

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 8 January 2025 commencing at 6.30 pm.

Present:

- Councillor Matthew Boles (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
- Councillor Tom Smith

In Attendance:

- Sally Grindrod-Smith Director Planning, Regeneration & Communities
- Russell Clarkson Development Management Team Manager
- Ele Snow Senior Democratic and Civic Officer
- Holly Horton Development Management Officer
- Molly Spencer Democratic & Civic Officer

Also in Attendance: 6 Members of the Public

Apologies:

- Councillor Jim Snee (Vice Chairman)
- Councillor Sabastian Hague

177 PUBLIC PARTICIPATION PERIOD

There was no public participation.

178 TO APPROVE THE MINUTES OF THE PREVIOUS MEETING

Councillor Fleetwood requested an amendment for the minutes of the previous Committee to reflect his name against the following on page 7, 'A Member made a request for a recorded vote, which was duly seconded.'

On being put to vote this was agreed unanimously.

RESOLVED that the minutes of the Planning Committee meeting held on Wednesday, 4 December 2024, following the above amendment be confirmed and signed as an accurate record.

179 DECLARATIONS OF INTEREST

Regarding the application WL/2024/00049 Councillor Barrett declared that he knew the applicants personally and informed the committee he would act in his capacity as Ward Member, and leave the Chamber for the debate.

180 UPDATE ON GOVERNMENT/LOCAL CHANGES IN PLANNING POLICY

Members heard from the Development Management Team Manager the Government had published its response to proposed planning reforms the previous month, alongside its revised and updated National Planning Policy Framework (NPPF). Planning law required that planning decisions were taken against the development plan for its area, unless material considerations indicated otherwise. In this case, that comprised the Central Lincolnshire Local Plan, any applicable made Neighbourhood Plan, and the Lincolnshire Minerals and Waste Plan.

National policy was, however, a material consideration and was to be taken into account from the date of its publication (12 December 2024). It was therefore relevant when considering that evening's planning applications.

The NPPF stated (paragraph 232) that "existing [development plan] policies should not be considered out-of-date simply because they were adopted or made prior to the publication of this Framework."

It also stated that where the LPA could demonstrate a five-year Housing Land Supply (HLS) and a Housing Delivery Test (HDT) over 75% for the previous three years, then current development plan policies should not have been regarded as out-of-date as a consequence of the new local housing requirement figures. This was for a period of five years from the date of the plan's adoption (CLLP – April 2028).

In Central Lincolnshire, there was currently a 7.8-year HLS, and over 100% had been achieved in the HDT (2023 = 178%; 2022 = 182%; 2021 = 175%). The policies of the CLLP should not have been considered to be out-of-date as a result of the new housing requirement figures.

In terms of taking into consideration the revised NPPF (December 2024), some of the key changes to be aware of had included:

- **New Standard Method for Assessing Local Housing Need (para.62)** – A new Standard Method had been introduced, which future development plan policies would need to take into account. The new baseline figure had been set at 0.8% of existing housing stock, then adjusted for affordability (previously it had been derived from household growth projections). Applying the new Standard Method had required 1,552 new dwellings per annum across Central Lincolnshire (previously 1,054 under the old method, an increase of 47%). However, the CLLP 2023 had currently set a target of 1,325 dwellings per annum (an increase of 17%).
- **Return of the Five-Year HLS with Buffer (para.78)** – LPAs were again required to maintain a five year HLS with a 5% buffer. Central Lincolnshire currently had a 7.8-year supply (156%). From 1 July 2026, a 20% buffer would need to be applied to

those LPAs whose local housing need figure was 80% or less of the new Standard Method figure. The current CLLP requirement (1,325 dwellings) was 85% of the new Standard Method figure (1,552 dwellings) at that time.

- **Local Character and Design Coding (para. 131 onwards)** – Changes made in 2023 to the NPPF referencing “beauty” and “beautiful” in relation to well-designed development had been reversed. However, the framework had clarified that national policy was strongly supportive of all upward extensions, including mansard roofs.
- **Previously Developed Land** – The definition of previously developed land in the glossary had been updated to include “large areas of fixed surface infrastructure such as large areas of hardstanding which have been lawfully developed.” However, glasshouses were not included in the definition.
- **Affordable Housing** – Housing needs assessments were expected to explicitly consider the needs of those requiring social rent, according to the NPPF. The 10% mandatory requirement for major development had been removed. New wording in the framework had expected LPAs to take a positive approach to development proposals that included a mix of tenures and types, through both plans and decisions.
- **Supporting Economic Growth and Clean Energy** – The new NPPF had included policies to facilitate development meeting the needs of a modern economy (such as laboratories, gigafactories, data centres, digital infrastructure, freight, and logistics). Decision-makers were to give “significant weight” to the benefits associated with renewable and low-carbon energy generation and proposals contributing to meeting a net-zero future. “Significant weight” had also been placed on the importance of facilitating new, expanded, or upgraded public service infrastructure when considering development proposals, as stated in new wording in paragraph 101.

Planning Reform Working Paper: Planning Committees

<https://www.gov.uk/government/publications/planning-reform-working-paper-planning-committees>

On 9 December 2024, the Government had published a working paper on reforms to local government planning committees. It was not a formal consultation with a deadline, but it did invite comments.

The paper had invited views on models for a national scheme of delegation, which the Government had committed, it stated, “to support better decision making in the planning system.” It had proposed three possible options, which it claimed were “designed to facilitate faster delivery of the quality homes and places that our communities need, by bringing greater standardisation over the operation of committees, in turn to give greater certainty to applicants.”

Additionally, the Government had expressed interest in views on the creation of smaller, targeted planning committees specifically for strategic development, as well as the introduction of a mandatory requirement for training for Planning Committee Members.

All three reforms would require changes to primary legislation through the Planning and Infrastructure Bill.

- **Option 1 – Delegation where an application complies with the development plan**
- **Option 2 – Delegation as default with exceptions for departures from the development plan**

This option proposed that a national scheme of delegation should operate by

exception. Specifically, all applications be delegated to officers unless specific circumstances applied. This could mean all applications were delegated to officers unless:

- a. the application was a departure from the development plan and was recommended by officers for approval; or
- b. the application had been submitted by the local planning authority, its members, or officers.

• **Option 3 – Delegation as default with a prescriptive list of exceptions**

The third option would again require all applications to be delegated to officers. However, under this model, the national scheme of delegation would set out a prescriptive list of application types to be determined by committees to provide certainty to applicants from the start.

- a. All applications for planning permission would be delegated to officers unless the application was:
 - i. for major residential or commercial development not on an allocated site;
 - ii. for an allocated site and the proposals departed from the policy in the local or neighbourhood plan for that site;
 - iii. for land on the Green Belt which engaged the exceptional circumstances test in the NPPF;
 - iv. for development subject to Environmental Impact Assessment or which was likely to have a significant impact on a habitats site;
 - v. for development that would cause substantial harm to a designated heritage asset and there could be exceptional reasons for its approval;
 - vi. submitted by a local planning authority, its members, or officers; or
 - vii. subject to over a specified number of objections.

Members also heard the following updates on the Neighbourhood Plans in the District.

| Neighbourhood Plan/s | Headlines | Planning Decision Weighting |
|---------------------------------|---|-----------------------------|
| Made Neighbourhood Plans | Brattleby, Caistor*, Cherry Willingham*, Dunholme*, Great Limber, Lea, Osgodby, Riseholme, Scotter, Saxilby with Ingleby*, Welton by Lincoln*, Willoughton, Glentworth, Spridlington, Sudbrooke*, Scotton, Bishop Norton and Atterby, Gainsborough, Morton, Corringham, Sturton by Stow and Stow Review, Hemswell and Harpswell, Keelby, Hemswell Cliff, Scothern Review, and Nettleham Review. | Full weight |
| Reepham | Examination had been successful. The examiner had issued his final report. A decision statement was to be published shortly. | Increasing weight |
| Dunholme Review* | Regulation 16 consultation had been completed. The examination process was underway, and an examiner | Increasing weight |

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| | had been appointed. | |
| Ingham | The submission Regulation 16 version of the NP was expected to have been published for final consultation shortly. | Some weight |
| Fiskerton | Regulation 14 consultation had been completed. | Some weight |
| Sudbrooke Review* | Regulation 14 consultation on the review of the NP had been completed. | Review NP had some weight |
| Saxilby with Ingleby Review* | Regulation 14 consultation on the review of the NP had been completed. | Review NP had some weight |
| Grasby and Searby cum Owmbly | Regulation 14 consultation was to have been undertaken in January/February 2025. | Little weight |
| Welton by Lincoln Review* | The draft version of the NP review was expected to have been published for Regulation 14 consultation shortly. | Review NP had little weight |
| Swallow and Cuxwold | An application for grant funding was being made. | Little weight |
| Normanby by Spital | Resident volunteers were looking at preparing a NP for their parish only. | Little weight |

Members expressed concerns over proposed changes to planning policy and the potential implications for local authority decision-making. It was noted that the government’s focus on renewable energy did not extend to mandating renewable energy features in new housing developments, which was criticised as inconsistent. Concerns were raised about the impact of centralised planning reforms on the role of councillors and officers, with Members viewing it as an erosion of local democratic powers and decision-making.

Discussion also highlighted issues with housing delivery, with Members emphasising the disparity between planning approvals and actual development, citing land banking by developers as a persistent challenge. The housing delivery test and its implications were discussed, with Officers confirming that Central Lincolnshire had consistently exceeded targets in recent years. However, concerns remained about developers failing to build homes for which planning permission had been granted.

The importance of promoting neighbourhood plans was stressed as a means of maintaining local influence over planning decisions during potential devolution changes. Members emphasised the need to ensure that local communities remained engaged in shaping development within their areas. The broader implications of emerging government policy were also noted and emphasised the need for local authorities to continue advocating for balanced, sustainable, and timely development.

181 WL/2024/00049 (147514) LAND OFF CRICKETERS DRIVE, NETTLEHAM

The Senior Development Management Officer explained to Members that the site was

allocated for residential development within policy S80 of the Central Lincolnshire Local Plan under reference WL/NHAM/034. This allocation included an indicative housing figure of 68 dwellings and noted that the site already had planning permission. Outline planning permission had been granted for 68 dwellings in 2017, followed by the approval of the associated reserved matters application in 2018. Since the original outline planning permission, additional permission for minor residential development had been granted, which had increased the total dwelling numbers on the site by 12, bringing the total to 80 dwellings. The Officer clarified the site overlapped with the red line boundary which was shown via presentation during the Committee, approved under the outline reserved matters, and standalone applications. As such, the proposal for 47 dwellings would largely take place on areas already permitted for housing development. A resolution to grant the planning application under consideration would result in a net increase of 27 dwellings on the site, as 20 dwellings would replace those granted under previous permissions. This would bring the overall total number of dwellings on the site to 107. It was noted that the applicant had commenced work on some of the dwellings.

The Chairman thanked the Officer for her presentation and stated that there were two registered speakers; the first speaker, Councillor White, as Chairman of Nettleham Parish Council, was invited to address the Committee.

Councillor White informed the Committee that the Nettleham Neighbourhood Plan was adopted on 4 November 2024, and the transfer of the allotment plan was currently with solicitors representing both parties. Members were reminded that this application was brought to the Planning Committee not only because of compliance with the Neighbourhood Plan but also due to concerns raised in the original objection submitted on 30 November 2023 under application reference 147514. These concerns included the increase in dwelling numbers from 68 to 107, whether all dwellings were on the original allocation, the mix and design of properties, and the increased flood risk.

Councillor White advised Members that while some of these issues were addressed by the 2024 Neighbourhood Plan, the Parish Council had no power to determine the number of properties, and it was noted that the examiner did not support any prescribed density. Concerns were raised regarding the pressures on local infrastructure, including the medical centre, traffic, and secondary school places, exacerbated by developments granted on appeal exceeding the allocations in the 2017 and 2023 Central Lincolnshire Local Plans.

She noted that the Committee were informed that amendments and variations since the initial application had resulted in changes, such as the absence of the originally proposed footpath and cycle path. Policy D4 of the 2024 Neighbourhood Plan, which set out design principles including grass verges and street trees, was highlighted, as was Policy D7, which specified a mix of one, two, and three-bedroom dwellings. It was noted that the application included 38 properties with 21 four-bedroom, 11 three-bedroom, and 6 two-bedroom starter homes, but only 12 affordable homes, and clarification was requested.

Councillor White also reminded Members of frequent flooding around the village outskirts, including sewage issues, and asked whether the drainage risk assessment for 38 properties submitted on 6 December 2024 fulfilled condition 6 of the application and the requirements of Policy D3 of the Neighbourhood Plan. Councillor White requested that this be checked and enforced.

Councillor White stated that should planning approval be granted, alignment with Policies D3, D4, and D7 of the 2024 Neighbourhood Plan be ensured. Councillor White reminded the Committee of the commitment for footpath and cycle paths, requested the inclusion of tree planting in the section 106 agreement to provide a visual buffer and enhance biodiversity, and queried the absence of a children's play area on the site. Finally, she asked whether this application represented the final extension within the original approval reference 131975 and whether the current number of dwellings aligned with the intentions of the original application for 68 dwellings.

The Chairman thanked Councillor White and welcomed the second speaker, Councillor Barrett as Ward Member to speak.

Councillor Barrett noted that, as a Ward Member, he had known the developer for approximately five years. He described the developer as a local builder, well-regarded in the Nettleham area, producing high-quality homes with well-maintained estates, as evidenced by the slides shown during the committee meeting.

Councillor Barrett acknowledged the substantial monetary contribution in the section 106 agreement, which would benefit education, local medical facilities, and affordable housing. He expressed appreciation for the Planning Officer's efforts on the application, acknowledging the difficulty of rejecting the proposal despite the complexities caused by approximately 39 changes and amendments to the original application for the 68-home estate.

Particular attention was drawn to planning amendment 202400548, referencing an outline application for 68 dwellings, including 10 affordable homes, open space provision, associated garages, infrastructure, and a footpath and cycleway link to Sudbrooke. This amendment related to condition 19 of planning permission 131975, granted on 14 May 2017, which committed to the creation of a cycleway.

Councillor Barrett emphasised that, despite this commitment made in 2017, the cycleway remained incomplete. He further noted recent amendments, including changes to the allotment, drainage and alterations to the footpath approved in December 2024, which extended the timeline for the cycleway's completion. Councillor Barrett requested the Committee consider imposing a condition to ensure the cycleway was completed within the next 12 months, if feasible.

Note: Councillor J Barrett left the Chamber at 7.03pm.

The Chairman thanked Councillor Barrett, then asked the Lead Officer if he had any further comments. The Lead Officer reminded Members that the site was allocated for housing, originally with an indicative capacity of 68 dwellings based on the 2017 application. Over time, amendments had increased this to 80 approved dwellings. The current application proposed changes mainly on the eastern side of the site, including reconfiguring large garden plots and adding another road section. It was explained that national policy supported making efficient use of land, and there were no strict density rules. The proposed 107 dwellings equated to 18.1 dwellings per hectare, which was consistent with what was expected for large villages. The Lead Officer noted that the site originally had a low density and had incrementally increased over time. The flood risk assessment confirmed the site was in Flood Zone 1 and had a drainage scheme capable of handling the increase in

dwellings. The Officer also noted that while tree planting and land transfer proposals were desirable, they were not policy requirements. Finally, the Committee was reminded that the current scheme for 80 dwellings was already approved and could still be built if the application in question was not approved.

The Chairman thanked the Leader Officer and opened for Members to debate.

Councillors raised concerns regarding the undelivered cycle track to Sudbrooke, noting it was part of the original 2017 application and questioning what measures could ensure its completion. They highlighted the importance of the path for community connectivity and reducing reliance on motorised transport. Councillors expressed frustration over the extended timeline since the original application, citing delays and the high number of amendments. They emphasised the need for improved engagement with the community and parish council and raised concerns about the accessibility of neighbouring villages via footpaths and cycle paths.

Questions were raised about the alignment of the proposed larger properties with the area's identified need for affordable housing. Some Councillors suggested that smaller homes might represent a more efficient use of land in meeting local housing demands. The identification of affordable housing units in the plan was queried, with a request for greater clarity on their location and allocation. Concerns were voiced about garden sizes and the layout of the proposed one-bedroom quarter houses, particularly in terms of ensuring efficient land use.

Councillors also discussed the broader issue of developers' slow build-out rates and suggested that national policies should impose stricter timelines on large-scale developments to address these delays.

With no further comments or questions, and having been proposed, seconded and voted upon, planning permission was **GRANTED** subject to the signing of a S106 agreement and the following conditions:

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

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

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

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

2. Prior to the commencement of the development, a scheme of landscaping shall be submitted to and approved in writing by the Local Planning Authority. This shall include the following details:
 - Details of the size, species, planting arrangement and position of all trees, hedgerows and other vegetation to be planted in accordance with the details in the submitted Preliminary Ecology Appraisal and Biodiversity Net Gain Report received 2nd November 2023.

- Details of required ongoing management;

The development shall be carried out in accordance with the approved scheme.

Reason: To ensure that a landscaping scheme to enhance the development is provided in accordance with Policies S53, S60 and S61 of the Central Lincolnshire Local Plan and Sections 12 and 15 of the National Planning Policy Framework.

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

3. With the exception of the detailed matters referred to by the conditions of this consent, the development hereby approved shall be carried out in accordance with the drawings as listed on Drawing Schedule (Rev F) dated 27/11/2024

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.

4. The development must be completed in strict accordance with the external materials listed on the application form and on the submitted Materials Schedule received, 26th November 2024.

Reason: To ensure the use of appropriate materials to accord with the National Planning Policy Framework, Policy S53 of the Central Lincolnshire Local Plan and Policy D4 of the neighbourhood Plan.

5. No development above damp-proof course level shall take place until a landscaping scheme has been submitted including details of the:
 - position, type and height of boundary treatments including where necessary the, size, species and density of all hedging to be planted; and,
 - surface materials for the access, private drive, parking areas and any other hard surfacing; have been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that appropriate landscaping is introduced to help ameliorate the impact of the new dwelling on the character, appearance and rural setting of the site and in the interests of biodiversity to accord with the National Planning Policy Framework and Policies S53, S57 and S60 of the Central Lincolnshire Local Plan.

6. The development hereby permitted shall be carried out in accordance with the mitigation measures outlined in Section 3 of the submitted Flood Risk Assessment, received 6th December 2023.

Reason: To prevent flooding and protect future residents to accord with the National Planning Policy Framework and local Policy S21 of the Central Lincolnshire Local Plan.

7. The development hereby permitted shall be carried out in accordance with the details set out in the updated Energy Statement received 09/10/2024 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).

8. No dwelling hereby permitted shall be occupied unless a written verification statement has been provided to demonstrate that the approved scheme has been implemented in full, in accordance with the submitted Energy Statement dated 09/10/2024 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 (2023).

9. The development hereby permitted shall only be carried out in strict accordance with the recommendations outlined in the submitted Preliminary Ecological Appraisal received, 2nd November 2023.

Reason: To ensure that the proposed development does not have an unacceptable impact on biodiversity to accord with S60 and S61 of the Central Lincolnshire Local Plan and Section 15 of the National Planning Policy Framework.

10. The development shall proceed in strict accordance with the written scheme of archaeological investigation by Allen Archaeology Limited (approved under condition discharge approval 137462).

Reason: To ensure the preparation and implementation of an appropriate scheme of archaeological mitigation and in accordance with Policy S57 of the Central Lincolnshire Local Plan and the National Planning Policy Framework.

11. 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.

12. The dwellings hereby approved shall be constructed to ensure that the consumption of wholesome water by persons occupying the dwelling/s is in accordance with the Building Regulations Approved Document G, Requirement G2/Regulation 36 Optional Technical Requirement of 110 litres per person per day.

Reason: To minimise impacts on the water environment and to accord with Optional Technical Housing Standards to accord with Policies S12 and S53 of the Central Lincolnshire Local Plan (2023).

Conditions which apply or relate to matters which are to be observed following

completion of the development:

13. 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).

14. All planting, seeding or turfing comprised in the approved details of landscaping as required by condition 5 shall be carried out in the first planting and seeding season following the occupation of the building(s) or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed, or become seriously damaged or diseased shall be replaced in the next planting 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.

182 DETERMINATION OF APPEALS

There were no appeals for determination.

The meeting concluded at 7.17 pm.

Chairman