[05] Full Planning Permission

N/178/00188/23 **APPLICANT:** Tetney Golf Club.

VALID: 30/01/2023 **AGENT:** D.M.C. Architecture Limited,

PROPOSAL: Planning Permission - Erection of 6no. dwellings with associated garages.

LOCATION: LAND NORTH WEST OF, BECK DRIVE, TETNEY

1.0 REASONS FOR COMMITTEE CONSIDERATION

1.1 The application is to be considered by the Planning Committee due to the public interest in the scheme and following a request from Councillor. Steve McMillan due to the relationship of the application site with the core shape and form of the settlement.

2.0 THE SITE AND SURROUNDINGS

2.1 The application site forms a small area of the existing golf course land at the southern edge of the village of Tetney. It is accessed from an existing vehicular access that provides access to 5no. houses recently approved and constructed on the western side of, and fronting onto, Thoresby Road. There are existing houses to the north (recently constructed Thoresby Lane development comprising of 10no. dwellings). Another recently approved scheme of 5no. houses lies on the eastern side of Thoresby Road, opposite the site entrance, and another application to the south of Beck View also on the eastern side of Thoresby Road is being considered for the erection of 3no. dwellings. The site is screened from Thoresby Road being a somewhat backland position, however it otherwise offers open views to the west given that it once formed part of the golf course. The existing track leading from Thoresby Road routes through the golf course and terminates at the golf club house. A designated Public Footpath follows the track. The site lies within flood risk 1 - low risk.

2.2 The northern boundary of the site primarily abuts the boundary with 3 Thoresby Lane and partially abuts the boundary with 5 Thoresby Lane. The southern low level boundary treatments of the aforementioned currently offer open views across the golf course land and comprise of post and rail fencing, trees and hedging. The eastern boundary of the site abuts Plot 1 of the recently constructed 5no. dwellings and consists of a 2m high close boarded timber fence. To the south and west are open views across the golf course. An existing open watercourse runs along the south side of the access track/Public Footpath.

3.0 DESCRIPTION OF THE PROPOSAL

3.1 The application proposal seeks planning permission for the

erection of 6no. dwellings with associated access, open space and footpaths. A proposed footpath/cycleway running through an area of open space is shown to the frontage of the proposed houses and is part of the developers long term aspirations to provide additional links through the golf course for the general public to enjoy and to provide access to the northern side of the village. The proposed development is a continuation of those plots already built out fronting onto Thoresby Road to the south of the application site. The proposed dwellings are referred to as plots 6-11.

3.2 Plot 6 - Detached two storey 5 bed dwelling with detached double garage.
Plot 7 - Detached two storey 3 bed dwelling with integral garage.
Plot 8 - Detached two storey 3 bed dwelling with integral garage.
Plot 9 - Semi-Detached two storey 3 bed dwelling.
Plot 10 - Semi-Detached two storey 3 bed dwelling.
Plot 11 - Detached two storey 4 bed dwelling with integral garage.

3.3 The application has been amended since first submitted in relation to Plot 6, additional landscaping along the northern site boundary and to provide a report into a protected species.

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 site notice displayed on Thoresby Road and neighbours have been notified in writing. The ward member is aware of the application via the weekly list.

Consultees

4.3 PARISH COUNCIL - Object. Contrary to SP3, SP10 and SP26. No sport or open space contributions, no financial contributions. The layout, scale, design, massing and density does not reflect the character of the area. Refers to Archaeology, Ecology and Drainage concerns.

4.4 LCC HIGHWAYS - No objection. The proposals are for the erection of 6no. dwellings with associated garages, which are accessed via a private drive. The junction with the A1031 and the private drive is currently in use with good visibility. No unacceptable impact on the public highway safety or severe impacts on the road network.

4.5 ENVIRONMENT AGENCY - No objection as all of the dwellings are to be located within flood zone 1.

4.6 LMDB - No reply at the time of writing this report.

4.7 ENVIRONMENTAL HEALTH (Drainage) - No objection in relation to surface water management.

4.8 ENVIRONMENTAL HEALTH (Contamination) - Comments relating to the residential development being a sensitive end-use. (Officer note - Given the established residential development in the locality and the existing use of the site forming part of the golf course, it is not considered necessary or reasonable to request any contamination reports).

Neighbours

4.9 11 letters of objection have been received on the grounds of:-

- Loss of views/outlook,
- Location of the development/impact on the character of the area,
- Loss of privacy/overlooking,
- Overbearing impacts,
- Ecology,
- Drainage,
- Access/Highway Safety.

5.0 RELEVANT SITE HISTORY

5.1 None directly relating to the application site. However, the following permissions are within very close proximity:-

5.2 Land South Beck View, Thoresby Road - N/178/974/22 - Planning Permission - Erection of 3no. detached houses with associated garages and raising of the land levels (works commenced). Not determined at the time of this report.

5.3 Land South of Thoresby Road - N/178/778/20 - Planning Permission - Erection of 5 no. detached houses and detached double garages with garden stores. Erection of fencing to a maximum height of 1.2 metres, construction of vehicular access, construction of a surface water attenuation pond and operational development to raise the existing ground levels. Approved 08/12/20.

5.4 Land South of Becklands, Thoresby Road - N/178/330/18 - Detailed Particulars relating to the erection of 5 no. detached houses with associated garages, (outline permission ref no. N/178/2169/16 for the outline erection of 5no. dwellings, granted 18th July, 2017). Approved 15/06/18.

5.5 Land off Thoresby Road - N/178/2379/17 - Planning Permission -

Erection of 10no. detached houses with associated garages, erection of walls and fencing to a maximum height of 1.8 metres, construction of vehicular access, excavation of a surface water pond, drainage ditch and landscaping. Approved 25/05/18.

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
SP2 - Sustainable Development
SP3 - Housing Growth and the Location of Inland Growth
SP10 - Design
SP16 - Inland Flood Risk
SP22 - Transport and Accessibility
SP23 - Landscape
SP24 - Biodiversity
SP26 - Open Space, Sport and Recreation

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:

- **Whether the site is an appropriate location for new residential development having regard to the character and appearance of the area**
- **Loss of Sport and Recreation Area**
- **Impact upon the neighbours**
- **Ecology**
- **Drainage/Contamination**
- **Highway safety/Public Footpath**

Whether the site is an appropriate location for new residential development having regard to the character and appearance of the area

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

7.3 Policy SP1 of the East Lindsey Local Plan (LP) establishes a hierarchy of settlements within the district to guide the distribution, scale and nature of future development. Policy SP2 of the LP adopts a positive approach to sustainable development. Policy SP3 outlines how the district wide housing requirement will be delivered over the plan period, including various land allocations across the District's Towns and Large Villages. Tetney is identified as a 'large village' in SP1 as it provides a wide range of services and facilities for its residents and also supports some of the needs of neighbouring smaller villages.

7.4 The application site forms a small part of the existing golf course site located to the southern edge of the village of Tetney and it adjoins new development to the north, east and south. Over recent years a number of permissions for new residential development have been allowed in this part of Tetney which have connected it to the built-up part of Tetney village meaning it is no longer viewed as being part of the open countryside, but as an extension to the village itself. The application site would abut new development and would itself be seen as part of this expanding pattern of development rather than open countryside.

7.5 Policy SP3 allows for windfall sites. This states:
Towns and large villages - Housing growth on windfall sites in appropriate locations** within the settlement and outside of, but immediately adjacent to the developed footprint*** will be supported. To qualify as an 'appropriate location', the site, if developed, would:

- Retain the core shape and form of the settlement;
- Not significantly harm the settlement's character and appearance; and
- Not significantly harm the character and appearance of the surrounding countryside or the rural setting of the settlement.
- Be connected to the settlement by way of a footpath.

** 'appropriate locations' means a location which does not conflict, when taken as a whole, with national policy or policies in this Local Plan.

*** 'developed footprint' of a settlement is defined as the continuous built form of the settlement and excludes:

- Individual buildings or groups of dispersed buildings which are clearly detached from the continuous built up area of the settlement;
- Gardens, paddocks and other undeveloped land within the curtilage of buildings on the edge of the settlement where land relates more to the surrounding countryside than to the built up area of the settlement;
- Outdoor sports and recreation facilities and other formal open spaces on the edge of the settlement.

7.6 The National Planning Policy Framework is a material consideration in all planning decisions. The overarching aim of the National Planning Policy Framework (NPPF) is to help achieve sustainable development and in

doing so it sets out the Government's Planning Policies and how these are expected to be applied. The NPPF identifies three interrelated dimensions to sustainable development, namely an economic role, a social role and an environmental role.

7.7 In this case, the site lies immediately adjacent to the 'developed footprint' of the settlement. The application site currently forms part of the golf course land. Whilst one of the exclusions of SP3 states 'outdoor sports and recreation facilities and the formal open spaces on the edge of the settlement', for the reasons set out below (7.12-7.13) it is considered that the site in question is no longer used as a part of the 18 hole golf course. It is accepted, therefore, that the site complies with the 'developed footprint' criteria in this regard.

7.8 If developed the site would retain the core shape and form of the settlement. Due to the position of the site set back from the road with intervening built form and existing mature landscaping the proposed development would not significantly harm the character and appearance of the surrounding countryside or the rural setting of the settlement. Any views into the site from Thoresby Road would be minimal with only glimpsed views of the proposed dwellings through the gaps between buildings and trees. Any views of the dwellings from the open west would be viewed in the same context as the existing built form which would form the backdrop along with the landscaping within and surrounding the site.

7.9 Taking all the above into consideration it is considered that the site would qualify as an 'appropriate location'.

7.10 Policy SP10 is a design policy and supports well-designed sustainable development which maintains and enhances the character of the village by, amongst other criteria, the use of high quality materials and where the layout, scale, massing, height and density reflect the character of the surrounding area. The proposed built form of development is of a similar scale, design and appearance to the existing built form to the north and south. The layout has properties looking outward over open space and the golf course to the west. Concerns have been raised that the scale of the development is excessive and should be limited to single storey only. However, given the context of the area and the mixture of built form readily visible from the site, the proposal is considered to be acceptable in this regard. In addition it would respond well to the openness to the west and follow the grain of built form of those properties to the north on Thoresby Lane whilst offering a softer appearance to this edge of village location.

7.11 The principle of housing development of this scale on this application site is considered to be acceptable in planning policy terms. Clearly extending the village as proposed would cause some harm to character and appearance of the local area but in this case the harm is mitigated by the presence of mature vegetation along Thoresby Road and the existing and proposed landscaping within the site. It is therefore considered that the proposed development would not result in a significant harmful intrusion into open countryside and would be in keeping with the changing character of the area. As such it would comply with SP3 and SP10.

Loss of Sport and Recreation Area

7.12 There is local concern that part of the existing golf course is being lost to make way for this development. Section 1 of Policy SP26 states that development resulting in the loss of outdoor sports and recreational facilities or open spaces will only be supported where:

• The building or land has been demonstrated to be redundant for a sports use through a robust and up to date assessment of need and has been marketed for at least 12 months at a price that reflects its condition and market value, or
• The building or land is to be replaced by improved facilities offering equivalent provision that helps meet the sporting/recreational needs of the District and optimises access by sustainable transport modes, or
• The development is for alternative sports and recreational provision, the needs for which clearly outweigh the loss.

7.13 The applicant has confirmed the golf course will remain as an 18 hole golf course with the application site being an underused part of the overall site since 2018 when hole 3 was relocated within the existing golf course site. On this basis, there is no loss in the facilities currently provided as a result of the proposals. In addition the applicant has advised that the proposal would provide a financial injection into the golf club business to help sustain the longevity of the club and its future up-keep, although no evidence has been provided to support this. Overall, it is considered that the development would not result in the loss of sport and recreational areas and so would accord with SP26 of the Local Plan.

Impact on the neighbours

7.14 In terms of residential amenity the separation distances between existing and proposed dwellings are annotated on the proposed block plan and show that the building to building separation distances are more than sufficient to ensure there would be no significant adverse harm. Whilst the outlook of existing residents would change, this in itself, would not result in harm to their general amenity. It should be noted that a change in view or loss of property value are not material planning considerations.

7.15 By reason of the layout of the dwellings, separation distances and landscaping, there is likely to be no significant adverse impacts upon residential amenity having regard to overlooking, loss of privacy, loss of light or over-bearing nature.

7.16 The applicant has responded to initial concerns raised by including additional planting along the northern boundary of the site (some already carried out) to act as a buffer between the site and those houses to the north. In addition, the proposed development would

provide opportunities to incorporate additional landscaping to provide visual and bio-diversity enhancement.

Ecology

7.17 SP24 seeks to protect and enhance biodiversity and natural habitats. A protected species appraisal has been submitted. The report details methods used in the assessment, it describes the habitats and species identified and discusses the results and makes recommendations. In order to protect the identified species further details are not included in this report, however, the conclusion of the assessment is that there is no current requirement to obtain a license from Natural England in relation to the identified species. Appropriate mitigation and recommended conservation measures have been outlined in the appraisal. A condition can be imposed to ensure such things are undertaken in order to comply with SP24.

Drainage/Contamination

7.18 SP16 of the Local Plan aims to ensure all new development provides adequate surface and foul water disposal. Foul water is proposed to be dealt with by a package treatment plant to which all dwellings would be connected. Discharge from the treatment plant would be directed to the existing drain adjacent to the existing track. Surface water would be managed through suitably designed soakaways within the site. The Council's Drainage Officer has been consulted and raises no objection to the proposed schemes.

7.19 The Council's Environmental Health Officer has advised that a residential use involves an end-user that would be sensitive to any contamination on the site, but no information has been provided to enable him to assess the risk. A suite of conditions has been requested to deal with this issue and any remediation required. Golf courses can contain made ground and as the application site used to be a part of the golf course there is the possibility that the site might contain made ground and contaminated materials, however, this would appear to be the first application where this request has been made and so the imposition of such conditions could be considered to be unreasonable for such a relatively small development. In the circumstances a single condition is suggested to deal with any contamination/made ground if it is found during construction.

Highway Safety/Public Footpath

7.20 An existing vehicular access off Thoresby Road is to be utilised to access the proposed dwellings. The access is currently in the process of being upgraded in line with the requirements of

planning permission N/178/778/20. The Public Footpath follows the existing track from Thoresby Road and continues west alongside the Waithe Beck Drain. This alignment is not affected by this proposal. It is expected the definitive line and customary width of the route would not be affected and would remain open during the duration of the works. LCC has been consulted and raises no objection to the use of the existing access onto Thoresby Road. As a consequence, the Council as Local Planning Authority has no concerns and is satisfied the proposal complies with SP10 and SP22 which aim to ensure safe and accessible sites whilst prioritising pedestrian and cycle movements. It should be noted that pedestrian access from and to the village centre is accessible by footways.

7.21 As the dwellings would be located off a private drive it is important that provision is made for a bin collection point at the junction of the road with Thoresby Road to enable the refuse to be collected by the Council's refuse vehicle without hindering use of the access or Public Footpath. The agent has advised that there is room for this to be provided on land within the ownership of the applicant, but at the time of writing this report a plan to show this had not been received. An update will be provided on this at the meeting.

8.0 CONCLUSION

8.1 Having regard to all of the above, the design, layout and form of the proposed development would respond to the site location and its setting and would result in a small residential scheme with limited adverse impacts and so would be acceptable and in compliance with Local Plan policy.

For the reasons explained above the application is recommended for approval. This conclusion has been arrived at having taken into account all other relevant material considerations, none of which outweigh the reasons for the officer recommendation made below.

9.0 OFFICER RECOMMENDATION: Approve with Conditions

RECOMMENDATION: Approve

Subject to the following conditions:

1. Full Permission
The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this permission.

Reason: In order to comply with the requirements of Section 51 of the Planning and Compulsory Purchase Act 2004.

2 The development hereby permitted shall only be undertaken in accordance with the following approved plans;

DMC 22666/001 Rev A Site Location Plan
Received by the LPA on 30/01/23.
DMC 22666/002 Rev B Block plan
Received by the LPA on 15/05/23.
DMC 22666/007 Rev A Plot 6 Received by the LPA on 15/05/23.
DMC 22666/008 Plots 7/8 Received by the LPA on 30/01/23.
DMC 22666/009 Plots 9/10 Received by the LPA on 30/01/23.
DMC 22666/010 Plot 11 Received by the LPA on 30/01/23.

Reason: For the avoidance of doubt and the interests of proper planning.

3 The external materials to be used in the construction of buildings and hard surfaces shall be as specified on approved plan numbers DMC 22666/007 A, DMC 22666/08, DMC 22666/009 and DMC 22666/010.

Reason: In the interests of the character and appearance of the development and the visual amenity of the area in which it is set. This condition is imposed in accordance with SP10 of the East Lindsey Local Plan and paragraph 130 of the National Planning Policy Framework.

4 The scheme of landscaping and tree planting shown on Plan No. DMC 22666/002 Rev B and DMC 22666/010 shall be carried out in its entirety within a period of 6 months following the date of first occupation of any dwelling hereby approved, or in line with a timetable/phasing strategy agreed in writing by the Local Planning Authority. All trees, shrubs and bushes shall be maintained by the owner or owners of the land on which they are situated for a minimum of five years beginning with the date of completion of the scheme and during that period all losses shall be made good as and when necessary.

Reason: To ensure that appropriate landscaping is provided to integrate the site into the local area. This condition is imposed in accordance with SP10 of the East Lindsey Local Plan.

5 Notwithstanding the details shown on the approved plans, all surface water run-off from the development hereby approved shall be collected and discharged through a soakaway scheme the design for which shall be based on the procedures described in Part H of the Building Regulations relating to soakaway design (for soakaways serving under 25m2) and BRE Digest 365 or BS EN 752-4 relating to soakaway design. If it is found that the use of soakaways is not suitable in this location, details of the alternative proposed scheme for discharge of surface water must be submitted to and agreed in writing by the Local Planning Authority prior to any works taking place. Before the development hereby approved is brought into use the agreed scheme must be fully implemented and thereafter so maintained.

Reason: To ensure the development is not at risk of flooding and does not increase the risk of flooding elsewhere. This condition is imposed in accordance with SP16 of the East Lindsey Local Plan.

6 Construction of the development hereby approved must only be carried out between the hours of 07:00-18:00 Monday to Friday, 08:00 – 13:00 Saturday and must not be carried out at any time on Sundays, Bank or Public Holidays.

Reason: In the interests of the amenity of local residents. This condition is imposed in accordance with paragraph 130 of the National Planning Policy Framework.

7 Prior to the occupation of any dwelling details of the communal refuse bin storage and collection area to be provided at the junction with Thoresby Road must be submitted to and approved in writing by the Local Planning Authority and then fully implemented in accordance with the approved scheme. The approved area must be retained for that purpose in perpetuity at all times thereafter.

Reason: To ensure an appropriate refuse collection point having regard to highway safety, safety to users of the Public Footpath and the visual and residential amenities of the area in line with Policies SP10 and SP22 of the East Lindsey Local Plan.

8 The development shall be completed in strict accordance with the recommendations detailed at Paragraph 5.1.3 of the Badger Sett Appraisal produced by Ecology and Forestry Limited dated May 2023.

Reason: To ensure conservation of local biodiversity in accordance with SP24 of the East Lindsey Local Plan and paragraph 180 of the National Planning Policy Framework.

9 The development hereby permitted shall be constructed to Building Regulation Part G(2)(b) standards limiting water consumption to 110 litres per person per day.

Reason: To reduce demand for finite resources as the district is in a water scarce area. This condition is imposed in accordance with SP10 of the East Lindsey Local Plan.

10 If during development contamination or made ground is identified, then the Local Planning Authority shall be notified immediately and no further work shall be carried out until a method statement detailing a scheme for dealing with the suspect contamination and made ground has been submitted to and agreed in writing with the Local Planning Authority. On completion of the development the Local Planning Authority shall be notified in writing if no additional contamination or made ground was identified during the course of the development and the dwellings hereby permitted shall not be occupied until the Local Planning Authority has acknowledged receipt of the same.

Reason: To ensure adequate and appropriate remediation of the site in accordance with paragraph 183 of the National Planning Policy Framework.