

WEST LINDSEY DISTRICT COUNCIL

MINUTES of the Meeting of the Planning Committee held in the Council Chamber - The Guildhall on 10 August 2022 commencing at 6.30 pm.

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

Councillor Matthew Boles
Councillor Michael Devine
Councillor David Dobbie
Councillor Cherie Hill
Councillor Mrs Cordelia McCartney
Councillor Mrs Jessie Milne
Councillor Peter Morris
Councillor Roger Patterson
Councillor Mrs Judy Rainsforth
Councillor Jeff Summers
Councillor Mrs Angela White

In Attendance:
George Backovic Principal Development Management Officer
Martha Rees Legal Advisor
Ian Elliott Senior Development Management Officer
Daniel Evans Senior Development Management Officer
Vicky Maplethorpe Area Development Officer
Danielle Peck Senior Development Management Officer
Andrew Warnes Democratic and Civic Officer

Also In Attendance: 19 Members of the Public.

Apologies: Councillor David Cotton

Membership: No members were substituted.

27 PUBLIC PARTICIPATION PERIOD

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

28 TO APPROVE THE MINUTES OF THE PREVIOUS MEETING

RESOLVED that the minutes of the meeting of the Planning Committee held on Wednesday, 13 July 2022 be confirmed and signed as an accurate record.

29 DECLARATIONS OF INTEREST

In relation to agenda item 6a, application number 144201, Councillors C. Hill, M. Boles, J. Rainsforth, P. Morris and J. Summers declared that they were not present at the site visit, and so would not participate in item.

Councillor A. White declared, in relation to agenda item 6d, application numbers 144347/144977, that she would speak as the Local Ward Member, and then leave the Chamber for the remainder of the item.

Councillor P. Morris declared a personal interest, in relation to agenda item 6e, application number 144830, as he had a close relationship to the applicant, and knew him well. He would step down from the Committee for the item, and leave the Chamber.

Councillor P. Morris declared, in relation to agenda item 6f, application number 143527, that he would speak as the Local Ward Member, and then leave the Chamber for the remainder of the item.

30 UPDATE ON GOVERNMENT/LOCAL CHANGES IN PLANNING POLICY

The Development Management Team Leader updated Members of the Committee on national planning policy, and stated that the government informed the Planning Inspectorate to not conclude that local plans are unsound or recommend any withdrawal of the plans before a new prime minister is appointed, or “until the department advises you otherwise”.

The government was proposing to make a number of changes to the Department for Transport's circular 02/2013: Strategic road network and the delivery of sustainable development.

Most of the consultation changes related to policy on National Highways' engagement in plan-making and decision-taking, which responded to the government's commitments in the transport decarbonisation plan as well as planning case law. They have also taken this opportunity to make a number of changes to the requirements for roadside facilities, including amendments on heavy goods vehicles driver services and new provisions for zero emissions vehicles to reflect the stated position made by written ministerial statement about addressing the strategic national need for more lorry parking and the introduction of the rapid charging fund.

The Development Management Team Leader emphasised these points, as it was probable that an application could be submitted for an HGV driver services within the District.

31 144201 - LAND TO THE REAR OF BELMONT, LEGSBY ROAD, MARKET RASEN

The Chairman introduced the first item of the meeting, application number 144201, for change of use to caravan site with associated infrastructure and landscaping, including formation of new access, on land to the rear of Belmont, Legsby Road, Market Rasen, LN8 3DZ.

The Development Manager Team Leader gave responses to issues previously raised by the July Planning Committee. The Officer stated the biodiversity concerns were covered in the report with three conditions that specifically related to biodiversity. It was referenced that the habitats and wildlife found in the area were fairly common, with the only evidence of unique wildlife being found on the site of the adjacent bungalow. This was explained as not being part of the application nor the consideration of it.

The Officer stated that lighting on the site would be prohibited by condition and comply with the decision by the Local Planning Authority. The Officer also clarified that the caravans could not be considered as permanent dwellings because the nature of use was different to that of a holiday caravan and was properly considered by LP7.

Regarding footpath concerns, this was covered in condition 6 of the application, which required a footpath to be in place before any occupation of the caravans. The Officer concluded by stating that permanent residential accommodation would be prohibited by Condition 5 which restricted use to holiday accommodation, and reminded Members that no highway safety concerns had been raised and Lincolnshire County Council Highways had no objections to the application.

The Chairman stated there were several registered speakers and invited the first speaker, the agent for the application, Nayan Ghandi, to address the Committee. The agent made the following statement.

The speaker endorsed the conditions and the Officer's conclusions, and that any issues could be controlled. The statement focused on the potential for Market Rasen to become a hub, and addressed some of the concerns raised during the process. Regarding year-round occupancy, the speaker referenced condition 5 that managed it for holiday accommodation. Regarding LP55 concerns, these were irrelevant in the speaker's viewpoint, and that the scheme complied with LP7.

Regarding the occupancy levels, for each unit, the speaker stated it would be between four to six individuals, with most of the caravans being two bedrooms, and a few being three. The speaker stated that the occupancy would ebb and flow throughout the year, with a predicted 25% occupancy rate during the winter months.

Regarding transportation and traffic concerns, the agent asserted that at peak times, it would not be not more than one vehicle every five minutes, and that vehicles could pass each other on the road. Regarding raised concerns of 150 cars on site, the speaker stated this was not supported in the submitted evidence, and estimated a 75% occupancy rate. The speaker also referenced that the users would more likely walk around the town due to the footpath.

In addressing access concerns, the speakers stated that Members would have seen the location, with this proposed access 40 metres away from the nearest property. Regarding noise and light, with any possible noise disturbances, the next caravan site was to be 50 metres away at the closest point, and that the company would aim to minimise noise risks, and control the fixtures.

Regarding ecology issues, the speaker stated that there was to be potential gain through conditions 3 and 9. In reply to comments made by people outside of the district, the speaker

emphasised that this showed the evidence for demand and needed space, which would support investment. The speaker then explained that there was likely to be an increased spending of £830,000 in the area due to increased tourism, and that the West Lindsey District Council visitor strategy would be benefited by the application.

In concluding his remarks, the agent emphasised that the application was policy compliant, and that the proposed application clearly outweighed the potential harms.

The Chairman thanked the agent for his statement. The Chairman explained there were three statements submitted from objectors to be read aloud by the Democratic and Civic Officer, the first being from Mrs Sheila Brookes. The following statement was read aloud.

“This is a very quiet agricultural area of rural Lincolnshire. The approach lane to the proposed site has a narrow “upside” & “downside”. Some of the proposed 90 caravans sleep up to eleven people, that will be three cars per van. Way too much traffic on a country lane that accommodates only one car in each direction.

The lane is much used by walkers, cyclists & ridden & driven horses, very little motorised traffic. Even so a few years ago a young man from Legsby was found dead along the lane, having been hit in the dark by a vehicle that did not stop.

To the right of the lane, below the golf club, is an area of woodland classified as an SSI, Site of Special Scientific Interest, it is monitored by the Lincolnshire Wildlife Trust. The proposed site is a broad wildlife habitat which will be completely destroyed by this plan. The adjacent wood will also be adversely affected as the plan includes “street lighting” all around the site. At present there is no street lighting within half a mile.

The government has set itself a legal target to halt the decline in species abundance by 2030, now is the time to support the legislation underpinning nature conservation. Nature recovery needs more than just money!

Please do not allow this quiet rural area with all round woodland, to become a campsite and rat run.”

The Chairman invited the Democratic and Civic Officer to read aloud the second statement from Lyndsey Horstwood. The following statement was read aloud.

“Firstly, we would like to thank the Councillors for taking time to put in place the site visit – the development plan submitted by the applicant, had their key covering where our bungalow sits, but you will now be able to understand our concerns about this proposed development and site entrance which is so near to our home. Taking into consideration at this time of year the hedges and trees are in full leaf and for at least 5 months of the year there will be no leaves, which will give a far broader view of the proposed site from all directions. The proposed applicants in their planning application do not mention how they will restrict noise and light pollution to the neighbouring properties.

We have lived in this property for 27 years, and for the whole of the 27 years have enjoyed the peace, quietness and tranquillity of the area. Testimonial from one of our caravaners who have returned to stay at the camp site ‘we come to the Lindsey Trail Caravan site due to where it is situated in a quiet rural countryside area, we love to spend time listening to the

wildlife and the peace and the quiet, and the dark star lit nights and to be able to get away from our own busy life’.

The proposed plan is down a quiet countryside road, which is enjoyed by many for the quietness of the location, this will be changed significantly with the proposed application, noise, traffic and effect on the wildlife for the whole year round. This proposal if passed will also affect the value of our property and land.”

The applicant’s representative and the Planning officer previously mentioned about sustainability for Market Rasen, but sustainability is not just about the big business but also for the small businesses. We built our business considering the environment and also, we had to abide by some legal restrictions enforced by the planning officers from the West Lindsey Council, no floodlights, no static caravans, limited yearly opening hours, we had to give back to nature in land as much if not more than we have taken up, which we totally embraced so nature and wildlife was enhanced.

Therefore, we only opened for 7 months, no lights on the site, planted over 1000 trees and hedges and have nature areas in place. We appreciate that laws have changed but surely the West Lindsey Council’s ethics on conservation and the environment hasn’t. We would like to hope that the countryside, nature and local wildlife is still high on the Council’s agenda especially in line with the government’s latest stance on proposed new legislation and reforms for the countryside.

I would further re-iterate why the council refused the housing estate previously this was due to their concerns of the effect on the local countryside and this proposed application will have the same effect if not substantially worse, as more traffic on the roads and considerably more noise and light pollution. Thank you for taking the time to listen to this statement.”

The Chairman invited the Democratic and Civic Officer to read aloud the third and final statement, from Carol Turner. The following statement was read aloud.

“At the planning meeting on July 13th, I was given the opportunity to speak to the committee and voiced my concerns regarding the application and why it should be rejected. At this Planning meeting the Members voted for a site visit. It is hoped that the site visit has confirmed the concerns of myself and the people of Market Rasen as to why this application should be refused. The greatest objection being the vast number of caravans proposed for the site.

I feel having spoken at the meeting of July 13th I have little more to say but hope that when the Planning Committee make their decision, they will take into consideration all the objections put forward. Should the application get passed it is hoped it would be with conditions. The foremost condition to reduce the number of caravans proposed for the site. I thank you for the opportunity to make these comments and await your decision.”

The Chairman then stated that the final registered speaker was a Local Ward Member, Councillor Stephen Bunney. The following statement was read aloud by the Democratic and Civic Officer.

The Member spoke as a Local Ward Member, and as a Member of Market Rasen Town

Council, and was not aiming to repeat what he said last time. Though Lincolnshire County Council Highways had not objected, the Member stated that it was still a difficult road to drive down with dangerous parts, and that having driven down the road many times, there were many horses and agricultural users.

The Member progressed to discuss the transportation for schools and referenced the concerns relating to nearby Willingham Road, with numerous issues due to large vehicles. The speaker then moved onto to reference the open space surrounding the racecourse and golf club, which was spacious and attractive to the locals and visitors to the town.

The Member stated that the people were able to use the space and enjoy the peaceful surroundings because of it. The Member raised the concern of the number of caravans in the proposed application, and stated that this was of high density, and would cut down on the space.

Returning to traffic problems, the Member commented that on busy days in particular, Legsby Road and the surrounding area would feel like the congested Euston Road in central London, with heavy traffic jams, and would clog the area. The viewpoint of the Member was not opposed to development, but that the number of caravans and the views spoiled made it challenging to support this development.

In concluding his remarks, he stated that the properties nearby were going to be overlooked, there were too many caravans proposed for the site, and he could not support the application as presented.

The Chairman invited comments from the Development Management Team Leader, who was also the case officer for the application. In response to the statements made, the Officer stated that the Local Planning Authority could not act to protect existing business interests and these were not part of the deliberations.

The Officer acknowledged that whilst there could be time delays in traffic and potentially additional manoeuvring by vehicles, this did not equate to an impact on highway safety which was the main consideration of the Highways Authority, who had raised no objection. In response to the density points, the Officer stated that there was legislation setting out requirements.

The Chairman opened discussions by stating that the site visit had been useful, and invited comments from Members of the Committee. Debate ensued, and Members brought up different experiences of nearby caravan sites, traffic and road conditions in Market Rasen during busy periods, and on Legsby Road itself. Different suggestions were made to mitigate traffic issues for nearby attractions. There was discussion regarding the use of footpaths in consideration of experienced habits of caravan site users.

Members also mentioned the potential economic benefits to Market Rasen, and the surrounding leisure area benefits, since the proposed site was next to the racecourse and a golf club was nearby. A Member did bring up suggestions on additional access points for future applications for the site.

In response to a query about access and egress, the Officer confirmed that there was only one entrance and exit point proposed.

Replying to a question about biodiversity and landscaping, the Officer stated that Condition 8 required submission of a soft landscaping scheme and, in response to a further question clarified, that the condition set out that a hedge along the northern boundary of the site in native species must form part of the submitted proposals. Regarding lighting, the Officer stated that this was prohibited by condition 10.

In response to discussions and concerns raised by the Committee about the need to stagger departure and arrival times, and to avoid exiting left from the site, the following was suggested by the Team Leader to be added as an informative to the decision notice:

“The Members of the Planning Committee wanted to advise the applicant that arrivals and departures should be staggered to avoid conflict at peak times and that exiting left should be avoided as it would lead to narrower roads with more difficult driving conditions.”

This was to be included on the decision notice, and agreed to by the Members of the Committee as part of the vote on the proposal.

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 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 site clearance or other works shall commence on site until details of the proposed external appearance of the caravans and reception building have been submitted to and approved in writing by the Local Planning Authority. The caravans placed on the site must be in accordance with the approved details

Reason: In the interests of safeguarding the character and appearance of the site and wider area in this rural location in accordance with policy LP 26 of the Central Lincolnshire Local Plan.

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

3. Works shall take place on the site in full accordance with the recommendations of the Preliminary Ecological Appraisal prepared by Helen Scarborough dated 7th February 2022. In particular the precautionary working practices for great crested newt and reptile species; any works to the trees, scrub, and hedgerows should commence outside the active nesting season which typically runs from March through to late August. If work commences during the bird breeding season, a search for nests should be carried out before it begins, and active nests should be protected until the young fledge.

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

4. The site shall be laid out in accordance with Masterplan P206C16-13-REV F and the number of caravans must not exceed 79.

Reason: As the development was considered acceptable on this basis in the interests of the character and appearance of the site and wider area and impacts on neighbouring dwellings in accordance with policy LP26 of the Central Lincolnshire Local Plan.

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

5. The caravans shall be used as holiday accommodation only and shall not be occupied as a person's sole or main place of residence. The owners/operators shall maintain an up-to date register of the names of all occupiers in individual caravans in the site, and of their main home addresses, and shall make this information available at all reasonable times and upon request, to the Local Planning Authority.

Reason: Permission is granted on the basis of holiday accommodation, in which policy LP7 of the Central Lincolnshire Local Plan has been applied. The site is in a location in which permanent residential occupation unrelated to holiday use would not be permitted and would otherwise be contrary to policy LP55 of the Central Lincolnshire Local Plan.

6. The development hereby permitted shall not be occupied before a footway, to connect the development to the existing footway network, has been provided in accordance with details that shall first have been submitted to, and approved in writing by, the Local Planning Authority. The works shall also include appropriate arrangements for the management of surface water run-off from the highway.

Reason: To ensure the provision of safe and adequate pedestrian access to the permitted development, without increasing flood risk to the highway and adjacent land and property in accordance with Policies LP13 and LP14 of the Central Lincolnshire Local Plan

7. Prior to occupation of any caravans on the site full details of the proposed means of surface water and foul water disposal must be submitted to and approved in writing by the Local Planning Authority. Foul drainage shall be to the main public sewer unless detailed evidence is submitted demonstrating that this is not feasible, for costs or practicality reasons. The agreed details must be implemented in full prior to occupation

Reason: To ensure a satisfactory scheme of drainage is provided in accordance with policy LP14 of the Central Lincolnshire Local Plan

8. Prior to occupation of any caravans on the site full details of both hard and soft landscape proposals shall be submitted to, and approved in writing by, the local planning authority. These details shall include, as appropriate, car parking layouts; other vehicle and pedestrian access and circulation areas; hard surfacing materials; and minor artefacts and structure (e.g. refuse or signs,). Soft landscaping details shall include planting plans; specifications (including cultivation and other operations associated with plant and grass establishment);

schedules of plants, noting species, planting sizes and proposed numbers/densities where appropriate; A hedge along the northern boundary of the site in native species must form part of the submitted proposals.

All hard and soft landscape works shall be carried out in accordance with the approved details prior to the occupation of any part of the development or in accordance with a timetable approved in writing by the local planning authority. Any trees or plants which, within a period of five years after planting, are removed, die or become seriously damaged or defective, shall be replaced in the next planting season with others of species, size and number as originally approved, and permanently retained.

Reason: In the interests of helping to assimilate the site within its rural location and in the interests of biodiversity in accordance with policies LP17, LP21 and LP26 of the Central Lincolnshire Local Plan.

9. Prior to the occupation of the caravans details of 4 sparrow boxes and their location across the site must be submitted to and approved in writing by the Local Planning Authority. The details approved must be implemented prior to occupation of caravans on the site.

Reason: In the interests of biodiversity in accordance with policy LP21 and specifically as the UK sparrow population has suffered a severe decline.

10. No external lighting shall be erected unless full details of the position, type and light intensity of all external lighting has been provided and proposed mitigation in relation to the proposed lighting to minimise light pollution has been submitted to and approved in writing by the Local Planning Authority. The approved external lighting shall only be carried out in accordance with the approved details and retained as such thereafter.

Reason: To ensure that there is minimal light spill from the site which would have an impact on this mostly unlit night environment in accordance with the NPPF and Policy LP17 and LP26 of the Central Lincolnshire Local Plan.

Note for the Applicant: The Members of the Planning Committee wanted to advise the applicant that arrivals and departures should be staggered to avoid conflict at peak times and that exiting left should be avoided as it would lead to narrower roads with more difficult driving conditions.

32 144574 - LAND OFF CHURCH ROAD, UPTON

The Chairman introduced the next item of the meeting, application number 144574, to erect 5no. detached dwellings with attached garages on land to the east of Church Road, Upton, Gainsborough.

The case officer provided an update from a resident comment including a response on the hedgehog mitigation measures in the ecology report. The case officer then requested to the Planning Committee that, subject to their resolution, the application was delegated back to officers for the signing of the S106 legal agreement. A short presentation on the application was then made to Members of the Committee.

The Chairman noted there were three registered speakers. The first speaker's statement, from Councillor Don Spittlehouse, the Parish Council representative and Chairman of Upton Parish Council, was read aloud by the Democratic and Civic Officer.

"Upton Parish Council has strongly objected to this planning application from when the first application for outline was submitted. Unfortunately, this was passed so we cannot change that decision. We feel that the wishes of the residents that live in that area has not been fully addressed as well as the Parish Councils concerns over building in that area.

Our main concern is the road structure leading to the site as well as the site area itself. The only access to this site is via Church Road or Main Street. Church road splits into two. The first entry being off High Street past the Church. This is a single-track road with no passing places. The road is eroding away on the left-hand side leaving many potholes and ruts. At the end of this road is a drain that constantly becomes blocked after any substantial rain.

We have complained about this, numerous times over the years, but nothing has been done to rectify this. When this area floods it travels all the way down Church Road making it like a river. There is no footpath whatsoever on Church Road. Any vehicles coming either way is a hazard to pedestrians, especially if 2 cars come along at the same time. There is nowhere to get out of the way of oncoming traffic. This is bad enough for pedestrians even worse for anyone with a wheelchair or pushchair.

Main street is an area of historical value dating back to post war when these houses were built for the American Airforce. It is not an ideal route for commercial vehicles to travel to access the site or for the extra traffic that will be generated from 5 dwellings with double garages. Exit points onto High Street from both Church Road and Main Street are blind exits to oncoming traffic.

The applicant has gone for s106 instead of including any affordable housing, which is what our village needs instead of more oversized houses. If this application is granted, we urge the Planning Committee to consider where the s106 monies will be used. This s106 money could be put towards improving the infrastructure of Church Road rather than benefiting another Parish at the detriment to Upton.

Furthermore, I think it would be beneficial for the Planning Committee to have a site meeting to appreciate the problems that I have outlined before a decision is made. Thank you for your time."

The Chairman then invited the second speaker, the agent for the applicant, Vic Fowler, to address the Committee.

In his statement, the speaker stated that the application followed outline approval given in application 138896, and was very similar to the previous outline. It was the same number of dwellings, in a similar layout, with access to Anglian Water sewerage that ran through the middle of the site.

In responding to comments on the West Lindsey District Council webpage for the application, the agent stated that the removal of the western hedge was due to Lincolnshire County Council requiring a new 2-metre-wide footpath running between the two new entrances. There was a call made to have the footpath, but have additional tree planting and

a new mixed native hedgerow to mitigate the removal.

The speaker progressed to talk about the low-level light for the site, with movement operated sensors to mitigate light pollution. Ecology was next mentioned, with nesting boxes and fences incorporating the updated ecological legislations to allow hedgehogs access to the site.

Replying to comments on the application portal, access to the eastern end of the site was only for farm machinery. The speaker concluded his statement, believing it was unlikely that the road was to comply with Highway requirements for future developments, and hoped the Committee could approve the application.

The Chairman thanked the agent for the comments and invited the third and final speaker, David Swayne, an objector, to address the Committee. The speaker made the following statement.

“Size of Properties. The proposal is for 5 large dwellings, with double garages. Recent plans on Church Road have been approved on the basis of single-story dwellings. Why is that not the case here? Building large properties in this location is going to detract from the character of the location.

Location. The proposed dwellings are at the end of a single-track road, where residents have no footpaths or means of getting out of the road. Meeting an oncoming vehicle results in one reversing to find a suitable passing place. The proposed plans are likely to add 10 cars to this mix, once the construction traffic has vacated the site. How does the council believe that this location can sustain this increase in traffic?

Access. The current access to the site is over a raised area of soil, which is overgrown and under a tree branch. The proposal includes the introduction of a tarmac access road, adjacent to established properties, hedges, trees and over existing wildlife habitat. Why is it deemed necessary to increase the level of access to such a degree – there clearly hasn't been any need for this previously? The field is clearly not accessed via Church Road at all. No improved field access should therefore be necessary in the plans.

Ecological Report. The ecological report contains a number of assumptions that are invalid.

- “The pond is more than 10 years old, not less than 1.
- The residents have reported the presence of newts and the report states that these aren't likely to be present.
- There is significant activity from protected species in the area, the report states that there is low to moderate probability of them roosting on the site but no-one appears to have bothered to check.

Does the council agree, that at the very least, a more thorough report should be commissioned?

Unsustainable location. Upton itself has poor road links and no real access to public transport. The lack of local facilities drives people into their cars to access the facilities in Gainsborough. This is achieved via a variety of narrow roads.

The proposed site is at the end of a single-track residential road, where residents walk in the road because there is nowhere else for them to be. As I have already stated, passing opportunities are extremely limited. Church Road is poorly maintained and subject to increased water flow due to recent building on the west side of the road.

Water pressure is already low in this location. What impact will 5 more properties have on this? Frankly, this location cannot sustain the addition of 5 large dwellings and the proposal should not proceed because of this.”

The Chairman thanked the speaker for his statement, and invited the Officer to respond. In response, the Officer clarified that Lincolnshire County Council Highways had no objections, and there was a drainage condition to manage the fact that the area was in ‘Flood Zone 1’.

It was referenced that there was no footpath to the front of the property, with Condition 7 to alleviate those issues. The Officer stated that the proposed site was not suitable for affordable housing, and that the outline permission had expired.

The Officer reiterated that there was a mixture of dwelling types, with bungalows to the western side and the north side having a mixture of properties. The Officer concluded his response to state that an ecology report had been conducted and the evidence from that was used as part of his assessment.

Debate ensued, and Members raised their concerns, including the narrowness of nearby roads, the lack of footpaths, and issues with the village’s topography. Members also referenced the siting height and scale of the proposed dwellings, and the ageing demographics of Upton. Members also debated about the acceptability of roads in villages like Upton, with references to the traffic.

Responding to a stated remark about the Section 106 agreements not providing affordable housing in the village, the Officer stated that the Section 106 agreement monies would go where it was required, and could not confirm where it would be allocated. The Legal Adviser further clarified that the monies from the possible approval would be restricted to be spent within West Lindsey District Council, and would be spent on affordable housing in the District.

The Legal Adviser also elucidated that Members were working for the District in their roles on the Committee, not just for individual wards. In response to the latter part of the debate about footpaths, the Officer clarified that there was a footpath from across the road for the site.

Early in the debate, several Members felt sufficiently unfamiliar with the site and the village of Upton to comment on the road conditions, footpath, and what the proposed site would look like in the village itself.

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.

33 144010 - 18 SOUTH DRIVE, STOW

The Chairman introduced the next item on the agenda, application number 144010, for two dwellings at 18 South Drive, Stow, Lincoln. The Development Management Team Leader confirmed there were no updates, and gave a short presentation on the application. The Officer stressed that the application site was within the agreed upon built up area in the newly agreed Neighbourhood Plan, which supported the principle of development in such areas.

The Chairman invited the first registered speaker, the Parish Council representative from Stow Parish Council, Councillor Pam Duncan, to address the Committee. The following statement was made.

“Stow Parish Council objects to the application as it stands. We note the Planning Officer’s report and would like to make the following observations.

1. The Sturton by Stow and Stow Neighbourhood Plan, which was made by WLDC on 4th July, is the product of significant consultation with local residents on their needs and wishes in relation to the provision of any new dwellings in the two villages. That consultation included a survey to every household as well as numerous consultation events. The overwhelming views expressed were for new housing to reflect the needs of local residents and are summarised in Chapter 3 Key Issues. We need a range of low carbon and energy efficient homes in terms of size and affordability to meet the needs of local residents including provision of smaller homes, both as starter homes allowing young people to remain within the area, and for older people downsizing. Policy 1a goes on to say we will support development where: "new homes are of size, type and tenure that meet local housing requirements".

2. We accept Policy 2 does not set out criteria restricting the size of new dwellings, but Policies 1a and 4 indicate that a range is needed. Policy 4 emphasises the need for more smaller, 1-2-bedroom houses.

3. The Officer’s report refers to: The most recent Housing Needs Assessment for Central Lincolnshire (April 2020): “Households with dependent children are expected to see the strongest growth...” The Officer goes on to say: "The Housing Needs Assessment does therefore consider the evidence implies a need for larger family homes, with households with dependent children seeing the most growth. Whilst the “mix” across the site is limited, only two dwellings are being proposed. Whilst the concerns of the Parish Council are recognised, it is considered therefore that the development would not be in direct conflict with policy 4.

We do not disagree that there may be a need for some larger family homes, but we do disagree that these need to be 6 bedroomed dwellings. The application is for two 3 storey houses of substantial proportions and each having 6 bedrooms (2 bathrooms plus 3 en suites), an office and a gym. We already have a recently completed new development of three 3 storey houses with 5 bedrooms plus an office (or a 6th bedroom) in Stow. What evidence is there to say there are local families that would need this size (5/6 beds) of dwelling? We found none in our public consultation. How many houses of this scale might a small village need?

4. Paragraph 5.4.1 states: "Policy 4: This policy seeks a locally appropriate market housing

mix, together with the provision of some affordable housing specifically for local people. It also seeks the provision of different types of housing to give a variety of opportunities for people to attain their own homes. This will help to achieve a healthy and inclusive community.”

Not only do we have the new large houses, we have had a further recently approved four bed family house (previously a smaller chalet bungalow approval) and there have been a number of 3 and 4 bed houses approved over the last few years. Apart from a small development of rental properties we are not aware of any new one or two bed properties for sale nor properties that might be considered affordable which would enable young local people to step on the property ladder and stay in the area or allow an older person to downsize and stay in the area. We believe, therefore, that the application is NOT in accordance with Policy 4.

5. We believe the original proposals for the site might have been more in line with the needs and wishes expressed in the Neighbourhood Plan and, with four bedrooms, would have satisfied the need for larger family dwellings. In conclusion, therefore, as it stands we object to this application, as we believe it is contrary to the Neighbourhood Plan. We would request that members consider a site visit to see for themselves the impact on the village.”

The Chairman thanked the speaker for her statement, and invited the next registered speaker, the agent for the application, Rob Bradley, to address the Committee.

The speaker noted that there were numerous objections, and contrary suggestions from Stow Parish Council. The speaker referenced that they had worked with the case officer to address the issues with the scheme, and stated that the closest dwelling was 7.9 metres away from the boundary.

The speaker continued to state that on 23 December 2021, there was no objection to the design changes to 144010, with the Parish Council having changed its mind due to a procedural error with one of the neighbour’s objections being miscategorised. The speaker stated that he had never come across a situation like this before. Moving to the application itself, the agent had worked with West Lindsey District Council, and was satisfied with the application.

The speaker then stated that the application had followed sustainable development. The Neighbourhood Plan had allocated four dwellings in Stow, with these two dwellings meeting the criteria. The agent’s opinion was that the site was capable for the large detached dwellings, with the character and appearance being respectful to the surrounding area. The speaker then stated that the site was within Flood Zone 1, with an approved scheme for foul water disposal.

The speaker asserted that planning law required that planning permission had to be determined by the Neighbourhood Plan unless material considerations indicated otherwise. The speaker progressed to say that this was not a new site, as it had numerous approvals for development.

The speaker concluded by saying that the application did not increase the housing allocation numbers, as the figures agreed in the recent update to the Neighbourhood Plan included the application being considered. The speaker finished in stating that the application met the

policies in place, and asked for support.

The Chairman thanked the agent for his comments, and invited the final registered speaker, Deborah Rose, an objector to the application, to address the Committee. The following statement was made.

“Thank you to the case officer for his work in compiling the report. Regarding 2 substantial, 3 storey, 6-bedroom executive houses. Backfill development in the curtilage of a property NOT simple infill. We respectfully ask the committee to keep this in mind when considering the justification of the size and scale of the current proposal. Comparison to HH not justified. Its 4 bed, with non-habitable storeroom NOT 3 storey positioned centrally in acre plot.

Reference to 136472 has been made also, yet this expired 15 months ago. Proposals bear no resemblance to previous in terms of size, scale and design or the underlying principle for development of affordable housing and small dwellings. Original site layout justification was based on this principle also. Targeting executive market may meet some Government Policy but is contrary to local data in NP.

The proposal is contrary to most aspects of the NP including: Sustainability, Impact on neighbouring amenity, Environmental, Obscuring view of historical asset, and Character of Settlement. To be clear we are not opposed to development. My husband is a builder. We strongly feel that this is simply the wrong type of dwelling for the location. A tier 6 village with limited capacity for development LP4 & LP2.

It's paramount that any development meets current need of community. 136472 was included in LP4 growth levels Apr 22, despite its expiration May 21. In the interests of fairness this needs to be explained. Extant single 4 bed was notably recorded in LP4. We ask the committee to justify whether the proposed better meets current policy, rather than the extant permission. If only 2 plots allowed, we challenge why proposed dwellings continue to be positioned close together, at the furthest point from the access.

We urge officers to consider and explain how this is the best sustainable use of the available grounds regarding current policy and plans. The Rectory was identified as Heritage Asset in NP yet the proposed would obscure this view. Ref Policy 7 and 10 Proposal not in keeping with character of this village aspect. Surrounding properties are centrally positioned in extensive grounds with open aspect Ref NP.

The Extant is arguably more in keeping with this at present. Extant 174sqm increased to 470 cannot be justified. Over five years this concept has ballooned from a couple of bungalows, to mixed affordable housing, to a single 4-bed detached, to 2 substantial 6 bed dwellings. This is a far cry from the original proposal! With respect it could be argued that a block of flats meets affordable housing policy, but it too would be inappropriate.

Added balcony screen attempts to address privacy issues but taper to 1m. The balcony would detrimentally effect the enjoyment of our home and garden, and emotional wellbeing. I implore you to consider this carefully and explain how this can be justified. It's contrary to LP26 and NP policy 2, in that the main social areas of garden and home would be greatly impacted.

The design is intrusive. Proposed have clear views of open land at ground level. First-floor

balcony is not necessary or justified. Increased distance from the boundary may increase privacy issues. The proposed remain arguably overbearing. We need assurance that the committee is totally satisfied that the design is appropriate and other options have been rigorously explored.

The non-habitable ensuite appears to be multi-purpose with links to uncategorized room nearest window. Further bedroom windows are not mentioned in report. Proposed dwellings could exacerbate issues detailed in NP section 3 & 4 and Policies 1, 2, 5, 7 and 10-13. Increased size, occupants and multiple bathrooms could have significant impact. The proposals appear obsessive in light of environmental issues.

All this said, I would like to reiterate that we are not against sustainable development. The current proposal is simply the wrong scale and design for the location. We support the small-scale affordable dwellings on which the principle for development and indeed site layout was based. This would satisfy more of the NP by: meeting community need, impact less on the environment, impact less on unresolved sewage issues, reduce the number of vehicles and subsequent hard surfaces, impact less on the street scene retain the open character to the village, impact less on adjacent neighbouring amenities mitigating privacy issues associated with overlooking balconies etc. Thank you for the time and consideration of the points I have raised.”

The Chairman thanked the speaker for her comments, and invited the Development Management Team Leader to reply. He explained that the application was allocated as suitable for housing in the Neighbourhood Plan, which did not set out any criteria for the size of the dwellings.

Regarding concerns for affordable housing, the Officer clarified that none of the submissions in the past had proposed this and that this was not a requirement in this proposal for 2 dwellings. The Officer then explained the properties in the area were varied in size and scale, pointing to different slides on the presentation, and that there was no fixed design or type. The Officer questioned the degree of impact on neighbours, noting there was a distance of approximately 24 feet from the nearest new building, the garage, to the boundary with the neighbour, and this was closest to an existing garage next door. Impacts on neighbours were avoided due to the proposed layout and separation distances.

The Chairman invited comments from Members of the Committee. Debate ensued, and Members queried where the application site was in relation to the surrounding Stow area, and the lines of communication surrounding area. A Member also asserted that the Stow and Sturton by Stow Neighbourhood Plan was to have one- or two-bedroom dwellings.

A Member of the Committee suggested that in order to better learn about the site, and to understand the application as requested by two of the speakers, the Committee should make a site visit. Whilst the Officer recommendation had been moved and seconded, this was superseded by the moving and seconding of a proposal for the decision to be deferred, in order for the Committee to undertake a site visit. As such, the Chairman took the vote and it was

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

34 144347/144977 - THE HUB, 1 EAST STREET, NETTLEHAM

The Chairman introduced the next item of the meeting, application numbers 144347 and 144977, at Nettleham Library, 1 East Street, Nettleham, Lincoln, LN2 2SL. The applications were as listed below:

144347: Application for a lawful development certificate existing for the installation of planters, benches.

144977: Application for a lawful development certificate proposed for the installation of bike racks.

The Officer explained that these were not planning applications, but were a legal submission in effect to obtain a decision on whether planning approval was required for works that had been carried out and works that were proposed to be carried out. The Chairman explained there was one submitted statement from Andrew and Dominique Blow, objectors, to be read aloud by the Democratic and Civic Officer. The following statement was read aloud.

“The committee needs to know that the picnic benches seating up to 66 people provide the outdoor seating for a seven day a week cafe business operating inside The Hub with a takeaway window for outside customers. From memory the provision of all but one of these benches coincided with the opening of this cafe in June /July last year. Some of them are only a few yards from the homes of residents.

We residents believe that there is a prima facie case that the opening of a seven day a week outdoor cafe area in a conservation area which has led to complaints about privacy, noise and traffic did constitute development. We believe that the Planning Committee should insist on an application for planning permission so that the Parish Council and residents can comment and not condone this backdoor approval of the outdoor cafe element.

It is true that The Hub did meet the residents in February this year and have made a few minor adjustments but substantially they have carried on unchanged since the Covid freedoms for such businesses ended on March 23rd. They do now notify neighbours of things that might affect us but rather than rely on the grace and favour of the applicant we would like to see proper planning consideration in the usual way. It mystifies us that residents of The Green and others in the Conservation area have to seek permission for alterations to their homes yet a cafe can open a seven-day-a-week outdoor facility with up to 66 seats without needing to go through the planning process.”

The Chairman thanked the Democratic and Civic Officer for reading the statement. The Development Management Team Leader then further explained that the application was a simple consideration of whether this required planning permission. The report made the case that it was a factual consideration. The Officer stated that the Planning Officer considered as ‘de minimis’ and did not require any planning permission.

The Local Ward Member for Nettleham, Councillor Angela White, then gave a short statement.

The Member commented that prior to the installation of the benches, there was no communication by the Hub with the neighbours. The Member stated that having been a

small library from the previously larger site, it had turned into a community hub without much consideration for the activity that occurred outside. The Member asserted this was a shock to the residents, and that in her role as a Ward Member and with the Parish Council, she had tried to liaise with trustees.

Though a takeaway did not need the exact same planning permissions as dwellings, the Member commented that the residents did not understand the difference. The statement then referred to heavy usage by motorcyclists, and a massive boom on Sundays, frustrating residents, and created a completely different building, acting as another café. The Member detailed that she had met the trustees in February, and there had only been minor changes, which included a bench being removed and a light being removed.

In response to a query about another application, the Officer explained that this was still currently being in determination.

Note: Councillor A. White left the Chamber at 8.14 pm for the remainder of the item.

The Chairman then invited comments from Members of the Committee. Debate ensued, and Members drew attention to the possible benefits of attracting families and cyclists to the village, particularly sustaining local businesses.

A Member did comment on the retrospective nature of the application, whilst another queried whether it would have come to the Committee if the original applicant was not an elected Councillor. It was confirmed by the Team Leader that it probably would not have come to Committee.

Responding to a query on the Lawful Development Certificate, the Development Management Team Leader explained this was means to obtain a decision from the local planning authority. This was a legal determination rather than a consideration of planning merits. The Chairman then took two separate votes on the different applications.

For 144347, having been proposed and seconded, the Chairman took the vote and it was agreed that the Certificate of Lawful Development be **GRANTED**.

For 144977, having been proposed and seconded, the Chairman took the vote and it was agreed that the Certificate of Lawful Development be **GRANTED**.

Note: Councillor A. White returned to the Chamber at 8.20 pm.

35 144830 - HILLCREST, GRIMSBY ROAD, CAISTOR

Note: Councillor P. Morris left the Chamber at 8.20 pm for this item.

The Chairman introduced application number 144830, seeking removal of condition 21 of planning permission 139273 granted 31 May 2019 re: storage of materials, goods, waste or any other articles (relating to development of 17no. rural enterprise units, consisting mainly of business use along with a retail unit, cafe and office. Demolition of existing buildings), at Hillcrest, Grimsby Road, Caistor, Market Rasen, LN7 6LG.

The Officer informed Members of the Committee that there was an update to the report, with an additional objection received from Hillcrest House, which was summarised as urging refusal and enforcement against existing alleged breaches. A short presentation was then given by the Officer on the application, and the current state of the site.

The Chairman invited the first registered speaker, the agent for the applicant, Lawrence Brown, to address the Committee.

The agent stated that he managed properties across the whole of the UK, and wished that every property under his management was as well managed as the applicant's property. The scheme for the applicant's site was in receipt of a loan from West Lindsey District Council. The speaker stated the site was fully occupied, and had strong demand for space. Regarding raised issues in the planning process, the agent stated that rats were never seen by anyone associated with the site, and stated that the West Lindsey District Council Environmental Health Officer had also found no evidence of rats.

In relation to noise issues, the speaker stated that the project was a continuous construction site, and it was inevitably going to create some noise and activities that further extended noise and dust. The speaker then moved to applicant's desires of reducing the visual ugliness of the site, and had made it more difficult to let the premises due to the storage of waste, particularly for potential vehicle repair workshops or tyre exhaust operators.

Regarding the cardboard, this had been collected and was gone. The speaker emphasised the construction that had taken place with the new storage container and on the fencing. The speaker then mentioned that the storage container mentioned in the report had been moved upon the request of West Lindsey District Council.

The speaker referenced conversations with the case officer, where there was apparent agreement that recycling was to be kept in a corner of the yard, once fence construction was completed. This was apparently not visible from the road, and was about 200 feet from the nearest dwelling, with claimed added protection of trees, shrubbery and the boundary wall. The speaker concluded his remarks by requesting a site visit to view the property, and that the site improves the area surrounding it.

The Chairman thanked the speaker for his statement, and invited a supporter of the application, Jon Wright, to address the Committee.

The speaker stated that he was Chairman of Caistor, and a Councillor on the Town Council. He stated that he lived nearby and passed the site regularly. The site was previously dilapidated, and he considered the site to be very positive for the usage in Caistor, with it being only one of four sites allocated for regeneration by Caistor Town Council that had works completed on it.

The speaker then progressed to talk about the provision of local jobs on the site, and that many of the workers and users lived locally, with any change to the site difficult to locate. The speaker moved on to talk about the site, and referenced the left-out cardboard, and stated that it was getting ready for collection. It was emphasised that this was important for businesses to support recycling.

The speaker concluded that the site had been an industrial zone since 1985, with the

diverse-ability and jobs playing a key role in the site's success. Caistor Town Council raised no objections to the application, and it was viewed favourably by the Council.

The Chairman thanked the speaker for his statement. At this point, the Development Management Team Leader stated that there was an update to the application, with an objector who raised concerns about the lack of enforcement against the breach of conditions. Regarding the regeneration activity comment, West Lindsey District Council supported this by granting approval for the application, with a prohibition on outside storage.

The Chairman then invited comments from Members of the Committee. Debate ensued, and Members drew attention to different reported standards, and the site's location within the Lincolnshire Wold AONB. Members also used experience of the bailing of waste materials, and the potential risks surrounding the leaving of waste out in the open to supplement their remarks.

Members also discussed past usage of the site, including a hairdresser, and whether removing the current condition would allow unrestricted storage, with the Council unable to enforce that issue. A Member suggested that extra fence panels would alleviate the view.

Note: Councillor J. Summers declared that he knew the applicant, and had previously visited the site when it was a proposed application.

In response to a query about the Health and Safety Executive's comments to the application, the Officer explained that with new developments, their remit was looking at potential impacts on existing underground apparatus or pipelines. In answering a query about containers in the yard, the Officer highlighted West Lindsey had granted permission for an enclosed storage area on the site.

Having been moved and seconded, the Chairman took the vote and, it was agreed that planning permission, as detailed in the Officer's recommendation, be **REFUSED**.

36 143527 - LAND OFF BRIGG ROAD, MOOR TOWN, MARKET RASEN

Note: Councillor P. Morris returned to the Chamber at 8.41 pm.

The Chairman introduced application number 143527, to erect 1no. dwelling including associated access and private garden, on land off Brigg, Road, Moortown, Market Rasen. The Officer stated that there were no updates, and a short presentation on the application was given.

The Chairman noted there was one registered speaker, the Local Ward Member, Councillor Peter Morris, to address the Committee.

The Member initially commented about the past history of the application, with it being referenced on a different road, and having the same land and being in the same place. A history of the site was then given, with the previous owner having had that planning permission refused, and then signed to the previous owner's now deceased son. The Member stated it was then sold to the current applicant for this application.

The Member commented that there were no existing Tree Preservation Orders, and conversations with the Landscaping Officer were limited. The Member then progressed to discuss that though the applicant was not doing anything wrong, the only resident supporting the application had left the area. The Member commented that this was always a track, and had now become an access. He expressed that his biggest worry was the since the application was on the rear of the garden of Bridge House, it would facilitate future proposals for back in-fill development. The Member concluded his remarks by requesting a site visit so that Members could better understand the application.

The Chairman thanked Councillor Morris for his statement.

Note: Councillor P. Morris left the Chamber at 8.46 pm for the remainder of the item.

The Chairman invited comments from Members of the Committee. Debate ensued, and Members were generally supportive of the proposed application. Members learnt that there was also garden space to the east of the proposed building.

In response to a query about the trees lining the access track, Members heard there was the requirement for a tree survey for the trees along the access track to be submitted. If trees are found to be Category A or B additional measures to protect the roots also needed to be submitted, any trees found to be Category C would not require extra measures of protection. Members also heard that no further trees were to be removed from the site until a tree report was submitted as required by condition 2.

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 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 trees shall be removed from the site until a full Tree Survey/Report (complying with BS5837:2012) has been submitted to the Local Planning Authority. The report shall detail the health of each the trees along the access track. If the report concludes that any of the trees are Category A or B, then an Arboricultural Method Statement shall also be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of visual amenity and to safeguard the trees which are considered to positively contribute to the area to accord with the National Planning Policy Framework, local policy LP21 of the Central Lincolnshire Local Plan 2012-2036.

3. The access road hereby approved shall not be brought into use until details of the materials to be used in its construction have been submitted to and approved in writing by

the Local Planning Authority. The materials must take into account the recommendations of the Arboricultural Method Statement as required by condition 2 of this permission.

Reason: In the interests of visual amenity and to safeguard the trees which are considered to positively contribute to the area to accord with the National Planning Policy Framework, local policy LP21 of the Central Lincolnshire Local Plan 2012-2036.

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

4. 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:

- Site Location Plan JC/01 received 9 August 2021;
- Site Layout Plan JC/04 Rev B received 8 October 2021;
- Proposed Elevations, Sections and Floor Plans JC/05 received 9 August 2021.

The works must be carried out in accordance with the details shown on the approved plans and in any other approved documents forming part of the application.

Reason: To ensure the development proceeds in accordance with the approved plans and to accord with the National Planning Policy Framework, local policy LP17 and LP26 of the Central Lincolnshire Local Plan 2012-2036.

5.No construction works above ground level must take place until details of a scheme for the disposal of foul and 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. Details must include a written justification that the disposal of foul sewerage has taken into account the drainage hierarchy as detailed in the National Planning Practice Guidance. No occupation must occur until the approved scheme has been carried out. The approved scheme must be retained as such thereafter.

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

6.No development shall take place above damp proof course level until details of all external facing materials have been submitted to, and approved in writing by the Local Planning Authority. The development shall thereafter proceed in accordance with the approved details.

Reason: In the interests of visual amenity in accordance with policies LP17 and LP26 of the Central Lincolnshire Local Plan.

7. No occupation of the dwelling hereby approved shall take place until a landscaping scheme has been submitted to and approved in writing by the Local Planning Authority. Details to include:

- Type, height and position of all boundary treatments;

- Material finish of all hardstanding (driveways, patios and paths);
- Species, planting height, formation and position of new trees and hedging.

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

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

Reason: To ensure that additional trees are provided within the site to mitigate for the trees which are to be removed to accord with the National Planning Policy Framework and local policies LP17 and LP26 of the Central Lincolnshire Local Plan 2012-2036.

9. The development hereby approved must only be carried out in accordance with the recommendations set out in Section 5 (pages 13-19) of the Ecology survey completed by CGC dated October 2021.

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

10. The development shall not be brought into use until details of the position of the one bat box and two bird nest boxes, as per the recommendations of the Ecological Assessment completed by CGC dated October 2021 has been submitted to and approved by the Local Planning Authority.

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

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

11. Notwithstanding the provisions of Classes B and C of Schedule 2 Part 1 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification) the roof of the dwelling hereby permitted must not be altered 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 area on residential amenity to accord with policy LP26 of the Central Lincolnshire Local Plan 2012-2036.

Note: Councillor P. Morris returned to the Chamber at 8.51 pm.

37 144955 - LAND AT BRITANNIA MILL, UPTON ROAD, KEXBY

The Chairman introduced the final application of the meeting, application number 144955, to erect 3no. bungalows with all matters reserved, on land at Britannia Mill, Upton Road, Kexby, Gainsborough, DN21 5NF. The Officer stated there were no updates to the report, and gave a short presentation on the application.

The Chairman advised there were no registered public participants for the application, and invited comments from Members of the Committee.

Debate ensued, Members drew attention to the situation that led to the development. Some Members expressed approval for the removal of the current building, and that the proposed outline for bungalows was more in keeping with the area. Some Members also stated that they normally would not support building in the open countryside.

A Member did criticise the narrow size of the access road, and referenced a previously refused application nearby that was similarly on boundary of the village. In response to a query on the green wedge, the Officer confirmed that the proposal was in the green wedge, but the application would not affect the attempted prevention of the coalescence between Kexby and Upton, and the application site was a 'brownfield' site.

The Officer further stated that there was to be no sprawl and no coalescence. In support of the Officer's comments, the Development Management Team Leader stated that if it was building on nothing there, he would agree with refusal. The Senior Development Management Officer confirmed in response to a query about the design, that condition 9 specified that the bungalows had to be single storey.

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

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

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

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

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

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

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

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

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

4. The reserved matters (landscaping) referred to in condition 2 above must include full details (size, species, density and position) for the provision of a mixed native hedgerow to eastern and southern boundaries of the site (see 'Hedgerow Advice' note below).

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

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

Reason: To protect and enhance the biodiversity value of the site to accord with the National Planning Policy Framework and LP21 of the Central Lincolnshire Local Plan.

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

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

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

7. Any tree, shrub or plant forming part of the scheme approved under the details of landscaping and the hedging scheme (condition 4) which within a period of 5 years from the completion of the development dies, is removed, or becomes seriously damaged or diseased shall be replaced in the next planting season with another tree, shrub or plant of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: In the interest of the visual amenity in accordance with policy LP26 of the Central Lincolnshire Local Plan.

8. With the exception of the detailed matters referred to by the conditions of this consent, the development hereby approved shall be carried out in accordance with the following drawings: BMKOPP/22/01. 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 site location plan.

9. The 3no. (three) dwellings hereby permitted shall be single storey only.

Reason: The development hereby approved was only considered acceptable on this basis in accordance with policy LP17, LP22 and LP26 of the Central Lincolnshire Local Plan.

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

None.

38 DETERMINATION OF APPEALS

The determination of appeals was **NOTED**.

The meeting concluded at 9.02 pm.

Chairman