

# **Officers Report**

## **Planning Application No: 142675**

**PROPOSAL:** Planning application for change of use of land for siting of caravans (lodges) including alterations to vehicular access & creation of vehicular crossover.

**LOCATION:** Hamilton Hill opposite 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:** 16/06/2021 (EOT 08/10/2021)

**DEVELOPMENT TYPE:** Major - Other

**CASE OFFICER:** Rachel Woollass

**RECOMMENDED DECISION:** Grant permission

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This application has been referred to the Committee, following third party objections including that of the Parish Councils, and in view of the planning history.

### **Description:**

The application site lies in between Tealby and Market Rasen on the southern 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 to the south of the farm and shop/café the field is approximately 10.69ha in area. To the north of the site is the B1203 highway.

The application seeks permission for the change of use of land for siting of caravans (lodges) including alterations to vehicular access & creation of vehicular crossover.

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.*

141442 – 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. Permission granted 15/10/2020

### **Representations:**

**Sir Edward Leigh MP:** 07/06/2021 – Hamilton Hill is one of the most important historical sites in the constituency I have the honour to represent in Parliament. Its role as the focal gathering point for the Lincolnshire rebels of 1536 seals its place in history not just our country but of Great Britain as a whole.

I echo and support the concerns which Historic England have raised regarding this application. As it stands, there is not yet sufficient information available for West Lindsey District Council to render a proper judgement on this application.

I strongly believe that a full and thorough archaeological survey of the site should be undertaken at the nearest available opportunity – certainly before any application for further development is approved.

Given the importance of Hamilton Hill, I hope more will be done to inform the public and spread awareness of this site and its vital role in the history of the country.

At the very least, West Lindsey District Council has both a statutory and a moral obligation to prevent any harm or insensitive development and to investigate proposals thoroughly before rendering judgement.

28/06/2021 - I have now visited the site in person and have been satisfied that what is being applied for does not greatly interfere with the historic setting. There is no development on the top of the hill nor on the ascent of it and the wooden chalets I am told will be built on flat land shielded to an extent by trees and greenery.

Not being an expert myself I hope those with more knowledge than me will be able to determine what, if any, further archaeological and historical research might need to be

done at the site. Really it should be officially designated a site of historical interest by the relevant authorities so that it is well protected for future generations. We must certainly resist any creeping development up the side of the hill.

The Council should consider erecting a board at the car park giving the historical context and explaining the significance of the site and the Lincolnshire Rising, one of the most widespread rebellions in English history. There is always a great deal of public interest in the history of the countryside and local authorities should encourage this, not least as a boon to tourism.

West Lindsey District Council must now take a close interest in the site and prevent any further development after this application.

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

**Walesby Parish Council:** 07/05/2021 This application should be rejected. It links with 2 successful applications across the road for similar facilities -139788 for 15 cabins, 141442 for 27 cabins. Both those applications were limited in the number of cabins 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 . Enough is enough. That reason for limiting the first two applications should justify rejecting this third application altogether. This location is not suitable for what would become one very large holiday camp. Furthermore no lodges have yet been established on the initial 2 sites which allow 42 cabins. No more developments should be allowed until the impact on the environment and the economic sustainability of those 2 sites has been seen.

17/08/2021 – Repeats the comments as above.

**Tealby Parish Council:** would like to object to the above application, with the following points;

- The plans as they are presented, appear to contradict the aims of the Lincolnshire Wolds Management Plan 2018 - 2025; the plan talks of inappropriate and insensitive development as being one of the major threats to the AONB and yet WLDC planning department appear to encourage such development in this location.
- One of the aims of this plan is to sustain and enhance '*the Lincolnshire Wolds natural beauty and its landscape character*' and '*partnerships between organisations, the local community, landowners and others with an interest in the Wolds*'. This development fails to comply with this Plan on these two counts alone.
- Furthermore, further visual intrusion to the landscape and surrounding area is unacceptable. Not only does this development continue to erode the views from and to the Lincolnshire Wolds AONB and Viking Way (being slightly more elevated than previous 'phases'), but particularly to users of the Tealby Road. Yet more lodges along the side of this gateway to the ANOB is a particular concern, as the site layout exaggerates the 'corridor' effect of the visual intrusion along the south side of the road for around 1/2 a mile.
- Regular flooding due to the design of surface water disposal system already adopted are poor and inadequate, further exacerbating an existing problem.

- Highways safety concerns due to the access being positioned on a bend, which is already naturally hazardous. In addition to the safety concerns about vehicles accessing and exiting the site onto Tealby Road (via the 'new' entrances at the west and east of the site respectively), there is an additional safety concern for the inevitable pedestrians crossing the 'blind' bend at the existing Popular Farm entrance.
- The impact of the first phase of this development has not yet been assessed, therefore the 'second phase' of this continuing development should not be considered or permitted until all criteria is reviewed and complied with.
- Track clarification – which is a new addition – what is its intended purpose.

**Local residents:** Support received from Kestrels –

Feel this development is sufficiently far from nearby villages or the town of Market Rasen to offer no threat whatsoever. In fact, it enhances land which has been used only for arable or grazing. The development supports much needed tourism in this area, it will bring in 'new money' and will support the struggling economy of Market Rasen. I fully support the application.

Objections received from Shepherds Hill, Tudor Cottage, Hilltop House, Melbreak, 8 Sandy Lane, Beavor Lodge, Peacefields, Hambleton Hill, 41 Addington Gardens – Reading, The old Joiner's Workshop, Woodley, 32 Rasen Road, Waterside Cottage, Rase Thatch, 4 The Row and 48 Rasen Road with the main concerns –

- Objected to the previous application warning he was drip feeding applications when he was actually planning a large total development. This is the next step in the campaign.
- More traffic emerging on this road will be still more dangerous
- Applicant states that it will support a lot of employment at his farm shop and café. This is now on the market for long term let so it will not be part of the same business.
- is on the important historical site connected to the Lincolnshire Uprising in 1536.
- Totally against any larger development.
- A development of 50 lodges will big 50 extra cars with their pollution and noise, hundreds of extra visitors rambling around our woods and villages. At night, considerable night pollution.
- The development would be ugly and claustrophobic. All sense of space would be lost.
- Would be visible from within the AONB.
- Adverse impact on the landscape will be very significant due to the scale of the proposal and the elevated site along the roadside.
- Highway safety concerns including pedestrians crossing to the shop and the facilities on the other side of the road.
- Questions arise concerning the "style" and appearance which on evidence to date with the removal of hedges, erection of fences and a plethora of signs give rise to questions about the management's sensitivity to the local area.
- This is THE prominent feature in the landscape and any form of structure will spoil the appearance of the area (designated AONB?). If the proposal was on the lower flat ground and trees and hedges were used to screen the lodges, it would be unobtrusive and acceptable.

- Notice that surrounding trees and hedges are well marked. There is a very mature hedge along the side of the road, it would be a pity to remove it. It is used as a wildlife corridor and the proposed land is regularly quartered by barn owls and used by various birds and mammals, stoats etc.
- Proposal would detract from the view.
- Putting lodges along the road would very much change the character.
- Would be better to develop behind the yard and house (Poplar Farm). Thereby obscuring some of the development and giving immediate access to the facilities they offer.
- If the application is passed, can foresee that that at a future date the applicants or following owners will want to develop this field further, which would change the of the road to Tealby and this area on the edge of Market Rasen.
- Proposed trees will take 10 to 20 years to screen the areas. Other similar holiday areas are placed amongst mature trees.
- Flooding concerns.
- A number of phase 1 caravans were surrounded by water for a number of weeks.
- The dyke along the roadside of this phase 3 has over the last two years burst its banks causing a major traffic hazard with water covering more than half the road by the entrance to phases 1 and 2. Rainwater from this dyke and phase 1 caravans is highly unlikely to get to Walesby Beck let alone drain into it when the pond is also inundating a large area of phase 1.
- Live directly at the side, last thing we want is a load of strangers living next to us. We enjoy the peace and quiet and a nice place for our children to grow up. Strongly disagree with this application, there are enough lodges already approved and nothing has been done with them.
- Lack of evidence the landowner actually intends to use the land for the stated purpose.
- How many jobs have been created up to this point?
- At the time of last year's planning application, there was only one lodge on the development. This situation has not changed. The fishing camp does not appear to be open for business.
- Would have expected that all the approved lodges would have been installed in order to take advantage of this staycation boom.
- By introducing the term "caravans" WLDC has in effect given carte blanche to install any type of caravan he desires.
- This, in effect, increases the value of the land, without the inconvenience of any further investment.
- There was a limit imposed on both applications "to maintain and enhance the rural character of the area, the setting of the AONB and to protect wildlife and in accordance with policies LP2, LP17 and LP26 of the CLLP. The applicant ought to respect that and complete the first 2 developments before applying for more. Then it could be assessed what impact those first to have on the environment.
- This is a particularly attractive part of the area. It would be a shame to despoil the area for a holiday camp which might not be sustainable. Perhaps the applicant would be better establishing his holiday camp in a coastal resort area where there is much more demand.
- The farm shop along with the farmhouse has been offered up for lease.

- The removal of the farm shop, from both the current and previous developments, will almost certainly require the construction of further buildings to assist the use of the site.
- The polytunnels, employment nor the lodges have arrived.
- Much of this site has been flooded through the winter, with most of the caravan standings being constantly under water.
- It surprises local residents, that, on the way to spend time in an AONB, one needs to drive through a caravan park.
- Let's hope the development is going to be in-keeping with an AONB and that caravans are not too obtrusive, nor the litter too abundant.
- We have seen little of the landscaping and replacement of damaged hedging at the first two sites. From this precedent, I expect we will see little landscaping at this latest development. We must expect that we may be left with a view of caravans and washing lines, rather than with a pleasing view of wildlife.
- We have concerns about the safety of the B1203, and the increase in the number of access points to the latest site.
- Been informed that the field adjacent to the Poplar Farm buildings is being measure. I assume that a further application is to be submitted.
- The irrigation lake of application 138912, was to be filled from the springs of Hambleton Hill, via an under-the-B1203 culvert. The culvert has enabled the irrigation lake to be filled. Due to the amount of spring water available, a pool has developed adjacent to the B1203, mostly on the Hambleton Hillside. This will enable anyone falling into the unfenced water, or believing that the visible pool is shallow, to receive a nasty surprise, and in the case of a child, probably a fatal one.
- Some comments submitted in support of the proposed development have been used in previous applications, and by now are obsolete, inaccurate, irrelevant and misleading.
- The historic Hambleton Hill would be destroyed.
- Over-development with an inadequate benefit to the area and other local businesses.
- Noise concerns.
- Concerned that once the site is sold, the lodges will be individually sold for residential occupation rather than the entire site being a holiday complex.

Following a re-consultation on the archaeological report and amended access, the following objections were received from 8 Sandy Lane, Hilltop House 7 Cow Lane, Shepherds Hill, The Birches, Hillstone House, Tudor Cottage, Peacefields, The Hawthornes 13 Cow Lane and 48 Rasen Road –

- the hill is the outstanding feature on the approach to the conservation area that is Tealby ,also AONB, the wolds--ANY structures or roads on this large and attractive hillside would be intrusive and detrimental to a very attractive area. Suggest that any caravans or lodges be placed on the lower ground to the far side of the new lake and that they should be screened from view by planting substantial hedges and trees.
- Stand by previous comments
- The already approved phases of this development will destroy the peaceful and attractive nature of this corner of West Lindsey.
- Only one other response in favour
- Only positive response from Tourism

- Is making money more important than strongly stated, sensible objections of local people.
- This development will add a potentially large volume of traffic, particularly on change-over days, onto a relatively minor road. The junction remains dangerous, just around a tight corner with limited visibility.
- The proposer continues to submit piece-meal what is in essence a very large development, hoping to con the committee with a drip-feed of small elements.
- They have not taken further the original proposal, just leaving one demonstration cabin by the fishing lakes, which does nothing for the local area. It seems reasonable to assume that this will remain their approach until they have consent for over one hundred individual plots. What is the traffic going to be like when all of that goes into development too?
- There are already two outstanding developments with planning permission that have yet to be started. Rather than add a third to what will become a continuous build it would be preferable to gauge and measure the impact of the first two phases. This would enable an objective assessment to be made of the impact of such development.
- There is no practical evidence about traffic issues, noise, congestion, intrusion, effect (positive and/or negative) on the local economy, on employment and the wider effects of such a large development on the near and far country side and the AONB. The Council should delay any discussion of this planning application until factual evidence about the above is available.
- The developer is in possession of a total of 90 acres of land and it is worth noting that in early previous submissions there is talk and interpretation of supposed planning legislation that could allow over 250 such 'lodges', which may be the ultimate aim of the developer.
- The beautiful hill would be ruined by ugly caravans and lodges together with more unsightly advertisement boards.
- There would be no benefit to Tealby and surrounding villages.
- Tealby village does not have the capacity to accommodate more visitors. Overcrowding is already a problem and an increase in numbers would have a detrimental effect.
- The application appears to be solely for commercial gain with no environmental considerations.
- Why should you approve this application when you reduced the numbers in the previous applications because there were too many cabins. The owner has put the first two fields up for sale so there is no indication of any interest in the site apart from making money. If this is approved the other empty fields will almost certainly have an application made too.
- during winter and spring of both 2020 and 2021 the B1203 was badly flooded on the bend at Poplar Farm and down towards Tealby. The ditch on the south side of the road could not cope even with new culverts dug. Not only did the water cause the road to become dangerous for traffic but virtually all the chalets on the first application would have been surrounded by water requiring inhabitants at least to wear wellingtons and raised areas for parking their cars for fear of damage.
- Concerns over the safety of the junction

- concerned upon the possible impact upon Tealby village in terms of the excessive access to the village shop and the pub.
- People who visit the bike park are now parking on the verge alongside the B1203. At weekends the small car park at Willingham Woods / Rasen Rd is often full and there can be several cars & vans parked on the verge opposite the car park which is just around the bend from the proposed second entrance/exit for this application. Maybe the proposed entrance/exit for this application should be in a different place.

Support received from Kestrels –

- No objection to this amended planning application

**LCC Highways:** 04/05/21 - The Highway and Lead Local Flood Authority (HLLFA) would make the following comments:

- The existing eastern access has sub-standard visibility in both directions.
- The existing western access has sub-standard visibility looking towards the east.
- The existing main access (central) has substandard visibility in both directions.

Taking into account the above it is unlikely that the proposed new accesses east and west of the main access will provide the minimum visibility requirements needed for safe access and egress to the site.

It is requested that the applicant looks to provide one safe access, to serve all purposes, that meets the minimum visibility requirements laid out in Manual for Streets of 2.4x124m in both directions. This should take the form of a metalled access constructed to the highway authority's specification. Also require a small footway section and tactile crossing point to allow the use of the footway on the opposite side of the road. As a major planning application there is an obligation to deliver a sustainable drainage solution for the proposal, these details will be required at this stage for consideration.

06/09/21 – No objections, recommends 2 conditions with regards to obstructions in the visibility of the access and the closing up of accesses.

**AONB Officer:** The proposed application site is some 2.5 kilometres to the west of the nationally protected Lincolnshire Wolds Area of Outstanding Natural Beauty (AONB) and therefore has the potential to impact upon setting, especially the views both from and to the Lincolnshire Wolds. The site lies within the previously mapped and protected Lincolnshire Wolds Area of Great Landscape Value (AGLV). We therefore welcome the inclusion of an additional Landscape and Visual Impact Assessment (LVIA) to help assess these proposals.

It is clear that the site will be visible from the AONB due to the local topography at this location, and the generally very open panoramic views westwards from the higher ground that comprises the Chalk Wolds Escarpment and includes the important recreational route of the Viking Way. Local public rights of way close to the site are also widely promoted, including a section from the Lincolnshire Wolds Gateway Walk from Market Rasen (Following Woods and Mills). The LVIA provides a reasonable summary of the landscape character of the area and details the wider policy contexts, including



for the Lincolnshire Wolds AONB and the accompanying AONB Management Plan (2018-23).

The findings of the LVIA suggests that the development would have an impact upon the longer views from the AONB, but that these are deemed not to have an overriding detrimental impact upon the wider character of the AONB, or its setting, on account of distance, landscaping, the layout of the lodges, their design and height, and the effective screening from the neighbouring blocks of woodland and hedgerows. As per our previous comments, many of the surrounding woodland compartments are under the ownership and management of the Forestry Commission and blocks of conifers will be subject to periodic thinning and harvesting operations, so the level of adjacent screening could change dramatically overtime.

The accompanying D & A reports strong community support for the project, however I note that both Tealby and Walesby Parish Councils have stressed their objections and concerns, as detailed in their respective responses. A

general issue is that the proposed development is significant, being classed as major development, and unlike a mobile caravan and camping facility, the lodges will create a permanent site fixing, with units subsequently in situ. A

further issue raised in our previous response to application 140707, has been one of the potential for light pollution and again this impact does not appear to have been covered within the LVIA. This is an issue that has been generating much discussion at the national level, in particular the importance of our protected landscapes (AONBs and National Parks) for providing and safeguarding our dark night skies.

Whilst efforts have been taken to avoid the rising slopes, the subsequent layout of this application proposal results in a ribbon development pattern alongside Tealby Road. On balance, in the light of the conclusions of the LVIA, it would be difficult to argue a case for the development to have a significant direct impact upon the Lincolnshire Wolds AONB, but the cumulative impacts from the change of use from agriculture land as submitted in this application would be detrimental to the rural character of the AGLV and the wider setting of the AONB.

**Historic England:** 24/04/2021 - The location of the proposed development is the north facing side of Hamilton Hill and undesignated heritage asset associated with the Lincolnshire Rising of 1536. The Rising was a reaction to Henry VIII's break with Rome and the dissolution of the lesser monasteries under Thomas Cromwell. The failure of the Lincolnshire Rising was succeeded by the larger Pilgrimage of Grace the most significant resistance to the Tudor state.

Hamilton Hill (various spellings) by Market Rasen is identified as a site where substantial numbers of rebels assembled before proceeding towards Lincoln, one of a series of assembly points which appear to reflect established landmarks and places of assembly in the county.

See the multiple accounts of the Rising in 'Letters and Papers, Foreign and Domestic, Henry VIII, Volume 11, July-December 1536, ed. James Gairdner (London, 1888), British History Online <http://www.british-history.ac.uk/letters-papers-hen8/vol11> [accessed 22 May 2021].'

The proposed development site is likely to contain the remains of this brief but intense period of occupation including material culture and the remains of camps. The place name resembles other places of public assembly in the medieval landscape (implying a scarred hill or stone) compare Hamilton Hill by Mansfield (a scheduled monument) or the unlocated Hamilstan (scarred stone? in Derbyshire domesday).

In terms of the National Planning Policy Framework there is as submitted insufficient information provided by the applicant (paragraph 189) for your authority to safely determine this case (paragraph 190) given the archaeological potential and its likely ephemeral and fragile character requiring specialist assessment, there is a real possibility of harm. Without a robust understanding of significance it is not possible for your authority to address the requirements of section 12 of the NPPF which treats the historic environment including both undesignated heritage assets and those remains of demonstrable equivalent importance to designated assets, the balance of benefits and harm and their mitigation. Without an understanding of significance and importance you have not the evidential basis to follow the requirements of the NPPF.

#### *Recommendation*

Historic England has concerns regarding the application on heritage grounds. We consider that the issues and safeguards outlined in our advice need to be addressed in order for the application to meet the requirements of paragraphs 189 / 190 of the NPPF.

In determining this application you should bear in mind the statutory duty of section 38(6) of the Planning and Compulsory Purchase Act 2004 to determine planning applications in accordance with the development plan unless material considerations indicate otherwise.

Your authority should take these representations into account and seek amendments, safeguards or further information as set out in our advice. If there are any material changes to the proposals, or you would like further advice, please contact us.

30/08/2021 - We note the metal detector survey report now submitted and that the County Council archaeological specialists are providing you with advice, on that basis further to NPPF paragraphs 194 / 195 (the subject of our concerns) we refer you to the advice and expertise of the County Council.

**Growth and Projects Team:** 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 supporting c1780 full time jobs (STEAM data 2018).

Staying visitors account for 28% of all visitors to the district and the visitor economy 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, adding value to the district's current product by allowing visitors to stay for longer time periods.

Although the tourism and hospitality industry has suffered significantly during the Coronavirus pandemic, research shows that rural destinations are the fastest to

recover, as they have greater potential for offering safe, socially distanced holidays and breaks.

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. There is currently an increase in the demand for self-contained holiday lets and lodges, as families wish to remain within their 'bubbles', and there is a corresponding shortage and need for more modular accommodation. Staycation visitors are also expecting rural retreats to be sympathetic to the environment. The proposed log cabins will blend in well with the surrounding countryside, whilst the additional planting of wildflowers, trees and hedges will be attractive to pollinators and wildlife thereby improving biodiversity. It is clear that a lot of thought has gone into mitigating any impact on the views of the landscape from a range of vantage points.

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.

This relates particularly to tourists visiting the Lincolnshire Wolds to enjoy the walking and cycling opportunities offered by this Area of Outstanding Natural Beauty. These outdoor activities for both physical and mental wellbeing are currently being promoted strongly by both Visit Lincolnshire and Visit England.

**Natural England:** No objections

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

**Archaeology:** 15/04/2021 - No archaeological input required.

07/06/2021 - We did not have any record of the role of the hill during the Lincolnshire Rising in the Lincolnshire Historic Environment Record so I can only apologise that we did not raise this in our initial advice to you. I have asked my colleagues who manage the record to ensure that this is rectified so that in future it will be flagged up in future consultations affecting the hill.

Based on Historic England's advice we would recommend that the developer be required to carry out an archaeological evaluation of the site prior to determination to assess its archaeological potential, and inform your planning decision regarding the impacts on the historic environment.

Having discussed it with Historic England, we would recommend that the evaluation takes the form of a systematic archaeological metal detecting survey, carried out in accordance with a specification approved by us in advance to ensure it meets the required standards. The results of this survey should inform a heritage impact assessment containing the information required by CLLP LP25 A, B and C. So it should describe the site's significance and how it relates to the topography of the wider hill and the surrounding landscape, assess how this significance could be affected by the proposed development, and identify how any harm could be mitigated and any opportunities for enhancement.

03/08/2021 - From our perspective this report does not appear to indicate that any significant remains survive here from the use of the hill as a muster point during the Lincolnshire Rising.

It is possible that remains do survive at greater depth than could be detected, but as earlier Roman coins were found in the survey, that doesn't seem to be the case here. It may be that the camp was located further up the slope or focused on another part of the hill.

The use of the hill as a muster point during the Lincolnshire Rising does still contribute to the cultural significance of the hill as a feature in the historic landscape and this should be taken into account when assessing any other impacts from a landscape setting and visual impact perspective (NPPF 130c). But from the available evidence it does not appear to have left significant archaeological remains on this particular site that could be directly impacted by the proposed development. On the basis of these results I would not recommend any further archaeological input be required in association with the present application.

### **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/>

- ***Lincolnshire Minerals and Waste Local Plan (LMWLP)***

The site is not within a Minerals Safeguarding Area, Minerals or Waste site / 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 July 2021. Paragraph 219 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>

Draft Local Plan / Neighbourhood Plan (Material Consideration)

NPPF paragraph 48 states that Local planning authorities may give weight to relevant policies in emerging plans according to:

*(a) the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);*

*(b) the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and*

*(c) the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).*

- **Draft Central Lincolnshire Local Plan**

The consultation on the Draft Central Lincolnshire Local Plan has now commenced. The consultation ran for 8 weeks from 30 June to 24 August 2021.

The very early stage of preparation, unknown extent of unresolved objection because consultation has only just completed and untested consistency with the Framework mean very limited weight is given to the policies it contains relevant to this proposal at this moment.

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

## Other material considerations

Lincolnshire Wolds AONB Management Plan 2018-2023

<https://www.lincswolds.org.uk/looking-after/lincolnshire-wolds-aonb-management-plan>

National Planning Practice Guidance<sup>1</sup> states that:

*“Management plans for National Parks, the Broads and Areas of Outstanding Natural Beauty do not form part of the statutory development plan, but they help to set out the strategic context for development. They provide evidence of the value and special qualities of these areas, provide a basis for cross-organisational work to support the purposes of their designation and show how management activities contribute to their protection, enhancement and enjoyment. They may contain information which is relevant when preparing plan policies, or which is a material consideration when assessing planning applications.”*

### **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
- Archaeology

### **Assessment:**

#### Principle

The application seeks permission for the change of use of land for siting of caravans (lodges) including alterations to vehicular access & creation of vehicular crossover.

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:*

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<sup>1</sup> Paragraph: 040 Reference ID: 8-040-20190721 National Planning Practice Guidance – Landscape (<https://www.gov.uk/guidance/natural-environment#landscape>)

- *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 approaching 15 years.

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

As part of the proposal staffing levels are proposed to increase by 3 part time.

It was concluded in previous applications (139788, 140707 and 141422) 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 the fastest to recover, as they have greater potential for offering safe, socially distanced holidays and breaks. 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. 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 10.69ha of BMV land.

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.

The Lincolnshire Wolds Management Plan identifies the special qualities of the AONB and ensures that the landscape is managed, conserved and enhanced for public use and enjoyment.

The Landscape Character Special Qualities are identified as:

- Scenic beauty and rural charm;
- Expansive, sweeping views;
- Peace and tranquillity.

The relevant threats and pressures to the AONB are identified as:

- Impact of changing farming practices through any decline or switch in future agri-environment subsidies, especially as a result of Brexit and the current uncertainties in the future markets for UK agricultural and horticultural goods;
- Inappropriate or insensitive development both within and adjacent to the AONB including potential pressures from quarrying activity, wind farms, telecommunication infrastructure and new overhead electrical wires;
- Safeguarding the dramatic escarpment and ridge-top views;

- Meeting the needs of the local community for new economic development and service provision whilst protecting the natural beauty and landscape character;
- Strongly linked to above, the need to maintain the area's special qualities and unique tranquillity whilst supporting/promoting development of appropriate type and scale to help secure access, recreation and tourism benefits;
- Impact upon views within, from and to the AONB, including cumulative impacts from neighbouring developments;
- Assessing future impacts from climate change including effects upon the area's ecosystem goods and services – for example future agriculture, biodiversity, heritage and water assets.

The five key aims of the Management Plan are to sustain and enhance:

- The Lincolnshire Wolds' natural beauty and its landscape character;
- Farming and land management in the Wolds as the primary activities in maintaining its character, landscape and biodiversity;
- Recreational, tourism and interpretive activities and opportunities appropriate to the area;
- The economic and social base of the Wolds including the development and diversification of enterprises appropriate to the area;
- Partnerships between organisations, the local community, landowners and others with an interest in the Wolds.

There are various objectives and policies set out within the AONB Management Plan. Those pertinent to the application include:

- To protect, enhance and where appropriate, restore the biodiversity of the Lincolnshire Wolds AONB, aiding the development and relevant delivery of the Lincolnshire Nature Strategy, Biodiversity 2020, Natural England's Conservation 21 Strategy and emerging UK environmental plans (post-Brexit) including A Green Future;
- To protect, manage, enhance and, where appropriate increase, the hedgerows and landmark trees in the AONB;
- To protect and enhance the historic and locally distinctive character of rural settlements, buildings and features within the AONB.

As part of the application a Landscape and Visual Statement has been submitted.

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
- Species rich in ancient hedgerows

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).

In terms of managing the landscape, the introduction of a deciduous edge to conifer plantations where there are none would help integrate the woodlands with the surrounding landscape.

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 sloping grazing field, opposite the Sunnyside Farm and fishing lake complex which comprises the farmhouse, shop and café, farmyard and the Site for the approved lodges. The Site lies directly to the south of the approved lodge site.

The field is formed by the Tealby Road to the north and the plantation on Hamilton Hill to the south. The topography rises approximately 22m from 40m AOD along Rasen Road to 62m AOD at the high point of Hamilton Hill at 62m AOD just beyond the Site's southern boundary.

The adjacent fields to the north and east are relatively flat rising gently to the east to Tealby Road and then sharply increasing from 59mAOD to circa.115m AOD as it rises up to the Wolds ridgeline.

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 sloping topography of the site, results in increased sensitivity to development on the higher ground.

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 within the landscape and visual setting of the Lincolnshire Wolds AONB and therefore this 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 now a feature within this local landscape as a result of the approved developments on land opposite to the application site. As with the previous applications, the proposals are a low intervention development by virtue of the lodges being temporary. There are no additional components offered as part of this application and, although the landscape proposals are less extensive, they seek to improve and enhance the road edge vegetation. The scheme seeks to introduce meadow planting to improve biodiversity.

Visually, the proposals will be read in the context of the existing lodges and fishing lakes.

Due to the nature of the approaches from both Tealby and Market Rasen, the development on the site will be viewed as a small part of the overall lodge setting which now influences the character of these fields.

On the approaches from the plantation to the north the proposals will not be read in isolation but will be understood by the receptor as part of the landscape of this local area. In views directly south from the path (VP04 & 06) the proposal will be a new feature in the southern portion 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.

From Hamilton Hill and within the plantation to the north generally there will be a limited change in the views. Receptors will now experience views of the constructed lodges and fishing lakes and from the views within the main body of the woodland (VP08 & 07) the proposals will be read in the context of these. From breaks in the boundary and the residential property the existing lodges will appear to extend over Tealby Road and onto the lower slopes of the site. However, these new lodges will be read as a small extension to the existing development and do not extend to the contextual understanding of the overall Park and Farm. Importantly views to the ridgeline of the AONB and the plantation to the north are not disrupted.

The proposals will not detract from the panoramic views experienced from the Viking Way along the Wolds ridgeline. It is unlikely that the proposals will be visible from the low-lying PRoW network due to the existing lodges and the intervening vegetation. From the ridgeline the introduction of additional lodges will be barely discernible and if legible will be read as a minor extension to the existing development. The open element of the upper slopes of the Site remains open and the break to the plantation edge is clear.

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, on the approaches to the site and from the residential property on the boundary of Hamilton Hill. 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, the lodges always being read in the context of the existing development.

The proposals introduce up to 22 lodges along the lower areas of the site adjacent to Tealby Road. These lodges are laid out in a linear form, following the line of the topography and the road.

The existing boundaries will be retained. Where native hedgerow runs along the roads edge this will be enhanced and improved to protect its longevity. The post and rail fence will largely be retained with some additional tree planting. The more open aspect of this part of the boundary will be substantiated with additional tree planting whilst maintaining an open element which allows connection between the approved areas of lodge development and the existing farm, joining the phases of the overall Park visually and physically to form a continuous development.

Additional limited tree planting will be implemented on the higher slopes of the site, but not extensively to retain the openness of the field and not compromise the views towards the plantation to the north where available..

The mature woodland boundary on the western boundary will be refined internally with similar planting to enhance that deciduous coverage.

This planting creates a comfortable environment for the visitors to the lodges. Wildflower meadow planting will be introduced around the lodges, in the foreground, providing increased biodiversity and provide a pleasant outlook for the visitors and general users of the surrounding landscape.

Limited areas of hardstanding will be introduced on the site to provide for the necessary facilities such as new internal circulation road and a parking bay in front of each lodge. All these features sit within the extent of the boundary planting.

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. This condition is also in place for application 141442.

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 for 22 pitches, which the number should be secured via planning condition.

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

On the previous applications (139788 and 141442) landscaping and more information on lighting plans to reduce the impacts and disruption to the AONB setting were requested by condition. This is felt to be still appropriate for this application. This can, and should be secured via a planning condition should the application be approved.

Concerns were raised with regards to the site and in its involvement in the Lincolnshire Rising (see archaeology section). It is not considered that the lodges would have a detrimental impact on this undesignated heritage asset as the location of the rising from a visual impact perspective.

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 (Hamilton Hill) is approximately 110m away from the nearest lodge.

The lodges are sited approximately 21 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 had the following comments:

- The existing eastern access has sub-standard visibility in both directions.
- The existing western access has sub-standard visibility looking towards the east.
- The existing main access (central) has substandard visibility in both directions.

Taking into account the above it is unlikely that the proposed new accesses east and west of the main access will provide the minimum visibility requirements needed for safe access and egress to the site. It is requested that the applicant looks to provide one safe access, to serve all purposes, that meets the minimum visibility requirements laid out in Manual for Streets of 2.4x124m in both directions. This should take the form of a metalled access constructed to the highway authority's specification. Also required is a small footway section and tactile crossing point to allow the use of the footway on the opposite side of the road.

Poor visibility was also experienced first-hand from the officer's site visit with the highways officer.

Therefore, amendments were requested for safe access to the site.

Amendments were received and the highways team had no objections to the revised scheme, subject to the following conditions –

1. Before the access is brought into use all obstructions exceeding 1 metre high shall be cleared from the land within the visibility splays illustrated on drawing number DMC 20605/005 Rev A dated March 2021 and thereafter, the visibility splays shall be kept free of obstructions exceeding 1 metre in height.
2. Within seven days of the new access being brought into use, the existing access onto Tealby Road shall be permanently closed in accordance with details to be agreed in writing with the Local Planning Authority.

These conditions are required so that drivers intending entering the highway at the access may have sufficient visibility of approaching traffic to judge if it is safe to complete the manoeuvre and to reduce to a minimum, the number of individual access points to the development, in the interests of road safety.

The proposal subject to these conditions would be in accordance with policy LP13.

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.

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 known to be 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 should the application be approved. 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.

An ecological report has been submitted with the application. However, this is from April 2019 (out of date) and does not relate to this specific site. Therefore this cannot be used in consideration of this application.

It was requested that the agent submit an ecological report for the site. This was subsequently submitted.

The report recommends various mitigation for numerous species. Therefore, these recommendations are suggested for condition (see recommended conditions).

The proposal, subject to this condition, would be in accordance with policy 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.

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.

### Archaeology

Policy LP25 states that Development affecting archaeological remains, whether known or potential, designated or undesignated, should take every practical and reasonable step to protect and, where possible, enhance their significance.

Planning applications for such development should be accompanied by an appropriate and proportionate assessment to understand the potential for and significance of remains, and the impact of development upon them.

The location of the proposed development is the north facing side of Hamilton Hill and undesignated heritage asset associated with the Lincolnshire Rising of 1536. The Rising was a reaction to Henry VIII's break with Rome and the dissolution of the lesser monasteries under Thomas Cromwell. The failure of the Lincolnshire Rising was succeeded by the larger Pilgrimage of Grace the most significant resistance to the Tudor state.

Hamilton Hill (various spellings) by Market Rasen is identified as a site where substantial numbers of rebels assembled before proceeding towards Lincoln, one of a series of assembly points which appear to reflect established landmarks and places of assembly in the county.

It was considered that the proposed development site was likely to contain the remains of this brief but intense period of occupation including material culture and the remains of camps.

As originally submitted, there was insufficient information to determine the impact on archaeological assets and Historic England amongst other objectors had concerns regarding the application on heritage grounds.

Therefore, in consultation with the archaeologist at LCC, it was requested that an evaluation taking the form of a systematic archaeological metal detecting survey, be carried out in accordance with a specification approved LCC in advance to ensure it meets the required standards.

This was subsequently undertaken and submitted.

The report does not appear to indicate that any significant remains survive here from the use of the hill as a muster point during the Lincolnshire Rising. It is possible that remains do survive at greater depth than could be detected, but as earlier Roman coins were found in the survey, that doesn't seem to be the case here. It may be that the camp was located further up the slope or focused on another part of the hill.

The use of the hill as a muster point during the Lincolnshire Rising does still contribute to the cultural significance of the hill as a feature in the historic landscape and this should be taken into account when assessing any other impacts from a landscape setting and visual impact perspective (NPPF 130c). But from the available evidence it does not appear to have left significant archaeological remains on this particular site that could be directly impacted by the proposed development.

On the basis of these results, further archaeological input was not recommended.

Paragraph 194 of the NPPF states that where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.

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

#### *Other matters*

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.

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

It is considered that sufficient information has been submitted to make an informed recommendation.

Polytunnels were not previously granted permission.

The proposal has been assessed as holiday accommodation and not dwellings. A condition should be attached to restrict to holiday accommodation should the application be approved. Should the lodges not be used for holiday accommodation, this would not accord with the planning permission being sought, and would be a breach of planning control, that may be subject to enforcement.

The officer could not find details of the land with recent permission being for sale. However, regardless of this, planning permission goes with the land not the owner. Therefore, whether the land is up for sale or not this is not considered to be a consideration of the application or what the proposed sale would impact upon. Planning permission is land based.

### **Conclusion**

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:

Forresters Lodge Elevations and Floor Plan

The Strand Elevations and Floor Plan

dmc 20605/002 Rev A

dmc 20605/003 Rev A

dmc 20605/004 Rev A

dmc 20605/005 Rev A

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 Ecological Appraisal dated April 2021 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.

**8.** Before the access is brought into use all obstructions exceeding 1 metre high shall be cleared from the land within the visibility splays illustrated on drawing number DMC 20605/005 Rev A dated March 2021 and thereafter, the visibility splays shall be kept free of obstructions exceeding 1 metre in height.

**Reason:** So that drivers intending entering the highway at the access may have sufficient visibility of approaching traffic to judge if it is safe to complete the manoeuvre.

**9.** Within seven days of the new access being brought into use, the existing access onto Tealby Road shall be permanently closed in accordance with details to be agreed in writing with the Local Planning Authority.

**Reason:** To reduce to a minimum, the number of individual access points to the development, in the interests of road safety.

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

**10.** The maximum number of log cabins on the site shall not exceed **22**.

**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.

**11.** 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 lodges 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.

**12.** 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