

Application Number:	2022/0785/RM
Site Address:	Land At Wolsey Way, Lincoln, Lincolnshire
Target Date:	30th June 2023
Agent Name:	Knights
Applicant Name:	Taylor Lindsey Limited
Proposal:	Submission of reserved matters including appearance, layout, access, landscaping and scale for the erection of 14no. detached dwellings as required by outline planning permission 2021/0479/CXN (Revised Description). (Revised Plans received 20th March 2023, 13th April 2023, 14th April 2023 and 19th April 2023).

Background - Site Location and Description

Outline Planning Permission was first granted for the residential development of this piece of land in November 2019 and the site has been allocated for residential development in the previous and the current Local Plan. The outline planning permission granted in 2019 was for 14 bungalows and this permission was subsequently amended in 2021 to provide details of drainage.

The application now before us seeks to discharge all of the reserved matters from the amended outline planning permission, which are condition 2 of the outline planning permission and which encompass details of the layout of the development, the appearance of the dwellings, the scale of the dwellings, the landscaping of the site and the means of access. The applicant is also seeking to discharge condition 4 of the outline planning permission which deals with tree protection during development and also condition 5 which deals with existing and proposed site levels. A copy of the outline planning permission is attached to this report. The details of the reserved matters still proposes the 14 bungalows as has been approved under the outline planning permissions and as part of a development of this site four of those bungalows will be affordable.

Site History

Reference:	Description	Status	Decision Date:
2021/0479/CXN	Variation of Condition 8 (full engineering, drainage, street lighting and constructional details of the streets proposed for adoption) of planning permission 2016/0842/OUT to reflect subsequently agreed drainage strategy with Anglian Water and updated drainage strategy.	Granted Conditionally	9th September 2021
2016/0842/OUT	Erection of 14 Bungalows (Outline) (Flood Risk Assessment and Drainage Layout received in relation to proposals 29 August 2017)	Granted Conditionally	25th November 2019

Case Officer Site Visit

Undertaken on various occasions, most recently 25th August 2023.

Policies Referred to

The relevant planning policies considered at the time of the granting of the outline planning permission were policies from the now superseded Local Plan. The current Local Plan policies that are relevant to the consideration to the reserved matters application are as follows:

- Policy S53 Design and Amenity Standards
- Policy S48 Walking and Cycling Provision
- Policy S49 Parking provision

Issues

The issues raised by the application are primarily those of detail. The application conforms with what was granted planning permission at the outline stage and so our consideration focusses on the details of the five reserved matters and the associated conditions.

The principle of the development of the site is already approved and the issue of the point of access is effectively also approved by reason of the location and shape of the site.

Consultations

Consultations were carried out in accordance with the Statement of Community Involvement, adopted January 2023.

Statutory Consultation Responses

Consultee	Comment
Environment Agency	Comments Received
Highways & Planning	Comments received on the first iteration of the proposals and further final comments are awaited and will be reported on your update sheet.
Upper Witham, Witham First District & Witham Third District	Comments Received
Lincoln Civic Trust	Comments Received
John Lincolnshire Police	Comments Received

West Lindsey District Council	Comments Received
Education Planning Manager, Lincolnshire County Council	Comments Received
Anglian Water	Comments Received on the first iteration of the proposals and further comments subsequently received which demonstrate that Anglin Water does not object to what is now proposed.

Public Consultation Responses

Name	Address
A Coulbech + J Lindsay	9 Westholm Close Lincoln Lincolnshire LN2 4TS
Mr D And Mrs H Redmile	14 Westholm Close Lincoln Lincolnshire LN2 4TS
Ms Lesley Rose	25 Larkspur Road Lincoln Lincolnshire LN2 4SS
Mrs Vivien Parkinson	8 Westholm Close Lincoln Lincolnshire LN2 4TS
Mr and Mrs Maplethorpe	
Mr Fred Raithby	5 Hurstwood Close Nettleham Fields Lincoln LN2 4TX
Mr Adrian Coulbeck	9 Westholm Close Lincoln Lincolnshire LN2 4TS
Richard Crampton	9 Hurstwood Close Lincoln Lincolnshire LN2 4TX

Miss Lesley Rose	25 Larkspur Road Lincoln Lincolnshire LN2 4SS
Mr Adrian Coulbeck	9 Westholm Close Lincoln Lincolnshire LN2 4TS
Mrs Carol Gurga	14 Montaigne Garden Lincoln Lincolnshire LN2 4RL
Mrs Judith Maplethorpe	13 Larkspur Road Lincoln Lincolnshire LN2 4SS
Mr Richard Crampton	9 Hurstwood Close Lincoln LN2 4TX

The representations from consultees, particular neighbours to the site, are copied in full as part of your agenda. The neighbours in particular are, in the main, raising the following issues:

- The principle of developing the site
- The effect on wildlife and trees on the site
- Concern about another traffic junction onto Wolsey Way
- Flood Risk

Consideration

The allocation of the site in the Local Plan and the extant outline planning permission for 14 bungalows mean that the application for reserved matters that is now before the Council and is proposing 14 bungalows is acceptable in principle. The details of the proposals which are to be considered at the reserved matters stage are dealt with in turn below:

Layout – the site is long and narrow, stretching from Wolsey Way in the north east to the King George V playing fields in the south west so there have been limited options with regard to the layout. The point of access for the highway from Wolsey Way results in a road that extends south west into the site and ten of the fourteen bungalows are located to one side of the road and then a slight deflection in the alignment allows the remaining four to be located to the other side of the road. This adds interest to the layout. The position of the bungalows has been assessed carefully and the layout before us is the optimum in terms of an appealing development that does not cause unacceptable harm to the amenity of the surrounding existing residents.

Access – the point of access into the site from Wolsey Way, as set out above, very much defines itself and the proposed road also generally follows the line of an existing sewer that runs through the site. Lincolnshire County Council, as Highway Authority, has no objections to the point of access from Wolsey Way and has no objections to the wider highway details of the application. The road through the site will also link to a new footpath/cycleway that will connect the site into the footpath network at the King George V playing field. The width of this access has been modified at the request of the Highway Authority to ensure it is safe for use by both pedestrians and cyclists.

Scale – the density of the proposed development is very similar to the existing surrounding development with similar plot sizes and similar footprints and this will help to ensure that the new dwellings assimilate into the existing context.

Appearance – the bungalows are designed to reference the style of properties in the wider area and there is a consistency of design relative to one another for the 14 properties proposed. It is unusual to be able to consider a development that is solely single storey and the applicants are confident that there is a market for the bungalows that they have designed.

Landscaping – The density of development is such that there is space for some decent areas of landscaping with perhaps the most notable feature being the pond at the edge of the site adjacent to Wolsey way. This serves a dual purpose as part of the surface water drainage strategy for the site and it gives the opportunity for a feature which will add a distinctiveness to the development. There is also a separate area of open space within the site and a further area of greenspace alongside the access road into the site. The existing hedge between the site and the playing fields will be retained as will further existing hedgerows along the south eastern boundary. This will be supplemented with further planting in that area along with a significant level of new tree planting throughout the site.

Drainage – the drainage strategy for the site was approved as part of the outline planning permission granted in 2019 and this has led to the attenuation pond at the north eastern side of the site and to detailed specifications for the drainage infrastructure of the site – taking account of the particular local site conditions. The County Council as the Lead Local Flood Authority and Anglian Water as the relevant drainage provider are both satisfied with what has been proposed.

Tree protection – the applicant has provided a tree protection plan which is attached to your agenda and details where the protection measures will be installed for the trees and hedge rows that are going to be retained. This is an appropriate approach and provides the necessary detail to ensure that these retained trees will be adequately protected during construction.

Details of Existing site levels and proposed site levels and finished floor levels – this condition was attached to the outline planning permission to ensure details of any land or floor raising was understood in relation to adjacent existing dwellings – the existing and proposed ground levels change very little and the finished floor levels of the new dwellings is generally set a standard 300mm higher than the ground level. This does not cause harm to the adjacent residents.

The consideration of other issues such as those raised by the new Local Plan in respect of Climate Change and Biodiversity are not considered as part of this reserved matters application because the overall outline planning permission has already been granted;

case law is clear that decisions that modify or revoke the parent application should not be made.

However, the applicant has advised that the new dwellings will of course be built to at least the new requirements of Building Regulations which will mean increased insulation and ventilation and energy efficient heating reducing carbon emissions by at least 31%. Equally they will be landscaping the site and also be installing hedgehog friendly fencing.

Conclusion

The details provided by the applicants, to satisfy the reserved matters condition and two further conditions on the outline planning permission are acceptable and appropriate and directly relate to the parent permission.

Application Determined within Target Date

Yes.

Recommendation

That the application to discharge the reserved matters and the associated conditions are GRANTED

Appendix – Copy of the Outline Planning Permission.

GRANT OF PLANNING PERMISSION

Name and address of applicant:

Agent:

Taylor Lindsey Ltd

98 Searby Road

Lincoln

LN2 4DT

Part I - Particulars of Application

Application No: 2021/0479/CXN

Date of Application: 8th June 2021

Location of Development: Land At Wolsey Way (between Larkspur Road And Windermere Road), Lincoln

Particulars of Development: Variation of Condition 8 (full engineering, drainage, street lighting and constructional details of the streets proposed for adoption) of planning permission 2016/0842/OUT to reflect subsequently agreed drainage strategy with Anglian Water and updated drainage strategy.

Part II – Particulars of decision

The City of Lincoln Council hereby gives notice that planning permission is granted for the development described above in accordance with the application and plans submitted.

This permission is subject to various conditions presented under the relevant headings below:

Standard Conditions

- 01) The development hereby permitted shall be begun either within three years of 25.11.2019 or within two years of the date of approval of the last of the reserved matters to be approved, whichever is the later.

Reason: Imposed pursuant to Section 92 of the Town and Country Planning Act 1990.

- 02) The development to which this permission relates shall not be commenced until details of the following (hereinafter referred to as the "reserved matters") have been submitted to and approved by the Local Planning Authority.

(a) The layout of the Building(s)

(b) The scale of the building(s), including the height, massing and internal planning.

(c) The external appearance of the building(s), to include details of all external materials to be used, their colours and textures.

(d) Means of access to, and service roads for the development, including road widths, radii and sight lines, space for the loading, unloading and manoeuvring and turning of service vehicles and their parking; space for car parking and manoeuvring.

(e) A scheme of landscaping for those parts of the site not covered by buildings to include surface treatments, walls, fences, or other means of enclosure, including materials, indications of all existing trees and hedgerows on the land, and details of any to be retained, together with measures for their protection in the course of development.

Reason: Imposed pursuant to Section 92 of the Town and Country Planning Act 1990.

- 03) With the exception of the detailed matters referred to by the conditions of this consent, the development hereby approved shall be carried out in accordance with the drawings listed within Table A below.

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

Reason: To ensure the development proceeds in accordance with the approved plans.

- 04) The application(s) for the Reserved Matters of Layout and Landscaping shall include details of the trees to be retained as part of the development and the measures to protect those trees on site during construction.

Reason: In order to ensure that existing landscaping is utilised to ensure that the development assimilates within its context; to maintain the quality of biodiversity within the site; and to protect the trees during development.

- 05) The application for the approval of Reserved Matters shall include details of the existing and proposed land levels and finished floor levels.

Reason: In order to control the height of the development and its impact on surrounding properties and the character and appearance of the area.

Conditions to be discharged before commencement of works

06) No development shall commence until a scheme for the provision of affordable housing has been submitted to and approved in writing by the Local Planning Authority. The affordable housing shall be provided in accordance with the approved scheme and shall meet the definition of affordable housing in Annex 2 of The National Planning Policy Framework or any future guidance that replaces it. The scheme shall include:

- the numbers, type, tenure and location on the site of the affordable housing provision to be made which shall consist of not less than 25% of housing units/bed spaces;

- the timing of the construction of the affordable housing and its phasing in relation to the occupancy of the market housing;

- the arrangements for the transfer of the affordable housing to an affordable housing provider (if required);

- the arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing; and

- the occupancy criteria to be used for determining the identity of occupiers of the affordable housing and the means by which such occupancy criteria shall be enforced.

Reason: To ensure the provision of affordable housing on site.

- 07) No development shall be commenced until details of the proposed arrangements for future management and maintenance of the proposed streets within the development have been submitted to and approved by the Local Planning Authority.

Reason: To ensure that the future maintenance of the streets serving the development thereafter, are secured and shall be maintained by the Local Highway Authority under Section 38 of the Highways Act 1980 or via an established private management and maintenance company.

- 08) No development shall be commenced until full engineering, drainage, street lighting and constructional details of the streets proposed for adoption have been submitted to and approved in writing by the Local Planning Authority. The surface water drainage designs are to be in accordance with the revised Flood Risk Assessment dated 07 May 2020 by Eastwood and Partners. The development shall, thereafter, be constructed in accordance with the approved details, unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interest of highway safety; to ensure a satisfactory appearance to the highways infrastructure serving the development; and to safeguard the visual amenities of the locality and users of the highway.

- 09) No development in relation to any of the dwellinghouses hereby permitted shall take place until details which demonstrate that 30% of the dwellinghouses within the development will be constructed to ensure compliance with Part M4(2) of the Building Regulations have been submitted to and approved in writing by the Local Planning Authority. The details shall include a timetable for the implementation of those dwellinghouses within the site. The development shall only be constructed in accordance with the approved details.

Reason: In order to ensure that the proposed dwellings cater for the needs of less mobile occupants, including older and disabled persons; and to deliver dwellings which are capable of meeting peoples' changing circumstances over their lifetime, in accordance with Policy LP10 of the Central Lincolnshire Local Plan.

- 10) Prior to the commencement of the development, details of a scheme for the provision of electric vehicle recharge points at a minimum rate of one per dwelling shall be submitted to the planning authority for approval. The approved scheme shall be implemented prior to the occupation of the dwellings and shall be maintained thereafter.

Reason: In order to encourage sustainable travel in accordance with the National Planning Policy Framework.

- 11) Prior to the first occupation of any of the dwellings permitted through subsequent Reserved Matters application(s), details of all boundary walls and fences, including materials of construction, shall be submitted to and approved in writing by the Local Planning Authority. Only the approved details shall be implemented before the dwelling is first brought into use, and maintained as such thereafter.

Reason: In the interests of visual amenity, privacy and security and to ensure that the amenities of the area are not adversely affected by the proposed development.

Conditions to be discharged before use is implemented

- 12) No dwelling, subsequently approved through application(s) for Reserved Matters, shall be occupied until the drainage works have been carried out in accordance with the details contained within the 'Wolsey Way Residential Development - Detailed

Drainage Design' (Revision F), received by the Local Planning Authority on 13 June 2018, unless otherwise approved in writing by the Local Planning Authority.

Reason: To ensure a satisfactory standard of drainage within the development.

- 13) Before each dwelling (or other development as specified) is occupied the roads and/or footways providing access to that dwelling, for the whole of its frontage, from an existing public highway, shall be constructed to a specification to enable them to be adopted as Highways Maintainable at the Public Expense, less the carriageway and footway surface courses.

The carriageway and footway surface courses shall be completed within three months from the date upon which the erection is commenced of the penultimate dwelling (or other development as specified).

Reason: To ensure safe access to the site and each dwelling/building in the interests of residential amenity, convenience and safety.

- 14) No dwellings shall be occupied before the first 30 metres of estate road from its junction with the public highway, including visibility splays, as shown on drawing number 848 (03)001 A07, received by the Local Planning Authority on 26 October 2016, has been completed.

Reason: In the interest of safety of the users of the public highway and the safety of the users of the site and to enable calling vehicles to wait clear of the carriageway of Wolsey Way.

Conditions to be adhered to at all times

- 15) In the event that contamination is found at any time when carrying out the approved development it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken and where remediation is necessary a remediation scheme must be prepared, which is subject to the approval, in writing, of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval of the Local Planning Authority.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

- 16) During the construction of the development hereby permitted no tree, shrub or hedge shall be felled, lopped or cleared between the beginning of March to the end of August, unless the prior written approval of the Local Planning Authority is obtained.

Reason: To ensure that birds and their nests are protected during the nesting season.

Table A

The above decision has been made in accordance with the submitted drawings identified below:

Drawing No.	Drawing Type	Date Received
	Location Plan	8th June 2021

Relevant Policy/Policies:

The Local Planning Authority has adopted a policy framework to assess applications and the relevant policies and guidance are set out below.

National Planning Policy Framework

Date of Determination: 9th September 2021



Kieron Manning Assistant Director - Planning
Directorate of Communities & Environment

City of Lincoln Council, City Hall, Beaumont Fee, Lincoln, LN1 1DF