

Development Management Delegated Decision Report

B/21/0151



SUMMARY OF APPLICATION			
Application Reference	B/21/0151		
Application Type	Major - Full Planning Permission		
Proposal	Proposed woodland & wildflower meadow including paths, small lake & car park		
Location	Land behind, 113-142, Willoughby Road, Boston, PE21 9HR		
Applicant	Mr C R Dion		
Agent	Mr Adrian B Isaac		
Received Date:	30-Mar-2021	Consultation Expiry Date:	09-Jul-2021
Valid Date:	13-Apr-2021	Statutory Expiry Date:	13-Jul-2021
Date of Site Visit:	19-Jul-2021	Extension of Time Date:	28-Jul-2021
Objections received?	None		
5 day notification record:	Not applicable		
Councillors notified	Date	Response received – date	Ok to continue
Recommendation	GRANT Planning Permission		
Report by:	Simon Eldred		
Date:	22 nd July 2021		

OFFICER REPORT

SITE AND SURROUNDINGS:

The application site is located to the east of Willoughby Road, Boston and comprises approximately 11.2 hectares of a larger, flat, arable field. The site contains no drainage ditches, trees, hedges, or other features, and is surrounded by:

- to the north, further land in arable use, and a smaller pasture field containing mature trees. The site is separated from these neighbouring uses by a line of young trees and a field access;
- to the west, Anglian Water plant, a line of dwellings, an agricultural yard, and a further part of the agricultural field. The site is separated from these neighbouring uses by a mix of boundary treatments, including 1.8m close-boarded fences, hedges, and agricultural buildings;
- to the south, allotments and the premises of the Butterfly Hospice. The site is separated from these neighbouring uses by a mixed deciduous hedge and a 1.8m close-boarded fence/gates; and
- to the east, residential properties off Castle Road, and the premises of the Pilgrim Hospital. The site is separated from these neighbouring uses by hedgerows.



There appears to be two principle vehicular accesses to the site, both from Willoughby Road (the wider and more southerly between the dwellings at 139 and 142 Willoughby Road, and the narrower and more northerly between the dwellings at 142 and 143 Willoughby Road). Alternative points of access appear to be available via a track along a field edge from Sibsey Road, and via the private road serving the Butterfly Hospice off Rowan Way.

DETAILS OF PROPOSAL:

It is proposed to change the use of the application site to provide publicly accessible recreational open space consisting of approximately 6.5 hectares of woodland, 1.2 hectares of wildflower meadow, and 3.4 hectares of glades/pond. A 2.9km network of 3m-wide, gravel-surfaced paths is proposed to be provided within the site, along with a lake and hill towards its eastern end.

Vehicular access for visitors will be from Willoughby Road (between the dwellings at 139 and 142) leading to a car park providing 24 spaces. Additional points for pedestrian access will be available from Willoughby Road (to the north of the dwelling at 142), from Sibsey Road (via the existing farm track which runs to the north of Castle Road), and from Rowan Way (via the vehicular access to the Butterfly Hospice), each with barriers to prevent unauthorised vehicular access.

[N.B. Drawing No. 1 (Location Plan) shows an area of land to the north of the application site (and outside of the 'red line' which defines the extent of the application site) as 'wild flower meadow'. The applicant was asked to clarify the status of this land and they responded that it *"is currently an arable field. In September we plan to seed this with grass and wildflowers. Later, when time permits, we will plant a small number of trees ..."*]

RELEVANT HISTORY:

B/12/0023 – an application for full planning permission for the erection of a log cabin to accommodate relatives and carers was withdrawn by the applicant/agent.

RELEVANT DEVELOPMENT PLAN POLICIES AND DOCUMENTS:

The **South East Lincolnshire Local Plan 2011-2036** shows the application site as being in the Countryside, immediately adjacent to Boston's Settlement Boundary. Land immediately to its south (the allotments) is identified as Recreational Open Space, and the Maud Foster Drain (approximately 10m to the site's west) is identified as a Local Wildlife Site. The following policies are relevant to this application:

- Policy 1 – Spatial Strategy;
- Policy 2 – Development Management;
- Policy 3 – Design of New Development;
- Policy 4 – Approach to Flood Risk;
- Policy 28 – The Natural Environment;
- Policy 30 – Pollution;
- Policy 31 – Climate Change and Renewable and Low Carbon Energy;
- Policy 32 – Community, Health and Well-being; and
- Policy 36 – Vehicle and Cycle Parking.

OTHER RELEVANT DOCUMENTS / LEGISLATION / GUIDANCE:

National Planning Policy Framework (2021)

At the heart of the 2021 Framework is a presumption in favour of sustainable development. The following sections are relevant to this scheme:

- Section 2 – Achieving sustainable development;
- Section 4 – Decision-making;
- Section 8 – Promoting healthy and safe communities;
- Section 9 – Promoting sustainable transport;
- Section 12 – Achieving well-designed places;
- Section 14 – Meeting the challenge of climate change, flooding and coastal change; and
- Section 15 – Conserving and enhancing the natural environment

CONSULTATION RESPONSES:

Boston Borough Council's **Environmental Health** department indicates that it has no objections.

Lincolnshire Police indicates that preventing unauthorised vehicular access will be important to reduce misuse or damage.

Witham Fourth District Internal Drainage Board:

- indicates that the Board's Section 23 consent will be required to culvert, pipe or bridge the watercourse; and
- asks to be contacted if there is any change to the surface water or treated water disposal arrangements as stated in the application.

The **Environment Agency** indicates that it has no objections to the application as submitted, and noting that *"the application is not within the distances to require a flood risk environmental permit"*.

Lincolnshire County Council (the Local Highway and Lead Local Flood Authority) initially sought additional information/clarification concerning pedestrian and vehicular access, parking provision, surface water disposal, and flood risk. Following the provision of this information, it concluded that the proposed development is acceptable and indicated that it had no objections. However, it requested that:

- two conditions should be imposed, (concerned with: the provision of new footway; and the clearance of obstacles from the land within the visibility splays); and
- three informatives should be attached to any planning permission.

The Lincolnshire Wildlife Trust indicates that:

- the application should be accompanied by an ecological appraisal to identify any protected species or habitats on the site, and any features that may support protected species;
- the application should be accompanied by a soil survey and carbon assessment to ensure that the proposed woodland will not deplete water resources and that soil carbon will not be compromised;
- it supports the proposed native wildflower meadow and lake, and suggests that the meadow could cover a larger area;
- a broad-leaved woodland of this size may not be in keeping with the local landscape; and

- it would prefer to see the creation of a wet woodland, which would maximise benefits to local biodiversity and may be more appropriate to the underlying soil and water table.

Fishtoft Parish Council considers that:

- the proposal will be a wonderful asset to the area;
- the proposed car park will help to reduce on-street parking but should be located further from nearby dwellings in order to protect their privacy;
- the proposal will increase traffic on an already over-used road; and
- the proposed access may threaten the privacy of the adjacent dwellings and gardens.

THIRD PARTY REPRESENTATIONS RECEIVED:

Ten responses have been received from local residents. Their comments can be summarised as:

- support for the provision of this facility in the neighbourhood;
- support for a proposal which will enhance biodiversity;
- concern that the proposed car park will be too small to meet demand, and may:
 - create increased on-street parking. It is suggested that parking restrictions close to the entrance may be needed;
 - create parking on the drain bank, with harmful impacts on the bank's integrity;
- concerns that the proposal will lead to an increase in traffic on Willoughby Road to the detriment of highway safety and local amenity;
- request for the installation of a height restriction barrier into the car park to prevent its use by larger vehicles and deter overnight parking (which would threaten neighbouring dwellings with noise nuisance);
- concern that the proposal may have adverse impacts upon the privacy of 129 and 142 Willoughby Road;
- ask that any paths should be placed sufficiently far from residential properties to protect privacy
- ask that a 4m-wide strip of land adjacent to the rear boundaries of 113-142 Willoughby Road should remain unplanted to: protect the main sewer beneath and the boundary hedges and fences of the dwellings; and to allow access for the maintenance of hedges and fences;
- ask that smaller trees/shrubs should be planted adjacent to the 4m-wide strip of land adjacent to the rear boundaries of 113-142 Willoughby Road to prevent loss of light to these properties;
- concern that the provision of pedestrian access from Sibsey Road may:
 - encourage parking on Sibsey Road, on Castle Road or on the track itself, with detrimental impacts on highway safety;
 - encourage drivers to use the track as a shortcut through to Willoughby Road; and
 - suggest that a car park should be provided off the Sibsey Road access;
- concern that visitors to the facility may create disturbance to the Butterfly Hospice, and may be tempted to make unauthorised use of its car park;
- ask that the pedestrian access off Willoughby Road should remain free of vehicles to allow emergency access for Western Power and Anglian Water; and
- ask that dogs should be allowed access to the facility.

The Butterfly Hospice indicates that:

- it supports the proposal;

- it has no concerns that the proposal will impact detrimentally on the hospice's services; and
- any increase in on-street parking on Rowan Way would be a concern, and indicates that access into the Hospice's site must not be compromised by the proposal.

EVALUATION:

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that determination must be made in accordance with the Plan unless material considerations indicate otherwise. The key considerations with regard to this application are:

- matters of principle;
- impacts on the character and appearance of the area;
- impacts on the amenity of neighbouring land users;
- accessibility and highway safety;
- parking provision;
- impacts on biodiversity;
- flood risk; and,
- other matters raised by respondents.

Principle

Policy 1 of the Local Plan identifies that, in the Countryside, development will be permitted that is necessary to such a location and/or where it can be demonstrated that it meets the sustainable development needs of the area in terms of economic, community or environmental benefits.

This Policy essentially identifies two test for whether a proposed development is appropriate in the countryside. The first test is whether or not the development is 'necessary to such a location'. It is considered that a recreational facility of this size could not realistically be provided within an existing town or village, and thus it is considered that Policy 1's first test is passed. This view is also supported by the Policy's Reasoned Justification which indicates that the provision of new recreational uses in the countryside *"can meet the broad sustainable objectives of the Local Plan"*. Given that the Policy is worded 'and/or' it is not considered necessary to consider its second test.

Policy 28 seeks the provision of a high quality, comprehensive ecological network, including wildlife-friendly greenspace. It is considered that the proposal will contribute positively towards the achievement of this aim.

Policy 32 of the Local Plan defines recreational open space and other green infrastructure as 'community facilities', and indicates that the development of new community facilities will be supported, subject to four criteria, namely:

1. proximity to the community they will support;
2. accessibility by public transport, on foot and by bicycle;
3. compatibility with nearby uses and the character and appearance of the neighbourhood; and
4. being located and designed to enable (where possible) shared use with other services/facilities.

The issues raised in criteria 2 and 3 will be considered in the sections which follow, and it is considered that:

- the site's location immediately adjacent to Boston's built-up area means that it meets the requirements of criterion 1; and
- the nature of the use proposed means that opportunities for shared use do not arise.

In all, it is considered that, subject to all other matters being acceptable, the proposal is supported in principle by these Policies of the Local Plan.

Character of the area

Policy 2 of the Local Plan indicates that developments will be permitted which will not have harmful impacts upon the character and appearance of the area.

Policy 3 states that all developments must create a sense of place by respecting the density, scale, visual closure, landmarks, views, massing of neighbouring buildings, and the surrounding area.

Policy 32 requires new recreational open space and other green infrastructure to be compatible with the appearance of the neighbourhood.

The application site is surrounded by Boston's built-up area to the west, south and east, and as a result views from public vantage points are scarce – essentially from the north-east only (from Sibsey Road) at a distance of more than 400m, and via the two field accesses off Willoughby Road. Given this dearth of close-up views and the application site's lack of features, it currently contributes little to the character of the wider townscape or landscape.

The proposal will involve the excavation of a lake, the creation of a new 'hill' using the spoil, and the planting of large numbers of new trees, and it is considered that these works will greatly change the character of the site. However, it is considered that these changes will be positive in their impact, introducing features of visual interest, and softening part of the boundary of Boston's built-up area with the surrounding countryside. The proposed car park will inevitably change the appearance of the gap between 139 and 142 Willoughby Road (currently grassed), but it is considered that this change will not be harmful to the area's character.

Although the Lincolnshire Wildlife Trust has suggested that a broad-leaved woodland may not be in keeping with the local landscape, it is considered that the proposal will enhance the character of its surroundings and that it will therefore meet these requirements of Policies 2, 3 and 32.

Neighbours' amenity

Policies 2, 3 and 30 of the Local Plan require the amenities of neighbouring land users to be protected.

Policy 32 requires new recreational open space and other green infrastructure to be compatible with nearby uses.

Concerns have been expressed that:

- the proposed access may threaten the privacy of the adjacent dwellings and gardens;
- the proposal will lead to an increase in traffic on Willoughby Road to the detriment of local amenity;

- the proposal may have adverse impacts upon the privacy of 129 and 142 Willoughby Road; and
- paths should be placed sufficiently far from residential properties to protect privacy.

The Butterfly Hospice has indicated that it has no concerns that the proposal will impact detrimentally on the hospice's services.

The application site is largely surrounded by non-residential uses (agricultural land, an agricultural yard, allotments and a hospital) and it is considered that the proposals will have no adverse impacts upon these land users. However, there are also a number of residential properties – along Willoughby Road, off Castle Road, and at the Butterfly Hospice.

It is considered that the use of the site as a publicly accessible recreational open space will generate little noise or other disturbance that might adversely impact upon the amenity of these residential neighbours – given that it will cater to quiet walks and the enjoyment of a woodland environment. Potential noise and disturbance will be reduced further by the fact that: dogs will not be permitted; and the paths are proposed to be routed well away from the site's boundaries (and distance and intervening trees and shrubs will mitigate noise and prevent potential overlooking/adverse privacy impacts).

Although the proposed woodland will contain some species which have the potential to attain a significant size, planting close to boundaries is proposed to be limited to smaller trees and shrubs only. Thus, it is considered that there will be no potential for unacceptable overshadowing of gardens or dwellings to arise.

Pedestrian footfall will inevitably be concentrated at the points of access. However, it is considered that intensified use of the track from Sibsey Road, and the use of the pedestrian access points off Willoughby Road and Rowan Way are unlikely to adversely impact upon the amenity of nearby dwellings or the Hospice, given that the numbers of users are unlikely to be large, and the adjacent residential properties are either distant (in the case of the Hospice) or are well screened by existing boundary treatments (in the case of the dwellings off Castle Road and 142 and 143 Willoughby Road).

The car park which is proposed to be provided between 139 and 142 Willoughby Road is considered to be the greatest source of potential adverse impacts on residential neighbours. However, it is small in scale (24 spaces), and the neighbouring dwellings and their gardens are generally well-screened by existing boundary treatments, even though they both appear to have windows serving habitable rooms looking towards the proposed car park. It is noted that the Borough Council's Environmental Health department has raised no concerns about this element of the proposals and, in all, it is considered that the proposed car park's impacts upon the neighbouring dwellings in terms of noise, overlooking, harm to privacy, etc. will not be unacceptable.

It is inevitable that the proposal will increase traffic numbers on Willoughby Road to some degree but, given:

- the modest scale of the proposed car park;
- the proximity of the facility to major residential neighbourhoods of the town;
- the availability of nearby bus stops on Horncastle Road;
- the relatively quiet nature of Willoughby Road (encouraging bicycle use); and

- the permeability of the facility to pedestrian access via Sibsey Road, Rowan Way and Willoughby Road,

it is considered that the scale of the increase in vehicle movements will not be such that the residential amenity of properties on Willoughby Road will be affected to an unacceptable degree. Furthermore, it is noted that the Borough Council's Environmental Health department raises no such concerns.

In all, it is considered that the proposals will not unacceptably harm neighbours' amenity and that they therefore meet the requirements of Policies 2, 3, 30 and 32 of the Local Plan.

Accessibility and highway safety

Policy 2 of the Local Plan states that developments will be permitted providing that sustainable development considerations are met relating to access and vehicle generation.

Policy 32 of the Local Plan requires new recreational open space and other green infrastructure to be accessible by public transport, on foot and by bicycle.

Respondents have expressed concerns that:

- the proposal may lead to an increase in traffic on Willoughby Road to the detriment of highway safety;
- the provision of pedestrian access from Sibsey Road may encourage drivers to use the track as a shortcut through to Willoughby Road.

The proposal involves the provision of pedestrian access from:

- Willoughby Road in two locations – to the north of the dwelling at 142 Willoughby Road, and via the proposed car park;
- Sibsey Road (via the existing farm track which runs to the north of Castle Road); and
- Rowan Way (via the private road which serves the Butterfly Hospice).

Vehicular access for visitors will be from Willoughby Road only (between the dwellings at 139 and 142) where the speed limit is 30MPH. Drawing number TS.BWT.2021.01 (New Access and Car Park Layout) shows the provision of a 4.1m-wide access at this point with adequate visibility splays to ensure highway safety. This access leads to a car park providing 24 spaces, and thence pedestrian only access to the woodland. The Highway Authority indicates that it has no concerns with these provisions, subject to the attachment of conditions to require:

- the provision of new footway to connect the development to the existing footway network; and
- the clearance of all obstructions exceeding 0.6m in height from the land within the visibility splays).

Vehicular access to the site is also proposed to be available from:

- Rowan Way (via the private road which serves the Butterfly Hospice). The un-numbered drawing entitled 'Proposed Access to Dion's Field from Rowan Way' shows a new tarmac roadway linking the existing private road with a new vehicular access into the site; and
- Sibsey Road (via an existing farm track immediately north of Castle Road).

However, these accesses will be available for use only by vehicles authorised by the Boston Woods Trust (i.e. for the establishment and maintenance of the recreational facility only) and

access will be controlled by means of locked barriers located at the boundary of the Hospice's grounds and at the rear of Bolingbroke House respectively.

It is considered that the proposed locked barriers will ensure that visitor's vehicles will be limited to access via the Willoughby Road car park only. The scale of the use that will be made of the other two vehicular accesses will be so limited that highway safety on Sibsey Road and Rowan Way will not be compromised – a view shared by the Highway Authority. It is inevitable that the proposal will increase traffic numbers on Willoughby Road to some degree but, given:

- the modest scale of the proposed car park;
- the proximity of the facility to major residential neighbourhoods of the town;
- the availability of nearby bus stops on Horncastle Road;
- the relatively quiet nature of Willoughby Road (encouraging bicycle use); and
- the permeability of the facility to pedestrian access via Sibsey Road, Rowan Way and Willoughby Road,

it is considered that the scale of the increase in vehicle movements will not be such that highway safety on Willoughby Road will be compromised – again a view shared by the Highway Authority.

In all, it is considered that: the proposal will be adequately accessible by public transport, on foot and by bicycle; there will be no unacceptable adverse impacts on highway safety; and the proposal will meet these requirements of Policies 2 and 32 of the Local Plan.

Parking provision

Policy 3 of the Local Plan states that developments will be permitted where adequate provision is made for facilities for the parking of bicycles and cars.

Policy 36 of the Local Plan indicates that all new development should provide vehicle and cycle parking in accordance with minimum standards set out in Appendix 6. The Appendix does not set out a standard for a development of this sort.

Respondents have expressed concerns that:

- the proposed car park will be too small to meet demand, and may:
 - increase on-street parking on Willoughby Road;
 - increase parking on the drain bank;
- the provision of pedestrian access from Sibsey Road may encourage parking on Sibsey Road, Castle Road or on the track itself, and it is suggested that a car park should be provided off the Sibsey Road access; and
- visitors to the facility may be tempted to make unauthorised use of the Butterfly Hospice's car park.

The Butterfly Hospice indicates that any increase in on-street parking on Rowan Way would be a concern, and indicates that access into the Hospice's site must not be compromised by the proposal.

The proposal includes a single car park off Willoughby Road, and Drawing No. TS.BWT2021.01, and Plan 5 show that this will provide 24 car parking spaces. The applicant has also provided information indicating that the existing Boston Woods Trust car parks at Old Hammond Beck Road, Five House Lane and West End Road are often full at weekends, but that their users are:

- 80% dog walkers;

- 5% walkers with pushchairs or small children;
- 11% casual walkers; and
- 4% visitors visiting for more formal exercise.

Given that the proposed recreational facility will not be accessible to dog-walkers, the applicant argues that demand for car parking spaces will be greatly reduced. Based upon this information and given that:

- the site is adjacent to major residential neighbourhoods of the town;
- bus stops are available on Horncastle Road;
- Willoughby Road does not carry heavy levels of traffic which might discourage bicycle use; and
- the facility is permeable to pedestrian access via Sibsey Road, Rowan Way and Willoughby Road,

it is considered that the scale of the proposed car park will be adequate to meet the likely demand - a view that is shared by the Highway Authority. As a consequence, it is not considered that the proposal will increase on-street parking on Willoughby Road, or parking on the bank of the adjacent Maud Foster Drain.

Sibsey Road has double-yellow lines in the vicinity of the farm track to the north of Castle Road, and parking on Castle Road itself is controlled by double-yellow lines and camera-controlled permit-only parking bays. Given these controls and the fact that a free car park is proposed to be provided off Willoughby Road, it is considered unlikely that the proposal will lead to on-street parking on Sibsey Road or Castle Road.

There is an existing car park serving the Butterfly Hospice, close to the proposed pedestrian access off Rowan Way. This car park (and the road leading to it) are very clearly marked as being private and it is therefore considered unlikely that potential visitors to the recreational facility would seek to make use of them for parking. Whilst on-street parking is currently available on Rowan Way, it is considered that little additional pressure on this parking will result, given that a free car park is proposed to be provided off Willoughby Road.

However, no provision is made for cycle parking at the Willoughby Road car park (or elsewhere). Given the proximity of the site to residential neighbourhoods of the town and that Willoughby Road does not carry heavy levels of traffic which might discourage bicycle use, it is considered likely that meaningful numbers of visitor journeys will be made by bicycle. In these circumstances, it is considered that the lack of cycle parking facilities does not accord with the requirements of Policy 3, and thus it is considered that a condition should be attached to require the submission and approval of details of cycle parking facilities at the Willoughby Road car park.

In all, (subject to the above condition) it is considered that the proposal will include adequate provision for cycle and car parking, and that it is unlikely to lead to an increase in on-street parking that would compromise highway safety or the residential amenity of nearby land users.

Biodiversity

Policy 3 of the Local Plan requires the incorporation of existing hedgerows and trees into development proposals, and the provision of appropriate new landscaping to enhance biodiversity.

Policy 28 requires all development proposals to provide an overall gain in biodiversity.

Policy 31 requires all development proposals to incorporate measures which promote and enhance green infrastructure and provide a net gain in biodiversity.

Several respondents have commented that they believe that the proposal will have significant beneficial impacts upon biodiversity. The Lincolnshire Wildlife Trust has commented that:

- the application should be accompanied by an ecological appraisal to identify any protected species or habitats on the site, and any features that may support protected species;
- the application should be accompanied by a soil survey and carbon assessment to ensure that the proposed woodland will not deplete water resources and that soil carbon will not be compromised;
- it supports the proposed native wildflower meadow and lake, and suggests that the meadow could cover a larger area; and
- it would prefer to see the creation of a wet woodland, which would maximise benefits to local biodiversity and may be more appropriate to the underlying soil and water table.

The site contains no drainage ditches, trees, hedges, or other features that appear likely to be of value to wildlife, and thus there are no features which could be incorporated into the proposal. The applicant has provided an assessment that the site's biodiversity is currently very limited due to its past use for intensive arable production. In these circumstances, it is considered that the Lincolnshire Wildlife Trust's suggestion that an ecological assessment, a soil survey, and a carbon assessment is unnecessary and disproportionate.

The proposal involves the planting of 6.5 hectares of mixed native woodland (comprising 13 tree species and 11 shrub species), 1.2 hectares of wildflower meadow, and 3.4 hectares of glades/pond. It is considered that this will provide a very significant gain in biodiversity. Whilst the Wildlife Trust's may be correct that a wet woodland would deliver even greater biodiversity benefits, such a habitat would be unlikely to deliver the recreational benefits that the proposal is also intended to produce.

In all, it is considered that the proposal will deliver a very significant biodiversity gain, and that it therefore meets these requirements of Policies 3, 28 and 31 of the Local Plan.

Flood risk

Policy 4 of the Local Plan seeks to ensure that new development is not unnecessarily exposed to flood risk, and does not increase flood risk elsewhere.

The applicant indicates that:

- the site is silt-based and in proximity to the Maud Foster Drain, and as a consequence has no recent history of flooding;
- the proposed paths and tracks will be permeable and, when the woodland planting is in place, risks of surface water flooding will be further reduced;

- following discussion with the Witham Fourth Internal Drainage Board, it is proposed to install a 100mm overflow pipe from the proposed lake to a riparian ditch which connects to the Drainage Board maintained waterway east of Sibsey Road. This pipe will prevent the lake filling beyond 0.5m below ground level.

The Internal Drainage Board, Environment Agency and Lead Local Flood Authority have all indicated that they have no concerns with the proposals in terms of flood risk.

It is considered that the proposals meet the requirements of Policy 4 of the Local Plan.

Other matters

Respondents have asked that:

- the pedestrian access off Willoughby Road should remain free of vehicles to allow emergency access for Western Power and Anglian Water;
- a height restriction barrier should be installed at the car park to prevent its use by larger vehicles and deter overnight parking;
- dogs should be allowed access to the facility; and
- a 4m-wide strip of land adjacent to the rear boundaries of 113-142 Willoughby Road should remain unplanted to: protect the main sewer beneath and the boundary hedges and fences of the dwellings; and to allow access for the maintenance of hedges and fences.

Looking at each of these issues in turn:

- the proposal makes it clear that the point of access between 142 and 143 Willoughby Road will be available to pedestrians only, and that vehicular use will be prevented by means of a gate;
- the applicant indicates that they installed a height restriction barrier at the car park to Jenny's Wood at the request of Cadent to prevent heavy vehicles crossing their gas main. They also indicate that there has been no history of heavy vehicles using their car parks nor motor homes staying overnight. In the light of the above, it is considered that a requirement for such a barrier is unnecessary;
- the issue of access for dogs is not a planning matter; and
- the drawings show the maintenance of a 4m-wide unplanted track in this location.

CONCLUSION:

The proposal:

- will have no unacceptably adverse impacts on the character and appearance of the area;
- will have no unacceptably adverse impacts on neighbours' amenity;
- is (subject to two conditions) acceptable in terms of accessibility and highway safety;
- (subject to a condition) will include adequate provision for cycle and car parking;
- will deliver a very significant biodiversity gain;
- is acceptable in flood risk terms; and
- meets the requirements of the relevant Policies of the South East Lincolnshire Local Plan 2011-2036

RECOMMENDATION:

GRANT Planning Permission subject to the following conditions and reasons:-

CONDITIONS / REASONS	
Pre-commencement conditions?	Agreed with applicant/agent - Date:
1	<p>The development hereby permitted shall be begun before the expiration of four years from the date of this permission.</p> <p>Reason: Required to be imposed pursuant to Section 51 of the Planning and Compulsory Purchase Act 2004.</p>
2	<p>The development hereby permitted shall be carried out in strict accordance with the application received 30-Mar-2021 and in accordance with the associated plans referenced:</p> <ul style="list-style-type: none"> ▪ Dwg. No.1 – Location Plan; ▪ Dwg. No. 2 – General Layout; ▪ Dwg. No. 3 – Proposed Lake; ▪ Dwg. No. 4 – Cross Section Lake & Hill; ▪ Un-numbered drawing – Proposed improved access to Dion's Field from Rowan Way, Boston; ▪ Drawing No. TS.BWT.2021.01 – New access and car parking area; <p>Reason: To ensure that the development is undertaken in accordance with the approved details, in the interest of residential amenity and to comply with Policies 2, 3, 4, 28, 30, 31, 32 and 36 of the South East Lincolnshire Local Plan 2011-2036.</p>
3	<p>The development hereby permitted shall not be brought into public use before a 1.8m wide footway, to connect the development to the existing footway network, has been provided in accordance with details that shall first have been submitted to, and approved in writing, by the Local Planning Authority. The works shall also include appropriate arrangements for the management of surface water run-off from the highway.</p> <p>Reason: To ensure the provision of safe and adequate pedestrian access to the development without increasing flood risk to the highway and adjacent land and property, and to comply with Policies 2 and 4 of the South East Lincolnshire Local Plan 2011-2036.</p>
4	<p>Before the vehicular access onto Willoughby Road is brought into use, all obstructions exceeding 0.6m high shall be cleared from the land within the visibility splays illustrated on drawing number TS.BWT.2021.01 (dated 1st July 2021). Thereafter, the visibility splays shall be kept free of obstructions exceeding 0.6m in height.</p> <p>Reason: In the interests of highway safety, to ensure that drivers intending entering the highway at the access may have sufficient visibility of approaching traffic to judge if it is safe to complete the manoeuvre, and to comply with Policy 2 of the South East Lincolnshire Local Plan 2011-2036.</p>

5	<p>Prior to the development hereby permitted is brought into use, details of cycle parking facilities at the Willoughby Road car park shall be submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in accordance with the approved details, and the cycle parking facilities shall be retained thereafter.</p> <p>Reason: To ensure that adequate provision is made of facilities for the parking of bicycles, in accordance with Policy 3 of the South East Lincolnshire Local Plan 2011-2036.</p>
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INFORMATIVES / NOTES TO BE INCLUDED ON/WITH DECISION NOTICE	
<p><u>STATEMENT OF PROACTIVE WORKING:</u></p> <p>In determining this application, the authority has taken account of the guidance in paragraph 38 of the National Planning Policy Framework 2019 in order to seek to secure sustainable development that improves the economic, social and environmental conditions of the Borough.</p>	
<p>Lincolnshire County Council indicates that:</p> <ul style="list-style-type: none"> ▪ The development requires the formation of a new/amended vehicular access. These works will require approval from the Highway authority in accordance with Section 184 of the Highways Act. The works should be constructed in accordance with the Authority's specification that is current at the time of construction. Relocation of existing apparatus, underground services or street furniture will be the responsibility of the applicant, prior to application. For application guidance, approval and specification details, please visit https://www.lincolnshire.gov.uk/licences-permits/apply-dropped-kerb or contact vehiclecrossings@lincolnshire.gov.uk; ▪ You should contact the Lincolnshire County Council Streetworks and Permitting Team on 01522 782070 to discuss any proposed statutory utility connections and any other works which will be required within the public highway in association with the development. This will enable Lincolnshire County Council to assist in the coordination and timings of these works. For further guidance, please visit <ul style="list-style-type: none"> ▪ Traffic Management – https://www.lincolnshire.gov.uk/traffic-management; ▪ Licences and Permits – http://www.lincolnshire.gov.uk/licences-permits; and ▪ The highway improvement works referred to in Condition 3 are required to be carried out by means of a legal agreement between the landowner and the County Council, as the Local Highway Authority; 	