

Justification

- 8.4 It is important to protect land used for leisure and recreational purposes to ensure that adequate local provision remains available for residents. With increased leisure time, demand in the leisure sector has increased, and active participation in sport and recreational activities is beneficial to the health of local residents. Recreational areas also contribute to the character of settlements (providing undeveloped space within their built-up areas).
- 8.5 Proposals for development on existing recreational sites will be permitted in the following circumstances:
- Where a proposal will enhance the recreational use or enjoyment of the site, e.g. a proposal to develop facilities such as changing rooms or shower blocks on an existing playing field.
 - Where a replacement recreational site has been provided, or is to be provided as part of a Section 106 Obligation. The replacement site would have to be equally accessible to the community it serves and would have to be of equal or better quality than the site lost to development.
 - Where the Council is satisfied that the existing provision will be best retained and enhanced through the redevelopment of a small part of the site; or
 - Where the applicant can demonstrate that there is no longer a need for the recreational facility either now or in the future. In this context, the Council considers that (in accordance with the National Playing Field Association's '6 acre standard'), to meet the community's need for recreational open space:
 - o At least 1.6 hectares of land per thousand people is required for outdoor sport (pitches, greens, courts, athletic tracks, etc.); and
 - o At least 0.8 hectares of land per thousand people is required for children's play (both formal playgrounds designed to provide focussed opportunities for outdoor play, and informal or casual play spaces within housing areas).
- 8.6 In a few settlements, considerably more recreational open space is available than would be required by the application of the above standards (for example if a small village has a large playing field). However, the majority of settlements do not offer their residents recreational open space at the minimum standards desirable. This dichotomy is to be expected in a predominantly rural District, with a dispersed settlement pattern, where the residents of one settlement without play or sports space may use that provided in another nearby settlement. Thus, in applying standards at a local level, it is important that proper account is taken of the ways in which the community accesses the play and sports space it needs. Taking the District as a whole, the land available for children's play space just meets the minimum required, but space available for outdoor sport falls 11 hectares short of that required.
- 8.6a Certain leisure uses have a wider catchment than the local area and can be considered in some cases to be appropriate uses for a town centre. The Council considers that in such cases these uses would fall into the category of intensive sport and recreation uses and as such would be required to meet the policy requirements of Policy R1.

Policy RST2 – Protection of existing public rights of way

Planning permission will not be granted for proposals that will adversely affect an existing public right of way.

Justification

- 8.7 The existing network of public rights of way (footpaths, bridleways and byways) within settlements and within the countryside, is a vital asset. These public rights of way link settlements with the surrounding countryside, and provide opportunities for the community to take part in many popular informal recreational pursuits – walking, cycling and horse-riding – and allow people to enjoy the District’s countryside. Consequently, the Council will not grant planning permission for a development that will lead to the loss of an existing public right of way, or that will make an existing public right of way less attractive or convenient for users. The Council will seek to improve and enhance accessibility for people with disabilities to existing public rights of way, and to provide access to all new rights of way.

Policy RST3 – Local recreational facilities

Planning permission will be granted for the development of new recreational open space or indoor sports facilities within, or outside but well-related to, the curtilage of any settlement (as shown on the Proposals Map), provided that the development will serve the recreational needs of the immediate area only.

Justification

- 8.8 The justification to Policy RST1 indicates that, taking the District as a whole, land available for children’s play space is only just adequate to meet the community’s needs; and land available for outdoor sport falls short of that required. Furthermore, these overall figures hide the fact that, in many individual settlements, the availability of play or sports space falls well short of that required to meet the local community’s needs. In addition, there is the potential for participation in sport to be increased by the development of indoor facilities - which can provide opportunities to participate in a wider range of activities, and which allow for more intensive use.
- 8.9 The Council will generally welcome proposals that will lead to the provision of new children’s play space (formal or casual), outdoor sports space (pitches, greens, courts, athletics tracks, etc.), or indoor sports or play facilities. As a consequence, planning permission will be granted for such developments within settlements’ curtilages, or in locations within the countryside, provided that the development would not create a visual intrusion into the countryside, would not appear unrelated to the settlement, and would not be so far from the settlement it will serve that it could not be conveniently accessed by the people who will use it. Furthermore, in considering such proposals the Council will be concerned to ensure that the nature and scale of the proposed development is appropriate for the settlement concerned. For example, the development of a new bowling green, tennis court or other sports pitch might be appropriate in a small, isolated, rural settlement, in that it would serve the needs of the residents of the village itself and perhaps those of other nearby settlements. However, the development of a major sports facility (such as a bowling alley) would not be appropriate in such a settlement, in that it would attract users from a significant hinterland. A facility of this sort would be better sited in a larger settlement (conforming with the Plan’s objective to reduce people’s need to travel) and where opportunities for all sections of the community to access the facility will be greatest (where it is most likely to be accessible on foot, and by bicycle or public transport). Policy R1 deals with developments of this sort.

- 8.10 In considering proposals for new recreational open space or indoor sports facilities, the Council will also take account of the provisions of the Local Plan's other policies, as appropriate. The Core Policies, and the policies of the Transport, Landscape and Wildlife, and Historic Environment chapters will be of particular relevance.

Sport and recreation in the countryside

- 8.11 The District's countryside is its greatest recreational asset, with a network of rights of ways giving access for walkers, cyclists and horse-riders. Policy RST2 seeks to ensure that existing rights of way are not unnecessarily extinguished, but it is equally important that all opportunities are taken to extend the community's opportunities to enjoy informal access to the countryside. Policy RST4 deals with these issues.
- 8.12 In accordance with the Local Plan's locational strategy, the Council will wish to see most formal sport and recreational land uses located within or adjacent to existing settlements. However, the Council acknowledges that some activities need a countryside location, because of the amount of land they require or because of the nature of the activity. In general, proposals for sport and recreational developments in the countryside will be judged against the provisions of policy C2, but Policies RST5 and RST6 deal with the particular issues that arise with some specific countryside recreational and sporting activities. [It should also be noted that proposals for development involving horses are dealt with under policy DC8].

Policy RST4 – Public access to the countryside

Planning permission will be granted for proposals that will increase public access to the countryside.

Justification

- 8.13 Many people enjoy informal recreational pursuits in North Kesteven's countryside (walking, cycling or horse-riding, for example). However the amount of land that is publicly accessible is limited and the network of footpaths, bridleways and byways is somewhat restricted, particularly in eastern parts of the District. Proposals that will increase access routes, in line with the Lincoln Greenways Strategy, will be welcomed.
- 8.14 Consequently, the Council will welcome proposals that will allow the public to have greater access to the countryside for informal recreation. In considering applications for development in the countryside, the Council will (where appropriate) seek to negotiate with applicants for the provision of public access to suitable areas of land, designed to meet the needs of disabled access, wherever practicable.

Policy RST5 - Golf courses

Planning permission will be granted for the development of a golf course, provided that:

- 1. New buildings are kept to the minimum necessary for the functioning of the golf course, and are designed and located to minimise their visual impact; and**
- 2. The proposed development will not make it impractical to return the land to its former agricultural quality in the future.**

Justification

- 8.15 As golf courses require large areas of land they will usually require a countryside location. However, they will inevitably attract many visitors, and proposals that will result in traffic generation on unsuitable rural roads will not be permitted. Furthermore, it is preferable if golf courses are located where they will be accessible by a range of transport modes. In considering such accessibility issues, the Council will be mindful of the fact that the District is predominantly rural, that its population is dispersed, and that opportunities for people to travel by means other than the private car can be limited. Consequently, all judgements of whether a location is relatively accessible or not will be made in the context of the overall levels of accessibility throughout the District.
- 8.16 As a consequence of the large amounts of land required and the fact that they will normally involve extensive earth movements, tree planting, etc., golf courses can have substantial effects on the character of the countryside – potentially affecting landscape, wildlife, and historical assets. Applicants must submit an assessment of their development's likely impacts with their planning application. In all cases, assessments of landscape and wildlife impacts will be needed but, where a site will also affect a listed building, archaeological deposits, etc., these issues will also need to be addressed. Applicants will need to show that the design of their proposal has been informed by the findings of their assessment and that the design has been drawn up to protect the quality and diversity of landscape, wildlife and historical assets and, wherever possible, to enhance them.
- 8.17 In order to minimise visual intrusion into the countryside, built development should be kept to the minimum, and the reuse of existing rural buildings will generally be preferred. Only buildings that are essential to the function of a golf course will be permitted. The development of ancillary facilities such as hotels and health spas will not normally be permitted, in accordance with other policies of the Plan. Any new buildings must be designed and located to minimise visual intrusion and respect the rural character of the area.
- 8.18 The design of a challenging golf course requires the establishment of bunkers and water hazards, and it is important that such features are designed to be in keeping with the natural landscape character of the area. However, if land that has been subject to earth movements of this sort were to be considered for a return to agricultural use, its agricultural quality could be compromised. The Council will wish to avoid any development that will unnecessarily reduce flexibility to return land to agricultural production.
- 8.19 Golf driving ranges may be acceptable in the countryside as a subsidiary to a full golf course proposal. However, a golf driving range will not normally be permitted by itself, unless it is located on the edge of a suitable settlement. Golf driving ranges are building-dominated facilities, with more intensive use than a golf course, and they attract larger numbers of visitors. They do not require extensive land area and are therefore best suited to edge of settlement locations.

Policy RST6 - Noisy sports

Planning permission will be granted for the development of noisy sports or recreation activities only if the proposal would not increase background noise levels to an unacceptable degree. A noise impact assessment will be required with the submission of a planning application.

Justification

- 8.20 Recreational activities that generate unusual levels of noise (e.g. motor sports, pistol and rifle ranges, target and clay pigeon shooting or war games) will generally be inappropriate within settlements, where they would be very likely to have unsatisfactory effects on neighbouring land users. They also require considerable amounts of land. On both these counts, therefore, such developments may be considered more appropriate in a countryside location. However, even in the countryside, such uses can have significant impacts and this policy is intended to apply adequate control over such uses, in particular to provide adequate protection for surrounding land users.
- 8.21 Applicants must submit a noise impact assessment with their planning application, providing information on existing noise levels, the additional noise that will be generated by their proposal, and the impact that their proposal will have on other nearby noise-sensitive land uses. If an area is already subject to significant noise, or if a site's topography will tend to effectively contain the noise generated by the proposed use, it is possible that a proposal may generate very little additional noise. However, in many cases, a proposal to establish a noisy sport or recreational activity would generate additional noise at a level that would unacceptably interfere with other nearby land uses, or would undermine the character of the countryside. In such cases, planning permission will not be granted unless the proposal includes noise attenuation measures that will limit the increase in noise levels to acceptable levels.
- 8.22 Where appropriate, conditions may be applied to control such things as the hours of operation, or to limit the number of people, vehicles, etc. taking part in the activity at any one time. Where appropriate, the Council may also consider granting planning permission initially for a limited period only, to assess the impact of the use for a trial period.

Tourism

- 8.23 North Kesteven provides some 7% of Lincolnshire's holiday accommodation establishments, and tourism is an important economic asset that brings significant employment opportunities and income to the District. In 1999 tourists spent 732,000 nights in the District, and there were 1,635,000 tourism day visits. These visitors spent an estimated £20.5 million, generating 1,278 full time equivalent jobs.
- 8.24 As a consequence of the importance of tourism to North Kesteven's economy, the Council will generally welcome proposals that will broaden the range of attractions, or will provide additional tourist accommodation. In considering such proposals, the Council will take account of the provisions of the Local Plan's other policies, as appropriate. The policies that follow seek to maximise the tourism potential of the River Slea Navigation, and deal with the particular issues that arise from proposals to develop caravan and camping sites.

Policy RST7 - River Slea Navigation Corridor

The River Slea Navigation Corridor (as shown on the Proposals Map) will be safeguarded from development which would prevent restoration of the canal to a navigable state, or adversely affect public access.

Justification

- 8.25 The River Slea Navigation was completed in 1794 and is a 13-mile long, non-tidal waterway, with seven locks. Presently only the 8 ½ mile stretch from Chapel Hill to Cobblers Lock, Anwick is navigable by pleasure craft, but the whole length of the Corridor is navigable by canoe and the full length is laid out with a towpath giving access to the whole of the Corridor to walkers.

- 8.26 The Navigation Corridor has great potential as a tourism and recreational facility and the Sleaford Navigation Trust, in conjunction with the Lincolnshire Waterways Project are working towards its full restoration. Restoration would enable pleasure craft to continue up to Sleaford, further promoting the town as a tourist destination.
- 8.27 This policy seeks to ensure that development likely to hinder future restoration work will not be permitted, e.g. the development of a bridge across the canal, which would not give enough headroom for boats to pass freely. Furthermore, this policy seeks to maintain and improve public access to one of the District's major recreational and tourism assets.

Policy RST8 - Holiday caravan and camping sites

Planning permission will be granted for the development of a holiday caravan or camping site provided that:

- 1. The traffic generated by the proposal can be safely accommodated on the local highway network;**
- 2. Ancillary buildings are limited to those needed to service the site; and**
- 3. Any necessary built facilities will be provided by the re-use of existing buildings; or**
- 4. Where the re-use of existing buildings is not feasible, new buildings are located and designed to minimise their impact upon the character or appearance of their surroundings.**

Justification

- 8.28 Camping sites, and sites for holiday caravans (whether static or touring) provide important variety to the District's tourist accommodation, and the development of new sites is generally to be welcomed. This policy is intended to guide the development of new sites and extensions to existing sites as well as the intensified use of existing sites.
- 8.29 Although, in principle, caravan and camping sites are welcomed, they can have a major impact upon the character or appearance of their surroundings - caravans can be brightly coloured with a reflective finish, while many tents also come in bright colours. Consequently, great care must be taken in selecting the location for a site, and sensitive locations, or visually prominent locations will seldom be appropriate. Sites with existing natural screening will be most appropriate since, although proposals may be accompanied by a landscaping scheme, screening effects may take some time to develop.
- 8.30 Proposed sites should also be selected to ensure that the local highway network will not be overloaded by the volume or nature of the traffic generated. Consequently, sites should generally be selected to avoid routing caravans along narrow rural lanes.
- 8.31 Built development must be restricted to the minimum needed for the functioning of the site - facilities such as toilets or shower blocks would be expected to accompany most proposals, but the development of shops, entertainment facilities or leisure suites are unlikely to receive planning permission. In order to minimise the visual impact of proposals, the re-use of existing buildings will be preferred and, where this is not possible, new buildings must be of a scale suitable to the location, with their design and materials being sensitive to the local character of the area.

8.32 It should be noted that some types of touring caravan sites do not require planning permission.

- Certificated sites - those with 5 or less caravans, which are granted a certificate by an exempted organisation. These sites are exempt from planning control, although the Council is usually consulted. The District Council will generally support proposals for certificated sites where they are carefully sited and do not adversely affect the surrounding landscape, since they add to the diversity of provision of tourist accommodation.
- Other sites with permitted development rights include the use of a single caravan for no more than 28 days per year, or three caravans on sites of over 5 acres.

Development in the Countryside

- 9.1 North Kesteven is a predominantly rural District, and the majority of its land area is open and undeveloped in character and is used for activities which are generally of low intensity. This countryside is attractive in appearance, and its visual quality is strongly related to/influenced by its uncluttered nature. This character can be eroded very quickly by unnecessary development.
- 9.2 The Council considers that the countryside is one of the District's most important assets which deserves to be safeguarded for its own sake. In order to preserve the countryside's openness, new development will generally need to be strictly controlled, and this principle is established in policy C2 of the Core Policies chapter. Restricting new development in the countryside will also ensure that development is consolidated in the District's towns and villages, where it will best contribute to the achievement of a sustainable pattern of settlement, in accordance with the locational strategy set out in the Objectives and Strategy chapter.
- 9.3 However, the District's countryside is a living and working place and, as a result, it is inevitably subject to pressure for change and development. The policies of other chapters allow for a variety of uses to be established in the countryside - generally uses that need a rural location because of their extensive land requirements, uses that will assist in diversifying the rural economy or, exceptionally, uses that will bring such substantial benefits to the District that the normal presumption against development in the countryside should be relaxed.
- 9.4 The policies of this chapter look at developments associated with agricultural uses, and housing in the countryside. In all cases the policies seek to protect the open, undeveloped and attractive character of North Kesteven's countryside. This approach accords with the provisions of the Council's Local Agenda 21 strategy, and will contribute to all three of the Council's objectives:
- **A good quality of life for all residents** - The countryside represents a very significant recreational resource, which is enjoyed by residents and visitors alike. It is also a cultural asset, which, for many local people, plays a very major part in defining the identity and character of the District as a whole. In both these ways, the countryside makes a major contribution to the quality of life in North Kesteven.
 - **A thriving and prosperous economy** - The countryside is the agricultural and tourism industry's workplace, and they both contribute greatly to North Kesteven's economy. Furthermore, the countryside's attractive character benefits the image that the District projects to visitors, tourists and potential inward-investors.
 - **A clean, green and safe environment** - The countryside represents the majority of the District's land area and, as such, is a major environmental resource. The character of the District as a whole depends very significantly upon the countryside, and it is therefore vital to maintain and improve the rural environment.

Agriculture

- 9.5 The majority of North Kesteven's countryside is in use for agriculture and, although the agricultural industry is now a relatively minor source of employment in the District (2.4% of those in work in 1997 worked in agriculture), well over one fifth of the District's VAT registered businesses in 1998 were in the agricultural and fishing sector. Consequently, its economic importance to the District remains significant.

- 9.6 Most farm and forestry buildings and operations are not within the control of the planning system. However, in many cases, developments cannot be carried out until the Council has been given 28 days notice in which to decide whether the proposed development will have a harmful impact upon historic, wildlife, or landscape assets (known as the Agricultural Notification Procedure). If the Council decides that the proposed development may affect any of these assets, it may require the applicant to submit the details of the siting, design and external appearance of their proposal. If the Council considers that the proposed development will have an unacceptable impact, it can refuse approval of the details.
- 9.7 Larger agricultural buildings and structures, livestock units close to residential and similar buildings, and development on smaller agricultural units will need planning permission. The policy and written justification that follow set out some of the considerations that the Council will take into account in determining planning applications, or in deciding whether or not to give its approval to details submitted under the determination procedure. However, the Council will also take account of the provisions of policies elsewhere in the Local Plan – most notably those in the Core Policies, Historic Environment, and Landscape and Wildlife chapters.

Policy DC1 – Agricultural or forestry development

Planning permission will be granted for agricultural or forestry development, requiring planning permission, provided that the proposal:

- 1. Will not adversely affect the character or appearance of the countryside; and**
- 2. Will not create noise, smell, dust or other disturbance that will adversely affect protected buildings to an unacceptable degree.**

Justification

- 9.8 Modern agricultural buildings and structures are often substantial in scale, and functional in design, and they seldom make a significantly positive contribution to their surroundings. However, if proper attention is paid to basic principles concerning location and design, impacts can be kept to the minimum, and the chances are greatly increased of producing an attractive building that blends in with its surroundings.
- Location – Applicants may arrive at the proposed site for a new agricultural building or structure based perhaps upon financial considerations, the job that the building or structure is intended to do, and considerations of the space available on the holding. However, the Council will expect applicants to demonstrate that their locational decisions also take account of the impact that the building or structure will have upon the countryside. Locating the proposed building or structure amongst or next to existing buildings will tend to greatly reduce its visual impact, and can help to produce a visually pleasing and cohesive group. Consequently, grouping will almost always be preferred, unless the applicant can show that a more isolated location is essential to meet the needs of the holding. Other locational considerations will include the avoidance of prominent sites (e.g. on the skyline), and taking advantage of existing natural features (trees, hedges, slopes or embankments) that may help to assimilate the proposed development into the landscape. Trees and slopes can also be a very useful backdrop to a development, as they will help to reduce its apparent scale. Lastly, consideration should also be given to ensuring that important public views are not extinguished or diminished in value.

- Design - Modern farm buildings are often very large, but their apparent bulk can be reduced by careful siting (see above), and by sensitive design such as emphasising the roof overhang, and the use of different materials for the walls and roof, or even using two different wall materials. The use of dark colours will generally tend to make a development less conspicuous, and in particular it is important that roof colours should be darker than those used for walls. The visual impact of a proposal can also be reduced by the construction of two smaller buildings rather than one large one. Although farm and forestry buildings are functional objects, good design can ensure that they make as positive contribution as possible to their surroundings. Consideration should be given to the building or structure's form to maximise its interest, and to ensure that details such as the location and proportions of door, window and ventilation openings, and rainwater goods all contribute to an attractive end-result.

- 9.9 An additional criterion needs to be met where a proposal involves a building to house livestock. Intensive livestock units can create dust, noise and particularly smell and, as a consequence, great care needs to be exercised in choosing their location. Applicants will need to provide information concerning the development's likely impact upon the amenities of others, taking account of e.g. the number of animals to be kept, the species of animal to be kept, the distance of the site from settlements, dwellings and other potentially sensitive buildings, the prevailing wind direction, and the proposed unit's management regime. Based upon this information, the Council will assess what impact the proposal is likely to have upon the amenities of any nearby 'protected buildings'. Applicants may also need to provide information on proposed measures for the retention, treatment and disposal of waste.
- 9.10 N.B. A protected building is defined in the Town and Country Planning (General Permitted Development) Order 1995 (as amended) as a permanent building which is normally occupied by people, but excludes dwellings or other buildings which are used for agricultural purposes on an agricultural holding.

Policy DC2 - Agricultural and forestry workers' dwellings and dwellings associated with rural based enterprises

Planning permission will be granted for the construction of a new dwelling in the countryside only where:

- 1. It is proven to be necessary for the proper functioning of a farm, forestry or rural based enterprise for a full-time worker to live close to his or her place of work;**
- 2. The unit and enterprise have been established for at least three years, have been profitable for at least one of them, are currently financially sound, and have a clear prospect of remaining so;**
- 3. No other housing accommodation is available locally to meet the need;**
- 4. The necessary accommodation cannot be provided by the conversion of a building on the holding;**
- 5. The holding has not recently disposed of a dwelling or building suitable for conversion that could have met the identified need.**
- 6. The proposed new dwelling is sited in a location that meets the identified need, and will not adversely affect the character or appearance of the countryside; and**
- 7. The new dwelling is no larger than is justified by the needs of the unit, or more expensive to construct than the income of the enterprise can sustain.**

Where planning permission is granted, a condition on the permission will require the occupation of the dwelling to be limited to a person solely or mainly working, or last working, in the locality in agriculture, forestry or a rural based business, or a widow or widower of such a person, and to any resident dependants.

Justification

- 9.11 Policy C2 of the Local Plan indicates that the Council will seek to keep new development in the countryside to the minimum. However, this restrictive strategy must not unnecessarily constrain the agricultural industry (which contribute greatly to the District's economy). Thus, the Council will allow the construction of a new dwelling in the countryside if it is essential to the operation of a farm or forestry business.
- 9.12 The Council will examine all proposals according to the following criteria.
- Applicants will need to provide evidence that their farm, forestry or rural based enterprise could not function properly without one or more full-time workers being readily available at most times, for example to deal quickly with emergencies that could cause loss of crops, or to attend to animals or agricultural processes at short notice.
 - Applicants must show that their enterprise is financially viable. The unit must therefore be well established (in operation for at least three years), and evidence must show that it is on a sound financial footing, and appears likely to continue to be profitable into the future. In the case of newly established enterprises, permission may be granted for the provision of temporary accommodation (for perhaps 2 or 3 years) until it becomes clear whether or not a permanent dwelling can be justified.
 - Applicants must demonstrate that there are no existing and available dwellings on the unit or elsewhere in the area, or non-residential building on the holding that would be suitable for conversion for occupation by the worker(s) concerned. The Council will also check to see whether the holding has recently disposed of a dwelling or building suitable for conversion, which may be evidence of abuse of the system.
 - Finally, the Council will look at the proposed dwelling itself. Applicants must demonstrate that the dwelling will be sited in a location that will meet the needs of the enterprise, but will also minimise the building's visual impact. In general, the Council will wish to see that the new dwelling is well related to existing buildings or other dwellings, so that it blends into the countryside as well as possible. Furthermore the Council will look at the size of the dwelling to make certain that: it will not be more expensive to build than the holding could actually support; and it is not larger than is justified by the holding's functional requirements (i.e. the appropriate size for the dwelling will be determined by reference to the holding's needs, and not the demands of the person who is intended to occupy it).
- 9.13 To ensure that the dwelling remains available to meet agricultural, forestry or rural based enterprise needs, the Council will attach a condition to the planning permission to limit occupation to farm workers and their family.

Policy DC3 - Removal of an occupancy condition

Planning permission will be granted for the removal of an occupancy condition where it is clear that there is no longer a need in the locality for a dwelling to accommodate someone solely, mainly or last working in agriculture, forestry or another rural based enterprise.

Justification

- 9.14 Over time, the activities carried out on an agricultural holding, will change as the demands of consumers change, as farming practices develop, as the financial framework of farming changes, or as the holding changes hands. It is possible, therefore, that the need for a dwelling to house an agricultural worker can disappear, and there would be no benefit in unnecessarily keeping such a house vacant, or requiring the present occupants to remain in the dwelling, by continuing to enforce a planning condition that has outlived its usefulness.
- 9.15 However, it is important to ensure that conditions that restrict the occupation of a dwelling to agricultural workers and their families are removed only when it is clear that the dwelling no longer has a potential role to play in meeting the needs of agricultural holdings in the area as a whole. Otherwise, there could be a proliferation of dwellings in the countryside, which would tend to undermine the countryside's character, and would not contribute towards the achievement of a sustainable pattern of development.
- 9.16 The applicant will need to provide evidence that the dwelling:
- Is no longer needed to meet the essential functional needs of the holding or business to which it relates. Thus it will be necessary to show that the holding is now being farmed in a way that means that it is no longer necessary to have a worker on-site at most times; and
 - Is not required to meet the needs of another holding or business in the area. The Council will look at whether there have been recent applications for agricultural dwellings in the area. If there have been significant numbers of applications, the Council will need to consider whether this shows that there is a continuing need for agricultural dwellings that the house could help to meet. The Council will also expect the applicant to show that the dwelling has been offered for sale or rent at a realistic discounted price that reflects the existence of the occupancy condition. The advice of an independent valuer may be sought to determine whether the property has been marketed at a reasonable price.

Policy DC4 - New housing in the countryside

Housing development in the countryside will be strictly controlled, and planning permission will only exceptionally be granted for the construction of a new dwelling where:

- 1. The design of the proposed dwelling is of exceptional quality and innovative in nature;**
- 2. The proposed dwelling allows for the significant enhancement of its immediate setting and the wider environment;**
- 3. The proposal will not adversely affect the character or appearance of the countryside.**

Justification

- 9.17 There is a long tradition of the building of Country Houses, which have made a major contribution to the quality of the English countryside. In North Kesteven, there are a number of examples of such Country Houses, such as Coleby, Culverthorpe, Doddington and South Rauceby Halls. These four properties are listed buildings, set in very significant grounds (of as much as 50 hectares). Their grounds often contain outbuildings and other structures that are also listed. They make a major contribution to the character of their immediate surroundings and the District in general.

- 9.18 This policy recognises that, very occasionally the exceptional quality and innovative nature of the design of a proposed, isolated new house in the countryside may provide special justification for granting planning permission. Any such design should be truly outstanding and ground-breaking, for example, in its use of materials, methods of construction or its contribution to protecting and enhancing the environment. This in turn will assist in raising standards of design more generally in rural areas.
- 9.19 In order to be acceptable, the design of a new Country House must reflect the highest standards in contemporary architecture, must significantly enhance its immediate setting and must be sensitive to the defining characteristics of the local area. Unless the building and landscape design reflect these principles, planning permission will not be granted. The Council will seek advice on designs from the Royal Fine Art Commission or similar body. Designs do not need to imitate existing Country Houses and their grounds, but they must take proper account of the District's character. It is expected that proposals will come forward only very exceptionally under the terms of this policy.

Policy DC5 – Replacement dwellings in the countryside

Planning permission will be granted for the demolition of an existing dwelling in the countryside and the construction of a replacement dwelling, provided that:

- 1. The existing dwelling is not a temporary or mobile structure;**
- 2. The residential use of the existing dwelling has not been abandoned;**
- 3. The existing dwelling cannot be repaired or reinstated at reasonable cost;**
- 4. The new dwelling is similar in size and scale to that which it replaces; and**
- 5. The new dwelling will not adversely affect the character or appearance of the countryside.**

Where appropriate, planning permission will be granted subject to a condition removing permitted development rights to build extensions, or erect separate structures within the curtilage.

Justification

- 9.20 In cases where a dwelling already exists in the countryside it will, in some circumstances, be appropriate to allow for its demolition and replacement with a new dwelling. There are three broad issues.
- 9.21 Firstly, applicants must demonstrate that the building that is proposed to be replaced is of permanent construction (because it would be inappropriate to allow the construction of a new dwelling in replacement of a caravan or other non-permanent building) and that it is actually a residential property. If a building is being lawfully used as a dwelling at the time of the planning application, it is very clear that the residential use is current. However, if a property is empty, the Council will look at the following issues in determining whether residential use has been abandoned: the use to which the building was last put; whether it has ever been used as anything other than a home; how long it has been empty; and what condition it is in (the residential use of a completely derelict dwelling is likely to be considered to have been abandoned). If residential use has been abandoned, a proposal to replace a dwelling will be looked at as akin to the construction of a brand new dwelling in the countryside.

- 9.22 Secondly, applicants must provide information on the building's structural condition. If the existing dwelling is in good condition, the Council will generally prefer for it to be retained than for a new home to be built in its place. The existing dwelling will be an accepted feature in the countryside, and is therefore likely to have less visual impact than a new property. Furthermore, the construction of a new building will be a less sustainable option than the retention of an existing structure, since the construction process involves the expenditure of significant amounts of energy and the consumption of non-renewable resources. Permission will therefore normally be granted for a replacement dwelling only where the condition of the existing building is such that its repair is not feasible.
- 9.23 Lastly, the Council will consider the impact that the proposed new dwelling will have upon the appearance and character of the countryside. Permission is unlikely to be granted for the construction of a new dwelling that will have a greater visual impact than that which it replaces. One crucial consideration will be the size of the proposed replacement dwelling, and permission will not be granted for a proposed replacement that is significantly larger than the original dwelling (generally no more than 15% larger than the original in terms of its cubic content). [In this context, it is likely that the Council will wish to bring possible future extensions to the new dwelling within its control, by removing permitted development rights]. Issues such as the location of the proposed dwelling on the plot, its design and materials, boundary treatments, and the design of access roads will also be important in determining its impact upon the character and appearance of its surroundings. The overall aim must be to produce a dwelling that has a character and appearance that is in keeping with its rural surroundings.

Policy DC6 – Conversion of buildings in the countryside to residential use

The conversion of a building in the countryside to a dwelling or dwelling units will be approved only where:

- 1. The applicant can show that every reasonable effort has been made to secure suitable business re-use; or**
- 2. Residential conversion is part of a larger scheme for business re-use;**

And all of the following criteria are met:

- 1. The existing building is of permanent and substantial construction, and is capable of conversion without major reconstruction or extension;**
- 2. The existing building is in keeping with its surroundings;**
- 3. The proposal will not adversely affect the character or appearance of the building itself, nor the countryside.**

Where appropriate, planning permission will be granted subject to a condition removing permitted development rights to make extensions.

Justification

- 9.24 North Kesteven's countryside contains many non-residential buildings of traditional design and construction (such as barns, stables, chapels or schools) that give variety and character to the countryside. As the use of the countryside continues to change, many rural buildings are no longer needed for the purposes for which they were originally built. They can, however, be suitable for conversion to commercial or industrial uses, or for tourism, sport or recreation (see Policy E5). More exceptionally, they may also be suitable for conversion to residential use. Such conversions can help to: reduce demands for new buildings in the countryside; avoid wasting the economic resource that the buildings represent; and prevent the deterioration of buildings that contribute a great deal to the character of the countryside.

- 9.25 The Council will give preference to conversions to commercial use rather than to residential use, because conversions to residential use contribute little to the rural economy and are more likely to have harmful impacts upon the appearance and character of traditional buildings and the countryside. Consequently, the Council will look favourably upon residential conversions in only two circumstances. The first is where residential conversion is a subordinate part of a scheme to re-use a building or buildings for business use. The second is where an applicant can show that they have unsuccessfully explored all possible non-residential uses for the building. In this latter case, the applicant would have to show that the building had been advertised for sale or rent at a reasonable price for business purposes for a period of at least 6 months, and that no reasonable offers had been received.
- 9.26 If either of the above circumstances apply, the Council may grant planning permission for a residential conversion. The Council will look at:
- The building itself, and will examine:
 1. Whether the building will need substantial reconstruction to make it suitable for conversion either because it is in poor condition, or because it is of only temporary or insubstantial construction. Applicants must provide information on the building's structural condition and, if the building would require extensive rebuilding, it cannot be considered as suitable for re-use, because the proposal would not be a conversion. Thus, portal-framed and prefabricated buildings will not be considered as suitable candidates for residential conversion. The Council considers that only buildings of a permanent nature, constructed by traditional techniques and of traditional materials (comprising foundations, brick or stone walls and tile/slate or similar roofs) will normally be suitable to convert to dwellings.
 2. Whether the building is in keeping with its countryside location in terms of its form, bulk and general design. If the existing building has a harmful effect upon the countryside in terms of visual amenity, the Council will be unlikely to grant permission for a proposal that will lead to its retention. The Council may, however, permit a proposal that will lead to an improvement in such a building's appearance, to the point where it will be in keeping with its rural surroundings.
 - The conversion proposed
 1. Alterations, extensions or demolitions should be kept to the minimum. Extensive changes to the fabric of a building will often erode its character, and increase its visual impact within the countryside. [In this context, it is likely that the Council will wish to remove permitted development rights to extend the new dwelling, or erect separate structures within the curtilage] Any changes to the building must be respectful of the building's character and the rural nature of the surroundings. Furthermore, great care must be taken in the introduction of a domestic curtilage to a rural building – fences, walls, garages, ornamental planting, etc. can all appear alien in a rural landscape.
 2. Bats, barn owls, swallows and other birds often use rural buildings as roosting or breeding sites (see policy LW8). It is the responsibility of the applicant to arrange for buildings to be surveyed to establish whether any such species will be affected by a proposed conversion, and to ensure that their proposal makes provision for the species (preferably within the building or alternatively elsewhere). An application that is not accompanied by an adequate wildlife survey will be rejected.
- 9.27 The Council has produced and adopted supplementary planning guidance, entitled 'The Re-Use and Adaptation of Rural Buildings' which provides detailed design and policy guidance on this subject.

Policy DC7 – Development involving horses

Planning permission will be granted for development involving the keeping and riding of horses for recreational and/or commercial purposes in the countryside, provided that:

- 1. Adequate safe riding routes are available off-road (on public rights of way or by private agreement) or on quiet, minor roads, and there will be no adverse effects upon road safety; and**
- 2. Any necessary built facilities will be provided by the re-use of existing buildings; or**
- 3. Where the re-use of existing buildings is not feasible, new buildings are located and designed to minimise their impact upon the character and appearance of the countryside.**

Justification

- 9.28 Keeping and riding horses is increasingly popular, and planning permission is normally needed for the use of land for keeping horses and for equestrian activities. The exceptions to this rule are: keeping horses as pets within the curtilage of a dwelling; keeping horses as 'livestock' (i.e. for agricultural purposes); or using land purely for the grazing of horses.
- 9.29 Keeping and riding horses generally requires a significant amount of land, and is therefore an appropriate activity for the countryside. Furthermore, it can have a beneficial impact upon the economy of rural parts of the District. However, both recreational and commercial horse-keeping usually involves the erection of buildings and other structures (such as jumps), and these can have an impact upon the open and undeveloped character of the countryside. Furthermore, if agricultural fields are sub-divided and sold off as paddocks, a more intensive use can be introduced to the countryside which can appear at odds with the generally low-intensity use of rural parts of the District. Nonetheless, the Council will normally welcome horse-based developments, provided that they will not have a harmful effect upon the countryside (see policy C2).
- 9.30 A commercial equestrian facility that will attract large numbers of visitors may create large numbers of car journeys. Commercial equestrian facilities should therefore be located close to significant centres of population, or in locations that are accessible by means other than the private car (See policy T1). However, in considering accessibility issues, the Council will be mindful of the fact that the District is predominantly rural, that its population is dispersed, and that opportunities for people to travel by means other than the private car can be limited. Consequently, all judgements of whether a location is relatively accessible or not will be made in the context of the overall levels of accessibility throughout the District.
- 9.31 Horse-based development will normally require buildings, such as shelters, stabling and stores. It will generally be preferable for such built facilities to be provided by the re-use of existing buildings, which will already be accepted features in the countryside, and which will therefore be likely to have less visual impact than a new building. Furthermore, the construction of a new building will be a less sustainable option than the re-use of an existing structure, since the construction process involves the expenditure of significant amounts of energy and the consumption of non-renewable resources. Where the construction of new buildings is essential, the Council will expect them to be located and designed so as to blend into the landscape, to have a rural character and appearance, and to reflect local tradition.

- 9.32 Commercial equestrian facilities in particular may result in large numbers of horse rides being taken in the locality. It is important, for the safety of animals, riders and other users of the highway, that the potential for conflict between horses and vehicles is minimised. The applicant will need to demonstrate that the amount of horse riding that will take place on public roads will not be unsafe.

Policy DC8 – Advertisements and advance directional signs in the countryside

Consent will be granted for advertisements and advance directional signs to be displayed within the countryside only where:

- 1. An advertisement which relates to, and is displayed on existing commercial or industrial premises; or**
- 2. An advance directional sign required to direct traffic to a business or activity located a short distance off the road along which the sign is proposed to be displayed; and where**
- 3. Public safety will not be compromised; and**
- 4. The character or appearance of the countryside will not be adversely affected.**

Justification

- 9.33 The countryside is not an appropriate location for the general display of advertisements and signs. The character of the countryside is open and undeveloped, and advertisements and signs will normally appear out of place, and undermine the area's natural beauty.
- 9.34 However, businesses located within the countryside should be allowed to advertise their whereabouts, especially to visitors. Thus advertisements relating to a business located in the countryside will be acceptable, in principle at least, provided they are displayed upon the commercial or industrial premises themselves. Advance directional signs (which direct visitors to a rural business or to a temporary activity such as a construction site) may also be acceptable in principle because they can help to contribute to road safety. However, only advance signs that are necessary will be permitted – e.g. an advance sign is not required to direct visitors to a business located within a village, when the visitors could find their way equally well by relying on the road signs to the village itself.
- 9.35 Nonetheless, advertisements and signs must not harm the appearance or character of the countryside. Advertisements must be carefully designed within the context of their site and wider surroundings, and should be located on or near to buildings wherever possible. Materials should be carefully chosen to minimise the advertisement's impact upon the amenities of the countryside, and illumination should be treated with caution, as it will frequently appear alien in a rural context. Advance directional signs should be modest in size, and should be mounted upon an existing means of support wherever possible. Illumination will very seldom be acceptable and, where practical, businesses in the same general location should combine their essential advertising in one sign, so as to avoid a proliferation of advance signs.
- 9.36 As is the case with all advertisements and signs, public safety must not be reduced. Thus, advertisements and signs must not distract drivers, obscure visibility or be potentially confused with existing traffic signs.
- 9.37 It should be noted that the majority of the district's countryside lies within an Area of Special Control of Advertisements, where stricter advertisement controls apply. For advertisements displayed with 'deemed consent', there is a lower maximum height limit, and smaller maximum size of letters or characters. Some classes of advertisement, most notably general poster hoardings, may not be displayed at all.

Landscape and Wildlife

- 10.1 The Local Plan identifies those parts of the District that are of particular landscape or wildlife importance, and seeks to ensure that their quality will not be harmed by inappropriate development. However, the Council recognises that an approach to landscape and wildlife protection focused only on certain parts of the District would be inadequate. It therefore seeks to avoid any development that would diminish the diversity or abundance of the District's flora and fauna (or the habitats on which they depend), or that would erode the distinctiveness or diversity of the area's landscape character. Conversely, the Council encourages and welcomes development proposals that will contribute to broadening the District's habitat diversity, or that will reinforce local landscape character.
- 10.2 This approach accords with the provisions of the Council's Local Agenda 21 strategy and the Biodiversity Action Plan, and will contribute to all three of the Council's corporate objectives:
- A good quality of life for all residents – The landscape and wildlife of the District are a cultural asset, and are very important in defining the character of the area as a whole. They provide a source of enjoyment and inspiration, contribute to the overall quality of life, and are strongly identified by local people with their community's identity.
 - A thriving and prosperous economy – North Kesteven's landscape and wildlife are very significant assets which contribute positively to the area's attractive character. In this respect, they play a major role in establishing the image that the District projects to visitors, tourists, and potential inward-investors.
 - A clean, green and safe environment – The District's landscape and wildlife are critical environmental resources. The abundance and diversity of an area's wildlife are a good general indicator of the health of the environment. The distinctiveness and diversity of an area's landscape is a fundamental determinant of its visual quality and identity. Preserving and enhancing landscape and wildlife are important aspects of ensuring that the future development of the District is sustainable.

Landscape

- 10.3 The landscape of North Kesteven has been adapted from its natural state as successive generations of people have cleared natural woodland, farmed the land, defined field boundaries with hedges, walls, fences and ditches, planted and managed new trees, copses and woods, drained land, controlled watercourses and constructed roads, paths, buildings and settlements. The underlying geology, hydrology and soils continue to exert their influence upon the District's character, but the landscape as we see it today is, to a significant extent, the product of the influences of each of these generations of people.
- 10.4 Each generation inherited a landscape that had been modified by its predecessors, and retained what it valued or what was still useful, but changed what was no longer useful or valuable. This process continues today, and one of the roles of this Local Plan is to balance the on-going need for change with the need to protect and enhance the beauty and particular character of the District's five broad areas of landscape character.
- 10.5 The landscape character areas described below are based upon the Countryside Agency's 'Countryside Character Approach', which identifies four Character Areas within North Kesteven District. The District Council supports the Agency's approach, and the areas described below depart from the Countryside Agency's assessment only in terms of identifying separate character areas for the Lincoln Cliff scarp and dip slopes (the Agency identifies a single character area - the Southern Lincolnshire Edge). This departure from the Agency's assessment reflects the particular importance that the District Council gives to the Lincoln Cliff, as the most physically dominant landscape feature in the District.

The Fens

- 10.6 Eastern-most parts of the District have a fenland character, i.e. they are very low-lying and very flat. The land is almost exclusively farmed for vegetable crops and grains, and fields are typically large and divided from one another by drainage channels. Tree and woodland cover is scarce (with the only significant area of woodland being to the north of South Kyme). The landscape is dominated by straight roads raised above the surrounding land, linear drainage channels, and embanked watercourses. The lack of trees, hedges and slopes means that views are very extensive and open, and this part of the District generally has an isolated character. The fenland part of the District contains very few villages, and settlements are generally small in size and linear in pattern, with buildings constructed in brick, slate and pantiles.

Dip slope

- 10.7 From the fenland, the dip slope of the Lincoln Cliff rises gently westwards, and the landscape character of the District changes. In more northern parts of the District there is a very sharp visual transition from fenland to dip slope, but in southern parts the switch is less clearly defined. In all parts, however, the change from fenland to dip slope is marked by a line of settlements, some of which are substantial in size (such as Billingham or Heckington). Indeed, the dip slope contains many more settlements than the fenland area, and these settlements are generally much larger and more nucleated, although the predominant building materials remain brick, slate and pantile. The dip slope's character is still very open and views remain extensive, since fields are large in size and often lack strong boundary definition - although there is a marked increase in hedgerows and (further to the west) stone walls. Tree cover is generally greater and woodland areas become more common and larger, and conversely the intensity of the agricultural use is lower than in the fenland. The dip slope has a gently rolling topography and, in some northern parts of the District, has an elevated character where settlement is very limited. In southern parts of the District, the dip slope's character is somewhat more intimate and enclosed, with greater tree cover and a greater number of settlements.

Lincoln Cliff

- 10.8 The gentle rise of the dip slope ends as the short but steep scarp slope of the Lincoln Cliff falls to the west, and this change in landscape character is marked by a line of settlements at the Cliff top, where limestone is the predominant building material. The Cliff is a prominent and strongly linear feature but is not uniform, as it varies both in height and in the severity of its slope. The majority of the scarp is farmed for the production of arable crops or for the grazing of livestock and is divided up into relatively small fields, most commonly by thorn hedges. The top of the slope is comparatively well wooded, and this contributes further to the Cliff's visual prominence.

Trent and Witham Vales

- 10.9 From the foot of the scarp slope westwards, the Trent and Witham valleys dominate the District's landscape character. The landform is relatively flat, though more undulating than fenland areas. It remains a relatively open landscape with large predominantly arable fields, and long views are available. Nonetheless, field boundaries in this part of the District are generally more clearly defined than elsewhere, usually by trimmed thorn hedges. Levels of woodland and tree cover are similar to those on the dip slope, with the exception of those parts of the District immediately to the west of Lincoln, where substantial woods are found. Settlements in this part of the District are generally small and nucleated, with the exception of those in direct proximity to Lincoln.

Kesteven Uplands

- 10.10 The very southern-most parts of the District, around Walcot and Stow, are characterised as being part of the Kesteven Uplands. The transition from Lincoln Cliff Dip Slope to Kesteven Uplands is very gradual, and is not generally sharply defined. Nonetheless, the topography of the Uplands is generally more undulating (particularly towards Walcot) and, although arable farming predominates and field sizes remain large, boundaries are more strongly defined – usually by well-maintained thorn hedges. Consequently extensive views are not as common, and the area’s character is generally more intimate and enclosed. Particularly characteristic of this part of the District are the wide verges between the highway edge and the hedgerows that define field boundaries.

Policy LW1 – Landscape Conservation

The Council will seek to protect the distinctive landscapes of the identified Landscape Character Areas and any special features which contribute to that character. Where development is acceptable, it will be required to contribute to the local distinctiveness of the area, be well integrated into the local landscape character, protect any features of importance to the local scene, and respect any important views.

Justification

- 10.11 The landscape of North Kesteven is not uniform, and at least five broad areas of different landscape character can be identified (as described in the preceding paragraphs). These separate characters are, to a significant degree ‘man-made’, but there is a risk that future human activities could undermine the landscape’s appearance, or erode its present level of diversity. The District Council does not expect the area’s landscape to remain unchanged, because there must be some evolution in response to on-going changes in the use and management of land. However, the Council considers that all countryside is valuable, and is concerned to ensure that new development does not harm landscape quality, reduce the variation in landscape across the District, or interrupt important views and, where possible, the Council will expect development to generate improvements.
- 10.12 Applicants must consider the character and appearance of their site and the landscape that surrounds it. The Council is committed to undertaking a full Landscape Character Assessment. Applicants should consider the effect that their proposal will have upon the particular character, quality or interest of the area. Valuable individual landscape features must be retained, where possible, and proposals should seek to add to or otherwise enhance individual features where feasible. Similarly, it is important that significant views should not be extinguished or diminished in quality by new development. Where possible and appropriate, new development should take the opportunity to open up new public views or to enhance existing views. Applicants must also ensure that their proposals are designed with consideration for local character and that they do not reduce local distinctiveness. The fundamental principle across the whole District is that the Council expects development to, at the very least, not harm landscape quality and diversity, and preferably to improve it.

10.13 The Lincoln Cliff scarp slope is the most physically dominant landscape feature in the District, and in the context of the relatively flat land to both sides, its visual significance is greatly enhanced. There are spectacular and extensive views from the Cliff towards the Trent and Witham valleys, and significant views of the scarp from this lower land. In recognition of the particularly dramatic appearance of the Lincoln Cliff and the vulnerability of its character to harm by insensitive development, it is identified as an area of distinctive landscape character (the boundaries of which are defined upon the Proposals Map). Within this area, greater attention will be paid to the landscape impact of development proposals, particularly in terms of impact upon views from, to and along the Cliff. In this respect, it is unlikely that planning permission will be granted for development that would be visually prominent, by virtue of its size or location (e.g. on the skyline) as this is highly likely to detract from the character of the area.

Policy LW2 – Green Wedges

Planning permission will be granted for development within a Green Wedge (as defined on the Proposals Map), only if the development will not adversely affect:

- 1. The landscape setting of the City of Lincoln or any other settlement;**
- 2. The appearance or landscape character of the Green Wedge;**
- 3. The recreational value of the Green Wedge; and**
- 4. The wildlife value of the Green Wedge.**

unless there is a need for the development which clearly overrides the importance of any adverse effects, such as the Lincoln Eastern Bypass.

Where development is permitted the Council will, where appropriate, seek to enter into an agreement with the developer or will place a condition on the permission to require the implementation of measures to minimise, mitigate or compensate for any adverse effects.

Justification

10.14 The City of Lincoln Local Plan identifies a number of areas of land as Green Wedges, which are intended to bring continuous, or closely linked open space into the heart of the City's built-up area. The City of Lincoln Local Plan seeks to protect these Wedges from development that would reduce or harm their recreational or wildlife value, or their contribution to the landscape character and setting of the City.

10.15 This Local Plan identifies six areas of largely undeveloped land adjacent to the City of Lincoln as Green Wedges, and these areas are intended to complement the City's designations. They were selected to either directly link with or to associate with the City's Green Wedges, and hence to extend the established open space links within the City's built-up area further into the surrounding countryside. The Green Wedges are valuable in different ways (and the character of each of the Wedges is described in Appendix 5), but they have four broad roles, as follows:

1. Landscape

- They may be of intrinsic landscape value (natural beauty or visual significance).
- They may provide important views into or out of the City.
- They may play an important role in providing an attractive setting to the City.

2. Recreation

- They may provide recreational opportunities for the inhabitants of the City or any of the adjacent North Kesteven settlements, or visitors.
- They may provide opportunities for the existing footpath, bridleway or cycle route networks to be enhanced.

3. Wildlife

- They may provide links of value to wildlife between the City and the countryside, between County Wildlife Sites and the countryside, or between different County Wildlife Sites.

4. Coalescence

- They may help to prevent the coalescence of settlements.

10.16 Applicants who put forward proposals for new development or for the intensification of any existing use within a Green Wedge must show that their proposals have been prepared with proper consideration for the Wedge's value. They must show that their proposals do not reduce the Wedge's existing landscape, recreational or wildlife value and must, where possible, show that their proposals will enhance the Wedge's value. The level of detail appropriate for the assessment will depend upon the scale and nature of the development and its likely impacts upon the Wedge. The current designation of land as Green Wedge should not preclude the future consideration of its longer-term suitability for development against other locations.

Policy LW3 – Visual Amenity Areas

Planning permission will be granted for proposals that will adversely affect the amenity value of a Visual Amenity Area (as defined on the Proposals Map), only if there is a need for the development which clearly overrides the amenity value of the Area.

Justification

10.17 Some settlement curtilages contain open areas that have an important positive impact in terms of the settlement's character or appearance. Some open areas are the historical product of a gradual and often haphazard evolution. Others are a planned response to provide for green space or recreational facilities. Some areas play an important role in separating potentially conflicting land uses, such as industry and housing, whilst others are valuable in terms of the views that they facilitate. These areas may be under threat of development and, while it is recognised that infilling has an important part to play in meeting the District's development needs, building on these key sites would normally be unacceptable.

10.18 The Visual Amenity Areas have been selected on the basis of the following criteria

- They should be open to public view
- They should play an important role in the character of the settlement, enhancing the locality or surrounding buildings, or framing or permitting views.

10.19 The fact that an open area within a settlement has not been identified under this policy does not necessarily imply that its development would be acceptable.

Policy LW4 – Trees of significant amenity value

Planning permission will be granted for proposals that will adversely affect a tree or trees protected by a tree preservation order or any other tree(s) of significant amenity value only if the need for the development clearly overrides the amenity value of the tree(s). Where permission is granted for a development that would involve the removal of a tree or trees, a condition may be applied to require the planting of an equivalent or greater number of trees on or near the site.

Justification

10.20 Trees contribute enormously to the character of many parts of the District – they are very important visual elements in the District’s landscape, since they are attractive in themselves, soften and give a context to development, and screen unsightly areas from view. However, the amenity value of trees is not confined only to their contribution to the District’s visual character. They also help to reduce noise and air pollution, and help to cool towns and villages during hot weather. Furthermore, they provide habitats for wild creatures, help to stabilise soil against erosion, and play a role in reducing climate change by locking up carbon dioxide. As a result, they are highly valued by the majority of people, and the relative scarcity of tree cover within North Kesteven gives them an added importance.

10.21 Where it is ‘expedient in the interests of amenity’, the Council has the power to make a tree preservation order (TPO) to protect trees, and there are currently well over 500 orders in effect across North Kesteven, which cover thousands of individual trees. However, many trees of at least equal amenity value to those covered by orders are not specifically protected by TPOs.

10.22 The Council will give considerable weight to the preservation of trees, and proposals that involve the removal of a tree of significant amenity value (whether protected by a TPO or not) will only exceptionally receive planning permission where an applicant can demonstrate all of the following:

- That the development could not equally well go ahead elsewhere, where no harm to trees would be involved;
- That the proposed development scheme could not be modified to retain the tree; and
- That the amenity value of the tree is outweighed by the benefits to the community of the development proposal.

10.23 New planting to compensate for the tree(s) lost will normally be required.

10.24 In the case of a planning application for development near to a tree of significant amenity value where the applicant indicates that they intend to retain the tree, the applicant will have to show that:

- The development will not damage the tree by severing its roots, compacting the soil or altering the water table. In this context, applicants will need to provide information concerning the proposed location of underground services, and present and proposed ground levels.
- Adequate room is allowed for the future growth of the tree.
- The relationship between the tree and the proposed development will not be such that a future occupier may wish to fell or prune the tree because they are concerned that the tree obscures a view, overshadows the building or its curtilage, or poses a threat to them or their property.

10.25 The Council will publish supplementary planning guidance concerning trees and development, which will provide guidance on taking account of trees' needs during the survey, design and construction phases of development.

Wildlife

10.26 The plants, fish, mammals, insects, birds and other wild creatures that live in and migrate through North Kesteven are a vital part of the District's heritage. Contact with nature is a source of pleasure to many people, and can help to contribute to general well being and good mental health. Furthermore, plant-life can play a significant role in stabilising soil against erosion and degradation, reducing air pollution and helping to reduce the effects of climate change by locking up carbon dioxide. The diversity of an area's flora and fauna is also a good general indicator of the health of the environment.

10.27 In North Kesteven, only seven sites are identified as being of sufficient importance for wildlife that they merit statutory protection. They are protected as Sites of Special Scientific Interest and cover just over 150 hectares, which represents only 0.16% of the District's total area (whereas 2% of the East Midlands' land area is statutorily protected, and 6% nationally). Although the District contains 44 sites that are protected as being of Countywide importance for wildlife, even these sites are fewer in number than the Lincolnshire average. Thus, it is clear that North Kesteven is relatively lacking in internationally, nationally or locally important wildlife habitat, and the Council will support the identification of new sites.

10.28 The Council is committed to safeguarding the District's existing flora and fauna and, where possible, increasing its abundance and diversity. This approach accords with the provisions of the Council's Local Agenda 21 strategy. The Council is a signatory to the Lincolnshire Biodiversity Action Plan, which seeks to safeguard, manage and increase those habitats or species that are most at risk or in decline nationally or locally. The provisions of the Biodiversity Action Plan are taken into account in making planning decisions, and are material considerations in determining planning applications. The Council also works in partnership with the Lincolnshire Wildlife Trust to maximise the District's biodiversity.

10.29 The Council recognises that it would be a mistake to believe that the District's biodiversity can be protected and improved by focussing purely on specific areas of land that are of unusual value for wildlife. Designated 'nature reserves' (Sites of Special Scientific Interest or County Wildlife Sites) are very important in that they represent relatively (or sometimes very) rare habitats. However, they represent only a very small part of the District's total area and, as a consequence, they are not the habitat where most of the District's wildlife lives. Furthermore, most individual reserves are quite small and are separated from one another by large areas of land that may not have such special value for wildlife. Thus, the potential for species to migrate from reserve to reserve, or for genetic exchange between plants or animals occupying different reserves may be limited.

- 10.30 The Council acknowledges the importance of designated sites of nature conservation value and will seek to protect such reserves from potentially harmful forms of development and, where conflict of interest is unavoidable, will seek to minimise the adverse effects upon the value of the site. However, the majority of the District's wildlife lives in the farmland, settlements, buildings, gardens and parks of the District, rather than in reserves. It is therefore very important to ensure that the wildlife value of the District as a whole is protected and enhanced. Thus, the Council will give great weight to nature conservation issues in considering any planning application that will affect protected species, or landscape features that are important for wildlife.
- 10.31 The Council will welcome and encourage measures to increase public access to sites of nature conservation interest, provided this does not undermine or reduce the site's interest. Similarly, the erection of sensitively designed and located displays and interpretation facilities will be welcomed. Such measures can greatly enhance the recreational and educational value of sites, and can help to maximise their potential to contribute to the District's economy.

Policy LW5 – Sites of Special Scientific Interest

Planning permission will be granted for proposals that will directly or indirectly adversely affect a Site of Special Scientific Interest (as shown on the Proposals Map) only if:

- 1. The benefits of the development, on the site, clearly outweigh the likely impacts on the features of the site that make it of special scientific interest and any broader impacts on the national network of SSSIs;**
- 2. The proposed development could not feasibly be located in a less sensitive location; and**
- 3. Where appropriate, the implementation of measures to minimise, mitigate or compensate for the harm, or to ensure the future management and enhancement of the site's interest, is assured by means of an agreement between the developer and the Council or by means of a condition upon the permission.**

Justification

- 10.32 Sites of Special Scientific Interest (SSSIs) are identified because their flora, fauna, geological or geophysical features are of national importance. They are designated by English Nature, and there are seven such sites in the District, which are listed in Appendix 6. The protection of these sites is of key importance because what they exemplify is rare and irreplaceable. This policy aims to ensure that Sites of Special Scientific Interest will be safeguarded against any harmful effects of development.

10.33 The Council must consult with English Nature over proposals to develop land in, around, or where it is likely to affect an SSSI, and the views of English Nature will be a very important factor in the Council's decision-making process. Nonetheless, even though SSSIs are nationally important, other factors may override the nature conservation considerations. Such circumstances will, however, be very rare – a development that would reduce the value of an SSSI will need to be of greater importance than the Site, and that will mean that it must be of at least national importance itself. Even then, the Council will wish to ensure that short and longer-term harm is kept to the minimum and that, where possible, alternative habitat is provided. Thus, the Council will consider the use of conditions or will seek to enter into agreements with the applicant to ensure that:

- the site's value is retained or enhanced where possible (e.g. that important physical features or habitat areas are retained or improved); or
- new habitat is provided elsewhere to replace that lost; and/or
- the existing site, or the habitat provided to replace that lost is properly managed/improved in the future.

Policy LW6 – County Wildlife Sites and Local Nature Reserves

Planning permission will be granted for proposals that will directly or indirectly adversely affect a County Wildlife Site or a Local Nature Reserve (as shown on the Proposals Map), only if:

- 1. There is a need for the development which clearly overrides the importance of the Site or Reserve;**
- 2. The proposed development could not feasibly be located in a less sensitive location; and**
- 3. Where appropriate, the implementation of measures to minimise, mitigate or compensate for the harm, or to ensure the future management and enhancement of the Site's interest, is assured by means of an agreement between the developer and the Council or by means of a condition upon the permission.**

Justification

10.34 County Wildlife Sites are identified because their flora, fauna, geological or geophysical features are of County-wide importance. They are designated by the Council, following advice from the Lincolnshire Wildlife Trust, and there are 44 such sites in the District. In addition the District contains 2 Local Nature Reserves, which were also designated by the Council. The County Wildlife Sites and the Local Nature Reserves are listed in Appendix 7. The protection of these sites is of less importance than in the case of SSSIs but nonetheless they exemplify habitats of unusual value in the context of the County. This policy aims to ensure that County Wildlife Sites will be safeguarded against any harmful effects of development.

- 10.35 When a planning application is received that may affect a County Wildlife Site, the Council will seek advice from recognised nature conservation organisations such as English Nature, the Royal Society for the Protection of Birds or the Lincolnshire Wildlife Trust, and will give significant weight to the protection of the Site's interest and value. It is only where other material factors override nature conservation considerations that the Council will grant planning permission for a proposal that will have a harmful effect upon a County Wildlife Site. Nonetheless, even though such sites are locally important, other factors may override the nature conservation considerations. Such circumstances will, however, be rare - a development that would reduce the value of a County Wildlife Site will need to be of greater importance than the Site and that will mean that it must be of at least County-wide importance itself. Even then, the Council will wish to ensure that short and longer-term harm is kept to the minimum and that, where possible, alternative habitat is provided. Thus, the Council will consider the use of conditions or will seek to enter into agreements with the applicant to ensure that:
- the Site's value is retained or enhanced where possible (e.g. that important physical features or habitat areas are retained or improved); or
 - new habitat is provided elsewhere to replace that lost; and/or
 - the existing Site, or the habitat provided to replace or supplement that lost is properly managed/improved in the future.

Policy LW7 – Features of importance for wildlife

Planning permission will be granted for proposals that will directly or indirectly adversely affect any habitat listed as a priority in the Lincolnshire Biodiversity Action Plan or an existing landscape feature (such as a pond, reservoir, lake, gravel pit, disused railway, road verge, river, canal or drain or their banks, building traditional field boundary (such as a hedgerow or stone wall), linear tree belt/shelter, plantation or small woodland, larger semi-natural or ancient woodland, heathland, parkland, semi-natural grassland or unimproved pasture) that is important for wild flora or fauna, only if:

- 1. The need for the development clearly override the importance of the feature; and**
- 2. Where appropriate, the implementation of measures to minimise, mitigate or compensate for the harm, or to ensure the future management and enhancement of the feature's value, is assured by means of an agreement between the developer and the Council, or by means of a condition upon the permission.**

Justification

- 10.36 The countryside and settlements of North Kesteven contain a wealth of natural and man-made features that play a valuable role as habitat for wild plant and animal species. Such features can play an important role in the migration, dispersal and genetic exchange of wild flora and fauna – either as 'stepping stones' or direct links between one habitat and another. If such features are lost or if their value to wildlife is diminished, the number and diversity of wild species in the District will tend to reduce and, given the Council's commitment to maintaining and improving the District's biodiversity, such losses should be avoided wherever possible.

- 10.37 Clearly, however, every example of these sorts of features will not be of equal value as wildlife habitat, e.g. road verges that are frequently mowed, ponds that are maintained for exotic plants or fish, or areas of commercial coniferous woodland may have relatively little value as natural habitat. Nature conservation issues will not be particularly important in determining all applications affecting all examples of the features listed above. Applicants must assess whether their proposal will affect any features of value to wildlife and, if it will, they must provide information concerning the feature itself, the nature of its value to wildlife, the impact that their proposal will have, and the measures they propose to alleviate or compensate for that impact. The Council will seek advice from recognised nature conservation organisations such as English Nature, the Royal Society for the Protection of Birds or the Lincolnshire Wildlife Trust.
- 10.38 It is only where other material factors override nature conservation considerations that the Council will grant planning permission for a proposal that will have a harmful effect upon a valuable feature. Even then, the Council will wish to ensure that short and longer-term harm is kept to the minimum and that, where possible, alternative habitat is provided. Thus, the Council will consider the use of conditions or will seek to enter into agreements with the applicant to ensure that:
- the value of any unaffected parts of the feature is retained or enhanced; or
 - new habitat is provided elsewhere to replace that lost; and/or
 - the existing site, or the habitat provided to replace that lost is properly managed/improved in the future.

Policy LW8 – Protected species

Planning permission will be granted for proposals that will adversely affect protected species or their habitat, only if:

- 1. The need for the development clearly override the importance of the protected species;**
- 2. The proposed development could not feasibly be located in a less sensitive location; and**
- 3. An agreement between the developer and the Council or a condition upon the permission will:**
 - a. Facilitate the survival of individual members of the species;**
 - b. Reduce disturbance to the minimum;**
 - c. Provide adequate alternative habitats to sustain at least the current levels of population of the species.**

Justification

- 10.39 Certain plant and animal species are protected under the Wildlife and Countryside Act 1981, the Conservation (Natural Habitats etc.) Regulations 1994, and under specific legislation such as the Protection of Badgers Act 1992. [In North Kesteven, it is most common for development proposals to affect owls, bats or water voles]. Applicants must assess whether their proposal will affect any protected species (if necessary by commissioning a survey by a suitably qualified person or organisation) and, if it will, they must provide information concerning the species, the impact that their proposal will have, and the measures they propose to alleviate or compensate for that impact. When the Council receives a planning application that is likely to harm (either directly or indirectly) any protected species or its habitat, it will give significant weight to the protection of the species. The Council will seek advice from English Nature, and will permit harmful proposals only in exceptional circumstances. Such proposals will be allowed only if the benefits of the development to the community outweigh that of the protected species and, even then, the Council will need to be satisfied that the proposed development could not equally well be sited elsewhere, where it would not affect a protected plant or animal species.
- 10.40 Even when a case can be made for a proposed development to be permitted where it will affect a protected species, the Council will wish to ensure that harm to the species is minimised. Thus, the Council is likely to either seek to enter into an agreement with the applicant or to attach conditions to any approval to: facilitate the survival of individual members of the species; reduce disturbance to the minimum; and provide adequate alternative habitats to sustain at least the current levels of population of the species.
- 10.41 Developers should note that, even if they have received planning permission to carry out works on a site affecting a protected species, they must still conform with any relevant statutory species protection provisions, and should therefore consult with English Nature. Furthermore, developers should be aware that, if they intend to carry out any works that would interfere with a badger sett, they will need to obtain a licence from English Nature.

The Historic Environment

- 11.1 North Kesteven has been the home to generations of people, and the character of the District as we see it today is largely the product of the social, economic and spiritual lives of each of these generations. The physical evidence of our predecessors is all around us: – the patterns of our boundaries, roads, paths and rivers; the layout of our towns, villages and farms; and the character of our buildings, parks and gardens. This heritage is fundamental in giving the District its distinct and attractive character, plays an important role in the District's economy, and is greatly valued by those who live and work in the area as well as visitors.
- 11.2 However, this heritage is irreplaceable – once it is gone, it is gone forever. Consequently, one of the roles of the Local Plan is to balance the on-going need for development and change with the need to protect and enhance the historic environment.
- 11.3 To this end, the Council will use its powers to prevent development that would harm those parts of the District that exemplify the past, and will encourage developments that will reveal or improve them. The Council will protect the most visible or important examples, such as listed buildings, ancient monuments or conservation areas. However, the Council will not ignore locally-important remains, features, structures or buildings that nonetheless speak in some way of the area's history, since they contribute a great deal to the diversity and interest of the area.
- 11.4 The policies of this chapter are intended to protect and enhance the historic environment inherited from previous generations. This approach accords with the provisions of the Council's Local Agenda 21 strategy, and will contribute towards all three of the Council's objectives
- A good quality of life for all residents - Historical features are a cultural asset, and contribute to the quality of life. They are of great importance to many local people and are something that people strongly identify with their community's identity.
 - A thriving and prosperous economy - Historical buildings and features are assets that have a valuable role to play in the District's economy. Many listed buildings and conservation areas are in commercial use and should remain so, for the benefit of both the District's economy and the buildings or areas themselves (because it is only by being used that they are likely to be properly cared for). Most examples of the area's heritage improve the image that the District projects to visitors, tourists and potential inward-investors.
 - A clean, green and safe environment - Historical buildings and features are a very obvious and positive part of the District's environment, and make an important contribution to local distinctiveness. Looking after them is a vital part of protecting, improving and managing the diversity of the District's overall environment. They are non-renewable assets, and preserving them is an important aspect of ensuring that the future development of the District is sustainable.

Archaeological Remains

- 11.5 Archaeological deposits are finite and irreplaceable direct evidence of past human lives, and North Kesteven contains an unusually rich range of them.
- 11.6 Evidence of human occupation and activities prior to 8,000BC is extremely sparse. However, isolated scatters of stone tools, weapons and other implements left by the hunter-gatherer peoples living in the District during the next 5,000 years (the Mesolithic period) have been found. The development of farming and bronze technology in the following Neolithic and Bronze Age periods resulted in a more settled way of life and more intensive use of the landscape. Bronze and polished stone axes are a relatively common find throughout the District, reflecting an increase in forest clearance. Ceremonial monuments in the form of long barrows, earthwork enclosures and round barrows were introduced in these periods, and there are notable Bronze Age barrow cemeteries at Anwick, Walcott and Washingborough.

- 11.7 The archaeological record for the later Iron Age and Roman periods (200BC – 450AD) is much fuller than preceding eras. Sleaford, in particular, stands out as a major Iron Age centre. Elsewhere, throughout the District, the remains of numerous Iron Age farmsteads, field systems, salt workings, roads and trackways and a great many metal objects are known. Larger Romanised settlements have been found at Sleaford, North Hykeham and Navenby, and Ermine Street, Mareham Lane and the Fosse Way are Roman Roads still in use today. The Carr Dyke (a monument of national importance) was largely constructed at this time, as was the Fosse Dyke.
- 11.8 A dense scatter of early Anglo-Saxon settlement has recently been discovered, and graveyards have been excavated in Sleaford, Quarrington and Ruskington. Most of the District's present day villages originated in the later Anglo-Saxon period, as is reflected in their place names. Glimpses of Anglo-Saxon architecture can still be seen in some of our churches, but the overwhelming influence is medieval (1066-1500). During the medieval period, based on a flourishing wool trade, monasticism flourished, towns prospered and landowners became extremely wealthy. Ruined monasteries, exquisite churches, moated manor houses and now deserted villages evident throughout North Kesteven attest to the richness of the medieval period.
- 11.9 The modern landscape, and the distinct character of the District's settlements is largely the product of the post-medieval age. In the countryside, dry stone walls, hawthorn hedges, fox coverts, straight roads with wide grass verges, red brick farms and windmills are the result of enclosure and subsequent land 'improvement' in the 18th and 19th centuries. Country estates, grand houses, formal gardens and former deer parks attest to the wealth generated by enclosure improvements. In the towns, many of our fine commercial and public buildings were built at this time. More recently, innovations in agriculture, industry and defence have resulted in a rich legacy of buildings and landscape, such as breweries, engineering works, pumping stations and airfields.
- 11.10 These remains are valuable for their own sake since they are a significant part of the area's identity, but they also have an economic value in that they can attract tourists and visitors. Furthermore, the preservation of archaeological resources is consistent with the Council's commitment to seek sustainable development. Consequently, the Council will give great priority to protecting, enhancing and preserving the District's archaeological heritage.
- 11.11 The Council will welcome and encourage the erection of sensitively designed and located displays and interpretation facilities on sites of archaeological interest. Such displays can greatly enhance the recreational and educational value of archaeological remains, and can help to maximise their potential to contribute to the District's economy.

Policy HE1 – Sites containing nationally important archaeological remains

Planning permission will be granted for proposals that will not adversely affect the archaeological value or interest, or the setting, of a Scheduled Ancient Monument (as shown on the proposals map) or other site containing nationally important archaeological remains.

Justification

- 11.12 The District contains 65 Scheduled Ancient Monuments, the locations of which are shown on the Local Plan's maps, and descriptions of which are included in Appendix 8. These monuments are identified by the Government as being nationally important archaeological remains. They range from obvious standing structures such as churchyard crosses, to areas that the casual onlooker might not immediately recognise as being of particular archaeological interest, such as the site of a deserted historical settlement. However, not all nationally important archaeological remains are scheduled, and the Government continues to identify and schedule remains that merit this level of protection. Thus, this policy will apply not just to the Scheduled Ancient Monuments listed in Appendix 8 and shown on the Local Plan's maps, but also to any remains that are scheduled after the Local Plan's publication. It will also apply to any other nationally important archaeological remains that are identified as part of an archaeological evaluation as referred to in Policy HE2.
- 11.13 Given the national importance of these remains and their vulnerability to damage, the Council will operate a strong presumption against any development that would harm them.
- 11.14 It should be noted that works that would demolish, destroy, damage, remove, repair, alter, add to, flood or cover up a Scheduled Ancient Monument also require Scheduled Monument Consent from the Secretary of State. Anyone carrying out unauthorised works to a Scheduled Ancient Monument is guilty of an offence under the Ancient Monuments and Archaeological Areas Act 1979.

Policy HE2 – Archaeological assessment and evaluation

Planning applications affecting a site where evidence suggests that archaeological remains are likely to be present must be accompanied by an assessment identifying the extent and importance of any remains, together with any proposals for their protection or to mitigate adverse effects.

Justification

- 11.15 Large areas of the District have significant archaeological potential and developers should routinely investigate whether it is likely that their site contains archaeological remains, even if it does not contain a designated Scheduled Ancient Monument. Anyone considering undertaking a development of a significant scale should always contact the Council well before they begin to draw up their detailed proposals or make a planning application. The Council, or its archaeological consultants, will be able to advise developers whether their site is known to be archaeologically sensitive. If it appears that their site is likely to be of some archaeological interest, developers will need to consider at an early stage how they will ensure that the needs of archaeology and development will be reconciled.
- 11.16 If there is evidence that archaeological remains exist on a proposed development site, the Council will require developers to provide information on the nature, importance, and location of the remains, before a planning application can be determined. This will involve the developer in arranging for an archaeological assessment to be carried out by a professionally qualified archaeologist or archaeological organisation, and reporting their findings to the Council. An assessment will involve a desk-based evaluation and, if this initial research indicates that important archaeological remains may exist, a more detailed field evaluation such as field-walking, geophysical survey or trial trenching may be requested. The cost of an evaluation will be borne by the applicant, and should be regarded as a part of normal development costs.

11.17 The evaluation's findings should allow the character and extent of any remains to be identified, the archaeological implications of the proposed development to be assessed, and a suitable preservation strategy to be established. Without the submission of such information, the Council cannot make an informed and reasonable planning decision, and applications that are not supported with such documentation will be refused. An evaluation's findings may, in some circumstances, render parts of a development site unsuitable for development, and consequently it is important for the evaluation to form an integral part of the design of the development.

Policy HE3 – Sites containing archaeological remains

Planning permission will be granted for proposals that will affect locally or regionally important archaeological remains or their setting, provided that:

- 1. The remains will be preserved in situ, and will not be damaged; or**
- 2. Where preservation in situ is not justified, the recording and/or excavation of the remains prior to and during development is assured (by means of an agreement between the developer and the Council or by means of a condition upon the permission)**

Justification

11.18 The Council will operate a presumption in favour of the physical preservation of archaeological remains in situ, i.e. retaining them where they are, without any significant alteration or damage. This can be achieved by, for example, locating open space or landscaped areas over them, or using foundations that avoid disturbing them. Preservation in situ may make the remains inaccessible in the short-term, but ensures that all available archaeological evidence is retained for possible future investigation.

11.19 However, the Council will permit proposals that will disturb archaeological remains if the applicant can clearly demonstrate that preservation in situ is not justified. Solutions involving the disturbance of remains are regarded as second best options, since they involve the destruction of evidence (apart from any artefacts that can be excavated), are time-consuming, and may require discoveries to be evaluated in a hurry and without the benefit of proper research.

11.20 Nonetheless, where such a solution is considered appropriate, the Council will wish to ensure that any remains are excavated, archived and recorded (in line with a brief prepared by the Council) before development begins, and that the findings will be published. A range of measures can be involved, such as:

- Archaeological monitoring of topsoil removal (usually in designated areas specified by the brief), followed by recording and sampling of any features exposed.
- Earthwork survey.
- Further limited sampling and/or analytical work on samples already collected in a previous evaluation.
- Excavation within a designated area specified in the brief.
- A watching brief within a designated area specified in the brief.

11.21 The Council will seek to enter into an agreement with a developer under Section 106 of the Town and Country Planning Act 1990 to provide for such works, or will attach a condition to a planning permission.

Listed Buildings

- 11.22 Listed buildings are identified by the government for their special architectural or historic interest, and are of national importance. In North Kesteven, just over 1,000 buildings are listed, which is a very high number in relation to the District's size (North Kesteven has one listed building for every 86 people, whereas the figure for England as a whole is 1 for every 110 people). Furthermore, a very high proportion of the District's listed buildings are of particular value. Across England as a whole, around 2% of listed buildings are Grade I (the most important grade) and 4% are Grade II* (the next most important), but in North Kesteven 5% of all listed buildings are Grade I and 5% are Grade II*. Thus, it is very clear that North Kesteven has an unusually large and important stock of historically and architecturally interesting buildings.
- 11.23 The majority of the District's listed buildings are dwellings and, whilst most date from the 18th and 19th Centuries, a few pre-date the 17th Century. The District also contains many exceptional churches, and these tend to be older (parts of some dating back to the 10th Century) and are generally listed at higher grades. However, the range of buildings that is listed is very wide and includes industrial, commercial and farm buildings, walls, fences, gates, telephone boxes and street furniture. Listed buildings contribute to the character of almost all parts of the District, whether town, village or countryside.
- 11.24 They are one of the most visible elements of the historic environment and, make a vital contribution to the area's unique character. They are worthy of protection as an asset of intrinsic value but, by helping to maintain the overall attractive appearance of the District, they also have economic benefits by helping to attract inward investment and tourism.
- 11.25 Listed Building Consent is required from the Council for any proposals that may affect the character or appearance of these buildings, and in considering such proposals the Council must pay special regard to the desirability of preserving the listed building, its setting, and any internal or external features which contribute to its special interest. However, local plan policies may not deal with the criteria against which listed building consent applications will be determined. Thus, the policies that follow set out how the Council will deal with planning applications affecting listed buildings.
- 11.26 As well as protecting listed buildings through the determination of planning and listed building consent applications, the Council also has powers to carry out urgent works necessary to preserve an unoccupied listed building (such as making it weather-tight, or preventing it from collapsing). It has further powers to specify to the owner of a listed building works that need to be carried out in order to preserve the building. If the owner does not carry out the specified works, the Council may begin proceedings to compulsorily purchase the building. Where it is apparent that the condition of a listed building is declining, the Council will consider the use of the above powers to ensure its preservation.

Policy HE4 - Demolition of a listed building

Planning permission will be granted for proposals involving the removal of the whole or substantially all of a listed building, provided it can be demonstrated that:

- 1. The building is beyond reasonable repair; or**
- 2. Every reasonable effort has been made to continue its current use or find a compatible alternative use that would allow for the building's retention.**

Where permission is granted for the demolition of a listed building, and the creation of a cleared site will harm the character of the area, a condition will be applied to prevent demolition being carried out until a redevelopment scheme has been permitted and contractually secured. Where appropriate, planning permission will be granted subject to a condition requiring the recording of features to be lost.

Justification

- 11.27 Once lost, listed buildings cannot be replaced, so demolition will not be permitted simply because redevelopment is more economically attractive. Demolition will be allowed only where it is unavoidable, e.g. where applicants can show that:
- the building is in such a poor structural condition that the cost of repairing it would be prohibitive. Applicants making a case for demolition on this basis should provide information on predicted repair and maintenance costs and the value that can be derived from the building's continued use. Where it is clear that a building has been deliberately neglected in order to increase the likelihood of demolition being approved, the Council will give less weight to the costs of repair in weighing up whether the building is beyond reasonable repair; or
 - real efforts have been made without success to continue the present use or to find a compatible alternative use for the building. This should include the offer of the unrestricted freehold of the building on the open market at a realistic price reflecting the building's condition.
- 11.28 Where appropriate, the Council may require the applicant to arrange for features that would be lost in the course of the proposed works to be recorded as a condition of any planning permission granted.

Policy HE5 - Development affecting the setting of a listed building

Planning permission will be granted for proposals that will not adversely affect the setting of a listed building

Justification

- 11.29 The setting of a listed building can simply be the land that directly accompanies it – the garden to a house, for example. However, a building's setting can encompass land a considerable distance from it – for example, where a listed building is a prominent visual element in a street scene, the whole street should be regarded as the building's setting. As a result, a proposed development that does not directly involve a listed building or its grounds can still affect the building, if it will have an impact upon its setting.

- 11.30 In many cases, the setting forms an essential part of a listed building's character and links the building to its surroundings. Sometimes a listed building and its grounds will have been designed as a cohesive whole and, in such cases, it is very important that the character of the immediate setting should not be undermined or harmed. However, more informal relationships between a listed building and other buildings, or with trees or other landscape features can greatly add to the visual pleasure that can be had from a listed building. New development that interrupts such relationships will not normally be permitted.
- 11.31 Informal views of a listed building will often give great visual satisfaction. Such views should not be extinguished or diminished in quality by new development. Where possible, proposals in the vicinity of a listed building should take the opportunity to enhance existing views, or to open up new public views that will contribute to the overall appreciation of the building.

Policy HE6 – Extension, alteration or change of use of a listed building

Planning permission will be granted for proposals to extend, alter or change the use of a listed building provided that they will not adversely affect the building's special architectural or historic interest.

Justification

- 11.32 The Council recognises that the best way to ensure that a listed building is preserved is for it to be in active and economically viable use. However, the introduction of new uses and the changing needs of existing uses can require alterations or extensions to be made to a listed building. Some alterations, such as the removal of a later addition that spoils a listed building's appearance, may have a beneficial effect whilst others may have adverse effects. Whilst many listed buildings can accommodate sensitive alteration or extension without harm to their character, some can be robbed of the very qualities that made them worthy of listing by an unsuitable alteration or extension. Indeed, the character of some listed buildings is so sensitive that the scope for extending or altering them can be very limited.
- 11.33 Proposals will be judged in terms of the impact they will have on the elements that make up the building's special interest. Although they do not have to be reproductions or pastiches of the existing building, extensions should harmonise with the listed building, and issues such as the scale, proportions, height and form of the proposed extension will be crucial. In particular it is vital that the original building remains visually dominant, and that it is not overpowered by extensions. However, details such as materials, finishes, or the proportions of window openings can also help to ensure that an extension blends in with the existing building. Alterations must not erode the building's character, and it is therefore crucial that applicants are fully aware of the qualities that are vital to the listed building's appearance, and retain them and add to them.
- 11.34 Where appropriate, the Council may require the applicant to arrange for features that would be lost in the course of the proposed works to be recorded as a condition of any planning permission granted.

Conservation Areas

- 11.35 District Councils designate conservation areas, which are areas of special architectural or historic interest whose character or appearance it is desirable to preserve or enhance. Thirty-six conservation areas have been designated in this District, and Appendix 9 lists them, indicates when they were made, and gives a very brief description of each area's character.

11.36 The Council will publish more detailed Conservation Area Character Statements for each area, which will provide a fuller description of what qualities, make the area special, and why it has been designated. These assessments will be adopted as supplementary planning guidance, and will explain the context that new buildings, extensions, and alterations must respect. The Council will also periodically review the relevance of existing conservation areas and their boundaries, and will consider the need for new designations.

11.37 The designation of a conservation area means that:

- The Council will pay greater attention to ensuring that development preserves or enhances the character or appearance of its surroundings;
- The Council's consent is required to demolish most buildings;
- Six weeks' notice must be given to the Council of most works to trees;
- Permission is needed for certain types of development that do not need permission elsewhere;
- The Council may make an Article 4 Direction to withdraw permitted development rights in order to protect features that are key elements of particular conservation areas; and
- Consent is needed to display certain types of advertisements that do not need consent elsewhere.

11.38 The Council gives a high priority to the protection and enhancement of the District's conservation areas which, like listed buildings, are a vital element of the area's character and bring economic benefits. The Council will expect developers to demonstrate a corresponding level of concern for the character and appearance of all conservation areas.

Policy HE7 – Development in a conservation area

Planning permission will be granted for development (including new buildings, changes of use, alterations and extensions) within or adjoining conservation areas provided that it would preserve or enhance the area's character, setting and appearance.

Justification

11.39 The designation of a conservation area is not intended to prevent change, and indeed the best way to ensure that its character or appearance is preserved or enhanced is for it to be in active use, as somewhere where people live, work, shop or enjoy themselves. A conservation area that is being used in these ways will inevitably be subject to pressure for change as people's needs change over time. Such change should be welcomed, because it indicates that the area is 'alive'. However, change must be managed and controlled to ensure that the area's special architectural and historic interest is not diminished.

11.40 As a result, the Council will not allow new development that would harm a conservation area's character or appearance, and will welcome development that makes a positive contribution to that character. New buildings do not have to imitate existing buildings, but they must harmonise with the characteristic built form of the area. Issues such as the scale, proportions, height, form and siting of new buildings will be crucial, but details such as materials, finishes and the proportions of window openings can also help to ensure that new development blends in with the conservation area. Extensions and alterations to buildings must both respect the character of the building involved, and must not detract from the area as a whole.

- 11.41 However, the character of a conservation area does not come purely from the buildings that it contains. Open spaces, the mix of uses, shop fronts, advertisements, trees, the street pattern, street furniture, boundary and surface treatments, vistas, and the relationship between buildings all contribute enormously to a conservation area's special character. Developments must take account of the importance of such features and must seek to protect them and, where possible, to add to them.
- 11.42 Where important features are to be lost in the course of any proposed works, the Council may require the applicant to arrange for them to be recorded as a condition of any planning permission granted.
- 11.43 To enable the Council to weigh up the likely impact of a development in a conservation area, detailed drawings will almost always need to accompany a planning application. As a result, outline planning applications will not usually be appropriate.

Policy HE8 – Demolition within a conservation area

Planning permission will be granted for proposals involving the demolition of all or substantially all of an unlisted building in a conservation area provided that:

- 1. The building does not make a positive contribution to the character or appearance of the area; or**
- 2. The building or structure is beyond reasonable repair; or**
- 3. Every reasonable effort has been made to continue its current use or find a compatible alternative use that would allow for the building's retention**

Where permission is granted for demolition and a vacant site would harm the character of the area, a condition will be applied to prevent demolition being carried out until a redevelopment scheme has been permitted and contractually secured.

Justification

- 11.44 The demolition of a building or structure that is of little or no importance to the area's appearance will generally be acceptable. However, buildings and other structures in conservation areas that make a positive contribution to the area should be retained, where possible. Nonetheless, circumstances can arise that would justify demolition, namely where:
- a building or structure is in such a poor structural condition that the cost of repairing it would be prohibitive, and is not justified in relation to the importance of the building. Applicants making a case for demolition on this basis should provide information on predicted repair and maintenance costs and the value that can be derived from the building's continued use. Where it is clear that a building has been deliberately neglected in order to increase the likelihood of demolition being approved, the Council will give less weight to the costs of repair in weighing up whether the building is beyond reasonable repair;
 - real efforts have been made without success to continue the present use or to find a compatible alternative use for the building. This should include the offer of the unrestricted freehold of the building on the open market at a realistic price reflecting the building's condition.
- 11.45 Where permission is granted for the demolition of a building or structure in a conservation area, the Council may require the applicant to arrange for features that will be lost in the course of the proposed works to be recorded as a condition of any planning permission granted.

- 11.46 Conservation area designation introduces control over the demolition of most buildings, and applications for conservation area consent to demolish must be made to the District Council. However, local plan policies may not deal with the criteria against which conservation area consent applications will be determined and this policy sets out how the Council will deal with planning applications involving the demolition of buildings in conservation areas.

Other Historic Assets

Policy HE9 - Historic parks and gardens

Planning permission will be granted for proposals, provided they will not adversely affect the character, appearance, or setting of any park or garden of special historic interest (as shown on the Proposals Map).

Justification

- 11.47 Historic parks and gardens are an important part of the District's heritage and landscape. Five of the most important are included on the Register of Parks and Gardens of Special Historic Interest compiled by English Heritage. These are at Coleby Hall, Culverthorpe Hall, Doddington Hall, Rauceby Hall and Rauceby Hospital - brief descriptions are given in Appendix 10. Their inclusion on the Register reflects the fact that they have an historical interest of greater than local importance. [It should be noted that planning permission is outstanding for the residential development of the grounds of Rauceby Hospital, and that this permission pre-dates its inclusion on the Register.]
- 11.48 These parks and gardens contribute greatly to the particular character of North Kesteven, and they merit protection from harmful development. A historic landscape appraisal may be required where development affecting a historic park or garden or its setting is proposed. The Council will welcome the restoration, enhancement or interpretation of these parks and gardens.
- 11.49 Where development is exceptionally permitted that would lead to the loss of important elements of any of these parks and gardens, the Council may require the applicant to arrange for features that would be lost in the course of the proposed works to be recorded as a condition of any planning permission granted.

Policy HE10 – Local distinctiveness

Planning permission will be granted for proposals that will not adversely affect the contribution made by a locally important traditional building or structure to the character of its surroundings.

Justification

- 11.50 Listed buildings, conservation areas, ancient monuments and historic parks and gardens are the most obvious examples of historical features that make North Kesteven's character so pleasant. It is as a consequence of their particular importance that they are specifically identified and protected. However, features of lesser individual importance contribute to the District's character, and collectively their contribution can be very significant.

- 11.51 For example, there are many examples of traditional buildings within the District that are not of sufficient quality to justify listing, but which nonetheless possess significant local and/or historic character. The Council has identified many such buildings as ‘sensitive buildings’, and will be concerned to ensure that their intrinsic worth is preserved. In addition, there are many other features or structures such as historic/traditional shopfronts, street furniture (e.g. guide posts, benches, statues), walls, railings, individual garden features, or areas of traditional street paving that give historic interest to their surroundings. More detailed guidance on shopfronts is given in the Sleaford Shopfront Design Guide (formally adopted by the Council as Supplementary Planning Guidance in May 1998).
- 11.52 Where appropriate the Council will expect traditional buildings and features to be retained. In cases where the retention of traditional buildings and other structures is not considered appropriate, the Council may require the applicant to arrange for features that would be lost in the course of the proposed works to be recorded as a condition of any planning permission granted.

Policy HE11 - Advertisements in conservation areas, on listed buildings and on scheduled ancient monuments

Consent will be granted for advertisements to be displayed within conservation areas, or on listed buildings or scheduled ancient monuments provided that:

- 1. Public safety will not be compromised; and**
- 2. The advertisement will not adversely affect;**
 - a. the architectural or historic interest or setting of a listed building or scheduled ancient monument; or**
 - b. the character or appearance of a conservation area.**

Justification

- 11.53 Advertisements have a useful role to play in the District’s commercial life, and can be a positive element in the built environment. However, they can have a harmful effect upon the appearance of any building or area and, when listed buildings, scheduled ancient monuments or conservation areas are involved, poor quality advertisements can be especially harmful. This policy is intended to protect and enhance the amenity and safety of people’s surroundings, whilst allowing for appropriate advertisements.
- 11.54 Many of the District’s listed buildings and conservation areas are in parts of the District where commercial activity is concentrated, and where it is to be expected that advertisements will be displayed. Thus, the Council accepts that, in many cases, it is appropriate for signs and advertisements to be displayed in conservation areas and on listed buildings (and more unusually on ancient monuments), and acknowledges that well-designed advertisements can actually make a positive contribution to a building or area. However, the Council will wish to apply more exacting standards of advertising control in such circumstances than it may in other parts of the District.

11.55 Proposed advertisements must not detract from the integrity of a conservation area, and must not obscure or detract from the design or historic character of a protected building, nor spoil its setting. Clearly what will be acceptable will vary from building to building and from area to area, but the following general guidelines can be set out:

- Large-scale poster advertisements will rarely be appropriate on a listed building or scheduled ancient monument. In a commercial part of a conservation area, they may be acceptable, provided that they will be compatible with the area's architectural or historical features and will not be out of scale with the building on which they are displayed;
- Projecting box signs will rarely be appropriate, since they can disfigure the appearance of historic buildings;
- Flag advertisements will not usually be acceptable, because they tend to dominate a building or area (only larger buildings can accommodate a flag advertisement without harm);
- Materials will normally need to be natural (wood or metal). Bright colour schemes and synthetic materials will seldom be compatible with a historic building or area;
- Advertisements must not be excessively large or obtrusive;
- Illumination of signs (particularly internal illumination) can be alien to the character of historic buildings and areas; and
- Advertisements displayed above fascia level or above the bottom of first floor window level will seldom be acceptable, as this is not a traditional position for advertisements to be displayed (with the exception of pub signs).

11.56 As is always the case with advertisements, public safety must not be reduced and thus advertisements must not distract drivers, obscure visibility or be potentially confused with existing traffic signs.

11.57 Applicants should note that the fixing of most advertisements to a listed building will require listed building consent.

Appendix 1 - Parishes in North Kesteven forming part of the Lincoln Policy Area

- Aubourn and Haddington
- Bassingham
- Boothby Graffoe
- Bracebridge Heath
- Branston and Mere
- Canwick
- Coleby
- Doddington and Whisby
- Dunston
- Eagle and Swinethorpe
- Harmston
- Heighington
- Metheringham
- Nocton
- North Hykeham
- North Scarle
- Potterhanworth
- Skellingthorpe
- South Hykeham
- Thorpe on the Hill
- Thurlby
- Waddington
- Washingborough
- Witham St Hughs

Appendix 2 - Employment Allocations and Employment Sites with Planning Permission Identified

Identified by Policies E1 and E2

(Area in Hectares (Ha) is Residual Site Capacity of Sites (2006))

(1) Strategic Employment Sites – Lincoln Policy Area				
Site Reference	Location	Ha	Phase	Types of Development Uses Permitted
E1-SWA1	Witham St Hughes	c12.0	1	B1, B2, and B8
E1-NHK2	Whisby Rd South	4.2	1	B1, B2, and B8
E1-NHK5	Whisby Rd South	9.0	1	B1, B2, and B8
E1-NHK5	Whisby Rd South	21.7	2	B1, B2, and B8
E1-SHK1	South Hykeham	4.6	1	B1, B2, and B8
E1-NHK1	Whisby Rd North	3.4	1	B1, B2, B8, D2 and Sui Generis
E2-DFBP	Decoy Farm	25.0	1	B1
E1-BBG1	Bracebridge Heath	10	2	B1, B2, and B8
Total		89.9		

(2) Local Employment Sites – Lincoln Policy Area			
Site Reference	Location	Phase	Types of Development Uses Permitted
E1-BAS1	Bassingham	0.15	B1
E1-HEI1	Heighington	1.50	B1
E1-MET1	Metheringham	3.19	B1, B2, and B8
E1-NHK4	North Hykeham	1.10	B1, B2, and B8
E1-WAS1	Washingborough	2.30	B1, B2, and B8
E1-NHK3	North Hykeham	1.30	B1, B2, and B8
Total		9.54	

(3) Strategic Employment Sites – Rest of the District (Sleaford)			
Site Reference	Location	Phase	Types of Development Uses Permitted
E1-SLE1	North of Railway, Sleaford	14.5	B1, B2, and B8
E1-SLE3	North of Railway, Sleaford	16.7	B1, B2, and B8
E1-SLE5	West of East Road, Sleaford	1.12	B1, B2, and B8
E1-SLE6	East of East Road, Sleaford	4.10	B1, B2, and B8
E1-SLE7	Land off B1517, Sleaford	2.52	B1, B2, and B8
Total		38.94	

(4) Local Employment Sites – Rest of the District			
Site Reference	Location	Phase	Types of Development Uses Permitted
E1-BIL2	Billingham	0.2	B1
E1-HEC1	Heckington	4.6	B1, B2, and B8
E1-RUS1	Ruskington	1.5	B1, B2, and B8
Total		6.3	