

## 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 1 November 2023 commencing at 6.30 pm.

**Present:** Councillor Matthew Boles (Chairman)  
Councillor Jim Snee (Vice-Chairman)

Councillor Emma Bailey  
Councillor John Barrett  
Councillor David Dobbie  
Councillor Ian Fleetwood  
Councillor Peter Morris  
Councillor Baptiste Velan

**In Attendance:**  
Russell Clarkson Development Management Team Manager  
Daniel Galpin Senior Development Management Officer  
Holly Horton Development Management Officer  
Danielle Peck Senior Development Management Officer  
Joanne Sizer Development Management Officer  
Andrew Warnes Democratic and Civic Officer

**Also In Attendance:** 9 Members of the Public

**Apologies:** Councillor Sabastian Hague  
Councillor Tom Smith

### 50 PUBLIC PARTICIPATION PERIOD

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

### 51 TO APPROVE THE MINUTES OF THE PREVIOUS MEETING

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

### 52 DECLARATIONS OF INTEREST

Councillor M. Boles, Chairman of the Planning Committee, made a personal declaration on behalf of all Members of the Committee, in relation to item 6(d), planning application 147125, "The Granary", Green Lane, Pilham, that the applicant was a Member of the Council, and so known to all Members of the Committee. It was further clarified that some Members of the

Committee had visited the applicant's home and therefore the building subject to this planning application. However, Members of the Planning Committee retained an open mind and would determine the application in line with their planning committee training.

Councillor J. Barret made a personal declaration in regard to item 6(a), planning application 146461, Land at Hillcrest Park, Caistor, that at the previous meeting where the application was considered, he had voted for refusal. However, he clarified that there had been updates to the report and newly available evidence. He retained an open mind and would remain a Member of the Committee for the application.

Councillor P. Morris made a personal declaration in respect of item 6(a), planning application 146461, Land at Hillcrest Park, Caistor, that the applicant was well known to him and accordingly he would not be taking part in the discussion nor voting on this item and would leave the Chamber whilst the item was considered.

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

The Committee was advised that the Levelling Up and Regeneration Act received Royal Assent on 26<sup>th</sup> October 2023, and would introduce a number of changes to the planning system. Members heard that most of the sections in the Act directly related to development management. Plan-making had not commenced and would require secondary legislation.

The measures in the Act that would change the planning system included:-

- Local planning authorities would be required to have a design code in place covering their entire areas;
- the Act was to replace the current section 106 and the Community Infrastructure Levy (CIL) regimes with a new Infrastructure Levy;
- the scope of local plans was to be limited to 'locally specific' matters, with 'issues that apply in most areas' to be covered by a new suite of National Development Management Policies;
- "a new duty on decision-makers to make planning decisions in accordance with the development plan and national development management policies unless material considerations strongly indicated otherwise";
- The 'duty to co-operate' was to be dropped, and time limits prescribed for different stages of plan preparation;
- the EU processes of environmental impact assessment and strategic environmental assessment were to be replaced by 'environmental outcomes reports'
- A 'street votes' system would permit residents to propose development on their street and hold a vote on whether planning permission should be given.
- Planning authorities were to gain the power to instigate auctions to take leases on vacant high street properties
- changing compensation for compulsory purchase orders to remove 'hope value' in some instances; and
- giving councils the chance to consider applicants' previous build-out rates when determining a planning application.

The Committee also heard that the consultation on the Central Lincolnshire Local Plan Local

Lists for validation had commenced on 1 November 2023. The lists established the information that was required to be submitted before a planning application could be validated. The consultation was to run until 23:59 on Wednesday 13 December 2023.

The Development Management Team Manager concluded the update by briefing the Committee on the status of the neighbourhood plans as of the meeting, and were advised as follows:-

<b>Neighbourhood Plans</b>	<b>Headlines</b>	<b>Planning Decision Weighting</b>
Hemswell Cliff NP	Successful Referendum held on 19 October. NP to be made by Full Council on 6 November.	Full weight
Scothern NP Review	Examiner to be selected on 7 November. Examination to take place end of year.	Increasing weight.
Nettleham NP Review	Regulation 16 consultation underway. Deadline for comments 22 December.	Increasing weight.
Dunholme NP Review	Regulation 14 consultation period starts on the 20 November and closes on the 3 January 2024.	Currently Review NP had little weight. But would gain some weight when Reg 14 consultation stage was to be reached soon.

**Note:** Councillor P. Morris left the Council Chamber, in advance of the next item, at 6.38 pm.

#### **54 146461 - LAND AT HILLCREST PARK, CAISTOR**

The Chairman introduced the first application of the meeting, item 6(a), application number 146461, to erect 1no. wind turbine on land at Hillcrest Park, Caistor. This was an application deferred from the 12 July 2023 Planning Committee meeting. Additional information had been submitted by the applicant. This included visualisations of the turbine, details of the energy output and noise information. This was all detailed and assessed within the report.

At the meeting on 12 July 2023, it was resolved that the National Air Traffic Services (NATS) be invited to attend the next hearing of the application, in order to explain their objection to the proposal. Members were advised that, whilst it was not possible for them to attend the meeting, they had sent a video to be played to the Committee. This arrangement had been made with prior agreement from the Chairman. The Officer gave a short presentation about the application, and then presented the requested contribution from a representative from NATS.

In the contribution from NATS, the representative explained that his team's remit was to analyse and mitigate any potential harm to aviation safety. The speaker explained that the technology used in radars used pulses of energy and tracked the 'echoes' of those to assist aircraft in avoiding potential harm. These safety systems utilised a combination of filter and tracking algorithms to stagger the flights and aircraft. Members learned that wind turbines would severely weaken the algorithm's effectiveness, with the perspective from the radars being indistinguishable from aeroplanes. This had the consequential effect of creating

potentially dangerous situations.

The speaker stated there were ways to mitigate the impacts of wind turbines near airports. In parts of Lincolnshire, there were small-scale developments of wind turbines that operated safely in compliance with NATS guidance. In relation to the application, the representative explained that work would have to be undertaken in the radar system for any 'blank' identification issues to be covered. In concluding the presentation, the speaker stated that NATS were willing to remove their objection if the application could be conditioned to comply with their advice.

The Chairman invited the first registered speaker, Mr Oliver Lawrence, the applicant, to address the Committee.

In his statement, the applicant explained that the impact on visual amenities was limited, with the turbine looking and functioning like a windmill. Members heard that the site was surrounded by towers, with some above 70 metres tall, which made the size of the proposed turbine miniature in comparison. The applicant stated that a similar turbine had been recently approved and queried whether there was a disparity in the treatment of the application.

With regard to the electricity capacity, Members heard this was for the site's provisions, with the cost being 33 pence per unit and the ability to sell the electricity for 4.5 pence. Mr Lawrence stated that Caistor's Neighbourhood Plan supported locally sourced energy resources and encouraged similar types of development. He emphasised that electricity from wind turbines also worked well in winter weather and was pioneering to ensure net zero emissions for places in Lincolnshire. The applicant's view was that the Central Lincolnshire Local Plan was ambitious and aimed to make the area net zero emissions compliant, with the misalignment to be met with the application.

The applicant stated his opposition to the mitigations proposed by NATS, suggesting there were financial reasons behind the raised objection rather than it being only a matter of safety. He concluded by focusing on the site's highlighted success and that using a wind turbine could power and support small businesses.

The Chairman thanked the speaker for his statement and invited the registered objector, Mrs Jan Lyus, to address the Committee.

In her statement, the speaker stated that the application site was in the Area of Outstanding Natural Beauty (AONB), with protected and enhanced landscapes. In the application, the proposed turbine height was set to be triple that of the units in the adjacent lot. The speaker stated that the Lincolnshire Wolds Officer objected to the application further.

In focusing on using a wind turbine, Mrs Lyus stated solar panels were as effective in winter, and the wind turbine would still make noise every time. She stated that the proposed wind turbine was too close to residential properties, highlighting that Scottish wind turbines were not allowed to be built close to dwellings and Lincolnshire County Council had a press release in the recent past that focused on minimum distances. She further noted that there was no precedent for a wind turbine to be set this close to dwellings, with noise levels being heard 2 kilometres away and dwellings only 170 metres away.

Mrs Lyus highlighted other potential harms and risks, such as the damage to the environment during construction as well as hypothetical concerns such as fire or collapse. She further highlighted the objection from NATS, suggesting the Authority should not take the slightest risk with air safety, and focused on policy S14, which featured the policy on acceptable impacts on aviation. The speaker stated her opinion that the potential consequences of having the wind turbine were unacceptable, and the application failed to consider comments from the relevant parties, causing serious safety risks. Mrs Lyus concluded by strongly requesting that the application be refused.

The Chairman thanked the speaker for her statement and invited comments from Members of the Committee. Members referenced that wind turbine designs could be different, highlighted the impact of rising electricity prices on small businesses, and the concerns raised by NATS. Several Members recognised during the debate that they could not redesign the application in front of them.

In response to a number of queries regarding the NATS conditions, Members learned the organisation had objections but that these would have been resolved if the applicant had agreed to make amendments to the application. The Senior Development Management Officer further explained that the objection from NATS was that the submitted application would affect air traffic control as it stood in its present form.

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

**Note:** Councillor P. Morris returned to the Council Chamber at 7.00 pm following the conclusion of the item.

## **55 146685 - LAND TO THE SOUTH OF LEGSBY ROAD, MARKET RASEN**

The Chairman introduced the second application of the meeting, item 6(b), application number 146685, for the erection of 6no. detached bungalow dwellings & associated garages on land to the South of Legsby Road, Market Rasen. The Case Officer informed Members that there were no updates and gave a short presentation about the application.

The Chairman informed the Committee that there were five registered speakers and statements, and invited the first registered speaker, the applicant for the application, Mr Daniel Hyde, to address the Committee.

In his statement, the agent stated that a previous application in 2020 proposed five dwellings and established the principle of development on the site. The updated scheme achieved 11 dwellings per hectare and was of low density. He stated that the application would not adversely impact residential amenities and the external attributes would create a sense of place. This attribute was noted in the proposed block plan, and the submitted application would achieve a lower density than the bungalows on the neighbouring roads.

The agent explained Lincolnshire County Council Highways found the scheme acceptable, with no detrimental effects. The archaeological reports also reported consistency and expressed no detrimental effects from the submitted application. Members heard the energy

statement submitted showed improved standards, and the preliminary ecological assessment would achieve a 30% net gain. The agent stated that the hedgerow units and development of the trees had been prepared specifically for the site. The indicative foul water plan had no objections from the statutory consultees, and the local pond nearby was prevalent at this time of the year. The speaker expressed that the flooding could be cleared through silting and the existing drain.

The agent then stated that the existing public footpath would not be blocked following completion of the development. He concluded by emphasising that boundary matters were not the concern of the Local Planning Authority, and asserted that the application would enhance the area.

The Chairman thanked the speaker for his statement and invited the Democratic and Civic Officer to read the first of two statements from registered objectors. The first statement, from Jenny Archer, was read aloud as follows:

"We, as noted on the screen, are the immediate residents, of Wetherby Close, The Ridings and Legsby road, connected to the land upon which the above planning application is made. We do have concerns with this proposed planning, which have been mentioned in the public comments of the application. We would however, just like to voice our concerns once again at this meeting. The long narrow entrance to the proposed site could create a potential hazard with it being next to a road junction, the Ridings, a school entrance, with several cars parked twice a day and outpour of school children, running alongside a well-used public footpath, and a bend in the road with traffic approaching from Legsby.

Dispute of western boundary. The applicant is claiming his west boundary as up against the current residents' fences. In fact there is a registered well used public footpath and a hedgerow between those fences and his boundary, he does not own the footpath or the hedgerow. Comments and proof of ownership of the footpath and the hedgerow have been provided in the public comments on the planning application.

Flooding. This seems to be an issue that has not been recognised or regarded as a problem within the application itself. In actual fact, as residents (and the local council) know full well, flooding does occur on this land. Throughout the winter/spring, water can lie in a large area at the bottom northern part of the land. With heavy rain the "pond" overflows, runs down the long entrance across the Legsby road and down the drain outside of the school. Twice this year, three residents, 1 and 3 The Ridings, and Heathwaite, Legsby Road, have had their gardens flooded from this overflow, Photographic evidence has been provided in the public comments of this application. Also land at the back of Heathwaite gets flooded, and this year a row of 5 very tall conifers, approximately 12 to 15 metres tall, have died due to being water logged. Please see the photo on the screen.

I have been reading the agenda of the meeting and am so disappointed that some of the concerns local residents have don't seem to be recognised. The big upset to us all is the possible loss of the current footpath and hedgerow as it stands. On comments made in the agenda by the Planning department regarding the public footpath, it states: 'The current Right of Way is partially overgrown and not particularly well defined'. This we do not agree to. It is a perfectly good footpath as it is, well used for over 30 years, well kept by local residents and twice a year by the council, and perfectly well defined. Dog walkers, families and children use this footpath, including the local school. The hedgerow provides a safe

corridor for walkers, it is maintained and provides food, habitation and shelter for a variety of birds and wildlife. It is all part of The Ridings. Why take all this away to plant another hedgerow 90 centimetres high.”

The Chairman then invited the Democratic and Civic Officer to read the second statement from Hazel Barnard. The following statement was read aloud:

“I note that the planning officer feels that the public right of way that runs along the side of this site is ‘partially overgrown and not particularly well defined’. I believe that the existing hedging is in fact a very well defined and protective barrier to the footpath and should remain, allowing both walkers and wildlife space from the new development. I attach photographs showing the route of public right of way very clearly.”

The Chairman then invited the final registered objector, John Norburn, to address the Committee.

In his statement, the speaker referenced the site plan, which in his opinion, disrupted the public footpath, clearly showing the boundary hedge dividing up the site and the footpath. The developer had never opened this, and the previous landowner did not include the footpath in the sale. Mr Norburn stated the problem could be solved by the footpath being retained in its entirety and could be well pathed. He stated there was no reason for the natural path to be removed.

In his opinion on flooding and drainage, the speaker stated that the area does flood, and there was no additional drainage between the dwellings and the water run-off from the fields. He explained there was no drainage facility for the houses. In concluding his statement, Mr Norburn enquired as to who would look after the new hedges and dykes created.

The Chairman thanked the speaker for his statement, then invited the final registered speaker, Councillor Moira Westley, Local Ward Member, to address the Committee.

In her statement, Councillor Westley expressed that she still had serious concerns about the development on sites like these. With regard to surface water drainage, she stated that although the Environment Agency did not deem this to be a flood risk, in her view there was photographic evidence that contradicted this assessment.

She stated that though the flood risk assessment made provisions for swales to mitigate flooding, the responsibility of managing these was unclear and required further clarification. Councillor Westley raised broader environmental concerns, with climate change increasing extreme weather and water incidents, and that attempts should be made to mitigate flooding, such as through lobbying efforts to reflect the changing climate, to mitigate the ever-increasing 'one in 100 years' flooding occurrences. She requested a complete flood risk assessment for the area.

In relation to the public right of way, Councillor Westley stated her belief that it should be maintained in situ. She felt the plans were vague and did not illustrate where the re-routed path would go, with the current path being used frequently and flanked by the existing hedge row. She stated that the proposed pathway on the other side of the entrance would not benefit the dwellings and questioned about the trees remaining in place. She asserted that planting the shrubs would impede the Ridings residents from fully maintaining their fences.

She concluded her statement by stating that unless the applicant could provide a clear path to the public right of way, the current pathway was more than adequate as it stood.

The Chairman thanked Councillor Westley for her statement and invited a response from the Case Officer. In his response, the Officer detailed that the principle of development was accepted three years prior, with the outline permission granting four dwellings that managed the south of the site. This original plan utilised an amended layout in a 'U' shape with the site's density lower than the surrounding dwellings.

There was no objection from Lincolnshire County Council Highways, and the number of four to six dwellings was not considered excessive. The Officer explained that images of flooding were deceiving and had minimal effects. The submitted application had a full flood risk assessment and indicative drainage plans, and had received comments from the relevant technical consultees. Members learned most of the water flooding flowed southwest, and the site itself was in Flood Zone 1, the lowest-rated category for flooding. A former Environmental Agency Officer had prepared the applicant's flood risk assessment report. With regard to the footpath concerns, the Officer explained that the diversion of the footpath would not result in a loss of access to the countryside. Members were further reminded that there would be a biodiversity net gain alongside landscaping and ecological plans.

The Chairman thanked the Officer for his response and invited comments from Members of the Committee. In response to contributions about the public right of way, it was highlighted that this was outside the consideration of the Planning Committee, and the applicant would have to go through due process before commencing the application. In a related comment, Members learned that the entrance to the site was planned with a dedicated pedestrian footpath and that the amended Right of Way path for walkers would be slightly to the east and still connect to the open countryside.

In response to a comment about the viewing ability of the highways, Members heard that when Highways assessed a planning application, the Manual for Streets national guidance was used, and would base the speed limit on the visibility splays achievable.

In response to questions about flooding and the assessments taken, the Development Management Team Manager explained that the Environmental Agency national maps did not have publicly available updates. Members separately heard that it was still of low probability, with most of the land of the submitted application being the lowest rated risk for flooding. The Committee also heard that the current flooding situation in the town was at the maximum level presently and that the applicants had shown that it could be positively drained. Concerning a similar concern with the surface water, the drainage systems required confirmation as a pre-commencement condition.

During the discussion, several Members supported having a site visit to review the access, the road usage, and the hedges and trees on the site and surrounding areas, and thought it was necessary to understand the surrounding areas of the application site.

Having been proposed, seconded, and on taking the vote, it was unanimously

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



**56 144560 - "SQUIRRELS LEAP", MAIN STREET, BURTON**

The Chairman introduced the next application of the meeting, item 6(c), application number 144560, for demolition of the existing bungalow and replace with 2 storey dwelling, attached garage and all associated works at "Squirrels Leap", Main Street, Burton. The Case Officer informed the Committee that there was no update, and gave a short presentation about the application.

The Chairman informed the Committee that there was one registered speaker, the agent for application, Mr Dan Rontree, and invited him to address the Committee.

In his statement, the agent explained further background information to the application, and stated that the first application was submitted in March 2022 under the previous Central Lincolnshire Local Plan. There had been reservations about the materials proposed and the style of the property, which were mitigated in consultation with the Authority. The determination date had been postponed over several months, with design tweaks, with the scheme now considered in its fourth version. These amended plans had been conducted out of public consultation until the applicant and the Authority were ready to present the application, which resulted from collaboration to improve the applied scheme.

Mr Rontree stated that the application dealt positively with new policies in the Central Lincolnshire Local Plan and had the support of the Local Planning Authority. The scheme included features to make the dwelling accessible for life, including space for a passenger lift in the house. He explained that the design approach had a roof which fitted the street scene fashion, would remove a poor-quality development, and planned to utilise local materials. These attributes allowed the applicants to spend the rest of their lives in the dwelling. Members heard that solar panels and an air source heat pump were planned for the dwelling. In concluding his statement, the agent explained that the ground level would be amended slightly to ensure it met the conditions noted in the report and hoped that the dwelling would positively impact the village of Burton and protect the surrounding environment.

The Chairman thanked the agent for his statement, and invited comments from Members of the Committee. Members supported the redesigned application and the lack of dominating the street scene of the village. In response to a number of queries about the landscaping, Members learned that nine trees and one group of vegetation were to be removed from the front under the submitted application, which created a more open frontage of the dwelling. These trees were not considered high quality enough to restrict development.

In the discussion, an additional condition on the tree's size, species and position/density was proposed and seconded to mitigate any potential loss during the development and to shield the site from the road and the road to the site.

Having been proposed and seconded, the Chairman took the vote, and it was agreed that permission be **GRANTED** subject to the following amended 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. No development shall take place, other than laying of the foundations until a scheme of foul sewage and surface water drainage have been submitted to and approved in writing by the Local Planning Authority. The approved details shall thereafter be implemented in accordance the approved details and prior to the first occupation of the dwelling.

**Reason:** To ensure appropriate foul sewage and surface water drainage in accordance with the National Planning Policy Framework and Policy S21 of the Central Lincolnshire Local Plan.

Reason

3. The development hereby permitted shall be carried out in full accordance with the details set out in the submitted Energy Statement undertaken by EPS Group and updated on 13/10/2023, unless otherwise agreed in writing by the Local Planning Authority.

**Reason:** To ensure that the development takes place in accordance with the approved details and in accordance with the provisions of policies S6 and S7 of the Central Lincolnshire Local Plan (2023).

4. Prior to the first occupation of the proposed dwelling taking place a written verification statement shall be submitted to demonstrate that the approved scheme has been implemented in full, in accordance with the submitted Energy Statement undertaken by EPS Group updated on 13/10/2023 and approved in writing by the planning authority

**Reason:** To ensure that the development takes place in accordance with the approved details and in accordance with the provisions of policies S6 and S7 of the Central Lincolnshire Local Plan (2023).

5. Prior to the first occupation of the replacement dwelling a scheme of landscaping, including details of the size, species and position or density of all trees to be planted shall be submitted to and approved in writing by the Local Planning Authority.

**Reason:** To compensate for those lost as part of the development and in the interest of the character of the area and Conservation area in accordance with Policies S53, S57 and S66 of the 2023 Central Lincolnshire Local Plan and guidance within the NPPF.

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:

1803H-21-10A – Site location plan submitted on 05/09/23  
1803H-21-14e – Proposed Block Plan submitted on 05/09/23  
1803H-21-15j – Proposed Site Plan submitted on 05/09/23  
1803H-21-24c – Cross Section Street elevation submitted on 05/09/23  
1803H-21-25e – Proposed Elevations and Plans submitted on 05/09/23

7. 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.

8. No development other than laying of the foundations shall take place until a full schedule and samples of external materials (including site surfaces) have been submitted to, inspected on site and agreed in writing with the Local Planning Authority. The samples shall include a 1 metre square panel of stonework and brickwork, bonding and mortar for the elevations, which shall be kept on site until the completion of development.

The development thereafter shall be undertaken in strict accordance with the approved details.

**Reason:** To preserve the character of the Conservation area and setting of the adjacent heritage assets in accordance with Section 66(1) of the Planning Listed Buildings and Conservation Areas Act and Policy S57 of the Central Lincolnshire Local Plan.

9. No development other than the demolition of the existing dwelling shall take place until finished site levels and retaining structures have been submitted to and approved in writing by the Local Planning Authority. The development must then be completed in accordance with the approved levels and retained thereafter.

**Reason:** To safeguard the character of the area, Conservation Area and residential amenity in accordance with Policies S53 and S57 of the Central Lincolnshire Local Plan.

10. The proposed development must be carried out in accordance with the arboriculturally method statement undertaken by AWA Tree Consultants dated July 2023. The placing of the protective fencing identified in this report shall also be placed prior to the commencement of development, including demolition works and shall remain in place until the completion of the construction works.

**Reason:** In the interests of amenity and biodiversity in accordance with Policies S60 and S66 of the Central Lincolnshire Local Plan.

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

11. Notwithstanding the provisions 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) no domestic oil tanks or domestic gas tanks shall be placed within

the curtilage of the dwelling(s) hereby approved.

**Reason:** In the interests of energy efficiency to accord with policies S6 and S7 of the Central Lincolnshire Local Plan (Adopted 2023).

12. Notwithstanding the provisions of Classes A, AA, B, C, F, G and H of Schedule 2, Part 1 of the Town and Country Planning (General Permitted Development) (Amendment) Order 2015 (as amended), or any Order revoking and re-enacting that Order, the dwelling hereby permitted shall not be altered or extended, 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 living conditions of adjoining dwellings and to safeguard the character and appearance of the surrounding area and landscape in accordance with Policies S53 and S57 of the Central Lincolnshire Local Plan and guidance within the NPPF.

13. The upper floor windows on the East and West elevations shall be obscurely glazed prior to the first occupation of the dwelling and retained in perpetuity thereafter.

**Reason:** In the interest of residential amenity in accordance with Policy S53 of the Central Lincolnshire Local Plan.

## **57 147125 - "THE GRANARY", GREEN LANE, PILHAM**

The Committee gave consideration to the final application of the meeting, item 6(d), planning application 147125, for addition of a dormer to detached garage and to use the building as an 'Airbnb' at "The Granary", Green Lane, Pilham, Gainsborough DN21 3NU. The application had been referred to the Committee as the applicant was an elected Member of the Council.

The Chairman invited the Planning Officer to present the report, and highlighted the designs and photos of the development. The Committee heard that this was a retrospective planning application.

The Chairman informed the Committee that there was one registered statement from an objector, Clare Myers-Shaw, that was to be read by the Democratic and Civic Officer. The following statement was read aloud.

"Dear Committee, in brief our concerns are as follows. The extension is very much not in keeping with the surroundings and ultimately overlooks our property significantly please see photos attached. The extension was erected a number of years ago, as we understand without any planning permission whatsoever, which at the time we raised with the council in August 2020 with Catherine Bentley.

Our concerns appear to have been largely ignored throughout until recently when I spoke to David Clark and once again raised our concerns. This appears to be retrospective planning permission which I would have thought a property owned by a council member will have been aware of. We look forward to your feedback on this matter. Thank you."

The Chairman invited comments from Members of the Committee. Members were supportive of the application and stated that it was of a good design.

**Note:** Councillor D. Dobbie made a personal declaration that he would not participate in the discussion or vote, as he had visited the dwelling subject to the application.

In response to a query about overlooking, the Case Officer explained that an assessment had been undertaken and, with a distance of 32 metres to the nearest property, it was not deemed to be an unacceptable harm.

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 shall be retained in accordance with the following drawings and materials: TGGLP/23/01 dated 27<sup>th</sup> July 2023 and TGGLP/23/03 dated 27<sup>th</sup> July 2023. The works shall be retained 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 is retained in accordance with the approved plans and materials and to accord with the National Planning Policy Framework and Policy S53 of the Central Lincolnshire Local Plan.

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

2. The accommodation hereby permitted shall only be used for the purpose of a Bed & Breakfast/Short-term holiday let; and/or for purposes incidental to the residential use of the dwelling now known as The Granary, Green Lane, Pilham, Gainsborough, DN21 3NU. It shall not be used to provide any unit of separate residential accommodation or commercial use, without an express grant of planning permission from the Local Planning Authority.

**Reason:** The application has been assessed on the basis that it is a shortterm holiday let. The development would be likely to raise additional planning matters requiring further assessment if separately occupied as a permanent dwelling or commercial use, in accordance with Policy S53 and guidance within the National Planning Policy Framework.

**58 DETERMINATION OF APPEALS**

The determination of appeals was **NOTED**.

The meeting concluded at 7.51 pm.

Chairman