

together with ancillary equine related activities, retail and food and drink uses to serve the racecourse visitors will be permitted provided that:

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

JUSTIFICATION

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

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

WATER-BASED RECREATION

POLICY CRT 8 – WATER-BASED RECREATION

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

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

Provided that:

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

JUSTIFICATION

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

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

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

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

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

PUBLIC RIGHTS OF WAY AFFECTED BY DEVELOPMENT

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

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

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

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

POLICY CRT 9 – PUBLIC RIGHTS OF WAY

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

JUSTIFICATION

4.36 The provision of public footpaths is an important attraction for visitors and local people, even though many footpaths and bridleways only extend for a short way. It is desirable to link these to make longer walks and introduce a network between woodland walks, waterside walks, town paths, field paths etc, giving those without access to a car the opportunity to visit the countryside.

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

GOLF COURSES

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

POLICY CRT 10 – GOLF COURSES

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

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

JUSTIFICATION

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

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

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

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

EQUESTRIAN FACILITIES

POLICY CRT 11 - EQUESTRIAN FACILITIES

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

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

JUSTIFICATION

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

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

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

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

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

ENVIRONMENTALLY DAMAGING SPORTS

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

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

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

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

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

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

POLICY CRT 12 – ENVIRONMENTALLY DAMAGING SPORTS

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

- *Lincolnshire Wolds Area of Outstanding Natural Beauty;*
- *Scheduled Ancient Monuments;*

- *Areas of Great Landscape Value;*
- *Sites of Special Scientific Interest;*
- *Sites of Nature Conservation Importance;*
- *National Nature Reserves;*
- *Regionally Important Geological, Geomorphological Sites; or*
- *Any other important natural areas.*

Elsewhere, development proposals will only be permitted if:

- i. They do not cause unacceptable disturbance to local communities and/or the environment by way of noise, odours, litter, traffic generation or visual intrusion;*
- ii. They do not harm the character, appearance and setting of or impose on the skyline of the landscape;*
- iii. They do not harm wildlife habitats;*
- iv. They do not create highway and road safety problems;*
- v. They are located where existing topography or landscape forms an effective noise barrier;*
- vi. Appropriate attenuation measures are incorporated to reduce ambient noise levels to an acceptable level;*
- vii. The hours of operation are strictly controlled.*

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

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

JUSTIFICATION

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

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

4.56 In all cases the Council will expect a thorough investigative report concerning the effect of the proposed use on the environment and the landscape. The level of noise expected to be generated and how this should be mitigated, if appropriate, will also be included. The Council will ensure that the visual intrusion in the countryside will be kept to a minimum.

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

SITES USED FOR EDUCATIONAL PURPOSES

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

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

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

POLICY CRT 13 – SITES FOR EDUCATIONAL PURPOSES

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

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

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

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

JUSTIFICATION

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

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

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

OTHER SERVICES IN THE COMMUNITY – RESIDENTIAL NURSING HOMES

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

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

POLICY CRT 14 - RESIDENTIAL AND NURSING HOMES

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

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

JUSTIFICATION

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

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

RESIDENTIAL OR DAY CARE PROVISION FOR CHILDREN

POLICY CRT 15 – RESIDENTIAL OR DAY CARE PROVISION FOR CHILDREN

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

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

JUSTIFICATION

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

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

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

TOURISM

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

POLICY CRT 16 – GENERAL POLICY FOR TOURISM

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

- i. The proposal is of a scale and type which respects and complements the character of the District's historic towns, attractive villages and countryside;*
- ii. The proposal has regard to the existing overall provision of other similar facilities in the locality and is of an appropriate scale having regard to the size and type of attraction it is associated with;*

iii. Access is available, as far as practically possible by a choice of means of transport including public transport;

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

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

JUSTIFICATION

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

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

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

HOLIDAY ACCOMMODATION

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

POLICY CRT 17 – HOLIDAY ACCOMMODATION

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

i. The development is located within a settlement; or

ii. Development is in association with existing or proposed tourist facilities; or

iii. Development is contained within a building or group of buildings with an existing residential use and character and that residential character is not altered; or

iv. The proposal relates to the rural diversification of a farm holding in accordance with Policy ECON 4.

And provided that:

a. The development would not have an adverse effect on the character and appearance of the open countryside, settlement or locality in which it is situated;

b. The development is compatible with its surroundings in terms of scale, design, materials and landscaping;

c. The development would not have a detrimental effect on highway safety;

d. The development would not have an adverse effect on neighbouring residential, amenity or other land uses.

JUSTIFICATION

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

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

LOSS OF TOURIST ACCOMMODATION OR SITES

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

POLICY CRT 18 – LOSS OF TOURIST ACCOMMODATION OR SITES

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

JUSTIFICATION

4.78 Modern caravans and chalets are very sophisticated and, in many ways, reasonable permanent homes but, most are not designed to be lived in all year round.

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

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

CARAVAN SITES

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

POLICY CRT 19 - CARAVAN SITES

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

- i. The development is associated with existing or proposed tourist attractions;*
- ii. The site can be suitably screened by existing land forms and/or vegetation and will not be visible for long distances;*
- iii. The provision of any ancillary development is restricted to those facilities which are required to service the site;*
- iv. The development is of appropriate scale with regard to its setting and would not have an adverse effect on the character and appearance of the open countryside or settlement;*
- v. The proposal has regard to the existing overall provision of other sites in the locality and will not lead to an over concentration in the area.*

JUSTIFICATION

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

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

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

4.85 The need for on-site facilities and in some instances warden's accommodation is recognised, but these should be restricted to the site's immediate needs. Caravan sites shall not be deemed to require new dwellings or additional facilities such as shops, cafes and petrol stations in the countryside. Dwellings associated with these sites will need to satisfy similar criteria to those permitted in association with agriculture and forestry as set out in PPS7 (Sustainable Development in Rural Areas).

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

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

WATERCOURSE CORRIDORS

4.88 A watercourse corridor is the area of land that is physically and visually linked to each watercourse. It forms a continuous corridor of land along the length of the river. Studies have shown that there is a correlation between watercourse corridors and existing

environmental designations, notably Sites of Scientific Interest, and Areas of Outstanding Natural Beauty. In urban areas, the importance of watercourse corridors is even more pronounced as they are one of the few remaining features to link areas of open space within the urban area to the countryside beyond via Green Wedges. Such links are significant not only for amenity and recreation but also for wildlife.

POLICY CRT 20 – WATERCOURSE CORRIDORS

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

JUSTIFICATION

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

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

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

[< Previous Chapter](#) | [^ Top](#) | [Next Chapter >](#)

CHAPTER 5 - RETAIL AND TOWN CENTRES (RTC)

Other links in the Interactive Local Plan:

- [Interactive Local Plan – Home](#)
- [Written Statement – Contents](#)
- [Written Statement – Subject Index](#)
- [Strategy](#) (Document 1)
- [General Policies](#) (Document 2)
- [Proposals Maps](#) (Document 3)
- [Copyright Notice](#)
- [User Guide](#)

INTRODUCTION

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

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

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

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

5.5 Although shopping is a key function of town centres, it is important to remember the ancillary uses and services which can also be found in town centres. Town centres are also places where people live, work and find their entertainment, leisure and recreation facilities. In broad terms, the town centre acts as an advertisement for an area, promoting its attractiveness, sense of worth and good image.

AIMS AND OBJECTIVES

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

- To accommodate any new retail and associated development within the three town centres to strengthen the role as a retail and service centre in order to maintain and enhance the vitality and viability of the town centre economy.

- To ensure that outside the town centres, everyday shopping and service requirements can be met and be accessible to all in the community.
- To prevent the development of out-of-town retail floorspace which is detrimental to the economy of the town centre and increases the use of private transport.
- To ensure that the design of new retail proposals is appropriate to the character of the location.

NATIONAL, REGIONAL & STRATEGIC GUIDANCE

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

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

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

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

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

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

RETAIL AND TOWN CENTRES IN WEST LINDSEY

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

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

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

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

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

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

TOWN CENTRE DEVELOPMENT

POLICY RTC 1 – TOWN CENTRE DEVELOPMENT

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

- i. Shops (A1);*
- ii. Businesses (B1) (usually at upper levels);*
- iii. Residential (C3) (usually at upper levels);*
- iv. Financial and Professional Services (A2);*
- v. Food and Drink Establishments (A3/A4/A5);*
- vi. Hotels (C1);*
- vii. Residential Institutions (C2);*
- viii. Community Facilities (D1) open daily;*
- ix. Leisure and Recreational Facilities (D2);*
- x. Taxi and Vehicle Hire Businesses;*

Provided that:

- a. They do not detract from the centre's primary shopping function;*
- b. They have regard to the existing character and function of the shopping street;*

c. They would not harm the vitality and viability of the town centre by way of leading or adding to a concentration of non-class A1 uses;

Or if:

d. Allowing a non-class A1 use would be the most effective means of restoring or improving a building of historic or architectural merit; or

e. They would make an important contribution to the vitality and viability of the town centre;

And provided that:

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

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

JUSTIFICATION

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

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

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

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

RETAIL DEVELOPMENT IN TRINITY STREET, GAINSBOROUGH

POLICY RTC 2 – RETAIL DEVELOPMENT IN TRINITY STREET, GAINSBOROUGH

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

- i. Business (B1);*
- ii. Residential (C3);*
- iii. Food & Drink Establishments (A3/A4/A5);*
- iv. Hotels (C1);*
- v. Community Facilities (D1) open daily;*

- vi. Leisure and Recreation (D2);*
- vii. Taxi and Vehicle Hire Businesses;*
- viii. Small-Scale Retail (A1) to serve a local need only;*

Provided that:

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

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

JUSTIFICATION

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

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

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

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

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

5.28 Small-scale retail proposals designed to meet local needs within the immediate hinterland of Trinity Street may be acceptable. Local needs development is defined as that

which is likely to increase the accessibility of shopping facilities to local people, particularly those without cars and which can help to reduce the need to travel by car.

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

VILLAGE CENTRES IN PRIMARY RURAL SETTLEMENTS

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

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

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

JUSTIFICATION

5.30 Many of the District's most populated villages, termed 'primary rural settlements', have a distinct areawhere concentrations of retailing and community activity performing an important local service role can be found. These areas are characterised by a collection of small retail units and service provision such as a health centre, village hall and library. These areas are a focus of rural and community life and perform a vital support and 'top-up' role to the larger town centres and, over time, have developed their own unique and distinctive characters. The Council wishes to see this role and character sustained, protected and enhanced with a small retail hub forming the key land use activity.

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

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

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

MAJOR RETAIL DEVELOPMENT

POLICY RTC 4 – MAJOR RETAIL DEVELOPMENT

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

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

JUSTIFICATION

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

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

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

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

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

- Expenditure Growth or Economic Capacity.

- Retailer Demand.
- Regeneration/Urban Renaissance Enabler Argument.
- Demonstrated Demand from Public through Consultation Exercise.
- Physical Capacity of Site to Accommodate Proposed Development.

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

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

MISCELLANEOUS TOWN CENTRE USES

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

POLICY RTC 5 – MISCELLANEOUS TOWN CENTRE USES

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

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

JUSTIFICATION

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

be taken with less conventional proposals which may dilute or undermine this primary shopping role.

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

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

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

NEIGHBOURHOOD RETAILING

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

POLICY RTC 6 - NEIGHBOURHOOD RETAILING

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

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

JUSTIFICATION

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

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

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

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

RETAILING IN THE COUNTRYSIDE

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

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

POLICY RTC 7 – RETAILING IN THE OPEN COUNTRYSIDE

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

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

JUSTIFICATION

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

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

5.55 Large-scale retail developments will not be permissible in the countryside both because of the significant detrimental impact they can have on the character of these areas and because they could have a harmful effect on the economic well-being of nearby town centres. Allowing such locations outside settlements often restricts travel choices, introduces new traffic to quiet areas and leads to the generation of additional vehicle pollutants.

5.56 Some retail developments, such as shops which are ancillary to another use (e.g. farm shops), may require a countryside location. These types of development need careful

control if a proliferation of such development in the countryside is to be avoided. Proposals for the expansion of existing retail uses in the countryside need similar care.

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

DESIGN OF RETAIL PREMISES AND ALTERATIONS TO SHOP FRONTS

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

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

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

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

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

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

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

JUSTIFICATION

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

5.63 It is the aim of the Council generally, to enhance the environment of the shopping areas within West Lindsey. The visual appearance of the buildings is an important element

in this environment. In the long term, the character of the town centre areas will be an important element in retaining custom and drawing it away from other new purpose-built shopping facilities.

RESTAURANTS – CAFÉS, DRINKING ESTABLISHMENTS AND HOT FOOD TAKEAWAYS

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

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

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

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

JUSTIFICATION

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

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

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

5.68 When premises are open late at night and are situated in residential locations the activity they can generate can be a particular problem. Technical methods of solving one problem, such as extractors or chimneys to remove odours, may create other problems

such as noise and a reduction in the visual amenity of the area. Control over hours of operation and ancillary uses will be particularly needed in residential areas.

RETAILING FROM INDUSTRIAL ESTATES

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

POLICY RTC 10 - RETAILING FROM INDUSTRIAL ESTATES

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

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

JUSTIFICATION

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

5.71 The Council wishes therefore to avoid retail development on allocated employment sites where possible. Factory shops are often developed on industrial sites and these may be acceptable, as they are usually ancillary to an adjacent use, as may be cafés or other minor uses which are mainly for the use of employees within the area. Certain other uses may also be more appropriately sited within an employment area.

GARDEN CENTRES

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

POLICY RTC 11 – GARDEN CENTRES

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

- i. Is within, or abutting, the edge of an existing settlement;*
- ii. Is predominantly for the sale of plants or locally grown produce adjacent or close to the retail outlet;*

- iii. Would not have a detrimental impact on the character and appearance of the countryside landscape and surrounding neighbourhood;*
- iv. Would not create traffic problems;*
- v. Would not adversely affect the amenities of local residents;*
- vi. The viability of shopping facilities in nearby settlements is not materially harmed.*

JUSTIFICATION

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

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

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

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

OUTDOOR MARKETS IN THE OPEN COUNTRYSIDE

5.77 In recent years there has been a growth of outdoor markets to serve both a shopping and leisure function, particularly on Sundays. However, the operation of these markets has resulted in complaints and objections and therefore this policy is designed to address these issues and reduce future problems.

POLICY RTC 12 – OUTDOOR MARKETS IN THE OPEN COUNTRYSIDE

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

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

vi. The development would not conflict with other policies relating to the use or protection of the countryside.

JUSTIFICATION

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

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

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

[< Previous Chapter](#) | [^ Top](#) | [Next Chapter >](#)

CHAPTER 6 - NATURAL AND BUILT ENVIRONMENT (NBE)

Other links in the Interactive Local Plan:

- [Interactive Local Plan – Home](#)
- [Written Statement – Contents](#)
- [Written Statement – Subject Index](#)
- [Strategy](#) (Document 1)
- [General Policies](#) (Document 2)
- [Proposals Maps](#) (Document 3)
- [Copyright Notice](#)
- [User Guide](#)

INTRODUCTION

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

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

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

AIMS AND OBJECTIVES

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

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

NATIONAL, REGIONAL & STRATEGIC GUIDANCE

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

6.6 The Regional Spatial Strategy for the East Midlands (RSS8) aims to conserve and creatively manage the natural resources and cultural assets of the East Midlands with reference to sustainable development principles.

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

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

DEVELOPMENT IN CONSERVATION AREAS

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

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

POLICY NBE 1 - DEVELOPMENT IN CONSERVATION AREAS

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

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

JUSTIFICATION

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

6.12 Central Government Policy in PPG15 (Planning and the Historic Environment) indicates that Local Authorities, in determining planning applications for development in Conservation Areas, should pay special attention to the bulk, height, use of traditional materials, colour, horizontal or vertical emphasis and design of any building. The Council will ensure that any development within Conservation Areas will be appropriate, well designed and in sympathy with the character of the area. As Policy STRAT 1 indicates, adequate information must be supplied with all applications so that the effects of development proposals can be properly judged. Conservation Areas are sensitive locations and therefore, in accordance with Policy STRAT 1, detailed plans are likely to be necessary as part of the planning application in order to assess the impact on the area. Simple outline applications do not normally have the detailed plans necessary to make the judgement required under Policy STRAT 1.

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

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

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

JUSTIFICATION

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

6.14 Special attention should be paid to the desirability of preserving or enhancing the character or appearance of the area by virtue of the Planning (Listed Buildings and Conservation Areas) Act 1990, Section 72 (1). It is the view of the Council that, although it does not have a duty to have regard to this Plan when considering application for Conservation Area Consent, this Local Plan First Review is the correct place in which to specify the approach that the Council will take when dealing with such applications. If the policy does not appear here it will make it difficult for those who propose development in Conservation Areas to ascertain how their applications would be treated as the policy guidance would be fragmented.

6.15 Generally, each building or structure within a Conservation Area contributes to the overall character of the area. Demolition of buildings, which may not be of particular interest in themselves, can still harm the character of the area, because that demolition can

adversely affect the setting of other buildings and reduce the number of individual elements which contribute to the overall character of the area.

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

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

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

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

LISTED BUILDINGS AND THEIR SETTING

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

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

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

Planning permission for development involving proposals:

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

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

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

JUSTIFICATION

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

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

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

6.25 It is not intended to apply to proposals which have no impact on the issues of development control. These might include certain types of alterations, repairs or maintenance works.

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

DEMOLITION OF LISTED BUILDINGS

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

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

POLICY NBE 4 - DEMOLITION OF LISTED BUILDINGS

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

i. The structural state of the building or structure is such that it is beyond all reasonable repair;

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

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

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

JUSTIFICATION

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

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

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

POLICY NBE 5 - NOW DELETED

POLICY NBE 6 - NOW DELETED

ANCIENT MONUMENTS, SITES & REMAINS OF ARCHAEOLOGICAL IMPORTANCE

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

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

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

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

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

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

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

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

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

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

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

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

JUSTIFICATION

6.43 Where nationally important remains and their settings will be affected by the proposed development, there should be a presumption in favour of their physical preservation. The situation of the remains or area of interest lends much to its character, so the effect that development has on this is an equally important consideration.

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

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

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

HISTORIC PARKS AND GARDENS

6.47 English Heritage maintains the statutory list of historic parks and gardens of special historic interest. In addition, the Council has undertaken research and identified a further list of parks, gardens or other formally laid out areas in the District. Whilst these areas may not have the special historic interest that is attached to those identified by English Heritage, they are important to the District because of their local historical significance and/or visual effect of their formal layout. The list both of the parks and gardens identified by English Heritage and West Lindsey is contained in Appendix 5.

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

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

POLICY NBE 8 - HISTORIC PARKS AND GARDENS

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

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

JUSTIFICATION

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

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

THE LINCOLNSHIRE WOLDS - AREA OF OUTSTANDING NATURAL BEAUTY

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

6.52a The Countryside and Rights of Way Act 2000 (CRoW Act) underlined the importance of AONBs and introduced specific requirements for local authorities and public bodies in looking after these nationally important landscapes. The Act created a new statutory duty for all AONB local authorities to publish and review AONB Management Plans. The Lincolnshire Wolds AONB Management Plan (2004-09), will compliment the West Lindsey Local Plan First Review formulating partnership policies and action for protecting and enhancing this special place.

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

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

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

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

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

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

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

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

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

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

JUSTIFICATION

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

6.58 The purpose of the AONB designation was not to preserve the area completely unchanged. The Council recognises it needs to safeguard agricultural and other existing rural industries, to ensure the social and economic well-being of the rural communities in

the AONB. Allowing such industries to continue their use in a particular location leads to a demand for further change and growth.

6.59 Small scale development intended to meet the economic and social needs of local communities may be permitted provided that they do not harm the character and appearance of the AONB or impact upon the special qualities of the AONB and the ability of others to enjoy the area's uniqueness. Facilities for quiet enjoyment and appreciation of the area may also be permitted where these do not harm the character and appearance of the AONB. Without minimal change, which allows the communities to maintain their social and economic vitality and viability, the role and function of the settlements can alter. This may lead to greater demands for unacceptable development which is out of character with the area.

PROTECTION OF LANDSCAPE CHARACTER AND AREAS OF GREAT LANDSCAPE VALUE

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

6.61 Areas of landscape character and natural areas have been identified at a National Level which is then reflected in the Lincolnshire Structure Plan Review. West Lindsey commissioned a Landscape Character Assessment in 1999 to identify the particular landscape character areas within West Lindsey. This independent assessment was carried out by consultants and went onto identify the features important to protecting those character areas from the adverse impact of development. This has then been amplified further in the Countryside Design Summary published in 2003 as Supplementary Planning Guidance (SPG) which provides clearer guidance on the issue of development and the protection of landscape character. This Local Plan First Review goes on to designate the most important and striking parts of the landscape as Areas of Great Landscape Value (AGLV), which are defined on the Proposals Maps. One of the objectives of the Lincolnshire Structure Plan Review is to ensure that Local Plans recognise the distinctiveness of landscape character, and ensure that natural areas are protected, appropriately managed and enhanced. The Regional Spatial Strategy for the East Midlands notes that local authorities should be informed by landscape character assessments and that these should be taken into account when considering development proposals and used to justify retention of any local landscape designations.

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



POLICY NBE 10 - PROTECTION OF LANDSCAPE CHARACTER IN DEVELOPMENT PROPOSALS

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

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

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

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

JUSTIFICATION

6.63 The Areas of Great Landscape Value are felt to be of distinctive value to the character of the District as a whole and development that may impact on their character would detrimentally affect the overall character of West Lindsey. These AGLVs follow landscape features which run through towns and villages, therefore the AGLV designation washes over those settlements. The only exception is Gainsborough, where the AGLV stops at the settlement boundary. This is for practical reasons only to allow all the other designations in the town to be shown on the inset plans. The landscape features of Gainsborough should still be protected. Around the northern fringe of Lincoln the AGLV's run into and are replaced by Green Wedges; in these wedges the same landscape consideration will still apply.

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

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

DEVELOPMENT AFFECTING SITES OF SPECIAL SCIENTIFIC INTEREST AND NATIONAL NATURE RESERVES

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

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

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

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

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

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

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

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

JUSTIFICATION

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

6.71 Within the East Midlands there has been a loss of more wildlife than any in other region in England, with an average of one species lost per year over the last century. The majority of the countryside in West Lindsey is subject to intensive farming. This supports relatively little flora and fauna both in numbers and diversity and reduces the overall number of habitats which become smaller and more isolated and fragmented.

6.72 The SSSIs are important because of the wide range of species that they support and because their relative scarcity. They are valuable and irreplaceable parts of the local and national heritage and it is necessary to give them every possible and reasonable protection.

Such is their national importance that the Council believes that development should only be permitted in exceptional circumstances, where there is a national interest which cannot be met in another location.

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

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

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

DEVELOPMENT AFFECTING LOCALLY DESIGNATED NATURE CONSERVATION SITES AND ANCIENT WOODLANDS

6.76 Central Government objectives for nature conservation are to ensure that policies contribute to the conservation of the abundance and diversity of British wildlife and its habitats. Furthermore, it aims to minimise the adverse effects on wildlife where conflict of interest is unavoidable, and to meet its international responsibilities and obligations for nature conservation.

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

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

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

6.80 The Lincolnshire Wildlife Trust assesses, reviews and designates new nature conservation sites within the District. These sites are shown on the Proposal Maps. Local Nature Reserves are designated by West Lindsey and they seek to protect and manage wildlife habitats. Development proposals must respect locally designated nature reserves in order to protect the habitat for the resident species.

6.81 There are nine identified Regionally Important Geological or Geomorphological Sites (RIGs) and listed in Appendix 7. These are part of a network of sites which are considered to be worthy of protection for their educational, research, historical or aesthetic importance. These are identified by English Nature.

6.82 Ancient woodlands represent a unique habitat created over many hundreds of years. They have had continuous cover of native trees since 1600 or earlier and have not been cleared or extensively replanted since then. Again these are designated by English Nature.

6.83 The Regional Spatial Strategy highlights that ancient woodlands are a feature of the landscape and Local Plans should seek to afford their protection. The East Midlands has a

relatively poor level of tree cover when compared to the UK as a whole so the protection, enhancement and creation of new woodlands using native species are important.

POLICY NBE 12 - DEVELOPMENT AFFECTING LOCALLY DESIGNATED NATURE CONSERVATION SITES AND ANCIENT WOODLANDS

Development will not be permitted which would adversely affect any of the following, unless there is a demonstrable overriding regional or local need for the development which cannot be accommodated elsewhere and the reason for the development clearly outweighs the need to safeguard the substantive nature conservation value of the site:

- i. Site of Nature Conservation Importance;*
- ii. A Local Nature Reserve;*
- iii. A Lincolnshire Trust Nature Reserve;*
- iv. A Regionally Important Geological or Geomorphological Site;*
- v. Ancient Woodlands;*
- vi. Any species of animal or plant, or its habitat, protected under British or European Law.*

Where development is permitted planning conditions will be imposed which will require:

- a. That adequate opportunity is provided to enable proper recording of the site;*
- b. That before development commences measures are agreed with the Council and taken by the Developer which mitigates the effects of the development on the site, the woodland and the wildlife, and compensate for any potential loss, in order to recognise and preserve the nature conservation interest.*

JUSTIFICATION

6.84 The Council is of the view that there is a wider remit than just the protection of those sites which are identified in statutes, and Central Government Policy. It is recognised that there is a continuous gradation of nature conservation interest throughout the countryside and in urban areas.

6.85 The Council is therefore of the view that the protection of only statutory sites would not be sufficient to enable the satisfactory protection of wildlife interest in West Lindsey. There are valuable plant and animal species which are found outside of the statutorily protected sites. There will be whole network of habitats, feeding and foraging areas forming the territory for the wildlife.

6.86 The Council does not wish to allow development which will adversely affect important sites thereby reducing the network of wildlife habitats. The loss of a single site can have a great effect on the overall habitat chain and may sever a wildlife corridor. The Lincolnshire Biodiversity Action Plan seeks to retain existing wildlife sites and create new habitats in order to enhance the biodiversity of the County.

6.87 Consideration of measures to retain the integrity of the site will only take place if, within the context of the Policy, the development proposal is acceptable in principle. Such measures may include the possibility of compensatory habitat creation. It would need to be shown however that such newly created habitats are suitable for the plant and animal

species displaced from the development site and that the newly created habitat can be sustained in the long term.

6.88 The Ancient Woodlands are unique and the Council believes that any development which would destroy or have a detrimental effect on them is not acceptable. Because these sites do have a special quality, development, if permitted, will need to minimise the negative impacts and consultation with English Nature will be undertaken to determine the most appropriate measures.

6.89 The protection of woodland through proper management, tree preservation orders and the application of felling licences is vital to ensure that woodlands and hedgerows are retained because of intrinsic value to the landscape character.

6.90 The most important wildlife habitats in the area are already protected by special designation on the Proposals Map. The presence of any protected species is a material consideration when the Council is considering a development proposal which would be likely to result in harm to the species or its habitat.

NATURE CONSERVATION IN WILDLIFE CORRIDORS

6.91 Wildlife corridors form important linear routes which link together a network of habitats allowing the safe movement of wildlife.

POLICY NBE 13 - NATURE CONSERVATION IN WILDLIFE CORRIDORS

Development will not be permitted in or adjacent to, a wildlife corridor if it would:

- i. Materially impair the physical continuity of a wildlife corridor; or*
- ii. Materially impair the functioning of a wildlife corridor in the colonisation or movement of flora and fauna; or*
- iii. Cause a material reduction in a habitat of demonstrable value in a wildlife corridor; or*
- iv. Cause demonstrable harm to any protected species known to be dependent on the use of the affected part of a wildlife corridor for migration, breeding, feeding or shelter.*

JUSTIFICATION

6.92 The wildlife corridors provide both an opportunity for wildlife movement and a habitat for species of plants and animals which live within them. They can link a number of areas and range from ditches and hedgerows to rivers and river valleys. Corridors can link up to form a complex network and major disruption to these can be a problem. They are an important part of the countryside and play a crucial role in the quest for the protection and enhancement of the biodiversity within West Lindsey and the wider environs.

6.93 The Council believes that any development which would sever damage or adversely impact upon a wildlife corridor should be resisted. The use of the powers conferred by the Hedgerows Regulations 1997 can help support the protection of the wildlife corridors.

6.94 In addition to such corridors, there are also other areas of the landscape which support a variety of wildlife and species of plant and animal life which may be important to a particular locality, which are afforded protection by Regulation 37 of the Conservation (Natural Habitats, &c.) Regulations 1994. Examples of where such protected species may exist include ponds, ditches, meadows and green lanes. Development should respect,

protect and enhance the role and importance of these wildlife habitats for their place within the wider countryside.

WASTE WATER DISPOSAL

6.95 Severn Trent Water and Anglian Water are the water supply and waste water disposal undertakers in West Lindsey dealing with water supply, sewerage and sewage treatment and disposal. There are a number of sewage treatments works in the District and the water companies have a continuing programme of updating and improving them.

6.96 Foul and trade effluent from developments go to the main foul sewerage system, where available, subject to the approval of the water companies. The option of septic tank drainage or package sewage treatment plant may be feasible in some areas to serve a development. Where such proposals are made, much will depend on the ground conditions and the ability of such systems to work satisfactorily, in the location proposed. The Local Planning Authority will have regard to Circular 03/99 (Planning Requirement in respect of the Use of Non-Mains Sewerage incorporating Septic Tanks in New Development).

6.97 The Environment Agency is concerned with land drainage and deals with the control of water pollution and protection of water resources. Where mains facilities are not available, developers are expected to consult with the Environment Agency at an early stage to discuss disposal and effluent treatment provisions.

6.98 Developers will be required to design suitable surface water run-off systems to ensure that the development does not give rise to flooding problems. This may involve on-site attenuation or off-site works which will be funded by the developer. The Environment Agency will provide advice when considering proposals for development. On all developments, particularly industrial and commercial, adequate anti-pollution measures must be incorporated into the site infrastructure provision.

6.99 The capacity of existing infrastructure, such as water supply and sewers, is taken into account in the preparation of the Local Plan First Review and, in determining planning applications; the adequacy of the water services is a material consideration. Land drainage issues can also influence the location of the development. Impermeable surfaces, such as paved areas and roofs, reduce the ground area capable of absorbing rainfall with the possibility of increased run-off to water courses. Other land uses such as mining, land drainage and forestry can have similar effects.

6.100 If the provision of services, whether to supply water to a new development, to take it away or to deal with surface water drainage, is not adequate then this need not necessarily prevent permission being granted for such development. In these cases the Council may impose a negative condition to any permission which will restrict any development taking place until such times as a water supply and drainage services are adequate.

POLICY NBE 14 - WASTE WATER DISPOSAL

Development will not be permitted which would generate foul sewage or surface water run-off in excess of the capacity of the sewage system works or plant or ultimate receiving land drainage system.

Development will not be permitted where septic tank or cesspool systems are proposed unless:

i. The options, firstly of connecting into a public sewer or secondly of provision of a package sewage treatment plant providing full treatment of effluent, are not feasible;

- ii. Their use would not lead to a significant environmental, amenity or public health problem in any area in terms of:*
 - a. Contravention of recognised practice;*
 - b. Adverse effect on water sources and or resources;*
 - c. Health hazard or nuisance;*
 - d. Damage to controlled waters;*
 - e. Damage to the environment and amenity;*
 - f. Overloading the existing capacity of the area;*
 - g. Absence of suitable outlets;*
 - h. Unsuitable soakage characteristics;*
 - i. High water table;*
 - j. Rising ground water levels;*
 - k. Flooding.*

JUSTIFICATION

6.101 In the interests of public health and safety, it would not be appropriate to allow development which would generate flows in excess of the system capacity available and, thereby, be detrimental to the system overall. In determining planning applications the Local Planning Authority will have regard to Circular 03/99 (Planning Requirement in respect of the Use of Non-Mains Sewerage incorporating Septic Tanks in New Development).

6.102 The increased run-off from additional impermeable surfaces can often result in increased flood risk in areas downstream. It is often the case that the effects of development in the upper parts of a river catchment are not apparent in the area within which development occurs. As such, policies must ensure that when there is risk, appropriate attenuation or mitigating measures, defined by the Council in consultation with the Environment Agency is carried out by the developer.

6.103 Additionally problems may result from septic tank drainage if the ground conditions are not adequate. This can lead to unpleasant smells and ground water pollution.

WATER QUALITY AND SUPPLY

6.104 The water environment is a very important resource and wildlife habitat of the District. It is vital to protect the quality of water resources including lakes, reservoirs, canals, rivers, streams and underground sources. According to the Environment Agency, the East Midlands region fully utilises all of the surface water during summer months, but much of the groundwater is subject to an unacceptable abstraction regime which is likely to increase due to climate change and future developments.

6.105 The potential for pollution of aquifers from industrial sites, redundant mines and agriculture is a major threat to this environmental asset. Areas of high groundwater vulnerability are defined by the Environment Agency's Groundwater Protection Policy. Local Plans should include policies designed to control pollution and to limit smells and dirt, and pay particular attention to ground water resources susceptible to threats from development, minimise the risk of pollution and locate potentially polluting development away from

sensitive groundwater areas, especially in the vicinity of water supply abstraction. Once polluted these are often impossible to rehabilitate.

6.106 Plans should also take into account the implications of development which can affect the re-charge of aquifers or divert the flow of rivers. In both cases, there could be adverse effects on wildlife and vegetation as water tables drop and river corridors suffer loss or damage.

POLICY NBE 15 - WATER QUALITY AND SUPPLY

Development will not be permitted which would constitute a risk to the quality and quantity of water resources or to fisheries, amenity and nature conservation by means of:

- i. Pollution from development or as a result of the disturbance of contaminated land;*
- ii. Water abstraction unless adequate measures are taken to reduce this risk to an acceptable level.*

JUSTIFICATION

6.107 Rivers are used to supply the largest proportion of drinking water, as well as sport and recreation pursuits and for waste disposal. This last use creates pollution which can cause problems for the previously mentioned uses. Once water pollution occurs, it can be difficult and expensive to put right, hence planning has a role to play to ensure that development minimises the risk of such pollution.

6.108 Within West Lindsey, underground aquifers are a major source of public water supply and must be protected. The Council will seek guidance from the Environment Agency on measures necessary to safeguard the purity of ground water from inappropriate development. It is the Council's aim to prevent water source pollution rather than requiring the expenditure of public money to deal with its consequences.

6.109 Attention will be paid not only to water quality but to quantity as well. Over-abstraction can cause serious environmental problems for wildlife and natural habitats. Some types of development can have a significant demand for water and, as a consequence, affect the overall supply. This demand for water and its effects will be taken into account when new development is considered.

CULVERTING WATER COURSES

NBE 16 - CULVERTING WATERCOURSES

The culverting of watercourses, including as part of development proposals, will not be permitted unless it is essential for public safety or to provide for access across the watercourse. In all cases, where culverting is unavoidable, the developer must demonstrate that alternative proposals have been considered, and appropriate mitigating environmental enhancements should be incorporated into the development.

Development which returns disused or neglected culverts back to open watercourses will be favoured.

JUSTIFICATION

6.110 The Environment Agency advises that, for flood defence and environmental purposes, it is beneficial for watercourses to remain open wherever possible. Culverting a watercourse has the potential to exacerbate the risk of flooding, and can also be economically damaging by increasing the maintenance requirements of a watercourse.

6.111 The process can also result in the destruction of wildlife habitats, damage to natural amenity and the interruption of the continuity of a watercourse. Therefore, the culverting of watercourses should be avoided where possible.

6.112 However, the Council recognises that in certain circumstances the use of culverts may be unavoidable. Watercourses can pass through a wide range of land uses, from rural to industrial landscapes, and in cases where access is required or where public safety may be at risk, the use of culverts may be necessary.

CONTROL OF POTENTIALLY POLLUTING USES

6.113 The control of pollution is a major issue and the Local Plan First Review, in line with Central Government Guidance in PPS23 (Planning and Pollution Control), addresses the issues surrounding pollution.

6.114 The objectives of Policies NBE17-19a are to:

- Protect people from risks to their health and safety and damage to their amenity.
- To safeguard the natural and built environment.

POLICY NBE 17 - CONTROL OF POTENTIALLY POLLUTING USES

Development that may be liable to cause pollution of water, air or soil, or pollution through noise, dust, vibration, light, heat or radiation will only be permitted if:

- i. The health and safety and amenity of users of the site or surrounding land are not put at risk;*
- ii. The quality and enjoyment of the environment would not be damaged or put at risk;*
- iii. Adequate protection and mitigation measures are implemented to ensure that any potential environmental receptors are not put at risk.*

JUSTIFICATION

6.115 Central Government Policy in PPS23 (Planning and Pollution Control) states that pollution may be caused by the release of substances into the air, ground or water or by excessive noise, dusts vibration, light or heat.

6.116 Local Plan Policies therefore need to ensure that uses with the potential to cause pollution are properly sited and controlled and that uses which may be affected by pollution are either kept away from its sources or protected by other means.

6.117 This Local Plan First Review does not regulate on all of the potentially polluting effects as defined in PPS23, but the key issues which have become a particular problem within West Lindsey are addressed through Policies NBE 17-19a.

POLICY NBE 18 - LIGHT POLLUTION

Planning applications for development which include a lighting scheme will not be granted permission unless they propose the minimum amount of lighting necessary to achieve its purpose and minimise glare and light spillage from the site.

In determining proposals, consideration will be given to the aesthetic effect of the light produced and to its effect on local residents, vehicle users, pedestrians and the visibility of the night sky.

JUSTIFICATION

6.118 This policy can be used to regulate and control those developments containing significant amounts of lighting which can be a nuisance to local residents, the movement of traffic and the natural beauty of the environment and the skies during non-daylight hours.

6.119 The Council appreciates that external lighting is an essential part of many developments for a variety of reasons: safety, security, illumination of the building and its design character. However, it is equally important to safeguard the amenities of those people surrounding the site together and avoid wasting energy. The Council will require a report by a professionally qualified lighting consultant to demonstrate the suitability of proposals. Any lighting scheme should have close regard to the good practice guidance from the Institution of Lighting Engineers set out in "Guidance Notes for the Reduction of Light Pollution" (2005). The guidance provides details of obtrusive light standards to apply in identified 'Environmental Zones'. The 'Environmental Zones' are defined on a scale ranging from category E1 to E4 with:

- E1 being a 'dark landscape' such as open countryside which is designated as either a National Park or an AONB.
- E2 being an area of low district brightness in rural locations which are not designated as National Parks or AONB.
- E3 being a zone of medium district brightness such as an urban centre.
- E4 being a high district brightness area such as an urban area with high night time activity.

6.119a In West Lindsey all landscapes designated as AONB are classified as E1 with all other landscapes and settlements excluding Gainsborough falling into category E2. Gainsborough would be within the E3 category. There are no areas classified as E4 in West Lindsey. The light standards as outlined above will be applied to proposals for development or redevelopment to ensure that light pollution can be minimised.

LANDFILL, CONTAMINATED OR UNSTABLE LAND

6.120 It is an aim of Central Government Policy that full and effective re-use of sites which have been previously developed should take place. The re-use of contaminated land can contribute towards reducing the need to find greenfield sites for development and can help revitalise areas.

6.121 The re-use of such land is not straight-forward. The land may be contaminated by a former use and potentially represents a risk to human health and environmental receptors (including controlled waters). Such hazards need to be identified, assessed and dealt with in a way which removes the risk.

6.122 Both currently operational and former landfill sites can be a source of very harmful gases and contaminating substances. Caution must be exercised in considering development or re-development of land on or near to landfill sites. Permission should not be granted unless adequate remedial measures are implemented to overcome the dangers of gas and contaminant migration from the landfill site into the surrounding environment.

6.123 The origins and effects of ground instability areas vary. Past and present underground mining is often the primary source of instability. Physical constraints such as land instability need to be taken into account at all stages of the planning process.

POLICY NBE 19 - LANDFILL AND CONTAMINATED LAND

Development on or near to landfill or contaminated land will not be permitted unless an appropriate site investigation and risk assessment has been undertaken to identify whether gas, leachate and other ground/water contamination presents a risk to human health and environmental receptors. If such problems are demonstrated to exist they will be appropriately remediated prior to development.

POLICY NBE 19a - UNSTABLE LAND

Where the land is found to be unstable, development will not be permitted unless:

- i. The land is shown to be physically capable of accommodating the proposed development;*
- ii. The risk of damage to the proposed development due to instability has been removed;*
- iii. There is no risk to the stability of adjoining land or buildings;*
- iv. The nature of the scale of development is controlled by planning conditions, legal agreements or unilateral undertakings.*

JUSTIFICATION

6.124 Landfill gases emanate from landfill sites, with methane being the most common example. Where a site is still in use for waste disposal, a licence is required from the Environment Agency. To receive a licence the site operator must assess the potential for landfill gas generation and migration and must take steps to prevent any danger to public health.

6.125 On sites which are no longer operative, the onus falls on the developer to carry out an assessment of the landfill gases to determine whether or not mitigation measures are necessary to ensure the use of the site poses no risk. When development on a disused site is proposed, advice and guidance will be sought from the Waste Disposal Authority and planning conditions will be imposed to ensure that the site is made safe and cleared of any contamination before the development commences. Consultation with the Waste Disposal Authority will take place if development is proposed within 250 metres of a landfill site.

6.126 The Council will have regard to PPG14 (Development on Unstable Land) including PPG14 Annex 1 (Landslides and Planning), to try and bring unstable land back into productive use, whilst reducing the problems of site instability to an acceptable minimum.

6.127 Where it is known that land is unstable, the responsibility for demonstrating that the land is physically suitable for a particular use rests with the developer. In such cases the Council will require the developer to undertake a detailed site investigation to satisfy the criteria of Policy NBE 19a. If the proposal does not accord with other planning criteria, then the Council is unlikely to involve the developer in the time and expense of such site investigations.

DEVELOPMENT ON THE EDGE OF SETTLEMENTS

6.128 As with areas of nature conservation importance, the best and most attractive areas of villages and towns are often given special protection in order to enhance the quality of life for those people living and working in, or visiting West Lindsey. The Council has a duty to ensure that the best of the existing features of the towns and villages of the area are protected against removal or adverse alteration.

6.129 Modern development beyond the village and town centres has had a profound effect, and some has changed the character and setting of settlements and impacted on the wider landscape. The demands for growth mean that peripheral development is often the only way of protecting many of the important open spaces within settlements which would otherwise be subject to heightened development pressures.

6.130 Peripheral growth has often resulted in a uniform and less than satisfactory edge to the villages and towns. Account must be taken of the design of new development in order to harmonise the quality of the old with the new.

POLICY NBE 20 - DEVELOPMENT ON THE EDGE OF SETTLEMENTS

Development will not be permitted which detracts from the rural character of the settlement edge and the countryside beyond.

Where development on the edge of settlements is permitted the Council will require:

- i. Design proposals which respect and maintain the existing character and appearance of the boundary of the settlement footprint, or result in the improvement of an unattractive approach;*
- ii. An agreed scheme of landscape treatment and/or open space provision.*

JUSTIFICATION

6.131 It is very important that development fits into its surroundings in, what is often, very sensitive edge of settlement locations and where the protection of the countryside character, amenity, living conditions and the rural landscape should be a paramount consideration. Landscaping within buffer zones as identified on the Proposals Map or not, is required in order to integrate new development within its rural surroundings and present a pleasant and attractive prospect from public places and highways.

6.132 It is the case that farmland, with development close to it, often suffers from trespass, and is subject to other forms of disturbance, that can affect the efficiency of agricultural operations. It should be possible to limit such detrimental effects of development by locating landscaped areas between the development and the farmland.

[< Previous Chapter](#) | [^ Top](#) | [Next Chapter >](#)