

## 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 9 October 2024 commencing at 6.30 pm.

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

Councillor Emma Bailey  
Councillor John Barrett  
Councillor Owen Bierley  
Councillor Karen Carless  
Councillor David Dobbie  
Councillor Ian Fleetwood  
Councillor Peter Morris  
Councillor Roger Patterson

**In Attendance:**

Russell Clarkson	Development Management Team Manager
George Backovic	Development Management Team Leader
Martha Rees	Legal Advisor
Ele Snow	Senior Democratic and Civic Officer
Natalie Smalley	Democratic and Civic Officer

**Also in Attendance:** 8 Members of the public

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

### 150 PUBLIC PARTICIPATION PERIOD

There was no public participation.

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

**RESOLVED** that the minutes of the Planning Committee meeting held on Wednesday, 11 September 2024, be confirmed and signed as an accurate record.

### 152 DECLARATIONS OF INTEREST

There were no declarations of interest at this point in the meeting.

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

The Committee heard from the Development Management Team Manager regarding updates to local and national planning policy. He explained that the Government's consultation for reform to the National Plan and Policy framework (NPPF) closed on 24 September, and that representations had been submitted on behalf of the Council; the Officer thanked Members who had participated in the workshop which led up to this.

He then outlined how the Lords Minister for Housing and Local Government, Baroness Taylor of Stevenage, had explained that the government had received "thousands and thousands" of consultation responses, and that according to the Minister, the revised NPPF would potentially be issued towards the end of the year, or possibly the following year, due to the volume of responses.

In terms of Neighbourhood Plans, it was explained that the Nettleham Review had successfully passed its referendum, meaning that the planning decision carried full weight, and would be presented to Full Council on 4 November 2024, with a recommendation that the Neighbourhood Plan Review be made.

It was then explained that the Reepham Neighbourhood Plan was now at examination stage, and a hearing had been held on 25 September to discuss the Neighbourhood Plan's housing allocations; the Examiner's report was expected shortly.

With regards to the Fiskerton and Sudbrooke Neighbourhood Plans, the Officer detailed how their respective first drafts had been submitted to consultation; he then affirmed that the Fiskerton consultation would run until 28 October 2024, and that the Sudbrooke consultation would run until 17 November 2024.

A Member of the Committee took the opportunity to stress the importance of the consultation on the Central Lincolnshire Design code to colleagues and members of the public. In response to a question from the Member, it was confirmed by the Officer that the first consultation closes on 22 October 2024.

### **154 147672 - SAXILBY**

The Committee then gave consideration to the first application on the agenda, number 147672, seeking planning approval for up to 100 dwellings on land at Sykes Lane, Saxilby. The Officer presented the Committee with an update to the recommendation for the application in question; he clarified that the amended recommendation would contain the addition of 'public open space' as part of the Section 106 legal agreement.

The Officer presented an overview of the application, explaining that although the entirety of the site was allocated for the development of 134 dwellings, as indicated in the Central Lincolnshire Local Plan (CLLP); the density of the development was less, with the proposal of 100 dwellings. It was outlined that the reasoning given was a Landscape Visual Statement had been submitted with what the developer thought would be acceptable on the site itself.

The Chairman stated that there were two registered speakers, and invited the first, Cllr Hillman, as Parish Councillor, to address the Committee.

Cllr Hillman explained that on 30 January 2024, Saxilby with Ingelby Parish Council facilitated a meeting with residents in relation to the application, with over 50 concerned villagers in attendance. She outlined that a longstanding concern over Saxilby's infrastructure and growth was repeatedly raised; with similar concerns being raised earlier in 2017 regarding earlier developments in the area. She continued to explain that the north of the village was overdeveloped, with 363 dwellings built in the last seven years. With the addition of the proposed development, the Councillor explained that there had been little consideration to the capacity of the area's infrastructure, alongside concerns regarding traffic; sewerage; flooding; lack of school places; and availability of doctor's appointments. She continued to explain the Parish Council's concerns in relation to the future capacity of the A57 Mill Lane junction had been acknowledged in the Officer's report, however, due to the junction's frequent use by residents as well as commuters, traffic queues would build up in the surrounding area. It was explained that a sum of £125,424, which had been proposed for purchasing bus passes for residents to reduce car usage, was unrealistic and unacceptable, due to the lack of bus service available, and the residents' preference for car usage.

Cllr Hillman explained that following a meeting with the Developer in April 2024, the Parish Council had requested from the Council that £350,000 of S106 funding to be allocated to accessible facilities in the community, namely, a dog exercise area, allotments, and improving existing play facilities; furthermore, she indicated that Saxilby with Ingelby Parish Council would apply for Neighbourhood Funding from West Lindsey District Council towards a children's play area on Westcroft Green. The Councillor explained that after discussion with the Developer, Local Equipped Area for Play (LEAP) funding would be available for play equipment off site. The Councillor reaffirmed that the Parish Council believed the proposed development would be more acceptable if S106 funding was allocated to building a play area, and a dog exercise area, on Westcroft Green.

The Chair thanked Cllr Hillman for her comments, and invited the second registered speaker, Robert Doughty, Agent for Applicant, to address the Committee.

Mr Doughty outlined that the application site was located on a field that had been less productive due to its size and topography. The Agent confirmed how the land was allocated for residential development as part of the CLLP in 2023; he outlined a range of considerations as part of the process involved in development, which informed the indicative layout featured in the application. He explained that the plan proposed a lower number of dwellings than indicated by the CLLP, due to the retention of certain features of the site. Mr Doughty had brought attention to how the scheme was supported by the usual reports and studies, notably including detail pertaining to transport, drainage, and ecology; furthermore, he highlighted the conclusion from the local flood authority, noting the positive impact the scheme would have on surface water drainage. The Agent then reaffirmed Cllr Hillman's comments, explaining how the LEAP could be provided for Westcroft Green, subject to the Council's consideration. Finally, he requested support for the Officer recommendation to be approved.

The Chair thanked Mr Doughty and asked for any Officer response. In relation to Cllr Hillman's earlier comments, the Officer referred to an email received from the Parish Council

which referred to community benefit. This could not be delivered as the purpose of Section 106 contributions was primarily to mitigate the impact of unacceptable development. Having considered this, the Council felt the Parish Council's plans would not meet the S106 requirements. The Officer also reminded the Committee that the play area details must be agreed as part of the legal agreement, in order for the S106 to be signed.

A Member of the Committee noted that the report appeared to lack comments from the local Members; this was later addressed by the Officer, who explained that Members had been given to the opportunity to comment but chose not to.

A Member raised traffic congestion concerns regarding the roads into Saxilby, highlighting his surprise that the Highways Agency had deemed the proposal appropriate, considering the volume of commuter traffic; this was reiterated by other Members, with suggestions that money could be spent to help alleviate the congestion. The Member proposed a site visit during morning rush hour for the Committee to observe the levels of traffic congestion in the area. In response, to these comments, the Officer confirmed that the Highways Agency had deemed the traffic levels appropriate at the Mill Lane junction, with the Development Management Team Manager later adding that traffic levels would be taken up to maximum capacity with this development. After reaffirming the traffic congestion concerns, a Member of the Committee outlined his support for the development site plan and moved the recommendation outlined in the report.

Another Member of the Committee enquired about the 20% of affordable housing included as part of the development, with concerns that the proposed dwellings would disproportionately benefit middle class commuter families. The Member also raised a question how the Community Infrastructure Levy (CIL) would be allocated, and how much the Parish Council would receive. The Development Management Team Manager responded by explaining that the 20% allocation for affordable housing was in line with the current NPPF, and that the Parish Council will receive CIL monies, due to existence of their Neighbourhood Plan, in addition to the developer's proposal.

Echoing one of Cllr Hillman's earlier comments, concerns were raised by a Member that the Developer's plans to provide approximately £125,000 towards Saxilby's residents' bus passes was wasteful and could be better allocated elsewhere. It was clarified that the money would not meet the tests for reasonableness, therefore the sum had not been requested by the Council. It was added that in addition to the £2,300 of S106 funding for speed limit operations and signage works in the area, the Council had requested a frontage footway to connect to the existing footway on Sykes Lane, details of which would be outlined in the S106 agreement.

The Chairman summarised that there had been two proposals, one for a site visit and one for the Officer recommendation, seeking a seconder for either proposal. A Member of the Committee duly seconded the motion to approve the Officer recommendation. The Legal Advisor sought confirmation that the amendment to the recommendation had been noted and both the proposing and seconding Members were content with the amended recommendation. With this confirmed, the Chairman took the vote and it was

**RESOLVED** that approval to **GRANT** planning permission be delegated back to Officers subject to the completion of a Section 106 agreement which provided:

**Education**

A contribution of up to £594,405 to be paid on completion of 50% of the development to increase primary school capacity.

**NHS**

A contribution of up to £63,250 on completion of 50% of the dwellings in order to have contributed to the extension of existing medical facilities at the Glebe Practice and Trent Valley Surgery.

**Affordable Housing**

20% of the dwellings to be delivered as affordable housing.

The tenure split to be:

25% First Homes;

15% Shared Ownership and 60% Affordable Rent.

**Highway Safety**

£2300 for speed limit alterations and signage works on Sykes Lane and Church Lane Frontage.

Footway connected to existing footway on Sykes Lane (with details subject to agreement).

**Custom / Self Build Housing**

For 5 custom / self-build plots

**Public Open Space**

and imposition of the following conditions:

1. Apart from the five self-build plots an application for approval of the reserved matters for the remaining 95 dwellings must be made to the Local Planning Authority before the expiration of three years from the date of this permission. No commencement of the five self-build plots must occur until the reserved matters for the self-build plots are approved.

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

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

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

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

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

4. The reserved matters planning application submitted to the Local Planning Authority considering access, landscaping, layout, scale and appearance must demonstrate that it reflects the proposed site plan drawing no. 1032-3-OO-SP01 and the Arboricultural Impact Assessment prepared by Ecological Services Ltd dated October 2023.

**Reason:** This formed part of the consideration to allow a lower density and grant approval.

5. The reserved matters planning application submitted to the Local Planning Authority considering layout, scale and appearance must be accompanied by an Energy Statement to accord with the requirements of local policy S6 and S7 of the Central Lincolnshire Local Plan 2023. The development must thereafter proceed only in accordance with the agreed Energy Statement, unless otherwise agreed in writing by the Local Planning Authority.

**Reason:** In order to ensure efficient buildings and reduce energy consumption, to accord with the National Planning Policy Framework and policies S6 and S7 of the Central Lincolnshire Local Plan 2023.

6. No development shall take place until a Construction Management Plan and Method Statement has been submitted to and approved in writing by the Local Planning Authority. The Plan and Statement shall include:

- the phasing of the development to include access construction
- the routes of construction traffic to and from the site
- the on-site parking of all vehicles of site operatives and visitors;
- the on-site loading and unloading of all plant and materials.
- the on-site storage of all plant and materials
- Measures to control the emission of noise, dust and dirt during construction
- Wheel Wash Facilities

**Reason:** In the interests of highway safety and to restrict disruption to the living conditions of neighbouring dwellings and the surrounding area from noise, dust and vibration in accordance with policies S47 and S53 of the Central Lincolnshire Local Plan.

7. No development must take place a Travel Plan has been submitted to, and approved in writing by, the Local Planning Authority. Those parts of the approved Travel Plan that are identified therein as being capable of implementation after occupation must be implemented in accordance with the timetable contained therein and must continue to be implemented for as long as any part of the development is occupied.

**Reason:** In order that the permitted 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 to accord with the National Planning Policy Framework, and policy S47 of the Central Lincolnshire Local Plan 2023

8. No development shall commence until a surface water and foul water drainage scheme has been submitted to and approved in writing by the Local Planning Authority

The scheme shall:

- be based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development.
- provide flood exceedance routing for storm event greater than 1 in 100 year.
- provide details of how run-off will be safely conveyed and attenuated during storms upto 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 restricted to an agreed greenfield run off rate.
- 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.

No dwelling shall 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 that the permitted development is adequately drained without creating or increasing flood risk to land or property adjacent to, or downstream of, or upstream in accordance with policy S21 of the Central Lincolnshire Local Plan.

9. No development shall take place until a written Habitat Management and Maintenance Plan [HMMP] in accordance with the Biodiversity Net Gain Statement dated January 2024 and prepared by Luke Hartley has been submitted to and approved in writing by the Local Planning Authority. The HMMP shall relate to all 'significant' biodiversity gains on site and must be strictly adhered to and implemented in full for a minimum of 30 years following completion of the development. The HMMP must contain the following:

- a. a non-technical summary.
- b. the roles and responsibilities of the people or organisation(s) delivering/monitoring the [HMMP].
- c. the details of funding, resources and mechanisms for long term delivery of the [HMMP].
- d. the planned habitat creation and enhancement works to create or improve habitat.
  - i. Explanation as to how climate change models (RCP 8.5) have impacted management, species selection and/or provenance of woody species.
  - ii. Explanation as to how soil sampling has impacted creation/enhancement of grassland habitats or any habitat creation on previous arable/contaminated land.
  - iii. Explanation of how Hydrological surveys have impacted the creation and species selection of SUD features
  - iv. Explanation habitat creation/enhancement has included micro-topologies to maximise ecological niches.
  - v. Explanation as to the selection of donor site for green hay and/or choice of seed mixes
  - vi. Explanation/specification as to any protected/notable species, mitigation, compensation and enhancement methods (such as the inclusion of beetle banks, wildlife towers, Hibernacula) within public open space.

- e. the management measures to maintain habitat for a period of 30 years from the completion of development.
- i. Explanations as to how minimum intervention management techniques have been prioritised.
  - ii. Explanation as to frequency and method of grass cutting (where grazing is not used) ensuring nutrient level and ecological niches are managed appropriately.
  - iii. Explanation as to how management allows for creation/maintenance of quality overwintering habitat.
  - iv. Explanation as to how mosaic features within each habitat type will be supported whilst ensuring habitat definitions are maintained for the 30-year period.
  - v. Explanation of methods employed to reduce/mitigate local scale anthropogenic risks (for example tree guards or restricting access)
- f) the monitoring methodology and frequency in respect of the retained, created and/or enhanced habitat to be submitted to the local planning authority for years 1, 3, 5, 10, 15, 20, 25 and 30 following the completion of the development.
- g) Reports to the Local Planning Authority should use the Natural England HMMP Monitoring report template (Word) supplemented with either an updated Statutory Metric showing gains to date or Natural England HMMP Monitoring report template (Excel). Geostamped Photo evidence must also be provided.  
All reports must be submitted no later than September 1st on each reporting year
- h) the mechanisms of adaptive management and remedial measures to account for changes in the work schedule to achieve required targets.  
(Applicants are advised to use the Natural England HMMP Template found at <https://publications.naturalengland.org.uk/publication/5813530037846016>)

**Reason:** To ensure the development delivers a biodiversity net gain on site in accordance with policy S61 of the Central Lincolnshire Local Plan.

10. No development shall take place on the site until a Construction Environmental Management Plan in accordance with the Arboricultural Impact Assessment dated October 2023 has been submitted to and approved in writing by the Local Planning Authority.

**Reason:** In the interests of protecting biodiversity and the existing landscape character of the site in accordance with policies S53 and S60 of the Central Lincolnshire Local Plan.

11. Development on the site shall be in full accordance with the Flood Risk Assessment, in particular the finished floor level of the dwellings is not less than 8.15m AOD.

**Reason:** To reduce flood risk in accordance with policy S21 of the Central Lincolnshire Local Plan.

12. Prior to completion of development details of 3 passing places on Church Lane must be submitted to and approved in writing by the Local Planning Authority . Evidence of completion of the approved works must be submitted to and approved in writing by the local Planning Authority prior to occupation of any dwellings on the site.

**Reason:** In the interests of Highway Safety in accordance with policy S47 of the Central Lincolnshire Local Plan

13. Before any dwelling is occupied, all of that part of the estate road and associated



footways that forms the junction with the main road and which will be constructed within the limits of the existing highway, shall be laid out and constructed to finished surface levels in accordance with details to be submitted to, and approved in writing by, the Local Planning Authority.

**Reason:** In the interests of highway safety, to avoid the creation of pedestrian trip hazards within the public highway from surfacing materials, manholes and gullies that may otherwise remain for an extended period at dissimilar, interim construction levels in accordance with policies S47 and S53 of the Central Lincolnshire Local Plan.

14. Before any dwelling is occupied it must have a rain harvesting water butt of a minimum 100 litre capacity within its garden area.

**Reason:** In the interests of water efficiency in accordance with policy S12 of the Central Lincolnshire Local Plan.

### **155 147755 - LAND OFF HIGH STREET, GLENTHAM**

The Committee heard from the Development Management Team Leader regarding planning application number 14775, seeking to erect five dwellings with detached garages, associated access, car parking, infrastructure and landscaping, on the land off High Street, Glentham. The Members then heard a short presentation introducing the application.

The Chairman stated there was one registered speaker, and invited Mr Andrew McDowall, Agent for the Applicant, to address the Committee.

Mr McDowall highlighted how the key issues under consideration were whether the site fell within the developed footprint of Glentham, and the impact the development would have on the immediate neighbouring properties, and the wider character of the village. He continued that the proposed development would enhance the built frontage of the village, reinforcing the linear character of the A631. In terms of the wider impact, it was explained that the design would be in keeping with the local residential architecture; he added that the choice of building material would be matched to Glentham's historic dwellings, and the layout and scale of the development would be inspired by cul-de-sacs located in the village.

The Agent for the Applicant addressed concerns raised by neighbouring properties, stating that the proposed development had been carefully designed to avoid overlooking generally. He continued that another concern had been raised regarding a legal easement to the rear of the garden, noting that the Applicant had no record of this easement, with sufficient space left if required in the future. He then noted that the Parish Council had voiced concerns in relation to highway safety, adding that these concerns had been adequately addressed in the planning application, with the Highways Agency raising no objection.

Mr McDowall then focused on ecology and biodiversity; he outlined that although the application had exemption due to being submitted prior to the imposition of mandatory requirements, net gains would be delivered overall, with no objection raised by the Council.

He concluded by confirming to the Committee that the proposed development had undergone extensive pre-application and ongoing consultation which attempted to address

any concerns. Mr McDowall thanked the Committee for their time, and highlighted the high-quality nature of the design, its sustainability, alongside the support received from the Council's planning department.

The Chairman thanked Mr McDowall for his comments, and after having received no Officer response, he invited comments from the Committee.

A Member of the Committee commended the Developer, noting their willingness to work with the Council to enhance the proposal, describing the proposed development as potentially first-class. He explained how the development would improve the built footprint of Glenthams, commenting on how the proposed use of similarly matched sustainable building materials would be suitable for the location. The Member continued that a potential benefit of the proposed development was the increased usage of Glenthams' local amenities, noting that these amenities required more than passing trade to sustain them. It was then proposed to move the recommendation in the report.

Another Member of the Committee expressed his surprise with a lack of objection from the Highways Agency; he commented that as several junctions into Glenthams had limited visibility, particularly near the Old Chapel House, the speed of traffic was hazardous, especially at busy times. With similar concerns about the speed of traffic, another Member enquired about the possibility of extending the 30mph zone closer to the proposed development, to which the Chairman clarified that it would require the support of the County Councillor.

Concerns were expressed by a Member of the Committee in relation to the proposed development adding to the high level of development along the main road, and the future development of the neighbouring vacant garden centre. The Officer updated the Committee, explaining that some of the existing buildings on the vacant garden centre site had been approved for alteration into small dwellings, alongside an implemented permission for 19 dwellings north of the site.

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

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

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

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

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

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 dated Dec 2023:

- PP002 Rev 02
- PP006 Rev 01
- PP100 Rev 01
- PP101
- PP102 Rev 01
- PP103
- PP104
- PP105 Rev 01
- PP106 Rev 01

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

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

3. No development shall take place above damp proof course level until details of all external and roofing materials have been submitted to and approved in writing by the Local Planning Authority. The development shall only be constructed in accordance with the approved materials and retained thereafter.

**Reason:** To ensure the use of appropriate materials to safeguard the character and appearance of the street scene in accordance with the National Planning Policy Framework and Policy S53 of the Central Lincolnshire Local Plan.

4. The development hereby permitted shall be carried out in full accordance with the details set out in the submitted Energy Statement dated December 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.

5. Prior to occupation of the dwellings, 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 dated December 2023, and approved 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.

6. The development shall be carried out in full accordance with the recommendations contained within the Preliminary Ecological Appraisal by Archer Ecology dated July 2023 at Land north of A631, Glentham, Market Rasen.

**Reason:** To protect and enhance the biodiversity value of the site to accord with the National Planning Policy Framework and policy S60 of the Central Lincolnshire Local Plan.

7. The development shall be carried out in full accordance (excluding para 3.43 compensation) with the Biodiversity Assessment by Archer Ecology dated December 2023 at Land north of A631, Glentham, Market Rasen.

**Reason:** To protect and enhance the biodiversity value of the site to accord with the National Planning Policy Framework and policy S60 of the Central Lincolnshire Local Plan.

8.No development above damp proof course level shall take place until details of a scheme for the disposal of foul sewage and surface water from the site (including the results of any necessary soakaway/percolation tests and connectivity plan) have been submitted to and approved in writing by the Local Planning Authority. No occupation must occur until the approved scheme has been installed and retained as such thereafter.

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

9.Prior to occupation of the approved dwelling, evidence must be submitted to the local planning authority that a rainwater harvesting butt of a minimum 100 litres has been installed.

**Reason:** In the interests of sustainable water management in accordance with policy S12 of the Central Lincolnshire Local Plan.

10. Prior to the first occupation of the dwellings hereby approved, a scheme of landscaping including details of the size, species and position or density of all trees and hedges to be planted, along with any new fencing/walls and hardstanding shall be submitted to and approved in writing by the Local Planning Authority.

**Reason:** To ensure the visual impact of the development on the area is minimised and in the interests of providing biodiversity enhancements in accordance with the requirements of Policies S53, S60 and S61 of the Central Lincolnshire Local Plan.

11. 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 dwelling 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 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 occupiers of adjacent buildings and in accordance with Policies S53, 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:**

None

**156 145253 - HEMSWELL CLIFF**

The Committee then heard details of the next application, number 145253, seeking permission to erect 196 dwellings and associated infrastructure, drainage, and open space, on land south of the A631, Hemswell Cliff. The Officer clarified an update to the recommendation, before giving a short presentation to the Committee.

He explained that the Council's own independent assessment concluded that it was not viable for the scheme to make full policy compliance on infrastructure, and after negotiations with the Developer, an additional £100,000 had been offered towards infrastructure, initially towards secondary education. However, as alternative funding was available to the local education authority through CIL funding, it was instead proposed that the money would be used to make a full £124,000 contribution towards the National Health Service. It was recommended that it was delegated to Officers to finalise negotiations with the Developer for any outstanding contribution money (£38,000) to be used against another area of infrastructure shortfall.

The Chairman stated that there was one registered speaker for the application, and invited Fiona Beddoes, Applicant, to address the Committee.

As Land Manager for Gleeson Homes, she explained that they provided affordable and high-quality homes which provided a range of benefits, and specialised in entry-level housing, particularly for first time buyers. She added that the proposed development would generate income into the area, supporting a more sustainable and regenerated local community, highlighting how few workers in the local business park lived in the local area, due to the lack of affordable housing. It was explained that the Parish Council supported the development, particularly as it would potentially secure the ongoing use of the local primary school.

The Applicant added that no objections had been raised by statutory consultees in relation to several areas. She continued that Gleeson Homes had worked with the Planning Officers to achieve an acceptable scheme, with provisions such as an improved footway along the southern boundary of the A631, with an uncontrolled tactile crossing, along with a Local Area of Play. It was also outlined that biodiversity net gain would exceed the 10% requirement. She then reiterated the Officer's earlier update, adding that Gleeson Homes would provide the full contribution towards National Health Service facilities, as well as other improvements and infrastructure contributions.

The Chair thanked the Applicant and asked for any Officer response, to which the Officer added that the Parish Council had expressed a desire for a puffin crossing as part of the development, which had not been set as a requirement by the Highways Agency, nor had it been proposed by the Developer. The lack of a proposed puffin crossing was raised later in the discussion with Members, with concerns raised about people's safety crossing the road

from the infants' school.

Two Members praised the proposed development for its affordable housing, and the potentially positive impact on increased local employment and sustainability in the community in uncertain times. Due to potential future change, a Member welcomed the possibility of refreshing the viability appraisal after two years, and proposed the recommendation outlined in the report. The heritage and community of Hemswell Cliff was praised by another Member, who emphasised how the proposed development could be positive for the regeneration of the area.

At several points in the discussion Members of the Committee expressed concern at the proximity of the children's play area to the surface water balancing areas, enquiring about the depth of the water, and whether adequate fencing would be provided to protect the children. An Officer responded, explaining that details in relation to this were part of the legal agreement, which had yet to be agreed between the Developer and the Council. The safety concerns were later highlighted by the Officer, who clarified that an amendment would be added to the recommendation in terms of the open space to include the security arrangements, including fencing for the Locally Equipped Area of Play.

The Chair and Legal Advisor sought confirmation that the two amendments to the recommendation had been noted and both the proposing and seconding Members were content with the amended recommendation. With this confirmed, the Chairman took the vote, and it was

**RESOLVED** that approval to **GRANT** planning permission be deferred and delegated to officers subject to the completion of a section 106 legal agreement that would deliver:

- a contribution of £123,970.00 towards medical services
- the extension and upgrading of the footway to a to the south of the A631 to a minimum width of 1.8m from Lancaster Green to Dog Kennel road
- the provision of an uncontrolled tactile crossing point to connect to the existing footway on the northern side of the A631 at Gibraltar Road and Capper Avenue and details of the composition, management and maintenance of public open space, including security measures in the vicinity of proposed attenuation areas and ponds and the specification of the proposed Locally Equipped Area of Play and to allow officers to agree with the Applicants the use of the remaining £38.015 offered towards other infrastructure.

If a start on site had not occurred within 2 years of the granting of permission, the viability assessment must be reviewed, and if it showed that contributions towards affordable housing and medical facilities would be viable, they must be made in accordance with details to be agreed.

and imposition of the following planning conditions:

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).

2. No development shall take place until a Construction Management Plan and Method Statement has been submitted to and approved in writing by the Local Planning Authority.

The Plan and Statement shall include.

- the phasing of the development to include access construction
- the routes of construction traffic to and from the site
- the on-site parking of all vehicles of site operatives and visitors;
- the on-site loading and unloading of all plant and materials.
- the on-site storage of all plant and materials
- Measures to control the emission of noise, dust and dirt during construction
- Wheel Wash Facilities Page

**Reason:** In the interests of highway safety and to restrict disruption to the living conditions of neighbouring dwellings and the surrounding area from noise, dust and vibration in accordance with policies S47 and S53 of the Central Lincolnshire Local Plan.

3. No development shall take place until a written Habitat Management and Maintenance Plan [HMMP] in accordance with the [Ecological Impact Assessment (EclA)] dated [June 2022] and prepared by [SLR] is submitted to and approved in writing by the Local Planning Authority. The HMMP shall relate to all 'significant' biodiversity gains on site and must be strictly adhered to and implemented in full for a minimum of 30 years following completion of the development. The HMMP must contain the following:

- a. a non-technical summary.
- b. the roles and responsibilities of the people or organisation(s) delivering/monitoring the [HMMP].
- c. the details of funding, resources and mechanisms for long term delivery of the [HMMP].
- d. the planned habitat creation and enhancement works to create or improve habitat.
  - i. Explanation as to how climate change models (RCP 8.5) have impacted management, species selection and/or provenance of woody species.
  - ii. Explanation as to how soil sampling has impacted creation/enhancement of grassland habitats or any habitat creation on previous arable/contaminated land.
  - iii. Explanation of how Hydrological surveys have impacted the creation and species selection of SUD features
  - iv. Explanation habitat creation/enhancement has included micro-topologies to maximise ecological niches.
  - v. Explanation as to the selection of donor site for green hay and/or choice of seed mixes
  - vi. Explanation/specification as to any protected/notable species, mitigation, compensation and enhancement methods (such as the inclusion of beetle banks, wildlife towers, Hibernacula) within public open space.
- e. the management measures to maintain habitat for a period of 30 years from the completion of development.
  - i. Explanations as to how minimum intervention management techniques have been prioritised.
  - ii. Explanation as to frequency and method of grass cutting (where grazing is not used) ensuring nutrient level and ecological niches are managed appropriately.
  - iii. Explanation as to how management allows for creation/maintenance of quality overwintering habitat.

- iv. Explanation as to how mosaic features within each habitat type will be supported whilst ensuring habitat definitions are maintained for the 30-year period.
- v. Explanation of methods employed to reduce/mitigate local scale anthropogenic risks (for example tree guards or restricting access)
- f) the monitoring methodology and frequency in respect of the retained, created and/or enhanced habitat to be submitted to the local planning authority for years 1, 3, 5, 10, 15, 20, 25 and 30 following the completion of the development.
- g) Reports to the Local Planning Authority should use the Natural England HMMP Monitoring report template (Word) supplemented with either an updated Statutory Metric showing gains to date or Natural England HMMP Monitoring report template (Excel). Geostamped Photo evidence must also be provided.  
All reports must be submitted no later than September 1st on each reporting year
- h) the mechanisms of adaptive management and remedial measures to account for changes in the work schedule to achieve required targets.  
(Applicants are advised to use the Natural England HMMP Template found at <https://publications.naturalengland.org.uk/publication/5813530037846016>)

**Reason:** To ensure the development delivers a biodiversity net gain on site double that of the minimum requirement which was afforded positive weight in the determination of the application.

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

- Planning Layout Drawing No. 21-770-03 Rev H 23.09.24
- Landscape Plan Drawing No. WL-01 Rev F 03.04.24
- Urban 201 House Type Drawing No. 21-201-U-0001 C02:
- Urban 202 House Type Drawing No. 21-202-U-0001 C02;
- Urban 250 House Type Drawing No. 21-250 -U -001 C01;
- Urban 252 House Type drawing no. 21-252-U-0001 C01:
- Urban 301 House Type drawing no. 21-301-U-0001 C02;
- Urban 303 House Type drawing no. 21-303 -U-0001 C02;
- Urban 304 House Type drawing no. 21-304-U-0001 C02:
- Urban 311 House Type drawing no. 21-311-U-0001 C02;
- Urban 313 House Type drawing no. 21-313-U-0001 C02 Page 108
- Urban 314 House Type drawing no. 21-314-U-0001 C02.
- Urban 340 House Type drawing no. 21-340-U-0001 C02.
- Urban 350 House Type drawing no. 21-350-U-0001 C01:
- Urban 360 House Type drawing no. 21-360-U-0001 C01.
- Urban 401 House Type drawing no. 21-401 -U-0001 C02.
- Urban 403 House Type drawing no. 21-403-U-0001 C02:
- Urban 435 House Type drawing no. 21-435-U-0001 C03.
- Urban 436 House Type drawing no. 21-436-U-0001 C02.
- Gable Front Sales Garage drawing no. EY -01-07 Rev D.
- 201/ 301 House Types Floor Plans and Elevations drawing no. No. 21-573-101.
- 202 House Type Floor Plans and Elevations drawing no. No. 21-573-108.
- 403 (OP) House Type- Floor Plans and Elevations drawing no. No. 21-573-119:
- 301/201 House Type- Floor Plans and Elevations drawing no. No. 21-573-102:



- 304 (OP) House Type- Floor Plans and Elevations drawing no. No. 21-573-111:
- 311 (OP) House Types Floor Plans and Elevations drawing no. No. 21-573-121.
- 314 (OP) House Type Floor Plans and Elevations drawing no. No. 21-573-113.
- 435 (OP) House Type- Floor Plans and Elevations drawing no. No. 21-573-117:
- 337 (OP) House Type- Floor Plans and Elevations drawing no. No. 21-573-115:
- 360 (AS) House Type- Floor Plans and Elevations drawing no. No. 21-573-100:
- 313/340 (OP) House Type- Floor Plans and Elevations drawing no. No. 21-574-125:
- 401 (OP) House Type- Floor Plans and Elevations drawing no. No. 21-573-107:
- 436 (OP) House Type- Floor Plans and Elevations drawing no. No. 21-573-121:
- 1800mm high close boarded timber fence drawing no. SD-100.
- 600mm high post and wire fence drawing no. SD-103.
- Detached Single Garage drawing no. SD1700.
- Detached Double Garage drawing no. SD1701.

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 in the interests of proper planning.

5. No construction works above ground level must take place until details of the proposed walling and roofing materials and all external hard surfaces have been submitted to and approved in writing by the Local Planning Authority. It shall thereafter be implemented in full accordance with the approved details.

**Reason:** To ensure a satisfactory visual appearance in accordance with policy S53 of the Central Lincolnshire Local Plan

6. The permitted development shall be undertaken in accordance with an Estate Road Phasing and Completion Plan, which shall first be approved in writing by the Local Planning Authority. The Plan shall set out how the construction of the development will be phased and standards to which the estate roads on each phase will be completed during the construction period of the development.

**Reason:** To ensure that a safe and suitable standard of vehicular and pedestrian access is provided for residents throughout the construction period of the development in accordance with policy S47 of the Central Lincolnshire Local Plan.

7. The development hereby permitted shall be carried out in full accordance with the details set out in the Noise Assessment prepared by Spectrum Acoustic Consultants dated 02/08/2022 in particular pages 11 and 12 which identify the specification for sound insulation to achieve acceptable internal noise levels within the dwellings and mitigation to achieve acceptable noise levels in outdoor amenity spaces. These must be in place prior to occupation of the dwellings identified.

**Reason:** To ensure an acceptable level of noise mitigation from the A631 within the hereby approved dwellings and in outdoor amenity areas in accordance with policy S53 of the Central Lincolnshire Local Plan.

8. The development hereby permitted shall be carried out in full accordance with the Ecological Impact Assessment prepared by SLR Consulting dated 02/08/2024 in particular the required mitigation measures identified in section 5.

**Reason:** In the interests of Biodiversity protection in accordance with policy S60 of the Central Lincolnshire Local Plan.

9. Before any dwelling is occupied, all of that part of the estate road and associated footways that forms the junction with the main road and which will be constructed within the limits of the existing highway, shall be laid out and constructed to finished surface levels in accordance with details to be submitted to, and approved in writing by, the Local Planning Authority.

**Reason:** In the interests of safety, to avoid the creation of pedestrian trip hazards within the public highway from surfacing materials, manholes and gullies that may otherwise remain for an extended period at dissimilar, interim construction levels in accordance with policies S47 and S53 of the Central Lincolnshire Local Plan.

10. The permitted 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 permitted 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

11. All planting comprised in the approved details of landscaping shown on drawing number WL-01 Rev H dated 23.09. 2024 shall be carried out in the first planting and seeding season following the occupation of the dwelling 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:** In the interests of the visual amenity of the area and to provide biodiversity enhancements in accordance with policies S53, S60 and S61 of the Central Lincolnshire Local Plan (adopted April 2023)

12. Prior to occupation of any dwelling they must each have a rain harvesting water butt of a minimum 100 litre capacity in place.

**Reason:** In the interests of water efficiency in accordance with policy S12 of the Central Lincolnshire Local Plan.

13. No dwelling shall be occupied before evidence has been submitted to and approved in writing by the local planning authority that Anglian Water has capacity to treat foul drainage from the site.

**Reason:** Anglian Water in their response to the application stated they had no capacity to treat foul drainage from the development and in accordance with policy S21 of the Central Lincolnshire Local Plan.

### **157 DETERMINATION OF APPEALS**

With no comments, questions or requirement for a vote, the determination of appeals report was **NOTED**.

### **158 EXCLUSION OF PUBLIC AND PRESS**

**RESOLVED** that under Section 100 (A)(4) of the Local Government Act 1972, the public and press be excluded from the meeting for the following items of business on the grounds that they involved the likely disclosure of exempt information as defined in paragraphs 3 and 4 of Part 1 of Schedule 12A of the Act.

**Note:** The meeting entered closed session at 7:39pm

### **159 PLANNING ENFORCEMENT - FORMAL CASE UPDATE**

A Committee Member enquired about a specific item on the Planning Enforcement report, which was clarified by another Member of the Committee.

With no further comments, questions or requirement for a vote, the Planning Enforcement Report was **NOTED**.

The meeting concluded at 7.42 pm.

Chairman