



Paper A
Development Management Committee
Date 7th March 2012

Subject: Planning applications for determination

Report by:	Director of Regeneration and Planning
Contact Officer:	Simon Sharp Development Management Team Leader 01427 676651
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 of the Scrutiny Procedure Rules apply?

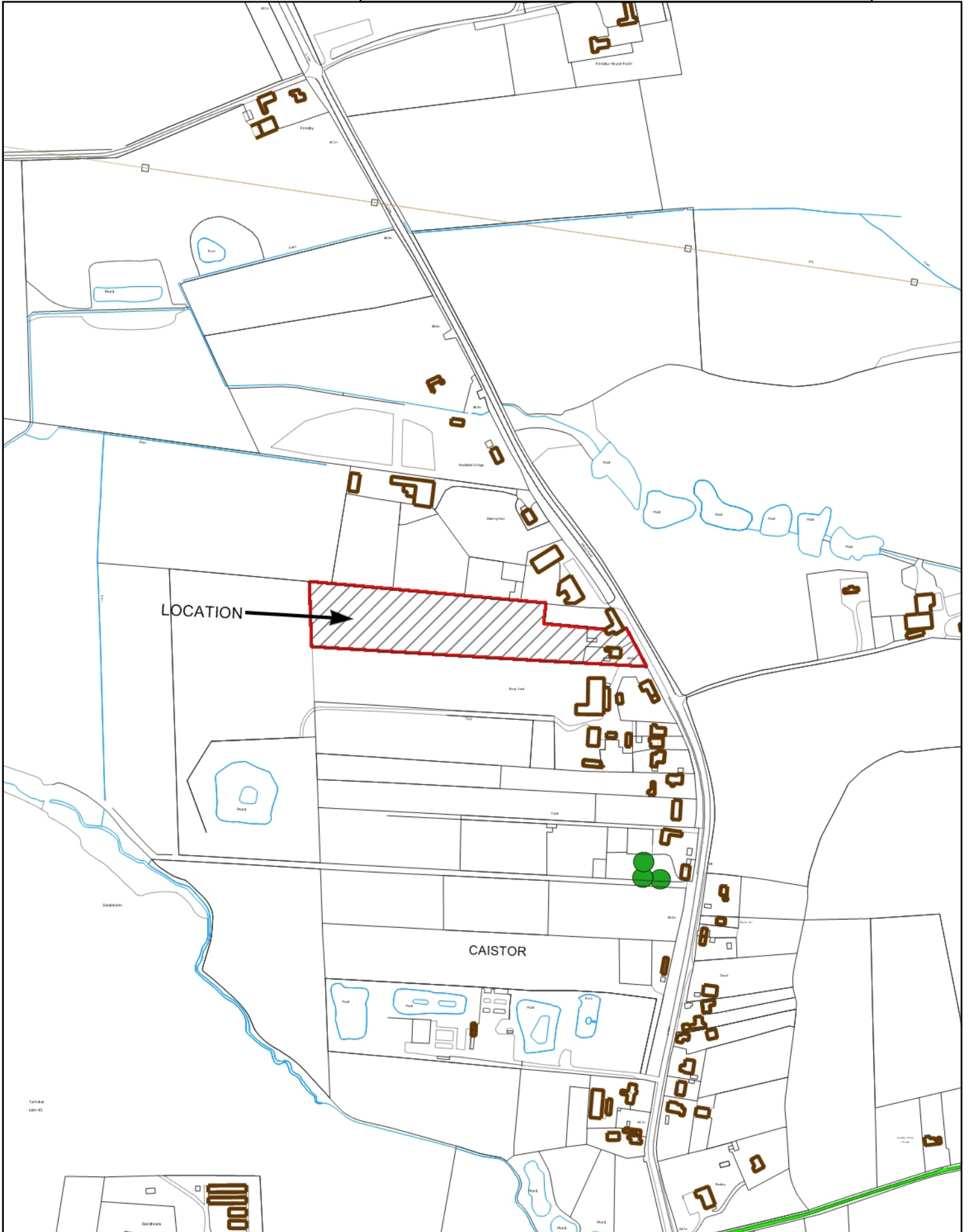
Yes

No

Key Decision:

Yes

No



Committee Report

Planning Application No: 127804

PROPOSAL: Planning application for change of use of land to touring caravan park with 40 touring pitches, 20 tent pitches, storage for 62 touring caravans, a reed bed drainage system and associated facilities – including an amenity building containing shower and toilet facilities, reception area and small shop, laundry room and café-lounge with commercial kitchen.

LOCATION: 115 Brigg Road Caistor Market Rasen, Lincolnshire LN7 6RX

WARD: Caistor

WARD MEMBER(S): Cllrs Alan Caine and Mrs Angela Lawrence

APPLICANT NAME: Mr and Mrs P Lodder-Manning

TARGET DECISION DATE: 19/01/2012

DEVELOPMENT TYPE: Large Major - Other

CASE OFFICER: Fran Bell

RECOMMENDED DECISION: Grant Planning Permission subject to conditions.

Description

Site - The site comprises a chalet bungalow and detached garage, the garden for the dwelling and a long paddock to the rear. The entrance to the paddock is separate to that for the house and is via a gate to the north of the dwelling. The site is relatively flat being at the foot of the Wolds escarpment with various mature trees, hedges and fencing to the boundaries.

An Area of Great Landscape Value designation starts across the road to the east and covers the hillside. To the north is 117 Brigg Road, another dwelling, with the farmland from Shieling Farm abutting the northern boundary further to the west. To the south is a scrap yard, not in use currently and another dwelling. Fields extend beyond the western boundary. The site is on the fringe of Caistor, characterised by different styles of residential properties and various businesses, gradually thinning out towards the north.

Proposal - It is proposed to change the use of the paddock to a site for 40 touring caravans and 20 tents with storage for 62 caravans at the rear of the site. The storage area will be surrounded by a 2 metre tall bund with planting on it. Beyond this will be a reed bed drainage system. Waste from caravans will be dealt with via a separate closed system. An amenity building will contain shower and toilet facilities, reception area and small shop, laundry room and café/ lounge with commercial kitchen. It will be constructed of horizontal shiplap boarding in pale blue with a terracotta colour steel sheeting roof. A small car park area will be situated opposite the amenity building for

caravans to wait while registration takes place. Revised plans and additional information, including a site management plan, were submitted during the application time.

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

Applications for the erection of the dwelling in the late 1960's and its further extension in 1988.

Pre application discussions regarding this application.

Representations

Chairman/Ward member(s): Cllr Alan Caine asked for the following to be considered:

- Extending deadline for neighbours
- Boundary treatment with sheep field to be secure
- Boundary treatment with neighbours generally
- TPO's on existing trees, particularly the mature ones
- Closeness of caravans to boundary in the application
- Drainage of site, particularly as it exits the Wolds edge and towards valley floor
- Access to / from Brigg Road
- Awareness of Brigg Road residents/ Town Council wanting to reduce speed limit
- Advantages/disadvantages of adjacent disused scrapyards (not with applicants/ vendors control)
- Lighting scheme – impinge on neighbours/ light pollution?
- If recommended for permission, suggests a strongly worded condition as to the months the site is open and a very definite closed/no visitor occupation period.

Caistor Town Council: Not opposed to 5* caravan site but serious concerns over location and size of this application:-

- No supporting evidence for demand for the site

- Highways issues. Speed limit of 50mph regularly exceeded. Speed limit reduction refused by LCC Highways. Towing caravans take time to get up to speed – could cause accidents. No street lighting or footpath. Access to Viking Way via Hundon Walk – visitors will need to walk along road.
- Site is large strip of green belt between commercial properties
- Loss of privacy for residents of 117 Brigg Road
- Concern re nearby sheep farm
- Geology – high water table (clay under sand). Concern that treated water will go sideways rather than down and be left as standing water in fields – particularly of neighbouring sheep farm.
- Concerns re potential contamination from neighbouring scrap yard.
- Mature oak trees not included on plan
- No information on opening times daily and seasonally

If application proceeds ask that:

- Evidence of demand supplied
- Geology and contamination surveys conducted
- Discussion with Highways re points raised
- Trees assessed for TPOs.

If Caistor Town Council's view not upheld, ask for following conditions:-

- Restrictions on times of vehicle movement
- Seasonality eg 10 month opening within the year
- Lighting

Local residents: 20 objections, including from Brigg Road Residents Group, Caistor residents, the neighbours to the site, 2 from Normanby-by-Spital, 1 from Manby and from Leith Planning Ltd on behalf of Dr David McKinlay, 117 Brigg Road. Objections are on the following grounds (note that some of these comments relate to superseded plans):

- *Principle* - against Local Plan policies, not in a sustainable location. Development will tip acceptable balance between commercial and residential properties – could lead to more being allowed. Amenity building does not comply with PPS4 and sequential evaluation given out of centre location - Shop will negate need to shop in Caistor. Campers will also bring own food. No proven demand. Already two caravan sites in locality that are not full. No need for a third. No new jobs other than for applicant and family
- *Visual impact* - Appearance of approach to Caistor – proud of town centre. Caravan site not in keeping with attractive market town due to gates and signage. Ribbon development unsightly. More appropriate at coast or at Wolds Retreat. Site is in open countryside - development will detract from landscape character (Area of Great Landscape Value across road). Bunding around storage unnatural land form

Will see caravan site from the Wold and Viking Way. This will spoil the views out across Lincolnshire.

- *Insufficient regard given to its ecology and biodiversity.*
- *Loss of agricultural land?*
- *Accessibility* - No access to Viking Way through farm on opposite side of Brigg Road.
- *Residential amenity* - Bins and chemical point close to neighbouring house as is car park, overbearing on neighbours. Lack of outdoor amenity space for caravan site. Hedges on north and south side have grown out and do not provide adequate screening. Fence on north side belongs to Shieling Farm, not 115 Brigg Road. Loss of privacy and enjoyment of garden/summer house. Child will be seen by strangers. Noise will disturb child sleeping. Amenity building as hub of site less than 45metres from boundary. Loss of security – currently relies on garden being out of public site. Litter in garden. Dogs will disturb neighbours dogs. Smell from cooking.
- *Development will impact on human rights particularly right to privacy and family life and peaceful enjoyment of property.*
- *Trees* - Trees not shown on plan. Give tremendous landscape value. Should have Tree Preservation Orders. No tree survey
- *Traffic* - Busy road with variety of vehicle types, including vulnerable horse riders and cyclists. Slow caravans will cause accidents. Accident would hit rear of car where small child sits. Speed limit regularly exceeded especially by motorcyclists. Only 270m into 50mph limit – tailgating a problem. Residents hoping to reduce speed limit. No street lighting or footpath. Cars at neighbouring property block visibility as does position between bends. Where will parking (other than as shown near amenity building) be on the site? No specific cycle parking proposed.
- *Waste* - No provision for recycling. More information needed re bin store and sewage plant
- *Animal welfare* - Sheep on neighbouring farm being affected by dog nuisance, rubbish, stray playing equipment and curious general public. Unfamiliar movements send sheep racing to other side of field – not conducive to flock welfare.
- *Could become travellers site.*
- *Pollution from adjoining scrap yard.*

- *Geology* – Site consists of fine sand overlying clay. Neighbours experience shows vehicles compact sand reducing drainage ability. Soon becomes waterlogged due to clay underneath. High water table evidenced by work in neighbours garden summer 2011.
- *Drainage / flood risk* - Fear that effluent from reed bed will not percolate downwards but will spread sideways polluting neighbouring properties and watercourses. Must not affect nearby fishing pond. Open land drainage ditch 125 metres down slope from reed bed and 75 metres, beyond this is chalk stream rising from a spring on the Wolds. Various other springs in locality. Testing done in very dry summer. Standing water is a problem on neighbouring site. Amenity building will generate large amount of waste water. Seek assurance that will not be surface water flooding due to increase in hard surfacing on site.

If granted consider mass tree planting, discreet tasteful signage, extend street lighting and footpath, control litter, move access road to other side of 115 Brigg Road (would need to remove garage), move facilities to behind rather than beside 117 Brigg Road,

LCC Highways: Requests the following to be achieved by condition

- Junction details with Brigg Road.
- Frontage footway required to link to existing footway on Brigg Road to provide safe pedestrian link into Caistor.
- A 2.4 by 160 metre visibility splay required and should be detailed on layout plan.

Environment Agency: No objection but points out that a permit will be needed (NB granted 22nd December 2011) from Environment Agency to discharge final effluent from reed bed. The waste from chemical toilets must be kept separate as the chemicals would kill off the bacteria in the plant.

NB. Applicant confirms it will go to holding tank to be tankered off site. Site operators must ensure visitors comply with this system.

WLDC Regeneration: Support application.

- The provision of tourist accommodation is an important element for future development within the district, particularly establishments with emphasis on quality which will add value to tourism product.
- There are limited quality caravan sites in District and particularly in Caistor area so development can only assist in bringing further tourists into West Lindsey.

WLDC Environmental Protection:

- Requests noise report to include noise impact assessment and details of proposed mitigation measures. Can be conditioned (Noise report subsequently submitted)

- Need confirmation that motor home station will have separate system for chemical waste. (Now received)
- Add a contaminated land condition due to the potential for contaminants from the scrap yard to the south to include action on any mitigation measures.
- Condition extraction details for kitchen.

WLDC Environment Officer (Landscaping) – No objection to the proposed landscaping planting and all supporting information relevant to the planting scheme has been provided.

LCC Archaeology: No further archaeological input required.

Relevant Planning Policies:

Development Plan

- **East Midlands Regional Plan 2009**

Policy 42 – Regional priorities for tourism

http://webarchive.nationalarchives.gov.uk/20100528142817/http://www.gos.gov.uk/497296/docs/229865/East_Midlands_Regional_Plan2.pdf

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

STRAT 1 Development Requiring Planning Permission

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

STRAT 12 Development in the open countryside

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

STRAT19 – Infrastructure Requirements

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

SUS1 – Development Proposals and Transport Choice

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

RTC9 – Restaurants and Cafes, Drinking Establishments and Hot Food Takeaways

<http://www2.west-lindsey.gov.uk/localplan/written/cpt10.htm>

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

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

NBE14 – Waster water disposal

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

NBE18 – Light pollution

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

NBE19 – Landfill and Contaminated Land

<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>

SPG to above – The West Lindsey Countryside Design Summary 2006
http://www2.west-lindsey.gov.uk/upload/public/attachments/599/SPG_Adopted_Countryside_Design_Summary.pdf

[NB Policies SUS8, SUS10, ECON3, CRT16 and RTC7 mentioned in the submission by Leith Planning Ltd were not saved and so do not form part of the Development Plan]

Other policy and relevant considerations

- PPS4 Planning for Sustainable Economic Growth (2009)
<http://www.communities.gov.uk/documents/planningandbuilding/pdf/planningpolicystatement4.pdf>
- PPS7 Sustainable Development in Rural Area (2004).
<http://www.communities.gov.uk/documents/planningandbuilding/pdf/147402.pdf>
- PPS 25 Development and flood risk (2010)
<http://www.communities.gov.uk/documents/planningandbuilding/pdf/planningpolicystatement25.pdf>
- Good Practice Guide on Planning for Tourism (2006)
<http://www.communities.gov.uk/documents/planningandbuilding/pdf/151753.pdf>
- United Kingdom Tourism Survey (UKTS) for the East Midlands (2007)
http://www.visitengland.org/Images/UKTS%202007%20-%20East%20Midlands_tcm30-19442.pdf
- Generating Strategic Insight for Lincolnshire: Current & Potential Visitor Profiling (2009)
- Circular 3/99 Planning Requirement in respect of the Use of Non-Mains Sewerage incorporating Septic Tanks in New Development.
<http://www.communities.gov.uk/documents/planningandbuilding/pdf/147582.pdf>
- Draft National Planning Policy Framework (2011)
<http://www.communities.gov.uk/documents/planningandbuilding/pdf/1951811.pdf>

Main issues

- Principle
- Traffic Impact
- Economic Impact
- Neighbouring amenity

- Landscape Impact
- Environmental Impact – noise, smell, contaminated land.
- Drainage / Flood Risk

Assessment:

Introduction - The description of the application was amended to more fully describe the proposal. All those who had made representations were informed of this. Following receipt of additional information, officers consider that the Council have sufficient information to reach an informed decision.

For the avoidance of doubt, this assessment does not consider the area within the application site shown as phase 2. Any application in the future for Phase 2 will be considered on its merits at the time and a condition is considered necessary to define the areas under consideration.

Principle - The site is in the open countryside where development is restricted. However, it is considered that the character of the area is part of the northern edge of Caistor with a mix of commercial and residential properties and should be considered as part of the town.

Tourism is an important part of the economy of the District. However, camping is limited, as evidenced by The United Kingdom Tourism Survey (UKTS) for the East Midlands (2007) which shows overnight stays in this sector are a small fraction of the total. A County Council commissioned market research report on Generating Strategic Insight for Lincolnshire: Current & Potential Visitor Profiling (2009) found that Lincolnshire is attracting the older independent minded leisure visitor who like their holidays at a more relaxed pace and don't enjoy really busy resorts. They do value the personal service they receive at smaller and more independent accommodation sites and tend to go for holidays in more rural locations. The report also found that one disadvantage Lincolnshire has is that scenery is important for rural holidays and the scenery is not seen as being impressive in Lincolnshire, so the product offer and the activities that are available need to be enhanced to give people a reason to visit.

PPS7 recognises that tourism activities are vital to rural economies and support the prosperity of country towns and villages. Sustainable rural tourism should be supported provided it does not harm the character of the countryside, its towns, villages, buildings and other features. It recognises the attraction of statutorily designated landscapes and notes the scope for tourist development in such areas provided that it is carefully sited to conserve the qualities that justify the designation. Visitor facilities should be sited in, or close to, service centres. This site is within walking distance of the centre of Caistor. Whenever possible, facilities should be housed in existing structures. However, there are no suitable existing structures at this site. The amenity building is small in scale and will not be seen from the road, being tucked behind the existing house. Mentioning caravan sites particularly, paragraph

39 requires planning authorities to carefully weigh the need to provide adequate facilities against the need to protect landscape and environmentally sensitive sites. Sites prone to flooding should not be used. Sites must not be prominent in the landscape and screening should be used to minimise visual intrusion.

The Good Practice Guide on Planning for Tourism supplements PPS7 and recognises the economic benefits of tourism and the supporting role it provides in rural areas. Where the landscape is the attraction, it is considered that tourism can help sustain the local environment. Developments need to be located where they are accessible to visitors, where they will not have an adverse impact on sensitive environments, will be attractive to visitors and use natural resources in an efficient manner.

Given the location of the site opposite an Area of Great Landscape Value and within easy reach of The Lincolnshire Wolds AONB, the local landscape character is impressive and is an attraction in its own right for visitors along with the town of Caistor. The applicants are aiming the marketing of the site at the more mature visitor with a focus on local produce, excellent service and providing a quiet, relaxing site. This fits in with the demand from the current visitor profile.

This development is located on an A class road on the edge of a town. Whilst it will extend further back than the majority of the development in the immediate locality, it will be screened from the road and will be seen in context with other development when viewed from long distance paths such as The Viking Way.

In terms of need, there are two other sites in the area, one at Caistor Fisheries for 10 touring caravans and 4 static caravans and a static caravan site further out of town known as Wolds Retreat. However, neither of these caters for the same market and planning cannot control commercial competition and cannot refuse an application on grounds of other sites not being commercially successful. It is not considered that the addition of this caravan site will lead to an over concentration of this type of tourism accommodation in the locality.

Concern has been raised that the shop will prevent those staying at the site from shopping in Caistor and the wider area. However, this will only carry basic supplies such as bread and milk together with emergency spares for caravans and caravan toilet chemicals. It will be necessary for holiday makers to shop in the town and the applicants intend to promote the facilities available in Caistor. The site facilities will be limited to holiday makers at the site only to ensure that there is no adverse impact on the local economy and to ensure that the vitality and viability of the town centre is not affected in accordance with PPS4.

The amenity building is of an appropriate scale to the size of the site and its facilities can be restricted to use by holiday makers at the site only, making sure that the facilities remain ancillary to the main use.

The paddock has rough grass and bracken, is grade 3 and is not considered to be prime agricultural land.

Sustainability and highways - It is thought that the majority of users will first arrive at the site by car (many towing their caravan). Once at the site, it is acknowledged that the town centre is beyond the reasonable walking distance cited by DfT (300m-400m). However, there are few if any sites, which are considered appropriate and available, nearer to the centre and the site is near to the Viking Way . A pavement runs for much of the required length but a condition is considered necessary to ensure that the missing section is completed before the first use of the site.

A plan showing how two cars towing caravans can pass each other at the entrance without straying onto the opposite carriageway has been submitted. Visibility splays of 160metres by 2.4metres can be achieved in both directions and the gates will be 13 metres back from the edge of the carriageway, allowing a car with a caravan to be clear of the road. Whilst it is noted that the entrance is between two of these bends, given that all of the requirements of the Highways Officer can be met, it is not considered that caravans using the site will cause additional traffic hazard to the detriment of other road users.

There is a small car park proposed near the amenity building for parking during booking in and for any deliveries. Otherwise, cars will park next to the caravans on the site. There will be no parking on the highway verge.

The road way around the site will be made from 10mm grey granite chips, the same as used by the Highway Authority to top off public roads. They do not spread, are laid in a thinner layer than standard gravel and produce little or no noise. As it is an unbound surface it allows natural drainage, slows the vehicular traffic and is softer in appearance than a hard surface.

Neighbouring amenity - It is noted that 117 Brigg Road is in close proximity to the site and that these neighbours have raised objections to the application. However, during the life of this application, further information has been submitted. This includes details of a fence (2 metres close boarded fencing with a further 0.4 metres of trellis on top) to run along the boundary. The planting will include tree planting of ash, birch, field maple, holly and rowan which will further screen the caravan site from view. The landscaping has responded to comments from the Council's Environment Officer.

The bin store, motor home service point and sewage system have been moved further from the property. These measures will lessen the impact on the neighbour to an acceptable level.

The proposed management policy which has been submitted for the park proposes to limit the opening times in terms of facilities to 8 am to 10pm in the summer season and 9am to 8pm in the winter. Such hours could be the subject of a planning condition if deemed necessary, which given the residential dwellings in the vicinity is considered to be the case here.

The same policy states that excessive noise from radios, televisions and stereos will not be tolerated and that there should be no noise between 11pm and 7am. Such restrictions could not be the subject of a planning condition due to the lack of enforceability.

A noise report was also submitted during the course of this application upon request of the case officer. It is noted that the readings were taken at 8.30am, when it would be reasonable to expect slightly more traffic noise from the road. The report also noted the noise from the nearby repair shop and MOT centre. The noise report notes that acoustic fencing along the boundary with 117 Brigg Road would not make a significant reduction in noise over the close boarded fence proposed.

As yet, the kitchen filtration and extraction details are not known. However, these details can be the subject of a condition, minimising the risk of smells from the commercial kitchen affecting neighbouring properties.

The location of the bins has been moved away from 117 Brigg Road. The chemical toilet emptying point and sewage system are also on the other side of the park. These will not emit smells as they are sealed systems.

Landscape Impact - Concern has been raised about long distance views of the site from the AGLV, the AONB and The Viking Way, a long distance footpath that follows the hill opposite the site. However, the site is in an area which has a commercial character. It is also thought that views from The Viking Way will be limited due to the path coming down into the fold of the contour near Hundon Manor opposite the site.

The plan now shows the location of the mature trees. The Environment Officer has suggested that the boundary hedges be reinforced with additional planting and some further tree planting to soften the impact of caravans.

The masterplan shows a landscaping scheme including dividing hedges of hawthorn with hornbeam. At the entrance and around the boundaries more trees will be introduced. However, it is considered that yet more native trees would assist with screening the site and strengthening the boundaries. This can be conditioned.

A condition requiring that there be no lighting other than as shown on the plan (low level and low wattage) is also considered reasonable given that the site location

Contamination - The adjacent site to the south has been used as a scrap yard. At the present time this is not in operation but could start up again. Concern has been expressed about the potential of contaminants both air and ground borne on the application site. To ensure that there is no risk, a contaminated land report will be required and any findings acted upon before the caravan site is brought into use. This will be conditioned as part of the consent.

Drainage / Flood Risk

- *Fluvial flooding* – The site is within Flood Zone 1 as defined by the Environment Agency's Flood Zone Maps, the zone at least probability of flooding and therefore the sequentially most preferable (as detailed in PSS25).
- *Foul drainage* - There is no mains drainage to this part of Caistor and therefore it is not practicable to connect to a system as preferred by Circular 3/99. The preferred alternative is a package treatment plant rather than septic tank. It is proposed that foul water from the amenity building will be routed to a package treatment plant and then onto a reed bed at the rear of the site. The discharge to the reed bed is already high quality, clear and odourless. The reed bed is required to remove the Phosphate before discharging back into the watercourse. The Environment Agency has issued a permit for this to take place. The reed bed has a 24 hour retention time.

The chemical toilets are to be emptied into a dedicated emptying point. This system is sealed and kept totally separate from the reed bed system as the chemicals would destroy the bacteria necessary to filter the water.

- *Surface water drainage* – Best practice, echoed in the sustainability principles enshrined in PPS25, advises that surface water should be dealt with on site through open attenuation and percolation. It is proposed that surface water will be discharged into soakaways with some rainwater harvesting from the ancillary building. It is noted that concerns have been raised about the underlying geology and that the area is known to have underground springs. However, it is also known that there are pockets of sand in the area, this site being one of them. When the percolation tests were carried out as part of the Environment Agency Permit application, it was discovered that the land has a very low retention factor. The Environment Agency has therefore required the inclusion of retention material in the reed bed to allow it to filter properly. Given these findings, it is considered that surface water should drain away adequately, even in heavy rain. The implementation the proposed method can be secured by condition.

Conclusion and reasons for decision

The application has been considered against the Development Plan particularly Policy 42 – Regional priorities for tourism of the East Midlands Regional Plan 2009 and saved policies STRAT1 – Development requiring planning permission, STRAT12 – Development in the open countryside, STRAT19 – Infrastructure Requirements, SUS1 – Development Proposals and Transport Choice, RTC9 – Restaurants and Cafes, Drinking Establishments and Hot Food Takeaways, NBE10 – Protection of Landscape Character and Areas of Great Landscape Value, NBE14 – Waster water

disposal, NBE18 – Light pollution, NBE19 – Landfill and Contaminated Land 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 considerations include PPS4 Planning for Sustainable Economic Growth (2009), PPS7 Sustainable Development in Rural Area (2004), PPS25: Development and Flood Risk (2010), the Good Practice Guide on Planning for Tourism (2006), the United Kingdom Tourism Survey (UKTS) for the East Midlands (2007), Generating Strategic Insight for Lincolnshire: Current & Potential Visitor Profiling (2009), Circular 3/99 Planning Requirement in respect of the Use of Non-Mains Sewerage incorporating Septic Tanks in New Development and the Draft National Planning Policy Statement (2011). In light of the above assessment the proposals are considered acceptable for the following reasons.

The site is on Brigg Road, characterised by a mix of housing styles and commercial development. The caravans will be set back from the road behind the existing residential property. With suitable conditions, it is considered that the amenity building provides facilities commensurate with the size of caravan park but ancillary to it. It is not prime agricultural land. The foul drainage is considered acceptable with the final filtration through a reed bed and the Environment Agency has issued the permit for this to take place. Percolation tests have shown that ground conditions will accept surface water via soakaways.

Recommendation Grant planning permission subject to 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 contaminated land assessment and associated remedial strategy, together with a timetable of works, have been submitted to and approved in writing by the Local Planning Authority (LPA) and the measures approved in that scheme shall be fully implemented. The scheme shall include all of the following measures unless the LPA dispenses with any such requirement specifically in writing:

- a) The contaminated land assessment shall include a desk study to be submitted to the LPA for approval. The desk study shall detail the history of the site uses and propose a site investigation strategy based on the relevant information discovered by the desk study. The strategy shall be approved by the LPA prior to investigations commencing on site.

- b) The site investigation, including relevant soil, soil gas, surface and groundwater sampling, shall be carried out by a suitably qualified and accredited consultant/contractor in accordance with a Quality Assured sampling and analysis methodology.
- c) A site investigation report detailing all investigative works and sampling on site, together with the results of analysis, risk assessment to any receptors and a proposed remediation strategy shall be submitted to the LPA. The LPA shall approve such remedial works as required prior to any remediation commencing on site. The works shall be of such a nature as to render harmless the identified contamination given the proposed end-use of the site and surrounding environment including any controlled waters.
- d) Approved remediation works shall be carried out in full on site under a quality assurance scheme to demonstrate compliance with the proposed methodology and best practice guidance. If during the works contamination is encountered which has not previously been identified then the additional contamination shall be fully assessed and an appropriate remediation scheme agreed with the LPA.
- e) Upon completion of the works, this condition shall not be discharged until a closure report has been submitted to and approved by the LPA. The closure report shall include details of the proposed remediation works and quality assurance certificates to show that the works have been carried out in full in accordance with the approved methodology. Details of any post-remedial sampling and analysis to show the site has reached the required clean-up criteria shall be included in the closure report together with the necessary documentation detailing what waste materials have been removed from the site.

Reason: In order to safeguard human health and the water environment and identify potential contamination on-site and the potential for off-site migration as recommended by the Environment Agency and the Environmental Health Manager in accordance with West Lindsey Local Plan First Review Policy STRAT1.

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

3. The development shall not be carried out otherwise than in accordance with the amended masterplan 4G received 14th February 2012 and this permission exclude the land annotated as phase 2 on the same said plan.

Reason: To define the terms of the planning permission for the avoidance of doubt and to ensure an acceptable quality of design/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.

4 Before the commercial kitchen is brought into use the extraction and filtration system detailed in the agents email of 14th February shall be installed and shall include an active charcoal filter. This shall be maintained in accordance with the manufacturers instructions and retained thereafter.

Reason: To safeguard the residential amenities of nearby residents in accordance with West Lindsey Local Plan First Review Policy STRAT1.

5 The fencing around the rear garden of 117 Brigg Road shall be installed before works commence on site and thereafter retained

Reason: To safeguard the residential amenities of this property in accordance with West Lindsey Local Plan First Review Policy STRAT1.

6 The revised access shown on drawing no. 7 Entrance Details received 19th January 2012 shall be implemented before the first use of the development hereby approved and thereafter retained.

Reason: In the interests of highway safety in accordance with West Lindsey Local Plan First Review June 2006 Policy STRAT1.

7. The footpath across the frontage of the property as detailed on drawing no. 7 Entrance Details received 19th January 2012 shall be implemented before the caravan site is first used.

Reason: In the interests of sustainability and highway safety in accordance with West Lindsey Local Plan First Review June 2006 Policy STRAT1.

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

8. The caravans and tents within the area marked cross hatched on the approved plan Masterplan 4G received 14th February 2012 shall be occupied for holiday purposes only

Reason: To ensure that the holiday accommodation is not used for permanent residential occupation which would be inappropriate in this unsustainable location where residential occupation can only be supported in this instance in conjunction with a tourism use for the benefit for the rural economy in accordance with policy STRAT1 of the West Lindsey Local Plan First Review June 2006 and The Good Practice Guide on Planning for Tourism.

9. The caravans and tents within the area marked cross hatched on the approved plan Masterplan 4G received 14th February 2012 shall not be occupied as a person's sole, or main place of residence.

Reason: To ensure that the holiday accommodation is not used for permanent residential occupation which would be inappropriate in this unsustainable location where residential occupation can only be supported in this instance in conjunction with a tourism use for the benefit for the rural economy in accordance with policy STRAT1 of the West Lindsey Local Plan First Review June 2006 and The Good Practice Guide on Planning for Tourism.

10. The operators shall maintain an up to date register of the names of all occupiers of the site and of their main home addresses and shall make this information available at all reasonable times to the local planning authority.

Reason: To ensure that the holiday accommodation is not used for unauthorised permanent residential occupation in accordance with policy STRAT1 of the West Lindsey Local Plan First Review June 2006 and The Good Practice Guide on Planning for Tourism.

11. The amenity buildings marked "X" (which exclude the toilet and shower facilities) on the approved Masterplan 4G received 14th February 2012 shall not be used outside of the following times:-

08:00 to 22:00 Mondays to Sundays

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

12. The shop on site shall be restricted to users of the caravan park only.

Reason: To ensure that the facility remains ancillary to the main use as a caravan park and does not have an adverse impact on the economic viability of Caistor in accordance with policy STRAT1 of the West Lindsey Local Plan First Review June 2006.

13. The café on site shall be restricted to users of the caravan park only.

Reason: To ensure that the facility remains ancillary to the main use as a caravan park and does not have an adverse impact on the economic viability of Caistor in accordance with policy STRAT1 of the West Lindsey Local Plan First Review June 2006.

14. The tents and caravans shall be restricted to the space known as Phase 1 as shown on the Masterplan 4G received 14th February 2012.

Reason: To define the terms of the planning permission for the avoidance of doubt.

15. The landscaping scheme detailed on Masterplan 4G together with the additional planting details in the agents email, both dated 14th February 2012, shall be carried out in the first planting and seeding season following the occupation of the caravan park 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, unless the Local Planning Authority gives written consent to any variation.

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 land and in accordance with West Lindsey Local Plan First Review Policy STRAT 1.

16. There shall be no additional external lighting other than in the positions shown on Masterplan 4G received 14th February 2012.

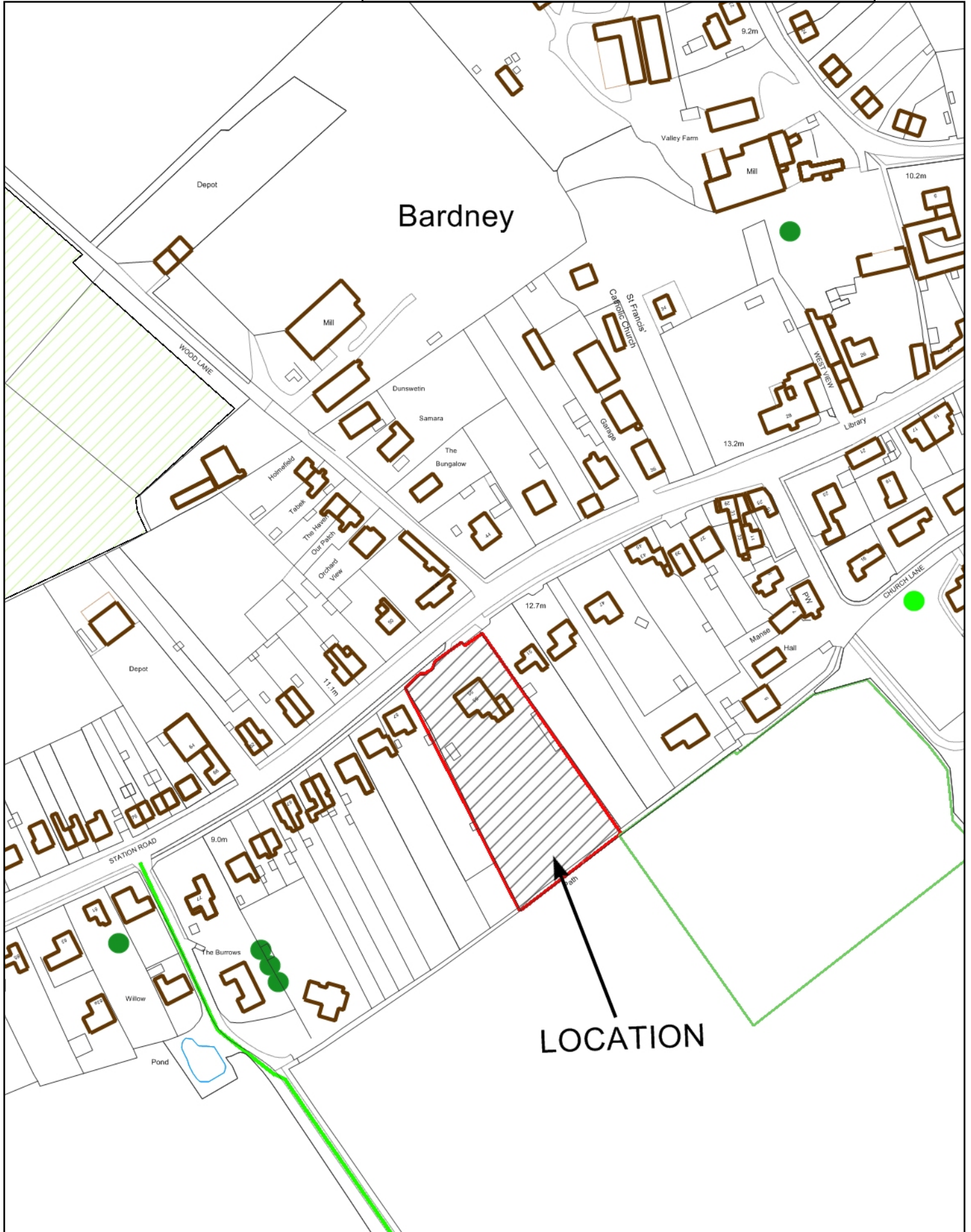
Reason: To prevent the obtrusive spread of light over a large area in the interest of visual amenity in accordance with West Lindsey Local Plan First Review Policy STRAT1 and NBE18.

17. Any caravans stored within the caravan storage area marked hatched on the approved plan Masterplan 4G received 14th February 2012 shall not be used for residential occupation whilst located within the site.

Reason: To ensure that the stored caravans are not used for permanent residential occupation which would be inappropriate in this unsustainable location where residential occupation can only be supported in this instance in conjunction with a tourism use for the benefit for the rural economy in accordance with policy STRAT1 of the West Lindsey Local Plan First Review June 2006 and The Good Practice Guide on Planning for Tourism.

Notes to the Applicant

The applicants are advised to contact the Area Network Office (01552 553084) prior to commencing work for permission to carry out work on the adopted highway and for advice and assistance in carrying out the works.



Committee Report

Planning Application No: 128149

PROPOSAL: Planning application for change of use from dwellinghouse - C3 - to residential care home - C2 - to include minor alterations including converting the ancillary building, known as The Berries, to form two living bedrooms with communal kitchen and dining room and other alterations within the main building

LOCATION: The Hawthorns 53 Station Road Bardney Lincoln, Lincolnshire LN3 5UD

WARD: Bardney

WARD MEMBER(S): Councillor Ian Fleetwood

APPLICANT NAME: Mr Paul De Savary, Home from Home Care Ltd

TARGET DECISION DATE: 17/02/2012

DEVELOPMENT TYPE: Change of Use

CASE OFFICER: Fran Bell

RECOMMENDED DECISION: Grant planning permission subject to conditions

Description

The Hawthorns is a large detached Victorian villa set in a large garden to the south of Station Road, one of the principal routes through the village with Bardney Bridge to the west.

The Hawthorns is home to seven people with learning difficulties, who live together as a household. Under Use Class C3 – dwelling house, up to six people can live in one house. However, provided there is no material change to the overall working practices or traffic generated, the accommodation of an additional resident does not always require planning permission. This was accepted to be the case here in August 2007.

Station Road is characterised by similar dwellings, mostly Victorian through to post war. There are dwellings either side and across Station Road. To the rear of the garden is public footpath BARD/132/1 beyond which is a field.

There is a large outbuilding, known as The Berries, in the rear garden near the eastern boundary. It is currently used as a sensory room and an activities room. It is proposed to convert this into two living bedrooms with communal kitchen and dining room. The sensory room and the activities would move into the main house into the existing conservatory. Two porches would be added to the west elevation of The Berries, one with two doors in it. This would include a new opening into the communal kitchen space and a window changed to a door to access the second living bedroom. An existing door would be altered to a window at the southern end of the building. This building

would allow two residents to live slightly more independently than those in the main house, but still with support from staff.

This would increase the number of residents on site from seven to nine, taking the operation into a different Use Class of C2 Residential Institution which includes residential care homes, hospitals, nursing homes, boarding schools, residential colleges and training centres. The unit will not be a secure unit, therefore it would not fall in Use Class C2a – Secure Residential Institution, nor would it be within Use Class C4 – House of Multiple Occupation.

Relevant history:

Letter from then Development Control Manager agreeing with agent that planning consent was not required to change store room to accommodation for seventh resident. 17th August 2007.

M05/P/0144 Planning Application for a conservatory Granted consent 7th April 2005

M04/P/1183 Planning Application for change of use from Bed and Breakfast (C1) to Residential (C3) Granted consent 19th November 2004

M01/P/0816 Planning Application for change of use from a nursing home to a guest house. Granted consent 15th October 2001

97/P/0774 Planning application to erect extension. Granted consent 31st October 1997

W3/878/92A Erect two storey extension to provide additional accommodation in accordance with amended ground floor plan received on 21 January 1993. Granted consent 20th April 1993

W3/639/86 Extend nursing home Granted unconditional consent 25th September 1986

W3/444/86 Planning application to change the use of dwelling to Nursing Home and extend premises. Granted consent 11th August 1986

Representations:

Chairman/Ward member(s): Briefed Ward Member on case at the office. Ward Member forwarded emails from residents regarding the case to the case officer.

Bardney Parish Council: Objection :-

- Concerns re parking. Station Road is a heavily used main route into village with traffic travelling at speed.
- Staff and visitors do not use the car park and blocking drives with on street parking. Difficult for emergency vehicles to get through.
- Gated entrances both sides preventing access to car parks

- Change from residential to institute requires further explanation

Local residents: 14 letters of objection have been received from Marimoor Southrey, The School House Southrey, 48 Station Road, 50 Station Road, 52 Station Road, The Cottage Wood Lane, 57 Station Road

1 letter of observation received from 51 Station Road

The objections are on the following grounds:-

- Parking on highway/ obstruction, difficult to exit from Wood Lane junction and drives/ Road Safety
- Suggest conditions of planning consent restrict parking on highway, parking on site only, extend off road parking, double yellow lines leading up to Wood Lane, double yellow lines either side of Station Road so drivers do not double park and leave clear flow for other road users, S106 to improve verge damaged by vehicles and retain ease of traffic movement .
- Suspect parking problem will return post planning consent
- Closed gates
- Traffic both vehicular and pedestrian – potential increase
- Resident’s behaviour including banned from some shops
- Fear of residents
- Staff and residents not always local
- Pressure on specialist health services paid for by Lincolnshire people
- Noise
- Integration into the Community and Village Life
- Principle of change of use
- Need to limit number of residents
- Need to monitor further expansion
- Impact of moving sensory room to conservatory
- Should not have to tolerate business that impacts on lives of residents / detrimental to quality of life
- Case Officer met applicant but not objectors
- Reduction in property values

3 letters of support have been received from 2 parents of 2 resident and a volunteer at the home. The grounds of support are as follows:-

- Specially adapted environment to meet changing needs in life
- Small friendly village community
- Well planned development in sympathy with existing development
- Does not overlook and behind building line
- Less traffic to site as activities will take place elsewhere
- Opportunity for more independent living / residents gain confidence
- Residents do visit local shops, café, churches
- Important for the village

LCC Highways: A minimum of 3 additional parking spaces should be provided within the site to cope with visitor numbers. These spaces do not necessarily need to be marked out as formal parking spaces, but could be in the form of a grass crete overflow area. Sufficient turning spaces are also required for these additional spaces.

LCC Footpaths: No observations to make

Relevant Planning Policies:

Development Plan

- **East Midlands Regional Plan 2009**

Policy 1 Regional Core Objectives
 Policy 18 Regional Priorities for Regeneration
 Policy Lincoln Policy Area SRS7 Deprivation and Exclusion

All available at

http://webarchive.nationalarchives.gov.uk/20100528142817/http://www.gos.gov.uk/497296/docs/229865/East_Midlands_Regional_Plan2.pdf

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

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

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

CRT 14 – Residential and Nursing Homes
<http://www2.west-lindsey.gov.uk/localplan/written/cpt9.htm>

National guidance

- **PPS1: Delivering Sustainable Development (2005)**

<http://www.communities.gov.uk/documents/planningandbuilding/pdf/planningpolicystatement1.pdf>

- **PPS4: Planning for Sustainable Economic Growth (2009)** supports the re-use of buildings in rural locations for economic purposes, particularly those in existing settlements where the benefits outweigh the harm.

<http://www.communities.gov.uk/documents/planningandbuilding/pdf/planningpolicystatement4.pdf>

- **Draft National Planning Policy Framework (2011)**

<http://www.communities.gov.uk/documents/planningandbuilding/pdf/1951811.pdf>

Main issues

- Principle
- Design
- Traffic and Highways
- Other matters

Assessment:

Principle - The main issue to consider is the potential impact changing from seven to nine residents and the change in character of the use, from C3 dwelling house to C2 residential institution.

Policy CRT14 – Residential and Nursing Homes, is permissive of such proposals in principle, providing they are located within a settlement in a predominantly residential area, which the application site is.

The acceptability of detailed proposals in turn rests on meeting all of the 5 following criteria; not to harm the amenities or character of the locality; be located close to existing services and facilities; not harm the character of the premises; provide suitable amenity space; and not harm the amenities of adjoining properties or residents.

Station Road is residential in character and this will not change as a result of the proposals. The appearance of the site within the surrounding context will change very little. The porches may be glimpsed along the driveway but no more given the distance from the road and the slight dip down towards the rear of the site. Moving the activity and sensory room will not harm the character of the main building as the dimensions of the conservatory will not change. There is ample garden space and this will not alter as a result of the proposal. Bardney has shops including a Co-op, various meeting places including a pub, a café at the heritage centre and the churches. It also has a health centre. Bus services pass through the village.

In terms of the impact on neighbouring residential amenity, it is not considered that the addition of two further residents will alter the existing relationship. Those residing in The Berries will be slightly more independent than those living in The Hawthorns but will still be supervised. Traffic impact is examined later in the report.

The nature of Home from Home Care is to provide lots of space for its residents and it would go against the company ethos for residents to share rooms. However, it cannot be guaranteed that this company will remain at this site in perpetuity and another use within C2 such as a training centre or residential college could generate more comings and goings than would be

acceptable in a street with such a residential character. Therefore, a condition restricting the numbers to nine (seven in The Hawthorns and two in The Berries) is considered reasonable. This condition would require any future change to have planning permission.

Any future extension would require planning permission, and this would be assessed on its merits at the time.

The applicant has stated that none of the residents are banned from any shops. They are as much a part of the community of Bardney as is possible given the needs of the residents. This links with the requirements of Regional Plan Policy Lincoln Policy Area SRS7 Deprivation and Exclusion which seeks to develop more sustainable communities through improving skill levels and ensuring there is sufficient social infrastructure to meet additional needs.

Although the perception of fear can be a material consideration, the level of perceived fear in this instance is not considered to be at a sufficient to justify refusal on such grounds. The applicant is keen to resolve any issues between neighbours of the property and has invited closer communication from local residents in future to resolve issues before they become contentious.

Design - The porches are subordinate to the original design and allow for access into each apartment and into the communal kitchen and dining, giving the residents some privacy. There will be little impact on the overall appearance of the locality.

The design of the conservatory will not change as a result of moving the sensory room equipment and the activity table into it. The sensory room lights (fibre optic and bubble tube) work best in the dark. Blinds will be drawn blocking out the light, therefore, neighbours will not be able to see the lights from outside.

Traffic and Highways - This issue has caused the most concern amongst residents. Various photographs have been submitted to show how vehicles parked on Station Road make it difficult to enter and exit driveways and the junction with Wood Lane (the opposite side of the road from the site). Some residents have reported that there has been less parking on the road recently but fear that this will change once planning permission is granted.

None of the residents have vehicles, only staff but the applicant does have two minibuses – one 9 seater and one 4 seater. There are ten parking spaces and two spaces for the minibuses currently. The Berries has been used as social space for residents to come from other Home from Home sites. However, this will no longer happen if permission is granted, as the space will not be available for such uses. It is intended that the conservatory will be used for residents of The Hawthorns and The Berries only. Therefore, traffic movements will decrease. There are seven staff on shift in the morning and six in the afternoon. Two staff are on duty and awake overnight with one additional staff member sleeping over occasionally. Arrival and departure

times are staggered. It is intended that no more than two staff will be required to support the two residents in The Berries. No additional night staff will be required as Telecare (remote sensors) will be used to alert existing staff to any problems.

The Highway Code stipulates that there should be no parking within 10 metres of a junction, nor in front of an entrance to a property. However, there are no restrictions such as double yellow lines along Station Road, and it is not within the control of planning legislation to insist on such measures. The applicant has made it clear that the gates across both driveways will be electrified to make entering the car parking areas easier. In order to ensure this will happen, this will be the subject of a condition.

Lincolnshire County Council Highways has requested that there are a minimum of 3 additional parking spaces provided to cope with visitor numbers. These can be grass crete rather than formal spaces. They will be provided along the eastern verge of the drive to The Berries. Vehicles using them can turn within the site using the existing car park at The Berries.

Other matters - The Case Officer met the applicant as part of her site visit. This is normal practice. The views raised in all of the correspondence received have been taken into account as part of the assessment of this application.

The potential decrease in property values is not a material planning consideration and cannot be taken into account as part of the application.

Concerns were raised about noise from the site, particularly a resident screaming. The home has noise insulation but it would be unreasonable to insist that residents stay indoors to lessen noise. It is not considered that the addition of two further residents will have an adverse impact on the amount of noise generated when the residents are in the garden area.

The planning history of the site is material to the consideration of this application but it is not considered that there is anything in the history of the site to restrict this use at this time.

Those living in the home are also now local residents, even if they previously lived in another county and are entitled to access health services in Lincolnshire. Those from outside the county could also access health services here if visiting. It is not considered that an additional two residents, wherever in the country they might be living now, will have an adverse impact on health services.

Conclusion and Reasons for decision

The proposal has been considered against the Development Plan in the first instance and particularly policies 1 Regional Core Objectives, Policy 18 Regional Priorities for Regeneration and Policy Lincoln Policy Area SRS7

Deprivation and Exclusion of the East Midlands Regional Plan 2009 and saved policies STRAT 1 – Development Requiring Planning Permission, CRT 14 – Residential and Nursing Homes and CORE 10 – Open Space and Landscaping within Developments of the West Lindsey Local Plan First Review 2006 as well as against all other material considerations. These considerations include national guidance, particularly PPS1: Delivering Sustainable Development, PPS4: Planning for Sustainable Economic Growth and the Draft National Planning Policy Framework. In light of this assessment and subject to suitable conditions, it is not considered that the conversion of the outbuilding known as The Berries to accommodate two further residents or the change of use from C3 dwelling house to C2 residential institution will have an unacceptable impact on the locality, residential amenity or traffic and highway safety.

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. The development shall not be carried out otherwise than in accordance with the amended application drawing number 376.2/P14 D dated February 2012

Reason: To define the terms of the planning permission for the avoidance of doubt and to ensure an acceptable quality of design/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.

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

3. Before the first use of The Berries for the use hereby approved, the entrance gates across both drives shall be converted to electric opening and retained thereafter..

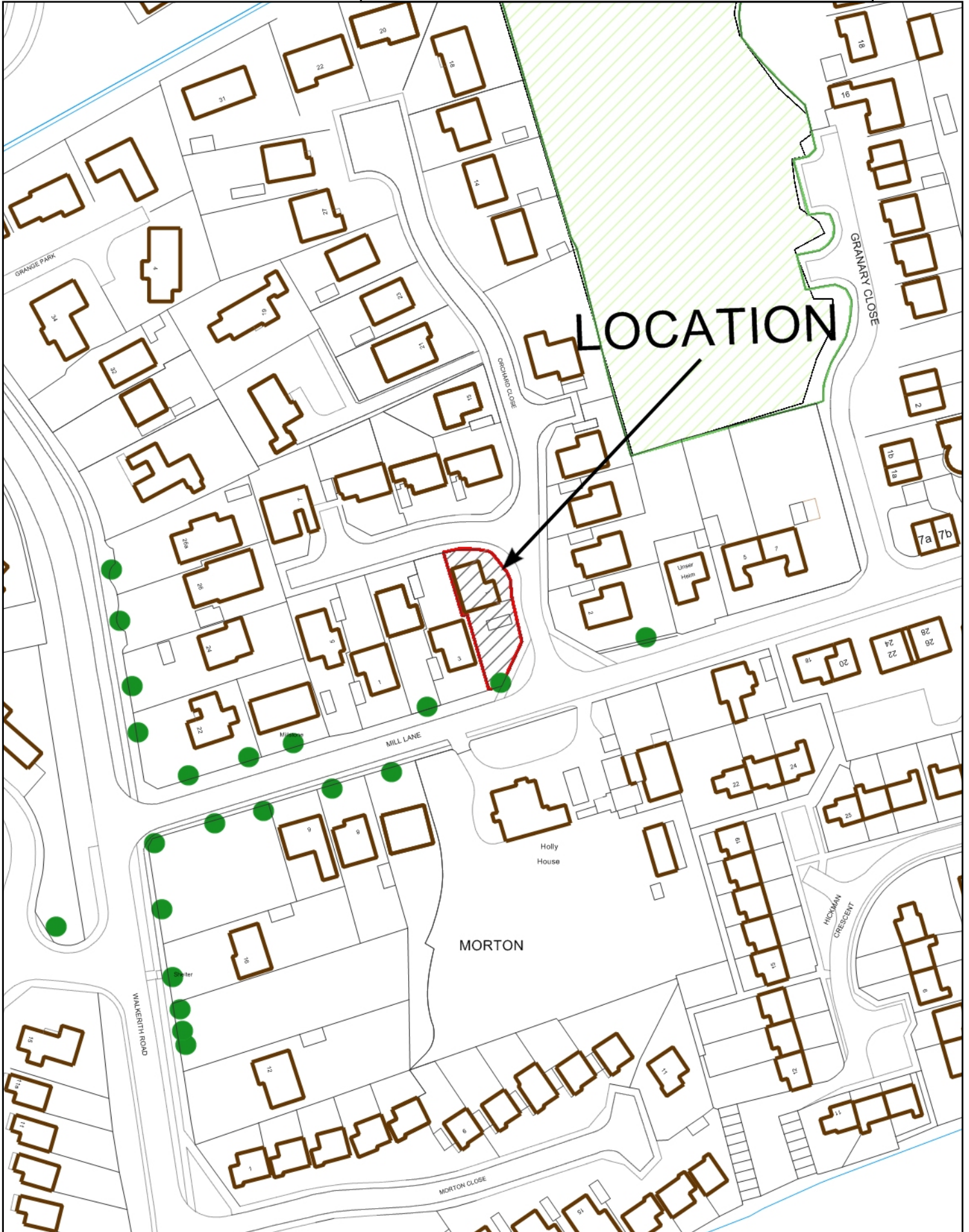
Reason: In order to assist staff and visitors to access the car parks to ease on street parking and in the interests of highway safety and in accordance with policy STRAT1 of the West Lindsey Local Plan First Review June 2006.

4. Before the first use of The Berries for the use hereby approved, the grass crete additional parking spaces shall be provided as shown on drawing number 376.2/P14 D dated February 2012 and retained thereafter.

Reason: In the interests of highway safety and to allow vehicles visiting the site to park off the street in accordance with policy STRAT1 of the West Lindsey Local Plan First Review June 2006.

5. The residential occupancy of the buildings the subject of this permission, shall, at any one time, be limited to 9 adults (7 at The Hawthorns and 2 at The Berries). There shall be no increase in numbers of residential occupants and no use of the premises for any other category of use within Use Class C2 without the prior benefit of planning permission granted by the local planning authority.

Reason: To ensure that the use remains suitable and in keeping with this location on a residential street in accordance with saved policies STRAT1 and CRT14 of the West Lindsey Local Plan First Review June 2006.



Committee Report

Planning Application No: 127260

PROPOSAL: Planning Application to erect a wooden panel fence to a height of six feet along the property boundary.

LOCATION: 1 Orchard Close Morton Gainsborough, Lincolnshire DN21 3BP

WARD: Thonock

WARD MEMBER(S): Cllr Rollings

APPLICANT NAME: Mrs D Lamb

TARGET DECISION DATE: 04/07/2011

DEVELOPMENT TYPE: Householder Development

CASE OFFICER: Vicky Maplethorpe

RECOMMENDED DECISION: Grant permission subject to conditions

Introduction

This item is being reported to committee as the applicant is an employee of West Lindsey District Council.

Description:

Site - The application site comprises a detached bungalow located on the corner of Mill Lane and Orchard Close in Morton. The site is surrounded by other residential dwellings. There is a Lime tree within the site along the boundary with Mill Lane. The site is located within flood zone 3.

Proposal - The application seeks permission to erect a fence to enclose the rear garden.

Relevant history:

None

Representations to amended plans

Chairman/Ward member(s): None received

Parish/Town Council/Meeting: None received

Local residents: One letter from 2 Orchard Close. No objections to amended scheme

LCC Highways: No objections

Environment Agency: None received

LCC Archaeology: No objections
 Tree technician: 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>

National guidance

- Planning Policy Statement (PPS) 25 – Development and flood risk.(2010)
<http://www.communities.gov.uk/documents/planningandbuilding/pdf/planningpolicystatement25.pdf>
- Draft National Planning Policy Framework (2011)
<http://www.communities.gov.uk/documents/planningandbuilding/pdf/1951811.pdf>

Main issues

- Impact on streetscene
- Impact on residential amenities
- Impact on TPO Lime tree
- Flood risk

Assessment:

Impact on streetscene - The proposed fencing is proposed to enclose the rear garden of no. 1 Orchard Close as the site is located on the corner of Mill Lane and Orchard Close. The existing hedge is to be removed and replaced with a 2 metre high close boarded fence. To ensure the fence does not have an adverse impact on the streetscene amended plans were received which shows the fence set back from the boundary with planting to the front. There is a mix of boundary treatment along Mill Lane and Orchard Close, including hedging, a 2 metre high close boarded fence and chain fencing. By setting the fence back from the boundary and painting it green, along with planting to the front it will help soften its impact on the surrounding area and will.

Impact on residential amenity - Due to the location of the fence there will be no adverse affect on the residential amenity of neighbouring properties.

Impact on Lime tree - There is a lime tree along the southern boundary which is subject to a Tree Preservation Order. The original plan showed the fencing running along the site boundary which meant there was potential for

root damage when digging post holes. In response to this amended plans were submitted which sets the fence 8 metres from the tree. The tree officer has viewed the plans and does not have any objections.

Flood risk - The Property is located adjacent the River Trent and within Floodzone 3. An FRA accompanies the application. It states the property is protected by built up flood defences and as the proposal is for the erection of a fence, which will not form a closed cell, any impact on flood volumes will be minimal.

Conclusion and reasons for granting

The proposal has been considered against policy STRAT1: Development Requiring Planning Permission of the adopted Local Plan Review in the first instance and national guidance PPS25. In light of this assessment it is considered that the proposed fencing will not harm the character and appearance of the streetscene nor the amenity of neighbouring occupiers, due to its size, design and location and that there will be no increase risk to flooding.

Recommendation: Grant 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:

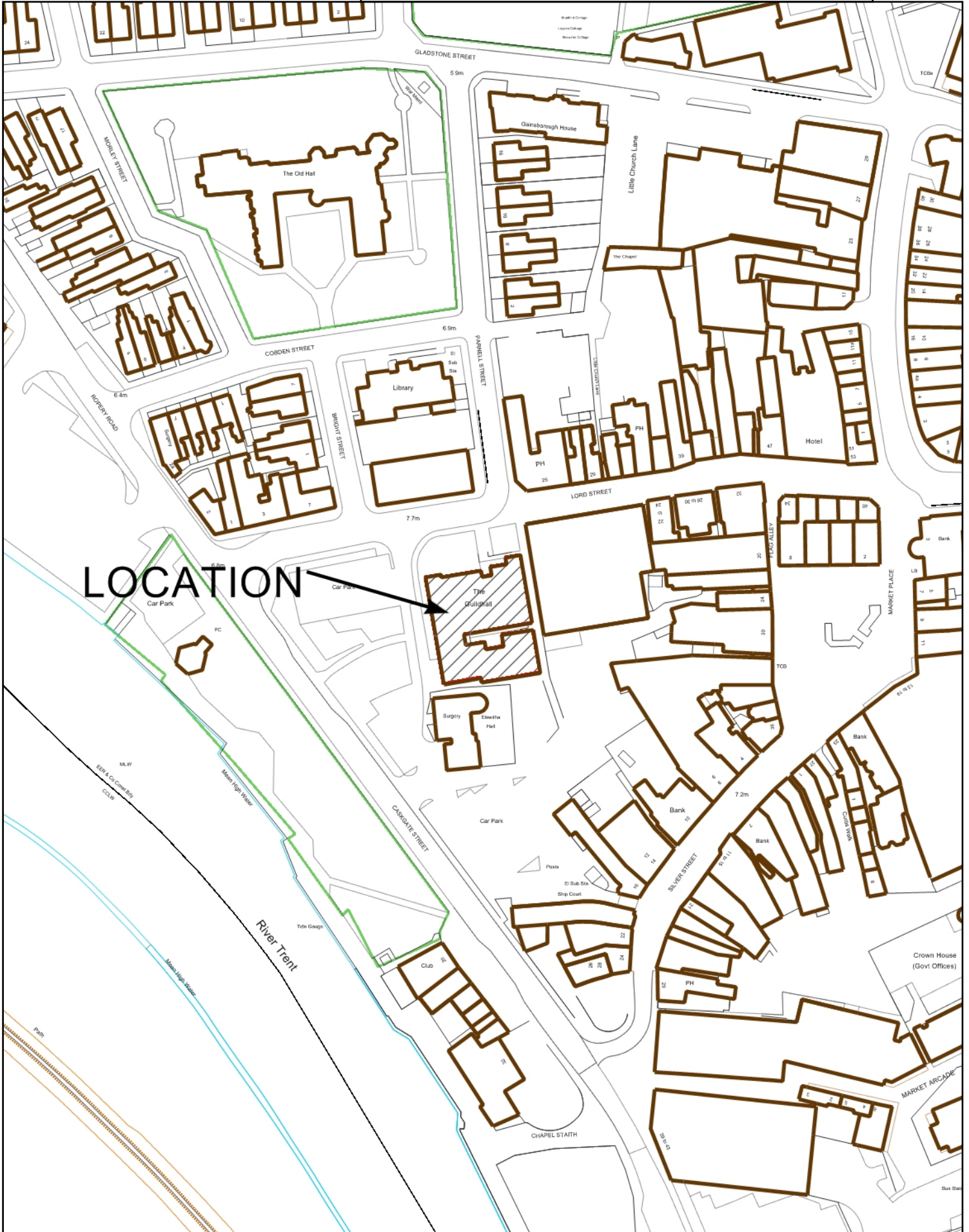
2. The development shall not be carried out otherwise than in accordance with the amended drawing and planting details received 11th January 2012.

Reason: To define the terms of the planning permission for the avoidance of doubt and to ensure an acceptable design in accordance with policy STRAT1 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:

3. All planting comprised in the approved details of landscaping shall be carried out in the first planting season following the erection of the fence. Any 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 soften the impact of the fence, 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 policy STRAT1 of the West Lindsey Local Plan First Review 2006.



LOCATION



Committee Report

Planning Application No: 123840

PROPOSAL: Conservation Area Consent to demolish The Guildhall, the former West Lindsey District Council Offices.

LOCATION: The Guildhall Caskgate Street Gainsborough DN21 2DH

WARD: Gainsboro' South West

WARD MEMBERS: Coucillors Young and Mrs Rainsforth

APPLICANT: West Lindsey District Council

TARGET DECISION DATE: 19/05/2009

DEVELOPMENT TYPE: Conservation Area Consent

CASE OFFICER: Simon Sharp

RECOMMENDATION: That when the Council applies to the Secretary of State for consent to demolish the building, he be advised that the Council would be minded to grant consent subject to conditions requiring a methodology for the demolition of the site and the signing of a contract for a programme of redevelopment of the site if the decision had rested with Council.

Introduction and background

This application was reported to members of the Planning Committee of West Lindsey in May 2009. At that time it was proposed to use the cleared site as a surface car park pending longer term plans coming forward for its redevelopment. However, no longer term plans were in place at that time. The minutes of the meeting record the following:-

“Mrs Vessey spoke against the application and displayed a view of The Guildhall and surrounding buildings. She stated that the Guildhall had been built in 1965 at a cost of £165,000 using high quality materials to provide an impressive iconic building which was the best example of 1960s architecture in the region. If the building was to be demolished the Council should be paid for salvage and reclamation of materials.

Mrs Vessey was of the opinion there was no need for more car parking and shops and considered The Guildhall could be adapted for a variety of uses including offices or sheltered accommodation. She questioned what the town would gain from the loss of this impressive building and the view of Elswitha Hall which would disappear behind a wall of shops and flats.

Members considered that the demolition of The Guildhall would remove an impediment to redevelopment and provide an opportunity for further regeneration of Gainsborough.

The local ward member considered The Guildhall to be a unique impressive building and suggested that a decision to demolish would be premature. She expressed the opinion that the building should be preserved and that a developer could come forward with proposals for redevelopment.

The Committee was minded to GRANT permission subject to the following conditions and the decision be referred to Government Office East Midlands for ratification.

Conditions :

1. The works to which this Consent relates must be begun no later than the expiration of 3 years beginning with the date of this consent.

Reason: To comply with Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).

2. No demolition shall take place until the Applicant has secured the implementation of a programme of Archaeological Work in accordance with a written scheme of investigation which has been submitted to and agreed in writing by the District Planning Authority.

Reason: In order to ensure that satisfactory arrangements are made for the investigation, retrieval and recording of any possible archaeological remains on the site in accordance with Policy NBE 7 of the West Lindsey Local Plan First Review 2006.

3. No demolition shall take place until a scheme for the making good, surfacing and laying out of the site as a landscaped area, based on the layout shown on Drawing WLDC/1 dated May 2009, has been submitted to and approved in writing by the District Planning Authority. Such scheme shall include full details of all hard and soft landscaping, materials to be used and the number, species, heights on planting and positions of all trees. The scheme shall also include a timetable for its implementation, to follow on immediately after demolition of the building and to incorporate landscape planting in the first planting season following demolition (unless otherwise agreed by the District Planning Authority). The approved scheme shall be implemented in its entirety within the agreed time period unless any variation is subsequently agreed in writing by the District Planning Authority.

Reason: To ensure that a satisfactory and appropriate re-use of the site occurs in a timely fashion in the interests of protecting the character and appearance of the surrounding Conservation Area and the setting of the adjacent listed building (Elswitha Hall) and to comply with Policies STRAT 1, NBE 1, NBE 2 and NBE 3 of the West Lindsey Local Plan First Review 2006.

4. No demolition shall take place until a scheme for the long term maintenance and management of the landscaped areas referred to in Condition 3 above has first been agreed in writing by the District Planning Authority. The site shall be maintained in accordance with the agreed scheme thereafter.

Reason: To ensure that satisfactory maintenance and management arrangements for the landscaped area are provided in the interests of protecting the character and appearance of the surrounding Conservation Area and the setting of the adjacent listed building (Elswitha Hall) and to comply with policies STRAT 1, NBE 1, NBE 2 and NBE 3 of the West Lindsey Local Plan First Review 2006.

Note: Councillor Judy Rainsforth requested that her vote against the above decision be recorded.”

Following a committee resolution the matter was not notified to the Secretary of State (Government Office) and has been held in abeyance ever since.

It is now being brought back before Committee as there have been material changes in terms of the Council’s intentions for the site post demolition. Specifically, the Council has identified a potential preferred partner for the redevelopment who has put forward a proposal for redeveloping the site. This is discussed in more detail in the assessment section of this report.

Description:

Site - The application site comprises The Guildhall, a three storey office building, formerly occupied by West Lindsey District Council. The building is of concrete frame construction with stone and slate cladding on its north and west elevations and brick southern and eastern elevations.

The building fronts onto a car park and landscaped area to the west, which is bounded by Caskgate Street to the west and Lord Street to the north. Immediately adjacent to the south of the building is Elswitha Hall, a Grade II* listed building now used as a doctor’s surgery. A Grade II listed building at No. 7 Lord Street also faces the site from the north side of Lord Street. To the rear (east) the site backs onto a large, modern retail unit (B & M Bargains). This building is owned by the Council. The site lies within the Gainsborough Conservation Area and is also within the Town Centre as defined in the West Lindsey Local Plan First Review 2006.

Proposal - This application proposes the demolition of the building and clearance of the site.

Screening Opinion/Environmental Impact Assessment:

The development has been assessed in the context of Schedules 1 and 2 of The Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999. It has been concluded that the application does not fall within any class of development listed in either Schedule 1 or 2, nor is a development that would result in significant environmental effects. The site is also not within a sensitive area as defined in Regulation 2(1). It has therefore been determined that the development is not EIA development.

Members are advised that the 1999 EIA Regulations against which the application was originally assessed have been superseded by the 2011 Regulations but this does not affect the validity of the original screening opinion.

Representations

Chairman/Ward member(s): None received.

Town Council: No objections.

Local residents: 2 letters of objection received raising the following issues: The building is impressive in style, character and architecture and one of the best examples of 1960s architecture in the region; no other building in Gainsborough matches its progressively modern style; it is grossly wasteful to demolish such an iconic structure as it clearly has not reached the end of its designed lifespan - to suggest that it cannot be refurbished or converted is particularly short-sighted in a time when the government's strategy is to re-utilise resources; the building contrasts with and compliments the adjacent listed building, Elswitha Hall, if the best buildings in Conservation Areas are to be kept, this one should be at the top of the list.

LCC Archaeology: Request Scheme of Works condition.

English Heritage: Object - These comments are reproduced in full in an appendix to this report. Members are advised that they date from prior to the referral to the planning committee in 2009 and therefore relate to the proposals for the interim use of the site as a surface car park.

Relevant planning policy:

Development Plan

- **East Midlands Regional Plan 2009**

27. Regional Priorities for the Historic Environment

http://webarchive.nationalarchives.gov.uk/20100528142817/http://www.gos.gov.uk/497296/docs/229865/East_Midlands_Regional_Plan2.pdf

- **West Lindsey Local Plan 2006 (saved policies) :**

STRAT1 – Development Requiring Planning Permission

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

National planning policy

- PPS 5 Planning for the historic environment (2010)

<http://www.communities.gov.uk/documents/planningandbuilding/pdf/1514132.pdf>

- Draft National Planning Policy Framework (2011)

<http://www.communities.gov.uk/documents/planningandbuilding/pdf/1951811.pdf>

Other material policy considerations

- Gainsborough Regained – The Masterplan (2007)

<http://www2.westlindsey.gov.uk/upload/public/attachments/1242/GainsboroughRegainedExecutiveSummary.pdf#>

- West Lindsey Corporate Plan 2011-15

<http://www.west-lindsey.gov.uk/your-council/decision-making-and-council-meetings/meetings-agendas-minutes-and-reports/committee-information-post-april-2011/council/council-committee-reports/council-committee-reports-september-2011/107037.article>

- Gainsborough Conservation Area Appraisal
<http://www.west-lindsey.gov.uk/residents/planning-and-building/conservation-and-environment/conservation-areas/gainsborough-town-conservation-area/104198.article>

Assessment (of representations and policy) and conclusions:

There has been very little change in site context since the reporting of this application to the Planning Committee in 2009. However, two months after that meeting, a number of policies were not saved as part of the review of the West Lindsey Local Plan First Review. These included policies NBE1, NBE2 and NBE3 relating to conservation areas and listed buildings. Furthermore, in 2010, Planning Policy Guidance (PPG) 15 was replaced by PPS5.

This PPS is arranged as policies and policy HE 6 requires applicants (in this case the Council) to provide a description of the significance of the heritage assets affected and the contribution of their setting to that significance. The applications particulars and this report are considered to provide such a description. Heritage Assets can be places and areas as well as buildings and are valued components of the historic environment, their significance meriting consideration in planning decisions. Heritage assets include designations such as conservation areas and listed buildings. In this instance the site falls within the Gainsborough Conservation Area and adjoins a grade II* listed building as well having the potential to affect the setting of a grade I listed building, Gainsborough Old Hall, and the grade II listed, No. 7, Lord St.

Paragraph HE7.5 of policy HE7 of PPS5 states that local planning authorities should take into account the desirability of new development making a positive contribution to the character and local distinctiveness of the historic environment. It continues by stating that the consideration of design should include scale, height, massing, alignment, materials and use impact of the proposal on the significance of the heritage asset. Paragraph HE7.7 of policy HE7 also advises that all reasonable steps should be taken to ensure that the new development will proceed after the demolition has occurred by imposing appropriate planning conditions or securing obligations by agreement. Finally paragraph HE12.3 of policy HE12 of PPS5 states that, where the loss of the whole or a material part of a heritage asset's significance is justified, local planning authorities should require the developer to record and advance understanding of the significance of the heritage asset before it is lost, using planning conditions or obligations as appropriate. The extent of the requirement should be proportionate to the nature and level of the asset's significance. Developers should publish this evidence and deposit copies of the reports with the relevant historic environment record.

These policies, when assessed collectively together, not only clearly indicate that redevelopment may be appropriate and not resisted per se, but that it can make a positive contribution to designated heritage assets such as conservation areas and listed buildings. The draft National Planning Policy Statement does not materially change this policy stance. This support is also implied in the one remaining development plan policy that relates to heritage assets; policy 27 of the Regional Plan states that "in areas where growth or

regeneration is a priority, development should promote sensitive change of the historic environment.” (officer’s emphasis applied)

In this policy context, the following issues are considered relevant:-

- The contribution and significance of the Guildhall building to the character and appearance of the Gainsborough Conservation Area and setting of the listed buildings.
- The existence and ability of redevelopment plans to preserve and/or enhance the character and appearance of the Conservation Area and to preserve the setting of the listed buildings.
- The mechanisms to ensure that any appropriate redevelopment scheme is delivered and arrangements are secured to ensure that the methodology for the demolition of the listed building and temporary restoration of the site are appropriate in the context of the setting within the Conservation Area and adjoining/nearby listed buildings
- The importance of the site to the growth and regeneration of Gainsborough.

Paragraph HE9.5 of policy HE9 of PPS5 states that not all elements of a Conservation Area will necessarily contribute to its significance. It is acknowledged that, whatever subjective views might be held on the design and appearance of the Guildhall, it is undoubtedly a significant building within the Conservation Area. To assist in assessing how great a contribution it makes to the quality of the Conservation Area, English Heritage were requested to survey the building with a view to deciding whether or not it merited listed status. The final report concluded that it did not have sufficient special architectural interest to justify listing for the following principal reasons:-

- When compared with listed examples of contemporary civic buildings, the Guildhall does not possess sufficient exterior architectural quality in style and treatment to merit listing.
- The addition of two rear extensions has further reduced it’s architectural interest.
- The Council Chamber was reconfigured in the 1970s and is too plain to add special interest. The fixtures and fittings of other publicly accessible interior spaces are not of sufficient quality to compensate for the extent of interior alteration.
- The Guildhall has an unambitious plan-form and lacks complimentary designed hard- landscaping.

The character of the Conservation Area comprises much more than just the listed buildings within it, and the fact that the Guildhall is not listed, and not deemed worthy of listing by English Heritage, does not make a case for demolition in itself. However, it does suggest that it represents a piece of modern architecture which does not have great architectural merit, and it can further be argued that it does not sit comfortably with the much more traditional form and design of buildings around it, particularly Elswitha Hall adjacent, which is Grade II* listed. The modern design of the Guildhall and

the materials used in its construction are in marked contrast to the 18th Century Georgian design of Elswitha Hall, the setting of which may actually benefit from the removal of the Guildhall, which sits in such close proximity and that its scale and massing could be judged to be quite overbearing.

Paragraph HE9.5 of policy HE9 of PPS5 states where an element does not positively contribute to its significance, local planning authorities should take into account the desirability of enhancing or better revealing the significance of the Conservation Area, including, where appropriate, through development of that element. This should be seen as part of the process of place-shaping. The preservation or enhancement of the Gainsborough Conservation Area is inextricably linked to the vitality and viability of the town centre around which designation is based. This same vitality and viability also contributes to the setting of the listed buildings because the use of surrounding buildings results in investment in them and the area as a whole and specifically investment in the fabric of buildings. The extension of the town centre to Marshall's Yard in 2007 enhanced the vitality and viability of the centre as a whole, but there needs to be a rebalance as the traditional areas of the centre, especially to west of the west of the Market Place, including the application site, have suffered in relative terms from vacancies and lack of investment. Gainsborough Regained – The Masterplan identified these consequences. The executive summary states that the Masterplan seeks to “address the impacts that will result from the development of Marshall's Yard and the need to improve several aspects of the town centre. The need to regain, for the 21st Century the hierarchy of spaces, streets and focal points that the town had once but lost in the development changes of the last century is critical”

Furthermore, the latest research shows that whilst Gainsborough has considerably improved its retail offer, there is scope for improving leisure and cultural facilities in the town. Leisure floorspace amounts to only 13.8% total commercial floorspace in the town centre compared to a UK average of 22.7% (source: White, Young & Green, Draft City & Town Centres Study 2011). A study into the potential for hotel development in Lincolnshire (Locum Consulting 2009) points to the demand for a hotel development in Gainsborough to cater for both the corporate market and leisure users. The latest national High Street review (The Portas Review 2011) also highlights the need for a more rounded town centre 'offer' which includes leisure and business uses alongside the traditional retail units. This need is reflected in the corporate plan, priority (4.2), “to increase the culture/leisure offer in Gainsborough to encourage the visitor/evening economy and the establishment of a cultural quarter for Gainsborough as a hub for the community (e.g. Elswitha Quarter).”

This is also consistent with the need to enhance and augment the facilities in the town centre in line with the Council's objectives to double the size of the town. To this end, approval has already been given for a sustainable urban extension to Gainsborough. This is a mixed use development including 2,500 dwellings and will increase the demand for additional facilities within the town centre. It is planned that two additional sustainable urban extension will be developed for a further 5,000 dwellings.

In summary, it is considered that the future preservation of the Conservation Area can only be ensured through the delivery of a new development in this area of town, lead by the Council, which restores the historic hierarchy of

streets and introduces the new mix of uses that are required to restore investment, viability and vitality into this area of the town centre.

In this context, a set of development objectives was identified through a stakeholder workshop in September 2010. Participants came from a range of different organisations, all with a stake in the regeneration of Gainsborough. The event was facilitated by West Lindsey District Council officers and staff from ATLAS (Advisory Team for Large Applications – now part of the Homes and Communities Agency) and was attended by a range of stakeholders including the PCT, LCC Highways, Environment Agency, Gainsborough Development Trust

The following development objectives for Elswitha Quarter were influenced by the stakeholder workshop and the Master Plan:

- To secure a vibrant, sustainable, mixed use development which strengthens and complements the existing town centre offer.
- To ensure a high quality, contemporary built design that references and respects the characteristics of the location.
- To restore active frontages and building heights along Lord Street and Bridge Street elevations.
- To create a new destination which unifies the existing town centre attractions of Marshall's Yard and the Riverside.
- An iconic landmark building of high architectural merit should be considered on the north-west corner of the site.

On the 23rd February this year, the Council's Special Prosperous Communities Committee resolved that the proposal submitted by one developer best met the abovementioned evaluation criteria, and therefore that developer was selected ahead of other developers as the potential development partner for this stage of the project.

It is important to note that, at this stage, the developer has only been identified as a potential partner. However, officers are clear that, not only does their submission respond favourably to the above-mentioned criteria but, also in doing so, it provides a clear indication as to how the setting of listed buildings can be preserved and the character and appearance of the Conservation Area is preserved or enhanced. Specifically, it provides a clear potential that redevelopment will ensure that;-

- The mass of adjoining buildings does not dominate Elswitha Hall;
- That the setting of Elswitha Hall is preserved through the careful creation of space and recreation of a streetscene around that listed building and that adjoining buildings will address rather than turn their back on it.
- That historical viewpoints of the Old Hall are restored.
- That, the importance of the Old Hall in terms of its position within the central area of Gainsborough is not compromised by the introduction of buildings that would compete with its massing and positioning.
- That the massing on Lord Street responds to the more intimate space which characterises this thoroughfare and therefore the setting of No. 7 Lord Street is preserved.

- That the recreation of the street hierarchy and careful use of massing and material palette will enhance the character of the Conservation Area as defined in the Conservation Area Appraisal and the appearance of the area as seen today.

Conditions are considered necessary to ensuring delivery of this programme of development and the methodology for the demolition and restoration of the site in the earliest phase of this development. The recommendation is worded accordingly.

RECOMMENDATION: That when the Council's applies to the Secretary of State for consent to demolish the building, he be advised that the Council would be minded to grant consent subject to conditions requiring a methodology for the demolition of the site and the signing of a contract for a programme of redevelopment of the site if the decision had rested with the Council.

EAST MIDLANDS REGION

Mr Ian Dickinson
West Lindsey District Council
The Guildhall
Marshalls Yard
Gainsborough
Lincolnshire
DN21 2NA

Direct Dial: 01604 735449
Direct Fax: 01604 735401

Our ref: P00073734

15 May 2009

Dear Mr Dickinson

Notifications under Circular 01/2001 & GDPO 1995
THE GUILDHALL, CASKGATE STREET, GAINSBOROUGH, WEST LINDSEY,
LINCOLNSHIRE, DN21 2DH
Application No 123840

Thank you for your letter of 23 April 2009 notifying English Heritage of the above application.

Summary

While the demolition of the Guildhall may be acceptable as part of a phased redevelopment of the area once such contracts have been let, the demolition of buildings in urban areas in anticipation of possible future development has negative consequences which conservation area legislation was put in place to prevent. The demolition of the Guildhall to create a surface car park is contrary to government policy set out in PPG15 and should be refused.

English Heritage Advice

The Guildhall site and its environs have changed quite profoundly in the post-war period. Formerly part of an intricate network of streets and alleys, the area was opened up by the re-alignment of Caskgate Street and the demolition of many historic buildings on plots leading to the river and on the Guildhall site itself. The only remaining building from the earlier period is the grade II* listed Elswitha Hall, sited next to the Guildhall.

The council's aspiration to partially reinstate streetscape in this location, although in itself quite modest, is laudable in principle as it has the potential to establish a stronger frontage to Lord Street and the river, and also improve the setting of Elswitha Hall. The proposals are however still at the very basic "sketch" stage, and very far from being a



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convincing design proposal. PPG15 gives the following advice concerning this (in the second part of the paragraph):

“4.27.

The general presumption should be in favour of retaining buildings which make a positive contribution to the character or appearance of a conservation area. The Secretary of State expects that proposals to demolish such buildings should be assessed against the same broad criteria as proposals to demolish listed buildings (paragraphs 3.16-3.19 above). In less clear-cut cases - for instance, where a building makes little or no such contribution - the local planning authority will need to have full information about what is proposed for the site after demolition. Consent for demolition should not be given unless there are acceptable and detailed plans for any redevelopment. It has been held that the decision-maker is entitled to consider the merits of any proposed development in determining whether consent should be given for the demolition of an unlisted building in a conservation area.”

Even when detailed proposals have been formulated, if demolition takes place far in advance of redevelopment the resultant gap will undermine the coherence of the conservation area. While the Guildhall has only modest value in terms of its architecture, it still contributes to the character of the area as part of the built frontage which defines the street. Its demolition would thus result in a loss of definition to the street and therefore undermine the character of the conservation area. PPG15 advises that this is avoided by condition:

“4.29.

It will often be appropriate to impose on the grant of consent for demolition a condition under section 17(3) of the Act, as applied by section 74(3), to provide that demolition shall not take place until a contract for the carrying out of works of redevelopment has been made and planning permission for those works has been granted. In the past, ugly gaps have sometimes appeared in conservation areas as a result of demolition far in advance of redevelopment.”

The temporary proposal to create a car park to replace the Guildhall, judged (in itself) against the objective of preserving or enhancing the conservation area is unacceptable as it will achieve neither. Whether however the proposals can truly be regarded as temporary in the current financial climate must be regarded anyway with scepticism, as years may quite conceivably elapse before development takes place. The supplied “masterplan” shows this as a very small part of a vast redevelopment of the town which will presumably have been delivered primarily by the private sector.

The proposals would also adversely affect the setting of the grade II* listed Elswitha Hall, as it would be left entirely isolated in an expanse of car parking. The wider setting of Gainsborough Old Hall, which is listed grade I is also affected, as the site currently forms a visual stop to the southern end of Parnell Street, one of the roads flanking the



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Hall. The setting of No.7 Lord Street, listed grade II and sited opposite would also be adversely affected.

We are cognizant that the council's earlier decision to vacate the Guildhall and occupy alternative premises has led to pressure to demolish due to the cost of maintaining it until redevelopment can take place. This is however a problem that faces all owners of vacant buildings in conservation areas, and does not outweigh or override government policy. As the district council are also the local planning authority this is a particularly important point of principle to maintain.

Recommendation

At the present time the application is not ready for determination as acceptable detailed proposals for the redevelopment of the site have not been formulated. Unless these come forward the proposals should be refused outright.

We would welcome the opportunity of advising further. Please consult us again if any additional information or amendments are submitted. If, notwithstanding our advice, you propose to approve the scheme in its present form, please advise us of the date of the committee and send us a copy of your report at the earliest opportunity.

Yours sincerely

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