on a Greenfield site.

Foul Water and Waste

The new application states that the existing drainage in place for Irwin Road will be used for the new development. The Parish Council continues to receive feedback from the Residents of Irwin Road that drainage is an ongoing problem and the current facilities are already stretched. Indeed, it is important here to consider the practical realities of the situation and a review of the same before a sensible view can be taken as to the state of drainage in the locality.

2.Access

Access to the proposed development will be off Irwin Road and the rights have been retained to allow such access by the Applicant. The Parish Council continues to have concerns in relation to this access and objects to the application due to the ongoing issues.

Irwin Road has not been adopted and is therefore privately owned by the management company responsible for the communal areas of Irwin Road, for which the residents pay by way of an annual maintenance fee. Increased traffic to Irwin Road would mean it would deteriorate faster and may increase risks to pedestrians and increase any on street parking.

Further, the costs to the residents of Irwin Road must be considered given that they pay for the maintenance of the road and surrounding areas. It is noted that 3 dwellings have been erected to the right on

the entrance to Irwin Road who do not contribute annual charges towards the upkeep of the same but enjoy the benefit. Given that this cannot have been considered in the relevant planning application and grant for those dwellings, it is of particular concern to the residents, as represented to us, that this is dealt with.

The proposed part of Irwin Road to be used as access is already a busy pedestrian access to the village for the residents and in addition is used as a bus stop for children catching the school bus. An increase in traffic would pose a significantly increased risk to the children and adults using the footpath for pedestrian access and waiting for school buses.

As noted above, further development has already taken place on this access road which will increase the volume of cars parked in this area and hazards for pedestrians. The parking of cars on this road will also impact visibility for cars entering or exiting the proposed development.

Access for pedestrians to and from the proposed development will also need to be considered. The footpath serving Irwin Road and linking the same to the village is on the opposite side of the road to the new development. Safety will need to be considered the pedestrians accessing the village and the village amenities. It is the view of the Parish Council that the planners should consider this, and the Parish Council reserve the right to comment further upon receipt of appropriate plans.

### 3. Flooding

The Parish Council object to the application due to the increased risk of flooding to Blyton as a whole. The Parish Council acknowledges that the proposed site is in a low flood risk area, however the impact of the site on the surrounding area and village as a whole may be significant.

There are already instances of flooding in the village which are an ongoing concern for the village and parish council. Despite objections in the past to planning applications due to these very real concerns West Lindsey DC Planning Department has granted permission which has exacerbated the problem and needs to be addressed before any further permissions are given.

This issue was raised in relation to the previous applications and it is the view of the Parish Council that this has not been sufficiently addressed in the new application.

The proposed site sits above existing development and therefore risk of flooding to the new site is low, the run off created from the loss of agricultural land will impact the village to the North where there is historical flooding issues.

### 4. Support of the Village Residents

The Parish Council and the Local Planning Authority cannot ignore the views of the Residents of Blyton. The proposed development and the previous applications relating to the proposed site have received a significant number of comments from local residents opposing the development.”

Local residents:

Objections have been received from 1, 3, 20, 22, 26, 41, 42, 43, 48, 53 Irwin Road which are summarised as follows:

- Application almost identical to previous refusal. Previous reasons for refusal not overcome. Applicant could appeal previous refusals. Council shouldn't support new applications pending outcome of appeals. Supporting this application would undermine defence of subsequent appeals.
- Piecemeal developments avoid s106 agreements for facilities and affordable housing.
- Unsustainable development. Significant distance to services in Blyton.
- Significant objection/lack of community support for proposal.
- Impact on residential amenity including loss of natural light, overlooking from the proposal, exacerbated by gradient of land.
- Development of this size not required in Blyton, especially due to other approvals. Blyton has a 5 year supply of housing land. A neighbourhood plan could be produced if more housing is needed.
- Site is not sequentially preferable under LP4 and conflicts with LP2 due to core shape and form. Brownfield sites should be prioritised. Conflicts with LP14 due to drainage problems.
- This development will undermine attempts to regenerate Gainsborough.
- Future residents will not contribute to management company that manages neighbouring estate but they will benefit from it.
- Highway safety impacts, including high speed of vehicles on A159. Will exacerbate parking problems. Irwin Road unfit to accommodate additional housing.
- Blyton cannot support extra housing/people. School is full, amenities are inadequate and there is a lack of employment opportunities.
- Existing drainage and flooding problems will be exacerbated.
- Proposal will set a precedent. Site could be extended in the future.
- This greenfield site should remain. Loss of hedgerow. Loss of farmland.
- Loss of property value.
- If approved, the local government ombudsman will be notified.
- Increased ribbon development.
- Impact of construction traffic including mud and lack of gritting results in danger.

A petition against the proposal has been received. Comments from the organiser of the petition are summarised as follows. Petitioners against 137047 were notified their signatures would be reused for current application, unless they wished it to be removed; previous petition was almost unanimous from Irwin Road residents and was time consuming for organiser; residents have complained about consultation fatigue and harassment of new application; residents may take judicial review if the application is approved; there have been problems submitting comments due to Council website problems; perceived lack of postal notification to Irwin Road compared to

previous application; residents have complained about not being able to make comments and the case officer may have denied an extension to the deadline for comments.

The petition with 66 signatures calls for the application to be refused with the following objections raised (summary):

- Proposal is unsustainable, resulting in loss of greenfield agricultural land.
- Unnecessary intrusion into the open countryside and would exacerbate unsightly ribbon development along the A159.
- Poor planning as proposal is located significant distances from the few local services in the village.
- Does not support place making or assist delivery of additional services and facilities.
- Unacceptable adverse impact on residential amenity of Irwin Road residents by virtue of overshadowing and loss of light.
- Increased flood risk to existing properties.
- Exacerbate access problems from an adopted private estate road.
- Loss of mature hedgerow.
- Development not required. Blyton has an adequate supply of new housing sites in a village with low demand.

WLDC Environmental Protection Officer: insufficient information to respond; use of a berm should be scrutinised for how it will reliably and sustainably intercept overland flow before it impacts proposal and how and where it will direct it. Gradients to north indicate risk of overland flooding; potential land drain brings similar concerns regarding ability to intercept and divert flow but an infiltration trench and land drainage were retrospectively installed to benefit the existing development; both methods need to demonstrate ability to withstand and appropriately divert, store and attenuate a flash flood from the North.

LCC Highways and LLFA:

LCC Highways and LLFA comments 29/11/18 in response to re-consultation following receipt of amended drainage details, summarised as follows:

- Comfortable that the site can be drained sustainably (either by infiltration or by discharge to an adjacent watercourse), and the principle of development is acceptable.
- Notwithstanding the submitted details, conditions regarding provision of roads and footways; drainage details; and informatives are recommended.

22/6/18:

“Highways

Access and layout are reserved matters and have not been considered as part of this application. For information the estate road forming access to the development will require building to an adoptable standard, details of

geometric design can be found in the design guide on Lincolnshire County Councils website

#### Drainage

Submitted drainage strategy is unfeasible. The construction detail of the permeable paving is dependent on the soaked CBR value of the ground at formation level. This has not been determined, only assumed. A one metre buffer between the bottom of the construction of the permeable paving and the seasonally high water table level is also required and this has not been determined. The construction detail shown for the permeable paving is incorrect as its depth is too shallow. Typically 560-950mm should be allowed for construction thickness dependant on the soaked CBR values and hydraulic storage requirements. Therefore the piped overflow into the roadside swale indicated for additional storage requirements is unfeasible within the limits of swale construction depth. As the preferred method of surface water discharge for the site is infiltration, a correctly designed permeable pavement is recommended. The following information will be required to determine if this is feasible:

- Soaked CBR values of the existing ground at formation level
- Water table depth

There is also the option to discharge at greenfield run-off rate to the nearby watercourse should the above prove unfeasible. An intercept drain to along the Northern boundary of the application site to capture run-off from the field above will be required to protect the development. It has been proposed as part of the application however further details of its position and type will be required for consideration. Further details relating to drainage specification and construction detail can be found on Lincolnshire County Councils website.”

LCC Minerals and Waste Team: “It is considered that having regard to the scale, nature and location of the proposed development, the applicant has demonstrated that in accordance with the criteria set out in policy M11 prior extraction of the mineral would be impracticable and that the development could not be reasonably cited elsewhere. It is considered that there may be opportunities, as the development progresses, to incorporate or utilise mineral realised by extractive operations carried out to facilitate construction and a commitment from the developer to take advantage of these resources should be incorporated into the development consent should permission be granted. Accordingly, the County Council has no safeguarding objections in principle subject to the above provision.”

LCC subsequently advised an informative would be appropriate for the above.

Environment Agency: no comment.

LCC Archaeology: no archaeological input required.

Anglian Water: only comments on major applications of 10 dwellings or more.



Shire Group of IDB's for Scunthorpe & Gainsborough Water Management Board: The site is within the IDB's area. The application will increase the impermeable area to the site and the applicant will therefore need to ensure that any existing or proposed surface water system has the capacity to accommodate any increase in surface water discharge from the site. Generic guidance is provided on disposal of surface water to soakaways, mains sewer and watercourse. The requirements for IDB consent are set out.

Lincolnshire Police: note this is an outline application and raises no objection. Design guidance is offered.

The applicant responded to the consultation responses.

Idox checked 29/11/18.

### **Relevant Planning Policies:**

Central Lincolnshire Local Plan (adopted 2017)

#### **Policies:**

LP1: A presumption in favour of sustainable development

LP2: The spatial strategy and settlement hierarchy

LP3: Level and distribution of growth

LP4: Growth in villages

LP10: Meeting accommodation needs

LP12: Infrastructure to support growth

LP13: Accessibility and transport

LP14: Managing water resources and flood risk

LP17: Landscape, townscape and views

LP21: Biodiversity and geodiversity

LP26: Design and amenity

LP55: Development in the countryside

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

Lincolnshire Minerals and Waste Local Plan- Core Strategy and Development Management Policies

Policy M11: Safeguarding of Mineral Resources

<https://www.lincolnshire.gov.uk/residents/environment-and-planning/planning-and-development/minerals-and-waste/minerals-and-waste/88170.article>

National policy/guidance

National Planning Policy Framework (NPPF)

National Planning Practice Guidance (NPPG)

<https://www.gov.uk/government/collections/planning-practice-guidance>

Other

Central Lincolnshire Developer Contributions Supplementary Planning Document- Adopted June 2018

## Neighbourhood Plan

There is no Neighbourhood Plan currently under way in Blyton.

### Main issues

- *Principle of houses in this location (M11, LP2, LP4 & LP55)*
- *Accessibility, highway safety and parking (LP13)*
- *Open space and access to recreation facilities (LP9 & LP24)*
- *Design and Impact on the character of the area (LP17 & LP26)*
- *Residential amenity (LP26)*
- *Drainage and Flood Risk (LP14)*
- *Ecology (LP21 )*
- *Other*

### Assessment:

#### i) Principle of houses in this location

The application site is located within a sand and gravel minerals safeguarding area as defined by Policy M11. The required minerals assessment has been submitted. LCC Minerals and Waste Team considers it acceptable and recommends an informative suggesting minerals on the site could be used in the development. Minerals safeguarding is not considered to be a constraint to development. The proposal complies with the requirements of M11.

Blyton is placed within the hierarchy of settlements within the CLLP policy LP2 as a medium village (level 5 of 8). The policy notes that unless promoted via a neighbourhood plan, or through the demonstration of clear local community support the following will apply:

- They will accommodate a limited amount of development in order to support their function and/or sustainability.
- No sites are allocated within the plan, except for Hemswell Cliff and Lea
- Typically, and only in appropriate locations, development proposals will be on sites of up to 9 dwellings. However, in exceptional circumstances proposals may come forward at a larger scale on sites of up to 25 houses.... where proposals can be justified by local circumstances.

Throughout this policy, the term 'appropriate locations' means a location which does not conflict, when taken as a whole, with national policy or policies in this Local Plan (such as, but not exclusively, Policy LP26). In addition, to qualify as an 'appropriate location', the site, if developed, would:

- Retain the core shape and form of the settlement;
- Not significantly harm the settlement's character and appearance; and

- Not significantly harm the character and appearance of the surrounding countryside or the rural setting of the settlement.

Further guidance is found within policy LP4 which states: In principle, settlements within categories 5 – 6 of the settlement hierarchy will be permitted to grow by 10% in the number of dwellings over the plan period.

In each settlement in categories 5-6 of the settlement hierarchy, a sequential test will be applied with priority given as follows:

1. Brownfield land or infill sites, in appropriate locations\*\*, within the developed footprint\*\* of the settlement
2. Brownfield sites at the edge of a settlement, in appropriate locations\*\*
3. Greenfield sites at the edge of a settlement, in appropriate locations\*\*

Proposals for development of a site lower in the list should include clear explanation of why sites are not available or suitable for categories higher up the list.

In this instance, as of 13th November 2018, Blyton has a remaining growth level of 18 dwellings. This takes account of previously approved development within the village. In addition to this, the applicant has reduced the quantum of development to 9 dwellings to accord with policy LP2, therefore no community support is required.

Consideration must be given to whether this is an appropriate location for development as defined in policy LP2. The development would be located on a greenfield site on the edge of Blyton. The site, however, adjoins an existing modern estate to the west and south. In addition to this, Meadow View provides a straight frontage to the village of Blyton. The proposal would effectively round off the village in this location. Its location would not be expected to have a significant impact on the character of the area, with the main public vantage points being screened by the existing houses within the area or softened by the fall in ground levels mitigating most impacts. It is considered therefore that that the site should be considered an appropriate location and would round off the village in this location.

Policy LP4, however, also indicates that within level 5 & 6 settlements a sequential assessment of appropriate sites beginning with brownfield land or infill sites in appropriate locations within the developed footprint of the settlement, then brownfield sites at the edge of the settlement in appropriate locations and only then, greenfield sites at the edge of a settlement, in appropriate locations should be undertaken. The applicant has provided such an assessment.

The application site does not fall within the centre of the village and on viewing the maps of the area, it is clear there are a number of sites which could be considered as infill sites within the footprint of Blyton. The assessment of sites undertaken mirrors those utilised within the sequential analysis accepted in 136431. There are no brownfield sites identified with the majority being greenfield sites used for agriculture or grazing paddocks. A

number of the sites are on the extreme edge of the village so are either no better or less suitable than the application site. Two sites are, however, centrally located close to the village centre. One of sites, no.4, within the sequential analysis has no direct or easy access to the highway network and could therefore be discarded whilst the other on Church Lane (no.5) is opposite St Martin's Church a grade 1 listed building whilst to the south is the grade 2 listed Old Windmill. It is considered that these would form a constraint to development as the setting of both of these historic assets could be impacted upon. Both of these sites are also more clearly associated with the countryside rather than the village reducing their qualities as an appropriate development site. There is one potential infill site to the north east of the Victoria Club on Laughton Road that could be suitable for the proposed development. However, vehicular access is via a narrow track to the north of the Victoria Club and would not appear to be capable of sufficient improvement to allow suitable access for a housing development. Development of this site is not sequentially preferable.

The site is located to the edge of the village of Blyton but is also agricultural land. It is therefore considered to be outside of the village footprint and policy LP55 should be considered. This policy indicates that applications for new dwellings will only be acceptable where they are essential to the effective operation of rural operations. In this instance, however, as the proposal would accord with policy LP2 and LP4 it is considered that these policies would override the provisions of LP55.

In principle, therefore, the site is considered an appropriate location and the sequential test is passed. Potential sequentially preferable sites are constrained by a mixture of the setting of two listed buildings, poor access and being more closely associated with the open countryside than the application site. The overall 10% threshold for additional houses in Blyton would not be exceeded, and there is no need for exceptional circumstances to be proven as only 9 dwellings are proposed in accordance with policy LP2.

- *Accessibility, highway safety and parking (LP13)*

Policy LP13 indicates that: 'Development proposals which contribute towards an efficient and safe transport network that offers a range of transport choices for the movement of people and goods will be supported. All developments should demonstrate, where appropriate, that they have had regard to the following criteria:

- a. Located where travel can be minimised and the use of sustainable transport modes maximised;
- b. Minimise additional travel demand through the use of measures such as travel planning, safe and convenient public transport, walking and cycling links and integration with existing infrastructure;
- c. Should provide well designed, safe and convenient access for all, giving priority to the needs of pedestrians, cyclists, people with impaired mobility and users of public transport by providing a network of pedestrian and cycle routes and green corridors, linking to existing

routes where opportunities exist, that give easy access and permeability to adjacent areas;

d. Ensure allowance is made for low and ultra-low emission vehicle refuelling infrastructure.

Objectors have raised concerns as to the acceptability of the access to the site, both in terms of actual carriageway and the junction with the A159 at its westerly extreme. It is also noted that this road has not yet been adopted by the Highway Authority. The road is nevertheless metaled, 5m wide, paved to one side and has street lighting.

Despite concerns that Irwin Road itself would be too narrow consultations with the Highways Authority, have confirmed the dimensions sufficient both in width and design with street lighting and paving to one side. Similarly, the junction of Irwin Road to the A159 has been assessed and is deemed to have sufficient sight lines to enable traffic to enter and leave in a safe matter. In assessing this, note was taken of the junction's proximity to the national speed limit of 60mph to the north of the junction and the proposed access to the approved 19 dwellings immediately to the west. The speeding of cars is noted but this can be enforced by the police and is not therefore a planning matter.

The actual design and location of the access to the site is not under consideration at this time and the indicative designs could be changed. Resident's concerns re the amount of car parking are noted and have also been raised with the Highway Authority. The indicative design with fewer housing numbers could ensure that with some modification sufficient space for the parking of motor vehicles could be provided.

- Open space and access to recreational facilities

LP24 seeks, amongst other things, to improve quality of existing open spaces, sport and recreation facilities and ensure development provides appropriate new open space. Residential development is expected to contribute towards this in accordance with LP24, appendix C and Central Lincolnshire Developer Contributions Supplementary Planning Document. Appendix C states: "On site provision is preferable but where such is not feasible through development size or context, then off site contributions for improving the quality of existing sites within the accessibility standard ranges and quality standards outlined below will be considered."

The table on page 35 of the SPD clarifies that for 9 dwellings contributions are not sought for "On site provision of local or strategic playing fields to standards in Local Plan if there is no existing provision within Local Plan access standards" and "On site provision of Local Useable Green space if there is no existing provision within Local Plan access standards".

The site is approximately 1km from the play area on Church Lane which has 4 items of play equipment and appears to be in a poor state of repair. In its

current state the play area is considered to be a Local Area of Play (LAP) as defined on page 33 of the Central Lincolnshire Open Space Audit and Provision Standard Assessment April 2016. Under the terms of Appendix C, the LAP cannot be considered a Formal Equipped Play Area. It could be considered an amenity green space. The 1km distance between the application site and play area is far beyond the accessibility standard of 400m set out in Appendix C. It would not be appropriate to seek contributions towards off site play area improvements for this reason. The SPD is clear no on site Local Usable Greenspace is required for 9 dwellings.

The site is approximately 1.5km from the football pitches on Sandbeck Lane. The table on page 21 of the Central Lincolnshire Open Space Audit and Provision Standard Assessment April 2016 does not identify Sandbeck Lane football pitches as a strategic playing field. It is considered Sandbeck Lane is "local provision" as set out in Appendix C. The 1.5km distance between the application site and Sandbeck Lane football pitches exceeds the accessibility standard of 1.2km set out in Appendix C. It is not possible to seek contributions towards this off site football pitch complex for this reason.

The site would be within approximately 12 minutes drive of Richmond Park, Gainsborough and other strategic sporting facilities within the town in accordance with the accessibility standards in Appendix C. However, due to pooling restrictions placed on developer contributions it is not appropriate to have such a small development form one of the pooled contributions to strategic playing fields in Gainsborough given the much larger developments coming forward in the town that would provide greater contributions towards improvements. The SPD is clear no on site strategic provision is required for 9 dwellings.

The proposal complies with the requirements of LP24, Appendix C and the SPD.

- Design and Impact on the character of the area

The design and impact on the character of the area cannot be considered in detail as all matters in this application are reserved. The impact of changing an agricultural field into build development will, however, have an impact on the character of the settlement.

LP17 indicates that proposals 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, hedgerow, walls, water features, field patterns and indivisibility between rural historic settlements.

The policy further notes: 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.

Further guidance can be found in policy LP26 which supports LP17 by seeking developments to consider the character and local distinctiveness of an area and create a sense of place. Within the policy a list of specific design criteria are outlined which, is perhaps more appropriate to a detailed application.

Blyton is located within the Laughton Woods Character area within the adopted West Lindsey Countryside Landscape Character Assessment. The area's settlement pattern includes long and open views with church towers as local landmarks, a clustered form with settlements appearing as islands of development within open arable fields, relatively small fields on the fringes of settlements, a close relationship between buildings, mature trees and hedgerows.

The design summary indicates that new development on the fringes of settlements should be accompanied by significant tree and hedgerow planting to integrate buildings within the surrounding landscape settlement. It further notes that irregular, small scale field pattern on settlement fringes can be conserved by developing on part of large peripheral fields and retaining the remainder as grassland. Small groups of new buildings should have a relatively high density, with trees forming key focal elements within the layout. Finally it notes that Blyton has a clustered form with a complex of back lanes and loop roads which has developed around central greens and common land; the layout of new development should take a similar form, avoiding linear or cul-de-sac layouts.

In this instance, the development of this site is such that it would not have a significant impact on the main vantage point of the site from Laughton Road. The hedging to the road side is such that it would soften the appearance of the frontage development onto Irwin Road, whilst dwellings further into the site would be softened by the falling ground levels. Nevertheless the development would front the ridge of the hill which would appear to extend the village. Such an extension would urbanise this entrance to the village. What is missing from this development is space for landscaping, the increased density of the proposals and potential need for drainage is such that the location for meaningful landscaped screening has been lost. Nevertheless, this scheme would be subject to landscaping and detailed consideration at reserved matters stage and is not therefore considered to have a detrimental impact on the character of the entrance to the village contrary to policies LP17 and LP26. An advice note is nevertheless recommended to ensure that any future applicant is aware of the need for significant additional planting on the northern boundary.

Similarly, the estate has a very strong character with attractive housing fronting roads. Whilst the application is in outline, it is not clear that the applicant has consent to create multiple access points onto Irwin Road.

However, it should be possible to design the dwellings so they address Irwin Road appropriately.

- Residential amenity

Policy LP26 provides guidance on a number of aspects of design and amenity. Focusing on amenity the policy states that: amenities which all existing and future occupants land and buildings may reasonably expect to enjoy must not be unduly harmed by or a result of development. The policy then lists a number of criteria through which to assess future development. These criteria have been used to assess this proposal but given the outline nature of the application any detailed assessment will need to be undertaken at reserved matters stage.

The indicative plan provides some guidance as to the ability to accommodate 9 dwellings on this site. Objections to the scheme have noted that dwellings would unacceptably overlook, dominate and overshadow adjoining properties to the south and east. Such concerns are heightened by the increase in ground levels at the site compared to the majority of the adjoining estate. The comments made have some justification on dominance and overlooking grounds. Despite the fall in numbers the density of the site has risen due to the reduced site area.

The indicative layout indicates it should be possible to design the dwellings in a manner that results in no harm to residential amenity. This can be achieved by having the proposed dwellings side on to the existing dwellings to the southern boundary thereby reducing overlooking. The indicative layout shows the dwellings located to the north of the existing dwellings which will reduce the loss of direct sunlight to existing dwellings.

The indicative layout plan is also helpful in that all dwellings are shown to have a road frontage within the site, and all have reasonable rear garden spacing to ensure reasonable levels of amenity space, light, sunlight and levels of privacy are achieved within the site. Whilst concerns are raised it is possible to conclude the site is capable of accommodating the proposed number of dwellings in a manner that would not harm residential amenity in accordance with LP26.

- Drainage and Flood Risk

The submitted drainage strategy suggests a gravity based foul drainage system is not possible and that a pumped solution linked to the existing system on Irwin Road is suitable. The applicant consulted Severn Trent and its advice is contained in the drainage strategy. A foul water drainage solution is possible. This complies with LP14 part m.

Surface water is proposed to be dealt with via infiltration to individual on plot soakaways, infiltration below the road and driveways and a berm or filter strip to the northern boundary to prevent overland flows flooding the site.



The LLFA considers that notwithstanding the submitted drainage information, it will be possible to drain the site sustainably either by infiltration or by discharge to an adjacent watercourse and the principle of development is acceptable on this basis. It is understood the LLFA is not entirely satisfied with the finer points of the surface water drainage solution proposed such as it being overly complicated but the associated documentation including percolation tests and availability of an off site watercourse to drain the site to means it considers a solution is available. The outline nature of the application means the layout and design of the proposal could change therefore it is necessary to require full drainage details via condition. These details are sufficient to establish that it is possible to drain surface water from the site via SUDS in a manner compliant with LP14.

- Ecology

The extended phase 1 habitat survey finds no evidence of protected species on this reduced application site. The recommendations must be considered in light of the reduced site area. Works would not be within 5m of the drain meaning no water vole requirements arise. Vegetation clearance advice at 5.4, bat brick advice at 5.6 and bird box advice at 5.7 can all form part of an ecological mitigation strategy secured via condition. The impact on protected species and sites accords with LP21 and are acceptable.

- Other

LP10 requires 30% of dwellings to meet part M4(2) of the Building Regulations. This can be conditioned.

The site is not considered to be of archaeological interest - there are no archaeological requirements, expected.

A construction management plan is required to provide off road construction parking, mud prevention, site barriers, hours of construction etc in the interests of amenity.

### **Conclusion**

The proposal has been considered in light of relevant development plan policies LP1: A presumption in favour of sustainable development, LP2: The spatial strategy and settlement hierarchy, LP3: Level and distribution of growth, LP4: Growth in villages, LP10: Meeting accommodation needs, LP12: Infrastructure to support growth, LP13: Accessibility and transport, LP14: Managing water resources and flood risk, LP17: Landscape, townscape and views, LP21: Biodiversity and geodiversity, LP26: Design and amenity and LP55: Development in the countryside of the Central Lincolnshire Local Plan and Policy M11: Safeguarding of Mineral Resources of the Lincolnshire Minerals and Waste Local Plan- Core Strategy and Development Management Policies as well as the National Planning Policy Framework, National Planning Practice Guidance and Central Lincolnshire Developer Contributions Supplementary Planning Document.

The number and location of the dwellings is acceptable in principle and there are no identified sequentially preferable sites. The impact on potential mineral resources is acceptable. The impact on highway safety and convenience is acceptable. No open space requirements arise from the proposal. No harm would be caused to residential amenity or ecology. The application demonstrates a foul and surface water drainage solution exists. There are no other technical problems with the application therefore outline planning permission should be granted.

**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

**Representors to be notified -**  
*(highlight requirements):*

**Standard Letter**       **Special Letter**       **Draft enclosed**

**Conditions stating the time by which the development must be commenced:**

1. Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

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

2. No development shall take place until, plans and particulars of the layout, scale and appearance of the buildings to be erected, the means of access to the site and the landscaping of the site (hereinafter called "the reserved matters") have been submitted to and approved in writing by the Local Planning Authority, and the development shall be carried out in accordance with those details. The scale reserved matter application(s) shall include a schedule of the type and mix of dwellings to be agreed as part of the application.

Reason: The application 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 in accordance with Policy LP10 of the Central Lincolnshire Local Plan.

3. The development hereby permitted shall take place not later than 2 years from the date of approval of the last of the reserved matters to be approved.

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

**Conditions which apply or require matters to be agreed before the development commenced:**

4. 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 greenfield run-off rates;
- 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 ensure that surface water run-off from the development will not adversely affect, by reason of flooding, to neighbouring land and property in accordance with Policy LP14 of the Central Lincolnshire Local Plan.

5. No development shall take place until an ecological mitigation and enhancement strategy in accordance with the advice set out in paragraphs

5.4, 5.6 and 5.7 of the submitted extended phase 1 habitat survey has been submitted to and approved in writing by the Local Planning Authority. The development shall proceed in accordance with the approved details.

Reason: To ensure there is no harm to protected species and enhancements are secured in accordance with Policy LP21 of the Central Lincolnshire Local Plan.

6. No development shall take place, until a Construction Method Statement 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) storage of plant and materials used in constructing the development;
- (ii) the erection and maintenance of security hoarding
- (iii) wheel cleaning facilities;
- (iv) measures to control the emission of dust and dirt during construction;
- (v) the hours during which machinery may be operated, vehicles may enter and leave, and works may be carried out on the site;
- (vi) Measures for tree and hedgerow protection.

Reason: In the interests of amenity and in accordance with Policy LP26 of the Central Lincolnshire Local Plan

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

7. No dwelling shall be commenced before the first 40 metres of estate road from its junction with the public highway have been completed.

Reason: To ensure construction and delivery vehicles, and the vehicles of site personnel may be parked and/or unloaded off the existing highway, in the interests of highway safety and the amenity of neighbouring residents in accordance with Policy LP13 of the Central Lincolnshire Local Plan.

8. Before any dwelling is occupied, 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 to, and approved in writing by, the Local Planning Authority.

Reason: In the interests of safety, to avoid the creation of pedestrian trip hazards within the public highway from surfacing materials, manholes and gullies that may otherwise remain for an extended period at dissimilar, interim construction levels in accordance with Policy LP13 of the Central Lincolnshire Local Plan.

9. Before each dwelling is occupied, the roads and 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 Public Highway, 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 (or other development as specified).

Reason: To ensure that a safe and suitable standard of vehicular and pedestrian access is provided for residents throughout the construction period of the development and that the roads and footways are completed within a reasonable period following completion of the dwellings in accordance with Policy LP13 of the Central Lincolnshire Local Plan.

10. No less than 30% of the total number of dwellings shall meet part M4(2) of the Building Regulations.

Reason: In accordance with Policy LP10 of the Central Lincolnshire Local Plan.

11. Development shall proceed in accordance with the following drawing numbers: site location plan 1:2500.

Reason: For the sake of clarity and in the interests of proper planning.

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

None.