

REPRESENTATIONS TO PROPOSED MAIN MODIFICATIONS  
CONSULTATION

THE CENTRAL LINCOLNSHIRE LOCAL PLAN

On Behalf of Lea Lincs Properties Ltd

LAND OFF WILLINGHAM ROAD, LEA, GAINSBOROUGH

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## Introduction

These representations are made on the Schedule of Proposed Main Modifications to the draft Central Lincolnshire Local Plan, which were published for consultation on 23 January 2017. These are made on behalf of Lea Lincs Properties Ltd, who have land interests west of Willingham Road immediately to the south of Lea. This land is currently subject to an extant planning application (West Lindsey reference 135491, part of CL1324) and appeal against refusal of an earlier planning application (Planning Inspectorate reference APP/N2535/W/16/3147441).

### Policy LP2: The Spatial Strategy and Settlement Hierarchy

We note the changes made to this policy to state that, in relation to medium villages, *“no sites are allocated in this plan for development, except for Hemswell Cliff and Lea”* (MM/2). We can support this, subject to the amendments recommended below. If these recommendations are not accepted, we object to the allocation in Lea for the reasons set out below.

### Policy LP4: Growth in Villages

We object to the rewording in Paragraph 3.4.7(MM/6), specifically where it states:

*“For Lea, the approach in paragraphs 3.4.3-3.4.4 remains applicable except that, unlike other villages in levels 5 and 6 of the settlement hierarchy, an allocation has been included in this Local Plan for Lea. The reason for this is that whilst Lea is a settlement in its own right, it is physically connected to the urban area of Gainsborough, and the same is the case for Morton. As such, Lea and Morton were considered for allocations to help meet Gainsborough’s growth needs. No sites have been allocated in Morton, but one site has been allocated in Lea (see policy LP50, site CL3044). This site in Lea counts towards the 15% level of growth for Lea set out in LP4.”*

Policy LP4 identifies 10% growth as standard across the ‘Medium Villages’, which are defined in Policy LP2. Burton Waters, Burton, Canwick, Corringham, Cranwell, East Stockwith, Ewerby, Greylees, Hemswell Cliff, Kirkby La Thorpe, Knaith Park, Lea, Leasingham, Morton, North Greetwell, North Rauceby, Riseholme, Screddington, Silk Willoughby and South Rauceby all have their level of growth increased to 15% by virtue of their proximity to Lincoln, Sleaford or Gainsborough (LSG). The reasoning is that the location of these villages close to large towns make them more sustainable locations for development than more isolated settlements. This is an approach that we can accept, although the justification for a blanket 15% is unclear when each settlement will have different needs and constraints.

What is of concern however is that only two of the 20 Medium Villages above has been identified as needing an allocation – Lea and Hemswell Cliff. Hemswell Cliff has a draft allocation as a result of an extant permission that has yet to be built out. This leaves only Lea, which does not have any extant permissions of a scale to merit allocation. It is therefore unclear why an allocation is being proposed in Lea. This peculiarity of the draft Local Plan was raised by the Inspector and the revised text in Paragraph 3.4.7 in no way explains the CLJSPC’s reasoning any more than the previous text. Since the number of dwellings proposed in the Lea allocation will only contribute to the 15% growth, it will not help meet Gainsborough’s growth needs any more than the other 19 Medium Villages. Against this reasoning there is still no need to identify an allocation in Lea.

CLJSPC has correctly identified in the revised text that Lea is physically connected to Gainsborough. It also benefits from a nearby train station and several strategic bus routes on the A156 that provide good public transport access to Gainsborough and Lincoln. None of the other 19 Medium Villages have such a close connection to one of the key settlements and such good public transport links to another. It is therefore reasonable for CLJSPC to treat Lea differently but this must be in the form of additional housing growth over and above the 'standard' uplift of 15%.

We would suggest that the growth of 15% is retained to reflect the local growth needs of Lea, and a further 20% growth (95 dwellings) is identified to accommodate some of Gainsborough's growth needs. This would result in a total growth of 35%, or 166 dwellings. This is still lower than the level of anticipated growth in Greylees (48%, 282 dwellings) and Hemswell Cliff (60%, 188 dwellings).

Although Greylees is situated close to Rauceby Railway Station, this only has three daily services in both directions to Skegness and Nottingham. By contrast, the Gainsborough Lea Road Railway Station is served by hourly services in both directions to Lincoln and Sheffield. Hemswell Cliff is located approximately 10km from the nearest train station (Kirton in Lindsey). Lea is clearly the best located to support growth in the LSG settlements and should therefore be allocated a commensurate level of growth.

Note that the 20% further growth proposed above is purely indicative but would seem to be a reasonable contribution towards Gainsborough's housing needs. If no further growth is accepted then there is no justification for an allocation in Lea, any more than in the other 19 Medium Villages identified above (excluding Hemswell Cliff for the reasons above). On this basis, the allocation should be deleted from the draft Local Plan. We however feel that Lea can support further growth by virtue of its connection to Gainsborough and good public transport connections. The question then is whether the current proposed site allocation is the most appropriate option.

#### **Proposed Site Allocation CL3044, Land South of Willingham Road, Lea**

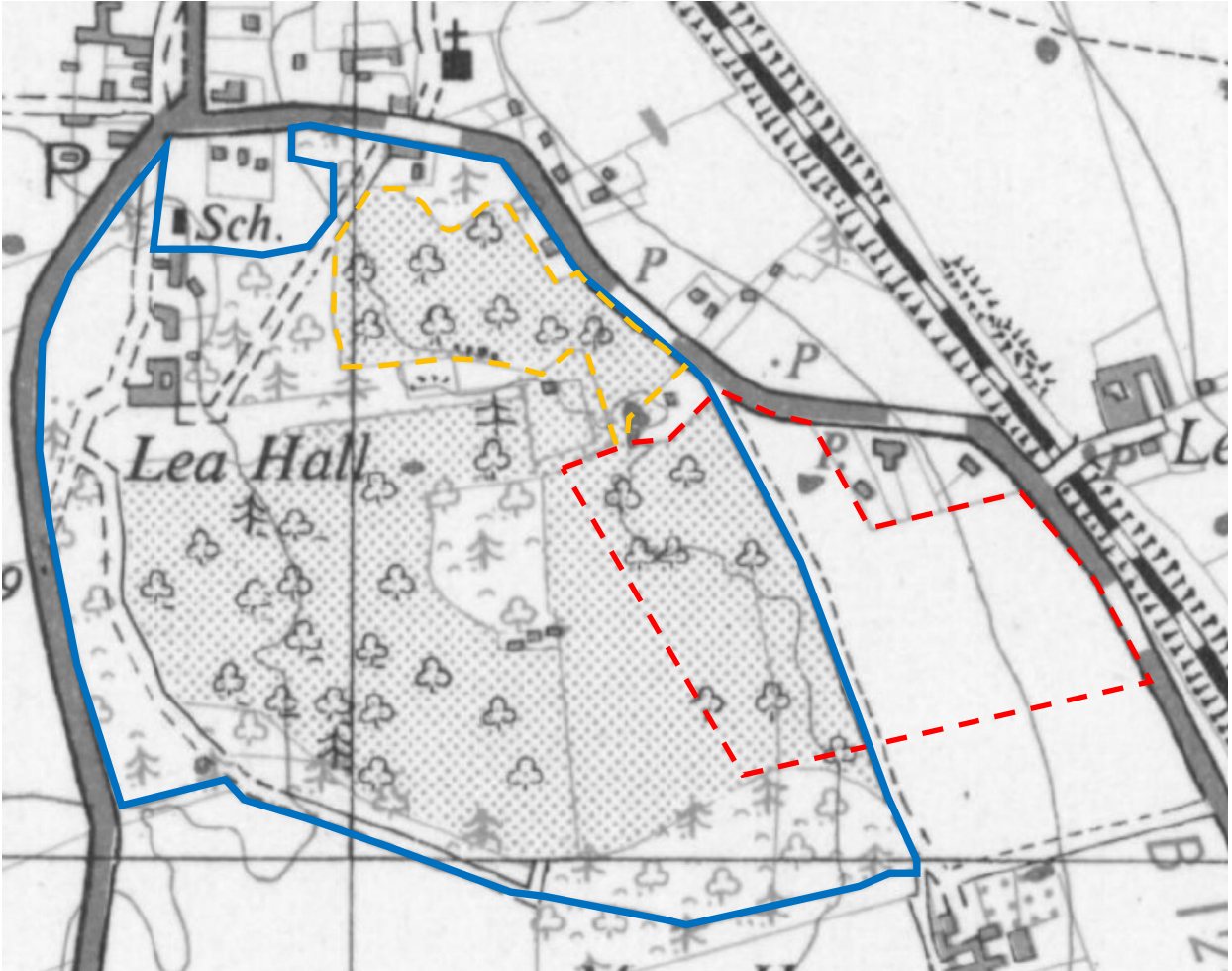
With the considerations above it is necessary to revisit the draft allocation on Land South of Willingham Road, and consider whether it would actually constitute a sustainable pattern of development as suggested by CLJSPC.

Over page is an extract of the 1937 OS 1:25,000 Map. In blue is the probable boundary of the Lea Hall historic parklands. It is likely that larger tracts of surrounding land were also in the same ownership but for the purposes of this exercise it is only necessary to consider what likely constituted the parkland, and therefore the setting of the Hall. The Hall itself was substantially demolished in 1979 following its purchase by the Parish Council. The remaining elements are used as the local community hall.

Also shown on the map is the approximate boundary of the proposed site allocation (orange) and the outline of the extant planning application to the east of Willingham Road (red). This clearly shows that the entirety of the proposed site allocation is located within the boundaries of the parkland while the extant planning application only partially covers the parkland. In the simplest of terms therefore, the proposed site allocation has the greatest impact on this historical asset. However, it is worth considering two other aspects; the relative importance of the sites to the historical asset, and to what degree the sites retain the historic parkland character.

In terms of the historic importance, it is clear that there was an important link between the Hall and St Helens Church, which itself is a Grade I Listed Building. The map shows a track linking the two features, which is anticipated to fall just outside the boundary of the proposed site allocation. This track is still in existence as shown on photograph 1. The proposed site allocation will clearly impede on this feature, even if the trees lining the track are retained. It is understood that none of these are currently subject to Tree Preservation Orders; however, this is likely to be less a reflection of their qualification and more to do with the perceived risk of harm at the current time. The TPOs within the boundary of the extant planning application were made within days of the first pre-application discussions with the planning department. Many of the trees in private ownership to the northwest of the track are subject to TPOs, as is the copse on the entrance to the track from Willingham Road. By contrast, the area covered by the extant planning application is somewhat peripheral to the Hall and the remainder of the historic parkland.

Extract of the 1937 OS 1:25,000 Map of Lea



Photograph 1: The Proposed Site Allocation and the track between Lea Hall and St Helens Church



In terms, of their current character, it is clear from Photograph 1 that despite the probable loss of some trees in the interior, the proposed site allocation has retained much of its historic features of rough pasture used for grazing sheep. This is supported further by photograph 2 below, which shows that the proposed site allocation still has much of the character of a historic parkland.

There are also a range of crop marks that can be seen on photograph 1. Some might be modern, enclosures for sheep etc., but many are likely to be the locations of tree pits and other parkland features that will contribute to the historic value of the asset.



Photograph 2: The Proposed Site Allocation from Willingham Road



By comparison, the area covered by the extant planning application has been in intensive agricultural use since it was sold by the Parish Council for that purpose in the 1970s, as shown in photographs 3 and 4. The only features that remain of the historic parkland are the copse on the northern boundary with Willingham Road and a single veteran tree located in the middle of the western field. As indicated above, both are subject to TPOs, and both have been accommodated within the masterplan that accompanies the extant planning application. The extant planning application site can be considered to have little or no historical value, which is supported by the archaeological assessments undertaken to date, which have nothing of significance on the site.

The difference in character between the two sites is also likely to influence their relative ecological value. The extant planning application site, comprising intensively managed arable fields, has limited ecological value, as evidenced by the comprehensive surveys supporting the application. By contrast, little is known about the ecological value of the propose site allocation. However, since has been left as pasture, it is highly likely to have considerably more ecological value than the extant planning application site.



Photograph 3: The Extant Planning Application Site



Photograph 4: The Extant Planning Application Site



It is also worth noting that the proposed site allocation has only very limited frontage onto Willingham Road. Presumably the site access would make use of the existing access shown in photograph 2 since the track will be required to continue to serve the Keeper's Cottage on the southern side of the site. The existing access is located almost directly opposite Stainton Close, which will result in a far from ideal junction arrangement. This section of Willingham Road is used for parking by parents dropping off and picking up children from school. An access in this location would necessitate double yellow lines to prevent parking from blocking visibility. Furthermore, it is highly likely that the hedges either side of the access will be lost to create visibility splays and public footpaths.

This hedge is substantial and appears quite diverse. It is also possible that some individual trees and shrubs are veterans associated with the original parkland boundary. The combination of historical, cultural and ecological value makes it highly likely that it would constitute an 'Important Hedgerow' for the purposes of the Hedgerow Regulations 1997 and would therefore be worthy of retention and protection. By contrast, the hedgerow along Willingham Road adjacent to the extant planning application site is only recently planted and has no historical, cultural or ecological value.

Finally, the extant planning application site has no outstanding technical objections having submitted a suite of studies covering flood risk, transport, ecology, etc. No such evidence is available for the proposed site allocation leaving its degree of impact on the local community an unknown quantity.

Considering the total of these concerns, it is unlikely that the proposed site allocation could support the required 68 dwellings. At 3.04ha, this equates to a gross density of approximately 22 dwellings per hectare. However, the wide variety of constraints will impede on this:

- There will be a need to form the access, create visibility splays and provide a replacement hedgerow of commensurate scale.
- There will be a need to avoid impacting the root zones of all veteran and TPO trees, which will likely make it necessary to limit development near the boundary of the site. Given the odd shape of the site, this could well prevent all development in certain areas and would certainly reduce the developable site area by as much as a third.
- There will be a need to provide sufficient surface water drainage infrastructure. Unlike the extant planning application site which can discharge surface water to the south, the proposed site allocation will need to make use of the existing drainage infrastructure along Willingham Road. The local community have made clear their strong concerns about surface water flooding in the village and it seems likely that there will be insufficient capacity for this additional development. The solution is likely to be a combination of substantial onsite retention in the form of a balancing pond, and an expensive upgrade of the off-site infrastructure. The balancing pond will reduce the developable area further while the off-site works will limit the viability of the scheme.
- There will be a need to maintain access to Keeper's Cottage to the south, which will effectively divorce the eastern part of the site from the rest. While some housing could be located here, the access road will reduce the efficiency to which the site can be utilised.



Taking into account all these issues it seems likely that the developable area is likely to be around 1.5-2.0ha. Assuming a density of 30dph, which is high for a village setting, this would suggest a capacity of 45-60 dwellings, below the requirement. On this basis, it seems highly unlikely that the proposed site allocation can achieve the 68 dwellings needed, let alone any further development that Lea might be required to accommodate. It is clear therefore that the proposed site allocation should be deleted and replaced by the extant planning application site which is far less constrained, as evidenced by the lack of any outstanding technical objections to the application, and can provide for all the growth required of Lea.

### **Consequential Comments**

Should the CLJSPC decline to accept further growth at Lea and the allocation of the land west of Willingham Road instead of the current proposed site allocation, we object to there being any allocation in Lea. In this scenario, we object to the new paragraph before Policy LP53 (MM/70).

We also note that the proposed site allocation is still identified in Policy LP050 'Residential Allocations – Main Towns', which is clearly incorrect. Instead, should any allocation be made, it should be in Policy LP53 'Residential Allocations – Medium and Small Villages'.

### **Conclusions**

Overall therefore it is clear that the proposed site allocation makes a valuable contribution to the setting of the village core and explains the relationship between the Hall and Church, and as such can be considered to constitute part of the Church's historic setting. Since it retains much of the attributes of the historic parkland, it is a historical asset in its own right and should therefore be conserved as such. It's redevelopment for housing would result in the loss of the entirety of the historical value, resulting in substantial harm. As explained in NPPF Paragraph 132:

*"When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification. Substantial harm to or loss of a grade II listed building, park or garden should be exceptional. Substantial harm to or loss of designated heritage assets of the highest significance, notably scheduled monuments, protected wreck sites, battlefields, grade I and II\* listed buildings, grade I and II\* registered parks and gardens, and World Heritage Sites, should be wholly exceptional."*

The extant planning application constitutes a viable alternative that will result in less than substantial harm of the historic parkland in that the site is all but devoid of features related to the character of the parkland. Furthermore, the extant planning application site does not have any association with the Grade I Listed Church and therefore does not form part of its setting.

Based on the policy analysis set out earlier, should the CLJSPC consider that no more than 15% growth is appropriate in Lea, there is no requirement or justification to make an allocation in the

village. Consequently, the allocation should be deleted from the draft Local Plan. In any event, it seems highly likely that the proposed site allocation would not be able to deliver the number of dwellings required, further limiting the justification for including it in the Local Plan.

Should the CLJSPC consider that additional growth is appropriate in Lea to support the growth of Gainsborough, we recommend that the current proposed site allocation should be deleted from the draft Local Plan and replaced with the site of the extant planning application site to the west of Willingham Road. This will ensure that there is sufficient land to meet the growth requirements without leading to the demonstrable substantial harm that the current proposed site allocation would result in.