

## WEST LINDSEY DISTRICT COUNCIL

MINUTES of the Meeting of the Planning Committee held in the Council Chamber - The Guildhall on 26 May 2021 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 Jane Ellis  
Councillor Cherie Hill  
Councillor Mrs Jessie Milne  
Councillor Keith Panter  
Councillor Roger Patterson  
Councillor Mrs Judy Rainsforth  
Councillor Mrs Angela White

**In Attendance:**  
Russell Clarkson Interim Planning Manager (Development Management)  
George Backovic Principal Development Management Officer  
Rachel Woollass Development Management Team Leader  
Ian Elliott Senior Development Management Officer  
Martha Rees Legal Advisor  
Ele Snow Democratic and Civic Officer

**Also In Attendance:** 5 Members of the Public (pre-registered to speak)

**Apologies:** Councillor David Cotton  
Councillor Mrs Cordelia McCartney

### 1 CHAIRMAN'S WELCOME

The Chairman opened the meeting by welcoming all present into the first face-to-face meeting in the Council Chamber since the onset of the Covid-19 pandemic in March 2020. He noted that the Planning Committee had been the first Committee to experience the world of virtual meetings and were now the first to return to the Chamber. He highlighted the safety measures that were in place, such as the desk layout adhering to social distancing as well as the cleaning, which would take place in between speakers. The Chairman also noted that the meeting continued to be webcast live and extended his welcome to those watching at home.

## **2 PUBLIC PARTICIPATION PERIOD**

The Chairman stated there was one public speaker registered, Councillor Darby of the Bardney Group Parish Council. Councillor Darby was welcomed to the meeting and he made the following statement:

“Good Evening.

During the Planning Committee meeting held on 9 December 2020, Bardney Group Parish Council were accused of lobbying the Committee, which was illegal. The emails that were sent to the Committee Members were in fact corrections to the Officer’s report. A video and other communications that were cited were not sent by the Parish Council. These were sent by the applicant. The accusation was minuted, although not correctly, but recorded in full by the webcast.

If we step forward to the February Planning Committee meeting, Councillor Cotton apologised to the Committee for misleading them, and that lobbying was not illegal, but there was no mention of Bardney Group Parish Council. Currently, there is still an allegation against that Parish Council in written minutes, and a video cast.

To clarify on lobbying, is detailed in the Local Code of Conduct for Councillors and Officers with Planning Matters, dated May 2017. The allegation was therefore unwarranted and groundless. Any Member of the Committee, including the Chairman and those Councillors who also reside on the Standards Sub-Committee could have corrected the Councillor during the meeting.

Bardney Group Parish Council have not received either a verbal or written apology. An apology should be made public so that it can be minuted, and the good name of the Parish Council restored. Any assertion that the already made apology was sufficient, is incorrect, as the allegation has been used as truth in a matter which I'm not currently at liberty to discuss.

Thank you Mr Chairman”

The Chairman explained the statement would be shared with the relevant Officers and a response would be offered in due course.

**Note:** The meeting adjourned at 6.40pm and recommenced at 6.45pm

## **3 TO APPROVE THE MINUTES OF THE PREVIOUS MEETING**

**RESOLVED** that the minutes of the meeting of the Planning Committee held on Wednesday, 31 March 2021 be confirmed and signed as an accurate record.

## **4 DECLARATIONS OF INTEREST**

Councillor A. White declared that she had received a lobbying email in relation to application number 142666, Eastgate Scotton, but she had not read the email. Councillor I. Fleetwood noted this declaration was for all Members of the Committee.

Councillors M. Devine, J. Rainsforth and M. Boles declared that, whilst they had submitted comments in objection to application number 142208, Foxby Lane, the application had since been amended and they were addressing the application in front of the Committee with an open mind and no prejudice.

Councillor C. Hill declared that she was Ward Member for application number 142117, Old Airfield Reepham Road, however she would consider the application a Member of the Planning Committee.

## **5 UPDATE ON GOVERNMENT/LOCAL CHANGES IN PLANNING POLICY**

The Committee heard the following update from the Interim Planning Manager (Development Management) regarding planned changes to planning policy.

The Queen's Speech on 11 May 2021 announced the Planning & Environment Bills, expected in Autumn 2021.

- **The government intended to change local plans to “provide more certainty” over permissible development** - "changing local plans" so they "provide more certainty over the type, scale and design of development permitted on different categories of land". It went on to say that the changes would involve "clear land allocations in local plans" which would provide "more certainty for communities and developers ...
- **The planning bill would involve "digitising" the planning system to make it "more visual" and would aim to improve public engagement in planning.**
- **A new levy was promised to replace existing methods of securing developer contributions towards infrastructure and affordable housing** "replacing the existing systems for funding affordable housing and infrastructure from development with a new more predictable and more transparent levy". Last year's planning white paper said the Government wanted to replace the community infrastructure levy (CIL) with a "nationally set, value-based, flat-rate charge", equal to a fixed proportion of the development's value, above a yet-to-be-determined threshold.
- **Various aspects of planning decision-making would be accelerated** - The Planning Bill would aim to create "simpler, faster procedures for producing local development plans" as well as for "approving major schemes" and "assessing environmental impacts"

### **Changes to permitted development rights for electronic communications infrastructure: technical consultation**

Members were advised of the technical consultation, available via the following link:

<https://www.gov.uk/government/consultations/changes-to-permitted-development-rights-for-electronic-communications-infrastructure-technical-consultation>

The technical consultation for increasing PD rights for telecommunications masts was open

until 14 June 2021. Officers would be preparing a response to seek that sensitive areas such as the Lincolnshire Wolds AONB and Conservation Areas would not be unduly affected.

The following update regarding Neighbourhood Plans was detailed to the Committee.

<b>Neighbourhood Plan/s</b>	<b>Headlines</b>	<b>Planning Decision Weighting</b>
Made Neighbourhood Plans	Brattleby, Caistor*, Cherry Willingham, Dunholme, Great Limber, Lea, Nettleham*, Osgodby, Riseholme, Scotter, Scothern, Saxilby, Welton, Willoughton, Glentworth, Spridlington, and Sudbrooke.	Full weight
Scotton NP	Referendum held on 6 May successful. To be made/adopted by Full Council on 28 June 2021.	Full weight
Bishop Norton NP	Referendum held on 6 May successful. To be made/adopted by Full Council on 28 June 2021.	Full weight
Gainsborough NP	Referendum held on 6 May successful. To be made/adopted by Full Council on 28 June 2021.	Full weight
Morton NP	Referendum held on 6 May successful. To be made/adopted by Full Council on 28 June 2021.	Full weight
Corringham NP	Submission NP consultation (Regulation 16) closes 21 May 2021.	Increasing weight
Sturton and Stow NP	Parish councils have approved joint NP for submission (Regulation 16) consultation.	Some weight
Hemswell and Harpswell NP	Consultation on submission version of NP (Regulation 16) underway soon.	Some weight
Hemswell Cliff NP	Consultation on the draft version of NP (Regulation 14) begins 7 June 2021.	Some weight
Northorpe NP	Parish Council has agreed to start work on its NP.	Little weight
*Caistor NP	Review of NP underway. Consultant appointed.	-
*Nettleham NP	Review of NP underway. Consultant appointed.	-
Neighbourhood Plans - made (17) - in preparation (24) - in pipeline (42) - being reviewed (2)*	To view all of WLDC's neighbourhood plans go to: <a href="https://www.west-lindsey.gov.uk/my-services/planning-and-building/neighbourhood-planning/">https://www.west-lindsey.gov.uk/my-services/planning-and-building/neighbourhood-planning/</a>	<b>NP stage-weighting</b> -Made–full weight -Referendum successful–full weight -Examination successful/Decision Statement issued–significant weight -Submission Reg16–increasing weight

		-Draft Reg14 - some weight -Designated – little weight
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## 6 142117 - OLD AIRFIELD, REEPHAM ROAD

The Chairman introduced the first application of the evening, number 142117 for construction and operation of a solar photovoltaic farm, including fencing, internal service tracks, inverters, transformer stations, cabling, CCTV, landscaping, substations and ancillary cabins at The Old Airfield Reepham Road Fiskerton Lincoln.

**Note:** The Chairman declared that he had been present at a meeting of the Parish Council when the developer had made a presentation. He confirmed he had had no input and remained impartial.

The Committee heard from the Principal Development Management Officer with updates to the report. He read aloud the following response from Public Protection:

“The contaminated land preliminary appraisal report supplied and associated to 142117 advises in section 6 (Conclusions and Recommendations) that there is potential for localised contaminants to be present across the site which may pose a risk (albeit low) to construction/maintenance workers. In section 7 (Further Works) recommendations are made to investigate this potential risk further during works to identify suitable foundation solutions with sampling and testing of any made ground found in locations likely to be disturbed by groundworks etc.

In view of the above no works, other than the recommended further investigation works, ought to be permitted until the recommendations within the preliminary appraisal report are undertaken and a suitable report to determine if any further action or mitigation is required has been submitted and approved by LPA.”

Additionally, the Principal Development Management Officer suggested an additional condition to be numbered as 5 with subsequent conditions renumbered accordingly, as well as additional words to be added to condition 3. These amendments were read aloud for Members’ understanding.

The Chairman explained there were two registered speakers for the item, he welcomed the first speaker, Mr Cook, Agent for the Applicant, to the meeting and invited him to make his statement.

Mr Cook made the following statement to the Committee.

“It seems that every day, there is a news report, or scientific evidence, and ultimately a warning in the media about the potentially devastating consequences our planet will face through climate change. In May, 2019, UK Parliament declared a climate emergency, and since then there has been a clear steer and policy direction to reduce or halt, climate change. Central to this is the target to be net zero by 2050, meaning that there is an equal balance between carbon emissions, capture and offsetting. This will affect people’s lives. For

example, in the way we make commodities in factories, how we travel, and how the energy we all use is generated. The requirement to achieve Net Zero is also central to decision making at a local level. In March this year, the Central Lincolnshire area made a commitment to start the review process of the local plan, and I'm quoting from the Central Lincolnshire website, that "the review process has begun to do more to reduce carbon emissions and to demonstrably assist Central Lincolnshire and becoming a carbon Net Zero sub region, as soon as it is practically possible". Whilst Lincoln City and North Kesteven have declared a climate emergency, West Lindsey has set targets to reach a net zero position by 2050. It is also understood that West Lindsey is currently developing a sustainability, climate change and environmental strategy. This strategy sets out actions the Council could take to achieve his goal of reaching net zero across these operations by 2050, and for the wider district of West Lindsey.

From the above it is clear that West Lindsey and the proposals before you today have a shared ambition to achieve net zero. Over the life of the proposal enough clean energy will be generated to power over 13,000 homes each year. This will offset over 13,000 tonnes of co2, annually, which is the equivalent of taking 5000 cars off the road. As you'll have read in the planning officers report, there is a very clear need for low carbon and renewable energy generation, but as part of this proposal, other significant benefits will be provided. For example, public access, local biodiversity and heritage. In early 2020 the applicant started an informal pre-application engagement programme with key stakeholders. Unfortunately, COVID restrictions dictated the approach to the consultation. However, local Ward Members, Parish Councils and over 250 homes and businesses were contacted or written to. Public notices were erected on site, and a project website was created, offering the opportunity to comment on the proposals.

It is clear from the feedback, that connectivity, or more specifically, off-road connectivity between the three villages was a key issue. To address this concern, the proposal includes a provision of approximately two and a half kilometres of permissive access routes along the boundaries of the Western parcel of the proposal. This is in addition to the existing public rights of way in and around the application site. Concerns were also raised over the visibility the proposal from Reepham Road in response to proposals include a comprehensive scheme of landscaping, which includes new hedgerows and reinforcement planting along the highway, and an increased setback of the panels of up to 25 metres from the highway. Within the solar farm, a grass pasture mix of tussock and meadow grass will be sown and managed for a life of the site, and this will contribute to increasing biodiversity levels in the local area.

Furthermore, in agreement with Lincolnshire County Council, information boards will be implemented along the footpath and permissive routes around the site that will provide historic information on the former RAF base, and also the solar farm operation. It is considered that the proposed development will make a significant contribution to achieving net zero through clean energy generation in West Lindsey and enhance connectivity for local communities. Therefore, the application and the Planning Officer's report demonstrates that the proposal is in accordance with a local development plan, and should therefore be approved. Thank you for your time."

The Chairman thanked Mr Cook and explained there would be a short delay while the desk was cleaned prior to welcoming the second speaker. In due course, the Chairman welcomed Councillor C. Darcel, Ward Member, and invited him to address the Committee.

Councillor Darcel made the following statement.

“Thank you Chairman. I would like to congratulate our Planning Officer, and Mr. Cook, for a wonderful presentation they have put forward in support of this scheme. Their presentation has been brilliant. I would also like to thank our Planning Officer for painting such a lovely picture of the open countryside that Fiskerton is at this moment of time. In view of the fact that the purpose of this Planning Committee is to either approve the application as it is, or reject it, and that it cannot recommend alterations to it, I would only ask this Planning Committee to reject the application for a number of reasons. These are: there was no consultation in Fiskerton as there was in Reepham. It is a huge application, and although I've got nothing against its size, I do think that should have been discussed in the village of Fiskerton, with residents in Fiskerton. I also think, the loss of open countryside and visual amenity is a significant aspect of this application. The road from Fiskerton to Reepham, I'm not too concerned about with views, either side of a road from Fiskerton to Reepham. But when you go from Reepham to Fiskerton at this moment in time, you explode into open countryside. When this application is developed, if it is developed, we will then have a narrow tunnel road all the way from Moor Lane, which is the northern boundary of the site into Fiskerton, and at the moment is all absolutely open countryside. Now, I've suggested, other people have suggested, that if the hedgelines that border the road at the moment were moved further back, then you would keep that open countryside look, and that is one thing which just has not been addressed. It is absolutely true that you have got a wide border between the hedges, south of the 'nodding donkeys', but when you are coming from Reepham heading south, you are going to lose an awful lot of that open countryside look, and I think that is a great shame.

Now, there's also a very serious loss of amenity space, at the bottom right of development between the border between Prime Take, and where the solar panels will start. At the moment, that area is very much used by dog walkers and other people who want to just take their dog for a walk, throw a ball for it, throw stick for it and everything else. At the moment, it's probably about 30 metres wide. Now I would like to see that area kept as an amenity area for the village. The village is very poor on open space and that is an important part of it. Now the other thing which I think is also interesting is, I've been to these Planning Committee meetings in the past and I've seen other applications, not nearly as ambitious as this, rejected because of destroying visual amenity and loss of open space. Dog walkers and other people did not want their sense of freedom of the open countryside destroyed and I think this will do it.

Why I'm really concerned is, I think a lot of these issues could have been addressed, if the village of Fiskerton or the Parish Council had been listened to by the applicant, and the applicant's agent. I would like you to reject the application until these issues that I've mentioned, improving the visual amenity coming out of Reepham, and keeping the open space, are addressed. It would be very easy for the applicant to do, and then I would have no objections to this application, but as it is the village is losing too much, and we're being swamped by sea of solar panels. Thank you.”

The Chairman thanked Councillor Darcel for his comments and enquired of the Officer whether he had any further comments. The Principal Development Management Officer stated that loss of amenity had been dealt with within the report, the loss of space was noted however it was private land with no right of access and he highlighted that the hedges had

been moved back.

The Chairman invited comments from the Committee. The definition of the site as being temporary was questioned, to which it was explained that the lifetime of the panels was 40 years and there was a condition for the site to be returned to its former state. In contrast, a housing estate for example would be a permanent development. In addition to returning the site to its former state, the site would be landscaped and it was conditioned that any failures in planting be replaced.

It was enquired whether the rights of way could be upgraded in order to improve access and mobility. It was explained that the developer would be responsible for maintaining the grassed area, however the site would not meet the six tests to be eligible to be upgraded. The proposal did not disrupt or interfere with the existing pathways.

Members of the Committee highlighted the green credentials of the proposal and felt it was an improvement on the look of the site as well as benefitting local wildlife with the proposed planting. Having confirmed the amended conditions, the Officer recommendation was moved and seconded and, on being taken to the vote, was agreed unanimously that permission be **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 be carried out until details of a trail trench evaluation informed by the results of the previous geophysical survey has been submitted to and approved in writing by the Local Planning Authority. The results of the trail trench evaluation including proposed remediation if required shall be submitted to and approved in writing by the Local Planning Authority and works on the site shall be carried out in full accordance with the details approved.

**Reason:** To ascertain the significance and condition of archaeological remains that have the potential to be impacted by the development in accordance with Policy LP 25 of the Central Lincolnshire Local Plan and paragraph 189 of the National Planning Policy Framework.

3. No development shall be carried out until a detailed Landscape Scheme which includes measures to promote biodiversity which accords with the submitted "Landscape Master Plan date 24.11.20" has been submitted to and approved in writing by the Local Planning Authority. The approved details shall be carried out in the first planting and seeding seasons following the completion of the development, 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.



**Reason:** To help ameliorate the impact of the development within its rural setting and in the interests of biodiversity in accordance with policies LP17, LP21 and LP26 of the Central Lincolnshire Local Plan.

4. No development shall take place until an updated badger survey has been undertaken by a suitably experienced ecologist in accordance with the recommendation of the submitted Badger Survey Report date Nov 2020 and the results submitted for the written approval of the local planning authority.

**Reason:** In the interests of biodiversity in accordance with policy LP21 of the Central Lincolnshire Local Plan.

5. No works other than the recommended further investigation works in the Contaminated Land Preliminary Appraisal Report shall be carried out on the site, the results of which shall be submitted to and approved in writing by the Local Planning Authority to determine if any further action or mitigation is required.

**Reason:** To address potential contamination risks in accordance with policy LP 16 of the Central Lincolnshire Local Plan.

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

6. With the exception of the detailed matters referred to by the conditions of this approval and the outline planning permission, the development hereby approved shall be carried out in accordance with the following drawings and documents:

- Site Layout date 11.05.21 ARM1007/19/03 Revision 2;
- Permissive Footpath Details date 20.04.21 ARM1007 19 10 Revision 1;
- Reepham Road Boundary Details date 20.04.21 ARM1007 19 15 Revision 1
- PV Panel Details ARM1007/19/04 REV 0;
- Transformer Station ARM1007/19/05 REV 0;
- Substation and point of connection ARM1007/19/07 REV 0;
- Storage Cabins ARM1007/19/08 REV 0;
- Operational, Welfare and Office Cabins ARM1007/19/09 REV 0
- Security Fence Details date 29/7/2020 ARM1007/19/12
- Indicative Set Down Area date 29/9/2020 ARM1007/19/14 REV D
- Badger Survey Nov 2020
- Breeding Bird Report Nov 2020
- Ecological Appraisal Nov 2020
- Landscape Master Plan date 24.11.20 ARM1007/07/01 Revision 3
- CCTV Details date 29/7/2020 ARM1007/19/11
- Construction (Traffic) Method Statement date November 2020

**Reason:** To ensure the development proceeds in accordance with the approved plans in the interests of proper planning.

7. Notwithstanding the details shown on the Proposed Cable Route drawing ARM1007/19/13 permission is granted for the route that connects to Moor Lane without using Fiskerton Road. Any variation must be submitted to and approved in writing by the Local Planning

Authority.

**Reason:** To reduce potential noise and disturbance in accordance with Policy LP26 of the Central Lincolnshire Local Plan

**8.** Work shall take place on the site in full accordance with the following reports, particularly in relation to mitigation and enhancement

- Badger Survey Nov 2020
- Breeding Bird Report Nov 2020
- Ecological Appraisal Nov 2020

**Reason:** To protect the interests of biodiversity in accordance with policy LP21 of the Central Lincolnshire Local Plan and the National Planning Policy Framework.

**9.** Activities shall take place in full accordance with the Construction Traffic Method Statement with particular reference to limiting the hours of operation from Monday to Friday 0800 hours to 1800 hours and Saturdays 0800 hours to 1600 hours and at no other times and the restriction on deliveries by large vehicles during the hours of 0815-0915 and 1500-1600 during school term time.

**Reason:** In the interests of highway safety and reducing noise and disturbance in accordance with Policies LP 13 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:**

**10.** Prior to the solar farm becoming operational details of a Heritage Strategy shall be submitted to and approved in writing by the Local Planning Authority. This shall include details of the number location and content of a series of Interpretation boards along existing footpaths and permissive paths and a digital resource. This will be in accordance with a brief to be produced by LCC Historic Services in collaboration with West Lindsey District Council's Tourism Officer and Aviation Heritage Lincolnshire. The approved details shall be installed prior to the solar farm becoming operational and maintained and retained thereafter.

**Reason:** To offset the impacts on the historic environment by better revealing the significance of the Heritage Asset to the Public in accordance with Policy LP 25 of the Central Lincolnshire Local Plan and paragraphs 192 and 200 of the NPPF, which will also promote the county's aviation heritage in accordance with Policy LP7 of the Central Lincolnshire Local Plan.

**11.** The solar panels shall be removed from the site on or before the 26th July 2061. Following the removal of the solar panels, the site shall be reinstated to its former state prior to any works commencing.

**Reason:** In the interests of visual amenity of the surrounding area to accord with the National Planning Policy Framework, local policies LP17, LP19 and LP55 of the Central Lincolnshire Local Plan 2012-2036.

## **7 142208 - FOXBY LANE**

The Chairman introduced planning application number 142208 for variation of condition 16 of planning permission 138921 granted 29 August 2019 re: completion of roundabout, on land at Foxby Lane Gainsborough Lincolnshire. Members heard from the presenting Officer that in the time since publication of the report, the Agent had been in contact wishing to assure Members that the intention was not to deliver both roundabouts prior to the occupation of the 455<sup>th</sup> dwelling and this had been a mistake within the submission. She explained it was only ever the intention to amend the trigger for the Foxby Hill / Lea Road roundabout. The trigger for the Foxby Hill / Lea Road roundabout to be completed was proposed to be: prior to the occupation of the 100<sup>th</sup> dwelling, or two years from the date of the permission, whichever was the earliest date.

The Chairman thanked the Officer and noted there was one registered speaker, Emma Lancaster, Agent for the Applicant. He welcomed her to the meeting and she made the following statement to Members.

“Thank you Chairman and good evening, Members. I'm not proposing to speak for five minutes this evening, because the proposal that's before you is relatively simple. As Rachel's just explained, the proposal is for the amendment of condition 16 of the consent, which was granted some time ago for a mixed use urban extensions of South of the town. Condition 16 requires two roundabouts, one at the junction of Middlefield Lane and Foxby Lane, and another at the junction of Foxby Hill and Lea Road are delivered before any dwellings at the sites are occupied. Through this application, the developers of the first phase of residential development are requesting that the trigger point, the delivery of the roundabout at the junction of Foxby Hill and Lea Road is amended so that some homes can be occupied prior to completion.

There are several reasons for this request, namely the scale of the roundabout works and the length of time it would take to deliver them, all the while, it not being possible to occupy any of the much needed new homes at the site. Secondly, a significant upfront cost of the infrastructure works to the developers, and how this can be balanced by the revenue from sales. The application was accompanied by transport evidence which demonstrates that the roundabout in question is not required, until around 455 dwellings are occupied. However, working with your Officers, and in recognition of Ward Members' and local residents' concerns about both existing and anticipated traffic from the development, Keepmoat are proposing to amend the condition so that it requires completion of the roundabouts prior to 100 dwellings being occupied or within two years of any permission you may grant today, whichever is the sooner. This means the occupation of 100 dwellings prior to both roundabouts being complete is an absolute worst case scenario. Members will note that the proposed variation is being considered by the council's highways team who have raised no objection to the proposed staging of the roundabout improvements and agreed with the findings of the transport statement, ie, the second roundabout is not required until much later than the 100th dwelling. On this basis, and on behalf of the applicants, I hope Members feel able to support your Officer's recommendations today. Thank you.”

There was no further comment from the Officer and the Chairman invited comments from Committee Members.

Councillors J. Rainsforth, M. Devine and M. Boles reiterated their comments against the

original variation submitted however stated they found the revised approach a sensible compromise.

Having been moved, seconded and voted upon, it was unanimously agreed that permission be **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 two years from the date of approval of the last of the reserved matters to be approved.

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

2. No development shall take place within any phase until, plans and particulars of the appearance, layout and scale of the buildings to be erected and the landscaping of the site (hereinafter called “the reserved matters”) for that phase of the development have been submitted to and approved in writing by the Local Planning Authority, and the development shall 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. Application(s) for approval of the reserved matters shall be made to the Local Planning Authority before 5th July 2023.

**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. Development shall be carried out in chronological order as per the phasing plan 10754 302 dated July 2019 Rev P01. No development shall take place within a phase until a built development phasing plan for that phase has been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with each built development phasing plan.

**Reason:** To ensure that the development is delivered in a structured way in.

5. No development shall take place on each phase until a wastewater and foul water strategy for each phase has been submitted to and approved in writing by the Local Planning Authority. The scheme for each phase shall be implemented as approved prior to the occupation of any dwellings.

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

6. No development shall take place within a phase until a scheme for the provision of affordable housing for that phase of the development has been submitted to and approved in

writing by the Local Planning Authority. The scheme shall include the following –

- Statement justifying tenures proposed linking back to the Strategic Housing Market Assessment and Local Housing Needs Assessment work produced by West Lindsey District Council. The statement should also include how they have liaised with West Lindsey Strategic Housing Team and how this has informed tenure and splits proposed.
- Type of housing, number of bedrooms, sizes of the units and any other features;
- Marked up drawings detailing the plot numbers, housing types and sizes;
- Details of how the units will be secured, nomination agreement, and;
- Full planning viability assessment produced in line with Government guidance in place at the time.

The affordable housing shall be retained in accordance with the scheme.

**Reason:** In order to meet a specific housing need within the district in accordance with policy LP11 of the Central Lincolnshire Local Plan.

7. No development shall commence within each phase until a schedule of landscape maintenance for a minimum period of five years from the completion of the development of that phase has been submitted to and approved in writing by the local planning authority. The schedule shall include details of the arrangements for its implementation and the development shall be carried out in accordance with the approved details.

**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 in accordance with LP17 of the Central Lincolnshire Local Plan.

8. No development shall take place for each phase, including any works of demolition, until a Construction Method Statement for each phase has been submitted to, and approved in writing by the local planning authority for the relevant phase. The approved statement shall be adhered to throughout the construction period. The statement shall provide:

- i. the parking of vehicles of site operatives and visitors
- ii. loading and unloading of plant and materials
- iii. storage of plant and materials used in constructing the development
- iv. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
- v. wheel washing facilities
- vi. measures to control the emission of noise, dust and dirt during construction
- vii. a scheme for recycling/disposing of waste resulting from demolition and construction
- viii. The means of access and routing for demolition and construction traffic.

**Reason:** In the interests of amenity and in accordance with policy LP13 of the Central Lincolnshire Local Plan.

9. No development shall take place on each phase until a surface water drainage strategy incorporating SUDs for each phase has been submitted to and approved in writing by the Local Planning Authority. Each scheme shall include –

- a management and maintenance plan for the lifetime of the development which shall include the arrangement for adoption by any public or statutory undertaker or any other arrangement to secure the operation of the sustainable drainage scheme throughout its lifetime.

The approved drainage scheme for that phase shall be implemented prior to occupation of

any dwelling in that phase.

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

10. No development shall take place for each phase of the development until a scheme to secure the implementation of a programme of archaeological work in accordance with a written scheme of investigation for that phase has been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved programme.

**Reason:** In order to ensure that satisfactory arrangements are made for the investigation, retrieval and recording of any possible archaeological remains of the site in accordance with policy LP25 of the Central Lincolnshire Local Plan.

11. No development shall take place for each phase of the development until an ecological report including a mitigation strategy for that phase has been submitted to and approved in writing by the Local Planning Authority. The mitigation shall be carried out in accordance with the approved strategy.

**Reason:** To safeguard wildlife in the interests of nature conservation in accordance with policy LP21 of the Central Lincolnshire Local Plan.

12. The permitted development shall not be occupied in a phase until a Travel Plan for that phase is submitted to and approved in writing by the Local Planning Authority. Those parts of the approved Travel Plan that are identified therein as being capable of implementation before occupation shall be implemented in accordance with the timetable contained therein and shall continue to be implemented for as long as any part of the development is occupied and those implemented following occupation shall be retained thereafter.

**Reason:** In order that the permitted development conforms to the requirements of the National Planning Policy Framework, by ensuring that access to the site is sustainable and that there is a reduced dependency on the private car for journeys to and from the development.

13. No development shall take place for each phase of development until a management and maintenance plan for any woodland areas for that phase has been submitted to and approved in writing by the Local Planning Authority. Each phase shall be in full accordance with their approved management and maintenance plan.

**Reason:** To ensure the appropriate management and maintenance of the woodlands in accordance with policy LP17 and LP21 of the Central Lincolnshire Local Plan.

14. Prior to occupation of a phase, details of cycleways and footpaths/crossings their management and maintenance and timing of delivery to serve that phase shall be submitted to and approved in writing by the Local Planning Authority. The cycleways and footpaths/crossing shall be retained for the lifetime of the development in accordance with their approved management and maintenance.

**Reason:** To encourage the use of alternative forms of transport to the site, other than the

private car in accordance with policy LP13 of the Central Lincolnshire Local Plan.

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

15. Demolition and/or Construction works shall only be carried out between the hours of 07:00 and 19:00 on Mondays to Fridays; and between 08:00 and 13:00 on Saturdays, with no demolition and/or construction works on Sundays and Bank Holidays unless specifically agreed in writing by the local planning authority beforehand.

**Reason:** To ensure appropriate mitigation for the impact on residential amenity caused by the construction phases of the development and to accord with policy LP26 of the Central Lincolnshire Local Plan.

16. No dwelling shall be first occupied until the roundabout at Middlefield Lane has been completed. The roundabout at the junction of Foxby Hill and Lea Road shall be completed, prior to the occupation of the 100th dwelling or two years from the date of this permission, whichever is the earlier date. Both roundabouts shall be completed in accordance with the approved TTHC drawings M06052-A-140 Sheets 1 to 3 dated 14<sup>th</sup> December 2010 and to a final specification submitted to and agreed in writing by the Local Planning Authority, with the exception of:-

- the roundabout annotated as “I” on drawing M06052-A-140 sheet 2 of 3 which shall be completed before the first occupation of any dwelling other than within phase 1 as annotated on the approved drawing 10754 302 dated July 2019 Rev P01
- the roundabout annotated as “L” on drawing M06052-A-140 sheet 3 of 3 which shall be completed before the first occupation of any dwelling other than within phases 1, 2 and 3 as annotated on the approved drawing 10754 302 dated July 2019 Rev P01.

**Reason:** To ensure the provision of adequate access in the interests of highway safety in accordance with policy LP13 of the Central Lincolnshire Local Plan.

## **8 142916 - DEPOT**

The Chairman introduced planning application number 142916 to erect a new operational services depot to facilitate waste services in the region, including an operations office and staff welfare building, external yard for storage and maintenance of the vehicle fleet, bulky storage facility, staff and visitor parking, and site landscaping being variation of condition 9 of planning permission 140485 granted 8 July 2020 re: approved plans, on land East of A15/North of A631 Caenby Corner Market Rasen Lincolnshire. The Chairman made a declaration on behalf of all Members that this was regarding a Council application however all would remain impartial.

Members heard from the Development Management Team Leader that since the report had been published. a representation had been received from Glentham Parish Council who had no objections or comments to the application.

With no registered speakers, the Chairman invited comments from Members of the Committee and noted that had it not been a Council application, it would not have been presented to the Committee.

Having been moved and seconded it was unanimously agreed that permission be **GRANTED** subject to the following conditions:

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

None.

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

1. Foul water drainage shall proceed in accordance with the details approved in compliance with condition application 141372 and the scheme shall be in place prior to the first use of the site.

**Reason:** To ensure appropriate foul water treatment facilities are in place to serve the development and prevent pollution and flooding of the surrounding area in accordance with Policy LP14 of the Central Lincolnshire Local Plan.

2. The scheme for the prevention and interception of any pollutants from the development to the water environment shall proceed in accordance with the details approved in compliance with condition application 141372 and the scheme shall be in place prior to the first use of the site.

**Reason:** To prevent pollutants from the development contaminating the water environment in accordance with Policy LP14 of the Central Lincolnshire Local Plan.

3. The scheme of ecological enhancements for the site shall proceed in accordance with the details approved in compliance with condition application 141372.

**Reason:** To secure ecological enhancements in accordance with the requirements of Policy LP21 of the Central Lincolnshire Local Plan.

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

4. Development shall proceed in accordance with the precautionary mitigation measures as recommended for amphibians at paragraph 5.11, 5.12 and 5.13; birds at 5.18; and reptiles at 5.23 of the Preliminary Ecological Appraisal as submitted with application 140485.

**Reason:** To prevent harm to protected species in accordance with Policy LP21 of the Central Lincolnshire Local Plan.

5. External finishing materials shall proceed in accordance with the details approved in compliance with condition application 142188.

**Reason:** To secure good design in accordance with Policy LP26 of the Central Lincolnshire Local Plan.

6. Landscaping shall proceed in accordance with the details approved in compliance with condition application 142188. 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 first use of the site or the completion of the development, whichever is the sooner; and



any planting 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 a landscaping scheme to soften the appearance of the development and provide ecological enhancements is provided in accordance with Policies LP17, LP21 and LP26 of the Central Lincolnshire Local Plan.

7. External lighting shall be installed in accordance with the details approved in compliance with condition application 142188. No additional external lighting shall be installed unless details of the number, location, design and light pollution reduction measures have first been submitted to and approved in writing by the Local Planning Authority.

**Reason:** To minimise light pollution in the interests of the amenities of the area and ecology in accordance with Policies LP21 and LP26 of the Central Lincolnshire Local Plan.

8. Development shall proceed in accordance with the following approved drawings:

Location Plan (received 21/1/2020)  
Proposed Building Plan (received 21/1/2020)  
Proposed Roof Plan rev P01 (received 19/4/2021)  
Proposed Building Elevations (received 13/5/2021)  
Proposed Storage Building (received 21/1/2020)  
Fuel Package Tank (received 21/1/2020)  
Proposed Water Services Layout (received 10/3/2020)  
Proposed Site Plan rev P10 (received 19/4/2021)  
0004 Rev A02 (received 13/5/2020)  
0005 Rev A02 (received 13/5/2020)

**Reason:** For the sake of clarity and in the interests of proper planning.

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

None.

## **9 142666 - PLOT 1 EASTGATE, SCOTTON**

Members gave consideration to planning application number 142666 for approval of reserved matters for Plot 1, considering appearance, landscaping, layout and scale, following outline planning permission 139520 granted 16 January 2020 to erect 9no. dwellings with access considered on Plot 1, land south of Eastgate Scotton Lincolnshire. Members heard that one further objection had been received however it did not alter the Officer recommendation.

The Chairman stated there was one registered speaker. He invited My Bayley, Agent for the Applicant, to address the Committee. Mr Bayley made the following statement.

“Good evening my name is John Bayley of Keystone Architecture, I am the agent on behalf

of the applicants.

The reserved matters application for Plot 1 Eastgate was submitted following the outline approval, as you know, for the nine dwellings on the site. I believe this was the last reserved matters application for consideration. The outline approval restricted plot one to a single storey property to ensure the scale was appropriate in relationship to the neighbouring property at number 32 Eastgate. The house as presented is a bungalow, with a low pitch roof, to keep the scale of the property down. As mentioned, the height of the roof at the highest point is 6.2 metres in height. This is actually exactly the same height as the ridge on the neighbouring property of plot two, which is also 6.2 metres in height. As also mentioned the land is lower, by around just over a metre, to number 32 Eastgate so this property will sit lower than the two storey building to the right hand side of it, if you're looking at it from the road.

As for some of the comments made by the local residents, some of the objectors, were not viewed as material considerations and some related to the wider development of the site, which has obviously already been dealt with. Taking the more specific comments in relation to the proposal, we take these, and those raised by the Parish Council, as predominantly to do with the appearance of the property. Most of the other smaller queries and comments I believe have been dealt with by the Officer in his report. The obvious comments that we seem to view, are the old 'not in keeping' or 'out of character', this sort of wording. Yes, this design is not standard developer style housing. The property respects the design code in the Scotton Neighbourhood Plan (SNP), which identifies the materials proposed should take inspiration from the local vernacular. Those materials, as you could see on some of the evidential photographs on the slides, included red brick and render, and slate grey slate tiles as found locally in this part of Scotton and the wider area. The SNP does not include specific design restrictions governing appearance, the design of a property is and always will be subjective. The SNP does, however, include a photograph of another Keystone Architecture property on Middle Street. It was another modern property of render and cedar cladding. It uses this property as an example of not making all new buildings look the same.

Small villages in Lincolnshire, such as Scotton, grow sporadically over the years, and include buildings spanning centuries that at first glance may look quite similar, but the truth is they're not. There may be running themes, such as the materials, but a house traditionally built in the mid 1800s looks very, very different from one built in the early 1900s for example. A property built in 2021 should look like a property built in 2021, just as the house built in 1880 looks like it was built in 1880. The key is to maintain links to the vernacular forms of the area through traditional materials, setting scale, that sort of thing. We hope this bungalow is presented as an example of how this balance can be achieved. Thank you."

The Chairman thanked Mr Bayley and, with no further comment from the Officer, invited comments from Members of the Committee. With no one indicating to speak, the Chairman moved the Officer recommendation. This was seconded and on taking the vote it was unanimously agreed that permission be **GRANTED** subject to the following conditions.

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

NONE (see outline permission 139520)

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

**commenced:**

NONE

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

1. With the exception of the detailed matters referred to by the conditions of this consent, the development hereby approved must be carried out in accordance with the following proposed drawings:

1143.01 Rev A dated 27<sup>th</sup> April 2021 – Site Plan with Drainage and Landscaping details, Elevation Plans, Floor Plan and Materials Schedule

The works must 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, local policy LP17, LP25 and LP26 of the Central Lincolnshire Local Plan 2012-2036 and policy 4 and 11 of the Scotton Neighbourhood Plan.

2. All the boundary treatments shown on site plan 1143.01 Rev A dated 27<sup>th</sup> April 2021 must be completed prior to occupation of the approved dwelling.

**Reason:** To ensure that the landscaping is installed in accordance with approved plan and in the interest of residential amenity to accord with the National Planning Policy Framework, local policies LP17, LP25 and LP26 of the Central Lincolnshire Local Plan 2012-2036 and policy 4 and 11 of the Scotton Neighbourhood Plan.

3. No occupation of the dwelling must take place until the proposed driveway and turning space identified on site plan 1143.01 Rev A dated 27<sup>th</sup> April 2021 has been fully completed. The driveway and turning space must be retained as such thereafter.

**Reason:** To ensure off street parking provision is provide prior to occupation to accord with the National Planning Policy Framework, local policy LP13 and LP26 of the Central Lincolnshire Local Plan 2012-2036 and policy 4 of the Scotton Neighbourhood Plan.

4. All hardstanding identified on site plan 1143.01 Rev A dated 27<sup>th</sup> April 2021 must be constructed from a permeable material and retained thereafter.

**Reason:** To reduce the risk of surface water flooding on the site and the highway to accord with the National Planning Policy Framework, local policy LP14 of the Central Lincolnshire Local Plan 2012-2036 and policy 4 of the Scotton Neighbourhood Plan.

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

5. All trees and planting identified on site plan 1143.01 Rev A dated 27<sup>th</sup> April 2021 must be carried out in the first planting and seeding season following the completion of the development, whichever is the sooner. The trees and planting must be completed in accordance with the details described in the landscaping section of the design and access statement dated 26<sup>th</sup> August 2020. 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 must 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. The landscaping should be retained thereafter.

**Reason:** To ensure that the landscaping is installed in accordance with approved plan and to maintain the character of the area including the green lane to accord with the National Planning Policy Framework, local policies LP17, LP25 and LP26 of the Central Lincolnshire Local Plan 2012-2036 and policy 4 and 11 of the Scotton Neighbourhood Plan.

6. The proposed dwelling must only comprise ground floor living accommodation with no habitable first floor accommodation.

**Reason:** To protect the neighbour's rear garden area from undue loss of privacy from overlooking to accord with the National Planning Policy Framework, local policy LP26 of the Central Lincolnshire Local Plan 2012-2036 and policy 4 of the Scotton Neighbourhood.

7. Notwithstanding the provisions of Classes AA, B and C of Schedule Part 1 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification) the dwelling hereby permitted must not have a first floor or any roof alterations unless planning permission has first been granted by the Local Planning Authority.

**Reason:** To enable any such proposals to be assessed in terms of their impact on the amenity of neighbouring dwellings to accord with the National Planning Policy Framework, local policy LP26 of the Central Lincolnshire Local Plan 2012-2036 and policy 4 of the Scotton Neighbourhood Plan.

## **10 142495 - 43 PINGLE CLOSE**

The Committee gave consideration to the last application of the evening, application number 142495 for ground floor extension to form garage, together with first floor extension above at 43 Pingle Close Gainsborough Lincolnshire. There were no updates from the Officer and the Chairman invited the Democratic and Civic Officer to read aloud the statement provided by the applicant. She read aloud as follows:

"I have written this note in support of our planning application 142495- 43 Pingle Close, Gainsborough.

We are proceeding with this application because it has received the full support of our neighbour and we would have amended the plans or withdrawn our application if this was not the case, as we would not want to do anything that they were not happy with.

Our neighbour's garden is north facing and as shown within the light Survey modelled by our agent, it shows that our current property already casts a shadow over our neighbour's garden in its current form and the shadowing effect of the proposed extension on the neighbour's garden is minimal, and the proposal does not cast a shadow on their property at all.

In respect to LP26, there is no "Overlooking" impact from our proposed extension and as

already mentioned there is no “Loss of Light” impact on the building and minimal impact on the bottom of the garden towards the end of the day. We have endeavoured to limit any impact from “overshadowing” by not proposing an extension that is built right up to the boundary and have instead moved the wall some c.1450mm away from the fence line.

LP26 provides guidance on the areas that should be considered, but it does not provide any objective criteria by which these areas should be measured and therefore there is a degree of subjectivity to the concerns raised by the planning officer, which are not shared by Myself, My agent and most importantly by the homeowner of the only property impacted by our proposed extension, being No 41, who have recorded their support for our application on two separate occasions. Based on these points I hope that you will be able to approve our application.

Mr Michael Redwood - Homeowner and Applicant”

The Chairman enquired whether the application would have been presented to Committee had the application not been an Officer or relation to the Council. The Interim Planning Manager (Development Management) explained that it was an unusual situation in that there was definite support from the neighbouring property, however on balance it would have been determined under delegated powers.

Members of the Committee expressed uncertainty as to whether the application should be refused or granted, given the level of support from the neighbouring property. It was felt that the impact of the proposed extension on the neighbour’s land was a risk for the current homeowners to consider. It was accepted that there would be a loss of amenity however with no objections to the proposal, there was a lack of consensus as to whether the application should be granted or refused.

The Legal Advisor advised Members that in making such decisions, planning policy indicated that consideration should be based on whether there was a loss of amenity or not, rather than whether there was support for the application or not.

With no further comments from the Committee, the Chairman moved the Officer recommendation from the Chair. Having been seconded, the Chair took the vote. With 7 for, 3 against and 2 abstentions, planning permission for application number 142495 was **REFUSED**.

## **11 DETERMINATION OF APPEALS**

The determination of appeals was **NOTED**.

The meeting concluded at 8.19 pm.

Chairman