



PL.12 13/14
Planning Committee
Date 22 January 2014

Subject: Planning applications for determination

Report by:

Director of Regeneration and Planning

Contact Officer:

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Purpose / Summary:

The report contains details of planning applications that require determination by the committee together with appropriate appendices

RECOMMENDATION(S): Each item has its own recommendation

IMPLICATIONS

Legal: None arising from this report.

Financial : None arising from this report.

Staffing : None arising from this report.

Equality and Diversity including Human Rights : The planning applications have been considered against Human Rights implications especially with regard to Article 8 – right to respect for private and family life and Protocol 1, Article 1 – protection of property and balancing the public interest and well-being of the community within these rights.

Risk Assessment : None arising from this report.

Climate Related Risks and Opportunities : None arising from this report.

Title and Location of any Background Papers used in the preparation of this report:
Are detailed in each individual item

Call in and Urgency:

Is the decision one which Rule 14.7 of the Scrutiny Procedure Rules apply?

i.e. is the report exempt from being called in due to urgency (in consultation with C&I chairman)

Yes

No

Key Decision:

A matter which affects two or more wards, or has significant financial implications

Yes

No

1. **130684 -Hybrid planning application for proposed agricultural further education college-full details for buildings to include agricultural innovation and science centre and student accommodation. Outline planning application for the development of education buildings and facilities associated with a land based agricultural college and associated works.**

Land adj Lincolnshire Showground Grange-de-Lings Lincoln LN2 2NA

RECOMMENDED DECISION: That the decision to grant permission subject to the following conditions be delegated to the Director of Regeneration and Planning upon:-

- **The completion and signing of a section 106 that delivers
 - a) **The undertaking of a travel survey of staff and students to establish a baseline within 3 months of occupation.**
 - b) **The setting of SMART targets, against which progress of the travel plan will be monitored by the County Council.**
 - c) **The implementation of measures and actions in the submitted Travel Plan**
 - d) **The monitoring of the travel plan which will include a travel survey to be undertaken with 3 months of first occupation, then annually thereafter for a period of 5 years and information realistically reported to LCC.**
 - e) **Additional monitoring and the implementation of additional agreed measures if the travel plan does not, or is expected not to meet the SMART targets.****
 - **No adverse comments being received by the Defence Infrastructure Organisation by noon on the 22nd January 2014 (the date of this Committee)**
2. **128675 - Outline planning application for proposed development of 6no. detached dwellings with associated garages, plots and infrastructure including new passing places to Poachers Lane, new bridge crossing Sudbrooke beck and necessary works to existing road. Also, proposed new cycle,pedestrian pathway to parish boundary with Nettleham.**

Land off Poachers Lane Poachers Lane Sudbrooke Lincoln

RECOMMENDED DECISION: That the decision to grant permission subject to conditions be delegated to the Director of Regeneration and Planning upon:-

The signing and completion of a s106 that delivers:-

- a) The proposed new pedestrian footway to the parish boundary between points Y and Z marked on the plan A appended to this report to an adoptable standard to enable adoption by the County Council but only following the completion of an adopted footway between points X and Y on the same said plan;**
- b) The transfer of the hedge between points Y and Z to the Parish Council together with a commuted sum for its continued maintenance.**
- c) The transfer of the playing field on Poachers Lane to the Parish Council marked hatched on Plan B appended to this report as community infrastructure for the village.**

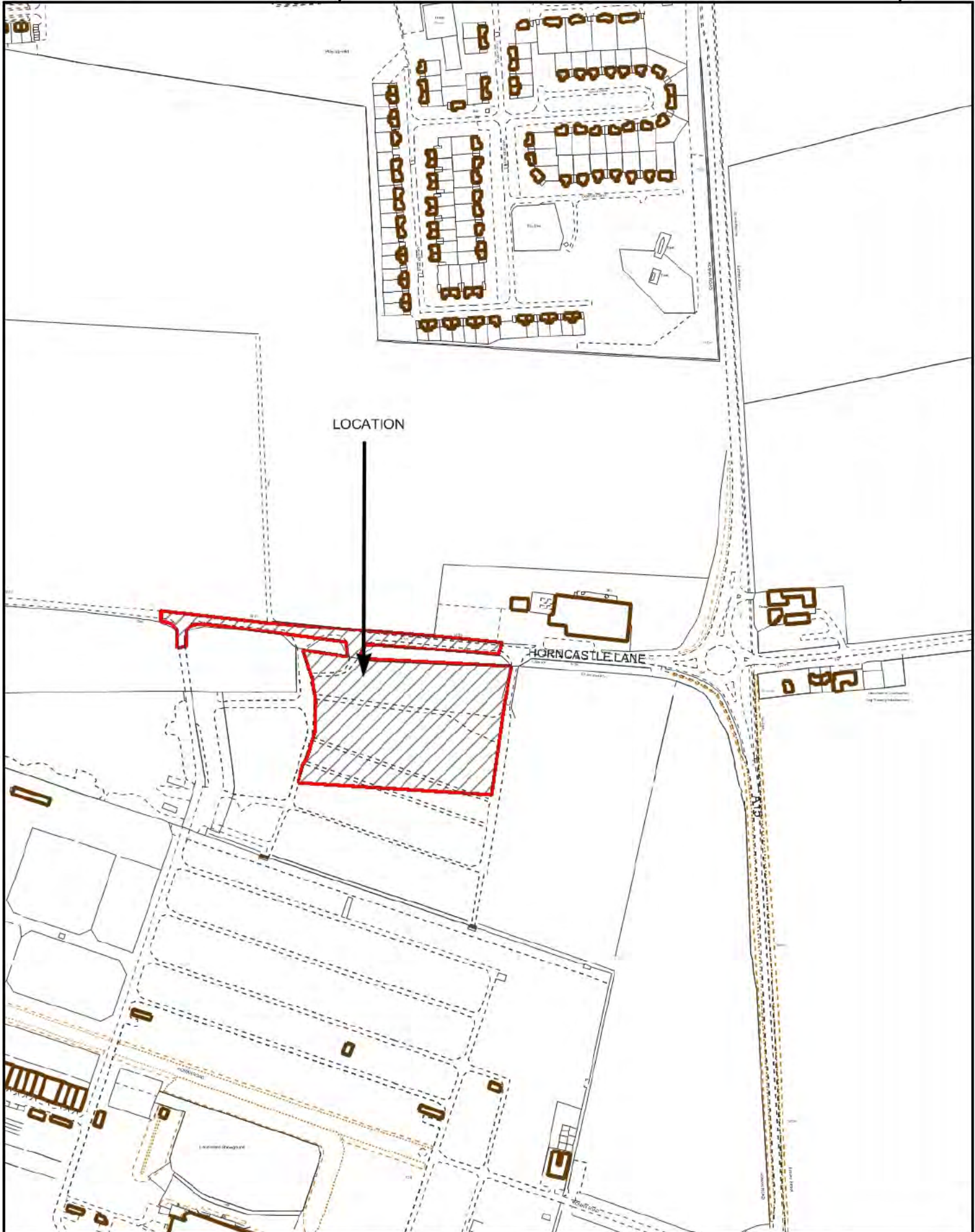
but enables 3 but no more than 3 of the 6 dwellings to be completed and occupied prior to a), and b) being delivered with c) having to be delivered prior to the first occupation of any dwelling.

That, if the s106 is not completed and signed by the applicant, West Lindsey DC and Lincolnshire County Council within 6 months, the application be reported back to the next available Planning Committee for determination.

- 3. 130532 - Planning application to erect detached dwelling, two detached garages and garden store. Amendment to previously approved application M05P0590, allowed at appeal.**

33b Crapple Lane Scotton Gainsborough DN21 3QT

RECOMMENDED DECISION: Grant permission subject to conditions



Officer's Report

Planning Application No: 130684

PROPOSAL: Hybrid planning application for proposed agricultural further education college-full details for buildings to include agricultural innovation and science centre and student accommodation. Outline planning application for the development of education buildings and facilities associated with a land based agricultural college and associated works.

LOCATION: Land adj Lincolnshire Showground Grange-de-Lings
Lincoln LN2 2NA

WARD: Saxilby

WARD MEMBER(S): Cllrs Brockway & Cotton

APPLICANT NAME: Bishop Burton College

TARGET DECISION DATE: 11/02/2014

DEVELOPMENT TYPE: Small Major - all others

CASE OFFICER: Simon Sharp

RECOMMENDED DECISION: That the decision to grant permission subject to conditions be delegated to the Director of Regeneration and Planning upon:-

1. The completion and signing of a section 106 that delivers
 - a) The undertaking of a travel survey of staff and students to establish a baseline within 3 months of occupation.
 - b) The setting of SMART targets, against which progress of the travel plan will be monitored by the County Council.
 - c) The implementation of measures and actions in the submitted Travel Plan
 - d) The monitoring of the travel plan which will include a travel survey to be undertaken with 3 months of first occupation, then annually thereafter for a period of 5 years and information realistically reported to LCC.
 - e) Additional monitoring and the implementation of additional agreed measures if the travel plan does not, or is expected not to meet the SMART targets.

2. No adverse comments being received by the Defence Infrastructure Organisation by noon on the 22nd January 2014 (the date of this Committee)

Description

- **Site** – A greenfield site extending to approximately 3.5ha within the Lincolnshire Showground. The site frontage includes the tree belt along the A1500 on the northern boundary of the Showground and this

frontage extends to approximately 220m between Gates 2 and 4. The land is currently occasionally used for car parking in association with events at the Showground or, as in the most recent case, for park and ride parking for the Lincoln Christmas Market. To the north is the A1500 and then open land between the site and the housing built as part of RAF Scampton. To the remaining sides is land retained for ancillary parking for the Showground although members will note that some supporting documents refer to the land to the west as a potential later phase expansion (not part of the planning application) and the land to the east has been informally master planned for a hotel and offices (again not part of the planning application).

- **Proposal** – The application has been submitted as a hybrid of full and outline elements.

The full application is for “phase 1” comprising the following:

- Agriculture, Innovation & Science Centre -2,190 m²
- Animal Science Centre - 810 m²
- Agriculture & Engineering Workshop 1 - 315 m²
- Agriculture & Engineering Workshop 2 - 190 m²
- Arboriculture Workshop - 120 m²
- Two blocks of Student Accommodation consisting of 25 beds per block (50 beds total) with a development area of 1068 m².

The outline application element, “phase 2,” is identified on the proposed site layout plan as for two specific areas adjoining the southern boundary (a rectangle of land extending to 1700 sq m) and south west corner of the site (a smaller rectangle of 425 sqm). Both of these areas are within the boundaries defined for phase 1 therefore do not extend the overall site area and will be served by the same car parking, landscaping and other infrastructure as phase 1.

The phase 2 buildings are proposed to be used for educational teaching facilities which could include such uses as equine, animal behaviour/rehabilitation, veterinary, engineering and construction, all ancillary to the college use.

The development is therefore considered to be a single separate planning unit distinct from the Showground and would fall within class C2 - Residential Institutions of the Use Classes Order 1987 (as amended),

The suite of plans and application documents can be viewed via the following link:-

<http://docs.west-lindsey.gov.uk/WAM/showCaseFile.do?appName=planning&appNumber=130684>

Town and Country Planning (Environmental Impact Assessment)(England and Wales) Regulations 2011:

The development has been assessed in the context of Schedule 2 of the Regulations and after taking account of the criteria in Schedule 3 it has been concluded that the development is not likely to have significant effects on the environment by virtue of its nature, size or location. The site is not within a sensitive area as defined in Regulation 2(1). Therefore the development is not 'EIA development'. A copy of a Screening Opinion has been placed on the public register and file.

Relevant history

There is no history relating specifically to the application site but the area within the Showground between gates 5 and 6 to the west, but not directly abutting this application site, is the subject of another current planning application for 18 eco-homes submitted by Gusto Homes (ref 130645).

Representations

Chair/ward members – No comments received

North Carlton PC – No comments received,

NB. The site is within North Carlton parish but adjoining and nearby parishes including Scampton, Welton and Grange-de-Lings were also consulted. Comments have been received from Riseholme PC.

Riseholme PC – Object:-

1. The ring road around Lincoln presents as the natural barrier to urban sprawl and keeps the villages outside the ring road separate and distinct with their own unique identity. Therefore, any building outside that barrier has to be considered carefully with a view to appreciating what it is seeking to achieve.
2. There is now the recognition that the city and town centres require revitalising due to the demise of small businesses on the high street. Hence, there is an acknowledgement that they need more focus in terms of housing and development rather than developing outside existing centres and on "green areas".
3. Currently the land at the Showground is used for the purpose of the Showground facility. Any buildings on the Showground are used entirely in connection with the Showground. Hence any change to that will change the nature and use of that location and give the area an entirely different aspect.

4. It is not clear whether the agricultural college and the housing are considered to be self contained within that area. The students and new home owners will not be able to access the facilities of Lincoln from that distance without their own transport. It is accepted that public transport can be added but there is no existing bus link. Therefore, not only will residents at the Showground but also all teaching staff, ancillary staff and all visitors will largely need their own transport. This will put pressure on the road network and the site does not look to have sufficient parking to sustain that number of stationary vehicles.

5. It is difficult to understand how mixing a Showground, housing and an agricultural college will work. The Showground has times of very high activity when the roads are completely blocked, for example, at the time of the Lincolnshire Show and Christmas Market. Those occasions can be currently accommodated only with very stringent traffic control. The addition of the cars as mentioned in paragraph 5 above will not be able to be accommodated. There is concern over the traffic impact on the residents of Riseholme who already have difficulty turning north or south onto the A15.

6. The Showground puts on functions which would clash with having residents and livestock on site such as firework displays, musical entertainment and tractor engines to name but a few. There are other events that have to be strictly monitored for example Lincolnshire Poacher when hundreds of children attend and the grounds have to be effectively "sealed " off to prevent outsiders who have not been checked access to the site.

The Showground, as a business, are always looking to extend their event programme both in terms of the frequency and the number of visitors. This is fully supported by the parish of Riseholme who want to see a vibrant event centre. Therefore, more rather than less clashes are envisaged in the future.

7. The Showground site itself when not used for events is quiet and used by those who want to visit the countryside for dog walking and other pursuits in the areas that are available and open to the public. It is a natural compliment to the green wedge of Riseholme at the north of the city. There would be a great impact by way of noise and light pollution which would extend to the surrounding areas including the parish of Riseholme.

8. In terms of drainage the site is known to be currently water logged and without foul drainage. If more building were to be put on the site there would be concerns over flooding and drainage.

9. Riseholme parish support the increased use of the Showground for events which put Lincoln in the forefront of development and marketing the area thereby bringing trade and jobs. However, one has only to travel to adjacent busy showgrounds to see the impact event days can

have on road and other networks. Adding an agricultural college and housing would only heighten the problems so as to make this proposal one which cannot be sustained in the future

10. Riseholme Parish Council considers that the relocation of the Agricultural College to the Lincolnshire Show Ground is an unnecessary move and a gross misuse of public money -

a) Riseholme Campus already has all the facilities required for an Agricultural College.

b) Lincoln University intends to retain its Higher Education courses; which form a natural complement to Bishop Burton's Further Education courses. It makes sense to share one site.

c) If the proposal were to go ahead Riseholme Campus would become redundant to Lincoln University resulting in either Lincoln University seeking to obtain planning permission for a housing development, in order to raise money, or seeking to sell the whole site.

d) The result would be to expose the Grade II listed Riseholme Hall and Stables to a very uncertain future; note the extremely prolonged attempts to find a buyer for Riseholme Grange, which is similarly listed. Of most concern for the people of Lincoln, and the surrounding villages, would be to put at jeopardy Lincoln's Northern Green Wedge. The removal of Lincoln's green setting would adversely affect Lincoln's attractiveness as a tourist destination and destroy the green corridor.

Bishop Burton's proposal is an expensive solution where there is no problem. If this planning application were to be granted, the consequences would be of significance to a large number of people in the area and the cost of lost revenue etc would be a burden on West Lindsey District Council in the future.

Neighbour representations – None received

NB. Residents on the A15 and Horncastle Lane adjoining the A15/A1500 roundabout were consulted as were the nearest residents in Scampton (former RAF houses).

LCC Highways - Please condition that a 3 metre wide footway/cycleway is provided from the A15/A1500 roundabout to the site with an uncontrolled pedestrian/cycle crossover point to link to the existing footway/cycleway on the A15. The footway/cycleway is to be designed to a specification to enable it to be dedicated to the highways authority as highway maintainable at the public expense. Details relating to the works, including materials, specification of works and construction method shall be submitted to the Local Planning Authority for approval. The approved details shall be implemented on site before the development is first brought into use and thereafter retained at all times.

The implementation of the following are also required:-

- a) The undertaking of a travel survey of staff and students to establish a baseline within 3 months of occupation.
- b) The setting of SMART targets, against which progress of the travel plan will be monitored by the County Council.
- c) The implementation of measures and actions in the submitted Travel Plan
- d) The monitoring of the travel plan which will include a travel survey to be undertaken with 3 months of first occupation, then annually thereafter for a period of 5 years and information realistically reported to LCC.
- e) Additional monitoring and the implementation of additional agreed measures if the travel plan does not, or is expected not to meet the SMART targets.

LCC Historic Environment – Advised that, following geophysical investigations at the site the archaeological potential is limited. As a result the no further archaeological input is required.

Environment Agency – A strategy that adopts the principles of sustainable drainage is required, such a strategy responding to rainfall up to a 1 in 100 year event. The foul water should be discharged to the mains sewer unless impracticable to do so.

Relevant Planning Policies:

Development Plan

- **West Lindsey Local Plan First Review 2006** – The site is within the open countryside, outside of the Lincoln Cliff Area of Great Landscape Value but within the Lincolnshire Showground allocation. The following saved policies are considered to apply:-

STRAT 1 – Development requiring Planning Permission
<http://www2.west-lindsey.gov.uk/localplan/written/cpt3a.htm#strat1>

STRAT12 – Development in the open countryside
<http://www2.west-lindsey.gov.uk/localplan/written/cpt3b.htm#strat12>

SUS1 – Development proposals and transport choice
<http://www2.west-lindsey.gov.uk/localplan/written/cpt4.htm#sus1>

SUS4 – Cycle and pedestrian routes in development proposals
<http://www2.west-lindsey.gov.uk/localplan/written/cpt4.htm#sus4>

SUS7 – Building materials and components
<http://www2.west-lindsey.gov.uk/localplan/written/cpt4.htm#sus7>

CRT7 – Lincolnshire Showground and Market Rasen Racecourse

<http://www2.west-lindsey.gov.uk/localplan/written/cpt9.htm#crt7>

CORE 10 – Open Space and Landscaping within Developments

<http://www2.west-lindsey.gov.uk/localplan/written/cpt8.htm#core10>

NBE 14 – Waste Water Disposal

<http://www2.west-lindsey.gov.uk/localplan/written/cpt11.htm#nbe14>

Paragraph 215 of the National Planning Policy Framework applies when considering the weight to be afforded to these policies. The NPPF states that due weight should be given to relevant policies in existing plans according to their degree of consistency with this framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given).

Other policy documents

- **National Planning Policy Framework (2012)**

<https://www.gov.uk/government/publications/national-planning-policy-framework--2>

- **Central Lincolnshire Draft Core Strategy (2013)**

http://uk.sitestat.com/lincolnshire/lincolnshire/s?Home.centrallincolnshire.lfd.submission-of-central-lincolnshire-core-strategy.117940.articleDownload.56436&ns_type=pdf&ns_url=http://microsites.lincolnshire.gov.uk/Download/56436

CL1 – Sustainable development in Central Lincolnshire

CL17 – Delivering prosperity and jobs in Central Lincolnshire

CL22 – Strategy for the rural areas of Central Lincolnshire

Members of the Central Lincolnshire Joint Strategic Planning Committee have now resolved to withdraw the Core Strategy.

Relevant reference documents

- **Greater Lincolnshire Local Enterprise Partnership Vision**

<http://www.greaterlincolnshirelep.co.uk/what-we-do/vision>

- **West Lindsey Corporate Plan 2012-16**

<http://www.west-lindsey.gov.uk/download/47748>

- **The Value of Food and Farming in Lincolnshire (LRO 2007)**

<http://www.research-lincs.org.uk/UI/Documents/full%20final%20report.pdf>

- **Learning and Skills Inspection report – Bishop Burton College (Ofsted 2013)**

<http://www.ofsted.gov.uk/inspection-reports/find-inspection-report/provider/ELS/130584>

- **BREEAM**
<http://www.breeam.org/about.jsp?id=66>
- **2011 Census – LRO data analysis**
<http://www.research-lincs.org.uk/2011-census.aspx>
- **University of Lincoln – response to Central Lincolnshire Site Allocation Preliminary Engagement Document (Deloitte 2013)**
<http://loveriseholme.files.wordpress.com/2013/12/site-allocation-preliminary-engagement-document-sept-16-pdf.pdf>

Assessment:

Introduction

This assessment considers the application for the new college campus referred to as phases 1 and 2 in the submission documents. Whilst the potential ability to expand in the future may be a material consideration, the later phases referred to in some documents and at some consultation events as phase 3 are not the subject of these considerations and not material to any determination.

Similarly reference is made in this report to the University of Lincoln's submission to the Central Lincolnshire Joint Planning Authority relating to its proposals for the sale of the existing campus to generate a capital receipt for its City Centre investment following the applicant's intended vacation of the Riseholme campus. The University's proposals are not part of this planning application and should not be considered as a material consideration. The future of the Riseholme site therefore must be considered as a residential further education college (class C2 of the amended Use Classes Order 1987) for the purposes of this assessing application and issues of cumulative impact of the new and existing sites; all matters such as the impact of the new campus on the A15 traffic levels assume the continuation of the existing campus as a residential institution.

However, the reasoning for the applicant to seek a new site is outlined in the following assessment for context but it is noted that the potential future sale of the existing site would help enable the University's intention to develop city centre sites for their plans for expanded further education facilities in Lincoln.

Principle

The saved policies of the West Lindsey Local Plan First Review remain the development plan for the district and policy STRAT12 is prohibitive of development in the open countryside unless the development is essential to the needs of agriculture, horticulture, forestry, mineral extraction or other land use which necessarily requires a countryside location, or otherwise meets an objective supported by other Plan policies.

In this context it is noted that there are no other plan policies which would support the development of this use; there are policies about existing educational sites but these do not address new educational facilities

development. Policy CRT7 relating to the Showground site is also silent on proposals for educational uses, although the compatibility of proposals with the existing use is cited and will be considered later in this report.

The proposal is also not essential to the needs of agriculture in the manner of how this policy has been applied before, such as for supporting farm development or agricultural workers dwellings. Nevertheless there is considered to be a desire, if not need, for an agricultural college to be retained and enhanced on or near to the existing site.

The National Planning Policy Statement (NPPF) must be afforded significant weight here and, indeed, there is a need to ensure that all saved Local Plan Review policies are consistent with this national framework if they are to still be afforded significant weight themselves.

Paragraph 72 of the NPPF states that the local planning authorities should take a proactive, positive and collaborative approach to development that will widen choice in education.

Education for the agri-sector is important because agriculture and horticulture contribute more than £5 billion Gross Value Added (GVA) to the UK economy each year and employ more than half a million people, mostly in rural areas like Lincolnshire (LRO statistics refer). In the County more than 1 in 10 people are currently employed in food and farming and together they contribute nearly 13% of the county's GVA, which equates to more than £1 billion each year. It is worth noting that, in the cases of horticulture and cereals, Lincolnshire is the largest single county producer in England. The County's food and farming sector is not just of importance to the people of Lincolnshire, nearly a quarter of all land used for horticulture in England is in Lincolnshire and for peas, beans, vegetables and salads the proportion is higher and the contribution food and farming make to the County's economy is more than 4 times that of its contribution in the national economy (LRO statistics refer). The employment rate of this sector in the County is also nearly 4 times the national rate; 32,000 people being employed in the County, the 3rd highest sector behind public sector and hotels, catering and distribution.

Alongside these statistics is the fact that, despite large improvements in skills levels, when compared nationally, the County still has a higher proportion of residents with no qualifications and a lower proportion qualified to NVQ level 4 and above. Full time students equate to 3.3 % of 18 to 74 year olds in the County in 2011 compared with 5.4% in England and Wales (Census 2011). There is a net outflow of 18 to 24 year olds from the County (and from West Lindsey) as this age group seek qualifications, jobs and lifestyles elsewhere despite net inward migration to the County overall and for every other age band defined in the 2011 Census,

In this context there is a need to support further education colleges in the County to provide the skills for skilled jobs and support the agri-sector as one of the most important and defining sectors of the County. The latter is reflected in the Greater Lincolnshire Local Enterprise Partnership's vision whilst the former is reflected in West Lindsey's Corporate Plan priorities 3.2 and 3.3.

Bishop Burton College have shown a commitment to fulfilling these needs and have a good track record, rated by Ofsted as outstanding in some areas; the latest December 2013 Ofsted report for learning and skill citing that learners benefit from mostly outstanding resources, very good work experience opportunities, a wide range of college supported activities and good access to additional qualifications to develop well their personal, social and employability skills. It continues by stating that there is “particularly good links with employers and strategic partners benefit curriculum development and learners’ employment prospects.” This obviously has relevance in terms of the future prosperity of the County’s agri-food sector and economy as a whole if locally source students are linked by the college through their training with local employers and therefore stay in the area contributing to the economy.

The ideal solution would be to remain at the Riseholme campus and, since the applicant’s acquisition of part of the Riseholme campus from the University of Lincoln, a new campus has always been part of the Bishop Burton College Property Strategy due to the very poor quality accommodation currently occupied. Space efficiency is poor and running costs are proportionally high. The current lease between Bishop Burton College and the University expires in 2020 and originally the College had assumed that this would be extended to provide a long-term solution with the Riseholme campus redeveloped by the applicant given the assurance of a long lease. However, early in 2013, the University confirmed they would not be renewing the lease once it expires in 2020 and was not willing to sell the site to the College; the University’s intentions are for the campus to be sold to enable development of their city centre facilities for the benefit of the City’s continued regeneration and enhancement of further education facilities in the Brayford area. Members are referred to the University’s submission to the Central Lincolnshire Joint Planning Authority (as referenced in the preceding section) for further information.

Many options have been considered by the applicant and West Lindsey officers. The College would like to be as near to the existing campus as possible building on the name and reputation. It also favours a site near to the A15 with access to the main college in the East Riding near Beverley. A site with its own farmland is not necessary as it is preferred to offer training at “real farms”, a positive highlighted in the Ofsted report, but a site with accessibility to such farmland is beneficial rather than a City Centre location. These are considered to be reasonable demands for the College. From a planning perspective, the use of land other than productive farmland is desirable although easy access within a reasonably short distance to such farmland provides a level of environmental sustainability as does proximity to a large centre such as Lincoln to access other off-site services and facilities and for accommodation for students not living on site. Other sites considered included the RAF Scampton area as well as Hemswell Cliff and the former Kirton in Lindsey barracks (the latter being in North Lincolnshire). Only one site is immediately available to meet the funding timescales; SFA funding has been approved for the relocation and the Showground is the only site that is

available to meet the short timescales to secure the funding (an early Spring 2014 start with the first use of the site in the 2015/16 academic year).

There are few national case studies where new college campuses in countryside locations have been considered at appeal or in the courts. One such case was in Canterbury but this predates significant changes in national planning policy, most notably the publication of the NPPF. In the absence of such cases and local policy to guide the consideration of the principle of the use of the Showground, one looks to the NPPF and specifically the presumption in favour of sustainable development. As outlined above the desire to provide a new agricultural college in this general location near to Lincoln should be supported and it is therefore the question whether the specific proposal in this specific location provides appropriate levels of environmental, social and economic sustainability.

Environmental, social and economic sustainability

Aspects of environmental sustainability are cited in policies NBE14, SUS1, SUS4 and SUS7 of the Local Plan Review, these aspects having consistency with the NPPF.

One of the key aspects of environmental sustainability is transport. Paragraph 37 of the NPPF states that planning policies should aim for a balance of land uses within their area so that people can be encouraged to minimise journey lengths.

The existing site is within a countryside location and not served by regular public transport, the only bus service is a once per day subsidised service (the 553 run by Stagecoach but funded by Lincolnshire County Council). There are no trains to Riseholme and the nearest cycleway is on the A15 or the A46. The College thereby rely on their own bus services with 8 bus services per day to take students and staff on and off site. As a result the submitted Transport Statement states that the modal split favours the bus with 65% of all trips using buses, the majority via the College's own buses and with 60 students in possession of a Stagecoach bus pass to use the 553 service. This is based on 550 students. No students are recorded as walking or cycling to the existing site. The modal split results in 258 vehicular journeys onto site replicated by the same journeys off. Car parking is available in a small number of locations across the Riseholme campus.

The Transport Assessment analysis of the proposed new campus is based on an expansion to 850 students (and 80 staff) but this includes phase 3 which is not included within the application. It therefore provides a robust assessment of the impact of the proposal and has been verified by the County Highways Authority. It predicts an increase in bus usage to 74% as a result of the increase in the number of bus services the College provides services from 8 to 12. The uses of the bus to foster sustainability could also be secured given the existence of the regular 103 bus service by Stagecoach which connects Scunthorpe to Lincoln and passes the application site on the A1500, Stagecoach have confirmed that this service is not under threat and, whilst a diversion into the site would not be possible due to quite tight timescales, they

would not object to the provision of bus stops on the A1500. However, there are technical issues with providing bus stops on the road and the measures to make such a provision safe, including full laybys, are not a reasonable requirement for the College given the significant costs of implementation.

However, the submitted travel plan has identified a suite of other measures that would provide the appropriate level of sustainability including the abovementioned provision of bus services by the College. Paragraph 36 of the NPPF states that all developments which generate significant amounts of movement should be required to provide such a plan. The plan includes the provision of the appointment of a Travel Plan Coordinator within the College to promote and monitor sustainable travel patterns to and from the site. A Section 106 agreement is being prepared to ensure the implementation of the Travel Plan, a target non-car mode usage and measures to be put in place if, following monitoring, the agreed target is not achieved. In addition there is a need to encourage some cycle and pedestrian connectivity to the site and this would require the provision of a link from the site to the existing cycle and footpath on the A15 and cycle parking on site in accordance with LCC standards.. The applicant has agreed to this and it can be secured by a condition.

The resultant implementation of these measures would still result in the need for on-site car parking and 144 spaces are proposed on site. This accord with the County Highways standards to serve both phases 1 and 2 which states that car parking is assessed on an individual proposal basis but typically includes 1 space per 2 members of staff and 1 space per 15 students. In this instance the maximum numbers of staff is 80 thereby demanding 40 spaces and the number of students is 850 for three phases, equating to 56 spaces.

The resultant traffic flows along the A1500 are predicted to be typically 80% towards and from the A15 and 20% towards and from the Lincoln Cliff. This is a reasonable assumption given that the bypass (and therefore the source of delivery vehicles and journeys from to and from further afield), the East Riding site, many of the existing farms that the College uses and many parts of Lincoln, will all be accessed via the A15 whereas only some parts of Lincoln and the Gainsborough area will be accessed westwards. The impact of such a split will result in only small impacts on the A1500 westwards of the site and feeder roads in to this route. However, demand for the A15/A1500 roundabout, the A15 between this roundabout and Lincoln and the A46/A15 roundabout on the Lincoln bypass will increase. Nevertheless, with the modal split in place and 80% of journeys undertaken by bus the impact will not be significant and the Transport Assessment findings, verified by the County Highways Authority show this. Specifically, during the existing morning peak flows on the A15 the Assessment shows there to be capacity at junctions and on the A15 during this time taking into account the continued usage of the Riseholme site as well as the new development without any need for specification upgrade. It is noted that the afternoon peak demand for the college will miss the existing afternoon peak usage of the A15 as the College day ends earlier than the "normal" working day.

With the Travel Plan agreement in place, the provision of the cycle/footpath and on-site parking the development will accord with the provisions of the policies SUS1 and SUS4 of the Local Plan Review and the NPPF.

A second key aspect of environmental sustainability is the performance of the campus in terms of energy use. This is not whether energy is produced using renewable technologies, although this is important, but rather has the demand for energy been minimised through careful building design such as reducing the embedded energy costs derived from the making and transportation of the construction materials (using local low carbon materials), reducing heat loss through insulation and maximising solar gain through the orientation of the building and location of glazing and thermal mass behind the glazing? A recognised industry standard for measuring performance is BREEAM. Within the ten BREEAM categories (e.g. Management, Energy), credits are awarded according to the performance of the development. The score achieved in each category is then weighted to reflect the importance of each category. The weighted scores are combined and the final score translated into a rating of Pass, Good, Very Good, Excellent or Outstanding. The submitted Design & Access Statement is aiming for a BREEAM rating of Excellent. Members may note that developers will normally target particular categories of credits as BREEAM themselves advise on their website that gaining high credits across the board is very difficult. However, of note for this application is that even a BREEAM Very Good rating would not only have to score highly on energy use but also factors such as choice of site location has an impact on securing credits, with factors including proximity to local amenities, provision of public transport and risk of flooding all being assessment categories.

A BREEAM rating of Outstanding and indeed Excellent would be unreasonable in this context, despite the applicant's intentions but Very Good is considered achievable with the design and layout submitted and therefore a condition requiring this rating to be attained is reasonable and necessary to secure such environmental sustainability and accord with policy SUS7 of the Local Plan Review as well as the provisions of the NPPF.

Such a BREAAM compliance requirement will also cover elements such as sustainable drainage. However, it is noted that following discussion with the Environment Agency, the drainage strategy has been revised to increase the sustainability of the techniques used. The strategy will employ open storage to accommodate water following rainfall events up to and including a 1 in 100 year event (plus a 30% allowance for climate change) to ensure that runoff is no greater than existing greenfield rates. It will also employ soakaways in some areas of the site and percolation tests have been undertaken to demonstrate that this is acceptable. A condition will be necessary to ensure the implementation of such a strategy subject to specific details being submitted to and agreed by the Council.

The site is wholly within flood zone 1 (lowest probability of flooding) as defined by the Environment Agency and is therefore the sequentially preferable location for development to be protected from fluvial flooding.

There site does not provide any known habitat for protected species and the majority of it is tended grassland. However, the tree belt along the site frontage is to be retained as part of the landscaping and the plans for more planting will actually increase the potential biodiversity value of the site.

In terms of social sustainability it is noted that the site is self contained but does offer facilities for students and staff to interact. This includes dining and communal areas within the buildings as well as external facilities such as the Multi-Use Games Area (MUGA). The implementation of these areas is considered necessary to ensure social sustainability as well as the linkages back in to the City Centre and Bishop Burton as cited in the Travel Plan. The s106 obligations will secure the transportation but a phasing condition is considered necessary to secure the implementation of the MUGA prior to the first use of the site.

The final role of sustainability cited in the NPPF is that of economic sustainability. The BREEAM rating is again relevant as the low energy demands will provide protection from the predicted increased prices of high carbon reliant energy supplies. The off-grid disposal of surface water via sustainable methods also avoids vulnerability to increases in standing charges from utilities companies and the on-site provision of facilities such as the MUGA decreases the need for the costly reliance on external facilities elsewhere.

Highway Safety

This is a separate material consideration to that of sustainability although it is linked. The provision of the cycleway/footpath will minimise highway danger derived from pedestrians and cyclists using the main vehicular highway. The cyclepath on the A15 is not to an ideal standard but it is continuous and connects all the way to the centre of Lincoln albeit with cyclists and pedestrians having to cross the by-pass “at grade.”

Visibility at the proposed point of access at the site is good; there is a verge and the A1500 is relatively straight with the standard visibility splays being achieved for this 60 mph limited stretch of road. There are few accidents recorded in the locality and factors other than the road geometry were cited as reasons for these occurrences. The provision of the new access is not considered to be a factor that would increase the probability of accidents. The juxtaposition with Showground gates 2 and 4 has been considered in this assessment. The predicted traffic levels are also such that a right hand turn lane could not be reasonably be required.

Design, visual impact and encroachment

These are issues that are cited in policy STRAT1 of the Local Plan Review, are consistent with the provisions of the NPPF and afforded significant weight. Indeed, paragraph 61 of the NPPF states that, although visual appearance and the architecture of individual buildings are very important factors, securing high quality and inclusive design goes beyond aesthetic considerations. Decisions should address the connections between people and places and

the integration of new development into the natural, built and historic environment.

In this context, it is noted that Riseholme Parish Council have expressed concerns that the complimentary environment to the green wedge around Lincoln provided by the Showground would be lost if this development was implemented.

The A15 corridor between Lincoln and RAF Scampton is clearly not an urban environment but the Showground provides a complimentary, largely green environment to the green wedge around Lincoln to the south. However, the area is not characterised by open countryside nor tranquillity and dark skies; the RAF station and former RAF housing is characterised by buildings and lighting and the A15 is a heavily trafficked route, lined with street lighting all the way between Lincoln and Scampton including alongside the Showground. Furthermore, large buildings are not uncommon within the landscape. Existing examples include the RAF hangars, the intensive livestock units to the east of the A15, the buildings on the former Dunholme Lodge RAF base and the Epic Centre on the Showground. In this context the introduction of buildings is possible without detracting from qualities of the landscape. However, as highlighted in the West Lindsey Landscape Character Assessment (1999) which identifies the site as being within the Limestone Dip Slope, there is a need for natural landscaping and careful use of building forms and materials to ensure assimilation into the landscape, especially as the arrow straight Ermine Street and open aspect of the dip slope enable long views across the area to be achieved from public vantage points.

In this context it is noted that soft new landscaping is proposed as part of the strategy to ensure the environmental sustainability of the development. The tree belt on the site frontage is also to be retained. As a minimum these measures will be required to ensure the visual amenity of the area is preserved. However, the form and detailing of the building is equally as important as will be lighting. Paragraph 60 of the NPPF states that planning policies and decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles but it is proper to seek to promote or reinforce local distinctiveness. As a response the buildings take their inspiration from the approach used at the Epic Centre on the Showground; there are some green roofs and green walls and the sensitive use of timber cladding. All materials are specified on the submitted drawings and the use of these materials and finishes can be secured buy condition. None of the buildings exceed 15m in height. All of these factors are considered to ensure no visual encroachment into this open setting or the introduction of elements that would be out of scale or incongruous against the existing buildings in the locality. Nevertheless, it is considered that lighting needs to be controlled and this can be the subject of a condition.

Compatibility with Showground

Policy CRT7 is not directly relevant but provides a framework for assessing the impact of the campus on development on the functioning of the Showground.

The continued vitality and viability of the Showground is very important to West Lindsey and the County as a whole; it is a flagship development that attracts visitors from nationwide as its host national events securing significant levels of tourist and business investment. As referred to by Riseholme Parish Council, a development that prejudiced the viability and vitality of the Showground as existing and also its ability to be enhanced at a later date in accordance with the aspirations of the Local Plan Review allocation, would be completely unacceptable. In this context, the applicant was required to demonstrate how the College development would ensure that plans for complimentary uses for the Showground such as a hotel could still be brought forward, that sufficient capacity in terms of parking and entrances would remain and that the Showground activities such as live music events would not be prejudiced by the proposed halls of residence.

In terms of access it is noted that gate 3 would be lost as a result of the development but this gate appears from the case officer's visits to be barely if ever used. This assertion is derived from the mildly overgrown nature of the access and lack of tyre marks and is confirmed by the Showground themselves. The site is used for parking, most noticeably during the Lincoln Christmas Market park and ride, the "End of Season Finale" motorhome show and the Lincolnshire Show but the case officer witnessed that during all three events there was capacity elsewhere on site most notably to the west of the Epic Centre and Main Ring in the White Car Park also accessed from the A1500 using Gate 6. With the exception of the Lincolnshire Show all of the events at the Showground operate without any abnormal measures put in place within the surrounding highway network. The Lincolnshire Show does result in heavily publicised restrictions being put in place on the A1500 and the A15 between the Lincoln by-pass (A46) and Caenby Corner (A631) junctions. It is acknowledged that on these two days there is potential for conflict between the two uses but it would be the College that would be affected rather than the Showground. This is not a situation completely alien to the College given that the main access to the existing Riseholme campus is from a stretch of the A15 subject to the Lincolnshire Show restrictions.

Finally, with regards to noise, the proposed halls of residence are a significant distance from the Min Ring and Epic Centre which are the focus for Showground activities. The BREEAM Very Good rated insulation will also indirectly ensure a level of noise attenuation that will protect the amenity of resident and day students during sleep and study.

Other matters

Riseholme Parish Council raise a concern that it is not clear whether the **agricultural college and the housing** are considered to be self contained within that area. It is understood that the parish are referring to the separate

application for new housing which is referred to in the “Relevant History” section of this report. In response to the comments it is advised that this is a separate application considered on its own merits but, given that there is a live full application, some weight should be afforded to the cumulative impact of the two proposals. In this regard it is contended that, without prejudicing the outcome of the assessment of the housing application, that proposal is predicated on sustainability and is relatively modest in scale and visual impact as a result of its design, layout and planned future functioning. As a result the cumulative impact of the two proposals will be little different to the impact of the College campus on its own.

The County Council Historic Environment team have advised that, following geophysical investigations at the site, the **archaeological potential** is limited, despite the known significance in the wider area including from Roman times (the site is near to the convergence of Ermine Street and the Roman Road that dissects the Showground). As a result no further archaeological input is required.

The buildings are considered to be sufficient distance away from the nearest dwellings and not a height to affect residential amenity both in terms of **overlooking or overshadowing**; the nearest dwelling is over 250m away to the east. The distance and the fact that busy main roads are nearer to these dwellings will also mean that amenity will not be affected in terms of **noise and disturbance**. Attenuation will also be provided by the retention of the landscaping belt on the A1500 frontage and new planting on the eastern boundary of the site (see Designs and Visual Impact section).

Foul water should be discharged to the existing **sewers** serving the former RAF housing although it is likely that it will not be practicable to make this connection. Therefore, the submitted system is likely to be acceptable but this can be controlled by condition.

Finally, the Defence Infrastructure Organisation was consulted as the site falls within areas highlighted to **safeguard RAF Scampton aerodrome** usage. The Council has yet to hear from the DIO but will advise members of any comments and the recommendation reflects this outstanding issue.

Conclusion

The application has been considered in the first instance against the provisions of the development plan, specifically policies STRAT 1 – Development requiring Planning Permission, STRAT12 – Development in the open countryside, SUS1 – Development proposals and transport choice, SUS4 – Cycle and pedestrian routes in development proposals, SUS7 – Building materials and components, CRT7 – Lincolnshire Showground and Market Rasen Racecourse, CORE 10 – Open Space and Landscaping within Developments and NBE 14 – Waste Water Disposal of the West Lindsey Local Plan First Review 2006 (saved policies 2009). Each policy has been considered against the National Planning Policy Framework (2012) and

judged for its consistency with this document. The National Planning Policy Framework itself has been afforded significant weight as has its accompanying Technical Guidance (2012). The Draft Central Lincolnshire Core Strategy has been afforded limited weight given the objections to it. In light of this assessment the proposal is considered to be acceptable subject to conditions. The development is desirable given the desire, if not need to support the agri-economy of the County which is so important to its viability and vitality through the provision of an enhanced agricultural college campus. The development also provides for further education opportunities when there is a trend for 18 to 24 year olds to leave the County to seek qualifications, employment and lifestyles elsewhere. The existing site does not provide the potential for a campus facility to be provided to provide the potential for outstanding education and nor is it possible to remain given the freeholders intentions to redevelop the site and not renew the lease. The Showground site provides acceptable levels of environmental, social and economic sustainability without adversely affecting residential or visual amenity and it does not prejudice the ability for the Showground to continue to function viably and be enhanced as a facility in the future. Finally highway and aerodrome safety would not be compromised subject to no adverse comments being received from the Defence Infrastructure Organisation.

RECOMMENDED DECISION: Recommendation That the decision to grant permission subject to the following conditions be delegated to the Director of Regeneration and Planning upon:-

- 1. The completion and signing of a section 106 that delivers**
 - a) The undertaking of a travel survey of staff and students to establish a baseline within 3 months of occupation.**
 - b) The setting of SMART targets, against which progress of the travel plan will be monitored by the County Council.**
 - c) The implementation of measures and actions in the submitted Travel Plan**
 - d) The monitoring of the travel plan which will include a travel survey to be undertaken with 3 months of first occupation, then annually thereafter for a period of 5 years and information realistically reported to LCC.**
 - e) Additional monitoring and the implementation of additional agreed measures if the travel plan does not, or is expected not to meet the SMART targets.**

- 2. No adverse comments being received by the Defence Infrastructure Organisation by noon on the 22nd January 2014 (the date of this Committee)**

Time commencement condition

- 1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.**

Reason - To conform with Section 91 (1) of the Town and Country Planning Act 1990 (as amended).

Pre- commencement conditions (phase 2 only)

2. Application for approval of the reserved matters for the development marked as phase 2 and hatched on the approved plan 4284B/13/22 received on 12th November 2013 shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

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

3. No development for phase 2, marked hatched on the approved plan 4284B/13/22 received on 12th November 2013 shall take place until, plans and particulars of the scale and appearance of the building(s) to be erected, access to this phase of the development and the landscaping of this phase of the development (hereinafter called “the reserved matters”) have been submitted to and approved in writing by the Local Planning Authority, and the development shall be carried out in accordance with those details.

Reason: The application for phase 2 is in outline only and the Local Planning Authority wishes to ensure that these details which have not yet been submitted are appropriate for the locality and to accord with the West Lindsey Local Plan First Review

Conditions with requirements prior to first use/occupation

4. The landscaping scheme shown on drawing 4284B/13/23 received on the 12th November 2013 shall be completed within the first planting season following the first occupation or use of any of the buildings hereby approved and any trees or plants which, within a period of 5 years from the completion of the development die, are removed, or become seriously damaged or diseased, will be replaced in the next planting season with others of the same size and species. The landscaping shall be retained thereafter.

Reason: To ensure that, an appropriate level and type of soft landscaping is provided within the site to provide an acceptable balance between the natural and built environment given the countryside setting and an acceptable screening from the east and south to minimise visual impact and to accord with the National Planning Policy Framework and saved policies STRAT 1 and CORE 10 of the West Lindsey Local Plan First Review 2006.

5. None of the development hereby approved shall be first brought into use until the following off-site highways works have been completed to a specification to have previously been submitted to and approved in writing

by the local planning authority a 3 metre wide footway/cycleway provided from the A15/A1500 roundabout to the site with an uncontrolled pedestrian/cycle crossover point to link to the existing footway/cycleway on the A15.

Reason: In the interests of highway safety and to accord with policy STRAT1 of the West Lindsey Local Plan First Review 2006 and the provisions of the National Planning Policy Framework 2012.

6. None of the development hereby approved shall be first brought into use until a surface water scheme has been completed in accordance with details that have been previously submitted to and approved in writing by the local planning authority based on the Strategy received from Alan Wood & Partners on 10th January 2014 which incorporates the principles of sustainability and the ability to restrict runoff to the existing greenfield rate following up to and including a 1 in 100 year storm water event (plus 30% allowance for climate change) . The scheme shall thereafter be retained

Reason: To ensure no increase in the probability of flooding of adjoining land, in the interests of environmental sustainability and to accord with policies STRAT1 and NBE14 of the West Lindsey Local Plan First Review 2006 and the National Planning Policy Framework 2012.

7. None of the development hereby approved shall be first brought into use until the parking and vehicular access and manoeuvring areas including the junction with the A1500 within the limits of the existing adopted highway have been completed in accordance with the details shown on drawing 4284B/13/22 received on 12th November 2013 to a specification that has been previously submitted to and approved in writing by the local planning authority. The said arrangements shall be retained thereafter.

Reason: In the interests of highway safety and to accord with policy STRAT1 of the West Lindsey Local Plan First Review 2006 and the provisions of the National Planning Policy Framework 2012.

8. The Multi Use Games Area (MUGA) marked cross hatched on the approved drawing 4284B/13.22 received on 12th November 2013 shall be completed prior to the first occupation of the student accommodation buildings marked Block A and Block B on the same said drawing.

Reason: To ensure the social sustainability of the development to accord with the provisions of the National Planning Policy Framework 2012.

9. None of the development hereby approved shall be first brought into use until an external lighting scheme for the development has completed in accordance with details to have been previously submitted to and approved in writing by the local planning authority. External lighting for the development will be as per the agreed details.

Reason: The Limestone Dip Slope location adjacent to Ermine Street permit long views which necessitates external lighting to be carefully controlled to minimise light pollution and to ensure no visual intrusion of the development in this open setting and to accord with policy STRAT1 of the West Lindsey Local Plan First Review 2006 and the provisions of the National Planning Policy Framework 2012.

- 10.** None of the development hereby approved shall be first brought into use until evidence that the development is registered with a BREEAM certification body and a final Certificate has been issued certifying that BREEAM (or any such equivalent national measure of sustainable building which replaces that scheme) rating Very Good has been achieved for this development.

Reason: To ensure the development is environmentally, socially and economically sustainable and to accord with provisions of the National Planning Policy Framework 2012.

- 11.** Notwithstanding the approved landscaping details, none of the development hereby approved shall be first brought into use until boundary treatments have been completed in accordance with details to have previously been submitted to and approved in writing by the local planning authority. The approved boundary details shall thereafter be retained.

Reason: To provide appropriate screening in this open setting and to accord with the provisions of policy STRAT of the West Lindsey Local Plan First Review 2006 and the National Planning Policy Framework 2012.

- 12.** None of the development hereby approved shall be first brought into use until secure parking for bicycles have been provided in accordance with details to have been previously submitted to and approved in writing by the local planning authority. The approved stands shall thereafter be retained.

Reason: Such measures are required as elements to ensure the environmental sustainability of the site to accord with the provisions of the National Planning Policy Framework 2012.

- 13.** The development of phase 1 as annotated on the approved plan 4284B/13/22 received on 12th November 2013 shall be completed in accordance with the plans and particulars received on the 12th November 2013 as amended by drawing 4284B/13/20 Rev A received on the 9th January 2014 and the external materials and specification used shall be as per the specification annotated on the same said plan.

Reason: To ensure the development is environmentally, socially and economically sustainable and to accord with provisions of the National Planning Policy Framework 2012.

14. None of the development hereby approved shall be first brought into use until it has been connected to the existing mains foul sewer for the discharge of foul water unless it has been previously approved in writing by the local planning authority following the submission of written details that such a connection is not practicable to do so. With such approval, the development shall not be first brought into use until an alternative method of discharging foul water has been completed, the details for which shall have been previously submitted to and approved in writing by the local planning authority. The approved connection shall thereafter be retained.

Reason: To ensure a connection to the foul sewer or appropriate alternative method of dealing with foul water is secured and retained to accord with the provisions of the National Planning Policy Framework 2012.

Human Rights Implications:

The above objections, considerations and resulting recommendation have had regard to Article 8 and Article 1 of the First Protocol of the European Convention for Human Rights Act 1998. The recommendation will not interfere with the applicant's and/or objector's right to respect for his private and family life, his home and his correspondence.

Legal Implications:

Although all planning decisions have the ability to be legally challenged it is considered there are no specific legal implications arising from this report

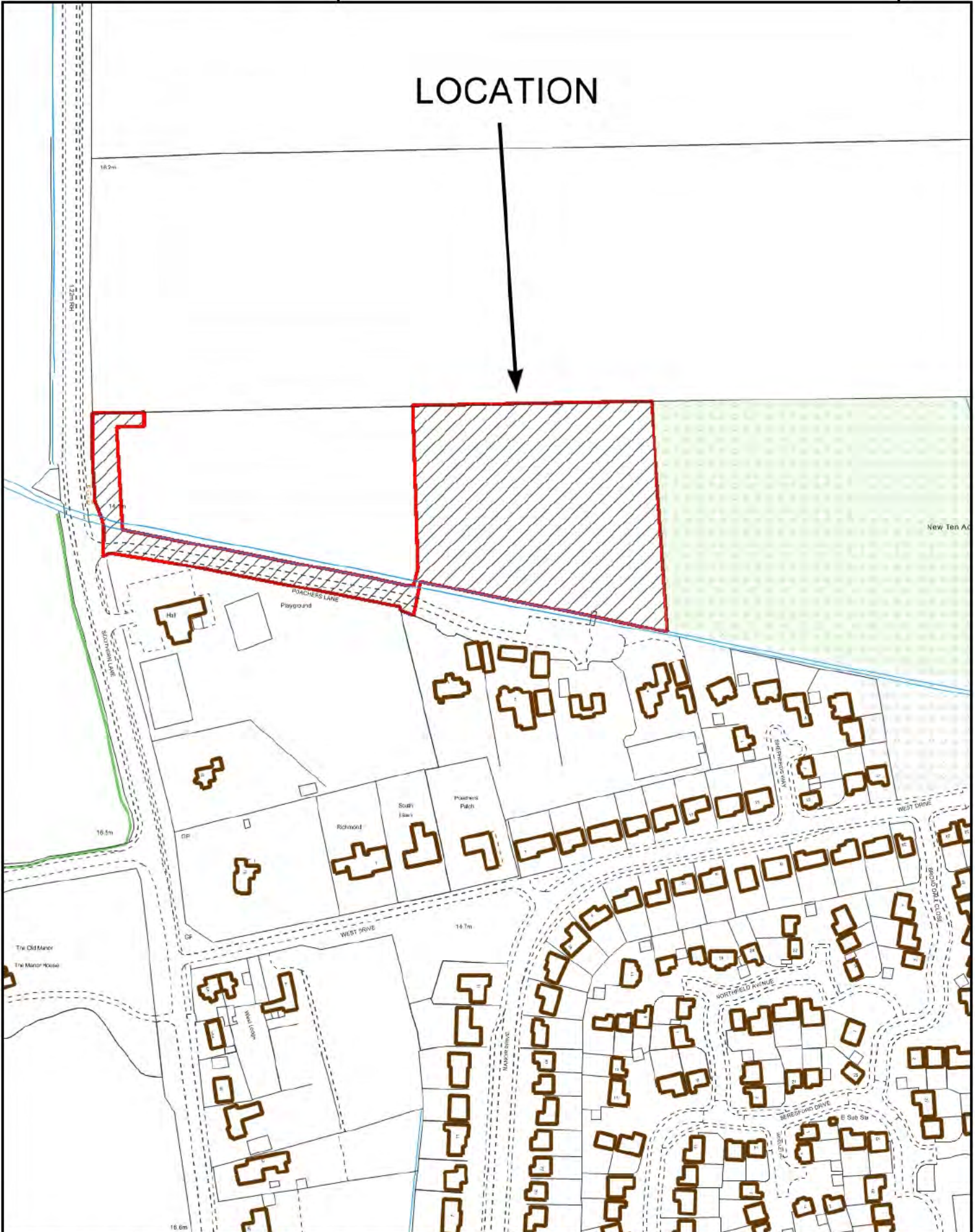
Prepared by : Simon Sharp

Date : 13th January 2014

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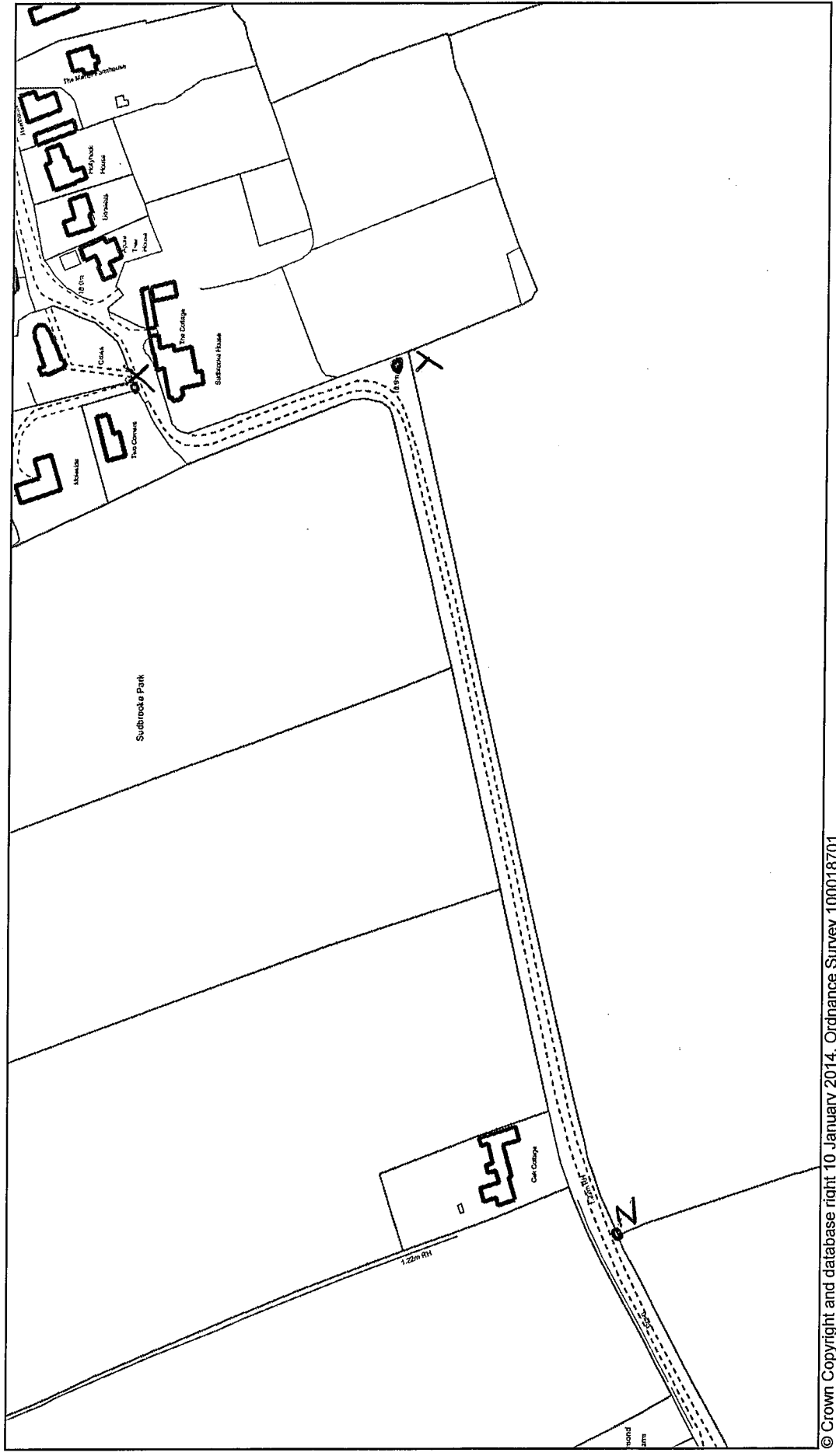
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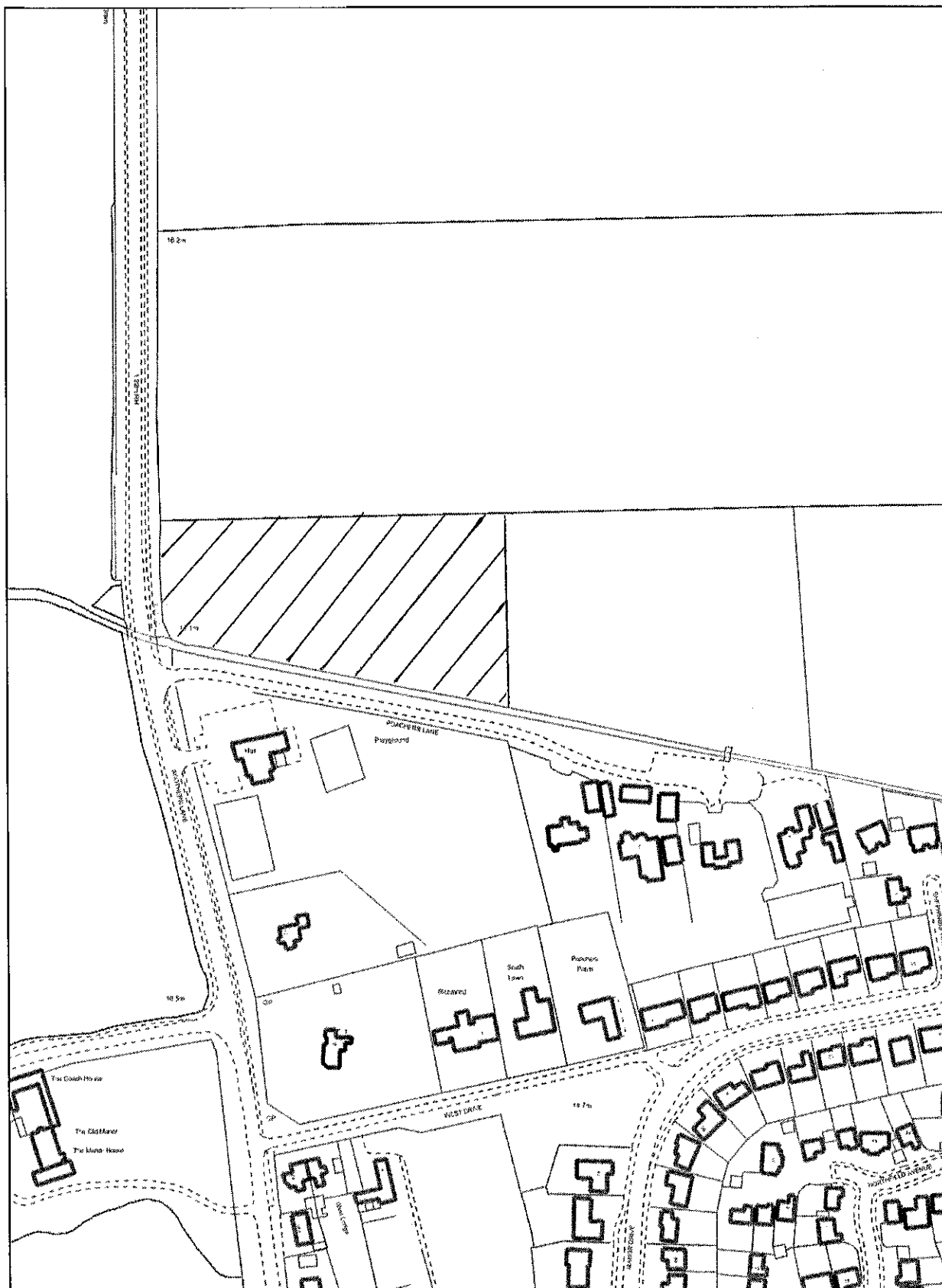


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Officer's Report

Planning Application No: 128675

PROPOSAL: Outline planning application for proposed development of 6no. detached dwellings with associated garages, plots and infrastructure including new passing places to Poachers Lane, new bridge crossing Sudbrooke beck and necessary works to existing road. Also, proposed new cycle, pedestrian pathway to parish boundary with Nettleham.

LOCATION: Land off Poachers Lane Poachers Lane Sudbrooke Lincoln

WARD: Sudbrooke

WARD MEMBER(S): Cllr S Curtis

APPLICANT NAME: Truelove Property and Construction

TARGET DECISION DATE: 05/09/2012

DEVELOPMENT TYPE: Small Major - Dwellings

CASE OFFICER: Simon Sharp

RECOMMENDED DECISION: That the decision to grant permission subject to conditions be delegated to the Director of Regeneration and Planning upon:-

The signing and completion of a s106 that delivers:-

- a) The proposed new pedestrian footway to the parish boundary between points Y and Z marked on the plan A appended to this report to an adoptable standard to enable adoption by the County Council but only following the completion of an adopted footway between points X and Y on the same said plan;
- b) The transfer of the hedge between points Y and Z to the Parish Council together with a commuted sum for its continued maintenance.
- c) The transfer of the playing field on Poachers Lane to the Parish Council marked hatched on Plan B appended to this report as community infrastructure for the village.

but enables 3 but no more than 3 of the 6 dwellings to be completed and occupied prior to a), and b) being delivered with c) having to be delivered prior to the first occupation of any dwelling.

That, if the s106 is not completed and signed by the applicant, West Lindsey DC, Sudbrooke PC and Lincolnshire County Council within 6 months, the application be reported back to the next available Planning Committee for determination.

Description:

- **Site** - The main parcel of the site on Poachers Lane extends to around 1.1 ha and is greenfield in character. To the south are large

detached houses dating from the late 1980s. To the north and east is open countryside whilst to the west is a playing field owned by the applicant.

The second area of the site is a strip of land with a field adjoining the hedge that runs along the south side of the lane towards Nettleham to the parish boundary.

- **Proposal** – The proposal is in outline form with all matters reserved except for layout. The plans have been amended to now propose 6 dwellings. Although access is reserved for subsequent approval, the layout and limit of the application site boundary clearly indicate that the private shared driveway known as Poachers Lane will be used to gain access to the public highway (Scothern Lane). The application has been considered on this basis with the amended plans received on 14th June 2013 following extensive negotiations between the applicant, West Lindsey officers, Lincolnshire County Council and Sudbrooke Parish Council. The original plans proposed four dwellings and did not include the new footway to the parish boundary; the applicant is proposing to construct a segregated footway on land within their control between points Y and Z on Plan A appended to this report. They are also willing to transfer the playing field, marked hatched on the appended Plan B to the Parish Council.

Town and Country Planning (Environmental Impact Assessment)(England and Wales) Regulations 2011:

The development has been assessed in the context of Schedule 2 of the Regulations and after taking account of the criteria in Schedule 3 it has been concluded that the development is not likely to have significant effects on the environment by virtue of its nature, size or location. Neither is the site within a sensitive area as defined in Regulation 2(1). Therefore the development is not 'EIA development'.

Relevant history:

123994 – Use of land for the keeping of horses – Granted subject to conditions 28th May 2009.

Representations:

Chair/Ward member(s): Councillor Curtis has been present as an observer at meetings between the case officer, representatives of the Parish Council and the applicant but has not conveyed any opinions in writing to the case officer as to the merits or otherwise of the scheme.

Parish/Town Council/Meeting: Sudbrooke PC state that they “have viewed this application and have no objections providing that it is strictly subject to the playing field

on Scothern Lane being transferred to the Parish Council for nil consideration and the applicant is responsible for all costs under a section 106 agreement. It should be noted that residents living nearby are raising objections and their comments should be taken into consideration.”

Local residents: Objections received from Nos. 1, 3 and 4, Poachers Lane, Sudbrooke:-

- When existing dwellings were bought, the applicant assured purchasers that the land would not be developed and it was planned to graze horses on it. Whilst not legally binding, this promise was made.
- Quality of life of residents would be affected, specifically for one resident; the quiet location away from vehicles was chosen specifically as the location for a home as the resident has a traumatic brain injury following a road accident. Noise causes him great distress and anxiety and the development would result in an increase in this noise and distress.
- The proposal sets a precedent for developing outside the Parish Boundary where there is open countryside to both sides of Scothern Lane. The Sudbrooke Parish Plan and Action Plan 2007-17 illustrates how this goes against the community’s wishes. It states that the “majority of residents do not want any housing development” and there is an objective to “not develop Sudbrooke’s remaining open space.”
- The notion that Sudbrooke residents might greatly benefit from a cycle/pedestrian footpath built part way between Sudbrooke and Nettleham is sadly highly questionable. A similar scheme from Sudbrooke towards the much larger and facilitating city of Lincoln is unfortunately notable for its emptiness and perpetual lack of use. The distance and time taken to travel from the heart of Sudbrooke to the centre of Nettleham will more than be off-putting to the vast majority of potential users who will continue to make this journey by car. When the residents of Sudbrooke were asked whether cycle/footpath was needed between Sudbrooke and Nettleham, the majority replied yes. We believe the question that ought to have been asked was how many people would actually use the cycle/footpath and how often?
- We have a major concern over the visibility splay to the south of where Poachers Lane meets Scothern Lane:-
 - The existing mature hedge is in need of some severe cutting back.
 - There are two road signs and one “cyclists dismount” sign within the visibility splay in addition to the substantial six metre long metal railings, all of which are higher objects than the permitted 1.005m.
 - Within ten metres of Poachers Lane heading south towards Scothern, the road bends to the right and further along – but also within the required minimum 70m splay - lays the entrance to the car park which serves the adjacent playing field.
 - The start of the cycle path from Sudbrooke to Scothern begins by Poachers Lane and is quite well used at peak times by adults taking their young

children to Ellison Boulters School. The proposed 150% increase in traffic in and out of Poachers Lane can only increase the chances of accidents happening occurring in this busy 70m.

- Very importantly we need to draw attention to the fact that drivers coming into Sudbrooke from Scothern, passing Poachers Lane in the process, are quite regularly reaching speeds well in excess of 40mph, with some exceeding 60 mph even through there is a 40mph road sign approximately 110m before the entrance to Poachers Lane. Unfortunately, there is a combination of factors which appear to encourage the drivers using this route to ignore the legal speed limit:-
 - On leaving the Scothern Parish boundary the speed limit increases to 60mph.
 - There is a 400m predominantly downhill gradient along a straight road heading towards Sudbrooke.
 - Not a house or building is in sight, only agricultural land or greenery either side of the road.
 - The local knowledge that the first house in Sudbrooke does not appear for a further 150m past Poachers Lane.
 - Non locals unaware and some locals possibly forgetting that Poachers Lane exists as it is out of sight as it is only metres beyond the left hand bend.
- Existing dwellings would no longer be considered non-estate and, as a result, would be devalued.
- A proposal from 1 Poachers Lane would be to re-route the access to the proposal away from the section of Poachers Lane that passes existing dwellings (this suggestion is not replicated in other correspondence).
- Should the development go ahead there should be a restrictive covenant placed upon the playing field to prohibit its development for 25 years.

In addition to the above comments the following objections were received from Pigeons Close and The Sonnets, both Church Lane and 16, Scothern Lane :-

- The site is outside of the settlement limit.
- There is an oversupply of dwellings within West Lindsey.
- The land was allegedly designated as a playing field.
- Previous agreements for land transfer behind the village hall have not happened.

LCC Highways:

- **Poachers Lane element** – No objection subject to improvements to Poachers Lane and junction with Scothern Lane to improve visibility using land within the highway verge and the applicant's control.

- **Footpath cycle path** - The highways authority advises that the footway/ cycleway that is to be provided along Church Lane should be put forward for adoption by the highways authority. However, the hedge will not be adopted and needs to be maintained separately.

Environment Agency: Commented on original plans that they have no objections. Although a small part of the site is in flood zone 3 (high probability) we are satisfied that the houses are in flood zone 1 (low probability).

The foul drainage for the development is not conveniently situated for connection to foul sewer so a package treatment plant, as proposed, may be acceptable.

Any surplus soil generated will be waste and may need to be removed to a permitted site.

LCC Archaeology: The site is immediately adjacent to a roman villa that has been partially excavated in the past 10 years. At the time of the Domesday Survey (1086AD) Sudbrooke was relatively populous with a population of 50 heads of household, a manor and a watermill. There is a potential that there are significant historic asset remains on the proposed development site associated with either the roman villa, or with the medieval settlement or watermill.

A geophysical investigation has now been carried and trial trenching and no further archaeological input is required.

Witham 3rd Internal Drainage Board: The site is adjacent to Sudbrooke Beck, a watercourse under the Board's jurisdiction for land drainage purposes. The applicant should be made aware of the Board's land drainage byelaws which prohibit, without prior approval, the development of any land within 9 metres from the top edge of the batter enclosing the watercourse.

Lincolnshire Police: The development shall incorporate measures to minimise the risk of crime and to meet the specific security needs of the application site and the development. The security measures must incorporate the principles and objectives of secured by design to improve community safety and crime prevention.

Relevant Planning Policies:

The Development Plan

West Lindsey Local Plan First Review 2006 (saved policies - 2009). This plan remains the development plan for the district. However, paragraph 215 of the National Planning Policy Framework states that due weight should be given to relevant policies in existing plans according to their degree of consistency with this framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given). The relevant policies are:-

STRAT 1 Development Requiring Planning Permission
<http://www2.west-lindsey.gov.uk/localplan/written/cpt3a.htm#strat1>

STRAT 3 Settlement hierarchy
<http://www2.west-lindsey.gov.uk/localplan/written/cpt3a.htm#strat3>

STRAT 9 Phasing of Housing Development and Release of Land
<http://www2.west-lindsey.gov.uk/localplan/written/cpt3b.htm#strat9>

STRAT 12 Development in the open countryside
<http://www2.west-lindsey.gov.uk/localplan/written/cpt3b.htm#strat12>

SUS4 – Cycle and pedestrian routes in development proposals
<http://www2.west-lindsey.gov.uk/localplan/written/cpt4.htm#sus4>

RES 1 Housing Layout and Design
<http://www2.west-lindsey.gov.uk/localplan/written/cpt6.htm#res1>

RES 2 Range of housing provision in all housing schemes
<http://www2.west-lindsey.gov.uk/localplan/written/cpt6.htm#res2>

RES 5 Provision of play space/recreational facilities in new residential development.
<http://www2.west-lindsey.gov.uk/localplan/written/cpt6.htm#res5>

RES6 Affordable housing provision
<http://www2.west-lindsey.gov.uk/localplan/written/cpt6.htm#res6>

CORE 10 Open Space and Landscaping
<http://www2.west-lindsey.gov.uk/localplan/written/cpt8.htm#core10>

NBE 14 Waste Water Disposal
<http://www2.west-lindsey.gov.uk/localplan/written/cpt11.htm#nbe14>

NBE20 Development on the edge of settlements
<http://www2.west-lindsey.gov.uk/localplan/written/cpt11.htm#nbe20>

National

- National Planning Policy Framework (2012)
<https://www.gov.uk/government/publications/national-planning-policy-framework--2>

Local

- Draft Central Lincolnshire Joint Core Strategy (2013)

Sudbrooke is defined as a Tertiary Attractor in the Portrait of Place evidence that helped inform the draft Core Strategy. In this context the following policies are considered relevant:-

- CL1 – Sustainable development in Central Lincolnshire
- CL4 - Level and distribution of growth
- CL5 – Managing the release of land for housing and employment
- CL6 – Site selection in Central Lincolnshire
- CL12 – Overall target for affordable housing– Affordable housing on rural exception sites
- CL22 – Strategy for the rural areas of Central Lincolnshire

http://uk.sitestat.com/lincolnshire/lincolnshire/s?Home.centrallincolnshire.ldf.submission-of-central-lincolnshire-core-strategy.117940.articleDownload.56436&ns_type=pdf&ns_url=http://microsites.lincolnshire.gov.uk/Download/56436

The Draft Strategy was approved by the Central Lincolnshire Joint Strategic Planning Committee on 8th July. However, there are still objections to it and although submitted for examination to the Secretary of State on 21st October 2013, members of the Central Lincolnshire Joint Strategic Planning Committee resolved to withdraw the Strategy on 6th January this year. In this context little weight is afforded to the Strategy although members should note the comments in the assessment below relating to the overall growth provision and housing supply.

Assessment:

Principle

The Local Plan Review contains a suite of strategic (STRAT) and residential (RES) policies that are designed to provide a policy framework to deliver residential development in appropriate locations to respond to need and the Council's housing provision objectives.

Policy STRAT12 is written in the prohibitive form and states that development including housing should not be permitted in open countryside locations such as the application site unless there is justification for it being in such a location or it can be supported by other plan policies. This has commonly included housing for agricultural workers or development to respond to a need for affordable housing within the adjoining village (so called exceptions sites). In this instance there is no agricultural need sought and the housing is not proposed in response to any other identified need for affordable dwellings. Instead, the proposal is predicated on the need to deliver open market housing within the next five years. Such a need is derived from the fact that the Central Lincolnshire authority cannot currently demonstrate a five year deliverable supply of housing when measured against the objective of delivering 9,500 homes across rural areas of Central Lincolnshire by 2031. This is a relevant material consideration afforded significant weight because:-

- West Lindsey members have previously approved for use by West Lindsey District Council the provision that was contained within the East Midlands Regional Plan 2009 upon which the current provision is largely based and had been quoted by inspector appointed by the Secretary of State at appeal.
- The housing provision cited above is evidenced by need including net migration into the area from other parts of the country, changing household size and a desire for growth sustainably to create critical mass to support existing services and facilities and to create an attractive housing mix to provide a catalyst for inward investment and the delivery of enhanced and new infrastructure and employment provision.
- The desire for such growth underpins national objectives contained within the National Planning Policy Framework (2012) which also contains a presumption in favour of sustainable development.
- Central Lincolnshire is the agreed authority area for measuring housing supply and not West Lindsey, the area being cited as such by inspectors appointed by the Secretary of State at appeal.
- Paragraph 48 of the NPPF requires a deliverable 5 yr supply to be maintained.

In this context, there should be a presumption in favour of housing development, even if it located outside of a settlement limit in the Local Plan Review provided that the development is sustainable and is acceptable when considered against other material planning considerations. The NPPF defines the three roles of sustainability as economic, environmental and social and whilst the Core Strategy is not afforded weight itself, policy CL6 provides a series of criteria against which the development can be assessed for such sustainability. These criteria are also amongst the criteria cited within policies STRAT1, SUS4, RES1, RES5, NBE14 and CORE10 of the Local Plan Review:-

- *Location in or adjacent to the existing built up area of the settlement (environmental and social sustainability)* – The site abuts the existing built up area of Sudbrooke. The visual impact is considered in more detail later in this report.
- *Accessible and well related to existing facilities and services (social and environmental sustainability)* – The site adjoins a playing field that is used by the public but is in private ownership (it is owned by the applicant). There is no known formal protection of this area as public open space; it is not designated as such in the Local Plan First Review, nor registered as a playing field or community asset. If it were lost then there would be a considerable distance to travel to the next area for formal recreation outside of the parish. In this context and with the layout showing no public open space, it is considered reasonable to require the transfer of the land to a local authority to provide social sustainability within the scheme. Discussions have taken place and the Parish Council are willing to take on ownership and responsibility for the land. Its transfer to the Parish Council is considered to be reasonably required, commensurate in scale and related to the development proposed and therefore an obligation under the

amended section 106 of the Planning Act 1990 would meet the criteria of Regulation 122 of the CIL Regulations 2011 as well as according with policy RES5 of the Local Plan Review and the provisions of the National Planning Policy Framework 2012.

Other services and facilities are further afield; Sudbrooke does have some facilities, as reflected in the Portrait of Place categorisation as a Primary Supporter but the nearest primary school is in Scothern and much of the facilities used by Sudbrooke residents lie in Nettleham, the next village to the west. The most convenient route to Nettleham is via Church Lane; the A158 does include a cycle lane on its southern side but this would necessitate crossing this main road twice in each direction when travelling between the two villages as well as being a much longer route and necessitating travelling along Lodge Lane, Nettleham which does not have a cycle or footpath. Cycling alongside the busy A158 is also not desirable for many people. These characteristics are the likely explanation to its low use as cited in the representations received.

However, Church Lane also presents significant highway safety concerns to the pedestrian and cyclists which deters its use by these environmentally sustainable methods of travel; the road is narrow, albeit with passing places but has relatively high level of vehicular movements (presumably due to motorists also taking the shortest route between the two villages and avoiding the A158). The proximity of the hedges on either side of the road also means that there is little room for the pedestrian and/or cyclist to seek refuge within the highway.

The applicant is proposing to construct a segregated footway on land within their control between points Y and Z on Plan A appended to this report following the alignment of the lane but separated from this adopted highway by a hedge to provide a high degree of safety. It must be noted that the footway proposed is limited to the length of the highway within the parish of Sudbrooke. Nevertheless, it is considered that the provision of this length is commensurate in scale to the development proposed and a requirement to provide additional length would, not be commensurate and, therefore, not comply with the requirements of Regulation 122 of the CIL Regulations 2011. Furthermore, the land beyond the parish boundary to enable the pathway to continue towards Nettleham is within ownership of the applicant and there are reasonable prospects that it could be extended over time with the agreement of Nettleham Parish Council.

In summary, despite the fact that some degree of highway safety issues would remain, the footway would contribute significantly to the environmental and social sustainability of the development. It is noted that the County Council would be willing to adopt the footway if the hedge was maintained by the owner of Parish Council and a link made to the existing pavement on Church Lane (point X on the appended plan).

Finally members are advised that, although the footway is a reasonable requirement, its immediate delivery would compromise the viability of the

development and it would only be reasonable for a phased delivery. The recommendation responds to this issue.

- *Accessible by public transport, or demonstrate that the provision of such services can be viably provided and sustained (environmental sustainability)* – Sudbrooke is served by regular bus services to Lincoln, Louth, Horncastle and Skegness but all of these services follow the A158, approximately 10 minutes walk from the site. The addition of the six proposed houses could not justify a new bus service but it is considered that the other improvements to sustainability detailed above and relatively short distance to the school at Scothern mean that the lack of a public transport directly to the site should not be an overriding factor to the acceptability or otherwise of this application.
- *Sustainable in terms of impacts on existing infrastructure or demonstrate that appropriate new infrastructure can be provided to address sustainability issues (environmental, social and economic sustainability)* – The availability of community and transport infrastructure has been addressed above. There are no known other infrastructure issues relating to the development (members are referred to a later section of this report with specific regard to foul water disposal).
- *Loss of locally important open space, playing field etc. unless adequately replaced elsewhere with no detriment (social sustainability)* – The land is away from public vantage points and not used for such community facilities. Its current community value is therefore negligible although its development, as stated previously, provides the ability for an existing area used for formal recreation to be conveyed to the Parish Council.
It is also noted that the land is no longer in agricultural use; planning permission has most recently been granted for horsicultural use but it appears that it just remains unused and fallow. Therefore, there would be no loss of agriculturally productive land or a community facility.
- *Appropriate sequential testing and other planning requirements in relation to flood risk (environmental sustainability)* – It is national policy contained within the NPPF and its accompanying Technical Guidance to locate development in areas where there is the lowest probability of flooding. This is particularly important when the use is classified in the Technical Guidance as being “more vulnerable” to such flooding. This includes dwellings.
In this instance the sites falls within zones 1, 2 and 3a, the latter being areas that have the greatest probability of flooding outside of the functional floodplain. However, the layout proposed demonstrates that all of the dwellings can be located within land with the lowest probability of flooding, zone 1, including a means of escape to the public highway across zone 1 land (the playing field). In this regard the proposal passes the sequential test and no other mitigation will be required. The proposal also accords with policy NBE14 of the Local Plan Review in this context.

- Generally consistent with economic, environmental and social sustainability -*
Such housing would normally be expected to be the subject of a full application but despite this being an outline application it is contended that this development can be delivered within the next five years to contribute to Central Lincolnshire's 5 year housing supply. Indeed, the relatively small scale of the proposal, the lack of abnormal development costs, the current viability (evidenced through a financial appraisal) and the fact that the infrastructure needed to deliver the development sustainably is also within the applicant's control or within the adopted highway lead one to conclude that the proposal is deliverable and will contribute to the supply. The one area that the development is lacking is a range of housing including affordable homes; the layout illustrates a development of large detached dwellings. This is a finely balanced issue but, on balance, the application represents a deliverable scheme which finances sustainable infrastructure; gha submitted and officer verified viability appraisal showing that the development would not be viable with any further contributions such as to affordable housing.

In summary the principle of the proposal can be supported. The following sections consider more detailed aspects although members are reminded that the application is in outline with only layout not reserved for subsequent approval.

Design, character, appearance and biodiversity

These are considerations detailed in policies STRAT1, NBE20 and RES1 of the Local Plan Review and reflect and are consistent with the National Planning Policy Statement with regards to design.

It is considered that the low density development proposed (6 dwellings per hectare) is appropriate. The existing dwellings on Poachers Lane, as with much of Sudbrooke, have been developed at similarly low densities with the ability for mature landscaping to develop between each building. The site is also on the edge of the settlement and, although not prominently visible from public vantage points such as Scothern Lane, it is visible from the playing field to the west and is on the edge of the open countryside. In this context a layout of higher density and/or of a greater plot ratio (size of building as a percentage of plot size) would not be appropriate.

There are mature trees which screen the site from the east but the transition to the countryside to the north towards Scothern would be assisted by a landscaping belt on the northern boundary. There is adequate room for such landscaping within the layout and it should be a requirement that the landscaping reserved matters includes such a feature. Such landscaping would prove a wildlife corridor from west to east across the site in the same way that the watercourse does on the southern boundary. It is also considered that the height of the dwellings should be no more than two storeys to ensure that the abovementioned landscaping has a meaningful effect and the houses do not dominate this edge of settlement setting. This can be secured by a condition.

Policy RES5 of the Local Plan Review stipulates that sites of this size should include public open space equating to 3% of the total site area. This would be around 50 sq m in this instance and the adjoining playing field, to be secured through the legal obligation under the amended section 106 of the Planning Act 1990, is considered an appropriate provision to meet this policy.

Highways

This is a material consideration detailed in policy STRAT1 of the Local Plan Review. A number of the representations received make reference to highway safety and parking concerns. Access is a matter reserved for subsequent approval but it is clear from the application site boundary and the layout that much of Poachers Lane would be utilised with a new bridge built across the watercourse to gain access to the site. The exact details of the improvements to the existing length of Poachers Lane to be utilised, the bridge crossing and the private driveway to be constructed to the north of the bridge would be expected to be submitted as part of the reserved matters. However, the County Highways Authority have advised that, although the current junction and standard of Poachers Lane as existing are not appropriate, there is the ability to improve them to the necessary standard (equivalent to adoption) with improved visibility splays, widening and passing places using land within the applicant's control and the existing highway verge. Such costs have been incorporated in the viability appraisal and the works would not affect any historic assets, the watercourse or any trees or habitat for wildlife of any significant value. The County Highways Authority advice was given with knowledge of the concerns of the residents expressed in the representations detailed in this report.

Archaeology

This is a material consideration detailed in policy STRAT1 of the Local Plan Review and latterly in the National Planning Policy Statement which details the assessment of "significance" of historic assets including archaeology carried forward from the superseded Planning Policy Statement (PPS) 5. Desk top analysis revealed that there are such assets in the vicinity and a geophysical investigation undertaken on behalf of the applicant revealed the potential for building works, possibly from the Roman period, on the site. Trial trenches have now been commissioned and the County Historic Environment team has advised that no further action is required. .

Flooding and drainage

This is a material consideration detailed in the National Planning Policy Framework, the accompanying Technical Guidance and policy NBE14 of the Local Plan Review.

With regards to fluvial flooding, members are referred to the first section of this report which clarifies that the dwellings would be within zone 1 as defined by the Environment Agency, such areas are those at least probability of flooding and sequentially are the preferred location for more vulnerable uses such as dwellings.

The application form states that surface water will be disposed of via the existing watercourse that runs alongside Poachers Lane. The NPPF advises that sustainable methods of surface water drainage should be used and it is important that the volume and runoff rate of the surface water draining off the site onto adjoining land or into the watercourse associated with the existing greenfield state of the land is not exceeded as result of the development proposed (up to and including a 1 in 100 year vent allowing a 30% increase for climate change). The layout proposed provides the potential for large areas of land to remain undeveloped and permeable and the natural fall of the land to the watercourse means that any runoff from impermeable areas and roofs would drain into the watercourse. There would be also be land available for open storage of water in basins and swales in the event high levels of rainfall during and following a storm. A condition is therefore considered necessary to ensure that surface water is attenuated and managed on site using sustainable principles.

Foul water is proposed to drain to package treatment plants. The existing dwellings are not on or near to mains drainage. It would not be practicable or viable to connect to the nearest mains and package treatment plans are the next most preferred solution (policy NBE14 of the Local Plan Review and the NPPF Technical Guidance refer).

Other

Examination of the layout plan reveals that there is a minimum of 30 metres between the dwellings proposed and existing dwellings on Poachers Lane. This will ensure no significant loss of **residential amenity** in terms of overlooking, overshadowing or overbearing (policy RES1 of the Local Plan Review refers). There is also considered to be adequate private garden space for each dwelling for household recreation and the drying of clothes.

Conclusion

The application has been considered against the provisions of the development plan in the first instance, specifically saved policies STRAT 1 Development Requiring Planning Permission, STRAT 3 Settlement hierarchy, STRAT 9 Phasing of Housing Development and Release of Land, STRAT 12 Development in the open countryside, SUS4 – Cycle and pedestrian routes in development proposals, RES 1 Housing Layout and Design, RES 2 Range of housing provision in all housing schemes, RES 5 Provision of play space/recreational facilities in new residential development, RES6 Affordable housing provision, CORE 10 Open Space and Landscaping, NBE 14 Waste Water Disposal and NBE20 Development on the edge of settlements of the West Lindsey Local Plan First Review 2006 as well as against all other material considerations. These other material considerations include the provisions of the National Planning Policy Framework which has been afforded significant weight especially the presumption of favour of sustainable development. The development plan policies have been assessed for their consistency with the National planning Policy Framework

In light of this assessment it is considered that the development is acceptable subject to the imposition of conditions and the completion and signing of the section 106 agreement.

Specifically, notwithstanding the fact that the site is outside of the settlement limit in the Local Plan Review and therefore policy STRAT12 applies, it is considered that the development will constitute an environmentally, socially and economically sustainable development that can contribute to the growth objectives of West Lindsey, Central Lincolnshire and the national government and contribute to a 5 year deliverable land supply for Central Lincolnshire provided the section 106 agreement is signed to deliver sustainability.

RECOMMENDED DECISION: That the decision to grant permission subject to the following conditions be delegated to the Director of Regeneration and Planning upon:-

The signing and completion of a s106 that delivers:-

- d) The proposed new pedestrian footway to the parish boundary between points Y and Z marked on the plan A appended to this report to an adoptable standard to enable adoption by the County Council but only following the completion of an adopted footway between points X and Y on the same said plan;
- e) The transfer of the hedge between points Y and Z to the Parish Council together with a commuted sum for its continued maintenance.
- f) The transfer of the playing field on Poachers Lane to the Parish Council marked hatched on Plan B appended to this report as community infrastructure for the village.

but enables 3 but no more than 3 of the 6 dwellings to be completed and occupied prior to a), and b) being delivered with c) having to be delivered prior to the first occupation of any dwelling.

That, if the s106 is not completed and signed by the applicant, West Lindsey DC, Sudbrooke PC and Lincolnshire County Council within 6 months, the application be reported back to the next available Planning Committee for determination.

Conditions stating the time by which the development must be commenced:

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

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

Pre-commencement conditions

2. No development shall take place until, plans and particulars of the scale and appearance of the building(s) to be erected, access to the development and the landscaping of the site (hereinafter called “the reserved matters”) have been submitted to and approved in writing by the Local Planning Authority, and the development shall be carried out in accordance with those details. The landscaping matters shall include a landscaping belt adjoining the whole length of the northern boundary of the site. The scale of the dwellings shall be more than two storeys above ground level.

Reason: The application is in outline only and the Local Planning Authority wishes to ensure that these details which have not yet been submitted are appropriate for the locality and to accord with the West Lindsey Local Plan First Review Policy STRAT 1. The landscaping specification is required due to the edge of settlement location and in the interests of biodiversity to accord with the provisions of policy NBE20 of the West Lindsey Local Plan First Review 2006 and the provisions of the National Planning Policy Framework 2012. The height of the dwellings restriction is required to minimise the visual impact of the proposal from the countryside to the north to accord with policies STRAT1 and RES1 of the West Lindsey Local Plan First Review 2006 and the provisions of the National Planning Policy Framework 2012.

3. The development hereby permitted shall be begun either before the expiration of three years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

Reason: To conform with Section 92 (2) of the Town and Country Planning Act 1990 (as amended) and to ensure a deliverable supply of housing as this consideration has been afforded weight in the assessment of the development in the context of paragraph 48 of the National Planning Policy Framework 2012. . .

4. Notwithstanding the details annotated within the submitted application form no development shall take place until details have been submitted to and approved in writing by the local planning authority of a scheme for the disposal of surface water from the site based upon the principles of sustainable drainage that ensures that the runoff from the site does not exceed the existing rate up to and including a 1 in 100 year storm event (allowing an additional 30% increase for climate change) .

Reason: It is reasonable to require details in accordance with the National Planning Policy Framework (2012) to reduce the risk of flooding as a result of the development to future occupants of the site and existing residents in the locality by means of a sustainable drainage system rather than discharge to a sewer.

Pre-occupation and other conditions

5. The approved surface water drainage system referred to in condition 4 shall have been completed before the first occupation of any of the dwellings hereby approved and shall thereafter be retained.

Reason: It is reasonable to require details in accordance with the National Planning Policy Framework (2012) to reduce the risk of flooding as a result of the development to future occupants of the site and existing residents in the locality by means of a sustainable drainage system rather than discharge to a sewer.

Human Rights Implications:

The above objections, considerations and resulting recommendation have had regard to Article 8 and Article 1 of the First Protocol of the European Convention for Human Rights Act 1998. The recommendation will not interfere with the applicant's and/or objector's right to respect for his private and family life, his home and his correspondence.

Legal Implications:

Although all planning decisions have the ability to be legally challenged it is considered there are no specific legal implications arising from this report



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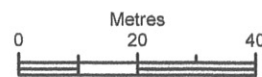
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REVISED
 W. LINDSEY OF
 PLANNING
 19 NOV 2013
 130532
 VALID

Officer's Report

Planning Application No: 130532

PROPOSAL: Planning application to erect detached dwelling, two detached garages and garden store. Amendment to previously approved application M05P0590, allowed at appeal.

LOCATION: 33b Crapple Lane Scotton Gainsborough DN21 3QT

WARD: Scotter

APPLICANT: Mr Andrew Marris

WARD COUNCILLORS: Councillor Day (one seat vacant)

TARGET DECISION DATE: 14/01/2014

DEVELOPMENT TYPE: Minor - Dwellings

CASE OFFICER: Joanne Sizer

RECOMMENDED DECISION: Grant permission subject to conditions

Description:

The application site is a vacant residential plot (Plot 11) located off a single access road to the north of Crapple Lane. It is the single remaining uncompleted plot which forms part of a larger area of land allocated for housing in the West Lindsey Local Plan First Review 2006. Consequently this part of Crapple Lane is predominantly residential in nature, characterised by modern two storey detached dwellings of varying designs and layout. Open countryside is however located to the most northern aspect of the site.

The larger part of the annotated application site (No1) is the residential building plot, with associated ground works and slab being visibly evident; which are associated with planning permission M05/P/0590 (allowed at appeal). The smaller annotated part of the application site (No 2) consists of a gravelled area which adjoins the access lane and abuts the existing property known as 33 Crapple Lane; it currently hosts building materials and construction apparatus associated with the application site and proposals.

The application seeks an amendment to the previously approved house type and garage on plot 11 (revisions to scheme previously allowed on appeal - M05-P-0590). The current application proposes the erection a 2.5 storey dwelling (with 2 additional bedrooms at 2nd floor level) and a single storey rear projection. It is also proposes a detached garage in an amended position and additional garden store. The garage would be located to the front of the dwelling and would measure 3.8 metres by 6 metres by 4 metres high to the ridge. The garden store is located within the northern aspect of the application site and would measure 5 metre by 5 metres by 4.8 metres to the ridge. An additional domestic single garage is also proposed outside of the proposed domestic curtilage but within the application site (site No 2) but to be utilised by the occupiers of the proposed dwelling and would measure 6 metres by 3 metres by 3.8 metres to the ridge. 3 velux windows have also been added to

the north facing rear roof slope of the dwelling, with other minor amendments to the provision, size and positions of the proposed windows on the dwelling.

It is noted that the application is being determined by the Planning Committee due to the applicant being a close relation of an employee of the council who works within the planning department.

Relevant history:

M02/P/1074 –Erect 8 houses and garage and demolish existing buildings on the site - GC

M05/P/0590 – Erection of 2 No 3 bedroom detached houses with separate garages (plots 11 and 12) – Re – allowed at Appeal 2006.

127198 - Planning application to add existing attic space and reposition detached garage (Plot 12) - revisions to scheme previously allowed on appeal - M05-P-0590 - GC

Representations:

The application was sent out for consultation on 24 October and a re-consultation sent out on 27 November 2013.

Chairman/Ward member(s): None received

Scotton PC: Wanted Clarification regarding alterations to the re-consultation and designated open space near the site. Response was given on 05th December 2013.

Local residents: Objections have been received from 35a, 37a, 41a and 43a Crapple Lane and collectively relate to matters of:

- The garage outside the proposed garden curtilage will deny access and will contravene a covenant on the land.
- The garage outside the proposed garden curtilage is located within an area that is supposed to be landscaped and its erection would not be in keeping and out of character with the open countryside and remainder of the development and village.
- Landscaping in and around the development should be provided to re-create the green environment that has been lost through a number of mature trees being removed.
- Detail of the application in relation to the proposal of two garages and the garage on plot 12 not being shown on the plan.
- The garage on plot 12 looks like it is being lived in.
- The applicant is a relative of the planning committee or planning officer at the Council and therefore there is a conflict of interest.
- Planning sign only displayed and visible down private access.

LCC Highways: Does not wish to restrict the grant of permission as it is considered by the Highway Authority that the proposed development will not be detrimental to highway safety or traffic capacity.

LCC Historic Environments (Archaeology): No objections/comments

Relevant Planning Policies:

Development Plan

West Lindsey Local Plan First Review 2006 (saved policies)

STRAT 1 Development Requiring Planning Permission
<http://www2.west-lindsey.gov.uk/localplan/written/cpt3a.htm#strat1>

STRAT 2 – Residential Allocations
<http://www2.west-lindsey.gov.uk/localplan/written/cpt3a.htm#strat2>

RES 1 Housing Layout and Design
<http://www2.west-lindsey.gov.uk/localplan/written/cpt6.htm#res1>

NBE 14 Waste Water Disposal
<http://www2.west-lindsey.gov.uk/localplan/written/cpt11.htm#nbe14>

Paragraph 215 of the National Planning Policy Framework applies when considering the weight to be afforded to these policies. The NPPF states that due weight should be given to relevant policies in existing plans according to their degree of consistency with this framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given).

National policy

National Planning Policy Framework (2012)
<https://www.gov.uk/government/publications/national-planning-policy-framework--2>

Main issues

- The Principle of Development
- Impact on Residential Amenity
- Impact on Visual Amenity
- Drainage
- Highway Safety
- Other

Assessment:

Principle

The development of the application site along with the adjacent plot 12 was granted planning permission in a decision allowed at appeal for the erection of 2 no. 3 bedroomed detached houses with separate garages on 23 May 2006 (Appeal Ref: APP/N2535/A/05/2005383). Development pursuant to this permission has been commenced in accordance with the permission with the foundations and floors built to slab level visible on site; a material start has clearly been made keeping the permission alive for perpetuity. As such, Plot 11 benefits from extant planning permission for the erection of a two storey dwelling with detached garage. Consequently the principle of developing a similar dwelling on site is already established and the effect on the housing land supply locally will be neutral. As such, the main issue for consideration relates to impact of the additional garage and garden room as well as the altered design and layout of the house and garage upon residential and visual amenity.

Impact on Residential Amenity

Policy STRAT1 states that development must reflect the need to safeguard and improve the quality of life for residents. Policy RES 1 states that permission will only be granted for new residential development provided that impact on the amenities of nearby residential properties is satisfactory. This consideration is consistent with the provisions of the NPPF.

The impact upon the residential amenity relates to the acceptability of the rear projection and additional/altered windows on the north facing rear elevation and west side elevation of the dwelling as well as the altered design and layout of the garage and provision of the garden store within the proposed domestic curtilage. It also relates to the additional garage abutting the access, which will be considered separately due to the objections received in relation to this element.

The rear addition by virtue of its single storey height, modest scale and hipped roof, along with the minimum two metre separating distance is not considered to have a detrimental impact on the amenity of the occupiers of the neighbouring properties.

The altered window positions and additional windows/velux at second floor level are not considered to result in an adverse impact upon the amenity of the occupiers of adjacent dwellings by virtue of overlooking or loss of privacy. This is due to them predominantly facing the open countryside to the north. Whilst overlooking of the neighbouring rear garden areas may be achievable, the additional windows would not materially increase levels of overlooking given the fall back position for a two storey dwelling containing first floor windows on this plot. The additional/rearranged windows and doors proposed on the west and east side elevations, as a consequence of their ground floor location, position on the dwelling and separating boundary treatments are also

not considered to result in significant opportunity for overlooking and loss of privacy; they are therefore considered acceptable.

The revised garage and its position in being located alongside the predominantly open boundary of the semi detached properties will no doubt be more visually prominent to the occupiers of these houses and especially from the front windows of plot 10, than that previously proposed. That said the garage is of modest proportions and scale and has been designed with a hipped roof to minimise presence. Its position also allows some openness to remain from the living room window of plot 10 and, in being located directly alongside the off street parking provision of this same property, ensures any overshadowing would predominantly relate to this area. It is also noted that no comments have been received in relation to this aspect of the amended development from neighbouring occupiers and consequently the revised garage and its position is considered not to have an undue adverse impact on living conditions by virtue of overlooking, overshadowing/loss of light and over dominance.

The proposed garden store by virtue of its modest size and scale as well as its position and relationship with other adjoining properties and land is not considered to result in an undue adverse impact on the residential amenity of the occupiers of neighbouring dwellings or use of the adjoining land. It is therefore considered acceptable.

The proposed garage sitting outside of the proposed domestic curtilage of the dwelling house will sit alongside the boundary of the existing dwelling No 33 Crapple Lane. That said the boundary treatment separating the two sites is formed of a patchy hedge as well as a garage and shed, which will provide screening and reduce impact of the otherwise modest garage building. The use of the garage will also be conditioned to only be domestically used in connection with the occupiers of the proposed dwelling subject to this application (Plot 11) and is not therefore considered to cause harm by virtue of noise and use.

Numerous objections have been made in relation to this proposed garage and predominantly relate to the garage restricting their legal right of access over the private road. This is however not considered to be a material planning matter and cannot be controlled by the planning system. The matter of a legal right of access being retained for associated vehicles is a civil matter between involved parties and is not therefore a consideration in determining this application.

Consequently the proposals overall are not considered to result in an undue adverse impact on residential amenity in accordance with Policies STRAT 1 and RES 1 of the Local Plan.

Impact on Visual Amenity

Policy RES1 (supported by STRAT1) requires new residential development to have regard to the local environment in terms of siting, layout, density, scale,

massing, materials and the provision of key features to enhance the character of the locality. Design is a consideration consistent with the provisions of the NPPF.

The main impact upon the character of the locality relates to the acceptability of an altered design and layout of dwelling and garage on the plot and that of the separate garage. The proposed dwelling is of a similar design and layout to the approved dwelling with extant planning permission on the plot and is no higher. The alteration / addition of windows would not be overly prominent in the street scene due to their location to the rear. The design of the proposed dwelling is in keeping with the scale and design of dwellings in the immediate vicinity and especially that of plot 12.

The amended garage within the proposed domestic curtilage would not be highly visible from Crapple Lane due to its location off a private drive but would be visible from adjacent dwellings. Whilst it is larger than the garage with an extant permission, it is of a size and scale that is sufficiently subordinate to sit comfortably with the parent property and surrounding built context. A condition would be imposed requiring submission and approval of materials to be used to ensure that the house and garage have a satisfactory appearance in relation to each other and their surroundings.

The separated garage would however be more visually noticeable from the single public vantage point off Crapple Lane due to its position alongside the private access. That said it is of a modest size and scale that would sit on the backdrop of the blank elevation of the garage belonging to Plot 12, which is slightly larger but nevertheless of similar proportions. The garage therefore would be viewed within the same residential context as the newly constructed dwellings and considered not to appear as an overly incongruous or out of place feature in front of the dwellings and within the limited wider views. Again a condition would be imposed requiring submission and approval of materials to be used to ensure that this garage has a satisfactory appearance in relation to the surrounding residential environment.

Comments have been received in relation to the provision of landscaping and the site area hosting the separate garage previously intended for that use. A search of documents relating to extant permission M05/P/0590 and associated conditions relating to it, do not however confirm this to be the case and it therefore considered unreasonable to further control the development of the revised house and garage in this respect. It is however considered necessary to ascertain materials/planting/greening/boundary treatments of the area surrounding the separate garage for both visual amenity and drainage purposes. A condition will therefore form part of any permission securing such detail and their implementation.

Consequently the overall alterations to the house and garage on Plot 11 are in keeping with other dwellings in the immediate vicinity and the separate garage not considered to be detrimental to visual amenity in accordance with Policies RES 1 and STRAT 1.

Drainage

Policy STRAT 1 and NBE 14 of the Local Plan requires new development to have regard to the availability and capacity of infrastructure. This is consistent with the provisions of the NPPF but this framework and its accompanying Technical Guidance do require the drainage to accord with the principles of sustainability. Foul sewage would be disposed of via the mains sewer. Surface water would be discharged of by way of soakaways. Although a condition requiring details of this method of drainage is imposed by the appeal decision (Appeal Ref: APP/N2535/A/05/2005383) to ensure the site is adequately drained; Building Regulations records indicate that sufficient drainage provision has been undertaken as part of commencement of works on site and as part of the wider development. It is therefore considered unreasonable to impose a condition requiring such information that has been and will adequately governed by Building Regulations.

Highway Safety

Policies STRAT1 and RES1 require new development to have satisfactory regard to the provision of adequate parking and access to and from the site. In this instance, Lincolnshire County Council Highways have confirmed that they do not wish to restrict the development as it is considered not to be detrimental to highway safety or traffic capacity. They are therefore considered to be in accordance with the saved policies STRAT 1 and RES 1 of the Local Plan

Other matters

It is noted in relation to comments received about the **garage on plot 12** not being shown on the proposed plan, that a full assessment of the proposals and the surrounding area has been undertaken during a site visit and utilising previous planning records. It is consequently considered that the omission of the garage on plot 12 does not undermine the determination of this application. Comments made in relation to the **garage being lived in** are also noted, but it nevertheless recognised that if being used as ancillary accommodation to the main dwelling house, could be done so without needing to submit a planning application.

Comments made in relation to the **site notice** only being displayed and visible down the private access was rectified during the re-consultation period.

Conclusion and Reason for granting permission

The proposed dwelling and garage is of a similar size to the approved dwelling and garage with extant planning permission it replaces. The separate garage outside of the domestic curtilage is also considered to be of a size and design that is in keeping with the surrounding residential context, not causing significant harm to the visual amenity of the area. Subject to conditions, the proposals are therefore considered not to be significantly detrimental to

residential or visual amenity. The proposal is therefore considered to comply with the objectives of the National Planning Policy Framework 2012 and would accord with Policies STRAT 1, RES 1 and NBE 14 of the West Lindsey Local Plan First Review June 2006. These policies have been considered for their consistency with the National Planning Policy Framework 2012.

Recommendation: Grant, subject to the following conditions;

Conditions stating the time by which the development must be commenced:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To conform with Section 91 (1) of the Town and Country Planning Act 1990 (as amended).

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

2. No development shall take place until details of all external and roofing materials to be used have been submitted to and approved in writing by the Local Planning Authority.

Reason: To safeguard the character and appearance of the surroundings in accordance with saved West Lindsey Local Plan First Review Policies STRAT 1 and RES 1.

3. No development shall commence until, full details of the treatment of the area around the garage outside the curtilage of the dwelling hereby approved, including all boundaries, and where appropriate, planting, fencing, walling hedgerows to be retained, or other means of enclosure, have been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the provision of appropriate ground and boundary treatment in the interest of the visual and residential amenity of the area in accordance with West Lindsey Local Plan First Review saved Policies STRAT 1 and RES 1.

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

4. 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 following drawings: 01, 02, 02 floor plans and elevations, 04, 05 and amended OS Sitemap dated Aug 13. 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 and to accord with saved policy STRAT 1 of the West Lindsey Local Plan First Review 2006.

5. The development shall be carried out in accordance with the materials approved under condition 2 of this approval.

Reason: To safeguard the character and appearance of the building and its surroundings and ensure the proposal uses materials and components that have a low environmental impact in accordance with West Lindsey Local Plan First Review Policies SUS 7 and STRAT 1.

6. The approved details secured by condition 3 above shall be implemented prior to the dwelling being first occupied and retained in perpetuity thereafter.

Reason: To ensure the provision of appropriate ground and boundary treatments in the interest of the visual and residential amenity of the area in accordance with West Lindsey Local Plan First Review saved Policies STRAT 1 and RES 1.

Conditions which apply or relate to matters which are to be observed following completion of the development:

7. The garage marked "A" on the approved drawing hereby approved drawing 01 received on the 26th September 2013 shall only be used for purposes incidental to the enjoyment of the dwelling house hereby approved and shall not be used for business or trade, or converted into habitable residential living accommodation.

Reason: To preserve the amenity of nearby residential properties in accordance with West Lindsey Local Plan First Review Policy STRAT1 and RES 1.

Human Rights Implications:

The above objections, considerations and resulting recommendation have had regard to Article 8 and Article 1 of the First Protocol of the European Convention for Human Rights Act 1998. The recommendation will not interfere with the applicant's and/or objector's right to respect for his private and family life, his home and his correspondence.

Legal Implications:

Although all planning decisions have the ability to be legally challenged it is considered there are no specific legal implications arising from this report