

Officers Report

Planning Application No: WL/2024/00570

PROPOSAL: Planning application to erection 49no. dwellings including formulation of new vehicular access from Nettleham Road, internal access roads, provision of areas of open space, landscaping, and drainage infrastructure.

LOCATION: LAND OFF NETTLEHAM ROAD, SCOTHERN, LINCOLN

WARD: SADBROOKE

WARD MEMBER: Cllr B Velan

APPLICANT NAME: Barber Farms Ltd and Robert Adey

TARGET DECISION DATE: 16/10/2024 (Extension of time agreed to 7th March 2025)

DEVELOPMENT TYPE: Major - Dwellings

CASE OFFICER: Holly Horton

Recommended Decision: Grant planning permission with conditions and delegate to officers to issue an approval subject to the signing of a S106 agreement to include:

- NHS contribution of £632.50 per dwelling totalling £30,992.50.
- LCC education contribution of £336,829.50 for primary extension.
- 20% of units to be affordable comprising 7 x Affordable Rent units, 2 x Shared Ownership units, 3 x First Homes units
- Biodiversity Net Gains on-site and off-site.
- Open Space – commitment to management and maintenance

This application has been referred to the planning committee following representations on planning matters made by third parties, including the Parish Council.

Description:

The site:

The site is allocated for residential development under Policy S81 of the Central Lincolnshire Local Plan, reference WL/SC/004A, and policy H4 of the Neighbourhood Plan.

The application site comprises an area of land measuring approximately 2.72 hectares, located on the eastern side of Nettleham Road, to the south-west of the settlement of Scothern. The site is former cropland which currently consists of a mixture of grassland, hedgerows, small trees and shrubbery.

The site is adjoined by residential dwellings to the east (forming Juniper Drive/ The Alders/ The Oaks), with Grange Park – an area of designated local green space to the north/north-west, with dwellings forming Cade Close to the north/north-east of

the site. Nettleham Road adjoins the site to the west, with residential dwellings beyond, with an agricultural field to the south/south-west and van/low loader business 'Maxi Mover' to the south/south-east.

The site contains 2no definitive rights of way - Scth/1025/1 and Scth/149/2 – which run along the eastern and southern boundaries of the site, and the latter of which continues in a south-westerly/westerly direction to connect the site with Nettleham to the south-west. There are also a number of public rights of ways in the nearby vicinity of the site.

The proposal: The application seeks planning permission, in full, for the erection of 49 dwellings. The proposed development comprises 12 no. affordable dwellings (25%) and 37 no. open market dwellings. The overall unit breakdown would be as follows:

- 6 no 1-bedroom dwellings (2no market, 4no affordable)
- 7 no. 2-bedroom dwellings (1no market, 6no affordable)
- 15 no. 3-bedroom dwellings (13no market, 2no affordable)
- 17 no. 4-bedroom dwellings (17no market)
- 4 no. 5-bedroom dwellings (4no market)

Please note, the application has been amended since submission and relates to drawings received on 16th December 2024. The proposal has been amended following concerns from statutory consultees, non-statutory consultees and the LPA. The number of dwellings remains the same however the layout of the site has been amended to address the matters raised.

Relevant history:

134295 - Planning application for residential development of 38no. dwellings- resubmission of 133190 – Refused 22/06/2016 (Appeal dismissed).

133190 - Planning application for residential development of 38no. dwellings – Refused 09/02/2016.

Representations:

Scothern Parish Council:

13/02/2024 - Scothern PC are pleased that some of their original comments have been addressed in the re-consultation however, there are still concerns:

Flooding

- Still concerned about the flooding issues, due to the significant surface water in the area and would like to stress the importance to solve the issues as stated in the reports. If the proposal is approved, the PC would like to see the work on the drainage which effects Grange Park and Church Street commenced as soon as possible.

Highways

- The increased number of vehicles still remains a concern, and we support the developers view of no access to the site from the Alders.
- Concerns were raised over the safety to the entrance of the development and would like Highways to assess the area.
- The driveways from Plots 17, 18 & 1,2,3,4 all exit very near to the entrance off Nettleham Rd.
- There is no footpath to the west side for the safety of pedestrians from the site.

Legal

- The PC would like to see a financial contribution to a local bus service and to be included in the 106 Agreement decisions.

19/08/2024 – Makes the following comments and materials considerations on the application:

General - Requests that the application be reviewed by the Planning Committee, not under delegated powers due to the large development proposed.

Highways - Vehicles should be prevented from traveling through the village due to safety concerns.

Flooding - The village experienced serious flooding during storms Babet and Henk in late 2023, and the Anglian Water Pumping Station on Northing Lane couldn't cope. Further development would further strain the station.

Affordable Housing - should be integrated into the site to avoid discrimination of future occupants.

Consultation with local residents - The process excluded many residents, despite the development's village-wide impact. A brief consultation meeting with the Parish Council on 9 April 2024 did not involve village residents or address a Section 106 Agreement.

NHS & Education - Local school and medical facilities are at capacity, the impact of the proposal on these services requires further investigation.

Housing Types - The parish council would like to see bungalows for local residents to downsize and stay in Scothern with available care support.

Sudbrooke Parish Council:

13/01/2025 – supports Scothern Parish Council with its comments made on 19/08/2024.

- There is lack of infrastructure in Scothern, a very infrequent bus service and no shop.
- The local schools are at full capacity so where would children on the development go to school?
- There has been serious flooding in Scothern in the past 18 months. Additional drainage could be diverted through Sudbrooke.

- Development traffic should not be directed through Sudbrooke via the A158 as this would exacerbate a problem in Sudbrooke at the junction of Scothern Lane/A158.

Local Residents:

Object to the application/have concerns with the application, as summarised below:

6 The Alders, Scothern
5 The Alders, Scothern
3 The Alders, Scothern
Slayleigh 19 Church Street, Scothern

Flooding Issues

- Unresolved flooding in Scothern after drainage works on Sudbrooke Road and has caused inconvenience and distress for residents.
- Large lakes developed in Grange Park area, and on land where new houses would be developed.
- Disputed claims that the site is not at risk of flooding and that the proposal will not increase flood risk.
- Anglian Water's assessment deems surface water strategy unacceptable.
- Weather and rainfall is becoming more extreme so site needs a robust scheme to alleviate potential flooding.
- Severe flooding from Storms Babet and Henk in October 2023 and January 2024.
- Unmaintained dykes resulted in flooding of properties and gardens.
- Wastewater infrastructure requires extensive work.

Housing Allocation

- Site originally allocated for 41 houses, but 49 planned.
- 37 homes are 3, 4, and 5-bedroomed, not starter or "affordable" homes.
- Likely to be purchased by people from more expensive areas, not aiding local youngsters.

Affordable Housing:

- 12 affordable units included, unclear if suitable for less mobile/elderly occupants.
- Affordable units should be integrated throughout development.
- Unclear if units are for rent, purchase, or shared ownership.

Highways/Traffic/Parking

- TRICS database projections for extra car journeys is guesswork.
- Incorrect information regarding bus services.
- Public transport not adequate for new residents, increasing car dependency.
- 24.5% of residents are over 65, needing public transport as stated in NP.
- Lack of public transport and connectivity to surrounding villages.
- Travel Plan incorrectly states public transport is available to Cherry Willingham and Wragby.
- Limited public transport provided by CallConnect and PC Coaches only to Lincoln City Centre.

- Increased traffic puts pedestrians and cyclists at risk.
- Central Lincolnshire Local Plan 2023 requires minimum 135 parking spaces, only 101 allocated in proposals.
- Contradiction in Lindum Homes' promise of minimum 2 car spaces per property.
- Lack of visitor parking spaces in plans.
- Opposition to access via Juniper Drive/The Alders due to safety concerns and creation of 'rat run' and increased noise.
- Four access points on busy Nettleham Road; main access on a bend – not good.
- No provision for metalled footpath from bus shelter to main site access.
- Roads should meet Lincolnshire Council Highways specifications.
- Development vehicles should be restricted from village centre access and required to clean wheels before leaving the site.

Local Facilities/Infrastructure:

- Lack of local facilities/infrastructure in Scothern, requiring travel to other villages for basic needs.
- School may need to expand to accommodate new students. It is already at capacity disadvantaging current residents.
- Ellison Boulters Academy and William Farr Comprehensive CoE School are at capacity and landlocked.
- Covenant at William Farr School restricts pupil intake due to extensive development in surrounding areas.
- Both Nettleham and Welton medical practices are at capacity and landlocked.
- Proposal may increase class sizes and affect education quality.
- Struggle for doctor's appointments and dental services.
- Doubts about effectiveness of developer donations to local services.
- Surrounding villages also stressed by increased demand on services.

Previous Rejection:

- 2015 application for 38 dwellings was rejected due to concerns of overdevelopment and lack of sustainability.
- Current proposal for 49 dwellings exacerbates overdevelopment and imbalance.

Planned Growth:

- Scothern identified as a medium-sized village with a 10% growth target (345 households).
- Recent developments led to 20% growth, far exceeding targets.
- Further growth unnecessary and unbalancing.

Consultation:

- Insufficient communication and consultation with residents and a short response period impacts research and response quality.
- Fail to see how this application improves current residents lives.
- Inadequate community consultation, letters sent only to immediate vicinity.
- Drop-in session needed for all residents to view proposals and provide feedback.
- Only six responses received by Lindum showing it was not comprehensive

- No discussion on Section 106 agreement.

Green Spaces:

- Need for more green spaces which is vital in a village to prevent overcrowding.
- Increased traffic would impact existing green spaces (LGS5) nearby to entrance of site.
- Management committee needed for green spaces.

Environmental:

- Development will harm local wildlife habitats, including bats.
- Fails to meet the 10% net gain in biodiversity requirement.
- Increased light pollution will negatively affect biodiversity.

Character:

- Quiet, rural character of The Alders will be lost.

Residential Amenity:

- Noise and disruption will affect daily life and work-from-home arrangements.

Other Matters:

- Potential decrease in house resale value due to proximity to new development.
- Concerns about negative psychological impacts from unsightly new houses.
- Risk of flooding and increased insurance premiums.
- Should be determined at planning committee and not via delegated powers.

LCC Highways and Lead Local Flood Authority:

17/02/2025 - No Objections subject to conditions, informatives and S106 contributions. Having given due regard to the appropriate local and national planning policy guidance (in particular the National Planning Policy Framework), Lincolnshire County Council (as Highway Authority and Lead Local Flood Authority) has concluded that the proposed development would not be expected to have an unacceptable impact upon highway safety or a severe residual cumulative impact upon the local highway network or increase surface water flood risk and therefore does not wish to object to this planning application.

Planning Conditions as detailed below:

- Construction Management Plan.
- Closure of existing field access.
- Tactile crossing point outside and opposite Cade Close and tactile crossing point at the junction of Heathlea.
- Improvements to public rights of way Scothern 852/1 and 853/1.
- Surface Water Drainage Scheme.

S106 Contribution - sum of £309,608.000 is requested to provide an hourly bus service for the duration of 2 years from Scothern to Lincoln and a 2 x 6 monthly bus pass provision for each new dwelling.

24/01/2024 - ADDITIONAL INFORMATION REQUIRED

- Please provide a connecting link to the adjacent site to connect to The Alders. This will provide permeability within the site and allow local connections. This is a requirement of the small structures guide where the primary entrance is culverted, it is necessary to have an alternative access in the event the culvert needs repairs.
- The drainage layout has now changed to a positive piped system with no swales, please could the area where the swales were located be given over the grass tree lined verges in accordance with Building for a Healthy Life guidance.
- The proposed field access is constructed of block paving, would tarmac be more suited to this type of road if farm vehicles will be using it?

14/08/2024 - ADDITIONAL INFORMATION REQUIRED

Layout

- The proposed layout is acceptable in terms of adoptable standards however consideration should be given to the following;
- A vehicle access link should be provided to Juniper Close as requested during the pre-application stage.
- Please provide a parking strategy to indicate that parking provision is in line with the guidance below – some plots do not appear to meet the guidelines. Garages cannot be included as a parking space unless they are of sufficient size – approx 6x3m
 - 2 Bed – 2 spaces
 - 3 bed – 3 spaces
 - 4 bed – 3 spaces
 - 5 bed – 3 spaces
- Consideration should be given to providing tandem parking rather than a linear arrangement. Can you confirm if the 1.8m strip is a footway or grassed service margin? In the area where the road is 5.5m a 1.8m grass service strip would be acceptable for a shared surface.

Drainage

- Please provide an intrusive ground investigation report.
- The proposed drainage strategy may not be feasible given the high water table as a 1m buffer is required from the water table to the base of the SUDs structure (this will need to be confirmed with the provision of the GIR).
- Based on the information within the Drainage Strategy, it may be necessary to revert to a positive piped system with the removal of the swales. The area where the swales were located should be used to provide tree lined verges in accordance with Building for a Healthy Life. Further comments will be provided on the Drainage Strategy on receipt of the Ground Investigation.
- Is there a reason the storage on site is underground and a pond/basin isn't proposed within the POS? Storing the water above ground would be preferable to a crate system.

Improvements

- A frontage footway from the site entrance to link to the existing footway on Nettleham Rd is required.

- Upgrades to the PROWs running adjacent to the site will be required - Footpaths 149, 153, 852 and 853.
- A series of tactile crossing points in the village will be required to upgrade pedestrian safety in the area.
- Transport Services have been consulted regarding a S106 contribution towards local bus services which will likely be requested, further information will be provided on this in final comments.

LCC Archaeology:

A geophysical survey has previously been carried out on this site. Our department has commented on previous applications on the site (133190 & 134295), and it has been recommended that no further archaeological input is required. This continues to be the case.

WLDC Trees and Landscape Officer:

18/09/2024:

- The Arboricultural Impact Assessment (AIA) includes a plan showing the positioning of the tree protection fencing, and the content of the document includes information on the type of protective fencing. This information is appropriate and acceptable. Protective fencing should be erected prior to any works commencing on site, and be retained in its approved position until completion of works.
- No objection to the proposed removal of trees T12, T13 and T19 as these are category C and U trees which are trees of low and poor quality that should not pose a constraint to development. I do note that a range of young trees have already been removed from site. It may be that these were possibly below the stem size threshold for inclusion in a tree survey, but a group outline indicating their presence could have been shown on the plans to provide a complete picture of the site.
- H2 hedgerow along the westerly side of the site proposes to have various gaps created for road access into the site and for three new driveway access points to new dwellings. Creating 4 gaps through the hedgerow fragments the hedge and reduces its efficiency and value as a wildlife corridor. This hedgerow should be retained as a continuous line where possible, so gaps created for access should be restrict to as few as possible.

LCC Education:

03/01/2025 - The Education department has requested a contribution of £336,829.50 for primary extension as there are insufficient places available for a 2026/2027 start. Contribution for secondary school places to be secured via Community Infrastructure Levy (CIL).

29/07/2024 - Requested a contribution of £336,829.50 for primary extension to accommodate 17 extra primary school – age pupils, as there are insufficient places available for a 2026/2027 start.

NHS Lincolnshire:

26/09/2024 - The development will impact Nettleham Medical Practice and Welton Family Health Centre, as the development is within their catchment area. The contribution requested for the development is £30,992.50 (£632.50 x 49 dwellings)

WLDC Strategic Housing:

25/09/2024 - Should the proposal be acceptable, the application would trigger an affordable housing obligation of 25% under Policy S22 of the Central Lincolnshire Local Plan as the site falls within Value Zone A. This would equate to 12 affordable housing units on the site which is the number proposed. Details of the internal floor area sizes of the affordable house types is requested in order to determine whether the proposed mix is acceptable, and there is concern regarding the affordable housing units' concentration towards the rear of the site. The Council's standard trigger for the delivery of the affordable units is prior to first occupation of 50% of the open market dwellings, therefore clarification is required that this is achievable with regard to the proposed build out of the site. The proposed tenures of the affordable housing also needs amendment as the Council's required tenure split for the site is:

7 x Affordable Rent units

2 x Shared Ownership units

3 x First Homes units

It should be noted that Policy S22 applies a maximum value price cap to a First Home of £179,000 after the necessary 30% discount is applied, with this figure being adjusted annually in April. A section 106 agreement will be required in order to secure the affordable housing obligation.

Lincolnshire Fire and Rescue:

No objections to the application provided that the following items were included:

ACCESS - Access requirements for buildings include specifications for fire appliances and fire fighters must meet the Building Regulations 2010 (As Amended), Part B5. Equivalent standards may also be applicable and should be referenced in correspondence. Lincolnshire Fire and Rescue mandates a minimum carrying capacity for hard standing areas for pumping appliances of 18 tonnes, exceeding the 12.5 tonnes specified in the regulations. This weight limit also applies to any private/shared access roads.

WATER - Lincolnshire Fire and Rescue advises installing fire hydrants according to Building Regulations 2010 (As Amended), Part B5, at the developer's expense. This should be integrated into the water mains scheme for long-term fire safety. Developers must inform Anglian Water Services that hydrants are required. All hydrants should conform to BS750-2012 and BS9990: 2015, with further guidance in BS9999:2017 Section 22. Hydrant Inspectors will conduct acceptance testing upon completion, and the Fire Service will handle ongoing maintenance. Hydrants will be marked with a standard yellow "H" marker plate.

Environment Agency:

20/12/2024 – No comments to make on the amended plans and refer to position within previous response.

14/08/2024 - Whilst we have no objections to this application, we would like to draw the applicant's attention to the following informative comments:

Water recycling centre capacity

Nettleham Water Recycling Centre (WRC) has exceeded its permitted dry weather flow for 2023 and has been above 90% of its permitted limit for dry weather flow since 2021. Additional flows could lead to the WRC exceeding its permit limits, which could cause pollution of the receiving watercourse, Nettleham Beck GB105030062210. Anglian Water Services (AWS) is legally obliged to operate within permit limits and the Environment Agency will take all necessary action to ensure that the receiving watercourse is protected.

AWS has not yet demonstrated how it would manage the additional flow from this development if there is no capacity at the WRC to treat it. We encourage the council to liaise with AWS and ensure that acceptable plans are in place for the management of foul water, in advance of planning permission being determined. We also encourage the council to be aware of the measures that would be required to be taken by AWS, to ensure that the additional flows from the development would be accommodated.

Anglian Water:

20/02/2025 - Nettleham WRC is within the acceptance parameters and can accommodate the flows from the proposed growth. Anglian Water OBJECTS to any connection into our foul network from the proposed development, due to capacity constraints and pollution risk. In order to overcome our objection, we require that the applicant consults Anglian Water in a form of a Pre- Development enquiry (PPE) in order to define a Sustainable Point of Connection (SPOC). However, if the LPA are minded to approve the application, despite our objection and risk of pollution, we recommend the following condition is applied:

Condition: No development shall commence until a strategic foul water strategy has been submitted to and approved in writing by the local Planning Authority, in consultation with Anglian Water. This strategy will identify a sustainable point of connection to the public foul network. Prior to occupation, the foul water drainage works must have been carried out in complete accordance with the approved scheme.

Reason: To protect water quality, prevent pollution and secure sustainable development having regard to paragraphs 7/8 and 180 of the National Planning Policy Framework. If permission is granted, we require the applicant to engage with us via our pre-development services and to submit a pre-development enquiry.

Surface Water: Anglian Water has reviewed the submitted documents AMENDED FLOOD RISK ASSESSMENT December 2024, and can confirm that these are

acceptable to us. We require these documents to be listed as approved plans/documents if permission is granted.

2/08/2024 – No objections to foul or surface water proposals. The foul drainage from this development is in the catchment of Nettleham Water Recycling Centre that will have available capacity for these flows. Also request informatives to be added to a decision should permission be granted.

Comments with regard to surface water: The surface water strategy/flood risk assessment submitted with the planning application relevant to Anglian Water is unacceptable due to rates being proposed (4l/s) are not in accordance with Anglian Water policy and cannot be accommodated. We would therefore recommend that the applicant consults with Anglian Water.

Witham Internal Drainage Board (IDB):

No objections - The site is partly within the Witham Third District Internal Drainage Board area. The Board has no objection to the proposed development provided it is constructed in accordance with the submitted details and Flood Risk Assessment. However, the document does not include any information on the future maintenance of the watercourses that are on the west, north and east of the site.

A permanent undeveloped strip of sufficient width should be made available adjacent to the top of the bank of all watercourses on Site to allow future maintenance works to be undertaken. Suitable access arrangements to this strip should also be agreed. Access should be agreed with the Local Planning Authority, LCC and the third party that will be responsible for the maintenance.

CLLP Ecology Officer:

06/02/2025 - The site has a large deficit which we knew it would as such I would expect greater effort in delivering (non BNG metric features) in private gardens. This should include tree planting, a number of garden ponds, rain gardens potentially even living roofs and walls for garages etc This will help with the NPPF requirement for enhancement and mitigation before compensation outside of BNG. The proposal is now acceptable subject to conditions and securing of off-site gains via a S106 agreement.

08/08/2024 - Additional Information Required - In its present form I can only object to this application.

There is significant pre-app degradation that does not appear adequately and precautionarily accounted for and must be agreed with the LPA as matter of urgency. In addition, a number of rural trees are excluded from the baseline as are ditches. If these issues are not rectified, application must be refused on an inaccurate baseline assessment.

The application has not effectively adhered to the Biodiversity Gain Hierarchy, not enough effort has been made to avoid loss of medium distinctiveness habitat onsite. The proposal does not follow the user guide rules on planting within the curtilage of private properties.

The Biodiversity Metric is also not adequately completed.

WLDC Trees and Landscape Officer:

14/02/2025 - The extra information is suitable and I have no further comments or queries

18/09/2024 - The Arboricultural Impact Assessment (AIA) information is appropriate and acceptable. Protective fencing should be erected prior to any works commencing on site, and be retained in its approved position until completion of works.

I have no objection to the proposed removal of trees T12, T13 and T19 as these are category C and U trees which are trees of low and poor quality that should not pose a constraint to development. I do note that a range of young trees have already been removed from site. It may be that these were possibly below the stem size threshold for inclusion in a tree survey, but a group outline indicating their presence could have been shown on the plans to provide a complete picture of the site.

H2 hedgerow along the westerly side of the site proposes to have various gaps created. Creating 4 gaps through the hedgerow fragments the hedge and reduces its efficiency and value as a wildlife corridor. Hedgerow as "priority habitats" which should be retained and improved where possible. This hedgerow should be retained as a continuous line where possible, so gaps created for access should be restrict to as few as possible.

Information within the AIA document should be adhered to e.g. three dimensional cellular confinement system, which must be installed above existing ground levels.

Natural England:

NO OBJECTION - Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites or landscapes.

Lincolnshire Wildlife Trust:

10/02/2025 – Further information required before re-reviewing the BNG assessments.

14/08/2024 - HOLDING OBJECTION in regards to the above planning application until further ecological information has been submitted.

Canal & River Trust:

This application falls outside the notified area for its application scale and location. We are therefore returning this application to you as there is no requirement for you to consult us in our capacity as a Statutory Consultee.

Development Plan

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 Scothern Neighbourhood Plan Review (adopted June 2024) and the Lincolnshire Minerals and Waste Local Plan (adopted June 2016).

- ***Central Lincolnshire Local Plan 2023 – 2043 (CLLP)***

Relevant policies of the CLLP include:

Policy S1: The Spatial Strategy and Settlement Hierarchy
Policy S2: Growth Levels and Distribution
Policy S6: Design Principles for Efficient Buildings
Policy S7: Reducing Energy Consumption- Residential Development
Policy S12: Water Efficiency and Sustainable Water Management
Policy S20: Resilient and Adaptable Design
Policy S21: Flood Risk and Water Resources
Policy S22: Affordable Housing
Policy S23: Meeting Accommodation Needs
Policy S45: Strategic Infrastructure Requirements
Policy S47: Accessibility and Transport
Policy S49: Parking Provision
Policy S51: Creation of New Open Space, Sports and Leisure Facilities
Policy S53: Design and Amenity
Policy S54: Health and Wellbeing
Policy S57: The Historic Environment
Policy S56: Development on Land Affected by Contamination
Policy S60: Protecting Biodiversity and Geodiversity
Policy S61: Biodiversity Opportunity and Delivering Measurable Net Gains
Policy S66: Trees, Woodland and Hedgerows
Policy S67: Best and Most Versatile Agricultural Land
Policy S81: Housing Sites in Medium Villages
<https://www.n-kesteven.gov.uk/central-lincolnshire>

- ***Scothern Neighbourhood Plan Review Adopted June 2024 (NP)***

Relevant policies of the CLLP include:

Policy H1: Location of New Residential Development
Policy H2: Housing Type and Mix
Policy H4: Site H1.5 Land off Nettleham Road/Juniper Drive, Scothern
Policy D1: Design and Character
Policy D2: Renewable Energy and Low Carbon Development
Policy T2: Pedestrian and Cycle Routes
Policy E2: Biodiversity
<https://www.west-lindsey.gov.uk/planning-building-control/planning/neighbourhood-planning/scothern-neighbourhood-plan>

- **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 2024. Paragraph 232 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 Development;
Density and Indicative Dwelling Numbers
Housing Mix
- Climate Change and Energy Efficiency;
- Character and Visual Impact;
Landscaping, Trees and Hedgerows
Rights of Way

- Residential Amenity;
- Highways and Access;
- Biodiversity Net Gain and Ecology;
- Archaeology;
- Drainage;
- Affordable Housing;
- Developer Contributions;
- Open Space;
- Community Infrastructure Levy;
- Other Matters

Assessment:

Principle of Development

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

Policy S1 (The Spatial Strategy and Settlement Hierarchy) of the CLLP categorises Scothern as a 'Medium Village'. The policy states that *'Medium villages are defined as those with between 250 and 749 dwellings at 1 April 2018. Well-connected or well served medium villages may receive some limited growth **through allocations in this plan** in order to achieve a balance between ensuring the vitality of the village and protecting the rural character.'*

Policy S81 of the CLLP identifies sites within Medium Villages which are allocated primarily for residential use. The application site is identified by reference WL/SC/004A as 'Land off Juniper Drive, Scothern', with a site area of approx. 2.72ha, and is given an indicative capacity of 41 dwellings.

In addition, the allocation notes the following site-specific requirements:

- Development of the site will need to assess drainage and surface water flood risk on the site.
- Design to be sensitive to the local rural context and in keeping with the local vernacular.

The site is also allocated in the Scothern Neighbourhood Plan. Policy H4 is a bespoke site-specific policy which states that the site is "is allocated for the development of residential dwellings and associated infrastructure. The development of this site will be of the highest quality design and will need to demonstrate how it complies with the following design code". It then sets out a list of criteria to be addressed within this report.

Under planning law, development is to be determined in accordance with the development plan, unless there are material considerations that indicate otherwise. The development is for 49 dwellings on a site allocated for residential development

in the development plan. Subject to meeting the above criteria, the proposed development would accord with the site allocation within both the CLLP and SNP.

Density and Indicative Dwelling Numbers

The indicative number of dwellings within allocation reference WL/SC/004A is 41 dwellings (15 dwellings per hectare, gross density). The number of dwellings per hectare proposed within this application is approximately 18 dwellings per hectare and is therefore considered to be a low-density development.

The Central Lincolnshire Policies S76 – S82 Evidence Report at paragraph 4.15 assumed densities of development sites within each of the settlement hierarchy categories which were used as a starting point to provide indicative capacities. For Medium and Small Villages, it assumed a net density of 20dph with 75% of the site being development, accounting for green space and roadways etc. 49 dwellings would equate to 24 dwellings per hectare, net density. It is noted that the proposed density and proposed housing numbers exceed the indicative figures contained within policy S81, however the supporting text to the residential site allocations policies of the CLLP states that:

‘13.2.3 The indicative numbers of dwellings are used to demonstrate how the Local Plan requirement can be met. It is emphasised that they are only ‘indicative’, and do not represent a fixed policy target for each individual site.

13.2.4. Developers are encouraged to produce the most appropriate design-led solution, taking all relevant Local Plan policies and national policy into account, in arriving at a total dwelling figure for their site, and they need not be constrained by the figure that appears in the column headed ‘indicative dwelling figure’.

The supporting planning statement details that the site has been designed to reflect the Sudbrooke Road/Nettleham Road Character Areas, which have a character of ‘larger than average plots’ on Nettleham Road with The Alders/Juniper Drive on Sudbrooke Road being a ‘self-contained estate with a series of cul-de-sacs’ with ‘a mixture of 2, 3 and 4 bedroomed brick built houses and bungalows with drives, garages and gardens’. The proposed layout and designs have sought to reflect these characteristics contained within the Scothern Character Assessment.

Overall, it is considered that in this instance, the developer has produced a design-led solution in response to the local development plan policies and character assessment, and has produced a development that exceeds the indicative figures as contained within Policy S81. The density of development still remains low at 18dph. The NPPF at paragraph 129 states that *‘Planning policies and decisions should support development that makes efficient use of land’*. As such, it is considered that the density of development and number of dwellings proposed would be acceptable in this instance. It is considered that an appropriate balance has been struck between providing dwellings on the site and providing ample private garden space for each dwelling, sufficient off-street parking to meet the parking standards, sufficient open space and drainage areas, sufficient turning space for large vehicles, and on-site biodiversity net gains.

Housing Mix

Policy H4 of the NP (the site-specific policy for this allocated site) states that the development should *'provide a mix of dwelling types, sizes and tenures to help meet local housing need, including specialist and self and custom build housing;'*

Policy H2 of the NP focuses on housing type and mix within new developments and states that:

- 1. 'Development proposals for 10 or more units (per site) should demonstrate that, at least, 25% of the total number of dwellings are for affordable housing. The delivered affordable homes should include a mix of house sizes (including 1-, 2- and 3-bedroom dwellings) which reflect the most up-to-date assessment of housing needs in the parish.'*
- 4. In addition to the affordable housing, open market homes should also provide a mix of 1-, 2- and 3-bedroom dwellings, including single storey dwellings.'*

The proposed housing mix has been amended through the submission in order to meet the policy requirements of the NP and is as follows:

- 6 no 1-bedroom dwellings (2no market, 4no affordable, single storey) (12%)
- 7 no. 2-bedroom dwellings (1no market, 6no affordable, two storey) (14%)
- 15 no. 3-bedroom dwellings (13no market, 2no affordable, two storey) (31%)
- 17 no. 4-bedroom dwellings (17no market, two storey) (35%)
- 4 no. 5-bedroom dwellings (4no market, two storey) (8%)

The proposal includes a mix of 1, 2 and 3 bedroom affordable housing units. In addition, the proposal includes a mix of 1, 2, 3, 4 and 5 bedroom open market dwellings, with 2no open market single storey dwellings. It is considered that the bungalows on the site could accommodate elderly or disabled people and could be adapted for their specific needs if required. Based on the above housing mix, it is considered that the proposal would accord with policies H2 and H4 of the Scothern NP, as well as Policy S23 of the CLLP and paragraph 71 of the NPPF.

Concluding Statement

The principle of housing development on the site has been established by its allocation status (WL/SC/0004A) in the CLLP. It is considered that the proposal would accord with Policy S23 of the CLLP and Policy H4(a) of the NP.

Climate Change and Energy Efficiency

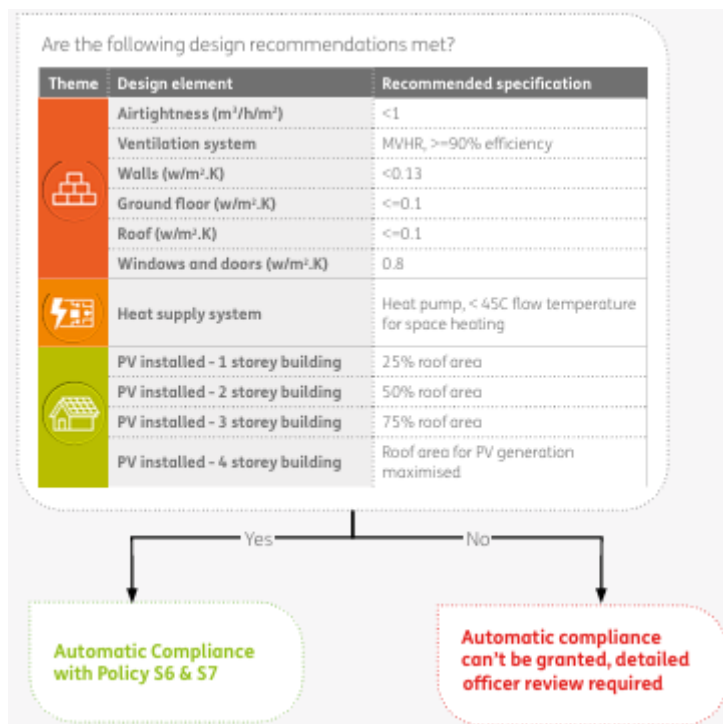
The CLLP sets specific standards that are required by new residential and non-residential development in relation to site average space heating demand and total energy demand. Policy S6 states a set of design expectations that should be considered when formulating development proposals. This includes the orientations of buildings, form of buildings, fabric of buildings, heat supply and renewable energy generated. Policy S7 requires that all new residential buildings are accompanied by an Energy Statement and in addition to the requirements of policy S6, must meet the following criteria:

1. 'Can generate at least the same amount of renewable electricity on-site (and preferably on-plot) as the electricity they demand over the course of a year, such demand including all energy use (regulated and unregulated), calculated using a methodology proven to accurately predict a building's actual energy performance; and
2. To help achieve point 1 above, target achieving a site average space heating demand of around 15-20kWh/m²/yr and a site average total energy demand of 35 kWh/m²/yr, achieved through a 'fabric first' approach to construction. No single dwelling unit to have a total energy demand in excess of 60 kWh/m²/yr, irrespective of amount of on-site renewable energy production. (For the avoidance of doubt, 'total energy demand' means the amount of energy used as measured by the metering of that home, with no deduction for renewable energy generated on site).'

Policy H4 of the NP (the site specific policy for this allocated site) states that the development should:

'k) allow for the use of passive solar energy through the appropriate orientation of the dwellings, where practicable'

The energy statement justifies Policy S6 and S7 using the compliance tree contained within the Energy Efficiency Design Guide supplementary planning document on the Central Lincolnshire website. The compliance decision tree is as follows:



The submitted energy statement provides the following table detailing the proposed specification of the dwellings against the recommended automatic compliance.

Building Element	Energy Efficiency Design Guide Automatic Compliance (Utilising SAP route)	Proposed Specification
Air Tightness (M3/H/M2)	<1	3
Ventilation System	MVHR, >=90% efficiency	MVHR 91% efficiency
Walls (W/M2.K)	<0.13	0.14
Ground Floor (W/M2.K)	<=0.1	0.12
Roof (W/M2.K)	<=0.1	0.09
Windows and Doors (W/M2.K)	0.8	0.8

The above table demonstrates that the proposed specification does not meet the standard for automatic compliance, however the specification proposed is close to, and sometimes improves on, the required specification for the building element.

Air Source Heat Pumps with a heat flow temperature of less than 45 degrees Celsius will be used. In addition, solar photovoltaic panels across the site would generate 158,974 KW of energy per year which would cover the 158,772 KW of total site energy that the dwellings would generate over a year.

The Energy Statement also details that all of the proposed properties achieve an energy demand of less than 35kWh/m2/yr, as required by Policy S7. This can be seen in the table below:

House Type	Floor Area (m2)	No of plots	Total Annual Energy Use kWh/yr	Total site energy use per year	KW Photovoltaics (PV)/ Plot	Total PV Fitted Generation (KW)	Site Total Generated (KW)	Energy Use Intensity kWh/m2/yr
A	64.6	6	2137	12822	2.6	15.6	13158	33.08
B AFF	80.55	2	2720	5440	3.4	6.8	5873	33.77
B	81.47	8	2750	22000	3.4	27.2	23490	33.75
B1	81.47	3	2823	8469	3.5	10.5	8107	34.65
D	92.54	2	3145	6290	3.9	7.8	6201	33.99
D1	92.54	2	3145	6290	3.9	7.8	5665	33.99
F	124.53	3	3612	10836	4.5	13.5	11041	29.01
G	138.28	2	4250	8500	5.3	10.6	8426	30.73
H	133.94	5	3740	18700	4.7	23.5	18169	27.92
J	199.25	2	5410	10820	5.3	10.6	9880	27.15
K	158.96	1	4760	4760	6	6	4940	29.94
L	128.61	5	3867	19335	4.8	24	19079	30.07
M	199.73	2	5430	10860	6	12	9941	27.19
S	108	2	3145	6290	3.9	7.8	6736	29.12
U	52.7	4	1840	7360	2.6	10.4	8268	34.91
Total		49		158772		194.1	158974	

The revised energy statement provides a more detailed analysis of the total energy demand for each of the house types proposed as SAP calculations are known to be fairly inaccurate. As such the applicant has put forward more detailed calculations based on PHPP principles and has further set out in the above table the breakdown of energy use requirements per house type and the required PV spec in terms of Kw generation required to offset the demand as opposed to percentage of roof area covered as set out in the compliance tree detailed above.

This approach is considered to be acceptable given the level of detail provided to demonstrate how energy demand has been assessed and how this is proposed to be offset in terms of the Kw PV systems proposed according to plot/house type.

Were it minded to grant planning permission, it is recommended to impose a suite of energy conditions relating to the development being completed in accordance with the details in the Energy Statement, the removal of national permitted development rights with respect to fuel tanks, and a pre-occupation condition requiring a verification statement to ensure the approved scheme has been implemented in full. It is considered that subject to conditions, the proposal would accord with the aims of policies S6 and S7 of the Central Lincolnshire Local Plan and Policy H4(k) of NP.

Character and Visual Impact

Local Plan Policy S53 states that all development must achieve high quality sustainable design that contributes positively to local character, landscape and townscape, and supports diversity, equality and access for all. Development must relate well to the site, its local and wider context and existing characteristics including the retention of existing natural and historic features wherever possible and including appropriate landscape and boundary treatments to ensure that the development can be satisfactorily assimilated into the surrounding area.

It further states that development should contribute positively to the sense of place, reflecting and enhancing existing character and distinctiveness, and should be appropriate for its context and its future use in terms of its building types, street layout, development block type and size, siting, height, scale, massing, form, rhythm, plot widths, gaps between buildings, and the ratio of developed to undeveloped space both within a plot and within a scheme.

Policy H4 of the NP (the site specific policy for this allocated site) states that the development should:

***h)** provide a linear green buffer landscaped with trees and a hedgerow to the south of the site to reduce the development of a hard edge between the new development and the open countryside;*

***i)** the dwellings that are next to Nettleham Road should face the road to provide a positive entrance to the site and the village from Nettleham;*

***j)** retain any existing hedgerows around the site;*

***l)** respond to local character by maintaining the building height levels with other nearby residential developments;*

***m)** use sustainable and locally sourced building materials, where practicable;*

***n)** use materials that are compatible with the existing materials within the local area to reinforce local character and distinctiveness;*

p) establish natural boundary treatments through the use of hedgerows where those boundaries are adjacent to open countryside;

In addition to this, Policy S81 details the site specific requirements which need to be achieved to make development acceptable. The following is relevant in regards to the Character and Visual Impact of the development:

- *'Design to be sensitive to the local rural context and in keeping with the local vernacular.'*

The dwellings forming Juniper Drive/The Alders/The Oaks which are to the east/south east of the site and accessed off Sudbrooke Road are largely two storey in height with the occasional bungalow within the development of approximately 35 houses. The dwellings forming Cade Close to the immediate north of the site are largely two-storey in height with 4no bungalows included also. The dwellings on the western side of Nettleham Road are all single storey in height and are all set back from Nettleham Road by a minimum of 10 metres. The approach to the settlement of Scothern when travelling along Nettleham Road is a green and verdant one, with a strong presence of green boundaries including trees and hedgerows.

The proposed development consists of 6no bungalows and 43no two-storey dwellings. The dwellings along Nettleham Road are all two-storey in height and would all front the highway (meeting H4(i)). They would all be set back from the highway by approximately 15 metres. The proposed pond, attenuation tank and double pump station would be situated to the north/north east of the site. The frontage hedgerow along Nettleham Road would be retained as part of the development, albeit a section of hedging would be removed for the creation of the access point into the site. All other boundaries of the site would consist of a mixture of native hedging, grassland mix, retained vegetation and existing and proposed tree planting. The entire site would therefore be bounded and screened by greenery to all boundaries (meeting H4 (h)(j)).

The proposed dwellings would be finished in a combination of red and buff brick (examples include Forterra Hampton Rural Blend, Forterra Belgravia Gault Blend, Forterra Oakthorpe Red Stock, Forterra Ardleigh Yellow Stock and Forterra Atherstone Red Multi', with a mix of grey slate roofing or red pantiles. The proposed indicative materials as detailed above are considered to respect the local rural context of the site as required by Policy S81, however it is considered reasonable and necessary to include a condition on any permission that secures full materials details including windows, doors, rainwater goods, hard-surfacing, boundary treatments etc.

The proposal would largely consist of two-storey dwellings. Whilst it is noted that there are a number of bungalows to the west of the site, there is also a strong presence of two-storey dwellings to the north and east of the site. As such it is considered that the development would not appear incongruous when read within the street scene context and the surrounding character of the area, and would therefore respect the surrounding scale and massing of development.

Landscaping, Trees and Hedgerows

Policy S66 of the CLLP states that *'development proposals should be prepared based on the overriding principle that:*

- the existing tree and woodland cover is maintained, improved and expanded; and*
- opportunities for expanding woodland are actively considered, and implemented where practical and appropriate to do so.'*

As detailed at the beginning of this section, Policy H4 of the NP also provides a number of requirements in this regard, notably criteria h, j and p.

The WLDC Trees and Landscaping Officer has been consulted on the proposal throughout. Amendments have been made to the proposal including the retention larger sections of the frontage boundary hedge along Nettleham Road. In their most recent comments they have confirmed they are happy with all of the submitted information including the proposed planting plan, and have requested a condition to secure garden landscaping proposals. It is therefore considered that subject to this condition, the proposed development is acceptable in this regard.

Rights of Way

The site contains 2no definitive rights of way - Scth/1025/1 and Scth/149/2 – which run along the eastern and southern boundaries of the site, and the latter of which continues in a south-westerly/westerly direction to connect the site with Nettleham to the south-west. Whilst the development would be readily visible to users of the Rights of Way within and outside of the site, it is considered that they have been appropriately landscaped within the site and the site itself has made provision for a considerable amount of soft landscaping to the boundaries to help the development assimilate into the surrounding countryside context. As such, it is not considered that users of the Rights of Way would be unacceptably harmed as a result of the proposal.

Overall, it is considered that the proposal, subject to conditions, would accord with Policies S53 and S81 of the Central Lincolnshire Local Plan, Policy H4 of the NP, and the provisions of the NPPF.

Residential Amenity

Criteria 8 Homes and Buildings of Policy S53 states that development proposals will:

- a) Provide homes with good quality internal environments with adequate space for users and good access to private, shared or public spaces;*
- b) Be adaptable and resilient to climate change and be compatible with achieving a net zero carbon Central Lincolnshire as required by Policies S6, S7 and S8;*
- c) Be capable of adapting to changing needs of future occupants and be cost effective to run by achieving the standards set out in Policy S20;*
- d) Not result in harm to people's amenity either within the proposed development or neighbouring it through overlooking, overshadowing, loss of light or increase in artificial light or glare;*
- e) Provide adequate storage, waste, servicing and utilities for the use proposed;*

Policy H4 of the NP (the site specific policy for this allocated site) states that the development should

'c) promote adaptive building spaces to promote home working;

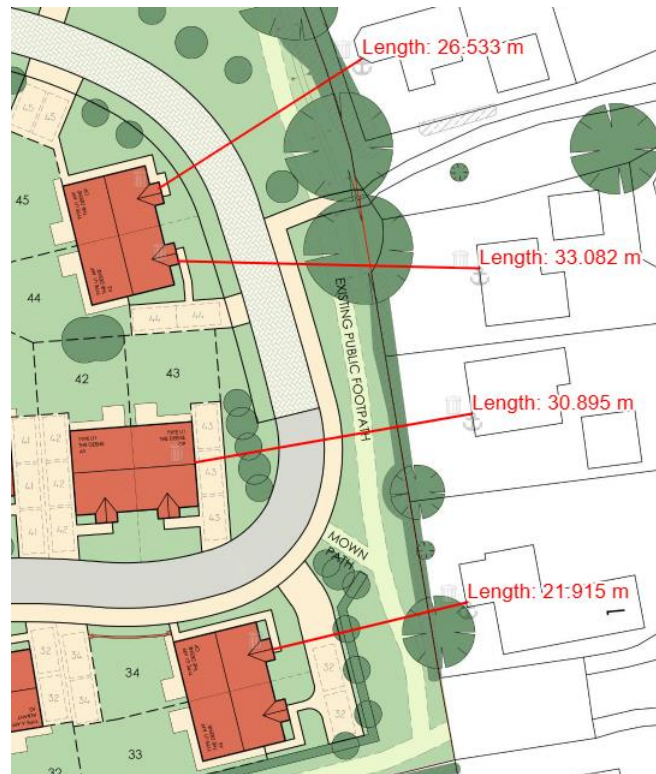
o) be designed to reduce the impact on the private amenity of adjacent residential dwellings;

With separation distances of between 30-34m between proposed and existing properties along the northern boundary, and with an intervening public right of way – development would not be expected to have an adverse impact through overdominance, overlooking or overshadowing, as can be seen on the below screenshot of the proposed site plan.



'The Deene' dwelling types are the dwellings closest to the existing dwellings that bound the site to the east forming The Alders and The Oaks. It should be noted that these dwellings are all single storey in height, therefore due to their height and due to the separation distances (as detailed in the below screenshot), it is considered that there would be no unacceptably harmful impacts on the occupiers of these existing dwellings to the east of the site.

In regards to overlooking between dwellings within the proposed site, there are sufficient separation distances between the dwellings so as not to unacceptably harmfully overlook neighbouring dwellings or their garden areas.



Dwelling adaptability

The Scothern NP requires that new development should have adaptive building spaces to promote home working. The majority of the 4no and 5no bed dwellings would have dedicated 'study' rooms which could be utilised for home working. The smaller dwellings could adapt additional bedrooms into study spaces if required, which is common of smaller bedrooms due to the rise in working from home arrangements. It is considered that the provision of accommodation within the dwellings would accord with the relevant requirement of the Scothern NP.

Private Amenity Space

The proposed dwellings are considered to have sufficient private amenity space to the rear, with an average length minimal length of approximately 10.5 metres, with some garden extending to 19 metres in length.

Construction

Although the construction phase is temporary, it can last a number of months when constructing 49 dwellings. To ensure the construction phase would not have an overly disturbing impact on the existing residents, it is considered relevant, reasonable and necessary to attach a construction management plan condition to the permission.

Conclusion

It is considered that overall, the proposed development would not harm the living conditions of the existing occupiers of the dwellings which are nearby to the site, or the future residents of the development site. As such, it is considered that the proposal would accord with Policy S53 of the Central Lincolnshire Local Plan, Policy H4 of the NP, and the provisions of the NPPF.

Highways and Access

Policies S47, S48 and S49 collectively require that development proposals do not have an unacceptable impact on highway safety or a severe cumulative impact on the wider highway network. Policy S48 requires that development proposals should facilitate active travel. It also requires that first priority should be given to pedestrians, cyclists, and people with impaired mobility. Policy S49 of the CLLP sets out minimum parking standards that are required for residential and non-residential development within Central Lincolnshire.

Policy H4 of the NP (the site specific policy for this allocated site) states that the development should provide an access from the site from Nettleham Road, retain the existing public right of way to the east and south of the site which provides access to Juniper Drive for pedestrians, and should not lead to any detrimental impact to the existing highway capacity or safety. In addition to this, Policy T2 of the Scothern NP states that where practicable, new developments should provide for safe, direct and landscaped pedestrian and cycle routes.

The proposed development would have one vehicular access point off Nettleham Road, which would serve all of the dwellings. The proposed development would include adoptable roads as well as private drives as identified on the site plans for the proposed development. It would also contain 2no public rights of way with pedestrian access out of the northern, eastern, southern and western boundaries of the site. There is also cycle access from both the western and eastern boundaries of the site.

The Highways Authority at Lincolnshire County Council have stated that the proposal would not have an unacceptable impact on highway safety, provided the necessary mitigation measures/conditions are delivered as part of the application. They have also requested a S106 contribution. They therefore have no objections to the development subject to the following conditions, S106 contribution, and a number of informatives.

Planning Conditions as detailed below:

- Construction Management Plan.
- Closure of existing field access.
- Tactile crossing point outside and opposite Cade Close and tactile crossing point at the junction of Heathlea.
- Improvements to public rights of way Scothern 852/1 and 853/1.

S106 Contribution - sum of £309,608.000 is requested to provide an hourly bus service for the duration of 2 years from Scothern to Lincoln and a 2 x 6 monthly bus pass provision for each new dwelling.

Paragraph 57 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”*.

Paragraph 58 of the NPPF states that *“Planning obligations must only be sought where they meet all of the following tests:*

a) necessary to make the development acceptable in planning terms;

- b) directly related to the development; and*
- c) fairly and reasonably related in scale and kind to the development.”*

The closure of the existing field access as well as the Construction Management Plan are considered to be reasonable and necessary and relevant to the proposed development. The junction of Nettleham Road with 'Heathlea' lies approximately 65 metres to the north of the northernmost point of the site. The bus stop near Cade Close lies approximately 20 metres to the north of the northernmost point of the site. It is not considered to be reasonable, necessary or relevant to the development to be permitted, to require the applicant to provide a series of tactile crossing points to such areas mentioned above that are not within the site. The proposal includes a footway behind the existing hedge fronting Nettleham Road which would connect the site to the existing footway network along Nettleham Road.

With regard to the improvements to public rights of way Scothern 852/1 and 853/1, both of these rights of way lie outside of the site boundary. They are currently grassed with areas worn by pedestrian use as can be seen in the below photographs.



It is not considered to be reasonable, necessary or relevant to the development to be permitted to require improvements to the public rights of way outside of the site.

The request for a sum of £309,608.000 to provide an hourly bus service for the duration of 2 years from Scothern to Lincoln and a 2 x 6 monthly bus pass provision for each new dwelling is not considered to meet all of the following tests as required by Paragraph 58 of the NPPF:

- a) necessary to make the development acceptable in planning terms;*
- b) directly related to the development; and*
- c) fairly and reasonably related in scale and kind to the development.”*

Whilst the request for a contribution to provide further bus provision within the village is noted – there is no supporting evidence to demonstrate that the addition of a further 49 dwellings would now necessitate an hourly bus service. The request is not considered to be necessary to make the development acceptable in planning terms, nor is it considered to be fairly and reasonable related in scale and kind to the development proposed.

Whilst the recommended conditions and request for S106 contribution by the Highways Authority are acknowledged, as discussed above, on balance, it is considered that they are not relevant, necessary, or reasonable to make the

development acceptable in planning terms. The development would therefore accord with Policy S47 of the Central Lincolnshire Local Plan, Policy H4 and T2 of the NP, and the provisions of the NPPF in this regard.

Parking

Policy S49 sets the following car parking standards for dwellings in Villages and Rural Areas:

- 1 bed dwelling – 1 parking space;
- 2 bed dwelling – 2 parking spaces;
- 3 bed dwelling – 3 parking spaces;
- 4 bed dwelling – 3 parking spaces;
- 5 bed dwelling – 3 parking spaces.

The applicant has provided a site layout that demonstrates that each of the plots provides sufficient parking in line with the required parking standards, without requiring the use of the garages which can often be used for storage. This would therefore comply with the requirements of Policy S49 of the CLLP.

Subject to conditions to secure the close of the existing field access and a construction management plan, overall, the development is considered to be acceptable in regards to highways, and would not have a severe harmful highways safety impact, and would provide a sufficient level of parking as required by policy S49 of the CLLP. The proposal would accord with policies S47 and S49 of the Central Lincolnshire Local Plan, Policies H4 and T2 of the NP, and the provisions of the NPPF.

Biodiversity Net Gain and Ecology

Biodiversity Net Gain (BNG) is mandatory on major developments from 12th February 2024 under Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021). It requires that development must deliver a net gain of 10% to ensure that habitats for wildlife are left in a measurably better state than they were before the development.

This is also a requirement of Policy S61 of the CLLP which requires *“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 Central Lincolnshire Ecology Officer has been consulted on the proposal. The proposal has been subject to extensive discussions between the applicant and the Ecology Officer to overcome the issues with Biodiversity Net Gain on site, amended BNG documents and plans have been received as a result and the Ecology Officer now has no objections to the proposal, subject to conditions and securing off-site net gains through a S106 agreement.

The site is comprised of other neutral grassland, cropland, hedgerows, line of trees, ditches, and fences. The submitted accompanying metric states that the proposal would result in a net loss on site of -56.70% in habitat units which equates to -7.97

units, a net gain on site of 63.16% in hedgerow units which equates to 1.18 units, and a net gain on site of 78.07% in watercourse units which equates to 0.56 units.

Off-site habitat creation is to be implemented to ensure that the scheme delivers a minimum of 10% biodiversity net gain. To achieve a 10% net gain and to meet the trading rules, we are required to provide an additional 9.53 medium distinctiveness units off-site as broken down below;

- 5.64 Scrub units
- 3.72 Grassland units
- 0.17 pond units

It is clear from the above that the 10% net gain requirement would be met through a variety of on-site and off-site provision. Under the statutory framework for biodiversity net gain, subject to some exemptions, every grant of planning permission is deemed to have been granted subject to the condition that the biodiversity gain objective is met ("the biodiversity gain condition"). The biodiversity gain condition is a pre-commencement condition: once planning permission has been granted, a Biodiversity Gain Plan must be submitted and approved by the planning authority before commencement of the development.

In this instance, a S106 agreement is needed to secure the off-site net gains. This will also secure a Habitat Management and Monitoring Plan (HMMP), completion period of 5 years, monitoring on the site over a 30 year period (years 1, 2, 3, 4, 5, 10, 15, 20, 25, 30), as well as a monitoring fee. Subject to the signing of a S106 agreement to secure the above, the proposal is considered to be acceptable in this regard.

Ecology/Protected Species

The application has been accompanied by a Preliminary Ecological Appraisal Report (PEAR) completed by RammSanderson dated March 2024. It is noted that the site supports a range of species including bats, common amphibians and common reptiles, breeding birds and hedgehog.

The PEAR makes a number of enhancement recommendations to ensure that the development helps to deliver improvements towards biodiversity:

- *Provision of bird nest boxes could be installed to the retained trees. Use of boxes such as the Schwegler 1B nest box (Figure 5) and the Manthorpe swift brick, or house sparrow nesting boxes, which can be built into new dwellings, provide a long-term nest box solution requiring limited replacement unlike wooden boxes which need regular replacement as a result of weathering. As some of nesting bird habitat on Site is to be removed (hedgerows) the provision of bird nesting boxes would aid in compensation for the loss of nesting bird habitat.*
- *Consideration to provision of bat boxes could be given in respects to the retained trees. Use of boxes such as the Vivara Woodstone box (Figure 6) provide a long-term nest box solution requiring limited replacement unlike wooden boxes which need regular replacement as a result of weathering.*

- *Consideration to provision of bat boxes could also be given in respects to the new building. Use of in-cavity boxes such as Ibstock Enclosed Bat Box C provide a long term next box solution incorporated into the building.*
- *Hedgehog boxes (Figure 7) could be placed within hedgerows, away from the main roads.*
- *Invertebrate houses (Figure 8) could be placed between the hedgerow by the northern boundary and the area of proposed attenuation basin, which will be enhanced with wildflowers.*
- *Any landscape planting associated with the Scheme should consider the use of native shrub species and also species such as lavender which provide important sources for pollinating species. The Royal Horticultural Society provide online resources to identify suitable plants for garden areas that are aesthetically pleasing but of significant value to local pollinators (www.rhs.org.uk/plantsforpollinators).*

The PEAR will be conditioned to ensure that the development is carried out in accordance with the recommendations. In addition to this, the Central Lincolnshire Ecology Officer has also recommended a Construction Environmental Management Plan (CEMP) to provide further details with regard to construction methods, lighting strategy, and location of ecological enhancements. Overall, subject to conditions, the proposal would accord with Policy S60 and S61 of the Central Lincolnshire Local Plan, and the provisions of the NPPF.

Whilst LWT had placed an initial holding objection, the request for further information regarding degradation and surveys, this information has been discussed and clarified with the Central Lincolnshire Principal Ecology Officer and it is considered that the development can proceed subject to the above conditions and S106 agreement.

Archaeology

Policy S57 states *“Development affecting archaeological remains, whether known or potential, designated or undesignated, should take every practical and reasonable step to protect and, where possible, enhance their significance”*.

The Historic Environment Officer at Lincolnshire County Council Archaeology has commented on the proposal that *“A geophysical survey has previously been carried out on this site. Our department has commented on previous applications on the site (133190 & 134295), and it has been recommended that no further archaeological input is required. This continues to be the case.”*

It is therefore considered that there would be no unacceptably harmful impacts on any archaeological remains, and therefore the development would accord with Policy S57 of the CLLP and the provisions of the NPPF.

Drainage

Policy S21 of the CLLP requires proposals demonstrate that they have incorporated Sustainable Drainage Systems (SUDS) in to the proposals unless they can be shown to be inappropriate; to show that there is no unacceptable increased risk of flooding

to itself or existing land or buildings; and that adequate foul water treatment and disposal already exists or can be provided in time to serve the development.

Paragraph 182 of the NPPF states that *“Sustainable drainage systems provided as part of proposals for major development should:*

- a) take account of advice from the Lead Local Flood Authority;*
- b) have appropriate proposed minimum operational standards; and*
- c) have maintenance arrangements in place to ensure an acceptable standard of operation for the lifetime of the development.*

The site specific requirements under Policy S81 states that development of the site will need to assess drainage and surface water flood risk on the site.

Policy H4 of the NP states that any development on this site should *‘reduce surface water runoff or pooling on site or offsite as a result of the development’*.

An amended Flood Risk Assessment (FRA) dated December 2024 and completed by Fortem Civil Engineering Consultants Ltd was received by the LPA during this application.

The submitted FRA confirms that that the proposed development site is located within Flood Zone 1 (low probability – less than 1 in 1000 annual probability), as defined by the Environment Agency’s flood risk map for planning. In regard to surface water flooding, the site is identified as being largely in within a very low risk area for surface water flooding (less than 1 in 1000 annual probability), however there are some parcels of land towards the north east and west of the site that have a low to high risk (between 1 in 1000 annual probability to greater than 1 in 30 annual probability).

The Lead Local Flood Authority being Lincolnshire County Council Highways have been consulted and have not raised any objections in principle to the proposed drainage (see below).

Foul Water Drainage

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.”

Page 9 of the submitted FRA states that *“It is proposed to discharge the foul water flows from the development to the existing 150mm diameter foul sewer in Nettleham Road west of the development. Due to the topography of the site and the depth of the existing sewer network it is proposed to pump foul water flows.”*

Anglian Water were consulted on the application, and they provided a representation in August 2024 confirming that in summary, they had no objections to the proposed foul water drainage proposals and advised that *“Based on the above assessment*

Nettleham WRC is within the acceptance parameters and can accommodate the flows from the proposed growth.”

However, in February 2025, Anglian Water have made a subsequent late representation on the application in which they have now changed their position in regard to foul water drainage and stated they have objections to the foul use water network.

Despite the objection, they state that should the LPA be minded to approve the application, they would recommend a condition on the permission. This stance appears to be contrary to their previous comments made in August 2024 in which they made it clear they had no objections in this regard.

The LPA have been in contact with Anglian Water in order to clarify their position and in order to ascertain whether there has been any change in circumstances to now justify a change in position. The response received from Anglian Water is as follows:

“These constraints were not identified prior to our first response in August 2024, hence our change in position.”

However, they do not detail any previously unidentified constraints. They do state that *“in order to overcome our objection, we require that the applicant consults Anglian Water in a form of a Pre-Development enquiry (PPE) in order to define a Sustainable Point of Connection (SPOC). This will avoid the constrained network which could cause pollution and flood risk downstream.”*

As the applicant is known to have entered into pre-development enquiries with AW prior to making their application (since 2023), it is unclear as to why this has now been raised at such a late stage in the process.

It seems that they need to agree a SPOC – AW have not indicated that this would not be feasible.

It is clear from their response that there is capacity at the Nettleham Water Recycling Centre (WWRC) for the proposed growth, and despite their concerns, it is apparent that Anglian Water would be content with a condition were the LPA minded to recommend approval of the application.

The proposed condition is as follows:

No development shall commence until a strategic foul water strategy has been submitted to and approved in writing by the local Planning Authority, in consultation with Anglian Water. This strategy will identify a sustainable point of connection to the public foul network. Prior to occupation, the foul water drainage works must have been carried out in complete accordance with the approved scheme.

Reason: To protect water quality, prevent pollution and secure sustainable development having regard to paragraphs 7/8 and 180 of the National Planning Policy Framework.

AW have not evidenced to the LPA that there are matters that fundamentally could not be overcome, and there is clear capacity at the Nettleham WRC to accommodate the proposed growth. On that basis, we consider that the recommended condition by AW to provide a strategic foul water strategy prior to commencement of development would be reasonable and relevant in this instance.

Surface Water Drainage

The surface water hierarchy at criteria (k) of policy S21 of the CLLP states that following, in line with the surface water hierarchy contained within the NPPG Paragraph: (056 Reference ID: 7-056-20220825)

- i. surface water runoff is collected for use;*
- ii. discharge into the ground via infiltration;*
- iii. discharge to a watercourse or other surface water body;*
- iv. discharge to a surface water sewer, highway drain or other drainage system, discharging to a watercourse or other surface water body;*
- v. discharge to a combined sewer;*

Accompanying information within the application states that *“the current field drains predominantly to the north and east into the existing network of ditches surrounding the site – this run off is currently uncontrolled and unrestricted. The downstream connectivity of these ditches is unknown (as per IDB comments in the Flood Risk Assessment) however it is thought the ditches flow northwards, towards the centre of the village. As well as dealing with surface water runoff from the development, the introduction of the proposed drainage system for the site will divert existing surface water flows away from the watercourse network. This will significantly reduce the volume of surface water going into the ditches, with water from the development going into to Anglian Water surface water sewers instead.”*

The proposal has considered surface water outfall/discharge options in accordance with the aforementioned hierarchy. Infiltration drainage was confirmed as unsuitable for the development due to high groundwater and CLAY strata. Discharge to a watercourse was also discounted due to the extent of water noted in the eastern boundary watercourse as part of the site walkover. As such, discharge to the public surface water sewer was considered. The FRA notes at paragraph 3.2.1 that *‘Anglian Water have confirmed it is acceptable to discharge surface water to the 375mm diameter surface water sewer, located in The Alders, at a restricted discharge rate of 4.0 l/s.’*

In line with the above, a meeting was held in November 2024 between the applicant and Anglian Water in which they agreed the discharge rate for surface water, which Anglian Water have now confirmed they are agreeable to.

Lincolnshire County Council Highways have not raised any objections to the proposed surface water drainage strategy and have commented as follows. They have also requested a surface water drainage scheme condition.

“This application will discharge surface water to the Anglian Water system at a restricted rate. Based on this rate, adequate storage will be provided so water will be

attenuated on site which has been designed to accommodate water for a 1 in 100 year event. Therefore the Lead Local Flood Authority does not consider that this proposal would increase flood risk in the immediate vicinity of the site.”

Under the aforementioned hierarchy, discharge to a surface water sewer may be acceptable where discharge into the ground via infiltration or a watercourse is not feasible. It has been shown that in this instance, infiltration and discharge to a watercourse is unviable and therefore, discharge into a surface water sewer can be accepted.

The Lead Local Flood Authority have requested a condition to secure a full surface water drainage scheme, therefore subject to this condition, the development is considered to accord with Policy S21 of the CLLP, and the provisions of the NPPF.

Overall, subject to the recommended conditions, the proposal is considered to accord with Policy S21 and S81 of the Central Lincolnshire Local Plan, and the provisions of the NPPF.

Water Efficiency

Policy S12 of the CLLP requires that a rain harvesting water-butt with a minimum capacity of 100l be included for all residential development. Were it minded to grant permission, a condition would be included in this regard to ensure all dwellings have a rain-water harvesting but with a capacity of at least 100l. In addition to this, Policy S12 and S21 require that all new dwellings meet the Building Regulation water efficiency standard of 110 litres per occupier per day or the highest water efficiency standard that applies at the time of the planning application. Were it minded to grant permission, a condition would also be included in this regard.

Affordable Housing

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;

Policy H2 and H4 of the NP state that development should *‘provide, at least, 25% affordable housing on site as prescribed in Policy H2;’*

Policy S22 states that where a site qualifies for affordable housing (as above), the percentage sought would be based on the value zones indicated on Map 3. The site is located within Value Zone A on Map 3 and therefore should would be required to provide 25% affordable housing, with a proposal for 49 dwelling units, this would equate to 12 units. This level of 25% affordable housing is echoed by Policy H2 and H4 of the NP.

The WLDC Housing Officer has confirmed that the affordable housing units required would be 12 units and that a Section 106 agreement will be required in order to secure the affordable housing obligation. The proposed affordable housing meets the Council’s required tenure split for the site as follows:

- 7 x Affordable Rent units

- 2 x Shared Ownership units
- 3 x First Homes units

The applicant is proposing 4no 1 bed, 6no 2 bed and 2no 3 bed affordable units. The Strategic Housing Team have confirmed that the affordable housing types proposed are acceptable and that the revised distribution of the plots as indicated on the proposed site plan are acceptable. They have notes that the proposed 2 bedroom affordable house type is below the standard required to accommodate a 4 person household, which will therefore limit the use of the units to smaller households, however it is considered that this standard would be acceptable.

A S106 Agreement has been instructed and is being prepared by the Local Authorities legal team. The development would therefore be in accordance with the affordable housing contribution required by Policy S22 of the CLLP, Policies H2 and H4 of the NP, and the provisions of the NPPF.

Developer Contributions

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”*

National Health Service (NHS):

The development falls in the catchment area of Nettleham Medical Practice and Welton Family Health Centre, and therefore would have an impact on these facilities. The contribution requested for the development is £30,3992.50 (£632.50 x 49 dwellings). This will help contribute to the expansion in capacity through remodelling/changes to layout or extension the existing facilities within the IMP Primary Care Network at Nettleham Medical Practice and/or Welton Family Health Centre. Where appropriate, the contribution may 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.”*

The above contribution, to be secured through a S106 agreement being prepared by the Local Authorities legal team, is considered to accord with Policy S45 and S54 of the CLLP.

LCC Education:

The Education department at Lincolnshire County Council has requested that contributions of £299,764.74 for secondary extension and £109,005.36 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. The contribution would not need to be duplicated through the S106 agreement for this application.

The Education department has requested a contribution of £336,829.50 for primary extension as there are insufficient places available in the Nettleham Primary planning area for a 2026/2027 start. This request would accord with the Central Lincolnshire Planning Obligations Supplementary Planning Document (SPD) which states that *“obligations could be sought, where appropriate, for: b. a financial contribution to provide additional capacity for a new or existing education facility off-site”*.

It is noted that the contribution request has changed throughout the application determination period, this was due to the change in dwellings types proposed within this application.

Subject to securing the above contributions through a S106 agreement, it is considered that the application would accord with Policy S45 of the CLLP, 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”.

According to The Fields in Trust website ¹(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.

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.

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. It is acknowledged that there is an error in table A3.4 in relation to Outdoor Sports Facilities (Public) and this should in fact read 25.07m²/dwelling to match up to the standards in Table A3.1 and as is also referenced in Part B of the Appendix.

The figures in table A3.3 are used to calculate the average occupancy of the proposed development as follows:

1 bedroom: 1.3 x 6 = 7.8

2 bedrooms: 1.7 x 7 = 11.9

3 bedrooms: 2.3 x 15 = 34.5

4 bedrooms: 2.8 x 17 = 47.6

5 bedrooms: 3.1 x 4 = 12.4

Adding up the above figures gives a total figure of 114.2 people. Therefore, the proposed development would increase the population of Market Rasen by approximately 114 people. The average occupancy rate would therefore be 2.3 people.

To derive at the amount of public open space of each type (see table A3.1 of Appendix 3 of the CLLP) the development should deliver, it is necessary to calculate the proposed population increase against the amount of greenspace the

¹ <http://www.softsurfaces.co.uk/blog/playground-surfacing/lap-leap-neap-play-area/>

development should deliver on site. For 49no dwelling units as proposed, the site should provide approximately:

- Allotment and Community Growing Space = $114/1000 \times 0.31 = 0.035$ hectares or 350m²
- Amenity Greenspace = $114/1000 \times 0.66 = 0.075$ hectares or 750m²
- Provision for Children and Young People = $114/1000 \times 0.12 = 0.014$ hectares or 140m²
- Local and Neighbourhood Parks and Gardens = $114/1000 \times 0.38 = 0.043$ hectares or 430m²
- Outdoor Sports Facility (Public) = $114/1000 \times 1.09 = 0.124$ hectares or 1240m²
- Natural and Semi-Natural Greenspace = $114/1000 \times 1 = 0.114$ hectares or 1140m²

The total open space requirement equals approximately 0.405 hectares (4050 square metres).

The proposed site plan makes provision for approximately 4000m² of 'Natural and Semi-Natural Greenspace' within which some could be classed as 'Amenity Greenspace' under table A3.1 of Appendix 3 as identified by the red line on the below screenshot. It is also noted that there are a number of other smaller pockets of grassland areas within the development which would contain bulb planting and tree planting to the front, side and rear of certain dwellings.



Grange Park identified as a 'Local Green Space' within the Scothern NP and the CLLP has a site area of approx. 0.880 ha and lies to the immediate north/north-east of the site, and is connected to the site by definitive right of way Scth/1025/1. Heatlea Greens identified as 'Local Green Space' is located to the immediate west of the site on the opposite side of Nettleham Road.

Scothern Playing Fields (also identified as a 'Local Green Space' within the Scothern NP and the CLLP) which has play equipment, a cricket pitch and tennis courts, is an approximate 450 metre walk from the northern pedestrian access point of the site. The park is accessible on foot via public footpaths.

There are a number of existing open spaces throughout Scothern that are accessible via public footpath, and the application site lies on the southwestern edge of the town and therefore is bounded by open countryside to the southwest. The site contains 2no definitive rights of way - Scth/1025/1 and Scth/149/2 – which run along the eastern and southern boundaries of the site, and the latter of which continues in a south-westerly/westerly direction to connect the site with Nettleham to the south-west. The Rights of Way would provide a further close and useful mode of outdoor exercise to the residents and provide public access 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.

The proposed development would provide a considerable amount of 'Natural and Semi-Natural Greenspace' within an element of 'Amenity Greenspace' on the site also (Approximately 4000m²). It is noted that a certain amount of this would be landscaped and contain biodiversity net gain elements, however there is still considerable open space provision on the site nevertheless. The site contains 2no Rights of Way which would provide residents with access to open countryside walks. The development would also be located within walking distances of nearby open space and recreation facilities, with Grange Park bounding the site to the north/north east and Scothern Playing Fields being an approximate 450 metre walk from the northern-most pedestrian access point.

On the whole, taking into account the development provides a considerable amount of open space on site, and is located nearby to the open countryside and other facilities within the village of Scothern, it is considered that the proposal would accord with Policy S51 of the CLLP.

The management and maintenance of the open space is proposed to be secured via the s106 agreement. Subject to this, the proposed development is considered to accord with Policy S51 of the Central Lincolnshire Local Plan, and the provisions of the NPPF.

Community Infrastructure Levy (CIL)

West Lindsey District Council adopted a Community Infrastructure Levy (CIL) which will be charged from 22nd January 2018. The site is within zone 1 where there is a charge of £25 per square metre created.

Other Matters

Responses to Parish and Neighbour Comments

- Matters in relation to property prices and insurance are not material planning considerations.

- A full consultation took place when the application was submitted to the LPA and a site notice was also displayed. A further re-consultation took place from 16th December 2024 – 6th January 2024 on the amended plans.
- Discussions in regards to the S106 Legal Agreement between the LPA and the applicant are held between the respective legal teams. There is no obligation for the applicant or the LPA to involve the Parish or residents in such discussions.

Conclusion and Reasons for decision:

The decision has been considered against policies S1: The Spatial Strategy and Settlement Hierarchy, S2: Growth Levels and Distribution, S6: Design Principles for Efficient Buildings, S7: Reducing Energy Consumption- Residential Development, S12: Water Efficiency and Sustainable Water Management, S20: Resilient and Adaptable Design, S21: Flood Risk and Water Resources, S22: Affordable Housing, S23: Meeting Accommodation Needs, S45: Strategic Infrastructure Requirements, S47: Accessibility and Transport, S49: Parking Provision, S51: Creation of New Open Space, Sports and Leisure Facilities, S53: Design and Amenity, S54: Health and Wellbeing, S57: The Historic Environment, S56: Development on Land Affected by Contamination, S60: Protecting Biodiversity and Geodiversity, S61: Biodiversity Opportunity and Delivering Measurable Net Gains, S66: Trees, Woodland and Hedgerows, S67: Best and Most Versatile Agricultural Land, S81: Housing Sites in Medium Villages of the Central Lincolnshire Local 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 residential development within the Central Lincolnshire Local Plan 2023 therefore the principle of housing on the site has been established. The proposed 49 dwellings would provides a density that makes most effective use of land. Provision is made for 12no affordable housing units, sufficient on-site biodiversity net gains, off-street parking provision, on-site usable greenspace and sufficient turning arrangement for larger and emergency vehicles. The site-specific requirements for development to be acceptable have also been addressed with full details being secured by conditions.

The proposed development would not have an unacceptable harmful visual impact or have a harmful impact on the living conditions of existing and future neighbouring dwellings. The proposal would not have a harmful impact on highway safety, archaeology, drainage, biodiversity, ecology or increase the risk of flooding. It would provide the required infrastructure contributions and would provide dwellings which are energy efficient and incorporate renewable energy sources. The proposal is therefore acceptable subject to the signing of a Section 106 Agreement and satisfying a number of pre-commencement conditions.

Conditions

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

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To conform with Section 91 (1) of the Town and Country Planning Act 1990 (as amended).

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

2. No development shall take place until a CEMP has been submitted to and approved in writing by the local planning authority. The CEMP protection plan shall include:
 - A plan showing habitat protection zones;
 - Details of development and construction methods measures to be taken to minimise the impact of any works on habitats/wildlife.
 - Details of any precautionary method statements for protected species
 - Details of a sensitive lighting strategy
 - Details of wildlife friendly landscaping within curtilage of private dwellings (including native tree planting, garden ponds and urban greening [i.e. rain gardens])
 - Details of educational leaflets to be provided to all residence as to the enhancements for wildlife within their own cartilage and the wider development.
 - Details, specification location of hedgehog highway boundaries throughout the site
 - Details, specification, locations of amphibian friendly curb and drain treatments.
 - Details, specification, locations of mink trap(s) installed in collaboration with Greater Lincolnshire Nature Partnership "Operation Water vole"
 - Details, specification and location of the following species incorporated into private dwellings across the site:
 - 20x small hole bird box/brick, 5x open fronted bird box, 12x multi species bird box/brick[installed in groups of 3], 9x Swift box/brick [installed in groups of 3], 1 x kestrel box, 1x owl box
 - 20x small bat box/brick. 5x large bat box, 10x multi chamber bat box, 10x bat lofts [2 access tiles each)
 - 1 to 2 bee/insect bricks per dwelling

The CEMP shall be implemented in accordance with the approved plan. All features to be installed within private dwellings shall be installed prior to occupation and retained a such thereafter.

Reason: In the interest of nature conservation and to accord with the National Planning Policy Framework and Policy S60 of the Central Lincolnshire Local Plan 2023.

3. No development hereby permitted shall take place until a Construction Management Plan and Method Statement has been submitted to, and approved in writing by the Local Planning Authority. The Plan and Statement shall indicate

measures to mitigate the adverse impacts of vehicle activity and the means to manage the drainage of the site during the construction stage of the permitted development. It shall include;

- the phasing of the development to include access construction;
- the on-site parking of all vehicles of site operatives and visitors;
- the on-site loading and unloading of all plant and materials;
- the on-site storage of all plant and materials used in constructing the development;
- wheel washing facilities;
- the routes of construction traffic to and from the site including any off-site routes for the disposal of excavated material and;
- 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 (temporary or permanent) connect to an outfall (temporary or permanent) during construction.

The development shall thereafter be undertaken in accordance with the approved Construction Management Plan and Methods Statement.

Reason: In the interests of the safety and free passage of those using the adjacent public highway and to ensure that the permitted development is adequately drained without creating or increasing flood risk to land or property adjacent to, or downstream of, the permitted development during construction, in accordance with Policy S47 of the Central Lincolnshire Local Plan, and the provisions of the NPPF.

4. No development shall take place until a strategic foul water strategy has been submitted to and approved in writing by the local Planning Authority, in consultation with Anglian Water. This strategy will identify a sustainable point of connection to the public foul network. The foul water drainage works must be completed prior to occupation of any dwelling and must be carried out in complete accordance with the approved scheme.

Reason: To protect water quality, prevent pollution and secure sustainable development in accordance with Policy S21 of the Central Lincolnshire Local Plan, and the provisions of the NPPF.

5. No development shall take place until a tree protection fencing plan has been submitted to and agreed in writing by the Local Planning Authority. The fencing must be erected prior to commencement of the development and retained in place until the development is fully completed.

Reason: To safeguard the existing trees on the site during construction works, in the interest of visual amenity in accordance with the National Planning Policy Framework and Policy S53 and S66 of the Central Lincolnshire Local Plan.

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

6. The Biodiversity Gain Plan shall be prepared in accordance with the Statutory Biodiversity Metric received 14/11/2024 and prepared by The Environment Partnership.

Reason: To ensure the development delivers a biodiversity net gain on site in accordance with Schedule 7A of the Town and Country Planning Act 1990 and Policy S61 of the Central Lincolnshire Local Plan.

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

Site:

- Site Location Plan: J2342 00101 Received 16/12/2024
- Proposed Site Plan: J2342 00103 Rev E (excluding the accommodation schedule) and J2342 00104 Rev B Received 16/12/2024
- Proposed Parking Plan: J2342 00108 Received 16/12/2024
- Proposed Site Sections: J2342 00107 Received 16/12/2024
- Public Open Space Planting Schedule: 12542-FPCR-XX-XX-DR-L-0001 Rev P05 dated 28/01/2025
- Flood Risk Assessment dated December 2024 completed by Fortem Civil Engineering Consultants Ltd.

House Types:

- TYPE A AFF - ALBANY - AS/OP: J2342 - 01-01 received 16/12/2024
- TYPE A AFF - ALBANY - AS/OP/OP: J2342 - 01-02 Rev A received 16/12/2024
- TYPE A AFF/A- ALBANY/ELTHAM - AS/OP: J2342 - 01-03 received 16/12/2024
- TYPE B - GREENWICH - AS/OP: J2342 - 02-00 Rev A received 16/12/2024
- TYPE B1 - GREENWICH – OP: J2342 - 02-02 Rev A received 16/12/2024
- TYPE B AFF - BEAUMONT - AS/OP: J2342 - 02-03 Rev A received 16/12/2024
- TYPE D - OSBOURNE – AS: J2342 - 04-00 received 16/12/2024
- TYPE D1 - KINGSBOURNE – AS: J2342 - 04-02 Rev A received 16/12/2024
- TYPE F - GROSVENOR – OP: J2342 - 06-01 Rev A received 16/12/2024
- TYPE G - RICHMOND – AS: J2342 - 07-00 Rev B received 16/12/2024
- TYPE H - REGENT – AS: J2342 - 08-00 Rev A received 16/12/2024
- TYPE J - KENSINGTON – AS: J2342 - 10-00 received 16/12/2024
- TYPE K - WINDSOR – OP: J2342 - 11-01 Rev A received 16/12/2024
- TYPE L - HAMPTON – AS: J2342 - 12-00 Rev A received 16/12/2024
- TYPE L - HAMPTON – OP: J2342 - 12-01 Rev A received 16/12/2024
- TYPE M - SANDRINGHAM – OP: J2342 - 13-01 Rev A received 16/12/2024
- TYPE S - HYDE – AS: J2342 - 19-00 Rev A received 16/12/2024
- TYPE U1 - DEENE - AS/OP: J2342 - 21-02 received 16/12/2024
- TYPE U1 AFF - DEENE - AS/OP J2342 - 21-03 received 16/12/2024

Garages:

- SINGLE GARAGE LEFT: J2342 - 27-00 Rev A received 16/12/2024
- SINGLE GARAGE RIGHT: J2342 - 27-01 Rev A received 16/12/2024
- DOUBLE GARAGE LEFT: J2342 - 27-02 Rev A received 16/12/2024
- TWIN GARAGE: J2342 - 27-04 Rev A received 16/12/2024

The works shall be carried out in accordance with the details shown on the approved plans and in any other approved documents forming part of the application.

Reason: To ensure the development proceeds in accordance with the approved plans and to accord with the National Planning Policy Framework and Policy S53 and S57 of the Central Lincolnshire Local Plan.

8. No development above ground level must take place until a comprehensive external materials schedule for all dwelling types and garages listed in condition 7 have been submitted to and approved by the Local Planning Authority. The external material details to include:

- Brick Type
- Roof Type
- Windows and Doors including colour finish
- Rainwater Goods including colour finish

The development must be completed in strict accordance with the approved materials schedule.

Reason: To safeguard the character and appearance of the building and its surroundings and ensure the proposal uses materials and components that have a low environmental impact and to accord with Policy S53 of the Central Lincolnshire Local Plan, and the provisions of the National Planning Policy Framework.

9. No occupation of any residential units hereby approved must take place until a private gardens landscaping plan alongside a comprehensive planting/management/aftercare statement for the public open space planting area has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of phasing in terms of their implementation to include plot specific landscaping requirements as well as the areas of public open space. The landscaping plan and/or statement must include details of:

- All hardstanding
- Retained trees and hedging
- New hedging and trees including position, species, planting height and planting arrangement.

The development must be completed in strict accordance with the approved landscaping and management details and timescales.

Reason: To ensure the development site is appropriately landscape in its setting to accord with Policy S53 and S66 of the Central Lincolnshire Local Plan, and the provisions of National Planning Policy Framework.

10. Prior to occupation of any dwelling, details of boundary treatments shall have been submitted to and agreed in writing by the Local Planning Authority. Such details shall indicate the positions, design, materials and type of boundary treatment to be erected. Development shall be carried out in accordance with the approved details. Unless such an alternative phasing scheme has been agreed, thereafter the approved boundary treatment/s shall be implemented prior to the occupation of each respective dwelling/building.

Reason: In the interests of privacy and visual amenity to accord with Policy S53 of the Central Lincolnshire Local Plan and the provisions of the NPPF.

11. The development hereby approved must only be carried out in accordance with the recommendations set out in sections 3 and 4 of Preliminary Ecological Appraisal Report (PEAR) completed by RammSanderson dated March 2024.

Reason: To ensure the development proceeds in accordance with the approved management plan and to protect the habitats and wildlife on site to accord with the National Planning Policy Framework and S60 of the Central Lincolnshire Local Plan.

12. The development hereby permitted shall be carried out in accordance with the details set out in the updated Energy Statement received 10/02/2025 unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the development takes place in accordance with the approved details and in accordance with the provisions of Policies S6 and S7 of the Central Lincolnshire Local Plan.

13. Prior to occupation of the approved dwellings, evidence must be submitted to the local planning authority that a rainwater harvesting butt of a minimum 100 litres has been installed.

Reason: In the interests of sustainable water management in accordance with policy S12 of the Central Lincolnshire Local Plan.

14. The permitted development shall be undertaken in accordance with a surface water drainage scheme which shall first have been approved in writing by the Local Planning Authority. The scheme shall:

- be based on the results of evidenced groundwater levels and seasonal variations (e.g. via relevant groundwater records or on-site monitoring in wells, ideally over a 12-month period);
- 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 shall be restricted to greenfield run off rates;
- provide details of the timetable for and any phasing of implementation for the drainage scheme; and
- provide details of how the scheme shall be maintained and managed over the lifetime of the development, including any arrangements for adoption by any public body or Statutory Undertaker and any other arrangements required to secure the operation of the drainage system throughout its lifetime.

No dwelling/ no part of the development shall be occupied until the approved scheme has been completed or provided on the site in accordance with the approved phasing. The approved scheme shall be retained and maintained in full, in accordance with the approved details.

Reason: To ensure that the permitted development is adequately drained without creating or increasing flood risk to land or property adjacent to, or downstream of, or upstream of, the permitted development, to accord with Policy S21 of the Central Lincolnshire Local Plan, and the provisions of the NPPF.

15. The dwellings hereby approved shall be constructed to ensure that the consumption of wholesome water by persons occupying the dwelling/s is in accordance with the Building Regulations Approved Document G, Requirement G2/Regulation 36 Optional Technical Requirement of 110 litres per person per day.

Reason: To minimise impacts on the water environment and to accord with Optional Technical Housing Standards to accord with Policies S12 and S53 of the Central Lincolnshire Local Plan.

16. The development hereby permitted shall not be occupied until an External Lighting Scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include lighting contour plans to illustrate light spillage from proposed lighting.

Reason: To mitigate impacts on the ecological network so as to accord with Policy S60 of the Central Lincolnshire Local Plan, and the provisions of the NPPF.

17. No occupation must take place until all of that part of the estate road and associated footways that forms the junction with the main road and which will be constructed within the limits of the existing highway, shall be laid out and constructed to finished surface levels in accordance with details to be submitted to, and approved in writing by, the Local Planning Authority.

Reason: In the interests of safety, to avoid the creation of pedestrian trip hazards within the public highway from surfacing materials, manholes and gullies that may otherwise remain for an extended period at dissimilar, interim construction levels, to

accord with Policy S47 of the Central Lincolnshire Local Plan, and the provisions of the NPPF.

18. Within seven days of the new access being brought into use, the existing field access onto Nettleham Road shall be permanently closed in accordance with details to be agreed in writing with the Local Planning Authority.

Reason: To remove unused access points to the development, in the interests of road safety to accord with Policy S47 of the Central Lincolnshire Local Plan, and the provisions of the NPPF.

19. No occupation of each individual dwelling must take place until its individual access and driveway identified on Proposed Site Plan: J2342 00103 Rev E has been fully completed and retained for that use thereafter.

Reason: To ensure safe access to the site and each dwelling in the interests of residential amenity, convenience and safety, and to allow vehicles to enter and leave the highway in a forward gear in the interests of highway safety to accord with Policy S47 of the Central Lincolnshire Local Plan, and the provisions of the National Planning Policy Framework.

20. Prior to occupation of the first dwelling of each phase identified on the 'Preliminary Phasing Plan' 400011_010 received 10/02/2025 (or another plan as agreed with the LPA), a written verification statement shall be submitted to demonstrate that the approved scheme has been implemented in full, in accordance with the submitted Energy Statement received 10/02/2025, and approved in writing by the Local Planning Authority.

Reason: To ensure that the development takes place in accordance with the approved details and in accordance with the provisions of policies S6 and S7 of the Central Lincolnshire Local Plan.

21. The development hereby approved must only be carried out in accordance with the tree protection measures set out in the Arboricultural Impact Assessment, Method Statement and Tree Protection Plan dated May 2024 completed by RammSanderson.

Reason: For the avoidance of doubt and to ensure all parties are aware of the approved operations, whilst ensuring the continued well-being of the trees in the interest of the amenity of the locality in accordance with Policy S66 of the Central Lincolnshire Local Plan, and the provisions of the NPPF.

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

22. 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 shall be placed within the curtilage of the dwellings hereby approved.

Reason: In the interests of energy efficiency to accord with Policies S6 and S7 of the Central Lincolnshire Local Plan.

23. All planting, seeding or turfing comprised in the approved details of landscaping as required by condition 10 and as detailed on drawing 12542-FPCR-XX-XX-DR-L-0001 Rev P05 dated 28/01/2025 shall be carried out in the first planting and seeding season following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: To ensure that an approved landscaping scheme is implemented in a speedy and diligent way and that initial plant losses are overcome, in the interests of the visual amenities of the locality and occupiers of adjacent buildings and in accordance with Policies S53, S60 and S61 of the Central Lincolnshire Local Plan.

Informatives:

HIGHWAYS

The permitted development requires the formation of a new/amended vehicular access. These works will require approval from the Highway Authority in accordance with Section 184 of the Highways Act. Any traffic management required to undertake works within the highway will be subject to agreement. The access must be constructed in accordance with a current specification issued by the Highway Authority. Any requirement to relocate existing apparatus, underground services, or street furniture because of the installation of an access will be the responsibility, and cost, of the applicant and must be agreed prior to a vehicle access application. The application form, costs and guidance documentation can be found on the Highway Authority's website, accessible via the following link:

<https://www.lincolnshire.gov.uk/licences-permits/apply-dropped-kerb>

Please contact the Lincolnshire County Council Streetworks and Permitting Team on 01522 782070 to discuss any proposed statutory utility connections, Section 50 licences and any other works which will be required within the public highway in association with the development permitted under this Consent. This will enable Lincolnshire County Council to assist in the coordination and timings of these works. For further guidance please visit the Highway Authority's website via the following link: Traffic Management -

<https://www.lincolnshire.gov.uk/traffic-management>

LINCOLNSHIRE FIRE AND RESCUE

ACCESS

Access to buildings for fire appliances and fire fighters must meet with the requirements specified in Building Regulations 2010 (As Amended), Part B5. These

requirements may be satisfied with other equivalent standards relating to access for firefighting, in which case those standards should be quoted in correspondence. Lincolnshire Fire and Rescue also requires a minimum carrying capacity for hard standing for pumping appliances of 18 tonnes, not 12.5 tonnes as detailed in the Building Regulations 2010, (As Amended), Part B5. This weight limit would also apply to any private/shared access roads in order to achieve the above item.

WATER

Lincolnshire Fire and Rescue recommends the installation of fire hydrant(s) in accordance with the Building Regulations 2010 (As Amended) Part B5 "Provision of private hydrants" in respect of this planning application to be provided at the developer's expense as an integral part of the water mains scheme to support the long- term fire safety of residents. Developers completing their applications to Anglian Water Services for a new water mains scheme shall inform the water undertakers that fire hydrant(s) are required by the Fire Service. All fire hydrants should conform to BS750-2012 and BS9990: 2015. Further guidance is also provided in BS9999:2017 Section 22 'Water supplies for fire and rescue service use'.

Acceptance testing will be carried out by a Hydrant Inspector on completion. Following adoption, the Fire Service will be responsible for the ongoing maintenance and repairs for the lifetime of the fire hydrant(s). The Hydrant Inspector will fix a standard yellow "H" hydrant marker plate nearby.

BIODIVERSITY NET GAIN

Unless an exception or a transitional arrangement applies¹, the effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition "(the biodiversity gain condition)" that development may not begin unless:

- (a) a Biodiversity Gain Plan² has been submitted to the planning authority, and
- (b) the planning authority has approved the plan.

The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan in respect of this permission would be West Lindsey District Council.

Biodiversity Gain Plan

The biodiversity gain plan must include/accompanied by³:

- (a) information about the steps taken or to be taken to minimise the adverse effect of the development on the biodiversity of the onsite habitat and any other habitat;
- (b) the pre-development biodiversity value of the onsite habitat;
- (c) the post-development biodiversity value of the onsite habitat;
- (d) any registered offsite biodiversity gain allocated to the development and the biodiversity and the biodiversity value of that gain in relation to the development;
- (e) any biodiversity credits purchased for the development;
- (f) any information relating to irreplaceable habitat making up onsite habitat
- (g) information about steps taken or to be taken to minimise any adverse effect of the development on, and arrangements for compensation for any impact the development has on the biodiversity of, any irreplaceable habitat⁴ present within the onsite baseline.

(h) any additional information requirements stipulated by the secretary of state⁵.

The effect of section 73D of the Town and Country Planning Act 1990

If planning permission is granted on an application made under section 73 of the Town and Country Planning Act 1990 (application to develop land without compliance with conditions previously attached) and a Biodiversity Gain Plan was approved in relation to the previous planning permission (“the earlier Biodiversity Gain Plan”) there are circumstances when the earlier Biodiversity Gain Plan is regarded as approved for the purpose of discharging the biodiversity gain condition subject to which the section 73 planning permission is granted.

Those circumstances are that the conditions subject to which the section 73 permission is granted:

- i. do not affect the post-development value of the onsite habitat as specified in the earlier Biodiversity Gain Plan, and
- ii. in the case of planning permission for a development where all or any part of the onsite habitat is irreplaceable habitat the conditions do not change the effect of the development on the biodiversity of that onsite habitat (including any arrangements made to compensate for any such effect) as specified in the earlier Biodiversity Gain Plan.

¹ listed exemptions from Statutory BNG and transitional arrangements can be found at [Biodiversity net gain: exempt developments - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/publications/biodiversity-net-gain-exempt-developments). The LPA advises that all perceived exempt applications complete a Statutory Metric Baseline Assessment prior to commencement. Should the relevant exemption cease to apply following commencement, a higher value precautionary assessment will be required if an appropriate pre-commencement baseline was not conducted.

² The Statutory Biodiversity Gain Plan template can be found at <https://www.gov.uk/government/publications/biodiversity-gain-plan>

³ Minimum legal requirements for the Biodiversity Gain plan can be found at [https://www.legislation.gov.uk/ukpga/2021/30/schedule/14#:~:text=paragraph%2015\).-,Biodiversity%20gain%20plan,-14](https://www.legislation.gov.uk/ukpga/2021/30/schedule/14#:~:text=paragraph%2015).-,Biodiversity%20gain%20plan,-14)

⁴ Irreplaceable habitats for the purposes of Biodiversity Net Gain are defined by Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations 2024. A full list of irreplaceable habitats can be found at <https://www.legislation.gov.uk/uksi/2024/48/schedule/made>

⁵ Additional information required is outlined by Articles 37C(2) [Non Phased] 37C(4) [Phased] of The Town and Country Planning (Development Management Procedure) (England) Order 2015 and may be subject to the nature of your application <https://www.legislation.gov.uk/uksi/2015/595#:~:text=Additional%20content%20of%20plan>

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