

Officers Report

Planning Application No: WL/2024/00301 (148017)

PROPOSAL: Planning application to erect 10no. bungalows for social housing with associated highway, landscaping and boundary treatments.

LOCATION: Land Off Riby Road, Riby Road, Keelby

WARD: Caistor and Yarborough

WARD MEMBER(S): Cllr O Bierley, Cllr Mrs A T Lawrence

APPLICANT NAME: Ongo Homes

TARGET DECISION DATE: 25th July 2024 (Extension agreed until 19th April 2025)

CASE OFFICER: Ian Elliott

Recommended Decision: Grant permission subject to conditions and a Bilateral S106 Legal Agreement:

- 10 Affordable Homes
- A request of £1800 facilitate a Traffic Regulation Order
- Open Space Management and Maintenance

Planning Committee:

This application has been referred to the Planning Committee in accordance with the Council's Constitution as Keelby Parish Council and other third parties have raised concerns that the proposal would be a departure from the Central Lincolnshire Local Plan and Keelby Neighbourhood Plan.

The development would be exclusively affordable housing to meet an identified local need, but would be expected to have a negative impact upon Important Open Space.

Proposal:

The application seeks permission for 10 affordable dwellings. This would comprise 8 x one bedroom dwellings and 2 x two bedroom dwellings with associated infrastructure and a publicly accessible area of open space adjacent the south west boundary.

Site Description:

The application site is a flat agricultural land (0.68 hectares) currently used for keeping horses. The site includes a timber stable/storage building and fencing. The site is accessed through an agricultural style gate off Riby Road. Residential dwellings are to the north east and north west. Agricultural land is to the south east and south west. The site is screened by hedging and trees to the north east, south west and north west boundaries. The south east boundary is open. The site is private land, and is not publicly accessible.

The site is allocated as Important Open Space in the Central Lincolnshire Local Plan (S65) and Keelby Neighbourhood Plan

Relevant Planning History

The application site itself is not considered to have any relevant planning history recorded.

However, the following application, on land off Mill Lane, approximately 580 metres to the north west of the site may be relevant as it also sought residential development on land allocated as Important Open Space:

147537 - Planning application for residential development comprising 36no. dwellings - Refused - 03/07/24

Reasons for Refusal:

- 1. The principle of residential development for up to 36 dwellings on this site, which is outside the developed footprint of Keelby and would result in the loss of important open space and a locally valued landscape is contrary to policies S1, S4 and S65 of the Central Lincolnshire Local Plan and policies 1, 2b, 3 and 5 of the Keelby Neighbourhood Plan.*
- 2. Insufficient information is present to be able to conclude that there would be no harm to archaeological remains contrary to policy S57 of the Central Lincolnshire Local Plan and the development would also affect the setting of Grade 2 Listed Buildings with no discernible public benefit to offset impact.*
- 3. Great crested newts on the site could potentially be harmed by the proposed development contrary to policy S60 of the Central Lincolnshire Local Plan.*



An appeal lodged against the decision was cancelled on 20th February 2025, after the Planning Inspectorate had concluded that the appeal was not validly made.

Relevant Planning Constraints

- Important Open Space
- Tree Preservation Order 2002 - T1 (Line) adjacent west boundary
- Contaminated Land Buffer (50 metre and 250 metre)

Representations

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

Chairman/Ward member(s): No representations received to date

Keelby Parish Council: Objections

Neighbourhood Plan Objective 2:

- Two developments will meet Keelby housing commitments
- Seen little evidence of need for social housing

Neighbourhood Plan Objective 3:

- Layout does not comply with Neighbourhood Plan parking standards

Neighbourhood Plan Objective 5:

- Significant detrimental impact on character, appearance and ecology of Important Open Space. Neighbourhood plan fully supports protection of these areas.

Central Lincolnshire Local Plan:

Policy S22:

- Affordable Housing met by WL/KEE/001 housing site

Policy S64/S65:

- Not support development on open space and no reason to apply exceptional circumstances
- Require removal of a number of trees in order to widen access. Some are Tree Preservation Order trees

Local residents: Objections received from:

26 South Street, Keelby
3, 6, 7, 8 Newsam Gardens, Keelby
1, 5, 9, 11, 23, 27, 32 Cotham Gardens, Keelby
22, 32, 40 Riby Road, Keelby
10, 23, 24 Milson Road, Keelby
4, 12 Beck Close, Keelby
10 Manor Street, Keelby
6, 10, 44 Yarborough Road, Keelby
6b Cissplatt Lane, Keelby
8 West View, Keelby

26 South Street, Keelby
5 Old Oak Tree Drive, Keelby
31 St Annes Road, Keelby

Highways

- Streets are already overcrowded with cars
- Too close to the A18 and junction
- Increases hazards to Barton Street
- Safety of Cyclists

Housing

- Facilities in village are underutilised such as Hubert Ward House
- Already houses for permission in Keelby (WL/KEE/01 (80 dwellings))
- No substantial need for social housing
- Spaces are plentiful for elderly people in the local area

Drainage

- Drainage system cannot cope
- Connecting more dwellings to existing drainage infrastructure would overwhelm drainage system

Character

- Should be left as green boundaries
- Should not be developed as has green belt status and important in setting of village
- Against the Neighbourhood Plan for keeping open spaces
- Could be built in more appropriate location
- Keeping green space important to character of the village

Important Open Space

- Provides break between village and A18 road
- Land is important open space and important in preserving the setting of settlement against the Neighbourhood Plan
- Against policy S64 and S65 of Central Lincolnshire Local Plan
- Should not be destroyed by housing

Residential Amenity

- Road noise from A18 would be very intrusive
- Privacy of bordering properties

Ecology

- Keeping green spaces is important for wildlife

Flooding

- Site prone to heavy waterlogging and flooding and remains saturated for weeks after
- Removal of trees which helps with flooding

Infrastructure

- Could not take any further housing e.g. schools/doctors
- No post office
- Hardly any public transport
- Site is 15 minutes from amenities of village and developments suggests bungalows are for people with mobility issues.

Trees

- Proposed access will include the removal of a number of mature trees. some are protected.

Other

- No provision to maintain rear boundaries for existing residents
- Decrease value of property
- Hedgerow between Newsum and Cotham Gardens is protected
- Barrier between village and A18
- Western most building would be about 2 meters from the existing hedge line. The gap between some of the dwellings is now very narrow, increasing the risk of fire spreading from one set of buildings to another.

WLDC Developer and Enabling Officer: Comment

The current housing need for Keelby which has been identified through the Council's Housing Register is as follows:

Keelby housing register information June 2024				
Bedroom	Total	Of total, those over 55	Of total, those with a local connection*	Of total over 55, those with a local connection over 55
1 bed	85	57 out of 85	69 out of 85	47 out of 57
2 bed	23	3 out of 23	13 out of 23	1 out of 3
3 bed	19	0 out of 19	10 out of 19	0 out of 0
4 bed +	2	2 out of 2	1 out of 2	1 out of 2
Total	129	62 out of 129	93 out of 129	49 out of 62

This proposal to provide 10 affordable housing bungalows to rent will help to address the needs of people requiring ground-floor accommodation, particularly 1 bedroom accommodation which is the greatest need.

Keelby is a sustainable village with a good range of services and facilities which is a suitable location for an affordable housing scheme of this nature. A section 106 agreement will be required in order to secure the properties as affordable housing in perpetuity.

LCC Highways and Lead Local Flood Authority: Comment

Representation received 29th January 2025:

The drainage strategy has been updated to show a swale rather than permeable paving, however the applicant will need to demonstrate a 1m buffer below the base of the swale to the water table. Testing carried out on

site is not sufficient to confirm the water table level. This information is required because in the event of a high water table, the layout of the site could change due to the drainage strategy not being viable.

Please can the applicant map out the onward flow of the ditch and show where the eventual outfall of the site will be, this information is needed to establish a secure outfall for the lifetime of the development.

The applicant has stated the discharge rate of the site to be 0.9 l p/s – please can they clarify why the rate is so low and if any mitigation will be used to avoid blockages in the system due to the low rate. We would usually expect to see a discharge rate of 5 l p/s so please could they clarify if there's a reason this can't be achieved.

Representation received 17th December 2024:

- A Flood Risk Assessment or Statement, as applicable
- Drainage Strategy including adoption and/or maintenance proposals and sketch layout plans
- Geotechnical interpretive reports (infiltration assessment, groundwater tables etc.)
- Discharge and adoption agreements

The applicant has confirmed that the existing ditch will be extended into the site – can they confirm where the ditch goes to including the final outfall point and if the ditch is in a suitable condition to receive the proposed flows. Can the applicant confirm the final discharge arrangements to the ditch if this is via a road gully or distribution tank. Confirmation will be needed if the distribution tanks will be permitted within the adoptable highway.

The discharge rate should be a minimum of 5l p/s to reduce the risk of blockages in the system.

Layout:

- The layout is acceptable in principle however please remove the raised table from the road as these are not within the LCC specifications.
- Please consider breaking up the visitor parking areas with street trees.

Off site improvements:

- The street light at the site entrance may need relocating.
- In addition to the link footway, a tactile crossing point at Cotham Gardens will be requested.
- It will be necessary to relocate the 30mph TRO order, a request of £1800 will be required to facilitate this.

Tree and Landscape Officer:

Representation received 8th January 2025:

I have no objections to the access in relation to proximity and impact on the TPO tree and its growing environment providing the footpath is still to be

made using a three-dimensional cellular confinement system or other tree-friendly method above existing ground levels without prior ground compaction.

Details of the no-dig footpath construction should be required by condition unless provided during the application process. Details (materials and method of installation) could be incorporated into an Arboricultural Method Statement.

Tree protection measures should be required/conditioned. A working area would be required along the side of the road/footpath, and so it is likely any tree protection fencing would need to be set closer to the tree to allow access alongside the new road. This would leave some of the trees RPA exposed and at risk of compaction during development activities. Therefore, ground protection measures should be included for any area of tree RPA outside the protective fencing (between the fencing and the footprint of development. If the no-dig footpath is to be installed later in the development process (to avoid possible damage by heavy delivery vehicles or plant), then the ground of the footpath position should be protected to prevent compaction until the no-dig system can be installed for the footpath.

An Arboricultural Method Statement should be required/conditioned for any clearance and development within or adjacent to the RPA of T1 TPO lime tree, to include but not be limited to, the removal of the existing tarmac apron and current stone access, any necessary/approved changes in ground levels, the creation of the new road past the tree, installation of the footpath across its RPA, and tree/ground protection details (type and positions) for T1 lime tree branches, roots, and the ground within its RPA which is outside the footprint of the development works to prevent soil compaction.

Outside the footprint of the new road and footpath, there should be no changes to existing/current ground levels within the RPA of T1 lime tree other than a maximum 1m wide soil slope from the edge of the footpath closest to T1 to the existing/current soil levels. – To add as a condition.

Representation received 26th November 2024:

I do not support this application proposal while the intended access road is so close to an important TPO tree. The tarmac apron should not have been installed within its RPA and these proposals would increase RPA coverage by tarmac and involve further excavations to a deeper depth, with a cumulative negative impact on tree roots and its growing environment. The compacted soil of the access track could be ameliorated to improve soil structure for the benefit of tree roots by adding a thick mulch layer and installing a 3-dimensional cellular confinement system, but the proposed road would increase the harmful impact to the tree roots and its growing environment unless that too is constructed using tree-friendly methods above existing ground levels avoiding excavations and further compaction.

Although the existing access is within the TPO trees RPA, the area covered by existing paving/tarmac is less than the area indicated by the red outline on the T1 sketch plan. Compacted soil of the existing access across the trees RPA could be improved over time by a thick layer of mulch to improve soil

structure caused by the compaction and reduce its harmful impact on roots. Creating a new access road over the same area may not increase the area additional encroachment across more of the trees RPA is acceptable.

The cumulative effects of incursions into the trees RPA The route of the foul drainage pipe past the frontage TPO lime tree has been adjusted to an appropriate position to avoid crossing its RPA. This is suitable.

I have no objections to the proposed footpath to be constructed using the 3-dimensional cellular confinement system as detailed on drawing no. 1115-2404-CIV-S278 Rev P3, but the soil level over the trees RPA along the tree side of the path should not be raised.

If the application is minded to be approved, conditions should be required in relation to tree protection measures and requiring an Arboricultural Method Statement to ensure work is carried out in a way intended to minimise risks of potential harm to the TPO tree and its growing environment, as previously detailed in the conclusion of the initial tree comments provided on 12th November 2024.

A scheme of Landscaping should be required. The Habitat plan shows where planting and green space is intended but no details have been provided to clarify what it would be comprised of.

Representation received 12th November 2024:

I do not support this proposal due to the encroachment of the access road and footpath across the TPO lime tree's important rooting area. The site access and footpath should be moved further away from the TPO lime. The existing access is mostly within the trees RPA, but the proposed new road and footpath would extend further into its TPO towards its trunk and cover a larger area across two quadrants of its RPA.

The Proposed Site Plan, the Stage 1 Section 278 Layout plan, the Road Setting Out And Longitudinal Sections plan, and the Drainage Strategy plan all fail to show the tree's RPA to show how much encroachment would be caused by the proposals. The RPA of T1 should be added to the plans to show the true extent of encroachment. The proposals should be amended to significantly reduce encroachment across the RPA of TPO lime tree T1.

If development is minded to be permitted:

The foul water drainage pipe should be installed by using a no-dig method to avoid excavating a trench which would sever many roots across T1's RPA. Alternatively, the pipe should be diverted to avoid running across the trees RPA.

Existing ground levels should not be altered within tree RPAs.

Details of tree protection methods/type and position should be required. This should also include temporary ground protection along the access over T1 RPA, unless the new road is to be the first thing being constructed. This can be provided as part of an Arboricultural Method Statement.

Any tree protection measures should be required to be installed/erected at their approved positions prior to any works associated with any approved development, including prior to any site clearance and setting out. Any access into the site, such as by heavy machinery/plant and for deliveries, should first require the access road over the RPA of T1 to be protected by ground protection measures in accordance with BS5837:2012.

The details of materials and installation/construction methods of any development adjacent to or within the RPA of TPO lime T1 should be provided. It should aim to avoid or minimise any harm to the tree or its growing environment. An Arboricultural Method Statement should be required, to provide the necessary information.

Details involving the removal of the existing tarmac would be required and should also be provided in an Arboricultural Method Statement.

LCC Archaeology: No objections

Representations received 10th January 2025:

The archaeological evaluation has demonstrated that there is unlikely to be any significant archaeology impacted by the proposed development. Therefore, no further archaeological input is required.

Representations received 3rd June 2024:

Trial Trenching require prior to determination

Environment Agency: No objections

LCC Education: No contribution required

Lincolnshire Wildlife Trust: Comment

- Erroneous details that impact net gain values
- Metric includes vegetated gardens under the habitats to be created post development - should be removed

Natural England: No representations received to date

Anglian Water: Comment

- Keelby water recycling centre has available capacity
- Preferred method of surface water disposal is SuD's

Lincolnshire Police: No objections with advice (see list)

- Design and Access Statement
- Footpaths
- Dwelling Frontages
- Perimeter

- Gates
- Landscaping
- Window and Doors
- Letter Plates
- Intruder Alarms
- Utilities
- Building Regulations
- Police Secured by Design Award Scheme

WLDC Waste Services: Comment

There is sufficient space for refuse vehicles

Lincolnshire Fire and Rescue: No representations received to date

Central Lincs Local Plans Team: No representations received to date

System Checked: 25th February 2025

Relevant Planning Policies and Legislation:

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 Lincolnshire Minerals and Waste Local Plan (adopted June 2016) and the Keelby Neighbourhood Plan (made 12th September 2023)

Development Plan

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

Relevant policies of the CLLP include:

- S1 The Spatial Strategy and Settlement Hierarchy
- S2 Growth Levels and Distribution
- S4 Housing Development in or Adjacent to Villages
- S6 Design Principles for Efficient Buildings
- S7 Reducing Energy Consumption –Residential Development
- S12 Water Efficiency and Sustainable Water Management
- 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
- S59 Green and Blue Infrastructure Network
- S60 Protecting Biodiversity and Geodiversity

S61 Biodiversity Opportunity and Delivering Measurable Net Gains
S65 Important Open Space
S66 Trees, Woodland and Hedgerows

<https://www.n-kesteven.gov.uk/central-lincolnshire/adopted-local-plan-2023>

- **Keelby Neighbourhood Plan (KNP)**

<https://www.west-lindsey.gov.uk/planning-building-control/planning/neighbourhood-planning/all-neighbourhood-plans-west-lindsey>

Relevant policies of the NP include:

Planning Policy 1 The Rural Character and Distinctiveness of the Parish
Planning Policy 2b New Residential Development
Planning Policy 3 Local Residential Design Principles
Planning Policy 5 Environment and Countryside
Planning Policy 6 Roads and Transport

Appendix 3 - Important Open Space (Barton Street Paddock)

Section 5.2 (Residential development Perspective - page 26)

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

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

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

National policy & guidance (Material Consideration)

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

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:

However, existing 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).

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

- **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 Model Design 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>

Main Considerations:

- Principle of Rural Affordable Housing Exceptions Site
- Affordable Housing
- Loss of Important Open Space
- Infrastructure
- Visual Amenity
- Residential Amenity
- Drainage and Flood risk
- Energy Efficiency
- Highway Safety
- Archaeology
- Contamination
- Trees and Hedgerows
- Ecology
- Biodiversity Net Gain

Assessment:

Principle of Rural Affordable Housing Exceptions site

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

Central Lincolnshire Local Plan (CLLP):

Local policy S1 of the CLLP sets out a spatial strategy and settlement hierarchy from which to focus housing growth. This policy identifies Keelby as a large village and *'to maintain and enhance their role as large villages which provide housing, employment, retail and key services and facilities for the local area, the following settlements will be a focus for accommodating an appropriate level of growth'*.

Local policy S1 states that most of the housing growth in Keelby will be *'via sites allocated in this plan. Beyond site allocations made in this plan or any*

applicable neighbourhood plan, development will be limited to that which accords with Policy S4: Housing Development in or Adjacent to Villages.” Section 1 of policy S4 of the CLLP requires housing sites in large villages to be:

- Up to 10 dwellings
- In an appropriate location
- Within the developed footprint

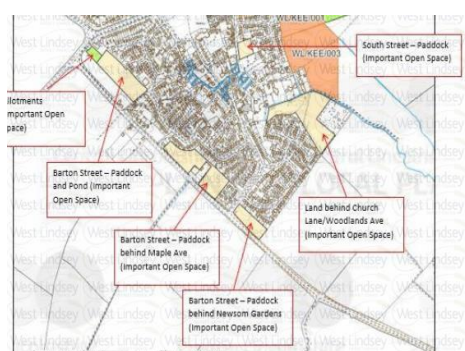
The glossary of the CLLP defines an appropriate location as:

"Appropriate locations means a location which does not conflict, when taken as a whole, with national policy or policies in this Local Plan. In addition, to qualify as an 'appropriate location', the site, if developed, would:

- *retain the core shape and form of the settlement;*
- *not significantly harm the settlement's character and appearance; and*
- *not significantly harm the character and appearance of the surrounding countryside or the rural setting of the settlement."*

The application is located on agricultural land adjacent the settlement boundary to the north east and north west. Therefore section 3 of local policy S4 applies. Section 3 states that *'Proposals for residential development on unallocated land immediately adjacent to the developed footprint will only be supported where this is:*

- a First Homes exception site in accordance with the NPPF and provided it is outside of the Lincolnshire Wolds Area of Outstanding Natural Beauty and not within a location that is subject of a Designated Rural Area as defined in Annex 2 of the NPPF; or*
- exclusively for a rural affordable housing exception site.'*



Paragraph 82 of the NPPF states *“in rural areas, planning policies and decisions should be responsive to local circumstances and support housing developments that reflect local needs, including proposals for community-led development for housing. Local planning authorities should support opportunities to bring forward rural exception sites that will provide affordable housing to meet identified local needs, and consider whether allowing some market housing on these sites would help to facilitate this.”*

The glossary of the NPPF defines a rural exception site as *“Rural exception sites: Small sites used for affordable housing in perpetuity where sites would not normally be used for housing. Rural exception sites seek to address the needs of the local community by accommodating households who are either current residents or have an existing family or employment connection. A proportion of market homes may be allowed on the site at the local planning authority’s discretion, for example where essential to enable the delivery of affordable units without grant funding”*.

Guidance within the Housing needs of different groups section of the NPPG supports the guidance of the NPPF on rural affordable exception sites.

Discussion:

The application site is located on the edge of the settlement adjacent the developed footprint and is within the 10 dwelling limit restriction set by the CLLP and the KNP. The proposal is an all affordable housing scheme for 10 bungalows, but no evidence or consideration has been submitted for the development to be considered as a rural affordable exceptions site.

However, given the location of the site the affordable housing would be located outside the developed footprint.

Concluding Statement:

The proposed development would be adjacent the developed footprint of Keelby and would be within the 10 dwelling limit for large villages in section 1 of local policy S4 of the CLLP. The development is an affordable housing scheme on the edge of the settlement therefore it is recommended that the development can be considered a rural affordable housing exception scheme in accordance with the development plan and the guidance of the NPPF and NPPG.

The proposed development would not retain the core shape and form of the settlement, however as this site is purely for affordable housing the location is considered acceptable when considered against section 3 b) of local policy S4 of the CLLP. The proposed development would additionally not extend the settlement to the south east and run in parallel with the dwellings off Cotham Gardens and Newsum Gardens.

The development is therefore considered to accord to local policy S1 and S4 of the CLLP, planning policy 2b of the KNP and the provisions of the NPPF, subject to being deemed an appropriate location.

Loss of Important Open Space

Local policy S65 of the CLLP protects important open spaces stating 'An area identified as an Important Open Space on the Policies Map is safeguarded from development unless it can be demonstrated that:

- a) there are no significant detrimental impacts on the character and appearance of the surrounding area, ecology and any heritage assets; and

- b) in the case of publicly accessible open space, there is an identified over provision of that particular type of open space in the community area and the site is not required for alternative recreational uses or suitable alternative open space can be provided on a replacement site or by enhancing existing open space serving the community area."

Keelby Neighbourhood Plan (KNP):

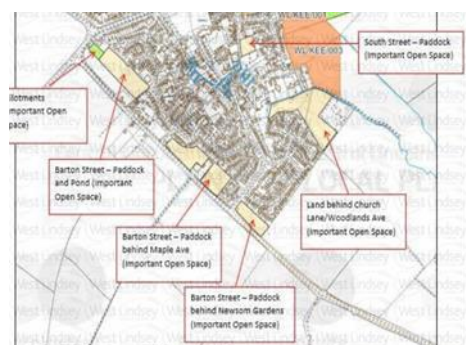
Planning policy 2b of the KNP sets out criteria for new residential developments including *"Development proposals for new residential development will be supported if they fill a gap within the existing developed footprint of Keelby, as defined by Local Plan policies S2 and S4 and where the proposal"*.

Planning policy 1 of the KNP protects important open spaces stating that *'Development proposals should respond positively to the rural character and distinctiveness of the Parish and take account of the following characteristics:*

- c. *the identified Local Green Spaces and Important Green Spaces in Appendix 3;*

Wherever practicable, development proposals should use brownfield land.'

Extract from Appendix 3:



The site with its important open space designation in both the CLLP and the KNP is clearly safeguarded from development unless it meets certain criteria, including no unacceptable harm on character and appearance, rural distinctiveness, ecology or heritage assets.

The proposed development would introduce built form and hardstanding onto approximately 60% of the site. A linear run of grassed space with trees would sit between the proposed highway and the A18 (Barton Street). Whilst the proposed trees are set slightly to the south west of the proposed highway, the trees would in essence provide a tree lined highway. This linear run of soft landscaping would retain a smaller but soft green barrier between the built form of Keelby and the A18. The site to the south west and north west boundaries is screened by mature tree and hedging meaning any views of the single storey bungalows would be limited to the residential dwellings to the north east. Ecology and heritage will be discussed later in this report.

Having completed a site visit, the site is clearly not accessible for use by the general public as the site is closed off by an agricultural gate and is used for accommodating and exercising horses.

It is acknowledged that the proposed development would change the character and appearance of the important open space with a grassed area maintaining a soft landscaped barrier to the A18 which would have the added benefit of being publicly accessible. It is therefore considered that any impacts to the important open space would not be significantly detrimental and is therefore considered to accord with local policy S65 of the CLLP, planning policy 1 of the KNP and the provisions of the NPPF.

Affordable Housing

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

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

Criteria b) of planning policy 2a of the KNP states *"Provide an appropriate level of affordable housing provision, as prescribed in Local Plan Policy S22."*

The percentage sought would be based on the value zones indicated on Map 3 (page 57) of the CLLP. The site is located within Value Zone B and therefore must provide 20% affordable units which would equate to 2 units on a 10 dwellings scheme.

The proposed development is purely for 10 affordable homes with the applicant being a registered housing provider (Ongo).

The Authority's Developer Contributions Officer has provided a table from the Council's Housing Register that evidences a need in Keelby for in particular, 1 bedroom ground floor accommodation.

Keelby housing register information June 2024				
Bedroom	Total	Of total, those over 55	Of total, those with a local connection*	Of total over 55, those with a local connection over 55
1 bed	85	57 out of 85	69 out of 85	47 out of 57
2 bed	23	3 out of 23	13 out of 23	1 out of 3
3 bed	19	0 out of 19	10 out of 19	0 out of 0
4 bed +	2	2 out of 2	1 out of 2	1 out of 2
Total	129	62 out of 129	93 out of 129	49 out of 62

The agent has not submitted a heads of terms, however at this point this has not been requested by the case officer. If it was minded to approve the application then a heads of terms would have been requested to ensure the provision of affordable homes is legally obliged through a signed and certified S106 agreement.

The development would provide 10 affordable dwellings on the site (100% contribution) and accord with local policy S22 of the CLLP, planning policy 2b of the KNP and the provisions of the NPPF.

The proposed affordable housing contribution and the need evidenced in the Housing Register is considered a benefit to the development.

Infrastructure

Objections have been received in relation to the impact of the development on local schools and medical services.

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 NHS were consulted on 14th May 2024. To date no response has been received from the NHS.

LCC Education:

The Education Department at Lincolnshire County Council has not requested contribution.

The development is therefore in accordance with local policy S45 and S54 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”.

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

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

According to The Fields in Trust website 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.

Site plan RD:5399-04 Rev J dated 9th January 2025 identifies an area of public space measuring approximately 2500 square metres (m²). This would be grassed spaces divided into separate areas by planted trees.

The site is 6,800m² (0.68 hectares) in size therefore 2500m² equates to 36.7% of the site has been set aside for public open space.

Table 4 of the Planning Obligations Supplementary Planning Document October 2023 provides a table to enable an assumption of population for housing developments. Therefore, the development would comprise 14 (13.8) people (8 x 1.3 and 2 x 1.7).

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

Allotments and Community Growing Space:

14/1000 x 0.31 = 0.0043 hectares or 43m²

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

Amenity Greenspace:

$14/1000 \times 0.43 = 0.0060$ hectares or 60m^2

Provision for Children and Young People:

$14/1000 \times 0.012 = 0.00016$ hectares or 1.6m^2

Local and Neighbourhood Parks and Gardens:

$14/1000 \times 0.38 = 0.0053$ hectares or 53m^2

Outdoor Sports Facility:

$14/1000 \times 1.09 = 0.0152$ hectares or 152m^2

Natural and Semi-Natural Greenspace:

$14/1000 \times 1 = 0.014$ hectares or 140m^2

In total the amount of open space required is 449.6m^2 .

The proposed development is close to the A18 which is a busy road between Brigg and Grimsby. The open space proposed is adjacent the shared boundary with the A18 and is not considered an appropriate location for an equipped children's play area, allotments or a sports facility.

Site plan RD:5399-04 Rev J dated 9th January 2025 demonstrates more than four times the amount of open space required by local policy S51 of the CLLP.

It is considered that the introduction of grassed open space which is accessible to members of the public is the most suitable for the development.

If it was minded to approve the application then the inclusion of the type and amount of open space and the maintenance and management of the public open space needs to be submitted in a Heads of Terms so it would be legally obliged through a signed and certified S106 Legal Agreement.

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

Visual Amenity

Local policy S53 of the CLLP sets out 10 criteria based on design and amenity. It is considered that criteria 1 (Context), 2 (Identity), 3 (Built Form), 5 (Nature) and 8 (Homes and Buildings) of S53 are the most relevant to the development.

Planning policy 2b b) of the KNP states that development must *"Positively responds to the overall character of the area and the current layout, density and size of the surrounding plots and dwellings to which the scheme relate."*

The Identity chapter (pages 14-17) of the National Design Guide places importance on the need for development to either reflect its local character or create a sense of character through the built form.

The proposed dwellings (all bungalows) would be (approximate measurements taken from submitted plans):

Plot	Bed	Height	Eaves	Width	Length	Parking	Garage
1-8	1	5.7	2.7	8.7	10.2	1	N/A
09-10	2	5.7	2.7	9.1	10.2	2	N/A

(Plus 8 visitor parking spaces)

The dwellings are proposed to be constructed from:

- Rendered and red brick walls
- Slate Grey Concrete roof tiles
- Off White UPVC Windows

The proposed dwellings would all be single storey bungalows with a maximum height of 5.7 metres. The site is well screened to the north east, south west and north west boundaries by high vegetation and the built of Keelby. The proposed dwellings would not be overly visible from most directions outside the site including the A18. The site would not be an over development of the site.

It is therefore considered that the proposed development would not have an unacceptable harmful visual impact and accords to local policy S53 of the CLLP, planning policy 2b) of the KNP and the provisions of the NPPF.

Residential Amenity

Objections have been received from residents in relation to the living conditions of neighbouring dwellings (all measurements approximated from submitted plans).

The nearest dwellings are to the north east off Cotham and Newsum Gardens. Proposed plot 3 to 8 would be 8.7 to 9.4 metres from the shared boundary of these properties. Plot 1 would be 2.7 metres and plot 9 would be 4.7 metres from the shared boundary of these properties.

It is therefore considered that the proposed development would not have an unacceptable harmful impact on the living conditions of neighbouring or future residents due to the separation distance and the introduction of only bungalows onto the site. The development would therefore accord to local policy S53 of the CLLP, planning policy 2b of the KNP and the provisions of the NPPF.

Drainage and Flood Risk

The application includes a Drainage Strategy Report (DSR) by Ross Davey Associates dated 1st February 2024.

Flood Risk:

The DSR states *"that the site is in flood zone 1 and that there is no risk of surface water flooding"*.

Foul Water:

The DSR states that foul drainage would be connected to an existing foul sewer in Riby Road.

The developer would need to serve notice on Anglian Water under section 106 of the Water Industry Act 1991 to connect to an available existing foul water system.

Surface Water:

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

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

The DSR states that *“the British Geological Survey website indicates that the site is underlain by Till Devensian, that is known to have limited infiltration characteristics.”* This suggests that the ground is not suitable for infiltration methods.

Section 6.0 of the DSR advise the use of a combination of sustainable urban drainage methods before it discharges to a watercourse.

The Lead Local Flood Authority have made comments on the development. It is considered that these comments can be addressed at a later stage as the principles of a sustainable urban drainage scheme is acceptable.

Therefore, it is considered that foul and surface water is capable of being addressed by condition. Subject to the condition the development accords to local policy S21 of the CLLP and the provision of the NPPF.

Energy Efficiency

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

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

- 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)."

The application has an Energy and Sustainability Statement (ESS) dated 16th February 2024 and elevation plans identifying solar panels. The executive summary confirms that the proposed development would:

- have an annual space heating demand of 15.89kWh/m²/year
- have a total energy demand of 42.66kWh/m²/year
- generate 49.25kWh/m²/year, in excess of 100% of the dwellings annual energy demand

The ESS provides justification to meet the requirements of policy S6. Therefore, it is considered that subject to conditions the development would be expected to accord to local policy S6 and S7 of the CLLP and the provision of the NPPF.

Highway Safety

Objections have been received in relation to highway safety concerns.

Local policy S47 of the CLLP and planning policy 2b of the KNP sets out criteria to stop development from having a severe impact on highway safety.

paragraph 115 of the NPPF states that *"Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residua cumulative impacts on the road network would be severe"*.

The development would have a new vehicle access off Riby Road. The centre of the proposed new vehicle access would be 35 metres from the Barton Street junction and 22 metres from the junction with The Paddocks. Riby Road has a speed limit of 30mph's.

The development would introduce a new pedestrian footpath to the south east side of Riby Road to connect to the pedestrian footpath off

The Highways Authority at Lincolnshire County Council accept the principle of the development in terms of highway safety. The Highways Authority have recommended the improvements/works listed below:

- The street light at the site entrance may need relocating.
- In addition to the link footway, a tactile crossing point at Cotham Gardens will be requested.
- It will be necessary to relocate the 30mph TRO order, a request of £1800 will be required to facilitate this.

It is considered that the recommended tactile crossing condition and contribution towards the speed limit relocation secured via a Section 106 Agreement are relevant, necessary and reasonable.

Local policy S49 and appendix 2 of the CLLP and planning policy 3(2) of the KNP provides standards for off street parking provision depending on the bedroom size of the dwelling. The parking standards are:
 Planning policy 3(2) of the KNP:

- 1 & 2 bedrooms – 2 spaces
- 3 & 4 bedrooms – 3 spaces
- 5 or more bedrooms – 3 spaces

Local policy S49 and Appendix 2 of the CLLP:

Table A2.1. Car parking standards in Central Lincolnshire

Accommodation type / size	Lincoln City Centre	Other Urban and Suburban Areas (including wider Lincoln urban area, main towns and market towns)	Villages and Rural Area
1 bed dwelling (C3)	No standards, each application considered on a case by case basis (with further detail provided in a Lincoln City specific SPD)	1	1
2 bed dwelling (C3)		2	2
3 bed dwelling (C3)		2	3
4 bed dwelling (C3)		2	3
5+ bed dwelling (C3)		3	3

Appendix 2 of the CLLP requires at least one parking space for every one bedroom dwelling, whilst policy 3(2) KNP requires two parking spaces for every one bedroom dwelling. All of the one bedroom dwellings would have one parking space adjacent the house and another along the road as identified on site plan RD:5399-04 Rev J dated 9th January 2025. The two bedroom dwellings would have two parking spaces adjacent the dwelling. Therefore, the identified parking spaces would accord with appendix 2 of the CLLP and policy 3(2) of the KNP.

The proposed development would not have an unacceptable harmful impact on highway safety and would provide sufficient off street parking. The development would therefore accord with policy S47 and S49 of the CLLP but would not with planning policy 3 of the KNP.

Archaeology

The Archaeology section of Local policy S57 of the CLLP states that *“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.*

Planning applications for such development should be accompanied by an appropriate and proportionate assessment to understand the potential for and significance of remains, and the impact of development upon them.”

The Historic Environment Officer (HEO) at Lincolnshire County Council has made it clear that the site has *“archaeological potential”* and *“the construction*

of 11 houses, landscaping and associated groundworks are likely to impact any potentially surviving archaeological remains".

The HEO has recommended that trial trench evaluation is required prior to the determination of the planning application so that a fully informed decision could be made.

The applicant commissioned PCAS Archaeology to complete trial trenching investigations. These were completed in 2024 as identified on the plan below:



Subsequently PCAS Archaeology have submitted Archaeological Evaluation Report dated December 2024 which summarises that the site *“Overall, this site appears to have limited archaeological potential”*.

Having read the Archaeological Evaluation Report the Historic Environment Officer has no objections to the development.

Therefore, the proposed development would not have an unacceptable harmful impact on items of archaeological interest and accords with policy S57 of the CLLP and the provisions of the NPPF.

Contamination

The development would be within 50 metres and 250 metres contaminated land buffer zone. If it was minded to approve the application then it would be considered relevant and necessary to attach a pre-cautionary contamination condition ensuring works stop if contamination is encountered and cannot commence again until remediation works are completed.

Trees and Hedgerows

Local 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."*

"Planning permission will only be granted if the proposal provides evidence

that it has been subject to adequate consideration of the impact of the development on any existing trees and woodland found on-site (and off-site, if there are any trees near the site, with 'near' defined as the distance comprising 12 times the stem diameter of the off-site tree). If any trees exist on or near the development site, 'adequate consideration' is likely to mean the completion of a British Standard 5837 Tree Survey and, if applicable, an Arboriculture Method Statement."

The application has included an Arboricultural Report (AR) by Equans dated 31st July 2023. In summary the conclusion of the AR states that:

- *"The retention of boundary trees/hedges would soften the visual impact of development, settling the development into the environment as seen from outside the site.*
- *I am confident that this site can be developed without there being an adverse impact on retained trees/hedges.*
- *There is a clear opportunity for new landscaping and landscaping may be a planning requirement of this development proposal. This should be looked on as an opportunity in enhancing the site and its locality in context with its proposed use."*

The authority's Tree and Landscape has no objections to the development subject to the following conditions:

- Arboricultural Method Statement with details of:
 - tree protection measures including ground protection
 - no-dig footpath construction including materials and installation method
 - Clearance and development within or adjacent root protection area of the protected lime tree
 - No changes to the ground levels with the RPA of the lime tree other than a maximum 1m wide soil slope from the edge of the footpath closest to T1 to the existing/current soil levels.
- A comprehensive scheme of landscaping

The proposed development subject to further details would not be expected to have an unacceptable harmful impact on trees and hedgerows. It would be expected that future details of landscaping would enhance the amount of trees and hedging on the site. The development would therefore accord with policy S66 of the CLLP and the provisions of the NPPF.

Ecology

Objections have been received in relation to ecology and wildlife.

Policy S60 of the CLLP states *"all development should: protect, manage, enhance and extend the ecological network of habitats, species and sites of international, national and local importance (statutory and non-statutory), including sites that meet the criteria for selection as a Local Site;*

- *minimise impacts on biodiversity and features of geodiversity value;*

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

The application has included a Preliminary Ecological Appraisal by CGC Ecology dated August 2023. In summary Section 5 of the PEA provides the following recommendations:

- Precautionary measures for mammals
- Precautionary measures for bats
- Retain north east, south west and north west boundary treatments or appropriate replacements
- Start works outside bird breeding season or following an inspection by a professionally ecologist
- Hedgehog fencing
- 1 bat box per 2 dwellings
- 1 swift box per 2 dwellings

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

Biodiversity Net Gain (BNG)

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

Nonetheless, Local policy S61 of the CLLP requires *“all development proposals should ensure opportunities are taken to retain, protect and enhance biodiversity and geodiversity features proportionate to their scale, through site layout, design of new buildings and proposals for existing buildings with consideration to the construction phase and ongoing site management”*. Local policy S61 goes on to state that *“All qualifying development proposals must deliver at least a 10% measurable biodiversity net gain attributable to the development. The net gain for biodiversity should be calculated using Natural England’s Biodiversity Metric”*.

The application has included Biodiversity a Biodiversity Metric Spreadsheet (BMS). The BMS concludes that the development would result in a habitat gain of 44.60% and a hedgerow gain of 23.98%.

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

Other Considerations:

Water Management

Local policy S12 of the CLLP requires development to minimise the impact on water resources. In light of this it is considered relevant and necessary to add two conditions to the planning permission:

1. To restrict water usage to 110 litres per day for each person occupying a dwelling.
2. To include a rain harvesting water butt of minimum 100 litre capacity within the garden area.

Land off Mill Lane, Keelby (147537)

It is acknowledged that both developments would be located on land allocated as important open space in the development plan. However, this refused planning application is not considered to be similar to the development submitted in this application for the following reason.

Keelby is considered a large village in local policy S1 of the CLLP where residential development applications on unallocated housing sites are typically up to 10 dwellings.

The refused application would have provided 36 market houses with a 20% (7.2 units) affordable housing contribution on the edge of the settlement. The development in this application is purely for 10 affordable houses submitted by a registered provider for one and two bedroom bungalows on the edge of the settlement. It can therefore be considered as a rural affordable exceptions site.

The development submitted in 147537 proposed providing open space in the north east section of the site closest to the built form of Keelby. This development proposes to provide open space to the south west section of the site to retain an area of open space between Keelby and Barton Street. The development additionally opens up this part of the site for use by the public when the important one space is currently publicly accessible. The open space would additionally be able to be safely walked to by the installation of a new pedestrian footpath to the north east of Riby Road.

147537 Site Plan



Application Site Plan



Supporting development on important of space requires an extremely high bar

in terms of the type or nature of the development and the weight given to the benefits that the development generates. The development provides affordable housing which meets a local need as discussed in the report for one and two bedroom bungalows.

Conclusion and reason for decision:

The proposed development has been assessed against policies S1 The Spatial Strategy and Settlement Hierarchy, S2 Growth Levels and Distribution, S4 Housing Development in or Adjacent to Villages, S6 Design Principles for Efficient Buildings, S7 Reducing Energy Consumption –Residential Development, 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, S59 Green and Blue Infrastructure Network, S60 Protecting Biodiversity and Geodiversity, S61 Biodiversity Opportunity and Delivering Measurable Net Gains, S65 Important Open Space and S66 Trees, Woodland and Hedgerows of the Central Lincolnshire Local Plan 2023, Planning Policy 1: The Rural Character and Distinctiveness of the Parish, Planning Policy 2b: New Residential Development, Planning Policy 3: Local Residential Design Principles and Planning Policy 6: Roads and Transport of the Keelby Neighbourhood Plan and Policy M11 of the Core Strategy. Furthermore, consideration has been given to guidance contained within the National Planning Policy Framework, National Planning Practice Guidance, National Design Guide and the National Design Code, as well as all other material considerations and representations received.

In light of this assessment the principle of the proposed development adjacent the developed footprint of Keelby is considered acceptable due to it being solely for affordable housing and meeting a local housing need. The development therefore is considered to be a rural affordable exceptions site in accordance with local policy S4 of the CLLP and the guidance of paragraph 82 of the NPPF.

The development would not have a significantly detrimental impact on the character and appearance of the important open space and would provide the policy led infrastructure. It is acknowledged that the development would reduce the area of important open space by introducing built form to the north east half of the space. The loss of important open space is however mitigated by introducing an inviting open entrance that the general public can use via a proposed new pedestrian footpath along the south east of Riby Road. The remaining important open space is appropriately landscaped and is publicly accessible.

It is considered that whilst harm to the Important Open Space will occur - it would not lead to a significant detrimental impact.

The development would provide more than 10% Biodiversity Net Gain and the dwelling would be energy efficient. It would additionally not have an

unacceptable harmful visual impact or unacceptably harm the living conditions of neighbouring dwellings or future residents. The development would not have an unacceptable harmful impact on highway safety, drainage, archaeology, ecology, contamination, flood risk, trees or hedging. This is subject to the approval of further details through a number of conditions.

Therefore, on balance the benefits of providing rural affordable housing to meet an evidenced local need in Keelby, creating a publicly accessible area of important open space, providing safe pedestrian access and providing more than 10% Biodiversity Net Gain are considered to outweigh the harm of losing around 50% of the designated important open space.

Pre-commencement Condition

The agent has agreed in writing to the recommended pre-commencement condition.

Recommended Conditions:

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

1. The development hereby permitted must 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 must take place until an Arboricultural Method Statement with an accompanied tree protection plan created by a suitably qualified person has been submitted to and approved in writing by the Local Planning Authority. The Arboricultural Method Statement must include the following details:
 - tree protection measures plan including ground protection and root protection areas
 - no-dig footpath construction specification including materials and installation method
 - Clearance and development within or adjacent root protection area of the protected lime tree
 - No changes to the ground levels with the RPA of the lime tree other than a maximum 1m wide soil slope from the edge of the footpath closest to T1 to the existing/current soil levels.

The approved tree protection measures must be installed prior to commencement of the development and retained in place until the development is fully completed. The development must be completed in strict accordance with the approved details.

Reason: To safeguard the protected tree to the adjacent the front of the site during construction works, in the interest of the health of the tree and the visual amenity of street scene to accord with the National Planning Policy Framework. local policy S66 of the Central Lincolnshire Local Plan 2023 and Policy 1 of the Keelby Neighbourhood Plan.

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

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

- RD:5399-04 Rev K dated 9th January 2025 – Site Plan
- RD:5399-08 Rev A dated 16th February 2025 – One Bedroom Bungalow Elevations and Floor Plans
- RD:5399-09 Rev A dated 16th February 2025 – Two Bedroom Bungalow Elevations and Floor Plans
- RD:5399-011 Rev J dated 9th January 2025 – Habitat Plan
- 1115-2404-CIV-01 Rev P1 dated 29th December 2024 – Levels
- 1115-2404-CIV-10 Rev P4 dated 29th December 2024 – Drainage Strategy
- 1115-2404-CIV-20 Rev P2 dated 29th December 2024 – Road Setting Out and Longitudinal Sections
- 1115-2404-CIV-30 Rev P2 dated 29th December 2024 – External Works Construction Details
- 1115-2404-CIV-50 Rev P1 dated 30th January 2024 – Private Drainage Construction Details Sheet 1 of 2
- 1115-2404-CIV-51 Rev P1 dated 30th August 2021 – Private Drainage Construction Details Sheet 2 of 2
- 1115-2404-CIV-S278 Rev P4 dated 29th December 2024 – Stage 1 Section 278 Layout

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

Reason: To ensure the development proceeds in accordance with the approved plans and to accord with the National Planning Policy Framework, Local Policy S1, S4, S22, S47, S49 and S53 of the Central Lincolnshire Local Plan 2023-2043 and Policy 1, 2b and 3 of the Keelby Neighbourhood Plan.

4. No development above ground level must take place until details of a scheme for the disposal of foul and surface water from the site (including the results of any necessary soakaway/percolation tests and connectivity plan) have been submitted to and approved in writing by the Local

Planning Authority. No operation of the development must take place until the approved scheme has been fully completed.

Reason: To ensure adequate drainage facilities are provided to serve each dwelling, to reduce the risk of flooding and to prevent the pollution of the water environment to accord with the National Planning Policy Framework, Local Policy S21 of the Central Lincolnshire Local Plan 2023-2043 and Policy 1, 2b and 3 of the Keelby Neighbourhood Plan.

5. No construction works above ground level must take place until details of the external materials listed below have been submitted or inspected on site and agreed in writing by the Local Planning Authority.

- Brick Type
- Roof Materials
- Render Colour and Finish
- Rainwater Goods and Downpipes including the Colour
- All Windows and Doors

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

Reason: To ensure the use of appropriate materials in the interests of visual amenity and the character and appearance of the site and the surrounding area including the setting of the Listed Church to accord with the National Planning Policy Framework, Local Policies S53 and S65 of the Central Lincolnshire Local Plan 2023-2043 and Policy 1, 2b and 3 of the Keelby Neighbourhood Plan.

6. No development above ground level must take place until a scheme has been agreed in writing by the local planning authority for the construction of a 1.2 metre wide footway and tactile crossing, together with arrangements for the disposal of surface water run-off from the highway linking the development site to the pedestrian footpath to the south west of Cotham Gardens and the junction of Cotham Gardens and Riby Road. The development must be completed in strict accordance with the agreed scheme and fully installed before the occupation of any of the approved dwellings.

Reason: To ensure safe access to the site, each dwelling and the bus stop in the interests of residential amenity, convenience and safety to accord with the National Planning Policy Framework, Local Policies S47 of the Central Lincolnshire Local Plan 2023-2043 and Policy 1, 2b and 3 of the Keelby Neighbourhood Plan.

7. The development hereby permitted shall be carried out in full accordance with the details set out in the submitted Energy and Sustainability Statement dated 16th February 2024 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 2023-2043.

8. No occupation must take place until a written verification statement to demonstrate that the approved scheme has been implemented in strict accordance with the submitted Energy and Sustainability Statement dated 16th February 2024 has been submitted to and approved in writing by the 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 2023-2043.

9. No occupation of each individual dwelling must take place until the individual dwellings driveway and parking spaces identified on site plan RD:5399-04 Rev K dated 9th January 2025 has been fully completed and retained for that use thereafter.

Reason: To ensure safe access to the site and each dwelling/building 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 the National Planning Policy Framework, Local Policy S47 of the Central Lincolnshire Local Plan 2023-2043 and Policy 1, 2b and 3 of the Keelby Neighbourhood Plan.

10. If during the course of development, contamination is found to be present on site, then no further development (unless otherwise agreed in writing by the local planning authority) must be carried out until a method statement detailing how and when the contamination is to be dealt with has been submitted to and approved in writing by the local planning authority. The contamination must then be dealt with in accordance with the approved details.

Reason: In order to safeguard human health and the water environment and to accord with the National Planning Policy Framework, Local Policy S56 of the Central Lincolnshire Local Plan 2023-2043.

11. No development must take place until details including a plan of the position of 5 bat boxes and 5 swift boxes, as per the recommendations of the Preliminary Ecological Appraisal by CGC Ecology dated August 2023 has been submitted to and approved by the Local Planning Authority. The approved boxes must be retained as such thereafter.

Reason: In the interest of nature conservation to accord with the National Planning Policy Framework and Local Policy S60 of the Central Lincolnshire Local Plan 2023-2043.

12. Apart from the bat and bird boxes approved in condition 10 of this permission the development hereby approved must only be carried out in

accordance with the recommendations set out in section 5 of the Preliminary Ecological Appraisal by CGC Ecology dated August 2023.

Reason: In the interest of nature conservation to accord with the National Planning Policy Framework and local policy S60 of the Central Lincolnshire Local Plan 2023-2043.

13. No development above ground level must take place until a comprehensive landscaping scheme has been submitted to and approved in writing by the Local Planning Authority. Details to include:

- Type, height and position of all boundary treatments (including hedgehog fencing).
- Material finish of all hardstanding (access road, driveways, bay parking, patios and paths).
- Species, planting height, formation and position of new trees and hedging.

The development must be completed in strict accordance with the approved landscaping scheme.

Reason: To ensure that appropriate landscaping is introduced and would not unacceptably impact on the character and appearance of the site and the surrounding area or the amenity of nearby residents to accord with the National Planning Policy Framework, Local Policies S53 and S66 of the Central Lincolnshire Local Plan 2023-2043 and Policy 1, 2b and 3 of the Keelby Neighbourhood Plan.

14. A rainwater harvesting butt of a minimum 100 litres must be installed in the external space of each dwelling and retained as such thereafter.

Reason: In the interests of sustainable water management to accord with the National Planning Policy Framework and Local Policy S12 of the Central Lincolnshire Local Plan 2023-2043.

15. The development must be completed in strict accordance with the Biodiversity Net Gain Plan dated January 2025 and prepared by CGC Ecology.

Reason: To ensure the development delivers a biodiversity net gain on site to accord with the National Planning Policy Framework and local policy S60 of the Central Lincolnshire Local Plan 2023-2043.

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

16. All planting or turfing comprised in the approved details of landscaping (see condition 12 of this permission) must be carried out in the first planting and seeding season following 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 must 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. The landscaping should be retained thereafter.

Reason: To ensure that additional trees are provided within the site to mitigate for the trees which are to be removed to accord with the National Planning Policy Framework, local policies S53 and S66 of the Central Lincolnshire Local Plan 2023-2043 and Policy 1, 2b and 3 of the Keelby Neighbourhood Plan.

17. The dwellings hereby approved shall be constructed to ensure that the consumption of wholesome water by persons occupying the dwellings 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 the National Planning Policy Framework and Local Policy S12 of the Central Lincolnshire Local Plan 2023-2043.

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

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

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

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

Decision Level: Planning Committee

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

Prepared by: *Ian Elliott*

Date: 11th March 2025

A handwritten signature in black ink that reads "R. Jackson". The signature is written in a cursive style with a long horizontal stroke at the end.

Authorising Officer:

.... **Date:** 11/03/2025