



SOUTH
KESTEVEN
DISTRICT
COUNCIL

Planning Committee

17 February 2021



Additional Information Report

This report sets out additional information in relation to planning applications for consideration at the Planning Committee on 17 February 2021 that was received after the Agenda was published.

S20/0345

Proposal: Erection of an earth sheltered dwelling house with associated soft/hard landscaping and the erection of three commercial buildings.

Site Address: Land West of Bridge End, Colsterworth

Summary of Information Received:

A representation from the applicant and the applicant's agent, commenting on the Committee report and consultee comments received, has been received since the agenda was published. The points raised are summarised below:

1. Actual description of S18/2019: Erection of earth sheltered dwelling house with associated soft/hard landscaping and the erection of three commercial buildings.
2. Odour Assessment in relation to Anglian Water Authority Asset was not requested.
3. Evidence of a Biodiversity Net Gain was not asked for, this can be provided.
4. The site is not adjacent to a Local Nature Reserve (LNR). The nearest designated LNR is 2.9 miles away at Morkery Lane, Castle Bytham. The 'nature trail' is almost adjacent but not an LNR. The undesignated Woolsthorpe Lane Nature Reserve some 1.2 miles away to the West at Skillington Road.
5. John Dickie, a Chartered Building Engineer considers himself qualified to prepare a compliant LVIA.
6. In justifying how the proposal has evolved – the applicant/agent considers that there is no point examining alternative solutions for the dwelling as there are none. A significant volume of information has already been provided.
7. The applicant/agent disagree that the quality of the submission is basic.
8. The applicant/agent asks if the Officer is suggesting that Para 79 could be disregarded if the house was smaller, in which case, is the principle of a dwelling agreed?
9. The NPPF makes no reference to 'exemplars', 'truly innovative' or 'unique to each particular site' or 'not a replica of an existing site'. The proposal is not a carbon copy of the Water Lane project.
10. This is a climate resistant off grid development and benefits are self-evident.
11. Without the house as security the applicants would be at risk of theft – machinery and horses stolen. Security is crucial.
12. The applicant asks that Members are made aware that at the PAD meeting in August 2020. Officers stated that there were "no issues with the commercial/employment buildings".

Officer response to points raised by agent/applicant:

1. Noted.
 2. An Odour Assessment could be requested by condition if the application were to be approved – Odour is not a standalone reason for refusal.
 3. A statement has been made, within the submitted documents, with regard to Biodiversity Net Gain but no evidence provided or information to support the statement put forward. The location of the site adjacent to the nature trail/reserve and the river combined with the size of the site would require an ecology/habitat survey and then potentially protected species surveys depending on the result of the initial survey. Furthermore, these reports would normally come before the design of the proposed dwelling so that the dwelling responds to the constraints of the site. This exercise has not been undertaken by the applicant.
 4. The Colsterworth and District Parish Council secured a 99 year lease on the Old Railway land belonging to Lincs Waste Limited (FCC) in 2014 with the objective of ensuring that this narrow two mile stretch of land is preserved for wildlife and fauna and a nature trail for all to use. The land stretches some 2 miles from Skillington Road eastwards to Bridge End (B6403), known as The Colsterworth Nature Trail.
 5. Discussed at 5.11.3 in the main report
 6. Discussed at 5.11.4 in the main report.
 7. Discussed at 5.12.1 in the main report.
 8. Essentially a smaller dwelling would not be acceptable under Policy SP5 without significant justification as to why a dwelling is needed to be located on the same site as the business. The principle therefore remains unacceptable.
 9. Paragraph 79 e) states that:
The design is of exceptional quality, in that it:
 - Is truly outstanding or innovative, reflecting the highest standards in architecture, and would help to raise standards of design more generally in rural areas; and
 - Would significantly enhance its immediate setting and be sensitive to the defining characteristics of the local area.
- The proposal as submitted is not considered to meet the criteria of para 79 e). The proposal, whilst maybe not an exact carbon copy, is very similar in scale and appearance to an existing permission in close proximity to this proposal by the same architect. This proposal therefore by definition cannot be innovative.
10. Discussed at 7.2.7 in the main report
 11. Discussed at 7.1.7 in the main report. Further justification is required why a dwelling is required, still set a small distance from the commercial buildings and in addition to the security cameras proposed.
 12. Discussed at 7.1.6 in the main report. No objections to the principle of the proposed forestry business use.

Summary of additional information received: Further comments have been received from the Local Highway Authority: -

The proposed alternative vehicular access to this Application Site, indicated as ACCESS POINT B on the submitted drawing numbered JDA/2018/2040 SITE.001B dated October 2020 is not ideal as it is immediately adjacent to where the B6304 Bridge End joins the slip road onto and off the A1.

This is however an established vehicular access, having dropped kerbs and some semblance of surfacing material. However, it appears not to have been in use for some time, being physically blocked-off and is clearly intended for only occasional use, being a single vehicle's width.

The access is on the outside of the bend in the road at this point and therefore a driver entering the highway here has good and suitable visibility in both directions.

The principal concern with the intended increased use of this access however is that a driver arriving from the A1 direction and intending to turn right into the proposed access has to slow down and, in the event of there being another vehicle on the B6304 travelling towards the A1, would have to wait in the carriageway for that approaching vehicle to pass before turning right into the access. The slowing, waiting and turning vehicle may therefore be vulnerable to a rear-shunt type collision from a following vehicle that is also turning off the A1, the driver of which may not be expecting the vehicle in front to be slowing waiting and turning at this point.

It is understood however that Highways England, who have responsibility for the A1 and its junctions, have raised no objection to the use of this access to serve the proposed development.

The Applicants have advised that they wish to transfer their existing commercial operation elsewhere, to the Application Site and therefore this proposed alternative access would be used by commercial heavy goods vehicles. The existing form and construction of this access would not be suitable for regular commercial vehicle use. For the access to be suitable for HGV use, this close to the A1, it is essential that it must be of sufficient size to permit HGVs to turn into the site and out of the site at the same time so that inbound vehicles do not have to reverse back out into the highway or wait unnecessarily in the highway in the event that there should be another HGV in the process of exiting the access. This is best done with a CAD tool such as 'Auto track' but as a guide, the minimum straight road width of a carriageway wide enough for two-way HGV movements is 5.5 metres and the standard junction radii for industrial estate roads is 15 metres. The access itself must be constructed to the current highway authority specification.

Therefore, if the Local Planning Authority is minded to approve this Application, as submitted, it is requested that this should be subject to compliance with the following Condition.

Prior to commencement of any commercial use of the development hereby permitted, the existing vehicular access onto the B6304, identified as ACCESS POINT B on the submitted drawing numbered JDA/2018/2040 SITE.001B, dated October 2020, shall be improved in accordance with details which shall first be approved in writing by the Local Planning Authority.

Reason:

In the interests of the safety and free passage of those using the adjacent public highway and of providing safe and suitable access to the permitted development.

Conclusion

Whilst LCC Highways raise some concerns, the officer recommendation remains as per the main report and subject to the recommended schedule of reasons for refusal.

