

Officers Report

Planning Application No: 134990

PROPOSAL: Planning application for a proposed Agri-Robotics Research Facility to form part of the new Lincoln Institute for Agri-Food Technology Centre-to accompany application reference 134780

LOCATION: University Of Lincoln Riseholme Park Riseholme Lincoln LN2 2LG

WARD: Nettleham

WARD MEMBER(S): N/A

APPLICANT NAME: University of Lincoln

TARGET DECISION DATE: 17/11/2016

DEVELOPMENT TYPE: Minor - all others

CASE OFFICER: Simon Johnson

RECOMMENDED DECISION: Approve subject to conditions

Description:

The application seeks full planning permission to erect a building to form part of the new Lincoln Institute for Agri-Food Technology Centre. The building would mainly provide ground floor educational floor area with a mezzanine level for office use.

The building would measure 15.2 metres in width, 15.2 metres in length and would have an overall height of 8.7 metres (6 metres to eaves).

The building would be square in footprint and would have a dual pitched roof, constructed from clay roof tiles and would have walls constructed of clay brick.

The site is currently occupied by a number of agricultural buildings for livestock and farming activities in association with Bishop Burton College. None of the existing buildings are proposed to be removed by virtue of this application for a single building which would sit in amongst the existing built development on the site.

The site is located within the wider Riseholme Campus for Lincoln University which provides education for students learning in land based areas of work (such as agriculture, pet grooming and veterinary practices) by virtue primarily, of the presence of Bishop Burton College on the wider and immediate site.

The wider site contains listed buildings, scheduled ancient monuments and a registered park and garden.

The application is being presented at committee due to the high levels of public interest in a much larger application seeking hybrid permission for residential development, demolition, community uses and replacement farm buildings for Agri-Food Technology Education. This is at the same site and submitted by the same applicant.

It was therefore deemed necessary to ensure that committee members were given the opportunity to make a decision on all of the related applications, notwithstanding that they stand alone and must be considered on their own individual merits.

The application was presented at committee on 16th November 2016 where it was deferred for a site visit which took place on 18th November 2016.

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

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

Relevant history:

There is considerable history relating to the wider site in question, although, none of which would be relevant in the determination of this application. There are however, two other current planning applications which should be noted, these are:

134780 - Full planning permission for the demolition of a number of specified buildings together with outline planning permission, access, scale and some landscaping to be considered, for a mixed-use development comprising the following: Sport and recreational facilities including a University Sports Pavilion with associated playing fields-Use Class D2; Up to 180 residential dwelling houses-Use Class C3; public realm and landscaping; replacement farm buildings to create the new Lincoln Institute for Agri-Food Technology-Use Class D1; Community Uses, Use Classes D1, A1, A3, A4 and B1 and other associated infrastructure with all other matters reserved. – Pending Consideration.

134989 - Listed building consent for the restoration of Riseholme Hall Stables at the University of Lincoln's Riseholme Campus – Pending Consideration.

Representations:

Riseholme Parish Council: Although the Council is in favour of the University's desire to use the site to continue the educational facility at Riseholme we feel that in its present form, due to issues highlighted in the response, the application should not be granted. In summary the issues are as follows:

Whether or not the existing livestock activities could remain, the submitted design and access statement is lacking certain information/clarification, the red-line covers a larger area of the footprint of the building and questions whether or not any trees or hedges are to be affected which currently afford good screening.

Nettleham Parish Council: Does not object to this application. However, should the Planning Authority decide to approve the application, they should insert a condition that surface water must be disposed of to a sustainable system such as a soakaway.

Local residents:

5 Riseholme Lane – Objects to any plans submitted which will increase the height of the development in this location particularly those that face Riseholme Lane as it would be inappropriate and overwhelm the agricultural landscape. Also, due to flooding in severe weather, any new hardstanding or buildings are likely to cause further flood issues.

The neighbour also commented in relation to the large outline application scheme for the whole campus which restricted buildings to certain heights and the neighbour could not understand why this application could be submitted without first obtaining permission for the outline application.

44 Riseholme Lane – Supports proposals as they are not to be located between the existing buildings and number 44 Riseholme lane. If this were to happen there is concern that this would result in flooding issues.

Bishop Burton College, Lincoln Farm Trust et al – Objects as whilst the proposal does not include the demolition of any of the current agricultural and farm husbandry buildings, the red-line encompasses this area and suggests that this proposal will ultimately lead to the ejection of the college and students from the site.

Conservation: Support in principle the continued use and investment in the site however, a condition requiring full details of the materials to be used should be sought. In addition, the application for the single building by itself is acceptable due to the existing surrounding buildings, if they should ever be demolished and efforts should be made to secure a suitable scheme for their replacement.

The Garden History Society: No concerns regarding this building affecting the principal views, especially considering its location and size.

Historic England: Historic England recommend that your authority ensure you have received sufficient information to understand the impact of the entire proposed scheme of development for the demonstration farm site on the designated heritage assets at Riseholme prior to making your determination. We recommend that it will be for your authority to take a view as to the overall public benefits of the scheme and the justification provided, in conjunction with the impact on the heritage assets affected as described above. We recommend that you should also ensure that all opportunities have been identified through which the harm caused might be minimised and mitigated such as through sensitive design and careful selection of materials.

Public Rights of Way: No comments or observations to make on the proposal.

LCC Archaeology: Although the proposed building is higher than the existing buildings on the site, we do not consider that on this occasion it will have a significant negative effect on the park or scheduled site. However if further development were to happen on this site there may be cumulative effects which would need to be considered carefully.

Relevant Planning Policies:

National guidance

National Planning Policy Framework (NPPF)

(<http://planningguidance.communities.gov.uk/blog/policy/>)

Planning Practice Guidance (PPG)

(<http://planningguidance.communities.gov.uk/blog/guidance/>)

West Lindsey Local Plan First Review 2006

Planning law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. The saved policies of the **West Lindsey Local Plan First Review 2006 (WLLP)** remains the statutory development plan for the district. Paragraph 215 of the National Planning Policy Framework (NPPF) states that due weight should be given to relevant policies in existing plans according to their degree of consistency with this framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given).

- STRAT 1 - Development Requiring Planning Permission
<http://www2.west-lindsey.gov.uk/localplan/written/cpt3a.htm#strat1>
- STRAT 12 - Development in the open countryside
<http://www2.west-lindsey.gov.uk/localplan/written/cpt3b.htm#strat12>
- STRAT13 - Undeveloped Breaks between Settlements and Green Wedges around Lincoln
<https://planning.west-lindsey.gov.uk/planning/localplan/written/cpt3b.htm#strat13>
- STRAT19 - Infrastructure Requirements
<http://www2.west-lindsey.gov.uk/localplan/written/cpt3b.htm#strat19>

- SUS7 - Building Materials and Components
<http://www2.west-lindsey.gov.uk/localplan/written/cpt4.htm#sus7>
- SUS14 – Flood Risk Areas
<http://www2.west-lindsey.gov.uk/localplan/written/cpt4.htm#sus14>
- SUS15 – Derelict, Under-Utilised and Previously Developed Land.
<http://www2.west-lindsey.gov.uk/localplan/written/cpt4.htm#sus15>
- CRT 6 – Riseholme Park Campus
<http://www2.west-lindsey.gov.uk/localplan/written/cpt9.htm#crt6>
- NBE3 - Listed Buildings and Their Setting
<http://www2.west-lindsey.gov.uk/localplan/written/cpt3b.htm#nbe3>
- NBE7 - Ancient Monuments, Sites & Archaeology
<http://www2.west-lindsey.gov.uk/localplan/written/cpt3b.htm#nbe7>
- NBE8 - Historic Parks and Gardens
<http://www2.west-lindsey.gov.uk/localplan/written/cpt3b.htm#nbe8>
- NBE10 - Protection of Landscape Character in development proposals
<http://www2.west-lindsey.gov.uk/localplan/written/cpt3b.htm#nbe10>

Riseholme Neighbourhood Plan

The Riseholme Neighbourhood Plan was fully adopted on 14th November 2016. The Plan therefore, can now be afforded full weight.

Policy 3 - Redevelopment of previously developed land at Riseholme Campus

Policy 4 - Local design and development principles

Policy 5 - Character areas (Area 2 Riseholme Campus Park)

Emerging Planning Policy

The NPPF (paragraph 216) states that decision-takers may also give weight to relevant policies in emerging plans according to the stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given); the extent to which there are unresolved objections to relevant policies and the degree of consistency with the NPPF.

The **Central Lincolnshire Local Plan (CLLP)** has now been submitted to the Secretary of State for examination and is now at an advanced stage. Hearing sessions commenced on 1st November 2016. Whilst not yet adopted, significant weight can now be given to the policies set out within the local plan due to the advanced stage. Relevant policies include:

Policy LP1 Presumption in favour of sustainable development

Policy LP14 Managing water resources and flood risk

Policy LP22 Green wedges

Policy LP25 The historic environment

Policy LP26 Design and amenity

Policy LP32 Lincoln's Universities and colleges

Policy LPP55E Non-residential development in hamlets and the countryside

Main issues

- Principle of Development

- Design and Impact on the Surrounding Area
- Archaeology and Heritage
- Public Rights of Way
- Flood Risk and Drainage

Assessment:

Principle of Development

The proposal is for non-residential development in the countryside, on university grounds in the green wedge around Lincoln. Therefore, the application needs to be assessed against these principle criteria as defined by the West Lindsey Local Plan 2006 (WLLP), The Riseholme Neighbourhood Plan (RNP) and the Central Lincolnshire Local Plan (CLLP). The application will also need to comply with the relevant national policy as required by the National Planning Policy Framework (NPPF).

The proposal is for the erection of a building for education use on an area of Riseholme Park which is currently utilised as a yard area for agricultural education.

Saved policy STRAT 12 of the WLLP supports development in the countryside where the use requires a countryside location.

Saved policy SUS15 of the WLLP is supportive of proposals which make use of underutilised and previously developed land.

Saved policy CRT6 of the WLLP supports the principle of the expansion of existing educational related uses provided that criteria within other policies are met in relation to heritage, highway safety and residential amenity.

Policy 3 of the RNP also supports the redevelopment of previously developed land on Riseholme Campus.

Policy LP55E of the CLLP supports non-residential development in the countryside provided that it is commensurate and justifiable within a rural location, is suitable in terms of accessibility and would not conflict with neighbouring uses.

Section 3 of the NPPF supports the promotion of development and diversification of agricultural and other land-based rural businesses.

The application is therefore principally acceptable with the development plan, emerging and national planning policy provided no other material planning considerations indicate an alternative decision should be taken. The material planning issues are design, impact on surrounding area, impact on heritage assets, impact on the adjacent public right of way, flood risk and drainage.

Design and Impact on Surrounding Area

Saved policy STRAT1 of the WLLP requires (amongst other criteria) development to be of an acceptable design, scale and appearance.

Saved policy STRAT13 of the WLLP requires that development is located and designed as not to cause harm to the character of the area.

Saved policy SUS7 requires that planning permission will be granted where developments use building materials and components with a low environmental impact.

Section 7 of the NPPF requires that proposals are of a quality design that respect their surroundings. Yet, Local Authorities should not attempt to impose their own particular styles or tastes.

The proposed development is to be located in an area which is occupied by numerous existing buildings that have an agricultural appearance, predominantly modular with corrugated sheeting of various rural colours being the prominent material. All the existing buildings are of a different size and orientation, most of them are of a rectangle shape with large footprints.

The proposed building would be nestled in between existing buildings on site and would be constructed from Lincolnshire clay bricks and tiles. The footprint of the building would be square which is not necessarily characteristic of agricultural buildings.

Agricultural buildings by their very nature, are formed strictly by their intended use and the land available in which to locate them. Traditional shapes and sizes of these buildings have assumed a recognisable shape, size and style in order to provide for the widest range of agricultural uses over their lifetime.

The proposed building would have an overall height of 8 metres (to ridge) with the majority of the massing up to a height of 6 metres. This height would not be unexpected for agricultural buildings and would not be overbearing or overly prominent in its immediate setting, whilst it would be slightly taller than some of the surrounding buildings by roughly half a metre.

In this instance, the proposed building would be located in a yard area which fronts onto St Georges Lane. Views from this immediate track would be obvious however, views from the north, south and from Riseholme Lane (north-west) would be minimal, with only glimpses of the building apparent due to the existence of surrounding, existing buildings (Saved policy STRAT13 of the WLLP).

Whilst the materials to be used in the proposal would not ordinarily be associated with cost effective agricultural buildings like the existing buildings on site; it would utilise Lincolnshire clay materials which would represent the local vernacular when developing more permanent and expensive barns, sheds and stables. The use of materials from Lincolnshire also offers less environmental damage due to local sourcing of these heavily processed (but usual) building materials (Saved policy SUS7 of the WLLP).

The existing built form around the proposal site has been designed and sited in a functional format with minimal architectural merit. The proposed building would represent a functional yet, aesthetically high quality addition to this group of buildings and is considered to represent good design and materials within the meaning of the development plan and national policy (Section 7 of the NPPF, Saved policy STRAT1 of the WLLP and LP26 of the CLLP),

provided that the exact material details are submitted to and approved by the Local Planning Authority prior to development commencing.

The proposal is therefore considered acceptable in terms of design.

Archaeology and heritage

Saved policy NBE3 of the WLLP requires that development proposals which affect Listed Buildings and their setting will only be permitted where they preserve their special interest.

Saved policy NBE7 of the WLLP requires that development will not be permitted where it detrimentally affects archaeological remains (scheduled or not) or their setting.

Saved policy NBE8 of the WLLP requires that development will not be permitted where they adversely affect historic parks and gardens whether registered or not.

Policy LP25 of the CLLP requires development proposals to protect, conserve and seek opportunities to enhance the historic environment of Central Lincolnshire.

Section 12 of the NPPF requires the conservation of the historic environment generally and seeks much the same requirements as the above mentioned policies.

The proposal site lies in an area of below ground and above ground heritage importance. The wider site is a Grade II listed registered park and garden which contains a number of listed buildings including a church and Riseholme Hall country house, to which the registered park relates. There is also a Scheduled Ancient Monument located close to the site known as the medieval village and monastic grange of Riseholme. Which is located to the north-east of Riseholme Lane (northern side).

The proposal is for the erection of a building within the confines of an existing agricultural based yard where existing hardstanding remains. The County Council's Historic Environment Officer has reviewed the submitted documents and considers that the proposal would not, in this instance, have a significant effect on the registered park or the scheduled site (Saved policy NBE7 of the WLLP, Policy LP25 of the CLLP and section 12 of the NPPF). However, they have indicated that if further development of this site occurs, this may create cumulative effects that would need to be considered carefully.

The Conservation Officer has mirrored these observations in relation to Listed Buildings stating that, with the existing built area around the proposal, it is unlikely to cause significant impacts on heritage assets but the further development and/or demolition of other buildings on the site would require further assessment (Saved policy NBE3 of the WLLP, Policy LP25 of the CLLP and section 12 of the NPPF). The final material details also need to be considered, in terms of the brick bond and mortar mix, this may be secured by condition.

As the proposal is sited within the Registered Park, the Garden History Society were also consulted as part of the application process. Having reviewed the submitted details, they have indicated that they have no concerns with the proposal effecting principle views, especially considering its location and size (Saved policy NBE8 of the WLLP, Policy LP25 of the CLLP and Section 12 of the NPPF).

Historic England have provided an extended response incorporating other comments in relation to the wider site however, they have not made a recommendation in terms of the decision and instead defer any decision to the appropriate local experts.

The proposal is for a single building to be located within an existing yard. Whilst the proposal is not necessarily characteristic of the registered park, listed buildings or agricultural structures, its contextually minimal size and existing built screening, ensures that it would not have a significant adverse impact on; views within the site, principal views pertaining to the registered park and garden; or, any other views forming a setting corridor/envelope of heritage assets in the local or wider area.

The proposal is therefore considered acceptable in terms of heritage assets in accordance with the development plan and national policy.

Public Rights of Way

The proposal site is accessed from St Georges Lane which is also a public Right of Way. Whilst the proposal is located close to this Lane and provides access to the site, it would not impact upon it to any detrimental extent. The Countryside Access Officer have not made any comments or observations in this regard.

This is also on the basis that any temporary diversion or obstruction would also need to go through the correct legal process and the granting of a planning permission does not overrule this requirement. It is however prudent to ensure that this is not the case before any permission is granted.

In this instance it is not considered that the proposal would lead to any such diversion requirements which was noted as a particular point of concern to the local Parish Council.

Flood Risk and Drainage

Saved policy SUS14 of the WLLP requires a number of elements to be considered when proposed developments are in areas of flood risk.

Policy LP14 of the CLLP requires that development proposals do not increase flood risk and that they have incorporated Sustainable Drainage Systems unless they can be shown to be impractical.

Section 10 of the NPPF requires that development proposals take into account the challenges of climate change including flood risk.

The proposal site is not located within an area identified to be at high risk of flooding either by the environment agency's flood maps (flood zone 1) or the Council's Strategic Flood Risk Assessment (not in any hazard zone).

Notwithstanding this information, it is important to encourage sustainable drainage solutions so that the proposal does not increase surface water drainage issues in the immediate area which could exist regardless of the high level mapping that identifies low flood risk. The local Parish Council has also raised this as a pertinent issue.

Whilst the proposed building would be situated on an area which currently comprises of a compacted yard, it is important that any drainage solutions follow a sequential approach starting with the most sustainable. Therefore, a condition requiring full details of the surface water drainage is required prior to work commencing on site so these details can be secured in the most sustainable way (Policy LP14 of the CLLP and section 10 of the NPPF).

Foul drainage is also proposed as there is the provision of a WC located within the ground floor of the proposed building. The applicant has indicated that drainage from this toilet would be through the use of a septic tank.

Whilst a septic tank is a generally suitable method of foul water disposal in the countryside, no further details have been provided. Regardless of the suitability of existing systems or alternative options for foul drainage, it is clear that they do exist. Therefore, a condition requiring this detail prior to development commencing is an acceptable method of assessing the actual method of drainage and its detail.

The proposal in principle is therefore acceptable in terms of flood risk, surface water drainage and foul drainage, subject to conditions requiring full details of the proposed methods prior to development commencing on site.

Other matters

The proposal seeks to provide an additional building to be used for education purposes. This would be located in a wider area which is currently occupied by Bishop Burton College of Agriculture. Bishop Burton provide the majority of land-based education on the site which is shared with the University of Lincoln.

A number of questions have been raised with regards to the loss of Bishop Burton from this site as a result of any application which seeks to develop the university's own interests in land-based education.

Whilst it can be wholly understood that the local community etc would not wish the loss of Bishop Burton College from the wider site, this is an ownership issue and will relate to planning only in the certificates that have been served which, if are later found to be incorrect, would nullify any planning permission granted.

In this instance the proposal involves the provision of an additional building and this in itself would not result in the demolition or eradication of the existing occupants of the immediate or wider site. This would result in an ownership and legal issue which cannot be undertaken through the planning legal process. This is a response primarily to the comments from Riseholme Parish Council and the comments received from Bishop Burton College, Lincoln Farm Trust et al.

Riseholme Parish Council have also raised concerns that there are a number of unanswered questions which were raised as part of the Design and Access Statement. Whilst it is noted that there are some anomalies in the submitted statement, the plans, application form and the other supporting information contain exact and factual information which allows the application to be determined on that basis. The reference to any further development etc. in the submitted documents would not form part of any approved plans condition for which this development ultimately relates.

Conclusion

The proposal is for the erection of a single building to be used for education purposes on an existing education based site. The building would be nestled in amongst other agricultural style buildings of minimal architectural merit close to an existing public right of way on a wider site of significant heritage interest.

The proposal is of a high standard of design, would not have adverse impacts on the adjacent public right of way, heritage interests or on neighbouring land uses including residential amenity. The application can therefore be approved in accordance with relevant policies of the West Lindsey Local Plan (2006), the Riseholme Local Plan (2016), the Central Lincolnshire Local Plan (2016) and the National Planning Policy Framework (2012), subject to a number of conditions.

Recommendation: Approval subject to conditions.

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

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

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

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

2. No development shall commence until a scheme for the provision and implementation of foul drainage works has been submitted to and approved in writing by the Local Planning Authority. Such scheme shall be completed in

full prior to the occupation of the building and maintained in perpetuity thereafter.

Reason: This condition is imposed to prevent increased pollution of the water environment in accordance with saved policy SUS14 of the West Lindsey Local Plan.

3. No development shall commence until a scheme for the provision and implementation of surface water drainage works has been submitted to and approved in writing by the Local Planning Authority. Such scheme shall be completed in full prior to the occupation of the building and maintained in perpetuity thereafter.

Reason: This condition is imposed to prevent increased pollution of the water environment in accordance with Saved policy SUS14 of the West Lindsey Local Plan.

4. No development shall commence until full details of the materials to be used in the external surfaces of the development have been submitted to and approved in writing by the Local Planning Authority. The development shall then only be carried out in accordance with the approved details.

Reason: This condition is imposed as the proposed materials provided were generally considered acceptable however, the information lacked the intricate detail which would need to be considered to ensure the development remains compliant with Saved policies STRAT13 and SUS 7 of the West Lindsey Local Plan.

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

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

Site Location Plan – MP_00_0005

Proposed Site Plan – 03_02_1200

Proposed Elevations – 03_04_2200 Rev A

Proposed Floor and Roof Plans – 03_02_2200 Rev A

Reason: For the avoidance of doubt and to ensure the development proceeds in accordance with the National Planning Policy Framework and the development plan comprising of relevant policies within the West Lindsey Local Plan, relevant policies within the Riseholme Neighbourhood Plan and relevant policies within the Central Lincolnshire Local Plan.

Human Rights Implications:

The above objections, considerations and resulting recommendation have had regard to Article 8 and Article 1 of the First Protocol of the European

Convention for Human Rights Act 1998. The recommendation will not interfere with the applicant's and/or objector's right to respect for his private and family life, his home and his correspondence.

Legal Implications:

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

Representors to be notified -
(highlight requirements):

Standard Letter

Special Letter

Draft enclosed

Prepared by : Simon Johnson

Date : 31st October 2016

Signed:

Authorising Office **Date:**

Decision Level (tick as appropriate)

Committee