

## **Officers Report**

### **Planning Application No: 141442**

**PROPOSAL:** Planning application for change of use of land for siting of caravans (lodges) and proposed recreation pond with 20 fishing pegs, to include site levelling using excavated material - resubmission of 140707.

**LOCATION:** Sunnyside Up Farm Shop, Poplar Farm Tealby Road  
Walesby Market Rasen LN8 3UL

**WARD:** Market Rasen

**WARD MEMBER(S):** Cllr S Bunney, Cllr J McNeil and Cllr Mrs C E J  
McCartney

**APPLICANT NAME:** Mr Casswell

**TARGET DECISION DATE:** 02/11/2020

**DEVELOPMENT TYPE:** Major - Other

**CASE OFFICER:** Rachel Woollass

**RECOMMENDED DECISION:** Grant permission

---

This application has been referred to the Committee, as it is considered appropriate to do so in view of the planning history and previous decision to refuse planning permission on the site, and following objections from third parties including the Parish Councils.

#### **Description:**

The application site lies in between Tealby and Market Rasen on the northern side of Tealby Road (B1203) towards the eastern edge of the West Lindsey District Council area some 2.5km north east of Market Rasen. Poplar Farm comprises a four bed detached farmhouse, with a separate one bedroom living annexe, a range of traditional and modern farm buildings in all about 37.53 hectares (94.47 acres). Located immediately to the north of the farm yard and shop/café the field is approximately 8.99ha in area. Access to the site is from Poplar Farm driveway to the west of the field.

Adjacent to the site is Willingham Forest of which part is a designated Local Wildlife Site (LWS). This is plantation managed by the Forestry Commission. To the south of the site is the B1203 highway but beyond this is Hamilton Hill and Chapel Hill which is part of Pickard's Plantation. To the south of the site is the applicants' farm yard which is formed of a number of substantial brick buildings, portal framed barns and a car park area.

The application seeks permission for change of use of land for siting of caravans (lodges) and proposed recreation pond with 20 fishing pegs, to include site levelling using excavated material.

Fundamentally, following refusal of planning application 140707, the latest site plan (drawing dmc/18535/401) now depicts 27 lodges. Previously 50 lodges were depicted – therefore a reduction by 23 lodges (46%).

The proposed site is immediately adjacent to land granted permission in November 2019 for the siting of caravans, and an irrigation pond in May 2019.

The site is within an area designated as an Area of Great Landscape Value (AGLV) – policy LP17 of the Central Lincolnshire Local Plan applies.

The boundary of the Lincolnshire Wolds Area of Outstanding Natural Beauty (AONB) is approximately 2.4km to the east (the village of Tealby is within the AONB).

**Relevant history:**

121073 – Planning application for retention of change of use of former agricultural building and extension and alterations to form tea room/extended farm shop with kitchen store and toilet facilities and change of use of agricultural land to form extension to car park and to form rear patio.  
Permission granted 30/04/08

138912 – Planning application for proposed irrigation pond including site levelling using excavated material and associated agricultural building.  
Permission granted 07/05/19

139788 – Planning application for change of use of land for siting of caravans.  
Permission granted 22/11/19

140707 - Planning application for change of use of land for siting of caravans (lodges) and proposed recreation pond with 20 fishing pegs, to include site levelling using excavated material. Refused 23/07/2020  
Reason for refusal:

*1. The scale of development would be detrimental to, and adversely affect countryside setting and the setting of the Area of Great Landscape Value and Lincolnshire Wolds AONB contrary to policies LP7 and LP17 of the Central Lincolnshire Local Plan.*

**Representations:**

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

**Walesby Parish Council:** Object – Apart from a reduction in the number of cabins from 50 to 27 there is little difference in concept to application 140707 which we opposed and which was not approved. This revised application is totally unacceptable and we oppose it just as we did 140707 as follows:-  
The total site should be limited for the moment to the original 15 to ensure there is no adverse effect on the environment and the surrounding area before considering any extension. This was the number considered acceptable to maintain the rural character of the area and the setting of the Lincolnshire Wolds AONB and in accordance with policies LP2, LP17 and LP26 of the Central Lincolnshire Local Plan.

The current application is sited next to the field applicable to 139788. Effectively the 2 applications together relate to one huge site.

Under 141442 the applicant proposes to add another 27 cabins making 42 in all with the two sites together.

That would be totally unacceptable in the AONB which is close by. The total site should be limited to the original 15- restricted for the reason quoted above.

The total (42) proposed development would cause noise and highways issues which would have a serious impact on wildlife habitat and bio-diversity and affect the character of the site through inadequate landscaping.

**Tealby Parish Council:** Tealby Parish Council's understanding is that the original application for 15 lodges was granted on the basis that there would be no further development to adjoining land.

Furthermore, the adjacent site remains incomplete and should be used as a measure of the need for such development and local affects caused by such development.

Tealby Parish Council would also like to draw attention to the increasing amount of signage on the fencing facing the main road, for which no permission has been granted. The signage is a distraction for some vehicle drivers entering the bend. Tealby Parish Council would like to draw attention to that statement of benefit to the local school, which remains, and is, unsubstantiated.

**Local residents:** Support received from – Kestrels, Otby Lane, Walesby – This planning application supports the local economy, employment and tourism.

Objections received from –  
Shepards Hill  
The Old Joiners Workshop  
Waterside House  
Tudor Cottage  
Danesway  
Red House  
Rase Thatch  
Rose Bank  
Wood View Cottage  
4 The Row  
Low Moor Farm  
Peacefields  
Woodley  
48 Rasen Road  
Hambleton Hill

With the main concerns –

- Traffic
- Impact on the landscape
- Impact on wildlife
- Legend box covers up Tealby on extended phase 1 survey map

- Not an application for 27 cabins with 54 parking spaces. It is an application for 42 cabins and 84 parking spaces
- Further viewpoints need to be assessed
- Could be archaeology on site
- Not an appropriate location
- Object on the same grounds as application 140707
- No justification for the lodges
- Loss of a view
- Would affect the setting of the AGLV and AONB
- The 15 lodges should be erected first before any other application is considered
- Scale of development is not appropriate
- Noise
- Would reduce visitor numbers
- No need for additional holiday accommodation
- Removes key reason for tourism in the area
- Proposal for holiday accommodation not homes
- Waste

**LCC Highways:** No objections

**Natural England:** No objections

**Public Rights of Way:** No objections

**Growth and Projects:** In principle, and subject to normal planning considerations, the Growth and Projects Team (including Visitor Economy) are supportive of the above application from a visitor economy perspective. Tourism is a major sector in West Lindsey bringing into the area around £133 million in revenue and supports c1780 full time jobs (STEAM data 2018). Staying visitors account for 28% of all visitors to the district and is currently worth £48.3 million (STEAM data 2018) which, has grown annually since 2012.

The provision of quality accommodation for visitors is an important element for future sustainable development within the district and any initiative which promotes this will add value to the current product and allow visitors to stay longer.

Although the tourism and hospitality industry has suffered significantly during the Coronavirus pandemic, research shows that rural destinations are recovering the quickest as they have greater potential to offer safe, socially distanced holidays and breaks. This will allow our local economies to recover as well as supporting the local authority aspiration of being a prosperous and enterprising district where an increased number of businesses and enterprises can grow and prosper.

As the industry continues to recover, the rise of the 'staycation' will bring increased demand; therefore enhancing the need for a wide range of quality accommodation.

In this application it is important to acknowledge that bringing more visitors into the district, who will use all the services available, will undoubtedly aid the economy of the district for local businesses and residents. Due to their

location and their proximity to the Lincolnshire Wolds AONB, it is important that they consider the natural environment and support the local communities wherever possible.

**Environment Agency:** No objections. Draws attention to Government Guidance with regards to water supply, wastewater and water quality

**Archaeology:** No representations received to date

### **Relevant Planning Policies:**

Planning law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. Here, the Development Plan comprises the provisions of the Central Lincolnshire Local Plan (adopted in April 2017).

#### Development Plan

#### ***Central Lincolnshire Local Plan 2012-2036 (CLLP)***

Relevant policies of the CLLP include:

LP1: A Presumption in Favour of Sustainable Development

LP2: The Spatial Strategy and Settlement Hierarchy

LP7: A Sustainable Visitor Economy

LP13: Accessibility and Transport

LP14: Managing Water Resources and Flood Risk

LP17: Landscape, Townscape and Views

LP21: Biodiversity & Geodiversity

LP25: The Historic Environment, LP26: Design and Amenity

LP55: Development in the Countryside

<https://www.n-kesteven.gov.uk/central-lincolnshire/local-plan/>

#### Neighbourhood Plan

There are no neighbourhood plans in preparation within this area.

#### Lincolnshire Minerals and Waste Local Plan (2017)

The site is not within a Minerals Safeguarding area.

#### National policy & guidance (Material Consideration)

#### ***National Planning Policy Framework (NPPF)***

The NPPF sets out the Government's planning policies for England and how these should be applied. It is a material consideration in planning decisions.

The most recent iteration of the NPPF was published in February 2019.

Paragraph 213 states:

*"Existing [development plan] policies should not be considered out-of-date simply because they were adopted or made prior to the publication of this Framework. Due weight should be given to them, according to their degree of consistency with this Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given)."*

- **National Planning Practice Guidance**
- **National Design Guide (2019)**

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

### **Main issues**

- Principle
- Agricultural Land
- Impact on the Character and Appearance of the Site and Wider Area
- Residential Amenity
- Highways
- Flood Risk and Drainage
- Ecology
- Historic Buildings

### **Assessment:**

#### Principle

The application seeks permission for the change of use of land for siting of caravans (lodges) and proposed recreation pond with 20 fishing pegs, to include site levelling using excavated material.

This application is a re-submission of a previously approved scheme. The change being a reduction in the numbers of caravans (lodges) from 50 to 27. This is a reduction of 23 which equates to a 46% reduction.

The site falls to be considered as "countryside" under the spatial strategy and settlement hierarchy of LP2:

*"Unless allowed by:*

*a. policy in any of the levels 1-7 above; or  
b. any other policy in the Local Plan (such as LP4, LP5, LP7 and LP57), development will be regarded as being in the countryside and as such restricted to:*

- *that which is demonstrably essential to the effective operation of agriculture, horticulture, forestry, outdoor recreation, transport or utility services;*
- *renewable energy generation;*
- *proposals falling under policy LP55; and*

- *to minerals or waste development in accordance with separate Minerals and Waste Local Development Documents.*

This allows the application to be assessed against LP7 in order to determine whether the principle is acceptable.

Part E of LP 55 sets out its policy for “non-residential development in the countryside” as follows:

*Proposals for non-residential developments will be supported provided that:*

- a. The rural location of the enterprise is justifiable to maintain or enhance the rural economy*
- or the location is justified by means of proximity to existing established businesses or natural features;*
- b. The location of the enterprise is suitable in terms of accessibility;*
- c. The location of the enterprise would not result in conflict with neighbouring uses; and*
- d. The development is of a size and scale commensurate with the proposed use and with the rural character of the location.*

It is considered however, that this policy should not be read in isolation, but alongside LP7 which sets out a direct policy in relation to “A Sustainable Visitor Economy” and which provides locational parameters for such developments.

The supporting text (section 3.7) of the Central Lincolnshire Local Plan (CLLP) explains that *“The visitor economy is one of the most important sectors of Central Lincolnshire’s economy.”* It explains that, whilst Lincoln is the principal visitor destination in Central Lincolnshire, that *“Rural Central Lincolnshire also makes a significant contribution to the visitor economy, with many visitors attracted to the waterways, walking and cycling routes, aviation attractions and other attractions across the area which are varied and numerous.”*

The Greater Lincolnshire Local Enterprise Partnership (GLLEP) recognises the visitor economy as one of the top three strongest economic sectors within Greater Lincolnshire and identified this sector as one of the priorities for growth. In order to achieve this, policy LP7 *“aims to encourage sustainable growth in the visitor economy”*. It explains that *“The tourism offer of more urban areas is different to that in rural areas where the scale and types of visitor economy uses need to be in scale with their surroundings.”*

#### Policy LP7: A Sustainable Visitor Economy

Development and activities that will deliver high quality sustainable visitor facilities such as culture and leisure facilities, sporting attractions and accommodation, including proposals for temporary permission in support of the promotion of events and festivals, will be supported. Such development and activities should be designed so that they:

- a. contribute to the local economy; and
- b. benefit both local communities and visitors; and

- c. respect the intrinsic natural and built environmental qualities of the area; and
- d. are appropriate for the character of the local environment in scale and nature.

Development should be located within existing settlements, or as part of planned urban extensions, unless it can be demonstrated that:

- such locations are unsuitable for the nature of the proposal and there is an overriding benefit to the local economy and/or community and/or environment for locating away from such built up areas; or
- it relates to an existing visitor facility which is seeking redevelopment or expansion.

The host property (Sunnyside Up) of the proposed site currently operates as a farm shop; café and as a restaurant over two floors. There is an area for outside dining and a dedicated car park with capacity for 30 cars. The business has been operating for approximately 15 years.

Sunnyside Up farm shop employs 15 staff, 3 full time and 12 part time.

As part of the proposal staffing levels will increase by 3 part time.

It was concluded in previous applications (139788 and 140707) that the proposal is an existing visitor facility. The proposal therefore can be considered as an expansion of an existing visitor facility in accordance with the policy requirements to be able to support tourism outside the settlement. The principle can therefore be supported, however, its acceptability rests on a consideration of the detailed impacts arising.

The proposal would contribute to the local economy and would benefit local communities and visitors. The Growth Team have been consulted and state that it is important to acknowledge that bringing more visitors into the district, who will use all the services available, will undoubtedly aid the economy of the district for local businesses and residents.

Furthermore they state that although the tourism and hospitality industry has suffered significantly during the Coronavirus pandemic, research shows that rural destinations are likely to recover the quickest as they have greater potential to offer safe, socially-distanced holidays and breaks (Hotel Solutions, 2020). This will allow our local economies to recover as well as supporting the local authority aspiration of being a prosperous and enterprising district where an increased number of businesses and enterprises can grow and prosper. Short term benefits may be given some weight, however, planning permission is to change the use of land in perpetuity.

The proposal would therefore be in accordance with criteria a and b of policy LP7.

Criteria c and d of policy LP7 will be assessed in further detail in the sections below.

The location is justified by means of proximity to existing established businesses or natural features, is suitable in terms of accessibility; The location of the enterprise would not result in conflict with neighbouring uses; and The development is of a size and scale commensurate with the proposed use and with the rural character of the location (discussed in more detail below) and would therefore be in accordance with policy LP55.

Paragraph 83 of the NPPF states that

Planning policies and decisions should enable:

- a) the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings;
- b) the development and diversification of agricultural and other land-based rural businesses;
- c) sustainable rural tourism and leisure developments which respect the character of the countryside; and
- d) the retention and development of accessible local services and community facilities, such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship.

Policy LP7 is consistent with the NPPF and is attached full weight.

#### Agricultural Land

Part G of policy LP55 states that proposals should protect the best and most versatile agricultural land so as to protect opportunities for food production and the continuance of the agricultural economy.

The land is Grade 3 agricultural land which is classified as good to moderate and the middle classification on the East Midlands Land Classification. Natural England's Land Classification map does not distinguish between grade 3A (good) and 3B (moderate). Only Grade 3A falls within the classification of Best and Most Versatile Agricultural Land (BMV land) – to which Part G of LP55 applies / NPPF.

In the absence of a site specific survey, a precautionary view is taken that the proposed development could lose up to 9.01ha of BMV land. This needs to be weighed against all other planning considerations, within the planning balance.

The loss of potential best and most versatile agricultural land is a perceived harm from the proposal. This will need to be weighed against the identified benefits of development in the overall planning balance.

Paragraph 170(b) of the NPPF states that planning policies and decisions should contribute to and enhance the natural and local environment by:

- b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the

economic and other benefits of the best and most versatile agricultural land, and of trees and woodland

Policy LP55 is consistent with the NPPF and is attached full weight.

*Impact on the Character and Appearance of the Site and Wider Area*

Policy LP17 states that to protect and enhance the intrinsic value of our landscape and townscape, including the setting of settlements, proposals should have particular regard to maintaining and responding positively to any natural and man-made features within the landscape and townscape which positively contribute to the character of the area, such as (but not limited to) historic buildings and monuments, other landmark buildings, topography, trees and woodland, hedgerows, walls, water features, field patterns and intervisibility between rural historic settlements. Where a proposal may result in significant harm, it may, exceptionally, be permitted if the overriding benefits of the development demonstrably outweigh the harm: in such circumstances the harm should be minimised and mitigated.

All development proposals should take account of views in to, out of and within development areas: schemes should be designed (through considerate development, layout and design) to preserve or enhance key local views and vistas, and create new public views where possible.

The considerations set out in this policy are particularly important when determining proposals which have the potential to impact upon the Lincolnshire Wolds AONB (approximately 2.4km to the east) and the Areas of Great Landscape Value (as identified on the policies map) and upon Lincoln's historic skyline.

As part of the application a Landscape and Visual Statement was submitted. This is the same statement as the previous application. However this application is for the same scheme albeit a reduction in numbers therefore the statement is relevant and its conclusions are considered to be valid. The reduction in numbers would be a betterment on the existing application and would improve upon any impact on the area.

The application site lies outside the Area of Outstanding Natural Beauty but within the Area of Great Landscape Value.

The site falls within the West Lindsey Landscape Character Assessment 1999 – Area 11: Heathland Belt

The key characteristics of this LCA relevant to the application are:

- Large conifer plantations and acid soils formed on areas of coversand;
- Gorse, birch trees and acid grassland indicate heathland character within the agricultural landscape;
- Mix of arable fields and pastures with patchy clumps of hedgerows and few hedgerow trees;
- Distinctive lines of oaks, straight ancient hedgerows and small deciduous woodlands near Holton le Moor; and

- The fringes of Market Rasen and Caistor have a relatively wide range of land uses

Particularly distinctive are the extensive plantations of Scots and Corsican Pine which form a dark vertical edge, especially where there is no deciduous edge to them. This stark visual edge is particularly dominant in views from the Wolds between Walesby and Tealby.

The landscape pattern varies from large scale arable fields and pastures to smaller scale horse fields, immediately to the north of Market Rasen. Fields are enclosed by low hedgerows and hedgerow trees.

The landscape on the outskirts of Market Rasen has a particular diverse pattern and a variety of uses including agriculture, light industry, kennels, nurseries, a race course, golf course and camping area. The blocks of woodland, hedgerows and trees help to accommodate this varied range of land use in a predominantly flat agricultural landscape.

Within the woodlands there is a strong sense of enclosure.

Due to the conifer plantations views are relatively contained and there is some capacity to accommodate change. The most sensitive parts of the landscape, relative to the application site are;

- Woodland edges – these structure views (particularly towards the Wolds) and forms a dark backdrop to most views within this area

In terms of principles for accommodating new development, again relevant to the application site;

- Any new development on the fringes of Market Rasen or Caistor should be accompanied by mass planting which is designed to help integrate the development with the surrounding landscape pattern. It should include elements such as mixed woodland, hedgerows and hedgerow trees (predominantly oak)

It is important to consider some of the characteristics of the adjacent LCA, Area 12: North West Wolds Escarpment where relevant to the application site.

Those key characteristics which come through for this character area are;

- Extensive views towards the north and west; and
- The scarp feature forms a prominent vertical feature in the landscape;

The Application Site is currently a managed agricultural field adjacent to the Sunnyside Farm complex which comprises the farmhouse, shop and café, farmyard and the site for the approved lodges (139788). The site lies directly to the north of the approved lodge site.

The field is typical of those in the surrounding area, particularly those between Sunnyside Farm and the edge of the Wolds to the east. Those closer to the perimeter of Market Rasen (west of the farm and the local main market town) are smaller and form groups of associated fields. The field has strongly defined boundaries, to the west a mature deciduous woodland hedgerow forms the boundary to the Bridleway connecting into Walesby Moor woodland, a typical conifer plantation as described in the LCA which forms the northern boundary to the site.

These plantations are a strong characteristic of the local landscape and are part of a wider plantation group which wraps from north to south around the eastern edge of Market Rasen forming a distinct break between the rural field patterns on either side.

The eastern and southern boundaries are open, demarked by a typical managed native hedge. Beyond this boundary, to the south is the site of the approved lodges and then to Tealby Road.

Topographically, the field and those adjacent are relatively flat, rising gently to the east to Walesby Road and then sharply increasing from 59mAOD to circa. 115m AOD as it rises up to the Wolds ridgeline. Directly to the south of the farm, on the opposite side of the road, is Hamilton Hill. This localised area of raised ground is now set within the larger Manor Plantation and is a downhill mountain bike course.

There are several public rights of way (PRoW) which connect north-south across the farmland into the wooded plantations and the open access land. Footpaths connect up the scarp, eastly to join to the Viking Way, a Long Distance Walk of over 147miles through Rutland, Lincolnshire and Leicestershire, from the banks of the River Humber to Oakham. The area is a popular location for visitors and recreational activities, particularly walking and cycling. The villages surrounding Market Rasen are accessed by typical country roads radiating from it.

The site lies between Market Rasen and Tealby, approximately 3km to the east, on the Tealby Road. Contextually the site is more connected to the farmland to the east and up to the villages of Tealby and Walesby and up onto the ridgeline. Tealby is a nucleated village around the historic core with more modern residential buildings developing linearly on the Tealby Road. There are scattered farmstead through this landscape and as mentioned in the LCA, diversity of land use includes existing caravan and camping, the farm shop itself and the aforementioned mountain bike course.

The Landscape and Visual Statement concludes that the Application Site and the adjacent landscape are not considered to be highly sensitive to the Proposals. The Local Landscape character assessment considers the woodland edges to the plantations to be the most sensitive features of this part of the landscape and they are a dominant part of the character in this location. The application site is also considered to be within the landscape and visual setting of the Lincolnshire Wolds AONB and therefore should be

given due consideration. This is a statutory duty under 85(1) of the Countryside Act and states –

*In exercising or performing any functions in relation to, or so as to affect, land in an area of outstanding natural beauty, a relevant authority shall have regard to the purpose of conserving and enhancing the natural beauty of the area of outstanding natural beauty.*

The proposed development typology is not a common feature within this local landscape but small recreational developments, scattered farmsteads and outlying built form is not an inappropriate feature in the location or the wider AONB. To the north, although not visible in the context of this proposal, is a camp site and the 15 Lodges have been approved and are being constructed to the south.

The Proposals, if considered in isolation are perceived to be a large change to the existing landscape however the type of development proposed is low intervention – no severe construction activities are required, and the lodges are temporary by nature. The preparation of the fishing lake and the construction of a circulation route internally and the pads for the lodges are low level activities and will be absorbed on a similar level to general agricultural activity. The field itself which form the proposals would sit is not uncommon or unusual, all perimeter features will remain unaffected, the site is accessed through an existing farm gate.

The location of the application site is considered less sensitive than the field adjacent which has the approved permission. The adjacent field is against the Tealby Road and at the entrance to the Farm site. The approved application will be more visible and although is less dense has the same coverage as the Proposals.

The proposals present landscape opportunities to improve and enhance those features identified as sensitive – the woodland edge – and increase the amount of deciduous planting along the edges of the plantations. The proposals also respond to the principles for accommodating new development by implementing mass planting, considered though, to help integrate the proposals into the surrounding landscape pattern.

Visually the envelope for experiencing the changes is small. Views from the west are limited until the receptors are directly adjacent to the Farm itself. On arrival at the Farm, the open aspect of the frontage will change, although largely this change has occurred due to the introduction of the 15 lodges and fishing lake. The Proposals will be experienced as an extension to this.

Beyond the very close views and on completion, once the new planting matures, the Lodges will not be visible due to the height of circa 5m from ground level. Care should be taken that a break in the plantations is still appreciated – that a gap between the woodlands remains as this is a characteristic of this local landscape. This may result in some of the lodge rooves being visible in the close-range views.

The Proposals will not detract from the panoramic views experienced from the Viking Way along the Wolds ridgeline. The change in the landscape may be discernible where the Lodges within the approved scheme are located, potentially contributing a small and relatively low-key part of the wider view however the proposals will not be visible from the most direct locations due to the woodland edge wrapping around the eastern edge of the application site (in the views). The proposals would not appear obtrusive in the landscape and over time any adverse impacts would be mitigated by the proposed planting structure. As with the views from the lower levels, the planting should be considered to maintain the 'break' between the plantations and allow views beyond to be appreciated. Should lodges become visible as a result of this it will not be detrimental to the overall view.

The experience of the AONB and the qualities that contribute to its designation would not be impacted by the Proposals.

The potential for a change in the views will largely only be experienced in very close proximity to the Proposals. The Proposals will introduce a change in the view as the receptor approaches the site however there will not be a feeling that this is an inappropriate typology and the proposed planting will present positive opportunities for biodiversity and habitat creation.

Further views were submitted during the previous application (140707) to address a representation and these views and corresponding statement have been submitted in this current application and concludes –

The view is incidental through a break in the hedgerow trees and captures a single view towards Sunnyside Up and the Wolds beyond;

- Although it is a view of value to locals it is not recorded or presented to visitors compared to the views from the Wolds AONB, along the Viking Way. These would be judged as of the highest sensitivity; and
- The effects of the Proposals would introduce additional lodges to the north of those already approved but would have no direct effect on the views towards the Wolds themselves.

Overall, the introduction of this view into the assessment does not change the overall outcomes of the report.

A representation was received to show a walking guide that details the viewing location on an unmaintained route. This walking guide is not just available to locals. Whilst this route is highlighted on a walking guide, it is still not considered that this alters the overall outcomes of the report.

It has been requested from objectors that further views be assessed. However, these are not deemed necessary and would not alter the conclusions of the visual impact report.

The proposal aims to introduce the lodges into an enhanced and well managed landscape which would make a contribution to the biodiversity and landscape features of the locality.

Extensive planting is proposed to be implemented along the boundaries and will be introduced between lodges and around the pond.

Wildflower meadow planting is to be introduced providing increased biodiversity in comparison to the agricultural field and provide a pleasant outlook for the visitors and general users of the surrounding landscape.

Whilst not within an Area of Outstanding Natural Beauty, the site is some 2.5km to the west of the AONB and therefore does have the potential to impact upon the setting however the Landscape Visual Statement concludes that there will be a negligible effect to the AONB.

The AONB Officer has not commented on this application but request further landscaping and more information on lighting plans to reduce the impacts and disruption to the AONB setting in the previous application. This is felt to be still appropriate for this application. This can, and should be secured via a planning condition.

Comments received from local residents' state that landscaping from the previously approved adjacent site has not yet occurred. However there was only 1 out of the 15 approved lodges on site when the application was submitted. The condition on this application (139788) states that landscaping shall be carried out in the first planting and seeding season following the occupation of the buildings or completion of the development. Neither of these triggers has been met and therefore the landscaping does not need to be carried out at this time.

Lodges are a temporary fixture and with appropriate landscaping the proposal would be acceptable. The proposal would not be deemed an inappropriate feature in this landscape giving the wider considerations of the landscape.

The proposal would be of 27 pitches, which should be secured via planning condition.

It is acknowledged that the earlier scheme of 50 pitches was refused permission due to the landscape and visual impacts of the development. These are however further mitigated by the reduction in numbers, leading to a lower density scheme.

Whilst the scale is larger than that of the other approved site, it has been significantly reduced from the previous refused application. When also taken cumulatively with the previously approved scheme, the proposal with the correct landscaping would not be expected to appear obtrusive within the landscape.

The experience of the AONB and qualities that contribute to its designation would not be expected to be impacted by the proposal.

The proposal is therefore in accordance with criteria c and d of LP7 and policy LP17 of the Central Lincolnshire Local Plan.

Paragraph 127 of the NPPF states that planning policies and decisions should ensure that developments:

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);

Policy LP17 is consistent with the NPPF and is attached full weight.

#### Residential Amenity

Policy LP26 states that the amenities which all existing and future occupants of neighbouring land and buildings may reasonably expect to enjoy must not be unduly harmed by or as a result of development.

Concerns have been raised with regards to noise. The proposal does not give rise to any obvious or immediate noise concerns. The nearest neighbour is over 250m away.

The lodges are sited approximately 30 metres apart from one another. This would be adequate separation and would not give rise to concerns over privacy.

Paragraph 127 of the NPPF states that Planning policies and decisions should ensure that developments:

- (f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users

Policy LP26 is consistent with the NPPF and is attached full weight.

#### Highways

Policy LP13 states that development proposals which contribute towards an efficient and safe transport network that offers a range of transport choices for the movement of people and goods will be supported.

LCC Highways have been consulted on the application and have no objections to the proposal.

Concern has been raised by residents with regards to traffic and highway safety. However the Local Highways Authority raise no objections to these matters.

With regards to the bin storage, the proposed pitches will have their own bin storage areas, as shown on the plans, and are proposed to be collected on a regular basis.

Paragraph 109 of the NPPF states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

Whilst third party representations are noted, it is not considered that there would be an unacceptable impact on highway safety, or that the residual cumulative impacts on the road network would be severe, and the proposal would comply with LP13 and the NPPF in this regard.

Policy LP13 is consistent with the NPPF and is given full weight.

#### Flood Risk and Drainage

Policy LP14 states that all development proposals will be considered against the NPPF, including application of the sequential and, if necessary, the exception test.

*Through appropriate consultation and option appraisal, development proposals should demonstrate:*

- a. that they are informed by and take account of the best available information from all sources of flood risk and by site specific flood risk assessments where appropriate;*
- b. that there is no unacceptable increased risk of flooding to the development site or to existing properties;*
- c. that the development will be safe during its lifetime, does not affect the integrity of existing flood defences and any necessary flood mitigation measures have been agreed with the relevant bodies;*
- d. that the adoption, ongoing maintenance and management of any mitigation measures have been considered and any necessary agreements are in place;*
- e. how proposals have taken a positive approach to reducing overall flood risk and have considered the potential to contribute towards solutions for the wider area; and*
- f. that they have incorporated Sustainable Drainage Systems (SuDS) in to the proposals unless they can be shown to be impractical.*

Policy LP14 states that development proposals should demonstrate:

- g. that water is available to support the development proposed;*
- h. that development contributes positively to the water environment and its ecology where possible and does not adversely affect surface and ground water quality in line with the requirements of the Water Framework Directive;*

- i. that development with the potential to pose a risk to groundwater resources is not located in sensitive locations to meet the requirements of the Water Framework Directive;*
- j. they meet the Building Regulation water efficiency standard of 110 litres per occupier per day;*
- k. how Sustainable Drainage Systems (SuDS) to deliver improvements to water quality, the water environment and where possible to improve amenity and biodiversity have been incorporated into the proposal unless they can be shown to be impractical;*
- l. that relevant site investigations, risk assessments and necessary mitigation measures for source protection zones around boreholes, wells, springs and water courses have been agreed with the relevant bodies (e.g. the Environment Agency and relevant water companies);*
- m. that adequate foul water treatment and disposal already exists or can be provided in time to serve the development;*
- n. that no surface water connections are made to the foul system;*
- o. that surface water connections to the combined or surface water system are only made in exceptional circumstances where it can be demonstrated that there are no feasible alternatives (this applies to new developments and redevelopments) and where there is no detriment to existing users;*
- p. that no combined sewer overflows are created in areas served by combined sewers, and that foul and surface water flows are separated;*
- q. that suitable access is safeguarded for the maintenance of water resources, flood defences and drainage infrastructure; and*
- r. that adequate provision is made to safeguard the future maintenance of water bodies to which surface water is discharged, preferably by an Agency, Internal Drainage Board, Water Company, the Canal and River Trust or local council).*

The foul water from the development will be collected on site and discharged into a proposed foul water treatment plant sited on land within the applicant's ownership. The overflow from the plant will be discharged into Walesby Beck, connected to the existing discharge connection. Consent to discharge into the existing watercourse will be required from the Environment Agency accordingly.

All of the surface water from the development will be discharged into the proposed pond with an outlet connected to the existing connection to Walesby Beck. The surface water connections and disposal are all on land owned by the applicant and therefore the proposed drainage from the site is totally self-sufficient and independent.

The development will include water butts on the rainwater outlets of the lodges to enable recycled water to be used for the irrigation purposes to reduce the needs on main water supplies and also to limit the amount of surface water discharge to the existing water course.

Private access roads and car spaces will be constructed in porous surfaces to allow water to percolate laterally into the surrounding soft landscape areas. The subsoil's are of a sandy nature and offer good infiltration potential.

The proposed pond can remove grit and small particles before discharging to the existing drain. Porous surfaces is proposed as a way of removing hydrocarbons from spillages in parking areas and trapped gullies will be used around the access roads.

The site is located within Flood Zone 1 (low probability) and is not at risk of flooding from external sources. The site would be protected from flooding by the use of pipes, porous surfaces, swales (if required) and site attenuation (proposed pond) that will attenuate water during the worst case 1 in 100 year storm event. The designed drainage system will be subjected to a regular maintenance regime to ensure that blockages do not occur. Capacity within the drainage network will be maintained by regular inspection and removal of vegetation and other general debris. The design of the proposed drainage system would include a 30% increase in rainfall intensity to allow for the effects of climate change over the design life of the premises.

The surface water from the proposed development is likely to be restricted to less than existing Greenfield runoff discharge rates. Any swales and wet balancing pond would be designed to attenuate storms during a 1 in 100 year storm event with a 30% climate change allowance. This, together with a regular maintenance regime to ensure no blockages or loss of capacity will occur to ensure that the risk of flooding elsewhere will not increase.

A condition is recommended for a final drainage scheme prior to the erection of the log cabins. The proposal subject to conditions would be in accordance with policy LP14.

Paragraph 165 of the NPPF states that major developments should incorporate sustainable drainage systems unless there is clear evidence that this would be inappropriate.

Policy LP14 is consistent with the NPPF and is attached full weight.

### Ecology

Policy LP21 states that all development should:

- protect, manage and enhance the network of habitats, species and sites of international, national and local importance (statutory and non-statutory), including sites that meet the criteria for selection as a Local Site;
- minimise impacts on biodiversity and geodiversity; and
- seek to deliver a net gain in biodiversity and geodiversity.

Concerns have been raised from residents with regards to wildlife.

As part of the application an Ecological Survey – Extended Phase 1 has been submitted. This was initially submitted for the adjacent approved site application however consideration was given with regards to the wider site

and therefore it is considered the recommendations are appropriate for this site.

No further survey works are required but contains the following recommendations –

**Hedgerow** – It is recommended that boundary hedgerows be retained or replaced where possible. Gaps will require re-planting which should follow specific hedgerow planting prescription which should be comprised of locally appropriate native species sourced from local provenance sourced seed stock/material.

This will, (within a 5 year period), enhance any established physical links between existing hedgerows and act as both habitat and wildlife corridor for a potentially wide ranging number of species.

The opportunity also exists to plant locally appropriate native and naturalised tree species.

**Bats** – The proposed works will not affect any buildings or mature and over-mature boundary trees. The survey results indicate that the site is unlikely to be key to the overall conservation bats in the local area and the enhancement of the site would not alter the ability of bats to survive and reproduce.

The ecological functionality of bats in the local area will not be adversely affected by the proposed development.

However, despite the open nature of the site, the mature hedgerows, tree belts and site boundaries may provide foraging habitat for bats and be utilised as flight corridors.

The site boundaries are believed to offer extremely good foraging potential for a number of bat species. This could further be enhanced by the erection of bat boxes.

**Lighting** – Lighting schemes can damage bat foraging habitat directly through loss of land fragmentation, or indirectly by severing community routes from roosts.

It is recommended that any proposed security lighting on site is placed as far from the boundary hedgerows as possible, that light spillages on hedgerows is avoided by using shields to direct light to the target area only. The impact on bats can be minimised by the use of low pressure sodium lamps or high pressure sodium instead of mercury or metal halide lamps. The height of lighting columns in general should be as short as possible as light at a low level reduces the ecological impact. The possibility of using a sensor should be considered to provide some dark periods on site.

Amphibians – The proposed development will have no or low/negligible potential impacts on any potential Great Crested Newt population and viable habitats.

Given the physical nature of the site it is possible to undertake the proposed work without the risk of a breach in the legislation protecting Great Crested Newts providing a precautionary approach is adopted. It is recommended that work is undertaken in accordance with a strict method statement. This is contained within the survey.

Reptiles – Precautionary measures are recommended and include –

1. A suitably qualified/experienced ecologist will deliver a toolbox talk to contractors responsible for the works. The talk will cover reptile ecology, reptiles and the law, and what to do if reptiles are found during the works.
2. If during the works period any reptiles are found on site works should cease in that area and a suitably qualified ecologist should be contacted for advice.
3. Grassland/vegetation clearance should ideally take place during the summer months (April-September) when reptiles and amphibians are the most active (ideally when day time temperatures are between 16-24 degrees Celsius) when reptiles and amphibians are alert and mobile and can flee disturbance. However this may lead to a conflict with timing relating to the bird nesting season. Therefore extreme caution in relation to nesting birds must be exercised.

Birds – To minimise any potential impact or disturbance to protected breeding birds, any site clearance or works affecting the boundary hedgerows should be undertaken outside the bird breeding season. If work is carried out in the breeding season then an ecologist should be consulted and it is likely that work will have to stop if breeding birds are found in the trees and scrub present it may be necessary to undertake further more detailed breeding bird surveys immediately prior to the work to search for nests. A bird box is recommended.

Snipe – It is recommended as a conservation measure that within the design of new water body consideration to the inclusion of extensive shallow margins where wading birds such as Snipe feed and sometimes breed. The opportunity to plant native species to encourage natural colonisation by insect and amphibian life is also present. A suitable list of native species is provided in the survey. Establishment prescription (sowing rates/stocking densities methods and timings) recommended by the seed provider must be followed.

Other recommendations – Good working practices should be adhered to during any future work, with any trenches covered overnight and any pipes over 200mm in diameter capped off at night.

The recommendations can be conditioned.

The proposal, subject to conditions would be in accordance with LP21.

Paragraph 174(b) of the NPPF states that to protect and enhance biodiversity and geodiversity, plans should promote the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species; and identify and pursue opportunities for securing measurable net gains for biodiversity.

Policy LP21 is consistent with the NPPF and is attached full weight.

#### Historic Buildings

Policy LP25 states that development proposals should protect, conserve and seek opportunities to enhance the historic environment of Central Lincolnshire.

The host farmstead buildings are considered to be historic buildings on the HER record but are not listed.

It is not felt that the lodges would have a detrimental impact on the farmstead. Whilst there would be a change to the setting this is deemed to be harmful.

A resident has stated that one of the known R-B pottery kiln sites on the moor is only around 800 metres east from the proposed excavation described in new planning application 141442, and there are soil and vegetation/crop marks in fields closer to the proposed excavation that could be indicating the presence of other archaeological remains sub-surface nearby.

The archaeologist at LCC has been consulted on the application and no representations have been received. However, in the previous application for the pond (138912) no archaeological input was required. Therefore it would be unreasonable to ask the applicant to carry out such surveys.

Paragraph 192 of the NPPF states that in determining applications, local planning authorities should take account of:

- a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- c) the desirability of new development making a positive contribution to local character and distinctiveness.

Policy LP25 is consistent with the NPPF and is attached full weight.

#### *Other matters*

Advertisements are not applied for under this application and are not a material consideration to this application.

Competition is not a material consideration.

The application is to be considered on its own merits, against the provisions of the development plan. Speculative growth is not a material planning consideration. Any future applications would also need to be considered on

their own merits. The previous permissions were not granted on the basis that they would be no further development on the adjacent land. No such restrictions were placed on these applications. However as stated, any future applications will be considered on their own merits.

A resident has stated that in the extended phase 1 survey the legends box covers up most of Tealby and covers the walkways and listed buildings. They request that a new map be submitted. The extended phase 1 survey relates to ecology therefore the locations of listed buildings and PROWs are irrelevant in this survey.

A representation has stated that the application would reduce visitor numbers. There is no evidence before the officer why the proposal would create such effect, and is not the position taken by the WLDC Visitor Economy officer

The proposal has been assessed as holiday accommodation and not dwellings.

### **Conclusions and recommendations**

The proposal has been considered against the Development Plan namely policies, LP1: A Presumption in Favour of Sustainable Development, LP2: The Spatial Strategy and Settlement Hierarchy, LP7: A Sustainable Visitor Economy, LP13 Accessibility and Transport, LP14: Managing Water Resources and Flood Risk, LP17: Landscape, Townscape and Views, LP21: Biodiversity & Geodiversity, LP25: The Historic Environment, LP26: Design and Amenity, LP55: Development in the Countryside in the Central Lincolnshire Local Plan including the advice given in the National Planning Policy Framework and the National Planning Practice Guidance. The proposal would have some impact to the landscape however is not considered to have a detrimental impact upon the character of the area or the setting of the AONB. The proposal is considered not to have an adverse impact on residential amenity or highway safety. The site is at low risk of flooding, provides adequate drainage and would enhance the ecology and biodiversity of the site. The proposal would allow for the potential loss of good to moderate agricultural land which would be a harm of the proposal. However the proposal would contribute to the tourism industry and would be beneficial to the economy. Taking in account all the considerations the proposal is recommended for approval subject to the following conditions:

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

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

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

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

2. No development shall take place until a final landscaping scheme including details of the size, species and position or density of all trees/hedges to be planted, details of any removal of hedges, details of the height and materials used for any boundary treatments and the surface material of the parking spaces have been submitted to and approved in writing by the Local Planning Authority.

**Reason:** To ensure that appropriate landscaping is introduced and will not adversely impact on the character and appearance of the site to accord with the National Planning Policy Framework and local policies LP17 and LP26 of the Central Lincolnshire Local Plan 2012-2036

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

3. With the exception of the detailed matters referred to by the conditions of this consent, the development hereby approved shall be carried out in accordance with the details shown on the approved plans:

Foresters Lodge Elevations and Floor Plan

The Strand Elevations and Floor Plan

DMC 18535/401

DMC 18535/402

DMC 18535/403

DMC 18535/404

DMC 18535/405

and in any other approved documents forming part of the application.

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

4. Prior to the installation of any external lighting, details of the lighting scheme (including a light spill diagram) including luminance shall be submitted to and agreed in writing by the Local Planning Authority. The scheme shall then be implemented in strict accordance with the approved plans and retained as such thereafter.

**Reason:** To maintain and enhance the rural character of the area, the setting of the Lincolnshire Wolds AONB and to protect wildlife and in accordance with policies LP2, LP17 and LP26 of the Central Lincolnshire Local Plan.

5. The development hereby approved shall only be carried out in accordance with the recommendations set out in the Extended Phase 1 Survey dated April 2019 by Ecology & Forestry Ltd.

**Reason:** In the interest of nature conservation to accord with the National Planning Policy Framework and local policy LP21 of the Central Lincolnshire Local Plan 2012-2036.

**6.** No development shall take place during the bird breeding season (1<sup>st</sup> March to 31<sup>st</sup> July) in any year until, a detailed survey is undertaken to check for the existence of bird nests. Any active nests shall be protected until the young fledge. Completion of bird nest inspection shall be confirmed by a suitably qualified person and a report submitted to and approved in writing by the Local Planning Authority before any demolition works commence.

**Reason:** In the interest of nature to accord with the National Planning Policy Framework and local policy LP21 of the Central Lincolnshire Local Plan 2012-2036.

**7.** No erection of the log cabins shall take place until details of the proposed surface water and foul water drainage have been submitted to and approved in writing by the Local Planning Authority. The approved details must be in place before occupation of the log cabins

**Reason:** To ensure satisfactory drainage arrangements are in place in accordance with policy LP 14 of the Central Lincolnshire Local Plan.

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

**8.** The maximum number of log cabins on the site shall not exceed **27**.

**Reason:** This was the number considered acceptable to maintain and enhance the rural character of the area and the setting of the Lincolnshire Wolds AONB and in accordance with policies LP2, LP17 and LP26 of the Central Lincolnshire Local Plan.

**9.** All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the occupation of the building(s) or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, 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 in accordance with policies LP17 and LP26 of the Central Lincolnshire Local Plan.

**10.** The accommodation hereby permitted shall only be used for holiday accommodation and shall not be used to provide any unit of permanent residential accommodation.

**Reason:** To accord with current planning policies under which continuously occupied dwellings would not normally be permitted on the site to accord with the National Planning Policy Framework and local policy LP26 of the Central Lincolnshire Local Plan 2012-2036.

**Human Rights Implications:**

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

**Legal Implications:**

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