



PL.01 13/14
Planning Committee
Date 29 May 2013

Subject: Planning applications for determination

Report by:

Director of Regeneration and Planning

Contact Officer:

Nick Ethelstone
Area Team Manager
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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 - 129621 - Burton

Planning application for replacement dwelling – resubmission – at The Aviary Hall Drive Burton

RECOMMENDED DECISION: Grant permission subject to conditions

2 - 129564 - Spridlington

Planning application for proposed biomass-crop only-renewable energy facility, associated works and landscaping at Grange Farm Cliff Road Spridlington Market Rasen.

RECOMMENDED DECISION: Grant Planning Permission

3 – 129648 - Ingham

Planning application for the erection of 17no. dwellings consisting of 7no. affordable and 10no. open market properties with access onto Lincoln Road on Land at Lincoln Road Ingham Lincoln

RECOMMENDED DECISION: That the decision to grant permission subject to conditions be delegated to the Director of Regeneration and Planning upon the completion and signing of an agreement under section 106 of the amended Town & Country Planning Act 1990 which secures:-

1. Which homes are affordable and when they are delivered in the context of the delivery of the open-market homes.
2. The criteria for the first and subsequent occupancy of the affordable homes.
3. The mechanisms for ensuring the affordable homes are affordable .

4 - 129816 – Torksey

Planning application for demolition of existing three storey dwelling and erection of a new three storey dwelling at the Elms Torksey.

RECOMMENDED DECISION: Grant planning consent subject to conditions

5 - 129844 – Saxilby

Planning application for erection of a footbridge at Saxilby Railway Station Station Road Saxilby

RECOMMENDED DECISION: Grant planning permission subject to conditions.



Officers Report

Planning Application No: 129621

PROPOSAL: Planning application for replacement dwelling - resubmission

LOCATION: The Aviary Hall Drive Burton Lincoln, Lincolnshire LN1 2RD

WARD: Saxilby

WARD MEMBER(S): Cllr Mrs J Brockway and Cllr D Cotton

APPLICANT NAME: Mr and Mrs Dawkins

TARGET DECISION DATE: 16/04/2013

DEVELOPMENT TYPE: Minor - Dwellings

CASE OFFICER: Ian Elliott

RECOMMENDED DECISION: Grant permission subject to conditions

This application was deferred at the previous committee for a site visit

Description:

The application site is a detached bungalow within the residential area of Burton which is extremely sensitive due to its position within the Burton Conservation Area and setting of various listed buildings. The dwelling is currently unoccupied which is reflected by its deteriorating condition. It sits within a good sized plot with generous garden areas to the east and south. Parking facilities are provided by a driveway off the eastern boundary. The site includes the former estate office to Burton Hall, which does not reflect the design of the distinctive character of the area. Neighbouring properties are off each boundary with an area of open space to the east and south east. The listed buildings that are in close proximity to The Aviary are:

1. No.1 The Granary – Grade 2 Listed
2. No.2 The Granary – Grade 2 Listed
3. Georgian House – Grade 2 Listed
4. Burton Hall – Grade 2 Star Listed

There are a number of locally important buildings within the Conservation Area and near to The Aviary. These are:

1. China House
2. 1 The Hallyard
3. 2 The Hallyard
4. 3 The Hallyard
5. 4 The Hallyard

The site includes a number of trees protected under tree preservation (Burton No.2) order 1951. The whole garden is covered by a woodland schedule (W1) and any tree within it is protected regardless of species and size. In addition the garden area is part of the Historic Parks and Gardens.

The planning application seeks permission for a replacement dwelling (resubmission)

Relevant history:

128645 - Planning application to demolish existing building and construct 1no. dwelling – 27/07/12 – Refused

Representations:

Chairman/Ward member(s): No representations received to date

Parish/Town Council/Meeting:

Members are pleased that the proposed building has been moved back but they still have concerns over the design and that it is not in keeping with the surrounding properties. Also they have concerns regarding drainage.

English Heritage:

The proposal should be determined with regard to paragraph 121 and 131 of the National Planning Policy Framework. However, the proposal does not have to copy the older neighbouring dwellings but should fit in as part of an harmonious group. The building should be as unobtrusive as possible to reduce any impact on the grade 2 star listed Burton Hall and the character and appearance of the conservation area. The use of timber on the elevations would be more appropriate for the proposed building.

Area Development Tree Officer:

The removal of the tulip tree would be a negative impact on the ecological value of the site but this could be compensated for by planting one or more native trees within the site.

The previous appeal to remove the tulip tree was purely based on the health of the tree therefore the tree remained. The removal of the tree is justified if it allows a suitable development to improve the site.

The proposal will encroach the root protection area of the large yew by nearly 50% of its radius. This is a large intrusion into what is essentially a no dig area. The design and access statement states the building will be constructed on a mini pile and ground beam system which involves excavating to a depth of between 400-600mm. This will potentially cause a significant amount of root severance to the yew tree. The position of the existing dwelling and concrete path will have already reduced the root spread therefore any root severance will only occur between the tree and the dwelling and path. The construction could be made above ground but this would result in a dwellings height increase.

Further information is required on the proposed sewerage treatment plant to ensure its position and pipe work do not impact on the root plates of protected trees.

Protective fencing is required on the outer edges of the root protection areas or if restricting the construction can be positioned a bit closer to the trees providing suitable ground protection is used over the vulnerable ground. These should be in place before any demolition work or clearance work begins and remain in place throughout the construction.

Conservation Officer:

The Aviary is sited within a particularly sensitive area of the village of Burton. In addition to being within the Burton Conservation Area the site sits in Hall Drive which originally served Burton Hall as a collection of ancillary domestic and service buildings. Primarily built in the same period they have now been converted to residential accommodation. Immediately to the north is the former stable block to Burton Hall, now called The Granary, which is a particularly fine late 18th century example attributed to the architect James Paine and listed grade II. To the west are the former stables and coach house, collectively referred to as The Hallyard, which are recognised as locally important buildings within the Conservation Area appraisal. To the south is the surviving southern wing Burton Hall itself designed also by James Paine in 1768 which is listed grade II * and the site is adjacent to its historic park and garden. The Aviary itself is an extension and conversion of the former estate office and to the south east is the Georgian House, formerly serving as a laundry but visually separated from the application site by a historic high wall.

This application has benefited from extensive pre application discussions and it was acknowledged that in this instance a contemporary design would be acceptable. The reasoning was that it was considered that a modern design would best achieve the required low visual impact structure with proportions, scale and height which respected the existing hierarchy of buildings and in particular the adjacent Granary, listed grade II. The use of contemporary architectural design is a principle supported by the government's advisor on the historic environment – English Heritage. Advice on this approach can be found in the publication, 'Building In Context – New Development in historic Areas' produced by English Heritage and CABE (Commission for Architecture and the Built Environment) 2001. This publication advocates buildings that are recognisable of 'our age' whilst understanding and respecting historic context.

To this end the design and materials achieve a modern contribution to this sensitive setting. The massing, scale, proportions and modular form all respond appropriately to the classical geometry of many of the contextual buildings and take care not to detract from the traditional character. Particular care has been taken in the external facing materials and utilisation of modern materials is considered compatible with the modern idiom of the design. The original plan sought a metallic finish however; negotiations have resulted in a stone appearance for the cladding which includes a strong linear detail, responding to the coursed squared stone construction of the Granary. Timber cladding also respects the soft landscaping of the plot which, to a large extent, informs the character of the site. The doors to the east elevation are not a successful element of the scheme and appear undersized for a double door appearance

The new dwelling is consequently of its own time and sits in a clearly ancillary relationship to the Granary. Its location on the plot is further to the south than the existing dwelling, which sits uncomfortably close to the Granary, taking the opportunity to enhance the significance of the Granary by improving its setting. Enclosure to the Hall Yard is still provided, although to a lesser degree as due to the newly created degree of separation. Therefore, it is considered in light of the above comments that this proposal will preserve the setting of the grade II listed Granary, the grade II* listed Burton Hall, the setting of the locally important Hallyard and the setting of the Conservation Area and Historic Park and Garden.

Local residents:

Representations received from 1, 2, 3 The Hallyard, 2 The Granary Flats and Burton Hall Estate:

- The existing drainage system could become overloaded causing blockages.
- The design is incongruous and out of character with the nearby listed buildings, and the Burton conservation area and village.
- The massing and scale will have a detrimental effect on the setting of the grade 2 listed building (The Granary).
- The scale will dominate Hall Yard as viewed from the west.
- The building materials are inappropriate for the location.
- Detrimental to the residential amenity of immediate neighbours.
- Parking could be an issue especially as the boundaries are in dispute.

Supporting comments received from 1 The Granary Flats:

- The position respects the important buildings and minimises potential negative visual impact.
- The lowered height reduces the detrimental impact on the view of and from the Granary.
- The modern design sensitively reflects contemporary architectural practice whilst respecting the general locale.
- The visual impact is moderated by its dimensions and proximity to other established buildings.

LCC Highways: Does not wish to restrict the grant of permission

Environment Agency: No representations received to date

Archaeology: No objections

Building Control: No representations received to date

Relevant Planning Policies:

West Lindsey Local Plan First Review 2006

STRAT 1 Development Requiring Planning Permission

<http://www2.west-lindsey.gov.uk/localplan/written/cpt3a.htm>

SUS 7 – Building Materials and Components

<http://www2.west-lindsey.gov.uk/localplan/written/cpt4.htm>

RES 1 – Housing Layout and Design

<http://www2.west-lindsey.gov.uk/localplan/written/cpt6.htm>

NBE 8 – Historic Parks and Gardens

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

CORE 10 – Open Space and Landscaping within Developments

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

National Guidance

National Planning Policy Framework:

Chapter 7: Requiring Good Design

Chapter 12: Conserving and Enhancing the Historic Environment

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/6077/2116950.pdf

Other relevant documentation/legislation

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990

<http://www.legislation.gov.uk/ukpga/1990/9/section/66>

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990

<http://www.legislation.gov.uk/ukpga/1990/9/section/72>

Burton Conservation Area Appraisal

Main issues :

- Principle
- Setting of Listed Buildings and Conservation Area
- Amenity
- Trees
- Foul and surface water drainage
- Parking

Assessment:

Principle

The applicants are proposing to demolish the existing detached bungalow and replace it with a two storey modern contemporary detached family dwelling. The existing dwelling has been unoccupied for an unknown period of time but its deteriorating condition reveals it may have been vacant for some time. The poor condition of the dwelling clearly demonstrates an opportunity to renovate the existing dwelling or construct a new dwelling that preserves and enhances its sensitive location. The proposal utilises parts of the existing footprint and the suggested design has been submitted to respect and reflect its location. The concept of proposing a modern design within such a sensitive location does not mean it is unacceptable providing it sits comfortably and respectfully within its surroundings. In principle it is considered that an appropriate modern contemporary dwelling is acceptable.

Setting of Listed Buildings and Conservation Area

The adjacent and opposite designated heritage assets are recognised as making a significant contribution to the character of the area. Along with the deteriorating condition of the dwelling the site and surrounding area would benefit from a new build that reflects its surroundings and respects its sensitive location. There is a real opportunity to rejuvenate the plot by constructing a well proportioned single storey dwelling of appropriate design that improves the presence of the heritage assets.

Paragraph 137 of the National Planning Policy Framework promotes this idea stating that local planning authorities should look to enhance or better reveal the significance of conservation areas and heritage assets. The existing dwelling is approximately 2 metres

from The Granary and its removal provides a genuine opportunity to site a new build further away from The Granary to enhance its setting within its surroundings.

The proposed dwelling takes this opportunity by positioning the main element of the dwelling approximately 8.5 metres from The Granary with the balcony above the kitchen approximately 6 metres from The Granary. The proposal will therefore enhance the setting of The Granary by providing a clearer separation distance. This increased separation will lessen the feeling of enclosure to The Hall Yard but not to an extent that significantly impacts on Hall Yard.

The introduction of a modern design provides the best approach to achieving a low visual impact structure with proportions, scale and height which respected the existing hierarchy of buildings and in particular the adjacent grade 2 listed The Granary. The position and design of the buildings will therefore reduce the uncomfortable relationship between the existing dwelling and The Granary and reduce the potential massing impact of the new dwelling.

Policy Res 11 of the West Lindsey Local Plan Review 2006 and Paragraph 61 of the National Planning Policy Framework promote quality design that is sympathetic and integrates into its natural, built and historic environment. In addition paragraph 60 states that 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. It is, however, proper to seek to promote or reinforce local distinctiveness as stated in paragraph 61.

The design and materials will achieve a modern contribution to this sensitive setting and although not to everyone taste can be successfully integrated. The massing, scale, proportions and modular form all respond appropriately to the classical geometry of many of the contextual buildings and take care not to detract from the traditional character. Particular care has been taken in the external facing materials and utilisation of modern materials is considered compatible with the modern idiom of the design. The original plan sought a metallic finish however; negotiations have resulted in a stone appearance for the cladding which includes a strong linear detail, responding to the coursed squared stone construction of the Granary. Timber cladding also respects the soft landscaping of the plot which, to a large extent, informs the character of the site.

The first floor doors to the east elevation are not a successful element of the scheme as they do not relate to the proposed design and are more office building in style and appearance. . The final design and appearance of the doors can be agreed through a condition attached to the permission.

Therefore due to its size, position, design and material finish it is considered that the proposal will preserve the setting of the nearby listed buildings, the setting of the locally important Hall Yard and the setting of the conservation area and Historic Park and Garden.

Amenity

The creation of a two storey dwelling will introduce first floor windows to a plot which currently possesses a single storey dwelling.

Due to the separation distance and screening the first floor windows on the east and south elevations will not overlook any neighbouring dwellings. The first floor windows on the west elevation look towards The Granary and the Hallyard. The dwellings occupying The Granary and Hallyard have open front garden areas and front elevations that are already publicly viewable from the highway.

The north elevation will include a mix of windows and doors to the ground and first floor. The folding kitchen doors face north east away from The Granary with the dwellings to the north east protected by a high boundary wall. In addition the kitchen has some high level windows facing north west which are in position purely for the purpose of receiving light. The openings serving bedroom 3 are further to the east than the windows on the south elevation of The Granary therefore creating at an angle which reduces overlooking. The remaining window to the north elevation will look directly towards The Granary. However this window will serve a bedroom which although is primary living space is considered not to have a significant enough impact on overlooking to The Granary.

The position of the balcony to the north east could impact on the privacy of the residents to The Granary. To remove this potential impact a glazed screen of appropriate height will need to be installed along the entire north west side of the balcony. This can be secured by an attached condition to the permission.

The existing dwelling is currently very close to The Granary but this is reduced by its single storey status. The proposed two storey dwelling will not have an overbearing impact on The Granary due to its proposed position, its modern design incorporating a flat roof and the comparison with the current position of The Aviary.

The proposal will not cause any loss of light on the neighbouring dwellings due to its height and the separation distance.

Trees

The proposal will include the removal of a protected tulip tree and affect other trees by encroaching into their root protection area. At a previous appeal it was determined to retain the tulip tree but this decision was purely based on the health of the tree and not a proposed development of the site.

It is considered that the removal of the tulip tree is acceptable as the proposal in question improves the site and preserves the setting of the local area. The loss of the tree can be mitigated by planting an appropriate native replacement tree or trees on the site.

The encroachment of the proposal into the root protection area of the large yew is more of a concern and the construction of the dwelling must not endanger the health and presence of the tree. It is therefore essential that the proposed method for the foundation construction does not have a negative impact on the tree and its roots.

Furthermore protective fencing is required on the outer edges of the root protection areas or if restricting the construction can be positioned a bit closer to the trees providing

suitable ground protection is used over the vulnerable ground. The protective fencing should be retained in place until the development is complete.

The replacement planting, foundation details and protective fencing can be dealt with and agreed through a pre-development condition on the permission.

The proposed sewerage treatment plant and its associated pipe work will be installed under the north east garden area therefore will not impact on any trees or their roots.

Foul and surface water drainage

The design and access statement states that the proposal will include a Klargester BioDISC BA-BD high performance package sewerage treatment plant. It will be installed under the north east garden area therefore its position will not impact on any of the neighbouring dwellings or the health of the protected trees.

A condition will be attached to the permission to ensure the sewerage treatment plant is installed in accordance with the approved plan.

A further condition will be attached to ensure that surface water is dealt with an appropriate method with adequate capacity.

Parking

The off street parking facilities will be located in the north east corner of the site. The proposal will therefore provide adequate off street parking facilities.

It needs to be noted that this particular section of the site is currently under an ownership dispute between the applicants and another party. After discussion the applicant has confirmed they own the site and provided land registry evidence which is in the file. This dispute is a civil matter between the parties and not to be considered as part of the decision making process.

Conclusions and reasons for decision:

The proposal has been considered against policies STRAT 1: Development Requiring Planning Permission, RES 1: Housing Layout and Design, NBE 8: Historic Parks and Gardens, SUS 7: Building Materials and Components and CORE 10: Open Space and Landscaping within Developments of the adopted West Lindsey Local Plan First Review 2006 in the first instance and guidance contained National Planning Policy Framework Chapter 7 Requiring Good Design and Chapter 12 Conserving and Enhancing the Historic Environment. In light of this assessment it is considered that the proposal to construct a modern dwelling is acceptable in this unique location due to its design, massing and material finish. The proposal will preserve the character and appearance of the Burton Conservation Area and the positioning of the dwelling further away from The Granary will enhance this buildings grade 2 listed setting. In addition the dwelling will not have a detrimental impact on the protected trees or the drainage systems providing that the attached conditions can be met and agreed.

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.

Recommendation: Grant planning permission 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 the foundation construction method to be used has been submitted to and approved in writing by the Local Planning Authority and the development shall only be carried out using the agreed method.

Reason: To safeguard the potential negative impact on the protected trees and their roots in accordance with West Lindsey Local Plan First Review Policy STRAT 1.

3. No development shall take place until details of the external and roofing materials to be used have been submitted to and approved in writing by the Local Planning Authority and the development shall only be carried out using the agreed materials.

Reason: To safeguard the character and appearance of the building(s) 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 Policy STRAT 1.

4. Notwithstanding the approved details on plans reference 116/12/02/G, prior to work commencing on site, details of the ground floor east elevation door to the shall be submitted to and approved by the Local Planning Authority. The development shall only be constructed in accordance with the approved details.

Reason: To ensure the use of appropriate materials in the interests of visual amenity and the character, appearance and setting of the Listed Building in compliance with West Lindsey Local Plan First Review Policies STRAT 1.

5. No development shall take place until, details of the design, position and height of the frosted screen to the north west side of the balcony have been submitted to and approved in writing by the Local Planning Authority. The screen shall be retained and maintained as such thereafter.

Reason: To protect the neighbour's privacy from overlooking in accordance with policies STRAT 1 and RES 11 or the West Lindsey Local Plan First Review 2006.

6. No development shall take place until, details of the number, position and species of tree(s) to replace the existing tulip tree have been submitted to and approved in writing by the Local Planning Authority. The approved tree(s) shall be carried out in the first planting season following the completion of the development; and any tree(s) which within a period of 5 years from the completion of the development die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season, unless the Local Planning Authority gives written consent to any variation. The tree(s) should be retained thereafter.

Reason: To provide appropriate mitigation for the loss of the existing tulip tree, in the interest of visual amenity in accordance with West Lindsey Local Plan First Review Policies STRAT 1 and CORE 10.

7. No development shall take place until, details of the form and position of the protection of the on site trees have been submitted to and approved in writing by the Local Planning Authority. The protected measures shall be erected in the positions approved before the development is commenced and thereafter retained until completion of the development. Nothing shall be stored or placed in any area, nor shall the ground levels within those areas be altered, without prior written approval of the Local Planning Authority.

Reason: To safeguard an existing tree on the site during construction works, in the interest of visual amenity in accordance with West Lindsey Local Plan First Review Policies STRAT 1 and CORE 10.

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

8. 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: 116/12/01/F dated 19th February 2013 and 116/12/02/G and 116/12/03/I dated 25th March 2013. 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 define the terms of the planning permission for the avoidance of doubt and to ensure an acceptable quality of design to avoid the development having an adverse impact on the living conditions of the neighbouring dwellings in accordance with West Lindsey Local Plan First Review Policy STRAT1.

9. Construction hours shall only occur between 7am-6pm on Monday to Friday and 7am-1pm on a Saturday. No construction work shall take place on a Sunday or a Bank Holiday.

Reason: To protect the living conditions of adjoining properties and the locality in general in accordance with West Lindsey Local Plan Review Policy STRAT1.

10. The sewerage treatment plant and associate pipe work shall be installed in accordance with drawing submitted on 11th April 2013. The works shall be carried out in accordance with the details shown on the approved plan.

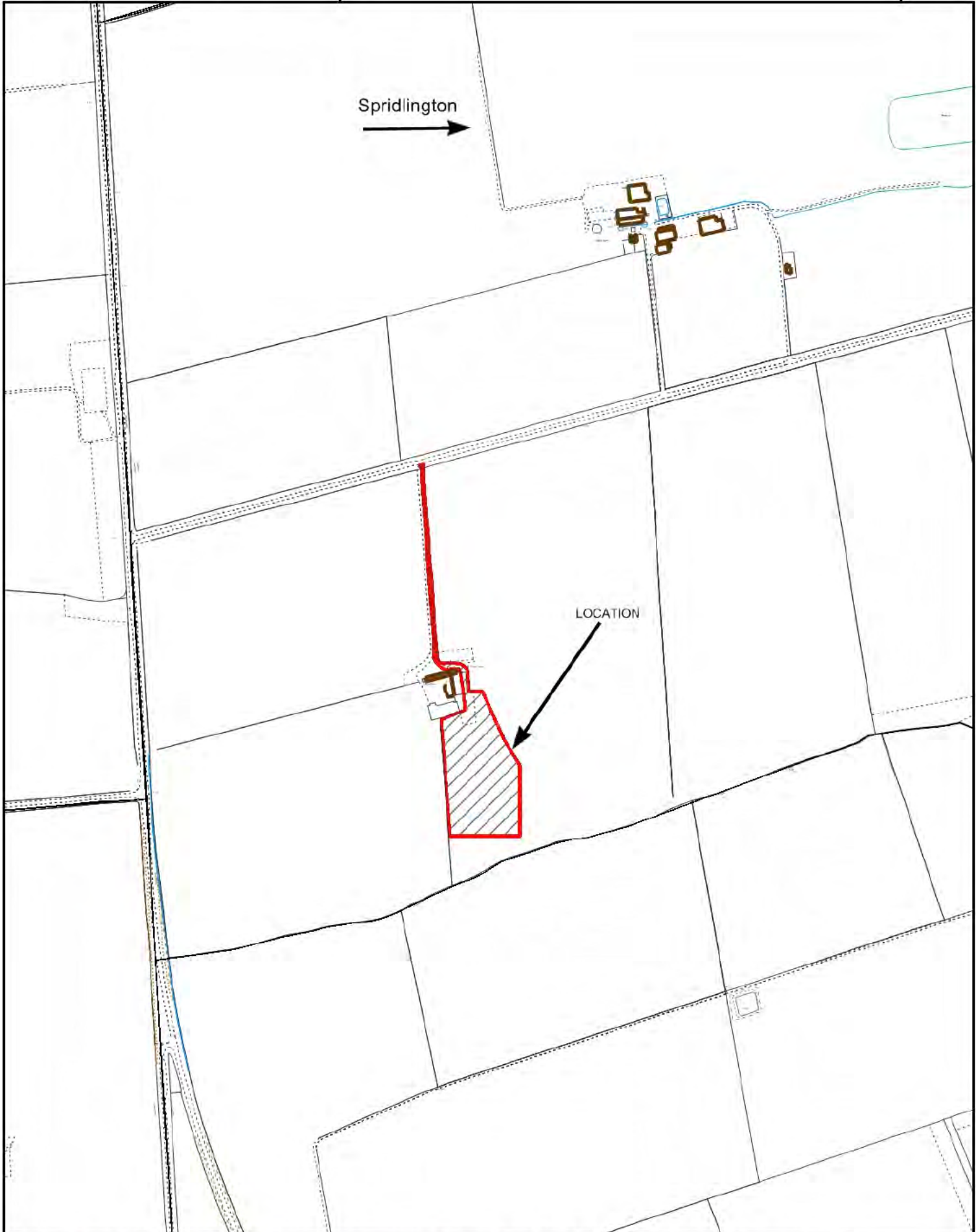
Reason: To safeguard the protected tree on site during construction works, in the interest of visual amenity in accordance with West Lindsey Local Plan First Review Policies STRAT 1 and CORE 10.

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

11. Surface water from the extensions shall be discharged by way of an existing drainage system or a new or existing soakaway with sufficient capacity.

Reason

To ensure adequate drainage facilities are provided to serve the development and in accordance with policies STRAT1 of the West Lindsey Local Plan First Review 2006.



Officers Report

Planning Application No: 129564

PROPOSAL: Planning application for proposed biomass-crop only-renewable energy facility, associated works and landscaping.

LOCATION: Grange Farm Cliff Road Spridlington Market Rasen,
Lincolnshire LN8 2DN

WARD: Welton

WARD MEMBER(S): Cllrs M. Parish and Cllr D.M. Rodgers

APPLICANT NAME: Lockwood Estates

TARGET DECISION DATE: 27/05/2013

DEVELOPMENT TYPE: Large Major - Other

CASE OFFICER: George Backovic

RECOMMENDED DECISION: Grant Planning Permission

Description:

The Site: Situated in the open countryside within a relatively flat open landscape east of the A15, approximately 3.2 kilometres west of Spridlington and 1.7 kilometres as the crow flies to Hackthorn which lies to the south east. The site is accessed off a 300 metre unnamed track that joins Cliff Road to the north. To its west parallel to the track runs a line of mature trees. The track leads to a group of buildings which comprises Grange Cottage, Grange Barn and a large open cattle barn. To the rear of these buildings are the concrete footprints partially covered in moss of buildings that used to be present in the Grange Farm complex. The site is completely surrounded by arable land.

Proposal

An Anaerobic Digestion plant is proposed. Anaerobic digestion is a natural process in which microorganisms break down organic matter, in the absence of oxygen, into biogas (a mixture of carbon dioxide and methane) and digestate. The digestate can be used as a renewable fertiliser or soil conditioner. The vast majority of the biogas produced is proposed to transfer into the gas network via a gas utility substation. It will also be used to power CHP engines, which in turn will produce electricity to meet the power requirements of the AD plant. The site area is 2.07 hectares which includes the access road and proposed additional planting with the developable area accounting for 1.7 hectares. The crops used will be primarily grass and maize feedstock sourced from the applicants' wider farm holdings. It is intended to process 25,000 tonnes of crop annually.

Physical works

The AD plant is to be located to the rear of the existing farmstead buildings and beyond the footprint of the demolished buildings. It comprises a number of elements. A new access road off the existing track will run to the east in

front of Grange Cottage and then northwards culminating in a concrete apron running along the front of three silage clamps. These run from north to south and are 100 metres in length each measuring 25 metres in width. They are constructed of concrete and will be open at one end. The walls enclosing the sides of the clamps are 2.6 metres in height and the maximum height of crops under cover will reach 5.2 metres. The second main element of the development will be the containers and associated technical buildings. These are located between the silage clamps and the group of farm buildings. The largest structure will be a domed storage tank that will be sunk into the ground by 1 metre giving a maximum height above ground level of 13.50 metres with a diameter of 34.66 metres. A smaller domed storage tank also sunk into the ground with a diameter of 24.52 and height above ground of 10.80 metres is proposed. The final tank is flat roofed with a diameter of 19.10 metres with a height above ground level of 7.40 metres. There is 1.2 metre high safety railing along the roof edge. Immediately south of this tank is a feed hopper 20.5 metres wide with a maximum height of 4.25 metres. The CHP unit is located to the east and is a flat roofed rectangular structure with plant on the roof. The biogas upgrade system which treats the gas before it goes into the grid is located on the opposite side and is a series of structures with a maximum height of 3.1 metres on a grid measuring 12.5 metres by 15 metres. A new attenuation pond is proposed to the east of the new access. New planting, using native tree and shrub species is proposed around the eastern, southern and western boundaries.

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: None relevant

Representations:

Chairman/Ward member(s): No comments received

Parish/Town Council/Meeting: Clerk to Ingham Parish Council:

Concerned about the impacts of the proposed development:

- Increase traffic in an already busy area as large quantities of biomass are delivered to the facility
- Visual impact driving out of Ingham towards the A 15
- Odours
- Deterioration in the air quality

Spridlington Parish Council: Object to the proposals on the following grounds:

- Prevailing winds will carry odour towards Spridlington
- Disturbance from noise and vibration of additional traffic
- Reduced Air Quality

- The conservation area already has HGVs using the village as a through route for most of the year and the roads are not suitable for heavy traffic evidenced by the dangerous state of the tarmac and verges
- Quality of life for residents will suffer
- At a meeting of residents called by the Parish on 19th March 2013 the applicants admitted that vehicle movements had been under-reported. Tractors and trailers not HGVs will be used predominantly and most solid digestate will be transported on two way journeys. Vehicle movements will be more than double that quoted in the report
- Trailers cannot pass without mounting the pavement. The village has dangerous bends and junctions and does not allow two trailers to pass without mounting the pavement
- Spridlington will be exposed to traffic being routed to it from surrounding Parishes. Routes are available from these parishes to the A15 avoiding Spridlington
- One of the partners of the project has previously caused traffic problems and the current restrictions in place should be mirrored

They request that if permission is granted a condition should be imposed prohibiting traffic passing through Spridlington.

Hackthorn and Cold Hanworth Parish Council: Concerns have been raised regarding the vehicles to be used for the operation of this plant. Request that no vehicles used in the operation of this plant are allowed to drive through the village of Hackthorn and have to find an alternative access route.

Local residents: Objections have been received from or on behalf of **24** properties: Sunnymead, Faldingworth Road, Rose Cottage, Faldingworth Road, Lynton, Faldingworth Road, The Old Barn, Faldingworth Road, Old Chapel, Faldingworth Road, Glebe Barn, Church Hill, Stamford House, Church Hill, Mill House, Cliff Road, The Thorns, The Old Post Office, Faldingworth Road, Stony Rise, Faldingworth Road, Daisy Cottage, Church Hill, The Strip, Owmbly Road, Spridlington Manor Farm Ltd. Hackthorn View, Cliff Road, 2 Manor Farm Cottages, Brindle House, Owmbly Road, The Grove, Owmbly Road, The Old Vicarage, Main Street, Manor Farm, Hackthorn Manor Peartree Cottage, Faldingworth Road, Paddock House and Toledo, Faldingworth Road

Objections are made on the following grounds:

- Increase in intensity and frequency of heavy tractors and trailers and lorries coming through Spridlington
- Will damage existing unsatisfactory and narrow roads
- Damaging psychological impact on residents
- Dangerous to users of roads and pedestrians alike
- Unsafe
- Should be built across the A15 closer to the gas mains
- Unacceptable increase in noise and disturbance to residents
- Regular accidents on roads

- Submitted highway information is a gross understatement and misleading and in reality there will be much greater vehicle movements than indicated
- Two way passing on roads not possible without mounting verge or pavement
- Restrictions on well site need to be applied to this proposal
- Crops grown in Cold Hanworth will have to pass through Spridlington
- New crops to be grown will have a higher yield and require many more vehicles to transport them than required presently
- No respite as a 24 hour operation proposed
- Although overall HGV mileage may be reduced this will be at the expense of Spridlington which already has too much current HGV traffic
- Odours
- Visual impacts as a 14 metre high digester will be visible from the A15 and Cliff Road
- A15 already carries high loads of traffic and this will make it worse and unsafe
- Environmental hazards posed by digestate leaking as shown by leakage of 8 million litres at Harper Adams College
- Wind frequency is greater than quoted in the submitted information leading to a wider dispersal of odours
- No mention of protection of existing land drain and watercourse
- Manor Farm has three residential properties for let and do not house farm employees
- Reduction in Air Quality
- Verges on the roads have cowslips growing on them which are a protected species
- 3 locations considered but all on the same site
- Lincolnshire County Council, some Members of Parliament and many Parish Councils are fighting to oppose such renewable energy developments such as wind farms.
- No consultation with the Spridlington community
- Any approval should prohibit any traffic associated with this proposal from passing through Spridlington
- It is EIA development
- No economic analysis or business case put forward
- A full economic appraisal is required
- Impact on Listed Buildings of Hackthorn Hall and Hackthorn Manor approximately 1.2 km from the proposal
- Should be located in an industrial area
- Electricity Supply already interrupted due to high vehicles ripping out overhead cables

Environment Agency: No objections subject to the imposition of a suggested drainage condition.

LCC Highways: Following the submission of additional information provided by the applicant, the Highways Authority now considers that daily traffic

generation through the neighbouring villages will be low. Although it is recognised that parts of the highway network through Spridlington village are too narrow to allow for two agricultural vehicles to pass, the likelihood of such is low. It would therefore be unreasonable to expect the applicant to carry out mitigation works. The farms that will be used to supply the plant already generate trips onto the local highway network. For the reasons stated above, the highways authority does not consider the proposal to be of detriment to highway safety or traffic capacity. Conditions are also suggested.

Natural England: It does not appear to fall within the scope of consultations that Natural England would routinely comment on.

Archaeology (LCC): After consultation with this office, archaeological evaluation in the form of a desk based assessment and a geophysical survey was taken on this site in advance of a planning application. The results indicate that the archaeological potential for the proposed development site is low and therefore no further archaeological input is required.

Public Protection: Following the submission of the additional information (Air Quality Addendum and Wind Rose) **no objections** are raised to the proposal

Environment: I have **no objections** to the proposals providing the landscape planting indicated is carried out. It would be preferable for some locally characteristic field maple to be incorporated into the tree planting species list to provide some dense leaf cover.

Relevant Planning Policies: **Development Plan**

- **West Lindsey Local Plan First Review 2006 (saved policies)**

STRAT1 – Development requiring planning permission
<http://www2.west-lindsey.gov.uk/localplan/written/cpt3a.htm>

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

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

ECON 4 - Farm Diversification
<http://www2.west-lindsey.gov.uk/localplan/written/cpt7.htm>

NBE 8 – Historic parks and Gardens
<http://www2.west-lindsey.gov.uk/localplan/written/cpt11.htm>

NBE10 – Protection of landscape character and Areas of Great Landscape Value.
<http://www2.west-lindsey.gov.uk/localplan/written/cpt11.htm>

NBE17 – Control of potentially polluting uses
<http://www2.west-lindsey.gov.uk/localplan/written/cpt11.htm>

The plan policies were saved in 2009 but the adoption of the Plan itself dates from 2006 and was adopted under the 1990 Act rather than the 2004 Act. These policies have been afforded full weight in the following assessment as they, in this particular instance for this specific proposal, echo the thrust of the policy framework provided by the National Planning Policy Framework

Other relevant policy

- **National Planning Policy Framework (2012)**
<http://www.communities.gov.uk/publications/planningandbuilding/nppf>
- **Anaerobic Digestion Strategy and Action Plan (June 2011)**
https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/69400/anaerobic-digestion-strat-action-plan.pdf
- **The Renewables Directive - Directive 2009/28/EC (April 2009)**
<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:32009L0028:EN:NOT>
- **Circular 11/95 “Use of Conditions in Planning Permission”.**
https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/7715/324923.pdf

Main issues

- The principle of development in this open countryside location (STRAT 1 and STRAT 12 and the National Planning Policy Framework)
- Highway Safety (STRAT 1)
- Visual Impact (STRAT 12 and NBE 10)
- Impact of the proposals on the living conditions of nearby dwellings (STRAT 1)

Assessment:

Principle

Policy STRAT12 is restrictive of development in the countryside that is not related to agriculture, forestry, a use that requires a countryside location or one that can be supported by another development plan policy.

The National Planning Policy Framework (NPPF) is a material consideration of substantial weight and establishes a presumption in favour of sustainable development. One of the core planning principles in the National Planning Policy Framework (NPPF) is to “support the transition to a low carbon future” and “encourage the use of renewable resources” (paragraph 17). Section 10 of the NPPF deals with meeting the challenge of climate change and planning

is seen as taking a key role in “supporting the delivery of renewable and low carbon energy and associated infrastructure” which is “central to ...sustainable development” (paragraph 93). Local Planning Authorities should “have a positive strategy to promote energy from renewable and low carbon sources”. Paragraph 98 of the NPPF says that applicants for energy development should not be required to demonstrate the need for renewable or low carbon energy and also recognise that even small-scale projects provide a valuable contribution to cutting greenhouse gas emissions. Applications should be approved if the projects impacts are (or can be made) acceptable.

Information submitted with the application indicates that the proposed AD plant will produce up to 2,500 MWh of electricity energy annually. This will provide enough electricity for up to 757 dwellings based on the average residential dwelling consuming 3.3 MWh of electricity annually (Ofgem, 2011).

Assessing the proposal simply as one which generates energy from renewable sources is sufficient to attract support for the principle. In this case, however, it also supports the diversification of the wider farm holdings which is supported by ECON 4. The production of bio-fertiliser from this process will reduce dependency on mineral fertiliser as well as improving the overall soil fertility of the Lockwood Estates Farm holding. The principle of the proposals is therefore accepted and supported. The proposal also finds support from the NPPF in terms of promoting the rural economy (paragraph 28).

Highway Safety

The application was supported by a “Transport Summary”. This stated that 95% of the requirement in terms of maize and grass silage would be sourced from farms within a 6 mile radius owned by the applicants and the remaining 5% from a radius of 10 miles. This essentially argued that there would be a reduction in vehicle mileage as a result of the proposals for three reasons:

1. The crops from these farms at present are transported to processing plants in Newark, Doncaster and Manchester
2. Reduction in grain production will lead to the need for transportation to grain storage facilities
3. Reduction in deliveries of energy intensive chemical fertilisers from the Baltic via Humberside Port

Highways officers sought clarification that the construction traffic would travel to the site via the A15 and requested the locations of the likely suppliers as well as the likely routes of the delivery vehicles on the highway network to enable the effects on the surrounding roads and villages to be assessed. This was also sought for outgoing traffic. It was also stated that the existing site access needed to be improved to include 10 metre radii kerbs at the junction. It was subsequently confirmed that the A15 would be used for construction traffic. Plans were also submitted showing the potential source of biomass crops. These comprised land holdings at Ingleby, Burton Cliff, Riseholme, Scampton/Aisthorpe/Brattleby, Cammeringham, Welton, Cold Hanworth, Spridlington Grange and West Firsby. Two routing maps were provided including one of the route from Cold Hanworth to the site without going

through the centre of the village of Spridlington. The applicant also revised and updated the HGV movements in response to comments they say were made at a meeting on 19 March by Spridlington Parish Council. They were concerned that the HGV movements were misrepresented as they were based upon an average 20 tonne HGV. In practice the applicant states that most of the inward movement will be 14 tonne loads on tractor trailer whilst outward movements of digestate will be 29 tonne loads for liquid and 20 tonnes for solid. These are to be primarily directed to land which has lighter soils to the north, south and west of the plant. The updated annual traffic details show 12,000 tonnes of liquid digestate moved out of the site on 29 tonne HGVs (414 loads) and 7,000 solid digestate on 20 tonne HGVs (350 loads). 10,000 tonnes of grass silage and 15,000 tonnes of maize are to be delivered to the plant in 14 tonne loads on a tractor trailer (1785 loads)

Following examination and consideration of this additional information no objections to the proposal on the grounds of detriment to highway safety or traffic capacity are raised by Highways. Conditions to secure and agree the details of the access improvement will be required. It was requested by Highways that a condition be imposed requiring construction traffic to access the site from the A15. This would not be enforceable and so would fail one of the tests in Circular 11/95 "Use of Conditions in Planning Permission". This was relayed to Highways and the question was asked as to whether this would change their recommendation. The answer was that it would not and it was noted that the applicant had already stated that this would be the route for construction traffic.

Objectors to the proposals state that the crops to be grown will have a higher yield and require many more vehicles to transport them than required presently and the mention of crops such as sugar beet not currently grown by the applicants' farms that would generate greater yields. These comments are noted but are not considered a material planning consideration as it is open to any farmer to alter crop patterns at any time without recourse or requirement for planning permission.

Visual Impact

It is of relevance in the consideration of potential impacts to note that the landscape is not a designated Area of Great Landscape Value (AGLV) nor does it fall within an Area of Outstanding Natural Beauty (AONB). Approximately 1.7 kilometres to the south east of the application site is the Grade I Listed Hackthorn Hall which sits within a wooded and enclosed historic park and garden which is itself Grade II registered which contains a number of listed buildings including St Michael's Church. Approximately 1.6 kilometres to the east is a listed Grade II Barn and Farmhouse known as Hackthorn Manor House. Neither set of buildings are discernible from the application site due to distance separation and topography and existing hedgerows and mature trees which provide enclosure and screening. It is therefore considered for the reasons outlined above that there will be no adverse impact on Heritage assets or their setting

Within the West Lindsey Landscape Character Assessment (1999) the site falls within the “Limestone Dip Slope”. Key characteristics’ of this include open exposed landscape with redundant airfields in the west; straight roads and track ways, many of which are ancient enclosure roads; individual lines of trees are important landscape features and Historic Halls and parkland landscapes. The most sensitive parts of this landscape are considered to be:

- Narrow winding lanes with abrupt turns and junctions
- Hedgerows and wide verges on enclosure roads
- Local landscape features at entrances to villages along undulating north-south roads
- Limestone walls
- Dip-slope streams
- Lines of trees and individual specimen trees (oak and ash)
- Pockets of lime stone grassland on roadside verges and in minor dry valleys

In terms of the existing landscape the most distinctive element is the line of mature sycamores that runs north to south parallel to the west of the farm access road and the trees extend to the east along the front of the farm buildings and become a mixed plantation of young to mature broad leaved trees. North and east of the buildings is a small copse of trees containing young to early mature trees including sycamore, ash and silver birch. There is also a line of trees to the east of the buildings. These are all to be retained as part of the current proposals. The application site which is simply arable land is not considered a “sensitive” part of the landscape as referred to above.

The plant is to be located to the rear of the farm stead and will benefit from partial screening afforded by the existing farm buildings although the domed tops will be seen above the ridge of the roofline of the main building when viewed from the site entrance on Cliff Road. Views from the east towards Spridlington are limited by roadside and field hedgerows. The most prominent structure which will be visible from longer distance views will be the larger domed tank at a height of 13.5 metres above ground level. It is also the closest structure to the existing farm buildings. Tree planting reinforcing and continuing the existing landscape is proposed to the eastern, southern and western boundaries. Users of the A15 are on higher ground than the proposed biomass works, and the hedgerows are kept trimmed so vehicles currently have clear views across the hedgerow tops into the site although these will be at a distance as the dome is set back within the wider site and at its closest point is still 480 metres from the A15. Views will be fleeting and transitory whilst travelling on this busy road. The nearest publicly available vantage point is Cliff Road and the distance from the closest part of the plant (the larger storage tank) to the road is over 430 metres. It is important to accept that although views of the structures are visible this in itself does not make the proposals unacceptable. It is not uncommon to see large steel grain store silos “industrial” in appearance within the agricultural and rural landscape that are far greater in size and scale than the current proposal. Within the backdrop of the large wide expanse of the countryside the proposal will be viewed in the context of the existing group of buildings and will be read

as part of a single farm holding in the wider landscape. The landscaping proposed will over time provide screening and help to integrate the plant within the wider landscape which is capable of absorbing the impact of this development. The careful selection of an appropriate colour for the structures can further help the cause of integration. This is capable of being dealt with by conditions. Changes have been requested to the submitted landscaping proposals which will result in improved screening. This is capable of being dealt with by imposition of a landscaping condition. The visual impact of the proposed development is therefore considered to fall within acceptable levels and does not represent a reason to withhold consent.

Residential Amenity

The site is in the open countryside over 3 kilometres from the village of Spridlington and 1.7 kilometres from Hackthorn as the crow flies. The closest dwelling not in the ownership of the applicant is approximately 850 metres to the north east of the site on the opposite side of Cliff Road, Manor Farm Cottages which are located within an existing working farmstead. A combined Air Quality, Odour and Noise Screening Statement was submitted in support of the application. The parameter and scope of it was agreed with WLDC Public Protection Officers prior to the submission of the formal planning application. Following the submission of requested additional information in relation to air quality including a wind rose plan it was concluded that impacts in relation to air quality, noise and odour are within acceptable limits and do not represent a reason to withhold consent. A large number of the objections have been received on the grounds of noise and disturbance from the perceived large increase in traffic particularly HGV Lorries travelling through existing villages. It is relevant to this issue to note the consideration given to this matter by Highways officers “that daily traffic generation through the neighbouring villages will be low” and that “the farms that will be used to supply the plant already generate trips onto the local highway network.”

Other Matters

Flood Risk – The National Planning Policy Framework and the Technical Guidance to it promotes the application of a sequential approach, so that sites for new development are directed to areas at the lowest probability of flooding (Zone 1). The application site falls within Zone 1. Clean surface water run-off from impermeable areas will be collected in a gully, slot drain and filter drainage system to be discharged to an attenuation pond designed to accommodate up to and including a 1 in 100 year storm event plus climate change. It is proposed to discharge into a ditch to the north east at existing Greenfield run off rates. Leachate will be collected from the silage clamp by a separate drainage system which will feed this back into the digester to generate energy in a continuous loop. There are no objections to the proposal from the Environment Agency subject to the imposition of conditions.

Biodiversity and Ecology - An Extended Phase 1 Habitat Survey was undertaken. The report identifies that the majority of the land affected by the proposal will be arable fields, which are considered to be of low ecological value. It is not anticipated the development would impact upon any statutory or designated sites due to distances from the site. Root protection areas are

recommended for the trees to be retained including those in the copse and along the access. This can be conditioned. No signs of bats were identified during the survey of the buildings although it was noted that the trees and hedgerows provide foraging opportunities and may also provide an important commuting route connecting potential roost sites with extensive foraging habitats in Hackthorn. The proposed stand off from the trees and hedgerows was considered sufficient to protect the nature conservation interest of the farm for bats with the recommendation that lighting be avoided along the western edge of the site to prevent light spillage on hedgerows. This can be conditioned.

Objectors Comments - Some of the comments are addressed in the assessment above. There is no planning requirement to assess alternative sites. This is not EIA development, a screening opinion was requested and issued to that effect. An economic or business appraisal is not required to support this proposal. Land drainage maintenance issues are not planning considerations. The technical failure of the digestate systems on another plant is not a consideration material to the planning merits of this application. The condition of the public roads in the area is not a planning consideration. The reference to restrictions at the Well Site is not relevant to the consideration of this application. The views of Lincolnshire County Council, M.Ps and Parish Councils in opposition to some forms of renewable energy are noted but not relevant to the consideration of this application

Conclusion and reason for decision

This is a proposal that subject, to the imposition of the conditions discussed above, is not considered to devalue or cause significant harm to the character or appearance of the open countryside, or to the living conditions of nearby dwellings and will positively contribute to meeting national targets for reducing carbon emissions and the development of renewable energy sources. It will also support the development of an existing established rural enterprise. Therefore having considered the proposal against the provisions of the development plan and specifically Saved policies STRAT1, STRAT 12, CORE 10, NBE 8, NBE 10 and NBE 17 of the West Lindsey Local Plan First Review 2006, as well as against all other material considerations including the National Planning Policy Framework (2012) it is considered that the proposal is acceptable and a grant of planning permission subject to conditions is considered appropriate.

Recommendation: Grant planning permission subject to the 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. Before development commences on site further details relating to the vehicular access to the public highway, including materials, specification of works and construction method shall be submitted to the Local Planning Authority for approval.

Reason: In the interests of safety of the users of the public highway and the safety of the users of the site in accordance with Policy STRAT 1 of the West Lindsey Local Plan First Review 2006 (Saved Policies)

3. Notwithstanding the submitted plans no development shall take place until details of all external walling and roofing materials including colour and finishes have been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the use of appropriate materials and colour to assist the integration of the development within the wider open countryside and to accord with Policies STRAT 1 and NBE 10 the adopted West Lindsey Local Plan First Review 2006 (Saved Policies).

4. No development shall take place until a scheme for the lighting of the site has been submitted to and approved in writing by the Local Planning Authority. The agreed details shall be implemented in accordance with the approved details

Reason: To minimise light pollution and potential glare in order to safeguard the amenity of residents and to reduce the prominence of the site which is located in the open countryside, and to accord with Policy STRAT 1 of the West Lindsey Local Plan First Review 2006 (Saved Policies).

5. No development shall take place until, a scheme of landscaping including details of the size, species and position or density of all trees to be planted, and measures for the protection of trees to be retained during the course of development have been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that a landscaping scheme to enhance and integrate the development within the open countryside is provided in accordance with Policies STRAT 1, CORE 10 and NBE 10 of the West Lindsey Local Plan First Review 2006 (Saved Policies)

6. No development shall take place until the measures to safeguard the trees and hedgerows outlined in the recommendations contained in the REC Extended Phase 1 Habitat Survey Dated 14th January 2013 are in place and shall thereafter be retained until the completion of development.

Reason: To ensure that the nature conservation interests of the site is maintained and enhanced and to accord with Policy STRAT 1 of the West Lindsey Local Plan First Review June 2006 (Saved Policies) and the National Planning Policy Framework 2012.

7. No development shall take place until a surface water drainage scheme and strategy for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development has been submitted to and approved in writing by the Local Planning Authority. The strategy should demonstrate that the surface water run off generated up to and including the 100 year critical storm plus climate change will not exceed the run off from the undeveloped site following the corresponding rainfall event.

Reason; To ensure that a satisfactory surface water disposal scheme is implemented to reduce the risk of flooding in accordance with policy STRAT1 of the West Lindsey Local Plan First Review 2006 (Saved Policies) and the National Planning Policy Framework 2012 and Technical Guidance to the National Planning Policy Framework

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

8. 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: 17848/01 Rev B, 17848/03 Rev E, 17848/011 Rev B date stamped 25 FEB 2013 and 17848 "Flare Front Elevation" dated 15th march 2013. 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 Policy STRAT 1 of the West Lindsey Local Plan First Review 2006 (Saved Policies)

9. The vehicular access shall incorporate 10 metres radii tangential to the nearside edge of the carriageway of Cliff Road and the minimum width of the access shall be 6 metres.

Reason: In the interests of safety of the users of the public highway and the safety of the users of the site in accordance with Policy STRAT 1 of the West Lindsey Local Plan First Review 2006 (Saved Policies)

10. The development shall be carried out in accordance with the measures stated in the mitigation section of the Extended Phase 1 Habitat Survey dated November 2012.

Reason: To ensure that the ecological value of the site is maintained and enhanced and to accord with Policy STRAT 1 of the West Lindsey Local Plan First Review June 2006 (Saved Policies)

11. The development shall be carried out using the external walling and roofing materials and details as agreed by the Local Planning Authority and referred to in condition 3.

Reason: To ensure the use of appropriate materials to assist the integration of the development within the open countryside and to accord with Policies STRAT 1 and NBE 10 the adopted West Lindsey Local Plan First Review 2006 (Saved Policies).

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

12. All planting, seeding or turfing comprised in the approved details of soft landscaping referred to in condition 5 above shall be carried out in the first planting and seeding season following the completion of the development, whichever is the sooner; 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 shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation and shall thereafter be retained in perpetuity.

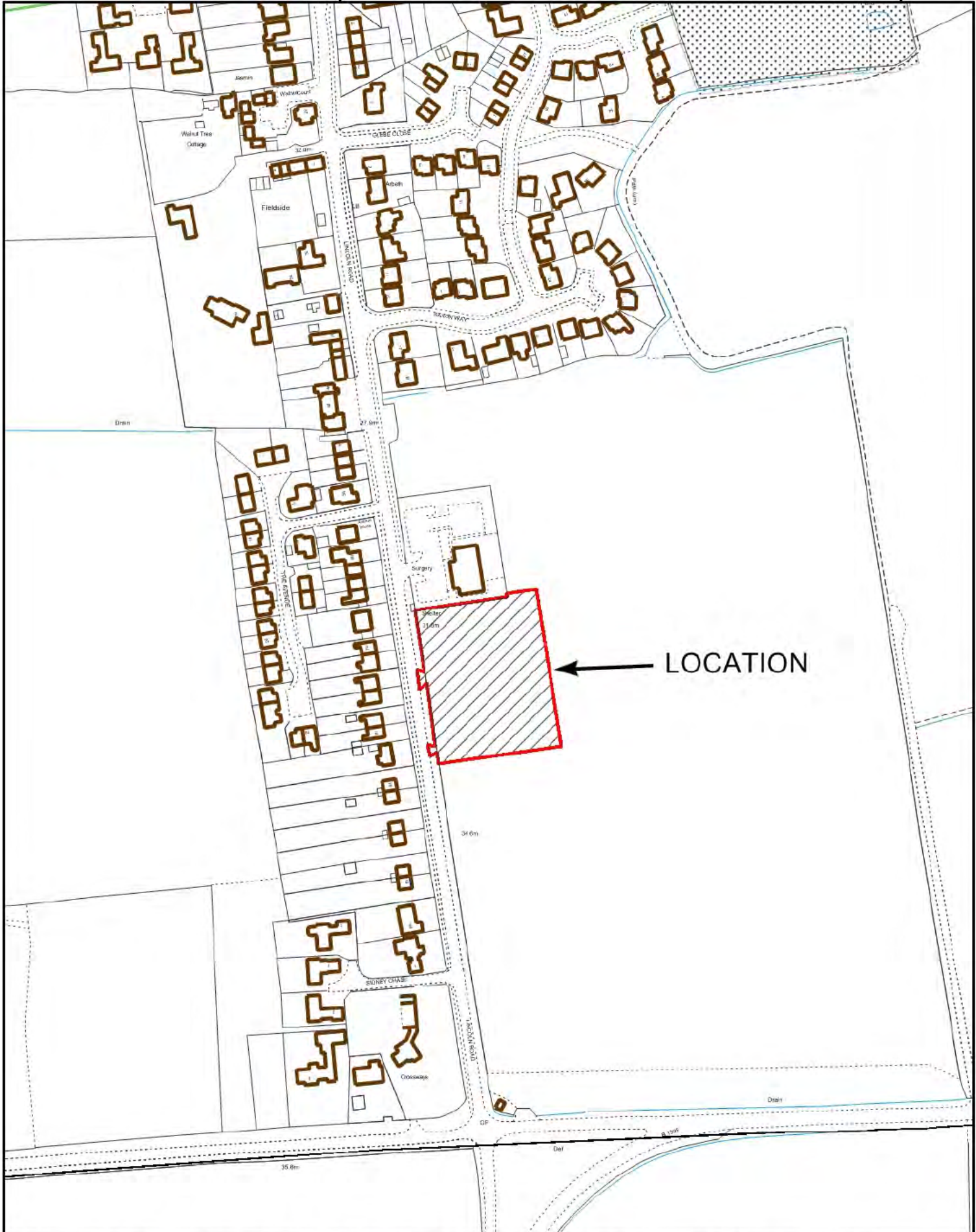
Reason: To ensure that a landscaping scheme to enhance and integrate the development within the open countryside is provided in a speedy and diligent way and that initial plant loss is overcome in accordance with Policies STRAT 1, CORE 10 and NBE 10 of the West Lindsey Local Plan First Review 2006 (Saved Policies)

13. The development shall not be brought into use until the approved surface water drainage scheme referred to in condition 7 above has been provided. It shall thereafter be retained and maintained.

Reason; To ensure that a satisfactory surface water disposal scheme is implemented to reduce the risk of flooding in accordance with policy STRAT1 of the West Lindsey Local Plan First Review 2006 (Saved Policies) and the National Planning Policy Framework 2012 and Technical Guidance to the National Planning Policy Framework

14. The development shall not be brought into use until the approved access details referred to in condition 2 have been provided and shall thereafter be retained at all times.

Reason: In the interests of safety of the users of the public highway and the safety of the users of the site in accordance with Policy STRAT 1 of the West Lindsey Local Plan First Review 2006 (Saved Policies)



Officers Report

Planning Application No: 129648

PROPOSAL: Planning application for the erection of 17no. dwellings consisting of 7no. affordable and 10no. open market properties with access onto Lincoln Road.

LOCATION: Land at Lincoln Road Ingham Lincoln

WARD: Scampton

WARD MEMBER(S):

APPLICANT NAME: Mr Wilson

TARGET DECISION DATE: 22/05/2013

DEVELOPMENT TYPE: Small Major - Dwellings

CASE OFFICER: Zoe Raygen

RECOMMENDED DECISION: That the decision to grant permission subject to conditions be delegated to the Director of Regeneration and Planning upon the completion and signing of an agreement under section 106 of the amended Town & Country Planning Act 1990 which secures:-

1. Which homes are affordable and when they are delivered in the context of the delivery of the open-market homes.
2. The criteria for the first and subsequent occupancy of the affordable homes.
3. The mechanisms for ensuring the affordable homes are affordable .

Description: The application site currently forms part of a field located immediately south of the Ingham medical centre on Lincoln Road. The site has a hedgerow forming its boundary to the road and to the doctors surgery with the remaining boundaries being open to the surrounding open countryside.

The site is allocated as an Area of Great Landscape Value within the West Lindsey Local Plan First Review 2006.

The proposal is to erect 17 houses accessed from a new access created to Lincoln Road. The houses proposed are as follows:

- 1 two storey house for shared ownership (plot 1)
- 2 two storey houses for social rent (plots 2 and 3)
- 2 apartments for social rent (plots 4 and 5)
- 2 bungalows for social rent (plots 6 and 7)
- 2 semi detached houses for market housing (plots 8 and 9)
- 8 detached houses for market housing (plots 10-17)

The application is classed as being a major development and the applicants have entered into a Planning Performance Agreement with the authority. Planning Performance Agreements were introduced in 2008 and are about

improving the quality of planning applications and the decision making process through collaboration. This particular agreement sets targets outside of the national targets for the realistic determination of the application, taking into account the specific work required for the application. In addition it outlines the positive and proactive manner in which the application will be administered by all parties.

Relevant history: There is no relevant planning history

Representations:

Chairman/Ward member(s): None received

Parish/Town Council/Meeting: Ingham Parish Council:

- Parking on Lincoln Road – The major concern for the Parish Council and the well attended public meeting was that the houses with doors directly accessing Lincoln Road would encourage parking outside these properties. This is a common feature of the village and parking here causes difficulties at present and is of particular concern to those exiting the Doctors surgery and The Avenue. The Parish Council therefore consider that the existing layout plan is not sympathetic to Ingham residents
- Construction phase – would like restrictions placed on developers to contain construction parking to within the site
- Affordable/Social housing – Disappointed that only one property is for shared ownership to assist people to gain access to the housing ladder.
- Other Concerns – at public meeting concerns raised regarding sewage and top water disposal as well as school capacity. Trust that suitable assurances have been obtained from relevant authorities
- Ingham Parish Council support the Doctors concerns with respect to limitations to expansion of parking provision that the proposed affordable / social housing development would impose on Ingham Practice and feel that it is vital to the community that a solution is found. Dr Sultan has approached the landowner about the purchase of land to the south of the surgery for this purpose, however the costs seem prohibitive. Ingham Parish Council believe that a s106 agreement should be sought for the 12 metres of land to the south of the surgery and 12 meters to the east of the surgery for the purpose of providing additional parking provision for an expected increase in number of patients using Ingham Practise

Local residents: Letters of objection have been received from the residents of 82 Lincoln Road, 74 Lincoln Road and 72 Lincoln Road and 10 North Street Nettleham on behalf of resident at 74 Lincoln Road on the following grounds:

- Danger to the public with more traffic turning onto and off Lincoln Road and using Lincoln Road leading to more accidents
- Drains blocked and overflows of sewage already
- Village can not cope with extra residents due to limited facilities and impact on services such as schools, doctors, postman, neighbourhood watch

- Waiting times at doctors will be increased
- Impact of the noise of Red Arrows on existing residents
- Concerned about impact of increased parking on Lincoln Road
- Entrance directly opposite house and concerned about impact of headlights
- Loss of hedgerow and impact on wildlife
- Concerned it will set a precedent for further development up the hill
- Visitors unable to park outside houses opposite safely

Letter of objection from the adjacent Doctors surgery:

- Overlooking from the rear gardens of plots 6 and 7 and the rear windows of plots 1 2 and 3 into the consulting rooms will occur and be accentuated by difference in land level of 1.2 metres
- Car parking court directly opposite central consulting room and will be affected by noise from motor vehicles and possibly children playing
- Dwellings should be pushed further back to ensure a buffer zone.
- Lack of car parking at the surgery and need for further expansion so needs a further area of land to be available

LCC Highways: No objections subject to the addition of conditions to secure the layout

Environment Agency: No comments

Archaeology: The Ingham area has historic assets ranging from the prehistoric period to the present day. There are two foci of Roman settlement in the immediate vicinity one at the top of the cliff was seen as crop marks and was dated from pottery and coins. A second focus is within or nearby to the settlement of Ingham and various finds have been recovered within the village including two pieces of Roman hypocaust tile which imply that there is a high status structure with under floor heating within the vicinity.

The settlement of Ingham has its roots in the Anglo Saxon period. Pottery and ditches dating to the Saxon period have been uncovered in the village and were thought to be part of a small farmstead as well as a tentatively interpreted timber structure. A 7th century hanging bowl has also been found nearby. At the time of the Domesday survey Ingham contained 8 manors and a population of 20 heads of households. The Medieval church became dilapidated and was rebuilt in 1792.

The proposed development site has the potential to contain significant historic assets. In the first instance I would recommend that this should be the non intrusive evaluation of a geophysical survey, the results of which would inform if and where any further intrusive archaeological evaluation trenches should be located.

Anglian Water: The foul drainage from this development is in the catchment of Ingham STW that at present has capacity for the flow. The surface water strategy as detailed on drawing 2012.4201.01 is acceptable and should be

reflected in the planning approval. Therefore no objections subject to condition.

Building Control: None received

Lincolnshire Police crime reduction and community safety:

Lighting

A lighting scheme needs to be designed for the development that has to deter intruders and reduce the fear of crime this should include the parking court and private drive.

Well-specified and sited lighting will deter and reveal potential intruders.

All lighting must be automatically controlled by photoelectric sensor or time switch.

Landscaping

Landscaping should not impede the opportunity for natural surveillance and must avoid the creation of areas of concealment. Any landscaping should be kept to a maximum growth height of 1 metre. Whilst any tree should be pruned up to a minimum height of 2 metres, thereby maintaining a clear field of vision around the development. Trees when fully grown should not mask any lighting columns or become climbing aids.

Relevant Planning Policies:

National Guidance

National Planning Policy Framework – Part 6 Delivering a wide choice of quality homes, Part 7 – Requiring good design

- West Lindsey Local Plan First Review 2006 (saved policies - 2009). The site is outside of the settlement limit for Ingham and is therefore defined as being open countryside. The following policies are considered applicable:-

STRAT 1 Development Requiring Planning Permission

<http://www2.west-lindsey.gov.uk/localplan/written/cpt3a.htm>

STRAT 3 Settlement hierarchy

<http://www2.west-lindsey.gov.uk/localplan/written/cpt3a.htm>

STRAT 9 Phasing of Housing Development and Release of Land

<http://www2.west-lindsey.gov.uk/localplan/written/cpt3b.htm>

STRAT 12 Development in the open countryside

<http://www2.west-lindsey.gov.uk/localplan/written/cpt3b.htm>

SUS4 – Cycle and pedestrian routes in development proposals

<http://www2.west-lindsey.gov.uk/localplan/written/cpt4.htm>

SUS 7 Building materials and components

<http://www2.west-lindsey.gov.uk/localplan/written/cpt4.htm>

RES 1 Housing Layout and Design

<http://www2.west-lindsey.gov.uk/localplan/written/cpt6.htm>

RES 2 Range of housing provision in all housing schemes

<http://www2.west-lindsey.gov.uk/localplan/written/cpt6.htm>

RES 5 Provision of play space/recreational facilities in new residential development.

<http://www2.west-lindsey.gov.uk/localplan/written/cpt6.htm>

RES6 Affordable housing provision

<http://www2.west-lindsey.gov.uk/localplan/written/cpt6.htm>

CORE 10 Open Space and Landscaping

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

NBE10 Protection of Landscape character and Areas of Great Landscape Value.

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

NBE 14 Waste Water Disposal

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

NBE20 Development on the edge of settlements

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

The above policies were saved in 2009 but the weight afforded to them must be considered in the context of their conformity with the National Planning Policy Framework 2012. The policies have been assessed and are considered to be compliant with the National Planning Policy Framework.

Main issues

- Principle
- Sustainability of location
- Flood risk and drainage
- Design landscaping and visual impact
- Highway safety
- Residential/community use amenity
- Archaeology

Assessment

Principle

The West Lindsey Local Plan First Review was drafted in 2003 and adopted in 2006. It remains part of the development plan and contains a suite of

strategic (STRAT) and residential (RES) policies that, together with national planning policy, is designed to provide a policy framework to deliver residential development in appropriate locations to respond to need and the Council's growth objectives. These strategic policies together with policy RES6 of the Local Plan Review were originally designed to deliver the majority of open market and affordable homes through allocated sites identified in the same Plan. Other sites would be permitted within settlement limits in the towns and larger, so called Primary Rural Settlements, but there were and still are policies designed to permit housing outside of settlement limits. These include where there is a local need for specific housing, where a countryside use such as farming has identified a functional need and in other exceptional circumstances where material considerations could justify development in locations deemed to be unsustainable. Policy RES7 was included to acknowledge that there would be a need to deliver "exceptions sites" for affordable housing in small and subsidiary rural settlements (as defined by policy STRAT3) to respond to an identified need for such housing in these settlements. Towns and Primary Rural Settlements such as Ingham were explicitly excluded from the provisions of policy RES7 as the allocations included within policy STRAT2 were designed to deliver not only the open market housing to meet the Council's housing strategy but also affordable housing to meet local need. This is because policy RES6 required the Council to seek delivery of around 25% of the total number of dwellings within each allocated site to be affordable homes.

The failure of this framework to deliver affordable homes to respond to specific need in many, although by no means all settlements in West Lindsey is due to a number of factors. These include:-

- Slow delivery rates or no delivery, largely because of subdued market conditions and/or the desire of house builders to control supply and/or the inability of smaller house builders to deliver the larger allocated sites within the Plan period.
- The rigid application of the 25% quantum in some cases which delivered affordable housing but not necessarily affordable housing that responded to the specific local need identified and/or in the right settlement.
- The lack of delivery or under delivery of the affordable housing due to weight being afforded to other considerations such as an objective to complete a site to deliver the needed open-market housing to realise the growth ambitions of the Council and national government policy.
- A demonstration that the delivery of the affordable housing resulted in the overall site development not being viable. Such a viability appraisal includes an assessment of the costs of delivery of a site and estimated revenues to deliver a quantum of affordable housing within a scheme. Members should be aware that officers explore all avenues available to deliver the affordable housing including external funding and later phased delivery of the affordable housing but sometimes, even after examination of these other possible solutions; it is not viable to deliver affordable housing. This can be largely down to the subdued revenues experienced in West Lindsey but can also be affected by abnormal

infrastructure costs. The cost of buying the land, say at the peak of the market and then the developer wishing to deliver the housing during a dip in the market (to maintain cash flow) is a particular factor although “over paying” for the site acquisition at the peak of the market should not alone be a determining factor in justifying the lack of delivery of affordable homes.

Some members may recall that, in response to the lack of delivery in such Primary Rural Settlements, housing has been delivered beyond the defined Local Plan Review settlement limit in Saxilby and North Kelsey. The Saxilby site on Church Lane has now been delivered following the allowing of an appeal whilst the North Kelsey site on Brigg Road was granted permission by members at Planning Committee following an amendment to the housing types.

Such sites can be delivered to meet need but the process is rather developer led and therefore does not necessarily respond at a specific time to the needs of that time or in the right place.

To respond to this issue and specifically the lack of delivery in the larger settlements where such development could be sustainable, Council officers led by the Strategic Housing team embarked on a process that is still ongoing to identify need through surveys, calls for land, assessments of that land and facilitated delivery with stakeholders such as housing associations. You will recall that at the Planning Committee on 6th March planning permission was granted for the exceptions site at Cherry Willingham which had gone through this process and resulted in a scheme of 32 houses, 24 of which were affordable. A similar process has taken place at Ingham and is detailed below:

Date	Action
March 2009	Survey carried out by Community Lincs
May 2009	Survey results published
Spring 2011	Call for land carried out
July - October 2011	Sites assessed
October 2011	All landowners informed of assessment and invited to meet with WLDC Development Team
November 2011	Preferred site identified by PC at public meeting – attended by RHE
November/December 2011	Initial meetings held with landowners
November 2011	Mix determined by WLDC officers
November 2011	RP's informed of proposed scheme and required mix
throughout 2012	Meetings and discussions held with landowner and team re design
October 2012	viability appraisal carried out
January 2013	Public Consultation event held
February 2013	Application submitted

A Parish Housing Needs Survey carried out by Community Lincs in March 2009 identified a need for affordable housing in Ingham. The findings were published in the Ingham Affordable Housing Needs Survey Report May 2009.

The survey identified 9 respondents to be in need of affordable housing. This information was cross referenced with information from the West Lindsey Housing Register and officers were able to determine a specific mix.

Of the 9 households identified through the survey as being in need of affordable housing 4 were identified as being in an immediate need. It was assumed that this need would have been met. This resulted in a need for 5 units of affordable housing. The report suggested that a number of households would return to the village if affordable housing was available. As it is difficult to be specific about their housing need these households were discounted. Information from the West Lindsey Housing Register (October 2011) identified a local need for 2 household requiring bungalows. Based on this evidence of need officers determined the proposed mix to meet a specific local need to be;

3 x 2 bed houses – 1 shared ownership and 2 social or affordable rent
 2 x 2 bed bungalows (over 55's) social or affordable rent
 2 units of single person accommodation for social or affordable rent

A call for land was carried out in Ingham which resulted in a total of 9 pockets of land being assessed. All sites were assessed by officers from both Strategic Housing and Development Management services at the council. This assessment process is part of the usual process carried out by officers at West Lindsey when looking to identify land suitable for the delivery of affordable housing. The process identifies any major constraints there may be. At no time do officers rank sites in any order of priority. Their aim is to bring forward a site which will deliver housing to meet the identified housing need. A site is only deliverable if a landowner is willing to bring forward his land in an appropriate timeframe with a developer and/or registered Provider in partnership to meet such evidenced need.

The Parish Council were informed of all sites. The Parish Council determined that the applicant site was their favoured site although the specific location of the proposal was later queried. It was explained that moving the specific location had been necessary due to the design of the proposal.

All landowners were informed of the outcome of the assessments and invited to meet with officers where they were advised of the housing need for 7 units of affordable housing. They were further advised that as the sites were outside the settlement limit that any scheme brought forward must respond to the evidenced housing need and provide the exact mix of affordable properties which had been specified by the Strategic Housing Team as a result of both the survey and the housing register. They were informed that Policy Res 7 of the West Lindsey Local Plan 1st Review (2006) would allow for an element of market housing to enable the delivery of the affordable housing

and this would be permitted on this scheme subject to an open book viability appraisal.

Discussions took place with the applicant and his team throughout 2012 in relation to the design. An open book viability appraisal was carried out based on the mix of market housing and affordable housing which is the mix brought forward by the applicant. A public consultation event held in January showed much support in principle for the delivery of an affordable housing scheme within the village.

The applicant has chosen a preferred developer and Registered Provider who will provide the detail required for the legal agreement to reflect the realistic delivery mechanism based on the viability of the project.

In summary, despite the site being beyond the settlement limit and on greenfield land, it is considered that the principle of the proposal can be supported as the proposal responds to an identified need and that the number of market houses proposed is necessary to enable the delivery of the affordable units. The overall mix provides opportunities for both first time buyers and those looking to move up the property ladder as well as providing much needed affordable housing for those households who are unable to access the housing market without assistance. No other sites are being brought forward by landowners to meet the outstanding need.

Sustainability of the location

Ensuring that development is sustainable is the key theme of the NPPF and a also a material consideration within policies STRAT1, SUS4 and RES1 of the Local Plan Review.

The site is on the edge of the village. A timed walk between the site and the village centre (village shop, school and public houses) at a pace to reflect varying abilities and the carrying of a shopping bag and accompaniment by children including the pushing of a pushchair took 10 minutes. The return journey took slightly longer, this journey being up hill but the walker likely to be more encumbered by full rather than empty shopping bags. There is a segregated pavement with dropped kerbs for road crossings for the entire length of the route although new pavements would have to be provided on the site frontage and within the site.

The current application site also benefits from a regular bus service (bus stop directly adjacent to the site) connecting the site directly to the village centre as well as Lincoln city centre and the general hospital. This service allows for trips to be undertaken to places of work in the city centre for normal working hours as well as during the day for shopping, school or medical appointments. Therefore, despite being beyond the settlement limit the site is considered to be in a sustainable location. In this context the parking provision proposed is considered to be acceptable.

Flood risk and drainage

There are three different issues that need to be considered relating to flood risk; the sequential preference for sites not at high risk of fluvial flooding, the risk of surface water flooding and the need for foul water to be disposed of via the public sewer. These matters are partially addressed in policy NBE14 relating to waste water disposal, but the main policy considerations are now included within the National Planning Policy Framework and its accompanying Technical Guidance.

With regards to main fluvial flooding, the main thrust of the NPPF, stated in paragraph 101, is to locate development in areas which are at lowest probability of flooding (zone 1), the so called “sequential test.” The site falls within this zone 1 and so the development passes this sequential test.

Turning to surface water drainage, storm water is to be collected in a positive underground drainage system within the site. An adopted storm water network will need to be constructed due to the number of houses and the adoptive nature of the proposed road. The new network will connect to the existing adopted storm network within Lincoln Road. Permission has been granted by Anglian Water for a connection to manhole ref 8151.

Permeability tests were carried out but the site was found to be unsuitable for a SUDS solution because of the presence of underlying stiff clay which does not allow for the percolation of water.

Anglian Water has raised no objection to the proposals subject to the addition of a condition requiring the implementation of the agreed strategy.

Finally, with regard to foul water, it is proposed to discharge into the adopted mains sewer which is the preferred method (circular 3/99 applies) and Anglian Water have confirmed in writing that there is capacity both within the existing system and at the sewage treatment works.

Design, landscaping and visual impact.

These are considerations detailed in policy 3 of the Regional Plan and policies STRAT1, RES1, CORE10 and NBE20 of the Local Plan Review, the latter specifically relevant due to the edge of settlement location. All of the above Local Plan Review policies are afforded significant weight as they echo the general thrust of the NPPF in relation to good design.

Opposite the site is a row of detached and semidetached houses set back from Lincoln Road. The front boundary treatment to the main road is mainly characterised by hedges. The adjacent doctors surgery is sited at a lower level than the application site. The single storey red brick building is set back from the main road behind a hedge with car parking to the front and north. As the road into Ingham progresses the housing becomes more diverse in style. The boundary treatment becomes more mixed although emphasis on hedgerow is still maintained particularly on the east side of the road to a modern housing estate.

The site will be clearly visible from the main road when entering and leaving Ingham as it is sited on the edge of the settlement. However, when travelling south and west towards the site, the houses will be viewed with the context of the existing houses on Lincoln Road to their rear. As you progress down the B1398 heading down hill towards Ingham the existing trees on the north side of the road means that the site is screened from view. Similarly when travelling north from Lincoln the trees provide screening limiting views into the site.

The development is restricted to two storey houses (and incorporates two bungalows) and includes for the provision of a hedge around the curtilage of the site. The detailing of this and planting within the gardens of properties adjacent to the open countryside could be the subject of a condition. The houses have been carefully designed to ensure that they reflect an appropriate design for this area. The choice of materials for the houses will also assist with their integration into the existing village

It is also considered that as the site will be no further south than the existing housing on Lincoln Road onto which houses front, the development will not constitute an intrusive extension to the countryside.

On balance therefore it is considered that the development will appropriately reflect the setting within which it is located.

Finally, the comments from the Police Architectural Liaison Officer are noted, but to create the desired character and limit the visual impact, it is considered that the suggested height limitations are unreasonable. The request for a lighting scheme could though be secured via a condition so that it provides light for the security of the development but does not impact on the surrounding open countryside.

Highway safety

This is a consideration detailed in policies STRAT1 and RES1 of the Local Plan Review and some of the representations received relate to the increase in traffic using the road to access the development and the consequent increase in accidents that may occur. In addition representations refer to the potential for increased road side parking in this location and the impact on highway safety.

Lincoln Road here is the subject of a 30mph speed limit. This speed limit and the hill limit overall speeds on this part of the road. Therefore, whilst it is accepted that there will be incidents of motorists exceeding the statutory limit, it is appropriate to assess the proposed access arrangements to the standard of a maximum speed of 30mph. The County Highways Authority has confirmed that the access is acceptable and there is provision for acceptable visibility splays to be provided. It is acknowledged that a bus stopping at the bus stop would significantly reduce visibility, but this would be for a short

period of time and it would not be reasonable to withhold permission on those grounds.

The widths of the roads, location and widths of pavements, radii of road curves, gradients and visibility splays within the development are all considered to be acceptable and would allow for adoption by the County Highways Authority. Their implantation to the necessary standard, including those of the access arrangements can be the subject of conditions. The Highway Authority has also requested that conditions be added to the permission to secure the addition of non controlled pedestrian crossing across the access road and Lincoln Road. While the applicants have indicated that they would be prepared to implement such a requirement, this does seem to be an overly engineered solution to a site adjacent to the open countryside. It is considered preferable to ensure that the site integrates satisfactorily into the rural area. It is considered appropriate therefore to add a condition requiring further details of the access to achieve an acceptable compromise in this location.

At the time of the officer site visit it was noted that parking was occurring on the road side opposite the development sited. To address this concern the layout of the development was amended to provide additional car parking within the site over and above that which would normally be required. As a result there is more than sufficient car parking to ensure that parking should not occur off site. The Parish Council notes the potential for parking on the road side adjacent to plots 1-5. While a wall could be erected to the front of these plots as a physical barrier it is considered that the current layout allowing direct access to the pavement allows for better connectivity and good urban design. Additional parking has been allowed to the rear of these plots to avoid off site parking.

It is concluded therefore that the proposed layout will allow the delivery of a development which will not be harmful to highway safety.

Residential/community use amenity

This is a consideration detailed in policies STRAT1 and RES1 of the Local Plan Review.

Examination of the proposal and the existing site context reveals that the existing dwellings or community uses that could be potentially affected by issues such as overlooking, overshadowing and noise and disturbance is limited to the adjacent doctors surgery. The houses on the opposite side of Lincoln Road are sited 29 metres away from the front elevations of the proposed houses fronting Lincoln Road and therefore it is considered that at this distance harm would not be caused to the amenity of the residents of these properties.

A detailed objection has been received from Dr Sultan who is owner of the Ingham practice. He is concerned that as the main consulting of the surgery are on the Southern side of the building, and the existing boundary treatment

affords little mitigation from overlooking in the winter months then there will be overlooking caused to the consulting rooms from the adjacent gardens and houses as well as noise and disturbance from the adjacent parking court.

The two new properties that would have their rear elevations facing towards the doctors surgery have been proposed as bungalows to mitigate against any overlooking that would have been apparent from first floor windows. It is accepted that the existing deciduous hedge between the properties does not adequately mitigate the potential for overlooking from the ground floor windows and garden. Therefore the applicant has amended the proposals to include a further hedgerow which will be evergreen and should overcome any potential for overlooking. The doctor is also concerned about the opportunity for overlooking at an oblique angle from the rear elevation of plots 1-4 and the front elevation of plots 8 and 9. However the nearest plot (plot 1) is 17 metres away. This distance, coupled with the oblique angle between the two, should ensure that any impact caused by overlooking would not be unduly harmful. The additional hedge between the two sites should also mitigate against any noise and disturbance caused from the parking court. It is also noted that there is already parking at the front of the surgery and therefore the rooms are already subject to a degree of disturbance.

A representation has been received relating to headlight glare shining into the existing dwelling opposite the proposed access. This is an amenity consideration, but is not considered to be such that permission should be withheld.

The doctor also has concerns that the proposals will mean that there will not be enough room left to facilitate the expansion of the doctors surgery and in particular the car parking. This view is reiterated by the Parish Council who have suggested that a legal agreement should be entered into to facilitate the provision of a strip of land 12 metres to the south and east of the surgery for additional car parking. However there is land to the rear and north of the surgery which could become available for the expansion of the surgery. All of the land is in the same ownership and the owner is aware and sympathetic to the requirements of the doctors surgery. In addition the doctor has the option of expanding the facilities through a first floor extension.

Archaeology

The County Council Archaeology Officer has requested that, because of the potential for the site to contain significant historic assets, some investigation work regarding archaeology is carried out prior to any consent being given. The applicants have carried out an initial geophysical survey which has shown that the potential for significant archaeology to exist on the site is low. It would be appropriate therefore to add conditions to any permission seeking further investigation prior to development commencing.

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, SUS 7 Building materials and components, 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, NBE10 Protection of Landscape character and Areas of Great Landscape Value, 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.

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 and that the site constitutes greenfield land (the lowest category for land release defined by policy STRAT9), the site is still considered to an appropriate location for a development which enables affordable housing to be delivered to respond to an outstanding need where no other sites are coming forward to meet that need. The site location on the edge of the village is sustainable in terms of it being adjacent to a regular bus service connecting it to the hospital, Lincoln City Centre and employment providers and approximately 10 minutes walk from the village centre which provides a range of services and facilities. It is also within reasonable walking distance of the village primary schools. Material considerations such as visual impact, highway safety, impact on archaeology and the impact on the amenity of adjacent land users can be appropriately mitigated by conditions but the plans and particulars submitted show how the development responds to these issues.

RECOMMENDATION: That the decision to grant permission subject to conditions be delegated to the Director of Regeneration and Planning upon the completion and signing of an agreement under section 106 of the amended Town & Country Planning Act 1990 which secures:-

- 1. Which homes are affordable and when they are delivered in the context of the delivery of the open-market homes.**
- 2. The criteria for the first and subsequent occupancy of the affordable homes.**
- 3. The mechanisms for ensuring the affordable homes are affordable.**

Time commencement condition

1. The development hereby permitted shall be begun before the expiration of one year 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 of the dwellings hereby approved shall take place until details of the external facing materials to be used for them have been submitted to and approved in writing by the local planning authority

Reason: The approved plans and forms provide sufficient evidence in principle that the materials to be used will ensure that the visual amenity of the area will be preserved. However, the specification of colours and finishes to be agreed leaves some degree of uncertainty and this condition is required to ensure those specific details to be agreed to accord with The National Planning Policy Framework and saved policies STRAT1 and RES1 of the West Lindsey Local Plan First Review 2006.

3. No development shall take place until a written scheme of archaeological investigation has been submitted to and approved in writing by the local planning authority. This scheme shall include the following
 1. An assessment of significance and proposed mitigation strategy (i.e. preservation by record, preservation in situ or a mix of these elements).
 2. A methodology and timetable of site investigation and recording.
 3. Provision for site analysis.
 4. Provision for publication and dissemination of analysis and records.
 5. Provision for archive deposition.
 6. Nomination of a competent person/organisation to undertake the work.
 7. The scheme to be in accordance with the Lincolnshire Archaeological Handbook.

Reason: To ensure the preparation and implementation of an appropriate scheme of archaeological mitigation and in accordance with the National Planning Policy Framework (2012).

4. The local planning authority shall be notified in writing of the intention to commence the archaeological investigations in accordance with the approved written scheme referred to in condition 3 at least 14 days before

the said commencement. No variation shall take place without prior written consent of the local planning authority.

Reason: In order to facilitate the appropriate monitoring arrangements and to ensure the satisfactory archaeological investigation and retrieval of archaeological finds in accordance with the National Planning Policy Framework (2012).

5. The development hereby approved shall not be occupied/brought into use until a soft landscaping scheme including details of the size, species and position or density of all trees to be planted, fencing and walling, and measures for the protection of trees to be retained has been submitted to and approved in writing by the local planning authority. The scheme shall also include a timetable for the implementation of the landscaping and a methodology for its future maintenance.

Reason: To ensure that, an appropriate level and type of soft landscaping is provided within the site to accord with the National Planning Policy Framework and saved policies STRAT 1, RES 1, CORE 10 and NBE20 of the West Lindsey Local Plan First Review 2006

6. No development shall take place until details of a hard landscaping scheme including details of the finishes and colour of all surface materials, including those to access driveways, forecourts and parking/turning areas have been submitted to and approved in writing by the Local Planning Authority

Reason: To ensure that, an appropriate level and type of hard landscaping is provided within the site to accord with the National Planning Policy Framework and saved policies STRAT 1 and RES 1 of the West Lindsey Local Plan First Review 2006

7. No development shall take place before a scheme has been agreed in writing by the local planning authority for the highway works to the front of the site together with arrangements for the disposal of surface water run-off from the highway at the frontage of the site.

Reason: To ensure safe access to the site and each dwelling/building in the interests of residential amenity, convenience and safety and to accord with the National Planning Policy Framework and saved Policy STRAT 1 of the West Lindsey Local Plan First Review 2006.

8. No development shall take place until details of a scheme for the disposal of surface water from the site (including the results of soakaway tests) have been submitted to and approved in writing by the local planning authority

Reason: To ensure adequate drainage facilities are provided to serve the development, to reduce the risk of flooding and to prevent pollution of the water environment in accordance with the National Planning Policy Framework and saved policies STRAT 1 and NBE 14 of the West Lindsey Local Plan First Review 2006.

9. No dwellings shall be commenced before the first 20 metres of estate road from its junction with the public highway, including visibility splays, as shown on drawing number J1250(08)01G dated 27/03/2013 has been completed.

Reason: In the interests of safety of the users of the public highway and the safety of the users of the site and to enable calling vehicles to wait clear of the carriageway of Lincoln Road.

10. Before any dwelling is commenced, all of that part of the estate road and associated footways that forms the junction with the main road and which will be constructed within the limits of the existing highway, shall be laid out and constructed to finished surface levels in accordance with details to be submitted and approved in writing by the local planning authority.

Reason: In the interests of safety of the users of the public highway and the safety of the users of the site and to accord with the National Planning Policy Framework and saved Policy STRAT 1 of the West Lindsey Local Plan First Review 2006.

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

11. 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: J1250 (08) 01G dated 27 March 2013, J1250 (09) 02B, J1250 (08) 03B, J1250 (08) 11B, J1250 (08) 04C, J1250 (08) 05 D, J1250 (08) 06 C, J1250 (08) 07B, J1250 (08) 08B, J1250 (08) 09 B, J1250 (08) 10B, J1250 (08) 12, J1250 (08)14, J1250 (08)15, J1250 (08) 016 and 2012.4201.01A dated 20 February 2013. 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 the National Planning Policy Framework and saved Policy STRAT 1 of the West Lindsey Local Plan First Review 200

12. The archaeological site work shall be undertaken only in full accordance with the written scheme required by condition 3.

Reason: To ensure the satisfactory archaeological investigation and retrieval of archaeological finds in accordance with the National Planning Policy Framework (2012).

13. Following the archaeological site work referred to in condition 3 a written report of the findings of the work shall be submitted to and approved in

writing by the local planning authority within 3 months of the said site work being completed. .

Reason: To ensure the satisfactory archaeological investigation and retrieval of archaeological finds in accordance with the National Planning Policy Framework (2012).

14. The report referred to in condition 13 and any artefactual evidence recovered from the site shall be deposited within 6 months of the archaeological site work being completed in accordance with a methodology and in a location to be agreed in writing by the local planning authority.

Reason: To ensure the satisfactory archaeological investigation and retrieval of archaeological finds in accordance with the National Planning Policy Framework (2012).

15. The dwellings hereby approved shall be externally faced using materials the details of which shall have been previously approved in writing by the local planning authority as required by condition 2.

Reason: In the interests of the visual amenity of the area and 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.

16. The details of hard landscaping approved in Condition 6 shall be implemented on site prior to the occupation of the building(s) of the completion of the development whichever is the sooner and shall be so retained.

Reason: To ensure that, an appropriate level and type of hard landscaping is provided within the site to accord with the National Planning Policy Framework and saved policies STRAT 1 and RES 1 of the West Lindsey Local Plan First Review 2006

17. The works agreed via condition 7 of this permission shall be fully implemented before any of the dwellings are occupied, or in accordance with a phasing arrangement to be agreed in writing with the local planning authority.

Reason: To ensure safe access to the site and each dwelling/building in the interests of residential amenity, convenience and safety and to accord with the National Planning Policy Framework and saved Policy STRAT 1 of the West Lindsey Local Plan First Review 2006.

18. Before each dwelling is occupied the roads and footways providing access to that dwelling, for the whole of its frontage, from an existing public highway, shall be constructed to a specification to enable them to be

adopted as Highways Maintainable at the Public Expense, less the carriageway and footway surface courses.

The carriageway and footway surface courses shall be completed within three months from the date upon which the erection is commenced of the penultimate dwelling.

Reason: To ensure safe access to the site and each dwelling in the interests of residential amenity, convenience and safety and to accord with the National Planning Policy Framework and saved Policy STRAT 1 of the West Lindsey Local Plan First Review 2006.

19. The development shall not be brought into use until the surface water drainage as approved under condition 8 of this permission has been provided. It shall thereafter be retained and maintained.

Reason: To avoid flooding and prevent pollution of the water environment as recommended by the Environment Agency and in accordance with the National Planning Policy Framework and saved Policy STRAT 1 of the West Lindsey Local Plan First Review 2006.

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

20. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the occupation of the building(s) or the completion of the development, whichever is the sooner; 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 shall be replaced in the next planting season with others of similar size and species.

Reason: To ensure that an approved landscaping scheme is implemented in a speedy and diligent way and that initial plant losses are overcome, in the interests of the visual amenities of the locality and in accordance with the National Planning Policy Framework and saved policies STRAT 1, STRAT 12 and CORE 10 of the West Lindsey Local Plan First Review 2006

Informatives

Dedication of land for footway

Where a footway is constructed on private land, that land will be required to be dedicated to the Highway Authority as public highway.

Estate Road Specification

You are advised to contact Lincolnshire County Council as the local highway authority for approval of the road construction specification and programme before carrying out any works on site.

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

Representors to be notified -

(highlight requirements):

Standard Letter **Special Letter** **Draft enclosed**

Prepared by : Zoe Raygen

Date : 7th May 2013

Signed:

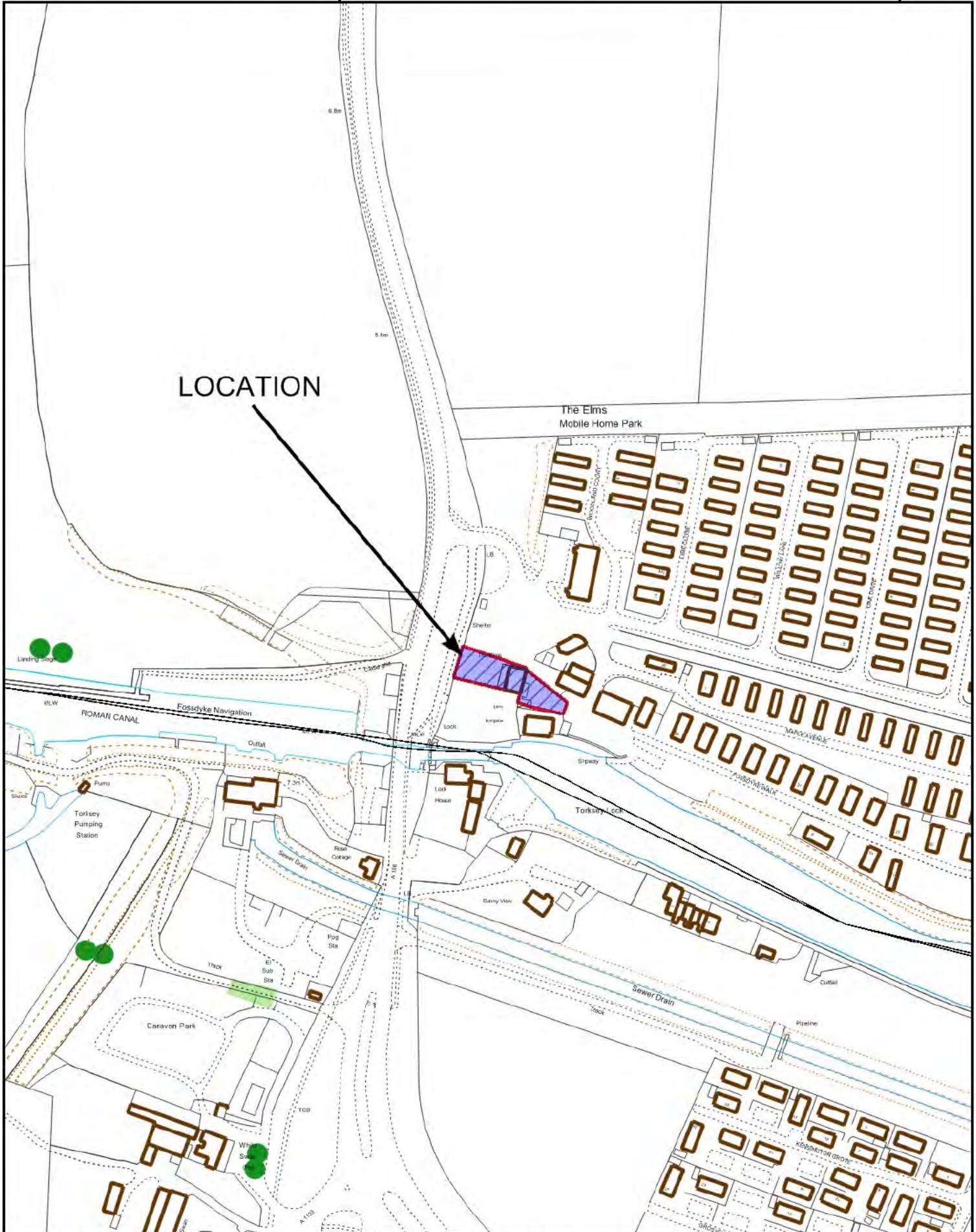
Authorising Officer **Date:**

Decision Level (tick as appropriate)

Delegated

Delegated via Members

Committee



Committee Report

Planning Application No: 129816

PROPOSAL: Planning application for demolition of existing three storey dwelling and erection of a new three storey dwelling

LOCATION: The Elms Torksey Lincoln Lincs

WARD: Torksey

WARD MEMBER(S): Councillor Stuart Kinch

APPLICANT NAME: John Kinch Group

TARGET DECISION DATE: 07/06/2013

DEVELOPMENT TYPE: Minor - Dwellings

CASE OFFICER: Fran Bell

RECOMMENDED DECISION: Grant planning consent subject to conditions

This application is before the Planning Committee as the applicant is the John Kinch Group, of which Councillor Stuart Kinch is a part.

The Site:

The current house on the site is two and half storeys in height and is set back from the road behind a wall. It faces west towards the A156 and is accessed via the car park to The Elms mobile home development and is viewed as part of it. To the west and north is an extensive area of parking and manoeuvring for The Elms site further to the north and east but there is a small front garden to the west and a larger rear garden to the east. The Torksey Lock and the Fosdyke Navigation is to the south of the site along with associated car parking. It is within Flood Zone 3a. A flood risk assessment has been submitted with the application.

Originally built in red brick with buff brick and stone detailing, the house was covered in stone cladding in the 1970's and the original sash windows replaced with upvc mock Georgian bar windows. The ground floor has also been used as a shop in the past. The cladding is now failing and cracks have appeared in it.

Proposal:

It is proposed to demolish the current house and rebuild another two and half storey house on a similar footprint in the original style of a Victorian farmhouse but with a higher ground floor level to protect against flooding and a more family friendly layout internally. It would have a single storey off shoot to the rear that the current dwelling does not have to contain more family living space. It is proposed that the ground floor would also contain an office but this would be ancillary to the main use as a dwelling house. There would be five bedrooms together with a dressing room that could be used as a bedroom. All the sleeping accommodation is on the upper two floors.

It is also proposed to build a detached double garage to the front of the house and form a new access onto the small lane beyond the western boundary of The Elms

site. This lane then links to the entrance road to The Elms site which then forms a junction with the A156.

Three large conifer trees would be removed from the site as part of the works.

Relevant history:

120885 Planning Application for demolition of existing two storey dwellinghouse and construction of new dwelling. Granted consent at Planning Committee 11th October 2007 (NB similar proposal to current but without rooms in roof or garage.)

Representations:

Chairman/Ward member: None received but note that the Ward Member is part of the applicant group.

Parish Council:

- Statement: The proposed new building is an improvement in terms of its design and materials being in keeping with the local vernacular architecture of surrounding dwellings.
- Observations regarding footprint – no increase in Flood Risk Assessment (FRA), increase in Design and Access Statement (DAS), tarmac area is actually permeable consolidated clinker, net loss of permeable area with extension and double garage not addressed in FRA but new permeable driveway and lawn will improve drainage, loss of conifer trees not addressed in FRA, root balls will need to be removed so garage footings not affected, height of existing building not provided to compare with proposal which will have a raised ground floor level 300mm above existing, rooflights may lead to loss of privacy and no section drawing, boundary wall of 1.8m to 2m may be less imposing as lower wall with railing or if tall wall preferred, use of soft planting strip along wall will soften imposing height without lessening security
- Recommendations:
 - Details of permeable paving system proposed to ensure flood mitigation works to improve local natural drainage.
 - Details of north and south boundary walls/ fences including any landscape proposals and gates to ensure works are not detrimental to street scene.
 - Compare height of existing with height of proposed to ensure new building not out of scale with surrounding properties.
 - Detail, opacity and level of rear roof line windows to ensure not detrimental to existing residents.

Local residents: None received

LCC Highways: No objections

Environment Agency: No objection as replacing one house with another of equivalent flood risk vulnerability. The proposal does not increase flood risk to people at the site and the development incorporates improved flood resilience measures. Condition that the development be carried out in accordance with the Flood Risk Assessment and that the mitigation measures be fully implemented prior to occupation.

Canal and River Trust: No objection

Conservation: No adverse comment – the proposed dwelling restores the character of the site by responding to the original attractive dwelling. Recommend – materials condition

Archaeology: Recommend Archaeological groundworks conditions due to site being within an area of high archaeological significance. Addressed more fully in the assessment of this report.

Relevant Planning Policies:

Development Plan

West Lindsey Local Plan First Review 2006 (saved policies)

STRAT1 – Development requiring planning permission

<http://www2.west-lindsey.gov.uk/localplan/written/cpt3a.htm>

STRAT 3 – Settlement Hierarchy

<http://www2.west-lindsey.gov.uk/localplan/written/cpt3a.htm>

STRAT 9 – Phasing of Housing Development and Release of Land

<http://www2.west-lindsey.gov.uk/localplan/written/cpt3b.htm>

STRAT12 – Development in the open countryside

<http://www2.west-lindsey.gov.uk/localplan/written/cpt3b.htm>

RES8 – Replacement Dwellings in the Open Countryside

<http://www2.west-lindsey.gov.uk/localplan/written/cpt6.htm>

The plan polices were saved in 2009 but the adoption of the Plan itself dates from 2006 and was adopted under the 1990 Act rather than the 2004 Act. These policies have been afforded full weight in the following assessment as they, in this particular instance for this specific proposal, echo the thrust of the policy framework provided by the National Planning Policy Framework

Other relevant policy

• National Planning Policy Framework (2012)

<http://www.communities.gov.uk/publications/planningandbuilding/nppf>

Technical Guidance to the National Planning Policy Framework

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/6000/2115548.pdf

Main issues

- Principle
- Design and impact on neighbouring uses
- New Access
- Flood Risk
- Archaeology

Assessment:

Principle

The site is in the open countryside as the development site and that of The Elms mobile home park was excluded from the settlement limit in the Local Plan Proposals Map. Therefore, the main policy to assess this case under is RES8, which has a number of criteria headings as set out below with further assessment.

The present dwelling has a lawful residential use

The current dwelling is occupied and remains in residential use.

The size of the new building is similar to or smaller than that of the dwelling to be replaced

The existing ridge height (worked out from the site survey plan) is 9.92m and the proposed ridge height is 10.54m. The current footprint is 121 square metres and the proposed footprint is 199 square metres of which 61 square metres is the single storey family space to the rear of the property. If the current property was not to be demolished and an application came in for the rear extension, it is likely that this would be granted consent. It is considered that the scale and size is sufficiently similar to be acceptable under this section of the policy.

The new building is of a design which is built in a similar scale, mass, materials and architectural details to the vernacular character of the dwellings in the locality.

The new building will be Lincolnshire vernacular, will look very similar to the original house before it was clad and fits in with the locality as acknowledged by the Parish Council.

The new dwelling or any new or improved vehicular access is not more visually intrusive or harmful to the appearance and the character of the surrounding countryside than the original dwelling and access provision

It is considered that the proposal will be an improvement on the visual amenity of area. The new access will be seen from the main road, but in the context of other accesses off the private lane. It is not considered that the new access will be harmful to the street scene.

The dwelling has safe access, and does not create or aggravate highway safety problems

The new access will go onto a private lane. It is not considered that this will create any additional highway issues.

The existing dwelling is demolished prior to the occupation of the replacement dwelling

As the new dwelling will sit on the footprint of the current dwelling, this will be demolished before the construction of the new dwelling.

The structural condition and/or the design of the existing property makes retention impracticable and/or undesirable

Cracks have appeared in the cladding. Whilst the cladding could be removed, this could reveal further problems such as damp that will have been trapped by the cladding and the existing brickwork could be damaged by the cladding being removed. By allowing a new dwelling to be built on the site, the simple Victorian vernacular can be rebuilt, which is what the original dwelling was.

The existing building is not of historic or architectural interest.

The building is not listed and is not in a Conservation Area. Any historic merit was lost when the building was clad in stone.

Design and impact on neighbouring uses

The design is considered to be an improvement on the current situation. The rooflights to the rear are shown in a cross section on the proposed elevations drawing and show that the base of these windows are 1.5 metres off the floor level and the top of the windows are 2.3 metres off the floor. However, it is not considered that they will cause unacceptable overlooking as they will be some 70 metres from the nearest mobile home and at a very acute angle from the bungalow to the south of the rear garden.

The proposed boundary wall to the northern boundary along the side of the front garden will be 1.8m high. It is not considered that it will have an adverse impact on the appearance of the property from the car park. The existing southern boundary treatment of a post and rail fence and hedging is to be retained. To the front the existing conifer hedge will be retained, except where the new access is to be formed. A condition will be added requiring details of the brick bond of the wall and the details of any front gates.

New Access

The new access will cut through the existing bank to the private lane and will require the removal of some of the leylandii hedge. It will not adversely affect the appearance from the street.

Flood risk

The site is within Flood Zone 3a and a Flood Risk Assessment has been submitted. The Technical Guidance on Flood Risk to the National Planning Policy Framework sets out tables of vulnerability to apply the Sequential Test and classes a dwelling house as more vulnerable.

All of the surrounding land is in Flood Zone 3a so there is no opportunity for the applicant to relocate the house and the sequential test is passed.

In this Flood Zone this means that the Exception Test is required. The two parts of Exception Test, set out in paragraph 102 of the NPPF, require that it be demonstrated that the development provides wider sustainability benefits to the community that outweigh flood risk and a site specific flood risk assessment must demonstrate that the development will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and where possible will reduce flood risk elsewhere.

Wider sustainability benefits to the community would predominantly be through the improved appearance of the site to the benefit of the wider environment. As this is a replacement house, it enables more flood resilience and protection measures to be incorporated than are found in the current dwelling. In effect, the impacts of flooding would be reduced to one household within the village.

The Environment Agency has not objected provided that the mitigation measures detailed in the Flood Risk Assessment are conditioned to be carried out, specifically incorporation of sustainable drainage techniques, including permeable paving for the drive, to reduce the rate of runoff from the site, raising the finished floor levels of the new dwelling to no lower than 5.884m above Ordnance Datum and incorporation of flood resilience techniques within the development. This can be secured through a planning condition.

Archaeology

The proposed development is within an area of high archaeological significance. Torksey has been an important township from the Roman period through the Anglo-Saxon and Viking to the Medieval. There was also a medieval castle and priory with associated burials in Torksey.

The scheduled monument of the medieval town of Torksey is adjacent to the west of the property. The Roman canal, the Fosdyke is to the south. Whilst the majority of the development sits on the footprint of the previous building, the current house is shown on the 1905 OS map which may indicate that the current building has limited depth foundations. Furthermore, the proposal has an extended footprint and a separate detached garage where there is a greater potential for archaeological remains to be found.

The Archaeologist from the Historic Environment Team at Lincolnshire County Council requests conditions requiring groundworks to be monitored. This is in line with the guidance contained in the NPPF paragraph 141.

Other matters

The loss of the Thuja conifer trees is not considered significant in terms of the impacts on the environment or street scene. They are not a native tree.

Conclusion

The proposal has been considered against the Development Plan namely saved policies STRAT1 – Development requiring planning permission, STRAT 3 – Settlement Hierarchy, STRAT 9 – Phasing of Housing Development and Release of Land, STRAT12 – Development in the open countryside and RES8 – Replacement Dwellings in the Open Countryside of the West Lindsey Local Plan First Review June 2006 together with the guidance contained in the National Planning Policy Framework (March 2012) and the accompanying Technical Guidance relating to Flood Risk.

In light of this assessment, the proposal is considered acceptable as it provides a house more in keeping with the surroundings and in keeping with Lincolnshire vernacular and that is more flood resilient.

Recommendation: Grant planning permission 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 a written scheme of archaeological investigation has been submitted to and approved in writing by the local planning authority. This scheme shall include the following

1. An assessment of significance and proposed mitigation strategy (i.e. preservation by record, preservation in situ or a mix of these elements).
2. A methodology and timetable of site investigation and recording.
3. Provision for site analysis.
4. Provision for publication and dissemination of analysis and records.
5. Provision for archive deposition.
6. Nomination of a competent person/organisation to undertake the work.
7. The scheme to be in accordance with the Lincolnshire Archaeological Handbook.

Reason: To ensure the preparation and implementation of an appropriate scheme of archaeological mitigation and in accordance with the National Planning Policy Framework (2012).

3. 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 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 Policy STRAT 1.

4. No development shall take place until details of any front gates together with details of the brick bond to be used for the boundary wall have been submitted to and approved in writing by the Local Planning Authority.

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 Policy STRAT 1.

5. No development shall take place until details of the permeable paving system including any sub layers have been submitted to and approved in writing by the Local Planning Authority.

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 and provide acceptable drainage levels in accordance with West Lindsey Local Plan First Review Policy STRAT 1.

6. The local planning authority shall be notified in writing of the intention to commence the archaeological investigations in accordance with the approved written scheme referred to in condition 2 at least 14 days before the said commencement. No variation shall take place without prior written consent of the local planning authority.

Reason: In order to facilitate the appropriate monitoring arrangements and to ensure the satisfactory archaeological investigation and retrieval of archaeological finds in accordance with the National Planning Policy Framework (2012).

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

7. The archaeological site work shall be undertaken only in full accordance with the written scheme required by condition 2

Reason: To ensure the satisfactory archaeological investigation and retrieval of archaeological finds in accordance with the National Planning Policy Framework (2012).

8. Following the archaeological site work referred to in condition 7 a written report of the findings of the work shall be submitted to and approved in writing by the local planning authority within 3 months of the said site work being completed. .

Reason: To ensure the satisfactory archaeological investigation and retrieval of archaeological finds in accordance with the National Planning Policy Framework (2012).

9. The report referred to in condition 8 and any artefactual evidence recovered from the site shall be deposited within 6 months of the archaeological site work being completed in accordance with a methodology and in a location to be agreed in writing by the local planning authority.

Reason: To ensure the satisfactory archaeological investigation and retrieval of archaeological finds in accordance with the National Planning Policy Framework (2012)..

10. 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 received 12th April 2013:

- Site Plan 2725-SP
- Location Plan 2725-L Rev A
- Drawing and Proposed Elevations 2725-04dmd Rev F

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 the National Planning Policy Framework and saved Policy STRAT 1 of the West Lindsey Local Plan First Review 2006.

11. The development shall be carried out in accordance with the approved Flood Risk Assessment by EWE Associates Ltd dated February 2013, specifically the following mitigation measures.

- Incorporation of sustainable drainage techniques, including permeable paving for the drive, to reduce the rate of runoff from the site;
- Raising the finished floor levels of the new dwelling to no lower than 5.884m above Ordnance Datum;
- Incorporation of flood resilience techniques within the development.

Reason: To prevent flooding by ensuring the satisfactory disposal of surface water from the site and reduce the risk and impact of flooding to the proposed development and future occupants.

12. The details approved under conditions 3, 4 and 5 shall be implemented and retained thereafter.

Reason: To ensure the development takes place as approved and is not altered to its detriment in the future in accordance with the National Planning Policy Framework (2012).

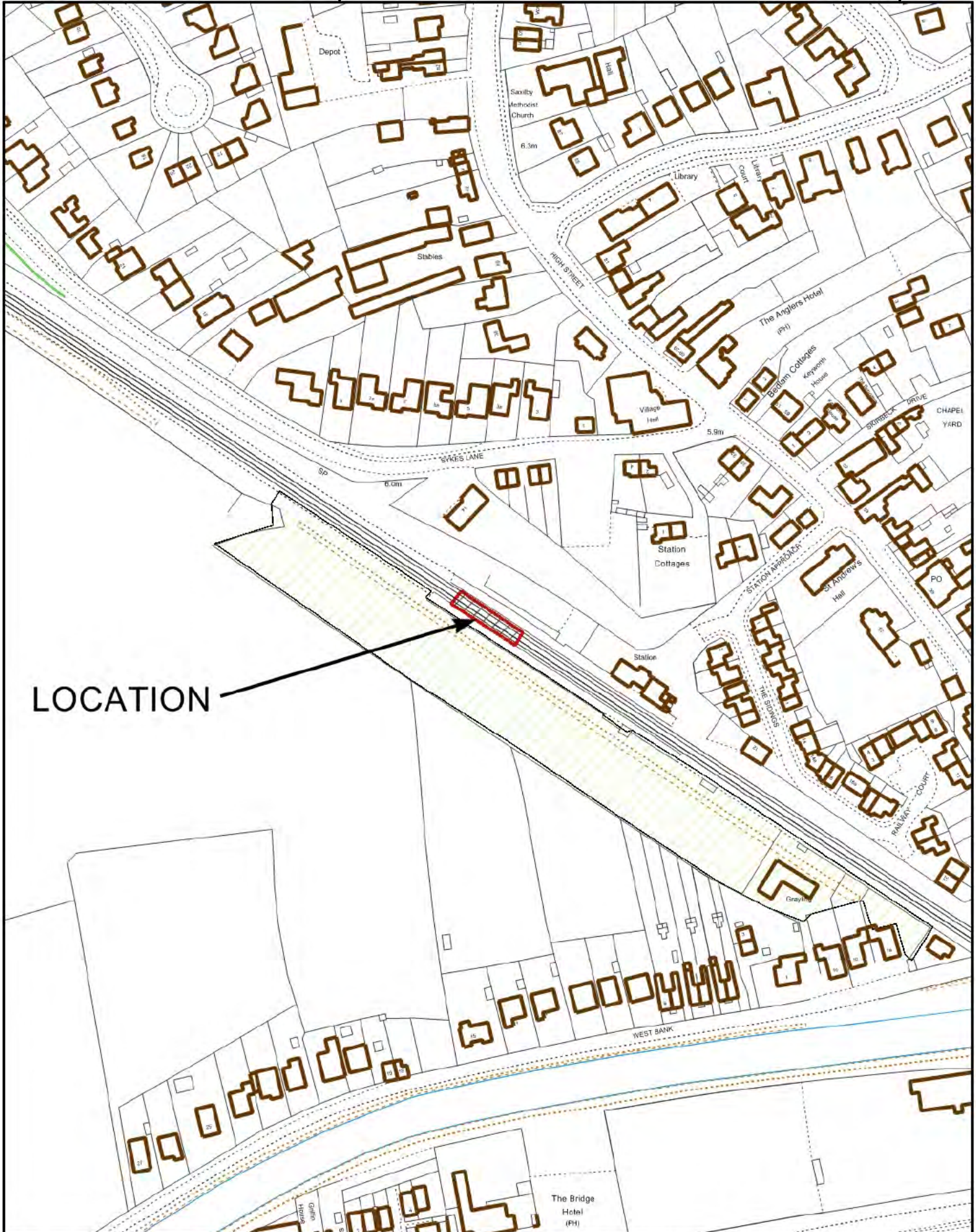
Conditions which apply or relate to matters which are to be observed following completion of the development:

13. The mitigation measures incorporated in the development from the Flood Risk Assessment (condition 11) shall be retained in perpetuity.

Reason: To prevent flooding by ensuring the satisfactory disposal of surface water from the site and reduce the risk and impact of flooding to the proposed development and future occupants.

Notes to the Applicant

The written scheme required by condition 2 shall be in accordance with the archaeological brief supplied by the Lincolnshire County Council Historic Environment advisor (tel 01522 550382)



LOCATION

Committee Report

Planning Application No: 129844

PROPOSAL: Planning application for erection of a footbridge

LOCATION: Saxilby Railway Station Station Road Saxilby

WARD: Saxilby

WARD MEMBER(S): Cllr Mrs J Brockway, Cllr D Cotton

APPLICANT NAME: Network Rail

TARGET DECISION DATE: 14/06/2013

DEVELOPMENT TYPE: Minor - all others

CASE OFFICER: Fran Bell

RECOMMENDED DECISION: Grant planning permission subject to conditions.

The site and relevant background details

Saxilby Railway Station provides access to train services between Lincoln and Doncaster and Sheffield. The station buildings are privately owned and are listed Grade II. The station is unmanned and to get between the two platforms passengers must cross the line at the south eastern end of the platforms via a timber barrow crossing. The signal box is usually in sight to the south, except in foggy conditions, and the signaller has oversight of the pedestrian crossing.

There are residential properties nearby to the north and east of the site. Those most affected by the proposal are to the south side of Sykes Lane. The land to the south of the line is designated as a Site of Nature Conservation Interest (SNCI).

As part of a larger capacity relief project, known as the Great Northern/ Great Eastern (GNGE) Joint Line upgrade, various works have been identified across the network to enable an increased number of trains to use the line (double current usage of 56 trains to 112 trains) together with an increase in line speed from 60mph to 65mph. This increase in number and speed of trains means that an alternative method of crossing the railway lines is required for pedestrian safety. Network Rail has recognised that level crossings are the biggest safety risk to the network and is seeking to eliminate them where possible. As part of the wider project, the signalling will be controlled from Lincoln and Saxilby signal box removed, therefore there will be no-one in the signal box at Saxilby to watch over the crossing.

The proposal

It is proposed to construct a bridge at the north west end of the station with a span of just over 15 metres. The bridge deck is just over 2 metres wide. Due to the land ownership constraints, the ramps run in a north westerly direction with the stairs running in the opposite direction. Constructed of steel, it will

have solid parapets above the line for safety reasons and vertical railings to the sides of the ramps and stairs. It will be painted Holly Green to match existing metal railings at the station. The railings to the side of the bridge will incorporate handrails. The lighting will be fixed into the underside of the handrails. The top of the bridge parapet will be 5.97metres in height. The ramped sections consist of 5 metre long ramps at a slope of 1:15 with 2 metre landings in between. Overall, the ramp section is 49.15 metres long on each side. The staircases will have 2 flights of 13 steps with a 2 metre landing on both sides.

In addition to the bridge, there will be 2 metres tall palisade fencing (55m long on south side and 56m long on the north side). A 20m² platform extension is required at the western end of Platform I1. A tree planting scheme is proposed to the north. Some clearance of trees and shrubs will be required to the south.

Relevant history:

Pre application discussions about this proposal.

Representations:

Chairman/Ward member(s): Case Officer telephoned the Ward Members to advise of receipt of application.

Parish Council: No objections but wonder why if automatic barriers work for stopping cars crossing the lines, why can't they also be used for foot crossings, which would be easier for disabled users.

Local residents: None received (Letter to 2 Station Cottages returned by Post Office)

LCC Highways: Does not consider the proposal to be of detriment to highway safety or traffic capacity.

Environment Agency: Does not wish to make any comments on application.

Natural England: Reminds LPA of duty towards biodiversity and opportunities for enhancement. Notes Ecological Survey does not identify significant impacts.

Environment:

- No objections
- Proposed planting all native trees and will give a range of crown densities, sizes and features.
- Once mature will provide a valuable tree belt for screening, amenity value and habitat.
- Heavy standards will give instant impact at 3.5 – 4m high.
- This large size are more at risk of failure due to root drying and planting stress and they will require good after care especially additional watering during periods of prolonged hot dry weather.
- SNCI to south identified as scrubland.
- Scrubland often thought to be wasteland but is valuable habitat.
- Care must be taken to avoid disturbing any nesting birds, including ground nesting birds amongst any long grass.

- The main nesting season is between 1st March to 31st July, although birds often nest outside these dates and checks should be made before any ground is cleared within the development area.
- The site of the proposed bridge is mainly clear of trees and shrubs with some poor quality trees around the edges.
- The landscaping should be conditioned to require like for like replacements in the event of any tree failures during a five year maintenance period.

Conservation:

- Saxilby Railway Station is listed grade II.
- Pre application discussions ensured that all possible mitigation measures have been utilised to minimise harmful visual intrusion.
- Proposed bridge is necessary for the ongoing use of the station in its intended purpose.
- Proposal is substantial in its massing and visual appearance. Mitigated by:
 - Use of a permeable railings system
 - Colour matching the new structure to match the existing historic railings already on site.
 - Incorporating the lighting into the body of the bridge rather than being free standing.
- Expect to see a footbridge of this type at a working railway station
- New footbridge will not be an incongruous addition to the historic context and will contribute to the overall sustainability of the site.

Archaeology: No objections.

Relevant Planning Policies:

Development Plan

West Lindsey Local Plan First Review 2006

STRAT1 Development requiring planning permission

<http://www2.west-lindsey.gov.uk/localplan/written/cpt3a.htm>

SUS3 Public Transport Infrastructure

<http://www2.west-lindsey.gov.uk/localplan/written/cpt4.htm>

SUS4 Cycle and Pedestrian Routes in Development Proposals

<http://www2.west-lindsey.gov.uk/localplan/written/cpt4.htm>

CORE10 Open Space and Landscaping within Developments

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

NBE12 Development Affecting Locally Designated Nature Conservation Sites and Ancient Woodland

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

The plan policies were saved in 2009 but the adoption of the Plan itself dates from 2006 and was adopted under the 1990 Act rather than the 2004 Act. These policies have been afforded full weight in the following assessment as they, in this particular instance for this specific proposal, echo the thrust and are consistent with the policy framework provided by the National Planning Policy Framework.

National Guidance

The National Planning Policy Framework (March 2012)

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/6077/2116950.pdf

Technical Guidance to the National Planning Policy Framework

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/6000/2115548.pdf

Main issues

- Principle
- Design
- Impact on Listed Building
- Residential Amenity
- Landscaping and Ecology
- Flood Risk

Assessment:

Principle

Chapter 4 of the NPPF encourages the promotion of sustainable transport. Paragraph 35 is key as it requires developments to give priority to pedestrian and cycle movements and have access to high quality public transport facilities together with consideration of the needs of people with disabilities. Paragraph 28 encourages the support of a prosperous rural economy through the retention and development of local services and community facilities in villages. Saxilby Station provides a local service and enables residents to travel for work and leisure.

Saved policy STRAT1 of the Local Plan requires development to be satisfactory with regard to providing access to public transport facilities (part iii), the impact on character, appearance and amenities of neighbouring and other land including visual encroachment into the countryside (part vi), the impact on the character, appearance and setting of historic assets including Listed Buildings (part vii), the retention and safeguarding of existing trees, woodlands and hedgerows together with the incorporation of landscape measures to maintain the ecological value of the site (part x) and other material considerations including avoiding using land subject to flood risk (part xii).

Saved policy SUS3 allows for the development of public transport infrastructure provided that it is safe, convenient and of high quality and will form a necessary part of a network of routes. Saved policy SUS4 requires cycle and pedestrian routes to be considered within developments by separating the routes from motor vehicles, providing routes which are not isolated, dangerous or difficult to use and increasing the safety of users.

Saved policy CORE10 requires proposals to use landscaping to integrate the proposals into the surrounding environment, retain existing trees and hedgerows, enhance the site's wildlife value where possible and take account of neighbouring uses.

Saved policy NBE12 does not allow development that would adversely affect a SNCI unless there is a demonstrable overriding regional or local need for the development which cannot be accommodated elsewhere and the reason for the development clearly outweighs the need to safeguard the nature conservation interest. Where development is permitted, condition should be imposed requiring proper recording of the site and mitigation measures implemented to compensate for any potential loss to preserve the nature conservation interest.

In this case, the bridge is required to enable passengers to reach Platform 2 and get back to Platform 1. It will allow Saxilby Railway Station to remain as a service for the village despite changes to the national rail operation. It is considered that the need for the bridge should be afforded significant weight and would accord with the general presumption in favour of safe, sustainable transport supported by Local Plan policy SUS3 and the NPPF general presumption in favour of sustainable development.

The applicant considered other options for pedestrian access and took into account safety, siting, design, operational factors, disruption to the public and cost.

The Parish Council queried whether a barrier system, similar to a motor vehicle level crossing would be considered. Altering the existing crossing to include warning lights and audible warnings was considered but discounted given a previous incident at Elsenham Station in 2005 that resulted in the death of two teenage girls. It would not enhance the safety of the crossing sufficiently. Furthermore, as the amount of train traffic is due to double, the amount of time barriers would be down would also increase, meaning that some would risk going past the barriers.

A subway was also considered. This was discounted due to passengers having a longer route to take, resulting in the temptation to cross the line at an unauthorised point. Natural surveillance would be more limited than the bridge proposal, potentially compromising safety. It would also require more railway possession time to allow the works to happen (56 hours as opposed to the 16 hours available), together with line speed restrictions for a further fortnight and significant disruption to users of the station. It would also require special drainage arrangements given the proximity of the Fosdyke and the high groundwater table.

Design

The design looks like a railway bridge that could be expected in this context of a working railway station. During pre application discussions it was made clear to the applicant that standard lighting columns would not be acceptable. Therefore, the lighting is incorporated into the handrails to illuminate the floor of the ramps, stairs and bridge deck but minimise light spilling elsewhere. The use of Holly Green further lessens the impact as it will tie into the existing railings and metal work at the station and remove some of the industrial appearance. The use of vertical open railings at the side of the ramps and the

stairs reduces the solid appearance of the structure and increases security as you can see who is on the ramp or the stairs. The bridge deck remains open at the top, reducing the overall height to a minimum. There needs to be a minimum of 5 metres clearance above the rail tracks. The ramps cannot be made shorter without compromising the slope ratio for ease of use.

Impact on Listed Building

Listed Building Consent is not required as the bridge is not attached to the station buildings. However, the bridge will have an impact on the setting of the listed building. The Conservation Officer has been involved at pre application stage and is content that as much as possible has been done to mitigate the impact of the bridge on the listed building to an adequate level.

Residential Amenity

Some loss of residential amenity will occur due to the size of the bridge and it will be visible from a number of properties, particularly those to the south of Sykes Lane. A tree planting scheme to the north is proposed to lessen the impact over time. The height of the bridge in relation to adjacent land levels on Sykes Lane may lead to some overlooking, particularly from the ramp landing to the north west. However, it is thought that the majority of users will use the stairs, reducing the amount of people who could overlook the rear gardens of properties on Sykes Lane. Furthermore, the majority of bridge users will be seeking to reach their end destination, limiting prolonged views from the bridge.

Landscaping and Ecology

A mix of trees is proposed in the landscaping belt to the north; 5 English Oak, 7 Common Beech, 11 Silver Birch, 13 Wild Cherry and 5 Field Maple will be planted as heavy standards 350-400cm tall with girths of 12-14cm. This tree belt will provide some screening of the bridge for residents. It will also increase the potential for biodiversity of the site.

To the south is an SNCI. The Environmental Report mentions a compound site. This is no longer part of the proposal. Therefore, the oak tree identified as a possible bat roost will not be affected. Furthermore, as the compound will not be to the south of the station, the need for further Great Crested Newt surveys is removed. An ecological watching brief is recommended if vegetation clearance is required and this will be conditioned as will a restriction on clearing vegetation in bird breeding season.

Flood Risk

The site lies within Flood Zone 2. The bridge would be classed as essential infrastructure which is compatible with this flood zone as shown in the Technical Guidance on Flood Risk accompanying the NPPF. Surface drainage will go into existing trackside drainage. It is not considered that the bridge will exacerbate flooding or drainage problems elsewhere.

Other matters

None

Conclusion

The proposal has been considered against the Development Plan namely saved policies STRAT1 Development requiring planning permission, SUS3 Public Transport Infrastructure, SUS4 Cycle and Pedestrian Routes in Development Proposals, CORE10 Open Space and Landscaping within Developments and NBE12 Development Affecting Locally Designated Nature Conservation Sites and Ancient Woodland of the West Lindsey Local Plan First Review June 2006 together with the guidance contained in the National Planning Policy Framework and its Technical Guidance (both March 2012).

In light of this assessment, the bridge is considered essential to enable the safe access of passengers between the platforms especially as the number of trains will double and the line speed increase to 65mph making the current barrow crossing dangerous and impractical.

The design of the bridge is in keeping with a working railway station and the incorporation of lighting into the handrails, having open railings to the side and painting it Holly Green all help to lessen the impact on the surroundings especially the setting of the Grade II listed station building.

The planting belt to the north will largely screen the bridge from residents on Sykes Lane and will increase the biodiversity potential of the site.

Recommendation: Grant planning permission 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:

None

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

2. 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:

- Saxilby Station Proposed Footbridge General Arrangement drawing no 106754-GNGE-FB-SAX-102 Rev A2 dated 20/03/13
- Saxilby Station Proposed Footbridge Elevations – Sheet 1 drawing no 106754-GNGE-FB-SAX-103 Rev A3 dated 21/03/13

- Saxilby Station Proposed Footbridge Elevations – Sheet 2 drawing no 106754-GNGE-FB-SAX-104 Rev A3 dated 21/03/13
- Saxilby Station Proposed Landscaping for Planning Issue drawing no 106754-GNGE-FB-SAX-105 Rev A0 dated 01/03/13

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 the National Planning Policy Framework and saved Policy STRAT 1 of the West Lindsey Local Plan First Review 2006.

3. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the completion of the development. 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 shall be replaced in the next planting season with others of similar size and species.

Reason: To ensure that an approved landscaping scheme is implemented in a speedy and diligent way and that initial plant losses are overcome, in the interests of the visual amenities of the locality and occupiers of adjacent buildings and in accordance with the National Planning Policy Framework and saved policies STRAT 1 and CORE 10 of the West Lindsey Local Plan First Review 2006.

4. No works shall take place involving the loss of any hedgerow, tree or shrub between 1st March and 31st August in any year until, a detailed survey shall be undertaken to check for the existence of nesting birds. Where nests are found, a 4 metre exclusion zone shall be created around the nests until breeding is completed. Completion of nesting shall be confirmed by a suitably qualified person and a report submitted to and approved in writing by the Local Planning Authority before any works involving the removal of the hedgerow, tree or shrub take place.

Reason: In the interest of nature conservation in accordance with the National Planning Policy Framework and saved policies STRAT1, CORE10 and NBE12 of the West Lindsey Local Plan First Review 2006.

5. Notwithstanding condition 4 above, if works to clear vegetation are to be carried out outside of the period of 1st March to 31st August inclusive, an ecological watching brief shall be carried out to check for the presence of any birds or wildlife and shall be carried out by a suitably qualified person. If any evidence of birds or wildlife is found, then a report shall be submitted for the approval of the Local Planning Authority detailing measures for their protection during the works and for the retention of existing or the provision of alternative habitats where appropriate. The approved measures shall be implemented and retained in strict accordance with the approved details.

Reason: In the interest of nature conservation in accordance with the National Planning Policy Framework and saved policies STRAT 1, CORE10 and NBE12 of the West Lindsey Local Plan First Review 2006.

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

None.

Notes to the Applicant

None