

[06] Full Planning Permission

S/216/01142/ 23 **APPLICANT:** Mrs. R. Martin,

VALID: 23/06/2023 **AGENT:** ID Planning,

PROPOSAL: Planning Permission - Erection of 171no. dwellings and construction of internal access roads with associated car parking, open space, landscaping and infrastructure.

LOCATION: LAND SOUTH OF MILLBROOK LANE, MILLBROOK LANE, WRAGBY, LN8 5AB

1.0 REASONS FOR COMMITTEE CONSIDERATION

1.1 The application is referred to Planning Committee due to the proposal being a departure from the Development Plan by virtue of the proposed housing development being partly on land allocated for employment use in the East Lindsey Local Plan. Furthermore the application is for a sizeable housing development on a gateway site into Wragby and a number of local objections have been received to the proposal.

2.0 THE SITE AND SURROUNDINGS

2.1 The application site lies on the western edge of the village of Wragby. The site measures approximately 6.5 hectares and is accessed from the A158 to the north. To the east is an area of residential development separated from the application site by a high acoustic fence. The site is generally flat and is currently overgrown with long grasses with some existing landscaping along the eastern and southern boundaries. To the immediate north of the site, adjacent to the existing access, is a single storey office building with car park. Over the road to the north is an area of housing. Also to the immediate north is an area of vacant overgrown land and to the north west is a fire station and library. The site is mostly square in shape with a rectangular offshoot projecting to the south. To the south is a landscaped strip of land with open countryside beyond.

2.2 Part of the application site is allocated in the East Lindsey Local Plan Settlement Proposals Maps for Wragby as existing employment land. This area covers the access into the site, the access road leading along the western edge of the application site and part of the southern leg of the development (plots 128-140). The access road has been in place for a number of years and currently serves the fire station and library.

2.3 The site lies in flood zone 1.

3.0 DESCRIPTION OF THE PROPOSAL

3.1 The proposal is a full application for the erection of 171 dwellings

which contain a mix of detached and semi detached properties, including one property consisting of four one bed dwellings. The proposal includes the provision of internal access roads extending the existing road already in place. Each dwelling has its own off road parking space, and garden. Some private drives are proposed serving a small number of dwellings. Landscaping is proposed including street trees and boundary hedging. Existing landscaping along the south and eastern boundaries is to be retained with the removal of some areas of landscaping along these boundaries also.

- 3.2 A Sustainable Urban Drainage System (SUDS) is proposed which includes the use of some swales and a SUDS basin in the north western corner of the site which will be bordered with trees.
- 3.3 Two play areas are proposed, a locally equipped area of play (LEAP) in the southern area of the site, and a local area for play (LAP) in the northern part of the site. The LEAP includes play structures such as swings, a see-saw and roundabout whereas the LAP covers more informal play with a boulder, tree trunk and stepping stones proposed. There is also an area of public open space (POS) adjacent to the northern boundary of the site, adjoining the existing office building.
- 3.4 The application is accompanied by:
- Design and Access Statement;
 - Drainage Statement and Survey;
 - Flood Risk Assessment;
 - Transport Assessment;
 - Travel Plan;
 - Tree Survey, Arboricultural Method Statement and Tree Protection Plan;
 - Planning Statement;
 - Geoenvironmental Appraisal;
 - Ecology Report;
 - Geophysical Report;
 - Archaeological Evaluation Report and Written Scheme of Investigation;
 - Viability Assessment.

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,

site notice and neighbours have been notified in writing. The application has been advertised as a Major application and as being a departure from the Development Plan.

Consultees

- 4.3 PARISH COUNCIL - Object on the following grounds:
- Village infrastructure is already stretched;
 - Public transport is poor;
 - Highway impact;
 - Impact on drainage and sewage system;
 - Increase in crime and anti-social behaviour;
 - Poor internet in village;
 - Village needs more investment before further housing allowed;
 - If development is allowed, we need significant sum of money including S106 funds.
- 4.4 **LCC HIGHWAYS AND LEAD LOCAL FLOOD AUTHORITY -** Submitted drainage strategy is acceptable. The design of the road and footway layout is acceptable. It would have been preferred to have incorporated some pedestrian links into the adjoining residential estate but understand that this would be difficult for the applicant to achieve. Transportation department has requested two new bus stops be provided on the A158 at the site entrance but I am not convinced that this would be a safe location for buses to stop.
- 4.5 **ENVIRONMENTAL SERVICES (Environmental Protection) -** No response received at the time of writing this report.
- 4.6 **ENVIRONMENTAL SERVICES (Drainage) -** The drainage information submitted is acceptable.
- 4.7 **ENVIRONMENTAL SERVICES (Contamination) -** To the northwest of the site lies a fire station, while to the east is a potential area of historical contamination from an unknown factory or works. Fire stations can potentially give rise to contaminants such as PFAS, heavy metals, oils and organic compounds which are harmful to human health. No supporting information regarding contamination has been submitted. Request a Phase 1 report is done for the site. PHASE 1 REPORT SUBMITTED. Scientific Officer confirmed he recommends the inclusion of condition about if additional contamination is found during construction.
- 4.8 **ELDC WASTE SERVICES -** The refuse freighter will not enter onto smaller shared driveways and the expectation is that all householders will present their waste on the main spinal roads.
- 4.9 **NHS LINCOLNSHIRE INTEGRATED CARE BOARD -** The proposed development would result in an increase in patient population of 376. Based on calculations of the likely impact of

this new population increase in terms of additional consultation time required by clinicians, a request of a monetary contribution of £103,455.00 (£605 per dwelling) for the Wragby Surgery or alternatively the funding may, where appropriate, be used to support expansion in capacity at an alternative general practice site as required to meet the local population health need.

- 4.10 **LINCOLNSHIRE POLICE** - No objections
- 4.11 **ENVIRONMENT AGENCY** - No comments
- 4.12 **ELDC HOUSING OFFICER** - Based on viability evidence put forward by applicant, we can support a reduced level of affordable housing on this site. Based on the information put forward, we support the provision of 22 affordable units.
- 4.13 **ANGLIAN WATER** - The foul drainage from this development is in the catchment of Wragby Water Recycling Centre which currently does not have capacity to treat the flows from the development site. Anglian water are obligated to accept the foul flows from the development and would therefore take the necessary steps to ensure that there is sufficient treatment capacity should consent be given. The surface water strategy/flood risk assessment submitted with the planning applicant relevant to Anglian Water is unacceptable due to not knowing which sewers they will connect to. There are no public surface water sewers. Request condition requiring surface water management strategy to be submitted. FURTHER INFO SUBMITTED. Members will be updated on the supplementary agenda regarding Anglian Water's final response.
- 4.14 **HERITAGE LINCOLNSHIRE (ARCHAEOLOGY)** - The proposal is located in an area of archaeological interest. A systematic programme of field walking undertaken between 2009 and 2012 has revealed numerous Roman Sites surrounding the village. Recommend conditions are attached to any permission requiring further archaeological work to be carried out. GEOPHYSICAL SURVEY AND ARCHAEOLOGICAL EVALUATION SUBMITTED. Given the findings of the archaeological evaluation, this office recommends no further work is required.
- 4.15 **HERITAGE LINCOLNSHIRE (CONSERVATION)** - No comments
- 4.16 **LINCOLNSHIRE FIRE AND RESCUE** - No objection
- 4.17 **LCC EDUCATION** - The scheme would produce 56 children (26 primary, 25 secondary and 5 sixth-form) and so 36 places would need to be mitigated for. Request a contribution of £839,612. The contributions would be spent on the following: £202,037 for primary education provision in the Wragby primary planning area and £637,575 for education provision at Cherry Willingham Priory Pembroke Academy.

- 4.18 **ACTIVE TRAVEL ENGLAND** - Refers to advice note and design related standing advice in relation to walking, wheeling (pushchairs/wheel chairs/scooters etc) and cycling requirements for developments.

Neighbours

- 4.19 11 objections and 1 representation received on the grounds of:
- Significant implications for the village;
 - Oversubscribed school and GP surgery;
 - Increase in crime and antisocial behaviour;
 - Village has no secondary school;
 - Lack of play areas for children;
 - Significant deprivation in village;
 - Poor transport in village;
 - Very few employment options;
 - Increase in pollution from additional traffic;
 - Impact on ecology;
 - Sewer and water systems already struggle;
 - Loss of green space;
 - Proposal should provide accommodation for Swifts which are in decline;
 - Proposal is for too many houses;
 - Proposal should be for more characterful homes which are more in keeping with a countryside setting;
 - Ongoing problems with the flooding of the A158;
 - Pedestrian safety of crossing near application site junction;
 - Impact on highway safety;
 - This development along with the other recent approvals is too much, too fast for the village;
 - Impact on character of village;
 - This site was earmarked for business development since 1991, there is no renewal going on in the town;
 - Lack of enforcement of Council of landscaping schemes;
- 4.20 The Ward Councillor is aware of the application via the Weekly List.

5.0 RELEVANT SITE HISTORY

- 5.1 N/216/159/93 - Detailed Particulars relating to the outline erection of industrial buildings (granted outline planning permission 24th May, 1990 - Reference S216/954/89) - Construction of a vehicular access and improvements to part of highway A158 to create a right turn facility to industrial estate. APPROVED. This consent was implemented.
- 5.2 S/216/0932/98 - Outline planning permission for an industrial estate and business park including the formation of a new access, the construction of a roadway and the provision of landscaping and areas of open space in accordance with indicative layout plan received by the Local Planning Authority on 8th July, 1999. APPROVED

- 5.3 S/216/176/02 - Detailed Particulars relating to the erection of offices and a detached double garage, provision of car parking and construction of a vehicular and pedestrian access (outline planning permission ref no. S216/0932/98 for an industrial estate and business park, granted 5th August, 1999). APPROVED. This consent was implemented.
- 5.4 S/216/3218/08 - Outline application (all matters reserved) for employment uses comprising 4,200sqm for B1 (a) - Office Use, 10,235sqm for B1 (b and c) - Research and Light Industrial Uses, 11,400sqm for B2 and B8 - General Industrial and Storage and Distribution Uses, 4,884sqm for Commercial Uses, 320sqm for fire station, together with landscaping, access roads, servicing parking areas and open space in accordance with amended plans received by the Local Planning Authority from the applicants agent on 19th January, 2009. APPROVED
- 5.5 S/216/1020/13 - Outline application (all matters reserved) for employment uses comprising 1.11 ha for B1(a) office use, 1.71 ha for B1 (b and c) research and light industrial uses, 1.22 ha for commercial uses, 0.19 ha for a day nursery, and up to 100 residential units together with landscaping, access roads, a pocket park and ride site and formal recreation. APPROVED
- 5.6 S/216/2052/22 - Outline erection of 2no. Commercial buildings. APPROVED

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

SP7 - Affordable and Low Cost Housing

SP10 - Design

SP11 - Historic Environment

SP16 - Inland Flood Risk

SP13 - Inland Employment

SP22 - Transport and Accessibility

SP24 - Biodiversity and Geodiversity

SP26 - Open Space, Sport and recreation

SP28 - Infrastructure and S106 Obligations

National Planning Policy Framework

Background Documents

National Design Guide
Manual for Streets
National Planning Policy Framework
Planning Practice Guidance
East Lindsey Local Plan
Employment Sites Review 2016
East Lindsey Economic Baseline 2016
Strategic Housing Market Assessment (Affordable Housing Needs Assessment) 2016
East Lindsey Housing Strategy 2013-2018
Economic Viability Assessment 2013 and Update 2015

7.0 OFFICER ASSESSMENT OF THE PROPOSAL

Main Planning Issues

7.1 The main planning issues in this case are considered to be:

- **Principle of development, including loss of employment land having regard to local and national policy;**
- **Design of scheme and impact on character of area;**
- **Impact on neighbour amenity;**
- **Highway and pedestrian safety;**
- **Drainage;**
- **Affordable housing and other contributions;**
- **Ecology;**
- **Play and open space provision;**
- **Other matters.**

Principle of development, including loss of employment land, having regard to local and national policy

7.2 The site adjoins the settlement of Wragby which is defined as a 'Large Village' in SP1 of the East Lindsey Local Plan. The application site is not allocated for housing in the Local Plan and as such represents a windfall site. SP3 of the Local Plan is concerned with housing growth on windfall sites in towns and large villages. Clause 4 states that housing growth on windfall sites in appropriate locations within the settlement and outside of, but immediately adjacent to the developed footprint will be supported.

7.3 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.

7.4 The site adjoins the western boundary of Wragby. There is a fire station and library to the west so the proposal would 'fill in' this existing open area with residential development. There is residential development to the north, on the other side of the A158. The proposed development would project further westwards than this northern area of residential development but not significantly so. As such it is considered that the site would retain the core shape and form of the settlement. There is mature landscaping along the A158 road frontage which screens the site to a large extent and due to the presence of the fire station it is considered that in principle, the development would not significantly harm the settlement's character or appearance or harm the character of the surrounding countryside. There is an existing footpath along the existing access road that leads onto the A158 and into the village. It is therefore considered that the site qualifies as an appropriate location.

7.5 Appropriate location is also defined as a location which does not conflict when taken as a whole with national policy or policies in the Local Plan.

Part of the site (the existing access road) is included in the 'existing employment land' allocation in the East Lindsey Local Plan Settlement Proposals Maps. The proposed development would result in a loss of some of this land as the access road would be used for the proposed housing development and not for employment uses, along with a section of the southern projection of the site.

7.6 Paragraph 85 of the National Planning Policy Framework (NPPF) sets out that significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development and paragraph 87 states that planning policies and decisions should recognise and address the specific locational requirements of different sectors of employment.

7.7 SP13 of the Local Plan covers inland employment and clause 2 sets out that the existing employment sites identified in the Settlement Proposals maps will be safeguarded for employment purposes. The supporting text to this policy refers to specific allocated sites in the towns in East Lindsey but does not specifically refer to Wragby. This site has been previously allocated for employment land in the previous Local Plan and despite numerous planning permissions being granted for various commercial uses on the site, none have been built out, with the exception of the office building at the entrance to the site. This suggests a lack of need for this use at this particular site. The employment use is extant as a previous permission has been implemented. The proposed development is for residential development and this would conflict with the aims of SP13 which is to ensure employment uses are permitted on allocated

employment sites.

- 7.8 The original allocation in the previous Local Plan covered 14 hectares which included the application site but as part of the last employment sites review in 2016, the allocation was reduced in size to the areas bordering the application site (but including the access road and a small strip of the southern leg of the application site) and the review rationalised the allocation to a level appropriate for the need of the village. As such, the proposed development would not remove or even substantially reduce the allocated area and there would still be employment land available. The Planning Statement accompanying the application confirms that the proposed development covers 0.3 hectares (5%) of the employment allocation.
- 7.9 There is, therefore, generally considered to be significant compliance with the Local Plan and national policy and as such, it is considered that the location can be considered to be an appropriate location for the purposes of SP3 ie for housing development.
- 7.10 'Developed footprint' is defined as the continuous built form of the settlement and SP3 sets out a number of exclusions from this including dispersed buildings clearly detached from the built up area of the settlement and outdoor sports and recreation facilities. The application site clearly adjoins the built form of Wragby and would not be detached from the village. The existing site is green open space but is not a formal or designated open space.
- 7.11 Overall, it is therefore considered that the principle of development on this site is acceptable and meets the criteria of clause 4 of SP3 of the Local Plan.

Design of scheme and impact on character of area

- 7.12 SP10 of the Local Plan sets out that the Council will support well-designed sustainable development, which maintains and enhances the character of the District's towns, villages and countryside by the use of high quality materials and where the layout, scale, massing, height and density reflect the character of the surrounding area. Clause 4 of SP10 states that development should provide on-site landscaping to integrate the development into its wider surroundings and make provision for open space.
- 7.13 The proposal is for 171 dwellings comprising a mix of detached and semi-detached two storey dwellings. There are 12 house types proposed with a mix of 1, 2, 3 and 4 bed houses. In-curtilage parking is provided for all dwellings. The application site is considered to be a gateway site into the village on the southern side of the A158 which is a busy road through the district. The site is well screened from this main road by existing mature vegetation but the scheme still represents an important site and

design should be carefully considered to ensure the site compliments the village and also the surrounding countryside to the west and south. The southern boundary is already well landscaped which will screen the site from the wider countryside to the south. The existing residential development on the western edge of Wragby is visible on the approach to the village to some extent as glimpsed views through the existing vegetation, so the provision of additional dwellings will not appear out of character. The proposed dwellings are lower in scale than some of the adjoining properties which include a number of three storey blocks of dwellings and as such the application site will be arguably less prominent than the existing dwellings on the edge of the settlement.

- 7.14 In terms of layout, the development has internal spine roads with a number of smaller, private drives serving a small number of properties leading off the spinal roads. All dwellings face the roads or private drives which should help foster a sense of community between residents and continuity through the development. Active frontages such as these can also help to reduce crime. The landscaping plan submitted with the application indicates a 'green' approach to the layout with lawned frontages and tree lined streets. A small area of public open space lies in the northern part of the site adjacent to the access into the site and there is a SUDs basin in the north western corner of the site which will be landscaped with a wildflower mix and bordered with trees. These two open spaces will create an open feel to the approach into the development with only seven dwellings facing onto the main entrance approach road into the development. This design approach will help to reduce the visual impact of the scheme from any views from the A158 and also helps maintain the edge of settlement feel to the site. Two other areas of public open space are one small area close to the centre of the site which will contain a Local Area of Play (LAP) and a larger site along the southern boundary which will contain a Locally Equipped Area for Play (LEAP). These areas will help to break up the mass of the development as a whole whilst also providing recreational areas for the residents and wider community.
- 7.15 The layout of the scheme is considered to be appropriate for this location, incorporating green spaces and the provision of tree lined streets to help assimilate the development into its edge of village location.
- 7.16 A mix of materials is proposed for the dwellings with the majority of dwellings being constructed in two types of red brick with grey roof tile, or two types of buff brick with red roof tiles. In addition, some more prominently sited dwellings (on corners) are proposed to be in stone. Wragby is mainly characterised by red and buff bricks with some rendered properties. Although stone is not a common material in the village, the effect of these sparsely positioned stone dwellings will add 'place making' interest to the

overall development, with the site occupying an 'enclave/recessive' context. The pallet of materials should ensure the development as a whole will have its own particular identity, in addition to being generally reflective of Wragby. It is considered that the choice of materials is therefore appropriate for this location.

- 7.17 The dwellings themselves are reflective of the dwelling types already approved on the Gleeson development on Horncastle Road in Wragby which is currently under construction. The proposed materials, landscape and layout should, however, ensure that this development would not appear as a 'copy' of the Gleeson development. It is considered that it would not be appropriate to have two visually similar developments at gateway sites on two key approaches into the village, as cumulatively, they may result in perception of an overriding and distinctly similar aesthetic for the village. However, the comparatively recessive and less visually prominent location of this site allows for a degree of similarity, without redefining a wider character. Furthermore, there are some distinct aesthetic/design differences including that some of the dwellings incorporate entrance canopies/porches on the front elevations, some have projecting gable features on the front elevation, some have attached garages and some have detached garages as well as broader and more distinctive material pallet. It is considered overall, that there is an appropriate mix of dwelling designs to ensure suitable variation in street scenes and a clear sense of place for the development.
- 7.18 It is further proposed to not install street lighting on the development and instead each dwelling will be provided with an externally mounted dusk til dawn light adjacent to front doors which will ensure the development will not result in glare and light spillage in accordance with clause 5 of SP10.
- 7.19 Vehicle charging points are proposed which demonstrates compliance with clause 7 of SP10 which encourages development to incorporate sustainable features and/or renewable energy.
- 7.20 Overall it is considered that the general design and layout approach for the proposed development is appropriate for this location.
- 7.21 Clause 11 of SP10 states that developments on gateway sites into a settlement and for applications on sites over 4 hectares will be supported on design grounds if they satisfy a site-specific design brief. No site-specific design brief has been drawn up for this site but discussions have been held between the applicant and case officer regarding the design of the site which complies with the supporting text of SP10.

Impact on neighbour amenity

- 7.22 SP10 sets out that developments will be supported if they do not unacceptably harm any nearby residential amenity.
- 7.23 The nearest residential properties adjoin the site to the east. These properties are separated from the site by a high acoustic fence which was initially installed to reduce noise from the employment site to these residential properties. The employment uses have not been developed so this fence is no longer necessary but it falls outside the ownership of the applicant so cannot be altered as part of this development. As a result of the presence of this fence, the proposed development will not be visible from the dwellings on Honeysuckle Lane to the east. The fence will help to reduce any noise from the development but even if the fence was not present, there is sufficient separation between the new dwellings and these existing neighbours to ensure noise or loss of privacy would not be overly adverse impacts.
- 7.24 The properties to the north east of the site are higher and may as a result have views of the development but these are from a longer distance and the proposed dwellings are all two storey so will not appear adversely overbearing.
- 7.25 There will clearly be an increase in traffic on the application site as a result of the development but compared with the approved employment use on the site, which could have attracted numerous lorry movements throughout the day, it is considered that the proposed development would not result in an adverse increase in noise and disturbance to nearby neighbouring properties.
- 7.26 A number of local objections have been received but the majority of these do not specifically refer to impact on residential amenity although some do raise concerns about increase in traffic and pollution affecting health and well being of local residents. There is no evidence to suggest that the increase in traffic generated by this proposal would adversely increase pollution in the village so that it would result in an impact on health. Environmental Health have raised no objections to the proposal. In addition, regard must be had to the extant permission on the site which could result in business uses being constructed on the site which could involve various uses and vehicle movements. This fall back position is a material consideration.
- 7.27 Overall, it is considered that the proposal would not result in an adverse impact on neighbour amenity.

Highway and pedestrian safety

- 7.28 SP22 of the Local Plan sets out that the Council will support development in or adjoining towns, large and medium villages where it is accessible to key facilities.
- 7.29 LCC as Local Highway Authority has been consulted and they have

confirmed that the design of the road and footway layout is acceptable. The applicant will need to bring the existing road and footway up to an adoptable standard but this will be done outside the planning process. LCC initially requested that a pedestrian link be provided to the adjoining residential estate to the east. This would have provided the occupants of the proposed development with a direct route through this adjoining estate to the services available in the centre of the village. The applicant confirmed that this could not be achieved as it would involve crossing third party land and is out of the control of the planning process. A pedestrian link cannot therefore be provided. However, there is an existing clear and safe footway along the existing road onto the A158 and it is a relatively short distance into the village to access all the local services, including bus stops. It is therefore considered that the site is already sufficiently linked to the village for pedestrians.

- 7.30 A request has been made by the Transportation section of LCC for the provision of two bus stops at the entrance to the site. Following discussions with the Highways Officer, it is considered that bus stops in this location would not be safe due to the proximity to the junction with the A158. In addition there are already bus stops available within walking distance on the A158.
- 7.31 A number of the local objections received refer to the increase in traffic generated by the proposal and the impact on the existing junction in the centre of the village where traffic already builds up, particularly in the summer months with coastal traffic. A Transport Statement has been submitted with the application which sets out that the vehicles generated by the proposals would be 85 in the morning peak and 81 in the afternoon peak. Capacity assessments have been carried out at three junctions in the vicinity of the site and all junctions will continue to operate within capacity.
- 7.32 Clause 6 of SP22 requires all housing developments to provide a minimum of one parking space per dwelling and the submitted plans demonstrate this to the case for this development.
- 7.33 It is considered that based on the information provided with the application, there is no evidence to suggest that the proposal would adversely impact on the highway network and LCC as Local Highway Authority has raised no objections to the proposal.

Drainage

- 7.34 Clause 6 of SP16 states that all new development must show how it proposes to provide adequate surface water disposal. The Council will expect this to involve the use of Sustainable Urban Drainage Systems (SUDS) along with other appropriate design features. Clause 7 goes on to state that surface water connections to the combined or surface water system should only be made in

exceptional circumstances where it can be demonstrated that there are no feasible alternatives and where there is no detriment to existing users.

- 7.35 The proposed surface water drainage strategy for the site incorporates a mix of SUDS features such as source-control roadside swales, underground crates and an above ground balancing lagoon and conventional road gullies where space and narrow plot frontages can dictate against the effective operation of swales. LCC as Lead Local Flood Authority has confirmed that this arrangement is acceptable. The information submitted with the application confirms that infiltration is not an option on the site due to the low permeability of the underlying geology and as such in this case, connection to the surface water sewer is proposed. The proposed system utilises a hydrobrake to restrict the maximum rate of discharge from the development in heavier storm conditions, with the attenuated water being held in the balancing lagoon and in the underground crates. This represents a betterment over how the approved commercial development would have been designed to operate with an unrestricted discharge.
- 7.36 The surface water drainage system will be adopted by Anglian Water who will then be responsible for future maintenance and LCC would adopt the surface of the swales, the road gullies and their connections to the Anglian Water surface water sewer.
- 7.37 The applicant has carried out a survey of the watercourse that the surface water will be discharged into and this survey has confirmed that the watercourse is suitable and will be able to accommodate the additional water flows. The Council's Drainage Officer has confirmed that the submitted drainage proposal is acceptable.
- 7.38 Anglian Water has been consulted and they have confirmed that the detail regarding the connection to the sewers is not acceptable to them and they have requested a condition is attached to ensure an appropriate scheme for them is put forward, detailing which sewers are intended to be connected to. Anglian water has been reconsulted on the additional details submitted and members will be updated on the supplementary agenda regarding the final response of Anglian Water.
- 7.39 In terms of foul water disposal, Anglian Water has confirmed that the foul drainage from this development is in the catchment of Wragby Water Recycling Centre which currently does not have capacity to treat the flows from the development site. However, Anglian Water has confirmed that they are obligated to accept the foul flows from the development with the benefit of planning consent and would therefore take the necessary steps to ensure that there is sufficient treatment capacity should the Planning Authority grant planning permission. A condition to ensure that

this infrastructure is delivered in a timely manner can be considered. This complies with Clause 9 of SP16 which requires all new development to show that it can provide adequate foul water treatment and disposal.

Affordable housing and other contributions

- 7.40 SP17 is concerned with affordable and low cost housing and clause 1 states that the Council will support the delivery of affordable housing in the towns and large villages across the District. In the Medium and High Value Areas (as set out in the Economic Viability Assessment), on sites of 15 or more houses the Council will seek a 30% developer contribution towards the provision of affordable housing. Clause 2 goes on to set out that this will apply unless it is demonstrated by a detailed and robust site specific assessment, commissioned by the developer and carried out by an accredited person, that the viability of the development would be compromised such that a reduced level of contribution would be justified. The Council's first choice for the affordable housing provision will be mixed tenure sites and on site provision, integrated through the site. The supporting text for the policy outlines that the affordable units provided on a site should be 70% rented properties and 30% shared ownership.
- 7.41 As part of the consultation for the planning application, NHS Lincolnshire Integrated Care Board has requested a financial contribution of £103,455. Their consultation response suitably outlines their calculations for coming to this amount and details that the development is for 171 dwellings which would generate, based on the average of 2.2 people per dwelling in East Lindsey, an increase in patient population of 376. They used this number of patients to calculate the increase in nurse and GP consulting time which came to an increase of 9.9 hours per week of GP consulting time and 2.6 hours of nurse consulting time. They concluded that this demonstrates the development would place extra pressure on existing provisions. Their formula results in a request of £605 per dwelling which is fully evidenced in their consultation response. They have set out that the development will impact the Wragby Surgery as the development is within their catchment area.
- 7.42 LCC Education has also been consulted and they have calculated the number of children that would be generated from the proposed development. They have set out that there would be an increase of 26 primary school children, 25 secondary and 5 sixth-form children. Using their formula which is detailed in full within the consultation response, the level of contribution sought from the scheme is £839,612. This would be spent on the following: £202,037 on education provisions in Wragby primary planning area and £637,575 on education provision at Cherry Willingham Priory Pembroke Academy.

- 7.43 When first submitted, the application detailed that the development would not be viable with any contributions whatsoever, including affordable housing. A Viability Report was submitted by the applicant to demonstrate this. This report sets out that the development proposed involves some abnormal development costs which should be taken into account (such as surface water attenuation, substation upgrade, deepened foundations due to soft ground/near trees, grubbing up of hardstanding areas with subsequent removal from site) and the development needs to provide car charging points for each dwelling. The report details that the viability appraisal shows just over 12% profit on Gross Development Value (GDV) with no affordable housing or S106 contributions which is reduced to 2.44% when the affordable housing is added in. The applicant's Viability Report concludes that both these scenarios are well below the 15 to 20% of GDV referred to in planning policy and guidance as representing a viable scheme.
- 7.44 The Council appointed a third party to assess this Viability Report. The methodology of the applicant's Viability Report was critically reviewed resulting in a differing professional opinion that the development would be viable with some contributions. Two suggested viable alternative scenarios were therefore suggested for consideration.
- 7.46 Further information was consequently provided by the applicant as response and counter proposal to those scenarios. In essence there is not total agreement between the applicant and the Council's valuation advisors as to the viability position for the development. As a consequence, further negotiations were held between Council Officers and the applicant to discuss a way forward for the scheme. Council Officers had regard for the findings of the independent Viability Report but accepted that there was disagreement between the parties. The applicant, as consequence of the negotiations, subsequently offered a level of contribution that they accepted would still ensure scheme viability. On going negotiations have further refined that offer.
- 7.47 The Council's Housing Officer has had sight of the viability appraisals and accepts some of the findings of the applicant's viability assessment. As a consequence, and to be able to gain some level of financial contribution, a reduced level of affordable housing has been agreed as appropriate in this case. Discussions were held and an agreement was reached on the provision of 22 affordable units which were split 70% rented and 30% shared ownership. The location, type and tenure of these plots have also been agreed between the Council's Housing Officer and the applicant, and the scheme will now provide 22 affordable units, secured through a S106 legal agreement.
- 7.48 The applicant has also now offered £165,000 financial contribution towards education and NHS. This will go some way to addressing

the local concerns regarding impact on services in the town. Although the proposed contribution is significantly lower than the requested contributions from the consultees, evidence has been submitted to show that an increase in contributions would make the scheme unviable.

- 7.49 Officers are satisfied that sufficient evidence has been provided to demonstrate that the current proposed contributions are reasonable in this particular case. A clause can be added into the legal agreement that can ensure we can revisit these amounts at certain stages of the development should circumstances and market forces change which would result in the scheme viability improving. Preliminary work has already commenced on the legal agreement by the applicant.

Ecology

- 7.50 The application site is a vacant area of grassed, overgrown land on the edge of the village with the only built development on the site being the existing access road. There is landscaping along the southern and part of the eastern boundaries of the site. An Ecology Report accompanies the application. The report concludes that there is a prevalence of badgers in the area so it is recommended that a pre-commencement badger survey is carried out as a precaution. It is also outlined that the site is important for hedgehogs so the scheme will incorporate hedgehog highway gaps in all garden fences, in addition to the provision of bat boxes into 10% of properties and bird boxes into a further 10% of properties which target local priority species. The report sets out how the hedgerows and lines of trees on the boundaries of the site constitute a Priority Habitat. It is outlined that where possible, existing habitats have been retained, including the line of trees that form the priority habitat along the southern boundary, the young woodland within the southwest area of the site and boundary scrub features along the east and north boundaries. A further recommendation of the report is that the removal of vegetation should take place out of main bird breeding season.
- 7.51 The report documents that the scheme will involve the planting of around 220m of native, species rich hedgerow along the west and east boundaries with additional native hedgerow planting defining boundaries of front gardens, along with the creation of the SUDS basin and swales planted with wildflower mixes and the planting of 135 native trees.
- 7.52 Based on the information detailed within the Ecology Report, the proposal will not result in an adverse impact on protected species and the scheme will deliver ecological improvements in the form of extensive landscaping.

Play and Open Space Provision

- 7.53 SP26 of the Local Plan states that new residential developments of 10 and over should provide quality and accessible sports and recreational facilities in order to meet the need it generates in line with the standards set out in the supporting text of the policy. The supporting text sets out a requirement for provision of sports and recreation facilities generally in accordance with the Fields in Trust (FIT) best practice standards.
- 7.54 The proposed development includes a LPA and a LEAP. In addition there are public open spaces proposed that will be available for public use. For the scale of development, in this location, it is considered that the proposed level of play and open space provision is appropriate. A condition can be attached requiring details of how these areas will be managed and maintained to ensure they are kept available for use by the residents and wider public.

Other matters

- 7.55 As part of the consultation process, the Council's Historic Environment Officer advised that the site lies in an area of archaeological interest and requested conditions be attached to any permission requiring further archaeological work to be carried out on the site. This work has been carried out as part of the application process and the Conservation Officer is satisfied that the work that has been carried out is acceptable and has confirmed that no further archaeological work is required.
- 7.56 The Council's Scientific Officer requested further information be submitted regarding potential contaminated land on the application site by virtue of the presence of the nearby fire station and records showing an area to the east as a potential area of historical contamination from an unknown factory or works. A contamination report has been submitted to address this concern and the Scientific Officer has confirmed that he supports the scheme subject to a condition being attached controlling what happens if any previously unidentified contaminated land is discovered on the site.
- 7.57 The Parish Council has objected to the scheme on similar grounds to the local objections, namely in relation to existing services in the village being stretched and that further investment should be provided in the village before any further dwellings are constructed. As set out above, the application submission has demonstrated that the proposal would not be viable with the full requested contributions but a reduced contribution has been put forward which could be split between the NHS and Education unless members of the Planning Committee prefer an alternative way of distributing the monies. This will go some way to alleviate the concerns of local residents and the Parish Council although it is acknowledged that the monies are not as much as has been requested by the consultees. An alternative argument could be

made that additional dwellings being constructed could attract inward investment to the village.

8.0 CONCLUSION

- 8.1 The proposal is for a residential development of 171 dwellings on the edge of Wragby.
- 8.2 The application has demonstrated that the proposal will not result in an adverse impact on neighbour amenity, local character, archaeology, ecology, highway safety and will provide play areas and other areas of public open space.
- 8.3 The scheme lies in a gateway location and the plans submitted indicate a green development with areas of wildflowers, additional hedgerows and tree lined streets. A mix of materials and dwelling types are proposed to create a varied street scene which will appropriately reflect this edge of settlement location.
- 8.4 Through negotiations between Council Officers and the applicant, 22 units of affordable housing of mixed tenure has been secured along with £165,000 of financial contributions towards local services such as the GP surgery and local schools. Although these contributions are below what has been requested by consultees, a case has been put forward by the applicant to demonstrate that further contributions would render the scheme unviable.
- 8.5 Overall it is considered that the proposal is in accordance with the Local Plan and national planning guidance.
- 8.6 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.

10.0 OFFICER RECOMMENDATION

Approve subject to satisfactory completion of a s.106 obligation as outlined in the report) and to the following conditions (a final comprehensive list of conditions will be provided on the supplementary papers)

RECOMMENDATION: Approve

Subject to the following conditions:

1. Full planning permission
The development hereby permitted shall begin no later than 3 years from the date of this decision.

Reason: As required by Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2 The development hereby permitted shall be carried out in accordance with the following approved drawings and other documents, and any drawings approved subsequently in writing by the local planning authority pursuant to any conditions on this decision letter.

Plan No. 1182-2 Rev D	Received by the LPA on 26/06/2023.
Plan No. 1182-A	Received by the LPA on 08/04/2024.
Plan No. LAP 5023-3	Received by the LPA on 08/04/2024.
Plan No. 5023-1-D	Received by the LPA on 08/04/2024.
Plan No. 260(A) -1	Received by the LPA on 02/04/2024.
Plan No. 264M(C) -1	Received by the LPA on 02/04/2024.
Plan No. 257(A) -1	Received by the LPA on 02/04/2024.
Plan No. 259(A) -1	Received by the LPA on 02/04/2024.
Plan No. 157NM(C) -1	Received by the LPA on 02/04/2024.
Plan No. 380W(A) -1	Received by the LPA on 02/04/2024.
Plan No. 268(A) -1	Received by the LPA on 02/04/2024.
Plan No. 380(A) -1	Received by the LPA on 02/04/2024.
Plan No. 365(A) -1	Received by the LPA on 02/04/2024.
Plan No. 366(A) -1	Received by the LPA on 02/04/2024.
Plan No. MLW-101-05A-01	Received by the LPA on 02/04/2024.
Plan No. 414NM(C)-1	Received by the LPA on 02/04/2024.
Plan No. 385 -1	Received by the LPA on 02/04/2024.
Plan No. 384(A) -1	Received by the LPA on 02/04/2024.
Plan No. 412NM(B) -1	Received by the LPA on 02/04/2024.
Plan No. 03	Received by the LPA on 01/08/2023.
Plan No. SD001	Received by the LPA on 09/06/2023.
Plan No. SD002	Received by the LPA on 09/06/2023.
Plan No. 1182-3A	Received by the LPA on 09/06/2023.
Plan No. ELL-23136-NCH-B-171	Received by the LPA on 19/10/2023
Plan No. ELL-23136-NCH-B-325	Received by the LPA on 19/10/2023

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

- 3 Prior to the first occupation of the dwellings hereby permitted, the approval of the Local Planning Authority is required to a scheme of landscaping and tree planting for the site indicating, inter alia, the number, species, heights on planting and positions of all the trees, together with details of post-planting maintenance. The scheme shall be based on the indicative landscaping proposals on plan reference 5023-1-D received by the Local Planning Authority on 8th April 2024 which was submitted with the application. Such scheme as is approved by the Local Planning Authority shall be carried out in its entirety within the first planting season following the date on which development is commenced or in line with a phasing strategy agreed in writing with 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 the period 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 the development assimilates into this edge of

settlement location and to ensure a green character to the development. This condition is imposed in accordance with SP10 of the East Lindsey Local Plan.

- 4 Prior to the first dwelling being occupied, details of how the public open space and play areas will be managed and maintained in perpetuity shall be submitted to and agreed in writing by the Local Planning Authority. The public open space and play areas shall be managed and maintained in accordance with the agreed details.

Reason: To ensure that public open space areas and play areas remain available for public use and maintained to an appropriate standard. This condition is imposed in accordance with SP10 and SP26 of the East Lindsey Local Plan.

- 5 Prior to the commencement of the construction phase of the development, a protective barrier shall be installed around the trees to be retained in accordance with the details in section 6 of the Arboricultural Method Statement and as shown on the Tree Protection Plan submitted with the application (drawing ref. 03, received by the Local Planning Authority on 1st August 2023) and the protective barrier shall remain in place during the entirety of the construction phase.

Reason: To protect the trees on the boundaries of the site in the interests of the visual amenity of the area and to protect ecology in accordance with SP10 and SP24 of the East Lindsey Local Plan.

- 6 The scheme shall proceed in accordance with the following mitigation measures outlined in the Ecology Report by SLR, dated 24th May 2023 submitted with the application:

- 10% of houses shall include integrated bat boxes;
- 10% of houses shall include integrated bird boxes with a mix of three different bird box types;
- The removal of vegetation shall take place outside of the main bird breeding season (March to August inclusive) and if this is not possible removal shall immediately follow a search for active nests by a suitably qualified ecologist. If active nests are found, these shall be safeguarded, along with a suitable buffer, until the young have fledged, or the nesting attempt is otherwise complete;
- Hedgehog highways shall be created in all garden fences, comprising minimum of 15cm x 15cm gaps at the base of fencing. These gaps shall be appropriately labelled with signs on both sides;
- A pre-commencement badger survey shall be carried out by a suitably qualified ecologist prior to any development commencing to check for any newly excavated setts.

Reason: This condition is imposed to protect existing ecology at the site and to attract and encourage further ecology on the site in accordance with SP24 of the East Lindsey Local Plan and the National Planning Policy Framework.

- 7 If during redevelopment contamination not previously considered 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 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 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 any undiscovered contamination is dealt with appropriately in accordance with the National Planning Policy Framework.

- 8 Prior to the occupation of any individual dwelling hereby approved, passive electric vehicle charging infrastructure shall be installed and made available for the respective dwelling. The minimum specification for electric vehicle charging points and associated infrastructure shall be 32A Mode 3 Type 2 electric vehicle chargers. The passive electric vehicle charging infrastructure shall include a point of connection to the electricity board, cabling (power and data) and ducting up to an AC isolator installed in a suitable location to enable connection of a future electric vehicle charging point.

Reason: To ensure infrastructure is available to support electric vehicle charging for occupiers of the development in accordance with the strategic sustainability objectives of the East Lindsey Local Plan which seeks to encourage new development to be energy-efficient and paragraph 154 of the National Planning Policy Framework which seeks to tackle the causes of climate change.

- 9 No development shall take place before a method statement for the demolition and/or construction of the development hereby approved has been submitted to, and approved in writing by, the Local Planning Authority. The demolition and construction works shall be carried out in accordance with the approved method statement.

The method statement, shall provide details for wheel cleaning facilities during the demolition, excavation, site preparation and construction stages of the development. The method statement shall also include details of the means of recycling materials, the provision of parking facilities for contractors during all stages of the development (excavation, site preparation and construction) and the provision of a means of storage and/or delivery for all plant, site huts, site facilities and materials.

Reason: In the interests of highway safety and the amenity of nearby residents in accordance with objectives of SP10 and the NPPF.

- 10 As may be required by LCC as Local Highway and Lead Local Flood Authority.