

OFFICERS REPORT

PLANNING APPLICATION NO: WL/2025/00026

PROPOSAL: Outline Planning Application for the erection of up to 54no. dwellings with all matters reserved.

LOCATION: LAND TO THE NORTH OF ABBEY ROAD AND WRAGBY ROAD
BARDNEY
LINCOLN
LN3 5XR

WARD: BARDNEY

WARD MEMBER(S): Councillor Ian Fleetwood

APPLICANT NAME: S.J. Andrew and N.V. Lintin, Executors for the Estate of Margaret Lintin

TARGET DECISION DATE: Extension of Time to 29th May 2025

CASE OFFICER: G. Backovic

This application has been referred to the planning committee at the request of the Ward Member, who has concerns on a number of planning matters.

Recommended Decision: Defer and delegate approval to officers subject to the imposition of the planning conditions recommended and the completion of a Section 106 legal agreement that provides

NHS A financial contribution (at £632.50 per dwelling) to fund improvements to Woodhall Spa New Surgery and Wragby Surgery

Affordable Housing 20% of the dwellings (i.e. up to 11) to be delivered as affordable housing. Tenure split to be 60% Affordable Rent 40% Affordable Home Ownership (Shared Ownership and First Homes)

Biodiversity Net Gain

To include delivery and monitoring of BNG following reserved matters submission and approval.

Description and Proposal:

The site is located on land north of Abbey Road and Wragby Road in Bardney. It comprises an irregular shaped piece of land, with an approximate area of 2.93 ha. Access to the site is via Wragby Road from the south and the topography of the site is generally flat. The site comprises fields with a collection of various farm buildings and barns in the middle.

The main farmyard, located centrally, comprises of a series of storage buildings, barns, covered area, a small stable block, all in various states of disrepair. Several areas of open-air storage of bricks and other materials are located on site.

The site location plan also shows an area to the north of this principal site edged red, indicating that it too, forms part of the application site. It is an area identified in the original Biodiversity Assessment to provide a contribution towards Biodiversity Net Gain.

The entirety of the main site is allocated in the Central Lincolnshire Local Plan, adopted April 2023, primarily for residential development with an indicative capacity of 54 dwellings.

This is an outline planning application with **all matters reserved**. Matters of **access, scale, appearance, layout and landscaping** are therefore all reserved for subsequent approval ("reserved matters"). An indicative layout has been submitted to demonstrate that the site is capable of accommodating the proposed number of dwellings.

Relevant Planning History

None

Representations

Chairman/Ward member(s): Councillor Fleetwood:

I have issues with the application:

- 1/. I have concerns regarding drainage. Residents have told me of the waterlogged area in the west portion of the proposal. This is also acknowledged in the archaeological report provided. The outfall of surface water will presumably go the ditch to the east side of Bartholemew Close which turns west to the rear of Laing Close. This area is still prone to flooding from drains and surface water, even though there was an improvement made by various organisations a few years ago. The sewage system continues to have additional connections made to it and there should be a developer contribution to Anglian Water to cope with any increase.
- 2/. Healthcare in the village is stretched. A developer contribution should be made and spent in the village to improve the availability of appointments to Doctors.
- 3/. A report provided with the application identifies that play equipment is available on Horncastle Road. While this is technically correct, it is disingenuous because virtually all of this equipment is in a poor state of repair and needs replacing. A developer contribution should be made towards this if there is no desire to provide any within the development.
- 4/. Many residents in the Jubilee Close area are of more senior years or have mobility issues. A major improvement could be made by providing a footway link from this area to the rear of the Co-op store. There is an indicated layout provided with the outline application and such a footway link could easily be provided by putting 2 Gittys (tarmaced footways) created by reducing the width of 2 proposed plots by 1.7m (suggested plots 37 or 38, and plot 14) which with agreement from neighbouring landowners would provide excellent pedestrian access.
- 5/. I am also led to believe that the applicant also owns more land than is indicated within blue and red lines marking the site. Please ensure that this is clarified.

Bardney Parish Council:

Council resolved to submit comments highlighting and supporting the concerns raised by the members of the public in relation to rainwater drainage, including the ditches and dykes capacity, poor sewerage infrastructure, school capacity, local Dr surgery capacity and transport links to larger towns and cities for work etc.

Local residents: (Summary of Comments with full details available on website)

Representations have been received from

1 Jubilee Close, 7 Jubilee Close, 16 Wragby Road; 19 Wragby Road; 51B Wragby Road and 98 Abbey Road.

All object to the proposal, on the following grounds (in summary):

- Inadequacy of doctors and existing school to cope with additional housing in village.
- Existing flooding taking place regularly principally affecting residents of Jubilee Close, which this will only make worse. In heavy rain Abbey Road is also prone to flooding
- No indication of house sizes, types or style.
- Abbey road is too congested with traffic now the road wasn't made to take this amount of traffic. Poor road condition of the Branston Causeway B1190 which is breaking up. Further significant investment to improve this road would be required to accommodate the additional vehicle traffic in and out of the village.
- The opening on Wragby road is near a very dangerous corner.
- The established entrance is only used for a very small number of vehicles currently. The proposed development is likely to create a significant increase in volume of vehicles by a conservative estimate of 110 based on 2 vehicles per dwelling plus the large Lorries and farm machinery that already use Wragby Rd.
- in extreme weather all roads in and out of the village are compromised and residents unable to get in or out re flooding and snow
- Bus services are extremely limited
- According to the Central Lincolnshire Local Plan there are 1364 total number of dwellings proposed or already have planning approval going through in Bardney and its surrounding villages and we are struggling to understand how all local infrastructure services can cope.
- The pictures of the endangered species (newts) that have been found on the road and surrounding property's from the naturally occurring pond on the site not to mention the removal of trees and out buildings that have had the bats and owls moved out before the application was logged
- The properties adjoining the site along Jubilee Close are bungalows with an eaves height of 2.3m and are predominantly owned by ACiS Housing Group. The rear gardens of these properties are short, 5.2m at the nearest point between the site's north boundary and the rear wall of the property. I cannot see a key to accompany the indicative proposed layout plan. However, the proposed properties to the rear of Jubilee Close appear to have the footprints of detached and semi-detached properties with very short gardens.
- The Ecological Survey indicates that the proposed development may meet the Impact Risk Zone criteria for Bardney Limewoods SSSI. The Bardney Limewoods

SSSI is fragmented within 3 habitat parcels within 2 kilometres of the application site.

- According to the Central Lincolnshire Local Plan a proposed development should avoid impact on nationally protected sites - this development does not meet that criteria. The local Bat colonies, Barn owl colonies, Marsh harrier colonies, Red kite colonies and various essential pollinator colonies would also be negatively impacted.
- Biodiversity opportunity – I note the comments of the Preliminary Ecological Appraisal and Reptile Surveys for the site. From my own personal observations I have noted: Barn Owl(s) and small birds of prey hunting which would indicate small species ie mice/voles Two species of deer Lizards Hedgehogs
- In lockdown the Nature these fields support and the nearby Bardney Limewoods SSSI were essential to mental health.
- While we understand the need for new homes being built, there is already two large developments in the village one which has been mothballed and the other which is struggling to sell the ones they are building I don't see the point of having a third development which will suffer from the same problem.

A petition with 68 signatures has been submitted objecting to the application. 52 identical letters objecting to the proposal on the following grounds have also been received:

1. The road surface condition to every road into and out of Bardney are wholly inadequate (more potholes than road surface) the existing traffic using it never mind adding to it
2. Wholly inadequate public transport services for people to commute using it rather than using a car.
3. The local school is very nearly at capacity
4. Severe lack of amenities
5. Village services / doctors are unable to cope with additional numbers
6. Petty crime is increasing year on year which will be encouraged by an increase in the population
7. Impacts of increased vehicle parking on the roads will hinder emergency service vehicles.
8. Existing capacity of sewers and land drainage is inadequate with incidents of flooding

LCC Highways and Lead Local Flood Authority:

Requests that the Local Planning Authority request the applicants to provide additional information as set out below.

Drainage

Please request the applicant provide a drainage strategy drawing to demonstrate how surface water will be managed on site. Please can the applicant demonstrate a secure outfall for the lifetime of the development, it will be necessary to survey the ditch where the outfall is proposed to ascertain it's onward flow, eventual outfall and condition.

S106 Contributions

In final comments a S106 request will be made to offer residents an annual travel pass to encourage sustainable travel to and from the site. We request that the developer

provides 1 annual bus pass voucher to the first occupiers of each new dwelling, which the occupier may redeem for free bus services for a period of 1 year. The maximum cost to the developer (based on the take up of the scheme and the current cost of the bus service) will be £81,000 based on £1500 per voucher x 54 dwellings.

Highway Improvements

To improve pedestrian permeability throughout the area, tactile crossing points will be requested at the following locations; Wragby Road/Co-op junction.

O/L Informative Outline with all matters reserved

The principle of development is acceptable. As this is an outline application with all matters reserved, access and layout have not been considered. Please make the applicant aware of the requirements for access, parking, visibility, turning and layout as detailed within the Lincolnshire County Council Design Approach.

NHS Lincolnshire Integrated Care Board :

The development is proposing up to 54 dwellings which, based on the average of 2.3 people per dwelling for the West Lindsey District Council area, would result in an increase in patient population of 124. Therefore, an increase in population of 124 in the West Lindsey District Council area will place extra pressure on existing provisions, for example- extra appointments requires additional consulting hours This in turn impacts on premises, with extra consulting/treatment room requirements. Due to the fact that patients can choose to register at any practice that covers the area of the development, and there are no waiting lists for patients, all practices that provide care for the region that the development falls within are obliged to take on patients, regardless of capacity. The development will impact Woodhall Spa New Surgery and Wragby Surgery as the development is within their catchment area.

The contribution requested for the development is £34,155.00 (£632.50 x 54 dwellings). Please note that the expectation is that the appropriate indexation rate and any late payment penalties would also be paid on top of the value specified above.

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

Lincolnshire County Council (Education Property Services)

Please see below table in relation to the number of places required and available in local schools from/for the proposed development:

Type	Children produced by scheme	Sufficient places available 2026/27 (Y/N/Partial)	Places to be mitigated	Contribution sought
Primary	<u>16</u>	<u>Y</u>	<u>0</u>	£0
Secondary	<u>8</u>	<u>N</u>	<u>8</u>	£0
Sixth-form	<u>3</u>	<u>N</u>	<u>3</u>	£0
			Total	£0

Please note, where an application is outline, a formulaic approach will be taken in a section 106 agreement, this may result in a higher contribution if a high proportion of large houses are built. This would be finalised at the reserved matters stage. All section 106 agreements should include indexation using the Tender Price Index of the Royal Institute of Chartered Surveyors Building Cost Information Services (RICS BCIS TPI).

The above contributions would be spent on the following:

Type	Amount	Scheme
Primary	<u>£0</u>	
Secondary	<u>£218,010.72</u>	N/A - CIL
Sixth form	<u>£81,754.02</u>	N/A - CIL

Following the removal of Regulation 123 from the Community Infrastructure Levy Regulations on 01 September 2019, requests for items formerly on a Regulation 123 list are now permitted; the Central Lincolnshire Developer Contributions Supplementary Planning Document (2018) still restricts secondary and school-based sixth form to CIL only. Requests can also be made toward more than one scheme to provide the ability to extend the most appropriate school to mitigate the impacts of development at the time those impacts are felt.

The below table indicates the number of pupils generated by the proposed development. This is on the basis of research by Lincolnshire Research Observatory utilised to calculate Pupil Production Ratio (PPR) multiplied by the number of homes proposed.

		PPR Primary	Primary Pupils	PPR Secondary	Secondary Pupils	PPR Sixth Form	Sixth Form Pupils
Unknown	<u>54</u>	<u>0.30</u>	<u>16.2</u>	<u>0.1611</u>	<u>8.6994</u>	<u>0.060</u>	<u>3.2</u>
Total (rounded down)			16		8		3

Capacity is assessed using the County Council's projected capacity levels at 2026/27, this is the point when it is reasonable to presume that the development would be complete or well on the way.

Type	Local School/School Planning Area	Pupils generated	Sufficient places available 2026/27 (Y/N/Partial)	Places to be mitigated
Primary	<u>Bardney Primary School</u>	<u>16</u>	<u>Y</u>	<u>0</u>
Secondary	<u>Branston Academy</u>	<u>8</u>	<u>N</u>	<u>8</u>
Sixth-form	<u>Branston Academy</u>	<u>3</u>	<u>N</u>	<u>3</u>

Strategic Housing WLDC :

Should the proposal be acceptable, the application would trigger an affordable housing obligation of 20% under Policy S22 of the adopted Central Lincolnshire Local Plan (April 2023) as the site falls within Value Zone B. Given the indicative dwelling number, this would equate to 11 affordable housing units with onsite provision being the expected form of delivery.

The details of the appropriate mix of affordable property types would require agreement with the Council at the reserved matters stage. The distribution of the affordable housing units across the site would also need agreement, and it should be noted that Policy S22 requires the affordable housing to integrate seamlessly into the site layout amongst the private housing. A Section 106 agreement would be required in order to secure the affordable housing obligation. The Council's preferred tenure split for a site is currently: 60% Affordable Rent 40% Affordable Home Ownership (Shared Ownership and First Homes)

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 increasing to £185,000 from 1 April 2025 and thereafter being adjusted annually. The applicant is encouraged to have further discussions with Strategic Housing regarding the affordable housing requirement for the site as the proposals progress.

Natural England : No objection

Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on statutory designated sites and has no objection.

A lack of objection does not mean that there are no significant environmental impacts. Natural England advises that all environmental impacts and opportunities are fully considered and relevant local bodies are consulted.

Bardney Limewoods Site of Special Scientific Interest :

Based on the plans submitted, Natural England considers that the proposed development will not damage or destroy the interest features for which the site has been notified and has no objection.

Principal Ecology and Wildlife Officer (Summary with full details on website)

17.04.2025 :

I am now satisfied with the baseline metric. I appreciate this is outline with all matters reserved so my following conditions take into account the possibility of layout changes. The site is within the Biodiversity Opportunity Mapping zone for management which means I have higher requirements for said site compared to other similar applications enhancement of existing onsite habitats, creation of new onsite habitats, allocation of registered off-site gains and finally the purchase of biodiversity credits.

Suggested Conditions :

1. No development hereby permitted must take place until a written Biodiversity Gain Plan prepared in accordance with the Baseline details of the [Statutory Biodiversity Metric] dated [] and prepared by [] is submitted to and approved in writing by the Local Planning Authority

The Gain plan must show how at least 0% net gain has been achieved ONSITE (or in combination with appropriately secured and registered offsite land which is located immediately adjacent to the site) across all modules. The remaining 10% requirement may be achieved in any other manner outlined by Statutory Biodiversity Net Gain.

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 2023-2043.

2. Any reserved matters applications submitted to the Local Planning Authority must include a written Ecological Mitigation & Enhancement Plan (EMEP) in accordance with [Preliminary Ecological Appraisal] dated [November 2024] by [Archer Ecology]. The EMEP shall include:

- ☐ A plan showing habitat protection zones
 - ☐ Details of any precautionary method statements for protected species
 - ☐ Details of any further surveys or licences conducted/applied for in relation to protected species
 - ☐ Details of a sensitive lighting strategy
 - ☐ Details of wildlife friendly landscaping within curtilage of private dwellings (including native tree planting, garden ponds, flowering lawns 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.
 - ☐ Evidence of collaboration with Waterlife Recovery East as part of GLNP Operation Water Vole by means of providing 1 x mink trap and upkeep for at least 3 years
 - ☐ Details, specification location of hedgehog highway within all closed panel fence boundaries and hedgehog refugia
 - ☐ Details, specification, locations of amphibian friendly curb and drain treatments.
 - ☐ Details, specification and location of the following species enhancements incorporated into structures across the site:
 - ☐ Integrated bird boxes . Total across site to be equal to number of dwellings
 - ☐ 1 x Owl and kestrel boxes (post mounted may be considered)
 - ☐ Integrated bat boxes and/or bat lofts with roof access tiles. Total across site to be equal to number of dwellings
 - ☐ 1 to 2 bee/insect bricks per dwelling
- The EMEP shall be implemented in strict accordance with the approved plan. All features shall be installed during construction and retained as such thereafter.

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

Section 106 Requirements

A s106 to secure a monitoring fee and Habitat Management and Maintenance Plan for all significant habitats will be required. We will have to discuss with legal how we deal with all the unknowns with it being an outline, but it shouldn't be an insurmountable issue.

13.02.2025 :

Baseline

At present you must refuse the application on grounds that the baseline data provided is not accurate.

Main issues

1. The metric shows onsite and offsite baseline but the northern parcel should not be classed as offsite due to being included in the application red line) – this needs updating as a matter of urgency
2. The strategic significance multiples have not been applied appropriately throughout. The site is located within the Biodiversity Opportunity mapping areas. Where this is the case we would expect all medium distinctiveness (or higher) habitats to be viewed as “formally identified” unless the applicants ecologist has appropriate justification as to why this is not appropriate
3. Watercourse footprint has been used – My understanding of this from UKHab training is that this should only be used for rivers/streams canals when the width exceed 5m (I am happy to be corrected though)
4. Lines of trees cannot be used in urban settings they should instead be classed as individual trees.

Post development

As the site is located within the BOM and is identified as an area of existing value with potential for management the site should be viewed as part of the wider ecological network and be subject to greater consideration under the NPPF. As such it is inappropriate for the LAP (given the Biodiversity Duty placed upon us) to make a decision that would result in degradation of that network. With this in mind I would not recommend an approval where there is any loss of Biodiversity onsite, This is listed within our supplementary guidance documentation

If the applicant is able to extend the red line further, I would recommend that this is done so that greater habitat creation can be proposed.

The site is also located within a woodland creation priority area and as such proposed habitat should reflect this.

I would also expect a site of this size to include a SUD feature (preferably with a permanent and included) [this is present in the drainage scheme) as well as bioswales with street trees as grass verges.

The applicant should also only assume 62% vegetated garden vs unvegetated garden(including features such as driveways) within the curtilage of private dwellings

to account for loss of garden over the 30 year period to align with ONS statistics for garden averages.

Retained features (such as trees and hedgerows) if falling within or forming the boundary of private garden post development must be recorded as having a reduction in condition (to poor) as management cannot be stipulated. (they should be recorded and lost in the metric and then recreated using the created in advance 30+ years – see statutory user guide for more details)

The applicant must consider the Biodiversity Gain hierarchy when proposing site layout for example the pond should have been avoided and retained.

I appreciate that this is an outline app so layout is subject to change

Once the above has been explored I can recommend s106 and condition wording. As a minimum I would recommend that we have a gain plan condition that shows there has been no net loss onsite given the local context (this is likely not possible without reducing housing numbers or extending the red line boundary)

Central Lincolnshire Local Plan Team (in response to the case officer seeking their views on the requirement for a community facility) :

13.02.25 *"Having looked at the site allocation history and having asked Phil, it appears to have been seen as an opportunity given the site's central location in Bardney and came from the comments received from the Bardney Community Group during the Local Plan preparation process. To satisfy that part of the policy, the applicants would be expected to engage with the Parish Council in the pre-app stage to understand the potential for new facilities. If, following these discussions, it is concluded that delivery of any facility is not necessary, not suitable or would significantly hinder the site coming forward, this could provide justification for additional facilities not being added. The applicants discussion with the Parish Council and any comments submitted by the Parish Council to you would have a bearing. Hope that is of some assistance"*

Anglian Water :

Assets Affected

There are assets owned by Anglian Water or those subject to an adoption agreement within or close to the development boundary that may affect the layout of the site. Anglian Water would ask that suggested text be included within your Notice should permission be granted.

Wastewater Treatment :

When assessing the receiving water recycling centres (WRC) dry weather flow (DWF) headroom we take the latest DWF figures, as verified by the Environment Agency and add to this, sites with planning consent. Based on the above assessment Bardney WRC is within the acceptance parameters and can accommodate the flows from the proposed growth.

Used Water Network :

This response has been based on the following submitted documents: Flood Risk Assessment and Outline Sustainable Drainage Strategy RLC/1518/FRA+OSDS01. The sewerage system at present has available capacity for these flows. If the developer wishes to connect to our sewerage network they should serve notice under

Section 106 of the Water Industry Act 1991. We will then advise them of the most suitable point of connection.

Surface Water Disposal :

The applicant has indicated on Flood Risk Assessment and Outline Sustainable Drainage Strategy RLC/1518/FRA+OSDS01 that their method of surface water drainage is via SuDS with an outfall into local watercourse.

If the developer wishes Anglian Water to be the adopting body for all or part of the proposed SuDS scheme the Design and Construction Guidance must be followed. We would recommend the applicant contact us at the earliest opportunity to discuss their SuDS design via a Pre-Design Strategic Assessment (PDSA).

The Lead Local Flood Authority (LLFA) are a statutory consultee for all major development and should be consulted as early as possible to ensure the proposed drainage system meets with minimum operational standards and is beneficial for all concerned organisations and individuals.

LCC Archaeology:

The site of the proposed development is located within the medieval and post-medieval settlement limits of Bardney. The settlement had a close connection with Bardney Abbey, the remains of which are a scheduled monument (NHLE reference 1008315) and are located approximately 900 metres north-west of the site. Earthworks were levelled in the approximate western half of the site in 1977. This produced medieval and post-medieval pottery. The front garden of 5 Wragby Road was excavated in 1964 and a human skeleton was recorded, as well as pottery, the remains of a building, stonework of an ecclesiastical nature and residual evidence of burning. It was concluded that the building was associated with Bardney Abbey and was possibly a bakery.

We agree with the conclusion reached in the applicants archaeological Desk-Based Assessment. There is high potential for medieval and later archaeological remains on the site, and the impact on these from the proposed development will be high. The proposed development would involve the construction of 54 dwellings, with associated drainage, services and roads. Groundworks associated with the development are likely to destroy any surviving archaeological remains on the site.

We do not agree with paragraph 4.75 of the Planning Statement which states that "Overall, the proposed development would not have a detrimental impact on archaeology insofar that it would affect the principle of development. The proposed development is considered to be in accordance with policy S57 of the CLLP and the provisions of the NPPF." We currently have insufficient specific information on the significance, extent, depth and character of any archaeological remains for the site and the extent of impact to buried archaeological remains from the proposed development.

Recommendation: Given the known high archaeological potential, but as yet unknown character and extent, I recommend that the applicant submit the results of a geophysical survey which in turn will inform a programme of archaeological evaluation by trial trenching which should aim to determine the presence, absence, significance, extent depth and character of any archaeological remains which could be impacted by

the proposed development as noted above. This should be carried out prior to determination in order for our department to provide an informed recommendation. Trenching results are also essential for effective risk management and to inform programme scheduling and budget management. Failing to do so could lead to unnecessary destruction of heritage assets, potential programme delays and excessive cost increases that could otherwise be avoided.

It should also be noted that preferred mitigation strategies will include preservation in situ (avoidance of sensitive areas) where possible and open area excavation where not.

It is important that the archaeological implications for this development have been fully considered as part of the application process and in the project feasibility assessment. In short, archaeology may be a significant element of this project and early understanding of the site resource and mitigation requirements will be essential. This recommendation is in line with paragraphs 207, 208 and 218 of the National Planning Policy Framework and Policy S57 of the Central Lincolnshire Local 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), and the Lincolnshire Minerals and Waste Local Plan (adopted June 2016).

Development Plan:

- ***Central Lincolnshire Local Plan 2023***

Relevant policies of the CLLP include:

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

S21: Flood Risk and Water Resources

S22: Affordable Housing

S23: Meeting Accommodation Needs

S45: Strategic Infrastructure Requirements

S47: Accessibility and Transport

S48: Walking and Cycling Infrastructure

S49: Parking provision

S51: Creation of Open Space, Sports and Leisure Facilities

S53: Design and Amenity

S60: Protecting Biodiversity and Geodiversity

S61: Biodiversity Opportunity and Delivering Measurable Net Gains

S80: Housing Sites in Large Villages

Lincolnshire Minerals and Waste Local Plan 2016

Relevant Policies include

Policy M11

National policy & guidance (Material Consideration)

- National Planning Policy Framework (NPPF)
- National Planning Practice Guidance
- National Design Guide (2019)
- National Model Design Code (2021)

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

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).

Draft Minerals and Waste Local Plan (DMWLP)

Lincolnshire County Council are currently reviewing the Minerals and Waste Local Plan. The draft Minerals and Waste Local Plan has been through a consultation which started in July and closed on 24th September 2024.

The Draft Plan has not been adopted as yet once adopted will cover the period to 2041. The consulted draft plan includes the following relevant policy:

SM15: Safeguarding of Mineral Resources.

Applying paragraph 49 of the NPPF, the draft plan would have some limited weight in the decision-making process.

Main Considerations:

- Principle of Development:

- Flood Risk and drainage.
- Highway Safety/ Access
- Design and Visual Impacts
- Impacts on existing residents and future occupiers of the development
- Infrastructure Requirements and Contributions:
- Affordable Housing
- Public Open Space:
- Biodiversity
- Biodiversity Net Gain
- Climate Change
- Water Efficiency
- Historic Assets
- Minerals:
- Site Specific Development Requirements

Assessment:

Planning law requires that planning applications are determined against the provisions of the development plan, unless there are material considerations that would indicate otherwise.

Principle :

Policy S80 Housing Sites in Large Villages of the Central Lincolnshire Local Plan (Adopted in April 2023) allocates the site which is identified as "WL/BARD/012A , Land to the north of Abbey Road and Wragby Road" primarily for residential development." The indicative number of dwellings identified over the plan period is 54. It also identifies a number of site specific requirements:

- *Development will need to assess drainage and surface water flood risk on the site*
- *Potential to provide additional community facilities as part of development*
- *Partially within Sand and Gravel Minerals Safeguarding Area*
- *Within or includes an area of Biodiversity Opportunity - proposals on this site should incorporate the relevant Principles for Development within Biodiversity Opportunity Areas set out in Appendix 4*

The application seeks approval to the **principle of development only** with access appearance, scale, layout and landscaping reserved for future consideration. The principle of housing is therefore supported by its specific allocation for such purposes in the Central Lincolnshire Local Plan adopted in 2023.

Flood Risk and Drainage :

It is a site-specific requirement under policy S80 that the “*Development will need to assess drainage and surface water flood risk on the site*”

The layout is a reserved matter and consequently a detailed, final drainage layout cannot be agreed at this stage. Nonetheless, it is necessary to assess flood risk and agree, in principle, that a satisfactory drainage scheme can be achieved in order to prevent increasing the risk of flooding elsewhere.

Whilst the specific details of drainage are not being considered, nevertheless it is valid to reach a conclusion on whether a satisfactory drainage solution is capable of being delivered. A Flood Risk Assessment (FRA) and Outline Sustainable Drainage Strategy (OSDS) have been submitted.

The entirety of the site falls within Flood Zone 1 which is defined as having a low "(1 in 1000 annual probability of river or sea flooding)." The FRA concludes that the risk of flooding from fluvial (river) sources, groundwater, and existing sewers is low. Additional flood mitigation is not proposed.

In terms of risk from pluvial (i.e. rainwater) flooding it advises:

"The Environment Agency have also produced maps showing flooding when rainwater lies or flows over the ground. Unlike the fluvial mapping, which is based on a detailed hydraulic model, this mapping is based purely on applying rainfall to a digital terrain model. As such this mapping serves to represent a worst-case scenario which may overstate the actual probability of flooding in this area."

A small number of areas of the site in the north are shown to be affected apparently due to ponding of water in the lower levels of the fields.

The recommended surface water drainage hierarchy in planning practice guidance for sustainable drainage (Paragraph: 056 Reference ID: 7-056-20220825) is to utilise

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.

Ground investigation in the form of infiltration tests undertaken to BRE Digest 365 across the site has identified that soakaways would not be suitable, and so 'into the ground (infiltration)' would not be feasible.

On this basis surface water discharge to an existing water course is proposed (second on the hierarchy). The OSDS has calculated the surface water runoff and storage using a software tool developed by HR Wallingford and a summary is included in the report with the full results at Appendix 3. The storage volume for 40% climate change allowances and peak rainfall intensity) has been calculated which is 1,575m³.

"A 40.00m x 40.00m x 1.80m, (or similar) attenuation pond with 1:3 side slopes will provide 1,734m³ of storage with 300mm of freeboard. The outfall from the attenuation pond, will be to the ordinary watercourse and then ultimately to the IDB watercourse, will be restricted to 10.00 litres/sec. The above storage requirements are indicative only and would be confirmed at detailed design stage."

The OSDS calculates the green field run off rate to be 32.74 litres per second and it would be a reasonable to view the proposed restriction to 10.00 litres per second as an improvement.

In conclusion on this issue, as an allocated site for residential development it is accepted that the information submitted shows that the site is capable of being satisfactorily drained.

Foul drainage

It is proposed to discharge into the public sewer located in Jubilee Close in accordance with the preferred hierarchy for disposal.

Anglian Water (AW) are the local sewerage company and have been consulted. They advise that the local water recycling centre (WRC) can accommodate the flows from the proposed growth; and that the sewerage system at present has available capacity for these flows. They do advise that If the developer wishes to connect to the sewerage network they should serve notice under Section 106 of the Water Industry Act 1991. AW will then advise them of the most suitable point of connection.

As part of the allocation process and preparation of the Central Lincolnshire Local Plan evidence documents were produced to underpin the Local Plan. This site was examined in " Residential Allocations WLDC Part 1" reference HOU002e. 11 sites in Bardney were recommended for rejection in this document and the application site was the first to be recommended for allocation and was described as falling "*within the built footprint, close to centre and retains shape and form. Some small areas of surface water flood risk in the site.*"

This shows that the recommendation to allocate the site was made with full awareness of the surface water flood risk. Subject to the imposition of conditions prohibiting development until drainage details have been submitted to and approved in writing by the local planning authority, with subsequent implementation in accordance with the details approved, it would accord with policy S21 of the Central Lincolnshire Local Plan. These could be submitted as part of a future reserved matters application and consequently it does not represent a reason to withhold consent.

Highway Safety / Access

Access is a matter that is reserved for subsequent approval. The Highways Authority has explicitly stated that they have not considered access.

Nevertheless, a Transport Statement prepared by Transport Consultants Limited dated October 2024 has been submitted. This states:

"Access to the site will be taken via an existing point of access, towards the eastern boundary of the site, from Wragby Road. This access currently serves the units and agricultural land which occupy the site. The access will be upgraded as part of the proposals, to provide a residential access road 5.5m wide, with a 2m wide footway to one side of the carriageway, tying in with the existing provision on Wragby Road".

Reference is also made to a pre application response from Lincolnshire County Council :

"A highways scoping note was prepared by TPS and submitted as part of a pre-application for the site. A response was provided by Lincolnshire County Council on 5th July 2024, which stated the following: "No objection in principle to this, it's in the Local Plan allocation. An internal layout of 5.5m c/w and 2m f/w is fine, I would however prefer the cul-de-sac arrangement to have some loop connectivity if possible. The access point will need to meet our minimum visibility requirements of 2.4x43m, it looks like it's currently positioned to achieve this. They will need to design and construct the access with the correct radii to form it into the existing adoptable highway. Assuming they want to propose the internal roads for adoption then they will also need building in line with our specification and putting forward for adoption as part of a S38 under the Highways Act 1980. There's plenty of information on our website regarding APC's and S38's. Parking will need to be in line with our standards, available on our website, I would recommend they consult this guide. They have proposed matching the space numbers with the number of bedrooms of the dwelling, and I would certainly encourage this approach. In terms of on plot parking and the layout, we would prefer side by side parking where possible."

As part of the allocation process and preparation of the Central Lincolnshire Local Plan evidence documents were produced to underpin the Local Plan. This site was examined in " Residential Allocations WLDC Part 1" reference HOU002e. The document also notes additional highway comments received as : *"Direct access to highway possible via Jubilee Drive and Wragby Road. ."*

This shows that access was considered and a view expressed by the Highways Authority that it could be delivered. It would therefore be considered by a future reserved matters application containing these details and would not therefore represent a reason to refuse permission.

The Section 106 requests made by the Local Highways Authority have also been considered.

This is a site allocated for housing development in the Central Lincolnshire Local Plan. It does not preclude consideration of issues of sustainability. It is accepted this could help promote use of transport other than the car. There is no actual detail, however, supplied in terms of how this would be delivered and there is a possibility that £81,000 provided up front to purchase bus passes may not actually be utilised. On this basis on balance it is not therefore considered necessary to make the development acceptable. Similarly the tactile crossing points requested at the Wragby Road/Co-op junction relate to an existing situation on the ground and would not be considered reasonable or necessary to make the development acceptable on planning grounds.

The objections raised in relation to the current state of the roads are acknowledged although responsibility for this rests with Lincolnshire County Council as Highways Authority.

Walking and Cycling Infrastructure

Policy S48 requires development to facilitate active travel with evidence of the ability to travel by foot or cycle encouraged by the delivery of safe and convenient access for all both into and through the site with priority given to the needs of pedestrians , cyclists and people with impaired mobility.

The indicative layout submitted with the application does not however indicate that access would be achievable from Jubilee Drive to the north – a missed opportunity. In order to comply with S48 and facilitate active travel – it is considered that pedestrian / cycle access from the north should be achievable.

This can be used to address deficiencies and connect communities and facilities. On this basis a requirement for a pedestrian/cycle link within the limits of the application site, to avoid third party land, next to Jubilee Drive to the north that could allow movement through the site and access to Wragby Road and the Co-op is considered reasonable and would be conditioned.

Design, Visual Impacts on the site and wider landscape.

These matters are not capable of detailed consideration at this stage as appearance, scale, layout and landscaping are reserved for future consideration.

Impacts on existing residents and future occupiers of the development

Policy S53 sets out that all development proposals will be assessed against and will be expected to meet specified design and amenity criteria including

8a) Provide homes with good quality internal environments and adequate space for users and good access to private , shared or public spaces.

8d) Not result in harm to peoples amenity either within the proposed development or neighbouring it through overlooking, overshadowing, loss of light or increase in artificial light or glare.

South of the site are the rear gardens of dwellings that face Wragby road which runs east before heading north. To the west the road continues before bending north becoming Abbey Road with the rear curtilage of dwellings and buildings forming the boundary.

To the north west is the rear boundary of existing bungalows, numbers 1,3,5,7.9 and 11 Jubilee Close and the side of 11 Jubilee Drive. These bungalows have small rear gardens and the indicative plan shows houses along this boundary which could be harmful to existing residents in terms of overlooking and massing. It is considered that two storey properties adjacent to existing bungalow properties on the northern boundary are likely to be harmful.

Consequently, it is recommended that two storey dwellings along this boundary should be prohibited by condition. Subject to this a scheme capable of being designed at reserved matters that would not have an adverse impact on neighbours is likely and would accord with S53.

Noise and disturbance would arise from activities on the site including construction and vehicles arriving and leaving the site. To mitigate this a condition requiring a Construction Method and Management Plan to be submitted to and approved in writing by the Local Planning Authority will be imposed.

Infrastructure Requirements and Contributions

Policy S45 requires development to be supported by and have good access to infrastructure.

Medical Services

The contribution requested for a development of 54 dwellings is £34,155.00 (£632.50 x 54 dwellings).

This will fund improvements to Woodhall Spa New Surgery and Wragby Surgery as the development is within their catchment area.

This has been agreed with the applicants and can be delivered by completion of a Section 106 Legal Agreement, requiring £632.50 per approved dwelling.

Education Contribution:

The development would generate a requirement for additional school places to be provided. It would generate a requirement for 27 new school places in total. The development would be anticipated to generate an additional 16 primary school places – however there is existing capacity to accommodate the development and a contribution is not sought.

Whilst the Local Education Authority identify a shortfall of 8 secondary spaces and 3 sixth form spaces – these can be secured through the Community Infrastructure Levy (CIL).

Affordable Housing:

Policy S22 requires an affordable housing obligation of 20%. Given the indicative dwelling number, this would equate to 11 affordable housing units with onsite provision being the expected form of delivery. The applicants have agreed to this and it will be delivered by a section 106 legal agreement. Subject to this it would accord with policy S22.

Public 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).”

Where household size is unknown (e.g. outline permission) the district average household size will be used (2.3). The average occupancy levels for calculating development population are set out in Table A3.3 in Appendix 3 of the Central Lincolnshire Local Plan and replicated below. 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.

Up to 54 Dwellings proposed x 2.3 :

Therefore total population calculated to be 124. TOTAL POPULATION= 124

Calculated requirement of Open Space by type:

Allotments and Community Growing Space: $124/1000 \times 0.31 = 0.0384$ hectares or 384 square metres

Amenity Greenspace: $124/1000 \times 0.66 = 0.0818$ hectares or 818 square metres

Provision for Children and Young People: $124/1000 \times 0.12 = 0.0148$ hectares or 148 square metres

Local and Neighbourhood Parks and Gardens: $124/1000 \times 0.38 = 0.0471$ hectares or 471 square metres

Outdoor Sports Facility: $124/1000 \times 1.09 = 0.1351$ hectares or 1351 square metres

Natural and Semi-Natural Greenspace: $124/1000 \times 1 = 0.124$ hectares or 1240 square m²

Total requirement = $(0.0384 + 0.0818 + 0.0148 + 0.0471 + 0.1351 + 0.124) 0.4412$ hectares or 4412 square metres.

The application form states the total site area to be 29,293 square metres and the calculated requirement of 4412 square metres would represent 15% of this figure which demonstrates that it can be accommodated on site.

The focus of provision according to the applicants would be the provision of amenity greenspace with the submitted Planning Statement outlining that :

"Provision for Children and Young People 4.46 Existing NEAP lies off Horncastle Road c.450m to the south of the site. The existing LEAP of Norman Way lies c.500m to the east of the site. This existing provision is within reasonable walking distance to serve the development. As such, new dedicated facilities for children and young people such as LAP, LEAP and NEAP are not being proposed as the need created by the development can be met elsewhere by the existing provision within the village".

The required quantum of public open space can be delivered by imposition of a suitably worded condition. Details of future maintenance will also need to be agreed. Subject to this it would accord with policies S51 and S53 of the Central Lincolnshire Local Plan.

Biodiversity :

Policy S60 looks to the protection of biodiversity and geodiversity. A Preliminary Ecological Appraisal prepared by Archer Ecology has been submitted dated November 2024. A summary of the conclusion and recommendations are reproduced below with full details available to be viewed on our website:

"Habitats and Biodiversity

The application site does not support habitats of nature conservation value on a county or national scale. All habitats recorded are widespread locally and are considered to be of nature conservation value on a site or local scale"

Designated sites

The proposals may meet the Impact Risk Zone criteria for Bardney Limewoods SSSI. Therefore, Natural England could be consulted with regard to the impact of the proposals on the interest features of the SSSIs.

(Note from case officer: Natural England considered the impact and stated that the proposed development would not damage or destroy the interest features for which the site was notified and raised no objection)

Biodiversity

In order to appraise the impacts of the proposed works on the existing biodiversity, it is recommended that a dedicated biodiversity assessment is undertaken to address the full extent of expected habitat loss.....It is further proposed that any introduced landscaping incorporates native, species-rich plants and shrubs of local provenance. Species of greatest value to pollinators, and other aerial invertebrate should be sought as this offers a greater potential food source for locally foraging bats, mammals, avifauna and herpetofauna.

Amphibians

Habitat of potential ecological value for amphibians within the application site included the understories of hedgerows, trees, dense scrub and long sword neutral grassland. Debris/rubble piles on site could provide opportunities for amphibians to take shelter. Due to the nature of the works, limited to the application site and given a lack of breeding ponds within close proximity to the application site, the likelihood of encountering a notable population of amphibians during site preparatory works is considered to be significantly low. Nonetheless, the possibility that individual or low numbers of reptiles could be incidentally encountered should not be discounted.

As a precautionary measure to mitigate the potential to harm single and/or small populations of amphibians during site preparatory works, it is advised that a bespoke Amphibian and Reptile Method Statement is followed.

Reptiles

The application site contains habitats considered to be of value to reptiles in the form of neutral grassland, the understories of dense scrub and trees, hardstanding, and rubble/debris piles. The suite of reptile surveys completed in September 2024 identified two common lizards. These findings indicate that a small population of this species currently resides on the site. The findings also indicate a plausible absence of 'notable populations of reptiles on the application site currently, with only individual or low numbers of commonly occurring amphibians expected to be encountered during the proposed works.

To mitigate the potential to harm single and/or small populations of reptiles during site preparatory works, it is advised that a bespoke Amphibian and Reptile Method Statement is followed.

Birds

Hedgerows and trees occurring on the application site have the potential to sustain nesting opportunities for ground and tree nesting passerines. Buildings on site could also provide opportunity for nesting birds.

It is recommended that swift bricks, which are considered to constitute a 'universal nest box' and are used by a wide range of species, should be installed at a ratio of one brick per new dwelling. The removal of any hedgerows, scrub and trees, and the demolition of buildings on the site, should be completed outside of the main nesting

bird season (nesting season runs March-August, inclusive) where practicable. Should these works be scheduled during the main nesting bird season, all suitable habitats for nesting activity should be firstly checked by a suitably experienced ecologist in advance. If active nests are found, these must be fully safeguarded and left undisturbed until all chicks have fledged.

Bats

Should the crack willow tree with BRP- M be removed, in accordance with the Bat Conservation Trust's Good Practice Guidelines, 4th edition (Collins, 2023) it is recommended that three dusk emergence surveys are conducted. The surveys must be undertaken between May and September with at least two of the surveys between May and August (inclusive). The emergence surveys were only recommended if the willow tree with bat roost potential was to be removed. The willow tree is incorporated into the layout (see below) and proposed to be retained thus avoiding the need for any survey work.

In order to avoid impacts upon nocturnal bat activity, dark and unlit corridors should be maintained around and across the site, allowing bats to pass through unhindered by artificial light. Should any artificial lighting be introduced on the site, this should be directed away from potential foraging features.

Badgers

If it is not possible to backfill or cover any excavations and they must be left open, a means of escape must be provided to allow any animals which may fall in to escape on their own. This can be achieved by placing a suitably sized plank of wood in the hole at a 45o angle which will allow animals to climb out.

An arboricultural report prepared by Equans dated 24th May 2024 has also been submitted. The Results are reproduced below in summary with full details available to view on our website:

"This assessed 18 individual trees and 5 groups of trees. 1 individual tree (T11) has been assigned to the high quality and value, category A. This tree is considered to have high quality and value with a remaining life expectancy of at least 40 years. 7 individual trees and 1 group of trees (T3, T4, T9, T10, T12, T13, T14 & G5) have been assigned to the moderate quality and value, category "B1/B2". These trees are considered to be of moderate quality and value with an estimated contribution of at least 20yrs. 8 individual trees and 4 groups of trees (T2, T5, T6, T7, T15, T16, T17, T18 & G1, G2, G3, G4) have been identified as category "C1/C2", trees of low quality and value with limited merit or in such a condition that reduces their safe useful life expectancy. It would be reasonable to suggest that trees of such low quality and value with limited long-term prospects would not be worthy of being given any significant weight in any planning decisions. 1 individual tree (T8) has been assigned to category "U"; a tree unsuitable for retention"

Biodiversity can be protected and impacts minimized by following the recommendations outlined in the PEA. A condition will also be imposed prohibiting removal of any trees falling within categories A , B1 and B2. This would aid biodiversity.

Biodiversity Net Gain

Policy S61 of the CLLP seeks to secure deliverable measurable net gains of at least 10% in common with the statutory requirement.

The submitted metric calculates a net loss of 55% in habitat units with a net gain of 8.1% in hedgerow units and 8.99% in watercourse units. This means that the 10% BNG requirement cannot be met on site and would need to be met offsite through credits.

The site is identified as a Biodiversity Opportunity Mapping (BOM) area. Policy S61 requires the delivery of 10% measurable net gain attributed to the development. Appendix 4 sets out principles for development within Biodiversity Opportunity Areas.

Hence why Chris H would object to a biodiversity net loss on site and wants it to be at least neutral (no net loss) on site...]

The Principal Ecology and Wildlife Officer has agreed following discussions with the applicant and the submission of amended information that the 10% can be achieved in any other manner outlined by Statutory Biodiversity Net Gain which is considered reasonable and acceptable. Conditions are recommended to achieve this together with conditions specifically detailing on site biodiversity enhancements that must be implemented.

Subject to these measures being conditioned as recommended it would be in accordance with both the statutory requirements and policy S61.

Climate Change

Policies S6 and S7 collectively seek to reduce energy consumption in all new residential development and set out design guidance. The submission of an Energy Statement is required. The principal aim is to ensure that the energy demands of new development are met by renewable energy. The target is to achieve a site average space heating demand of 15-20 kW/m²/yr and a site average total energy demand of 35kW/m²/yr. No single dwelling can have a total energy demand of greater than 60kW/m²/yr irrespective of the amount of renewable energy generation. A condition will be placed requiring an Energy Statement to be submitted with the Reserved Matters application. It would therefore be in accordance with S6 and S7. A condition will also be imposed prohibiting the provision of piped gas.

Water Efficiency :

Policy S12 seeks to minimise impact on the water environment by new dwellings achieving the optional Technical Housing Standard of 110 litres per day per person for water efficiency as described by Building Regulation G2. Measures for water management include a rain harvesting water butt of a minimum 100 litre capacity in residential dwellings with a garden. These will be required by condition and so would accord with policy S12 of the Central Lincolnshire Local Plan.

Historic Assets

Policy S57 requires that development affecting archaeological remains should take steps to protect and where possible enhance their significance. It also requires that planning applications be accompanied by an appropriate and proportionate

assessment. An Archaeological Desk Based Assessment (DBA) has been completed for the site which identifies the site has potential for archaeological activity from the medieval, post-medieval and early modern periods. The subsequent request for trial trenching as part of the determination process is acknowledged. The applicants have stated that they not dispute the need for additional investigation to be undertaken simply the timing proposed. It is advised It is advised that a requirement for trial trenching results to be submitted, to guide any layout proposed, as part of any future reserved matters submission would be a proportionate response sufficient to safeguard heritage assets. On this basis it would accord with policy S57.

Minerals

It is noted that the draft Minerals and Waste Local Plan is progressing towards adoption.

Nevertheless the current plan is considered relevant for assessment purposes. Policy M11 allows development in such areas if it forms part of an allocation in the Development Plan. This is the case here.

Site specific Development Requirements of policy S81

- *Development will need to assess drainage and surface water flood risk on the site*

An assessment has been provided, as detailed above. It concludes that the risk is low but that onsite water storage and attenuation will be required.

This will be determined at reserved matters, when a final layout is brought forward

Potential to provide additional community facilities as part of development

This has been considered by the applicants and rejected in their submission:

"The site directly adjoins the land and buildings owned by the Lincolnshire Co-op food store. There is no rear access to the building and the Co-op have recently installed a drainage pond to the rear of the site (WLDC Ref: 143739). This eliminates any connectivity from the site to the Lincolnshire Co-op. There is no further information within the CLLP or its evidence base (See Appendix A) which indicates a deficiency of community facilities within Bardney that the site could accommodate and 54no. dwellings is not of a scale that would warrant additional community facilities to serve the development"

It is possible to conclude that the applicants in their response did consider the potential for a community facility whilst rejecting it ultimately. On the basis that the site criteria did not specifically require **the provision of a community facility** it would not be considered reasonable to refuse the application on these grounds.

The Ward Member has raised whether contributions to improve the existing play area off Horncastle Road should be sought. This has not been raised by the Parish Council in their representations. Nonetheless, this has been raised with the applicant. A response to the request was received from the applicants on 15th May and is reproduced below:

"In relation to the response from Cllr Fleetwood, Policy S51 is clear that off-site provision, made through a financial or in-kind contribution will only be considered if the

provision of open space on-site is not feasible or suitable due to the nature of the proposed development. We have demonstrated that there is a significant deficiency in amenity greenspace in Bardney, evidenced within the CLLP, which the application seeks to address. I do not agree that improving the existing play equipment would be more appropriate, given the lack of any amenity greenspace in the village

If the LPA disagree, the applicant may be amenable to providing a contribution to improve the quality of existing provision, but this will be provided in lieu of on-site open space. If this were the LPA's preferred option, we will need to review the developable area and indicative capacity, as this would be increased.

Alternatively, if you agree with our approach and this remains a local issue, you could perhaps refer Cllr Fleetwood and the Parish Council to explore a Community Right to Build Order which can grant them permission for new structures but more importantly generate funding streams for such improvements to local community infrastructure"

Partially within Sand and Gravel Minerals Safeguarding Area

The Minerals plan allows development for allocated sites.

- *Within or includes an area of Biodiversity Opportunity - proposals on this site should incorporate the relevant Principles for Development within Biodiversity Opportunity Areas set out in Appendix 4*

This has been considered which is demonstrated by the need for a stand alone condition for delivery of BNG rather than being able to rely on the statutory condition.

Planning balance and reasons for conclusion:

The decision has been considered against policies S1 The Spatial Strategy and Settlement Hierarchy, S2 Growth Levels and Distribution, S4 Housing Development in or Adjacent to Villages, S6 Design Principles for Efficient Buildings, S7 Reducing Energy Consumption – Residential Development, S12 Water Efficiency and Sustainable Water Management, S21 Flood Risk and Water Resources, S22 Affordable Housing, S23 Meeting Accommodation Needs , S45 Strategic Infrastructure Requirements, S47 Accessibility and Transport, S48 Walking and Cycling Infrastructure; S49 Parking Provision, S51 Creation of New Open Space, Sports and Leisure Facilities, S53 Design and Amenity, S60 Protecting Biodiversity and Geodiversity, S61 Biodiversity Opportunity and Delivering Measurable Net Gains, and S80 Housing Sites in Large Villages of the Central Lincolnshire Local Plan 2023 . 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.

This is an application for outline permission with all matters reserved for future consideration for up to 48 dwellings on a site specifically allocated for residential development. Whilst it is noted that objections on the grounds of highway safety and drainage and flooding have been raised to the proposals these matters are considered capable of being satisfactorily resolved by a future application for approval of reserved matters. The need for improvements to existing medical services have been considered in detail and will be provided through an agreed financial contribution

secured by a section 106 legal agreement. Affordable housing will be provided in accordance with policy requirements, and this will also be secured by a section 106 legal agreement.

A satisfactory scheme is capable of being design at reserved matters that would avoid adverse impacts on existing neighbours and noise and disturbance from construction activities will be mitigated Biodiversity will be protected on site by imposition of conditions requiring the recommendations of the Preliminary Ecological Appraisal to be implemented. Whilst 10% Biodiversity Net Gain will not be delivered on the application site it will still be provided in percentage terms by utilisation of measures outlined by Statutory Biodiversity Net Gain and imposition of recommended conditions. The requirement and delivery for public open space will be secured by use of conditions.

Recommendation : Defer and delegate approval to officers subject to the completion of a section 106 agreement that provides :

NHS A financial contribution to fund improvements to Woodhall Spa New Surgery and Wragby Surgery

Affordable Housing 20% of the dwellings to be delivered as affordable housing. Tenure split to be 60% Affordable Rent 40% Affordable Home Ownership (Shared Ownership and First Homes)

Biodiversity Net Gain

To include delivery and monitoring of BNG following reserved matters submission and approval

and recommended conditions :

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

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

2. No development must take place until, plans and particulars of the **access, appearance, layout** and **scale** of the buildings to be erected and the **landscaping** of the site (hereinafter called “the reserved matters”) have been submitted to and approved in writing by the Local Planning Authority, and the development must be carried out in accordance with those details.

Reason: The application is in outline only and the Local Planning Authority wishes to ensure that these details which have not yet been submitted are appropriate for the locality.

3.The development hereby permitted must be begun before the expiration of two years from the date of final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.

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

4. The reserved matters planning application submitted to the Local Planning Authority considering access, layout, scale and appearance must include a report detailing the results of archaeological Trial Trenching across the site. If following submission the Trial Trenching is not considered sufficient by the Local Planning Authority to be able to determine harmful impacts to archaeological remains additional information can be requested and must be supplied.

Reason: To guide development of the site that avoids harmful impacts on archaeological remains in accordance with the National Planning Policy Framework and policy S57 of the Central Lincolnshire Local Plan.

5. The reserved matters planning application submitted to the Local Planning Authority considering layout, scale and appearance must include a schedule of the proposed housing tenures, types and sizes and parking provision that accords with policy S49, to be agreed in writing by the Local Planning Authority.

Reason: To support the creation of mixed, balanced and inclusive communities and to ensure sufficient parking provision in accordance with policies S23 and S49 of the Central Lincolnshire Local Plan.

6. The reserved matters planning application submitted to the Local Planning Authority should not include details of any two storey properties on land immediately adjacent to existing residential properties along Jubilee Close and Jubilee Drive.

Reason: To avoid adverse impacts of massing and overlooking on the small bungalows in accordance with policy S53 of the Central Lincolnshire Local Plan.

7. The reserved matters planning application submitted to the Local Planning Authority considering access and layout, must include details of a pedestrian and cycle link within the site next to Jubilee Drive. The details submitted and approved must be implemented prior to occupation of the approved housing.

Reason: To improve walking and cycling infrastructure and accessibility in accordance with policies S47 and S48 of the Central Lincolnshire Local Plan

8. The reserved matters planning application submitted to the Local Planning Authority considering access, layout, scale and appearance must include a written Ecological Mitigation and Enhancement Plan (EMEP) in accordance with the Preliminary Ecological Appraisal dated November 2024 by Archer Ecology. The EMEP shall include:

- A plan showing the retention and protection of trees classed as A and B1 and B2 by the arboricultural report prepared by Equans dated May 2024.
- A plan showing habitat protection zones.
- Details of any precautionary method statements for protected species
- Details of any further surveys or licences conducted/applied for in relation to protected species

- Details of a sensitive lighting strategy
- Details of wildlife friendly landscaping within curtilage of private dwellings (including native tree planting, garden ponds, flowering lawns and urban greening [i.e. rain gardens])
- Details of educational leaflets to be provided to all residents as to the enhancements for wildlife within their own curtilage and the wider development.
- Evidence of collaboration with Waterlife Recovery East as part of the Greater Lincolnshire Nature Partnership Operation Water Vole by means of providing 1 x mink trap and upkeep for at least 3 years
- Details, specification location of hedgehog highway within all closed panel fence boundaries and hedgehog refugia
- Details, specification, locations of amphibian friendly curb and drain treatments.
- Details, specification and location of the following species enhancements incorporated into structures across the site:

Integrated bird boxes . Total across site to equal number of dwellings

1 x Owl and kestrel boxes (post mounted may be considered)

Integrated bat boxes and/or bat lofts with roof access tiles. Total across site to equal number of dwellings

1 to 2 bee/insect bricks per dwelling

The EMEP shall be implemented in strict accordance with the approved plan. All features shall be installed during construction and retained as such thereafter.

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

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

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

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

10. No development shall commence until a surface water and foul water drainage scheme has been submitted to and approved in writing by the Local Planning Authority

The scheme shall:

- 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 upto and including the 1 in 100 year critical storm event with an allowance for climate change, from all hard surfaced areas within the development to the existing local drainage infrastructure and watercourse
- provide attenuation details and discharge rates which shall be restricted to 10 litres per second
- provide details of the timetable for and any phasing of implementation for the drainage scheme; and
- provide details of how the scheme shall be maintained and managed over the lifetime of the development including any arrangements for adoption by a public body or statutory Undertaker and any other arrangements required to secure the operation of the drainage system throughout its lifetime

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

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

11. No development shall commence until a Construction Method and Management Plan has been submitted to and approved in writing by the local planning authority. This must indicate measures to mitigate the adverse impacts of noise and disturbance and vehicle activity during the construction stage of the permitted development. The CMMP shall include

- a) Location of the site compound and routing of construction and delivery vehicles
- b) Parking and turning areas for construction vehicles, delivery vehicles and site personnel;
- c) Temporary traffic management signage;
- d) Access points, loading/unloading and turning areas for construction traffic;
- e) Hours of operation and timing of deliveries which are to be between 07:30 to 18:00 Monday to Friday, 08:00 to 13:00 on a Saturday and at no time on a Sunday or Bank Holiday unless in association with an emergency;
- f) Dust suppression, odour suppression and vapour suppression methods;
- g) fencing/hoardings to any compounds;
- h) Structures to be located within compounds and any proposed lighting including measures to limit light spillage to the public highway and to nearby residents;
- i) Plant, equipment and machinery to be installed within the compound including details of hours of operation and noise during operation;
- j) Facilities for washing the wheels, chassis and bodywork of construction vehicles free of mud;
- k) Storage and removal of demolition and construction waste;

l) Construction activities to be carried out in accordance with best practice pollution prevention guidelines.

Reason: In the interests of highway safety and to restrict disruption to the living conditions of neighbouring dwellings and the surrounding area from noise, dust and vibration in accordance with policies S47 and S53 of the Central Lincolnshire Local Plan.

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

12. The Biodiversity Gain Plan required under schedule 7A of the Town & Country Planning Act 1990, must demonstrate that there will not be a biodiversity net loss within the biodiversity opportunity mapping area.

Reason: In accordance with policy S61 of the Central Lincolnshire Local Plan

13. With the exception of the detailed matters referred to by the conditions of this consent, the development hereby approved relates to the following drawings: Site Location and Layout Plan drawing number A1- 01 **excluding** the area of land edged red to the north.

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

Reason: To ensure the development proceeds in accordance with the approved plans in the interests of proper planning.

14. No works above ground level shall take place until details of the proposed public open space including planting plans, written specification, schedules of plants and species and any outdoor seating or equipment to serve the development have been submitted to and approved in writing by the local planning authority. The details submitted must demonstrate compliance with Appendix 3: Open Space Standards of the Central Lincolnshire Local Plan adopted 2023 and compliance with the latest Central Lincolnshire Developer Contributions Supplementary Planning Document (or similar subsequent document)."

Reason: To ensure sufficient provision of open space to serve the development in accordance with policies S51 and S53 of the Central Lincolnshire Local Plan.

15. The public open space details approved by condition 14 must be provided on site prior to first occupation of the dwellings approved **or** to a timescale and phasing that has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the timely provision of public open space to accord with Policy S51 of the Central Lincolnshire Local Plan.

16. The dwelling/s 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 (2023).

17. Before any dwelling is occupied it must have a rain harvesting water butt of a minimum 100 litre capacity within its garden area.

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

18. 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.

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: G. Backovic

Date: 15/05/2025



Authorising Officer:

Date: 15/05/2025