

WEST LINDSEY DISTRICT COUNCIL

MINUTES of the Meeting of the Planning Committee held in the Council Chamber - The Guildhall on 5 January 2022 commencing at 6.30 pm.

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

Councillor Matthew Boles
Councillor Michael Devine
Councillor Jane Ellis
Councillor Cherie Hill
Councillor Mrs Cordelia McCartney
Councillor Mrs Jessie Milne
Councillor Roger Patterson
Councillor Mrs Judy Rainsforth
Councillor Mrs Angela White

In Attendance:
George Backovic Principal Development Management Officer
Ian Elliott Senior Development Management Officer
Richard Green Planning Officer
Martha Rees Legal Advisor
Ele Snow Senior Democratic and Civic Officer

Apologies: Councillor David Cotton

78 CHAIRMAN'S WELCOME

The Chairman welcomed all to the meeting, explained the usual social distancing protocols were in place and also extended the Committee's best wishes to Councillor Cotton for a speedy recovery.

79 PUBLIC PARTICIPATION PERIOD

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

80 TO APPROVE THE MINUTES OF THE PREVIOUS MEETING

RESOLVED that the minutes of the meeting of the Planning Committee held on Wednesday, 1 December 2021 be confirmed and signed as an accurate record.

81 DECLARATIONS OF INTEREST

The Chairman made a declaration on behalf of all Members of the Committee that an email had been received by Councillors in relation to application number 143728 (agenda item 6a). It was explained this had been shared with relevant Officers to be dealt with and did not preclude the consideration of the application by the Committee.

Councillor C. Hill declared a non-pecuniary interest in that she was Ward Member for application number 143301 (agenda item 6b) however she would remain as a Member of the Committee for this item.

Councillor I. Fleetwood declared a non-pecuniary interest in that he was County Councillor for application number 143301 (agenda item 6b) however having had no involvement in the application, he would remain in the Chair for the item.

82 UPDATE ON GOVERNMENT/LOCAL CHANGES IN PLANNING POLICY

The Committee heard there was no update to be given however the status of Neighbourhood Plans across the District could be found on the West Lindsey District Council website.

83 143728 WELTON

With regard to the email communication received by all Members of the Committee, the Chairman sought confirmation that the application could be determined at the meeting. The Principal Development Management Officer explained that the correspondence had included a request that the application not be considered, however, there was nothing within the contents of the email that would prohibit the Committee making a determination on the application.

The Vice-Chairman, in consideration of the contents of the email, proposed that the application be deferred until the next meeting for issues detailed within the correspondence to be dealt with. This proposal was subsequently seconded.

Advice was requested from the Legal Advisor and, in order to continue with the meeting, it was **AGREED** for the following item of business to be discussed.

84 143301 REEPHAM

The Chairman introduced application number 143301, change of use of agricultural land to dog exercising park on land to the West of Reepham Village Hall, Hawthorn Road, Reepham. It was explained that this application had been deferred from the previous meeting in order to seek additional information regarding hours of use and maximum numbers of users. This had been clarified with the applicant and the proposed conditions had been updated to reflect the additional information.

The Chairman advised there was one registered speaker, Mr Gary Brader, who had

submitted a statement to be read on his behalf. The Democratic and Civic Officer read aloud the following statement.

“Dear committee

I strongly object to this application as I can see no reason for a dog exercise area at this location. There are lots of public footpaths available and areas away from the roads including the very near by old airfield with public access. Where many dog owners already go! I can see only one reason for this application, it is so the land owner can change the land use from agricultural to leisure and then in a years time or whatever an application for building planning will be submitted. They are going in through the back door on this one very devious indeed. If this planning is granted it will result in more traffic on an already very busy road and also spoil the view of the houses opposite not to mention reduce future property value particularly for those opposite. This is a this stupid and not needed planning request! I would very much like to hear the applicant’s reasons for this idea and an honest answer would be nice! I look forward to your reply.

Thank you for your time with my email. Very sorry and disappointed I am unable to attend this meeting.”

The Chairman thanked the Democratic Services Officer and invited any comments from the Senior Development Management Officer. He clarified that the application was for change of use from agricultural to a dog exercising park and any future changes would be assessed at that time.

On opening discussions for the Committee, there were concerns raised from Members regarding the number of parking spaces at the site in relation to the maximum numbers of dogs permitted. It was noted that users of the site may park on Hawthorn Road, which, as a busy road, could cause safety concerns. It was highlighted that there had been no objections to the application from the Highways Agency.

In response to a query as to whether the land would be returned to agricultural use should the proposed dog exercise site not be successful, Members were directed to condition eight which stated the land must be returned to agricultural use within six months of the exercise park closing.

Members reiterated previous concerns regarding the need for such a venture as well as potential noise issues with numbers of dogs. The Legal Adviser highlighted that there were other statutory regimes to deal with any issues that arose such as noise complaints and Environmental Health had not raised any objections; additionally the need for the proposal was not a material consideration.

Note: Councillor I. Fleetwood made a non-pecuniary declaration in that he had attended meetings at the Reepham Village Hall and, whilst it was not stated the carpark would be used by those visiting the site, he wished to be transparent in his declarations.

The Principal Development Management officer highlighted that the Committee could suggest that additional parking provision be conditioned in the application, however, as no issues had been raised by the statutory consultees, there would need to be sufficient

justification.

With Committee Members reaching the close of discussions, and having summarised the application and concerns raised within the meeting, in the absence of a proposer, the Chairman moved the printed recommendation from the Chair. It was duly seconded and, on taking the vote with a majority of one vote, it was 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 must 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:

NONE

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 must be carried out in accordance with the following drawings:

ST-475/01 Revision A dated 27th October 2021 – Site Plan

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 and local policy LP17, LP26 and LP55 of the Central Lincolnshire Local Plan 2012-2036.

3. The proposed car park and turning space identified on site plan ST-475/01 Revision A dated 27th October 2021 must be constructed from a permeable material and retained as such thereafter.

Reason: To retain the surface water drainage qualities of the site to accord with the National Planning Policy Framework and local policy LP14 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:

4. The dog exercise area and car park must only operate between the hours of:

- November 1st to the end of February
Monday to Saturday 7am to 7pm and Sunday 8am-7pm

- March 1st to October 31st
Monday to Saturday 7am to 9pm and Sunday 8am to 9pm

Reason: To protect the amenities of nearby properties and the locality to accord with the National Planning Policy Framework and local policy LP26 of the Central Lincolnshire Local Plan 2012-2036.

5. The development must be operated in strict accordance with the following dog numbers allowed on site at any one time:

- a maximum of 3 dogs and their owner(s) before 9am on any day during the approved operational hours in condition 4.
- A maximum of 15 dogs and their owners during any other approved operational hours in condition 4.

Reason: To protect the amenity of nearby and the locality properties from excessive noise disturbance from a large group of dogs to accord with the National Planning Policy Framework and local policy LP26 of the Central Lincolnshire Local Plan 2012-2036.

6. The development must only operate in strict accordance with the Waste/Odour Management Plan received 22nd November 2021.

Reason: To ensure all dog waste is dealt with in an appropriate manner and to stop any odour disturbance from the site on the neighbouring uses to accord with the National Planning Policy Framework and local policy LP26 of the Central Lincolnshire Local Plan 2012-2036.

7. No external lighting must be installed on the site outlined in red on site plan ST-475/01 Revision A dated 27th October 2021.

Reason: To protect the amenities of nearby properties and the locality to accord with the National Planning Policy Framework and local policies LP26 and LP55 of the Central Lincolnshire Local Plan 2012-2036.

8. Within 6 months of the dog exercise business ceasing operation the site must be returned to its former agricultural land use including the removal of all fencing, internal gates and dog bins.

Reason: To revert the site back to its former agricultural use if the dog exercise business ceases to operate to accord with the National Planning Policy Framework and local policies LP26 and LP55 of the Central Lincolnshire Local Plan 2012-2036.

85 143728 WELTON

The Chairman signalled the return to the first application of the evening, application number 143728, to erect 49no. dwellings with associated highways works, earthworks to create drainage attenuation pond, landscaping and boundary treatments, on land North of Hawks Road, Welton, Lincoln. He sought the advice of the Legal Adviser, having afforded her time to consider the contents of the email received by all Committee Members. She confirmed that there was no reason that the Committee could not determine the application at this time.

There were no material planning considerations contained within the email, all Members had received training and other concerns within the email would be dealt with by the Monitoring Officer. It was also noted by Officers that Acis were due funding in March, the Section 106 agreement was also required and any decision to defer the application could have a detrimental impact.

Having been moved and seconded that the application be deferred, the Chairman took the vote and with a majority voting against the proposal, the vote was lost, with the Chairman confirming the application would be heard.

The Senior Development Management Officer presented the details of the application and explained that, should a resolution be made to grant permission, final confirmation of conditions would need to be completed in consultation with the Environment Officer.

The Chairman informed the Committee there were three registered speakers on the application and he invited the first speaker, Mr Mark Foster of Lindum Homes, to address the Committee. Mr Foster made the following statement.

“Good evening everybody. My name is Mark Foster and I am the Planning Director with Lindum Homes. We are the market housing division of Lindum Group and I thank you for the opportunity to address you today. We are joint applicants on this application with Acis Group, who, Members will be aware, are an active provider of affordable housing within the district.

As many of you may know, we are a local company with our own local workforce. Our role as a major employer within the local economy is very important to us as our reputation having now operated as a local contractor for over 60 years. The company is employee owned, with 1480 of our staff being shareholders in the company. This has fostered a deeper level of pride, ownership and commitment among employees and has, we believe, been an important factor which is able to sustain our reputation over the years. We do not build many market houses so when we do both the quality of those houses and the sites we choose are vitally important to us.

The site in Welton is no different and the fact that it was already allocated in the existing local plan was a significant factor. The principle of housing already being considered acceptable through the adopted local plan. Our attention has turned to the form the development takes, and how we can integrate any scheme into the locality as set out in the officer’s report. The layout itself is extremely low density, incorporating more open space than required by planning policy and retaining and enhancing existing green routes which people already use, including the public right of way which was mentioned earlier. The layout has also been informed by the opinions of the parish council and local residents. These were obtained pre-application via a presentation to the parish and a virtual exhibition advertised in the local press and via leaflets delivered to around 250 properties around the site.

We always will try to respond to the views of local people where we can and in this instance, we will replant part of the site to improve the separation distances and add more single storey units both to help to mitigate the impact of the properties on residents of Hampton Close and the Hardings. We also ensured the mix of properties was specifically aimed at first time buyers, with a significant number of the units sitting below the Help to Buy

threshold where first time buyers can receive government help to fund their deposits. The parish council were particularly keen on this. There will be affordable houses which will be prioritised for local people and we have included five affordable bungalows for the over 55s. It is noted the parish council raised no objection to the proposals.

We do recognise some concerns have been raised in relation to the loss of trees and biodiversity. In terms of the existing trees on site, the majority across the site are self-set saplings which have all been assessed in the lowest category within our tree survey. Our replacement landscaping scheme will commit to delivering the number of trees shown on the development plan which is in excess of 50, which species is to be agreed with your tree officer. These will be of significant better quality than those lost. The trees in the hedgerows which have been identified as important and of significance along the edges of the development are being retained. It is noted that, subject to requiring further detail, the council's tree officer does not object to the proposals.

We also know in relation to infrastructure that some objections have been raised but we have agreed to the request of the NHS for a contribution to improve facilities at the local Welton surgery and the NHS confirmed this has also recently been extended to accommodate existing growth. Our contribution will therefore be in addition to the new capacity which has recently been created.

The Education Authority have also confirmed the existing Primary School has capacity for children from the development and we will pay community infrastructure levy for secondary school provision. We therefore feel we've done all we have been asked through the application process to address the impacts of our development, which Members will be aware is all legally we are allowed to do.

Finally, Chairman and Members of the Committee, we recognise some concerns have been raised in relation to highways and drainage. It is noted that Lincolnshire County Council in their capacity as Highway Authority and lead local flood authority have raised no objections to the proposals.

In conclusion, Chairman and Members of the Committee, we sincerely hope the proposed sensitive and low density, high quality development of this allocated site, with no objections from any technical consultees, can be approved at this evening. Thank you very much."

The Chairman thanked Mr foster, and, after a short pause for the sanitisation of the desk, welcomed Mr Heward to address the Committee. Mr Heward made the following statement.

"I'm here on behalf of my daughter who has a property interest on Hawks Road, you mentioned I'm an objector, but I'm not here to object to the development per se. What I'm here to object to is the access that's been provisioned for the site, namely through Hawks Road.

Now, the Hawks Road side of the site, if highways have actually been to site at any time, either 6pm or on a Saturday, or a weekend, they'll see there are no footpaths there. So to me the access site is not fit for purpose. There is already a provision within the site for a road of adoptable standard on the Hampton Close, which provides a full highways approved road with footpaths at the side and direct access into the site. It seems reading some of the notes, the local council are supportive of extending the road that's within the site which

would take the access road within that development. If anything comes into Hawks Road, it's an accident waiting to happen.

I've been in property for over 40 years and I've never seen an access road which is at right angles to a residential drive. It's an accident waiting to happen. There's no provision for people that are disabled. There's no footpaths to walk on there. I would be looking, if the council was minded, to defer until such time as the developers can show that the access to the whole site could be incorporated. They've blocked off the affordable housing on the site with a simple fence and it could run around the site quite simply but if it goes into Hawks Road there will be accidents on that road without a doubt.

I read the highways recommendations as such that they said there were no safety issues. Well, clearly there are safety issues. If anybody's been down there, Hawks Road is not fit for purpose. It's a block set access road and services the properties. My view would be to defer until such time as the developers can restructure that, as I think is a recommendation of the local parish council as well.

It would be sensible to have some kind of pedestrian access across the sides because the site itself is totally landlocked. The only footpaths you can go on is in the green areas, which I'm assuming there's not going to be a footpath fit for disabled people. People that are partially blind. Children on bikes. The access into Hawks Road is a car crash waiting to happen. There's no objection to development per se, just that the access road wrote should be moved elsewhere or incorporated in the Hampton Close adopted access. Thank you."

The Chairman thanked Mr Heward for his comments and advised the Committee that the third speaker, Ward Member Councillor Mrs D Rodgers had submitted a statement to be read aloud. The Democratic Services Officer duly read the following statement, supported by slides provided in advance of the meeting.

"Thank you Chairman.

I have represented Welton for almost 14 years, and I have sighted hundreds of planning applications; but this application has caused more concern than any other, and I have been approached by a number of residents by email, on the telephone, and on my own doorstep. And I have been asked to present their objections to this Committee

In the scheme of things, it is a modest development, when set against the hundreds of houses that have already been built and have already been approved in Welton.

And interestingly the arguments about overcrowded schools, over-extended health facilities, and a lack of infrastructure have not dominated the objections, in this case, because they have been ignored in the past, the promise of future investment has not been forthcoming.

I have frequently been reminded that Welton is second only to Gainsborough in terms of population, and I have been further reminded that unlike the West Lindsey Market Towns, we have not been able to benefit from the gifting of buildings, and building of leisure centres.

So is it too much to ask for us to retain the last vestiges of countryside in a rural village, and enjoy the sights and sounds of a natural habitat?

With regard to this application, the question that is asked is why here and why now? Especially when work is a long way from completion on the 350 house development that was approved for the other side of the village in 2015.

The answer may be found in the imminence of a review of the Central Lincolnshire Local Plan, which was adopted in 2017. As I understand it, it is due for public consultation in the Spring of this year, and still has 14 years to run. So again why here and why now?

The applicant is obviously conscious of the fact that the land has become a haven for flora and fauna and has commissioned a survey; but the survey is no more than a snapshot and does not take into account seasonal changes and variations, and this is why there are so many detractors among the people who live in and around the village, and enjoy this valuable rural amenity all year round.

Before we go any further, I would just mention the public right of way which runs along the eastern boundary of the site and hardly gets a mention.

The footpath in question, extends for over a thousand yards from Eastfield Lane to Mill Lane; but there is already an issue. The first 150 yards has been fenced in by previous developments (seen here [Slide 1] and here [Slide 2]), and the proposed development would then present a housing estate for the next 300 yards, so the walkers and ramblers will have to traverse almost half the distance of the rural public right of way in an urban setting.

For now, this [Slide 3] is what greets the walkers and ramblers when they leave the narrow passageway, and this [Slide 4] is the westerly aspect as they move further on.

Not simply an untended tract of land; but a naturalised area of the village, and a haven for wildlife, which forms part of a wildlife corridor, and a treasured facility for all age groups.

In closing, I would ask the committee to remember that as councillors we are being offered £75 each to plant trees in celebration of the Platinum Jubilee of Her Majesty the Queen.

How would that look if we allowed a developer to destroy over 350 trees, in a rural setting for the sake of 49 houses, when there is no immediate need?

In the fullness of time this tract of land may actually be needed for new housing; but not now, not in advance of a public consultation, and not during the Queen's Canopy initiative.

In deference to the requests of the tax-paying electorate of Welton I ask you as their planning regulators to refuse this application at this time and give nature a chance to recover from all the other developments that have engulfed Welton and Dunholme in recent years.”

The Chairman thanked all speakers and invited return comments from the Planning Officer. He noted that the proposal was on an allocated housing site in the Central Lincolnshire Local Plan, it had been established and allocated for housing. In terms of ecology and biodiversity, the application came with a professional survey and did provide mitigations. In terms of the Public Right Of Way (PROW), it would remain, landscaping would be conditioned and the PROW would not be enclosed with fencing.

The Chairman queried the speaker's reference to access and it was highlighted that the

Highways Agency had not raised any concerns with access or pathways.

A Member of the Committee queried the allocation of the site under the CLLP, whether it was under review, and also enquired as to the provision for secondary schools in the area. The Officer clarified the area allocated within the CLLP and noted that the draft plan, under review, incorporated the same area. It would remain allocated. Additionally, provision for secondary school education would be paid through the CIL.

On hearing further comments regarding access to the site, the Chairman proposed a site visit, in order for Members to understand the layout of the site, specifically in regards to access. This was seconded and, on taking the vote, it was

RESOLVED that the application be deferred for decision at the next available meeting, in order for a site visit to be undertaken.

86 143815 GRASBY

The Chairman introduced the next application, number 143815, outline planning application for the erection of up to 4no. dwellings with access to be considered and not reserved for subsequent applications - resubmission of 141429, on land to South of Clixby Lane Grasby. The Senior Development Management Officer informed the Committee that additional comments had been received since the publication of the report, mainly making the same points as previously covered in the report, and there was a correction to the report that the plan should have been dated as November not December. Additionally, he drew Members' attention to conditions four and nine of the report.

The Chairman stated there were several registered speakers, some of whom had submitted statements. He invited the Democratic Services Officer to read aloud the first statement from Grasby Parish Council. The following statement was read.

“Planning Application for this site was turned down on 15th Oct 2020. An Appeal was also denied. The main issue for both decisions was the effect on Clixby Lane.

The original denial said ‘the development would not contribute towards a safe transport network for pedestrians or vehicular movement when considering the impact on Clixby Lane and surrounding highway network, it fails to maximise pedestrian permeability and avoid barriers to movement through careful consideration of street layouts and access routes. The proposal is therefore contrary to Policy 13 and Policy LP26 of CLLP and provisions of NPPF’

So I ask ‘What has changed?’

The Appeal denial supported the Planning Committee’s decision.

‘Main Issue is the effect of the development on highway safety’

The reasons are given as the narrowness of Clixby Lane, need for vehicles to reverse out of the Lane, no separate footpaths and Clixby Lane is a Public Foot Path used by hikers, Duke of Edinburgh groups, schools. The Planning Inspector said ‘I conclude that the proposed development would compromise highway safety for users, causing harm. This would conflict with Policies LP13 and LP26 of CLLP where these policies seek to ensure that development

provides well designed, safe and convenient access for all. It would also conflict with NPPF ie that safe and suitable access to sites can be achieved for all users.'

So I ask again 'What has changed?'

Clixby Lane hasn't got any wider, it is not any less used by walkers, visibility down Clixby Lane hasn't improved. It is still the Viking Way.

The number of properties has been reduced by 1 but the Planning Inspector contradicted the Appellants claim that 5 properties would have little impact on the number of vehicles on Clixby Lane and thought there would be noticeably more traffic. The new application would reduce this by 20% - an unknown number of vehicles.

The Inspector addressed the problem of no turning place for vehicles. A lay by is proposed near the far corner of the field on Clixby Lane. The Lane is 2.8 metres wide, and the verge there is 2.3 metres wide. This is not enough for anything other than a car or a light van to use for turning. The refuse lorry is 12 m long.

Turning on the site itself will not be guaranteed as the turning points appear to need to use drives and these may be blocked by residents' vehicles.

So the plans may have been tweaked but I ask once more:
Is this a change? Has anything really changed?

Lastly, the Environment and Habitat. We are all mindful of the need to reduce Carbon and halt diminishing Biodiversity. A natural undisturbed grassland such as this is such a gift for a village. Grassland holds Carbon– 15 to 20% of the Worlds Carbon has been suggested. On disturbance this would be released as Carbon Dioxide. This field is a habitat for birds, small mammals, badgers, reptiles, amphibians and invertebrates including pollinators. It is an Ecosystem in itself. It should not be destroyed. There must be a way of saving this wonderful piece of nature while providing some financial gain for the Appellant. This is an opportunity for some innovative thinking which would please and be beneficial to every person involved in this application. I urge you to deny this Planning Application.

I include a photo of this natural piece of grassland.

Vivienne Wood, Vice Chairman Grasby Parish Council."

The second submitted statement, from Mr Ken Turnball, was also read as follows.

"As a resident of Grasby for 26 years, I am registering my support for this Planning Application. I wish to inform the Committee that there are several other Grasby residents in support of this application.

Grasby requires proportionate development to support sustainable growth and meet local needs. The proposed application is a suitable, small scale development on an appropriate site. All concerns and objections to a previous application, have been carefully, sympathetically considered, addressed and mitigated with this application. In particular, this proposal will cause no additional significant problems to road or pedestrian users of Clixby

Lane.

I consider this application should be approved."

The Chairman thanked the Democratic Services Officer and invited the first of the 'in-person' speakers, Mr Oliver Clawson, to address the Committee. Mr Clawson made the following statement.

"My name is Oliver Clawson. I'm a Planning Consultant at Globe Consultants. As agent of the application, I'm here to speak in favour of the proposal. This site was subjected to a previous outline application which sought the erection of up to five dwellings with all matters reserved. Despite being prepared on the back of positive pre-application discussions with planning officers, the Council's Planning Committee refused the application against officer recommendation, over concerns regarding the safety of the site's access arrangements. That decision was upheld when appealed due to a lack of demonstrable evidence otherwise.

Responding to those concerns, this application seeks outline planning permission for four dwellings, with all matters reserved for subsequent consideration aside from access, especially as the transport consultant led the preparation of the amended access arrangements, which were formulated closely along with highways authority. During those discussions, the highways authority confirmed that the additional vehicles and journeys generated by the proposed dwellings would not be significant enough to cause highway safety issues. Similarly, the development of the site will not cause harm.

The proposed development includes a single access point to the west from which acceptable visibility spays are achieved and a passing space is also proposed further to the east. The vehicle tracking shown on the first block plan clearly demonstrates a typical family size car and a larger refuse vehicle are both able to access the site in forward gear, manoeuvre without reliance on private driveways before exiting the site forward. The response from the highways authority confirms that the proposed development is acceptable and this revised application provides demonstrable evidence to mitigate the concerns of the previous refusal.

Neither the previous planning officer, the appeal inspector nor the current planning officer sets out any concerns in relation to the site suitability for development. The council's trained landscape officer confirms that they have no objections to the application and the council's Environmental Protection Officer offers no comments beyond this, just inclusion of a suitably worded planning condition. Two ecological surveys have been undertaken in the previous three years and confirm little ecological value. Consequently, Natural England provide any comment and link to Wildlife Trust confirm the accessibility of the previous proposal.

In response to the previous application, the Historic Environment officer confirmed that no archaeological input would be required. Matters relating to site design and amenity construction, management and drainage will all be considered in full and detailed at design stage. Nevertheless, it is not considered that any of these matters would have any unacceptable impact and a suitably worded planning condition requiring a construction management bond is expected as part of any of these conditions. It's therefore clear that the concerns raised by local opposition are fundamentally unfounded. Many of the objections recorded are duplicates from the same household or extended family residing elsewhere, and consequently only a small minority within the village have objected, with some also

registering their support. It is therefore concluded this application provides demonstrable evidence overcoming the previous concerns raised for the site. No other material planning considerations have been identified and is therefore respectfully requested that Members vote in accordance with the planning recommendation and grant planning permission. Thank you”

The Chairman thanked Mr Clawson and invited the next speaker, Mr Blair Bushby, to address the Committee. He made the following statement.

“Thank you Chairman for this opportunity to address the committee. Grasby has no local amenities and it is likely that each new dwelling will have at least two plus cars. This will add a minimum of 20 additional vehicle movements to Clixby Lane per day. There is a total absence of footpaths, all vehicles larger than a medium sized van was reversed up and down the lane. This poses a great risk to pedestrians and cyclists. Deliveries blocked the lane and there is further danger when children are dropped off and collected from the village school.

The previous application was refused by the committee 11 to two against the case officer’s recommendation and the subsequent appeal was also dismissed. Nothing has changed with Clixby Lane since the previous application, adjusting the quantity and location of access points does nothing to address the fact that Clixby Lane is just too narrow to accommodate this development safely.

Large vans, HGVs, agricultural machinery have not been considered for passing and turned on Clixby Lane and LP 13 C and 26 B have not been complied with. Some of residents and other users have disabilities and their need for safe and repeated access has not been considered under the Discrimination Act 2005. Highways and planning authorities should take steps to take account of disabled persons, and clearly this hasn't happened.

The transport and access technical note is based on assumptions not fact, and only considers cars. Larger vehicles are increasingly a regular part of the delivery culture and this must be considered not ignored. The applicant’s previous development for two properties, approved two years ago, has caused regular disruption to residents and businesses. Work on the first property has been stopped for six months. If there was a need, they would have been built out with people living in. For the first property alone, over 100 deliveries have been made, and it is only at ground level. Based on this real life scenario. The building of four properties on Clixby Lane could cause disruption to residents for 10 years.

Since the 1970s, there's been eight new houses built on Clixby Lane with a further one recently approved but not built. This represents a 50% increase. If four more houses were added, this gives an increase of 75% with no highway improvements. With this development, Grasby’s remaining growth allowance of 20 dwellings will be reduced to just six to cover the remaining 15 year period. It is clear that Grasby is already undergoing significant development for its size, and if existing permissions are not being built out, where is the need for more.

There were 78 objections to this development posted. Grasby has 11 roads and there were objections from eight of these. This means that residents from 73% of the roads are putting an objection therefore the majority of the village deem this development inappropriate and not just Clixby Lane residents. The proposed development does not meet LP 2 as the

settlement's character and appearance will be harmed by building on one of the few green spaces left within the core. Furthermore, the character and appearance of the surrounding countryside of rural setting will be harmed by blocking the views appreciated by many walkers on the Viking Way, where the proposed access road is. Clixby Lane is three metres wide of the access roads is 5.1 metres, with a split extended to 50 metres. How can this be in keeping with a small single track lane?

The ecology report fails to mention that the site is a regular feeding ground for barn owls which are listed under schedule one the Wildlife and Countryside Act. Swallows with some bats all feed on the abundant fine insects found on this grassland. Also feeding ground will be so destroyed the species will be absent for Grasby forever. Another omission of the report is not mentioning a single type of insect. Pollinators are declining rapidly and many of the flowering plants that grow on the site support their existence. We must consider what village we want to leave for the next generation, a village with green spaces and abundant wildlife or a village with no green spaces and the wildlife desecrated by inappropriate development. Once the wildlife is destroyed, it will be gone forever. We are in a climate crisis and grassland, woodland should be valued above development. Why is this development being concentrated on grassland when arable land results in less carbon emission? The world is in danger of forgetting about the importance of the natural world, future generations will judge us on whether we prioritise development over the natural environment.

In conclusion, this is the wrong location for such a development. It being totally out of character and unsafe for the free movement of pedestrians and all users of Clixby Lane.”

The Chairman thanked the speakers and enquired whether there was any response from the Officer. The Planning Officer clarified the location of the passing place and the turning place within the development. He highlighted that the appeal of the previous application had noted no visibility splay had been done, this had now been included with evidence that vehicles could pass. There had been professional ecology survey undertaken and all recommendations were conditions to be adhered to. Many objections received were not in consideration of planning matters and nor was the right to a view a planning consideration.

The Chairman opened discussions to the Committee and there were concerns raised regarding the width of Clixby Lane and the impact of increased traffic. Members considered the amendments and some felt these were not sufficient to mitigate the impact of the proposed development. It was equally commented that the applicant had addressed the issues raised in previous applications and subsequent appeal, however the considerations of the narrow lane and traffic movements were recognised. The Planning Officer again clarified the passing place on the lane and turning point within the site, with the Legal Adviser explaining that it was not for this development to solve existing problems, only to not create new problems.

The slides provided by Mr Bushby, which had not been shown during his statement to the Committee, were shown to Members, after which the Chairman proposed a site visit. This was seconded, however on being taken to the vote, there was a majority vote against the arrangement of site visit and so the proposal was **LOST**.

With no further comments from Committee Members, the Chairman proposed the recommendation as written. Having been seconded and taken to the vote, there was again a majority vote against the written recommendation and as such the proposal was **LOST**.

The Vice-Chairman subsequently stated that there had been insufficient change to the application from the original application and as such, he proposed that the application be refused, on the same basis as previously. This was seconded, and, on taking the vote, it was agreed that permission be **REFUSED** for the following reason:

The development would not contribute towards a safe transport network for pedestrians or vehicular movement when considering the impact on Clixby Lane and surrounding highway network. The development also fails to maximise pedestrian permeability and avoid barriers to movement through careful consideration of street layouts and access routes. The proposal is therefore contrary to Policy 13 and Policy LP26 of the Central Lincolnshire Local Plan and provisions of the National Planning Policy Framework.

87 143973 SCOTTER

The Chairman introduced the final application of the evening, application number 143973 for 2no. dwellings with associated detached garages being variation of condition 5 of planning permission 140625 granted 14 April 2020 - Amended drawings, on land off Astley Crescent, Scotter, Gainsborough. The Officer explained that there had been a complaint received by Environmental Protection regarding building material having blown against a fence, it was explained this could be conditioned against if deemed necessary.

The Chairman explained there were two statements submitted to be read aloud by the Democratic Services Officer, the first being from Mrs Jenny Blythe, the applicant. The following statement was read aloud.

“We feel the need to redress some of the comments made so far:

Upon purchase, Plots 12A & 12B Astley Crescent were an impenetrable, overgrown wasteland, covered in 8-10ft briars, bramble bushes and residential waste. Each year the seeds and spores from the overgrowth ended up in local residents’ gardens requiring removal. The area was an unacceptable eyesore at the end of a well designed and well kept crescent.

Development of these plots will ensure its transition to two, well designed and positively impactful family residences with appropriate parking and garage facilities.

Both 2 1/2 storey properties will be lesser in height than the adjacent properties, (3 brick courses lower than No 40 Astley Cres, 5 courses lower than No 38 and 8 courses lower than No 36). Thus within the boundaries set for the builds.

Regarding flooding concerns, a specialist drainage engineering company have provided calculations, specifications and specific design to accommodate for present day surface water drainage and a 50% over estimate to ensure future climatic conditions are provided for.

This development work has always been respectful of local residents, the builder never beginning work before 8am and finishing before 6pm. One exception was Northern Power Grid began work around 7am. we were given no prior warning of this date or start time and

their admin team had omitted to notify local residents.

Upon completion, this small development will positively enhance the Astley Crescent street scene, completing a small community of well designed, family orientated properties and ending a negative visual impact of overgrown wasteland.

Scotter village and parish is a very attractive residential prospect to a large range of families and as such needs to always be forward thinking for that to continue. Aiming to embrace progress and work to positively support new builds and new design would be beneficial to both the parish and its community.”

The Chairman invited the Democratic Services Officer to read aloud the second statement, on behalf of Mr and Mrs Brown, Mr and Mrs Rion and Mr and Mrs Whitby. The following statement was read aloud.

“Although this application relates to 140625, we’ve been advised by Councillor Snee this should be considered as a new application, not an amendment.

Our concerns at the officer’s recommendation to approve 143973 are as follows.

Obstruction, massing and loss of amenity

We believe the application breaches policies with respect to height, massing, overshadowing and loss of amenity for all our properties. Relevant policies are Central Lincolnshire Local Plan LP26 and Scotter Neighbourhood Plan H4 and D5; D5 states new development should respect its immediate surroundings, including scale of adjacent properties – these are 4 Orchard Avenue and 56 High Street, neither are 3-storey houses.

The massing effect is particularly exaggerated for 4 Orchard Avenue as the dormer-style house is on land about 6 feet lower than the development site. Although not mentioned in the officer’s report, in 2005 the planning committee gave permission for a single-storey dwelling. In 2006, a government inspector visited the property and recognised the pronounced effect on 4 Orchard Avenue, concluding a 2-storey house with sensitive roof design was acceptable; a house with a hip-style roof measuring 7.76m was approved. Now, the proposal is for a 3-storey property measuring 8.3m, despite these documented massing and overbearing effects.

At approximately 5 metres from the conservatory of 57 Astley Crescent, the obstruction of view caused by the plot 1 garage remains a concern. This has been further exacerbated by the ridge height of the garage being built to 4.7m rather than the 4.2m permitted, resulting in an even greater massing effect. Additionally, the extremely large windows of the house on plot 1, extending from ground floor to roof, mean the property in Astley Crescent will be completely overlooked.

Other significant breaches have been observed: as confirmed by the Planning Officer but not included in the report, the plot 2 house is expected to be 8.84m to the ridge height when measured against the garden level of 56 High Street. This is significantly higher than the maximum height of 8.3m previously granted and seems to be a consequence of blockwork being above ground level coupled with the ground level being raised by around 1 metre, despite previous assurances that no levelling would be required. Clearly a building of this size will increase further the massing effect.

Flooding risk

We have repeatedly raised concerns that the extensive nature of this build leaves very little opportunity for surface absorption of water. During the garage build, 57 Astley Crescent experienced excessive flooding. With heavy rainfall, water migrated under the fence line by approximately 1.5m, rendering the garden a boggy mess. Photographs have been submitted to this committee and were also submitted to the council on 29th January 2021. At great personal expense and in a bid to protect the property, all the original fencing on the boundary has been replaced with a more substantially reinforced structure.

56 High Street also experienced flooding, exacerbated by the newly created differential in ground level between their garden and the building site.

Now both houses are planned to be even wider, the opportunity for water absorption is further reduced and so flooding risk increased.

We note Lincolnshire County Council Highways Department does not wish to object, but this is on the basis that it “is classified as a Minor Application and it is therefore the duty of the Local Planning Authority to consider the surface water risk for this planning application”. Whilst the previous application did provide for disposal of foul and surface water, there are no visual signs of any such measures. Therefore, we respectfully ask this is addressed ahead of any approval and monitored throughout the build.

Noise

Previously, noisy work on the site started early, finished late and continued during weekends and bank holidays, causing disruption at unsociable and inconsiderate times. For all parties to be clear from the outset and provide respite from noise, we ask a condition is proactively applied now to avoid future issues. Provision is made for managing noise in the Control of Pollution Act 1974 and would be in line with other council practices.

To conclude, we believe the committee will rely primarily on the officer’s recommendation but we ask full consideration is given to our concerns and the significant breaches of the previous planning permission. We’d welcome a visit by you to the site and the neighbouring properties as we firmly believe this is the best way to fully understand the issues we’ve raised. We remain of the view the previous plans were in conflict with the policies specified earlier. Now all buildings are larger, we and the Parish Council remain convinced of this view. We’d like to understand how, therefore, a recommendation to approve can still be made. Limitations such as a maximum ridge height of 8.3m were set for a reason yet now are seemingly being overturned. Surely this undermines the planning process, allowing applicants to adjust their build and retrospectively gain permission.

Thank you.”

The Chairman thanked the Democratic Services Officer and invited response from the Planning Officer. He confirmed that the plans stated a maximum height of 8.3m and enforcement action would be taken if it exceeded that. He reiterated that the nearest neighbour had a ridge height of 8.9m. With regards to noise issues, it could be investigated through Environmental Health and there had been no issues identified regarding flooding. It was also noted that the application before the Committee was to consider the amended conditions. The Legal Adviser added that any unamended existing conditions that had not

yet been satisfied would be transferred over and whilst new conditions could be included, they should only be what could have been imposed on the original application and not be excessive. The Planning Officers had confirmed there was not demonstrable necessity for additional conditions.

Having had the location of the soakaways confirmed by the Planning Officer, the recommendation was moved and seconded. The Chairman took the vote and 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. The local planning authority shall be notified in writing of the intention to commence the archaeological investigations in accordance with the approved written scheme (approved under application 142016), at least 14 days before the said commencement.

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

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

2. The development shall only be carried out using the agreed materials approved under application 142016.

Reason: To ensure the use of appropriate materials in the interests of visual amenity and the character and appearance of the site to accord with the National Planning Policy Framework and Policy LP26 of the Central Lincolnshire Local Plan.

3. The development shall only be carried out in accordance with the approved foul and surface water drainage scheme (approved under application 142016) and completed prior to occupation of the dwelling it serves.

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

4. 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: 1378.01A dated 24/11/2021, 1378.02A dated 24/11/2021, 1378.03A dated 24/11/2021, 1378.04A dated 24/11/2021, 1378.05A dated 24/11/2021, 1378.06 dated September 2021 and 1378.07A dated 24/11/2021. 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 in the interests of proper planning.

5. New hardstanding shall be constructed from a porous material or shall be appropriately drained within the site and shall be retained as such thereafter.

Reason: To ensure appropriate drainage to accord with the National Planning Policy Framework and Policy LP14 of the Central Lincolnshire Local Plan.

6. The development shall proceed wholly in accordance with the approved scheme of archaeological works approved by condition 1 of this permission.

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

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

7. Following the archaeological site work referred to in condition 6 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

8. The report referred to in condition 7 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

9. Notwithstanding the provisions of Classes A, AA, B, C, D and E of Schedule 2 Part 1 of the Town and Country Planning (General Permitted Development) (Amendment) Order 2015, or any Order revoking and re-enacting that Order, the dwellings hereby permitted shall not be altered or extended, no new windows shall be inserted, and no buildings or structures shall be erected within the curtilage of the dwellings 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 living conditions of the host dwelling/the resulting amount of space around the host dwelling and to safeguard the character and appearance of the building and its surroundings and in accordance with in accordance with Policies LP17 and LP26 of the Central Lincolnshire Local Plan.

Informative

Conditions

As a variation of condition application (143973) will create a brand new permission in itself, a review of conditions originally imposed on 140625 needs to be undertaken.

Without this any new permission would be unrestricted.

Application 142016 discharged conditions 2 (written scheme of archaeological investigation), 3 (external materials) and 4 (Foul and Surface Water Drainage),

The development is already under construction, therefore Condition 1 (Time) of 140625 does not need to be carried forward to this permission.

An amended Condition 5 (Plans) will be carried forward to this permission (143973) as will conditions 6 (Hardstanding), 7, 8 and 9 (Archaeology), 10 (Removal of Permitted Development Rights).

88 DETERMINATION OF APPEALS

The Determination of Appeals was **DULY NOTED**.

The meeting concluded at 9.05 pm.

Chairman