

Guildhall Gainsborough
Lincolnshire DN21 2NA
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AGENDA

This meeting will be webcast live and the video archive published on our website

Planning Committee

Wednesday, 1st March, 2023 at 6.30 pm

Council Chamber - The Guildhall, Marshall's Yard, Gainsborough, DN21 2NA

Members:

- Councillor Ian Fleetwood (Chairman)
- Councillor Robert Waller (Vice-Chairman)
- Councillor Matthew Boles
- Councillor David Cotton
- Councillor Michael Devine
- Councillor David Dobbie
- Councillor Steve England
- Councillor Cherie Hill
- Councillor Mrs Jessie Milne
- Councillor Peter Morris
- Councillor Roger Patterson
- Councillor Mrs Judy Rainsforth
- Councillor Jeff Summers
- Councillor Mrs Angela White

1. **Apologies for Absence**

2. **Public Participation Period**

Up to 15 minutes are allowed for public participation. Participants are restricted to 3 minutes each.

3. **To Approve the Minutes of Previous Meetings**

a) 30 November 2022

To confirm and sign as a correct record the Minutes of (PAGES 3 - 43) the Meeting of the Planning Committee held on 30 November 2022

b) 1 February 2023

To confirm and sign as a correct record the Minutes of (PAGES 44 - 56)
the Meeting of the Planning Committee held on 1
February 2023, previously circulated.

4. **Declarations of Interest**

Members may make any declarations of interest at this point but may also make them at any time during the course of the meeting.

5. **Update on Government/Local Changes in Planning Policy**

Note – the status of Neighbourhood Plans in the District may be found via this link

<https://www.west-lindsey.gov.uk/my-services/planning-and-building/neighbourhood-planning/>

6. **Planning Applications for Determination**

a) 145791 - Land rear of Kirton Road, Blyton (PAGES 57 - 71)

b) 145953 - Market Rasen Leisure Centre, Gainsborough (PAGES 72 - 84)
Road, Market Rasen

7. **Determination of Appeals** (PAGES 85 - 93)

Ian Knowles
Head of Paid Service
The Guildhall
Gainsborough

Tuesday, 21 February 2023

WEST LINDSEY DISTRICT COUNCIL

MINUTES of the Meeting of the Planning Committee held in the Council Chamber - The Guildhall on 30 November 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 David Dobbie
Councillor Mrs Jessie Milne
Councillor Peter Morris
Councillor Roger Patterson
Councillor Mrs Judy Rainsforth
Councillor Jeff Summers
Councillor Mrs Angela White

In Attendance:
Russell Clarkson Development Management Team Manager
George Backovic Development Management Team Leader
Rachel Gordon Development Management Team Leader
Martha Rees Legal Advisor
Ian Elliott Senior Development Management Officer
Andrew Warnes Democratic and Civic Officer

Also In Attendance: Eighteen members of the public

Apologies: Councillor Steve England
Councillor Cherie Hill

72 PUBLIC PARTICIPATION PERIOD

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

73 TO APPROVE THE MINUTES OF THE PREVIOUS MEETING

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

74 DECLARATIONS OF INTEREST

Councillor R. Waller declared a non-pecuniary interest, in relation to agenda item 6f,

application number 145619, that he was the Local Ward Member for Sudbrooke, but had not participated in the application previously and at the Parish Council level, and would remain as a Member of the Planning Committee, and Vice-Chairman.

Councillor J. Summers declared a non-pecuniary interest, in relation to agenda item 6d, application number 145360, that he was the Local Ward Member for Waddingham and Spital, and had made his views known on the application. He would state his views on the application in this capacity, and leave the Chamber.

Councillor R. Patterson declared a non-pecuniary personal interest, in relation to agenda item 6a, application number 145135, that though he was not at the site visit, he regularly visited the area, and knew the site well enough to participate on the application.

Councillor D. Cotton declared a non-pecuniary interest, in relation to agenda item 6b, application number 145260, that he was the Local Ward Member for Saxilby, but had not participated in the application at the Parish level, and would remain on the Committee for the application.

Councillor A. White declared a non-pecuniary interest, in relation to agenda item 6a, application number 145135, that she had called in the application to be considered by the Planning Committee. She also declared that she had not communicated her views, and would remain as a Member of the Planning Committee.

Councillor A. White also declared a non-pecuniary interest, in relation to agenda item 6e, application numbers 144480 & 145076, that she was the Local Ward Member for Nettleham, and also a Parish Councillor for Nettleham. She had not made her views known on the application, and would sit with an open mind as Member of the Committee.

In relation to agenda item 6a, application number 145135, Councillors J. Milne, P. Morris, and J. Rainsforth declared a personal interest that they were not present at the site visit, and so would not participate in the item.

75 UPDATE ON GOVERNMENT/LOCAL CHANGES IN PLANNING POLICY

The Development Management Team Manager updated Members that the Levelling Up and Regeneration Bill was at the "Report Stage" and was being considered in the House of Commons. There were various reports of amendments to the Bill being tabled, and further information could be found online.

Moving to local matters, the Officer updated Members on the Central Lincolnshire Local Plan examination, and that two weeks of examination had been held. The examination was to recommence on 6 December, held in person, at Double-Tree by Hilton in Lincoln. In the week commencing 13 December, the hearings were to be held virtually. The Officer then progressed to highlight Neighbourhood Plan (NP) updates, informing Members that the Hemswell Cliff NP, Keelby NP, and the Nettleham NP Review had their different consultation stages completed and that the next stages of the processes were underway.

76 145135 - LAND REAR OF WATERING DYKE COTTAGES, GRANGE DE LINGS

The Chairman introduced the first application of the meeting, application number 145135, for the change of use of land for the siting of 12no. gypsy/traveller residential caravan and the erection of 2no. amenity buildings, on land rear of Watering Dyke Cottages, Grange De Lings, Lincoln. The application was being reconsidered at Committee following a site visit, as resolved to undertake at the previous meeting of the Planning Committee. The Officer stated that there were no major updates to the application, barring a small amendment to condition 2, which was to formalise the scheme for foul water. The Officer then gave a short presentation on the scheme.

The Chairman advised that there were two registered objectors wanting to speak on the application. He invited the first registered speaker, Alex Wright, to address the Committee. The following statement was made.

“Following on from our previous statement, we would like to further inform you why we strongly object to this proposal. Firstly, we disagree with the concluding remarks reported stating that this site doesn't impact the living conditions of the settled community, As you know on multiple occasions, we have received threats of criminal damage to the septic tank, personal threats, and verbal abuse. We have had our septic tank attempted to be tapped into for use and had confirmation that access will not be provided to empty it. There has been a significant increase in traffic and noise pollution. Intrusive lighting was installed without the required permission. Our driveway now looks industrialised and unpleasant, their land next to the driveway is unmaintained with masses of weeds and large soil piles dumped there. An excessive amount of unknown people enter our driveway, overlooking our gardens, there is no privacy. These incidents impact our living conditions and will get significantly worse if passed, currently, only a minor proportion of occupants live on site. To put this into context planning permission on this land was previously rejected for two stables due to it being unsuitable, how will this significant development be adequate?

We are is concerned about our driveway. Whilst the applicant has now served notice on our access, this was provided after an objection was submitted. Not before the application was submitted as is required by the regulations. Our objection stated we would not approve these works pm the driveway for access, for this use.

We are concerned about the number of caravans proposed on such a small site. This will harm our living conditions and amenities. There is a sad loss of agricultural land creating a loss of rural character. The noise pollution and disruption have been significant, regular shouting can be heard from the site; this will only get worse if approved. Vehicle movements, overlooking, verbal abuse and threats are likely to increase too. My family no longer enjoy or feel safe living in this area. Judging by the number of cars/vans/ visitors to the site this could lead to 30-plus vehicles when fully occupied, this will be disastrous considering they're using our driveway, passing our houses within close proximity. Hall Lane, the road used for accessing the shared driveway often gets congested with people who are waiting to turn onto the A15, this will get worse and will impact us exiting our driveway. The occupants will dominate the area 30 plus residents will be significantly larger than the 5 adults living in our 3 adjacent houses.

Our septic tank is of concern, we are unsure how we will obtain new needed sewage provisions due to the sheer lack of room and hardstanding. A drainage field is impossible to

install, and any new outlet pipe would be extremely difficult too. The current outlet pipe could get damaged due to the works and large vehicle movements. These difficulties could lead to contamination. We are also concerned about the applicant's drainage provisions, where will they have room to install them? The applicant has been seen recently dumping dirty water on the shared driveway, we believe this is needed now as this could have a significant environmental impact. These caravans are being lived for residential purposes so planning policies related to housing should apply. This wouldn't be a suitable site for 12 residential houses so why should this be any different?

The area is unreasonable for the development proposed, the applicants couldn't have done much more wrong in my opinion. Developing the site without permission and the actions taken by the applicant have significantly impacted the lives of the local community negatively hence 90% of residents objecting to this proposal in the local area. Multiple relevant objections have been put forward by local residents, the showground and Riseholme Parish Council.”

The Chairman thanked the speaker for his statement, and then invited the next registered objector, Peter Metcalfe, to address the Committee, who made the following statement.

“In a hamlet of nine houses, twelve caravans will patently dominate the population. With deception and intimidation from the outset, and changing residents, how can this be a community? This unauthorised development has taken away enjoyment of my home. Because the applicant's daily life is lived outdoors, it has a huge impact. In the past couple of weeks there have been unfamiliar vehicles, adding insecurity, as it's impossible to know your neighbours. Retrospective permissions are part of planning, but there is a gulf between not realising permission is needed for an extension to illegally turning a green field into a sterile caravan park. That is the purpose of the 2015 Ministerial Statement into intentional unauthorised development and it should be paramount in your decision. The Planning report says 'not unacceptable harm', 'not unacceptably severe' and 'not unacceptably dominant'. Remove the double negative and you have 'acceptable harm', 'acceptably severe' and 'acceptably dominant'. How is any harm, any severity and any domination acceptable?

A stable was refused previously, but this has been recommended for approval. W/beg It is contrary to so many local and national policies it beggars belief that the application wasn't refused earlier. West Lindsey may need to provide Traveller sites, but do it in a strategic way. The allocation for 2019-2024 is already met, so consult with local communities, put the site somewhere where it doesn't dominate the existing settlement. Don't reward this behaviour by approving. Don't fulfil any future need by sacrificing a tiny hamlet now. Greenlighting this disrespectful and illegal approach will set a precedent and be detrimental throughout West Lindsey.”

The Chairman thanked the speaker for his statement, and invited a response from the Planning Officer. In his response, the Officer stated that this was an emotive application, and that the right of access was a civil matter and not for the consideration of the Committee. He also explained that the drainage and lighting were to be conditioned and had a time limit to come in. In concluding his response, the Officer highlighted that Lincolnshire County Council Highways had raised no objections on safety grounds.

The Chairman invited comments from Members of the Committee. Members raised several points, with some referencing the site visit, the lack of statutory objectors, concerns about a

possible appeal if the application was to be refused, the lighting of the site, the septic tank, and the setting of the caravans on the site. There were also remarks about the specific concerns being more relevant for other authorities, such as the police, environmental health, and Lincolnshire County Council Highways, rather than the Authority's Planning department. In a separate query, Members learned of the dwellings around the proposed site, which included the 3 Watering Dyke Cottages and six dwellings north of the cottages.

In answers to questions about the septic tank, Members learned that this was not relevant to the planning application and was a concern in civil law, not planning nor planning enforcement. Regarding the conditions and the controls that applied to the application, the Case Officer explained that these would be within three months of the permitted date, with the agreement of the local planning authority.

In reply to a query about the application of LP 56 and the allocation of sites, the Officer explained that it was 27 pitches in need and that the current review of the Central Lincolnshire Local Plan was considering these sites. The Officer also clarified that unallocated sites were required to meet the need of traveller communities. Responding to a query about the lighting, Members learned that it could be conditioned further and explained that the lights should be high spec, direct, and not filter out. There was also a reference to street lighting on the adjacent A15 road.

During the discussion, several members wished for more explicit language on the site's lighting. This push led to amending Condition 4 to ensure no further lighting was installed on this site without a full planning application being approved.

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:

NONE

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

NONE

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

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

- Proposed Site Plan and Pitch Layout received 19th October 2022
- Smaller Amenity Building Elevation and Floor Plans received 7th July 2022
- Larger Amenity Building Elevation and Floor Plans received 7th July 2022
- Post and Rail Fencing Elevation Plan received 7th July 2022

The works must be carried out in accordance with the details shown on the approved plans including the materials listed 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, LP26, LP55 and LP56 of the Central Lincolnshire Local Plan 2012-2036 and S5, S53 and S83 of the Submitted Central Lincolnshire Local Plan Review.

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

2. Within three months of the date of this permission details of a scheme for the disposal of foul/surface water (including any necessary soakaway/percolation tests and justification for not using a main sewer for foul water) from the site and a plan identifying connectivity and their position must be submitted to and approved in writing by the local planning authority and thereafter implement the approved scheme. The development must be occupied in strict accordance with the approved drainage scheme and retained as such thereafter.

Reason: To ensure adequate drainage facilities are provided to serve the site 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 and LP56 of the Central Lincolnshire Local Plan 2012-2036 and S83 of the Submitted Central Lincolnshire Local Plan Review.

3. Within 3 months of the date of this permission comprehensive details of a footway (width to be agreed) to connect the development from the west of its vehicular access to the existing footway network to the east of the A15, must be submitted to the Local Planning Authority. The detail submitted must include appropriate arrangements for the management of surface water run-off from the highway. The approved footway and surface water run-off scheme must be installed within 6 months of the date of the formal written approval date of the Local Planning Authority. The footway must be retained thereafter.

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 to accord with the National Planning Policy Framework and local policies LP13, LP55 and LP56 of the Central Lincolnshire Local Plan 2012-2036 and S5, S47 and S83 of the Submitted Central Lincolnshire Local Plan Review.

4. Within 3 months of the date of this permission details of all existing external lighting on the site or its boundaries must be submitted to and approved in writing by the Local Planning Authority. No further external lighting must be installed on the site or its boundaries unless it has been submitted to and approved in writing through a full planning application. Details of all existing and further external lighting must include light specification, position, height and a light direction plan. The development must thereafter be occupied in strict accordance with any lighting scheme approved.

Reason: To protect the amenities of nearby properties and the rural locality to accord with the National Planning Policy Framework and local policies LP17, LP26, LP55 and LP56 of the Central Lincolnshire Local Plan 2012-2036 and S5, S53 and S83 of the Submitted Central Lincolnshire Local Plan Review.

77 145260 - LAND AT LINCOLNSHIRE SHOWGROUND, HORNCastle LANE, SCAMPTON

The Chairman introduced the next application of the meeting, application number 145260, a hybrid planning application comprising: (1) full planning application for a petrol filling station (Sui Generis) with rapid electric vehicle charging facility and retail kiosk (Use Class E), alongside a drive- thru coffee shop (Use Class E / Sui Generis) with associated access, parking, servicing and landscaping areas; and (2) outline planning application for an additional drive-thru facility (Use Class E / Sui Generis) with associated parking, servicing and landscaping areas (with all matters reserved for future consideration), on land at Lincolnshire Showground, Horncastle Lane, Scampton, LN2 2NA. The Officer informed Members that there were no updates, and gave a short presentation to the application.

After a query clarifying the consultation process with the parish, the Chairman invited the agent and a joint applicant for the application, James Cox and Jane Hiles, to address the Committee.

In his brief statement, the speaker welcomed the recommendation and highlighted the possible benefits of the application, emphasising the need for HGV parking, rapid electric vehicle charging, new food and drink establishments, and up to 68 new jobs created with the development. He also emphasised that there were no objections by the statutory bodies. He concluded his statement and handed over the remaining time to Jane Hiles.

Immediately following the agent, Jane Hiles addressed the Committee and described her status as a past Chairman of the charity responsible for the Showground. She progressed to state that the number of showgrounds across England was decreasing and that there was a concern about losing the prestige nature of the site. The speaker explained that this was not the route the charity trustees wished to have taken but raised concerns about the financial pressures. She then stated that the charity was proud of the year-round work, which included thousands of school children visiting, supporting trained and trainee teachers, and over a hundred Lincolnshire businesses being involved.

Moving to how the application fitted into the Showground, the speaker argued that it could be delivered without damaging the rest of the Showground and the work done. The Showground Charity owned 290 acres, with only 1.22 acres of land utilised for this application. Plenty of alternative space was available for current and future agricultural events, exhibitions, and car parking. The speaker also explained that it would provide vital services and would be able to compete with the other 16 showgrounds. The speaker explained that the high costs of running the significant events might be better supplemented with this application and that it had support from their regular exhibitors and contractors.

The speaker then referenced that other Showgrounds had nearby facilities, some being on-site or less than a mile away, and that the application outcome might allow for a hotel to be developed on-site. In concluding her statement, the speaker stated that the money the Showground earned was to be spent on their educational work or improving the Showground itself. She thanked the Committee for listening to her comments.

The Chairman thanked the speakers for their statements and invited comments from Members of the Committee.

At this time, Members made multiple references to the local traffic situation and possible queuing, the environmental costs, the nearby roads, access to the site, and the support from local people nearby. Members also raised concerns over the current lack of lorry parking in the District, which this application was scheduled to provide.

Members referenced nearby filling stations and possibly other places in the District that could host a similar site. Assertions were also made to the design of the site buildings, the application that might cause accidents, and the provisions for electric vehicles on the site. Members were reminded by the Development Management Team Leader that their consideration was only on the application in front of the Committee.

In response to queries on highways and traffic concerns, Members heard from the Development Management Team Leader that Highways had been consulted and that transport assessments had been submitted. The road junction that provided the entry and exit had a pedestrian refuge to put in, with good access proposed, which took safety into account. Subsequent answers from the Officer explained that the drive-thru was to the furthest point on the south part of the site, with its separated parking, that the access was deemed acceptable by Lincolnshire County Council Highways, and the public right of way would not be affected.

Responding to a query about the food provisions on the site, this was to be ancillary to the petrol station, whilst the food provided at the Showground was to remain specialist. In reply to a query on the outline part of the application, the Officer clarified that this was a reserved matter and was for Use Class E / Sui Generis.

In reply to a remark about the environmental impact of the application, Members heard that though the focus was on reducing the environmental harm, the NPPF facilitated that there was to be a transition period necessary, which would allow for the proper infrastructure to be implemented.

Having been proposed and seconded, the Chairman took the vote and it was agreed that permission be **GRANTED** subject to the conditions detailed below.

Note: Councillor D. Cotton requested that his vote against granting on the above vote be recorded in the minutes.

Note: Councillor J. Summers requested that his vote against granting on the above vote be recorded in the minutes.

Outline Planning Permission

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

1. Application for approval of the reserved matters shall 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 shall take place until, plans and particulars of the **access, appearance, layout and scale** of the drive thru unit (Use Class E / Sui Generis) located within the outline area of the site (as shown on plans 210642_PLG_104E and 210642_PLG_110B) 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 shall be carried out in accordance with those details.

Reason: The application is in hybrid form (i.e. seeking part full planning permission and part outline planning permission) and the Local Planning Authority wishes to ensure that the details which have not yet been submitted are appropriate for the locality.

3. The development hereby permitted shall 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 development hereby permitted may not commence until such time as a scheme to install underground tanks has been submitted to, and approved in writing by, the local planning authority. The scheme shall include the full structural details of the installation, including details of: excavation, the tanks, tank surround, associated pipework and monitoring system. The scheme shall be fully implemented and subsequently maintained, in accordance with the scheme, or any changes subsequently agreed, in writing, by the local planning authority.

Reason: To ensure that the underground storage tanks do not harm the water environment in line with paragraph 174 of the National Planning Policy Framework and Position Statements D1 – D4 of the ‘The Environment Agency’s approach to groundwater protection’.

5. No development shall take place until a surface water drainage scheme for the site based on sustainable urban drainage principle and an assessment of the hydrological and hydrogeological context of the development has submitted to and approved in writing by the Local Planning Authority. The scheme shall:

Provide details of how run-off will be safely conveyed and attenuated during storms up to and including the 1 in 100 year critical storm event, with an allowance for climate change, from all hard surfaced areas within the development into the existing local drainage infrastructure and watercourse system without exceeding the run-off rate for the undeveloped site;

Provide attenuation details and discharge rates which shall be agreed with the Internal Drainage Board;

Provide details of the timetable for and any phasing of implementation for the drainage scheme; and

Provide details of how the scheme shall be maintained and managed over the lifetime of the development, including any arrangements for adoption by any public body or Statutory Undertaker and any other arrangements required to secure the operation of the drainage system throughout its lifetime.

The development shall be carried out in accordance with the approved drainage scheme and shall not be occupied until the approved scheme has been completed or provided on the site in accordance with the approved phasing. The approved scheme shall be retained and maintained in full in accordance with the approved details.

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

6. No development shall take place until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

- (i) the routing and management of construction traffic;
- (ii) the parking of vehicles of site operatives and visitors;
- (iii) loading and unloading of plant and materials;
- (iv) storage of plant and materials used in constructing the development;
- (v) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- (vi) wheel cleaning facilities;
- (vii) measures to control the emission of dust and dirt during construction;
- (viii) details of noise reduction measures;
- (ix) a scheme for recycling/disposing of waste resulting from demolition and construction works;
- (x) the hours during which machinery may be operated, vehicles may enter and leave, and works may be carried out on the site;
- (xi) Measures for the protection of any existing trees and hedgerows;

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

7. No development shall take place until a written scheme of archaeological investigation has been submitted to and approved in writing by the local planning authority. This scheme shall include the following

1. An assessment of significance and proposed mitigation strategy (i.e. preservation by

record, preservation in situ or a mix of these elements).

2. A methodology and timetable of site investigation and recording.
3. Provision for site analysis.
4. Provision for publication and dissemination of analysis and records.
5. Provision for archive deposition.
6. Nomination of a competent person/organisation to undertake the work.
7. The scheme to be in accordance with the Lincolnshire Archaeological Handbook.

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

8. The local planning authority shall be notified in writing of the intention to commence the archaeological investigations in accordance with the approved written scheme referred to in condition 7 at least 14 days before the said commencement. No variation shall take place without prior written consent of the local planning authority.

Reason: In order to facilitate the appropriate monitoring arrangements and to ensure the satisfactory archaeological investigation and retrieval of archaeological finds in accordance with the National Planning Policy Framework.

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

9. The archaeological site work shall be undertaken only in full accordance with the written scheme required by condition 7. Following the archaeological site work a written report of the findings of the work shall be submitted to and approved in writing by the local planning authority within 3 months of the said site work being completed.

The report and any artefactual evidence recovered from the site shall be deposited within 6 months of the archaeological site work being completed in accordance with a methodology and in a location to be agreed in writing by the local planning authority.

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

10. If during the course of development, contamination not previously identified is found to be present on the site, then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall 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 shall then be dealt with in accordance with the approved details.

Reason: In order to safeguard human health and the water environment and to accord with the National Planning Policy.

11. The development shall be carried out in strict accordance with the mitigation measures recommended within the Preliminary Ecological Appraisal Report reference ER-6084-01A dated 15/06/2022 by Brooks Ecological.

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

12. No development, other than to foundation levels, shall take place until details of a scheme for the disposal of foul sewage from the site has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved scheme and maintained thereafter.

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

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

None

Full Planning Permission

Conditions relating to the phasing of the development:

13. No development shall take place until a Phasing Plan, detailing the different phases of development, has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved Phasing Plan thereafter.

Reason: To enable the delivery of a phased development.

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

14. 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:

15. Each of the approved phases of development may not commence until such time as a scheme to install underground tanks has been submitted to, and approved in writing by, the local planning authority. The scheme shall include the full structural details of the installation, including details of: excavation, the tanks, tank surround, associated pipework and monitoring system. The scheme shall be fully implemented and subsequently maintained, in accordance with the scheme, or any changes subsequently agreed, in writing, by the local planning authority.

Reason: To ensure that the underground storage tanks do not harm the water environment in line with paragraph 174 of the National Planning Policy Framework and Position Statements D1 – D4 of the ‘The Environment Agency’s approach to groundwater protection’.

16. No development within any approved phase of development shall take place until a surface water drainage scheme for the site based on sustainable urban drainage principle and an assessment of the hydrological and hydrogeological context of the development has submitted to and approved in writing by the Local Planning Authority. The scheme shall:

Provide details of how run-off will be safely conveyed and attenuated during storms up to and including the 1 in 100 year critical storm event, with an allowance for climate change, from all hard surfaced areas within the development into the existing local drainage infrastructure and watercourse system without exceeding the run-off rate for the undeveloped site;

Provide attenuation details and discharge rates which shall be agreed with the Internal Drainage Board;

Provide details of the timetable for and any phasing of implementation for the drainage scheme; and

Provide details of how the scheme shall be maintained and managed over the lifetime of the development, including any arrangements for adoption by any public body or Statutory Undertaker and any other arrangements required to secure the operation of the drainage system throughout its lifetime.

The development shall be carried out in accordance with the approved drainage scheme and shall not be occupied until the approved scheme has been completed or provided on the site in accordance with the approved phasing. The approved scheme shall be retained and maintained in full in accordance with the approved details.

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

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

- (i) the routing and management of construction traffic;
- (ii) the parking of vehicles of site operatives and visitors;
- (iii) loading and unloading of plant and materials;
- (iv) storage of plant and materials used in constructing the development;
- (v) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;

- (vi) wheel cleaning facilities;
- (vii) measures to control the emission of dust and dirt during construction;
- (viii) details of noise reduction measures;
- (ix) a scheme for recycling/disposing of waste resulting from demolition and construction works;
- (x) the hours during which machinery may be operated, vehicles may enter and leave, and works may be carried out on the site;
- (xi) Measures for the protection of any existing trees and hedgerows;

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

18. No development within any approved phase of development shall take place until a written scheme of archaeological investigation has been submitted to and approved in writing by the local planning authority. This scheme shall include the following

1. An assessment of significance and proposed mitigation strategy (i.e. preservation by record, preservation in situ or a mix of these elements).
2. A methodology and timetable of site investigation and recording.
3. Provision for site analysis.
4. Provision for publication and dissemination of analysis and records.
5. Provision for archive deposition.
6. Nomination of a competent person/organisation to undertake the work.
7. The scheme to be in accordance with the Lincolnshire Archaeological Handbook.

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

19. The local planning authority shall be notified in writing of the intention to commence the archaeological investigations in accordance with the approved written scheme referred to in condition 18 at least 14 days before the said commencement. No variation shall take place without prior written consent of the local planning authority.

Reason: In order to facilitate the appropriate monitoring arrangements and to ensure the satisfactory archaeological investigation and retrieval of archaeological finds in accordance with the National Planning Policy Framework.

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

20. The archaeological site work shall be undertaken only in full accordance with the written scheme required by condition 18. Following the archaeological site work a written report of the findings of the work shall be submitted to and approved in writing by the local planning authority within 3 months of the said site work being completed.

The report and any artefactual evidence recovered from the site shall be deposited within 6 months of the archaeological site work being completed in accordance with a methodology and in a location to be agreed in writing by the local planning authority.

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

21. If during the course of development, contamination not previously identified is found to be present on the site, then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall 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 shall then be dealt with in accordance with the approved details.

Reason: In order to safeguard human health and the water environment and to accord with the National Planning Policy.

22. With the exception of the detail matters referred by the conditions of this consent, the development hereby approved shall be carried out in accordance with the following drawings:

210642_PLG_104E

210642_PLG_105 (elevations only)

210642_PLG_106

210642_PLG_107

210642_PLG_112

210642_PLG_110B

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

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

23. Each of the approved phases of development shall be carried out in strict accordance with the mitigation measures recommended within the Preliminary Ecological Appraisal Report reference ER-6084-01A dated 15/06/2022 by Brooks Ecological.

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

24. No development within any approved phase of development, other than to foundation

levels, shall take place until details of a scheme for the disposal of foul sewage from the site has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved scheme and maintained thereafter.

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

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

25. The pedestrian route to the college and showground shown on plan 210642_PLG_104E shall remain open and accessible, without obstruction, at all times.

Reason: To allow permeability through the site for pedestrians and users of the Showground in accordance with policy LP13 of the Central Lincolnshire Local Plan.

78 145314 - LAND SOUTH OF THE RIDINGS, MARKET RASEN

The Chairman introduced the next application of the meeting, application number 145314, for the construction of 22no. apartments and 11no. bungalows; including associated gardens, vehicle access and parking, on land south of The Ridings, Market Rasen, Lincolnshire, LN8 3EE.

The Development Management Team Leader gave the Committee several updates. The first was an update following communication received from Lincolnshire County Council. It was noted that although Section 38 and Section 104 technical approvals had been granted, the developer had apparently made subsequent arrangements with Anglian Water to change the surface water drainage disposal strategy to discharge into the existing main sewer, rather than to provide a sewer that would fall into the watercourse on Legsby Road. The Officer suggested an additional condition

that would not allow development until a drainage strategy had been submitted and approved in writing by the Local Planning Authority. This would allow determination of the current application as a funding deadline was in for affordable housing and a deferral might affect funding. The additional condition was as follows:

“No development shall take place until details of the proposed surface water drainage scheme have been submitted to and approved in writing by the Local Planning Authority”

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

The Officer then commented that the report should have also included an objection from an adjacent dwelling. In summarising the statement, it was referenced that the objector claimed the application was contrary to the Central Lincolnshire Local Plan, the upcoming revised local plan, and expressed concerns over the heavy rainfall and flooding on the site in recent memory. The Officer noted the attenuation pond which was in place stopped some residents from being flooded. The Officer also explained that the concern about the highway access was moot, as the access had already been approved and there was no proposed change.

Finally, responding to a concern about the potential noise and disturbance concerning LP 26, Members heard there was a condition that required a Construction Management and Method statement to be submitted for the development. The Officer then gave a short presentation on the application.

The Chairman advised there were four registered speakers, and invited the Democratic and Civic Officer to read out the first statement, from Stuart Liles, the agent for the application. The following statement was read aloud.

“Good evening, this statement has been prepared on behalf of the Applicant concerning the proposed LACE Housing development to be determined at today’s committee. The application site forms part of a wider development for up to 150no dwellings which was granted Outline Approval in 2017. A later Reserved Matters Application for the wider development by Rippon Homes was approved in 2019, which again included the parcel of land associated with this application. Included within the Reserved Matters Application were full details of the intended Road and Drainage Design for the whole development. These were all approved by the Highways, LLFA and Local Authority as part of that determination process.

The application to be determined today is a Full Plans Application for 33 Affordable Homes specifically designed to meet the changing needs and requirements of older people. These homes would be a replacement for the 33 General Needs Affordable Housing which has already been granted approval, not in addition to this number. The change to the proposed housing provision for this parcel of land is due to the significant population growth of older residents within Lincolnshire and helps to meet the housing need for older residents which is in short supply across the county.

The land parcel associated with this application sits at the entrance into the wider development near the northern boundary. As such the site will enjoy positive views out across the existing open space to the north and act as a gateway site for the development as a whole. The site layout has been designed as a perimeter block with active frontages and generous front gardens facing out on all sides, and a semi-private feel to the central spaces at the heart of the scheme.

The 2-storey apartment building has been located to the north of the site, with generous offset distances of over 30m to the existing properties to the north. The mature vegetation along the boundary of the site is also retained to provide screening. The new bungalows are then arranged along the remaining edges of the site to provide a continuous ribbon of development looking out onto the street. The APPROVED Surface Water Drainage Strategy developed as part of the RMA incorporates drainage swales around the eastern, southern and western frontages of the application site so vehicle access is limited to a single point.

Areas of parking associated with the apartments are located to the north and south of the access road, with a central square acting as a point of arrival. Parking for the bungalows is also arranged around a central square with large amounts of manoeuvrability space for cars. As parking for the bungalows is behind the properties; they have been designed to include a defined second entrance to the garden side. This garden entrance has been highlighted with a change in material and the provision of a canopy to emphasise it’s function as a point of arrival. Communal garden areas around the central space have also been provided to soften this key area at the heart of the scheme. We have engaged proactively with West Lyndsey

District Council via a Pre-Application enquiry; and comments made at Pre-App stage have been incorporated into the final design.

The proposed drainage design for this application has been developed to integrate into the wider drainage strategy and the drainage network approved under the previous Outline Approval and Reserved Matters Approval respectively. As stated previously this application is for 33 homes for older persons, which would be built to replace the 33 General Needs housing units already approved. Two submissions had been made with regard to the drainage issues, both available on the planning portal website. BSP consulting have confirmed that the foul and surface water drainage for the development has been designed in accordance with the requirements of the approved Flood Risk Assessment and Drainage Strategy, and has addressed any surface water flooding issues, to ensure that the development will be safe without increasing flood risk elsewhere. The foul and surface water drainage has also been designed in accordance with the requirements of Anglian Water Services Limited and will be adopted under a S104 Agreement. The Anglian Water Services technical approval letter has also been received.

In summary we have looked to create a high-quality addition to the town of Market Rasen, which will provide attractive and well-designed contemporary homes specifically for elderly residents.”

The Chairman thanked the Democratic and Civic Officer for reading the statement, and invited him to read the next statement, from Don Westman and Christine Slack, objectors to the application. The following statement was read aloud.

“There are unaddressed flood risk concerns associated with this current application, which is for development on part of the site associated with a previous application (no 140365). The Flood Risk Assessment (FRA) in the current application uses the same report provided by BSP Consulting for 140365 which contains a major error with respect to surface water flooding risk.

The error lies in BSP’s assertion that the site is protected from surface water inflow from the South by a ditch running the length of the southern boundary. In fact the ditch does not exist on that portion of the southern boundary which, during prolonged wet weather, is subject to a massive influx of underground-sourced water from a spring on adjacent land to the South West. This underground source is clearly shown on the Environment Agency Flood Risk map which was presented with 140365. I have submitted copy of this same map to the meeting and have marked the presence and absence of the ditch. (This map also shows those areas of The Ridings development adjacent to the building site that are already marked as being at flood risk from surface water runoff).

The invading ground water from the spring flows downhill like a river into the site during prolonged wet weather. Lakes form in the building site, spill over onto the public open space on The Ridings and thence into the adjacent Woodland Walk, exiting into an existing road drain in Stable Way. In 2019/2020, this heavy rate of flow lasted many months, thereby contributing to the water load on the existing inadequate attenuation pond in The Ridings. I have also submitted a copy of an aerial photo clearly demonstrating the significant flood risk from this water source.

The underground water source did not reach the surface during this last dry summer, when

the water table was low, but after recent rainfall, a lake has already formed on the South West corner of building site and on the Ridings public open space. This matter has been repeatedly raised with West Lindsey planning department and publicised in the Market Rasen Mail article of October 19th. The planning department has never responded. Is it the intention of the developers to simply divert this additional flood water from their own site, (where the ground levels are also being raised) onto the Ridings? This application neither acknowledges its existence or has presented any mitigation measures.

At one point both Lincs County Council (LCC) as Lead Local Flood Authority and WLDC were stating they would not address the above concerns with the FRA and that we should contact the other Authority. LCC did then propose a site meeting in November. WLDC were apparently invited to attend by LCC but refused. As a result of the meeting, LCC appreciate our concerns re the FRA, plus another issue with a new pond that has appeared to the West of the site.”

The Chairman stopped the statement at that point, in order to allow sufficient time for other registered speakers, and invited the Democratic and Civic Officer to read the next registered statement, from another objector, Hazel Barnard. The following statement was read aloud.

“The proposed block of flats within the proposed development by LACE housing is totally out of place in our rural landscape, having an atrium connecting two solid brick structures does not lessen the appearance of a monolithic edifice. This identikit design is more in keeping with the urban landscape in which the majority of their housing schemes are found.

With more imagination and care, the much needed housing could fit into its rural surroundings without the brutal harshness that is currently proposed. Why have a second floor when the housing is intended for an ageing population? Mobility issues for tenants mean possible problems in the future, so why not build single storey accommodation to future proof this? This would allay the fears of nearby residents being overlooked by tenants and give the tenants a more realistic chance of enjoying their homes without concerns about future mobility issues.

To say that screening is provided by trees is to misunderstand or misrepresent the fact that the trees are deciduous thereby meaning that for 6 months of the year are not in leaf, so offering no screening whatsoever. Having the ability to show CAD drawings with trees blocking this proposed monolithic building is therefore disingenuous. I note here that according to the LACE housing current brochure, this development is already a done deal and is a fact as shown on their locations map, how? Is there something that the public is not aware of?

The widely reported flooding problems should also be raised here, we have an ongoing problem with raised water levels since the larger development under 140365, of which this is a part, began. The lagoon is already not able to cope with runoff water and has led to the flooding of existing nearby properties, the boundary ditches have been back filled and the Internal Drainage Board are in constant communication regarding this. The proposed block of flats is obscene in its dimensions in our rural landscape and single storey development should be encouraged for the health and well being of future tenants and for nearby single storey property owners. I therefore urge that this application in its current format be refused.”

The Chairman then asked the Democratic and Civic Officer, in the remaining time, to

continue reading the statement from Don Westman and Christine Slack.

“They have undertaken therefore to investigate both issues, review the FRA, and to report back in December. The flood risk map submitted, demonstrates that a large percentage of The Ridings is now at high risk of surface water flooding. This is a relatively new area of development as compared to the center of Market Rasen with its Victorian type of sewerage system. It should therefore have been more adequately protected from flooding by the modern Planning/ Flood Risk Assessment process. It has clearly failed to do so and puts into serious question the efficacy of the current approach. As well as the above issue with groundwater, we also have significant concerns regarding the whole surface water management on the site.”

The Chairman thanked the Democratic and Civic Officer for reading the statements, and invited the Local Ward Member and County Councillor for the area, Councillor Stephen Bunney, to address the Committee.

In his statement, the Member focused the Committee's attention on a slideshow that featured maps and drawings of the proposed site and explained the drainage concerns for the application site. He declared that he owned land adjacent to the site. He explained the recent flooding situation in the area and referenced the importance of dealing with surface water drainage.

Moving towards the specific site, Councillor Bunney referred to what had and had not worked with preventing flooding in the area, including inadequate drainage. At this point in the statement, the Member referenced a drawing that showed a pond and referred back to the recent flooding in August. Members heard that the main issue was the surface water drainage on the site.

The Member progressed to state that this was agricultural land and had traditionally always had water on it. This facilitated the need to have 24 hours a day pumps to remove the water when nearby bungalows were built previously. The Member explained that he was concerned with the water that sometimes came off the site, flowed into the sewage drain, and worked down into the main drainage systems.

Councillor Bunney asserted that he believed the water from the attenuation pond, due to this development, would likely enter the Riding's system and then go either through the surface water, drainage, manholes or foul water drainage. In concluding his statement, the Member proposed returning to the original pre-2017 design, with the water being taken down onto an existing drain that flowed into the River Rase, adjacent to the Rugby Club.

The Chairman thanked Councillor Bunney for his statement, and invited a response from the Development Management Team Leader. In his response, the Officer explained that Lincolnshire County Council Highways had concerns about the drainage issue because the original technical approvals for the site appeared to have been superseded by separate agreements with Anglian Water, however this would not affect the determination of the application. The Officer explained the additional condition required drainage for the site to be submitted to and approved by the Local Planning Authority. Moving to overlooking concerns, the Officer explained that the distances were set out in the Officer's report, ranging from 30 to 70 metres from the existing bungalows. In screening, the Officer's opinion was that it was not required, and assessed that the design stood well on its own.

The Chairman invited comments from Members of the Committee. Members mentioned similar sites across the District, remarks about flooding, agricultural land, the outline permission previously given, the provisions for over 55s and the availability of downsizing. There were also remarks about the move towards flats instead of bungalows with this application and the possible individual concerns of the residents in each unit.

In response to a query about the bedrooms in each unit, the Officer explained that some one-bedroom apartments were proposed, parking concerns were minimal and referenced that Lincolnshire County Council Highways had no issue with parking. In a similar query about the criteria needed to take up one of the units, the Officer explained that the criteria were set by the eventual owners of the site and were not a consideration by the Local Planning Authority.

In response to a query about the Section 106 agreement, the Officer clarified that the contribution required came from the NHS and that occupation would be limited to over 55s by the Section 106 agreement. This was necessary as this was the reason no education contribution was requested.

Having been proposed and seconded, the Chairman took the vote and it was agreed that planning permission be **GRANTED** subject to conditions, and deferred back to Officers for completion of a S106 Planning Obligation that would provide a contribution of £20,872.50 towards expansion of existing medical facilities, and, ensure occupancy by over 55s.

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

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To conform with Section 91 (1) of the Town and Country Planning Act 1990 (as amended).

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

2. No development shall take place until details of the proposed surface water and foul water drainage scheme have been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure satisfactory drainage arrangements are provided in accordance with policy LP14 of the Central Lincolnshire Local Plan.

3. No development shall take place until details of the existing and proposed finished ground levels have been submitted to and approved in writing by the local planning authority with subsequent implementation in accordance with the approved details.

Reason: In the interests of the character and appearance of the site and wider area and the amenities of existing residents and in accordance with policy LP26 of the Central Lincolnshire Local Plan.

4. No development shall take place, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

- (i) the routeing and management of construction traffic;
- (ii) the parking of vehicles of site operatives and visitors;
- (iii) loading and unloading of plant and materials;
- (iv) storage of plant and materials used in constructing the development;
- (v) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- (vi) wheel cleaning facilities;
- (vii) measures to control the emission of dust and dirt during construction;
- (viii) details of noise reduction measures;
- (ix) a scheme for recycling/disposing of waste resulting from construction works;
- (x) the hours during which machinery may be operated, vehicles may enter and leave, and works may be carried out on the site;
- (xi) Measures for tree and hedgerow protection;

Reason: In the interests of the amenities of existing residents and in accordance with policy LP26 of the Central Lincolnshire Local Plan.

5. No development shall take place above ground level until details of all external materials have been submitted to and approved in writing by the Local Planning Authority and shall be accompanied by written details of the materials including source and manufacturer. The details of the external materials shall be approved in writing by the local planning authority before their use in the development

Reason: In the interests of securing a satisfactory visual appearance in the interests of the character and appearance of the site and wider area in accordance with policy LP26 of the Central Lincolnshire Local Plan

6. No development shall take place, above ground level, until details of hard landscape works have been submitted to and approved in writing by the local planning authority. The details shall include:

- Car parking areas;
- Surface materials for pedestrian and vehicular access

Reason: In the interests of securing a satisfactory visual appearance in the interests of the character and appearance of the site and wider area in accordance with policy LP26 of the Central Lincolnshire Local Plan

7. No development shall take place, above ground level, until details of soft landscape works have been submitted to and approved in writing by the local planning authority. The details shall include:

- planting plans;
- Written specifications including cultivation and other operations associated with plant and grass establishment;
- Schedules of plants, noting species, plant sizes and proposed numbers/densities where

appropriate;

- Tree pits including root protection details;

Reason: To ensure a satisfactory landscape scheme is provided that complements the character and appearance of the site and wider area in accordance with policy LP 26 of the Central Lincolnshire Local Plan.

8. No development shall take place above ground level until details of biodiversity enhancements, including bat and bird nesting boxes and native planting, have been submitted to and approved in writing by the local planning authority. The scheme be implemented prior to occupation.

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

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

9. 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:

Drainage Layout 10-5830 500;

LACE Site - 1683-SBA -XX -XX-DR -A -0506;

Apartment Ground Floor Plan: 1683-SBA -XX -00 -DR -A -010;

Apartment First Floor Plan: 1683-SBA -XX -01 -DR -A -011;

Apartment Plans: 1683-SBA -XX -ZZ -DR -A -0020;

Apartment Block – Elevations; 1683 –SBA-XX-XX-DR-A -0202;

Bungalow Plans & Elevations (Semi); 1683 –SBA-XX -XX-DR-A -0203

Bungalow Plans & Elevation (Terrace): 1683 –SBA-XX -XX-DR-A -205

Parking Plan; 1683-SBA -XX -XX-DR -A -0507;

Boundary Treatment Plan; 1683-SBA -XX -XX-DR -A -0508;

Materials Plan; 1683-SBA -XX -XX-DR -A -0510;

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

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

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

10. No occupation of the units shall take place until the approved surface water and foul water drainage referred to in condition 2 above is in place which shall be retained and maintained thereafter.

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

11. All hard landscape works shall be carried out prior to the occupation of the development.

Reason: In the interests of securing a satisfactory visual appearance in the interests of the character and appearance of the site and wider area in accordance with policy LP26 of the Central Lincolnshire Local Plan

12. All soft landscape works shall be carried out in the first planting season following completion of development or occupation, whichever is the sooner. Any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the local planning authority gives written consent to any variation.

Reason: To ensure that an approved landscaping scheme is implemented in a speedy and diligent way and that initial plant losses are overcome, to ensure that a satisfactory landscape scheme is provided that complements the character and appearance of the site and wider area in accordance with policy LP 26 of the Central Lincolnshire Local Plan.

79 145360 - LAND TO THE REAR OF MARQUIS OF GRANBY, HIGH STREET, WADDINGHAM

The Chairman introduced the next application of the meeting, planning application 145360, to erect 7no. dwellings and associated infrastructure, on land to the rear of Marquis of Granby, High Street, Waddingham, Gainsborough, DN21 4SW.

The Officer informed Members of the Committee of a few updates. The first was that there had been five further objections. The second was that the report had excluded the non-designated heritage asset identified in the Officer's presentation. This included the former schoolhouse in Waddingham. The Officer explained that the NPPF provisions, in paragraph 203, stated that the effect of an application on the significance of a non-designated heritage asset should be considered in the determination of the application of whether it directly or indirectly affected the non-designated asset. It was the Officer's opinion that this application would not mean losing the heritage asset or affecting its fabric, though it would be within its setting. This had been confirmed with the Conservation Officer. The Senior Development Management Officer then gave a short presentation on the application.

The Chairman advised that there were four registered public speakers. The first was a statement to be read by the Democratic and Civic Officer, from the Chairman of Waddingham Parish Council, Councillor Laretta Williams. The following statement was read aloud.

"Waddingham Parish Council would like to thank the relevant officer for the thorough Officer's report for this planning application and thank him for taking notice of the comments of Waddingham Parish Council. We agree with the amendments, conditions and conclusions noted in the report and hope and expect that the developer complies with them all if the application is passed."

The Chairman thanked the Democratic and Civic Officer for reading the statement, and invited the agent for the application, John Benson, to address the Committee.

In his statement, the speaker stated that the last time he addressed the Committee was on

the change of use for the adjacent former public house. He expressed his appreciation to the case officer and wanted to resolve the problem. The speaker explained that the 2019 granted outline application, followed by the 2021 detailed full application being refused, was justified due to the high concern about the design proposals. This refusal led to the speaker's involvement in the process.

The speaker then stated that this application had gone through the pre-application route and received a clear brief of what was acceptable, which included the design of the dwellings, following a standard set, and highlighted the variety of dwelling sizes for the proposed site. The agent's view was that this was to respect the historic place of the site and referenced the Conservation Officer's support for the application. This included reducing the height and massing of some of the dwellings and mitigating concerns about drainage and highway matters.

The speaker commented that all the dwellings exceeded the parking requirements and that Lincolnshire County Council Highways were satisfied with the access on and off the site. It was also referenced that Condition 8 would mean no harm to the village as a whole. In concluding his statement, the agent stated that he and his team had done everything possible to ensure the development's policy compliance and to mitigate any concerns about changes in this rural area.

The Chairman thanked the speaker for his comments and invited the next registered speaker, Tony Grafton, an objector, to address the Committee.

In his statement, the speaker stated that after the outline planning application, the previous application was refused on each aspect, including scale, appearance, layout and density. He asserted that these did not meet the local needs and harmed the street scene and the historic village centre, and were not deemed high quality.

The speaker asserted that the application conflicted with core planning principles and had concerns about increased flooding risks, referencing that if the development had been in place in 2007, it would have caused more flooding in the adjacent streets. Speaking to the site design, the speaker exclaimed that it was to be wall to wall, block paving concrete and tarmac, and speculated that other applications with smaller dwelling sizes had been refused.

The speaker then stated that there would be a very slow draining of water, potentially affecting the public footpath access on the west part of the site. It was then referenced that there was no change from the previously refused seven dwellings in 2021, and the ground remained the same hardness as before. Moving to a previous appeal on a different site entirely, the speaker stated that planning should seek to secure a good standard of amenities for all existing and future occupants of land and buildings.

The speaker then explained that the properties could only be of value in turning Waddingham into a dormitory village, with no amenities, no buses, no real, local jobs, no shops, no public house and a closing post office. The speaker said that the site was tightly bounded by a lorry yard and was unsuitable for seven dwellings of this size. The speaker concluded his statement by saying that these buildings had crept closer to the boundaries. A previously refused application that affected an ancient orchard meant that this application was pointing to a possible future development elsewhere in the village.

The Chairman thanked the speaker for his statement and invited Councillor Jeff Summers, the Local Ward Member for Waddingham and Spital, to address the Committee.

In his statement, the Member asserted that this application had gone through a long process simply because of a supposed hungry ambition to over-develop the village centre with inappropriate design and density, on a clay site, with minimal ability to drain away moderate levels of rainfall. The Member commented that the percolation test showed surface water added to the soil.

Moving to the flooding, the Member commented that the village had been excessively flooded over the last 20 years, with one case of 18 inches of water that had deposited raw sewage, other materials, and people's belongings into the system. The Member asserted that though the Officer's report said percolation was almost non-existent, the solution described was not an answer, suggesting a solution that should be outlawed and never be part of the planning system.

Councillor Summers declared his belief that other conditions in other applications were not being applied and that the conditions in the Officer's report would do little to improve the situation. The Member then moved to hope for a guarantee that residents would be compensated for any houses flooded following the development of this site and that it was not appropriate to re-create another infestation of surface water being mixed with the sewage water.

In concluding his remarks, Councillor Summers stated his opinion that biodiversity enhancements would most likely not happen and not be monitored. He noted that sufficient detail had yet to be provided and again expressed that conditions would not be kept. The Member stated that the Committee should refuse the application until the necessary information and questions and density concerns were answered.

Note: Councillor J. Summers left the Chamber at 8.48 pm.

The Chairman invited the Senior Development Management Officer to respond. In his response, he stated that the Committee could only look at the application before them. Noting the history of the site, which included the outline and appeals, he stated that drainage plans and the evidence had been submitted and was considered by the Officer.

Note: Councillor R. Patterson left the Chamber at 8.49 pm.

The Officer also clarified that the site was not suitable for infiltration for drainage purposes, and there were no other surface water bodies around the site that could have been used. In response to a question, the Officer clarified that the Drainage Scheme was based on a 1 in a 100-year weather event plus 40% climate change, in line with other planning applications.

Note: Councillor R. Patterson returned to the Chamber at 8.53 pm.

The Chairman invited comments from Members of the Committee. References included concerns about Waddingham Parish Council's statement, the proposed design of the dwellings, the impact on public access to the Western part of the site, the use of concrete and the effect on water drainage. There was also a reference to the possibility of the dwellings not being in character of the village.

Responding to a query about the Conservation Officer's comments and their coverage in Condition 5, the Senior Development Management Officer explained that the condition included details for external materials, including sample panels of stonework, brickwork, roof material samples, and colour finish windows and doors.

During the debate, a Member felt he needed to know if the application and the proposed design were in keeping with the surrounding village. A site visit was proposed to better understand these factors before the Committee.

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: The meeting was adjourned at 8.55 pm for 5 minutes to allow a comfort break. The meeting reconvened at 9.01 pm.

Note: Councillor J. Summers returned to the Chamber at 9.01 pm.

Note: Councillor D. Dobbie left the Chamber for the remainder of the meeting at 9.02 pm.

80 144480 & 145076 - LAND OFF 72 SCOTHERN ROAD, NETTLEHAM

The Chairman introduced the next item of the meeting, planning applications 144480 and 145076, on land off 72 Scothern Road, Nettleham, Lincoln, LN2 2TX. The applications were as listed below:

144480: Planning application to erect 7no. dwellings.

145076: Planning application for 2no. dwellings, including landscaped area.

The Development Management Team Leader explained there was an update to 144480. The application had gone through a re-consultation which was to end on the 2nd of December. New comments had been received from Lincolnshire County Council Education department, requesting £18,367.00 towards primary education which would need including in the s106.

This was due to Lincolnshire County Council Education using updated pupil projections, therefore a change to the needs for the planning area had occurred and the cost per pupil to mitigate children created had been updated. No new information had been received from other consultees. It was requested that the application be granted and delegated back to officers to assess any remaining representations that may be received before the deadline and to complete the s106.

The Development Management Team Leader also explained there was no update to the 145076 application, and gave a short presentation. The Chairman advised there were no registered speakers, and invited comments from Members of the Committee.

In response to a set of queries about the use and application of the Nettleham Neighbourhood Development Plan, the Officer explained that the existing neighbourhood plan was dealt with within the report and that the use of the Nettleham Neighbourhood Plan review was ongoing. The Officer clarified further in a later answer that the Neighbourhood Plan did allow for further development for the site and that the proposal was satisfactory. It was stated that the '50 dwellings' figure was indicative, with in-fill development and intensification allowed.

In a further query about the application of the Neighbourhood Plan, the Development Management Team Manager explained that it was an allocated site in the 2017 Central Lincolnshire Local Plan, and the focus of the Committee should be more on the impact of the dwellings, not the numbers being applied for on the site. It was explained that the proposal in front of the Committee was, in the Officer's consideration, compliant with planning policy.

Having been proposed and seconded, the Chairman took the vote on both applications at the same time, and it was agreed by majority vote that:

The decision to grant planning permission subject to conditions be delegated to Officers upon the completion and signing of an agreement under section 106 of the Planning Act 1990 (as amended) pertaining to:-

1. A capital contribution of £6,052.50 (£4,427.50 + £1,625.00) to the Council towards capital infrastructure for health services necessary to serve the development.
2. On-site delivery of 2no. Affordable Housing Units for affordable rented accommodation.

And, in the event of the s106 not being completed and signed by all parties within 6 months from the date of this Committee, then the application be reported back to the next available Committee meeting following the expiration of the 6 months.

Planning Application 144480

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:

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 shall be carried out in accordance with the following drawings:

Site Plan: TL016-SL-04 Rev F
Plot 10a/10b: TL016-TA-10AB REV A
Plot 15a: TL016-SN-15A-07
Plot 32a: TL016-HI-06 REV F
Plot 41a: TL016-PE-41A-10
Plot 52a/52b: TL016-SP-52A REV B
Garages: TL-SGD-01, TL-SGD-03.

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

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

3. The proposed foul and surface water drainage to serve the hereby approved dwellings shall connect to the foul and surface water drainage infrastructure approved under condition discharge approval 137462.

Reason: To prevent the increased risk of flooding, to improve and protect water quality, ensure future maintenance of the surface water drainage system and to accord with policy LP14 of the Central Lincolnshire Local Plan and the provisions of the National Planning Policy Framework.

4. The development shall proceed in accordance with the approved Construction Method Statement (Received 04 Jul 2022) throughout the build, except that construction works shall take place only between the hours of 07:30 and 18:00 on Mondays to Fridays and between 08:00 and 13:00 on Saturdays, and such works shall not take place at any time on Sundays or on Bank or Public Holidays.

Reason: In the interest of residential amenity 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:

None.

Planning Application 145076

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:

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 shall be carried out in accordance with the following drawings:

Site Plan: TL016-SP-10 Rev D;
Plot 4a: TL016-4a-01 Rev C;
Plot 4b: TL016-PE-4b-09 Rev A;
Garages: TL-SGD-01, TL-SGD-03; and,
'MATERIAL SCHEDULE' received 04 July 2022.

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

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

3. No development above damp-proof course level shall take place until a comprehensive landscaping scheme for the 'Landscaped Area' shown on drawing TL016-SP-10 Rev D including details of the:

- The position, size, species and density of all trees, hedging and shrubbery to be planted;
- The position, type and height of boundary treatments to be erected; and,
- Details for the future maintenance and management of the 'Landscaped Area', has been submitted to and approved in writing by the Local Planning Authority.

All planting, seeding or turfing comprised in the approved landscaping scheme shall be carried out in the first planting and seeding season following the occupation of the building(s) or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

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

4. The proposed foul and surface water drainage to serve the hereby approved dwellings shall connect to the foul and surface water drainage infrastructure approved under condition discharge approval 137462.

Reason: To prevent the increased risk of flooding, to improve and protect water quality, ensure future maintenance of the surface water drainage system and to accord with policy LP14 of the Central Lincolnshire Local Plan and the provisions of the National Planning Policy Framework.

5. If during the course of development, contamination not previously identified is found to be present on the site, then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall 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 shall then be dealt with in accordance with the approved details.

Reason: In order to safeguard human health and the water environment as recommended by Environmental Protection in accordance with Policy LP16 of the Central Lincolnshire Local Plan.

6. The development shall proceed in accordance with the approved Construction Method Statement (Received 21 Jun 2022) throughout the build, except that construction works shall take place only between the hours of 07:30 and 18:00 on Mondays to Fridays and between 08:00 and 13:00 on Saturdays, and such works shall not take place at any time on Sundays or on Bank or Public Holidays.

Reason: In the interest of residential amenity 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:

None.

81 145619 - EGMONT, 23 WRAGBY ROAD, SADBROOKE

The Chairman introduced the next application of the meeting, planning application 145619, for demolition of existing house and construction of a new self-build replacement two and a half storey dwelling and detached garage with accommodation at first floor level - being variation of condition 3 of planning permission 139843 granted 24 October 2019, amended drawings to alter the carport off the east elevation of the dwelling, at Egmont, 23 Wragby Road, Sudbrooke, Lincoln, LN2 2QU.

The Development Management Team stated that there were no updates, and gave a short presentation on the application.

The Chairman advised there were four registered speakers for the application, and invited the first registered statement, from Councillor Peter Heath, the Chairman of Sudbrooke Parish Council, to be read aloud by the Democratic and Civic Officer. The following statement was read aloud.

“Sudbrooke Parish Council object to this proposal on the grounds of Over-looking and loss of privacy. The application for this building was initially for the demolition of a 2-storey house

and the construction of a 3-storey house that ran the width of the plot. The new construction was repositioned further back on the plot and as a result directly overlooked the neighbouring house, resulting in a loss of privacy. Sudbrooke Parish Council objected on these grounds.

Following our objection, the design was changed to lower the right-hand side of the house to a single storey with a pitched roof. Sudbrooke Parish Council felt that this concession reduced the impact on the neighbour and raised no further objections. The new proposed change to the single storey now creates a 2-storey building with roof windows that will once again overlook the neighbouring house with the resulting loss of privacy.

Since the original planning application was lodged, Sudbrooke has had its Neighbourhood Plan adopted. We believe that this change conflicts with Policy 2, 1 (b) of the Plan.

b) The extensions and alterations are designed so that there shall be no significant reduction in the private amenity of the occupiers of neighbouring properties, through overlooking; overshadowing; loss of light or an overbearing appearance.

For the above reason, Sudbrooke Parish Council object to this proposal.”

The Chairman thanked the Officer for reading the statement, and invited the applicant, Mr Sath Vaddaram, to give his statement.

“Good evening, my name is Sath Vaddaram, I am the applicant and, contrary to statements made by objectors, I live at Egmont in the original property and have been there for 14 years. I am keen to have this matter concluded which allows to complete our new home and the old property removed. This application is for a revised roof form to the car port only, new house has been approved, is substantially constructed, and is not a matter for consideration under this application. Current proposal have been adjusted to take into account comments made on previous submissions for the car port roof and have been recommended for approval by your Officer in his report and confirmed as addressing those concerns and meeting all the relevant planning criteria.

This application is before this committee based on “outstanding” objections from the Parish Council, those are patently out of date as confirmed by them that “the council has been unable to meet formally” and “their objections remain unaltered on the following grounds” yet all of the grounds mentioned in their objection were addressed in the current proposals, again confirmed by the officer’s recommendation for approval. The Parish Council have clearly failed to fully consider the current proposals resulting in this agenda item and a delay to any decision.

While I accept that anyone has a right to comment on my proposals, it should be noted that nearly all the comments made on this application relate to the size and design of the original approved house and they are not relevant. Furthermore, Sun path analysis has been provided to demonstrate that current proposals, the car port roof form, do not add any additional overlooking or overbearing impact on the adjacent properties.

It should also be noted that there are cultural differences in play here, you will have noticed from my name and appearance that I am of an Indian descent and it’s a key part of our cultural heritage that we respect and care for our parents in their old age rather than expect

the state to do so. This means, there is an inbuilt desire for larger properties suitably designed and equipped to allow us to do this when the time comes. This is a choice that should be supported.

I am also a developer and have made many applications both in West Lindsey and in other Councils. I have noted that in Sudbrooke particularly, there seems to be a different attitude to these both from the public objectors and Parish Council. For example, at 30 Wragby Road Sudbrooke I have made two proposals, both of them were refused even though both had officer's recommendations for approval before going to committee and both were subsequently approved at appeal.

There seems to be resistance to any proposals I make in Sudbrooke whether these are on the basis of being a developer, my ethnicity or a general resistance to change is open to speculation but these concerns do seem to be relevant and are borne out by other applicants too for e.g. at 12 Scothern Lane with ref number 145617 where again a larger extension by persons of Indian descent is objected to by both parish council and locals.

In conclusion, this application for a revised roof form to the car port only, the existing house benefits from a previous approval and is substantially built and these proposals have been adjusted from previous applications to address legitimate concerns raised and are recommended for approval by your Officers. I urge the Committee to understand the reason behind this application is just to correct the architectural mistake made at the initial approved application stage, not anything else. I trust you will follow your Officers advice and approve these minor changes as there are no valid planning reasons to prevent. Please to allow me to complete my family home. Thank you."

The Chairman thanked the speaker for his statement, and then invited the Democratic and Civic Officer to read out the statement from the first registered objector, Andrew Barber. The following statement was read to Members.

"Unfortunately I am unable to attend the committee because I am mostly housebound and need to have oxygen, however I felt I wanted to put some context behind our objection and appreciate the opportunity to have our statement read out. For Context. This development is very large for a residential property in a small village. It seems to be being built very close to the border with Number 21.

This has had an overwhelming negative impact on the privacy and light for number 21. There are large windows with direct views of our Kitchen/Office/Main Bedroom. Our outside amenity areas are directly overlooked by multiple balconies and numerous large windows. This will have a very negative affect on our privacy and light. This development has had detrimental impact on vulnerable people who live nearby. Overall, we are disappointed and upset and concerned about the property

Planning 145619. Looking at this appeal we don't feel any new evidence has been presented to alter the original decision. It will increase the size of the building which is already extremely imposing. It will adversely alter even further the street scene. It will have a detrimental effect on the light and privacy of the neighbours at 21 and 23. This planning application is unreasonable because of the adverse effects it will have on the neighbouring properties. Thank you for taking time to listen to our points."

The Chairman thanked the Democratic and Civic Officer for reading the statement, and invited the Officer to read out the second and final objectors' statement, from Bob and Margaret Reeves. The following statement was read aloud.

"Enough is enough to be dominated by the size and height of the Egmont house and overlooked from the south facing bedroom windows and the protruding balcony. To agree the application for an increase to the height and slope of the carport roof plus roof windows will mean increased lack of privacy and greater rainfall runoff for 25 Wragby Road which is intolerable. The legality of the closeness of the carport to the western boundary of No. 25 should be verified."

The Chairman thanked the Officer for reading the statement, and invited a response from the Planning Officer. The Development Management Team Manager stated that the application looked at the variation for the single-storey garage element, and that the full application had approved a slightly lower roof height intended for storage.

The Chairman invited comments from Members of the Committee. Members made remarks on the current height of the dwelling, the street setting and trees surrounding the properties on Wragby Road, and the original design of the dwelling, and commented on the nature of the statement from the agent.

In response to a query about the conditioning of the space and windows, the Development Management Team Manager explained that the conditions would have to be necessary, reasonable, and enforceable. In his professional opinion, the application should be treated as a fully residential space, and he would have concerns over the ability to enforce the condition. The Officer also stated that the skylight proposed was to be opaque. In a separate query about the application, Members heard that a change to a flat top was to allow a skylight to be placed on the property.

During the debate, a proposal to refuse the application, based on the Sudbrooke Neighbourhood Plan policies emerged, contrary to the Officer's recommendation. After consultation between the Legal Advisor, the Development Management Team Manager, and the Vice Chairman, the wording for the refusal was read aloud. Since this was the only motion that had been proposed and seconded, the Chairman took the vote on the application to refuse.

Having been proposed and seconded, the Chairman took the vote, and it was agreed that permission be **REFUSED** for the following reason:

- 1. The development would result in harm to the amenities enjoyed at the neighbouring property, through its scale and the introduction of first floor windows which would significantly reduce the neighbour's private amenities. This would be in conflict with Policy LP26 of the Central Lincolnshire Local Plan and Policy 2 of the Sudbrooke Neighbourhood Plan.*

82 145547 - GLEBE FARM BARNs, WILLINGHAM ROAD, FILLINGHAM

The Chairman introduced the next item, application number 145547, for a horse exercise arena, at Glebe Farm Barns, Willingham Road, Fillingham, Gainsborough, DN21 5BL. The Officer informed Members that there were no updates, and gave a short presentation.

The Chairman advised there were no registered speakers, and stated the reason the application was coming before the Committee was due to the applicant being related to a newly employed officer at the Authority. He invited comments from the Committee, and Members were supportive of the application, with one commenting it was a good idea and would do no harm.

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 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 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 shall be carried out in accordance with the following drawings: Site Location Plan L- ADD-1330 01, Site layout Plan, drawing no.2, Drainage Plan, drawing no. 3 and proposed fencing details drawing no. 4 all received 21 September 2022. The works shall be carried out in accordance with the details shown on the approved plans and in any other approved documents forming part of the application.

Reason: To ensure the development proceeds in accordance with the approved plans and to accord with the National Planning Policy Framework.

2. The materials to be used in the development hereby permitted shall match those as stated on the application form and as shown on the surface materials drawing received 18 October 2022.

Reason: To ensure the use of appropriate materials to accord with the National Planning Policy Framework and 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:

3. The development hereby approved shall only be used for purposes incidental to the enjoyment of the dwellinghouse at Glebe Farm Barns, Willingham Road, Fillingham, DN21 5BL and not for any business or commercial purposes.

Reason: To ensure any future business use and impacts would be adequately considered through the relevant planning application process in connection with policies LP1, LP55, LP17 and LP26 of the Central Lincolnshire Local Plan.

4. No external lighting must be installed on the site outlined in red on the location plan received 21 September 2022 unless otherwise agreed in writing with the Local Planning Authority.

Reason: To protect the amenities of nearby properties and dark sky of the open countryside location to accord with the National Planning Policy Framework and local policy LP17, LP26 and LP55 of the Central Lincolnshire Local Plan 2012- 2036.

83 145640 & 145568 - TRINITY ARTS CENTRE, GAINSBOROUGH

The Chairman introduced the final item of the meeting, application numbers 145640 & 145568, at the Trinity Arts Centre, Trinity Street, Gainsborough, Lincolnshire, DN21 2AL. The applications were as listed below:

145640: Planning application to rebuild section of boundary wall.

145568: Listed Building Consent to rebuild section of boundary wall.

The Development Management Team Manager informed Members that this was a West Lindsey District Council managed property and proposal, which was the reason for why it had to be considered by the Planning Committee. A short presentation was then given.

The Chairman advised that there were no registered speakers, and invited comments from Members of the Committee. There was one comment that refuted an objection to the applications, and emphasised that the Trinity Arts Centre was profitable and a community asset. Members were in unanimous approval of the application.

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

Conditions for planning permission 1456640:

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:

None.

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

2. The works shall follow the "Preparation", "Investigation", "Stabilisation Works", and "Repair Works" as noted in the plans 7536-LAT-0001 unless otherwise approved in writing by the Local Planning Authority.

Reason: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building under LP25 of the Central Lincolnshire Local Plan and the provisions of the National planning policy Framework.

3. Prior to the dismantling or any repair work to the wall, a detailed survey of defective material for the bricks, copings, and mortar shall be submitted and approved in writing by the Local Planning Authority. Works shall be completed in accordance with the findings of the survey.

Reason: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building under LP25 of the Central Lincolnshire Local Plan and the provisions of the National planning policy Framework.

4. The rebuilt brickwork shall match the existing brickwork noted through the detailed photographic survey (condition 3) within the “Stabilisation Works” in respect of dimensions, colour, texture, face bond, and pointing unless otherwise approved in writing by the Local Planning Authority.

Reason: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building under LP25 of the Central Lincolnshire Local Plan and the provisions of the National planning policy Framework.

5. Following the partial demolition as shown on drawing 7536–LAT–0001 any new materials to be used for repairs, replacements or as part of the rebuild shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building under LP25 of the Central Lincolnshire Local Plan and the provisions of the National planning policy Framework.

6. 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:

- 7536-LAT-S1-XX-DP-A-1002-S3-A dated 20/09/2022.
- 7536-LAT-0001 received 22/09/2022.

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

Reason: To ensure the development proceeds in accordance with the approved plans and to accord with the National Planning Policy Framework and Policy LP17, LP25 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.

Conditions for listed building consent 145568:

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 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 development shall take place until the methodology of the exploratory intrusive survey (including propping options) has been submitted to and approved in writing by the Local Planning Authority. The works shall be completed in accordance with the findings of the survey.

Reason: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

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

3. The works shall follow the "Preparation", "Investigation", "Stabilisation Works", and "Repair Works" as noted in the plans 7536-LAT-0001 unless otherwise approved in writing by the Local Planning Authority.

Reason: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

4. Prior to the removal of any gravestones, a photographic record of all gravestones, their locations and their condition shall be submitted to and approved in writing to the Local Planning Authority.

Reason: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

5. Prior to the removal of any gravestones, the location for the safe storage during the duration of the works shall be submitted to and approved in writing to the Local Planning Authority, following the completion of the 'Stabilisation Works' (as stated on drawing 7536-LAT-0001) the gravestones shall be reinstated to their previous recorded positions.

Reason: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

6. Prior to the dismantling or any repair work to the wall, a detailed survey of defective material for the bricks, copings, and mortar shall be submitted and approved in writing by the

Local Planning Authority. Works shall be completed in accordance with the findings of the survey.

Reason: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

7. Prior to the dismantling or any repair work to the wall, the mortar sample analysis and proposed mortar for the work shall be submitted to and approved in writing by the Local Planning Authority. Works shall be completed in accordance with the findings of the analysis and the approved mortar mix.

Reason: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

8. Prior to the dismantling or any repair work to the wall, a detailed photographic record of the wall to be taken down shall be submitted to and approved in writing to the Local Planning Authority.

Reason: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

9. The rebuilt brickwork shall match the existing brickwork noted through the detailed photographic survey (condition 6) within the "Stabilisation Works" in respect of dimensions, colour, texture, face bond, and pointing unless otherwise approved in writing by the Local Planning Authority.

Reason: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

10. The following sound materials/features/fixtures forming part of the boundary as shown in the findings of condition 6 shall be carefully taken down, protected and securely stored for later re-erection/ re-use or disposal.

- Bricks
- Coping stones
- Pier cappings
- Gravestones

Where damage has occurred (for example, from unauthorised works, vandalism or fire), it is important to ensure that any loose historic items are identified and retained on site in a secure place pending their reinstatement.

Reason: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

11. Demolition work shall be carried out only by hand or by tools held in the hand and not by any power-driven tools.

Reason: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

12. Following the partial demolition as shown on drawing 7536-LAT-0001, a 1m² (one square metre) sample panel of brickwork demonstrating the quality, materials, bond, mortar, coursing, colour and texture shall be constructed on site. The Local Planning Authority shall approve the above details of the brickwork prior to the rebuild commencing and the development shall be carried out in accordance with the approved details. The sample panel shall be retained on site until development is completed or removal is approved in writing by the Local Planning Authority.

Reason: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

13. Following the partial demolition as shown on drawing 7536-LAT-0001 any new materials to be used for repairs, replacements or as part of the rebuild shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

14. No cleaning of masonry, other than low pressure (20-100 psi) surface cleaning using a nebulous water spray is authorised by this consent without the prior approval of the Local Planning Authority. Before work begins, any other cleaning proposals must be approved in writing and carried out strictly in accordance with those details. At the commencement of the cleaning, a test panel shall be undertaken in an inconspicuous position and the method recorded to the approval of the Local Planning Authority.

Reason: To ensure that special regard is paid to protecting the special architectural and historic interest and integrity of the building under Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

15. 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:

- 7536-LAT-S1-XX-DP-A-1002-S3-A dated 20/09/2022.
- 7536-LAT-0001 received 22/09/2022.

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 work proceeds in accordance with the approved plans in accordance with section 17 of the Planning (Listed Buildings and Conservation Areas) Act

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1990 (as amended).

84 DETERMINATION OF APPEALS

The determination of appeals was **NOTED**.

The meeting concluded at 9.37 pm.

Chairman

Agenda Item 3b

Planning Committee - 1 February 2023

WEST LINDSEY DISTRICT COUNCIL

MINUTES of the Meeting of the Planning Committee held in the Council Chamber - The Guildhall on 1 February 2023 commencing at 6.30 pm.

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

Councillor Matthew Boles
Councillor Michael Devine
Councillor Mrs Jessie Milne
Councillor Peter Morris
Councillor Roger Patterson
Councillor Mrs Judy Rainsforth
Councillor Jeff Summers
Councillor Mrs Angela White

In Attendance:
Russell Clarkson Development Management Team Manager
Martha Rees Legal Advisor
Danielle Peck Senior Development Management Officer
Richard Green Development Management Officer
Andrew Warnes Democratic and Civic Officer

Also In Attendance: Five members of the public

Apologies: Councillor David Cotton
Councillor David Dobbie
Councillor Steve England
Councillor Cherie Hill

94 PUBLIC PARTICIPATION PERIOD

The Chairman stated that there was one registered speaker under the Public Participation Scheme, Mr Chris Thomas, who was invited to address the Committee as follows:-

“I am here representing the Ryland Residents’ Group which represents a large group of people in Welton. Having been excluded from the Central Lincolnshire Local Plan (CLLP) consultations and ignored during the examination hearings, we have grave concerns regarding the excessive level of development planned for Welton.

With the development in the current plan and the draft plan, Welton will see a growth rate in excess of 50% - 1000 homes. Sharing critical infrastructure with Dunholme, where another 400 homes will be built, there will potentially be 8 sites under construction at the same time. This will be more than any other area in West Lindsey. To cap it all, the site owners have

stated that they intend to build out more sites within the next 5 years.

Welton will be one giant building site and there will be nowhere for families who move into these homes to send the children to school. William Farr School is full and there are insufficient primary school places for the developments currently taking place.

There will be no local doctors – the GP surgery is already so overwhelmed that it is considering closing its patients list.

There will not be any green spaces and the sites will become soulless identical housing estates. There will be few parking spaces and yet all of these developments will be dependent on cars. It is a complete mess which you cannot allow to happen.

The CLLP team proposed developments to be phased over the plan period of 20 years. The trajectory is laid down in Appendix 1, Matter 9 of the hearing statement. However this intention has now been torpedoed by the developers who have persuaded Inspectors to remove phasing because the Council's Prosperous Communities Committee was misadvised and voted against it back in May last year.

We have been assured in writing by the CLLP team that this was overridden by the Joint Committee decision to impose phasing which Inspectors have now supported. I spoke at the Prosperous Communities Committee last night but the Chairman shut down any discussion. Therefore, I would like to know what you are going to do to ensure that these sites are built out over the 20 year period and not crammed in to a short period of time.

This is a matter of great urgency as a final window to make representations on the draft plan closes on 25 February.

We the residents of Welton and Dunholme, whom you represent, demand that you act immediately. Thank you for listening. I am happy to clarify any particular issue.”

In thanking Mr Thomas for his contribution, the Chairman indicated that it was not possible under the Council's Constitution to discuss any of the points made during the period of public participation. The Chairman stated that he would refer the matter to the Development Management Manager for a full response on behalf of the Council as a whole (given the references to the Prosperous Communities Committee) to be prepared as soon as possible, bearing in mind the deadline for representations on the CLLP mentioned by Mr Thomas.

95 TO APPROVE THE MINUTES OF THE PREVIOUS MEETING

RESOLVED that the minutes of the meeting of the Planning Committee held on Wednesday, 4 January 2023 be confirmed and signed as an accurate record.

96 DECLARATIONS OF INTEREST

Councillor Mrs A. White stated that she had been contacted by telephone by an objector to item 6(b) application number 145617 who stated that particular information had not been included on the Council's website. She understood that this information had subsequently

been posted on the website and had advised the objector that she could not comment as she was a member of the Planning Committee.

Councillor P. Morris declared a non-pecuniary interest in item 6(c) application number 145857 as one of the applicants was well known to him and that he would vacate the chamber during the consideration of this item.

Councillor J. Summers declared a non-pecuniary interest in item 6(a) application number 145868, stating that some 20 years ago he had lived in a property situated over the hedge from the site. He had taken the opportunity to view the site more recently and had not declared any intentions with regard to the application prior to this meeting.

Councillor R. Waller declared a non-pecuniary interest in item 6(b) application number 145617 stating that he was the Local Ward Member for Sudbrooke but had not taken part in any discussions by the Parish Council or the applicant's agent prior to the matter being brought before this Committee and would remain and participate in the Committee's deliberations.

97 UPDATE ON GOVERNMENT/LOCAL CHANGES IN PLANNING POLICY

The Development Management Manager reminded Members that at the last meeting, he had reported that the Government had published a consultation on the Levelling-up and Regeneration Bill: Reforms to National Planning Policy on 22nd December 2022. The consultation sought views on the proposed approach to updating the National Planning Policy Framework. As well as seeking views on the proposed approach to preparing National Development Management Policies, the consultation also asked how policy might be developed to better support levelling up, and how national planning policy was currently accessed by users. The consultation closed on 2 March 2023. It was indicated that a consultation response coordinated by Officers would be submitted by West Lindsey District Council.

As part of this process, a virtual Member workshop had been organised for 22nd February in order to provide an overview of the consultation and give Members an opportunity to give their views on proposals.

Equally, Members were able to respond to the consultation in their own right using the following link:- <https://www.gov.uk/government/consultations/levelling-up-and-regeneration-bill-reforms-to-national-planning-policy/levelling-up-and-regeneration-bill-reforms-to-national-planning-policy#chapter-3--providing-certainty-through-local-and-neighbourhood-plans>

In response to the Inspector's Post Hearing Letter, the Central Lincolnshire Joint Strategic Planning Committee had prepared a schedule of Recommended Main Modifications to the Central Lincolnshire Local Plan, which had now been published for consultation. The consultation ran until 24th February. Following this, the Council expected to receive the Inspectors Report. The process still anticipated an adoption date of 13th April. The draft Local Plan still had limited weight in terms of decision making. However as the process progressed this would increase and officer reports and planning decisions would start to reflect this in the coming months.

With regard to local issues the Development Management Manager advised the Committee of the progress of recent Neighbourhood Plans as follows:-

Neighbourhood Plans	Headlines	Planning Decision Weighting
Hemswell and Harpswell joint NP	Examination successful and Decision Statement issued. Referendum to be held on Thursday 2 March 2023.	Significant weight
Keelby NP	Examination underway.	Increasing weight

98 145868 - LAND OFF PRIVATE LANE, NORMANBY-BY-SPITAL

The Chairman introduced the first application of the meeting, application number 145568, for the erection of 2 dwellings, construction of an access road and change of use of agricultural land to a paddock. This application had been referred to the Committee following objections from third parties on balanced planning matters.

The Planning Officer gave an update to the published report. An objection letter from four neighbours had been retracted following positive talks with the landowner and following the amendments that had been made to the application which they believed met their initial concerns.

However, West View on Private Lane still had an objection to the requirement from Lincolnshire County Council for the extension of the footway along Private Lane. They believed that the number of pedestrian movements down Private Lane was insignificant and that it was not needed on highway safety grounds and also from a visual amenity point of view. They believed that a tarmac footpath would have a negative impact on the street scene, a grass verge currently existed. The Planning Officer then gave a brief history of the site and outlined the proposals as referred to in the application.

The Chairman then invited Mr Andrew Clover, agent for the applicants, to address the Committee:-

“Thank you very much and good evening. Thank you for allowing me the opportunity to speak in support of this application but before I get into my speech, I just wanted to point out that there are actually some 3D visuals of the properties on the application which if you've had the opportunity to see, may explain the design a little bit more easily than the elevations.

This application is before you today, as a joint objection was submitted by 4 local residents on the 2nd of January. As you have heard, following these objections my clients, have taken time to discuss the application with each of the residents to explain the proposal and to alleviate their concerns. Consequently, on Monday of this week three of the objections were fully retracted and the fourth partially retracted. The partial retraction is from West View, the property adjacent the proposed access point off Private Lane.

These residents have no objections to the proposed dwellings or the proposed access route. Their only remaining objection relates to the Lincolnshire County Council request for the roadside footpath to be extended approximately 20 metres in front of their property up to the site entrance. The applicant understands why West View feel this is unnecessary and are of a similar opinion. However, as the request was made by Highways and supported by the Planning Officer, it was agreed to add this to the scheme.

If the objections had been retracted earlier, I'm sure this application would not have been before you today and would have been approved under delegated powers. The applicant obtained pre-application advice prior to instructing us to prepare the scheme. The advice provided by officers has been followed and any subsequent requests for changes or further information has been acted upon and incorporated into the scheme. As a result of these proactive discussions, concerning which I must pass my sincere thanks to Richard Green, the application process has been relatively straightforward and has resulted in the proposal being recommended for approval. I therefore respectfully ask that you set this recommendation."

The Chairman thanked Mr Clover for his statement and opened the application to formal debate.

Councillor Summers considered that the design of the proposed dwellings fitted in with the character of the area and that they were reasonable in terms of size and design. This view was echoed by a number of other Members of the Committee.

A Member raised a query about the proposed usage of the paddock. The Development Management Officer clarified that the Central Lincolnshire Local Plan excluded paddocks from being considered as part of the developed footprint.

Having been proposed and seconded, the Chairman put the application to the vote and it was agreed unanimously that planning permission should 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:

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 shall be carried out in accordance with the following drawings: 30922-105 dated 11/02/2022, 30922106 dated 11/02/2022, 30922-107

dated 11/02/2022, 30922-103 A dated 19/01/2023, 30922-101 A dated 19/01/2023 and 30922-104_REV C dated 19/01/2023. The works shall be carried out in accordance with the details shown on the approved plans and in any other approved documents forming part of the application.

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

3. The development hereby permitted shall not be occupied before a footway to match the existing width, 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 the National Planning Policy Framework and Policies LP13 and LP14 of the Central Lincolnshire Local Plan.

4. No development, other than to foundations level, shall take place until a scheme for the disposal of foul and surface waters (including the results of soakaway/percolation tests) have been submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out in accordance with the approved details and completed prior to occupation of the dwelling it serves.

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

5. No development, other than to foundations level shall take place until the proposed new walling, roofing, windows, doors and other external materials have been submitted to and approved in writing by the local planning authority. The development shall thereafter be constructed in accordance with the approved details. The details submitted shall include; the proposed colour finish, rainwater goods and type of pointing to be used.

Reason: To ensure the use of appropriate materials to safeguard the character and appearance of the locality in accordance with the National Planning Policy Framework and Policies LP17 and LP26 of the Central Lincolnshire Local Plan.

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

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

7. No development, other than to foundations level shall take place until, a scheme of landscaping including details of the size, species and position or density of any trees and hedging to be planted and boundary treatments (including boundaries within the site) and hardstanding have been submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out in accordance with the approved

details.

Reason: To ensure the site is visually softened by appropriate methods and to enable any such proposals to be assessed in terms of their impact on the locality in accordance with the National Planning Policy Framework and Policies LP17 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:

8. All planting and turfing approved in the scheme of landscaping under condition 7 shall be carried out in the first planting and seeding season following the completion of the development, whichever is the sooner; and any trees or hedging which within a period of 5 years from the completion of the development die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation. The landscaping should be retained thereafter.

Reason: To ensure the site is visually softened by appropriate methods and to enable any such proposals to be assessed in terms of their impact on the locality in accordance with the National Planning Policy Framework and Policies LP17 and LP26 of the Central Lincolnshire Local Plan.

99 145617 - "THE SPINNEY", 12 SCOTHERN LANE, SADBROOKE

The Chairman introduced the next application of the meeting, application number 145617, seeking permission for a first floor extension and garage alterations at The Spinney, 12 Scothern Lane Sudbrooke. This application had been referred to the Committee following objections from the Parish Council which had stated that the proposals were in conflict with the policies contained in the Sudbrooke Neighbourhood Plan.

The Planning Officer gave an update to the published report, stating that there had been 10 further objections from addresses outside the village, namely, Waddington, Welton, Dunholme, Nettleham, Fiskerton and Ingham, along with two more objections from Golden Acre, Scothern Lane Sudbrooke and two further objections from Five Mile House, Scothern Lane Sudbrooke.

The objections were based around the size and scale of the proposed development and the overbearing and overlooking impact. It had been stated that the proposed development did not accord with the policies contained in the Sudbrooke Neighbourhood Plan.

The Committee was advised that all of these representations were late and had been made outside the statutory consultation period and were mainly from addresses not directly affected by the development. It was therefore considered that the objections carried little weight and did not result in the need to amend the report recommendations.

The Planning Officer then proceeded to give a brief outline of the history of the site and the actual development proposed.

The Chairman then invited the applicant's agent, Mr Chris Henderson to address the Committee as follows:-

"Good evening and thanks for the opportunity to address the Committee on behalf of the applicants in support of this application. I'll endeavour to keep this brief, as all relevant policies and planning related issues have been addressed by the case officer as detailed in the report.

This Householder application proposes internal alterations and a first floor extension to the existing dormer bungalow. It is important to note there that there is no proposal to increase the ground floor footprint of the existing dwelling. The application also seeks a marginal increase in the footprint of the existing garage and the addition of a home office within the roof space.

The application site is a substantial plot, extending to approximately 0.65 acres set in mature landscaped grounds, with robust natural land boundaries. The property is set well back from the road behind a mature tree band which is subject to a tree preservation order. A detailed tree survey has been submitted with the application, the recommendations of which have been accepted by the local authority's tree officer.

The neighbouring bungalow to the north of the site at number 14 has recently been demolished following the granting of planning permission for a large two storey dwelling with detached garage and workshop, with storage space and roof windows at first floor level. The new replacement dwelling which is currently under construction will be considerably higher than the proposal before you.

The neighbouring property to the south, No.10 is a detached dormer bungalow which has recently had a rear extension constructed. Properties along this stretch of Scothern Lane sit on a north south axis with gable to gable or side elevation to side elevation relationships, with generous separation between dwellings, which are generally heavily landscaped.

With regard to the application site and number 10 to the south, there is approximately 5.7 metres between dwellings, with number 10 having a blank elevation facing the application site. This boundary was heavily landscaped, preventing any views between plots. However, the occupiers of number 10 have recently removed this mature boundary, which has somewhat eroded the privacy between plots. It is my understanding that this application is being heard at Committee due to an objection from the Parish Council as it conflicts with Policy 2 of the Neighbourhood Plan.

It is important to note that the Parish Council's original comments submitted on the 23 October 2022 stated that they had no objection to the application. This response was later altered. The applicants have discussed the merits of Policy 2 within the Neighbourhood Plan with representatives of the Parish Council and have been informed that a steering group is being set up to review and update the Plan in line with the proposed amendments to the Central Lincolnshire Local Plan as there is a recognition that the wording of Policy 2 is somewhat restrictive.

The foreword to the policy within the Neighbourhood Plan clearly states the ability to extend a home is important to homeowners because it allows properties to be altered to meet changing lifestyles, family size and adapt to changing physical mobility. The purpose of this

policy is to allow extensions and alterations to homes, whilst being sensitive towards the physical character of the area and protecting the living standards of neighbouring properties.

The wording of Policy 2 within the Neighbourhood Plan is very much subjective and following a robust assessment by the case officer, this application is considered to be in accordance with this policy.

The Sudbrooke character assessment places the application site and character of Area 3, as a wholly residential area which is host to numerous detached dwellings which have been developed over a prolonged period of time and in a piecemeal manner along Scothern Lane's eastern side.

The description of character Area 3 highlights the difficulty in viewing the properties in this location due to the high level of screening. However, the building materials, scale and design vary considerably from property to property, illustrating that there is no particular architectural language, and that variety is the order of the day.

The street accommodates a mix of bungalows, dormer bungalows and a significant number of two storey properties. It is the plot, size and positioning that give them their common character. It is therefore difficult to understand how the size scale, height and materials proposed on this application can be considered not to be in keeping with the original dwelling and the surrounding area, as it is described in the Sudbrooke character assessment.

Furthermore, the case officer's assessment of the proposal concludes that it would not result in a significant reduction in private amenity of the occupiers of neighbouring properties through overlooking, overshadowing, loss of light or an overbearing appearance, as confirmed in the case officer's report. This application is in full accordance with the NPPF LP 1 LP 17 and LP 26 of the Central Lincolnshire Local Plan and Policy 2 of the Sudbrooke Neighbourhood Plan.

A recommendation to approve by the case officer, coupled with confirmation from the Parish Council, that the Policy upon which their objection was based is under review due to his restrictive nature, should hopefully allow Members to support this application. Thank you very much".

The Chairman thanked Mr Henderson for his comments and, on opening discussions for the Committee, invited the Vice-Chairman to speak first.

Councillor Waller indicated his familiarity with the site in question, as he was Ward Member, and acknowledged several local issues, such as the removal of trees which impacted the privacy of the properties, as well as the Parish Council intending to address some ambiguity in the wording of the Neighbourhood Plan.

Members of the Committee expressed their support for the application, however there were concerns raised regarding the distances between the neighbouring properties and the detached garage. The Planning Officer clarified that the proposed garage was 2 metres from the boundary, and was slightly larger, with the ridge height proposed to be raised from 3.8 metres to 5.9 metres.

Having been proposed and seconded, the Chairman put the application to the vote and it was agreed unanimously that planning permission should 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:

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 shall be carried out in accordance with the following drawings: L-ADD-130-01A, L-ADD-130-02A and L-ADD-130-03B dated 13/10/22, L-ADD-130-07C dated 13/10/2022, L-ADD-130-08B, L-ADD-130-09B dated 29/9/22 and L-ADD-130-10B dated 13/10/22. The works shall be carried out in accordance with the details shown on the approved plans and in any other approved documents forming part of the application.

Reason: To ensure the development proceeds in accordance with the approved plans and to accord with the National Planning Policy Framework.

3. No development, other than to foundations level shall take place until a scheme for the disposal of foul and surface waters (including the results of soakaway/percolation tests) have been submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out in accordance with the approved details and prior to occupation of the dwelling (see notes to the applicant below).

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

4. No development, other than to foundations level shall take place until, full details of any new hardstanding and installation has been submitted to and approved in writing by the Local Planning Authority.

- Any new driveway blocks over Tree Root Protection Areas (RPAs) should not involve excavations or compaction of bed for new blocks within the tree RPAs.
- Any new base within tree RPAs should be carried out by hand, and no compaction over RPAs.
- Any hardstanding shall be constructed from a porous material or shall be appropriately drained within the site and shall be retained as such thereafter.

Reason: To ensure appropriate drainage to accord with the National Planning Policy

Framework and Policy LP14 and LP17 of the Central Lincolnshire Local Plan.

5. The development shall be carried out in full accordance with the Tree Protection Fencing as detailed in 'General Recommendations' and Figure 4 of The Tree Survey produced by CBE Consulting dated 1 December 2022. The fencing shall be erected before development commences including ground scraping and shall be retained at all times whilst construction work is taking place. Nothing shall be stored or placed in any root protection area, nor shall the ground levels within those areas be altered, without prior written approval of the Local Planning Authority.

Reason: To ensure that adequate measures are taken to preserve trees and hedges and their root systems whilst construction work is progressing on site in accordance the National Planning Policy Framework and Policy LP17 of the Central Lincolnshire Local Plan.

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

None

Note: Councillor P. Morris left the Chamber at 7.05 pm in advance of the next item.

100 145857 - 10 & 12 CHAPEL STREET, CAISTOR

The Chairman introduced the next application of the meeting, application number 145857 which sought planning permission for two storey rear extensions at 10 & 12 Chapel Street, Caistor, Market Rasen. The application had been brought before the Committee as one of the applicants was from the immediate family of a Member of the Council.

The Planning Officer reported one update to the published report, which was a letter of no objection from the Caistor Civic Society. This had no effect on the report recommendation. The Planning Officer then proceeded to give a brief outline of the proposals.

There were no registered speakers, and the Chairman invited comments from Members of the Committee.

During the discussion, reference was made to access to the site and the Planning Officer clarified the position. Overall Members considered that the proposal would present a tidier site in keeping with the character of the area.

Having been proposed and seconded, the Chairman put the application to the vote and it was agreed unanimously that planning permission should 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 development shall take place until a written scheme of archaeological investigation has been submitted to and approved in writing by the local planning authority. This scheme shall include the following:

1. An assessment of significance and proposed mitigation strategy (i.e. preservation by record, preservation in situ or a mix of these elements).
2. A methodology and timetable of site investigation and recording.
3. Provision for site analysis.
4. Provision for publication and dissemination of analysis and records.
5. Provision for archive deposition.
6. Nomination of a competent person/organisation to undertake the work.
7. The scheme to be in accordance with the Lincolnshire Archaeological Handbook.

Reason: To ensure the preparation and implementation of an appropriate scheme of archaeological mitigation and in accordance with policy LP25 of the Central Lincolnshire Local Plan and the National Planning Policy Framework.

3. The local planning authority shall be notified in writing of the intention to commence the archaeological investigations in accordance with the approved written scheme referred to in condition 2 at least 14 days before the said commencement. No variation shall take place without prior written consent of the local planning authority.

Reason: In order to facilitate the appropriate monitoring arrangements and to ensure the satisfactory archaeological investigation and retrieval of archaeological finds in accordance with LP25 of the CLLP and the National Planning Policy Framework.

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 permission, the development hereby approved shall be carried out in accordance with the following drawings: LDC3958-PL-01 and LDC3958-PL-02 both received 28 November 2022. The works shall be carried out in accordance with the details shown on the approved plans and in any other approved documents forming part of the application.

Reason: To ensure the development proceeds in accordance with the approved plans and to accord with the National Planning Policy Framework.

5. No development shall take place above foundation level until details of the external materials listed below have been submitted to and inspected on site and agreed in writing by the Local Planning Authority. This shall include:

- a. Roof tile, which shall be matching to that used in the host dwellings;
- b. Roof detailing, including gables, cappings and verges. Any new flues or vents.

- c. Rainwater goods.
- d. Brick sample panel, showing the brick type, coursing, mortar colour and texture.
- e. All new windows and doors.

Reason: To safeguard the character and appearance of the Caistor Conservation Area and the building of importance to accord with the National Planning Policy Framework and Policy LP25 of the Central Lincolnshire Local Plan and the Policies within the Caistor Neighbourhood Plan.

6. The development shall proceed wholly in accordance with the approved scheme of archaeological works approved by condition 2 of this permission.

Reason: To ensure the satisfactory archaeological investigation and retrieval of archaeological finds in accordance with LP25 of the CLLP and the National Planning Policy Framework.

7. Following the archaeological site work referred to in condition 6, the written report of the findings of the work shall be submitted to and approved in writing by the local planning authority within 3 months of the said site work being completed.

Note: Councillor Morris returned to the Chamber at 7.08 pm.

101 DETERMINATION OF APPEALS

The determination of appeals was **NOTED**.

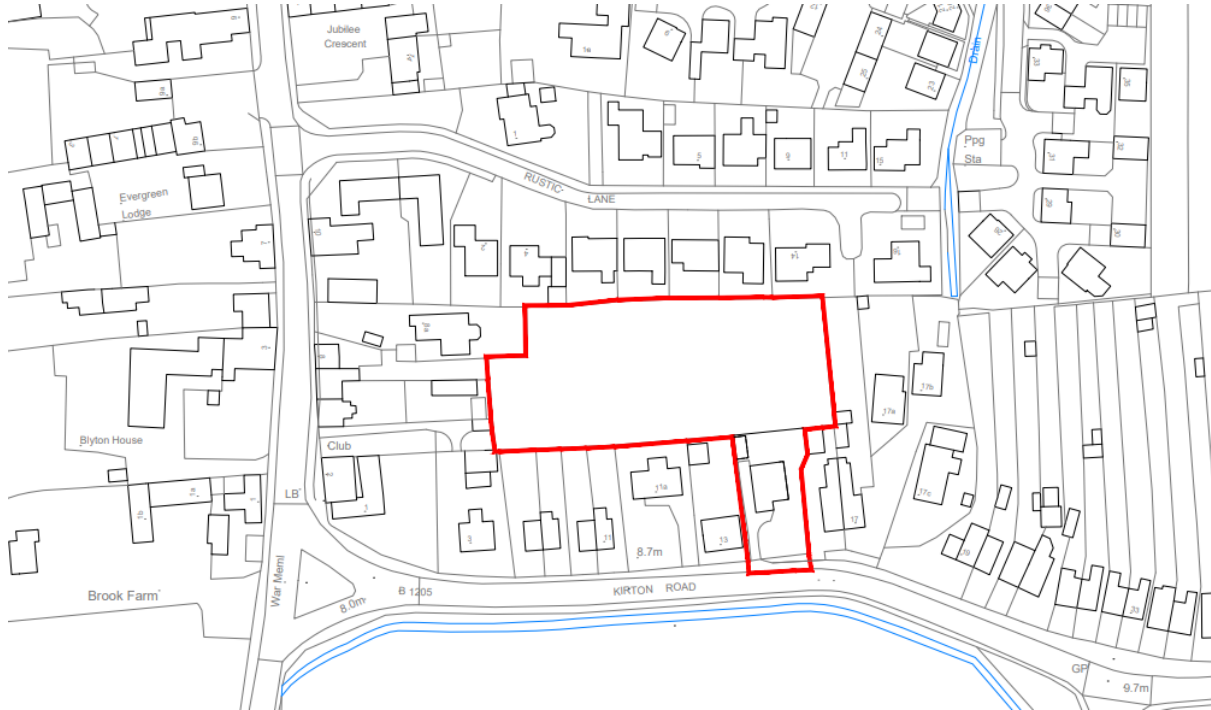
The meeting concluded at 7.09 pm.

Chairman

Site Location: 145791

Address: Land to rear of Kirton Road, Blyton

Proposal: 5 single storey dwellings and alterations to existing bungalow to form new access



Officers Report

Planning Application No: 145791

PROPOSAL: Planning application to erect 5no. single storey dwellings and alterations to existing bungalow to form new vehicle access.

LOCATION: Land rear of Kirton Road Blyton Gainsborough DN21 3LB

WARD: Scotter and Blyton

WARD MEMBER(S): Cllr L Clews, Cllr Mrs Lesley Rollings, Cllr Mrs Mandy Snee

APPLICANT NAME: Granger & Johnson c/o Artech Designs Ltd.

TARGET DECISION DATE: 2nd March 2023

DEVELOPMENT TYPE: Minor - Dwellings

CASE OFFICER: George Backovic

RECOMMENDED DECISION: Grant permission, subject to conditions

Description: The application is presented to planning committee for a decision following third party representations on relevant and balanced planning matters.

The application site is located to the rear of properties off Kirton Road, Blyton. The site comprises a paddock and is currently accessed from the rear of an existing residential unit at 13A Kirton Road. There are residential uses adjoining the site on all boundaries. The application site is rectangular in shape and totals 0.39 hectares, comprising vacant grass land. The topography of the site is generally flat with a slight inclined access to 13A Kirton Road.

Full planning permission is sought for 5 single storey dwellings and alterations to an existing bungalow, 13A Kirton Road, to allow the formation of a new vehicular access from Kirton Road to the south between 13A and 15 Kirton Road. This heads north turning westwards and culminating in a turning head serving 4 plots to the north and 1 to the west.

Materials - Red multi brick is proposed for the walls with grey slate effect roof tiles or red pantiles

Plot 1: A 3 bed detached pitched roof bungalow, 15.9m wide, with a small gable projection to the front and a larger one to the rear. An attached double garage is located to the front elevation at a right angles to the main elevation. Eaves height is 2.6 m with a maximum ridge height of 6.5m.

Plot 2: A 3 bed detached pitched roof bungalow, 11m wide, with a small gable projection to the front and a larger one to the rear. Eaves height is 2.6 m with a maximum ridge height of 7m. A semi-detached garage, serving plots 2 and

3 measuring 6.29m by 6.29m is located at the end of the drive. Eaves height is 2.5m rising to a ridge of 4.8m

Plot 3: A “handed” plot 2. A 3 bed detached pitched roof bungalow.

Plot 4: Identical to plot 1.

Plot 5: A “handed” plot 1.

13A Kirton Road: This is an existing 3 bed detached bungalow. The side wall (east) will be removed and rebuilt 1.3m to the west. There will be 2 bedrooms at ground floor level with a third ensuite bedroom within the existing roof. A new window is proposed on the rear elevation and small roof lights will provide illumination. A new utility room is also proposed within the roof.

A Biodiversity Assessment (BA), Flood Risk Assessment (FRA) and Minerals Safeguarding Statement (MSS) have been submitted with the application.

Relevant history:

141335: Outline planning application for 6 single storey dwellings and 1 replacement bungalow with access to be considered and not reserved for subsequent applications (amendment to planning permission 140744) GC 08.09.2020.

140744: Outline planning application for 6 no. single storey dwellings with access to be considered and not reserved for subsequent applications. GC 04.06.20

Land to the west: Rear of 4 Laughton Road.

140738: Outline planning application for 1 single storey dwellings with access to be considered and not reserved for subsequent applications. GC 20.05.2020.

Representations are published in full on the Council website. A summary of representations received, is provided as follows:

Chairman/Ward member(s): No comments received

Blyton Parish Council: Objects. Over intensification of the site. Five single storey properties is too many for such a small site. Access road is very tight and too close to the existing bungalow. The road abuts the wall. If permission is granted council would wish for the demolition of the existing building. Access onto the development is precarious, given that cars are parked all along Kirton Road on either side of the junction and will restrict view on to main thoroughfare.

Local residents:

7 Kirton Road (object) peace and quiet will be disturbed, build them elsewhere; poor quality modern houses are going to change the character of our village; I am unsure how we will gain access to the rear of our gardens in order to maintain our fences.

11a Kirton Road: (object): I have lived at 11A all my life and family at 13 for many years. Over the years it has become a dangerous road with many cars

being hit and one written off completely as people enter to road far too quickly. The noise of the extra traffic so close to our homes. It would make our homes less secure. Loss in amenity to our quiet gardens and privacy. We have had floods several times over the years now on the road, the field adjacent and even houses. The old fashioned infrastructure cannot cope with extra homes.

13 Kirton Road: **(object)** I have recently purchased the above property and have already noted that I find it challenging to exit my drive safely due to vehicles parked on the roadside and obscuring vision. The level of traffic will only be increased by this development, with not only the residents but more importantly, delivery vehicles, and visitors. Additionally through the construction period the increase in traffic I believe would add a further safety issue to pedestrian users especially school children going to and from bus stops. Add to this the point of living next to a construction site with the associated environmental impact.

17 Kirton Road: I have lived at 17 Kirton Road, Blyton for over 60 years, the garden of my property shares a boundary line at the east end of the land applying for redevelopment. The Document showing 'site layout/block plan (proposed)' at the east end boundary line shows a gate. There is no gate on the boundary and there has never been one since I have lived at my present address. I also note that the proposal is for a 'Post & Rail Fence within a conifer hedge. Please could I ask you to refer to a letter sent to you on 27th July 2020, during a previous planning application on this land, stating written clarification that a substantial, high, noise reducing fence be erected between my garden and the new residential development. Also for assurance to be provided in writing for ongoing maintenance of the said division to remain with the developer/future purchaser.

17a Kirton Road: **(object):** The stretch of road, between, Station Road (East of the proposed development entry/exit point) and the A159 (West of the proposed development entry/exit point) already causes safety concerns. There already exist a bottleneck on Kirton Road with vehicles parking on the North side of Kirton Road, and adjacent to the entry/exit point of the proposed development, with any vehicle passing along Kirton Road in either direction. The number of proposed properties is an overdevelopment on such a small site, adding to the number of vehicle entering and leaving the proposed developments. The proposed development does not give consideration to the added vehicular entry or exit from commercial vehicles servicing the proposed development.

19 Kirton Road: **(object)** There is already a junction between 17 and 19 Kirton road that is required for the residents of 17A 17B and 17C adding another only a matter of yards down the road is an accident waiting to happen. The privacy of the residents that property's boarder the proposed site is also going to be a huge problem. Drainage will also be an issue the drain that takes water away from the area is already well over capacity and regularly floods over onto the farmers field during the winter time and wet periods.

1 Haven Close: **(object):** The development will increase vehicular movements along a section of Kirton Road where visibility is poor due to parked cars along the road heading towards the War Memorial. This is already a difficult section of road to drive along from both directions and any increase in traffic where visibility is already poor will be of detriment to highway safety and pose

a danger to motorists. The visibility splay shown on plan 1502J/010 to the west cannot be achieved due to the existing parking situation on this part of Kirton Road.

LCC Archaeology: No archaeological impact.

LCC Highways: No objections:

The proposed access to the site is of sufficient width to allow 2 vehicles to pass and not have to wait on the highway. The proposals provide adequate parking and turning within the site. The proposed access meets the visibility requirements as set out in Manual for Streets, in light of this it is not deemed that the proposed development would have an unacceptable impact on Highway Safety.

The following informatives are recommended:

Highway Informative 03 The permitted development requires the formation of a new/amended vehicular access. These works will require approval from the Highway Authority in accordance with Section 184 of the Highways Act. Any traffic management required to undertake works within the highway will be subject to agreement. The access must be constructed in accordance with a current specification issued by the Highway Authority. Any requirement to relocate existing apparatus, underground services, or street furniture because of the installation of an access will be the responsibility, and cost, of the applicant and must be agreed prior to a vehicle access application. The application form, costs and guidance documentation can be found on our website, accessible via the following link:

<https://www.lincolnshire.gov.uk/licences-permits/apply-dropped-kerb>.

The access to the proposed development and the existing access to number 15 should be paired, therefore the street lighting column will need to be relocated at the applicants' expense.

Highway Informative 08 Please contact the Lincolnshire County Council Streetworks and Permitting Team on 01522 782070 to discuss any proposed statutory utility connections, Section 50 licences and any other works which will be required within the public highway in association with the development permitted under this Consent. This will enable Lincolnshire County Council to assist in the coordination and timings of these works. For further guidance please visit our website via the following link: Traffic Management - <https://www.lincolnshire.gov.uk/traffic-management>

Highway Informative 04 The road serving the permitted development is approved as a private road which will not be adopted as a Highway Maintainable at the Public Expense (under the Highways Act 1980). As such, the liability for the future maintenance of the road will rest with those who gain access to their property from it.

WLDC Landscape: 16.01.23 (Summary) Tree species choice could be better to reduce the expected negative impacts on the future residents and their use

of their properties and the shared road. Trees with narrower crown spreads would be more appropriate in these restricted spaces.

Relevant Planning Policies:

Planning law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. Here, the Development Plan comprises the provisions of the Central Lincolnshire Local Plan (adopted in April 2017) and the Lincolnshire Minerals and Waste Local Plan (adopted June 2016).

Development Plan

- **Central Lincolnshire Local Plan 2012-2036 (CLLP)**

The following policies are considered to be most relevant to the application:

- LP1: A Presumption in Favour of Sustainable Development
- LP2: The Spatial Strategy and Settlement Hierarchy
- LP3: Level and Distribution of Growth
- LP4: Growth in Villages
- LP10: Meeting accommodation needs
- LP13: Accessibility and Transport
- LP14: Managing Water Resources and Flood Risk;
- LP17: Landscape, Townscape and Views
- LP21: Biodiversity and Geodiversity
- LP26: Design and amenity

<https://www.west-lindsey.gov.uk/my-services/planning-and-building/planning-policy/central-lincolnshire-local-plan/>

- **Blyton Neighbourhood Plan**

On 10th August 2022 West Lindsey District Council approved the application by Blyton Parish Council to have its parish designated as a neighbourhood area for the purposes of producing a neighbourhood plan. The parish council are now working towards the production of the neighbourhood plan although there are no draft policies or documents available to consider at this time.

- **Lincolnshire Minerals and Waste Local Plan (LMWLP)**

The site is in a Limestone Minerals Safeguarding Area and policy M11 of the Core Strategy applies.

<https://www.lincolnshire.gov.uk/planning/minerals-waste>

National policy & guidance (Material Consideration)

- **National Planning Policy Framework (NPPF)**

The NPPF sets out the Government's planning policies for England and how these should be applied. It is a material consideration in planning decisions. The most recent iteration of the NPPF was published in July 2021. Paragraph 219 states:

"Existing [development plan] policies should not be considered out-of-date simply because they were adopted or made prior to the publication of this Framework. Due weight should be given to them, according to their degree of consistency with this Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given)."
<https://www.gov.uk/government/publications/national-planning-policy-framework--2>

- **National Planning Practice Guidance**

<https://www.gov.uk/government/collections/planning-practice-guidance>

- **National Design Guide (2019)**

<https://www.gov.uk/government/publications/national-design-guide>

- **National Design Model Code (2021)**

<https://www.gov.uk/government/publications/national-model-design-code>

Draft Local Plan/Neighbourhood Plan (Material Consideration)

NPPF paragraph 48 states that Local planning authorities may give weight to relevant policies in emerging plans

- a) the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);*
- b) the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and*
- c) the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).*

- **Draft Central Lincolnshire Local Plan**

Review of the Central Lincolnshire Local Plan commenced in 2019. The 1st Consultation Draft ("Reg 18") of the Local Plan was published in June 2021, and was subject to public consultation. Following a review of the public response, the Proposed Submission Draft ("Reg 19") of the Local Plan was published in March 2022, and was subject to a further round of consultation.

On the 8th July 2022 The Draft Local Plan Review was submitted to the planning inspectorate in order for it to commence its examination. The examination hearing took place between 15th November 2022 and 16th December 2022. Consultation on the post-examination modifications to the Plan, commenced on 13th January 2023 and will close on 24th February 2023.

The plan review submitted for examination is at an advanced stage but is still open to alterations so at this stage may be attached **some weight** in the consideration of this application.

Main Issues

- Principle of housing in this location
- Design
- Residential amenities of existing dwellings
- Highway Safety
- Biodiversity
- Drainage
- Mineral safeguarding

Assessment:

Principle: The principle of housing on this site has been previously accepted with the grant of 2 outline permissions for up to 7no. single storey dwellings on this site (a net gain of 6 dwellings, as the existing bungalow at 13A was proposed to be demolished). Both permissions remain extant with the most recent one requiring an application for approval of reserved matter to be submitted by 7th September 2023. Development must be begun within 2 years from the final approval of the reserved matters. Significant weight is attached to this as a realistic fallback position and positive material consideration. The principle of development is accepted.

The key variation with this application is now to retain the existing bungalow at the front of the site. This application proposes to reconfigure and reduce the width of the existing bungalow to allow the site access. Previous schemes had proposed the demolition of 13A in its entirety.

Design: Policy LP26 requires high quality design that that contributes positively to local character, landscape and townscape. This is consistent with section 12 of the NPPF Achieving well-designed places and is afforded full weight in the determination of this application. There are a variety of dwellings in terms of age and design along Kirton Road including a detached chalet bungalow with a projecting gable feature in its roof; post war traditional brick faced semi-detached houses, a large Victorian villa and a pair of semi-detached dwellings from the early 20th century, one faced in brick with other rendered. The design of the bungalows is described at the beginning of this report and is considered appropriate to the site in accordance with LP26.

Residential amenities of existing dwellings

Policy LP26 also requires that amenities which all existing and future occupants of neighbouring land and buildings may reasonably expect to enjoy must not be unduly harmed by or as a result of development. This is consistent with section 12 of the NPPF Achieving well-designed places and in particular paragraph 130 f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of

amenity for existing and future users. It is afforded full weight in the determination of this application.

Objections have been received on the grounds of increased noise and disturbance to existing dwellings and concerns in relation to overlooking. In terms of the potential noise and disturbance this would be related to use of the new access. Noise and disturbance from new dwellings within a primarily residential area is not normally considered a reason to withhold consent. Extant permission also exists for a total of 7 dwellings on the site. The most recent permission for the site proposed the demolition of 13A to facilitate access. The private drive created was at distances of between 1m and 3m from the curtilage of 15 Kirton Road to the east. The distances from the private drive to the curtilage of 15 are now closer between 1.2m and 1.5m with a hedge to be planted between the drive and existing fencing. The originally approved drive was to serve 2 additional dwellings compared to the current application. The increase in proximity to 15 Kirton Road is considered acceptable subject to the hedge being provided. This can be secured by condition. Noise and disturbance does not represent a reason to withhold consent.

As the dwellings are single storey this reduces the potential for overlooking of neighbours and the retention of existing boundary hedges and fencing will restrict views. Distance separation also limits overlooking. Plots 1, 2 and 3 each have a maximum rear garden depth in excess of 10 metres to the rear gardens of houses facing Rustic Lane to the north. The rear elevation of Plot 4 is between 9.8 and 11.8 m from the rear garden of 8a Laughton Road and the rear of plot 5 will be between 11.5m and 13.8m from the site granted approval for a single storey dwelling to the rear of 4 Laughton Road (Ref: 140738). Overlooking and attendant loss of privacy does not represent a reason to withhold permission. It will be necessary, however to remove permitted development rights to allow an additional storey of accommodation to be added or to make any changes to the roof which could lead to overlooking and loss of privacy. Subject to the imposition of this condition it would be in accordance with LP26.

Impacts on 13A Kirton Road

This is the remodelled bungalow and as the access to the site will run along its eastern elevation this cannot fail to have an impact on future occupants. Nevertheless, on the side facing the access a solid wall is proposed with the only opening a small obscure glazed bathroom window which would limit disturbance to main habitable rooms. There would also be an impact on its privacy although it is noted that the front of 13A is currently raised above the level of Kirton Road. Oblique views of the front would be available from the private drive although it is considered these would be fleeting and transitory. It is considered on balance that the living conditions of 13A will fall within acceptable limits and do not represent a reason to withhold permission. The existing rear amenity area will remain unchanged although it will be necessary to condition provision of screening to avoid loss of privacy and overlooking

Highway Safety: Whilst noting the objections raised on this issue LCC Highways raise no concerns as the access is wide enough to accommodate 2 vehicles and it meets the required visibility splay standards. On this basis highway safety does not represent a reason to withhold permission.

It would be in accordance with LP13.

Biodiversity:

A Biodiversity Assessment (BDA) has been submitted with the application. The Biodiversity Assessment appraises the extent of habitat loss/modification required to facilitate the proposed development.

Results of BDA (following completion of A Phase 1 Habitat Survey)

The majority of the application site comprises semi-improved, neutral grassland. An area of dense scrub is established within the south-eastern extent of the application site. This area is dominated by bramble with occasional nettle. It offers potential moderate nature conservation value.

Within the southern and western extents of the application site are small areas of scattered scrub. These are sparsely distributed and comprise bramble, hawthorn *Crataegus monogyna* and ivy. Given the native species composition but small footprint and lack of species diversity, this habitat was appraised as having potentially low nature conservation value on a site level.

Scattered fruit trees are established within the western extent of the application site. These comprise sub-mature specimens of apple. Considering the limited species diversity and scattered distribution of individual trees, the nature conservation value of this habitat is considered to be potentially low.

Pre-works and Post-works Comparison of Biodiversity Units:

A Biodiversity Metric 3.1 Calculation Tool was used to generate a pre-works and post works comparison of biodiversity units as a result of habitat loss/modifications incurred to enable the development. Provided that the proposed habitat creation measures contained within the associated development plan are implemented, the calculator has indicated a Loss in habitat (area) biodiversity units of -0.87 units (-32.95% change) post-works and a Gain in habitat (linear) biodiversity units of +0.03 units (230.16% change) post-works.

Although the post-works biodiversity scoring for area habitats does not meet the standard National biodiversity net gain expectations mandated as part of the Environment Act 2021 (i.e., +10%), the landscape proposals are expected to result in contributions to biodiversity overall and achieve significant biodiversity gains for linear habitats. On this basis and due to the fact that the mandate is not yet in force this is considered acceptable. It is important to note that whilst the landscaping proposals are not acceptable in their current form principally due to the negative impacts on future residents a planning condition will nevertheless be imposed requiring submission of a landscape

scheme for the written approval of the local planning authority which will allow a satisfactory scheme to be delivered. The applicants have agreed a pre development condition which will ensure the contribution towards biodiversity claimed is delivered. Conditions will be imposed securing implementation of the submitted landscaping proposals and replacement of planting if required. Subject to this it would accord with LP21.

Flood risk and drainage:

A Flood Risk Assessment (FRA) has been submitted with the application. The site predominantly falls within Flood Zone 1 (Low Probability - Land having a less than 1 in 1,000 annual probability of river or sea flooding) with a small section of the access from Blyton Road at the front within Flood Zone 2 (medium probability). The online British Geological Survey maps indicates that the site is located on superficial deposits of sand and gravel over a bedrock of mudstone.

Development is appropriate within Zone 1. Surface Water is proposed to be dealt with by discharge to the superficial deposits of sand and gravel via soakaways. This is a sustainable means of disposal and details will be conditioned. Foul water from the proposed development will discharge to a public sewer in accordance with the preferred hierarchy for disposal. There are no reasons to withhold consent on the grounds of flood risk or means of drainage and it would be in accordance with policy LP14 of the Central Lincolnshire Local Plan.

Minerals Safeguarding

A Minerals safeguarding statement has been submitted. Whilst the site is in a Limestone Minerals Safeguarding Area extant permission exists for development of the site and it is noted that whilst no representations have been received from the Minerals team they raised no objections to the most recent application for this site. Overall, it is considered that the proposal will have a negligible impact with respect to sterilising the mineral resource and accords with policy M11 of the Lincolnshire Minerals and Waste Local Plan (Core Strategy and Development Management Policies) and the provisions of the NPPF. It is considered that policy M11 is consistent with the minerals guidance (Chapter 17) of the NPPF and can be attached full weight.

Objections received

The ones in relation to access, drainage and loss of privacy impacting on residential amenities have been discussed in the preceding sections of the report. The parish considers the proposals an overdevelopment which is not accepted as permission exists for a greater number of dwellings on this site. Objections have been received from residents referring to flooding events although the site itself falls within Flood Zone 1 at the lowest risk of river or sea flooding. A large section of Kirton Road from which access will be taken is at medium risk of flooding and falls within Zone 2 which may account for the reports of flooding on the fields to its south. The Environment Agency mapping does not indicate that the site is susceptible to surface water flooding, with only the very eastern edge of the site identified as having a 'low' risk of surface water flooding. Maintenance issues on site are not material

planning considerations. The concerns about additional noise and disturbance are noted however this is primarily a residential area which is evidenced by neighbouring dwellings on all sides of the site and an additional 5 dwellings to that already present is not considered to be so significant as to justify the refusal of permission.

Planning balance and conclusion

This is an application for 5 new single storey dwellings on a site that was previously granted permission for 7 single storey dwellings which remains extant. The design is appropriate for its location with no adverse impacts arising to highway safety, existing residents, drainage, biodiversity and a grant of conditional approval is recommended.

Recommendation: Approve 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. Prior to the commencement of the development, 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,

vehicle and pedestrian access and circulation areas; hard surfacing materials; Soft landscaping details shall include details of the existing hedgerows, 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

Reason: In the interests of visual amenity and biodiversity, in accordance with the provisions of the National Planning Policy Framework and policies LP17, LP21 and LP26 of the Central Lincolnshire Local Plan.

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

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

- Site Block Plan 1502J/100;
- Existing Bungalow - Proposed Elevations : 1502J/103

- Existing Bungalow - Proposed Floor Plans: 1502J/102
- Type 1 (RH) - Proposed Floor Plan (Plot 2): 1502J/104
- Type 1 (RH) - Elevations (Plot 2):1502J/105
- Type 1 (LH) - Proposed Floor Plan (Plot 3): 1502J/106
- Type 1 (LH) - Elevations (Plot 3): 1502J/107
- Type 2 (RH) - Elevations (Plots 1 + 4): 1502J/109
- Type 2 (LH) - Proposed Floor Plan (Plot 5):1502J/110
- Type 2 (LH) - Elevations (Plot 5):1502J/111
- Garage Block (Plots 2 & 3) 1502J/112

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

4. The materials used in the development shall match those stated on the application form.

Reason: To ensure the use of appropriate materials to accord with the National Planning Policy Framework and Policy LP26 of the Central Lincolnshire Local Plan.

5. No development, other than to foundations level shall take place until a detailed scheme for the disposal of foul and surface waters have been submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out in accordance with the approved details and prior to occupation of the dwellings.

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

5. No development, other than to foundations level shall take place until full details of the proposed boundary treatments have been submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out in accordance with the approved details and prior to occupation of the dwellings.

Reason: In order to ensure there is no overlooking and attendant loss of privacy to existing and proposed dwellings in accordance with Policy LP26 of the Central Lincolnshire Local Plan.

6. No trees, shrubs or hedges within the site which are shown as being retained on the approved plans shall be felled, uprooted, wilfully damaged or destroyed, cut back in any way or removed without previous written consent of the local planning authority; any trees, shrubs or hedges removed without consent or dying or being severely damaged or becoming seriously diseased within 5 years from the completion of the development hereby permitted shall be replaced with trees, shrubs or hedge plants of similar size and species unless the local planning authority gives written consent to any variation.

Reason: In the interests of visual amenity and biodiversity, in accordance with the provisions of the National Planning Policy Framework and policies LP17, LP21 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:

7. Prior to occupation of the new dwellings' full details of the proposed screening to the rear of 13A Kirton Road must be submitted to and approved in writing by the Local Planning Authority and erected in full and retained and maintained thereafter.

Reason: To avoid overlooking and loss of privacy in accordance with Policy LP25 of the Central Lincolnshire Local Plan.

8. Notwithstanding the provisions of Classes, AA, B and C, of Schedule 2 Part 1 and Class A of Schedule 2 Part 2 of the Town and Country Planning (General Permitted Development) (Amendment) Order 2015, or any Order revoking and re-enacting that Order, the buildings hereby permitted shall not increase in height with no new windows or alterations to the roof permitted.

Reason: To avoid overlooking and loss of privacy to neighbouring dwellings in accordance with Policy LP25 of the Central Lincolnshire Local Plan.

9. 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: To ensure that an approved landscaping scheme is implemented in a speedy and diligent way and that initial plant losses are overcome, in the interests of biodiversity and the visual amenities of the locality and in accordance with Central Lincolnshire Local Plan policies LP17, LP21 and LP26.

Notes to the Applicant

Comments from LCC Highway Services:

Highway Informative 03

The permitted development requires the formation of a new/amended vehicular access. These works will require approval from the Highway Authority in accordance with Section 184 of the Highways Act. Any traffic management required to undertake works within the highway will be subject to agreement. The access must be constructed in accordance with a current specification issued by the Highway Authority. Any requirement to relocate existing apparatus, underground services, or street furniture because of the installation of an access will be the responsibility, and cost, of the applicant and must be agreed prior to a vehicle access application. The application

form, costs and guidance documentation can be found on our website, accessible via the following link:

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The access to the proposed development and the existing access to number 15 should be paired, therefore the street lighting column will need to be relocated at the applicants' expense.

Highway Informative 08

Please contact the Lincolnshire County Council Streetworks and Permitting Team on 01522 782070 to discuss any proposed statutory utility connections, Section 50 licences and any other works which will be required within the public highway in association with the development permitted under this Consent. This will enable Lincolnshire County Council to assist in the coordination and timings of these works. For further guidance please visit our website via the following link:

Traffic Management -

<https://www.lincolnshire.gov.uk/traffic-management>

Highway Informative 04

The road serving the permitted development is approved as a private road which will not be adopted as a Highway Maintainable at the Public Expense (under the Highways Act 1980). As such, the liability for the future maintenance of the road will rest with those who gain access to their property from it.

Agenda Item 6b



Officers Report

Planning Application No: 145953

PROPOSAL: Planning application for development of a dry leisure centre, together with external sports pitch being variation of conditions 6 & 15 of planning permission 139552 granted 14 November 2019 - amendments to drawings for drainage and landscaping.

LOCATION: Market Rasen Leisure Centre Gainsborough Road Market Rasen Lincolnshire LN8 3JW

WARD: Market Rasen

WARD MEMBER(S): Cllr S Bunney, Cllr J McNeill & Cllr Mrs C E J McCartney

APPLICANT NAME: West Lindsey District Council

TARGET DECISION DATE: 02/03/2023

DEVELOPMENT TYPE: Major - Other

CASE OFFICER: Rachel Gordon

RECOMMENDED DECISION: Grant permission

The application is presented to committee as West Lindsey District Council is the applicant.

Description:

The application site is located on the western edge of the market town of Market Rasen. It is located on the southern side of Gainsborough Road. The Limes Hotel and associated grounds are to the west, with a small part of the curtilage of the Limes Bungalow adjacent to the south western edge of the site. There are dwellings served off Dear Street next to the north eastern boundary of the site, although the majority of the eastern boundary is with land forming part of the grounds of the Market Rasen Church of England Primary School. A playground/area of open space runs along the entirety of the southern boundary beyond which are semi-detached dwellings facing Coronation Road.

The application seeks permission to vary conditions 6 & 15 of planning permission 139552 (development of a dry leisure centre, together with external sports pitch) granted 14 November 2019 - amendments to drawings for drainage and landscaping.

The amendments are being sought because it has come to the attention of the applicant that a concern regarding standing water in the detention basin has been raised, and although this is not a surface water drainage design or a performance issue they want to alleviate this concern. The concern was that rather than the water soaking away it was remaining in the ponds as the level was too low to reach the outlet for the water to drain. This has required soil fill in the detention basin/attenuation ponds to allow the water reach the outlet in order to drain. The works are now complete. The ponds will

also only fill in extreme events where water will need to be stored. This will drain away as designed.

The conditions therefore need to reflect the amended drainage plans. The landscaping has included some wild grassed areas with a meadow mix and amenity grass areas which need to be read in conjunction with the previous landscaping plan.

Relevant history:

138607 – Planning application for a development of a dry leisure centre, together with external sports pitch. Permission granted 07/02/19

139552 - Planning application for development of a dry leisure centre, together with external sports pitch being variation of conditions 4, 6, 11 and 15 of planning permission 138607 granted 07 February 2019 – updated drawings, landscaping, acoustic fence details and drainage. Granted 14/11/19

Representations:

Chairman/Ward member(s): No representations received to date.

Parish/Town Council/Meeting: No representations received to date.

Local residents: No representations received to date.

LCC Highways and Lead Local Flood Authority: Having given due regard to the appropriate local and national planning policy guidance (in particular the National Planning Policy Framework), Lincolnshire County Council (as Highway Authority and Lead Local Flood Authority) has concluded that the proposed development would not be expected to have an unacceptable impact upon highway safety or a severe residual cumulative impact upon the local highway network or increase surface water flood risk and therefore does not wish to object to this planning application.

Environmental Protection: Environmental Protection did not recommend conditions 6 & 15 of planning permission 139552 granted 14 November 2019. We therefore have no comments to make on this application.

Lincolnshire Police: No objections.

Natural England: No objections.

Environment Agency: We did not recommend the conditions referred to on application 145953 and therefore have no comment to make on this application.

Idox checked 26/01/23

Relevant Planning Policies:

Planning law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. Here, the Development Plan comprises the provisions of the Central Lincolnshire Local Plan (adopted in April 2017).

Development Plan

- **Central Lincolnshire Local Plan 2012-2036 (CLLP)**

Relevant policies of the CLLP include:

LP1: A Presumption in Favour of Sustainable Development

LP2: The Spatial Strategy and Settlement Hierarchy

LP6: Retail and Town Centres in Lincolnshire

LP9: Health and Wellbeing

LP13: Accessibility and Transport

LP14: Managing Water Resources and Flood Risk

LP15: Community Facilities

LP17: Landscape, Townscape and Views

LP21: Biodiversity and Geodiversity

LP22: Green Wedges

LP24: Creation of New Open Spaces, Sports and Recreation Facilities

LP25: The Historic Environment

LP26: Design and Amenity

<https://www.n-kesteven.gov.uk/central-lincolnshire/local-plan/>

National policy & guidance (Material Consideration)

- **National Planning Policy Framework (NPPF)**

The NPPF sets out the Government's planning policies for England and how these should be applied. It is a material consideration in planning decisions.

The most recent iteration of the NPPF was published in July 2021. Paragraph 219 states:

"Existing [development plan] policies should not be considered out-of-date simply because they were adopted or made prior to the publication of this Framework. Due weight should be given to them, according to their degree of consistency with this Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given)."

- **National Planning Practice Guidance**
- *National Design Guide (2019)*

<https://www.gov.uk/government/publications/national-planning-policy-framework--2>

Draft Local Plan / Neighbourhood Plan (Material Consideration)

NPPF paragraph 48 states that Local planning authorities may give weight to relevant policies in emerging plans according to:

(a) the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);

(b) the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and

(c) the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).

- **Draft Central Lincolnshire Local Plan**

Review of the Central Lincolnshire Local Plan commenced in 2019. The 1st Consultation Draft (“Reg 18”) of the Local Plan was published in June 2021, and was subject to public consultation. Following a review of the public response, the Proposed Submission Draft (“Reg 19”) of the Local Plan was published in March 2022, and was subject to a further round of consultation.

On the 8th July 2022 The Draft Local Plan Review was submitted to the planning inspectorate in order for it to commence its examination. The examination hearing took place between 15th November 2022 and 16th December 2022. Consultation on the post-examination modifications to the Plan, commenced on 13th January 2023 and will close on 24th February 2023.

The Draft Plan may be a material consideration, where its policies are relevant. Applying paragraph 48 of the NPPF, the decision maker may give some weight to relevant policies within the submitted “Reg 19” Plan, with the weight to be given subject to the extent to which there may still be unresolved objections to those policies (the less significant the unresolved objections, the greater the weight that may be given)

Consultation responses can be found in document STA022 Reg 19 Consultation Responses by policy / STA023 Reg 19 Consultation Responses by respondent.

<https://www.n-kesteven.gov.uk/central-lincolnshire/local-plan-review/#:~:text=The%20Local%20Plan%20Review%20is,it%20to%20commence%20its%20examination.>

Main issues

- Principle

- Variations

Assessment:

Principle

This application seeks to vary conditions 6 and 15 of planning permission 139552 by amending the drainage and landscaping.

The principle of the development has already been established by consent 138607 and subsequent variation application 139552. What has to be considered is the impact, if any, the changes will have. The leisure centre is now built.

Variation

The reason for the variation is it has come to the attention of the applicant that a concern regarding standing water in the detention basin has been raised, and although this is not a surface water drainage design or a performance issue they want to alleviate this concern. The concern was that rather than the water soaking away it was remaining in the ponds as the level was too low to reach the outlet for the water to drain. This has required soil fill in the detention basin/attenuation ponds to allow the water reach the outlet in order to drain. The works are now complete. The ponds will also only fill in extreme events where water will need to be stored. This will drain away as designed.

The conditions therefore need to reflect the amended drainage plans. The landscaping has included some wild grassed areas with a meadow mix and amenity grass areas which need to be read in conjunction with the previous landscaping plan.

LCC Highways and Lead Local Flood Authority have been consulted on the works and do not raise any objections.

It is not considered that the works to address the standing water raise any planning concerns or affect the amenities of neighbouring land.

Review of conditions

Condition 2 – Construction Method Statement – No change

Condition 3 – Tree Protection – No change.

Condition 4 – Plans – No change.

Condition 5 – Access – Now void.

Condition 6 – Drainage – Changed to the new drainage details.

Condition 7 – Site Layout – No change

Condition 8 – Ecology – No change.

Condition 9 – Materials – No change

Condition 10 – Landscape Management – Change to details of discharge of conditions 140523

Condition 11 – Acoustic Fence – No change

Condition 12 – Noise – No change.

Condition 13 – Lighting – Change to details of discharge of conditions 140523

Condition 14 – Contamination – No change.

Condition 15 – Landscaping – Changed to include the new drawing.

Condition 16 – Footpath – No change.

Condition 17 – Noise Report – No change

Condition 18 – Access – No change.

Condition 19 – Travel Plan – No change.

Condition 20 – Construction Times – No change.

Condition 21 – Planting – No change.

Condition 22 – Opening Times – No change.

Condition 23 – Lighting – No change.

Condition 24 – Travel Plan – No change.

Condition 25 – Noise – No change.

Conclusion

The application has been assessed in the first instance against the provisions of the development plan policies LP1: A Presumption in Favour of Sustainable Development, LP2: The Spatial Strategy and Settlement Hierarchy, LP6: Retail and Town Centres in Lincolnshire, LP9: Health and Wellbeing, LP13: Accessibility and Transport, LP14: Managing Water Resources and Flood Risk, LP15: Community Facilities, LP17: Landscape, Townscape and Views, LP21: Biodiversity and Geodiversity, LP22: Green Wedges, LP24: Creation of New Open Spaces, Sports and Recreation Facilities, LP25: The Historic Environment and LP26: Design and Amenity of the Central Lincolnshire Local Plan as well as other material considerations and guidance contained within the

National Planning Policy Framework and National Planning Practice Guidance. In light of this assessment it is considered that the variations to the drainage and landscaping would be acceptable. There would be no detrimental impact upon the character and appearance of the area or site and would not be detrimental to surrounding uses amenity.

The application is recommended for approval subject to the following conditions:

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

1. Void

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. The development shall be carried out in full accordance with the Construction Phase Health and Safety Plan (CPHSP) – (PEP Part 2) Rev A dated 7th March 2019 and Environmental Management Plan (EMP) – PEP Part 3 Rev A dated 15th April 2019.

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

3. The tree protection measures shall be carried out in strict accordance with details within Tree protection Root Barrier Plan and Specification Rev 00 dated 28th January 2019.

Reason: To ensure that adequate measures are taken to preserve trees and their root systems whilst construction work is progressing on site in accordance with policy LP17 of the Central Lincolnshire Local Plan.

4. With the exception of the detail matters referred by the conditions of this consent, the development hereby approved shall be carried out in accordance with the following drawings:

MRLC1-CPM-01-00-DR-A-X-2001 revision C02 dated 12.09.2018
MRLC1-CPM-01-01-DR-A-X-2002 revision C02 dated 12.09.2018
MRLC1-CPM-01-ZZ-DR-A-X-2010 revision C02 dated 12.09.2018
2001 Rev C04 dated 30.11.18

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

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

5. Void

6. The detailed arrangements for the foul and surface water drainage shall be completed in accordance plan 9601 Rev C04 Drainage Plan. The scheme shall be retained and maintained in full in accordance with this strategy.

Reason: To ensure the site is adequately drained in accordance with policy LP14 of the Central Lincolnshire Local Plan.

7. The arrangements shown on the approved plan 2001 Rev C04 dated 30.11.18 for the parking/turning/manoeuvring/loading/unloading of vehicles shall be available at all times when the premises are in use.

Reason: To enable calling vehicles to wait clear of the carriageway and to allow vehicles to enter and leave the highway in a forward gear in the interests of highway safety.

8. The development shall be carried out in strict accordance with the ecological reports (Extended Phase 1 Habitat Survey by CBE Consulting dated 14 October 2016 and Review of Ecological and Aboricultural Reports by CBE Consulting dated 25 October 2018) submitted with the application, including provision of any proposed details of habitat protection/ creation.

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

9. The development shall be carried out using the following materials –

Timber cladding – NORclad Scandanvian Redwood 15mm gap
NORclad Scandanvian Redwood 30mm gap

Curtain Wall Frame – RAL 8019

Render – WEBER Mushroom

Brick – IBSTOCK Leicester Multi Cream

Reason: To ensure the materials proposed create a positive appearance and safeguard the character of the surrounding area in accordance with policies LP17 and LP26 of the Central Lincolnshire Local Plan.

10. Landscape Management shall be carried out in accordance with the details contained within the Landscape Management Plan (LMP) Ref: INF_N0515 R01 dated 06.03.2020 by influence.

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

11. The acoustic fence shall be erected as shown on plan 2001 Rev C04 dated 30.11.18 prior to occupation and maintained and retained thereafter.

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

12. In the event that a complaint is raised to the Local Planning Authority on the grounds of noise within the first 12 months of the development's first use, noise monitoring shall be carried out by a suitably qualified person, subject to a methodology that has been agreed in writing by the Local Planning Authority prior to monitoring works. Should noise be deemed as reaching unacceptable levels (>50dB LAeq, 1hour) by the Local Planning Authority, a mitigation strategy shall be submitted to and approved in writing by the Local Planning Authority including a timescale for implementation. Mitigation shall be carried out in accordance with the agreed mitigation strategy.

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

13. The lighting for the site shall be carried out in accordance with the details submitted on Plan MRLC1-EKE-XX-XX-DRE-0111-C04 dated Feb 20 and the details contained within Lighting Design Report by Ansell Lighting Rev A dated 06.03.2020.

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

14. If during the course of development, contamination not previously identified is found to be present on the site, then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall 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 shall then be dealt with in accordance with the approved details.

Reason: In order to safeguard human health and the water environment as recommended by Public Protection.

15. The landscaping shall be carried out in accordance with the details submitted on plan 9601 Rev C04 Landscape Plan (wild grassed areas with meadow mix and amenity grass only) and 9601 Rev CO2.

Reason: In the interests of visual amenity and biodiversity in accordance with policies LP17 and LP21 of the Central Lincolnshire Local Plan.

16. Prior to occupation and notwithstanding the technical details required by the highway authority, the footpath and tactile crossing shall be installed in accordance with plan SK008 A.

Reason: In the interests of safety of the users of the public highway and the safety of the users of the site.

17. The development shall be carried out in accordance with mitigation measures included in Noise Impact Assessment to inform Planning Application report ref: 21096R01bPKsw by Environoise dated 16 October 2019.

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

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

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

19: The approved development shall not be occupied until those parts of the approved Travel Plan that are identified therein as being capable of implementation before occupation shall be implemented in accordance with the timetable contained therein and shall continue to be implemented for as long as any part of the development is occupied.

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

20. Construction works shall only be carried out between the hours of 07:00 and 19:00 on Mondays to Fridays; between 08:00 and 13:00 on Saturdays and at no time on Sundays and Bank Holidays unless specifically agreed in writing by the Local Planning Authority beforehand.

Reason: To protect the amenity of the occupants of nearby 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:

21. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the occupation of

the building or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: To ensure that an approved landscaping scheme is implemented in a speedy and diligent way and that initial plant losses are overcome, in the interests of the visual amenities of the locality and in accordance with policy LP17 of the Central Lincolnshire Local Plan.

22. The use hereby permitted shall not be open to customers outside the following times 07:00 to 22:00 Monday to Sunday and shall not open on Christmas Day, Boxing Day or New Years Day.

Reason: To protect the amenities of adjoining properties and the locality in general in accordance with LP26 of the Central Lincolnshire Local Plan.

23. The lighting for the 3G pitch shall only be illuminated between the hours of 06:45 and 22:15. The illumination shall be in accordance with details in Lighting Impact Assessment Report Issue P02 by built environment consulting Ltd dated 9th January 2019.

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

24. The development shall be carried out in strict accordance with the amended Travel Plan (Framework Travel Plan by Turvey Consultancy Limited dated January 2019).

Reason: To ensure that access to the site is sustainable and reduces dependency on the car in accordance with the National Planning Policy Framework.

25. Plant noise shall not exceed background noise (41dB LA90(15min) for daytime and 29dB LA90(15min) for night time as per details within the Noise Impact Assessment to inform Planning Application report ref: 21096R01aPKsw by Environoise dated 09 January 2019.

Reason: In the interests of residential amenity in accordance with LP26 of the Central Lincolnshire Local Plan.

Human Rights Implications:

The above objections, considerations and resulting recommendation have had regard to Article 8 and Article 1 of the First Protocol of the European Convention for Human Rights Act 1998. The recommendation will not interfere with the applicant's and/or

objector's right to respect for his private and family life, his home and his correspondence.

Legal Implications:

Although all planning decisions have the ability to be legally challenged it is considered there are no specific legal implications arising from this report



Planning Committee

Wednesday, 1st March
2023

Subject: Determination of Planning Appeals

Report by:

Assistant Director Planning and
Regeneration

Contact Officer:

Andrew Warnes
Democratic and Civic Officer
andrew.warnes@west-lindsey.gov.uk

Purpose / Summary:

The report contains details of planning applications that had been submitted to appeal and for determination by the Planning Inspectorate.

RECOMMENDATION(S): That the Appeal decisions be noted.

IMPLICATIONS

Legal: None arising from this report.

Financial: None arising from this report.

Staffing: None arising from this report.

Equality and Diversity including Human Rights: The planning applications have been considered against Human Rights implications especially with regard to Article 8 – right to respect for private and family life and Protocol 1, Article 1 – protection of property and balancing the public interest and well-being of the community within these rights.

Risk Assessment: None arising from this report.

Climate Related Risks and Opportunities: None arising from this report.

Title and Location of any Background Papers used in the preparation of this report:
Are detailed in each individual item

Call in and Urgency:

Is the decision one which Rule 14.7 of the Scrutiny Procedure Rules apply?

i.e. is the report exempt from being called in due to urgency (in consultation with C&I chairman) **Yes** **No**

Key Decision:

A matter which affects two or more wards, or has significant financial implications **Yes** **No**

Appendix A - Summary

- i) Appeal by Mr S Osborne against the decision of West Lindsey District Council to refuse planning permission for a dwelling to rear of 45 Mill Lane Saxilby, at 45 Mill Lane, Saxilby, Lincolnshire LN1 2HN.

Appeal Allowed – See copy letter attached as Appendix Bi.

Committee Decision – Refuse

- ii) Appeal by Mr Scott Robertson against the decision of West Lindsey District Council to refuse planning permission for a proposed single story rear extension, proposed double story porch extension and proposed first floor side extension with proposed façade alterations at 22 Washdyke Lane, Nettleham, Lincoln, Lincolnshire LN2 2PY.

Appeal Allowed – See copy letter attached as Appendix Bii.

Officer Decision – Refuse



Appeal Decision

Site visit made on 1 February 2023

by John Morrison BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 02 FEBRUARY 2023

Appeal Ref: APP/N2535/W/22/3306201

45 Mill Lane, Saxilby, Lincolnshire LN1 2HN

- The appeal is made under Section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr S Osborne against the decision of West Lindsey District Council.
 - The application Ref 144491, dated 25 February 2022, was refused by notice dated 28 April 2022.
 - The development proposed is a dwelling to rear of 45 Mill Lane Saxilby.
-

Decision

1. The appeal is allowed and planning permission is granted for a dwelling to rear of 45 Mill Lane Saxilby at 45 Mill Saxilby, Lincolnshire LN1 2HN in accordance with the terms of the application, Ref 144491, dated 25 February 2022, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with approved plan F3039 - A1 - 01, dated Feb 2022.
 - 3) No development shall take place above ground level until details of the materials to be used in its external surfaces have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.
 - 4) No development shall take place above ground level until details of a scheme for the management and disposal of foul and surface water has been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Main Issue

2. The main issue is the effect of the proposed development on the character and appearance of the area.

Reasons

3. The appeal site is the garden of No 45 Mill Lane which stretches east, to the rear of the dwelling. The host building is a two storey detached unit set to the very front of the plot, close to the back edge of the highway. Unconventionally, it has its side elevation to the road with an enclosed garden space to the south. There is a single storey extension abutting a private driveway which is shared with the neighbour at No 49.

4. In terms of the immediate area, development is mainly across the frontage and single tier but varies in the type and size of buildings. There are a limited number of examples of back land type development. Mays Lane sits to the south and stretches much further east. Plot sizes vary in their size and width. There is a sense of openness and spaciousness to the character of the rear, albeit buildings tend to be quite close together. There is no clear uniformity to the set back from the road.
5. The plot for the dwelling would be contextually small but, given the spacing between buildings generally this would not appear out of place. The mixed and clustered nature of surrounding buildings gives the immediate area something of a tight knit and informal feel to its layout within which the proposal would sit comfortably.
6. It would be one of the limited numbers of back land type development locally but when read against the development to the south and the fact that there is already an established driveway running to where it would be sited, the fact it would be establishing a second tier of development would not affect the character of the area adversely. It would be a bungalow and thus contrasting with the host building, but the mixed appearance of architecture in the immediate area would assimilate it acceptably.
7. With this in mind, the appeal scheme would not cause harm to the character or appearance of the area and, consequently, comply with Policy 2 of the Saxilby with Ingleby Neighbourhood Plan which sets out, amongst other things, that all new development must deliver good quality design that respects the existing pattern of development and be of an appropriate scale and density in relation to its setting.

Other Matters

8. The Council's reason for refusal refers to the 'accompanying character assessment'. I have not been passed a copy although there is some discussion thereof in the appellant's evidence where it is noted as The Saxilby with Ingleby Village Character Assessment. The appeal site appears to be in sub area G. Having regard to these extracts and my findings above I do not find any direct conflict with it. I have in any case assessed the appeal scheme against the development plan as it is referenced by the Council in its reason for refusal and found it to comply.
9. In terms of the pathway to the proposed dwelling, there is some concern that it would not be wide enough for disabled access. On my understanding of the plans proposed this does not seem to be the case. The driveway is pre-existing and of considerable width. There also appears to be space between the proposed dwelling and the plot boundary for access to the rear. In any case, the finer details of such matters is usually addressed through the building regulations process.

Conditions

10. I have imposed the following conditions, taking account of the Council's suggestions. I have made some changes to suggested wording in the interests of clarity and enforceability.
11. I have attached the usual conditions pertaining to the timescale for the commencement of works and compliance with the approved plan. I have

required the submission of materials so a suitable external appearance can be achieved and, for functional purposes, stated that a scheme should be agreed to control the management and disposal of foul and surface water. It would be sufficient for such detail to be, as the Council have suggested, agreed prior to any works above ground level.

Conclusion

12. The appeal scheme would comply with the development plan. It is for this reason that the appeal should be allowed and planning permission granted, subject to the conditions set out above.

John Morrison

INSPECTOR



Appeal Decision

Site visit made on 24 January 2023

by **J Downs BA(Hons) MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 14 February 2023

Appeal Ref: APP/N2535/D/22/3309904

22 Washdyke Lane, Nettleham, Lincoln, Lincolnshire LN2 2PY

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Scott Robertson against the decision of West Lindsey District Council.
 - The application Ref 145489, dated 2 September 2022, was refused by notice dated 20 October 2022.
 - The development proposed is Proposed single story rear extension, proposed double story porch extension and proposed first floor side extension with proposed façade alterations.
-

Decision

1. The appeal is allowed and planning permission is granted for single story rear extension, double story porch extension and first floor side extension with façade alterations at 22 Washdyke Lane, Nettleham, Lincoln LN2 2PY in accordance with the terms of the application, Ref 145489, dated 2 September 2022, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: site and location plan; proposed floorplans; proposed elevations and proposed roof plan.

Procedural Matters

2. I have amended the description of development in the decision to remove words which are not part of the act of development.

Main Issue

3. The main issue is the effect on the character and appearance of the host dwelling and the area.

Reasons

4. Washdyke Lane is a generally straight road which rises from the A46, and crests before descending towards High Street. Although a relatively long main route into Nettleham, Washdyke Lane has a clearly residential character. The appearance of the dwellings along its length vary in size, orientation and materials.
5. The host property is a substantial detached property located in a spacious plot and set back from the public highway. The surrounding properties generally

occupy similar positions in equivalent sized plots. Due to this, and the position of the dwelling part-way along the crest of the hill, it does not form a particularly prominent feature on Washdyke Lane and its visual envelope is limited.

6. The dwellings in the vicinity of the site are varied in scale, as some are single storey and others appear to have been extended, but all appear as substantial properties. The form, articulation and design detailing of each property is different, although some do share commonalities such as gables and mock-tudor detailing. There is a predominance of red brick dwellings in the immediate vicinity of the site, however along the length of Washdyke Lane and onto the surrounding streets, there is considerable variation in materials, with stone, brick, painted brick, render and cladding all being evident to varying degrees.
7. The proposed extensions visible from the front would inevitably increase its mass. However the ridge height of the first floor side extension would be lower than that of the main dwelling and it would be in line with the existing first floor front elevation, which is slightly set back in relation to the ground floor. The double storey porch would add to the mass of the building because of its height and the gable feature, although it too would be lower than the existing ridge height and not project forward of the existing front elevation. Due to the extensions sitting within the confines of the overall dimensions of the dwelling, the additional scale would be limited, and the proportions would not appear incongruous in relation to the substantial host property.
8. The Council's officer report highlights concerns with modern alterations and identifies that the host property would become an alien feature. While there is no explicit reference to materials in either the Council's report or reason for refusal, the plans clearly show that the external appearance of the dwelling would be significantly changed by the introduction of white render and black cladding in place of the existing red brick. However there is a range of materials in use along Washdyke Lane and the surrounding streets, including a small number of modern alterations.
9. The double storey porch extension, with its strong vertical emphasis as a result of its narrow width, height and fenestration would introduce a distinct new element to the form of the building. However, it would be integrated into the dwelling as proposed through the use of materials.
10. Overall, the dwelling would have a different appearance to those in the immediate surrounds. However, the appeal site does not occupy a prominent position, and views are very localised due to the linear nature and topography of Washdyke Lane.
11. As a result, the appeal proposal would not harm the character and appearance of the host dwelling and the area. It would comply with Central Lincolnshire Local Plan adopted April 2017 Policies LP17 and LP26, and Nettleham Neighbourhood Plan Policy D – 6 which require development to recognise and take into consideration the character and local distinctiveness of the area.

Conditions

12. The Council has suggested several conditions should the appeal be allowed. I have had regard to these in light of the advice contained within the National

Planning Policy Framework and the Planning Practice Guidance. I have imposed standard conditions relating to the commencement of development and approved plans to define the terms of the permission.

13. While the Council has suggested a condition be imposed requiring materials to match those of the existing building, the submitted plans clearly show the use of different materials. For the reasons given above, the proposed materials are acceptable. As these are shown on the proposed elevations drawing, there is no need for a further condition to be imposed.

Conclusion

14. For the reasons given above I conclude that the appeal should be allowed.

J Downs

INSPECTOR