

[06] Outline Planning Permission

S/165/02238/20 **APPLICANT:** Gin Property (Spilsby) Ltd,

VALID: 03/12/2020 **AGENT:** Robert Doughty Consultancy Ltd,

PROPOSAL: Outline erection of up to 600no. dwellings and a medical centre with provision of associated open space, landscaping, estate roads and cycleways.

LOCATION: LAND AT HALTON ROAD AND, ASHBY ROAD, SPILSBY

1.0 REASONS FOR COMMITTEE CONSIDERATION

1.1 The proposal is for a development of significant scale, on a Local Plan allocated site, being a major contributor to the strategic delivery of housing in the District. Although at present there are still issues requiring further consideration, the development of the site is important for enabling delivery of a much needed new doctors surgery in the town. This report, therefore seeks in principle agreement from the Committee, to enable on going negotiations and to give confidence for on going support and commitment to the business case seeking to deliver the new surgery.

2.0 THE SITE AND SURROUNDINGS

2.1 The application site comprise approximately 39 hectares of agricultural land located on the eastern periphery of Spilsby.

2.2 The southern boundary of the development site is defined by the B1195 Halton Road with Ashby Road and associated mature trees defining the north boundary.

2.3 The western boundary of the site is contiguous to the town's current development/settlement envelope and is defined by a mixture of housing styles and types.

2.4 The site itself and the land to the north and west comprises undulating agricultural land and pasture. Generally the application site slopes from west to east and an existing drain, which runs west to east midway through the site, divides the northern section of the proposed development from the land to the south, forming a shallow valley running from west to east along which the water course runs.

2.5 Within the site there are a number of features, including field boundaries and drainage dykes as well as a hedged area including two ponds, one fed by natural spring and one of an artificial, constructed form.

- 2.6 The site is also crossed by two well used public footpaths (Spilsby 159/1 and 160/2) and a number of power lines which distribute power via a substation to the south would be diverted during the construction period for any development.
- 2.7 Whilst the site extends into open countryside, the presence of the residential developments to the south and west of the site impart a distinct urban edge context to the site's locality, rather than a wholly rural character.

3.0 DESCRIPTION OF THE PROPOSAL

- 3.1 This application seeks outline planning permission for residential development of up to 600 dwellings, a Medical Centre, open space, structural landscaping, estate roads and cycleways on 39 ha of land to the east of Spilsby between Ashby Road and Halton Road. The site is based on an allocation in the East Lindsey Local Plan.
- 3.2 All matters of access, appearance, landscaping, layout and scale are reserved for subsequent approval such that the application effectively, only seeks to establish the principle of residential development on the site. However, the supporting Planning Statement advises that the following are either expected to form part of the development, or are subject to discussion:
- Medical centre - to be provided for as a serviced plot
 - New Chapter Village - potentially 200 dwellings for older (over 55's) people to meet an identified, growing housing market need.
 - Delivery of approximately 25 affordable dwellings
 - Provision of 'Rent to Buy' properties to meet demand for affordable housing for families, young couples and young people
 - Provision of supported living accommodation for older people through LACE Housing
 - Open market housing for up to 200 dwellings.

The planning application is supported by:

- Planning Statement that includes a review of planning policy indicating how the proposal is consistent with the Development Plan and other guidance.
- Landscape Visual Assessment and Landscape Strategy Design Statement to assess the landscape setting of the application site and to guide the form of development. This provides a consideration of the development proposals in the context of its setting, relevant landscape features, public access, landscape character and relevant local planning policy. The assessment therefore considers potential impacts in the context of the East Lindsey Landscape Character Assessment (2009) which confirms the site as lying in the Hainton to Toynton All Saints Wolds Farmland landscape character sub-area). Amongst other things key viewpoints were identified. The report recognises that the proposals are likely to have varying degrees of visual impact on

views from such locations and on visual receptors from the site (eg users of the footpaths), but concludes that implementation of strategic infrastructure landscaping and the provision of open space will provide potential for mitigation to such impacts. This includes consideration of measures in the context of long distance views to and from the Lincolnshire Wolds AONB. Limited adverse visual impact on the quality of views experienced from the AONB is confirmed. Substantial new tree and hedgerow planting together with on-site landscaping to integrate the development into its surroundings, is therefore advocated. In particular, need for careful consideration of the northern site boundary, adjacent to Ashby Road, the central section of the northern portion of the site (where the public footpath runs east-west), the area to the east of the existing ponds and the southernmost section of the development (where the site adjoins Halton Rd) is referenced.

- A Transport Assessment and a Travel Plan which consider the impact of the proposal on the local road network. - The assessment concludes that traffic impacts from the proposed development would not be severe and that no specific mitigation is required. Relevant junctions within the study area (including the A16/B1195 junction) are forecast to operate within capacity after the development is complete. Equally, a transport strategy is proposed that seeks to ensure quality connectivity for walking and cycling through the site and via enhancement of existing connections linking to Spilsby town centre (improving the pedestrian route and road crossing on Ashby Road and improving access to the town centre along the footway to Post Office lane). The strategy also looks to manage car based travel demand through reduction in the potential number of trips generated by the development. This is to be managed and monitored through the implementation of a Framework Travel Plan, including the promotion of measures such as encouragement of cycling, use of public transport, car sharing and home working.
- A Preliminary Ecological Assessment which assesses the ecological value of the application site and is supported by Bat and Nesting Bird Surveys. The report advises that it is highly unlikely for Great Crested Newts to be breeding in the ponds or dispersing across the site from other nearby ponds, but recommends adherence to precautionary working practices. Additional breeding bird surveys are advised at appropriate times and a range of ecological enhancements are advised in order to ensure no net loss of biodiversity. Such measures would include use of native species in new planting, retention and management of hedgerows where possible, addition of wild flower areas, management of SuDS features for wildlife, retention of botanically diverse area of neutral grassland. A badger sett features within the site, but this will be retained and appropriate routes to allow access to surrounding countryside safeguarded.

- An Arboricultural Report which considers the impact on trees both on the site and immediately adjoining it. The report advises that the tree population across the site is limited and poses only a minor constraint to development opportunity. Trees are generally positioned along the site boundaries with those of low value being identified for potential removal. Good arboricultural practice is envisaged to apply for the majority of trees capable of retention and comment made that the site provides opportunity through a good landscape scheme for enhancement.
- A Flood Risk Assessment and Drainage Strategy to confirm that the proposed development is safe and to demonstrate how surface water will be managed. The site is confirmed as being at low risk of flooding (Flood Zone 1) with the majority of the site also at very low risk of surface water flooding other than around the two watercourses within the northern part of the site. A sequential approach to location of development within the site is therefore advocated. Use of SuDS is confirmed together with plans for future maintenance and management. The drainage strategy proposed requires use of attenuation basins with a controlled outfall into the on site watercourses at a greenfield runoff rate. The report concludes that future occupants and users of the development will be safe from flooding and that there will be no detriment to third parties. Foul water connection to Anglian Water Services infrastructure is confirmed with detailed discussions on-going.
- A Phase 1 Ground Investigation report which considers the suitability of the land to accommodate residential development. This advises that the site has had historic use for agriculture generally and that there are very low risks associated with potential or existing contamination. Recommendation is made for a condition to secure a Phase 2 geo-environmental ground investigation to fully characterise the ground conditions for benefit of construction measures.
- An Archaeological Evaluation, reporting on the trial trenching undertaken on the site to a scheme agreed with the Historic Environment Officer of Lincolnshire County Council. Multiple ditches, gullies and pits were investigated and recorded across the site. Groups of archaeological features were concentrated in certain areas (to the southern part of the site were prehistoric remains, Bronze Age and Iron Age activity. In the north west part of the site, early Medieval remains were identified and prehistoric features recorded
- A report exploring the utilities on site or those that would be available to the development.

- Design and Access Statement (DAS) - this confirms an intention to create a development that integrates well with Spilsby, whilst only allowing for vehicular access to Ashby Road to the north and Halton Road to the south. The stated intention is to ensure connectivity but not facilitate use as a by pass to the town. Existing rights of way are to be enhanced to facilitate access to the town and the open countryside. The design and masterplan approach has been derived through an iterative process, being informed by a constraints and opportunities type appraisal utilising the information and evidence contained within the various supporting appraisals. The DAS also confirms the provision of a replacement building for Spilsby Medical Practice to be located by the new junction on Halton Road in order to practically enable early delivery. The DAS does not provide any detailed commentary on matters of scale or appearance for development within the site, but does seek to establish a spatial 'framework' masterplan for the site, identifying areas for development, open space and connectivity options within the site.
- A Landscape Strategy Design Statement - This provides a landscape design philosophy to guide the delivery of landscape and open space provision within the site. In effect, the document seeks to establish landscape principles and parameters to be followed through the submission of subsequent reserved matters applications. Reference is made to adopted policy and guidance including the East Lindsey Landscape Character Assessment July 2009. The document therefore establishes key objectives for the various development areas and sensitive areas within the site including:

 - Northern boundary adjacent Ashby Road - set back of built form with the incorporation of a substantial landscape buffer (to maintain the rural character along the approach to Spilsby).
 - Route of public footpath running from Ashby Meadows towards Ashby Road - Provision of a significant area of open space and infrastructure planting to maintain visual connectivity with the countryside, a character of rurality and retain strategic 'place making' views of the AONB.
 - Eastern boundary including areas east of the existing ponds at the centre of the proposed development. - In recognition of the longer distance views of the site from the east of the town, and to avoid the potential for eastern sections of the development to visually encroach into open countryside, careful consideration needs to be given to positioning, massing and built form. Equally, screen planting, new trees and areas of woodland along the eastern edge of the development are suggested. Attenuation ponds are also to be sited here to benefit biodiversity through creation of a linked network of green corridors.

- Southern sections adjacent to Halton Road and adjacent to the public footpath from Halton Road towards Halton Hologate. - In recognition that the development will represent an extension to the urban edge and built form of Spilsby into the open countryside, with a loss of views and change in character, advises that consideration be given to positioning, scale and massing of the built form together with the incorporation of strategic areas of landscaping to reduce visual impact, maintain a green corridor and visual link with Halton Hologate

4.0 CONSULTATION

4.1 Set out below are the consultation responses that have been received on this application. These responses may be summarised and full copies are available for inspection separately. Some of the comments made may not constitute material planning considerations.

Publicity

4.2 The application has been advertised by means of a (press notice and) site notice and neighbours have been notified in writing.

Consultees

4.3 SPILSBY TOWN COUNCIL - Overall, the Town Council regards the development as being positive for Spilsby and will:

- encourage development in infrastructure, recreational amenities and culture
- favour a more diverse, sustainable and vibrant High Street
- Promote the growth of the outdoor market
- encourage business investment and tourism growth
- encourage employment
- facilitate recruitment of high skilled professionals.

However, also notes problems with other recent developments in the town (eg lack of parking, roads too narrow) and hope that similar problems are avoided.

Confirms that feedback from residents and discussions with the developer have been considered and that these have raised some concerns including (these are referenced in more detail in an Annex document provided with the Town Council submission):

- impact on towns infrastructure (highways/traffic management, drainage)
- environmental impact
- need for improved health and education services
- change to towns character and visual impacts
- impacts on ecology
- impacts on use of public footpaths which should be upgraded
- concern about traffic increase, highway and pedestrian safety and need for extended 30mph speed restrictions.
- provision of electric charging points

- additional town centre parking should be considered
- overlooking of existing dwellings should be avoided
- makes suggestions re: design standards for car parking/layout
- suggests social housing be spread through development to promote inclusion.
- overbearing and out of scale development for the town.
- need for adequate car parking
- Spine road design needs careful consideration to manage speed/avoid accidents
- Flooding problems in Little Steeping arising from water run-off from the application site fields noted. the development will need to ensure surface water run-off is suitably managed.
- Suggestions/requests made for provision of intended social housing.
- Concludes support for the provision of a variety of new housing in Spilsby but considers further consideration of road safety and flooding in particular, is needed.

4.4 HALTON HOLEGATE, FENSIDE PARISH COUNCIL - Objects for the following reasons:

- exceeds Local Plan allocation.
- Will overwhelm the town and put pressure on infrastructure without clear mitigation being evident.
- Consider would be unsustainable and reduction in well being for members of the community.
- Considers contrary to ELDC policies(SP1, 2, 4 and 10)
- Inadequacy of highway infrastructure (George Cross Roads) and narrowness of Halton Rd and Ashby Rd as well as concern about additional traffic passing through village.
- Flooding/drainage concerns. Questions robustness of submitted drainage details and on going management regimes.
- Foul water capacity concerns.
- Considers that the development would result in a near 50% increase in population, but no associated job creation
- Welcomes provision of new health care facility but considers this doesn't outweigh concerns.
- Questions impacts on education and provision of recreation facilities.

4.5 HUNDLEBY PARISH COUNCIL - Given the scale of development proposed wish to ensure mitigation is secured. Acknowledges potential benefit for commerce but raises the following concerns:

- Halton Rd already congested. development will increase risk for road users and pedestrians.
- Spilsby has few leisure facilities (swimming pool, gym, library etc)
- Impacts on schools
- Added congestion in the town centre
- Question whether traffic surveys were undertaken at appropriate times given seasonal nature of coast traffic.
- Considers reduction in numbers by 50% appropriate and need to construct a relief road between A16 and Halton Rd or A16 and

Ashby Rd to alleviate pressure on Halton Rd, town centre and the A16/B1195 junction.

- Rental accommodation be prioritised for ELDC residents.
- 4.6 LCC HIGHWAYS AND LEAD LOCAL FLOOD AUTHORITY - Interim request for additional information relating to condition of watercourses on site and impacts downstream and clarification of transport assessment details was made. Following provision, it is understood that there are no objections to the proposal. Final comments are still awaited and will be provided as update to the committee.
- 4.7 ENVIRONMENTAL SERVICES (Environmental Protection) - No response received
- 4.8 ENVIRONMENTAL SERVICES (Drainage) - No response received
- 4.9 ENVIRONMENTAL SERVICES (Contamination) - Considers there to be a low risk of contamination for the proposed development.
- 4.10 LCC (STRATEGIC DEVELOPMENT) - Requests contribution of £2,210,523 as mitigation for impacts on local schools. This would be used towards expansion of Spilsby Primary School, Spilsby King Edward VI Academy and additional sixth form provision. Additionally, to enable expansion of the local schools, a 0.5ha site for use as playing field land is requested. The assessment is based on the suggested mix for the site including retirement houses. Should that alter, reassessment may be needed.
- 4.11 ANGLIAN WATER - Advises of need for layout to take account of infrastructure on site including an AWS pumping station. Advises that Spilsby water Recycling centre does not currently have capacity to treat the flows from the site but that Anglian Water would be obligated to accept the foul flows should planning permission be granted and would therefore take necessary steps to ensure that there is sufficient treatment capacity. For the used water network, request a condition requiring an on site drainage strategy to ensure that any needed infrastructure improvements are delivered in line with the development.
- 4.12 NATURAL ENGLAND - Notes that the development could have significant effects on Best and Most Versatile Agricultural Land and therefore requests further information to determine the significance of these impacts and scope for mitigation.
- 4.13 LINCOLNSHIRE WILDLIFE TRUST - Support the recommendations for mitigation and enhancement in the submitted ecological reports. However in light of the forthcoming Environment act, recommend additional information is submitted to objectively measure and secure delivery of Biodiversity Net Gain (BNG). Also make general observations and suggestions for further mitigation measures and enhancement of potential design features eg SuDS ponds. Consequently wish their submission to be considered in the form of a 'holding objection' pending submission of additional information relating to BNG and would be happy to work with officers and developer in ensuring an exemplar

development of the site.

- 4.14 LCC COUNTRYSIDE ACCESS OFFICER - Confirms the development is affected by Spilsby public Footpaths 159 and 160. The proposal to upgrade the surface of the routes is welcomed, but LCC will need to be satisfied of details. Also would like to see off site improvements to connect to the town. Suggests provision of an additional path to east side of the development linking Ashby rd with Halton Rd to give circular walk opportunity. Makes several advisory comments relating to the need to manage construction impacts and to ensure the footpaths remain open.
- 4.15 LCC HISTORIC ENVIRONMENT OFFICER - Site lies in an area of high archaeological potential, much of which has been subject to geophysical survey and trial trench evaluation. Several areas of particular archaeological sensitivity identified - an area to the north of Halton Rd (containing evidence of Bronze Age and Iron age activity) and an area to the west boundary level with Queen Street where early medieval finds and features were recorded. No objection raised to the development but recommends a condition be imposed requiring a robust mitigation strategy
- 4.16 NHS LINCS CLINICAL COMMISSIONING GROUP - identifies potential impact on Spilsby surgery and therefore requests a contribution of £363,000 to be used for the transfer of the current practice premises to a new purpose built building (the existing surgery in Spilsby is noted as having no room for expansion and inadequate capacity for its existing patients).
- 4.17 ELDC HISTORIC ENVIRONMENT OFFICER - Advises that impact will be on archaeology and long distance views from Queen Street in the Conservation area, looking out. However, no objection raised. Given proximity to the Conservation area, a heritage statement should be used to influence later design aspects of scale, massing and materials.
- 4.18 SPORT ENGLAND - Objects as impacts on indoor and outdoor sport has not been assessed. Raise concerns about the robustness of East Lindsey's Sports and Recreation Audits (indoor and outdoor) which do not give clarity for assessment of supply, demands and local needs. Consequently the non inclusion of formal sports facilities cannot be justified on the basis of evidence available. The development should make clear provision to meet the additional demand for sports facilities generated.
Considers on site provision may not be appropriate, but off site or financial contribution could be appropriate to secure implementation of strategic priorities for indoor and outdoor facilities in the area, proportionate to the impacts arising from the development. Additional commentary on feedback from various national Governing Bodies is also referenced: (Football Foundation - would welcome improvement in grass pitches at Spilsby recreation Ground), England Hockey - no issues, Rugby Football Union - lack of a Playing pitch strategy (PPS) makes it difficult to assess, England and Wales Cricket Board - lack of a PPS makes it difficult to assess. No cricket deficiencies

in Lincolnshire identified, but this is based on out of date information (Lincolnshire Sports Facilities Framework).

Support incorporation of Active Design principles (eg walking/cycling routes)

- 4.19 LINDSEY MARSH DRAINAGE BOARD - Offers advisory comment only as the site is within the Boards catchment but outside the district.
- 4.20 ENVIRONMENT AGENCY - No objection as the site is considered to pose low risk to controlled waters from contamination. however, given the sensitivity of the site for groundwater being underlain by a Principal aquifer, recommends a condition be imposed as safeguard should unexpected contamination be found during development.
- 4.21 LINCOLNSHIRE POLICE - No objections but offers advisory design guidance.
- 4.22 LINCOLNSHIRE FIRE & RESCUE - Advise that up to 10 hydrants will be required to cover the site and should be provided at the developers expense (NB these can be secured through the requisition process for drainage infrastructure with the relevant providers).
- 4.23 ELDC WASTE SERVICES - Advises of likely waste collection requirements.

Neighbours

- 4.24 29 letters of representation received raising the following matters:
- will change character of the area
 - no jobs
 - increase in road traffic
 - other development also proposed for Spilsby
 - loss of open area
 - impact on doctors/dentist availability.
 - surgery inappropriately located - too far to walk.
 - Town does not have shops/facilities to support the development - many shops now closed.
 - more housing not needed
 - roads are unsuited to more traffic.
 - Inadequate infrastructure (schools etc)
 - housing should be delivered on smaller sites
 - concern about whether dentists/doctors will be available to take up posts in the new health centre.
 - Drainage concerns
 - Spilsby has limited recreational/leisure facilities
 - at odds with ELDC Local Plan - loss of best agricultural land/impact on wildlife
 - Oversteps the needs of Spilsby
 - increase in pollution from the additional cars
 - loss of walking areas
 - harmful to character of town and quality of life for residents.
 - recognises the need to grow and encourage more footfall into the town but the town needs to recognise its rural roots and

therefore needs careful planning (adequate green space/house styles/parking provision/consideration be given to traffic impacts and highway improvements).

- impact on privacy and outlook.
- notes that additional housing does not necessarily ensure safeguarding of shops/amenities.
- roads in Spilsby not fit for purpose - will result in congestion and be unmanageable.
- Need to control construction traffic movements.
- Too large a development.
- Traffic problems will blight property prices.
- Will affect ground water levels.
- Better sites exist in the district.
- Will lose Spilsby's best assets - attractive surrounding countryside approaches and walks.
- Roundabout junction at A16/B1195 needed.
- Questions availability of gas, water and electricity supplies.
- Questions sustainable/green credentials of the new houses.
- Requests provision of 600 swift nest bricks, to be secured by planning condition.

4.25 The Ward Councillor is aware of the application via the Weekly List.

Representation has been received from the County Councillor for the Spilsby ward raising the following points:

- concerned about congestion within the town centre and the B1195 which goes through the town centre.
- The road needs upgrading and path improving to accommodate any increase.
- Considers amount of additional traffic passing through the town to reach the development as unacceptable.
- Issues with sewerage and drainage.
- Supportive of development in towns but considers the proposal too large.

5.0 RELEVANT SITE HISTORY

5.1 None specifically relevant

6.0 PLANNING POLICY

6.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications are determined in accordance with the development plan unless material considerations indicate otherwise. The Development Plan comprises of the East Lindsey Local Plan (adopted 2018), including the Core Strategy and the Settlement Proposals Development Plan Document; and any made Neighbourhood Plans. The Government's National Planning Policy Framework (NPPF) is a material consideration.

East Lindsey Local Plan

SP1 (A Sustainable Pattern of Places) - confirms Spilsby as Town within the adopted settlement hierarchy.

SP2 (Sustainable Development)

SP3 (Housing Growth and the Location of Inland Growth) - confirms that housing growth will be allocated in the Settlement Proposals Document including in Spilsby.

SP5 (Specialist Housing for Older People) - supports the provision of specialist housing for older people in the towns and large villages subject to compliance with various criteria.

SP7 (Affordable and Low Cost Housing) - supports the delivery of affordable housing, requiring a 30% developer contribution.

SP10 (Design) - seeks to secure well designed sustainable development which maintains and enhances the character of the Districts towns, villages and countryside. A site specific design brief is required to inform proposals of gateway sites and those over 4ha (amongst others).

SP11 (Historic Environment) - seeks to ensure that heritage assets are appropriately considered in development proposals.

SP16 (Inland Flood Risk) - requires that drainage matters and use of SuDS are carefully considered and secured where appropriate.

SP22 (Transport and Accessibility) - supports accessibility and seeks to reduce isolation in the district by (amongst other things) supporting development in or adjoining towns and requiring appropriate assessment and connectivity to existing road and public transport.

SP23 (Landscapes) - seeks to protect sensitive landscapes, allow for greater public access to the countryside and ensure that landscape is used and managed to provide an attractive and healthy working and living environment.

SP24 (Biodiversity and Geodiversity) - requires development to protect and enhance the biodiversity and geodiversity value of land and buildings.

SP25 (Green Infrastructure) - on housing sites over 1ha, requires provision of multi-functional green infrastructure eg recreational areas, cycleways, footpaths, wildlife areas.

SP26 (Open Space, Sport and Recreation) - supports development proposals that increase participation in sports and physical activity and requires new major development proposals to ensure that new facilities are provided to satisfy needs generated by the development in compliance with the Fields in Trust (FIT) best practice standards.

SP28 (Infrastructure and S. 106 Obligations) - requires use of s.106 obligations to secure infrastructure improvements/provision where essentially necessary as a consequence of the development.

National Planning Policy Framework

7.0 OFFICER ASSESSMENT OF THE PROPOSAL

Main Planning Issues

- 7.1 The main planning issues in this case are considered to be:
- **The principle and quality of development.**
 - **Technical Considerations**
 - **S.106 requirements, viability and other considerations**
- The principle and quality of development.**
- 7.2 Spilsby is confirmed in the Core Strategy Document to the East Lindsey Local Plan as a Town - one of the highest order settlements in the district with an expectation for providing the greatest range of facilities and for being a preferred location for new housing. The application site itself, is identified as a housing allocation within the East Lindsey Settlement Proposals Development Plan Document. Relevant planning policy, with specific reference to SP3 and SP DPD1, consequently strongly supports the principle for residential development of the site which is therefore considered acceptable. Consideration for this application therefore is effectively constrained to the detail of the proposal and requirements of other relevant policies together with any other material considerations. In that respect, as referenced in the description of the proposed development earlier in this report, it is also pertinent to appreciate that all reserved matters of access, appearance, landscaping, layout and scale are reserved for subsequent approval and therefore not subject to detailed consideration at this stage.
- 7.3 In considering further the principles for development of the site and with reference to a number of the third party concerns raised, it is considered that the indicative 'masterplan' scheme detail provides for a form of development that would ensure best integration with the existing town form as well as sympathetically responding to its immediate open countryside and established/emerging neighbour context.
- 7.4 As referenced above, the masterplan has been through an iterative process based on an appreciation of the site's constraints and opportunities.
- 7.5 As a consequence, the masterplan provides a framework that comfortably satisfies technical requirements for provision of open space and incorporation of SuDS features as well as ensuring that landscape impact, opportunity for enhancement of biodiversity and enhancement of pedestrian/cycle route opportunities are addressed in a manner that will ensure integration with the existing built form of Spilsby without harm to immediate and wider character. In effect, the masterplan indicates an opportunity for creation of a development with a clear sense of place in its own right, but as an integral part of the town.

- 7.6 Furthermore, the indicative masterplan gives comfort that suitable relationships between any development on site and existing neighbouring dwellings are achievable.
- 7.7 The indicative masterplan scheme detail in terms of a framework for the development of the site is therefore considered acceptable
- 7.8 A number of concerns have been expressed by third parties on the impact of this size of development on the town's character and form. However, not only has this amount of development been identified as appropriate for Spilsby through the Local Plan allocation process, it is also respectfully opined that in practical terms, delivery is likely to be over several years with any consequential impacts being assimilated on a manageable, phased basis. To clarify further, the Local Plan envisages a requirement for 380 new houses over the Local Plan period (until 2031) for Spilsby with this site delivering 345 homes. However, the Local Plan also confirms an expectation for this allocated site to come forward as a single site to provide for housing needs beyond that plan period.
- 7.9 Management of phased delivery from the site to accord with Local Plan requirements can be secured by planning condition.
- 7.10 Expectation for the site to be brought forward for the proposed 600 dwellings (to be potentially delivered over a longer than Local Plan time period) is founded by an appreciation of the need to create economies of scale and assist in the provision of necessary community infrastructure. In particular, that policy position recognises the need for a new doctors surgery, improved connectivity through new road provision to ease congestion in the town and significant areas of green space.
- 7.11 This application has been submitted in part as an enabler for the delivery of the new surgery facility which has the benefit of a planning permission under application 123/21. It is also relevant to note that the business plan for the delivery of the surgery, as approved by the NHS, relies substantially on the provision of a serviced site that would be enabled by the grant of planning permission for the delivery of housing on this allocated site.
- 7.12 The submitted masterplan, identifies a strategically appropriate location for the provision of the surgery (as per the granted planning permission) where not only would it provide a defining landmark facility but could be delivered at an early stage should planning permission be granted (ie without need for extensive infrastructure).
- 7.13 With reference to consultee responses from LCC as Education Authority and Sport England, request or suggestion for provision of outdoor sports facilities is made. Further comment in respect of these suggestions as a necessary element of the scheme detail will be made later in this report, but from a master planning perspective, it is considered that the amount of available and varied areas of open space committed would comfortably accommodate any realistic and justified provision. The masterplan approach is therefore considered robust although it is

considered that planning conditions be considered to ensure compliance with those framework principles and given the strategic importance of landscaping for the site, for submission of a detailed, strategic landscape scheme for implementation

Technical Considerations:

- 7.14 Final observations from the County Council as Local Highway Authority and Lead Local Flood Authority are awaited in response to additional information assessing impacts and condition of downstream drainage infrastructure and on the capacity of the A16/B1195 junction. It is understood that these are likely to be acceptable, but will be confirmed separately.
- 7.15 By reference to the relevant assessments undertaken to accompany the application, it is considered that there are no ecological constraints to development and that suitable mitigation can be secured through conditions and scheme details at the reserved matters stage.
- 7.16 Natural England raised concerns about the loss of Best and Most versatile agricultural land and the lack of a detailed Agricultural Classification Survey. However, although further commentary has been provided from the applicant in this respect and re-consultation with Natural England is in hand, it is relevant to note that the site is allocated and has been considered as suitable for development in policy terms through the detailed and lengthy local plan process. That process was subject to lengthy consultation with public and stakeholders as well as being subject to scrutiny by the Local Plan Inspector. The outcome from that process in confirming the site as a housing allocation was that the Local Plan was 'sound' and that the site was the key route to delivering growth in Spilsby, together with the other needed benefits including the surgery etc. The issue of land classification was not a barrier to confirming the site allocation and should not therefore be one at this stage given the primacy of the development plan (Local Plan) for decision making
- 7.17 At this stage therefore, it is not considered reasonable or justified to object to the principle of development or any reduction in size of site/numbers of units, given consequences for undermining development viability or place making requirements as advocated by the iterative masterplanning exercise.

S.106 requirements, viability and other considerations

- 7.18 As referenced above, the expectations from the allocation of this site are the delivery of a new doctors surgery to serve the town and surrounding area, provision of new road infrastructure to alleviate some pressures from growth on the town centre and the significant provision of areas of public open space. For this latter expectation, the objectives are to provide for suitable community use as well as ensuring an appropriate quality of development.
- 7.19 In addition to the above requirements, other relevant planning policy

(SP7) and by reference to the consultee responses referenced earlier in this report, there is a normal policy expectation for delivery of:

- 30% affordable housing provision
- potential on site sports facilities or financial contribution as mitigation to impacts on existing facilities
- £2,210,523 Education contribution and 0.5ha of land for playing field use is requested.

- 7.20 Additionally, attention is drawn to the request from the NHS for a financial contribution to be made towards the relocation of the surgery. However, the detail of this request is to be reviewed as it is unclear whether it properly recognises the commitment to provide a serviced site to facilitate the new surgery provision ie a facility that would serve the wider area and not just the additional needs arising from the development. In that respect, it is understood that the approved business case for the surgery acknowledges that no further contributions are required, beyond the provision of the fully serviced site to enable the surgery provision.
- 7.21 Notwithstanding the lack of clarity for the NHS response, the applicant has provided indication that the proposed development, mindful of the commitment to deliver the Local Plan referenced requirements would not be viable if requirement for the additional policy and consultee requests were also pursued. In essence, the viability position advised by the applicant, indicates that only a reduced level of affordable housing and education contribution (if any) will be possible.
- 7.22 To that end, a viability appraisal has been submitted and is being independently assessed on behalf of the council to inform further potential negotiations.
- 7.23 The outcomes of that appraisal process are therefore on-going but may take some time to finalise/reach agreement on.
- 7.24 Furthermore, there are implied expectations from Sport England for sports provision, but the lack of a robust Sports and Recreation Audit for the district, makes assessment of needs difficult and requirement for provision difficult to justify in planning terms. Furthermore, sports facility provision would place additional financial burden on viability and although the Active Design options referenced would fit comfortably with the masterplan approach, more formal on-site provision may not be easy to accommodate within the site in design terms.
- 7.25 Further discussions in terms of sports provision are therefore to be progressed, but mindful of the Local Plan explicit policy expectation for enabling delivery of a new surgery as well as strategic highway and open space infrastructure, it is considered that sport provision should not be a priority expectation from the development in circumstances where viability difficulties are confirmed.

7.26 Consequently, it is considered that priority expectations from the site should relate to the delivery of the surgery at an early stage in the site development, with affordable housing, education and sports provision being determined by reference to robust assessment of the site's viability. In that respect, it is also considered that, given the scale and intended phased delivery for the site, any agreed viability position, should be subject to periodic review. The applicant has agreed, in principle to such an approach.

8.0 CONCLUSIONS

8.1 The application seeks outline permission to develop an allocated site for up to 600 dwellings over the period of the Local Plan and beyond with all matters of access, appearance, landscaping, layout and scale being reserved for subsequent approval.

8.2 The principle of development is therefore considered acceptable and there are no technical obstacles to development that cannot be addressed by planning condition.

8.3 The proposal is accompanied by a masterplan that has been prepared following a robust, iterative process relying on assessment of all relevant planning aspects.

8.4 By virtue of the level of hard and soft infrastructure to be provided, as well as commitment to the delivery of a new surgery facility for the wider community, opportunity for the site to deliver a full quantum of policy required affordable housing units, requested education contributions and sports provision may be compromised by viability considerations.

8.5 Further discussions/review of the viability circumstances are being undertaken with intention for negotiating a best achievable delivery of those additional policy requirements.

8.6 Those considerations however, are likely to take considerable time to conclude and to secure through completion of a s.106 agreement.

8.7 In order to give on-going confidence to the business case for the delivery of the surgery, given the enabling role of this application, committee support for the principle of development and continuation of discussions is requested

9.0 OFFICER RECOMMENDATION:

9.1 That authority to approve the application be delegated to the Assistant Director Planning and Strategic Infrastructure subject to:

(a) satisfactory completion of negotiations to secure best achievable affordable housing, education and sports facility contributions in addition to the safeguarding of a serviced site for delivery of a primary care centre (as granted planning permission under S/165/00123/21) as an early phase of the development. Such provisions to be informed by

reference to robust viability appraisal.

(b) satisfactory completion of a s.106 obligation to address the above matters and secure a review mechanism for assessment of viability, mindful of the phased nature and scale of development proposed.

(c) relevant planning conditions relating to matters of:

- Phasing
 - Adherence to masterplan principles (as may be amended in respect of education/sports provision) following viability review.
 - Technical matters including drainage and highway considerations (including off site enhancements)
 - Design considerations including early provision of strategic landscaping and subsequent maintenance
 - Construction management
 - Archaeology
 - Travel Plan requirements
-