

# **Officers Report**

## **Planning Application No: 146801**

**PROPOSAL:** Outline planning application to erect 109no. dwellings with access to be considered and not reserved for subsequent applications - resubmission of 144526

**LOCATION:** Land at Eastfield Lane Welton Lincoln Lincolnshire

**WARD:** Dunholme and Welton

**WARD MEMBER(S):** Cllr Mrs D M Rodgers, Cllr P Swift & Cllr S H Hague

**APPLICANT NAME:** Mr S Turley

**TARGET DECISION DATE:** 24/08/2023 (Extension of time agreed until 27th March 2024)

**DEVELOPMENT TYPE:** Major - Dwellings

**CASE OFFICER:** Ian Elliott

**RECOMMENDED DECISION:** Grant Permission subject to conditions and the signing of a S106 Legal Planning Agreement subject to the following Heads of Terms:

- **Affordable Housing**

25% of the overall development to be delivered as affordable homes (i.e. up to 27 no. affordable homes). Of the affordable homes, the tenure split will 60% affordable rent (up to 16 dwellings), 25% First Homes (up to 7 dwellings) and 15% shared ownership (up to 4 dwellings). To be identified on site plan in any reserved matters application.

- **Custom and Self-Build Housing**

5% of the dwellings (5 dwellings) to be delivered as serviced plots. Design code or plot passport detail to be submitted by a defined date to inform marketing exercise. To be identified on site plan in any reserved matters application.

- **NHS Health**

A contribution of £69,942.50 on completion of 50% of the dwellings for each phase of the development in order to contribute to the extension of existing facilities of additional clinical space at Welton Family Health Centre, The Ingham Practice and/or Lindum Medical Practice.

- **Open Space**

On site public open space and open space management and maintenance plan. To be identified on site plan in any reserved matters application.

- **Pedestrian Footpath Provision**

New pedestrian footpath along the western side of Eastfield Lane will be constructed by the applicant, as shown in drawing AP038224-PW03 Rev 1 Dated 23/02/22. The pedestrian footpath will extend from the sites access

linking to the existing footway on the western side of Eastfield Lane to the south. It will be approximately 103.5 metres in length and 2 metres in width.

- **Eastfield Lane Passing Places**

3 No. passing places to be installed along Eastfield Lane between the development site and the A46/Eastfield Lane junction. To be identified on site plan in any reserved matters application.

- **Travel Plan**

The sum of £5000 to be paid to LCC Highways for the monitoring of the delivery of the travel plan submitted with the planning application.

- **Speed Limit Traffic Regulation Order**

The sum of £2800 to be paid to the LCC Highways to process the extension to encompass the site access.

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**Planning Committee:**

This application has been referred to the Planning Committee at the request of Welton Parish Council who consider the development does not comply with the Welton by Lincoln Neighbourhood Plan, and following a number of 3<sup>rd</sup> party objections.

**Description:**

The application site extends to 5.93 hectares and is situated immediately adjacent the north-eastern boundary of the village of Welton. It is an arable field, and is allocated for residential development in the Central Lincolnshire Local Plan (April 2023) – site WL/WELT/008A.

The northern and eastern boundaries to the site are defined by existing hedgerows, with open countryside beyond. The southern-most section of the eastern boundary is bordered by the hedgerow adjacent to Eastfield Lane. There is an existing hedgerow along the site's entire southern boundary with existing dwellings immediately beyond and the continuation of Eastfield Lane which turns westwards into the centre of Welton.

The western boundary is also demarked by hedgerow. The land immediately beyond the site's western boundary is allocated for housing in the development plan (site WL/WELT/003) and full planning permission for 49 dwellings with attenuation pond, landscaping and boundary treatments was granted in February 2022 (WLDC Planning Reference Number: 143728).

Public footpath WELT/54/1 runs along the western boundary.

The application site is currently in agricultural use as an arable field. The levels fall from a high point of approximately 18m AOD in the site's north western corner to approximately 15m AOD in the site's south eastern corner. There is an existing footpath which joins Eastfield Lane in the south to Mill Lane in the north, running immediately adjacent to the site's western

boundary. There is an existing field entrance from Eastfield Lane in the site's south eastern corner.

Planning permission is being sought (in outline) to erect up to 109 dwellings on the site, with access to be considered with this application.

Matters of layout, scale, appearance and landscaping are reserved for subsequent approval ('reserved matters'), should this outline application be granted permission.

Access is to be considered with this application. Drawings submitted with the application show a singular vehicle access to the site. This access would be taken from Eastfield Lane, where the road bends around from a north to an east direction out of the village. The plans indicate pedestrian access to the public footpath on the western boundary (WELT/54/1) would be provided. They also indicate that vehicle and pedestrian walkways would run up to the western boundary.

The application is a resubmission of 144526 which was refused in May 2022, as outlined below.

**Relevant history:**

144526 – Outline planning application for residential development of 109no. dwellings, with access to be considered and not reserved for subsequent applications - 26/05/22 - Refused

Reason for refusal:

1. *“The proposal exceeds the level of development permitted by policy LP2 of the Central Lincolnshire Local Plan (CLLP) and is not promoted by the Welton by Lincoln Neighbourhood Plan (NP). The proposal has not demonstrated exceptional circumstances. The site is not within the built-up area of Welton and is not allocated for housing. The proposal is therefore contrary to policy LP2 of the CLLP. The emerging policy of the review of the Central Lincolnshire Local Plan is attached weight, but in accordance with paragraph 48 of the NPPF, is not considered to carry such weight that would otherwise justify a significant departure from the extant development plan.”*

**Representations (In summary)**

*Representations made in relation to the application, the substance of which are summarised below (full representations can be viewed online).*

**Ward member(s):** No representations received to date

**Sir Edward Leigh MP:** Objections  
Supports the Parish Council comments

### **Welton Parish Council: Objections**

This application relates to a site that was considered and rejected in the previous Central Lincolnshire Local Plan (CLLP) but has been allocated in the revised CLLP adopted in April 2023.

The site remains unchanged and there are other allocated sites in the Plan that have not been developed; not to mention the allocated sites that have been and are being developed creating an additional 539 homes and a further 508 properties from four newly allocated sites in the latest CLLP.

This proposal is incompatible with the existing made Welton-by-Lincoln Neighbourhood Plan (WNP) as this site is not included in its allocated sites. The Council asks that all relevant objections to the previous application 144526, are also considered.

The only access point on the plan is off Eastfield Lane which is a rural country lane and would need to be managed safely; there have already been 5 accidents on this corner between October 2022 and February 2023; the comments from LCC intimate that planning permission should be refused unless its preference for a western access solution is agreed, which is also supported by Lindum Homes and the Planning Officers. It also appears from the applicants' submission that the proposed junction onto Eastfield Lane would be further compromised by a field access immediately alongside it. This lane is used by residents, not only from Welton, but from surrounding villages for cycling, walking, running, dog walking, horse riding and other recreational activities; there is an Equestrian Centre half-way along the lane and many people use it to access the coffee house at the junction with the A46.

The provision of 3 passing places is not sufficient, this lane is already used as a rat-run from the A46 to the A15 and vice versa; the increased traffic will also add to the risk of more accidents at the junction of Eastfield Lane with Dunholme Road. Coming from Dunholme the right turn onto Eastfield Lane is blind and there have been numerous near misses and recorded accidents here.

The CLLP states that building should be low density and in keeping with the local vernacular and this application. It is not compatible with the Village Character Assessment appendix attached to the WNP and does not meet the density criteria. Concerns regarding the building density and local vernacular has also been included in the response from LCC Highways.

The proposed site layout states that dwellings are spaced to allow for off road parking between buildings, to the rear or using garages, thus preventing the need for excessive parking along road frontage. History shows that residents do not park their cars in garages, therefore cars will park along the road frontage if sufficient parking spaces are not provided.

NHS Lincolnshire Integrated Care Board has indicated that there is insufficient capacity at the Welton Health Centre, which will be the primary practice in the development's area to be able to cope with the number of patients that will be generated by these 109 homes, let alone future numbers from further

allocated sites. If this application is granted, the developer should invest in the development of the health centre to accommodate these additional patients.

The Council requests that a full risk assessment of the area is carried out with particular emphasis on traffic assessment prior to considering this application and if necessary, delaying it until such time as it has been done.

The Planning Committee should be mindful if they grant permission for this application, that properties should be eco-friendly in providing electric vehicle charging points, storage for bicycles, ground/air source heat pumps and those that are south facing fitted with solar panels – if these are installed when properties are being built it is more economical. They should also consider planting hedges between properties rather than erecting fences, as they absorb CO<sup>2</sup>, don't blow down or become dilapidated and encourage wildlife.

In conclusion, it is not an allocated site in the Welton-by-Lincoln Neighbourhood Plan and until such time that sufficient assessments have been carried out on the whole site, road and surrounding area, in particular the entrance into the development off Eastfield Lane, the council does not support this application.

**Local residents:**

Objections have been received from the following addresses –  
Eastfield House Farm, The Oaks, 7, 15, 17, 21, 23, 25, 27, 46, 48, 50, 51, 53, 58, 59, 60, 63, 63a, 64, 65, 66, 71, 73a and 77 Eastfield Lane, Welton  
25 Eastfield Close, Welton  
1, 2 and 3 Dovecote Drive, Welton  
2, 4, 10, 14, 27, 33 and 35 Musgroves Orchard, Welton  
17 and 18 Dunholme Road, Welton  
Nightingale House, 18 and 25 Roselea Avenue, Welton  
25, 46, 57, 63, 78a and 82 Ryland Road, Welton  
8 The Hardings, Welton  
9 Norbeck Lane, Welton  
8 School Drive, Welton  
13 Northfield Road, Welton  
9 Ayon Close, Welton  
28 Hampden Close, Welton  
9 Ayam Close, Welton

A summary of their objections are as follows:

Highway Safety

- Access in dangerous position.
- Eastfield Lane is not suitable for Heavy Goods Vehicles and construction traffic.
- Eastfield Lane is poorly maintained.
- Speed needs to be decreased from 60mph.
- Only other access to site is through the village past the school.
- Vehicles have to mount kerbs/verges along Eastfield Lane.
- Country lane (Eastfield Lane) not intended to be used by increased traffic.

- Inaccessible for public transport.
- Eastfield Lane too narrow with dangerous junction at either end.
- Eastfield Lane has a dangerous corner and is already busy enough.
- Eastfield Lane has no room for 2 vehicles and is used by farm vehicles, pedestrians, joggers, cyclist and horse riders.
- 100 homes will be dangerous to runners on Eastfield Lane.
- Passing places will be of little use.
- Preferred access should be to the west of the site.
- No path towards A46.
- Junction of Cliff Road with Lincoln/Ryland Road already congested.
- At the CLLP examination the Eastfield Lane access was not the preferred or desired access.
- Access to the west has not been explored by the agent.

### Drainage

- Concerned about pressure of rainwater and drainage despite planned SuDs.
- Surface water flooding of road at bottom end of Eastfield Lane is regular and will be increased.
- Foul system cannot cope at the moment and erupts from flooded system in Eastfield Lane. Overflows in heavy rain.
- Dunholme WRC has capacity problems and cannot cope with further 25% more growth.
- Surface water flooding on the site on Environment Agency flood risk map.
- Inaccuracies with FRA – No dyke as stated in Appendix A and drop from garden of 4 Dovecote to site is 5ft (1.5 metres) 1.62-1.78 metres.
- 4 Dovecote has had significant surface water flooding on eastern side of garden.
- The latest planning submission Drainage Outfall Route is in breach of policy S21 of the Central Lincolnshire Local Plan (CLLP). The proposed drainage outflow route takes the water from the site into a high flood risk area at the corner of Eastfield Lane which is prone to flooding.
- The water from here also drains into the Eastfield Drain via the same corner that the proposed drainage outflow route will take. The drains cannot cope with the current level of water runoff.
- The addition of a further 109 homes feeding into this system cannot do anything else but increase the flood risk to existing residents.
- The drainage report showing that the ditch flowing south on the eastern boundary is free flowing and can cope with the rainwater discharge are incorrect. Serious concerns about the development flooding the property at 77 Eastfield Lane. Happened on more than 1 occasion and has caused by the culvert that starts under my drive and routes the field's dykes away being unable to cope with the amount of water that comes off the elevated field.
- Serious concerns about rain water flooding the foul water drains.
- Drainage Outfall Route is in breach of policy S21(b) of the Central Lincolnshire Local Plan (CLLP). The watercourse is not free of obstruction or free flowing.

- Suffer consequences at 66 Eastfield Lane from the increase in water run off that will certainly occur should the proposed plan go ahead,
- Proposed drainage outflow takes the water from site into a high flood risk area.
- The drains cannot cope with the current level of water runoff.
- The addition of a further 109 homes feeding into this system cannot do anything else but increase the flood risk to existing residents.
- Culverting the ditch along Eastfield Lane and widening the Lane will significantly increase the hard surface area and water runoff leading directly into the high flood risk area at the corner. Using the preferred access to the site from the west would remove this particular risk.
- It is stated that the calculations from the report show the existing ditch and culvert are more than capable of taking the rainwater discharge from the proposed site. This is undeniably incorrect.

#### Infrastructure

- Schools and doctors already stretched and over-subscribed.
- Parking amenities overloaded.
- Shopping facility limited.
- Cumulative infrastructure impact assessment should be concluded.
- Local amenities not within walking distance.
- Vets is small.

#### Residential Amenity

- Should be a robust green barrier of at least 2 metres height to minimise pollution and noise disturbance.
- Traffic will lead to noise pollution increase.
- Increase air/noise pollution.
- Reduce quality of life.
- Properties should not face 73a Eastfield Lane and should be bungalows with trees planted as screening.
- Eastfield Lane access would expose local residents to additional traffic noise, disturbance and pollution

#### Character/Visual Impact

- Negative and adverse visual impact on landscape.
- Not compatible with local vernacular.
- Ruin historic character of this part of the village.
- Contains some of Welton's best preserved vernacular architecture.
- Degrade village character.
- WLDC are changing the character of Welton permanently.
- Damage Ryland Road and Welton village character.

#### Landscaping

- The planting should be included to ameliorate the appearance of estate and resident's quality of life.
- Softening of northern boundary must be achieved.
- How will boundaries be affected.

### Wildlife/Ecology

- Wildlife has changed in the last 2 years.
- Clearance of vegetation for visibility splays will lead to a loss of wildlife habitat.
- Reduce wildlife habitat and destroying local environment.
- Enjoy seeing lizards and snakes and even at top of garden. This will destroy their habitat.
- The Biodiversity Net Gain Statement is in breach of policies S61 and S80 of the CLLP.
- The increase in biodiversity of the areas (in points 1, 2 & 3) is significant in the overall benefits, and their removal reduces the biodiversity net gain below the 10% requirement. The inaccuracies in the submission are misleading to decision makers, as can be seen from the response from Lincolnshire Wildlife Trust.
- The ecology appraisal does not reflect the true position of wildlife in the area. Evidence has already been provided from a number of residents that show species, such as grass snakes and bats within 40 metres of the site. This evidence does not appear to have been updated in the ecology review or passed onto the decision makers. An onsite review, rather than desktop review should be completed so that decisions can be made upon accurate information.

### Climate Change

- No detail on dwellings being environmentally sustainable.

### Heritage

- Eastfield Lane is an old part of the village with Grade II Listed Buildings.

### Density

- Existing properties are 2.7 dwellings per acre and development is 7.4 dwellings per acre.
- Should be in accordance with Area K of Character Assessment.
- Density is 18.3 dwellings per hectare.
- Indicative number should be 40.
- Not low-density development.

### Agricultural Land

- Building on best most versatile land and policy S67 should be activated.
- Agricultural land should be maintained for food security.

### Other

- Bus stop 760 metres away is well outside the guidelines.
- Inaccessible for public transport.
- Will compound that local plan is not working.
- No public consultation.
- Enough housing in Welton and have 8-year supply of housing.
- Welton becoming a town and overdeveloped with 6,000 more residents than Market Rasen.



- No more houses should be granted until review of Neighbourhood Plan has been completed.
- Profit led development and not local need.
- Litter will increase.
- Existing developments cover the need of Welton.
- Support Ryland Road Residents comments.
- Already reached allocation on new housing.
- No new house should be delivered until 2030/31 in Welton/Dunholme as still 555 to be built from existing planning permissions.

**Ryland Residents Group (63a Eastfield Lane, Welton):** Objection

This statement of objections is submitted by Brian Wadsworth of 63a Eastfield Lane, Welton, as an existing residential property owner directly affected by the application, and also on behalf of the Ryland Residents' Group, which strongly objected to the designation of this site in the Central Lincolnshire Local Plan (CLLP). CLLP planners decided to allocate this site for future housing development following an earlier public consultation process which did not benefit from local community input. The Ryland Community remains aggrieved by this decision and by the process leading up to it. We are also profoundly apprehensive at the impacts of excessive housing development in Welton and Dunholme on our local infrastructure and services, including our already over-stretched GP Surgery, local schools, village roads and parking provision. However, the CLLP has now been adopted by WLDC regardless of the many objections lodged. This statement of objections focuses on specific aspects of the outline planning application which would adversely impact the Ryland area as a whole and pre-existing residential properties in the near vicinity. On 16th February 2023, shortly before adoption of the 2023 CLLP, the Council's Director for Planning, Regeneration and Communities wrote to me as follows regarding this site: "Main modification 68 (MM68) proposes to retain site-specific criteria under policy 80 on access safety, a "low density" scheme [in] keeping with the local vernacular and drainage and surface water flood risk provisions. Relevant design and drainage criteria in the Welton Neighbourhood Plan will also be engaged." The outline planning application now submitted relies upon a profoundly sub-optimal access solution and is neither "low density" nor "in keeping with the local vernacular". It requires significant modifications to mitigate adverse impacts on the Ryland area and community.

**SITE ACCESS** The landowner has once again proposed that site access be located (solely) at the northern 90-degree corner of Eastfield Lane, beyond the outer extremity of the existing built-up area. It would be diplomatic to describe this as an expedient, rather than an appropriate solution. Our objections on grounds of traffic safety, protection of vulnerable road users and disturbance to the existing community are familiar to CLLP and WLDC planning officials from earlier discussions on the CLLP. During the latest phase of those discussions, the landowner's agents admitted that a viable road access corridor exists to the west of this site, benefiting from pre-existing consents. Subject to any necessary agreement with Lindum Homes (with whom the agent was then in negotiation) and resolution of a minor third-party land ownership issue (the owner having confirmed his willingness to sell), the

agent expressed confidence at the Planning Inspectorate hearings that this solution could be delivered, if preferred. Lincolnshire County Council Highways Department has repeatedly expressed preference for a western access solution. Access to the west is self-evidently the best solution for any future residents who may come to live on this site. All residential and service vehicle traffic will be seeking to approach the site from the west or depart in a westward direction. There is nothing to the east apart from a junction with the A46 at Welton Hill, in the 'wrong' direction for shops, schools, other services and centres of employment. Short term expediency must not be allowed to prevail over the advice of LCC Highways, the interests of the existing community and the practical needs of future homeowners on this site. Planning consent should be refused unless the appropriate agreements are concluded to ensure site access via the western corridor. If there is any issue of cost which may genuinely stand in the way of this solution, it would be appropriate (in view of the clear and compelling community benefits) for WLDC to negotiate some 'offset' from prospective s106 contributions. However, the developer has presented no evidence that the western solution would in practice cost materially more than the current proposal, which would necessitate significant road modification works to Eastfield Lane. Adoption of the western access solution would allow conditions to be imposed banning access along Eastfield Lane by heavy construction traffic or other large vehicles (for which the existing road standard and layout is clearly unsuitable, both within the built-up area of Ryland and along the farm lane section extending eastwards to the A46). I and other Ryland Residents strongly object to any such use of Eastfield Lane.

**BUILDING DENSITY AND THE LOCAL VERNACULAR** The outline planning application as submitted is not compatible with the local vernacular of the Ryland area and does not constitute "low density" development. CLLP planning officials have previously confirmed that this site is not required in order to meet housing targets set in the local plan. The site in question falls within "Area K" as described in the Welton Neighbourhood Plan's village character assessment. This area covers east of the public right of way north of Eastfield Lane and east of Musgrave's Orchard on the south side. The local vernacular is described as follows: "The buildings in this area are arranged in a particularly scattered fashion, with no consistent approach to their orientation or distancing from the roadside and sitting within plots of differing sizes and shapes. The informal manner in which properties are arranged adds to the more rural, unplanned character of the area." The effective building density of pre-existing residential properties in this area is approximately 2.7 dwellings per acre. By contrast, the outline planning application for this site proposes dramatically higher density, at 7.4 dwellings per acre. This figure appears to be calculated by including within the site boundary a redundant triangle of 'green space' land which formed part of CLLP site WL/WELT008 (as distinct from 008A). Site 008 was rejected during CLLP development, so this area of land cannot be considered, having been deliberately left outside the adopted site designation. I and our Residents Group object to the excessive building density proposed in this application, which is clearly out of keeping with our area. A substantial reduction in density is required in order to meet the criteria stipulated in the adopted CLLP (MM68). Lower density should allow: - fewer dwellings with larger plots and greater diversity of styles and layout, more in keeping with Neighbourhood

Plan Area K, - tree planting to ameliorate the appearance of the new estate and enhance its residents' quality of life, - importantly, a landscaped and tree planted zone devoid of buildings to be created along the entire southern perimeter of the site, incorporating the proposed drainage pond (which should be landscaped to appear as a natural feature, suitable for waterfowl), in order to avoid intrusion by the new housing estate against the northern boundaries of older, established residential properties to the north of Eastfield Lane. OTHER GROUNDS OF OBJECTION Further measures will be required to reduce the adverse impacts on adjoining, pre-existing residential properties arising from loss of privacy and security, noise and light pollution. - Conditions must be imposed to minimise disturbance from plant and machinery during the construction phase. - The landowner's proposed (minimalist) hedge improvement is not fit for purpose. A continuous wall of 2m in height is needed along the southern boundary of the site. - Conditions should be imposed to avoid or minimise future light pollution from any street or outdoor public lighting on the new estate. The Environment Agency stated in the CLLP consultations that Dunholme WRC has capacity issues. This is clearly evidenced by the 16 days of continuous discharge observed during 2022. This is the situation before completion of various large development sites in Welton and Dunholme which have already been granted planning permission. We therefore object to this development proceeding before the necessary infrastructure improvements have been made.

**LCC Highways:** No objections subject to conditions

Representation received 21<sup>st</sup> February 2024:

- There is no precise definition of "severe" with regards to NPPF Paragraph 115, which advises that "Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe." Planning Inspector's decisions regarding severity are specific to the locations of each proposal, but have common considerations:
  - The highway network is over-capacity, usually for period extending beyond the peak hours
  - The level of provision of alternative transport modes
  - Whether the level of queuing on the network causes safety issues

In view of these criteria, the Highways and Lead Local Flood Authority does not consider that this proposal would result in a severe impact with regard to NPPF.

- A S106 sum of £5000 will be required for the future monitoring of the approved Travel Plan
- A S106 sum of £2800 will be required to alter the existing speed limit Traffic Regulation Order (TRO) on Eastfield Lane.

- Potential highway safety issues to be mitigated via improvements to the existing highway infrastructure.

The following off-site improvements will be required:

- Metalled upgrade of the existing Public Right of Way (PROW - Welt/54/1) that runs adjacent to the site, to include an Equalities compliant ramp where it connects to Eastfield Lane.
- The provision of tactile crossing points at the following locations – Eastfield Lane, outside No. 25; Junction of Eastfield Road/Northfield Road; Junction of Hackthorn Road/Ryland Road and Ryland Road, outside No. 9.
- Eastfield Lane will require widening of the carriageway and the provision of a footway, to extend the existing footway into the site. These improvement works will require the culverting of one or both existing roadside ditches and as such will be dependant on gaining the relevant permissions and consents.
- 3 No. passing places along Eastfield Lane between the development site and the A46/Eastfield Lane junction.

Conditions:

- Construction Management Plan and Method Statement
- Public Right of Way
- 3 Passing Places
- Highway Widening
- Travel Plan
- Estate Road Phasing and Completion Plan

Representation received 16<sup>th</sup> June 2023:

The submitted Transport Assessment is a fair a reasonable representation of the proposed development's impact on the existing highway network and is considered acceptable.

The access point shown is acceptable as it offers adequate visibility in both directions.

- Eastfield Lane will require widening of the carriageway and the provision of a footway, to extend the existing footway into the site. These improvement works will require the culverting of one or both existing roadside ditches and as such will be dependent on gaining the relevant permissions and consents.

Further highway improvements will be required as follows:

- Metalled upgrade of the existing Public Right of Way (PROW - Welt/54/1) that runs adjacent to the site, to include an Equalities compliant ramp where it connects to Eastfield Lane.
- The provision of tactile crossing points at the following locations – Eastfield Lane, outside No.25; Junction of Eastfield Road/Northfield Road; Junction of Hack thorn Road/Ryland Road and Ryland Road, outside No. 9.
- Level surface upgrade of the bus stop outside No. 79 Ryland Road.

- 3 No. passing places along Eastfield Lane between the development site and the A46/Eastfield Lane junction.

The above improvements are to form part of recommended conditions to the Local Planning Authority as part of final comments.

The existing speed limit traffic regulation order on Eastfield Lane will require extending to encompass the site access, a sum of £2800 will be required for the HLLFA to process this change.

Layout is a reserved matter, however the indicative layout shown as part of this application is acceptable in general. The current design of the site is a traditional adoptable highway and footway configuration, and whilst it is not objectionable, consideration should be given to incorporating Placemaking and Building for a Healthy Life design codes and principles into the submitted layout. The HLLFA encourages permeability and circulation for all modes of movement within the site and promotes the adoption of alternative highway designs. It is recommended the cul-de-sac design show is altered to incorporate connecting edge lanes, please refer to Lincolnshire County Council's Design Approach, available on our website. The HLLFA would also encourage tree lined streets as part of the overall development layout.

A reserved matters application to determine the final layout must show pedestrian and vehicle links to the adjacent site along with multiple pedestrian links to the adjacent PROW.

Travel Plan:

This Travel Plan should be conditioned and we should request a S106 contribution of £5000k for monitoring (£1k p.a. over 5 years) – this appears to have already been accepted by applicant in Para 7.2.2.

The targets set out in Section 5 seem reasonable – seeking a 10% shift away from the car over 5 years. Sections 6, 7 and 8 clearly set out the process to be followed for implementation and monitoring (noted in Para 8.4.2 that they suggest using STARS which would fit with LCCs monitoring software).

**LCC Lead Local Flood Authority:** No objections with comment

Representation received 21<sup>st</sup> February 2024:

Proposed drainage strategy is acceptable in principle, subject to detailed design at a later stage.

Condition:

- Surface Water Drainage

Representation received 16<sup>th</sup> June 2023:

The submitted drainage strategy is acceptable in principle, as is the proposed discharge rate. The outfall will require further investigation to confirm its suitability and security for the lifetime of the development. It is requested that

this investigation is carried at this time and the details submitted for consideration by the HLLFA.

**Anglian Water:** Comments

- The foul drainage from this development is in the catchment of Dunholme Water Recycling Centre that will have available capacity for these flows.
- The preferred method of surface water disposal would be to a sustainable drainage system (SuDS) with connection to sewer seen as the last option.

**Witham Third Internal Drainage Board:** No objection

Provided it is constructed in accordance with the submitted details and Flood Risk Assessment.

**LCC Education:** Contribution Required

Requests contributions of £510,060 for secondary extension and £102,012 for sixth form extension.

**WLDC Developer Contributions & Enabling Officer:** Comment

Should the proposal be acceptable, the application would trigger an affordable housing obligation of 25% under Policy S22 of the newly adopted Central Lincolnshire Local Plan (April 2023) as the site falls within Value Zone A. Given the indicative dwelling number, this would equate to 27 affordable housing units on the site which is the number proposed.

The details of the appropriate mix of affordable property types and their distribution across the site would be agreed with the Council at the reserved matters stage. However, Policy S22 requires the affordable housing to integrate seamlessly into the site layout amongst the private housing.

A Section 106 agreement will be required in order to secure the affordable housing obligation. Following the introduction of the government's First Homes policy, the Council's preferred tenure split for a site is:

- 25% First Homes
- 15% Shared Ownership
- 60% Affordable Rent

The applicant is encouraged to have further discussions with Strategic Housing regarding the affordable housing requirement for the site as the proposals progress.

**NHS Lincolnshire:** Contribution Required

The development will impact the Welton Family Health Centre, The Ingham Practice, Lindum Medical Practice and Brayford Medical Practice as the development is within their catchment area. The contribution requested for the development is £68,942.50 (£632.50 x 109 dwellings).

NHS Lincolnshire Integrated Care Board (LICB) wishes for the Section 106 contribution from the development of 109 dwellings on Land at Eastfield Lane, Welton to contribute to the expansion in capacity through remodelling/changes to layout or extension to existing facilities within the IMP Primary Care Network (PCN) at the Welton Family Health Centre, The

Ingham Practice and/or Lindum Medical Practice. Alternatively, the funding may, where appropriate, be used to support expansion in capacity at an alternative general practice site as required to meet the local population health need.

After reviewing the practice response regarding their capacity to accommodate the increase in patient numbers arising from this development, it's requested that the trigger point for the release for funds for health care be set at payment of all monies upon completion of 50 percent of the dwellings for each phase of the development. This will ensure the practices are not placed under undue pressure.

To ensure that there is sufficient time carry out the works and allow the s106 funds to be spent in the most appropriate way, a repayment period of 10 years from receipt of the final payment transfer (for the entire development) to the relevant NHS body will be required.

**Health Centre, Cliff Road, Welton: Objection**

We would like to object to the planned proposal for an additional 109 properties off Eastfield Lane, Welton. As a Practice, we are already providing medical services for 9663 patients. This number is increasing year on year whilst the resources are not. Funding from NHSE is constantly being squeezed, there is the threat of the asylum centre needing medical support and we are unable to recruit new GP's to serve these additional patients. Each proposal that is approved puts further strain on resources in the practice and stretches services even thinner. Our AskMyGP system is already saturated very early each morning and our nurses' clinics are fully booked at all times.

The practice does not have the additional infrastructure for increased parking in the village or additional clinical rooms available to see additional patients. The Practice is considering having to close its list due to overwhelming numbers of incoming patients, which would mean residents of this development may have to travel to Lincoln for GP services.

**Lincolnshire Police: No objections with advice**

Advice provide on:

- Dwelling Frontages
- Perimeter
- Gates
- Landscaping
- Lighting
- Footpaths
- Parking Provision
- Letter Plates
- Intruder Alarms
- Utilities
- Building Regulations

**Lincolnshire Wildlife Trust:** No objection subject to a condition

Representation received 2<sup>nd</sup> February 2024:

Lincolnshire Wildlife Trust wishes to make the following comments with reference to the above planning application. Our previous comments regarding an outdated PEA and a lack of BNG assessment have been addressed with the latest documents detailing an 11.65% gain in habitat biodiversity units.

The stated uplift in on and offsite biodiversity units is predicated on appropriate habitat management for the full 30-year period as required by the Environment Act. A Management and Monitoring Plan is recommended by the ecologists in the BNG report and we request this be achieved via a planning condition in accordance with the Environment Act and Local Plan Policy S61. We acknowledge the statement in 4.1.2 that the landscape details are yet to be finalised. We would encourage these be confirmed by way of submission of a Landscape Ecological Management Plan (LEMP). This should include clarifications of native planting outlined in Figure 2 of the BNG report for urban trees, areas of grassland throughout the site and may include the aforementioned BNG MMP.

Sustainable drainage systems (SuDS) are internationally recognised as the most effective way of managing both surface water flood risk and storm-related pollution. The attenuation pond serves this function and the recent implantation of Schedule 3 of The Flood and Water Management Act 2010, establishes a process to ensure that any new development includes high quality SuDS, and removed developers' automatic right to connect to public sewers. Implementation is essential to addressing growing surface water flood risk, tackling the sewage pollution problem and is complementary to BNG and nutrient neutrality.

Representation received 28<sup>th</sup> June 2023:

Lincolnshire Wildlife Trust wishes to place a HOLDING OBJECTION in regards to the above planning application until further ecological information has been submitted and we are satisfied that there will be no significant negative impacts on protected or priority habitats, species or local wildlife sites as a result of the proposed development.

The Preliminary Ecological Appraisal submitted with this application is the same document as that of the original 144526 application. The site has thus not been resurveyed in the past 18 months since January 2022 (Paragraph 3.2.1).

An updated PEA document will need to be conducted as the baseline conditions of the site are very likely to have changed thus impacting the baseline Biodiversity Net Gain (BNG) values.

The various ecological receptors and considerations for legally protected species are also likely to have altered in 18 months with the aid of the 2021



and 2022 ecological records submitted to the Lincolnshire Environmental Records Centre during the intervening period.

The applicant also needs to consider the local policy changes that have taken place with the recently adopted CLLP that affords stronger environmental protections and considerations to those in the (now) superseded Plan.

We agree that the minimum 10% gain is feasible onsite and want to see the gains incorporated into enhanced landscape buffers and 'wildlife corridors' throughout the site. The area to the north of the proposed development contains a pond and general 'nature area'. While this would be a worthwhile inclusion in the final design, we wish to highlight that biodiversity benefits are somewhat limited due to the near continuous disturbance from people and domestic pets, particularly next to large residential areas.

**Environment Agency:** Does not wish to comment

It does not appear to fit any of the criteria on our consultation checklist.

**LCC Archaeology:** No archaeological input is required.

**ECM checked:** 19<sup>th</sup> March 2024

### **Relevant Planning Policies:**

Planning law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. Here, the Development Plan comprises the provisions of the Central Lincolnshire Local Plan (adopted in April 2023); the Welton Neighbourhood Plan (made September 2016); and the Lincolnshire Minerals and Waste Local Plan (adopted June 2016).

The application therefore falls to be considered against all 3 documents comprising the Development Plan. However, under planning law<sup>1</sup>, if to any extent a policy contained in a development plan document for the area conflicts with another policy in the development plan the conflict must be resolved in favour of the policy which is contained in the last document – here, the Central Lincolnshire Local Plan, most recently adopted in April 2023.

### Development Plan

- ***Central Lincolnshire Local Plan (CLLP)***

Relevant policies of the CLLP include:

- S1 The Spatial Strategy and Settlement Hierarchy
- S2 Growth Levels and Distribution
- S4 Housing Development in or Adjacent to Villages
- S6 Design Principles for Efficient Buildings
- S7 Reducing Energy Consumption – Residential Development
- S12 Water Efficiency and Sustainable Water Management

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<sup>1</sup> S38(5) of the Planning and Compulsory Purchase act 2004

S21 Flood Risk and Water Resources  
S22 Affordable Housing  
S23 Meeting Accommodation Needs  
S45 Strategic Infrastructure Requirements  
S47 Accessibility and Transport  
S48 Walking and Cycling Infrastructure  
S51 Creation of New Open Space, Sports and Leisure Facilities  
S53 Design and Amenity  
S54 Health and Wellbeing  
S57 The Historic Environment  
S59 Green and Blue Infrastructure Network  
S60 Protecting Biodiversity and Geodiversity  
S61 Biodiversity Opportunity and Delivering Measurable Net Gains  
S66 Trees, Woodland and Hedgerows  
S80 Housing Sites in Large Village  
<https://www.n-kesteven.gov.uk/central-lincolnshire>

- ***Welton-by-Lincoln Neighbourhood Plan (WNP)***

Relevant policies of the NP include:

H1 Type, Size and Mix  
D1 Village Character  
D2 Safe Environment  
EN1 Environmental Capital  
EN2 Habitat  
EN3 Flood Risk  
T2 Cycling  
W1 Healthcare  
W2 Sport & Recreation

Welton-by-Lincoln Village Character Assessment dated January 2016 (WCA)  
The site is not within any of the character areas (A-K)  
Area I (Northfield) is nearby to the West  
Area K (Welton East) is adjacent to the south

<https://www.west-lindsey.gov.uk/sites/default/files/2022-02/Welton%20NP%20Neighbourhood%20Development%20Plan.pdf>

- ***Welton-by-Lincoln Neighbourhood Plan Review***

A review of the existing Welton by Lincoln Neighbourhood Plan is currently being prepared by the Welton by Lincoln Parish Council. To date a draft plan has not been published for consideration.

- ***Lincolnshire Minerals and Waste Local Plan (LMWLP)***

The site is not within a Minerals Safeguarding Area, Minerals or Waste site / area.

<https://www.lincolnshire.gov.uk/planning/minerals-waste>

## National policy & guidance (Material Consideration)

- **National Planning Policy Framework (NPPF)**

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

The NPPF sets out the Government's planning policies for England and how these should be applied. It is a material consideration in planning decisions. The most recent iteration of the NPPF was published in December 2023. Paragraph 225 states:

*"Existing [development plan] policies should not be considered out-of-date simply because they were adopted or made prior to the publication of this Framework. Due weight should be given to them, according to their degree of consistency with this Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given)."*

- **National Planning Practice Guidance**

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

- **National Design Guide (2019)**

<https://www.gov.uk/government/publications/national-design-guide>

- **National Design Model Code (2021)**

<https://www.gov.uk/government/publications/national-model-design-code>

### **Other:**

Planning Obligations Supplementary Planning Document October 2023

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

Central Lincolnshire Policies S76 – S82: Sustainable Urban Extensions and Housing Allocations in Lincoln Urban Area, Main Towns, Market Towns, and Large, Medium and Small Villages Evidence Report March 2022 (HAER)

<https://www.n-kesteven.gov.uk/sites/default/files/2023-03/EVR076-082%20Policy%20S76-82%20Residential%20Allocations%20Introduction%20Reg19.pdf>

### **Main issues**

- Principle of the Development  
*Central Lincolnshire Local Plan 2023*  
*Welton by Lincoln Neighbourhood Plan*  
*Concluding Statement*
- Access

## Assessment:

### Principle of the Development

Planning law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. Here the development plan comprises both the Central Lincolnshire Local Plan (April 2023); and Welton-by-Lincoln Neighbourhood Plan (2016). The application falls to be considered against both documents.

However, under planning law<sup>2</sup>, if there is any conflict between the policies of the documents, it must be resolved in favour of the most recent document – here, the Central Lincolnshire Local Plan (2023).

#### *Central Lincolnshire Local Plan (adopted April 2023):*

Local policy S1 of the CLLP sets out a spatial strategy and settlement hierarchy from which to focus housing growth. This policy identifies Welton as a large village and *‘to maintain and enhance their role as large villages which provide housing, employment, retail and key services and facilities for the local area, the following settlements will be a focus for accommodating an appropriate level of growth’*. Local policy S1 states that most of the housing growth in Welton will be *‘via sites allocated in in this plan. Beyond site allocations made in this plan or any applicable neighbourhood plan, development will be limited to that which accords with Policy S4: Housing Development in or Adjacent to Villages’*.

Local Policy S80 identifies sites within large villages which are allocated primarily for residential use. The application site is identified by allocation reference WL/WEL/008A as land north of 77 Eastfield Lane, Welton (5.82 hectares) for an indicative capacity of 109 dwellings.

Local Policy S80 of the CLLP also sets out some site specific requirements for the site. These are:

- *“Access preferred via development at adjoining allocation to the west. If access has to be achieved through Eastfield Lane adequate visibility splays and road widening and footway provision will be required.*
- *Design to be low density and in keeping with the local vernacular of the area.*
- *Development of the site will need to address drainage and surface water flood risk on the site.”*

Subject to meeting these criteria, the proposed development would accord with the site allocation within the Central Lincolnshire Local Plan (2023).

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<sup>2</sup> S38(5) of the Planning and Compulsory Purchase Act 2004

*Welton by Lincoln Neighbourhood Plan (WNP):*

The relevant policies are listed in the policy section above.

Policy H1 requires that *“Proposals for more than 10 dwellings should demonstrate how the mix, type and size of dwelling has taken into account local need.”*

Policy D1 sets out that development should respect local character and include wildlife features.

Policy D2 requires development to be safe and accessible environments.

Policy EN1 protects biodiversity and promotes net biodiversity gain. Protects watercourses from degradation and pollution.

Policy EN2 encourages habitat creation and enhancement.

Policy EN3 promotes that use of sustainable urban drainage systems to reduce surface water run off.

Policy T2 Cycling encourages new cycleways, paths and secure storage facilities.

Policy W1 Healthcare would support development which expands or provides new healthcare facilities.

Policy W2 would support the development of public sports and recreation facilities.

It is noted that the Parish Council state *“This proposal is incompatible with the existing made Welton-by-Lincoln Neighbourhood Plan (WNP) as this site is not included in its allocated sites.”*

The WNP does not allocate any residential development sites. It does recognise three housing sites (Site 1 – Land off Halfpenny Close; site 2 – Land East of Hackthorn Road; Site 3 – Land off Prebend Lane), but the WNP itself acknowledge that these sites *“have planning permission so are unable to be included as policies of the WNP.”*

The WNP does not allocate any residential housing sites within its policies – and does not seek to prohibit or restrict residential development on unallocated sites within its policies.

Furthermore – the NP was made in July 2016, and pre-dated the previous iteration of the Central Lincolnshire Local Plan (2017) which had allocated the aforementioned 3 sites.

The site is allocated for residential development in the 2023 version of the Central Lincolnshire Local Plan. It is not considered that this conflicts with the policies of the WNP, but if it did, the 2023 CLLP would take precedence as the most recent Development Plan document.

*Density:*

Paragraph 4.8 of the Central Lincolnshire Policies S76 – S82: Sustainable Urban Extensions and Housing Allocations in Lincoln Urban Area, Main Towns, Market Towns, and Large, Medium and Small Villages Evidence Report March 2022 (HAER) states that *“there are no policies identifying specific density requirements in the adopted Central Lincolnshire Local Plan.”*

Therefore, an assessment of sites that have been granted planning permission has been used to identify a number of capacity assumptions based on the location in the settlement hierarchy and using a range of different sized sites.”

Paragraph 4.14 of the HAER states that *“in order to identify the assumed developable area, a calculation has been carried out to factor in the reduction in developable area, based on the size of the overall site area, set out in Table 2 below”.*

**Table 2: Developable Area of Sites**

Site Size	Percentage of the site developable
Less than 0.4 hectares	100%
0.4 – 2 hectares	85%
2 – 20 hectares	75%
20 hectares or larger	60%

The application site covers 5.93 hectares so in accordance with table 2 would have a developable area of 75% of the overall to leave room for public open space and necessary infrastructure such as roads and pedestrian footpaths.

Using the 75% the developable area on the site would be 4.44 hectares (5.93 hectares/100% x 75%). Using the whole site area the development would propose 18.4 (109/5.93) dwellings per hectare (dph) and the developable area would propose 24.5 dph.

Paragraph 4.15 of the HAER provides a density assumption table (see below) for the settlement hierarchy categories.

Settlement Hierarchy Category	Density Assumption (dwellings per hectare)
Lincoln City Centre (within 1km of railway station)	90 dph
Wider Lincoln Urban Area	40 dph
Town centres	50 dph
Town suburbs	35 dph
Large Villages	25 dph
Medium and Small Villages	20 dph

The settlement of Welton is categorised as a large village in policy S1 of the CLLP. The recommended developable area explained earlier (see table 2 above) would therefore at 24.5dph accord with the density assumption of 25dph.

It is relevant to compare the character and density of the site (24.5dph) with character area I (Northfield) and K (Welton East) of the WCA, which sit to the immediate south, and the west of the site.

Page 63 of the WCA states that in character area I (Northfield) the *“dwellings are for the most part arranged at a density which is higher than that seen elsewhere in Welton and the minimal distances between properties means that views of the wider locality are limited.”*

Page 68 of the WCA states that in character area K (Welton East) *“the informal manner in which properties are arranged adds to the more rural, unplanned character of this area.”*

In addition, the most recent application for the adjacent allocated site (WL/WEL/003) has planning permission (143728) and works have commenced on site for 49 dwellings on a site that is 2.35 hectares in size. Using the 75% developable area this site will have a net housing density of 28.8 (49 dwellings/1.7 hectares).

The area to the west of the site is therefore more densely populated than the application with the more rural character area to the south being of lower density. The density of the application site is just under the assumed density but lower than the modern housing development to the west therefore the application site would provide a more appropriate end to this section of the village adjacent the open countryside to the north and east and the rural character of character area K.

It is noted that a number of third parties consider the development should reflect the density of Area K to the south. However, this is an exceptionally low density at approximately 14.2 dph (485 hectares/34 (see land outline in yellow on plan below)) which reflects its strong rural character as identified in the WCA.

However, if the development site (75% developable area = 4.44 hectares) was built out at this rate, it would amount to approximately 63 dwellings. This would be a significant under delivery that would run counter to one of the core principles of the NPPF, which is to make “effective use of land”.



It is considered that such a low-density would-be counter-productive, and the site density should bridge a gap between the low density to the south and high density to the west.

It is considered, on viewing the indicative drawing, that the development would achieve this.

#### *Concluding Statement*

The principle of housing development on the site has been established by its allocation status (WL/WEL/008A) in the CLLP 2023.

The application proposes the development of an allocated site at 18.4 dwellings per hectare (109/5.93) gross density. To put into perspective:

- Planning permission 130995 (to the west) permitted 50 dwellings on 1.27 hectares of the recommended developable land equating to approximately 39.3 dwellings per hectare gross density.
- Planning permission 143728 (adjacent to the west) 49 dwellings on 1.7 hectares of the recommended developable land equating to 28.8 dwellings per hectare gross density.

The proposed development would therefore be of an acceptable density when compared against the HAER and the surrounding residential built form.

The development therefore accords with local policies S1 and S80 of the CLLP and the provisions of the NPPF.



## Access

In planning law access is defined as:

*“in relation to reserved matters, means the accessibility to and within the site, for vehicles, cycles and pedestrians in terms of the positioning and treatment of access and circulation routes and how these fit into the surrounding access network; where “site” means the site or part of the site in respect of which outline planning permission is granted or, as the case may be, in respect of which an application for such a permission has been made”*

Objections have been received from Welton Parish Council, residents and the Ryland Residents Group in relation to the access and highway safety, particularly concerns with the use of Eastfield Lane. This includes that there have already been 5 accidents on this corner between October 2022 and February 2023.

Local policy S47 and S49 of the CLLP require developments to contribute towards a safe highway and set parking requirements based on the number of bedrooms that a dwelling has.

Any future reserved matters application would have to accord with the parking standards set out in appendix 2 of the CLLP. There are no residential parking standards in the WNP.

Paragraph 115 of the NPPF states that *“development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.”*

The first bullet point of the site-specific requirements in policy S80 states *“access preferred via development at adjoining allocation to the west. If access has to be achieved through Eastfield Lane adequate visibility splays and road widening and footway provision will be required.”*

The submitted design and access statement confirms that:

- a) vehicular access would be from the east boundary from Eastfield Lane
- b) Four pedestrian accesses would be from the west boundary
- c) One pedestrian access from the vehicular connecting to the existing pedestrian footpath on Eastfield Lane.

Policy S80 of the CLLP states that vehicular access to the site would be preferred from the west. Although it should be noted that the policy does not require that vehicular access has to be from the west to make the development acceptable.

The indicative layout drawing does suggest that it would connect to access points on the adjacent development to the west. The accompanying Design & Access Statement does state:

*“In addition, the indicative layout has been designed to make available a connection to the approved scheme to the west (subject to negotiations regarding any ransom strip). If this is deemed appropriate it could link both sites for better vehicular connectivity and an alternative option for construction traffic to enter from the east.”*

The agent has submitted an email dated 6<sup>th</sup> March 2024 stating that *“the eastern access was reviewed by our Transport Consultant and determined to be the better access from a highways viewpoint. In order to try and achieve the best of both worlds we discussed with Lindum the possibility of linking up access to their site. Lindum would have preferred to access their site from Eastfield Lane, particularly during construction, because of the same access issues outlined above, particularly in relation to materials deliveries on large loads. Unfortunately it became clear during this discussion that there was a problem with third party land separating the two sites, so it was out of the gift of either party and the matter was not pursued”*.

It would seem therefore that the developer has not secured an agreement to connect to the west, but that the development would have the opportunity, and is not precluded from doing so.

The indicative site layout plan (AP038224-PW01 Rev E dated 30<sup>th</sup> August 2022) identifies one vehicular access off Eastfield Lane which has a 60mph speed limit. The position of the access on the bend would mean that vehicles approaching the bend from both directions would be slowing down. The application has alongside the proposed highway improvements demonstrated that vehicular access from the site would be safe from vehicles entering and exiting the site. The use of the Eastfield Lane access would stop further traffic including delivery, waste and emergency vehicles from having to travel through the highway infrastructure of the dwellings to the west. The proposed access would only serve the 109 dwellings proposed on the site.

At the officer’s site visit the proposed access appeared acceptable in terms of visibility along Eastfield Lane. The Highways Authority at Lincolnshire County Council have no objections to the proposed access confirming that *“the access point shown is acceptable as it offers adequate visibility in both directions”*.

The Highways Authority have commented on the accidents mentioned in the representations stating that *“they have been considered and are not regarded as an impediment to the development.”*

The proposed vehicle access would therefore not have an unacceptable harmful impact on highway safety and would be expected to accord with S47 of the CLLP and the provisions of the NPPF, most notably paragraph 115.

The Highways Authority at Lincolnshire County Council have made the following recommendations and improvements:

- Eastfield Lane will require widening of the carriageway and the provision of a footway, to extend the existing footway into the site. These improvement works will require the culverting of one or both existing roadside ditches and as such will be dependent on gaining the relevant permissions and consents.
- 3 No. passing places along Eastfield Lane between the development site and the A46/Eastfield Lane junction.
- Metalled upgrade of the existing Public Right of Way (PROW - Welt/54/1) that runs adjacent to the site, to include an Equalities compliant ramp where it connects to Eastfield Lane.
- The provision of tactile crossing points at the following locations – Eastfield Lane, outside No.25; Junction of Eastfield Road/Northfield Road; Junction of Hackthorn Road/Ryland Road and Ryland Road, outside No. 9.
- Level surface upgrade of the bus stop outside No. 79 Ryland Road.

When looking at the recommended highway improvements it must be considered whether it is reasonable and necessary for the developer to be obliged to be responsible for the works and whether they are fundamental to the approval of the development.

It is considered that the widening of Eastfield Lane and the inclusion of 3 passing places is reasonable and necessary and will either be conditioned or obligated in a S106 Legal Agreement.

The public right of way to the west boundary of the site (see photos below) is currently a grassed footpath with areas worn by pedestrian use.



Paragraph 56 of the NPPF states that *“planning conditions should be kept to a minimum and only imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects”*.

The Highways Authority have not objected to the proposed vehicular access on highway safety grounds whether all recommended improvements are reasonable or necessary.

Therefore, whilst the improvements to the public right of way, the tactile crossing and the bus stop upgrade recommended by the Highways Authority are acknowledged it is on balance considered that they are not relevant, necessary or reasonable to make the development acceptable in planning terms.

The recommendation for a financial contribution towards the change of position of the speed limit signs and the monitoring of the travel plan is accepted and will be obligated within a S106 Legal Agreement.

Objections have been received in relation to:

- the safety of walkers, dog walkers, cyclist etc
- 3 passing places is insufficient
- Eastfield Lane is poorly maintained
- Vehicle access should be from the west

Eastfield Lane is an adopted highway with no pedestrian footpath or lighting maintained by Lincolnshire County Council. The condition of Eastfield Lane would have formed part of their assessment. The use of the public for exercise or travel along Eastfield Lane is completed at their own risk given the lack of footpath facilities along the Lane. The Highways Authority at Lincolnshire County Council have recommended that 3 passing places is sufficient. The proposed development can only be determined in line with the submitted plans and the access of Eastfield Lane.

Therefore, subject to conditions, the development would not be expected to have a severe harmful highway safety impact and would accord with local policy S47 of the CLLP and the provisions of the NPPF.

#### **Other Considerations:**

##### Scale, Appearance, Layout and Landscaping

Details of scale, appearance, layout and landscaping are not under consideration with this application as they are reserved for subsequent approval (“reserved matters”). An indicative site plan (ISP) J1852-PL-03 Rev P02 dated 5th May 2023 has been submitted but not any indicative elevation and floor plans.

However, any reserved matter application will be expected to demonstrate how it will be “in keeping with the local vernacular of the area” in order to satisfy policy S80 of the CLLP; and meet with D1 of the WNP – taking reference from the Welton Character Area (or succeeding documents through the Welton NP Review).

##### Affordable Housing

Local policy S22 of the CLLP states that ‘*affordable housing will be sought on all qualifying housing development sites:*

*a) of 10 or more dwellings or 0.5 hectares or more;*

The percentage sought would be based on the value zones indicated on Map 3 (page 57) of the CLLP. The site is located within Value Zone A and therefore must provide 25% affordable units which would equate to 27 (27.25) units on a 109 house scheme.

The WNP is not silent but does not include a specific policy on affordable housing but section 6.3 (pg26-27) has a statement of intent stating that *“The WNP recognises the need to provide housing that is affordable and accessible. The Parish Council will, by working with relevant agencies, monitor and review future need. With building work ongoing for many years, it should be possible to react to such need, perhaps using the Community Right to Build. Entitlement and priority to affordable housing will be set by WLDC Home Choice”*.

The Housing Officer has confirmed that the affordable units required would be up to 27 and that a *“Section 106 agreement will be required in order to secure the affordable housing obligation. Following the introduction of the government’s First Homes policy, the Council’s preferred tenure split for a site is:*

- *25% First Homes (7 of the 27 affordable homes)*
- *15% Shared Ownership (4 of the 27 affordable homes)*
- *60% Affordable Rent” (16 of the 27 affordable homes)*

Paragraph 5.7 of the planning statement states that *“The applicant is proposing 25% of these dwellings (equating to 27 dwellings) will be affordable housing, as full policy compliant affordable housing provision.”*

The agent has submitted heads of terms in line with the above percentages to ensure the provision of affordable homes is legally obliged through a signed and certified S106 agreement created by the Authorities legal team.

The development would therefore be in accordance with the affordable housing contribution required by local policy S22 of the CLLP and the provisions of the NPPF.

#### Developer Contributions

Objections have been received in relation to the impact of the development on local schools and medical services including directly from the Health Centre in Welton.

As the site is allocated for residential development in the Central Lincolnshire Local plan, the principle of this scale of development in this location has already been found sound through the examination and subsequent adoption of the Local Plan.

However, Local policy S45 of the CLLP states that *‘Planning permission will only be granted if it can be demonstrated that there is, or will be, sufficient infrastructure capacity to support and meet all the necessary requirements arising from the proposed development. Development proposals must consider all of the infrastructure implications of a scheme; not just those on the site or its immediate vicinity’*.

Local policy S54 of the CLLP states that *“The Central Lincolnshire authorities will expect development proposals to promote, support and enhance physical*

*and mental health and wellbeing, and thus contribute to reducing health inequalities. This will be achieved by:*

- *Seeking, in line with the Central Lincolnshire Developer Contributions SPD, developer contributions towards new or enhanced health facilities from developers where development results in a shortfall or worsening of provision, as informed by the outcome of consultation with health care commissioners”*

Policy W1 and ED1 of the Neighbourhood Plan supports development which would expand and/or improve local health and educational facilities within the village.

*National Health Service (NHS):*

The development will impact the Welton Family Health Centre, The Ingham Practice, Lindum Medical Practice and Brayford Medical Practice as the development is within their catchment area. The contribution requested for the development is £68,942.50 (£632.50 x 109 dwellings).

It is noted that the Welton Family Health Centre have made direct representations, who cite capacity concerns with taking on further patients.

The NHS Lincolnshire Integrated Care Board at the NHS has requested a contribution of £68,942.50 (£632.50 x 109 dwellings). This will help contribute to the expansion in capacity through remodelling/changes to layout or extension to Welton Family Health Centre, The Ingham Practice and/or Lindum Medical Practice. Where appropriate the contribution could be used to support the expansion in capacity at an alternative general practice site as required to meet the local population health need.

This request would accord with the Central Lincolnshire Planning Obligations Supplementary Planning Document (SPD), which states *“Local GP practices work as part of a Primary Care Network (PCN) and therefore the capital request will be viewed considering the PCNs ability to support the planned development. Patient choice needs to be considered to avoid funding being restricted to the nearest Practice.”*

Whilst the Welton Practice concerns are noted, the NHS Primary Care Network has set out that contributions in accordance with the SPD will be acceptable and required in order to accommodate the development.

Accordingly, such a contribution, to be secured through a S106 agreement, will accord with policy S45 of the Local plan.

*LCC Education:*

The Education department at Lincolnshire County Council has requested that contributions of £510,060 for secondary extension and £102,012 for sixth form extension are required. As confirmed by the response, secondary school and sixth form contributions are already secured through the collection of

Community Infrastructure Levy (CIL) contributions and this would not need to duplicate the contribution through the S106 agreement.

The Education department has not requested any Primary School contribution as the places required by the development (21 children) would be met by sufficient available places for 2025/26.

The agent has submitted heads of terms to ensure the NHS contribution is secured through a signed and certified S106 agreement created by the Authorities legal team.

The development is therefore in accordance with local policy S45 and S54 of the CLLP, policy W1 and ED1 of the WNP and the provisions of the NPPF.

*Open Space:*

Part A of Policy S51 states that *“in all new residential developments of 10 dwellings or more, development proposals will be required to provide new or enhanced publicly accessible open space, sports and leisure facilities to meet the needs of their occupiers in accordance with this policy, the standards set out in Appendix 3, and in compliance with the latest Central Lincolnshire Developer Contributions SPD (or similar subsequent document).”*

*“The preference is for on-site provision in a suitable location where this is practicable and would be the most effective way of meeting the needs generated by the development”.*

Policy W2 of the WNP would support the development of public sports and recreation facilities.

Appendix 3 of the CLLP details the standards for open space provision in Central Lincolnshire with regard to the quantity, quality and accessibility of open space, this is detailed in Table A3.1.

Tables A3.2-A3.4 of Appendix 3 go on to detail thresholds and calculations for on- and off-site provision as well as average occupancy levels.

According to The Fields in Trust website <sup>3</sup>(FIT) (previously the National Playing Fields Association (NPFA)) *standards have 3 categories of equipped play areas. These are local areas for play (LAP), local equipped area for play (LEAP) and neighbourhood equipped area for play (NEAP). The main characteristics of each category are:*

*LAP (Local Area for Play)*

*The LAP is a small area of open space specifically designated and primarily laid out for very young children to play close to where they live.*

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<sup>3</sup> <http://www.softsurfaces.co.uk/blog/playground-surfacing/lap-leap-neap-play-area/>

*LEAP (Local Equipped Area for Play)*

*The LEAP is an area of open space specifically designated and laid out with features including equipment for children who are beginning to go out and play independently close to where they live.*

*NEAP (Neighbourhood Equipped Area for Play)*

*The NEAP is an area of open space specifically designated, laid out and equipped mainly for older children but with the play opportunities for younger children as well.*

Manor Park Sports Ground is an approximate 915-1170 metre (via PROW Welt/54/1, Eastfield Lane and Ryland Road) walk from the site. Manor Park Sports Ground is accessible on foot via lit public footpaths and comprises the following facilities:

- Large pavilion (includes a library)
- Large car park
- Full and junior sized football pitches
- Enclosed Artificial pitch
- Enclosed Crown Bowling Green
- Skate Park
- Fully fenced young children's play area
  - 3 springy rides*
  - 1 climbing frame*
  - 1 toddler climbing/slide combination*
  - 2 young child swing*
  - 1 toddler swing*

The Welton Sports and Social Club is an approximate 1153m walk (via development to the east, Hampden Close, Halfpenny Close, Northfield Road, and Hackthorn Road) or 1,500 metre walk (via PROW Welt/54/1, Eastfield Lane, Ryland Road and Hackthorn Road) from the proposed site and comprises the following facilities:

- Social club
- Modest car park
- Football pitch (no goals)
- Grass space
- 1 Older and 1 younger climbing frame
- 3 older children swings
- 2 toddler swings
- 4 springy rides
- 1 toddler slide
- 1 toddler roundabout
- 6 benches
- 3/4 bins

In light of the facilities listed above Manor Park Sports Ground and Welton Sports and Social Club are considered to be a Neighbourhood Equipped Area for Play (NEAP).



Indicative site layout plan AP038224-PW01 Rev E dated 30<sup>th</sup> August 2022 identifies an area of public landscaped space (3718m<sup>2</sup>) to the north, central open space (3221m<sup>2</sup> (includes LEAP 410m<sup>2</sup>)) and SuDs balancing pond (3340m<sup>2</sup>) which will provide an onsite local area of play (LAP).

It is approximated that the area of proposed public open space totals 10,279m<sup>2</sup>.

The site is 59,300m<sup>2</sup> (5.93 hectares) in size therefore 10,279m<sup>2</sup> equates to 17.33% of the site has been indicatively set aside for public open space. This includes an area of open space equipped for children who are beginning to go out and play independently close to where they live.

Table 4 of the Planning Obligations Supplementary Planning Document October 2023 provides a table to enable an assumption of population for housing developments.

As this is an outline application with only access to be considered the open space has to be calculated using the district average. Therefore, the development would on average comprise 251 (250.7) people (2.3 x109).

Table A3.1 of Appendix 3 of the CLLP provides a figure per 1,000 population to calculate the need for each type of open space is set out below.

Allotments and Community Growing Space:  
 $251/1000 \times 0.31 = 0.07$  hectares or 700m<sup>2</sup>

Amenity Greenspace:  
 $251/1000 \times 0.43 = 0.11$  hectares or 1,100m<sup>2</sup>

Provision for Children and Young People:  
 $251/1000 \times 0.012 = 0.03$  hectares or 300m<sup>2</sup>

Local and Neighbourhood Parks and Gardens:  
 $251/1000 \times 0.38 = 0.09$  hectares or 900m<sup>2</sup>

Outdoor Sports Facility:  
 $251/1000 \times 1.09 = 0.27$  hectares or 2,700m<sup>2</sup>

Natural and Semi-Natural Greenspace:  
 $251/1000 \times 1 = 0.25$  hectares or 2,500m<sup>2</sup>  
In total the amount of open space required is 8,200m<sup>2</sup>.

The indicative site plan therefore demonstrates that the site would be expected to provide a mix of on-site provision which is well above the required 8,200m<sup>2</sup>.

When compared against the standards in table A3.1 The Welton Sports and Social Club and Manor Park Sports Ground are within the 1200m or 15-minute walk limit by lit pedestrian footpaths for a NEAP. The open space on

the site would provide a LAP within 400 metres. There would be a LEAP within 400 metres within the open space on the site.

The presence of a Public Rights of Way adjacent the west boundary would provide a further close useful mode of outdoor exercise to the residents and provide public access to walks within the open countryside. The presence of the Public Rights of Way is a bonus to the potential future residents and would provide an added benefit. Access must be provided to the Public Rights of Way.

Therefore, the indicative on site provision and existing off-site provision which is within an acceptable walking distance would meet all of these space standards apart from the allotments and community growing space.

Table 5 of the Planning Obligations Supplementary Planning Document October 2023 states that allotments and community growing space should be no more 1,600 metre walking distance to the site. In this case it is not considered that there are any allotments within this identified distance. The indicative site plan does not suggest that any allotments would be included on the site.

In this case, given the amount of other open space on the ISP it would be unreasonable to insist on the provision of allotments on the site.

The inclusion of the necessary type and amount of open space and the maintenance and management of the public open space needs to be submitted in a Heads of Terms so it would be legally obliged through a signed and certified S106 Legal Agreement.

Therefore, the development would accord with local policy S45 and S54 of the CLLP and the provisions of the NPPF.

### Drainage

Objections have been received in relation to foul and surface water drainage.

Paragraph 175 of the NPPF guides that *“Major developments should incorporate sustainable drainage systems unless there is clear evidence that this would be inappropriate. The systems used should:*

- a) take account of advice from the lead local flood authority;*
- b) have appropriate proposed minimum operational standards;*
- c) have maintenance arrangements in place to ensure an acceptable standard of operation for the lifetime of the development; and*
- d) where possible, provide multifunctional benefits.”*

Paragraph 80 (Reference ID: 7-080-20150323) of the Flood risk and coastal change section of the NPPG states that *“Generally, the aim should be to discharge surface run off as high up the following hierarchy of drainage options as reasonably practicable:*

1. *into the ground (infiltration);*
2. *to a surface water body;*
3. *to a surface water sewer, highway drain, or another drainage system;*
4. *to a combined sewer.”*

*Particular types of sustainable drainage systems may not be practicable in all locations. It could be helpful therefore for local planning authorities to set out those local situations where they anticipate particular sustainable drainage systems not being appropriate.”*

Criteria f of the flood risk section of local policy S21 of the CLLP requires that *“they have incorporated Sustainable Drainage Systems (SuDS) in to the proposals unless they can be shown to be impractical.”*

Criteria m of the protecting the water environment section of local policy S21 of the CLLP requires that *“that surface water connections to the combined or surface water system are only made in exceptional circumstances where it can be demonstrated that there are no feasible alternatives (this applies to new developments and redevelopments) and where there is no detriment to existing users”.*

Policy EN3 of the WNP requires that *“Appropriate sustainable urban drainage systems have been incorporated into the proposals unless they can be shown to be impractical”*

The application has included a Flood Risk and Drainage Assessment (FRDS) by Alan Wood and Partners dated February 2022 and a Drainage Appraisal (DA) by Brown & Co JH Walter dated February 2024. The FRDS includes percolation tests (Appendix B) and a preliminary drainage strategy (Appendix E).

#### *Surface Water:*

The Internal Drainage Board (IDB) and Anglian Water have made comments in relation to surface water drainage but have not objected to the development.

Paragraph 6.3.2 of the FRDS states that *“the existing ground conditions are considered to be unsuitable for the disposal of surface water run-off from the development into soakaways or infiltration trenches.”*

As infiltration is not viable for the site the FRDS has identified a ditch to the south east corner of the site. Discharge to a surface water body is second on the hierarchy list above.

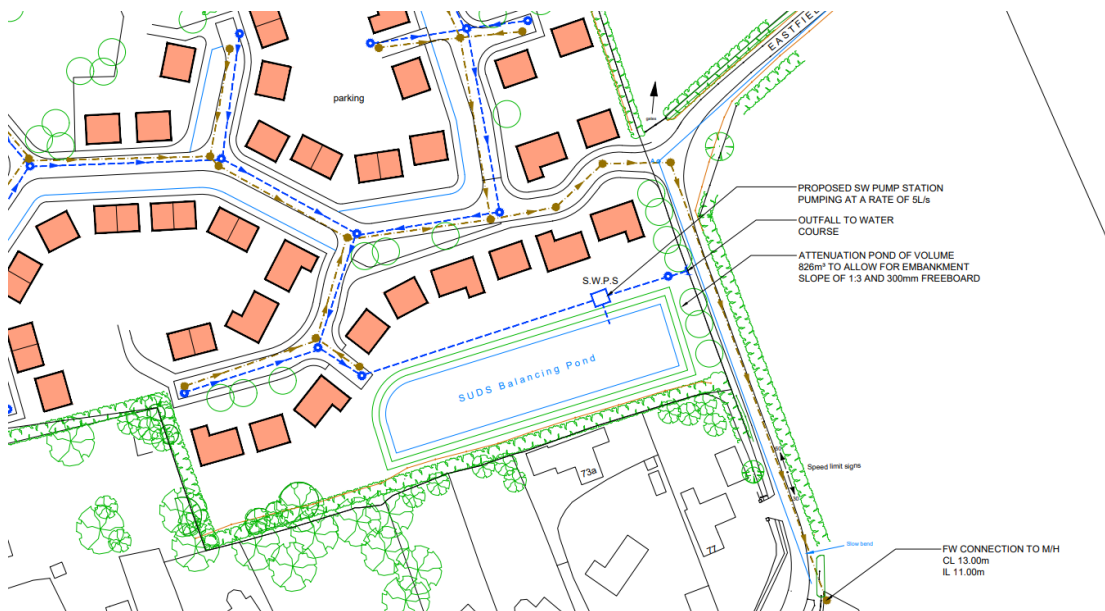
Paragraph 6.3.6 of the FRDS states that *“It is proposed that the surface water run-off from the development is discharged into Eastfield Drain, for which the developer has riparian right of discharge.”*

In summary section 6.7 of the FRDS confirms that:

In line with Lincolnshire County Council SuDS guidance the equivalent greenfield discharge rate would be 5.6 litres per second. Anglian Water have advised *“that the design for an adoptable discharge will need to be based upon a flow control incorporating a 75mm diameter orifice to prevent blockages, resulting in a maximum discharge rate of approximately 5 litres per second.”*

The drainage scheme would require a package pump station incorporated with the drainage scheme. It will be necessary to attenuate the drainage by restricting the discharge and providing storage as required. Based on a 1 in 100-year storm event plus 40% climate change the storage required would be 826m<sup>3</sup> (see table 5 of the FRDS).

Paragraph 6.3.6 of the FRDS suggests the use of an attenuation lagoon in the southernmost area of the site as shown on preliminary drainage strategy (Appendix E).



The final drainage scheme could also include features such as:

- a) Permeable paving
- b) Attenuation storage contained within a suitable sub-base to areas of roads and paving
- c) Open swales to access road verges
- d) Rainwater harvesting
- e) Attenuation lagoon

Highways drainage would be collected by trapped gullies prior to discharge into the below ground drainage network with storage provide by open swales adjacent the roadways.

The Lead Local Flood Authority have recommended that the “outfall will require further investigation to confirm its suitability and security for the lifetime of the development. It is requested that this investigation is carried at this time”.

The submitted drainage appraisal states in paragraph 3.4 and 3.5 that:

“The offsite site drainage route is identified by the blue line starting on eastern half of the southern boundary of the site. This is an existing ditch adjacent to the location of the proposed attenuation pond”.

“The ditch within the site flows eastwards under the hedgerow and into the roadside ditch on the western side of Eastfield Lane. The water then flows southwards along the roadside ditch passing into a culvert that then continues under the road as the road turns 90 degrees and continues westward into the village. The water emerges from the culvert on the south side of the road flowing south along the eastern edge of the development boundary line of the village, before joining Ryland Drain. Ryland Drain flows eastwards and becomes a Witham 3rd District IDB asset (Ryland Drain FID 14) at the location marked with a red X on figure 4.”



(extract from figure 4 of DA)

Paragraph 4.1, 4.2 and 4.3 concludes that:

“The recent heavy rain has clarified the fact that this is a very free flowing drainage route from the site and along an established route to an IDB managed asset at Welton Hill”.

“The photographs establish the condition of the ditches and the fact that they are free flowing. It confirms that the applicant and the other landowners along the drainage route are maintaining their ditches to drain their own land and enabling riparian rights for landowners upstream of their drainage assets”.

*“The brief clip of video taken on Saturday 10th after the heavy rains (on Thursday and Friday the 8th and 9th February), shows just how free flowing and efficient the drainage system is”.*

The Lead Local Flood Authority at Lincolnshire County Council have no objections to the submitted drainage strategy in principle or the proposed discharge rate subject to detailed designs at a later date.

*Foul Water:*

Paragraph: 020 (Reference ID: 34-020-20140306) of the water supply, wastewater and water quality section of the NPPG states:

*“When drawing up wastewater treatment proposals for any development, the first presumption is to provide a system of foul drainage discharging into a public sewer to be treated at a public sewage treatment works (those provided and operated by the water and sewerage companies). This will need to be done in consultation with the sewerage company of the area.”*

Paragraph 5.1 of the FRDS states that foul water *“will be discharged to the public sewer network”*

Anglian Water has advised that *“the foul drainage from this development is in the catchment of Dunholme Water Recycling Centre that will have available capacity for these flows”*.

The preliminary drainage plan (Appendix E) identifies an indicative foul water network which connects to a drain on Eastfield Lane. It is considered by the FRDS that a gravity discharge to the public sewer can be achieved.

The development would therefore discharge wastewater into the existing public sewer which has capacity and is the preferred option according to national guidance.

The indicative use of a Sustainable Urban Drainage system for surface water would be acceptable as would be connection to the foul sewer for foul water.

As the drainage plan is only indicative it is considered relevant and necessary to attach a comprehensive drainage condition on the outline permission as recommended by the Lead Local Flood Authority.

Therefore, subject to a condition the development is considered to accord with policy S21 of the CLLP, policy EN3 of the WNP, and the provisions of the NPPF.

Archaeology

The Historic Environment Officer at Lincolnshire County Council has no objections to the development therefore the development would not unacceptably harm any items of archaeological interest. The development accords with policy S57 of the CLLP and the provisions of the NPPF.

## Biodiversity

Objections have been received in relation to ecology and wildlife.

### *Protected Species:*

Policy S60 of the CLLP states “*all development should:*

- *protect, manage, enhance and extend the ecological 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 features of geodiversity value;*

Policy EN1 of the WNP protects biodiversity and encourages net biodiversity gain where possible.

Guidance contained within paragraph 185 and 186 of the NPPF encourages the protection and enhancement of protected species (fauna and flora) and providing net biodiversity gains.

The application has included a Preliminary Ecology Appraisal (PEA) by ESL dated January 2024. Section 6 of the PEA recommends that:

- No further requirements for surveys.
- If required target eradication of variegated yellow archangel.
- Removal of habitat suitable for nesting must be done outside bird breeding season (March-August) unless a qualified ecologist is present.
- Installation of bird nest boxes into dwellings (no specific number identified).
- Installation of bat boxes into dwellings (no specific number identified).
- The use of hedgehog friendly fencing.
- Re-landscaping of western boundary hedgerow that requires removal of bramble scrub and/or hedgerow planting should ideally be carried out between March-November outside the hibernating period.

The proposed development subject to conditions would therefore not be expected to have an unacceptable harmful impact on protected species and accords to local policy S60 of the CLLP, policy EN1 of the WNP and guidance contained within the NPPF.

### *Biodiversity Net Gain:*

The application was submitted prior to the mandatory 10% BNG requirement under the Environment Act 2021 coming into force.

Nonetheless, Local policy S61 of the CLLP requires “*all 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 with consideration to the construction phase and ongoing site management*”. Local policy S61 goes on to state that “*All qualifying development proposals must deliver at least a 10% measurable biodiversity net gain attributable to the development. The net gain for biodiversity should be calculated using Natural England’s Biodiversity Metric*”.

The application has included the submission of a Biodiversity Net Gain Statement (BNGS) by ESL dated January 2024 and a Biodiversity Metric Spreadsheet (BMS) by ESL dated 24<sup>th</sup> January 2024. The BNGS and BMS conclude that the development would result in a habitat gain of 11.65% and a hedgerow gain of 39.19%.

The Lincolnshire Wildlife Trust Officer has accepted the BNGS and the BMS but has recommended a condition is used for the submission of the following:

- A 30-year Management and Monitoring Plan.
- A Landscape Ecological Management Plan.
- A high quality Sustainable Urban Drainage scheme which is complimentary to Biodiversity Net Gain.

The proposed development subject to conditions would therefore be expected to provide at least 10% Biodiversity Net Gain for habitats and hedgerows and accords to local policy S61 of the CLLP, policy EN1 of the WNP and guidance contained within the NPPF.

#### Climate Change

Local policy S6 and S7 of the CLLP sets out design principles for efficient buildings and reducing energy consumption. Local policy LP7 states that:

“Unless covered by an exceptional basis clause below, all new residential development proposals must include an Energy Statement which confirms in addition to the requirements of Policy S6”.

Local policy S7 provides guidance and criteria on the generation of renewable electricity and the limit on the total energy demand for each single dwelling (*“not in excess of 60 kWh/m<sup>2</sup>/yr”*).

The application has included an outline energy statement which sets out that energy efficiency cannot be formed until the detailed design stage (reserved matters) and that the approaches of local policy S6 and S7 are supported by the applicant.

Therefore, the lack of a detailed energy statement is considered acceptable at this stage. It is therefore considered that a permission must include conditions requiring details of energy efficiency to meet local policy LP6 and LP7 at reserved matters stage.

It is considered that subject to details at reserved matters stage the development would be expected to accord to expect local policy S6 and S7 of the CLLP and the provisions of the NPPF.

It is considered that subject to details at reserved matters stage the development would be expected to accord to expect local policy S6 and S7 of the CLLP and the provisions of the NPPF.



## **Other Considerations:**

### Self-Build Dwelling

Part 3 of local policy NS24 of the CLLP states that:

*“Proposals for 100 or more dwellings will provide serviced plots to deliver at least 5% of the total number of dwellings on the site as self-build or custom build homes. All plots set aside for self-build or custom build housing (secured via a legal agreement or planning condition) must include:*

*legal access onto a public highway;  
water, foul drainage, broadband connection, and electricity supply available at the plot boundary;  
sufficient space in order to build without compromising neighbouring properties and their amenity and the amenity of future occupiers; and  
an agreed design code or plot passport for the plots.*

*If plots remain unsold after a thorough and proportionate marketing exercise which:*

*includes making details available to people on the custom and self-build register at the Central Lincolnshire Districts; and  
covers a period of at least 18 months from the date at which the plots are made available (with the 18 month time frame not commencing until (i) thorough and appropriate marketing is in place and (ii) criteria (a)-(d) have been implemented);*

*these plots may be built out as conventional market housing subject to detailed permission being secured and the relevant District being satisfied that e) and f) have been satisfactorily concluded”*

The 5% requirement (5 dwellings) for self-build dwellings will be secured within the S106 Legal Agreement as agreed with by the agent in the submitted head of terms.

Criteria d) of local policy NS24 requires a design code and plot passport for the plots. These details are considered reasonable, relevant and necessary to be secured by a condition.

### Construction Management Plan

Given the proximity of neighbouring dwellings and the temporary disturbance caused by the development it is considered necessary and reasonable to add a construction management plan condition to the permission to reduce and control the extent of the disturbance.

### Community Infrastructure Levy (CIL)

The development is liable to a CIL payment at £25 per square metre of floor space created.

**Conclusion and Reasons for decision:**

The decision has been considered against policies S1 The Spatial Strategy and Settlement Hierarchy, S2 Growth Levels and Distribution, S4 Housing Development in or Adjacent to Villages, S6 Design Principles for Efficient Buildings, S7 Reducing Energy Consumption – Residential Development, S12 Water Efficiency and Sustainable Water Management, S21 Flood Risk and Water Resources, S22 Affordable Housing, S23 Meeting Accommodation Needs, S45 Strategic Infrastructure Requirements, S47 Accessibility and Transport, S51 Creation of New Open Space, Sports and Leisure Facilities S53 Design and Amenity, S54 Health and Wellbeing, S57 The Historic Environment, S59 Green and Blue Infrastructure Network, S60 Protecting Biodiversity and Geodiversity, S61 Biodiversity Opportunity and Delivering Measurable Net Gains, S66 Trees, Woodland and Hedgerows and S80 Housing Sites in Large Villages of the Central Lincolnshire Local Plan 2023, policy H1 Type, Size and Mix, D1 Village Character, D2 Safe Environment, EN1 Environmental Capital, EN2 Habitat, EN3 Flood Risk, T2 Cycling, W1 Healthcare, W2 Sports and Recreation, ED1 Improving Education of the Made Welton by Lincoln Neighbourhood Plan in the first instance. Furthermore, consideration has been given to guidance contained within the National Planning Policy Framework, National Planning Practice Guidance, National Design Guide and National Design Model Code.

The site is allocated for an indicative 109 dwellings under WL/WEL/008A of the Central Lincolnshire Local Plan 2024 therefore the proposed development would accord with the Development Plan. The proposed 109 dwellings would provide an effective use of the land and provide a low-density housing development. The indicative plans have proven that the site can accommodate 109 dwellings including 27 affordable units towards the housing supply in Central Lincolnshire. The site additionally has the room for all the associated infrastructure including a sufficient amount of on-site usable greenspace and a young child's play area. The site is in the sustainable location of Welton with good public transport links and all facilities/services within an acceptable walking distance away.

The proposed single vehicular access off Eastfield Lane is considered acceptable, and access from the west is not precluded. The proposal would not be expected have a harmful impact on archaeology, drainage or biodiversity. It would provide the required infrastructure contributions and biodiversity net gain. The proposal is therefore acceptable subject to the signing of a Section 106 Agreement and satisfying a number of conditions.

**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**

**Prepared by:** Ian Elliott

**Date:** 19<sup>th</sup> March 2024

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

1. Apart from the five self-build plots an application for approval of the reserved matters for the remaining 104 dwellings must be made to the Local Planning Authority before the expiration of three years from the date of this permission. No commencement of the five self-build plots must occur until the reserved matters for the self-build plots are approved.

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

2. No development must take place until, plans and particulars of the **appearance, layout** and **scale** of the buildings to be erected 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 must be carried out in accordance with those details.

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.

3. The development hereby permitted must be begun before the expiration of two years from the date of final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter 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 must take place until a construction method statement and plan has been submitted and agreed in writing by the local planning authority. The approved statement(s) must be adhered to throughout the construction period. The statement must provide for:

- a) the routing and management of traffic including any off site routes for the disposal of excavated material;
- b) the parking of vehicles of site operatives and visitors;
- c) loading and unloading of plant and materials;
- d) storage of plant and materials used in constructing the development;
- e) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- f) wheel cleaning facilities;
- g) measures to control the emission of dust and dirt;
- h) protection of the public right of way along the west boundary;
- i) details of noise reduction measures;
- j) a scheme for recycling/disposing of waste;
- k) the hours during which machinery may be operated, vehicles may enter and leave, and works may be carried out on the site;
- l) strategy stating how surface water run off on and from the development will be managed during construction and protection measures for any sustainable drainage features. This should include drawing(s) showing how the drainage systems (permanent or temporary) connect to an outfall (temporary or permanent) during construction.

Reason: To restrict disruption to the living conditions of the neighbouring dwellings and surrounding area from noise, dust and vibration and to accord with the National Planning Policy Framework and local policy S53 of the Central Lincolnshire Local Plan 2023.

5. No development must take place until a Travel Plan has been submitted to, and approved in writing by, the Local Planning Authority. The approved Travel Plan must be implemented in accordance with the timetable contained therein and must continue to be implemented for as long as any part of the development is occupied.

Reason: In order that the permitted development conforms to the requirements of the National Planning Policy Framework, by ensuring that access to the site is sustainable and that there is a reduced dependency on the private car for journeys to and from the development to accord with the National Planning Policy Framework, local policy S47 of the Central Lincolnshire Local Plan 2023 and policy D2 of the Welton by Lincoln Neighbourhood Plan.

6. Any reserved matters application must include the following:

- A housing mix schedule
- An off street parking standards schedule

Reason: In order to ensure an appropriate mix of housing and the provision of an acceptable standard of off-street parking for each dwelling to accord with the National Planning Policy Framework, local policy S1, S2 and S23 of the Central Lincolnshire Local Plan 2023 and policy D1 of the Welton by Lincoln Neighbourhood Plan.

7. Any reserved matters planning application submitted to the Local Planning Authority considering layout, scale and appearance must be accompanied by an Energy Statement to accord with the requirements of local policy S6 and S7 of the Central Lincolnshire Local Plan 2023. The development must thereafter proceed only in accordance with the agreed Energy Statement, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In order to ensure efficient buildings and reduce energy consumption, to accord with the National Planning Policy Framework and local policy S6 and S7 of the Central Lincolnshire Local Plan 2023.

8. Any reserved matters applications submitted to the Local Planning Authority must include the following documents:

- A 30-year Biodiversity Net Gain Management and Monitoring Plan
- Landscape Ecological Management Plan

Reason: To safeguard the biodiversity net gain of the development and to ensure all recommendations listed in section 6 of the Preliminary Ecology Appraisal (PEA) by ESL dated January 2024 to accord with the National Planning Policy Framework, local policy S61 of the Central Lincolnshire Local Plan 2023 and policy EN1 Environmental Capital and EN2 Habitat of the Welton by Lincoln Neighbourhood Plan.

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

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

- AP038224-PW01 Rev E dated 30<sup>th</sup> August 2022 – Site Plan (Vehicular Access Only)
- AP038224-PW02 Rev A dated 18<sup>th</sup> May 2022 – Location Plan

The works must 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 and to accord with the National Planning Policy Framework and local policy S47 and S80 of the Central Lincolnshire Local Plan 2023.

10. No development above ground level must take place until a detailed surface water drainage scheme for the site, based on sustainable urban drainage principles has been submitted to and approved in writing by the Local Planning Authority. If a full sustainable urban drainage system

scheme is incapable of being delivered then comprehensive justification of this must be submitted. The scheme must:

- be based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development;
- provide flood exceedance routing for storm event greater than 1 in 100 year;
- 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;
- provide attenuation details and discharge rates which must be restricted to 6 litres per second;
- provide details of the timetable for and any phasing of implementation for the drainage scheme; and
- provide details of how the scheme must 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.

No dwelling must be occupied until the approved scheme has been completed or provided on the site in strict accordance with the approved phasing. The approved scheme must be retained and maintained in full, in strict accordance with the approved details.

Reason: To ensure that surface water is adequately and appropriately drained on the site and without creating or increasing flood risk to land or property, nor drainage network adjacent to, or downstream of, the permitted development to accord with the National Planning Policy Framework, local policy S21 of the Central Lincolnshire Local Plan 2023 and policy EN3 of the Welton by Lincoln Neighbourhood Plan.

11. No development above ground level must take place until details of a scheme for the disposal of foul sewage have been submitted to and approved in writing by the Local Planning Authority. Development must thereafter proceed in strict accordance with the details and be operational before the first dwelling is occupied.

Reason: To ensure adequate foul drainage facilities are provided to serve the development to prevent the pollution of the water environment and to accord with the National Planning Policy Framework, local policy S21 of the Central Lincolnshire Local Plan 2012-2036 and policy EN3 of the Welton by Lincoln Neighbourhood Plan. The approved scheme must be retained and maintained in full, in strict accordance with the approved details

12. No occupation of any dwelling must take place until the works to improve the public highway by means of widening the Eastfield Lane carriageway and the provision of a frontage footway to connect to the existing footway terminating outside 77 Eastfield Lane and to extend the existing footway into the site, have been certified complete by the Local Planning Authority.

Reason: To ensure the provision of safe and adequate means of access to the permitted development to accord with the National Planning Policy Framework, local policy S47 of the Central Lincolnshire Local Plan 2012-2036 and policy D2 of the Welton by Lincoln Neighbourhood Plan.

13. The development hereby permitted must be undertaken in accordance with an Estate Road Phasing and Completion Plan, which must first be approved in writing by the Local Planning Authority. The Plan must set out how the construction of the development will be phased and standards to which the estate roads on each phase will be completed during the construction period of the development.

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 to accord with the National Planning Policy Framework, local policy S47 of the Central Lincolnshire Local Plan 2012-2036 and policy D2 of the Welton by Lincoln Neighbourhood Plan.

14. No services must be laid within the development for the provision of piped natural gas.

Reason: In the interests of energy efficiency to accord with the National Planning Policy Framework and local policy S6 and S7 of the Central Lincolnshire Local Plan 2023.

15. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no domestic oil tanks or domestic gas tanks must be placed within the curtilage of the dwelling(s) hereby approved.

Reason: In the interests of energy efficiency to accord with the National Planning Policy Framework and local policy S6 and S7 of the Central Lincolnshire Local Plan 2023.

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

NONE