

## WEST LINDSEY DISTRICT COUNCIL

MINUTES of the Meeting of the Planning Committee held in the Council Chamber - The Guildhall on 30 March 2022 commencing at 6.30 pm.

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

Councillor Matthew Boles  
Councillor David Cotton  
Councillor Michael Devine  
Councillor Mrs Cordelia McCartney  
Councillor Mrs Jessie Milne  
Councillor Peter Morris  
Councillor Mrs Judy Rainsforth  
Councillor Jeff Summers  
Councillor Mrs Angela White

**In Attendance:**

Russell Clarkson	Interim Planning Manager (Development Management)
Martha Rees	Legal Advisor
Ian Elliott	Senior Development Management Officer
Richard Green	Planning Officer
Andrew Keeling	Planning Officer
Vicky Maplethorpe	Area Development Officer
Joanne Sizer	Area Development Officer
Ele Snow	Senior Democratic and Civic Officer
Andrew Warnes	Democratic and Civic Officer

**Apologies:** Councillor David Dobbie  
Councillor Cherie Hill  
Councillor Roger Patterson

### 106 PUBLIC PARTICIPATION PERIOD

The Chairman stated there was one registered speaker under the Public Participation scheme, Chris Thomas. The Speaker was then invited to give his statement to the Committee. The following statement was made.

The Speaker stated that he was a resident of the Welton and Dunholme Ward, and expressed concerns about the Planning Application 144526, and the currently under review Central Lincolnshire Local Plan. With the previous application dismissed, and not currently allocated in the Welton Neighbourhood Plan; he expressed that the local population was dismayed with the application submitted, and referenced the lack of sustainability, the access and road safety, and the excessive increase in development as well-known issues

with the site.

The Speaker commented that the items in the application had glossed over these issues, and changed wording used to make the site ideal. He then asked for both further consultation and conversation prior to a decision taken, and concluded by asking the Council to assist Welton in the burden of housing provision.

The Chairman thanked the Speaker for his statement, and that a written reply would be sent shortly after the meeting to the Speaker in response to his comments.

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

**RESOLVED** that the minutes of the meeting of the Planning Committee held on Wednesday, 2 March 2022 be confirmed and signed as an accurate record.

## **108 DECLARATIONS OF INTEREST**

Councillor D. Cotton declared a personal interest, in relation to agenda item 6iii, application number 144197, as he felt acquainted with the applicant and was not able to give an impartial view and stepped down from the Committee for the duration of that item.

Councillor A. White declared that she was Ward Member for Nettleham, in relation to agenda item 6i, application numbers 142751 & 143621, however she would retain her seat as a Planning Committee Member.

Councillor J. Summers declared that he was Ward Member for Waddingham and Spital, in relation to agenda item 6v, application number 143957, and had given a previous opinion on the application. He would speak to the Committee as a Ward Member on the application, but as such would step down from the Committee for the rest of that item.

Councillor I. Fleetwood declared that he had previously met the applicant, in relation to agenda item 6iii, application number 144197, but had not discussed the application in question. He would remain in the Chair for the item.

Councillor J. Summers declared that he had previously met the applicants, in relation to agenda item 6vi, application number 143877, but had not discussed the application and would remain on the Planning Committee for that item.

Councillor J. Summers also declared, for transparency, that he had met the applicants, in relation to agenda item 6iii, application number 144197, and had discussed the application in question.

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

The Committee heard from the Planning Manager with the following update, regarding changes to Permitted Development that affected communication devices coming into effect on 4<sup>th</sup> April 2022.

**The Town and Country Planning (General Permitted Development) (England) (Amendment) Order 2022**

The instrument amended the limitations, restrictions and conditions which apply when Code Operators install, replace or alter electronic communications infrastructure through permitted development rights. This was to come into effect Monday 4<sup>th</sup> April 2022.

Class A of Part 16 of Schedule 2 (Communications) of the General Permitted Development Order:

*“It is essential that the planning system continues to effectively support the deployment of new mobile network infrastructure. The changes will provide Code Operators with flexibility to upgrade existing sites in England for 5G delivery, enhance coverage and meet growing demands for network capacity. They will also reduce the time, cost and uncertainty involved in upgrading mobile network infrastructure and encourage the use of existing infrastructure and promote site sharing to reduce the impacts of new deployment.”*

The Officer informed Members of the Committee of the changes that would occur to specific measurements. These were highlighted to the Members of the Committee.

**Radio Equipment Housing** – this was permitted up to 2.5m<sup>3</sup>, with prior approval was now required if greater than 2.5m<sup>3</sup>.

#### **Widening existing masts**

Alteration or replacement of existing narrow masts: Where the original width of the existing mast is less than one metre, a width increase of up to two-thirds was now permitted without prior approval; and

Alteration or replacement of other masts: Where the original width of the existing mast is one metre or greater in width, a width increase of up to one half or two metres (whichever is greater) is permitted without prior approval.

#### **Increasing height of existing masts**

On article 2(3) land – up to 20m as before – but now required ‘prior approval’ between 20-25m tall.

All other land – now up to 25m (currently 20m) – now required prior approval if between 25-30m tall.

#### **New (ground based) masts**

On article 2(3) land – permitted up to 25m (previously 20m) high, subject to prior approval

All other land – permitted up to 30m (previously 25m) high, subject to prior approval.

ICNIRP Certificates would still be required (International Commission on Non-Ionizing Radiation Protection).

The Officer then informed Members of the Committee of the progress with Neighbourhood Plans. The Sturton by Stow and Stow joint Neighbourhood Plan had undertaken its examination successfully, with a referendum scheduled for 26 May 2022. The Officer highlighted that the Harpswell and Hemswell joint Neighbourhood Plan was in a Regulation 16 consultation process.

<b>West Lindsey District Council Neighbourhood Plans Update – April 2022</b>		
<b>Neighbourhood Plan/s</b>	<b>Headlines</b>	<b>Planning Decision</b>

		<b>Weighting</b>
Made Neighbourhood Plans	Brattleby, Caistor*, Cherry Willingham, Dunholme*, Great Limber, Lea, Nettleham*, Osgodby, Riseholme, Scotter, Scothern*, Saxilby, Welton, Willoughton, Glentworth, Spridlington, Sudbrooke, Scotton, Bishop Norton and Atterby, Gainsborough, Morton, and Corringham.	Full weight
Sturton by Stow and Stow joint NP	Examination successful. Referendum to be held 26 May 2022.	Significant weight
Hemswell and Harpswell joint NP	Submission consultation (Reg16) in progress – ends 14 April 2022.	Increasing weight
Hemswell Cliff NP	Submission version (Reg16) to be issued in near future for final consultation and examination.	Some weight
Keelby NP	Draft version (Reg 14) to be consulted on in near future.	Little weight
Reepham NP	Expect to receive (Reg 14) consultation version shortly.	Little weight
Caistor NP Review*	Steering group formed. Terms of reference and engagement strategy to be agreed. Presentation event to be arranged.	Little weight
Scothern NP Review*	Scope of review being considered by parish council.	Little weight
Blyton PC	Interested in preparing a neighbourhood plan.	
Scampton PC	Application to prepare neighbourhood plan submitted. Consultation underway and closes 6 May 2022.	
Dunholme NP Review*	Housing sites assessment underway.	
Neighbourhood Plans - made (22) - in preparation (19) - future (42)	To view all of WLDC's neighbourhood plans please go to: <a href="https://www.west-lindsey.gov.uk/my-services/planning-and-">https://www.west-lindsey.gov.uk/my-services/planning-and-</a>	<b>NP stage-weighting</b> -Made–full weight -Referendum successful–full weight

<p>- being reviewed (4)*</p>	<p><a href="#">building/neighbourhood-planning/</a></p>	<p>-Examination successful/Decision Statement issued–significant weight                      -Submission Reg16–increasing weight                      -Draft Reg14 - some weight                      -Designated – little weight</p>
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**110 142751 & 143621 - PLANNING PERMISSION AND LISTED BUILDING CONSENT. NETTLEHAM HALL, NETTLEHAM**

The Chairman introduced the first application of the meeting, planning application number 142751, and listed building consent 143621 at Nettleham Hall and Lodge Site, Hall Lane, Nettleham, Lincoln, LN2 2ND. The applications were as listed below:

142751: Planning application for change of use of Nettleham Hall and Diggers Cottage to 2no. dwellings with extensions, alterations, associated landscaping and vehicle access. Also, alterations and repairs to gates.

143621: Listed building consent for repair and conservation of the gates and piers; and partial demolition, conservation, alterations and extensions of Nettleham Hall and Diggers Cottage.

The Officer stated that though this item had two applications, everything that was said applied to both, and the list of conditions applied to both. The Officer then informed the Committee of the one update to the report as presented, specifically in relation to the timings of the development through unilateral undertaking, and stated that the Heads of Terms for this had been confirmed. Members heard that should they grant the applications, the gates would be taken down and put away, and this update provided the timings for the work. The following Heads of Terms was laid out by the Officer:

- Within 12 months of commencement of building works it was planned to make safe the gates/metal work;
- Within 36 months of commencement of building works – it was planned to commence work on the gates (metalwork) in accordance with the approved methodology;
- Within 60 months of commencement it was planned to have completed the restoration of the gates, and;
- Within 60 months of commencement it was planned to have a maintenance plan in place.

The Chairman advised that there were no Speakers registered, and invited comments from Members of the Committee.

There was discussion on the dilapidated site, and the opportunity that the application had to improve the area, with aspects including littering and fly tipping that had led the site to its

current state. There were also supportive comments regarding the historic nature of the site, and emphasis was given to the positive comments from the statutory bodies.

Having been proposed and seconded, the Chairman took the vote and it was unanimously agreed that permission be **GRANTED** subject to the following conditions:

**Conditions for planning permission 142751:**

**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 demolition/development shall take place on the site until a Scheme of Archaeological Works including historic building recording (on the lines of 4.8.1 in the Lincolnshire Archaeological Handbook) in accordance with a written scheme of investigation has been submitted to and approved in writing by the Local Planning Authority. This must enable heritage assets within the site to be recorded prior to their alteration or destruction. This scheme of works will consist of a programme of full historic building recording focusing on the hall and cottage.

**Reason:** To ensure heritage assets are recorded prior to their alteration in accordance with Policy LP25 of the Central Lincolnshire Local Plan.

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

3. As an initial operation an arboricultural method statement including details of tree protection during development and tree friendly driveway access installation shall have been submitted to and approved in writing by the Local Planning Authority. Development shall proceed in accordance with the details approved.

**Reason:** To ensure tree retention in accordance with Policy LP17 and LP26 of the Central Lincolnshire Local Plan.

4. Before work begins on works of repair (including repointing), enabling works and new dwellings, of the works for that dwelling/building shall be made on site. The Local Planning Authority shall be notified in writing of their availability for inspection and shall agree the materials of those building works in writing. The approved sample panels shall be retained on site until the work is completed. Development shall proceed in accordance with the approved details.

**Reason:** In the interests of preserving the architectural and historic interest of the listed buildings in accordance with Policy LP25 of the Central Lincolnshire Local Plan.

5. Prior to their use in the development, details of all external finishing materials shall be submitted to and approved in writing by the Local Planning Authority. The LPA may ask that samples of each type are provided on site for inspection. Development shall proceed in accordance with the approved details.

**Reason:** In the interests of preserving the architectural and historic interest of the listed buildings in accordance with Policy LP25 of the Central Lincolnshire Local Plan.

6. The repairs to the gates and stonework shall be carried out in accordance with the submitted method statement headed Nettleham Hall Gates & Railings Methodology Statement and received by the LPA in May 2021.

**Reason:** In the interests of preserving the architectural and historic interest of the listed buildings in accordance with Policy LP25 of the Central Lincolnshire Local Plan.

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

Insert Drawing Numbers

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

8. Development shall proceed in accordance with the mitigation measures detailed in the preliminary ecological appraisal.

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

9. Prior to occupation of the development a detailed scheme of ecological enhancements shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be installed within 6 months of occupation of the relevant dwelling.

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

10. Prior to occupation of the development, details of foul and surface water drainage shall have been submitted to and approved in writing by the Local Planning Authority. The agreed details shall be installed prior to occupation of the relevant dwelling.

**Reason:** To ensure appropriate drainage that prevents flooding and pollution of the environment in accordance with Policy LP14 of the Central Lincolnshire Local Plan.

11. Prior to its installation and construction details of the heat pump and enclosure shall have been submitted to and approved in writing by the Local Planning Authority. Development shall proceed in accordance with the approved details.

**Reason:** To ensure an appropriate design and impact upon the setting of heritage assets in accordance with Policy LP25 of the Central Lincolnshire Local Plan.

12. Notwithstanding the submitted details, prior to their installation details of all means of enclosure and hard surfacing shall be submitted to and approved in writing by the Local Planning Authority. Development shall proceed in accordance with the approved details.

**Reason:** To ensure sensitively designed means of enclosure and hard surfacing materials are installed that are appropriate to the setting of listed buildings in accordance with Policy LP25 of the Central Lincolnshire Local Plan.

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

13. Copies of the anthology in relation to the grade I listed gated, consisting of condition reports and details of conservation interventions, as detailed in the Methodology Statement, shall be submitted to the Local Planning Authority and Lincolnshire Historic Environment Record within three months of the work to the gates being completed.

**Reason:** To appropriately document the works to the gates of national significance in accordance with Policy LP25 of the Central Lincolnshire Local Plan.

14. Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), following completion of the two dwellings hereby permitted, no further alterations, additions or extensions shall be added to them unless planning permission has first been granted by the Local Planning Authority.

**Reason:** To ensure the impacts of such changes to these historic buildings and their setting is appropriate in accordance with Policy LP25 of the Central Lincolnshire Local Plan.

**Conditions for listed building consent 143621**

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

1. The works to which this consent relates shall be begun before the expiration of three years from the date of this consent.

**Reason:** To conform with Section 18(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).

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

2. No demolition/development shall take place on the site until a Scheme of Archaeological Works including historic building recording (on the lines of 4.8.1 in the Lincolnshire Archaeological Handbook) in accordance with a written scheme of investigation has been submitted to and approved in writing by the Local Planning Authority. This must enable heritage assets within the site to be recorded prior to their alteration or destruction. This scheme of works will consist of a programme of full historic building recording focusing on the hall and cottage.

**Reason:** To ensure heritage assets are recorded prior to their alteration in accordance with Policy LP25 of the Central Lincolnshire Local Plan.



**Reason:** To ensure an accurate measurable record of the buildings exists for use in the development to ensure sympathetic restoration is carried out in accordance with Policy LP25 of the Central Lincolnshire Local Plan.

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

3. Before work begins on works of repair (including repointing), enabling works and new dwellings, of the works for that dwelling/building shall be made on site. The Local Planning Authority shall be notified in writing of their availability for inspection and shall agree the materials of those building works in writing. The approved sample panels shall be retained on site until the work is completed. Development shall proceed in accordance with the approved details.

**Reason:** In the interests of preserving the architectural and historic interest of the listed buildings in accordance with Policy LP25 of the Central Lincolnshire Local Plan.

4. Prior to their use in the development, details of all external finishing materials shall be submitted to and approved in writing by the Local Planning Authority. The LPA may ask that samples of each type are provided on site for inspection. Development shall proceed in accordance with the approved details.

**Reason:** In the interests of preserving the architectural and historic interest of the listed buildings in accordance with Policy LP25 of the Central Lincolnshire Local Plan.

5. The repairs to the gates and stonework shall be carried out in accordance with the submitted method statement headed Nettleham Hall Gates & Railings Methodology Statement and received by the LPA in May 2021.

**Reason:** In the interests of preserving the architectural and historic interest of the listed buildings in accordance with Policy LP25 of the Central Lincolnshire Local Plan.

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

Insert drawing numbers

**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:**

7. Copies of the anthology in relation to the grade I listed gates, consisting of condition reports and details of conservation interventions, as detailed in the Methodology Statement, shall be submitted to the Local Planning Authority and Lincolnshire Historic Environment Record within three months of the work to the gates being completed.

**Reason:** To appropriately document the works to the gates of national significance in accordance with Policy LP25 of the Central Lincolnshire Local Plan.

**111 142952 - FULL PLANNING APPLICATION FOR THE CONSTRUCTION OF A DRYING SHED FOR FOOD PROCESSING (B2). MANOR FARM, BRIGG ROAD, CLIXBY**

The Chairman informed the Members of the Committee that owing to the withdrawal of application number 142952, by the applicant, the application in this agenda item was no longer being considered by West Lindsey District Council, and would not be considered by the Committee at this meeting.

**112 144197 - FULL PLANNING APPLICATION FOR CHANGE OF USE OF EXISTING FIELD TO DOMESTIC USE TO GROW SEASONAL FRUIT AND VEGETABLES. 3 WALMSGATE, BARLINGS LANE, LANGWORTH**

**Note:** Councillor D. Cotton stepped down from the Committee for this item and left the Council Chamber at 6.51 pm.

The Chairman introduced the next item of the meeting, application number 144197, for change of use of existing field to domestic use to grow seasonal fruit and vegetables. After a short presentation on the application, and with no further updates provided by the Planning Officer, the Chairman invited the first speaker, Steve Harper, the applicant for the application, to address the Committee. The applicant made the following statement.

The speaker informed Members in his first point that the application had near unanimous support from the neighbours, the Parish Council, and that none of the statutory bodies had objected to the proposed site that would facilitate the erection of storage, a shed and a greenhouse which was not allowed at the time. The Speaker informed the Committee that these buildings would be inconspicuous and placed in the corner of the plot. The Speaker wanted to grow fruit and vegetables for himself and his family, and was trying to create more biodiversity, which included proposed tree planting, erection of indigenous hedges and the creation of wildlife corridors.

The speaker's second point was on the report issues raised by the Planning Officer. The Speaker stated that on adjacent streets and fields to the proposed site, there was an industrial site, proposed future homes, a nature reserve and a caravan park with a field lost, which showed that these had all gone through evidence of change of use. Mr Harper then referenced comments by the Planning Officer in the report.

The speaker concluded his statement that this application was trying to reduce his carbon footprint, focus on self-sustainability, and improve the biodiversity in his property.

The Chairman thanked Mr Harper for his comments, and then invited the second speaker, Rick Poolton, an objector, to address the Committee. The applicant made the following statement.

The speaker said that there was an issue with the applicant's declaration in the initial application, in box 24 of the application, as he was an elected member, and the way that the public notice of the application had been arranged. The statement then went to say that this application was a 'Trojan horse' and referred to the applicant's history in horticulture. The Speaker stated that only 250 square metres would be needed for an allotment for the

desired purpose of the applicant, and referred to that the proposed site was ten times that size, with reference made to it as an 'industrial scale'.

Mr Poolton informed Members that he had moved to the area due to his medical issues, and stated that the proposed development would increase noise and the pollution would affect his health, and said other neighbours would be affected. The Speaker stated that the application would contravene his human rights, and would contravene Article 8 of the Human Rights Act.

The speaker then concluded by saying that the development went against LP55, other planning policies, would affect his health, and that the application was hidden under the sustainability label, with possible foul play, and that the deeds to the applicant's property prohibited business operations.

Following the comment about the applicant not stating that he was an elected councillor, the Planning Manager informed the Committee that this was as a Parish Councillor of Saxilby with Ingleby Parish Council, and that the applicant is not a West Lindsey District Councillor.

The Chairman then ask the Legal Advisor to respond on the comments from the objector regarding the human rights point. The Legal Adviser drew Members' attention to the Officer's report on page 93 of the public report pack, and stated that every Officer did consider the human rights implications for the individuals in each application when considering their recommendations. The Chairman then invited comments from Members of the Committee.

There was debate regarding the growth of fruits and vegetables, and the nature of the application. One comment included that the proposed development would improve the environment, and enhance the landscape. A Member remarked that the desired effect of the application was not similar to a farm. The same Member commented that if the application was to be granted, future development rights should be removed.

In response to a question about it being a horticultural development, Members heard from the Planning Manager that the application was for a change of use to domestic curtilage. This would then have permitted development rights, which allowed for building new domestic outbuildings, on up to 50% of the land without requiring further planning permission. The Members heard that the plans for sheds and outbuildings only came from an indicative layout design and was not necessarily what would be on the site.

A question was posed by a Member regarding who owned the rights to the land, to which the Committee learnt that the entire site was owned by the applicant. In a separate question about the horticulture, Members heard that fruit and vegetables could be grown on agricultural land without planning permission, and that if granted for domestic use would have Class 1E benefits for domestic outbuildings.

The Chairman proposed a site visit in order to help Members better understand the application and the area surrounding the proposed development. He stated that as a former resident, he knew the area and the various activities of the area assuredly.

Having been proposed, and 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.

**Note:** Councillor D. Cotton returned to the Council Chamber at 7.18 pm.

**113 144171 - PLANNING APPLICATION FOR CHANGE OF USE TO 9NO. RETIREMENT HOMES. BLYTON PONDS, BLYTON**

The Chairman introduced the next application, number 144171, application for change of use from holiday park to 9no. retirement homes for the over 50s resubmission of 143250, at Blyton Ponds, Station Road Blyton, Gainsborough. Bar a response from a neighbouring property, there were no other updates to the published report. The Officer then highlighted the main aspects of the application, since its previous refusal at a past Planning Committee meeting, which highlighted the consultation period embarked by the applicant. It was noted by the Planning Officer that if the applicant was not related to a Member of the Council, the decision would have been delegated.

The Chairman stated there was one submitted statement from an objector, A Goodman, to be read aloud by the Democratic Service Officer. The following statement was read aloud.

“Planning in 2009 stated that caravans were not to be situated on borders of no 11 leaving approximately 16-20 feet yet once again the owner is asking for caravans to be moved to the borders. There is no need for a site for the over 55's as there are already numerous bungalows both private and housing association also there are existing caravan sites within the village with regard to the 2009 planning application several points were not adhered to i.e. workers residing on site and travelling to their work sites.”

The Chairman then invited comments from Members of the Committee.

There was some debate regarding the issue of flooding in the area, with references to past flooding experiences, and the potential for monitoring the situation. It was referenced by a Member that Condition 4 specified flooding issues and the requirement for drainage plans to be submitted prior to occupation.

**Note:** Councillor I. Fleetwood declared that he was a Member of the Scunthorpe & Gainsborough Water Level Management Board. Regarding the flooding concerns, he commented that this was heavily considered by the Board.

A query was made regarding the new caravans, with the Planning Officer stating that this application was replacing the current caravans on the site. There was also comment that this would allow for more accommodation suitable for the over-55s.

**Note:** Councillor I. Fleetwood declared that he was Member of the Environment Agency's Anglian (Northern) Regional Flood and Coastal Committee, but he had not discussed this application as a Member of that Committee.

Having been proposed and seconded, the Chairman took the vote and 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 confirm 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 proposed drawings:

- AF/20/01 received 7th January 2022 – Location Plan
- BP/21/04 Rev A dated 16th April 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 LP4, LP17 and LP26 of the Central Lincolnshire Local Plan 2012-2036.

3. No occupation must take place on site until full elevation and floor plans details for all 9 park homes have been submitted to and approved in writing by the Local Planning Authority. The development must be completed in accordance with the approved details.

**Reason:** To safeguard the character and appearance of site and the surrounding area to accord with the National Planning Policy Framework and local policy LP17 and LP26 of the Central Lincolnshire Local Plan 2012-2036.

4. No occupation must take place on site until details of a scheme for the disposal of foul/surface water (including any necessary soakaway/percolation tests) from the site and a plan identifying connectivity and their position has been submitted to and approved in writing by the local planning authority. No occupation of each individual park home must occur until the park home has been fully connected in accordance to the approved drainage scheme.

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

5. If during the course of development, contamination is found to be present on site, then no further development (unless otherwise agreed in writing by the local planning authority) must be carried out until a method statement detailing how and when the contamination is to be dealt with has been submitted to and approved in writing by the local planning authority. The contamination must then be dealt with in accordance with the approved details.

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

6. No occupation must take place until a comprehensive landscaping scheme has been submitted to and approved in writing by the Local Planning Authority. Details to include:
- Landscaping used to provide an area of privacy for the occupants of each Park Home.
  - Material finish of all new or retained hardstanding

The development must be completed in strict accordance with the approved landscaping scheme.

**Reason:** To ensure that appropriate landscaping is introduced and will not adversely impact on the character and appearance of the site and provide some privacy for the occupants to accord with the National Planning Policy Framework, local policies LP17 and LP26 of the Central Lincolnshire Local Plan 2012-2036 and S52, S59, S60 and S65 of the Draft Central Lincolnshire Local Plan Review.

7. No occupation of each individual park home must take place until the visitor vehicle parking area and the park homes individual vehicle parking spaces identified on BP/21/04 Rev A dated 16th April 2021 have been fully completed and retained for that use thereafter.

**Reason:** To ensure each park home has sufficient off street parking prior to occupation in the interests of highway safety to accord with the National Planning Policy Framework and local policy LP13 and LP26 of the Central Lincolnshire Local Plan 2012-2036.

8. The development must be completed in strict accordance with the mitigation measures described in section 5 (page 15) of the Flood Risk Assessment by EWE Associates Ltd dated June 2021. The mitigation measures must retained thereafter.

**Reason:** To prevent flooding and protect the future residents to accord with the National Planning Policy Framework and local policy LP14 of the Central Lincolnshire Local Plan 2012-2036.

**114 143957 - PLANNING APPLICATION TO ERECT 1NO. DETACHED DWELLING AND CREATION OF VEHICULAR ACCESS. LAND ADJACENT TO MANOR COTTAGE, SAXBY**

The Chairman introduced application number 143957, to erect 1no. detached dwelling and creation of vehicular access, on Land adjacent to Manor Cottage, Saxby. The Officer informed the Members of the Committee that there were no updates on the application. A short presentation was then given by the Officer.

The Chairman invited the register Speaker, the applicant, Mr Tom Neave, to address the Committee. The following statement was made.

Mr Neave stated that he was to address the reasons for refusal. He stated that the Officer accepted that there were enough dwellings and the village did not form a single cluster, with the proposed development forming part as a single and compact settlement. Whilst there is some open space, the Speaker pointed to nearby land and that this did not form a compact cluster, did not separate the village and therefore met the definition of a hamlet. He said that the Officer viewed the application as finely balanced, and then commented that the application was an 'infill', as it was immediately east of one property, and the adjacent side was the access to Manor Farm.

The applicant stated it was within a developed boundary, and continuous frontage and met the requirement of policy LP2. The speaker commented that the design objections were subjective, with the property being in a wider setting of the church and farm buildings, with no impact on the heritage, mimicked a converted barn, and was designed to blend into the surroundings. The speaker concluded that the application was careful to not propose a typical building harmful to the village. He concluded his remarks by saying that he was actively involved in the family's farm and wanted to be able to work and live in the village.

The Chairman thanked the applicant for his comments, and invited the final Speaker, Local Ward Member Councillor Jeff Summers, to address the Committee.

The Member stated that the Neave family had lived in the area for four generations, and that he felt the family's history encompassed the village. He informed Members that he was going to run the farm, and that the responsibilities of doing so required a suitable house nearby, and the development would have to be onsite particularly to deal with instances including fire, and protecting livestock. The Member stated that the application site was alongside the farmers' entrance.

Commenting on the Officer's report, the Member said St. Helen's Church was 150 metres away from the site, with 1 house in view within 30 metres of the church, and that you could not see the property site from the church. Remarking about the design, the Member referenced that though the proposed dwelling was of a modern style, it was 100 years since the adjacent house was built, meaning that design practice would have changed, and that the Cliff Road properties had different mixture of stone and red brick design, which the Member stated was seen in the proposed application. The Member then stated that in his view, there was not a major contravention of several planning policies in the proposed application, including amenity, footprint, and agricultural need.

**Note:** Councillor J. Summers stepped down from the Committee for the rest of this item and left the Council Chamber at 7.44 pm.

The Chairman then invited comments from Members of the Committee.

Debate ensued, and there followed significant discussion on the development of the application, the materials used, and the reasoning for the proposed development. One Member brought a possibility of conditions for granting that could have included the usage of different materials, such as stone and cobbles to be more sympathetic with the surrounding area. This was confirmed as an option for the committee if they considered it was necessary, by the Planning Officer.

**Note:** Councillor D. Cotton declared that he was a Member of the Central Lincolnshire Joint Strategic Planning Committee.

It was noted by Members the reasons for the applicant to live in the village, and to grant the

application were important to the running of a nearby farm, and that the applicant did have familial links in the area. A Member raised that occasional development in the countryside was fine in his interpretation, and that the church was not viewable from the site.

In response to a question regarding a comment by the Health and Safety Executive, Members learnt a Hazardous Zone was a constraint placed on some sites, such as those with unidentified pipelines, and requiring consultations.

**Note:** Councillor I. Fleetwood declared that he was a Member of the Central Lincolnshire Joint Strategic Planning Committee.

**Note:** Councillor R. Waller declared that he was a Member of the Central Lincolnshire Joint Strategic Planning Committee.

The Planning Manager informed Members that the application did not state that the development was for an agricultural worker and would have received different analysis. He also informed the committee that the Planning Department did not feel Saxby was a hamlet as defined by LP2. Members also heard that if they were minded to grant the application, they were able to condition the materials used.

It was confirmed by the Planning Manager that the application was not put forward as a building for an agricultural worker, and that no evidence of such was presented in the application. The Officer confirmed that if it was considered to be a hamlet, then the proposed application would need to be an 'infill' site – officers were not convinced that it was a hamlet, or an infill plot and would be a departure from policy, but committee would need to consider whether they think it met with the definitions.

On hearing further comments regarding the design of the property and the hamlet discussion, the Chairman proposed a site visit, in order for Members to better understand the proposed application. 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.

**Note:** Councillor J. Summers returned to the Council Chamber at 7.56 pm.

## **115 143877 - PLANNING APPLICATION TO ERECT 1NO. DWELLING. LAND ADJACENT TO 5 BECK HILL, TEALBY**

The Chairman introduced the final application of the meeting, application number 143877, to erect 1no. dwelling, on Land adjacent to 5 Beck Hill, Tealby. The Officer informed the Committee that there was an update to the report, having received additional correspondence regarding the right of way access. The Officer then went through a short presentation on the application.

The Chairman stated that there was one registered speaker for the application, one of the applicants, Jools Ferrier-Hanslip. The following statement was made.

The Speaker commented that she was pleased with the Officer's recommendation of granting the property. After introducing her family, she detailed their history in the village, and the need for another dwelling on site for the family members. She commented that the proposed non-speculative design tried to reflect the character of the surrounding area. In



concluding her remarks, the Speaker stated that this proposal would create their forever home, and hoped that the Committee would support the application.

The Chairman explained there were three statements submitted from objectors to be read aloud by the Democratic Services Officer, the first being from Pauline Bacon. The following statement was read aloud.

“I am not resident in Tealby but have lived closely to the area for fifty years

1. Over development of site. 2. Not in keeping with Area of outstanding natural beauty. 3. Not in keeping with Tealby conservation Area. 4. Added disturbance to neighbours. 5. Added traffic congestion on a tiny lane which already a very busy thoroughfare. Finally, 6. A worrying PRECEDENT. How many more future requests for garden spaces to be almost completely built over? I wish to thank the committee for addressing my deep concerns.”

The Chairman invited the Democratic Services Officer to read aloud the second statement, from Andrew Laing. The following statement was read aloud.

“I am a resident of Beck Hill and live about 40 yards from the proposed scheme. Our house is some 15 feet lower than the ground being considered in the application. I appreciate that our concerns about the previous application have to some extent been addressed but we remain worried that the proposed building will be out of character in an already congested area. There are, however, two matters that should be considered:”

“The effect on Beck Hill.”

“Beck Hill is a narrow lane with no pavement and no passing places for vehicles. It is generally busy with pedestrians (these are local children, elderly residents, their pets, horses and groups of walkers) It is part of “The Viking Way”. It is also used by residents’ cars and, more recently, by delivery vehicles. Pedestrians have to flatten themselves against the sides of the road to avoid accidents. The danger to children, pets, and others would only be increased as a result of the proposal. Furthermore the access entrance would be shared by three households causing additional congestion where it is already crowded.”

“Subsidence.”

“Our house, 8 Beck Hill, suffered from subsidence for several years as a result of a leak in the village Hall Higher up the Hill. Springs also appeared in our garden. Both problems were resolved when the leak was finally mended. It is probable that further subsidence and springs will occur as a result of the proposed earthworks.”

The Chairman invited the Democratic Services Officer to read aloud the third and final statement, from Gail Firkin. The following statement was read aloud.

“Further to my objection on the planning portal for application 143877 dated 22.11.21 I would like to point out that the current right of way over my drive applies to the existing property only “for the use and enjoyment of the property as a private dwelling house”. This does not include a second, new property.”

“Therefore, access to a new property cannot be via the existing right of way to the host dwelling as stated in your minutes of a meeting held on 2.3.22.”

The Chairman thanked the Democratic Services Officer for reading the statements and invited comments from Members of the Committee.

Debate ensued, and observations were made about the design of the application, and whether it was substantially different to an application previously rejected, that the proposal was a dominant property on a small site, and 'shoe horned' in to the lot. Other Members drew attention to the fact that other modern developments approved by the Council had smaller square footage for property, and it was quite subservient to the existing property.

With regard to a question regarding the depth of the property, Members learnt that it was the proposed swimming pool that was 4 to 5 metres below. It was also learnt that in relation to the water course on the property that it was a private convenience, and that the applicant would have to resolve that if it was not already done. The Officer confirmed that the changes to the previously rejected application were substantial enough to grant this application since the previous one's refusal.

Having been moved and seconded that the application be granted, the Chairman took the vote and with a majority vote against the written recommendation, the proposal was **LOST**.

The Chairman sought an alternate proposal. Members of the Committee expressed reasons for refusing the application on the basis of the proposal causing overcrowding and overdevelopment of the site and the immediate area. It was then suggested that due to the contrast with the surrounding properties, that the proposed development did not reflect the vernacular or tie in with the village, and that it was too big and overbearing. This was considered to be in contravention of LP26 regarding the scale and design and impact on the street scene, and LP17 regarding the impact of the village character, in the Central Lincolnshire Local Plan.

This was proposed, seconded, and on taking the vote, it was agreed that permission be **REFUSED** for the following reasons:

*The proposed dwelling would result in the over-development of the site. It would, as a result of its scale, mass and positioning, be overbearing and would result in harm to the prevailing character and amenity of the surrounding area. This would be contrary to LP17 and LP26 of the Central Lincolnshire Local Plan.*

## **116 DETERMINATION OF APPEALS**

A short discussion over the Sudbrooke appeal occurred, with disappointment of its granting, and expressed shock over the Inspector's thinking regarding the appeal. There was a comment that heartened to see the dismissal of the related costs appeal.

The determination of the appeals were **DULY NOTED**.

The meeting concluded at 8.24 pm.

Chairman