

DOCUMENT TWO: GENERAL POLICIES

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WEST LINDSEY LOCAL PLAN FIRST REVIEW

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CHAPTER 1: RESIDENTIAL ENVIRONMENTS



CHAPTER 1 – RESIDENTIAL ENVIRONMENTS (RES)

INTRODUCTION

1.1 The environment around us has a direct impact upon our quality of life. It is therefore the function of the Local Plan First Review to provide a framework to ensure that appropriate standards are in place to meet the aspirations of individuals to be able to plan for their own future in terms of their own residential environment whilst safeguarding the living conditions of the occupiers of neighbouring properties. A high quality living environment is a key national and local priority.

1.2 As a result there is need to set a balance between the aspirations of the individual and minimising the impact of their proposal as much as possible on neighbours and the wider locality. This chapter contains a broad variety of policies specifically relating to residential environments to deal with a range of proposals from the erection of domestic householder extensions through to the conversion of properties in the open countryside into residential uses and the provision of dwellings in the open countryside. Policies relating to housing design and the provision of recreational facilities as well as criteria relating to mobile home parks are also contained in this chapter of the Local Plan First Review. Housing Allocations are contained within Chapter A – Strategic Framework, in Document 1.

AIMS AND OBJECTIVES

1.3 The aims and objectives of the policies in the Residential Environments chapter are:

- To set a balance between the aspirations of the individual in terms of their own residential environment whilst safeguarding the living conditions of the occupiers of neighbouring properties.

- To provide affordable housing to help create inclusive communities which provide wider housing opportunities and choice.
- To ensure the provision of sufficient play space/recreational facilities in new developments to meet the needs of the inhabitants.
- To promote good design in new housing developments in order to create attractive, high quality living environments in which people will choose to live.

NATIONAL, REGIONAL & STRATEGIC GUIDANCE

1.4 It can be argued that the provision of housing is the central theme in any Local Plan. Central Government guidance on housing and the associated residential environment is contained in PPG3 (Housing) which aims to *“promote good design in new housing developments in order to create attractive, high quality living environments in which people will chose to live”*. This guidance is mirrored in both the Regional Spatial Strategy for the East Midlands (RSS8) and in the Lincolnshire Structure Plan Review.

1.5 PPS7 (Sustainable Development in Rural Areas) is concerned with development and planning issues in the countryside. It provides criteria for the provision of dwellings for full-time agricultural and forestry workers who must live on site for the operational requirements of the unit and also criteria relating to the conversion of buildings in the open countryside into residential uses.

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1.6 PPG17 (Sport and Recreation) provides specific advice relating to the requirements for play space and recreational facilities in housing developments. The balance between new development and social and community infrastructure is vital to achieve through the Local Plan process.

1.7 The Regional Spatial Strategy and the Lincolnshire Structure Plan Review provide criteria on the provision of affordable housing “in order to help create inclusive communities which provide wider housing opportunities and choice.” The Local Plan First Review also has to complement the Council’s Housing Strategy to secure the implementation of affordable housing policies.

HOUSING LAYOUT AND DESIGN

1.8 New housing often has the greatest impact on the character, layout and form of settlements. The appearance of proposed development and its relationship to its surroundings are an important policy consideration.

1.9 Central Government in Planning Policy Guidance Note 3 (2000) (Housing) state that “strict control over design and layout is expected in areas, which are deemed to be particularly sensitive to new development”, such as Conservation Areas and the Lincolnshire Wolds Area of Outstanding Natural Beauty. Whilst good design is encouraged, it is not the wish to stifle innovation, originality, initiative or creativity. It is the view of the Council that high quality design is important in all proposals wherever they are located.

POLICY RES 1 – HOUSING LAYOUT AND DESIGN

Planning permission will be granted on appropriate sites for new residential development provided that proposals are satisfactory with regard to:

- i. The nature of the local environment in terms of siting, layout, density, scale, massing, materials, design and detailing;*
- ii. The provision of key features which will be in keeping with and which enhance the character of the settlement or locality such as hard and soft landscaping (e.g. hedges, walls, trees);*
- iii. The provision of, in accordance with other policies in the Local Plan, adequate open space provision;*
- iv. The provision of satisfactory parking and access to and from the site;*
- v. The impact on the amenities of nearby residential properties;*
- vi. The provision, where necessary and in accordance with policies in the Local Plan, of adequate buffer zones with landscaping measures;*
- vii. Retention of important site features such as trees, hedges, ditches, roadside verges, walls and other aspects of the local topography important to the settlement.*

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The Council will seek to achieve an average density of 30 dwellings per hectare across the District by applying the following density standards to housing proposals:

Town Centres:

Minimum of 50 dwellings per hectare.

Elsewhere:

Minimum of 30 dwellings per hectare unless, exceptionally, specific design limitations justify less.

Factors favourable to achieving development at the highest possible density will be considered to be, if it:

- a. *Contributes to a more sustainable pattern of development by being close to a concentration of employment, a town centre, or a regular public transport service; or*
- b. *Provides housing for special needs such as small units for single persons or dwellings for elderly or disabled people.*

To achieve development at a higher density, the amount of car parking and open space within the curtilages of dwellings required on each site through the operation of other policies, may be reduced in consultation with the Local Planning Authority.

JUSTIFICATION

1.10 PPG3 (Housing) states that new housing development of whatever scale should not be viewed in isolation. Consideration of design and layout must be informed by the wider context having regard to neighbouring buildings, townscape and the landscape of the wider locality. The character of rural areas is particularly

sensitive to the impact of development. It is important that development should be in keeping with, and make a positive contribution to, the physical character of the town and/or the landscape setting in which it is located.

1.11 Applicants applying for planning permission should be able to demonstrate how they have taken into account the need for good layout and design. It will be expected that development proposals shall be accompanied by a written design statement setting out the development approach to be adopted. These should take references from the Lincolnshire Design Guide for Residential Areas, the Countryside Design Summary Supplementary Planning Guidance and the Landscape Character Assessment Report. It is recognised that design preference is to a certain degree subjective and that it is important to allow scope for individual choice about architectural style indeed a certain amount of variety is desirable.

1.12 Specific aspects of layout that must be considered include the provision of car parking on site which should meet with the current car parking standards contained in Appendix 9. The proposal must also take account of the document Planning Out Crime in accordance with Circular 5/94. The Council will also have full and due regard to Section 17 of the Crime and Disorder Act in all its decision-making.

1.13 PPG3 (Housing) indicates that housing proposals should make the best use of land and low density proposals under 30 dwellings per hectare should be avoided. Emerging policy in PPS3 (Housing) seeks to make even more efficient use of land by increasing housing densities even further. This policy has taken the principles of the emerging PPS3 into account. The Council is of the view that housing densities

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need to reflect the nature and the character of the settlement in which they are located. Densities in excess of 30 dwellings per hectare would be out of character in some villages. The Council aims through this Plan to achieve an average of 30 dwellings per hectare across the District as agreed with Government Office for the East Midlands.

THE NEED TO PROVIDE BALANCED COMMUNITIES - RANGE OF HOUSING PROVISION

1.14 In general, the needs, likes and level of affluence of households dictate the type and location of housing. Therefore, it is always important in all new housing schemes to provide a choice of properties to target all housing aspirations which will help to create vibrant and mixed communities. The density of proposals is also important to help achieve sustainable development patterns.

POLICY RES 2 – RANGE OF HOUSING PROVISION IN ALL HOUSING SCHEMES

Planning permission will be granted for proposals containing a range of housing types, sizes, styles and densities including low cost and smaller homes. Where proposals fail to provide an appropriate mix of housing then permission will be refused.

JUSTIFICATION

1.15 Providing a range of housing types maximises choice, helps satisfy the many differing housing demands and helps to cater for local needs. Central Government Policy contained in PPG3 (Housing) and PPS3 (Housing) is specific in that it states that new housing developments should avoid the creation of large areas of housing of similar characteristics as they do not generally create mixed and balanced

communities. A variety of housing types, sizes and densities including the provision of smaller homes should be provided in all housing schemes whatever their size. The Council will look to achieve not only a range of housing provision within the site but will also consider the range of housing in the wider locality. Proposals should add to the mix of housing in the wider locality as well as providing a mix within the development site. Providing a wider and more balanced range of housing is a key objective of this Local Plan First Review.

1.16 The density of a proposal is also of paramount importance. Traditionally, housing proposals tended not to make the best use of land and provided for low density forms of development. However, Central Government Policy in PPS3 (Housing) places an emphasis on increasing densities to improve sustainable patterns of development.

BACKLAND AND TANDEM DEVELOPMENT

1.17 Areas of open land often within the curtilages of residential properties and other premises which lie behind existing buildings, away from the highway, are commonly referred to as 'backland'.

1.18 Development proposals on backland which consists of the new building in the rear part of the curtilage of an existing residential property either using an existing access or providing a new access alongside the existing building is known as 'tandem' development.

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POLICY RES 3 – BACKLAND AND TANDEM DEVELOPMENT

Backland or tandem development will not be permitted where it will lead to one or more of the following:

- i. A significant and adverse effect on the living conditions of the occupier of the existing property which is sited to the front of the proposal by virtue of:*
 - a. Overlooking and loss of privacy;*
 - b. A significant reduction in any rear garden space or amenity area within which the proposed development would be located;*
 - c. A significant level of nuisance resulting from the movement of vehicles to and from proposed development past existing residences;*
- ii. It would adversely affect the general quality and character of the area in which the proposal would be located by virtue of:*
 - a. Increasing the density of development in that area to an unacceptably high level;*
 - b. Resulting in the loss of features both natural and man-made to the detriment of the character of the locality;*
 - c. Leading to an unacceptable proliferation of vehicular accesses on to a street to the detriment of highway safety and to the character of the street scene;*
- iii. It would result in the loss of open space important to the form and character of the settlement or it would adversely change the form, structure or character of the part of the settlement in which the proposal is located.*

JUSTIFICATION

1.19 There will be very limited circumstances in which backland or tandem development may be acceptable. This is because the general character and amenity of the built environment needs to be protected. In many cases, such proposals may result in a loss of character and amenity in the immediate vicinity of a proposal, particularly that of adjoining residential properties. In general, it will be more acceptable for new planned development off a single vehicular access of adequate size, to be built on backland than a series of unrelated and ad hoc single proposals. Significant impact upon the overall character of the settlement can also arise from such proposals.

1.20 One form of backland development which requires the most careful treatment is known as tandem development. This is where a separate new dwelling is proposed in the back garden of an existing curtilage, either sharing an existing access or proposing a new access alongside the existing dwelling. There will normally be a presumption against such development. It usually results in a great reduction in the amenity of the original dwelling through overlooking and general nuisance, particularly nuisance from vehicular traffic. If such development is allowed to accumulate it can lead to a proliferation of new vehicular accesses to the detriment of road safety through increasing vehicle conflict and increased danger to pedestrians.

1.20a This form of development is often detrimental to the visual appearance of the street scene as it may result in the loss of hedges, trees, walls etc and to a loss of valuable open space and landscape features. Though a single case may on its own merits be acceptable when judged against other considerations, such development may set a precedent for similar examples of which

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the cumulative effect would be unacceptable because of their effect on the amenity and character of the area. Proposals also need to be judged against policies STRAT 4 to STRAT 8 dealing with Windfall and Infill Housing and policy STRAT 9 which relates to the Phasing and Release of Housing Land.

PROVISION OF NEW RECREATIONAL FACILITIES IN CONNECTION WITH ALLOCATED HOUSING SITES

1.21 Recreation is a significant element of modern life, with rising demand for the provision of facilities. A rural District, like West Lindsey, must look to the towns and the cities within and around the District for many of its "built" recreation facilities, just as the urban areas look to the countryside for much of their natural and water-based recreational facilities. Rural communities however expect to have a certain basic level of local provision, particularly sport facilities.

1.22 Central Government Policy in PPG17 (Sport and Recreation) directs that Local Plans should contain provision for new recreational facilities where there are deficiencies, and policies should be prepared in the context of a district sport and recreation strategy. Strategic policy also reflects this national objective and encouragement is given to the provision of new recreational facilities.

1.23 The need for recreational space can range from small children's play areas to large multi-use recreational fields and associated built facilities. Policies need to ensure that a minimum standard of informal or formal recreation or open play space is provided within existing settlements and within new developments.

1.24 Developers will be expected to take account of factors which could influence the type, location and amount of land to be provided. These factors include:

- The nature of the proposed residential development.
- Distribution and type and quality of existing recreational land or facilities, available within reasonable walking distance of the proposed development.
- Quality and location of the proposed recreational facility.
- Any expressed preference or need arising from consultation with the local community.
- The need to retain existing landscape features or provide new landscaping where necessary.

1.25 The need for recreation and community provision in new development is recognised. Large new housing developments have significant effects on existing facilities, due particularly to the demands an increased population has for existing, and sometimes inadequate, space and facilities. In settlements where there are no or inadequate recreational areas, the increase in new homes would place an unacceptable burden on these settlements, and it is a function of the Local Plan First Review to consider the provision of new recreational facilities in association with development. New facilities should be capable of serving not only the new, but the existing residents of an area.

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POLICY RES 4 – PROVISION OF NEW RECREATIONAL FACILITIES IN CONNECTION WITH ALLOCATED HOUSING SITES

Development of residential uses on the following housing sites where the development will create or add materially to a concentration of people in a location lacking or deficient in accessible outdoor recreational and sporting facilities will be permitted provided the development proposals include specific provision for, or contribution towards, provision of outdoor recreational and sporting facilities to overcome the constraint which would be exacerbated by the development, in compliance with the recreational standards referred to in Policies RES 5 and CRT 2:

- i. Bishop Norton sites BN1, BN2, BN3, BN5 and BN6;*
- ii. Market Rasen sites MR3 and MR5;*
- iii. South Kelsey sites SK4, SK8 and SK9.*

JUSTIFICATION

1.26 The sites identified in the policy are those contained Policy STRAT 2 for housing development. They are all in locations however where there are either no formal or informal recreational facilities or there are inadequacies in such facilities. These sites were originally allocated as package proposals together with recreational space and would not otherwise have been acceptable.

1.27 To allow development on these sites without the provision of recreational facilities would exacerbate problems that already exist with either the lack of provision or inadequate provision. In Circular 05/05 (Planning Obligations) the advice

given is that, in situations where infrastructure, problems exist prior to the submission of proposals for development, it would be inappropriate to permit development which exacerbates the situation. It is therefore the view of the Council that in the locations specified that development should not proceed without the associated recreational element being provided,

1.28 In view of the further advice contained in Circular 05/05, the Council wishes to make it clear that in all cases identified in the policy it is likely that a planning obligation agreement will be necessary. This is so that the requirement to provide land, equipment and ensure maintenance is clearly understood by all those involved.

1.29 The usual approach of the Council will be that recreational areas and facilities should be provided and transferred at no cost (other than associated conveyancing costs) to the relevant Parish or Town Council. If this is not possible then it will be necessary to establish a trust or other legal entity to ensure the future management and maintenance of the land. It will be necessary to ensure that the means are available to allow this maintenance. This often involves the provision of initial funding to the body charged with maintenance.

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PROVISION OF PLAY SPACE/ RECREATIONAL FACILITIES IN NEW RESIDENTIAL DEVELOPMENTS

POLICY RES 5 – PROVISION OF PLAY SPACE/RECREATIONAL FACILITIES IN NEW RESIDENTIAL DEVELOPMENTS

Development proposals for new residential development including sites allocated within the Local Plan First Review will be permitted as long as informal recreational land or play space and/or associated equipment and/or built facilities are provided conforming to the minimum requirement for recreational land which is:

- i. 3% of the total site for developments of up to 20 dwellings or up to 1 hectare;*
- ii. 5% of the total site for developments of over 20 dwellings or between 1 and 3 hectares;*
- iii. 7.5% of the total site for developments of between 3 and 5 hectares;*
- iv. 10% of the total site for development of over 5 hectares.*

JUSTIFICATION

1.30 Where large housing sites are proposed, it will be relatively easy to identify the need for new, often substantial areas of recreational land or facilities. However it is the smaller sites that are often ignored. Incrementally, the continued development of small sites can result in a similar growth in housing numbers and place an equal strain on existing facilities, which are often not designed to cope with the gradual growth of population such sites allow.

1.31 Most housing proposals will require a small

area of recreational land and, more often than not, this is likely to take the form of play space. However, in some circumstances, it may be justified to combine the development of one or more sites with the provision of a larger recreational area. It will be important in these instances for the developer to liaise closely with the existing community to determine needs.

1.32 In addition to the provision of land, the Council may also require the provision of play equipment, safety surfaces, hard playing surfaces, fences and/or other built facilities where it is considered such items are a fair and reasonable expectation. This requirement will take into account the nature, size and density of a particular housing site, and the fact that such sites are not useful to communities unless surfaces, facilities and equipment are available.

1.33 The Council expects that the recreational areas provided under Policy RES 5 will be dedicated to the relevant Parish or Town Council. If this is not possible it may be necessary to form a trust or similar legal entity to ensure the future maintenance and management of the site. It will be expected also that a sum of money, sufficient to achieve the recreational objectives set down in the Local Plan First Review and subsequently agreed, will be provided by the landowner and/or developer. In most cases it is likely that a Section 106 Planning Obligation will be required so that the obligation to provide land, equipment, and maintenance is clearly understood by all relevant parties.

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AFFORDABLE HOUSING PROVISION

1.34 Central Government sets out its commitment to ensuring the provision of affordable housing in PPS3 (Housing). A community's need for affordable housing is considered to be a material planning consideration and should be taken into account when determining planning applications. West Lindsey is committed to the aim of ensuring that local people have the opportunity of a decent home, which meets their needs locally and at a price or rent that they can afford. This policy should be applied jointly with Policy RES 2 – Range of Housing Provision in All Housing Schemes, which together seek to achieve the provision of balanced and mixed communities.

POLICY RES 6 – AFFORDABLE HOUSING

Where there is a demonstrated need the provision of affordable housing will be sought, the Council will seek to negotiate in the region of a 25% contribution towards affordable housing on sites meeting the following criteria:

- i. In settlements of over 3000 population, on sites accommodating 15 or more dwellings, or on sites greater than 0.5 hectare, the provision of affordable housing will be negotiated to ensure an appropriate number of affordable dwellings are supplied;*
- ii. In settlements with a population of fewer than 3000 and on sites accommodating 2 or more dwellings, provision of affordable housing will be negotiated to ensure a reasonable number of affordable dwellings are supplied.*

The housing provided under this policy should always be available as affordable housing for local people. Therefore, planning permission will be granted subject to conditions, or a planning obligation will be negotiated, to ensure that:

- a. The initial and subsequent occupiers will be people from the local community in housing need;*
- b. The affordable status of the dwellings can be guaranteed to remain in perpetuity.*

Permitted development rights will be withdrawn so that control may be exercised over the enlargements or alterations proposed to the dwellings in ways which would change their affordability for future occupiers.

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JUSTIFICATION

1.35 List of settlements over 3000 in population based on the 2001 Census (parish population):

Gainsborough	16,869
Market Rasen	3,230
Nettleham	3,514
Saxilby with Ingleby	3,679
Welton	3,821

1.36 The West Lindsey Housing Needs Survey 2002 identifies a total of 1,671 households in need of affordable housing. The 2003 Joint Housing Needs and Stock Condition Survey for West Lindsey identifies there is an annual need for 55 affordable units, out of the 350 dwellings required per annum by the Lincolnshire Structure Plan Review. Given this need which is likely to rise over the plan period, a target level of 25% affordable housing provision on all housing developments will be sought to allow current and future levels of housing need to be met.

1.37 The thresholds set out in this policy relate to the findings of the independent Housing Needs Survey 2002, carried out by Fordham Research. The survey suggests the need for West Lindsey to widen its scope and flexibility to be able to utilise smaller sites in order to meet the need for affordable housing. Due to the rural nature of the District, it is not considered unreasonable to lower the threshold at which affordable housing will be required. The Rural White Paper suggests that *“there is no reason why, in the small villages if there is evidence of need and subject to financial viability, they [Local Authorities] should not seek to match every new market house with an affordable home.”*

1.38 PPS3 and PPS7 both indicate that housing in rural areas should be looking to meet the needs of the local communities. In many rural areas

house prices now exceed those that can be reached by those in need in these communities. The definition of a threshold does not preclude developers from providing affordable housing on sites that are below the threshold given in Policy RES 6.

1.39 It has been a long standing national housing and planning objective that *“a suitable home should be made available to every family at a price within their means.”* In this context, a housing need occurs if the market cannot provide a dwelling to suit that need at a price within the means of a household in need of a home. Thus, a definition of affordable housing has been derived from this basis for the purpose of the Local Plan First Review:

“Housing provision of a type and standard within the financial means of people who are in unsuitable accommodation for their needs, or who are homeless. The suitability of the various forms of housing, including both social-rented housing and intermediate housing, will be judged on the ability to meet need. Affordability will be assessed, at the time of negotiation, and in relation to the local market conditions.”

1.40 Social rented housing is the most important tenure in providing affordable housing in West Lindsey. However, the provision of intermediate housing will also be considered to provide flexibility in deciding the most appropriate type of affordable dwelling provision. Generally, the households which the Housing Needs Survey identifies can only have this need met through the provision of social rented housing due to the ability to access housing benefit. This type of housing provision will therefore remain the priority for negotiation undertaken in response to Policy RES 6. PPS3 (Housing) includes the following definitions:

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- Affordable Housing – Non market housing, provided to those whose needs are not met by the market, for example homeless persons and key workers. It can include all social rented housing and intermediate housing.
- Social Rented Housing – Rented housing owned by Local Authorities, Registered Social Landlords or other persons as allowed for in the Housing Act 2004 which are controlled by the Housing Corporation.
- Intermediate Housing – Housing at prices or rent above those of social rent but below market prices or rents. This can include shared equity products (sometimes known as 'HomeBuy'). Intermediate housing does not include low cost market housing.

1.41 The basis for providing affordable housing is the presence of a demonstrable need for such housing in an area. Where such need is demonstrable an appropriate number of affordable dwellings of a type and size which will suit the need demonstrated will be negotiated. Local need will be defined in relation to the needs of the community rather than the individual when determining if new local needs housing is to be provided. The Council is satisfied that the 1998, 2002 and 2003 Housing Needs Surveys have demonstrated a consistent need for affordable housing across the District.

1.42 A local housing need is a housing need which arises in and can be satisfied in a particular area; the smallest such area or place will usually be a medium sized village or parish or a small group of settlements or parishes. Such a place can be seen as a community or set of communities to which the term 'local people' or 'people with local connections' can be applied. A local person can be defined as following:

- Existing local residents.
- Immediate family dependants of long established local residents.
- Those providing important local services and needing to live in or near the community.
- Persons not necessarily resident locally but having long-standing links with the community.

1.43 The extent of the provision of affordable housing that is reasonable will be defined on the need locally, the location of the site, its size and the character of its surroundings. Local need has been identified through the Housing Needs Survey 2002 and again in 2003 and will be continually assessed and established by the Rural Housing Enabler who will carry out local parish surveys. This information will serve to update local need information throughout the life of the Local Plan First Review.

RURAL EXCEPTIONS HOUSING

1.44 The economic and social well-being of rural communities depends on the ability of these communities to retain local people on all levels of income and experiencing a wide range of social circumstances. Many people with close ties to rural communities find themselves unable to purchase or rent properties within the rural part of the Plan area. This is partly due to the escalation of house and land prices, low wages and the depletion of public sector stock.

1.45 Many rural areas face difficulties in securing an adequate supply of land for affordable housing to meet local needs. Arrangements to ensure housing is available for local need can be made. Sites may be considered for affordable housing which would not normally be given planning permission. These 'exceptions' sites will be additional to the provision for normal housing demand. Specific sites are not identified in the

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Plan. The provision of such sites for affordable housing is not aimed at encouraging individual dwellings in rural areas. They can only be permitted where the facilities are in place to serve the needs of those living in the affordable dwellings.

1.46 These exception provisions do not override long established national and local planning policies controlling development in the open countryside.

1.47 Three principles underlie this exception policy. They are:

- A demonstrable need must be present which can be met by the proposal.
- It will only be applied exceptionally where the need cannot be satisfied in any other way.
- The housing built must be available for local needs in the long term and controllable so that it cannot return onto the open market.

1.48 Local need would normally be demonstrated by means of a parish survey undertaken independently by the Rural Housing Enabler in conjunction with the local community. The importance of such proposals is increasing given the reduction in allocated sites in rural areas, which is in turn removing the ability to deliver affordable housing on the back of allocated sites under Policy RES 6.

POLICY RES 7 – RURAL EXCEPTIONS HOUSING

Over and above the housing requirements identified in Policy RES 6, small-scale developments which provide affordable housing for local people will be permitted as an exception to other planning policies if the following criteria are met:

- i. A particular local need is identified, which cannot be accommodated in any other way, as evidenced by the latest District-wide Housing Needs study (and supplemented by an initial parish-wide survey);*
- ii. The site is in or adjoining the settlement;*
- iii. The proposal is of a scale appropriate to the locality and the number of dwellings is no greater than the identified need;*
- iv. The settlement concerned or the immediate area has the local services and facilities to serve the proposed development;*
- v. The proposed housing will be afforded by local people identified as having a housing need and will remain so for all subsequent occupiers;*
- vi. The development shall comply with other relevant policy relating to siting, scale, layout, design, materials, access, parking and landscaping.*

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This Policy will apply to small rural communities, therefore sites on the fringe of the Urban Area of Lincoln, Gainsborough, Market Rasen (including Middle Rasen) and Caistor and the villages identified as Primary Rural Settlements will not be considered appropriate.

Where it can be conclusively established that it is necessary to create extra funds over and above those available from free and low-cost land, to overcome specific and agreed infrastructure or access constraints, or that the provision of low cost dwellings for local needs is not realistic or practicable without extra subsidy, a limited element of open market housing may be permitted within an overall scheme provided that:

- a. *All the requirements set out in clauses i to vi of this policy can be satisfactorily met;*
- b. *The number of open market dwellings included in the scheme shall be no more than that required to provide the necessary number of local needs dwellings at low cost and shall not be more than 50% of the total number in the scheme;*
- c. *It can be ensured that all development profits from the open market housing element of the proposal over and above a reasonable return on building costs are employed in subsidising the local needs housing part of the approved scheme.*

JUSTIFICATION

1.49 This policy will allow, in exceptional circumstances, the construction of affordable dwellings in rural locations to meet local need, which would not be provided by other means. The definition of affordable and local need can be found in Policy RES 6.

1.50 Such sites are to be within or immediately adjoining settlements. Schemes on land outside the existing built curtilage of the settlement will only be permitted when it can be demonstrated that suitable land does not exist within the main body of the settlement. It is essential that normal development control requirements should not be overlooked, and sites are located in a sustainable location where residents can access the basic life service facilities that they require.

1.51 The long term affordability of houses built will, under this policy, be controlled by means of a planning condition or planning obligation to ensure that affordable status is maintained in perpetuity, in order to allow the community to continue to benefit from the affordability in the long term.

1.52 It is expected that if the land for affordable housing is provided at low or nil cost, then adequate subsidy will be available to allow the scheme to proceed. It is often the case, however, that the form of subsidy is not sufficient to allow a scheme to go ahead. The amount of funding that is available is limited and it may prove necessary, in some circumstances, to allow very carefully prescribed cross-subsidy schemes, in order that the objective of development of local needs housing can be achieved.

1.53 Such schemes would involve a number of dwellings for sale, either on an open market or on a shared ownership basis. For such schemes to be acceptable the income generated from sales must be used in its entirety to subsidise the local needs housing. Before such scheme is allowed to commence, the Council would need to be satisfied that:

- The minimum number of dwellings necessary to support the scheme has been established and only that number will be permitted.

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- There is local support for such a scheme, normally through the relevant local council.
- The Local Housing Authority is satisfied that the scheme meets a demonstrated housing need.

REPLACEMENT DWELLINGS IN THE OPEN COUNTRYSIDE

1.54 The aim of this policy is to allow for the creation of housing accommodation which is better adapted to meeting present and future housing needs as long as the quality of the environment is maintained and enhanced. Residential development in the countryside is strictly controlled. It is essential to ensure that the effects of re-development do not damage the character of the area.

POLICY RES 8 – REPLACEMENT DWELLINGS IN THE OPEN COUNTRYSIDE

Planning permission for a replacement dwelling in the open countryside will be granted if all the following criteria are met:

- i. The present dwelling has a lawful residential use;*
- ii. The size of the new building is similar to or smaller than that of the dwelling to be replaced;*
- iii. The new building is of a design which is built in a similar scale, mass, materials and architectural details to the vernacular character of the dwellings in the locality;*
- iv. The new dwelling or any new or improved vehicular access is not more visually intrusive or harmful to the appearance and the character of the surrounding countryside than the original dwelling and access provision;*
- v. The dwelling has safe access, and does not create or aggravate highway safety problems;*
- vi. The existing dwelling is demolished prior to the occupation of the replacement dwelling;*
- vii. The structural condition and/or the design of the existing property makes retention impracticable and/or undesirable;*
- viii. The existing building is not of historic or architectural interest.*

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JUSTIFICATION

1.55 Central Government Policy indicates that residential development in the countryside should be restricted. It is therefore essential that evidence exists of any residential use on a site.

1.56 If it is apparent that the residential use of a site has been abandoned, then permission will not normally be granted for new residential development. This would introduce a new use into the countryside contrary to the aims of protecting the countryside for its own sake.

1.57 Information on the structural state of the existing building will be necessary as part of an application for its replacement. If the existing building is in a good state of repair then the retention of the building with modest extensions would be more appropriate than its replacement. On rare occasions the replacement of an existing residential building may be justified solely because that which exists is of a poor design. When this is the case, the replacement dwelling must be of better quality or more appropriate design than the building which it is intended to replace in terms of local materials and vernacular style.

1.58 Sensitive planning control is necessary to ensure that the cumulative effects of the redevelopment do not damage the character and appearance of the countryside. It is important to bear in mind that demolition of a property should not create any presumption that permission will be granted for more intrusive re-development. Care should be taken over the design of features such as entrances and access roads and the location of the dwelling on the plot. Lack of attention to detail can result in the new building being far more prominent than that which previously existed on site, and the Council will pay careful attention to any proposal to replace traditional small cottage-

style properties. In assessing what would form a suitable replacement dwelling the Council will have regard to the issue of overall housing mix within the District and the role that smaller properties play.

CONVERSION AND RE - USE OF BUILDINGS FOR A RESIDENTIAL USE IN THE OPEN COUNTRYSIDE

1.59 Traditional Lincolnshire farm buildings can be found throughout the District. Most of the buildings make a positive contribution to the local environment due to their built form and use of traditional materials. Those in, or on the fringes of settlements, often form substantial farm complexes which, because of their traditional character and layout, make a significant contribution to the village scene. Other traditional non-residential buildings include redundant churches, chapels and schools, as well as other non-agricultural buildings. Vacant buildings in more isolated locations are often a traditional and accepted element in the landscape. Some of these are listed.

1.60 As a result of changing circumstances, some rural buildings are now unused, or will become unused in the future. This can happen through a number of circumstances such as changes in agriculture, re-organisation due to insufficient use e.g. churches, or by a building falling into a state of disrepair.

1.61 New house building in the open countryside is strictly controlled but it is realised that existing non-residential buildings in the countryside can contribute towards the identified housing needs of the District. PPS7 (Sustainable Development in Rural Areas) provides criteria on the re-use of redundant buildings in the countryside.

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POLICY RES 9 – CONVERSION AND RE-USE OF BUILDINGS FOR A RESIDENTIAL USE IN THE OPEN COUNTRYSIDE

In the open countryside planning permission will be granted for the conversion of individual buildings to dwellings if all the following criteria are met:

- i. The conversion serves to retain a building of significant architectural or historical interest or is important to retain the character of the building and the local environment;*
- ii. The Local Planning Authority consider other uses are inappropriate or unacceptable or not feasible;*
- iii. The building is capable of conversion without the need for substantial rebuilding, or for significant alterations or extensions which adversely affect the character of the building, its setting or the countryside;*
- iv. Every reasonable attempt has been made to secure a suitable business or community re-use for the building.*

JUSTIFICATION

1.62 Residential conversions can often have a detrimental effect on the fabric and character of farm and rural industrial buildings, particularly where they have an historic importance. The creation of a residential curtilage can undermine the countryside character of an area. Garden and house features such as patios, washing lines, car parking, sheds and small scale details can erode the rural character of a rural building and of the wider countryside landscape.

1.63 As a result PPS7 makes it clear that residential uses in the open countryside will only be allowed in exceptional circumstances. Residential re-use will not be allowed unless the applicant has made every reasonable effort to secure suitable business or other re-use, and a statement of the efforts which have been made should accompany any planning application. This especially applies to the conversion of a large grouping of barns, agricultural and industrial-type buildings. Proposals involving the conversion of multiple buildings in the countryside are unlikely to be acceptable.

1.64 Applicants will need to provide evidence that the building concerned has been actively marketed at a realistic price for a suitable period to satisfy criterion 'iv' of the policy.

1.65 West Lindsey has very significant numbers of rural buildings spread across its sparsely populated countryside. Therefore if all such buildings were converted to residential use then this would undermine the housing strategy of the Local Plan First Review in terms of housing numbers and the priority to focus development into the towns. Therefore, only buildings of significant architectural or historic interest will be considered acceptable for conversion under this policy.

1.66 In cases where buildings have become so derelict that they can be brought back into use only by complete or substantial reconstruction, such proposals will be considered as new build.

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AGRICULTURAL & FORESTRY HOUSING REQUIREMENTS

1.67 One of the few circumstances in which isolated residential development in the countryside is justified, is when accommodation is required to enable a farm or forestry worker to live near their place of work for distinct operational reasons.

POLICY RES 10 – AGRICULTURAL AND FORESTRY HOUSING REQUIREMENTS

Planning permission will only be granted for an agricultural or forestry worker's dwelling in the open countryside provided that:

- i. A dwelling, and its proposed siting on an agricultural or forestry holding are essential to the efficient and operational running of the enterprise;*
- ii. The need is for accommodation for a full-time worker;*
- iii. The unit and the agricultural or forestry activity concerned have been established for a minimum of 3 years and profitable for at least 1 year, are currently financially sound and have a clear prospect of remaining so;*
- iv. No other housing accommodation is already available locally, whether occupied or not, to meet the need;*
- v. The necessary accommodation cannot be provided by the conversion of a building on the holding;*
- vi. The new dwelling is sited with any farmstead or other group of rural buildings on the holding;*

vii. The new dwelling is no larger in size than is justified by the needs of the enterprise or more expensive to construct than the income of the enterprise can sustain;

viii. The new dwelling does not cause significant environmental or landscape impact.

If planning permission is granted for a dwelling for an agricultural or forestry worker on a holding in the countryside, the occupation of the dwelling will be limited to the following people: "a person solely or mainly working in the locality in agriculture or forestry, or a widow or widower of such a person, and any resident dependants."

Only in exceptional circumstances shall an occupancy condition be removed. If it is demonstrated that the long term need for the agricultural dwelling no longer exists in the locality, and the dwelling cannot be sold with the occupancy condition attached at a price reflecting the occupancy condition and the local market conditions, then consideration may be given to removing the condition.

JUSTIFICATION

1.68 The policy objectives underpinning restricting housing development to that which is essential for the efficient operation of agricultural or forestry enterprises relate to protection of the landscape quality of the countryside from the harmful intrusion of unnecessary sporadic building development. A further objective is the maximisation of efficiency and cost-effectiveness in servicing housing in rural areas by concentrating new development within settlements. To achieve these objectives a policy for agricultural and forestry workers dwellings in isolated locations should be restrictive and not permissive.

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1.69 It will have to be proven that an essential need exists for a dwelling, the essential need being that of the agricultural or other use of land to which this policy is applicable and not that of the owner-occupier. Applications will need to be accompanied by a statement demonstrating the animal husbandry or other operational reasons highlighting why a dwelling on site is required. The issue of security will not be an acceptable reason under this policy. PPS7 sets out details of a Financial and Functional Test which any proposal submitted under policy will have to meet.

1.70 Locating the new development close to existing buildings will reduce the effect that it has on the character of the countryside.

1.71 Appropriate conditions will be attached to any permission granted to ensure that the development remains for this special purpose. These conditions will not normally be removed unless it is clearly demonstrated that the long term need for that type of dwelling no longer exists. One indication that the dwelling would no longer be required would be if it has not been sold following a significant period, normally extending over one year, with the condition attached, and advertised at a price reflecting the occupancy condition and the wage level of farm workers and the local housing market conditions specifically relating to agricultural dwellings. It is important that agricultural dwellings are not sold off separately from land holdings, nor occupancy conditions removed unnecessarily.

1.72 On newly established farm holdings, the provision of a mobile home to allow the operation to demonstrate viability required under criterion iii above, may be considered. Each case will be considered on its own merits; but any mobile home proposal would still need to meet the essence of the above policy and would be strictly

time-limited by condition.

EXTENSIONS TO DWELLINGS LOCATED WITHIN SETTLEMENTS

1.73 This policy should ensure that any extensions to dwellings within settlements are in keeping with the style, character and appearance of the existing property and do not have a negative impact on the living conditions of any neighbouring occupiers.

POLICY RES 11 – EXTENSIONS TO DWELLINGS LOCATED WITHIN SETTLEMENTS

Planning permission will be granted to extend a dwelling in a settlement provided that the proposal meets the following criteria:

- i. If the proposal is two storey it should not lead to harm by the introduction of a terracing effect in the streetscene;*
- ii. It is well designed in relation to the size, shape and materials of the building to be extended, and is subordinate to the existing property;*
- iii. It would not adversely affect the amenity of the residents of neighbouring properties by virtue of over-dominance or appearance;*
- iv. It does not prejudice the retention of any significant trees or other important features;*
- v. It enables adequate off-street parking space to remain for at least one vehicle to park;*

CHAPTER 1 – RESIDENTIAL ENVIRONMENTS (RES)

- vi. *It enables an adequate amount of private garden space to remain;*
- vii. *Does not have a significant impact on the supply, availability and subsequent affordability of smaller properties as part of the overall mix of properties within the locality.*

JUSTIFICATION

1.74 Applications for extensions usually reflect the individual needs of the applicant. As these needs tend to differ, it is not appropriate to create a policy specifying volume or size standards for such development. Therefore, the policy outlines a list of criteria that should be taken into account when determining applications for extensions to dwellings.

1.75 The Council wishes to avoid the creation of a terrace effect through the development of extensions to the side of dwellings. If such extensions are developed too close to the boundary with another property, this can reduce or in fact remove the otherwise obvious gap between properties, often creating the said terrace effect.

1.76 Any extensions to a building must be carried out in such a way as to ensure that it resembles the existing building in terms of design and materials, and is not excessive in its size so as to dominate the original dwelling. It would be inappropriate to impose a specific volume increase rule above which extensions would not be acceptable, due to the differing needs of applicants and the individual nature of each site.

EXTENSION TO DWELLINGS IN THE OPEN COUNTRYSIDE

1.77 This policy should ensure that any extensions to dwellings in the open countryside would protect and enhance the character and appearance of the dwellings whilst having a minimal impact on the visual amenities of the surrounding countryside and on the living conditions of any occupier living nearby.

POLICY RES 12 – EXTENSIONS TO DWELLINGS IN THE OPEN COUNTRYSIDE

Planning permission will be granted to extend a dwelling in the open countryside provided that the proposal:

- i. *Is well designed in relation to the size, shape and materials of the building to be extended, and is significantly subordinate to the existing property;*
- ii. *Would not adversely affect the appearance of the surrounding landscape and countryside;*
- iii. *Does not prejudice the retention of any significant trees or other landscaping features;*
- iv. *Enables adequate off-street parking space to remain for at least one vehicle to park;*
- v. *Enables an adequate amount of private garden space to remain;*
- vi. *Does not have a detrimental impact on the original design of the dwelling;*

(Policy continues overleaf)

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vii. *Does not have a detrimental impact on the setting of the dwelling within the surrounding landscape;*

viii. *Does not have a significant impact on the supply, availability and subsequent affordability of smaller properties as part of the overall mix of properties within the locality.*

JUSTIFICATION

1.78 Significant alterations and extensions to dwellings in the countryside can be visually intrusive on the character and appearance of the landscape. The Council wishes through this policy to balance the needs of the individual to extend their own property whilst ensuring that the design and appearance of the proposal is of a high enough standard not to negatively impact on the character and visual appearance of the surrounding countryside. All schemes should pay particular attention to retaining any significant trees or landscape features which contribute to the distinctive character of the countryside.

1.79 The Council is of the view that any extension to be considered under this policy should be less than 50% of the size of the original dwelling as built before any previous extensions. The cumulative impact of numerous extensions can significantly increase the intrusion of the property into the countryside. Any extension over 50% of the size of the original dwelling is considered to no longer be subordinate and to be of a scale that will increase the impact of the dwelling on the countryside beyond acceptable levels. The Council will pay careful attention to any proposal to extend traditional small cottage-style properties, in assessing what would represent a suitable extension the Council will have regard to the issue of overall housing mix within the District and the role that smaller properties play. Expansion of

small cottage-style properties can have a significant impact on the availability of such properties in the locality and on rural affordability.

FAMILY ANNEXES

1.80 Family circumstances can change over time. This may necessitate the need to move house or to consider altering the existing family home to suit. This policy is specifically geared towards the creation of family annexes which differ from ordinary extensions in that they provide self-contained accommodation rather than providing accommodation which is dependent on the facilities of the main house.

POLICY RES 13 – FAMILY ANNEXES

Planning permission will be granted for the creation of additional, self-contained living accommodation, either by:

- i. Extending an existing dwelling; or*
- ii. By converting outbuildings which are incidental to a dwelling.*

Provided such accommodation remains incidental to, and within the curtilage of the original dwelling, and satisfies normal siting, design and amenity policy criteria set out in other relevant policies of the plan including those dealing with extensions to dwellings.

The creation of a separate dwelling unit will not be permitted unless all the relevant policies of the plan can be met.

JUSTIFICATION

1.81 Sometimes family circumstances change, such as the extension of a family, or a relative moving in. In such cases planning applications are sometimes received relating to the proposed

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extension of houses to cater for these changes, or for the creation of additional self-contained living accommodation.

1.82 Provided that an extension to a dwelling in such circumstances is similar in terms of scale and design to the original dwelling, these proposals would usually be acceptable. The conversion of existing outbuildings into a family annex would also usually be acceptable, provided that there are no adverse effects upon the amenity of the neighbouring properties or the surrounding area.

1.83 Whichever option is chosen, the annex should remain an integral part of the original dwelling and should not become a separate development. The policy is not intended to support the conversion of garages.

HOUSES IN MULTIPLE OCCUPATION

1.84 Changes in the population structure and changes in social habits have led to an increased demand for houses in multiple occupation. Increasing numbers of single and two-person households are increasing pressure on the housing market in their quest to find suitable properties. The 2002 and 2003 Housing Needs Surveys revealed a significant shortage in the supply of affordable one-bedroom housing in West Lindsey.

1.85 A house in multiple occupation can be defined as one that is occupied by more than one household, where each household lives independently from each other, within the same building. Some facilities may be shared on a communal basis. This definition is one used for planning purposes, the Housing Act 2004 sets out different definitions for houses in multiple occupation which may be subject to mandatory or additional licensing under that Act.

1.86 Whilst broadly supporting proposals for houses in multiple occupation to meet the housing needs of the District, the Council needs to consider and protect the living conditions of neighbouring property occupiers and to ensure that the proposal is in keeping with the character and visual amenity of the locality.

POLICY RES 14 – HOUSES IN MULTIPLE OCCUPATION

Planning permission will only be granted for the use of a building as a house in multiple occupation provided the following criteria are met:

- i. There will be no significant detrimental effect on the amenity of near residents;*
- ii. There will be no significant detrimental effect on the character or appearance of the building or the locality;*
- iii. Adequate car parking and amenity space are provided;*
- iv. The number of properties converted to Houses in Multiple Occupation in one street is limited in order to prevent an over-intensification of use of facilities and services in the area.*

JUSTIFICATION

1.87 Residential multiple occupation can create environmental issues within a locality. Traffic generation and parking can have a problematic impact in dense areas of housing; therefore it is important to consider the amenities of the existing occupiers of the area in determining applications for houses in multiple occupation (HMOs). Restricting the number of HMOs on a single street can help to avoid the cumulative impact of a

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number of these types of dwellings being located together.

1.88 However, the creation of HMOs can help to rejuvenate neglected parts of the urban area and make a valuable contribution towards the housing provision, especially for people in need of affordable housing.

RESIDENTIAL USES ABOVE SHOPS

1.89 Under-utilised and vacant accommodation in upper floors of town and village centre premises presents a number of problems but also offers the potential for new and alternative uses in these areas.

1.90 A concentration of such empty space can cause or add to the run-down appearance of central areas, can increase the decay of important buildings, represents a waste of a resource, inefficient energy use and requires the need for duplicate accommodation in other locations.

1.91 Use of such premises could aid the security of the shop premises over which they are located and the overall security of a shopping street or area by increasing the amount of out of hours activity especially if there are a number of such occupied properties.

POLICY RES 15 – RESIDENTIAL USES ABOVE SHOPS

Planning permission will be granted for residential uses above shops and other commercial premises provided that:

- i. The amenities of the locality are not adversely affected by reason of design, appearance, traffic generation or security;*
- ii. The ground floor use is not inhibited in any way.*

JUSTIFICATION

1.92 Flats over shops and other commercial buildings can be a valuable source of new housing. If the spaces above shops and other commercial properties are utilised it will help create the mixed use town centres the Central Government refers to in PPG3 (Housing) and PPS6 (Planning for Town Centres). By living near the facilities of the town centre, people's need to travel to access employment and other facilities can be reduced, thus making development sustainable and helping to improve the vitality of the town centres as encouraged by the Retail and Town Centres chapter of this Local Plan First Review.

1.93 It will be necessary to ensure that the use of upper floors as a dwelling will not limit or hinder the normal use of the building for retail use at ground floor level, and/or the amenity of the neighbouring buildings.

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INDIVIDUAL MOBILE HOMES

1.94 Residential caravans and mobile homes have a significant impact on the environment and amenity of an area. They require the same level of service provision as permanent dwellings.

POLICY RES 16 – INDIVIDUAL MOBILE HOMES

Planning permission will only be granted for individual mobile homes provided that:

- i. They conform with policies for the location of permanent residential dwellings;*
- ii. The siting is for a limited period of time, and in connection with a recognised development requirement.*

JUSTIFICATION

1.95 Proposals for mobile homes will be assessed against the same policies that apply to permanent residential development proposals. Residents of mobile homes require the same access to services and facilities such as health, education, employment and retail therefore the same considerations need to be taken into account. In certain circumstances, on agricultural holdings, there may be a special requirement for the use of a mobile home, for example on a newly established farming enterprise, prior to permanent accommodation being justified as identified in Policy RES 10.

RESIDENTIAL MOBILE HOME PARKS

POLICY RES 17 – RESIDENTIAL MOBILE HOME PARKS

Planning permission for new permanent mobile home parks and gypsy/traveller sites will only be granted providing that they conform to policies for the location of permanent residential dwellings.

JUSTIFICATION

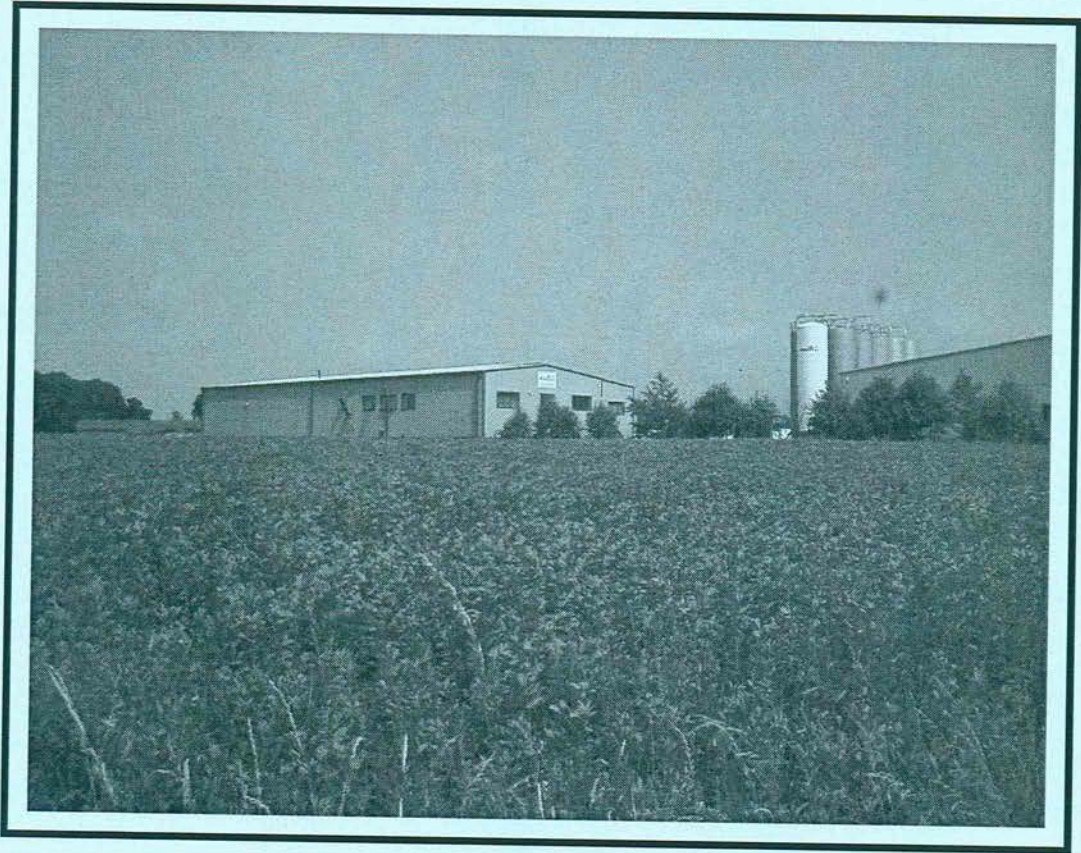
1.96 As with proposals for individual mobile homes, proposals for residential mobile home parks will be considered under policies contained in the Plan relating to permanent residential development.

1.97 Mobile home parks can have a significant impact on the character and the appearance of a locality. Being permanent sites their impact on the infrastructure of the area is also similar to that of conventional houses, as is the level of service provision which is expected and required by the occupiers. It is therefore justified to directly compare the impact of a permanent caravan site on an area to that which would occur if conventional houses were proposed on the site.

1.98 In determining any application for a gypsy site the Council will need to have regard to the emerging Regional Spatial Strategy and the provisions of Circular 01/06: Planning for Gypsy and Traveller Caravan Sites which have both been published since this policy was agreed in accordance with Policy STRAT 1.

WEST LINDSEY LOCAL PLAN FIRST REVIEW

JUNE 2006



CHAPTER 2: RURAL ECONOMY



CHAPTER 2 – RURAL ECONOMY (ECON)

INTRODUCTION

2.1 There are many demands on the use of land in the countryside and the settlements within it. The broad range of policies contained in this chapter will seek to reconcile these demands to ensure the rural economy functions efficiently as the countryside is a living and working place. However, the Council also recognises that there is a need to restrict and control certain types of development in order to protect and enhance the attractive nature of the West Lindsey countryside. The role of the District's three market towns is emphasised as a key component of the Local Plan First Review strategy.

AIMS AND OBJECTIVES

2.2 The Local Plan First Review is influenced by the policy guidance emerging from Central, Regional and County levels together with this Council's overall corporate strategy. The policies contained in this chapter have been formulated with a number of objectives in mind:

- To achieve an acceptable balance between the needs of the environment, local communities and the demands of development and land uses.
- To encourage rural diversification to create local job opportunities and improve the skills of the local people.
- To strive to assist the economic development and regeneration process and its progression through the planning system with the minimum of delay and inconvenience.
- To improve the social environment and reduce the levels of crime and disorder.
- To try and improve the physical environment and ensure that no development causes

permanent damage to the countryside, thus protecting the countryside for its own sake.

NATIONAL, REGIONAL & STRATEGIC GUIDANCE

2.3 Government Guidance for the rural economy set out in PPS7 (Sustainable Development in Rural Areas) provides broad objectives to:

- Meet social and economic needs of people who live and work in rural areas.
- Maintain or enhance the character of the countryside and conserve its natural resources.
- Improve the viability of market towns and smaller settlements in order to promote a sustainable community in terms of a reasonably mixed demography, variety of employment and housing, and prevent the decline of community services and facilities.

2.4 The Rural White Paper vision seeks a living, working, protected and vibrant countryside.

2.5 The Regional Spatial Strategy for the East Midlands recognises the diverse nature of the rural economy in that its aim is a living and working countryside in which enterprise is promoted and the environment is respected.

2.6 The East Midlands Regional Economic Strategy and the Lincolnshire Economic Strategy seeks to strengthen the rural enterprise links between settlements and their hinterlands. A holistic approach is required in order to integrate the transport and access networks, provide a range of housing, offer a wide variety of employment opportunities; and offer people the opportunities to enhance their skills to fulfil their potential. A combined approach will help to

CHAPTER 2 – RURAL ECONOMY (ECON)

sustain existing communities, their services, facilities and to help to reduce rural deprivation, unemployment resulting from agricultural restructuring and the social exclusion that is experienced and compounded by the remote nature of the rural communities.

2.7 The East Midlands Rural Action Plan focuses upon learning and skills, enterprise and innovation, agriculture, rural transport, rural tourism, market towns and promoting rural issues and initiatives.

2.8 The strategic guidance for Lincolnshire set out in the Lincolnshire Structure Plan Review focuses on the need to sustain and improve the quality of life for present and future generations to facilitate more sustainable development.

2.9 The Economic Development Strategy for West Lindsey sets out the vision for sustaining and developing the rural economy.

2.10 The Local Plan First Review seeks to set out a range of policies which support the aspirations of the Lincolnshire Economic Strategy. It also links to the Sustainable Community Strategy for Lincolnshire 2006 – 2009 which has a priority focussed on economic development. This same priority is also contained in the West Lindsey Sustainable Community Strategy 2006 – 2016.

2.11 This chapter aims to guide development into suitable areas within settlements, particularly the three towns. This will help to improve the local economy and to help stimulate new job opportunities by providing choice through flexibility and competition.

EMPLOYMENT DEVELOPMENT

2.12 Of the rural districts within Lincolnshire, West Lindsey has the second lowest number of VAT-registered businesses and accounts for only 2% of the region's business registrations (ONS - UK Business Activity, Size and Location 2005).

2.13 The Council is committed to supporting the local economy, and local businesses, and to improving the employment opportunities of West Lindsey residents. One of the ways of achieving this is by ensuring that there is an adequate supply of land available for either the expansion or relocation of existing businesses and the establishment of new businesses within West Lindsey.

2.14 The business structure of the District is based upon approximately 2,940 business units of which 94% employ fewer than 25 people. The business unit is defined as being a firm which is not the company headquarters but may be an additional site of a company (ONS - UK Business Activity, Size and Location 2005).

2.15 The Council wishes to encourage employment generating development, which is of a nature and scale appropriate to the area, and by optimising (where acceptable) the expansion of existing firms.

2.16 This will ultimately increase job choice for local residents, reduce unemployment in the area, benefit local communities, and aim to reduce the existing trend of economically active residents of West Lindsey commuting outside of the District, principally to Lincoln City.

CHAPTER 2 – RURAL ECONOMY (ECON)

POLICY ECON 1 - EMPLOYMENT DEVELOPMENT PROVISION

Employment-generating development or the construction of buildings for businesses, general industry, storage or distribution, port and wharfage development will be permitted on sites not allocated for any of these uses provided that the proposal meets all the following criteria:

- i. There is no available allocated site within the nearby settlements or an established employment area in existence within the locality;*
- ii. It would not generate traffic of a type or amount inappropriate for the character of access roads or require improvements which would damage the character of those roads;*
- iii. It would not harm the character or appearance of the countryside;*
- iv. It would not harm the character, appearance or setting of the local settlement or the amenity of nearby or adjoining residents or other land uses;*
- v. It would not harm any site of nature conservation value or archaeological importance or any building of architectural or historic interest, conservation area or historic landscape or their setting;*
- vi. It would blend into the landscape in design, siting and choice of materials;*
- vii. It is not sited in a Green Wedge, AONB, protected settlement break or other protected landscape area or feature;*

- viii. The site can adequately accommodate the proposal in terms of size and shape for the layout incorporating suitable access, parking, landscaping or any other requirements of the proposed development;*
- ix. The proposed development should be in scale with the size of the settlement within which it is proposed.*

Priority will be given to previously developed sites over the release of greenfield sites.

JUSTIFICATION

2.17 It is important to ensure that sufficient opportunities are available within the District to help fulfil the Council's economic development objectives in relation to planning and sustainable growth, with the development of sites which will generate employment, or be used for industry, business etc. In accordance with national policy the Council aims to ensure that there is sufficient land available which is readily capable of development and is well served by infrastructure, and that there are a variety of sites available to meet differing needs.

2.18 Sites that have been allocated for employment use will usually be considered to be preferable for development. However, in order to achieve the Council's goals in terms of economic growth, this may sometimes involve the development of land which has not specifically been allocated for such uses. This policy will broadly support such windfall proposals.

2.19 Employment-generating development can sometimes result in intensive use of a site, with the potential to create a significant impact upon the surrounding area. It is important to create a balance between the economic and environmental

CHAPTER 2 – RURAL ECONOMY (ECON)

considerations to ensure that, even though development can go ahead, the character of the surrounding area is protected and the amenity of nearby residents is not adversely affected. This is especially important for sites near to or within the countryside, and protected areas such as the Area of Outstanding Natural Beauty, sites of nature conservation etc.

2.20 More intensive uses can also have a detrimental impact upon the existing road system, unless carefully controlled. It is essential that developers ensure that the roads leading to a site are capable of accommodating an increase in traffic or a change in the type of traffic. Any alterations or improvements made to the main routes leading to the site must not alter the character of those roads.

AGRICULTURAL AND RURAL DEVELOPMENT

2.21 Despite the changes in the agricultural sector it remains a significant part of the economy. The physical landscape has been determined by the changes in agricultural practices and the resulting farm diversification schemes, which often remove land from agricultural use.

2.22 The following policies seek to encourage appropriate agricultural development, including farm diversification and the intensive livestock units proliferating throughout the District, whilst protecting agricultural land.

POLICY ECON 2 - AGRICULTURAL DEVELOPMENT

Agricultural development will be permitted provided that:

- i. It does not have an unacceptable adverse effect on the environment or residential amenity;*
- ii. Wherever possible and reasonable, the development is sited in close proximity to existing buildings;*
- iii. The development would not significantly detract from views across the open countryside or from the setting of a settlement;*
- iv. The impact of the development is minimised by careful attention to its layout and design, including the massing of buildings and structures, type and colour of materials used and the landscaping scheme proposed;*
- v. The scheme makes provision for the prevention of pollution of ground and surface water;*
- vi. The development is of a size and scale commensurate with the proposed use.*

JUSTIFICATION

2.23 Agricultural development is an important aspect of the rural economy however agricultural buildings can have a significant impact upon the landscape of the District.

2.24 The Council expects farmers or developers to pay close attention to matters of design, materials and landscaping when submitting Planning Applications, and would encourage the

CHAPTER 2 – RURAL ECONOMY (ECON)

same principles to be applied to 'Agricultural Development Notifications' under the General Permitted Development Order.

2.25 Modern agricultural practice often requires large buildings to house livestock, or to store machinery or produce, such that they can have a significant visual impact on the landscape. The Council recognises that larger structures are more cost-effective and practical. However, careful attention to materials, siting and design of buildings and their effect on the surrounding environs is crucial to prevent any adverse impact on the wider landscape character.

2.26 Should it be desirable to remove an existing building which is not in use, conditions will be imposed on the planning permission to achieve their removal when no longer required for agricultural purposes. This will ensure that the countryside does not contain a proliferation of vacant and redundant modern agricultural buildings.

PROTECTION OF AGRICULTURAL LAND

2.27 Central Government policy seeks to protect the best and most versatile agricultural land as a national resource for future generations, which echoes the fundamental principle of sustainable development. The best and most versatile land is classified as Grades 1, 2 and 3A. Development proposals must ensure they seek a lower, rather than higher, grade of agricultural land to ensure the ability of the best land to be retained for food production in the future.

2.28 Local Planning Authorities are therefore required to consult the Department of Environment, Food and Rural Affairs on any proposal that does not accord with the Development Plan, and which leads to, or may

lead to, the loss of more than 20 hectares of land in Grades 1, 2 and 3A.

POLICY ECON 3 - PROTECTION OF AGRICULTURAL LAND

Development will not be permitted if it would result in the irreversible loss of the best and most versatile agricultural land unless all the following criteria are met:

- i. There is a lack of development opportunities on previously developed land or on land in existing urban areas, towns or settlements;*
- ii. There is little land in grades below 3A or little lower grade land which does not have a recognised environmental, nature conservation, landscape, historic or archaeological value;*
- iii. The development is proposed on land of the lowest practicable grade.*

Unless there is an overriding need for the development.

JUSTIFICATION

2.29 The Council recognises the importance of safeguarding the best and most versatile land in order to meet the objectives of sustainable development.

2.30 It is no longer necessary to protect land for agricultural use, although it remains important that an efficient and flexible agricultural industry remains. Many 'soft' uses of agricultural land, e.g. golf courses often render the return of land to agricultural use impracticable.

CHAPTER 2 – RURAL ECONOMY (ECON)

2.31 In some instances, such as habitat creation, it is recognised that policies to protect high quality agricultural land from development need to be sufficiently flexible so as to not constrain environmentally beneficial projects that would not cause irreversible loss of such land and would contribute to national, regional and county level sustainability and biodiversity objectives. In such cases relatively small areas of high grade land may be required for habitat restoration projects which substantially improve the local environment and contribute to the achievement of the Government biodiversity or other targets. A particular case is for flood defence schemes where the creation of washlands may provide the most cost-effective and sustainable means of defence. Development proposals should be directed towards lower grade land, but that is not to say that all lower grade land is appropriate for development. The overall approach with this policy and others is still to protect the countryside from inappropriate development.

FARM DIVERSIFICATION

2.32 The changes in the agricultural industry over the past decade have led to many farmers being encouraged to 'diversify' into new enterprises. It may be necessary for the rural economy to diversify away from its traditional agricultural roots.

2.33 Central Government policy advocates principles for farm diversification in order to support the vitality of the rural economy. Local Planning Authorities are expected to be supportive of well conceived farm diversification schemes because of their potential for providing a wide and varied employment opportunity for local people.

2.34 Application of the policy criteria will ensure that the proposals are appropriate to their proposed location and remain protective towards and respectful to the surrounding environment.

CHAPTER 2 – RURAL ECONOMY (ECON)

POLICY ECON 4 – FARM DIVERSIFICATION

Proposals to diversify the range of economic activities on a farm will be permitted if all the following criteria are met:

- i. The proposal is complementary to the agricultural operations on the farm and is operated as part of the farm holding;*
- ii. The character, scale and location of the proposal is compatible with its landscape setting and any area of nature conservation or archaeological importance;*
- iii. The proposal would not use the best and most versatile agricultural land;*
- iv. The likely amount of traffic generated by the proposal could be accommodated on the local highway network without reducing road safety;*
- v. The proposal should re-use or adapt any suitable farm building paying particular regard to the need to protect the character of traditional buildings and the retention of the local vernacular distinctiveness;*
- vi. If a new building is justified, it should be sited in or adjacent to an existing group of buildings where possible, be of compatible design and scale, and blend satisfactorily into the landscape in design, siting and materials;*
- vii. The proposal would not cause noise, light, air or water pollution;*

viii. The proposal would not harm the amenity of the local residents;

ix. The proposal contributes to the local rural economy.

Proposals to replace the entire farm operation by a new non-agricultural operation will not be supported by this policy.

JUSTIFICATION

2.35 The Council recognises the need for farm diversification in order to sustain and enhance a healthy rural economy. Any proposal submitted should be complimentary to the agricultural operations on the farm and be operated as part of the farm holding. Any proposal to completely replace a farm operation with a new use will be considered in accordance with the policies relevant for that use as they are not considered to be farm diversification proposals.

2.36 Proposals that meet the wider objectives of the Local Plan First Review, such as informal countryside recreation, or make good use of existing buildings, or realise the opportunities for enhancing habitats and environmental improvement works without harming the character of the area are likely to be considered favourably.

INTENSIVE LIVESTOCK UNITS

2.37 Although intensive livestock units (ILUs) can be an appropriate land use in rural areas, they can on occasions create serious problems of dust, smell, noise, soil and water pollution. As a consequence, great care needs to be exercised in choosing their location so as to minimise their impact on the countryside and the amenities of nearby residential properties and as a broader threat to the growing significance of the countryside as a tourism asset.

CHAPTER 2 – RURAL ECONOMY (ECON)

2.38 For the purposes of Policy ECON 5, an intensive livestock use can be taken to be the use of a purpose-designed or specially modified building for the concentrated breeding or keeping of animals for intensive food production purposes.

POLICY ECON 5 - INTENSIVE LIVESTOCK UNITS

Generally, development proposals for new or expanded livestock units in the countryside will be permitted provided that:

- i. They or any slurry or sewage sludge storage facility are located not less than 400 metres from a building occupied by people, which is not directly and functionally related to the enterprise. The final distance will be determined by other factors which will be taken into account such as prevailing winds, lack of bunding, screening and topography;*
- ii. As a result there would not be an over-intensification of livestock units in a locality;*
- iii. The development complies with all other relevant policies in the Local Plan.*

JUSTIFICATION

2.39 ILUs present particular planning problems, because of the scale of development that is required, and because of their associated characteristics and requirements. The Council recognises however, that such units allow cheap and efficient food production, together with local employment opportunities and also the necessity of their location in the countryside.

2.40 Whilst ILUs are an important part of the farming process, the Council will aim to ensure that their impact upon the countryside and local communities is limited to acceptable levels.

2.41 Such development may require an Environmental Assessment for proposals; such an assessment should discuss in detail the likely impacts of the proposal on the local environment and should be prepared by suitably qualified persons.

2.42 With proposals for all ILUs, the Council will assess all aspects and implications arising from the use, including traffic generation and waste disposal. Applicants will be expected to provide details of the likely traffic movements and how wastes are to be taken, dealt with, and how and where disposal can take place. The Council will not support storage of slurry or sewerage waste within the given separation distance and, to ensure that this is the case, appropriate planning conditions will be imposed upon any planning permission granted. Any disposal of slurry or sewerage waste by means of spreading will be expected to be carried out with adherence to the relevant guidelines.

2.43 A distance of at least 400 metres between ILUs and the majority of other buildings has been retained, as a standard suggested by Central Government. This cordon will minimise the level of contact that the public, and particularly local residents, will have with agricultural operation, reducing unpleasant odours and other forms of pollution that emanate from such ILUs.

2.44 The Council is aware that, by applying good management practices to ILUs, the risk of various forms of pollution can be kept to a minimum. Therefore, development which is expected to

CHAPTER 2 – RURAL ECONOMY (ECON)

result in nuisance and an adverse impact upon the public should be refused.

2.45 The number of ILUs in an area will be monitored, so that they do not dominate areas close to settlements and the cumulative impact is not too great on the character of the landscape and countryside.

POLICY ECON 6 – NOW DELETED

CONVERSIONS OF BUILDINGS WITHIN TOWNS AND PRIMARY RURAL SETTLEMENTS

2.55 Conversions of existing buildings within settlement boundaries to employment uses or other alternative uses are often acceptable in principle.

POLICY ECON 7 - CONVERSIONS TO EMPLOYMENT OR OTHER USES WITHIN TOWNS AND PRIMARY RURAL SETTLEMENTS

Within settlement boundaries the conversion of buildings to employment or other appropriate uses will be permitted provided that the building is capable of conversion to the proposed use without the need for significant external alterations or extensions which would adversely affect its character or its surroundings.

JUSTIFICATION

2.56 The re-use of existing buildings is often preferable to the provision of a new building and can often be part of a wider regeneration scheme. An assessment will be required to ensure that the building is capable of conversion and accommodating the proposed use. The associated land should also be capable of accommodating any additional development

requirements, such as ancillary buildings, structures, and vehicle parking, without adversely affecting the character of the building and its setting.

CONVERSIONS OF BUILDINGS IN OTHER SETTLEMENTS OR THE OPEN COUNTRYSIDE

2.57 There are many traditional Lincolnshire farm buildings to be found throughout the District. Because of their form and materials, many make a positive contribution to their local environment.

2.58 Conversions of these buildings for employment or community use can make a positive contribution to sustaining and enhancing the rural economy by offering employment opportunities whilst helping to reduce the need for new buildings and therefore preserving the character of the countryside.

CHAPTER 2 – RURAL ECONOMY (ECON)

POLICY ECON 8 – CONVERSIONS TO EMPLOYMENT USES OR OTHER USES IN OTHER SETTLEMENTS OR THE OPEN COUNTRYSIDE

Outside of settlement boundaries, the conversion of buildings to business or community related uses will be permitted provided that:

- i. The proposed development is appropriate in scale in that location and provides for a use which will benefit the rural economy or support the local community;*
- ii. The building is capable of conversion to the proposed use without the need for significant alterations or extensions which adversely affect the character of the building, its setting or the countryside;*
- iii. There is sufficient land attached to the building to provide for the functional needs of the proposed development;*
- iv. The proposed development will not result in an unacceptable impact upon traffic movements, the local highway network, or the local environment;*
- v. Parking can be accommodated within the site without a negative impact on the setting of the building or wider landscape.*

JUSTIFICATION

2.59 The Council recognises that the conversion of redundant rural buildings to other appropriate uses is important to the rural economy. This policy is not, however, intended as a way of allowing or encouraging development which would have unacceptable or adverse affects on the character of the building and its locality, traffic

movements and the local road network, or the environment generally.

2.60 Certain types of development will, because of their scale or nature, be unacceptable in the countryside and such proposals are likely to be more suited to land allocated for employment purposes. Development proposals that were originally acceptable can become unacceptable over time if the use intensifies or expands significantly.

2.61 The countryside and the settlements within it are very sensitive to change and they should be protected for their own sake. Therefore conversion schemes must aim to harmonise with the local environment. This will mean that conversions, which keep alterations to a minimum and which reflect the traditional character of Lincolnshire buildings, will be generally acceptable.

2.62 There should be sufficient land attached to a building to allow for the provision of functional requirements to be both adequate and well designed. Car parking and storage can be particularly intrusive in the landscape and should be minimised and/or screened.

CHAPTER 2 – RURAL ECONOMY (ECON)

RETENTION AND PROTECTION OF EMPLOYMENT LAND

POLICY ECON 9 – RETENTION OF EMPLOYMENT LAND

Planning permission will not be granted to develop or use vacant business, general industrial, storage or distribution sites or premises for non-employment purposes unless:

- i. The present use harms the character or amenities of the adjacent area, the site is not capable of satisfactory use for employment and overriding local benefits would come from the proposed development; or*
- ii. The proposed use would not preclude subsequent change of use back to the employment use without significant building or alteration works; or*
- iii. The retention of premises or sites for employment use has been explored fully without success and it is demonstrated that there is no longer a need for the land for employment purposes due to the amount of land allocated or committed for employment use in the locality; or*
- iv. The site can be demonstrated not to suit the needs of modern business operations.*

JUSTIFICATION

2.63 It is important for the Council to encourage development that makes the best use of appropriate brownfield sites and this includes the re-use of vacant buildings. Existing employment sites that have become vacant provide an ideal opportunity to introduce new business to an area without the need for additional use of land. It is

therefore important to avoid the loss of the employment use.

2.64 There may be occasions where a former employment site is no longer suitable for employment use, maybe as a result of recent development within the area, or another use may create more benefits for the local community. In such cases, the Council will consider proposals for non-employment uses for the site. The policy gives criteria which must be met before the Council will support non-employment uses for land currently in employment use. Some existing employment sites are identified with the Council's Urban Capacity Study as offering potential for new use for residential purposes.

THE SERVICE SECTOR

2.65 In recent years there has been a growth in the service sector of the economy with a decline in the agricultural and manufacturing sectors. The Council aims to promote economic growth in the service sector, to increase local employment opportunities and expand the services available to local residents.

2.66 Strategic policy recognises the importance of office development as a component of the Lincolnshire Economic Strategy, alongside industrial and warehousing activities.

CHAPTER 2 – RURAL ECONOMY (ECON)

POLICY ECON 10 – OFFICE SPACE DEVELOPMENT

Permission for new office space development or change of use to provide office accommodation will be granted provided that:

- i. Within the defined town centres:
 - a. It accords with Policy RTC 1; or*
 - b. It is the only means of preserving or enhancing a building of historic or architectural merit; or*
 - c. It would contribute to the vitality of the town centre and would not have a detrimental impact on the retail environment.**
- ii. Outside the defined town centres but within settlement boundaries, it complies with Policy ECON 1 and does not harm the character and amenity of the area or detract from neighbouring land uses;*
- iii. Outside of settlement boundaries it relates to the expansion of an existing business or complies with Policy ECON 8 and does not harm an existing building or the character, amenity of the area or detract from neighbouring and uses.*

JUSTIFICATION

2.67 The development of small offices has become an expanding source of employment, and demand has mostly been catered for within urban areas. Urban areas do have greater accessibility and the range of business services and shops that are usually present. Encouragement into these locations will cluster established retail and

commercial businesses together and recognise the potential of local service centres.

2.68 The Council wishes to maintain the role of the town centres by encouraging investment and by utilising the re-use of historic buildings which are often the cornerstone of such centres. Vacant upper floors can often be a problem in town centres and this policy will help to facilitate the use of these spaces.

2.69 Outside of the town centres, within the settlement boundaries and the countryside, appropriate office development can often be a good neighbour and can provide employment opportunities for local people and thereby reduce commuting to larger urban areas.

HOME WORKING

2.70 Technological developments have produced a change in the working patterns and office arrangements to change. Increasingly the idea of the remote office or operation away from the main headquarters of a business has opened up the choice for employees to work from home.

2.71 Many businesses use the opportunity for home working for their employees as a way of creating satellite offices or allowing staff to achieve a better home and work life balance.

2.72 Within West Lindsey, 12% of the economically active population employed within the District work from home according to the 2001 Census.

CHAPTER 2 – RURAL ECONOMY (ECON)

POLICY ECON 11 – HOME WORKING

Small-scale, home-based businesses will be permitted provided that it can be demonstrated that:

- i. Residential amenity and character of the neighbourhood, or rural character, will not be materially or unacceptably harmed by virtue of noise, smell, traffic generation, health and safety impacts, scale, design, appearance or nature of operations;*
- ii. The operation of the business activity can be contained within the existing curtilage of the premises;*
- iii. The operation of the business activity does not require external modification of the premises.*

JUSTIFICATION

2.73 Small businesses often find it difficult to start up or continue because of a lack of acceptable premises within their means. Some businesses become established at home and have the potential to make a valuable contribution to local employment provision and the local community.

2.74 Small-scale home-based operations do not always require planning permission. This policy applies to proposals where consent is required, for example due to a change of use of part of the property occurring.

2.75 The use of a property for home working must not adversely affect the amenity or character of the surrounding area.

IMPROVING THE ACCESSIBILITY OF THE DISTRICT

2.76 In rural areas the quality of highway links is often crucial for the accessibility of the settlements and in particular the three towns of the District.

POLICY ECON 12 – IMPROVING HIGHWAY NETWORK LINKS FOR GAINSBOROUGH AND CAISTOR

The Council will work closely with the Highway Authority and other bodies to look at options for improved access between Gainsborough and the strategic motorway network.

The Council will look at improving access to Caistor by considering a Caistor Relief Road, utilising the A46 and North Kelsey Road.

JUSTIFICATION

2.77 Certain road schemes, although not actually proposed in the Lincolnshire Local Transport Plan (2006-2011), would be desirable within the District to improve its overall accessibility. In this case, access from Gainsborough to the motorway network, and improved access to the industrial areas of Caistor would be desirable. Should solutions be found through funding to assist with these issues or through a future Local Transport Plan, this policy would support those solutions in land use terms.

2.78 No route has yet been identified on the proposals map for links between Gainsborough and the strategic motorway network. As a result, it is not possible to suggest the protection of any areas of land from development within this policy. However, should routes be proposed in the future for improved access from Gainsborough or Caistor, as defined in this policy, the Council would wish any land surrounding the proposals to

CHAPTER 2 – RURAL ECONOMY (ECON)

be protected in order to avoid jeopardising the development of the road schemes.

THE LINCOLN EASTERN BY - PASS

2.79 The Lincoln Eastern By-Pass is part of a long-term development option in order to accommodate growth in the main urban centre for Lincolnshire and this policy should be read in conjunction with Policy STRAT 10 – Long Term Development Options.

POLICY ECON 13 – LINCOLN EASTERN BY - PASS

Planning permission will not be granted for development proposals which will prejudice the implementation of the road scheme for the Lincoln Eastern By-Pass, identified on the Proposals Map.

JUSTIFICATION

2.80 Lincolnshire County Council has planning permission for the Lincoln Eastern By-Pass and will continue to pursue this scheme through the relevant statutory bodies. Most road schemes are required to either reduce the present unacceptable effects of traffic in an area, or will be required to ensure that there is an adequate capacity for additional traffic produced by new developments. The Council will refuse any development that may jeopardise the implementation of this scheme, in the interests of protecting the City of Lincoln's sub-regional role. The Lincoln Eastern By-Pass is part of the overall range of projects set out in the Lincoln Transport Study.

2.81 The land surrounding the Lincoln Eastern By-Pass should be protected and therefore development on any sites which may hinder the progress of the by-pass should not be permitted. The construction of the Lincoln Eastern By-Pass is a fundamental measure required to help

achieve the increased regional importance of the Lincolnshire economy as set out in the Regional Spatial Strategy.

PROPOSALS INVOLVING OPEN STORAGE

POLICY ECON 14 – PROPOSALS INVOLVING OPEN STORAGE

Permission for the open storage of materials will not be granted unless the proposal meets all of the following criteria:

- i. It is situated alongside and is functionally related to an industrial or warehouse building;*
- ii. It incorporates landscaping and boundary treatments for screening;*
- iii. Materials are stacked or set out to minimise visual intrusion into the surrounding area;*
- iv. No operations are conducted which will harm the landscape character, amenities of nearby residents or other land users or cause the loss of wildlife habitats, or cause pollution, contamination of soil and/or surface and ground water, in terms of noise, smell, atmospheric or light pollution, health and safety impacts;*
- v. It does not reduce operational servicing and vehicle parking space;*
- vi. In the Lincolnshire Wolds Area of Outstanding Natural Beauty development proposals will only be permitted if it would not harm the natural beauty of the landscape or impose itself upon the skyline.*

CHAPTER 2 – RURAL ECONOMY (ECON)

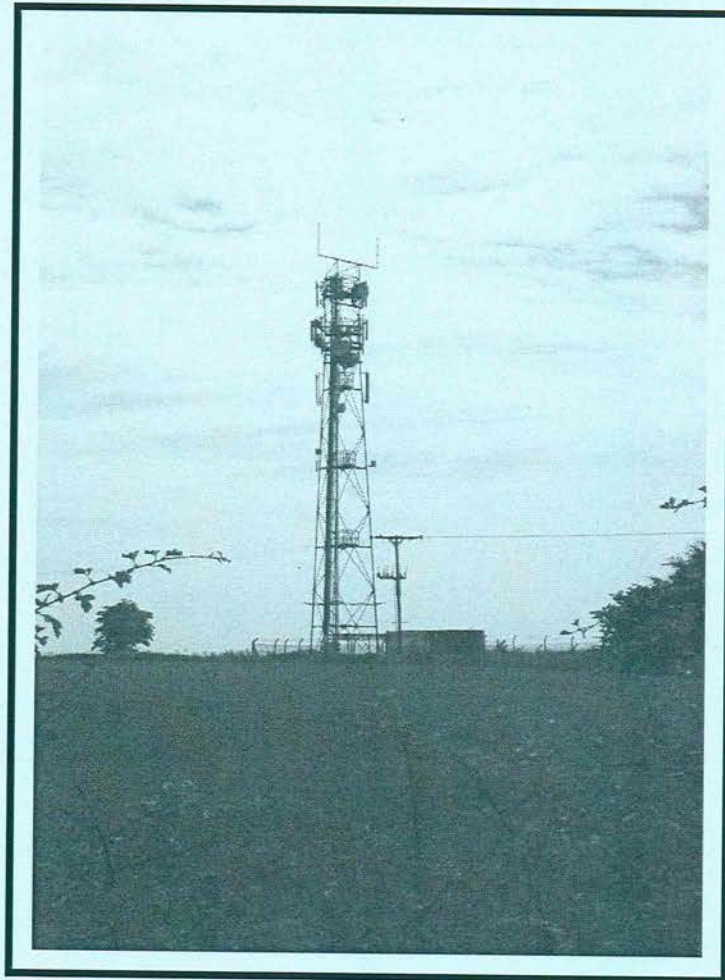
JUSTIFICATION

2.82 Industrial processes and activities usually require areas for the storage of raw materials, finished products or waste materials. If located in the open, such areas can be visually obtrusive and, depending upon the nature of the stored materials, can also be a nuisance. Open storage can cause problems within the locality, often causing considerable noise and odour nuisance at unsociable hours. It can also take up valuable space, which may be required towards operational servicing requirements or vehicle parking, causing problems with these activities having to take place elsewhere.

2.83 Operations involving manufacturing or warehousing should be carried out within purpose-built buildings, especially if in close proximity to residential areas.

WEST LINDSEY LOCAL PLAN FIRST REVIEW

JUNE 2006



CHAPTER 3: CORE



CHAPTER 3 – CORE POLICIES (CORE)

INTRODUCTION

3.1 The overall purpose of this Local Plan First Review is to provide guidance on the appropriateness of various forms of development throughout the district. In determining proposals, consideration must be given to the siting, design and appearance of a development as well as its impact on adjoining land uses or on the living conditions of neighbouring occupiers. Regard must also be taken of design and development standards contained in Supplementary Planning Guidance in assessing proposals.

3.2 Whilst some policies fall easily into defined categories relating to their specific function, a number of policies are either relevant to more than one type of development or are very specific to a particular form of development and as such do not sit easily in any specific category. Therefore, to prevent repetition of the same advice in the various chapters these matters have been included under the heading of Core Policies.

3.3 The Core Policies chapter will focus on a diverse range of topics ranging from highway infrastructure provision, advertisements, commercial pet establishments through to open space provisions within developments and telecommunications equipment.

AIMS AND OBJECTIVES

3.4 The aims and objectives of the policies in this chapter are:

- To improve accessibility to a wide range of functions throughout the District.
- To ensure that all advertisement proposals do not detract from the safety and the amenity of the locality.

- To ensure that the impact of the siting of telecommunications equipment, and other utilities apparatus on the natural and built environment is minimised.

NATIONAL, REGIONAL & STRATEGIC GUIDANCE

3.5 Because of the diversity of the policies included under the heading of Core Policies, a wide range of National, Regional and Strategic policy applies. The common factor is the requirement to enhance accessibility, reduce social exclusion and to improve and encourage the use of public transport in the District.

3.6 Specific advice on telecommunications development is contained in both the Lincolnshire Structure Plan Review and in PPG8 whilst PPG19 provides guidance on advertisement control.

CHAPTER 3 – CORE POLICIES (CORE)

VEHICLE AND CYCLE PARKING

STANDARDS

3.7 Car ownership levels in the United Kingdom are continuously growing. In both urban and rural areas the requirement to provide adequate parking provision for vehicles has to be balanced with the likely impact that the proposal has on the character and appearance of the locality, especially on defined Conservation Areas.

POLICY CORE 1 – VEHICLE AND CYCLE PARKING STANDARDS

Planning permission will be granted for development proposals which are in accordance with the locational policies set out in this Local Plan First Review; and which indicate that the appropriate vehicle and cycle parking spaces will be provided in accordance with the standards outlined in Appendix 9 to this plan for operational and non-operational use unless:

- i. Such provision would be detrimental to the character or amenity of the location; or*
- ii. A suitable alternative site/provision is available or will become within an agreed time period.*

JUSTIFICATION

3.8 Parking standards are used by the Council to determine the requirements for residential and operational vehicle parking spaces with a view on road safety and functional needs. However, in certain parts of the District where adherence to standards would have a detrimental impact on the character of the area, lower standards may be more appropriate. Appendix 9 outlines the maximum parking standards for all types of vehicles except cycles. The cycle parking standards in Appendix 9 are expressed as the minimum requirement in order to encourage more

cycling. The Council will apply these parking standards and not those of any other body, these differ to the national standards set out in PPG13 (Transport) and the standards used by Lincolnshire County Council as the Highway Authority. The standards set out in Appendix 9 are those which have been determined to meet the needs of West Lindsey.

3.9 The Council will take into account the fact that the operational parking spaces are provided to allow vehicles which must call at particular premises to park alongside, or close to them. Such vehicles include those which deliver goods to shops and offices. If they do not have a dedicated parking space/unloading bay, then they may often hold up other traffic by parking on public roads, or create an unpleasant and hazardous environment for those on foot by parking and manoeuvring in pedestrian areas.

3.10 The benefits of operational parking will be weighed against the impact that it will have on the character and visual appearance of the area when new developments are proposed. If it appears that appropriate provision can be made with no detrimental effect, then the standards outlined in the parking provision will be maintained. It may be that, through sufficient attention to the location, layout and design of operational parking areas, these can be satisfactorily accommodated.

3.11 In some cases it may be possible to accommodate the level of provision required without significant detriment to the character and appearance of the locality. In such cases the Council will need to be convinced that parking for operations that require the provision of parking spaces can be satisfactorily achieved without creating a dangerous or unpleasant environment for other users of the area. In this respect, alternative parking areas nearby, or the restriction

CHAPTER 3 – CORE POLICIES (CORE)

of delivery times to certain hours, may resolve any problems.

HIGHWAY DEVELOPMENT STANDARDS

3.12 The provision of highway infrastructure is a fundamental part of any proposal. Poorly designed roads and pavements can detract from the character and appearance of an area as well as potentially having a negative impact on the safety of vehicle users and pedestrians. Therefore it is imperative that development standards are in place to ensure that all new road schemes are acceptable in terms of design, appearance and safety.

POLICY CORE 2 – HIGHWAY DEVELOPMENT STANDARDS

Planning permission will not be granted for development proposals unless any associated roads:

- i. Meet acceptable standards of design, access and layout;*
- ii. Meet safety and functional requirements;*
- iii. Reflect the character of existing developments in the locality, and are designed so as to respect environmentally sensitive areas;*
- iv. Cater fully for the needs of people with impaired mobility;*

Where it is considered that development proposals require traffic calming measures on existing or new roads these should be agreed and provided.

JUSTIFICATION

3.13 New roads should be able to cater for the amount of traffic that is expected to use them safely and without generating traffic hazards. Functional and safety standards must be met in order for the specifications of the highway and planning authorities to be met. The Lincolnshire Design Guide, which was adopted as Supplementary Planning Guidance by all the authorities in Lincolnshire, sets out the full highway standards that the Council will expect all developments to follow.

3.14 In certain areas, it is important that the Council only allows new development to proceed if it reflects the character of the existing development, or the undeveloped character of the locality. Such areas include Conservation Areas and the Lincolnshire Wolds Areas of Outstanding Natural Beauty (AONB). Within such areas, the development of a new road, no matter how minor, may have a significant impact on the character of the area.

3.15 The potential for a detrimental impact on the surrounding area may be avoided or minimised by designing roads in such a way so as to be as unobtrusive as possible. This may at times involve the relaxation of the functional standards, or involve new and radical design solutions. These measures will be considered positively if the overall aim is to reduce the visual intrusion of the new road. Otherwise, the relaxation of standards will not be permitted for cost-cutting reasons or for convenience.

3.16 Traffic calming measures are often installed to bring significant improvements for the safety and living conditions of the local residents.

POLICY CORE 3 – NOW DELETED

CHAPTER 3 – CORE POLICIES (CORE)

PUBLIC CAR PARKING

3.19 The provision of a public car park facility can improve the economic viability of an area as well as contribute to reducing traffic congestion by decreasing the number of vehicles parked on the highway. However, improved parking facilities can promote car usage and reduce public transport viability. A balance must be struck between economic improvements and ensuring that accessibility for all types of transport users is maintained and promoted.

POLICY CORE 4 – PUBLIC CAR PARKING

Planning permission for the use of land for general public car parking will be granted providing the following criteria can be met:

- i. The land is located in an area where there is a demonstrable need for off-street car parking;*
- ii. The economic viability of the locality is likely to suffer without additional car parking;*
- iii. The use of the land would not be detrimental to the character of the surrounding area;*
- iv. The use would not detract from the amenity of existing neighbourhood uses;*
- v. The use of the land would not generate or aggravate highway or traffic problems;*
- vi. The proposal incorporates adequate provision for cycle parking or storage in the form of stands and/or lockers.*

JUSTIFICATION

3.20 The provision of car parking usually causes improvements to highway safety by allowing traffic to park clear of roads. Provision also allows surrounding uses to function properly and may maintain or improve the economic viability of an area, because visitors can easily park their cars.

3.21 However, the creation of parking areas can discourage the use of other forms of transport to reach an area, such as public transport, walking and cycling. Parking areas can detract from the character of an area by affecting the street scene with their open and (where the sites of demolished buildings have been used) semi-derelict nature.

3.22 The amenity of an area can also be affected by the continuous flow of vehicles into and out of car parks, creating noise, air pollution and general levels of activity. Highway safety must be carefully considered with the location of entrances and exits to car parks, therefore avoiding any additional hazards.

3.23 Because of the potential harm to an area in terms of safety, amenity and economic viability, a balance must be struck with parking provision. However, as a result of the potential harm to amenity, general public car parking will not normally be permitted in areas where the criteria outlined in the policy cannot be fulfilled.

RETENTION OF EXISTING CAR PARKS

3.24 The loss of an existing car park can have a negative effect on the accessibility of an area, in particular the smaller market towns. Therefore it is important when development proposals are submitted to have regard to the existing provision in the locality.

CHAPTER 3 – CORE POLICIES (CORE)

POLICY CORE 5 – RETENTION OF EXISTING CAR PARKS

Planning permission will not be granted for development which would result in the loss of an existing car park unless:

- i. There is a lack of demand for car parking and the parking area is under-used; or*
- ii. The parking area is no longer required as equivalent or better provision has been made in the locality; or*
- iii. An alternative nearby site can be provided to cater for the demand for car parking before the development commences.*

JUSTIFICATION

3.25 Although the provision of new car parks may be discouraged in order to attract the use of alternative forms of transport, existing off-street areas for car parking can be essential to the economic well being of the area. The removal of a car park may render an area less attractive to visitors, thereby creating an adverse effect on the economic viability of a town or a village.

3.26 Whilst the use of public transport is encouraged, an adequate level of car parking is also maintained. This is especially the case in the smaller rural market towns where there may be reliance upon car parking to attract visitors. The Council acknowledges that, as levels of car ownership continue to rise, the demand for car parking spaces will increase, therefore necessitating the need to protect existing car parks for public use.

3.27 However, where there is a lack of demand for car parking, the areas of land currently used as a car park may prove to be more beneficial if used

for development. Certain factors in a locality, such as an increase in the use of public transport, walking or cycling, may result in a reduction in the use of the private car, and consequently a reduction in the need for car parking. The most beneficial use for an area for car parking needs to be assessed.

ROADSIDE SIGNAGE AND ADVERTISEMENTS

3.28 Advertisements affect the appearance of the place where they are displayed and sometimes a wider area. There needs to be a balance between the commercial need for the advertisement and its visual impact on the surrounding environment.

CHAPTER 3 – CORE POLICIES (CORE)

POLICY CORE 6 – ROADSIDE SIGNAGE

Permission for directional signs located beyond highway boundaries and alongside other transport corridors will not be granted unless the signage:

- i. Is reasonably required in connection with, and to enable the public to locate, a business or activity which is not situated in a named place or readily identifiable location;*
- ii. Is sited to avoid creating any transport, highways or traffic hazard and must be near to, in case of highways, but not on highway land, not within 50 metres of an official traffic sign facing the same direction, and not more than 2 miles from the business it relates to;*
- iii. Does not exceed 0.15 square metres in area and the top of it is no higher than 3m above ground level;*
- iv. Identifies the premises only, does not include any motif or advertise a product and does not look like an official traffic sign;*
- v. Is not illuminated and is not finished in reflective material;*
- vi. Wherever possible makes use of an already existing means of support;*
- vii. Will not result in an adverse impact on either the residential amenity or the amenity of the wider landscape.*

JUSTIFICATION

3.29 Outdoor signage is an important aspect of commercial activity and the Council is keen to

support expansion in the local economy, including new businesses. Directional signs are helpful to businesses operating in more remote places, but there could be serious amenity and safety implications if numbers, location and design considerations were not carefully controlled.

POLICY CORE 7 – ADVERTISEMENTS

Consent will only be given for the display of an advertisement which does not detract from interests of public safety and amenity assessed in the context of the general characteristics of the locality, threat to highway safety, and any feature of historic, architectural, cultural or other special interest, including:

- i. The design, historic character, structures and the setting of Listed Buildings or scheduled ancient monuments;*
- ii. The character and appearance of Conservation Areas, or other areas of architectural, historical or townscape merit;*
- iii. The scenic beauty and landscape character of the Lincolnshire Wolds AONB, other areas of landscape value and the countryside in general;*
- iv. The special qualities and integrity of SSSIs and SNCIs.*

In Conservation Areas, the Lincolnshire Wolds AONB, and on Listed Buildings of special architectural or historic importance, consent will not be granted for advertisements unless appropriate natural materials (usually either wood or metal) are used and any illumination is external to the advertisement.

CHAPTER 3 – CORE POLICIES (CORE)

JUSTIFICATION

3.30 The purpose of Council policy is to protect and improve the pleasant environment of West Lindsey. In sensitive locations or settings in the District, poorly designed or positioned advertisements will be especially harmful. It is also the intention to avoid the adverse effect on road safety that certain types of advertisements have, either by intrusiveness, the diversion of the attention of road users or the interference with traffic information signs.

COMMERCIAL PET AND ANIMAL ESTABLISHMENTS

3.31 Commercial pet and animal establishments can have a negative impact on the living conditions of the occupiers of neighbouring properties in terms of potential noise nuisance, odour and general disturbance.

POLICY CORE 8 – COMMERCIAL PET AND ANIMAL ESTABLISHMENTS

Development of commercial pet and animal breeding, boarding or handling premises will be permitted provided that:

- i. It is not located adjoining a residential or other noise-sensitive use which is unconnected with the business;*
- ii. It would not adversely affect the amenity of nearby residents due to noise, smell, scale, layout, appearance, traffic generation and parking;*
- iii. There is sufficient land in the control of the applicant to house and meet the exercise needs of the animals;*

iv. It is accompanied by a scheme of noise attenuation measures to minimise the potential for disturbance to surrounding households/land owners;

v. It is accompanied by a landscaping scheme to effectively screen the use made of the site from the surrounding area.

JUSTIFICATION

3.32 Pet boarding or breeding establishments which are operated commercially can create a significant effect upon the amenity of the surrounding area.

3.33 Commercial boarding and breeding operations often involve relatively large areas of land in order to provide for kennels and activity/exercise areas for the animals. The potential impact of the buildings, combined with the noise, odours, and traffic generation can result in a detrimental impact upon the surrounding area. It is therefore important that such factors are taken into consideration.

RETENTION OF IMPORTANT OPEN SPACES AND FRONTAGES WITHIN OR ADJOINING SETTLEMENTS

3.34 Open spaces within a settlement are as important as the buildings in giving a settlement its unique character and form. They provide welcome breaks in the street scene and many allow views of the surrounding open countryside to be enjoyed from within the settlement. Some open spaces and/or frontages are also highly important to the setting of the settlement.

3.35 Many of the small spaces and gaps in towns and villages have disappeared due to development. In many cases this has affected the character and appearance of the settlements.

CHAPTER 3 – CORE POLICIES (CORE)

It is the Council's aim to ensure that in the future important open spaces or frontages in or adjoining settlements will be retained. There has been a rise in levels of infill housing development as a result of policy and economic changes. This often results in many open gaps or visual breaks in towns and villages coming under pressure for development. This policy seeks to protect the most important spaces and undeveloped road frontages in settlements from such development pressure.

POLICY CORE 9 – RETENTION OF IMPORTANT OPEN SPACES/FRONTAGES

Development will not be permitted:

- i. On the areas of open character to remain undeveloped as shown on the proposals map;*
- ii. Where it will adversely affect the open character or important feature of a protected frontage as shown on the proposals map;*
- iii. On other areas of open space/character within settlements not identified on the proposals map, where this would adversely affect the character of the street-scene or settlement or lead to a cramming effect within a settlement.*

JUSTIFICATION

3.36 The Council recognises that infill development is important to sustain housing and other developments within the towns and villages of the District. However, as open spaces can in some circumstances make an important contribution to the character and appearance of a settlement, the Council will seek to protect them from development.

3.37 Within towns and villages, informal open spaces, such as allotments and private gardens can often be of great importance to the character of a neighbourhood and policies have been devised with the aim of retaining these valuable spaces with amenity value.

3.38 The character of settlements is strongly influenced by what can be seen from the roads and the footpaths. It is often an open frontage or a feature, such as a brick wall or hedge, which contributes to the pleasant visual impact of a street scene. Redevelopment further back may be seen as acceptable, providing the essential character of the frontage is retained.

3.39 The main areas of open character to remain undeveloped and important open frontages are identified on the proposals map. However, there are other areas of open character or open frontages within settlements which should be equally protected under this policy but are not specifically highlighted on the proposals map.

OPEN SPACE AND LANDSCAPING WITHIN DEVELOPMENTS

3.40 The value of successful landscaping should not be underestimated, since it makes a very public contribution to the local environment. Commercial and industrial premises can often be intrusive forms of development. Good landscaping can help offset these effects and provide a good impression to visitors.

CHAPTER 3 – CORE POLICIES (CORE)

POLICY CORE 10 – OPEN SPACE AND LANDSCAPING WITHIN DEVELOPMENTS

New development proposals will be expected to include proposals for landscaping and open space which:

- i. Help integrate the development into the surrounding environment;*
- ii. Are planned as an integral part of the development;*
- iii. Ensure important natural landscape and nature conservation features are retained and where possible the opportunity to seek to enhance the site's wildlife value is undertaken;*
- iv. Ensure trees that are subject to a tree preservation order (TPO) are kept clear of proposed buildings and structures and are enclosed by fencing so they are not detrimentally affected by works connected with the development;*
- v. Seek to retain and protect existing trees and hedgerows on site;*
- vi. Take account of neighbouring uses in terms of amenity and safety considerations.*

JUSTIFICATION

3.41 This policy is intended to apply to all types of open space of public or private value, but particularly land which is not designated for the purpose of formal recreational use or play.

3.42 It is vital that development leads to the creation of new areas of open space. This will be especially important where it is considered that

the existing amount of open space is either inadequate to serve the settlement's needs or where areas which were previously open spaces have been built on. Each small area of open land helps to contribute to the diversity and the character of a settlement and can help to maintain attractive built environments.

3.43 There are many instances, such as new housing developments, where there will be a specific requirement for sports land, play spaces and land for informal recreation. In addition to this, however, in numerous types of development, the provision of general open space will improve the quality of the development, provide new amenity space for residents and contribute to the attractive character of our towns and villages. Such spaces for example may take the form of courtyards, communal gardens for residential homes, water features on housing estates, parkland on business parks.

3.44 The Council considers that the provision of sufficient and suitable landscaping is a priority in all forms of development. The benefit to the community of the provision of a well designed landscaping scheme is significant in comparison to the relatively small cost incurred by the developer as part of the scheme in totality.

TELECOMMUNICATIONS DEVELOPMENT, OVERHEAD TRANSMISSION LINES AND OTHER UTILITIES APPARATUS

3.45 Telecommunications are an essential ingredient in modern living as they benefit the community and represent an important and growing element in the national economy. Technology in the communications field is advancing rapidly and new improvements spread quickly to meet demands from all sectors of the community.

CHAPTER 3 – CORE POLICIES (CORE)

3.46 Central Government advice is set out in PPG8 (Telecommunications). The objective is to facilitate the growth of new technology to ensure that the needs of the users are met whilst also ensuring that the equipment required facilitating this growth does not have a negative impact on either the built or natural environment.

POLICY CORE 11 – TELECOMMUNICATIONS DEVELOPMENT

Telecommunications development will be permitted unless:

- i. The equipment would be out of scale with the building on which it would be erected and would detrimentally affect the appearance of the building; or*
- ii. It would harm the character and appearance of or would be visually intrusive in a street scene or a sensitive landscape or environment which has been recognised as being important such as the Lincolnshire Wolds AONB, other Areas of Landscape Value, SSSIs, Historic Parks and Gardens, Conservation Areas, Listed Buildings, Scheduled Ancient Monuments; or*
- iii. The siting or appearance of the equipment would harm the amenities of local residents;*

Any objection identified on the above grounds is not outweighed by the need for the development, bearing in mind the feasibility of meeting such need in any more acceptable way including sharing other facilities or the use of an alternative site.

JUSTIFICATION

3.47 In considering proposals for telecommunications developments the effect of the appearance of the equipment on both the natural and built environment will be an important consideration. The combined intrusive effect of a number of masts in particular areas will also be taken into account. To combat the appearance of a number of individual masts in the countryside or in urban areas it is expected that operators will look at mast-sharing opportunities as advised in PPG8 (Telecommunications).

3.48 It will be appropriate for applicants to demonstrate on submitting applications that the erection of telecommunications equipment would not cause harm to the environmentally or visually sensitive areas where the physical or visual impact would be particularly intrusive or damaging. The Lincolnshire Wolds AONB, Areas of Great Landscape Value, SSSIs and National Nature Reserves, should be avoided as locations for equipment installations.

CONSULTATIONS ON OTHER UTILITY APPARATUS

3.49 New overhead transmission lines and other utilities apparatus can often have a detrimental impact on the landscape. However, as many works are permitted development they fall outside of the scope of planning control this means that the powers of the Council are limited in directly controlling proposals to site potentially intrusive equipment.

3.50 The Council does have the right under Section 37 of the Electricity Act to be consulted on transmission lines proposals even though they are permitted development. When consulted the Council would normally oppose any proposals which are felt to be visually intrusive into the built or natural environment. Where this proposal will

CHAPTER 3 – CORE POLICIES (CORE)

have a significant negative impact on residential or landscape amenities the Council will press for lines to be located underground to minimise any such impact. Alternatively, route options should be explored to reduce any adverse impacts.

3.51 The Council will press for lines to be underground in the following sensitive locations:

- Conservation Areas;
- Lincolnshire Wolds Area of Outstanding Natural Beauty;
- Area of Great Landscape Value;
- Nature Conservation Sites;
- Within the setting of Listed Buildings

POLICY CORE 12 – NOW DELETED

WEST LINDSEY LOCAL PLAN FIRST REVIEW

JUNE 2006



CHAPTER 4: COMMUNITY, RECREATION & TOURISM



CHAPTER 4 – COMMUNITY, RECREATION AND TOURIST FACILITIES (CRT)

INTRODUCTION

4.1 A basic social requirement for residents of the District is the provision of recreation and community facilities. Through Local Plans adequate land and water resources should be allocated for both organised sport and for informal recreation. There are growing links between sport, recreation and tourism, and the economy of the District can be affected by the success of these types of facilities. Non-residents and visitors to the District may be attracted by the availability of plentiful indoor and outdoor recreational and sports facilities.

AIMS AND OBJECTIVES

4.2 The role of the planning system is in assessing opportunities and needs for sport, recreation and community use provision and safeguarding open space with recreational value. Policies in the Local Plan First Review in relation to recreation and community facilities should follow these objectives:

- Facilitate the provision of indoor and outdoor facilities to meet the needs of local communities.
- Protect public and private open space and other land of recreational, conservation, wildlife, historical or amenity value.
- Encourage the provision of playing fields where local communities have identified suitable projects.
- Support the Lincoln Greenways Strategy.

4.3 Although there is a strong relationship between the provision of recreation and community facilities and tourism facilities, the Council has specific objectives relating to the provision of tourism facilities. These are to:

- Encourage a range of appropriate tourism opportunities.
- Increase enjoyment and enhance the visitor experience.
- Encourage tourism proposals which will enhance, protect and work in harmony with the environment and heritage of the District.
- Protect the existing amenities of residents.
- Maintain, improve and increase the range and quality of visitor and holiday accommodation.

NATIONAL, REGIONAL AND STRATEGIC GUIDANCE

4.4 Tourism is an important part of the British economy; it provides a significant number of jobs and boosts the economy. In West Lindsey there is a need to develop both new tourism facilities to attract visitors and to maintain and enhance the District's existing recreation and community facilities. Such development will have a potential impact upon existing communities in terms of traffic and commercial competition etc. It is essential that the benefits of any new schemes outweigh any possible negative impacts.

4.5 The Regional Spatial Strategy for the East Midlands (RSS8) generally supports tourism. National policy is currently set out in PPG21 (Tourism) however this is due to be replaced in September 2006 by a Good Practice Guide. National policy for sport and recreation is set out in PPG17 (Planning for Open Space, Sport and Recreation).

4.6 Thus, any new development must meet the aims and objectives of the Plan as a whole including the desire for sustainable development. The Lincoln Area is the national pilot for the

CHAPTER 4 – COMMUNITY, RECREATION AND TOURIST FACILITIES (CRT)

Greenways Strategy. The Council will support the development of this national example as it will create safe routes for walking, cycling and horse riding on suitable paths or quiet roads.

LOCAL NEEDS RECREATION AND COMMUNITY FACILITIES

POLICY CRT 1 - LOCAL NEEDS RECREATION AND COMMUNITY FACILITIES

Proposals for the development of recreation and community facilities serving local needs will be permitted provided that:

- i. The development is of appropriate scale with regard to its settings and would not have an adverse effect on the character and appearance of the open countryside or settlement;*
- ii. The development would not have a detrimental effect on highway safety.*

In the Lincolnshire Wolds Area of Outstanding Natural Beauty, development proposals for recreation and community facilities will only be permitted if it would not harm the natural beauty of the landscape or impose itself upon the skyline.

JUSTIFICATION

4.7 The Council will in principle support any proposal to provide recreational or community facilities provided that they are genuinely to serve the local community. Other planning issues will be given consideration against the criteria in Policy STRAT 1, against which all developments are judged.

4.8 The Council will emphasise the need to ensure that new facilities enable the widest use by

local people, including the particular needs of the elderly and disabled.

4.9 Development can only be justified where it will not have an adverse impact on the character of the surrounding area.

STANDARDS FOR OPEN SPACE AND TOURISM FACILITIES

POLICY CRT 2 – STANDARDS FOR OPEN SPACE SPORTS PROVISION

Within settlements of greater than 2,500 population the Council will apply the standards contained within Appendix 10 for open spaces, play and sports provision.

Within settlements of population of less than 2,500 the provision of open spaces, play and sports provision will be based upon the findings of local surveys identifying deficiencies of provision.

JUSTIFICATION

4.10 The provision of open space, which has a recreational value, is essential to the social well-being of residents of the District. The 2001 Census will be used as the basis for population figures when applying this policy.

Settlements over 2,500 population are:

Caistor	2,601
Cherry Willingham	2,947
Gainsborough	16,869
Market Rasen	3,230
Nettleham	3,514
Saxilby	3,679
Scotter	2,591
Welton	3,821

4.11 Open space with a recreational value includes sports pitches, greens and courts,

CHAPTER 4 – COMMUNITY, RECREATION AND TOURIST FACILITIES (CRT)

training areas in the ownership of public and private bodies and playgrounds equipped for children of all ages. Also included is more informal play space within housing areas.

4.12 Sport and recreation facilities and open space can form an important component of housing, major office or retail developments as well as new initiatives.

LOSS OF RECREATION AND COMMUNITY FACILITIES

POLICY CRT 3 - LOSS OF RECREATION AND COMMUNITY FACILITIES

Development proposals which would lead to the loss of or reduce the suitability or adequacy of recreation and community facilities, to the detriment of the local community, will only be permitted provided that:

- i. The development proposal is of proven public interest that outweighs the recreation, leisure, nature conservation and amenity interest of the existing facility; or*
- ii. If the existing sport, recreational or community facilities can best be retained and enhanced through redevelopment of part of the site.*

Where such a proposal is considered acceptable, the Council will seek to secure, by negotiations, suitable replacement of lost recreational and leisure-related use elsewhere within the Plan Area where the need is greatest.

JUSTIFICATION

4.13 These facilities are being increasingly regarded as not just desirable, but essential requirements of the local community. They are

important because they provide an opportunity to protect, conserve and enhance wildlife habitats and ecosystems and help contribute to community identity and the health and well being of residents. Finding available, suitable and well-located sites can be difficult. Relocation of such facilities will not always be possible and will often necessitate accepting a less conveniently located site.

4.14 Public playing fields and play areas, as "under-developed" green areas, can often come under threat and therefore need special protection. This policy is consistent with and will be applied in conjunction with strategic policy in which it is concluded that recreational open space should be protected from development in Local Plans except where specific criteria can be met.

4.15 This policy approach is consistent with national policy, which advises that planning authorities should have regard to resisting pressures for the development of open space which conflict with the wider public interest. The Council through its Community Services Directorate will be identifying areas within the District where deficiency of existing recreation and sports provision exists.

PROTECTION OF COMMUNITY POST OFFICES, CONVENIENCE STORES AND PUBLIC HOUSES

4.16 Settlements containing a range of services and facilities are arguably more sustainable than those settlements without. The Rural White Paper highlighted the importance of retaining local services and facilities within villages.

CHAPTER 4 – COMMUNITY, RECREATION AND TOURIST FACILITIES (CRT)

POLICY CRT 4 - PROTECTION OF COMMUNITY POST OFFICES, CONVENIENCE STORES AND PUBLIC HOUSES

Planning permission will not be granted for new development or a change of use which results in the loss of a community post office, essential community convenience store or public house unless:

- i. A suitable and convenient alternative facility is available nearby either within the same settlement or a neighbouring settlement;*
- ii. It can be satisfactorily demonstrated that the facility is no longer economically viable in the long term for retail or public house purposes and that reasonable efforts have been made to market the property for a class A1 or public house use;*
- iii. The proposed use would have significant alternative benefits for the local community.*

JUSTIFICATION

4.17 In recent years some areas have suffered from a decline in services and facilities. This can be blamed on a number of reasons including the increased numbers of large supermarkets offering competitive prices, easily accessed by the increased usage of the private car and second home owners using services and facilities outside the settlement.

4.18 Retaining life services and facilities in smaller communities is essential for those residents who are unable to access services and facilities

elsewhere. A pub, a local shop or post office for example can also be a focal point in the community.

COUNTRYSIDE RECREATION FACILITIES

POLICY CRT 5 - COUNTRYSIDE RECREATION FACILITIES

Proposals for countryside recreational facilities will be permitted provided that:

- i. Development is of appropriate scale with regard to its setting and would not have an adverse effect on the character and appearance of the open countryside or settlement;*
- ii. The development would not have a detrimental effect on highway safety.*

In the Lincolnshire Wolds Area of Outstanding Natural Beauty, development proposals for recreation and community facilities will only be permitted if it would not harm the natural beauty of the landscape or impose itself upon the skyline.

JUSTIFICATION

4.19 The development of countryside recreational facilities is desirable to cater for existing and future demand and to help realise the tourism potential of the area. Conservation of the countryside will, however, remain of paramount importance. Development should not be visually intrusive or compromise the quality of life of local communities or the interests of agriculture, nature conservation or archaeology.

4.20 The capacity of local roads must also be sufficient to accommodate the traffic generated by the development. An example of a suitable facility could be a picnic area or the creation of a path as part of the Greenways network.

CHAPTER 4 – COMMUNITY, RECREATION AND TOURIST FACILITIES (CRT)

MAJOR FACILITIES WITHIN THE DISTRICT - RISEHOLME PARK UNIVERSITY CAMPUS

4.21 Riseholme Park is the University of Lincoln's rural campus where it provides amongst others the agricultural, horticultural and equestrian related courses. The University has developed it into an important educational facility for the County.

POLICY CRT 6 - RISEHOLME PARK CAMPUS (UNIVERSITY OF LINCOLN)

Within the Riseholme Park Campus as defined on the Proposals Map development proposals involving the expansion/alteration of existing educational related uses will be permitted provided that:

- i. The development is of appropriate scale with regard to its settings and would not have an adverse effect on the character and appearance of the open countryside, the setting of Listed Buildings or the setting of the Historic Park and Garden and Scheduled Ancient Monuments;*
- ii. The development would not have a detrimental effect on highway safety;*
- iii. The development would not have a detrimental effect on residential amenity by reason of noise and traffic.*

JUSTIFICATION

4.22 Riseholme Park campus has become an important educational facility in the District. The expansion or improvement of this educational facility would be a benefit to the District and the County as a whole.

4.23 This campus-style site is located in the open countryside; this policy is required to set a context for development proposals for the site. The site is also identified as a historic park and garden by English Heritage and therefore requires more careful consideration when development is proposed in order to ensure the character and setting of all of the historical and cultural assets of the site are not harmed.

MAJOR FACILITIES WITHIN THE DISTRICT - LINCOLNSHIRE SHOWGROUND AND MARKET RASEN RACECOURSE

4.24 Both the Lincolnshire Showground and the Market Rasen Racecourse are important assets to the County as a whole and to West Lindsey in particular. At the Lincolnshire Showground there are a range of uses which can be complementary to the principal use of the site for shows. Diversification into other uses on site can help to sustain the showground as one of the key agricultural show venues in the UK. The Market Rasen Racecourse is a well known and supported recreational and sporting venue for West Lindsey and beyond.

CHAPTER 4 – COMMUNITY, RECREATION AND TOURIST FACILITIES (CRT)

POLICY CRT 7 - LINCOLNSHIRE SHOWGROUND AND MARKET RASEN RACECOURSE

Within the Lincolnshire Showground Area as defined on the Proposals Map, development proposals for conference facilities, leisure and recreational uses will be permitted provided that:

- i. The development is compatible with and ancillary to the main showground use;*
- ii. The development is of appropriate scale with regard to its landscape setting and would not have an adverse effect on the character and appearance of the open countryside;*
- iii. The development would not have a detrimental effect on highway safety.*

Within the Market Rasen Racecourse Area as defined on the Proposals Map, development proposals for leisure, recreation, education and rural business opportunities together with ancillary equine related activities, retail and food and drink uses to serve the racecourse visitors will be permitted provided that:

- i. The development is compatible with the main racecourse use; and the ancillary equine related activities, retail and food and drink uses are located within the core of the existing built racecourse development;*
- ii. The development is of an appropriate scale with regard to the existing built form, its open landscape setting and would not have an adverse effect on the character and appearance of the open countryside;*

- iii. The development would not have a detrimental effect on highway safety.*

JUSTIFICATION

4.25 The Lincolnshire Showground is an important resource, attracting large numbers of visitors at certain times in the year. Its careful development with appropriate conference, leisure or recreational facilities could make a significant enhancement to this already well-known site. The close proximity of this site to Lincoln makes it ideally located to attract business visitors from the city. Accommodation proposals may be appropriate if they are provided as an ancillary element of any conference scheme.

4.26 The Market Rasen Racecourse is a prominent attraction within West Lindsey and therefore measures to increase the visitors to the venue would in turn aid rural tourism initiatives and the overall regeneration proposals for Market Rasen. A master plan shall be prepared by the owners in consultation with the District Council to devise a strategy for the continued development of the racecourse site. This would define the broad areas for the location of various land uses and activities, both existing and to be developed at the site, including the core area of the racecourse.

CHAPTER 4 – COMMUNITY, RECREATION AND TOURIST FACILITIES (CRT)

WATER-BASED RECREATION

POLICY CRT 8 – WATER-BASED RECREATION

Development proposals will be permitted which improve existing or provide new water-based recreational activities including:

- i. New car parking facilities and/or picnic facilities or other visitor facilities and/or information interpretation boards;*
- ii. Marinas or short-stay moorings at appropriate locations on the Witham, Trent, Ancholme and Fosdyke Navigations;*
- iii. New Fishing Ponds or Fishing Facilities.*

Provided that:

- a. Development is of appropriate scale with regard to its settings and would not have an adverse effect on the character and appearance of the open countryside or settlement;*
- b. The development would not have a detrimental effect on highway safety;*
- c. The development avoids damage to important and irreplaceable wildlife and natural assets, and minimises or compensates for the unavoidable effects.*

JUSTIFICATION

4.27 In the provision of water-based activities the environment should be a primary concern. Some activities are considered less damaging than others, for example fishing and windsurfing do not cause pollution, whereas damage to banks and

noise can be created by activities involving powerboats.

4.28 Visitors to the water may have an adverse impact on the surrounding countryside with increased traffic and litter generation, over-use of paths to banks and wildlife habitat destruction.

4.29 In addition to sporting activities, the waterways are also one of the principal leisure/tourism attractions and are therefore likely to be a focus of demands for new facilities which serve these needs.

4.30 Parking facilities are required for almost all recreational users. Activities are often interrelated; therefore proposals should take account of the need for wide-ranging and flexible use of the waterways and associated land.

4.31 Marinas provide permanent moorings for boats clear of the navigational channel, normally in the form of independent basins. Conflict is thereby reduced with other recreational users. Linear moorings are generally unacceptable to the British Waterways Board and the Environment Agency except as small capacity overnight facilities. Any proposal to create a marina development in Gainsborough will be strongly supported.

PUBLIC RIGHTS OF WAY AFFECTED BY DEVELOPMENT

4.32 Provision and retention of an extensive rights of way system is a crucial way of providing for informal countryside recreation whilst ensuring that the character of the countryside and interests of farmers are unharmed. These rights of way are becoming increasingly important to enable people to get away from busy roads. The County Council as a Highway Authority is responsible for

CHAPTER 4 – COMMUNITY, RECREATION AND TOURIST FACILITIES (CRT)

protecting the rights of the public to use and enjoy public rights of way.

4.33 District Councils may protect rights of way but are under no obligation to do so. The Council takes the view that the promotion and protection of footpaths and bridleways is of great importance.

4.34 Through neglect or mismanagement, public rights of way can become obstructed. Statute places a strong duty on farmers to restore quickly any disturbed footpath and ensure that the line is clear and unobstructed by crops.

4.35 Development can also affect public rights of way. Adequate consideration of rights to way needs to be given before planning permission is granted. Once granted, the right of way must be kept open and unobstructed until the statutory procedures authorising closure or diversion have been completed. This means that development must not commence if it is likely to obstruct any part of the footpath. The existence of a public footpath does not automatically indicate that development of the particular area of land is unsuitable.

POLICY CRT 9 – PUBLIC RIGHTS OF WAY

Development proposals involving the extinguishment or diversion of a public right of way will not be permitted unless an alternative right of way or the diversion proposed would not be significantly detrimental to existing users and potential future users.

JUSTIFICATION

4.36 The provision of public footpaths is an important attraction for visitors and local people, even though many footpaths and bridleways only extend for a short way. It is desirable to link

these to make longer walks and introduce a network between woodland walks, waterside walks, town paths, field paths etc, giving those without access to a car the opportunity to visit the countryside.

4.37 Because of the importance of the rights of way system, its quantity and quality should not be reduced. National policy indicates that the effect of development on a public right of way is a material consideration in the determination of planning applications. Proposals to create new cycle and pedestrian routes as part of new development are addressed by Policy SUS 4.

GOLF COURSES

4.38 Golf courses can be a popular proposition for landowners wishing to diversify away from farming. National policy expresses caution regarding development of 'soft' uses such as golf courses, where agricultural land or natural habitats are important since restoration of these previous uses is rarely possible.

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POLICY CRT 10 – GOLF COURSES

Development proposals for golf courses in the countryside will be permitted provided that:

- i. Any new buildings/structures necessary to the playing of golf are of an appropriate scale and design, and sited so as to minimise impact upon the landscape;*
- ii. There is no detriment to the countryside environment or amenity of the public generally;*
- iii. The proposals would not lead to an over concentration of golf courses in the locality;*
- iv. The development would not result in the loss of the best and most versatile land (Grades 1, 2 and 3a) or ecological features, or result in adverse impacts on any historic parks or gardens, or archaeological features on site;*
- v. The development makes provision for the retention and management of important landscape features and any landscaping reflects the area's character in form and choice of species;*
- vi. The proposed golf course should be located close to urban areas wherever possible and practical to avoid the need for extra travel;*
- vii. The development would not have a detrimental effect on highway safety.*

increasing. The land required for courses, between 60 to 80 hectares is significant and can have a substantial impact on the character of the countryside. The Council is concerned that the loss of large areas of land should not include large areas of high-grade agricultural land.

4.40 It will rarely be acceptable for golf courses to be sited in the Lincolnshire Wolds Area of Outstanding Natural Beauty (AONB). The appearance of the golf course is likely to be contrary to the basic principles of AONB designation, which are to protect and enhance the existing 'natural' beauty of the special landscapes.

4.41 Golf courses serve principally urban populations and should be located close to urban areas where possible to avoid the need for extra car journeys.

4.42 The success of many golf courses depends upon associated developments such as housing or leisure facilities. These facilities may significantly alter the character of the landscape. The Council will resist proposals for new golf courses which have unnecessary amounts of associated built development and which conflict with other policies in the Local Plan First Review.

JUSTIFICATION

4.39 The Council acknowledges that the popularity of golf as a recreational sport is

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EQUESTRIAN FACILITIES

POLICY CRT 11 - EQUESTRIAN FACILITIES

Development of equestrian facilities, both for commercial riding or private use purposes that require planning permission, will be permitted if:

- i. The proposal does not materially detract from the amenities or appearance of the surrounding area by reason of noise, smell, traffic generation or visual intrusion;*
- ii. The proposal does not adversely affect sites of ecological or historic or archaeological importance;*
- iii. The site is accessible to adequate off-road trails in the form of bridleways or sufficient land for exercising horses is available on site;*
- iv. The proposal is accompanied by an integrated landscaping scheme and a scheme of boundary treatment reflecting the character of the surrounding rural landscape;*
- v. The proposal uses existing buildings or, where new buildings are proposed, they are sited next to existing buildings or otherwise visually form an integrated part of the overall development;*
- vi. Where no stabling is proposed a minimum of 0.6 ha of grazing land per horse or pony is available;*
- vii. The development would not have a detrimental effect on highway safety.*

JUSTIFICATION

4.43 The District has a strong agricultural heritage. With the increasing desire for farm diversification and the opportunities for alternative uses such as leisure and tourism, this type of proposal may increase in the future.

4.44 It is important that, in the interests of animal welfare and the protection of the countryside, sufficient land for grazing is provided. The British Horse Society recommends that between 0.4 and 0.8 hectares of pastureland can provide grazing for a single horse through the summer months.

4.45 Any new buildings associated to this type of development must be screened with some form of boundary treatment. Because equestrian facilities will often be located in rural locations and in order to retain the rural character of the District, it is important that new buildings should be carefully chosen to reflect local tradition in terms of materials, size and scale. Where possible and appropriate, existing buildings should be re-used.

4.46 Locations of equestrian facilities need to take into account the availability of land for exercising horses or the availability of bridleways and off-road trails or suitable greenway routes. Access to these may need to be secured through private agreement.

4.47 The impact of such proposals must be taken into account in terms of effect on the amenity of nearby residents by reason of noise, smell or traffic generation.

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ENVIRONMENTALLY DAMAGING SPORTS

4.48 Certain types of sporting or leisure pursuits have particular planning implications, mainly by reason of noise generation.

4.49 Throughout Lincolnshire considerable use has been made of former airfields and agricultural land for motor sports. The concern is the impact events may have on the natural habitat, the amenity of local residents and the character of areas used for this type of activity.

4.50 Power boating and water skiing can conflict with demands for more passive water sports such as fishing. Clay pigeon shooting and the use of rifle ranges are arguably environmentally damaging. If these activities take place close to settlements they can give rise to noise which must be suitably mitigated to ensure no harm to the amenity of local residents.

4.51 Other leisure activities such as 'war games' can cause danger and disturbance to the environment as well as noise problems.

4.52 National policy indicates the importance of minimising the damage caused by sporting activity on adjacent land uses and considers suitable sites include degraded land, former mineral sites, and well screened areas.

4.53 Many uses covered by this category are carried out under the temporary use of land exemption identified in the Town and Country Planning (General Permitted Development) Order. Where such a proposal intensifies to the extent that planning permission is now required then regard will be given to the track record of the existing operation in relation to the impact it has had on residential amenity and the locality in general.

POLICY CRT 12 – ENVIRONMENTALLY DAMAGING SPORTS

Development proposals for outdoor leisure activities involving the use of motorised vehicles or firearms or other noisy or environmentally damaging sports will not be permitted within the following areas:

- *Lincolnshire Wolds Area of Outstanding Natural Beauty;*
- *Scheduled Ancient Monuments;*
- *Areas of Great Landscape Value;*
- *Sites of Special Scientific Interest;*
- *Sites of Nature Conservation Importance;*
- *National Nature Reserves;*
- *Regionally Important Geological, Geomorphological Sites; or*
- *Any other important natural areas.*

Elsewhere, development proposals will only be permitted if:

- i. They do not cause unacceptable disturbance to local communities and/or the environment by way of noise, odours, litter, traffic generation or visual intrusion;*
- ii. They do not harm the character, appearance and setting of or impose on the skyline of the landscape;*
- iii. They do not harm wildlife habitats;*
- iv. They do not create highway and road safety problems;*
- v. They are located where existing topography or landscape forms an effective noise barrier;*

(Policy continues overleaf)

CHAPTER 4 – COMMUNITY, RECREATION AND TOURIST FACILITIES (CRT)

- vi. *Appropriate attenuation measures are incorporated to reduce ambient noise levels to an acceptable level;*
- vii. *The hours of operation are strictly controlled.*

In all cases, conditions will be imposed on any planning permission, or a planning obligation entered into, to ensure that no successive alteration to the development would cause a noise problem.

Conditions will be imposed, where necessary, on planning permissions for noisy sports or recreational uses to ensure that all available sound attenuation measures appropriate to the activity are incorporated in the proposal so that, at 800 metres distance, sound levels are no greater than background noise levels expected in the locality.

JUSTIFICATION

4.54 A specific policy is needed for adequate control of potentially damaging sports. Local amenities of both residents and the area generally will be of paramount importance when proposals for the use of land for such sports are being considered. Where proposals are brought forward for development the applicant must demonstrate the socio-economic benefits to be gained from the increasing demand for such sports.

4.55 Rarely will such sports be acceptable in areas of special protection. The use of land for such activities would be contrary to national, strategic and regional policy guidance, which has a primary aim to protect the environment.

4.56 In all cases the Council will expect a thorough investigative report concerning the effect of the proposed use on the environment and the

landscape. The level of noise expected to be generated and how this should be mitigated, if appropriate, will also be included. The Council will ensure that the visual intrusion in the countryside will be kept to a minimum.

4.57 Restrictions on the hours of operation may assist in reducing the disturbance in the countryside.

SITES USED FOR EDUCATIONAL PURPOSES

4.58 Education is the responsibility of the County Council as the Local Education Authority (LEA). Schools act as a focal point for settlements so any closure is a significant loss to the community as schools often provide for far more than the educational needs of the pupils. Educational premises, sports halls and playing fields often have potential for a wider use and community benefit. The Council supports efforts to keep existing schools open in recognition of their wider social role.

4.59 In addition to making sound economic sense, the extended use of existing facilities and the joint provision and sharing of new facilities is an efficient use of resources and will help facilitate the provision of recreation and community facilities, which might otherwise not be attainable. Joint and extended use may not always be appropriate.

4.60 National policy encourages Local Authorities to make use of school premises for community recreation purposes. It is also indicated that, as valuable community assets, school playing fields should normally be protected.

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POLICY CRT 13 – SITES FOR EDUCATIONAL PURPOSES

Within sites used for educational purposes development proposals for non-educational uses will be permitted provided that:

- i. They are compatible with adjacent and existing uses;*
- ii. They involve buildings formally declared to be surplus to Local Education Authority requirement under the School Standards and Framework Act 1998.*

Development proposals involving the loss of school playing fields and other open spaces within educational areas will only be permitted provided that:

- a. The proposal is of proven public interest that outweighs the recreational and community interest of the site and has been declared surplus by the Local Educational Authority under the School Standards and Framework Act 1998; or*
- b. The facilities can best be retained and enhanced through redevelopment of part of the site; or*
- c. An equivalent area of open space can be provided equal amenity value to the local community with regard to the convenience of access and general amenity.*

JUSTIFICATION

4.61 It is important that school sites are safeguarded from other forms of development due to their valuable community and recreational use.

4.62 This policy reflects national policy on the importance of educational facilities in the context of the growing need for recreational land in the wider community. Green space is also an excellent educational facility as it gives people a chance to learn about nature and how to help protect it in practical ways. Once redeveloped, it is unlikely that school playing fields and other green spaces can be recovered as open space.

4.63 Given that West Lindsey is a rural area, like many other such areas, has seen a general decline in several facilities and services, it is the Council's view that educational establishments and their associated playing fields are assets too valuable to lose. In the policy it is indicated that equivalent provision must be made if redevelopment is proposed.

OTHER SERVICES IN THE COMMUNITY – RESIDENTIAL NURSING HOMES

4.64 Private residential and nursing homes are often established within existing larger and older properties both within settlements and in the countryside. There are a number of planning issues that need to be considered in association with such homes, whether it is a conversion or a new build scheme:

- Possible resulting age imbalance in the local community.
- Accessibility of the home in relation to commercial and community facilities.
- Effect on adjoining and nearby land uses.
- Vehicular access, parking and design.
- Possible need to restrict changes of use between the various categories within the

CHAPTER 4 – COMMUNITY, RECREATION AND TOURIST FACILITIES (CRT)

Residential Institutions Class of the Use Classes Order.

POLICY CRT 14 - RESIDENTIAL AND NURSING HOMES

Development proposals for residential homes or nursing homes including change of use of an existing building, extension or associated development will be permitted provided that the home is located within a settlement in a predominately residential area. In all cases the development shall:

- i. Not result in the loss of essential amenity open space or harm the general amenities or character of the locality;*
- ii. Be located close to existing services and facilities, including public transport and health services;*
- iii. Not, where appropriate, harm the existing character of the premises by conversion or extension;*
- iv. Provide suitable and adequate amenity open space and landscaping;*
- v. Not harm the amenities of adjoining properties or residents.*

JUSTIFICATION

4.65 It is expected that all residential and nursing homes will be located close to existing community facilities. This means that isolated developments, which may involve the conversion of older country homes outside settlements, are only likely to be acceptable with strong and exceptional justification. Many residents in such homes are without personal transport, therefore it is

reasonable to expect homes to be located on good public transport routes.

4.66 Where new developments, conversions or extensions are proposed, they will be expected to comply with normal planning control criteria that the Council applies to ensure a good standard of development. Private amenity space around the home is important and extensions that result in the reduction in such space to an unacceptable degree will be resisted.

RESIDENTIAL OR DAY CARE PROVISION FOR CHILDREN

POLICY CRT 15 – RESIDENTIAL OR DAY CARE PROVISION FOR CHILDREN

Development proposals involving the new build or the conversion of residential or other properties for residential or day care of children will be permitted provided that:

- i. It does not harm the quality of life of adjoining properties or residents;*
- ii. Suitable adequate outdoor play space is available;*
- iii. Suitable and adequate off-street parking or 'dropping and collection' areas are provided.*

JUSTIFICATION

4.67 Careful consideration of traffic generation must be made when assessing the development of day care uses. Parents can be arriving and leaving at peak times and often throughout the day, most will use cars. Large centres will generate a greater amount of traffic and as such should be sited to ensure no highway problems occur.

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4.68 Amenity space in association with the premises is important to ensure the children have somewhere to play outdoors.

4.69 Noise disturbance can sometimes be a problem to adjacent residents and careful consideration must be given to the proximity of adjoining neighbours.

TOURISM

4.70 The development of tourism facilities is encouraged due to the financial benefits they can bring to the District. It is essential however, that the possible negative impacts of any new development, including traffic generation, effect on the amenities of nearby residents and impact on the character of the area, are considered.

POLICY CRT 16 – GENERAL POLICY FOR TOURISM

Proposals for the development of tourist facilities or proposals likely to increase the attraction of the area to tourists, will be permitted provided that:

- i. The proposal is of a scale and type which respects and complements the character of the District's historic towns, attractive villages and countryside;*
- ii. The proposal has regard to the existing overall provision of other similar facilities in the locality and is of an appropriate scale having regard to the size and type of attraction it is associated with;*
- iii. Access is available, as far as practically possible by a choice of means of transport including public transport;*

- iv. The proposal would not have a detrimental impact on highway safety.*

In the Lincolnshire Wolds Area of Outstanding Natural Beauty tourist-related development will only be permitted if it would not harm the natural beauty of the landscape.

JUSTIFICATION

4.71 The Council is keen to promote appropriate tourism throughout West Lindsey, in the interests of boosting the local economy, providing job opportunities and providing facilities for the enjoyment and satisfaction of visitors and residents alike.

4.72 The realisation of existing, and development of further tourism potential depends upon the provision of adequate tourist facilities of various kinds. While tourism can sometimes conflict with environmental objectives and compromise the amenity interests of local communities, through appropriate management, tourism and the natural environment can be united to provide an enhanced visitor experience.

4.73 Poorly located or badly designed developments can easily damage rural areas. Proposals for tourist developments must therefore take account of landscape, village character, natural history, traffic and agriculture as well as the commercial requirements of developers and operators.

HOLIDAY ACCOMMODATION

4.74 Appropriate accommodation is important when promoting tourism. This policy seeks to facilitate suitable proposals to help to attract visitors to the District.

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POLICY CRT 17 – HOLIDAY

ACCOMMODATION

The development of holiday flats, holiday cottages, hotels, motels and guest houses will be permitted in the countryside provided that:

- i. The development is located within a settlement; or*
- ii. Development is in association with existing or proposed tourist facilities; or*
- iii. Development is contained within a building or group of buildings with an existing residential use and character and that residential character is not altered; or*
- iv. The proposal relates to the rural diversification of a farm holding in accordance with Policy ECON 4.*

And provided that:

- a. The development would not have an adverse effect on the character and appearance of the open countryside, settlement or locality in which it is situated;*
- b. The development is compatible with its surroundings in terms of scale, design, materials and landscaping;*
- c. The development would not have a detrimental effect on highway safety;*
- d. The development would not have an adverse effect on neighbouring residential, amenity or other land uses.*

JUSTIFICATION

4.75 Through this policy the Council seeks to guide new accommodation facilities to towns and villages, which already have some of the services, and facilities tourists may need. However, the character of smaller settlements may be affected by large numbers of visitors in terms of traffic generation leading to conflicts between the needs of visitors and residents.

4.76 Normally, holiday accommodation should aim to blend into the existing form and architectural style of settlements. In this context, conversion and change of use of existing buildings is likely to be more acceptable than new build.

LOSS OF TOURIST ACCOMMODATION OR SITES

4.77 With the growth of the tourism industry, holiday accommodation has a vital role in attracting visitors to the District. Demand can fluctuate but, overall, a good choice of such premises will contribute to the vitality of an area and, once lost, such accommodation can be difficult to replace in the short term.

POLICY CRT 18 – LOSS OF TOURIST ACCOMMODATION OR SITES

A change of use of existing static holiday caravans, holiday chalets or other tourist accommodation to permanent residential accommodation or redevelopment of the site for housing will not be permitted unless it meets all the criteria applied to housing proposals of the same scale.

JUSTIFICATION

4.78 Modern caravans and chalets are very sophisticated and, in many ways, reasonable

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permanent homes but, most are not designed to be lived in all year round.

4.79 Purpose-built housing will almost always provide a higher standard of accommodation for year-round use. If occupied permanently, there are likely to be requirements for other services such as water and sewerage, roads and schools.

4.80 Where other purpose-built holiday accommodation, such as flats and holiday cottages, is proposed for permanent residential use, the same presumption against change of use applies.

CARAVAN SITES

4.81 There is a need in Local Plans to consider the impact of caravans on the amenity of surrounding residents and the visual impact of siting groups of caravans. Any structure falling within the statutory definition of a caravan will be determined in accordance with this policy.

POLICY CRT 19 - CARAVAN SITES

Outside areas that are the subject of special protection proposals for the development or extension of caravanning and camping facilities will be permitted provided that:

- i. The development is associated with existing or proposed tourist attractions;*
- ii. The site can be suitably screened by existing land forms and/or vegetation and will not be visible for long distances;*
- iii. The provision of any ancillary development is restricted to those facilities which are required to service the site;*

iv. The development is of appropriate scale with regard to its setting and would not have an adverse effect on the character and appearance of the open countryside or settlement;

v. The proposal has regard to the existing overall provision of other sites in the locality and will not lead to an over concentration in the area.

JUSTIFICATION

4.82 Areas of special protection include the Lincolnshire Wolds AONB, Sites of Special Scientific Interest, Conservation Areas, Areas of Great Landscape Value, Sites of Nature Conservation Importance and the setting of Listed Buildings. All these areas are recognised to be of a particular character, which is sensitive to new development. Caravan and camping facilities could rarely be satisfactorily assimilated into the landscape or built form of these special areas.

4.83 Where permission is granted, the site should be adequately screened to minimise its impact on the landscape and should not be visible for long distances.

4.84 The scale of the facility should also reflect the tourist attraction which it serves, and the availability of other such facilities in the area. In West Lindsey the majority of caravan sites also serve the needs of walkers or cyclists and are not therefore associated with any large built facilities.

4.85 The need for on-site facilities and in some instances warden's accommodation is recognised, but these should be restricted to the site's immediate needs. Caravan sites shall not be deemed to require new dwellings or additional facilities such as shops, cafes and petrol stations in the countryside. Dwellings associated with

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these sites will need to satisfy similar criteria to those permitted in association with agriculture and forestry as set out in PPS7 (Sustainable Development in Rural Areas).

4.86 The Council aims to provide a variety of sites to allow visitor choice. Inadequate provision of sites can lead to overnight parking of caravans in lay-bys and field gateways, which leads to visual intrusion and road safety and public health hazards.

4.87 Restricting the use of a site and warden's accommodation to the holiday season will ensure that those vans are not used for permanent residential purposes. Storage of vans will rarely be allowed on such sites. However, it is accepted that there is a trend towards tourism as a year-round activity, effectively extending the length of the holiday season, and bringing economic benefits.

WATERCOURSE CORRIDORS

4.88 A watercourse corridor is the area of land that is physically and visually linked to each watercourse. It forms a continuous corridor of land along the length of the river. Studies have shown that there is a correlation between watercourse corridors and existing environmental designations, notably Sites of Scientific Interest, and Areas of Outstanding Natural Beauty. In urban areas, the importance of watercourse corridors is even more pronounced as they are one of the few remaining features to link areas of open space within the urban area to the countryside beyond via Green Wedges. Such links are significant not only for amenity and recreation but also for wildlife.

POLICY CRT 20 – WATERCOURSE CORRIDORS

Development will not be permitted which would lead to the unacceptable loss of or cause significant harm to the landscape character, nature conservation importance or recreational roles of the watercourse corridors throughout the plan area, including the Trent, Ancholme, Rase, Witham, Fossey, Till, Eau and Barlings Eau watercourses and those minor watercourses which flow through urban areas.

JUSTIFICATION

4.89 The Council recognises that watercourse corridors are of great importance for water resources, water quality, nature conservation, fisheries and recreation and they often make a significant contribution to the character of the landscape.

4.90 In many instances watercourse corridors are an important source of open space and provide channels between open spaces, which can be crucial to the survival of wildlife.

4.91 The Council will support initiatives and proposals that will result in the conservation or enhancement of the natural elements of the river environment and result in landscape improvements, or will enhance opportunities for public access to rivers and for water-based recreation.

WEST LINDSEY LOCAL PLAN FIRST REVIEW

JUNE 2006



CHAPTER 5: RETAIL & TOWN CENTRES



CHAPTER 5 – RETAIL AND TOWN CENTRES (RTC)

INTRODUCTION

5.1 The primary role of the town centre is often shopping as it is both a necessity and recreational activity which can take place on a day to day basis for essential items of food and drink or less frequently for items such as clothes, decorative or functional items for the home and lifestyle to meet individual aspirations.

5.2 One of the indicators of a buoyant local economy is the performance of the uses within the town centre in terms of their vitality and viability. A number of indicators are used to make this assessment including commercial property yields, shop rents, pedestrian numbers and movements, the nature and diversity of uses and the proportion of vacant units.

5.3 Shopping has changed dramatically, largely as a result of changing lifestyles. Greater affluence has increased our personal mobility, demand for higher quality products, greater convenience and shopping environments.

5.4 Not all of the changes have been positive. Some shopping centres have suffered decline as a result of larger out-of-town centres being built that offer a 'one-stop-shop' for consumers with busy lifestyles, limited time and also seeking a broader shopping experience with restaurants and ancillary leisure facilities. The resulting impact of the out-of-town centres has reduced the confidence in the traditional town centre as retailers have relocated to the new centres leaving vacant units, reduced variety and quality of goods offered, and declining environmental quality through lack of investment. Another result has been the introduction of shopping activity into quiet, previously undeveloped areas.

5.5 Although shopping is a key function of town centres, it is important to remember the ancillary

uses and services which can also be found in town centres. Town centres are also places where people live, work and find their entertainment, leisure and recreation facilities. In broad terms, the town centre acts as an advertisement for an area, promoting its attractiveness, sense of worth and good image.

AIMS AND OBJECTIVES

5.6 The Council is committed to maintaining and enhancing the shopping role of its town and village centres and accommodating, where possible, the development requirements of new retailing trends. There are a number of aims and objectives:

- To accommodate any new retail and associated development within the three town centres to strengthen the role as a retail and service centre in order to maintain and enhance the vitality and viability of the town centre economy.
- To ensure that outside the town centres, everyday shopping and service requirements can be met and be accessible to all in the community.
- To prevent the development of out-of-town retail floorspace which is detrimental to the economy of the town centre and increases the use of private transport.
- To ensure that the design of new retail proposals is appropriate to the character of the location.

CHAPTER 5 – RETAIL AND TOWN CENTRES (RTC)

NATIONAL, REGIONAL & STRATEGIC GUIDANCE

5.7 Central Government Policy in PPS6 (Planning for Town Centres) seeks to promote the vitality and viability of the town centres and ensure the existence of a wide range of facilities, services and retail outlets. In particular National policy emphasises a sequential approach for selecting sites for development for retail and commercial leisure and other key town centre uses. PPS7 (Sustainable Development in Rural Areas) sets out how larger villages should be seen as local service centres.

5.8 Diversity of town centres is the key to their success and careful attention should be paid to proposals for town centres, which will enhance their vitality and viability. Some retail proposals can have a seriously adverse effect on the town centre, damaging both the vitality and viability of the retail and entertainment uses within it.

5.9 The Regional Spatial Strategy for the East Midlands (RSS8) highlights the importance of maintaining the network and hierarchy of established town centres, which play a pivotal role in the region's economic and social life. More specifically, the Strategy calls on Development Plans to promote mixed-use developments within town centres, which are hailed as the most effective mechanism for enhancing town centre vitality and viability in the longer term.

5.10 Furthermore, RSS8 suggests that retailing should underpin the strength of the town centres but they should also be a location for community, civic, cultural, entertainment and leisure facilities. Mixed-uses can stimulate the interaction of shopping, culture, leisure, entertainment, education and residence to keep the town centres alive, reduce the need to travel and add viability to the schemes.

5.11 At the strategic level, the Lincolnshire Structure Plan Review identifies a functional hierarchy of the County's town centres. Within this hierarchy Gainsborough is classified as a 'Main Town' with Market Rasen and Caistor being identified as 'Small Towns'.

5.12 The strategy set out in the Structure Plan Review seeks to maintain and strengthen town centres as the primary shopping and service locations within the County by encouraging within them a mix and diversity of land uses. The Structure Plan Review also reaffirms the sequential approach to be adopted for selecting sites for the large retail developments.

RETAIL AND TOWN CENTRES IN WEST LINDSEY

5.13 In 2001 the Council commissioned a 'Retail and Commercial Leisure Study' for the District. The report produced by Drivas Jonas has been used as a 'health check' of existing towns and provides an independent retail-based assessment of future need and demand for retail facilities in the District. The findings of the study have informed the policies within this chapter.

5.14 A priority for the Council is to encourage the regeneration of the three towns of Gainsborough, Market Rasen and Caistor by promoting and enhancing the retail and service functions.

5.15 In Gainsborough, the largest of the three market towns, the services and facilities are concentrated in the Market Place extending to Silver Street, Lord Street, Market Street and the southern end of Church Street. A market is held every Tuesday and Saturday in the market square.

5.16 Market Rasen is the second largest market town, with a produce market held every week. The

CHAPTER 5 – RETAIL AND TOWN CENTRES (RTC)

Council has a rural development project underway based around its tourism potential and a number of town centre improvements are planned. Caistor has half the number of shops, services and facilities as Market Rasen and its small market is held once a week.

5.17 The primary settlements act as service centres in their own right for the smaller surrounding settlements, which have few or no shops, services and facilities.

5.18 Within the smaller rural settlements, visits by the mobile shops are particularly valuable if very limited or no services or facilities exist. The Council will encourage small post offices or convenience stores to meet local needs. Policy CRT 4 offers protection for rural post offices and is in line with the Central Government's Rural White Paper.

TOWN CENTRE DEVELOPMENT

POLICY RTC 1 – TOWN CENTRE DEVELOPMENT

Within the Town Centres of Gainsborough, Market Rasen and Caistor planning permission will be granted for the following types of new and refurbished development:

- i. Shops (A1);*
- ii. Businesses (B1) (usually at upper levels);*
- iii. Residential (C3) (usually at upper levels);*
- iv. Financial and Professional Services (A2);*
- v. Food and Drink Establishments (A3/A4/A5);*

- vi. Hotels (C1);*
- vii. Residential Institutions (C2);*
- viii. Community Facilities (D1) open daily;*
- ix. Leisure and Recreational Facilities (D2);*
- x. Taxi and Vehicle Hire Businesses;*

Provided that:

- a. They do not detract from the centre's primary shopping function;*
- b. They have regard to the existing character and function of the shopping street;*
- c. They would not harm the vitality and viability of the town centre by way of leading or adding to a concentration of non-class A1 uses;*

Or if:

- d. Allowing a non-class A1 use would be the most effective means of restoring or improving a building of historic or architectural merit; or*
- e. They would make an important contribution to the vitality and viability of the town centre;*

And provided that:

Food and drink establishments (A3/A4/A5) and leisure and recreational facilities (D2) accord with the requirements of Policies RTC 5 and RTC 9.

(NB. The detail within the brackets refers to the Use Classes Order.)

CHAPTER 5 – RETAIL AND TOWN CENTRES (RTC)

JUSTIFICATION

5.19 This policy is designed to deal with proposals for a range of specified uses which the Council would prefer to see located within more tightly defined town centre boundaries.

5.20 The policy is positively worded and designed to strengthen the role of town centres by attracting shoppers and visitors from beyond the local area. Shopping should underpin this strength but town centres should also be promoted as mixed land use areas, offering shopping, business, culture, leisure, recreation, residence and education opportunities.

5.21 The Council seeks to protect the shopping function of the town centres by discouraging an over concentration of non-A1 uses.

5.22 It is recognised however, that a non-A1 use may be the only way of restoring or improving a building and supporting a wider regeneration programme. Additional criteria relating to A3, A4 and A5 uses are set out in Policy RTC 9. Additional criteria for miscellaneous town centre uses are also set out in Policy RTC 5.

RETAIL DEVELOPMENT IN TRINITY STREET, GAINSBOROUGH

POLICY RTC 2 – RETAIL DEVELOPMENT IN TRINITY STREET, GAINSBOROUGH

Within the defined Trinity Street area of Gainsborough (as identified on the inset map), planning permission will be granted for the following types of new and refurbished development:

- i. Business (B1);*
- ii. Residential (C3);*

- iii. Food & Drink Establishments (A3/A4/A5);*
- iv. Hotels (C1);*
- v. Community Facilities (D1) open daily;*
- vi. Leisure and Recreation (D2);*
- vii. Taxi and Vehicle Hire Businesses;*
- viii. Small-Scale Retail (A1) to serve a local need only;*

Provided that:

- a. They would not individually harm or cumulatively harm the vitality & viability of Gainsborough town centre;*
- b. They would have regard to the existing character and function of the area;*
- c. There are no unacceptable implications for nearby residential amenities by way of traffic, noise or odours;*
- d. Adequate on- or off-street, car & cycle parking is provided where appropriate;*
- e. They would not cause pedestrian & vehicular conflict;*
- f. The hours of operation and any open storage are strictly controlled and a means to restrict and control litter is provided, where appropriate;*
- g. Food & drink establishments (A3/A4/A5) and recreational facilities (D2) are in accordance with the requirements of Policies RTC 5 and RTC 9.*

(NB. The detail within the brackets refers to the Use Classes Order.)

CHAPTER 5 – RETAIL AND TOWN CENTRES (RTC)

JUSTIFICATION

5.23 This policy is primarily designed to prohibit and restrict new development proposals for A1 and A2 uses along Trinity Street. During the previous plan period Trinity Street was defined as a secondary shopping zone within which A1 and A2 uses were considered acceptable in principle. This previous policy stance has helped to contribute to a dispersal of shopping activity away from the main shopping centre around the Market Place, Market Street, Silver Street and Lord Street resulting in an increase in town centre vacancy rates and damage to the centre's vitality and viability.

5.24 The Council considers that the newly defined town centre (as identified on the inset map) should be a prime location and focus for future A1 and A2 development in order to stimulate further pedestrian activity and retailer demand for locating within the town centre.

5.25 Within Trinity Street the Council will look favourably upon new proposals for a variety of developments, which encourage the sustenance and enhancement of a mixed-use character within which businesses, leisure and community uses can flourish. This approach should act as a mechanism to diminish the capacity of the Trinity Street area to compete with the main shopping centre.

5.26 Trinity Street is an important thoroughfare within the town. It is important, therefore, that new development proposals do not create or exacerbate highway problems through significant traffic generation and on-street car parking.

5.27 Proposals will be expected to safeguard residential amenity, be reflective of the existing street character and be capable of adequate controls over their nature and operation through

the imposition of conditions on planning permission.

5.28 Small-scale retail proposals designed to meet local needs within the immediate hinterland of Trinity Street may be acceptable. Local needs development is defined as that which is likely to increase the accessibility of shopping facilities to local people, particularly those without cars and which can help to reduce the need to travel by car.

5.29 In assessing whether a shopping proposal is primarily to serve local needs, regard will be had to the scale of the development, the type of goods to be provided and existing retail provision in the locality. Generally, facilities should not attract shoppers from outside the local Trinity Street neighbourhood.

CHAPTER 5 – RETAIL AND TOWN CENTRES (RTC)

VILLAGE CENTRES IN PRIMARY RURAL SETTLEMENTS

POLICY RTC 3 - RETAILING AND VILLAGE USE AREAS IN PRIMARY RURAL SETTLEMENTS

Within the primary rural settlement village centre boundaries as identified on the proposals map, planning permission will be granted for new and refurbished development proposals within classes A1, A2, A3, A4, A5 and D1 of the Town and Country Planning Use Classes Order, and community and service uses, provided that they:

- i. Serve a local need only;*
- ii. Would not detract from the area's primary function as a local shopping and service destination;*
- iii. Do not harm the amenities of nearby residents;*
- iv. Include the provision of safe car parking facilities if they are not already conveniently located nearby;*
- v. Are of a scale, design and character, which is reflective of and sympathetic to the surrounding neighbourhood streetscapes.*

JUSTIFICATION

5.30 Many of the District's most populated villages, termed 'primary rural settlements', have a distinct area where concentrations of retailing and community activity performing an important local service role can be found. These areas are characterised by a collection of small retail units and service provision such as a health centre, village hall and library. These areas are a focus

of rural and community life and perform a vital support and 'top-up' role to the larger town centres and, over time, have developed their own unique and distinctive characters. The Council wishes to see this role and character sustained, protected and enhanced with a small retail hub forming the key land use activity.

5.31 New retail and community development proposals within these areas should be small in scale in order to maintain their attraction to local communities only and be reflective of the local service centre character.

5.32 Shopping development proposed to be located within primary rural settlements but outside of the defined areas will not be looked upon favourably by the Council.

5.33 This policy is designed to focus and promote shopping activity within the defined primary rural village areas to prevent dispersal and vacancy. In relation to new community facilities, however, it may be more appropriate in some cases to locate outside the area due to space requirements. Individual proposals will be judged on their merits but the primary aim will be to sustain and enhance the vitality of the area.

CHAPTER 5 – RETAIL AND TOWN CENTRES (RTC)

MAJOR RETAIL DEVELOPMENT

POLICY RTC 4 – MAJOR RETAIL DEVELOPMENT

Planning permission will be granted for major non-food retail developments, such as retail warehouses, factory outlets and major food retail developments such as supermarkets, provided that:

- i. A sequential approach to site selection is adopted, favouring town centres, followed by edge of centre sites, the redevelopment of existing retail facilities, district and local centres and only then out of centre sites;*
- ii. A clear retail 'Need' for the proposal is demonstrated other than for town centre locations;*
- iii. They would neither directly, or in combination with other committed development, damage the vitality and viability of the town centre within the District or centres in neighbouring Districts where the proposal is not for a town centre location;*
- iv. They are located so that transport choices and accessibility can be maximised;*
- v. Parking provision is restricted to the agreed maximum level set out in the appendices suitable for this type of proposal;*
- vi. They are of a design, scale and character which is sympathetic to the surrounding landscape or townscape.*

JUSTIFICATION

5.34 The independent retail and commercial leisure study in 2001 concluded that there may be scope within the District over the plan period for a small retail warehouse park.

5.35 Current demand for further retail warehouse representation in the District is low, due primarily to the close proximity of other retail warehouses just beyond the District's boundaries.

5.36 Economic capacity for further retail floorspace in this sector will depend to a large degree on a demonstrable increase in the available expenditure of the District's residents. A small retail park could also help to claw back expenditure which is currently leaking out of the District and would be beneficial in sustainability terms by helping to reduce journey times to competing facilities beyond the District's boundaries. However, it is anticipated that economic capacity for further floorspace will take time to materialise and thus the Council will take a cautious approach towards proposals for this type of development early on in the plan period.

5.37 The requirement to demonstrate a need for further retail warehouse floorspace by a relevant assessment will form a key element of any planning application. This will need to address the impact the proposal may have on the vitality and viability of all surrounding centres.

5.38 There are many indicators of need and other material considerations of which applicants should take account. These include:

- Expenditure Growth or Economic Capacity.
- Retailer Demand.
- Regeneration/Urban Renaissance Enabler Argument.

CHAPTER 5 – RETAIL AND TOWN CENTRES (RTC)

- Demonstrated Demand from Public through Consultation Exercise.
- Physical Capacity of Site to Accommodate Proposed Development.

5.39 As well as demonstrating need, applicants will also be required to select a sequentially preferable site in order to help sustain and enhance the vitality and viability of the town centre. Town centre sites will always be the priority and the Council considers the former Britannia Works site in Gainsborough to be the most preferred location. This site is currently being developed as the new Marshall's Yard complex.

5.40 Overall, the aim of the Council is that any new major retail development should complement the existing town centre of Gainsborough as a priority. It should not be of a scale that will pull shoppers away from the town centre, or nearby village centres, as this will damage their economic base and adversely impact upon the vitality and viability of the existing centre. The proposal should allow access to all of the community and by modes of transport other than the private car; and should not have a detrimental visual effect on the surrounding area.

MISCELLANEOUS TOWN CENTRE USES

5.41 The town centre should be a place where more services and facilities are provided to complement the retail function. Town Centres are locations where a balance between retail, leisure and related services can aid the overall vitality out of normal shopping hours.

POLICY RTC 5 – MISCELLANEOUS TOWN CENTRE USES

Within the defined town centres, planning permission will be granted for new and refurbished miscellaneous development proposals, including taxi ranks, amusement arcades, night clubs and entertainment centres, etc, provided that:

- They would not harm the vitality and viability of defined town centres by way of encouraging a concentration of similar non-class A1 uses;*
- They would not cause pedestrian and vehicular conflict;*
- Adequate on- or off-street car and cycle parking is provided where appropriate;*
- There are no unacceptable implications for nearby residential amenities by way of traffic, noise or odours;*
- The environmental character and appearance of the area is not harmed;*
- The hours of operation are strictly controlled and a means to control litter is provided;*
- They would not have a detrimental effect on the character of any Conservation Area or Listed Building.*

JUSTIFICATION

5.42 A variety and diversity of land uses and activities can assist in sustaining and enhancing the vitality and viability of defined town centres. However, caution does need to be taken with less

CHAPTER 5 – RETAIL AND TOWN CENTRES (RTC)

conventional proposals which may dilute or undermine this primary shopping role.

5.43 This policy is designed to cover an array of potential land use proposals for which there may be a demand to locate within the town centres.

5.44 Miscellaneous uses will need to demonstrate that they are compatible with the defined and established role and character of the town centre. This will require applicants to demonstrate that their proposal adds something new or diverse to the town centre which would contribute to sustaining or enhancing its vitality and viability without threat to highway/pedestrian safety, residential amenity or the character and appearance of the local streetscape, or adversely affect any Conservation Area or Listed Building.

5.45 In some cases it may be necessary to impose conditions to control and restrict the operation of particular uses and the negative impacts such as noise and litter which may be associated with them.

NEIGHBOURHOOD RETAILING

5.46 Neighbourhoods can be either urban or rural-based but the essential characteristic of any proposal is that it should serve the needs of the local town neighbourhood or village community only. This policy applies to areas of settlements not within the defined Town Centres or the Primary Rural Settlement Village Centres.

POLICY RTC 6 - NEIGHBOURHOOD RETAILING

Within town neighbourhoods and villages, planning permission will be granted for class A1 retail development proposals, provided that:

- i. They are small in scale and serve a local need only;*
- ii. There are no unacceptable implications for nearby residential amenities by way of traffic, noise or odours;*
- iii. Car parking spaces are provided where appropriate;*
- iv. They are of a design and character which is reflective of local tradition and sympathetic to the local streetscape.*

JUSTIFICATION

5.47 This policy is worded positively in order to encourage development, which is particularly needed in rural areas to reduce the need to travel to larger centres on a frequent basis especially to meet basic day to day needs.

5.48 It is criteria-based to reflect the need to consider important factors in the acceptability of proposals.

5.49 The local village and neighbourhood shops, post offices, hairdressers and other such class A1 uses can provide vital services to many local residents and can reduce the need to travel to larger centres for everyday goods and minor services. The Council will take a positive view of development proposals aimed at improving the retail offer available to villagers and town neighbourhood residents, provided that they serve

CHAPTER 5 – RETAIL AND TOWN CENTRES (RTC)

local needs only and are in keeping with the character and appearance of the locality.

5.50 Key issues to consider will be implications for residential amenity, design and parking. In most cases customers will walk to the shops or park on the street for a short period only. Dedicated parking provision is thus unlikely to be necessary in most cases. There may, however, be a need to control hours of operation and open storage through the imposition of conditions.

RETAILING IN THE COUNTRYSIDE

5.51 In Central Government Policy rural diversification is encouraged to broaden the rural economy, but the preservation of the landscape and the open and undeveloped nature of the countryside are also important considerations.

5.52 Generally retailing facilities should be concentrated in or adjacent to the town centres. Facilities to meet day to day needs should be available throughout the urban areas and in village settlements. Retail development should not be allowed to proliferate in the countryside.

POLICY RTC 7 – RETAILING IN THE OPEN COUNTRYSIDE

Planning permission will not be granted for new shopping development in the open countryside unless it is of a scale to attract shoppers from the local area only and:

- i. It is in close proximity to a settlement and a location within it is not possible or reasonable; and*
- ii. It has no detrimental implications for the vitality and viability of town centre shopping; and*
- iii. It will not create a new location to which a significant number of private vehicle trips will be drawn; or*
- iv. It is retail use of a type that cannot be accommodated within a settlement.*

JUSTIFICATION

5.53 Generally, retail development in the open countryside is unacceptable; because of its effect on the character of the countryside, both visually and by means of new activity introduced; because it is not usually convenient or accessible to those without cars; and because it is unlikely to prove viable.

5.54 It would be unreasonable, however, to turn down a proposal where it can be demonstrated that a suitable site has been sought, but not found within a settlement boundary. In the interest of convenience and of protecting the countryside such developments will be expected to closely adjoin a settlement boundary.

5.55 Large-scale retail developments will not be permissible in the countryside both because of the

CHAPTER 5 – RETAIL AND TOWN CENTRES (RTC)

significant detrimental impact they can have on the character of these areas and because they could have a harmful effect on the economic well-being of nearby town centres. Allowing such locations outside settlements often restricts travel choices, introduces new traffic to quiet areas and leads to the generation of additional vehicle pollutants.

5.56 Some retail developments, such as shops which are ancillary to another use (e.g. farm shops), may require a countryside location. These types of development need careful control if a proliferation of such development in the countryside is to be avoided. Proposals for the expansion of existing retail uses in the countryside need similar care.

5.57 In considering proposals for such development, the Council will therefore have regard to the number of existing similar developments within the District, and beyond if the proposed development is located close to the District boundary. It is expected that proposals for farm shops and the like, outside of settlements, will nonetheless be located in close proximity to an existing settlement, have good highway access, ample car parking space and provide a range of goods which make a countryside location an important requirement. In granting planning permission for ancillary retail development, the Council will need to be satisfied that the use is ancillary. Garden centres and markets are dealt with by Policies RTC 11 and RTC 12.

DESIGN OF RETAIL PREMISES AND ALTERATIONS TO SHOP FRONTS

5.58 Design remains of paramount importance when considering all new proposals for development, including retail.

5.59 When considering retail proposals, the Council will consider the scale, mass and location of the buildings, the materials to be used and the treatment of spaces around the building. Facilities for recycling household waste materials should be made available in new large-scale developments.

5.60 The aim of the Council is to encourage good design in development and to preserve and enhance the character, environment and historic qualities of its landscape, towns and villages.

5.61 An information leaflet dealing with shop design matters, particularly shop fronts and shutters, has been prepared by the Council. The Council regards this information leaflet as being an important consideration in the planning process. The following policy is related to the design of new shopping developments.

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POLICY RTC 8 - DESIGN OF RETAIL PREMISES AND ALTERATIONS TO SHOP FRONTS

Planning permission will not normally be granted for new shopping proposals and alterations, especially shop front alterations, to existing shops unless they:

- i. Are in keeping with the character and appearance of the building in terms of scale, design, style and materials;*
- ii. Either enhance, or do not detract from, the traditional character of the town and village centres or, outside those areas, the character of the locality generally.*

JUSTIFICATION

5.62 The Council wishes to ensure that new retail development and schemes for the refurbishment or extension of properties do not have an adverse effect on the character of individual buildings or of shopping streets in general. In the long term, if no such control is exercised, such changes may have a detrimental effect on the traditional character of the town or village centres which are attractive to many people.

5.63 It is the aim of the Council generally, to enhance the environment of the shopping areas within West Lindsey. The visual appearance of the buildings is an important element in this environment. In the long term, the character of the town centre areas will be an important element in retaining custom and drawing it away from other new purpose-built shopping facilities.

RESTAURANTS & CAFÉS, DRINKING ESTABLISHMENTS AND HOT FOOD TAKEAWAYS

5.64 A3, A4 and A5 uses have the potential to create particular problems because of the nature of their business and their times of operation. There is demand for these premises as they add variety to town centres and can also be located in residential areas.

POLICY RTC 9 – RESTAURANTS & CAFÉS, DRINKING ESTABLISHMENTS AND HOT FOOD TAKEAWAYS

Planning permission will be granted for new and refurbished A3, A4 and A5 uses including hot food takeaways, cafés, restaurants and public houses, provided that:

- i. They would not harm the vitality and viability of defined town centres by way of encouraging a concentration of similar non-class A1 uses;*
- ii. They will not cause pedestrian and vehicular conflict;*
- iii. Adequate on or off-street car and cycle parking is available;*
- iv. There are no unacceptable implications for nearby residential amenities by way of traffic, noise or odours;*
- v. The environmental character and appearance of the area is not harmed;*
- vi. The hours of operation and ancillary activities (such as the use of amusement machines) are strictly controlled and a means to restrict and control litter is provided.*

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JUSTIFICATION

5.65 The Council recognises the important role that class A3, A4 and A5 uses have to play in helping to sustain and enhance the vitality and viability of town centres. A mixture and diversity of land uses should include places to eat and relax both during the day and in the evenings, in order to increase the overall appeal of town centres. These land uses should be encouraged within town centres but caution needs to be taken to avoid the excessive build-up of concentrations of class A3, A4 and A5 uses. They should complement, not compete with, the primary class A1 shopping units.

5.66 The Council also recognises that there will be a demand for such premises in residential areas, within Gainsborough, Market Rasen and Caistor and the rural villages. This policy is designed to ensure a satisfactory form of development where such a demand arises.

5.67 The most noticeable problems associated with hot food establishments and licensed premises are noise, odours and litter. Traffic can also be a problem, in the form of vehicle engine noises, slamming doors and road safety implications.

5.68 When premises are open late at night and are situated in residential locations the activity they can generate can be a particular problem. Technical methods of solving one problem, such as extractors or chimneys to remove odours, may create other problems such as noise and a reduction in the visual amenity of the area. Control over hours of operation and ancillary uses will be particularly needed in residential areas.

RETAILING FROM INDUSTRIAL ESTATES

5.69 Retailing from industrial estates has become increasingly popular with small scale ancillary factory shops or services for employees being provided.

POLICY RTC 10 - RETAILING FROM INDUSTRIAL ESTATES

Retailing, comprising of proposals falling within classes A1, A2, A3, A4 and A5 of the Town and Country Planning Use Classes Order, will not be permitted on industrial estates, land allocated for industrial purposes, or from industrial or warehousing premises unless:

- i. It is ancillary to the main industrial or warehouse use; or*
- ii. It comprises a minor retail use or a café for the sale of food or drink in connection with serving the needs of the industrial area's workforce.*

JUSTIFICATION

5.70 The Council, through the Local Plan First Review has allocated land for specific uses, one of which is employment. The regeneration of the District's economy is a major issue for the Council, and the loss of any such employment land may be detrimental to future employment generation. Depending upon its scale and nature, such development has the potential to reduce the vitality or viability of nearby town centres.

5.71 The Council wishes therefore to avoid retail development on allocated employment sites where possible. Factory shops are often developed on industrial sites and these may be acceptable, as they are usually ancillary to an

CHAPTER 5 – RETAIL AND TOWN CENTRES (RTC)

adjacent use, as may be cafés or other minor uses which are mainly for the use of employees within the area. Certain other uses may also be more appropriately sited within an employment area.

GARDEN CENTRES

5.72 Some garden centres have expanded and diversified their operations in recent years to incorporate children's play parks, tea rooms and other non-horticultural uses, which has changed the nature and intensity of the activities carried out at garden centres.

POLICY RTC 11 – GARDEN CENTRES

Planning permission will be granted for new garden centres or the extension of existing garden centres, provided that the proposal:

- i. Is within, or abutting, the edge of an existing settlement;*
- ii. Is predominantly for the sale of plants or locally grown produce adjacent or close to the retail outlet;*
- iii. Would not have a detrimental impact on the character and appearance of the countryside landscape and surrounding neighbourhood;*
- iv. Would not create traffic problems;*
- v. Would not adversely affect the amenities of local residents;*
- vi. The viability of shopping facilities in nearby settlements is not materially harmed.*

JUSTIFICATION

5.73 Shopping activity in the countryside is generally discouraged, as it is contrary to the strategic policies of the Structure Plan Review and Central Government Policy set out in PPS6 (Planning for Town Centres) and PPS7 (Sustainable Development in Rural Areas). Policy RTC 7 follows this approach for other types of retail proposals.

5.74 As a result of the nature of goods sold in garden centres, the location of such uses in the countryside may encourage unnecessary journeys by the private car, and may also adversely affect the vitality and viability of neighbouring settlements.

5.75 A substantial part of most garden centres is required for the growing and display of plants, and a more rural location may be justified. Where other goods may be sold, a location closer to the edge of, or within, a settlement would be a more preferable option. Otherwise, any development of such uses in the countryside should be restricted to the sale of plants, in order to reduce the amount of unnecessary travel.

5.76 No matter where the location, any such development should not create an adverse effect upon the surrounding area, in terms of scale, design and traffic flow, which all have the potential to affect the amenities of both nearby residents and the surrounding countryside.

OUTDOOR MARKETS IN THE OPEN COUNTRYSIDE

5.77 In recent years there has been a growth of outdoor markets to serve both a shopping and leisure function, particularly on Sundays. However, the operation of these markets has resulted in complaints and objections and

CHAPTER 5 – RETAIL AND TOWN CENTRES (RTC)

therefore this policy is designed to address these issues and reduce future problems.

POLICY RTC 12 – OUTDOOR MARKETS IN THE OPEN COUNTRYSIDE

Planning permission will not be granted for outdoor markets in the open countryside, although exceptions may be made where:

- i. The development would not be intrusive or detrimental to the appearance and character of the countryside;*
- ii. The development would not adversely affect features of topographical, ecological, heritage or archaeological importance;*
- iii. The amenities of local residents are not adversely affected;*
- iv. The proposal creates no traffic problems;*
- v. The development would have no adverse impact on areas designated as Area of Outstanding Natural Beauty (AONB) or Area of Great Landscape Value (AGLV);*
- vi. The development would not conflict with other policies relating to the use or protection of the countryside.*

JUSTIFICATION

5.78 Outdoor markets are an increasingly attractive commercial operation. For the general public they are very popular as they serve a particular consumer market and are viewed as both a shopping and recreational activity.

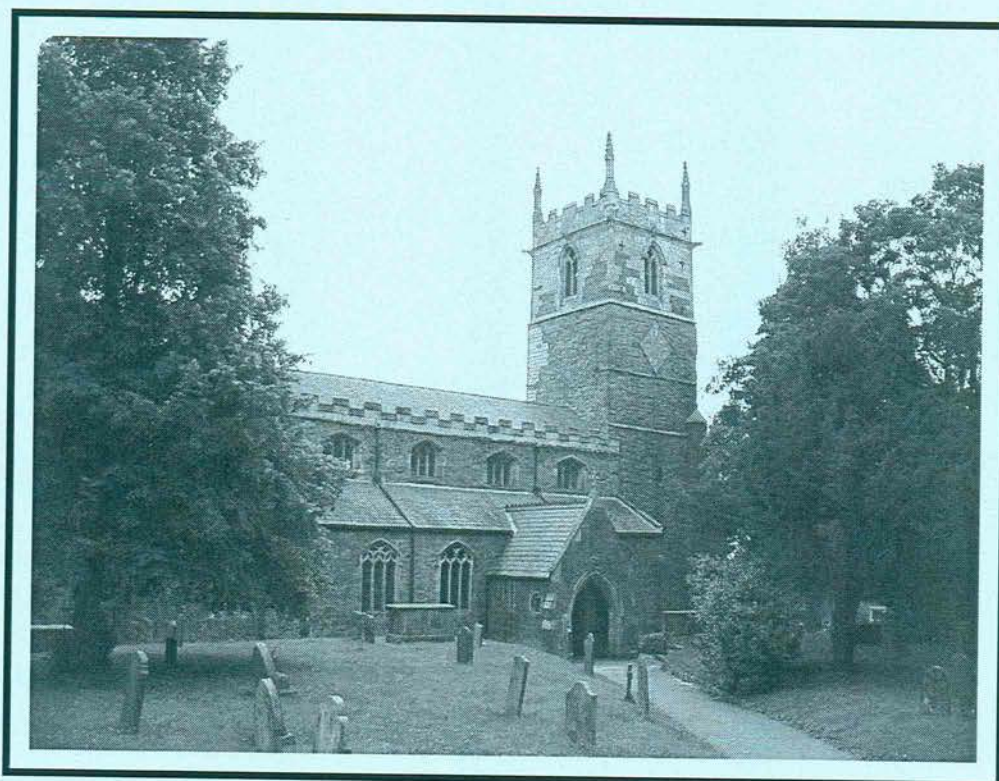
5.79 However, objections are often received regarding the effects of traffic generation,

localised congestion, impacts on highway safety and loss of and injury to visual amenity, by the erection of advanced signs and the overall condition of such sites after the holding of the market. The majority of these sites are proposed within the countryside, which may exacerbate any adverse effects.

5.80 Planning permission should only be granted for the use of sites as outdoor markets provided that all relevant factors are taken into account and the resulting impacts are minimised to acceptable levels.

WEST LINDSEY LOCAL PLAN FIRST REVIEW

JUNE 2006



CHAPTER 6: NATURAL & BUILT ENVIRONMENT



CHAPTER 6 – NATURAL AND BUILT ENVIRONMENT (NBE)

INTRODUCTION

6.1 This chapter outlines the Council's approach to the natural and built environment. It contains policies that aim to protect and enhance the natural environment through affording protection to biodiversity through the Lincolnshire Biodiversity Action Plan. It also seeks to protect woodlands and the wider landscape character. There are also policies which aim to protect Conservation Areas, Listed Buildings, archaeological remains and the built environment generally.

6.2 There have been unprecedented pressures on the traditional landscapes and wildlife habitats found in the natural environment. The realisation that so much has been lost, in terms of landscape quality and ecological value has resulted in a growing awareness of the need to safeguard the natural beauty of the countryside, as well as in the specially designated areas.

6.3 The protection and improvement of the environment has great relevance for the countryside which in terms of area is by far the majority of West Lindsey. There are areas where the landscape is considered particularly special, including the Lincolnshire Wolds Area of Outstanding Natural Beauty and areas identified to be of Great Landscape Value.

AIMS AND OBJECTIVES

6.4 Through the Local Plan First Review the Council seeks to reflect and, where necessary, reconcile the policy from the National, Regional and Strategic Authorities. Thus policies have been formulated with a number of objectives in mind:

- To protect, conserve and enhance, whilst ensuring minimal long-term impact of

development on the natural and man-made environments of the District.

- To promote the effective management, protection and enhancement of environmental resources including water, air, land and soils, landscape character, ecology and biodiversity.
- To preserve Listed Buildings and conserve and enhance the qualities of Conservation Areas and their buildings, so that their value, in terms of the District's environment, heritage and culture, is retained.
- Under Section 69 of the Planning (Listed Buildings and Conservation Areas) Act 1990, to investigate and designate new areas as worthy for special protection, when it comes to the attention of the Council, by whatever means, that such protection is appropriate.

NATIONAL, REGIONAL & STRATEGIC GUIDANCE

6.5 Central Government Policy in PPG12 (Development Plans), indicates that account must be taken of the environment in the widest sense in the pursuit of more sustainable development. PPS7 (Sustainable Development in Rural Areas) states that new development should respect, and where possible enhance, the environment in its location, scale and design. PPG15 (Planning and the Historic Environment) and PPG16 (Archaeology and Planning) deal with specific issues relating to the historic and archaeological environments.

6.6 The Regional Spatial Strategy for the East Midlands (RSS8) aims to conserve and creatively manage the natural resources and cultural assets

CHAPTER 6 – NATURAL AND BUILT ENVIRONMENT (NBE)

of the East Midlands with reference to sustainable development principles.

6.7 RSS8 advocates that new development in the natural and built environment should reflect regional and local distinctiveness, and the protection, management and enhancement of the East Midlands should be integral considerations in decisions on development.

6.8 The Lincolnshire Structure Plan Review contains the strategic guidance which aims to facilitate reasonable, appropriate and sustainable development for the natural and built environment whilst affording protection for its own sake.

DEVELOPMENT IN CONSERVATION AREAS

6.9 The Planning (Listed Buildings and Conservation Areas) Act 1990 empowers the Council to designate Conservation Areas which are specific areas that are considered to be of special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance. Conservation Area designation should not be seen as a means of preventing development, but there must be an emphasis on the need for control and positive management of these special areas.

6.10 The Conservation Areas in West Lindsey are defined on the inset maps and detailed Conservation Area Appraisals have been prepared to explain more precisely their specific character. These are adopted as Supplementary Planning Guidance and therefore become a material planning consideration in the determination of planning applications for developments within Conservation Areas.

POLICY NBE 1 – DEVELOPMENT IN CONSERVATION AREAS

Within Conservation Areas, proposals for new development, including the alteration and extension of existing buildings, will not be permitted if they do not preserve or enhance the character or appearance of the area.

Proposals should take into account the existing character of the area and should be reflected in sympathetic positioning, form, scale, materials and design of new buildings, structures or floorscapes.

JUSTIFICATION

6.11 Development which is unsympathetic in nature to the character of a Conservation Area, and will detract from that character will be contrary to the objective of preserving and enhancing Conservation Areas.

6.12 Central Government Policy in PPG15 (Planning and the Historic Environment) indicates that Local Authorities, in determining planning applications for development in Conservation Areas, should pay special attention to the bulk, height, use of traditional materials, colour, horizontal or vertical emphasis and design of any building. The Council will ensure that any development within Conservation Areas will be appropriate, well designed and in sympathy with the character of the area. As Policy STRAT 1 indicates, adequate information must be supplied with all applications so that the effects of development proposals can be properly judged. Conservation Areas are sensitive locations and therefore, in accordance with Policy STRAT 1, detailed plans are likely to be necessary as part of the planning application in order to assess the impact on the area. Simple outline applications

CHAPTER 6 – NATURAL AND BUILT ENVIRONMENT (NBE)

do not normally have the detailed plans necessary to make the judgement required under Policy STRAT 1.

POLICY NBE 2 - DEMOLITION OF BUILDINGS AND STRUCTURES WITHIN CONSERVATION AREAS

Within Conservation Areas, consent will not be granted for the demolition of a building or structure unless:

- i. It is of little importance to the character or appearance of the area; or*
- ii. It is beyond reasonable repair and has been offered for sale on the open market for an extended period of time, and/or other measures have been pursued in an attempt to sustain existing uses or to find economically viable alternative uses which will ensure its retention; and*
- iii. There are plans for redevelopment of the site which are detailed and comply with Policy NBE 1.*

JUSTIFICATION

6.13 When the Council is considering an application for Conservation Area Consent it does not have a duty to have regard to the Development Plan, unlike the when dealing with applications for planning permission.

6.14 Special attention should be paid to the desirability of preserving or enhancing the character or appearance of the area by virtue of the Planning (Listed Buildings and Conservation Areas) Act 1990, Section 72 (1). It is the view of the Council that, although it does not have a duty to have regard to this Plan when considering

application for Conservation Area Consent, this Local Plan First Review is the correct place in which to specify the approach that the Council will take when dealing with such applications. If the policy does not appear here it will make it difficult for those who propose development in Conservation Areas to ascertain how their applications would be treated as the policy guidance would be fragmented.

6.15 Generally, each building or structure within a Conservation Area contributes to the overall character of the area. Demolition of buildings, which may not be of particular interest in themselves, can still harm the character of the area, because that demolition can adversely affect the setting of other buildings and reduce the number of individual elements which contribute to the overall character of the area.

6.16 The Council will not lightly allow consent for demolition of buildings in Conservation Areas. The Council is required to pay special attention to the desirability of preserving or enhancing the character or appearance of the area.

6.17 The Council recognises that there are some buildings which are falling into disrepair through lack of use and for which serious efforts to find an alternative acceptable use have not been successful. In such cases demolition may have to be considered.

6.18 It is also the case that consent for demolition should not be given unless there are acceptable and detailed plans for redevelopment. Any redevelopment on the site, of course, has the same consequences as new development in conservation areas and should therefore comply with Policy NBE 1. The demolition of an unlisted building can have an impact on the setting of the Conservation Area.

CHAPTER 6 – NATURAL AND BUILT ENVIRONMENT (NBE)

6.19 It is often appropriate to impose a condition on the grant of consent for demolition to agree a planning obligation to prevent any demolition until the development contract and planning permission have been obtained.

LISTED BUILDINGS AND THEIR SETTING

6.20 Buildings and structures are 'listed' for their special architectural or historical interest and fall into one of three grades.

6.21 The Planning (Listed Buildings and Conservation Areas) Act 1990 defines the grades of Listed Building. Grade 1 buildings are of exceptional interest and nationally account for only 2% of all Listed Buildings. Grade 2* buildings are important buildings which are of more than special interest. The remainder are Grade 2 and are of special interest. There are 952 Listed Buildings in West Lindsey: 60 are Grade 1; 79 are Grade 2* and the remainder are Grade 2.

POLICY NBE 3 - ALTERATIONS, ADDITIONS TO, OR CHANGES OF USE OF LISTED BUILDINGS AND THEIR SETTING

Planning permission for development involving proposals:

- i. To extend or alter a Listed Building or structure or any feature of special architectural or historical interest which contribute to the reasons for its listing; or*
- ii. To bring about a change of use of part, or the whole of, a Listed Building or structure; or*
- iii. That would affect the setting of a Listed Building or structure;*

Will not be permitted unless it will preserve the building or structure, its setting, its character, or features of a special architectural or historical interest that the building or structure possesses.

Proposals should incorporate details of all the intended changes to the building or structure and its curtilage, to demonstrate their effect on its appearance, character and setting which should be preserved.

JUSTIFICATION

6.22 Buildings and structures of many ages, types, styles and functions are listed, but generally they are each considered to be a good example of the type and period. They are usually in, or similar to, their original condition or have been subsequently altered or extended without detriment to their original character. Insensitive alterations and extensions can easily destroy that which made the building listed in the first instance.

6.23 The Council has a duty to consider the desirability of preserving and enhancing Listed Buildings. Alternative uses which retain a building in use but require alterations, can be considered, but this should not be at the expense of the integrity of the building.

6.24 This Policy is intended to apply in cases when any proposals, which require both Listed Building Consent and Planning Permission, have the potential to have an impact on the character of a Listed Building. It is also applied in cases where proposals require only Listed Building Consent (i.e. are not development) but which could affect the Council's decision on a related application for planning permission.

6.25 It is not intended to apply to proposals which have no impact on the issues of development

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control. These might include certain types of alterations, repairs or maintenance works.

6.26 The setting of a Listed Building is in many cases almost as important as the building itself. The visual satisfaction afforded by such buildings is often added to because of the position they occupy in the town, settlement or countryside scene. The juxtaposition of other buildings, the proximity of trees and other landscape features and the various informal, sometimes surprising views of the building, can all be vitally important to the full appreciation of the Listed Building. Developments that close off important views of the building, or which detract from its immediate environment will therefore be resisted.

DEMOLITION OF LISTED BUILDINGS

6.27 Demolition or alteration of a Listed Building may affect its character and requires 'Listed Building Consent'. This is similar in procedure for obtaining planning permission but there is no fee. It allows the case for preserving the building as it presently exists, to be considered before any work takes place, to prevent unsympathetic alterations and extensions.

6.28 When the Council is considering any proposal special regard will be had to the preservation of the Listed Building, its setting and its special architectural or historical interest features.

POLICY NBE 4 – DEMOLITION OF LISTED BUILDINGS

Only in very exceptional circumstances will consent be granted for the demolition of buildings and structures contained within the statutory list of buildings of special architectural or historic interest, and only if all the following criteria are met:

- i. The structural state of the building or structure is such that it is beyond all reasonable repair;*
- ii. The building or structure has been offered for sale on the open market over an extended period of time in an attempt to sustain existing uses or to find economically viable alternative uses which will ensure its retention;*
- iii. The building or structure is to be replaced by a scheme of after-use or re-development which is acceptable or has been granted planning permission;*
- iv. There is a means to ensure that an after-use/re-development acceptable to the Council will take place within an agreed time period.*

Where consent is to be granted for the demolition of a Listed Building, the Council will, as appropriate, require by agreement or condition that:

- a. Features or materials of the existing buildings are re-used in the re-development of the site; and/or;*
- b. Features or materials of existing building are salvaged and stored; and/or*
- c. The appearance, plan and detailed features of the existing building are properly recorded by suitably qualified persons.*

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JUSTIFICATION

6.29 The loss of Listed Buildings is of concern to all including English Heritage. It is not only the large and well-known buildings that are being threatened in this way, but the smaller and less conspicuous ones. These buildings are no less valuable and contribute much to the typical street or landscape scene.

6.30 English Heritage are concerned that there is no clear national picture of how many Listed Buildings may be lost by demolition on account of their poor condition. Such buildings are labelled as 'at risk'. West Lindsey has established a register of buildings 'at risk' so that a full picture of Listed Buildings which may be under threat can be drawn up. Without this, it would be difficult to argue a case for more resources to be made available to tackle buildings at risk or to direct existing resources and grant-aid in the most appropriate manner. It is incumbent on the applicant to demonstrate that all reasonable measures have been explored in relation to grant aid.

6.31 In the survey for the register, all Listed Buildings are categorised according to their structural condition and if appropriate their use and occupancy. Those buildings which appear to be in the greatest state of disrepair are placed in categories 1, 2 and 3 and appear in the 'at risk' register. Inclusion on the list implies no criticism of the owners. This register is reviewed periodically and will be used as a means for promoting the protection of those Listed Buildings most at risk on a continuous basis.

POLICY NBE 5 – NOW DELETED

POLICY NBE 6 – NOW DELETED

ANCIENT MONUMENTS, SITES & REMAINS OF ARCHAEOLOGICAL IMPORTANCE

6.37 There are many areas of archaeological interest in West Lindsey. Some sites are considered to be of special importance, because they are a fine or interesting example from a particular period. Such sites or structures are scheduled as Ancient Monuments. These are identified on the Proposals Map and listed in Appendix 3.

6.38 Consent must be sought from Central Government prior to the commencement of certain works which will affect a Scheduled Ancient Monument.

6.39 As well as the Scheduled Ancient Monuments, there are other sites which are of archaeological interest. Some of these, although not scheduled, may be of great value in terms of the information that they provide. Other sites although of lesser importance, are still worthy of protection. In addition, there will be many sites which have not yet been discovered, but which when identified will be worthy of protection.

6.40 It is the Council's intention to protect the District's archaeological heritage. Often there will be archaeological remains present which may not be known about before the development proposals are made or even until development commences. If it appears that there are such remains the Council will expect the applicant to provide enough information to determine how the proposals will affect them. Insufficient information produced may be a reason for refusal of planning permission.

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6.41 If archaeological remains are to be retained, they should be retained in situ if at all possible. The preservation of sites, either by transfer of remains elsewhere or by record, is regarded as a second best option. If it is decided that the recording of sites in situ is not justified, the Council will require satisfactory provision for the excavation and recording of the remains. This may involve trial excavations, watching briefs, field surveys, access to the site by experienced archaeologists and the publication of survey results.

6.42 The Council may consider that the character, setting or physical structure of an archaeological site is being, or would adversely be, affected by permitted development. In this case then there may be a need to curtail these rights by making an Article 4 Direction under the Town and Country Planning (General Permitted Development) Order.

POLICY NBE 7 – ANCIENT MONUMENTS, SITES AND REMAINS OF ARCHAEOLOGICAL IMPORTANCE

Development will not be permitted which will detrimentally affect archaeological remains of national importance which are scheduled or otherwise, or their settings.

In respect of remains which are not of national importance development will not be permitted which:

- i. Would adversely affect the archaeological remains near, on or under the site; or*
- ii. Would adversely affect the character or setting of an archaeological site; or*

- iii. Is located in an area where there is evidence of archaeological interest and the applicant has provided insufficient information needed to determine whether the proposals will adversely affect that interest; and*
- iv. Does not indicate how the archaeological interest will be preserved or recorded if planning permission were to be granted; and*
- v. Does not indicate what means would be employed to ensure the preservation or recording referred to in iv above, that is, condition, agreements, planning obligations or other means.*

If development will have an adverse effect on archaeological remains the Council will take into account any measures that are put forward to lessen that impact. In order of preference these are:

- a. Preservation of site in situ with or without access to remains, depending upon their vulnerability;*
- b. Combination of preservation in situ and excavation according to the extent, nature and characteristics of the remains on site;*
- c. Recording and removal of movable artefacts and recording of all other material prior to destruction and publicising the results.*

JUSTIFICATION

6.43 Where nationally important remains and their settings will be affected by the proposed development, there should be a presumption in favour of their physical preservation. The

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situation of the remains or area of interest lends much to its character, so the effect that development has on this is an equally important consideration.

6.44 In order to reach a decision on a development which would affect archaeological sites and remains, the Council must have full regard of the appropriate information. Government policy indicates that it is not unreasonable for the Council to request an archaeological field evaluation be carried out prior to any decision being made.

6.45 In some cases, when weighing up the need for the development against the desirability of retaining archaeological remains, the Council may conclude that development should proceed. This will only be the case when it is satisfied that appropriate arrangements have been made to reduce the potential damage to any remains.

6.46 The preservation of the remains in situ is the best arrangement. Excavation results in the total destruction of the remains apart from the removal of some artefacts. If remains are preserved in situ, it is likely that, should excavation be an option in the future, it will reveal more information than would result from a hurried excavation prior to development. An adequate record of the archaeological remains should be made before they are lost; this will be implemented through the imposition of conditions to the grant of planning permission.

HISTORIC PARKS AND GARDENS

6.47 English Heritage maintains the statutory list of historic parks and gardens of special historic interest. In addition, the Council has undertaken research and identified a further list of parks, gardens or other formally laid out areas in the

District. Whilst these areas may not have the special historic interest that is attached to those identified by English Heritage, they are important to the District because of their local historical significance and/or visual effect of their formal layout. The list both of the parks and gardens identified by English Heritage and West Lindsey is contained in Appendix 5.

6.48 These sites do not have any statutory protection and entail no additional control in planning terms but the Council has taken them into account when preparing the Local Plan First Review.

6.49 When development proposals come forward which are likely to have an effect on parkland or garden area listed by English Heritage, the Council will consult that body.

POLICY NBE 8 – HISTORIC PARKS AND GARDENS

Development will not be permitted which would harm the character, appearance, setting or features of:

- i. The historic parks and gardens within the list compiled by English Heritage;*
- ii. Other parks, garden and formally laid out areas identified by the Local Planning Authority as being worthy of protection.*

JUSTIFICATION

6.50 Because of their historical interest and the features that the grounds contain, both in landscape and architectural terms, the parklands and gardens are a valuable element contributing to the overall character of the District. These areas are an asset to the District, for their

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landscape value and recreational and tourism potential.

6.51 Where development affecting a Historic Park and Garden or its setting is proposed a historic landscape appraisal report may be required to indicate how the proposal reflects the character and setting of the area. The Council wants to protect the element of variety that these gardens provide in the landscape, whilst also retaining their historic and architectural value. Development which is designed sympathetically and fits in with the character of the area may be allowed to proceed. However, development will normally be resisted when it is proposed either in or adjacent to the grounds and which would harm the character of the gardens. The exact scope of the policy, in terms of types or location of development, cannot be precisely defined, as proposed development of different types has the potential to have widely varying effects which are difficult to predict.

THE LINCOLNSHIRE WOLDS - AREA OF OUTSTANDING NATURAL BEAUTY

6.52 Within the District there is part of the designated Area of Outstanding Natural Beauty (AONB), the Lincolnshire Wolds. The AONB, designated in 1973, covers about 156 square kilometres (60 square miles) of the eastern part of the District to the north-east of Market Rasen and east of Caistor. The Management Plan for the Wolds 2004 – 2009 has now been published.

6.52a The Countryside and Rights of Way Act 2000 (CRoW Act) underlined the importance of AONBs and introduced specific requirements for local authorities and public bodies in looking after these nationally important landscapes. The Act created a new statutory duty for all AONB local authorities to publish and review AONB

Management Plans. The Lincolnshire Wolds AONB Management Plan (2004-09), will compliment the West Lindsey Local Plan First Review formulating partnership policies and action for protecting and enhancing this special place.

6.53 The main purpose of AONBs is the conservation and enhancement of the natural beauty of the area - the landscape, ecological and geographical interests, and heritage, including archaeology and settlement character. The conservation of the human influence on the areas, in terms of archaeological, architectural and vernacular feature is also important. The AONBs are designated to cover areas of high scenic quality and in that respect they have the same status as National Parks.

6.54 Recreation is not a statutory purpose of AONB designation but it is likely that, because of the scenic quality of the areas, they will be a destination for countryside visitors. The demand for recreation should only be met insofar as it is consistent with the primary aims of AONB designation. There is a need to safeguard agriculture and other rural industries, so that the economic and social well-being of communities in the area can be maintained.

6.55 Central Government and the Countryside Agency have indicated that they see Local Plans as the vehicles for detailed policies which will guide the use of land in AONBs. Thereby they have a significant role to play in achieving the objectives of AONB designation.

6.56 Development having a detrimental effect on the character and appearance of the landscape should not be permitted. Those providing for quiet enjoyment and appreciation of the area and recreation will normally be allowed.

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POLICY NBE 9 – THE LINCOLNSHIRE WOLDS - AREA OF OUTSTANDING NATURAL BEAUTY

In the Lincolnshire Wolds Area of Outstanding Natural Beauty, development will not be permitted if it would harm or devalue the natural beauty of the landscape.

Major development will not be permitted save in exceptional cases. To be permitted, major development proposals must be able to demonstrate that:

- i. There is identified need in terms of national considerations;*
- ii. Benefits will outweigh harm, in terms of impact on the local economy and the cost of developing elsewhere, or meeting national need in some other way, is not viable;*
- iii. Detrimental effects on the landscape and the environment can be satisfactorily mitigated.*

Small scale development intended to meet the economic or social needs of a local community may be permitted provided that it does not harm the character or appearance of the AONB or impact upon the ability of others to enjoy the area's uniqueness. Facilities for quiet enjoyment and appreciation of the area may also be permitted where they do not harm the special character of appearance of the AONB.

Where development is permitted, measures will be taken to mitigate its impact upon the special character and appearance of the AONB, including upon the skyline and ridgeline of the natural landscape.

JUSTIFICATION

6.57 It is because of the clear and strong policy of Central Government, public agencies and the County Council that the landscape quality of the AONB should be preserved, that the Council considers in this instance that it is justifiable that harmful development should not be permitted. Applicants will be required to make it clear what circumstances exist in the AONB that justify development there rather than elsewhere. For any such development to proceed it will have to be essential in national interest terms and, necessary in that location, as set out in the policy tests. PPS7 (Sustainable Development in Rural Areas) does not define what constitutes major development, definitions of 'major' are defined in relation to categories of various planning applications and in the absence of any other definition these thresholds will need to be used in the application of this policy. When applying the thresholds however regard will also need to be taken of the total extent of the proposal where an application is a phase of a larger development.

6.58 The purpose of the AONB designation was not to preserve the area completely unchanged. The Council recognises it needs to safeguard agricultural and other existing rural industries, to ensure the social and economic well-being of the rural communities in the AONB. Allowing such industries to continue their use in a particular location leads to a demand for further change and growth.

6.59 Small scale development intended to meet the economic and social needs of local communities may be permitted provided that they do not harm the character and appearance of the AONB or impact upon the special qualities of the AONB and the ability of others to enjoy the area's uniqueness. Facilities for quiet enjoyment and appreciation of the area may also be permitted

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where these do not harm the character and appearance of the AONB. Without minimal change, which allows the communities to maintain their social and economic vitality and viability, the role and function of the settlements can alter. This may lead to greater demands for unacceptable development which is out of character with the area.

PROTECTION OF LANDSCAPE CHARACTER AND AREAS OF GREAT LANDSCAPE VALUE

6.60 The countryside within West Lindsey consists of a variety of landscapes, which when combined together, produce a landscape of unique character and pattern. Outside of the statutorily designated Lincolnshire Wolds AONB there are a number of landscape elements within the District which are of particular long-standing importance to the District as a whole.

6.61 Areas of landscape character and natural areas have been identified at a National Level which is then reflected in the Lincolnshire Structure Plan Review. West Lindsey commissioned a Landscape Character Assessment in 1999 to identify the particular landscape character areas within West Lindsey. This independent assessment was carried out by consultants and went onto identify the features important to protecting those character areas from the adverse impact of development. This has then been amplified further in the Countryside Design Summary published in 2003 as Supplementary Planning Guidance (SPG) which provides clearer guidance on the issue of development and the protection of landscape character. This Local Plan First Review goes on to designate the most important and striking parts of the landscape as Areas of Great Landscape Value (AGLV), which are defined on the

Proposals Maps. One of the objectives of the Lincolnshire Structure Plan Review is to ensure that Local Plans recognise the distinctiveness of landscape character, and ensure that natural areas are protected, appropriately managed and enhanced. The Regional Spatial Strategy for the East Midlands notes that local authorities should be informed by landscape character assessments and that these should be taken into account when considering development proposals and used to justify retention of any local landscape designations.

6.62 The AGLVs were first designated in the 1952 Lindsey County Development Plan and have been carried forward ever since in subsequent development plans. In order to justify the retention of this local designation the findings of the Landscape Character Assessment and the Countryside Design Summary for West Lindsey are used, these clearly define the characteristics of these landscapes as being particularly susceptible to change from development proposals. The consultants, in the Countryside Design Summary cited the Lincoln Cliff and fourteen other significant landscape features within the District, and their conclusions provide a thorough and robust justification for retaining this local landscape designation. The AGLV includes the Lincoln Cliff, land adjoining and extending north and west from the Lincolnshire Wolds AONB and the land to the north, east and south of Gainsborough.

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POLICY NBE 10 – PROTECTION OF LANDSCAPE CHARACTER IN DEVELOPMENT PROPOSALS

High priority will be given to conserving the distinctive landscape features, landscape character and the landscape amenity value of the District. Development will not be permitted if it is likely to have an adverse impact on the features, setting or general appearance of the Landscape Character Areas as defined in the Landscape Character Assessment and amplified in the Countryside Design Summary.

In cases where development is to be permitted proposals should meet the following criteria:

- i. It should respect and enhance local distinctiveness;*
- ii. The scale, design and materials used should reflect local styles and respect the local environment;*
- iii. Important landscape features should be maintained or enhanced as part of the scheme;*
- iv. Development should not have a detrimental effect on skylines or important views.*

Areas of particularly high local landscape value because of their distinctive characteristics have been identified on the Proposals Maps as Areas of Great Landscape Value.

JUSTIFICATION

6.63 The Areas of Great Landscape Value are felt to be of distinctive value to the character of the District as a whole and development that may impact on their character would detrimentally

affect the overall character of West Lindsey. These AGLVs follow landscape features which run through towns and villages, therefore the AGLV designation washes over those settlements. The only exception is Gainsborough, where the AGLV stops at the settlement boundary. This is for practical reasons only to allow all the other designations in the town to be shown on the inset plans. The landscape features of Gainsborough should still be protected. Around the northern fringe of Lincoln the AGLV's run into and are replaced by Green Wedges; in these wedges the same landscape consideration will still apply.

6.64 The Landscape Character Assessment and Countryside Design Summary reinforces the value of landscape diversity and the contrasts in landscape character within the District. It covers all the landscapes in West Lindsey, not just those noted for scenic, nature conservation or heritage value and places particular emphasis on landscapes which provide the setting for towns and villages.

6.65 The Council recognises the importance of areas for their landscape qualities. Development proposals within them will be strictly controlled to ensure that such proposals do not in any way result in unacceptable harm to the landscape. Landscape change is necessary but should not be allowed to erode the landscape character and local distinctiveness. By taking account of landscape character, new development, when necessary, can be successfully accommodated and may provide opportunities to enhance the existing landscape. The Countryside Design Summary SPG provides more detailed guidance on this subject.

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DEVELOPMENT AFFECTING SITES OF SPECIAL SCIENTIFIC INTEREST AND NATIONAL NATURE RESERVES

6.66 Central Government aims to protect Sites of Special Scientific Interest and National Nature Reserves in order to meet international obligations for nature conservation, and to sustain or enhance the biodiversity of the wider countryside.

6.67 Sites of Special Scientific Interest (SSSIs) have been afforded statutory protection under British law. They are areas of special interest by way of their flora, fauna or geological or physical features. They may consist of woodland, grassland, hedgerows, roadside verges, ponds and water courses.

6.68 The SSSIs in West Lindsey are shown on the Proposals Map and listed in Appendix 1. The areas designated are mostly woodland in the south-eastern quadrant of the District, but other habitats, e.g. ponds and quarries are included. There is only one National Nature Reserve within West Lindsey, the Bardney Lime Wood complex.

6.69 Decisions concerning development in specially designated areas such as SSSIs should take full account of the features or qualities which justified their designation. Permitted development rights in SSSIs are restricted.

POLICY NBE 11 - DEVELOPMENT AFFECTING SITES OF SPECIAL SCIENTIFIC INTEREST AND NATIONAL NATURE RESERVES

Development which adversely affects the nature conservation interest at an SSSI or designated National Nature Reserve, either directly or indirectly, will not be permitted unless there is an overriding national need for the development and there is no other site available for the particular purpose and the reasons for the development clearly outweigh the nature conservation value of the site itself and the national policy to safeguard such sites.

Where development is permitted, conditions will be imposed on the planning permission to require that before development commences:

- i. Adequate opportunity is provided to enable proper recording of site;*
- ii. Where appropriate, practical measures are taken by the developer to enable the rescue and re-colonisation of species to other suitable existing or new sites.*

JUSTIFICATION

6.70 The importance of conserving the nation's flora and fauna is widely recognised, and restrictions are applied, by virtue of the designating legislation, on those who want to carry out operations which would affect an SSSI or National Nature Reserve.

6.71 Within the East Midlands there has been a loss of more wildlife than any in other region in England, with an average of one species lost per year over the last century. The majority of the countryside in West Lindsey is subject to intensive

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farming. This supports relatively little flora and fauna both in numbers and diversity and reduces the overall number of habitats which become smaller and more isolated and fragmented.

6.72 The SSSIs are important because of the wide range of species that they support and because their relative scarcity. They are valuable and irreplaceable parts of the local and national heritage and it is necessary to give them every possible and reasonable protection. Such is their national importance that the Council believes that development should only be permitted in exceptional circumstances, where there is a national interest which cannot be met in another location.

6.73 Where harm may be caused by a development, the imposition of conditions to the planning permission will be utilised as a method of control.

6.74 The actual ability to record or relocate a site will not be a factor which will weigh in favour of allowing harmful development. The benefits resulting from the development of the site must be significant enough to warrant the granting of permission. In all cases the developer must meet any costs which arise to reduce the harmful impact of the development.

6.75 The Council will seek expert advice as to the measures that should be taken to record any value of the site which will be destroyed by the development, when and if it is implemented.

DEVELOPMENT AFFECTING LOCALLY DESIGNATED NATURE CONSERVATION SITES AND ANCIENT WOODLANDS

6.76 Central Government objectives for nature conservation are to ensure that policies contribute

to the conservation of the abundance and diversity of British wildlife and its habitats. Furthermore, it aims to minimise the adverse effects on wildlife where conflict of interest is unavoidable, and to meet its international responsibilities and obligations for nature conservation.

6.77 Planning and other legislation enables the designation of various categories of sites of nature conservation; these include international, national, regional and local. The local designations do not have the benefit of statutory protection, however, features which have local significance and should be preserved.

6.78 The key to conservation of wildlife is the protection of the habitats on which it depends; therefore it is essential that there is a wise use and management of the nation's land resources as a whole in line with the concept of sustainable development.

6.79 Strategic policy recognises the value of the non-statutory Sites of Nature Conservation Importance (SNCIs) and it is indicated that powers to control and, where appropriate, to modify potentially damaging development in these areas should be used.

6.80 The Lincolnshire Wildlife Trust assesses, reviews and designates new nature conservation sites within the District. These sites are shown on the Proposal Maps. Local Nature Reserves are designated by West Lindsey and they seek to protect and manage wildlife habitats. Development proposals must respect locally designated nature reserves in order to protect the habitat for the resident species.

6.81 There are nine identified Regionally Important Geological or Geomorphological Sites

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(RIGs) and listed in Appendix 7. These are part of a network of sites which are considered to be worthy of protection for their educational, research, historical or aesthetic importance. These are identified by English Nature.

6.82 Ancient woodlands represent a unique habitat created over many hundreds of years. They have had continuous cover of native trees since 1600 or earlier and have not been cleared or extensively replanted since then. Again these are designated by English Nature.

6.83 The Regional Spatial Strategy highlights that ancient woodlands are a feature of the landscape and Local Plans should seek to afford their protection. The East Midlands has a relatively poor level of tree cover when compared to the UK as a whole so the protection, enhancement and creation of new woodlands using native species are important.

POLICY NBE 12 – DEVELOPMENT AFFECTING LOCALLY DESIGNATED NATURE CONSERVATION SITES AND ANCIENT WOODLANDS

Development will not be permitted which would adversely affect any of the following, unless there is a demonstrable overriding regional or local need for the development which cannot be accommodated elsewhere and the reason for the development clearly outweighs the need to safeguard the substantive nature conservation value of the site:

- i. Site of Nature Conservation Importance;*
- ii. A Local Nature Reserve;*
- iii. A Lincolnshire Trust Nature Reserve;*

- iv. A Regionally Important Geological or Geomorphological Site;*
- v. Ancient Woodlands;*
- vi. Any species of animal or plant, or its habitat, protected under British or European Law.*

Where development is permitted planning conditions will be imposed which will require:

- a. That adequate opportunity is provided to enable proper recording of the site;*
- b. That before development commences measures are agreed with the Council and taken by the Developer which mitigates the effects of the development on the site, the woodland and the wildlife, and compensate for any potential loss, in order to recognise and preserve the nature conservation interest.*

JUSTIFICATION

6.84 The Council is of the view that there is a wider remit than just the protection of those sites which are identified in statutes, and Central Government Policy. It is recognised that there is a continuous gradation of nature conservation interest throughout the countryside and in urban areas.

6.85 The Council is therefore of the view that the protection of only statutory sites would not be sufficient to enable the satisfactory protection of wildlife interest in West Lindsey. There are valuable plant and animal species which are found outside of the statutorily protected sites. There will be whole network of habitats, feeding and foraging areas forming the territory for the wildlife.

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6.86 The Council does not wish to allow development which will adversely affect important sites thereby reducing the network of wildlife habitats. The loss of a single site can have a great effect on the overall habitat chain and may sever a wildlife corridor. The Lincolnshire Biodiversity Action Plan seeks to retain existing wildlife sites and create new habitats in order to enhance the biodiversity of the County.

6.87 Consideration of measures to retain the integrity of the site will only take place if, within the context of the Policy, the development proposal is acceptable in principle. Such measures may include the possibility of compensatory habitat creation. It would need to be shown however that such newly created habitats are suitable for the plant and animal species displaced from the development site and that the newly created habitat can be sustained in the long term.

6.88 The Ancient Woodlands are unique and the Council believes that any development which would destroy or have a detrimental effect on them is not acceptable. Because these sites do have a special quality, development, if permitted, will need to minimise the negative impacts and consultation with English Nature will be undertaken to determine the most appropriate measures.

6.89 The protection of woodland through proper management, tree preservation orders and the application of felling licences is vital to ensure that woodlands and hedgerows are retained because of intrinsic value to the landscape character.

6.90 The most important wildlife habitats in the area are already protected by special designation on the Proposals Map. The presence of any protected species is a material consideration when the Council is considering a development

proposal which would be likely to result in harm to the species or its habitat.

NATURE CONSERVATION IN WILDLIFE CORRIDORS

6.91 Wildlife corridors form important linear routes which link together a network of habitats allowing the safe movement of wildlife.

POLICY NBE 13 – NATURE CONSERVATION IN WILDLIFE CORRIDORS

Development will not be permitted in or adjacent to, a wildlife corridor if it would:

- i. Materially impair the physical continuity of a wildlife corridor; or*
- ii. Materially impair the functioning of a wildlife corridor in the colonisation or movement of flora and fauna; or*
- iii. Cause a material reduction in a habitat of demonstrable value in a wildlife corridor; or*
- iv. Cause demonstrable harm to any protected species known to be dependent on the use of the affected part of a wildlife corridor for migration, breeding, feeding or shelter.*

JUSTIFICATION

6.92 The wildlife corridors provide both an opportunity for wildlife movement and a habitat for species of plants and animals which live within them. They can link a number of areas and range from ditches and hedgerows to rivers and river valleys. Corridors can link up to form a complex network and major disruption to these

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can be a problem. They are an important part of the countryside and play a crucial role in the quest for the protection and enhancement of the biodiversity within West Lindsey and the wider environs.

6.93 The Council believes that any development which would sever damage or adversely impact upon a wildlife corridor should be resisted. The use of the powers conferred by the Hedgerows Regulations 1997 can help support the protection of the wildlife corridors.

6.94 In addition to such corridors, there are also other areas of the landscape which support a variety of wildlife and species of plant and animal life which may be important to a particular locality, which are afforded protection by Regulation 37 of the Conservation (Natural Habitats, &c.) Regulations 1994. Examples of where such protected species may exist include ponds, ditches, meadows and green lanes. Development should respect, protect and enhance the role and importance of these wildlife habitats for their place within the wider countryside.

WASTE WATER DISPOSAL

6.95 Severn Trent Water and Anglian Water are the water supply and waste water disposal undertakers in West Lindsey dealing with water supply, sewerage and sewage treatment and disposal. There are a number of sewage treatments works in the District and the water companies have a continuing programme of updating and improving them.

6.96 Foul and trade effluent from developments go to the main foul sewerage system, where available, subject to the approval of the water companies. The option of septic tank drainage or

package sewage treatment plant may be feasible in some areas to serve a development. Where such proposals are made, much will depend on the ground conditions and the ability of such systems to work satisfactorily, in the location proposed. The Local Planning Authority will have regard to Circular 03/99 (Planning Requirement in respect of the Use of Non-Mains Sewerage incorporating Septic Tanks in New Development).

6.97 The Environment Agency is concerned with land drainage and deals with the control of water pollution and protection of water resources. Where mains facilities are not available, developers are expected to consult with the Environment Agency at an early stage to discuss disposal and effluent treatment provisions.

6.98 Developers will be required to design suitable surface water run-off systems to ensure that the development does not give rise to flooding problems. This may involve on-site attenuation or off-site works which will be funded by the developer. The Environment Agency will provide advice when considering proposals for development. On all developments, particularly industrial and commercial, adequate anti-pollution measures must be incorporated into the site infrastructure provision.

6.99 The capacity of existing infrastructure, such as water supply and sewers, is taken into account in the preparation of the Local Plan First Review and, in determining planning applications; the adequacy of the water services is a material consideration. Land drainage issues can also influence the location of the development. Impermeable surfaces, such as paved areas and roofs, reduce the ground area capable of absorbing rainfall with the possibility of increased run-off to water courses. Other land uses such

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as mining, land drainage and forestry can have similar effects.

6.100 If the provision of services, whether to supply water to a new development, to take it away or to deal with surface water drainage, is not adequate then this need not necessarily prevent permission being granted for such development. In these cases the Council may impose a negative condition to any permission which will restrict any development taking place until such times as a water supply and drainage services are adequate.

POLICY NBE 14 – WASTE WATER DISPOSAL

Development will not be permitted which would generate foul sewage or surface water run-off in excess of the capacity of the sewage system works or plant or ultimate receiving land drainage system.

Development will not be permitted where septic tank or cesspool systems are proposed unless:

- i. The options, firstly of connecting into a public sewer or secondly of provision of a package sewage treatment plant providing full treatment of effluent, are not feasible;*
- ii. Their use would not lead to a significant environmental, amenity or public health problem in any area in terms of:*
 - a. Contravention of recognised practice;*
 - b. Adverse effect on water sources and or resources;*
 - c. Health hazard or nuisance;*

- d. Damage to controlled waters;*
- e. Damage to the environment and amenity;*
- f. Overloading the existing capacity of the area;*
- g. Absence of suitable outlets;*
- h. Unsuitable soakage characteristics;*
- i. High water table;*
- j. Rising ground water levels;*
- k. Flooding.*

JUSTIFICATION

6.101 In the interests of public health and safety, it would not be appropriate to allow development which would generate flows in excess of the system capacity available and, thereby, be detrimental to the system overall. In determining planning applications the Local Planning Authority will have regard to Circular 03/99 (Planning Requirement in respect of the Use of Non-Mains Sewerage incorporating Septic Tanks in New Development).

6.102 The increased run-off from additional impermeable surfaces can often result in increased flood risk in areas downstream. It is often the case that the effects of development in the upper parts of a river catchment are not apparent in the area within which development occurs. As such, policies must ensure that when there is risk, appropriate attenuation or mitigating measures, defined by the Council in consultation with the Environment Agency is carried out by the developer.

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6.103 Additionally problems may result from septic tank drainage if the ground conditions are not adequate. This can lead to unpleasant smells and ground water pollution.

WATER QUALITY AND SUPPLY

6.104 The water environment is a very important resource and wildlife habitat of the District. It is vital to protect the quality of water resources including lakes, reservoirs, canals, rivers, streams and underground sources. According to the Environment Agency, the East Midlands region fully utilises all of the surface water during summer months, but much of the groundwater is subject to an unacceptable abstraction regime which is likely to increase due to climate change and future developments.

6.105 The potential for pollution of aquifers from industrial sites, redundant mines and agriculture is a major threat to this environmental asset. Areas of high groundwater vulnerability are defined by the Environment Agency's Groundwater Protection Policy. Local Plans should include policies designed to control pollution and to limit smells and dirt, and pay particular attention to ground water resources susceptible to threats from development, minimise the risk of pollution and locate potentially polluting development away from sensitive groundwater areas, especially in the vicinity of water supply abstraction. Once polluted these are often impossible to rehabilitate.

6.106 Plans should also take into account the implications of development which can affect the re-charge of aquifers or divert the flow of rivers. In both cases, there could be adverse effects on wildlife and vegetation as water tables drop and river corridors suffer loss or damage.

POLICY NBE 15 – WATER QUALITY AND SUPPLY

Development will not be permitted which would constitute a risk to the quality and quantity of water resources or to fisheries, amenity and nature conservation by means of:

- i. Pollution from development or as a result of the disturbance of contaminated land;*
- ii. Water abstraction unless adequate measures are taken to reduce this risk to an acceptable level.*

JUSTIFICATION

6.107 Rivers are used to supply the largest proportion of drinking water, as well as sport and recreation pursuits and for waste disposal. This last use creates pollution which can cause problems for the previously mentioned uses. Once water pollution occurs, it can be difficult and expensive to put right, hence planning has a role to play to ensure that development minimises the risk of such pollution.

6.108 Within West Lindsey, underground aquifers are a major source of public water supply and must be protected. The Council will seek guidance from the Environment Agency on measures necessary to safeguard the purity of ground water from inappropriate development. It is the Council's aim to prevent water source pollution rather than requiring the expenditure of public money to deal with its consequences.

6.109 Attention will be paid not only to water quality but to quantity as well. Over-abstraction can cause serious environmental problems for wildlife and natural habitats. Some types of development can have a significant demand for

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water and, as a consequence, affect the overall supply. This demand for water and its effects will be taken into account when new development is considered.

CULVERTING WATER COURSES

NBE 16 – CULVERTING WATERCOURSES

The culverting of watercourses, including as part of development proposals, will not be permitted unless it is essential for public safety or to provide for access across the watercourse. In all cases, where culverting is unavoidable, the developer must demonstrate that alternative proposals have been considered, and appropriate mitigating environmental enhancements should be incorporated into the development.

Development which returns disused or neglected culverts back to open watercourses will be favoured.

JUSTIFICATION

6.110 The Environment Agency advises that, for flood defence and environmental purposes, it is beneficial for watercourses to remain open wherever possible. Culverting a watercourse has the potential to exacerbate the risk of flooding, and can also be economically damaging by increasing the maintenance requirements of a watercourse.

6.111 The process can also result in the destruction of wildlife habitats, damage to natural amenity and the interruption of the continuity of a watercourse. Therefore, the culverting of watercourses should be avoided where possible.

6.112 However, the Council recognises that in certain circumstances the use of culverts may be unavoidable. Watercourses can pass through a

wide range of land uses, from rural to industrial landscapes, and in cases where access is required or where public safety may be at risk, the use of culverts may be necessary.

CONTROL OF POTENTIALLY POLLUTING USES

6.113 The control of pollution is a major issue and the Local Plan First Review, in line with Central Government Guidance in PPS23 (Planning and Pollution Control), addresses the issues surrounding pollution.

6.114 The objectives of Policies NBE17–19a are to:

- Protect people from risks to their health and safety and damage to their amenity.
- To safeguard the natural and built environment.

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POLICY NBE 17 – CONTROL OF POTENTIALLY POLLUTING USES

Development that may be liable to cause pollution of water, air or soil, or pollution through noise, dust, vibration, light, heat or radiation will only be permitted if:

- i. The health and safety and amenity of users of the site or surrounding land are not put at risk;*
- ii. The quality and enjoyment of the environment would not be damaged or put at risk;*
- iii. Adequate protection and mitigation measures are implemented to ensure that any potential environmental receptors are not put at risk.*

JUSTIFICATION

6.115 Central Government Policy in PPS23 (Planning and Pollution Control) states that pollution may be caused by the release of substances into the air, ground or water or by excessive noise, dusts vibration, light or heat.

6.116 Local Plan Policies therefore need to ensure that uses with the potential to cause pollution are properly sited and controlled and that uses which may be affected by pollution are either kept away from its sources or protected by other means.

6.117 This Local Plan First Review does not regulate on all of the potentially polluting effects as defined in PPS23, but the key issues which have become a particular problem within West Lindsey are addressed through Policies NBE 17–19a.

POLICY NBE 18 - LIGHT POLLUTION

Planning applications for development which include a lighting scheme will not be granted permission unless they propose the minimum amount of lighting necessary to achieve its purpose and minimise glare and light spillage from the site.

In determining proposals, consideration will be given to the aesthetic effect of the light produced and to its effect on local residents, vehicle users, pedestrians and the visibility of the night sky.

JUSTIFICATION

6.118 This policy can be used to regulate and control those developments containing significant amounts of lighting which can be a nuisance to local residents, the movement of traffic and the natural beauty of the environment and the skies during non-daylight hours.

6.119 The Council appreciates that external lighting is an essential part of many developments for a variety of reasons: safety, security, illumination of the building and its design character. However, it is equally important to safeguard the amenities of those people surrounding the site together and avoid wasting energy. The Council will require a report by a professionally qualified lighting consultant to demonstrate the suitability of proposals. Any lighting scheme should have close regard to the good practice guidance from the Institution of Lighting Engineers set out in "Guidance Notes for the Reduction of Light Pollution" (2005). The guidance provides details of obtrusive light standards to apply in identified 'Environmental Zones'. The 'Environmental Zones' are defined on a scale ranging from category E1 to E4 with:

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- E1 being a 'dark landscape' such as open countryside which is designated as either a National Park or an AONB.
- E2 being an area of low district brightness in rural locations which are not designated as National Parks or AONB.
- E3 being a zone of medium district brightness such as an urban centre.
- E4 being a high district brightness area such as an urban area with high night time activity.

6.119a In West Lindsey all landscapes designated as AONB are classified as E1 with all other landscapes and settlements excluding Gainsborough falling into category E2. Gainsborough would be within the E3 category. There are no areas classified as E4 in West Lindsey. The light standards as outlined above will be applied to proposals for development or redevelopment to ensure that light pollution can be minimised.

LANDFILL, CONTAMINATED OR UNSTABLE LAND

6.120 It is an aim of Central Government Policy that full and effective re-use of sites which have been previously developed should take place. The re-use of contaminated land can contribute towards reducing the need to find greenfield sites for development and can help revitalise areas.

6.121 The re-use of such land is not straightforward. The land may be contaminated by a former use and potentially represents a risk to human health and environmental receptors (including controlled waters). Such hazards need to be identified, assessed and dealt with in a way which removes the risk.

6.122 Both currently operational and former landfill sites can be a source of very harmful gases and contaminating substances. Caution must be exercised in considering development or re-development of land on or near to landfill sites. Permission should not be granted unless adequate remedial measures are implemented to overcome the dangers of gas and contaminant migration from the landfill site into the surrounding environment.

6.123 The origins and effects of ground instability areas vary. Past and present underground mining is often the primary source of instability. Physical constraints such as land instability need to be taken into account at all stages of the planning process.

POLICY NBE 19 – LANDFILL AND CONTAMINATED LAND

Development on or near to landfill or contaminated land will not be permitted unless an appropriate site investigation and risk assessment has been undertaken to identify whether gas, leachate and other ground/water contamination presents a risk to human health and environmental receptors. If such problems are demonstrated to exist they will be appropriately remediated prior to development.

POLICY NBE 19a – UNSTABLE LAND

Where the land is found to be unstable, development will not be permitted unless:

- The land is shown to be physically capable of accommodating the proposed development;*

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- ii. *The risk of damage to the proposed development due to instability has been removed;*
- iii. *There is no risk to the stability of adjoining land or buildings;*
- iv. *The nature of the scale of development is controlled by planning conditions, legal agreements or unilateral undertakings.*

JUSTIFICATION

6.124 Landfill gases emanate from landfill sites, with methane being the most common example. Where a site is still in use for waste disposal, a licence is required from the Environment Agency. To receive a licence the site operator must assess the potential for landfill gas generation and migration and must take steps to prevent any danger to public health.

6.125 On sites which are no longer operative, the onus falls on the developer to carry out an assessment of the landfill gases to determine whether or not mitigation measures are necessary to ensure the use of the site poses no risk. When development on a disused site is proposed, advice and guidance will be sought from the Waste Disposal Authority and planning conditions will be imposed to ensure that the site is made safe and cleared of any contamination before the development commences. Consultation with the Waste Disposal Authority will take place if development is proposed within 250 metres of a landfill site.

6.126 The Council will have regard to PPG14 (Development on Unstable Land) including PPG14 Annex 1 (Landslides and Planning), to try and bring unstable land back into productive use, whilst reducing the problems of site instability to an acceptable minimum.

6.127 Where it is known that land is unstable, the responsibility for demonstrating that the land is physically suitable for a particular use rests with the developer. In such cases the Council will require the developer to undertake a detailed site investigation to satisfy the criteria of Policy NBE 19a. If the proposal does not accord with other planning criteria, then the Council is unlikely to involve the developer in the time and expense of such site investigations.

DEVELOPMENT ON THE EDGE OF SETTLEMENTS

6.128 As with areas of nature conservation importance, the best and most attractive areas of villages and towns are often given special protection in order to enhance the quality of life for those people living and working in, or visiting West Lindsey. The Council has a duty to ensure that the best of the existing features of the towns and villages of the area are protected against removal or adverse alteration.

6.129 Modern development beyond the village and town centres has had a profound effect, and some has changed the character and setting of settlements and impacted on the wider landscape. The demands for growth mean that peripheral development is often the only way of protecting many of the important open spaces within settlements which would otherwise be subject to heightened development pressures.

6.130 Peripheral growth has often resulted in a uniform and less than satisfactory edge to the villages and towns. Account must be taken of the design of new development in order to harmonise the quality of the old with the new.

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POLICY NBE 20 – DEVELOPMENT ON THE EDGE OF SETTLEMENTS

Development will not be permitted which detracts from the rural character of the settlement edge and the countryside beyond.

Where development on the edge of settlements is permitted the Council will require:

- i. Design proposals which respect and maintain the existing character and appearance of the boundary of the settlement footprint, or result in the improvement of an unattractive approach;*
- ii. An agreed scheme of landscape treatment and/or open space provision.*

JUSTIFICATION

6.131 It is very important that development fits into its surroundings in, what is often, very sensitive edge of settlement locations and where the protection of the countryside character, amenity, living conditions and the rural landscape should be a paramount consideration. Landscaping within buffer zones as identified on the Proposals Map or not, is required in order to integrate new development within its rural surroundings and present a pleasant and attractive prospect from public places and highways.

6.132 It is the case that farmland, with development close to it, often suffers from trespass, and is subject to other forms of disturbance, that can affect the efficiency of agricultural operations. It should be possible to limit such detrimental effects of development by locating landscaped areas between the development and the farmland.