
Appeal Decision

Site visit made on 15 April 2025

by N Teasdale BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 20 May 2025

Appeal Ref: APP/M2515/W/24/3348419

Land adjacent to Carholme Roundabout, A57, Saxilby Road, Lincoln LN1 2BG

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant full planning permission.
 - The appeal is made by McGovern Assessments against the decision of City of Lincoln Council.
 - The application Ref is 2023/0900/FUL.
 - The development proposed is change of use, agricultural land to a professional training centre.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The description of development in the above banner heading has been taken from the original application form. The decision notice includes associated portacabin, compound and parking. I have determined the appeal accordingly.
3. A plan titled Access Details under reference 200086 has been provided showing proposed improvements to the entrance and provision of parking. However, the Council's Statement of Case confirms that this drawing did not appear to have been received by the Council during the application or through the appeal. This is contested by the appellant who claims that this plan was indeed submitted during the application stage. Based on the evidence before me, I cannot be confident that interested parties have had the opportunity to comment on this and thus my acceptance of this could be prejudicial to interested parties. I have therefore determined this appeal on the plans the Council based its decision on. In any event, the plan still lacks specific detail as referred to in my decision and thus would not alter my findings nor outcome of my decision.

Main Issue

4. The main issues are:
 - Whether the site would be a suitable location for the proposed development having regard to the Council's development plan policies governing such proposals within the Green Wedge;
 - The effect of the proposed development on the character and appearance of the site and surrounding area; and
 - Whether sufficient information has been submitted in respect of noise, highways and drainage.

Reasons

Location

5. The appeal site relates to land located to the northwest of the Carholme Roundabout on the corner of the A46 and the A57 (Saxilby Road) with access taken from Saxilby Road to the east. The land has previously been used for agriculture, surrounded predominantly by open fields and the proposed development seeks planning permission for the change of use to a professional training centre for the operation of construction vehicles.
6. The site is allocated as Green Wedge in the Central Lincolnshire Local Plan, 2023 (CLLP). Policy S63 of the CLLP relates to Green Wedges and explains that the Green Wedges have been identified to fulfil one or more of the following functions and policy aims: prevention of the physical merging of settlements, preserving their separate identity, local character and historic character; creation of a multilink to the open countryside beyond the urban area; provision of an accessible recreational resource, with both formal and informal opportunities, close to where people live, where public access is maximised without compromising the integrity of the Green Wedge; conservation and enhancement of local wildlife and protection of links between wildlife sites to support wildlife corridors. The Policy goes on to explain that within the Green Wedges, planning permission will not be granted for any form of development, including change of use, unless: a) it can be demonstrated that the development is not contrary or detrimental to the above functions and aims; or b) it is essential for the proposed development to be located within the Green Wedge, and the benefits of which override the potential impact on the Green Wedge. Policy S58 of the CLLP relates to protecting Lincoln, Gainsborough and Sleaford's Setting and Character and requires proposals to contribute to the realisation of Lincoln's unique character, including Green Wedges and to maintain the setting and integrity of surrounding villages.
7. The plans provided show how the site would be laid out including an area for parking for staff and trainees, storage area of the plant within a secure compound and an office and welfare facilities.
8. The nature of the operation by having heavy machinery actively operating on the land would detract from the function of the Green Wedge which provides a green and continuous link to the open countryside whilst also providing a wildlife corridor having a separate identity and character to surrounding settlements. The supporting text to Policy S63 explains that certain types of development may be acceptable, so long as they are not detrimental to the character, role and function of the Green Wedge within which they are situated. This is provided for under part a) of the policy and may include agricultural and forestry related development, green space, outdoor sport and recreation uses, the reuse of rural buildings and extensions or alterations to existing dwellings. There may also be instances where it is essential for a certain type of development to be located in a Green Wedge. For the purposes of part b) of the policy, this may include development required by a public or private utility to fulfil their statutory obligations, or the provision of strategic transport infrastructure, provided that other relevant Local Plan policies are satisfied. It is not considered that the operation would fall within one of these uses nor is it essential that the use is located within the Green Wedge and could be more suitably located within an industrial/employment area.

9. For the above reasons, I conclude on this issue that the proposed development would not be a suitable location for the proposed development having regard to the Council's development plan policies governing such proposals within the Green Wedge. It would therefore be contrary to Policies S63 and S58 of the CLLP.

Character and appearance

10. The A46 and A57 are busy roads with high levels of traffic and whilst the site is well screened from the A46 by trees and vegetation, views can be achieved from certain points particularly along the bridge. Additionally, the site is visible from Saxilby Road. The site would also be more visible in the winter months when trees are not in leaf. The use which involves constant use of heavy plant and machinery would be a discordant feature into this largely undeveloped and open land being at odds with the surrounding open nature of land which would be detrimental to the visual amenity of the wider area. The secure compound and the flat roof office and welfare facilities on the site would further exacerbate this harm and the colouring choice and easily dismantled nature would not alter this. The proposed tree planting and earth bunds would also not overcome these concerns as the overall use would not relate well to the site and its local and wider context. In coming to such findings, I have had due regard to the agricultural use of the land and any plant that can go onto the site at present. However, the nature of the overall proposed use would indeed be different to that of the existing which would be more commercial in character and at odds with the wider rural locality.
11. For the above reasons, I conclude on this issue that the proposed development would unacceptably harm the character and appearance of the site and surrounding area. It would therefore be contrary to Policy S53 of the CLLP which amongst other matters, explains that all development, including extensions and alterations to existing buildings, must achieve high quality sustainable design that contributes positively to local character, landscape and townscape, and supports diversity, equality and access for all.

Noise, highways and drainage

12. There are residential properties, Waves Farm House and Waves Farm Cottage to the north of the site. The use would involve machinery which could cause disturbance outside of the site boundary and a Noise Impact Assessment has been submitted for the scheme. However, the assessment advises that a monitoring survey was undertaken on a Friday between 11.00 and 15.00 being only four hours in duration with the monitoring location being approximately 10 metres from the A57. On this basis, the report concludes that the existing background level against which the development should be assessed is 60dB (A). The residential dwellings are significantly further from the A57 than the monitoring survey location where noise would be expected to be lower than at the monitoring location and thus the background noise levels are not representative of the existing conditions at the noise sensitive receptors. Additionally, the duration of the monitoring survey is not sufficient to properly characterise the existing noise environment, particularly given that the monitoring day was a Friday when traffic flows could potentially be higher than at other times during the week.
13. Overall, I am not sufficiently satisfied that the proposed development has demonstrated that the neighbouring dwellings would not be harmed by the proposed use in terms of noise and disturbance. Earth bunds and the planting of

trees and shrubs on them may well act to filter noise but I have limited detail on this and thus it is not possible to assess how much difference they would make to noise produced by the site.

14. Turning to highway matters and whilst some detail has been provided in relation to trip generation, size and type of vehicles used, turning space and parking, the detail is limited and does not provide me with sufficient information to be certain that the proposed use would not have a harmful impact upon highway safety or that appropriate parking/turning space would be provided. I understand swept vehicle path analysis has been requested which has not been provided and thus despite any access improvements, I am unable to confirm if large vehicles accessing the site could be accommodated. Further detail would also be needed in relation to the parking and turning layout to ensure vehicles can turn within the site whilst providing sufficient parking provision.
15. In terms of drainage, I understand the site lies within Flood Zone 3 which has a greater probability of flooding. I have very limited detail in relation to such matters to be sufficiently satisfied that the proposed use would not result in drainage issues. The Topographical Survey would not alter my findings on this as it does not specifically relate to information on drainage.
16. For the above reasons, I conclude on this issue that I do not have sufficient information to make a full assessment on matters relating to noise, highways and drainage. I cannot therefore conclude with certainty that the proposed development would not result in adverse impacts in relation to such matters. The proposed development would therefore be contrary to Policies S21, S47 and S53 of the CLLP which together, amongst other matters, relate to design and amenity, accessibility and transport and flood risk and water resource.

Other Matters

17. The proposed development would support the construction industry, and I am aware of matters concerning shortages/demand as well as health and safety matters, training programmes and affordability. There would be a number of benefits associated with the scheme including economic, social and environmental and I am mindful of the level of planting which would provide ecological enhancement. However, on balance, I do not find such benefits to carry sufficient weight to be able to outweigh the harm that I have identified. The appellant is keen to maximise the potential use of the land and even if this land were of poor-quality with low level of agricultural food production and could be left in a better condition in the future when/if the operation of the site ceases its useful life, such would not alter my findings in relation to the above main issues. Further, I must determine the appeal based on the scheme before me opposed to any future scenarios which may or may not happen.
18. I am aware of other policies as referred to, but the proposed development would still need to comply with the above policies which this scheme does not.

Conclusion

19. The proposed development would conflict with the development plan when considered as a whole. There are no material considerations, either individually or in combination that would outweigh the identified harm and associated plan conflict. I conclude that the appeal should therefore be dismissed.

N Teasdale

INSPECTOR