

WEST LINDSEY DISTRICT COUNCIL

MINUTES of the Meeting of the Planning Committee held in the Council Chamber - The Guildhall on 5 February 2020 commencing at 6.30 pm.

Present: Councillor Ian Fleetwood (Chairman)
Councillor Robert Waller (Vice-Chairman)

Councillor Owen Bierley
Councillor Matthew Boles
Councillor Michael Devine
Councillor Cherie Hill
Councillor Paul Howitt-Cowan
Councillor Mrs Cordelia McCartney
Councillor Mrs Jessie Milne
Councillor Keith Panter
Councillor Roger Patterson
Councillor Mrs Judy Rainsforth
Councillor Mrs Angela White

In Attendance:
Russell Clarkson Planning Manager (Development Management)
Daniel Evans Senior Development Management Officer
Vicky Maplethorpe Area Development Officer
Martha Rees Legal Advisor
James Welbourn Democratic and Civic Officer

Apologies: Councillor David Cotton
Councillor Jane Ellis

Also in attendance: 18 members of the public

60 PUBLIC PARTICIPATION PERIOD

There was no public participation at this stage of the meeting.

61 TO APPROVE THE MINUTES OF THE PREVIOUS MEETING

The minutes of the meeting held on 8 January 2020 were agreed as a true record, and signed by the Chairman.

62 DECLARATIONS OF INTEREST

Councillor Paul Howitt-Cowan declared an interest in application number 140077; he was the Ward Member for the application, and would stand down from the Planning Committee

and speak against the application.

63 UPDATE ON GOVERNMENT/LOCAL CHANGES IN PLANNING POLICY

The Planning Manager (Development Management) updated Committee with the following pieces of information:

- Spridlington Neighbourhood Plan (NP) would form part of the development plan following its adoption at Full Council in January;
- The referendum for the Sudbrooke NP would take place on 13 February;
- Hemswell, Harpswell and Morton had all published initial drafts of NPs for consultation.

64 140077 - LAND ADJ TO 2 CHURCH STREET GLENTWORTH DN21 5DG

Members considered an application for 1 no. dwelling, including the upgrade of access, private drive and new associated garage – a redesign of approved plot 2 under application number 135838.

The Chairman highlighted to all present that there had been a site visit on 15 January following the decision of the Planning Committee to take this course of action on 8 January.

There were no officer updates at the start of this item.

The first public speaker to the item was Councillor John Latham, from Glentworth Parish Council. He raised the following points:

- A full statement from the Parish Council had been included in the report prepared by West Lindsey District Council (WLDC) officers;
- The Parish accepted that there was an extant planning consent, reflected in the Neighbourhood Plan endorsed some weeks ago;
- The matters of views and vistas went to the heart of the plan. The original application was for two dwellings; the house proposed was significantly larger. The worry was over the scale, mass and dominance in the landscape of the proposed design;
- The proposed design would stand out and be a significant structure;
- The access road to the property was narrow; a larger road would mean more vehicles, and would cause a significant access problems;
- The disposal of sewage and foul water remained a concern.

Note: Councillor Ian Fleetwood reiterated his declaration from the January meeting; he had met the applicant, a Mrs Hazel Walker at a meeting prior to the January planning meeting, but this application had not been discussed. Therefore Councillor Fleetwood felt able to take part in and vote on this item.

The second speaker was Mrs Hazel Walker, the applicant. She raised the following points:

- This was a revised application;
- There were no new dwellings proposed, nor were there any other matters to be considered. Access to the garage was the same as the previously granted

application;

- Sewage would not be discharged into the existing sewer;
- There had been some confusion about the detached garage to the front of the property; it would be a domestic garage for vehicles. There would be no workshop, commercial or otherwise;
- The proposed property was large enough for five bedrooms, however the 5th bedroom would be a home office, ideally located next to the ground floor shower room;
- The enlarged plot size could accommodate the proposed dwelling comfortably. The front of the property had sufficient parking and could accommodate the number of vehicles that would be using the property;
- There was sufficient room for emergency vehicles to access the site, with enough turning space, which was a mandatory requirement under building regulations;
- Dustbin lorries would not access the lane to the property; the bins would be wheeled to the end of the lane for collection;
- Immediate neighbours to the property were satisfied with the design, as were WLDC Planning officers. The previous design included white cladding, whereas this new design was brick and stone;
- All trees and hedges were to remain as per the previous approval;
- The revised design included a two storey front element, and a single storey at the back.

The next speakers were Mr Hall and Mr Styles, objecting to the application. They raised the following points in objection;

- No local residents have said that they were happy with the design;
- The Glentworth NP was approved in November 2019 after three years of work. Policy 3 of the NP sets out the design elements that residents wanted to see in the village from new properties;
- Policy 3.1.2 of the NP – the layout of the development should echo the current layout of Glentworth, characterised by linear development. This development would contravene this; it was an infill building in a rear garden;
- Nothing could be changed in the access lane to the proposed building without the permission of the owners of the lane. The owners of the lane were adamant that it would not be excavated;
- There was a likelihood of Great Crested Newts on the site, although this was not supported by Natural England;
- Foul water should not be allowed in this habitat, and it should not be acceptable to discharge an overflow into a stream where children play;
- No one living in the vicinity of the lane agreed that there were no problems with access;
- If permission were granted, the precedent would be set for plot one on the same side of the lane, which would exacerbate access problems.

The final speaker was Councillor Paul Howitt-Cowan, Ward member for Hemswell, which included the parish of Glentworth. He raised the following points:

- This community treasured its conservation area;
- The proposed site did not do justice to the design; the design was commendable for the village, but the proposed site was inappropriate;

- Glentworth parish would protect the highly valued features of the surrounding environment. The ways in which the overall form, massing and scale related to neighbourhood building impacted on the character and the nature of the village as a whole;
- The original approved design for this site was more appropriate, and sat more comfortably in a rural setting;
- Within the Design and Access Statement it was noted that the two proposed buildings on this access lane would change the outlook of the neighbouring residence;
- The increased ridge height was noted;
- There was increased massing in comparison to what had previously been approved;
- Glentworth deserved and welcomed quality builds in appropriate settings;
- Committee should consider a fall-back option of the original approved design.

Note: Following his speech, Councillor Howitt-Cowan retired from the Chamber.

Planning officers responded to some of the points raised during the public speaking section of the item:

- This site had extant planning permission for two dwellings, a fallback that was a significant consideration. It was for the Committee to consider the house type proposed compared to what was previously approved, and whether this met with policy;
- The ecologists had raised no concerns with drainage;
- The officer report set out the profile of the character area, which included a mix of housing styles.

Members then provided comment on the application. There were a range of views offered:

- The design was compliant with the Central Lincolnshire Local Plan (CLLP), specifically policies LP21, 26 and 27;
- One side of the village contained plenty of traditional, red brick houses;
- The design of this house would be higher than neighbouring properties and would stand out;
- For half of the year the trees around the property would not be in leaf and so the natural canopy around the design would not be applicable;
- This design would not be street facing and so could be seen as out of character with the village;
- Condition 19 of the officer's report removed permitted development rights on the site.

The recommendation as written in the report to grant the application was moved and seconded, and following the vote planning permission was **GRANTED** subject to the following conditions:

Conditions stating the time by which the development must be commenced:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To conform with Section 91 (1) of the Town and Country Planning Act 1990 (as amended).

Conditions which apply or require matters to be agreed before the development commenced:

2. No development shall take place until, a scheme for the disposal of the foul and surface water drainage for the site have been submitted to and approved in writing by the Local Planning Authority. The approved details shall thereafter be implemented in full before the building(s) are first occupied.

Reason: To ensure adequate drainage facilities are provided to serve the development and in accordance with Central Lincolnshire Local Plan Policy LP14.

3. No development shall take place until details of all external wall and roofing materials, surface materials to be used have been submitted to and approved in writing by the Local Planning Authority and the development shall only be carried out using the agreed materials.

Reason: To safeguard the character and appearance of the building and its surroundings and ensure the proposal uses materials and components that have a low environmental impact in accordance with Central Lincolnshire Local Plan Policy LP26.

4. Before development commences on site further details relating to the vehicular access to the public highway, including materials, specification of works and construction method shall be submitted to the Local Planning Authority for approval. The approved details shall be implemented on site before the development is first brought into use and thereafter retained at all times.

Reason: In the interests of safety of the users of the public highway and the safety of the users of the site.

5. No development shall take place until, a scheme of landscaping including details of the size, species and position or density of all trees to be removed, retained or planted, fencing and walling have been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that a landscaping scheme to enhance the development is provided in accordance with Central Lincolnshire Local Plan Policy LP17 and LP26.

6. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the occupation of the building(s) or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: To ensure that an approved landscaping scheme is implemented in a speedy and diligent way and that initial plant losses are overcome, in the interests of the visual amenities of the locality and occupiers of adjacent buildings and in accordance with Central Lincolnshire Local Plan Policy LP17 and Policy LP26.

7. No development shall commence until, full details of the treatment of all boundaries of the site, including where appropriate, fencing, walling hedgerows to be retained, or other means of enclosure have been submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented prior to the dwellings are first occupied.

Reason: To ensure the provision of appropriate boundary treatment in the interest of the visual and residential amenity of the area in accordance with Central Lincolnshire Local Plan Policy LP17 and LP26.

8. No development shall take place until a scheme of ecological enhancements including the provision of Bat and Bird boxes within the site, have been submitted to and approved in writing by the Local Planning Authority.

Reason: As recommended under sections 5.2, 5.3 and 5.4 of the 'Ecology and Protected Species Survey' by Inspired Ecology Ltd dated November 2019, to protect and enhance the biodiversity value of the site to accord with the National Planning Policy Framework and LP21 of the Central Lincolnshire Local Plan.

9. No development shall take place, including ground scraping until a scheme for the protection of trees on the site (including accurate survey of trees and root protection areas and timetable for implementation of measures) have been submitted to and approved in writing by the Local Planning Authority and such measures shall be erected in the positions approved before the development is commenced and thereafter retained until completion of the development. Nothing shall be stored or placed in any area, nor shall the ground levels within those areas be altered, without prior written approval of the Local Planning Authority.

Reason: To safeguard the existing trees on the site during construction works, in the interest of visual amenity in accordance with Central Lincolnshire Local Plan Policy LP17.

10. No development shall take place until a written scheme of archaeological investigation has been submitted to and approved in writing by the local planning authority. This scheme shall include the following:

1. An assessment of significance and proposed mitigation strategy (i.e. preservation by record, preservation in situ or a mix of these elements).
2. A methodology and timetable of site investigation and recording.
3. Provision for site analysis.
4. Provision for publication and dissemination of analysis and records.
5. Provision for archive deposition.
6. Nomination of a competent person/organisation to undertake the work.
7. The scheme to be in accordance with the Lincolnshire Archaeological Handbook.

Reason: To ensure the preparation and implementation of an appropriate scheme of archaeological mitigation and in accordance with the National Planning Policy Framework.

11. The local planning authority shall be notified in writing of the intention to commence the archaeological investigations in accordance with the approved written scheme referred to in condition 10 at least 14 days before the said commencement. No variation shall take place without prior written consent of the local planning authority.

Reason: In order to facilitate the appropriate monitoring arrangements and to ensure the satisfactory archaeological investigation and retrieval of archaeological finds in accordance with the National Planning Policy Framework.

Conditions which apply or are to be observed during the course of the development:

12. The archaeological site work shall be undertaken only in full accordance with the written scheme required by condition 10.

Reason: To ensure the satisfactory archaeological investigation and retrieval of archaeological finds in accordance with the National Planning Policy Framework.

13. Following the archaeological site work referred to in condition 10 a written report of the findings of the work shall be submitted to and approved in writing by the local planning authority within 3 months of the said site work being completed.

Reason: To ensure the satisfactory archaeological investigation and retrieval of archaeological finds in accordance with the National Planning Policy Framework.

14. The report referred to in condition 13 and any artefactual evidence recovered from the site shall be deposited within 6 months of the archaeological site work being completed in accordance with a methodology and in a location to be agreed in writing by the local planning authority.

Reason: To ensure the satisfactory archaeological investigation and retrieval of archaeological finds in accordance with the National Planning Policy Framework.

15. The development shall be carried out strictly in accordance with the method statement and mitigation measures recommended within section 5.1 (pages 13-17) of the 'Ecology and Protected Species Survey' by Inspired Ecology Ltd dated November 2019.

Reason: To ensure the development proceeds in accordance with the approved method statement in relation to Great Crested Newts to accord with the National Planning Policy Framework and LP21 of the Central Lincolnshire Local Plan.

16. With the exception of the detailed matters referred to by the conditions of this consent, the development hereby approved shall be carried out in accordance with the following drawings: 19/179/Ex – 01, 19/179/Pr – 01, 19/179/Pr – 02, 19/179/Pr – 04, 19/179/Pr – 03 Revision A dated August 2019 and RDS 11230/08 dated February 2016. The works shall be carried out in accordance with the details shown on the approved plans and in any other approved documents forming part of the application.

Reason: To ensure the development proceeds in accordance with the approved plans and to accord with the National Planning Policy Framework and Central Lincolnshire Local Plan Policy LP26.

17. The minimum width of the access shall be 4.5 metres for the first 10m and alterations approved under condition 4 to facilitate this shall be completed before the first dwelling is occupied and shall be retained thereafter.

Reason: To ensure safe access to the site and each dwelling/building in the interests of residential amenity, convenience and safety.

18. Prior to any of the buildings being occupied the private drive shall be completed in accordance with the details approved under condition 4.

Reason: In the interests of safety of the users of the public highway and the safety of the users of the site.

Conditions which apply or relate to matters which are to be observed following completion of the development:

19. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) Schedule 2 Part 1, Class A, B, C, D and E (or any order revoking and re-enacting that Order with or without modification), there shall be no external alterations or extensions to the building and extension including the insertion of new windows or dormer windows nor structures placed within the curtilage of the dwelling other than as authorised by this permission.

Reason: To safeguard the character and appearance of the building and its surroundings in accordance with policies LP17, LP26 of the Central Lincolnshire Local Plan.

65 140331 - LAND ADJ TO FLEETS ROAD, STURTON BY STOW LN1 2BU

Members considered an outline planning application to erect 5no. dwellings – all matters reserved at land adjacent to Fleets Road, Sturton by Stow LN1 2BU.

There were no officer updates to the report as printed.

The first speaker to this item was Councillor Gilbert from Sturton by Stow Parish Council. She raised the following points:

- The application was discussed at a meeting of Sturton by Stow Parish Council and was well attended; there was strong community rejection of this application;
- Policy 2.4.1 paragraph 4 of the CLLP highlights the protection of agricultural land, along with the enhancement of biodiversity to allow people to access wildlife and the natural environment;
- The site was bounded by hedgerows and trees; two of these have Tree Preservation Orders (TPOs);
- The site was on a single track road with a blind bend, used by walkers, cyclists. There was an access road to the recreation ground;
- The footprint of the village would be extended to the east and open up the possibility for development on the east of site;
- The proposed site was significantly higher; therefore there could be issues with new properties being able to see into neighbouring properties;
- Fleets Road was seen by many as a valuable green escape enabling health and wellbeing of the residents. There was no footpath; there had been a proposal from Lincolnshire Highways for a 1.8 metre wide footway, but this was no longer in the offing;
- The Sturton by Stow NP had not been formally adopted; however the protection of trees and hedges was very important. It had been proposed that a large portion of the hedge was to be removed. However the draft NP stipulated that any development should not harm the character of the countryside;
- There had been significant flooding issues in the village over a number of years. This particular piece of land was not accessible for four or five days due to flood water in 2019;
- A 'high risk contour' of flooding reaches within 85 metres of the site, as outlined by government departments. There was a 'low-risk contour' that ran along the road adjacent to the site.

Any development on site would contribute to flooding by removing the rainwater absorption area;

- LP2.4.5 of the CLLP refers to climate change adaptation and flood risk. It was paramount that the increased instances of flooding were managed. Current foul water drainage was inadequate and there was no mention of how this would be managed within the development. The Parish Council had received many complaints on this issue.

Note: Councillor Ian Fleetwood informed everyone present that the next speaker, Oliver Fytche-Taylor was known to longer-standing Members of the Committee due to his previous employment at West Lindsey District Council; however this had no bearing on the decision made on the application by Committee.

The last speaker on this item was Oliver Fytche-Taylor, agent for the applicant. He raised the following points:

- The site was part of narrow agricultural land, which bound the site on three sides;
- The site was located within a short walking distance of the village centre;
- The narrow width of part of the site meant that parcel of land was very difficult for modern farming techniques, and had a limited crop potential;
- The Planning Officer had accepted the principle of development in this area; the development level proposed was within local housing thresholds;
- Lincolnshire Highways and the lead local flood authority had no objections in principle to the site;
- There were issues elsewhere in the village with flooding, but the site itself was not at risk, and did not form part of the disruption in 2019. The site pre-drains east, away from flood waters. The development of the site was not seen to be a flood risk;
- Lincolnshire Highways did not object to the development in principle, and had further recommended that the development would alleviate safety concerns by virtue of the draft condition in the report;
- A new link would be established for the community to access the playing fields;
- The significance of the hedgerow and trees on the site was recognised; however it was pointed out that the Trees Officer from WLDC had no concerns. Of the two trees that had (TPOs) on the site, one was almost deceased and the other would be protected from any harm;
- The site could be enhanced through appropriate landscaping;
- Matters of odour, dust and noise had been considered by WLDC's Environment Officers; no objections had been raised and any of these areas could be appropriately addressed through conditions;
- The site represented logical expansion for the village, and would have no harm on Sturton by Stow's character.

The Planning Manager (Development Management) responded to some of the points raised, by saying that the land on site was agricultural land classified as Grade 3 (good to moderate). NPPF paragraph 78 and the NPPF and LP2 of the CLLP were looking for appropriate locations for development, whilst retaining the core shape and form of a medium village. Planning officers were satisfied and recommended that this development met this test.

The development was located in Flood Zone 1 of the government map for planning, and the sequential test which sought to local development in this zone was met. A positive drainage strategy, to ensure flooding wasn't increased elsewhere, could be conditioned.

Members provided comment on the report:

- The location was appropriate, and was adjoined by existing properties on three sides. There were no available sites in Sturton by Stow that fitted into a higher tier of the sequential test for development. The allowance for a 'medium-sized' settlement was 9 houses; this provided only 5;
- Whilst there were concerns about flooding, the narrow access road and the current lack of footpath, these would not be sufficient to reject the application;

- Sustainable drainage would be looked at for the site primarily; if that wasn't feasible then alternatives would be considered.

Following this discussion, the recommendation in the report were moved and seconded, and the application was **GRANTED** subject to conditions:

Conditions stating the time by which the development must be commenced:

1. Application for approval of the reserved matters must be made to the Local Planning Authority before the expiration of three years from the date of this permission.

Reason: To conform with Section 92 (2) of the Town and Country Planning Act 1990 (as amended).

2. No development must take place until, plans and particulars of **access** to the highway, **appearance, layout** and **scale** of the buildings to be erected and the **landscaping** of the site (hereinafter called "the reserved matters") have been submitted to and approved in writing by the Local Planning Authority, and the development must be carried out in accordance with those details.

Reason: The application is in outline only and the Local Planning Authority wishes to ensure that these details which have not yet been submitted are appropriate for the locality.

3. The development hereby permitted must be begun before the expiration of two years from the date of final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.

Reason: To conform with Section 92 (2) of the Town and Country Planning Act 1990 (as amended).

Conditions which apply or require matters to be agreed before the development commenced:

4. No development must take place until an assessment of the noise, dust and odour disturbance from the use of the farm on the site and end users has been submitted to and approved in writing by the Local Planning Authority. The assessment must include any necessary mitigation measures. Any mitigation measures required must be installed prior to the occupation of the first dwelling and thereafter maintained.

Reason: To protect the amenity of the future residents from undue noise, dust and odour to accord with the National Planning Policy Framework and local policy LP26 of the Central Lincolnshire Local Plan 2012-2036.

5. No development must take place until a desktop phase 1 contamination report has been submitted and approved in writing by the Local Planning Authority. All recommendations and remedial measures in the phase 1 contamination report must be completed prior to any works commencing on site.

Reason: In order to safeguard human health and the water environment and identify potential contamination on-site to accord with the National Planning Policy Framework and local policy LP16 and LP26 of the Central Lincolnshire Local Plan 2012-2036.

6. No development must take place until, details of the form and position of the protection measures to protect all the protected trees within, on the boundary or adjacent the site have been submitted to and approved in writing by the Local Planning Authority. The approved protection measures must be installed prior to commencement of development (including scraping of ground) and retained in place until the development is completed.

Reason: To safeguard the existing trees within, on the boundary or adjacent the site during construction works, in the interest of visual amenity to accord with the National Planning Policy Framework and local policy LP21 of the Central Lincolnshire Local Plan 2012-2036.

Conditions which apply or are to be observed during the course of the development:

7. No construction works above ground level must take place until details of a scheme for the disposal of foul/surface water (including any necessary soakaway/percolation tests) from the site and a plan identifying connectivity and their position has been submitted to and approved in writing by the local planning authority. No occupation shall occur until the approved scheme has been carried out.

Reason: To ensure adequate drainage facilities are provided to serve each dwelling, to reduce the risk of flooding and to prevent the pollution of the water environment to accord with the National Planning Policy Framework and local policy LP14 of the Central Lincolnshire Local Plan 2012-2036.

8. With the exception of the detailed matters referred to by the conditions of this consent, the development hereby approved shall be carried out in accordance with the following drawings: 868.01 Revision A dated March 2019. The works shall be carried out in accordance with the details shown on the approved plans and in any other approved documents forming part of the application.

Reason: To ensure the development proceeds in accordance with the approved plans and to accord with the National Planning Policy Framework and policy, LP13, LP17 and LP26 of the Central Lincolnshire Local Plan.

9. The development hereby permitted shall not be occupied until details for the provision of a pedestrian footway, 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. The footway shall be completed in accordance with the approved details prior to occupation of the dwellings.

Reason: To ensure the provision of safe and adequate pedestrian access to the permitted development, without increasing flood risk to the highway and adjacent land and property.

10. The existing hedge along the southern and western perimeter of the site, shall be retained to a minimum height of 1 metre except where partial removal is required for vehicular access.

Reason: In the interest of the visual amenity of the area in accordance with the National Planning Policy Framework and policies LP17 and LP26 of the Central Lincolnshire Local Plan.

Conditions which apply or relate to matters which are to be observed following completion of the development:

None.

66 140254 - MAIN STREET NORMANBY BY SPITAL LN8 2HE

Members considered application number 140254, an application for the erection of two storey and single storey extensions to the rear, including the removal of existing two storey elements, a resubmission of 139326 at The Poplars, 22 Main Street, Normanby by Spital, Market Rasen LN8 2HE.

There were no further officer updates to the printed report.

The first speaker on this application was Abigail Redmile, the applicant. She raised the following points:

- Plans have been extensively revised to address all legitimate planning concerns; planning officers feel that this adequately addressed the matter;
- Neighbours have continuously objected to this application with concerns with dominance, light and privacy;
- 'Sun studies' had been carried out to make sure that there was no additional shadowing compared to the existing structure. The results were produced using industry standard software;
- The 2.8 metre boundary wall along the rear northern boundary would have a far greater impact on light with the addition of a 45 degree angle of light passage;
- Both neighbours' concerns on privacy were not valid; the northern boundary windows were obscure and offered no view of Number 24. The existing first floor overlooking window of the southern elevation offered no view of Number 20's garden area. All that was visible from this window was a parking area and boundary;
- The current application accorded with all planning policies, and there was no planning reason for rejection of the application.

There were two objectors to the application, Julia Watson and Jane Sharman who shared the allotted time for speaking. The following points were raised:

- One of the ladies' residences was bought for its quiet location and large private garden;
- There were three main concerns; the proposed size of the extension and lack of privacy, the height and size of the proposed structure, and extra soil flow through an old 'piggyback' system in the rear garden;
- WLDC had set a precedent when granting permission for a property directly behind one of the neighbours which included the condition related to obscured windows;
- WLDC rejected the first proposal on this site which proposed building on three levels; this new proposal had not reduced the height or size of the structure in any significant way. It was believed that the applicant's requirements could be met with smaller dimensions;
- By reducing the angle of the roofs and incorporating a different style of roof on the extension the building could be considered less imposing;
- Proposed bedrooms 2 and 3 had two windows each; these were on 'bright light aspects' and could be adequately serviced by one window each. The south facing window was not required;
- Artist impressions were misleading as it showed the plot surrounded by trees;
- A site visit would be appreciated to highlight the above concerns;
- The incorrect officer plans show that the proposed two storey extension would extend back by more than 2 metres as opposed to the 1.2 metres stated in the planning report;
- The officer's report was again incorrect when it came to the height of the proposal; the roofs would be 3.9 metres, and increase of 0.7 metres on the existing roof, not the 0.4 metres as stated in the report;

- The two storey section of the proposal was 2.4 metres from the one of the neighbour's properties; this was too close. Currently the distance of the existing property from the neighbour was staggered; at its nearest point the distance between the two was 3.8 metres. The first floor bedroom wall was acceptable, but the first floor bathroom wall should come no closer than the existing boundary;
- The conclusions of the officer report did not address the loss of light to a courtyard and habitable rooms, as required by LP26 of the CLLP. The sun would be completely blocked by the proposed development at different times of the day;
- There would be significant loss of privacy and enjoyment of the section of the garden that is not currently overlooked. Two new large windows directly overlooking the courtyard, even if frosted would lead to a loss of privacy. A restriction in size to the windows, as well as them being frosted would be preferable;
- The pitch of the roofs should be 20 degrees rather than 40 degrees, along with a hipped roofline on the two storey extension parts;
- The committee cannot validly approve the proposal due to:
 - the errors in the officer report;
 - errors in the comparators in the architect's drawings were in the applicant's favour;
 - the conclusions in the report did not satisfy the objectors' concerns over loss of light;
 - in the objectors' view the report did not give weight to the loss of privacy at number 20;
- A condition should be added for reasonable working hours;
- An approval for a house of this size would set a dangerous precedent for other developments in this area.

The final speaker was Councillor Jeff Summers, Ward Member for Waddingham and Spital. He raised the following points:

- There appeared to be discrepancies in the officer report, and it was unclear why this had reached the Planning Committee stage;
- This new proposal was closer to the Post Office and Bed and Breakfast than previously. A greater level of shading would occur; an increased roof height would cast a long shadow;
- The pitch of the roof could be reduced further and still be within building regulations;
- The increased number of windows overlooking Homestead Farm was not acceptable. Removing the bedroom on the southern side of the proposed site would reduce the overlooking greatly;
- Bedroom 4 in the proposal had two windows; this could be reduced to one;
- Replacing the gable ends of the extension would reduce the impact on the Post Office;
- The roof line was too high and created a shading increase;
- The roof line of both apexes was too high; by reducing the height this would allow more light into the neighbour's patio area. The roof height could be reduced by up to one metre;
- Bedroom 2 did not need two windows; by removing the south window overlooking of Homestead Farm would be eliminated;
- The footprint of the site could be sensitively reduced.

Note: Following his contribution, Councillor Summers left the Chamber.

The Planning Manager (Development Management) then responded to some of the points made during the public speaking section of the item:

- The greatest length of the existing rear extensions currently stood at 5.8 metres, not 6.5 metres as reported; the proposal would bring this to 7.7 metres taking into account the extension – approximately a 2 metre extension;
- The height of the proposal would be 7.4 metres at its highest ridge, not 7.1 metres as reported, an increase of 30 centimetres;
- The applicant had put forward sun and daylight diagrams as requested by planning officers, and these offered comparators between the current building and the proposal. The previous application had been refused on the grounds of neighbouring impact; the proposal had now addressed these concerns in the opinion of planning officers;
- The plans were in order for the committee to determine the application, subject to the measurement clarifications given on the existing elevations.

Members passed comment on the height of the proposal, and the difference of opinion between the applicant and the objectors. The officer recommendation was moved and seconded, and following the vote, the applicant was **GRANTED** with the following conditions:

Conditions stating the time by which the development must be commenced:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To conform with Section 91 (1) of the Town and Country Planning Act 1990 (as amended).

Conditions which apply or are to be observed during the course of the development:

2. With the exception of the detailed matters referred to by the conditions of this consent, the development hereby approved shall be carried out in accordance with the following drawings: 12-412-02 C, 12-412-03 D received 8 January 2020. The works shall be carried out in accordance with the details shown on the approved plans.

Reason: To ensure the development proceeds in accordance with the approved plans and to accord with the National Planning Policy Framework.

3. The materials used in the development shall match those stated on the application form.

Reason: To ensure the use of appropriate materials to accord with the National Planning Policy Framework and Policy LP26 of the Central Lincolnshire Local Plan.

Conditions to be observed following the completion of the development:

4. The first floor windows on the north elevation that serve the 'bathroom' and 'en-suite' shall be obscure glazed and retained thereafter.

Reason: To protect the neighbour's amenity from undue loss of privacy from overlooking in accordance with the National Planning Policy Framework and LP26 of the Central Lincolnshire Local Plan.

5. Notwithstanding the provisions of Classes A, B,C, of Schedule 2 Part 1, of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or

any order revoking or re-enacting that Order), there shall be no external alterations to the dwelling including the insertion of new windows, or dormer windows or extensions other than authorised by this permission.

Reason: To safeguard the character and appearance of the building and the local area and to avoid adverse impacts on adjoining residential amenities through loss of privacy, overlooking and over dominance in accordance with Policy LP17 and Policy LP26 of the Central Lincolnshire Local Plan.

67 140150 - BRANDYWHARF ROAD, WADDINGHAM DN21 4SW

Members considered application number 140150, an application for 1no. agricultural workers' dwelling at land at South Carr, Brandywharf Road, Waddingham DN21 4SW.

There was no officer update to the item from the printed report.

The first speaker to the application was the applicant, Mrs Tutty. She raised the following points:

- The Environment agency had raised no concerns to the application, and there were no concerns from neighbours;
- A health and safety representative felt the need for an on-site presence due to the machinery housed there;
- Mr Tutty worked long hours on the farm and would benefit from being on site, rather than commuting for four miles, which was the current arrangement;
- Theft was a huge worry and security was paramount. Anyone watching the premises would know that it warranted further protection;
- The applicant's parents used to be a full-time part of the farm; however health and age issues have meant that their role was now diminished;
- The applicant's mother would require more care on an ongoing basis;
- Mrs Tutty was taking a more active role in the farm, but also had childcare to think about. Her child could not realistically be brought onto the farm whilst both parents were working;
- Family run businesses were on the demise. The legacy of this farm had been handed down over several generations. Several self-employed contractors had been taken on to help with the farm, which demonstrated that it was performing well;
- Lincolnshire was one of the top producers of food, and it was a key location for sugar beet. There were a few tractor drivers on site, who would take time off; however Mr Tutty was largely unable to take any time off due to his 'hands-on' role on the farm;
- In the future, the Tutty's son will work on the land and would take over the contracting business;
- The importance of having the family on-site was stressed.

The final speaker to the application was Councillor Jeff Summers, ward member for Waddingham and Spital. He raised the following points:

- Farming contracts lasted for several years; this farm specialised in sugar beet. This involved using very large and expensive machines, with a value of well over £250,000;
- Lincolnshire Police had admitted that they could not adequately police the rural

- countryside. Businesses needed to be able to protect their assets;
- The business had the need to employ local people;
 - The proposed site was in Flood Zone 3 (as defined by the Environment Agency as the highest risk of flooding); however this could be mitigated by a damp proofing course;
 - This would be a family house with office space, and nothing more;
 - Policy LP1 of the CLLP had been met as there was no adverse impact arising from the development. The National Planning Policy Framework (NPPF) would not restrict the development;
 - Policy LP5 of the CLLP was referenced; the application had arisen because of the success of a young entrepreneur. The site employed 15 staff, and did not conflict with neighbouring land uses. In addition, it would not impact unacceptably on the local strategic highway network;
 - Policy LP10 of the CLLP was met as the development would meet the needs of the family by reducing the need for members of the family to commute from outside of the farm. With 15 staff to manage, it was important for the farm owner to work and live at a central point;
 - Policy LP55 was addressed as the proposal went much further in terms of development. The proposal would be close by to the owner's occupation, which would allow them to mobilise staff, minimise cost and be on hand instantly to repair faults. The need for the dwelling had been justified, it was in an appropriate location, was scaled correctly and was appropriate to the business need. It would also aid with the protection of agricultural land.

The Planning Manager (Development Management) responded to some of the points raised by the public speakers:

- There were two policy conflicts in play here between both national planning policy and West Lindsey planning policy. The NPPF stipulated that policies and decisions should avoid creating isolated homes unless there was an essential need for a rural worker to live permanently at the location. This was an 'essential' rather than a 'desirable' test;
- Was there an essential need? Security alone was not a justification. There were already dwellings located on and adjacent to the site. Therefore based on this and other points, officers feel that the essential need test had not been met;
- Dwellings should not be located within Flood Zone 3 unless there was no sequentially preferable alternative.

Members then provided comment on the application, after seeking guidance from Planning Officers:

- Farming was a very lonely and difficult occupation; it was important for farm owners to be able to protect their businesses;
- In the opinion of officers, the single dwelling did not meet LP14 of the CLLP because of the flood risk. There were indeed two dwellings already on the site, but they predated the flooding policy change of 2007. The presence of those existing buildings did not mean that a further dwelling would meet the flood risk test;
- Thieves were getting more canny, and this could be soul destroying for the farm owners;

- Mobile homes in the countryside would be subject to the same test as permanent dwellings, i.e. the test would still be whether the development was essential;
- The sequential test was a planning policy. The Environment Agency would not engage with this as they were only a flood authority. They would suggest mitigation if the sequential test had been met; planning officers did not feel that it had been met on this occasion;
- If it was considered that there was an essential need for a new dwelling on the site, then the flood risk sequential test would also be met as the entire site was in Flood Zone 3 and there would be no areas within the site at a lower risk of flooding;
- Although the applicant was living off site, it was not that far away. Had the distance been greater it may have been a different matter.

Following this discussion, the officer recommendation to refuse permission was moved and seconded, and put to the vote. Following the vote, the decision to refuse was not upheld.

Therefore the Committee considered an alternate proposal, which was moved and seconded which was to grant permission using LP55(d) of the Central Lincolnshire Local Plan as the basis for the decision. The justification was the need to have someone on the farm site at all times. Planning officers advised that conditions could be settled following a successful vote.

Following the vote, the application was **GRANTED** subject to officers formulating conditions in the following areas:

- Time of commencement;
- Drainage;
- Flood risk mitigation;
- Agricultural workers standard conditions.

68 140242 - ULSTER ROAD, GAINSBOROUGH DN21 2QX

Members considered a planning application for removal of a prefabricated double garage and construction of a double garage with additional habitable space/games room above at 12 Ulster Road, Gainsborough DN21 2QX.

It was confirmed that this application would not be before Committee if the applicant had not been a staff member.

The application was moved and seconded, and following the vote planning permission was **GRANTED** subject to the following conditions:

Conditions which apply or require matters to be agreed before the development commenced:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To conform with Section 91 (1) of the Town and Country Planning Act 1990 (as amended).

Conditions which apply or are to be observed during the course of the development:

2. With the exception of the detailed matters referred to by the conditions of this consent, the

development hereby approved shall be carried out in accordance with drawing A-101 Rev P1 dated July 2019. The works shall be carried out in accordance with the details shown on the approved plan and in any other approved documents forming part of the application.

Reason: To ensure the development proceeds in accordance with the approved plans and to accord with the National Planning Policy Framework and local policies LP1, LP17 and LP26 of the Central Lincolnshire Local Plan.

69 DETERMINATION OF APPEALS

The appeals were noted by the Committee.

The meeting concluded at 8.22 pm.

Chairman