

## **WEST LINDSEY DISTRICT COUNCIL**

MINUTES of the Meeting of the Planning Committee held in the Council Chamber - The Guildhall, Marshall's Yard, Gainsborough, DN21 2NA on 31 May 2023 commencing at 6.30 pm.

**Present:**

Councillor Jim Snee (Vice Chairman, in the Chair)
Councillor Emma Bailey
Councillor John Barrett
Councillor Ian Fleetwood
Councillor Sabastian Hague
Councillor Peter Morris
Councillor Tom Smith
Councillor Baptiste Velan
Councillor Liz Clews
Councillor Trevor Young

**In Attendance:**

Sally Grindrod-Smith	Director Planning, Regeneration & Communities
George Backovic	Development Management Team Leader
Rachel Gordon	Development Management Team Leader
Ian Elliott	Senior Development Management Officer
Daniel Galpin	Senior Development Management Officer
Andrew Warnes	Democratic and Civic Officer

**Apologies:**

Councillor Matthew Boles (Chairman)
Councillor David Dobbie

### **Membership:**

## **1 PUBLIC PARTICIPATION PERIOD**

No statements were made during the public participation period.

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

**RESOLVED** that the minutes of the meeting of the Planning Committee held on Wednesday, 26 April 2023 be confirmed and signed as an accurate record.

## **3 DECLARATIONS OF INTEREST**

In relation to agenda item 6(a), (application number 146226 - Land off Owmbly Wold Lane, Owmbly) Councillor Morris indicated that he was the Local Ward Member for the area but had not been lobbied or asked about the application. He had attended a meeting at which

the application had been mentioned but had not taken part in the discussions. In relation to item 6(c) (application number 146210 – Land at Top House Farm, Grimsby Road, Caistor) Councillor Morris indicated that he lived in Caistor and knew the area extremely well. He had not however discussed the application in any shape or form prior to this meeting.

In connection with item 6(c) application number 146210 (Land at Top House Farm, Grimsby Road, Caistor), Councillor Smith indicated that he worked for Sir Edward Leigh but had not discussed the application in any shape or form prior to this meeting. He also indicated that as County Councillor for the area, he had been present at meetings at which the application had been mentioned but had not taken part in the discussions and had come to this meeting with a completely open mind.

In relation to item 6(a) (Land West of North Moor Road, Scotter) Councillor Fleetwood indicated that he was the Council's representative on the Scunthorpe and Gainsborough Water Management Board but he had not been involved in any discussions about the item.

As an aside, Councillor Fleetwood as the previous Chairman of the Committee, expressed his best wishes to his successor and the Vice-Chairman in relation to their recent appointments.

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

The Committee was advised that there had been a second round of consultation into something called “welcoming major recovery strategies”. These had been established under the Environment Bill. There would be 50 strategies covering the whole country and would cross multiple local authority districts.

The Government would appoint something called the “responsible authority” which would have a duty to draw up the strategies which DEFRA maintained would help map the most valuable sites and habitats for wildlife in the area and identify where nature could be restored. DEFRA felt that this action would better support spatial planning for nature this formed part of the Government's biodiversity net gain policies.

In thanking the Planning Officer for the update, the Committee was of the view that it would be helpful if all Members of the Council could be circulated with the updates submitted to this Committee in order to keep them abreast of changing planning policies.

The Planning Officer reminded Members that progress on Local Neighbourhood Plans could be viewed using this link: <https://www.west-lindsey.gov.uk/my-services/planning-and-building/neighbourhood-planning/>

#### **5 142460 - LAND WEST OF NORTH MOOR ROAD, SCOTTER**

The first application before the Committee this evening was application number 142460 seeking approval of reserved matters for 43 dwellings, considering only the outstanding matters of appearance, landscaping, layout and scale, following the granting of outline permission on 19 December, 2017 on land west of North Moor Road, Scotter. The application had been referred to the Committee following the receipt of third party objections,

including from the Local Ward Member and Scotter Parish Council.

The Planning Officer presented the report and gave an update. Since the report had been published, a further neighbour representation had been received from the occupant of 9 Messingham Road, Scotter, raising concerns over existing sewers and the sewerage system, stating that improvements needed to be made to that system, and that the hedgerow on the boundary of the site should be retained in the interests of sustaining the local wildlife.

An amended site plan had been submitted identifying the hedging to be retained. For the purposes of clarity the Planning Officer reminded the Committee that this was a reserved matters application where the Committee could only consider matters of scale, appearance, layout, landscaping and any other relevant material considerations. Matters of principle and relating to access had been considered during the determination of the outline permission.

Having received the Planning Officer's presentation, the Vice-Chairman welcomed the agent for the applicant, Mr Chris Dawkins, who addressed the Committee along the following lines:-

"This proposal delivers 43 new-build residential units on an allocated site in Scotter. The development comprises a mix of 2 and 5 bedroom properties, including bungalows and houses. This diverse mix provides housing suitable for first-time buyers, the elderly and also larger properties suitable for family living.

The proposal includes 10 affordable housing units, and 30% of the properties will meet the enhanced accessibility standards of Part M category 2. The site benefits from an existing outline planning consent for 51 residential units and an allocation for residential development within the Local Plan. As such, this development will be important to meet the five year housing supply targets for Scotter.

A large number of comments have been received by from statutory consultees and members of the public. During the determination period we have made a significant number of changes to the plans and submitted additional information, which we believe addresses these concerns.

The proposed layout features two access points onto North Moor Road which have already been agreed at outline stage, and we are not proposing to change them at this stage. The Highways Authority has confirmed it has no objections to the proposed layout or access points and have indicated that in their opinion there are no issues in terms of highway safety.

With regard to the parking provision, we confirm that all properties include space for 2 to 3 cars on the driveway, as illustrated on the plans. In addition, all house sites, except for the 3 bedroom Warwick semi-detached property, include a single garage. The five-bedroomed property includes a double garage, and the Highways Authority has again confirmed that they consider the parking provision to be adequate.

The planning conditions attached to the outline consent require the provision of a 1.8 metre

wide footpath along the west side of North Moor Road to connect the development to the playing field to the north of the site, which is shown on the layout.

It is noted that it is not possible for this footpath to connect all the way back to Messingham Road, as it would have to pass over third party land to do so. As requested by the Highways Authority, it is instead proposed to provide a tactile crossing point in a suitable location to allow pedestrians to cross the existing footway on the east side of North Moor Road. The proposed layout has been designed in accordance with good practice design guidance.

Although West Lindsey does not include prescriptive design standards in its Local Plan, we have followed the guidance stated in successful places, which is the design guide used by a number of local authorities in the Midlands. This document suggests a recommended minimum distance of 10.5 metres between a residential property and the rear boundary of its garden to avoid overlooking and/or overshadowing or overbearing impact. In the case of this proposal, the proposed bungalows all have a separation distance of 12 to 13 metres to the rear boundary which is well in excess of that recommendation.

We have reduced the ridge height of the three bed bungalows as much as possible by lowering the pitch of the roof to 30 degrees, which is quite a shallow pitch compared to a typical property of this type, and it would be not possible to lower it further without creating technical and aesthetic issues. We do not believe that the ridge height of the proposed properties is excessive.

The proposed three bedroom bungalows have also been oriented such that the eaves run parallel to the rear boundary fences. This is to mitigate the visual impact of the taller gable ends and eliminate any overshadowing of the neighbouring gardens.

In relation to the concerns about the capacity of the foul sewer network, we have been in contact with Severn Trent Water during the development of our drainage proposals. They are aware of the existing sewer capacity issues in Scotter and have acknowledged that upgrades will be necessary to resolve the existing issues and to upgrade the capacity of the sewer to facilitate the new development. We have agreed to keep them updated regarding the progress of the development so that the necessary infrastructure upgrades can be carried out prior to completion and these upgrades should resolve any issues with foul drainage both on the proposal site and the neighbouring properties.

We confirm that all the existing hedges around the corner of the site will be retained. Finally, we have also confirmed that the existing high voltage line to the south boundary of the site will be retained and will not be affected by the development. We have left sufficient space to the side of Plot 43 to the south of it to allow maintenance access to the line so we believe this addresses all the concerns raised during the planning process. However, should the Planning Committee have any questions relating to any of these points we would be happy to provide further clarification. Thank you”.

The Chairman thanked Mr. Dawkins for his contribution. The Chairman then welcomed Mr John Murray who addressed the Committee along the following lines:-

“Good evening I am Mr. John Murray and I reside at Rustlings, Messingham Road Scotter.

Sorry, if I sound nervous but I have not done this before. My house is at the southern end of the row of semi-detached bungalows. The final dwelling in that road is a 3 bedroomed bungalow behind my house, with a greater floor area and therefore higher ridge height and is slightly closer to my home than all the others. I am asking why I have not been granted the same rights as all the other residents on that road and have been singled out and disadvantaged. I am sure Members of this Committee who live where I do, would probably feel the same.

I am sure that West Lindsey as Planning Authority has a duty to engage with the developer and I am sure a thoughtful and understanding developer would make minor changes, i.e. a two bedroom bungalow instead of a three bedroom with the same roof ridge height and the same footprint as all the other dwellings, which run along that boundary.

I did speak with the Planning Officer and he said it would probably only be probably three quarters of a metre or something like that, but when I am looking from my house, that means a big difference to me.

At the bungalow behind me there is a high velocity power, cable which runs down the side of my house and then runs diagonally to a telegraph pole. I am approaching 80 years of age and suffer health problems, although I appreciate that this is not a material planning consideration. The sewerage system has resulted in outfall in my garden, when it was blocked up.

The properties on North Moor Road have also suffered significantly from outfall from the sewerage system. Obviously the sewerage system for this and any other developments will cause pressure on the system. Thank you all for listening to me".

The Chairman thanked Mr Murray for his contribution and then invited the Democratic Services Officer to read out a statement from Mr Richard Proctor, who unfortunately was unable to attend this evening's meeting:-

"The submitted site plan shows plot 1 having its own private driveway entering directly onto North Moor Road Scotter. This is on a bend and a location where numerous accidents have previously occurred. This access point should be refused to protect road users and support casualty reduction.

Although the development will no longer have vehicles exiting by reversing onto North Moor Road as previously proposed, it still does not deal with the problem that the road will become busier and potentially more dangerous with circa another 100 vehicles entering what is an identified road casualty hotspot regularly patrolled by the Lincolnshire Road Safety Partnership and Community Speed Watch Team.

The sole exit point for vehicles will be close to the rounded corner from Messingham Road which allows vehicles to maintain and easily accelerate their speed along Northmoor Road. This issue needs to be considered in the context of the additional proposed residential development taking place on the east side of Northmoor Road with another estimated 100 vehicles expected to at some point in the future entering onto Northmoor Road and the

impact that may have on congestion and road safety”.

The Chairman thanked the Democratic Services Officer and then invited Councillor Lesley Rollings to address the Committee as the Local Ward Member:-

“The developer appears to give the impression that the opportunity to create a public footpath to and from the site exists which we understand is unachievable.

The planning application documents mention a 1.8m wide footway to join existing footways, but a resident who is one of the objectors listed above owns the land to the kerb and is unwilling to sell his land for the footway to be constructed. This is a significant issue.

Therefore, if the intention is to provide a tactile crossing near the exit of the development to the other side of North Moor Road this will be in close proximity to a dangerous junction. This junction often has speeding vehicles at varying times of the day and witnesses report seeing vehicles straying over the white lines and travelling in excess of the 30 miles per hour speed limit.

If the tactile crossing is where we understand to be sited there will need to be another such crossing established so pedestrians can cross back over to the other side of the road, so they can have uninterrupted access to the village. This will be close to the junction situated on the corner of Northmoor Road with its junction onto Messingham Road, Scotter which from our lived experiences is an extremely busy junction where both cars and HGV vehicles travel across on a frequent basis.

Hence there is still no evidence provided in this application to demonstrate how pedestrians some of whom are highly likely to be children can safely walk from the site into the village centre where the school and other amenities are situated. This is a serious matter and needs to be addressed as the Local Authority has a statutory responsibility under section 39 of the 1988 Road Traffic Act to take steps to reduce and prevent Road Traffic accidents.

We recognise that the proposed site for development is identified as such in the current Scotter Neighbourhood Plan following a democratic process informed upon by the local Scotter community.

This Plan locally elected politicians promised us was a document that would protect our rights as citizens in influencing how the development would be designed and constructed including the size and scale of the permitted development.

The Neighbourhood Plan clearly identifies the size, scale and shape of the plot which corresponds with that as originally granted in the outline planning consent. However, despite this being in place the developers as detailed in the site investigation report which is attached to this application are intent on a phase 2 development of the site where they are seeking to extend the site boundary so as to build additional properties beyond that as approved in the outline planning consent and in direct contradiction of the Neighbourhood Plan. The planning application to do so is currently under the consideration under reference no. 144062.

If this is permitted, then it makes the Neighbourhood Plan “a worthless piece of paper” in direct contradiction to the wishes of the local community and an attack on democracy.

We plead as residents that there is strict adherence to the Neighbourhood Plan where any plans to extend the site is refused. As locally elected councillors who are accountable to the

local community you have a responsibility to uphold our rights as impacted residents and ensure that there is no further “mission creep” by extending the size and scale of the site.

The Amended Preliminary Drainage Layout indicates the existing foul sewer is to be diverted as it crosses the proposed development area. It states this sewer currently connects to 75 dwellings upstream. Local residents inclusive of ourselves have experienced sewerage seeping into our gardens and driveways after heavy rain fall.

The proposed application states although it will have a steeper gradient, it is assumed that the flow rate, including output from the new houses, of 5.6 l/s is easily managed by the existing capacity of 10.71. However, existing households within close proximity of this development which currently link into this sewer already have problems with the existing flow rate of only 3.5 l/s with sewage seeping into driveways and gardens after heavy rain.

As identified, this application to develop this proposed site has significant issues of concern and I urge you in the interests of the local community that you refuse this application for the reasons provided. Thank you.”

The Chairman thanked Councillor Rollings for her contribution and invited the Planning Officer to respond to the points made by the speakers.

Referring to what has been called the phase 2, the Planning Officer reported that this application was currently a live application with the Local Planning Authority (LPA) and relates to an extension of the site to the west but is not relevant to the application being considered this evening.

With regard to the vehicle access points, they were all set in stone at the outline permission stage.

In terms of the footpath, conditions were recommended by the Highways Authority. These included a footpath to the playing field and also a footpath and tactile crossing, if required, towards the Cross Road junction. The LPA was aware of the land ownership issue and it was likely that a footpath with a tactile crossing would be required to go on to the side of the road. It was confirmed that North Moor Road was subject to a 30mph limit.

In terms of drainage, the scheme arrangements had been accepted by the Lead Local Flood Authority. The site would connect to the main sewer for foul water, which was the preferred option in accordance with national guidance. This would require consent from the relevant water authority, who would also be responsible for showing that that system was capable of accepting additional waste into it, and would need to make improvements if necessary. With regard to flooding, there is a floor level condition on the outline permission which has to be adhered to. In terms of the bungalow at the end of the development, this was a slightly bigger bungalow (0.5 metres higher) but it was nearly 13 metres from the shared boundary.

Having heard the comments of the Planning Officer, the Chairman then opened up the application for debate by the Committee.

A number of Members were concerned about the foul drainage disposal arrangements, citing previous problems in the area. Comments were additionally made about whether the

LPA were responsible for connectivity to the existing mains sewer and ensuring the existing mains sewer has capacity. Concerns over the access to plot 1 closest to the playing field on a blind bend was a concern as North Moor Road was not a safe road with vehicles speeding. Sympathise with speaker in term of height of proposed dwelling adjacent his boundary. Site is known to flood. Like more information on affordable aspect of site.

The Committee was reminded that the principle of the development had already been accepted when the outline application had been approved and that the issue of the disposal of foul drainage was a matter for the developer and the water authority, which had a statutory obligation to ensure that there was adequate capacity for its disposal.

Whilst Members appreciated this position they nevertheless were of the view that prior to reaching any firm conclusion a site visit would be appropriate in this case in order to gain a fuller understanding of all the issues raised at this meeting. Accordingly, it was proposed and seconded that a site visit should take place and upon being put to the vote this proposition was carried unanimously. It was therefore

**RESOLVED** that this application be deferred to enable a site visit to take place for the reasons outlined above.

## **6 146226 - LAND OFF OWMBY WOLD LANE, OWMBY, BARNETBY**

The Chairman introduced the next application of the meeting, Item 6(b), application number 146226 seeking permission for the construction of a single storey dwelling on land off Owmbly Wold Lane, Owmbly. The application had been referred to this Committee, it being a departure from the Central Lincolnshire Local Plan and following third party representations.

The Planning Officer presented the report, concerning which there were no updates. However he clarified the position in relation to the proposed dwelling being a departure from the Local Plan.

The Chairman welcomed Kate Kelly, agent for the applicants, who addressed the Committee along the following lines:-

“Good evening Committee Members. As the case officer has explained, this application is for a new house in the countryside, which has been submitted as an exemplar dwelling within the considerations of paragraph 80 of the National Planning Policy Framework (NPPF).

The fundamental driving force behind this application is the intention to create a self-sufficient multi-generational house and gardens which allows for reparation of a small piece of Lincolnshire farmland. The design of the garden and wider landscape is founded on the scientifically based practice of permaculture. The development aims to cultivate a sustainable and resilient design environment and is as an exemplary model of responsible land stewardship.

The application meets both criteria of paragraph 80 in that the site in planning terms is isolated. The design of the house and its landscape is outstanding, and the scheme has



been subject to intense and rigorous review by an independent design review panel, who concluded that the design is an exemplary scheme which will enhance its immediate setting and raise the standards of design in rural areas.

In addition to the proposed permaculture landscape, the house will be completely off-grid. Its operational carbon will be minimised using solar power with battery storage, heat recovery systems and a heating system which uses biomass. Construction materials will have very low carbon, the house construction is timber hemp and Lime with green roofs.

Part of the proposed hydrology strategies, involve the recreation of a former pond located at the lowest part of the site. The pond would be sited close to a damp area on the site and would be used to store water for irrigation and contribute to the biodiversity of the development.

Lincolnshire County Council Highways and the Ramblers Association have not objected to the development and a construction management plan will be submitted as part of any planning conditions to ensure the construction of the development is carried out in a safe and considerate way.

The proposed development accords with all the technical considerations of both the previous and newly adopted Central Lincolnshire Local Plan, and no grounds for refusal, have been raised by any of the local authority internal consultees. It has been demonstrated through the design review panel process that the proposed dwelling is truly outstanding and would significantly enhance its immediate setting.

The application accords with the overarching ambition of sustainability, which underpins both Central Lincolnshire and national planning policy, and we feel should be supported. Thank you".

The Chairman thanked Kate for her contribution, concerning which the Planning Officer had no observations. The Chairman then opened up the application for debate by the Committee.

Members welcomed the development which they felt was of a high standard in the design and the location of the dwelling, even with the concerns of the approach and refuse collection issues.

Having been proposed and seconded, the Chairman put the application to the vote, and it was agreed unanimously that 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 must take place until a construction method statement has been submitted and agreed in writing by the local planning authority. The statement must provide for:
  - (i) the routing and management of 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) wheel cleaning facilities;
  - (vi) the hours during which machinery may be operated, vehicles may enter and leave, and works may be carried out on the site;

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

**Reason:** To restrict disruption to the use of Owmbly Wold Lane for farm activity and recreational use of the public rights of way to accord with the National Planning Policy Framework and local policy S47 of the Central Lincolnshire Local Plan 2023.

**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 must be carried out in accordance with the following proposed drawings:
  - 499.10 Rev A dated 17<sup>th</sup> February 2023 – Site Plan
  - 499.11 Rev A dated 31<sup>st</sup> January 2023 – Elevation and Floor Plans

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

**Reason:** To ensure the development proceeds in accordance with the approved plans and to accord with the National Planning Policy Framework and local policy S53 of the Central Lincolnshire Local Plan 2023.

4. No construction works above ground level must take place until details of a scheme for the disposal of foul/surface water (including any necessary soakaway/percolation tests) from the site and a plan identifying connectivity and their position has been submitted to and approved in writing by the local planning authority. No occupation must occur until the approved scheme has been carried out in strict accordance with the approved details.

**Reason:** To ensure adequate drainage facilities are provided to serve each dwelling, to reduce the risk of flooding and to prevent the pollution of the water environment to accord with the National Planning Policy Framework and local policy S21 of the Central Lincolnshire Local Plan 2023.

5. No development above ground level must take place until details (including the colour) of all external and roofing materials to be used have been submitted to and approved by the Local Planning Authority.

**Reason:** To safeguard the character and appearance of the site and its surroundings and ensure the proposal uses materials and components that have a low environmental impact and to accord with the National Planning Policy Framework and local policy S53 of the Central Lincolnshire Local Plan 2023.

6. No occupation must take place until a landscaping scheme has been submitted to and approved in writing by the Local Planning Authority. Details to include:

- Type, height and position of all soft and hard boundary treatments.
- Details of all new hard landscaping within the site such as gates, fencing, walls and railings.
- Details of all new turfing.
- Material finish of all hardstanding (access road, driveways, patios and paths).
- Species, planting height, formation, position and aftercare of all new trees and hedging.
- Species, planting height, formation, position and aftercare of all new infill hedging.

**Reason:** To ensure that appropriate landscaping is introduced and would unacceptably harm the character and appearance of the site or the surrounding area to accord with the National Planning Policy Framework and local policies S53 and S66 of the Central Lincolnshire Local Plan 2023.

7. No occupation of the dwelling must take place until the access, vehicle parking and turning space identified on site plan 499.10 Rev A dated 17<sup>th</sup> February 2023 has been fully completed and retained for that use thereafter.

**Reason:** To ensure safe access to the site and the dwelling in the interests of residential amenity, convenience and safety and to allow vehicles to enter and leave the highway in a forward gear in the interests of highway safety to accord with the National Planning Policy Framework and local policy S47 and S49 of the Central Lincolnshire Local Plan 2023.

8. The development hereby approved must only be carried out in accordance with section 4.2 of the Preliminary Ecological Appraisal by KJ Ecology Ltd dated February 2022.

**Reason:** To respond to the enhancement recommendations of the updated survey by KJ Ecology Ltd to accord with the National Planning Policy Framework and local policy S60 of the Central Lincolnshire Local Plan 2023.

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

**Reason:** In order to safeguard human health and the water environment and to accord with

the National Planning Policy Framework and local policy S56 of the Central Lincolnshire Local Plan 2023.

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

10. All planting and turfing comprised in the approved details of landscaping (see condition 6 above) must be carried out in the first planting and seeding season following the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed, or become seriously damaged or diseased must be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation. The landscaping should be retained thereafter.

**Reason:** To ensure that additional trees are provided within the site to mitigate for the trees which are to be removed to accord with the National Planning Policy Framework and local policies S53 and S66 of the Central Lincolnshire Local Plan 2023.

11. Notwithstanding the provisions of Classes A, AA, B, C, D, E, F and G of Schedule 2 Part 1 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification) the dwelling hereby permitted must not be extended, altered and no buildings or structures shall be erected within the curtilage of the dwelling unless planning permission has first been granted by the Local Planning Authority.

**Reason:** To enable any such proposals to be assessed in terms of their impact on the character and appearance of the dwelling, the site and its surrounding in accordance with the National Planning Policy Framework and local policy S53 of the Central Lincolnshire Local Plan 2023.

12. Notwithstanding the provisions of Classes A of Schedule 2 Part 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification) the dwelling hereby permitted gates, fences, walls or other means of enclosure must be erected within or on the curtilage of the dwelling unless planning permission has first been granted by the Local Planning Authority.

**Reason:** To enable any such proposals to be assessed in terms of their impact on the character and appearance of the dwelling, the site and its surrounding in accordance with the National Planning Policy Framework and local policy S53 of the Central Lincolnshire Local Plan 2023.

**7 146210 - "LAND AT TOP HOUSE FARM", 23 GRIMSBY ROAD, CAISTOR**

The Committee then moved on to consider the last application of the meeting – item 6(c) application number 146210 seeking planning permission for the installation of solar PV panels on land at Top House Farm, Grimsby Road, Caistor. The application had been referred to the Committee following the receipt of third party representations.

The Chairman invited the Planning Officer to present the report, concerning which there were no updates.

The Chairman welcomed Mr Bruno Hickson, the agent representing the developers who addressed the Committee along the following lines:-

“Good evening. This is a statement on behalf of the board of the Rock Foundation. We are a charity that provides for some of the most vulnerable people in our area.

We have learning disabled adults and students and their carers, who are dependent on day service provision. We have residents for whom supported living provides them with the security and stability that is critical to their lives and well-being. As an organisation, we have invested heavily in Top House Farm, a Grade II listed building, to ensure that it is maintained to a high standard.

It has become a valued rural enterprise on which many in the local community have come to rely. The community allotment and the tea rooms are popular and a valuable resource.

However, a Grade II listed status and the design of the building means our options to achieve an affordable and sustainable energy supply and thereby reduce our own carbon footprint, are very limited.

Without provision for solar panels, ongoing energy costs have taken a significant chunk of our finances and this directly affects our future and the essential services that we provide. We have chosen a design that is purposely very low profile.

We believe that the proposal does not have a significant impact on the environment, being relatively small and low in height. The proposal will provide low cost energy to our charity and ensure that the facilities that we provide to disabled students, adults, our residents and the carers and the local community can be maintained in the long term. Thank you”.

The Chairman thanked Mr Hickson for his contribution and invited the Planning Officer to comment. The Planning Officer indicated that he had nothing further to add to his opening remarks. The application was then opened up for discussion by the Committee.

Reference was made to the sowing of wild flower seeds as part of the landscaping scheme and it was felt that a note of the Committee’s expectations in this respect should be added to the grant of permission if approved.

A number of comments were made about the location of the panels and Members were advised that following discussions with the Council’s Conservation Officer it had been felt that the location proposed in the application would be the least intrusive to the setting of the listed building. However, it was proposed and seconded that a site visit should take place to enable members to satisfy themselves that the proposed location of the panels was the right one within the context of the setting of the listed building.

Having been proposed and seconded, upon being put to the vote, the proposition for the Committee to make a site visit was **LOST**.

It was thereupon proposed and seconded that the report recommendations be approved and this was carried by a majority vote.

Accordingly it was agreed that permission should be **GRANTED** subject to the following conditions and a note concerning the Committee’s expectations in relation to the landscaping scheme with particular regard to the sowing of wild flower seeds:-

**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 Layout/Block Plan, Proposed Site Layout/Block Plan, Proposed Panel Details, Proposed Elevations and Site Location Plan (1:2500), received 7<sup>th</sup> March 2023 and Rock Foundation – Layout, received 31<sup>st</sup> March 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 and to accord with the National Planning Policy Framework and Policy S53 of the Central Lincolnshire Local Plan.

3. The development must be completed in strict accordance with the solar panel specification shown on the Proposed Panel Details and Proposed Elevations, received 7<sup>th</sup> March 2023.

**Reason:** To ensure the use of appropriate materials to accord with the National Planning Policy Framework and Policy S53 of the Central Lincolnshire Local Plan.

4. Any construction activities and deliveries of solar panels, equipment or machinery related to the development shall only be carried out during the following hours:
  - i. Monday to Friday: Between 7:00 AM and 6:00 PM.
  - ii. Saturdays: Between 8:00 AM and 1:00 PM.
  - iii. No construction activities shall be permitted on Sundays and Bank Holidays.

**Reason:** To ensure that the construction period does not result in any unacceptable impact on the amenity of the occupiers of nearby dwellings in accordance with Policy S53 of the Central Lincolnshire Local Plan and paragraph 130 f) of the National Planning Policy Framework.

5. Prior to the first use of the development, full and final landscaping details, including the proposed enhancements and type of planting shall be provided to and agreed in writing by the Local Planning Authority.

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

**Reason:** To ensure that appropriate landscaping is introduced to enhance the character and appearance of the site and to accord with Policies S60 and S61 of the Central Lincolnshire Local Plan.

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

6. The solar PV equipment shall be removed as soon as reasonably practicable when no longer needed.

**Reason:** To minimise the impact of the proposed development on the character and appearance of the area and to minimise the impact of the proposed development on the setting and significance of nearby heritage assets in accordance with the National Planning Policy Framework and Policies S53, S57 and S62 of the Central Lincolnshire Local Plan.

## **8 DETERMINATION OF APPEALS**

The determination of appeals was **NOTED**.

The meeting concluded at 7.47 pm.

Chairman