

WEST LINDSEY DISTRICT COUNCIL

MINUTES of the Meeting of the Planning Committee held in the Council Chamber - The Guildhall on 6 October 2021 commencing at 6.30 pm.

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

Councillor Matthew Boles
Councillor Jane Ellis
Councillor Cherie Hill
Councillor Mrs Judy Rainsforth
Councillor Mrs Angela White
Councillor Owen Bierley

In Attendance:

Russell Clarkson	Interim Planning Manager (Development Management)
Rachel Woollass	Development Management Team Leader
Joanne Sizer	Area Development Officer
Carol Slingsby	Area Development Officer
Martha Rees	Legal Advisor
Katie Storr	Democratic Services & Elections Team Manager (Interim)

Apologies: Councillor David Cotton
Councillor Michael Devine
Councillor Mrs Cordelia McCartney
Councillor Mrs Jessie Milne

Membership: Councillor Owen Bierley sat in substitution for Councillor Michael Devine.

48 PUBLIC PARTICIPATION PERIOD

There was no public participation at this point in the meeting.

49 TO APPROVE THE MINUTES OF THE PREVIOUS MEETING

RESOLVED that the minutes of the meeting of the Planning Committee held on Wednesday, 8 September 2021 be confirmed and signed as an accurate record.

50 DECLARATIONS OF INTEREST

Councillor Ian Fleetwood declared that regarding application 141702 (agenda item 6a) he had not had any contact with the Parish Council but had one resident contact regarding issues. He had listened to them but not made any statements. He also declared knowing the

agent for this application.

Councillor Judy Rainsforth declared that she had not been able to attend the site visit for application 142948, so would not be commenting or voting on it.

51 UPDATE ON GOVERNMENT/LOCAL CHANGES IN PLANNING POLICY

The Committee heard from the Interim Planning Manager (Development Management) with the following update:

There was a new Secretary of State for Communities and Levelling Up who would be looking at the planning reforms proposed a year ago in the White Paper. Bigger announcements were expected to come.

The following update regarding Neighbourhood Plans in the district was also provided.

Neighbourhood Plan/s	Headlines	Planning Decision Weighting
Corringham NP	Examination completed. Waiting on decision for it being given significant weight.	
Sturton by Stow and Stow joint NP	Consultation closes 22 October.	

52 141702 - LAND OFF SAXON WAY, BARDNEY

The Chairman introduced the first application of the evening, application number 141702, for the siting of 65 single story modular park homes for the over 55s on Saxon Way, Bardney. The Committee heard that the site was allocated in the local plan for development and saw the proposed site plan for 65 modular units (park homes) and expectation of layout and appearance. There would be a Section 106 completed as part of planning permission for a restriction of over 55s only. An off-site affordable homes contribution of £101,890 and an NHS contribution of £41,112.50 towards a loft extension and subsequent alteration to the ground floor at a new surgery at Woodall Spa.

The Chairman invited the first of the registered speakers to address the Committee. Cllr Robin Darby made the following statement.

“My name is Robin Darby and I'm a Councillor on Bardney Group Parish Council. The conditions imposed on the development prior to the commencement of any work had been noted. These include the foul and surface water, landscaping scheme, external lighting scheme, individual driveway parking and boundary trees and hedging.

I'd like to raise further points relevant to the application. The application form submitted on 20th of October 2020 states siting of 69 single storey modular homes for over the 55s. The traditional brick and mortar development means that the developer builds the homes to sell in phases or completed project. There is no timetable in any of the submitted documentation that indicates the number of hard standings and park homes that will be completed. It is

doubtful that the company will build all the hard standings and purchase all the homes, and move them onto the site. It is more likely to a number of hard standings will be built and the homes moved on to the site when purchased.

The concern is a protracted stop start construction phase, and the destruction caused to the local residents. And also when the site and associated landscaping will be completed.

There is also a concern regarding the trigger point for the S106, and the possibility that it may not be reached and the site becomes a mixture of park homes and moveable caravans.”

The Chairman introduced the second speaker, Mr Michael Braithwaite, to address the Committee.

“I’m Michael Braithwaite a chartered town planner and agent to the applicant Bowbridge (B&MR) Limited. Thank you for the opportunity to speak on this matter. The application site benefits from extant planning permission for 98 dwellings reference 120613, which is part implemented by the development of properties on Saxon Way and Norman Way, including 19 affordable dwellings. The site is also allocated in the adopted local plan site CL 1144 for 73 dwellings.

The principle of development is therefore well established through both the development plan, and planning application process, and history for the site. The proposal is to replace the remaining traditional built dwellings subject to the approval with 65 modular bungalows referred to as park homes, which will be restricted to occupancy by people over the age of 55.

As your officer report highlights there is a growing unmet need for dedicated housing for this age group, highlighted by the strategic housing market assessment prepared to support the local plan, West Lindsey Housing Strategy 2018 to 2022, the LIN report commissioned by West Lindsey District Council on behalf of all the authorities in the greater Lincolnshire Local Enterprise Partnership area, and the Lincolnshire homes for independence blueprint, considered by the West Lindsey Prosperous Communities committee on 26th of January 2021.

Your officers have considered the form of the proposed form of development is a popular form of development for over 55s, where it is provided elsewhere in the district. The use of park homes is also considered to be an affordable route to home ownership if you see the inspector’s decision letter referred to in the committee report. The original consent require the provision of six more affordable housing in addition to the 19 units already provided on Saxon and Norman Ways.

The current proposal, in addition to providing an affordable route to homeownership, does not generate as much value as traditional build residential scheme. As such a contribution towards offside provision of one affordable dwelling has been negotiated, taking into consideration the findings of the report prepared on behalf the applicant and assessed by the consultants on behalf of the council.

We know the affordable housing provision for the dwellings on the local plan allocation will be 20 dwellings, or 21% with an extra dwelling provided off site. This contribution together with contribution towards health care provision is considered by your officers to meet the

requirements of your policy. We request that you give favourable consideration to this application, which will deliver much needed housing to meet the needs of older people in West Lindsey. We note your officers have considered proposals in front of view this evening are in compliance with your planning policies, and will meet the needs identified in the West Lindsey Housing Strategy. Thank you again for the opportunity to speak on this matter.”

The Chairman thanked the speakers and invited further comment from the Officer. He noted the Parish Councillors concern over the deliverability of the site. It was an allocated site and a residential development. The first phase was built around Saxon Way and had not been developed since but was not currently contributing to the Council’s five year housing land supply. Planning policy guidance was clear that local authorities should not be putting conditions on capping when developments were to be completed by. It was a different form of development than the traditional brick and mortar type but there was no reason that park homes would be slower than that or vice versa.

The Chairman thanked him for his comments and opened discussion with his own questions. He found it disappointing that, under Section 106 there was only a £101,890 contribution to the community when it would normally be a contribution of c.£1.5m on a site this size. The site had porous surface and drainage facilities in other parts of village were not working as they might. The NHS contribution of £42,000 was admirable but may cause a waiting list while transferring between Bardney and Woodall Spa. He also stated he was contacted by a resident with concerns over the boundary.

The Officer responded about the contributions that the council had had assessment of the works and there were questions over viability. The NHS contribution had come from them and it needed to be clear that the contribution would benefit the Bardney branch. Anglian Water had been consulted over the drainage and stated there was capacity for foul water. The Committee could make a decision over the type of boundary if they thought it was relevant.

The Chairman asked Members for their comments.

Note: Councillor O. Bierley declared a non-pecuniary interest in that he knew the speaker Mr Braithwaite.

Members asked if the housing would be available to the over 55s in just West Lindsey or in the whole country and if they would be freehold or leasehold. Also whether there would be a network of footpaths connecting the site with local amenities. The Legal Adviser explained that as these were market dwellings they would only be secured for over 55s and did not meet the legal test to be secured for local people via a s106 cascade. .

On being proposed and seconded, and with the addition of the following conditions:

Condition 7 - the boundary has a seven foot high fence between 110 Wragby Road and the site

Condition 11 – for footpaths to connect off Field Lane to the north east corner

The Chairman took the vote and it was unanimously **AGREED** that the decision for permission to be granted, subject to conditions, be delegated to Officers, to enable the

completion and signing of an agreement under section 106 of the Planning Act 1990 (as amended) pertaining to:

- A restriction to occupation of all 65 units to the over 55's
- An off-site affordable homes contribution of £101,890
- An NHS contribution of £41,112.50 towards a loft expansion and
- subsequent alterations to the ground floor at a new surgery at Woodhall
- Spa.
- Open space on the site including a management and maintenance plan.

53 142675 - HAMILTON HILL OPPOSITE POPLAR FARM, TEALBY ROAD, WALESBY

The Chairman introduced the second application, 142675, Hamilton Hill, opposite Poplar Farm, Tealby Road, Walesby and asked the planning officer for an update. She wanted to recommend a further condition be added that was not on the report. That prior to the first use of the site that a small footway section and tactile crossing be installed to gain access to the farm over the road which contains a restaurant/café. The Committee saw photos and plans of the site.

The first speaker for this application was David Thurman from Walesby Parish Council.

“Thank you and good evening and thank you for the opportunity to speak. I'm David Thurman, Chairman of Walesby Parish Council.

We are of the opinion that this application should be rejected. This is the third such application on the sites of Poplar Farm and Hamilton Hill, which is opposite to Poplar Farm, which I think was originally part of Poplar Farm. Poplar Farm was a traditional Lincolnshire farm raising Lincolnshire Red Cattle very much fitting into the environment and I do remember when it was such.

This application and the previous two across the road at Sunnyside are replacing that farm and so the agricultural land which wasn't part of the original farm with a very large holiday camp more suited to a coastal holiday resort like Skegness, and totally inappropriate in an area of great landscape value bordering on the AONB.

The three applications together contain a provision for parking of 128 cars, two per chalet at peak, moving around and on and off the site bringing traffic issues, light pollution issues and noise issues.

This whole project has not been totally supported by the experts, your own planning decisions for the first two applications, 139788 and 141422 limited the number of cabins to maintain and enhance the rural character of the area, the setting of the Lincolnshire Wolds the AONB and to protect wildlife, and in accordance with policies LP2, LP 17 and LP 26 of the Central Lincolnshire Local Plan.

Lincolnshire Wolds countryside services include for this application the cumulative impacts from the change of use from agricultural land as submitted in this application will be detrimental to the rural character of the AGLV and the wider setting of the AONB. The

findings of the landscape and visual impact assessment suggests that the development would indeed have an impact upon the longer views from the AONB. With regard to Hamilton Hill and its historical past, no one seems to be saying that because of that, the development should not take place. Those commenting on the historical perspective, are still reserved in their opinions. Sir Edward Leigh did not feel that the development interfered with the historic setting, but did feel that the site should be officially designated a site of historical interest.

LCC historic environmental officer says that the site is a feature in the historic landscape, and that should be taken into account with regard to planning application. Historic England has concerns regarding the application on heritage grounds.

Taking all this into account, it is still Walesby Parish Council's view that this application should be rejected, at least until the impact of the environment and the economic sustainability of the two sites already approved has been seen. Thank you."

The Chairman introduced the second speaker on this application, Mr John Casswell, the applicant.

"Good evening. An awful lot of time has been spent on the design of this application predominantly focussing on environment. The lodges are eco-friendly and aren't a fixed structure. The roads and bases will be recycled and there will be no fixed concrete. The natural timber cladding exterior of the lodges blends in with the surrounding.

The plan is of low density and the lodges are 21 metres apart, instead of the six metres. Only 22 lodges on the 26 acres is extremely low in terms of numbers per acre. The site is to be sown with wildflower seed mixes to create a habitat and benefit the ecology, even more than what is present.

With regards to the history of Hamilton Hill all the concerns have been professionally addressed with positive outcomes. An archaeological survey found no significant evidence of the uprising. All authorities have been satisfied with the findings and don't wish to stop the grant of permission.

Sir Edward Leigh was concerned of the history, however, I invited him for a site visit, he was satisfied that the application wouldn't affect the area. Sir Edward was particularly happy with the application with regards to the design to site the lodges is at the bottom of the hill, and especially that they weren't a fixed structure. The Historic Environment Farm Environment Record, HEFER, which is a government based report. The whole of Poplar Farm has no historical findings.

If the site was so important there wouldn't be a major pipe running through the application site. An underground reservoir on top of the hill, a telephone mast, and a BMX bike track on top of Hamilton Hill. Tim Allen of Historic England confirms that the site is undesignated heritage asset and has no designation as an art Historic Site. This is where I've taken time to carefully design the application by citing the lodges at the bottom of the hill to lower the visibility, as opposed to right on the hill itself.

Natural England have no objection to the visual survey that will impact from the development, the site is not located in AONB and is two miles from Tealby and Walesby.

The EA states there is absolutely no flood risk. Applications such as they should be supported due to climate change, and is very likely future floating on the Lincolnshire coast will result in holiday destinations being lost.

Highways have no concerns. I've worked with Lincolnshire Highways to construct a new culver and swale at my own cost to correct the damage of part of the road, which was there before I bought the farm back in 2018. With regards to previous lodges sited the pandemic has had a huge effect on the development and still is. I managed to put the services in put still await the lodges. However, this doesn't reflect on future applications. All objections have been addressed and there is no problem. The UK holiday market has massively grown and is here to stay. And this is why I am prepared to prepared to invest in the local area. West Lindsey District Council Growth has supported this application, which also generates a huge amount of money, the local economy. The planning application has been recommended for approval by the West Lindsey's Rachel Woolass, and therefore meets planning policies. This application will be constructed biodiversity friendly, and therefore highly sustainable. Thank you for your time."

The Chairman thanked the speakers and invited further comment from the Officer. She emphasised that the site was already established as a visitor facility. Conditions placed on previous applications that numbers were restricted so the site did not have as many units built as possible to protect the landscape. This restriction was only for that site and the same restriction had been added for this application site. The landscape report conclusion was that the experience of the AONB qualities would not be harmed. It was a non-designated heritage asset but was on the Historic Environment Record now so would be flagged up on any future applications.

The Chairman invited comments from the Committee. Members acknowledged the support from West Lindsey Growth Team, the historical interest and that it encouraged visitors to the AONB and the benefits. One member asked if the lodges for use all year round. The officer responded that the lodges were only for holidays and not permanent residential.

It was moved and seconded that the report was accepted, it was unanimously agreed that permission be **GRANTED** subject to the following conditions and the addition of:

Condition - Prior to the first use of the site that a small footway section and tactile crossing

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 final landscaping scheme including details of the size, species and position or density of all trees/hedges to be planted, details of any removal of hedges, details of the height and materials used for any boundary treatments and the surface material of the parking spaces have been submitted to and approved in writing by

the Local Planning Authority.

Reason: To ensure that appropriate landscaping is introduced and will not adversely impact on the character and appearance of the site to accord with the National Planning Policy Framework and local policies LP17 and LP26 of the Central Lincolnshire Local Plan 2012-2036

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

3. 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 details shown on the approved plans:

Forresters Lodge Elevations and Floor Plan

The Strand Elevations and Floor Plan

dmc 20605/002 Rev A

dmc 20605/003 Rev A

dmc 20605/004 Rev A

dmc 20605/005 Rev A

and in any other approved documents forming part of the application.

Reason: To ensure the development proceeds in accordance with the approved plans.

4. Prior to the installation of any external lighting, details of the lighting scheme (including a light spill diagram) including luminance shall be submitted to and agreed in writing by the Local Planning Authority. The scheme shall then be implemented in strict accordance with the approved plans and retained as such thereafter.

Reason: To maintain and enhance the rural character of the area, the setting of the Lincolnshire Wolds AONB and to protect wildlife and in accordance with policies LP2, LP17 and LP26 of the Central Lincolnshire Local Plan.

5. The development hereby approved shall only be carried out in accordance with the recommendations set out in the Ecological Appraisal dated April 2021 by Ecology & Forestry Ltd.

Reason: In the interest of nature conservation to accord with the National Planning Policy Framework and local policy LP21 of the Central Lincolnshire Local Plan 2012-2036.

6. No development shall take place during the bird breeding season (1st March to 31st July) in any year until, a detailed survey is undertaken to check for the existence of bird nests. Any active nests shall be protected until the young fledge. Completion of bird nest inspection shall be confirmed by a suitably qualified person and a report submitted to and approved in writing by the Local Planning Authority before any demolition works commence.

Reason: In the interest of nature to accord with the National Planning Policy Framework and local policy LP21 of the Central Lincolnshire Local Plan 2012-2036.

7. No erection of the log cabins shall take place until details of the proposed surface water and foul water drainage have been submitted to and approved in writing by the Local Planning Authority. The approved details must be in place before occupation of the log

cabins

Reason: To ensure satisfactory drainage arrangements are in place in accordance with policy LP 14 of the Central Lincolnshire Local Plan.

8. Before the access is brought into use all obstructions exceeding 1 metre high shall be cleared from the land within the visibility splays illustrated on drawing number DMC 20605/005 Rev A dated March 2021 and thereafter, the visibility splays shall be kept free of obstructions exceeding 1 metre in height.

Reason: So that drivers intending entering the highway at the access may have sufficient visibility of approaching traffic to judge if it is safe to complete the manoeuvre.

9. Within seven days of the new access being brought into use, the existing access onto Tealby Road shall be permanently closed in accordance with details to be agreed in writing with the Local Planning Authority.

Reason: To reduce to a minimum, the number of individual access points to the development, in the interests of road safety.

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

10. The maximum number of log cabins on the site shall not exceed **22**.

Reason: This was the number considered acceptable to maintain and enhance the rural character of the area and the setting of the Lincolnshire Wolds AONB and in accordance with policies LP2, LP17 and LP26 of the Central Lincolnshire Local Plan.

11. 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 lodges 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 in accordance with policies LP17 and LP26 of the Central Lincolnshire Local Plan.

12. The accommodation hereby permitted shall only be used for holiday accommodation and shall not be used to provide any unit of permanent residential accommodation.

Reason: To accord with current planning policies under which continuously occupied dwellings would not normally be permitted on the site to accord with the National Planning Policy Framework and local policy LP26 of the Central Lincolnshire Local Plan 2012-2036.

54 142948 - 5 COLINS WALK, SCOTTER

The Chairman introduced the final application of the evening. Number 142948, 5 Colins Walk, Scotter, for a conservatory, raised platform and associated treatments. This was following a site visit by six Members of the Committee and ideally these Members should be who vote, unless the other Members are happy they have enough information to do so. There was no Officer update and so the Chairman invited the Democratic Services Officer to read aloud the first statement from Mr Vincent Hartley.

“Dear Committee

I regret that due to other commitments I am unable to speak at the meeting. However, I would like to thank the committee for visiting the site of the planning application. Hopefully the reservations you had to initiate this visit were vindicated.

I don't want to bore you with my objections again which I have highlighted in numerous correspondence to the council but would just like to say I still totally object to the planning application.

The amended plans still do not in any way address my fundamental concerns about loss of privacy and light. The proposed screen will have an overbearing presence when you look up to the bungalow from the bottom of the garden. Not to reiterate but I believe the only acceptable solution to myself and the occupants is that the raised terrace should be taken down to ground level as it approaches to within 1.5m of the actual party wall line. The exact reduction would be approximately 1.75m as it encroaches beyond this line.

Hopefully you will not be offended by my suggestion and see that I am looking at a fair solution to this long drawn out affair.

Thank you for your time.

Yours faithfully
Vince Hartley”

The Chairman opened for comments. A Member of the Committee asked if the screen could be extended to just under the eaves and if the stairs up to the raised platform were to have a guard rail. The Planning Officer confirmed there was a guard rail in the proposal and the raised screen was not part of the proposal.

The recommendation was proposed and seconded by Members of the Committee who attended the site visit and it was agreed that permission be **GRANTED** subject to the following conditions.

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

See condition 1 below.

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. The development hereby permitted shall be completed within 3 months of the date of this permission and the existing steps serving the raised platform removed and demolished.

Reason: To confirm with Section 91 of the Town and Country Planning Act 1990 (as amended) and to safeguard the residential amenity of the attached neighbouring bungalow in accordance with Policy LP26 of the Central Lincolnshire Local Plan.

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: 237-151-03 received 23 August 2021. 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 Policy LP1 and LP26 of the Central Lincolnshire Local Plan 2012-2036.

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

3. The 1.8 metre high timber frame screen with opaque glazing/panel and steps to be installed in accordance with conditions 1 and 2 above shall be retained and maintained in perpetuity thereafter for the lifetime of the raised platform.

Reason: To safeguard the amenity of the neighbouring property in accordance with Policy LP26 of the Central Lincolnshire Local Plan and guidance within the NPPF.

55 REPORT SEEKING CONFIRMATION OF TREE PRESERVATION ORDER SOMERBY NO1 2021

The Committee heard from the Trees and Landscape Officer regarding a report seeking to make a Tree Preservation Order to protect two woodland tree belts, to the westerly side of St Margaret's Church and alongside the road to the north of the church, Somerby. Members heard that objections had been received from residents following trees having been cut down and the loss of bushes. The Committee saw photos from 2019 when some of the felling had been undertaken and that it was explained that the TPO would allow for no further felling in the area.

There were no further comments from the Committee and, having been moved, seconded and voted upon, it was unanimously

RESOLVED that, notwithstanding the objections made by the owner and other village residents, the confirmation of the Tree Preservation Order Somerby No1 2021 be **APPROVED**.

56 DETERMINATION OF APPEALS

On consideration of the Determination of Appeals, a Member highlighted that 30 Wragby

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Road, Sudbrooke was listed as being dismissed when it was allowed. With no further comment, the Determination of Appeals was **DULY NOTED**.

The meeting concluded at 7.51 pm.

Chairman