

WEST LINDSEY DISTRICT COUNCIL

MINUTES of the Meeting of the Planning Committee held in the Council Chamber - The Guildhall on 11 December 2019 commencing at 6.30 pm.

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

Councillor Owen Bierley
Councillor Matthew Boles
Councillor David Cotton
Councillor Michael Devine
Councillor Jane Ellis
Councillor Cherie Hill
Councillor Paul Howitt-Cowan
Councillor Mrs Jessie Milne
Councillor Keith Panter
Councillor Roger Patterson
Councillor Mrs Judy Rainsforth
Councillor Mrs Angela White

In Attendance: Councillor Giles McNeill

Also In Attendance:

Rachel Woollass	Development Management Team Leader
Ian Elliott	Senior Development Management Officer
Martin Evans	Senior Development Management Officer
Martha Rees	Legal Advisor
Ele Snow	Democratic and Civic Officer

16 members of the public

Apologies: Councillor Mrs Cordelia McCartney

39 PUBLIC PARTICIPATION PERIOD

There was no public participation at this stage of the meeting.

40 TO APPROVE THE MINUTES OF THE PREVIOUS MEETING

Meeting of the Planning Committee held on 13 November 2019.

RESOLVED that the Minutes of the meeting of the Planning Committee held on 13 November 2019 be confirmed and signed as a correct record.

41 DECLARATIONS OF INTEREST

Councillor Ian Fleetwood declared that he had received a telephone call from a gentleman in regards to agenda item 6a (application number 140180). He had advised the caller to contact Vice-Chairman Councillor Waller who would be speaking on the application as Ward Member.

Councillor Cherie Hill declared that she was Ward Member for an application detailed in agenda item 7, Determination of Appeals.

Councillor Angela White declared that she would be speaking as Ward Member for agenda item 6d (application number 140042).

Councillor Robert Waller declared that he would be speaking as Ward Member for agenda item 6a (application number 140180) and would retire from the room for the duration of the item.

The Chairman explained for all present that those Committee Members speaking to applications would step down from the Committee and retire from the room for the duration of discussions. He confirmed there were arrangements for Councillors to watch proceedings in a separate room.

42 UPDATE ON GOVERNMENT/LOCAL CHANGES IN PLANNING POLICY

The Committee heard from the Development Management Team Leader regarding updates to three Neighbourhood Plans. She explained that the Spridlington Neighbourhood Plan was due to be heard at Council on 20 January 2020 recommending to be made; the examination for the Sudbrooke Neighbourhood Plan had been successful and the referendum was due to be held on 13 February 2020 and the Scotton Neighbourhood Plan (submission version) was out for consultation from 27 November 2019 to 22 January 2020.

She also detailed that the Housing Delivery Test, the Accelerate Planning White Paper and the Environment Bill were all on hold pending the General Election on 12 December 2019.

43 PLANNING APPLICATIONS FOR DETERMINATION

RESOLVED that the applications detailed in agenda item 6 be dealt with as follows:

44 140180 - WRAGBY ROAD, SUDBROOKE

The Chairman introduced the first application of the evening, application number 140180 for demolition of the existing dwelling and erection of a large house of multiple occupation (sui generis use class) with associated access alterations, vehicle parking and landscaping. He explained there were speakers registered to speak and asked the Senior Development Management Officer to provide any update to the report.

The Senior Development Management Officer explained that Reepham Parish Council had

made comments and objections that the traffic and general disturbance associated with a HMO of this scale was totally inappropriate for this location. They felt it would seriously damage the amenity value of the adjacent properties that are family homes. The Committee heard that 40 additional letters of support had been received from various addresses in India and 6 Shepherds Way, Sudbrooke; 17 St Lawrence Drive, Bardney; 72 Greetwell Close, Lincoln; 62 Worthington Road, Balderton; 32 Brooklans, Milton Keynes; and Deadmans Lane, Greenham. He summarised these as follows:

- would help boost economic development
- support the proposal
- would provide good accommodation
- “I stayed there it is a good place”
- would provide a suitable place to stay for visitors including those to Lincoln.

He noted that an additional objection had been received from The Blacksmiths Yard, 21 Station Street, Timberland summarised as follows:

- Concerned about the sudden interest in proposal and disputed the validity of the comments because of lack of local connection. Hope the application is refused.

In addition, general observations had been received from 25 Wragby Road, Sudbrooke summarised as follows:

- a replacement dwelling at 23 Wragby Road may be used as guest accommodation.
- harmful impact on residential amenity of occupants of 28 Wragby Road
- querying removal of hedge and garage before permission is granted.
- concerns about burning waste on site and in the area.

The Senior Development Management Officer stated that these representations did not change the officer recommendation.

The Chairman asked the Vice Chairman to step down from the Committee and seat himself in the Visiting Members section. The Chairman took control of the stopwatch in order to ensure all speakers had their allowed five minutes and he invited the first speaker to address the Committee.

The first speaker introduced himself as Councillor Peter Heath, Chairman of Sudbrooke Parish Council. He explained that the Parish Council had reviewed the application and wished to object under LP1, it did not provide sustainable development; LP2, it far exceeded the housing stock; LP3, development targets had been exceeded; LP7, it was not high quality visitor accommodation. He stated that the Parish Council felt there was a complete uncertainty as to the use and purpose of the building. It was stated that it would be an Air BnB or overflow for consultants working at Lincoln Hospital. Councillor Heath stated that the proposal was contrary to LP10, meeting accommodation needs and contrary to LP17 as it was not in keeping with the village aesthetic. The Parish Council felt that the application was in conflict with LP26 for design and amenity, that the access was on a main arterial road, a known accident blackspot and there were significant safety concerns for vehicle users of the property. Councillor Heath added that hedges had been removed, despite assurances that they would remain in place, and the Parish Council was adamant that the proposal did not provide for existing or future residents of the village. The Committee also heard from

Councillor Heath that the Parish Council felt the application was contrary to the Sudbrooke Neighbourhood Plan. He stated that the proposed building would not be in keeping with the village scene, where the existing property was. They felt that the application did not meet the aspiration of the village, that there would be excessive traffic generated by the proposal and that the nature of the application should constitute a change of use application from residential to business use. Councillor Heath also informed the Committee that there were concerns about existing behaviours on site, such as burning of waste, and requested that the application be rejected.

The Chairman invited the second speaker, the applicant, to address Committee Members.

Mr Vaddaram introduced himself and explained that he had developed hundreds of high-quality properties. He stated that his proposal had 73 supporters including three Officers, against 21 objections. He outlined his response to those objections as follows:

- Policies referred by the objectors were not valid as the scheme was supported by the case officer who was knowledgeable and experienced. He felt the objectors were insulting his professionalism.
- Overbearing nature: Mr Vaddaram stated that as confirmed by the officer, the scheme was acceptable.
- Highway safety impairment: he highlighted that the Officer had confirmed that this proposal would not have any implications.
- Public right of way effects: he again highlighted that there was no objection from the officer concerned.
- Inadequate Parking: Mr Vaddaram questioned whether there was anyone present who had ever used more than one vehicle whilst visiting a hotel as a family.
- Staff parking: he stated that his staff only needed to go the premises once the guest vacated the room which automatically created empty parking spaces.
- Noise, disturbance and arrival time: the applicant felt this was the same as any other residents who also accesses their house at any time.
- The design and appearance: he stated that the front elevation of this proposal matched other properties in the cluster.
- Potential party house, brothel and drugs den: Mr Vaddaram stated that these were unreasonable speculations and illegal to public under 'Defamation Act'. Furthermore, he noted that these activities could also take place in any other dwellings.
- Neighbour's residential amenity: he explained that these points were covered by the case officer.
- Rear projections and overshadowing: Mr Vaddaram noted that under the PD rights, he believed anyone could extend up to 8 meters at the rear of their properties and he felt it was unreasonable to object to a smaller development than they could build in their own garden.
- Impact of car park: he highlighted that he had extensively altered the car park plans according to the officer's recommendations to mitigate this.
- No need for proposal: Mr Vaddaram stated that if the objectors believed this, they were contradicting with their own arguments.
- Use as HMO: he explained, for clarity, that the proposal was not a typical HMO. As there was no relevant classification for this proposed use, the planners had chosen the closest classification. He stated that his clientele were professional short stay guests.

- Title deed prevention: he noted there was nothing in his deeds to prevent this proposal.
- Removal of planting and ecological impact: Mr Vaddaram highlighted to Members that there were no TPOs on site. He had also included all of the greenery recommended by the planning officer within his proposal.
- Waste burnt on site and Issues with another applicant's sites: he stated that the Environmental Officer from WLDC had confirmed there were no issues. He reiterated that every application should be assessed on their own merits and should not relate to the applicant's other sites.
- Comments on approved planning Consent of 23 Wragby Road: He felt these comments were derogatory and insulting to the planning approval process.
- Commenting on supporters as nonsense and request to disregard: Mr Vaddaram felt this same rule should apply to objectors as well.
- Comments on number of my family members: he questioned how objectors could know all his family members and felt that interference with his private and family life was against the law under 'Human Rights Act'.
- Mr Vaddaram stated that his respected community members had confirmed there was clear 'racial discrimination' after assessing all of the objectors' comments. He felt that anyone reading such comments could easily ascertain that the objectors were obstructing development of the person from different ethnic origin.

Mr Vaddaram concluded by saying that his initial scheme with 14 rooms had undergone several major alterations, after working tirelessly with planning officers to make the scheme acceptable and to comply with all relevant policies. He highlighted that the proposal had received more than three times the supporters than objectors. He requested Members to vote in favour of the case officer's recommendation. He requested to be provided with the valid and specific reason referencing planning policies, should it be refused. He also noted his intention to appeal and claim costs should the application not be successful. Mr Vaddaram thanked Committee Members for their time.

The Chairman explained to all present that there was a technical difficulty with the live webcasting of the meeting and the meeting would pause shortly for these issues to be resolved.

Note: The meeting adjourned at 6.48pm and reconvened at 6.51pm.

The Chairman explained that unfortunately, the meeting was not available to watch live, however the recording of the meeting would be available to view on the council website the following day. He then invited the third and final speaker, Councillor Robert Waller, to make his comments.

Councillor Waller explained he was the Ward Member for the application and he was in complete agreement with the Parish Council. He stated that he felt the application went against many policies of the Local Plan and the Neighbourhood Plan. He also explained that while there were letters of support, he spoke on behalf of the people in his ward not those from other areas. Councillor Waller informed Members that, while the applicant referred to the proposal as a HMO, he felt it was more akin to a bed and breakfast business and as such should be classed as commercial activity. He stated that it was implied there was a need for such a premise as those available in Lincoln were damp and unclean which he felt was unnecessary and that there were several grey areas as to how the premise would

actually be used. He requested that clarity be sought as to the nature of use of the property and referenced several supports using terminology such as 'hotel', which, he highlighted, was not what was described on the application. Councillor Waller stated that he did not believe that the area needed a hotel, nor a HMO and that it would be completely out of character for Sudbrooke. He raised concerns about the location in terms of being on an arterial road, which he did not feel could be classed as a residential street. He believed the application went against LP1 and LP2 in that it exceeded the housing stock. He also felt it was in direct conflict with LP17 and LP26 regarding design principles. In addition, Councillor Waller explained that he believed the application went against the Neighbourhood Plan as the design and appearance was out of keeping with the rest of the village. He thanked Committee Members for their time and requested that the application be rejected.

Note: Councillor Robert Waller left the meeting at 6.56pm.

The Chairman invited comments from the Senior Development Management Officer who clarified that the use of the premises being applied for was as a HMO. The Chairman invited comments from Committee Members.

There was significant discussion as to the intended purpose of the property. There was a strong feeling that an application for business use would be more appropriate and that the description of a HMO did not accurately reflect the intentions of the applicant. A Member of Committee raised concerns that the applicant appeared to be providing accommodation for Lincoln rather than Sudbrooke and as such was contrary to LP1 regarding sustainable development.

Members of Committee sought clarification as to the intended use but felt that terminology used by the applicant contradicted the details of the application. It was agreed that each application had to be decided upon as it was presented to the Committee however some Members felt there was sufficient doubt as to whether there was an intended business use, as to require further information.

After further discussion, a Member of Committee stated that she did not agree with the statements of objection and moved the officer recommendation to approve the application.

The Legal Advisor clarified that should the application be approved, the licence for being a HMO would also need to be applied for. She explained that it was different to the terms of, for example a holiday lease, where there were limits as to how long people could reside there. This was not the case for a HMO.

Committee Members engaged in further discussion as to the intended use of the property and whether there were other options available to the Committee. It was subsequently proposed that the application be deferred in order for further clarification to be sought from the applicant as to the intended use of the property. The request for information was to confirm whether this would be for a HMO or whether there was intended business use. This proposal was seconded.

A Member of Committee seconded the move that permission be granted and this was put to the vote. With two in favour and 10 against, Members did not vote to agree the application.

The Chairman then took the second motion to the vote, for the application to be deferred.

With 11 in favour and two against it was agreed that application number 140180 be **DEFERRED** to be heard at a later meeting.

Note: The meeting was adjourned at 7:13pm to allow members of the public to leave the room.

45 139839 - MAIN STREET, OSGODBY

Note: Councillor Robert Waller returned to the room at 7:14pm and retook his seat at Committee.
The meeting also reconvened at 7:14pm.

The Chairman introduced application number 139839 for outline planning to erect 2no. dwellings with all matters reserved. He invited the Development Management Team Leader to provide any updates to the report. She stated that there was a typographical error in that application number 140128 referenced in the report was for one dwelling. She explained that application number 140160 had been granted for one dwelling the week prior to Committee and this took the remaining growth level for Osgodby to two dwellings. She reiterated that, notwithstanding that recent approval, the Officer comments in the report on page 38 about there being no requirement for the applicant to demonstrate community support still stood, as, at the point of submission of the application, there was headroom to accommodate the number of dwellings proposed. It was also highlighted to Members that the wording of LP2 stipulated that community support should be demonstrated at the point of submission in respect of applications in settlements where growth levels had been met or exceeded. In this instance, it was the case that there was capacity for each proposal individually and therefore no community support was required for them. The Development Management Team Leader commented that the fact that the council had received three separate applications for the same village should not be a determining factor in each of the applications. Following determination of the two applications before Committee, the growth figures would be reassessed and any future applications determined accordingly.

The Chairman thanked the Officer and invited the first speaker to address the Committee.

The first speaker introduced herself as Councillor Yvonne Knibbs, Chairman and representative of Osgodby Parish Council. She stated that the Parish Council objected to the application, as it did not meet the criteria in the Neighbourhood Plan. She explained that the Parish Council felt it was not an appropriate site, that it was a green field site and a previous application had been refused as the whole of the site was not considered to be appropriate. She added that the proposed development would go against the core shape and character of the village and was in conflict with section 7.8 of the Neighbourhood Plan regarding frontages and Main Street. Councillor Knibbs stated that the Parish Council felt the applicant needed to demonstrate clear support for the proposed development, as it would exceed the maximum of 25 houses in the area and that, not only was there no support, there were actually several objections. She explained that the access lane was not suitable, that there were already issues with the road breaking up and they had concerns about flooding and drainage issues. Councillor Knibbs stated that West Lindsey District Council had a duty of care to the community and requested that the application be refused.

The second speaker was invited to address the Committee. He introduced himself as Mr Ian

Hutchison, agent for the applicant, speaking in favour of the application. He stated that the Officer's report provided a detailed analysis of what he believed was a difficult application in consideration of the numerous contrasting policies in the Local Plan and Neighbourhood Plan. Mr Hutchison explained to the Committee that, in relation to the Parish Council's objection to the application, the development had been considered at two Parish Council meetings. The applicant had attended both meetings and it had seemed that the Parish Council had been happy for the West Lindsey District Council Officer to analyse the application accordingly. He highlighted the sequential tests, with definition of the eight categories running over several pages of the Neighbourhood Plan and, although there were contradictions within the plans, he highlighted that the site was categorised as a category D site, meaning it was in the higher bracket for development than E sites and below. Mr Hutchison made reference to the growth levels for Osgodby and highlighted to Members that, although the allowed growth level was for a period until 2036, it had been made clear by Officers that there was no time restriction for this level being met. He thanked the Committee for their time and requested that the Officer recommendation be upheld.

With no further comment from the Officers, the Chairman invited comments from the Committee Members. He noted that he had received an email from Councillor Cordelia McCartney, Ward Member, stating her support of the Parish Council's views.

There was significant discussion regarding the benefits of parishes adopting a Neighbourhood Plan and the importance of supporting these Plans. It was also highlighted that previous applications had been refused. A Member of Committee supported concerns raised regarding the ribbon development style of the village and that the proposed development would detract from this tradition. It was also felt that to agree the proposed development would be to set a precedent for similar developments in other similar villages. The Development Management Team Leader explained that previous applications and appeals had been determined under a different plan and it was important to consider each application on its own merits.

The Chairman reminded Committee Members that, in order to recommend refusal of the application, Members did need to provide reasons and policies that they felt were being contradicted. Following further discussions, a Member of Committee moved to refuse the application. This was seconded on the basis that the application was contrary to LP1, as it was not sustainable; contrary to LP2, as the proposed layout was contrary to the spatial strategy and contrary to LP26 regarding design and amenity. It was also noted that it was contrary to NP4, regarding the design and character of the settlement.

Having been proposed and seconded, the Chairman called the vote. With thirteen in favour and one abstention it was agreed that the application be **REFUSED** as contrary to LP1, LP2, LP26 and NP4.

46 140128 - LOW ROAD, OSGODBY

The Chairman introduced planning application number 140128 for 1 no. dwelling on land south of Low Road, Osgodby and invited the Development Management Team Leader to provide any updates. She stated that the update provided for agenda item 6b (application number 139839), regarding there being no requirement for the applicant to demonstrate community support and in relation to the growth figures for the area, was also relevant to this

application.

The Chairman invited Councillor Yvonne Knibbs to return to address the Committee. She highlighted that the previous application on the site in question had been for four dwellings, which was in line with the Neighbourhood Plan. She stated that the proposed additional dwelling would be exceeding the limit of four dwellings as stated within the Neighbourhood Plan and the recommendations within the Local Plan to limit housing developments to around four dwellings. She also informed the Committee that there was outline permission on an adjacent plot of land for three dwellings, which the Parish Council felt would be akin to a mini housing estate. Councillor Knibbs reiterated her previous comments of the ribbon footprint in Osgodby and that the Parish Council felt this was in danger of being eroded by new developments. She stated that the Neighbourhood Plan should be taking precedence and requested the Committee to consider refusal of the application.

The Chairman invited the second speaker to make his comments.

Mr Sam Marriott introduced himself as agent for the applicant and thanked the Committee for the opportunity to speak. He provided Members with some background information as to the nature of the development and explained it was owned and developed by a local couple making their first foray into development. He highlighted that, of the original four dwellings, the first was about to be handed over to the new owners and had been sold within four days of being on the market. He stated that there was a demand for bungalows in the area and this was an opportunity to provide for that need. Mr Marriott explained to the Committee that the area of land was considered to be underdeveloped, with space for up to 10 units, and that should the application be approved there would still only be five units on the site. He felt that the argument of the Parish Council was one of semantics between the phrasing of the Neighbourhood Plan and the Local Plan but the application should be considered for what it was – an application for a single bungalow. He added that it was important to note there had been no residential objections to the proposed dwelling and reiterated that it would be fulfilling a need for these properties in the area. He thanked the Committee for their time.

The Chairman asked for any response from Officers and the Senior Development Management Officer reiterated that the application was for a single dwelling. The outline permission mentioned by the Parish Council was a separate site entirely.

On inviting comments from Members of the Committee, there was discussion as to the indicative layout on the site for the proposed dwelling and whether there was suitable space. It was highlighted that aspects to be considered were areas such as whether there was space for off-road parking and whether the garden was a suitable size. It was agreed that the site should not be considered over-developed and the Legal Advisor reiterated that the application was for a single dwelling on a site recently seen as appropriate for development and must be taken on its own merits.

There was further discussion regarding the limits of 'up to' or 'around' four dwellings and the Legal Advisor further clarified for Members that they were assessing the application as a single dwelling, not in conjunction with the other four dwellings.

With this in mind, the Officer recommendation was moved and seconded and put to the vote. With 12 in favour and two abstentions, it was agreed that planning permission be **GRANTED** subject to conditions as detailed below.

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

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

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

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

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 must be carried out in accordance with the following proposed drawings dated 2nd October 2019:

- 025/0149 – Dwelling and Garage Elevation and Floor Plans
- 035/0149 P5 – Site and Landscaping Plan
- 031/0149 P5 – Foul Drainage Plan

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

Reason: To ensure the development proceeds in accordance with the approved plans and to accord with the National Planning Policy Framework, local policy LP17 and LP26 of the Central Lincolnshire Local Plan 2012-2036 and policy 1 and 4 of the Osgodby Neighbourhood Plan.

3. No construction works above ground level must take place until details of a scheme for the disposal of surface water (including any necessary soakaway/percolation tests) from the site and a plan identifying connectivity and their position has been submitted to and approved in writing by the local planning authority. No occupation of the dwelling must occur until the approved scheme has been completed and retained as such thereafter.

Reason: To ensure adequate drainage facilities are provided to serve each dwelling, to reduce the risk of flooding and to prevent the pollution of the water environment to accord with the National Planning Policy Framework, local policy LP14 of the Central Lincolnshire Local Plan 2012-2036 and policy 4 of the Osgodby Neighbourhood Plan.

4. The dwelling must be completed in accordance with the materials listed below:

- Traditional Welbourne Antique Brick
- Sandtoft Concrete Double Pantile Roof
- Cream UPVC Windows
- French Green/Pale Green Composite Doors (a Farrow and Ball type heritage colour)
- Cream Aluminium bi-folding doors

- Oak Post canopy with traditional lead roof.

Reason: To ensure the use of appropriate materials in the interests of visual amenity and the character and appearance of the site and the street scene to accord with the National Planning Policy Framework, local policies LP17 and LP26 of the Central Lincolnshire Local Plan 2012-2036 and policy 4 of the Osgodby Neighbourhood Plan.

5. The proposed driveway and turning space must be constructed from a permeable material and completed prior to occupation of the dwelling. The use and permeable construction material must be retained as such thereafter.

Reason: To reduce the risk of flooding to the proposed development and future occupants to accord with the National Planning Policy Framework, local policy LP14 of the Central Lincolnshire Local Plan 2012-2036 and policy 4 of the Osgodby Neighbourhood.

6. No occupation of the dwelling must occur until the foul drainage scheme identified on foul drainage plan 031/0149 P5 dated 2nd October 2019 has been completed and retained as such thereafter.

Reason: To ensure adequate drainage facilities are provided to serve each dwelling, to reduce the risk of flooding and to prevent the pollution of the water environment to accord with the National Planning Policy Framework, local policy LP14 of the Central Lincolnshire Local Plan 2012-2036 and policy 4 of the Osgodby Neighbourhood Plan.

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

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

Reason: To ensure the landscaping is completed in accordance with the plan and to reinstate the removed hedging to the front of the site to accord with the National Planning Policy Framework, local policies LP17 and LP26 of the Central Lincolnshire Local Plan 2012-2036 and policy 4 of the Osgodby Neighbourhood Plan.

47 140042 - DEEPDALE LANE, NETTLEHAM

Note: Councillor Angela White stepped down from Committee at 8:09pm for the duration of this item.

The Chairman introduced application number 140042 for a two and a half storey office building and associated car park. On seeing there were no updates from the Officer, he invited the first speaker to address the Committee.

The first speaker introduced himself as Councillor John Evans, Chairman of Nettleham Parish Council. He stated that the Parish Council had no objection to building on the proposed plot and fully supported the completion of the enterprise park however, they strongly believed that the proposed building was out of proportion with the rest of the park. He explained that the other buildings on the site were one or two floors high. The building on the other side to the proposed development stood at 7m high with a second floor built into the roof space. He stated that the new building would stand at 12m high, a size difference which would be exacerbated by the proximity to smaller buildings as well as the proposed site being the highest point of the park. He commented that the topographical effect would emphasise the additional height of the building. Cllr Evans stated that they believed the application to be contrary to the Neighbourhood Plan as well as LP5 (appropriateness of size and scale) and LP55 (inappropriate for the rural character of the locality). He made enquiries of the Officer regarding the hedge height and amenity space but concluded by requesting the Committee to reject the application.

The Chairman invited Councillor Angela White to address the Committee. She explained she was speaking as Ward Member and had requested that the application be decided by Committee. She reiterated the comments from the Parish Council that the enterprise park was supported but it was the proposed building she objected to. She referred to LP26, section c, regarding the design of the building and LP26 section d, that there would be no coalescence with other buildings. She commented that the proposed building would have a detrimental impact on the street scene and would harm the character of the site. She reiterated the support for the park, but not for the proposed building on account of its inappropriate size and height. She thanked the Committee for their time and requested that the application be declined.

Note: Councillor Angela White left the room at 8:18pm

The Senior Development Management Officer clarified for Committee Members that the proposed building was 3m higher than anything else on the site which was not a significant increase and did not make it unacceptable. He confirmed the hedge was labelled as 1.5m to 2m in height on the site/landscaping plan and although there was no specified position for bins, there was space available and it could be addressed in the conditions.

The Chairman invited comments from the Committee and whilst there was overall support for the completion of the enterprise park, it was felt that the size of the proposed building in its prominent location was detrimental to the overall character of the area and was overpowering. A site visit was proposed however this was not seconded and therefore not taken to a vote.

A Member of Committee proposed the refusal of the application with reference to LP17, LP26 section c, regarding the existing topography, height and scale of the proposed building, and D6 section a of the Neighbourhood Plan, recognising the local character, again in relation to the height and scale of the proposed building. This was seconded and taken to vote.

With 12 in favour and one abstention, it was agreed that planning permission be **REFUSED** as it would not accord with local policy LP17 and LP26 criteria (c) of the CLLP, Policy D-6 criteria (a) of the Made Nettleham Neighbourhood Plan and the provisions of the NPPF.

Note: Councillor Angela White returned to the room at 8:30pm and retook her seat at Committee.

48 DETERMINATION OF APPEALS

The Chairman explained the Determination of Appeals were there to be noted but invited comments from Committee Members.

A Member of Committee noted that this was the first time he could recall all applications at a meeting having a Neighbourhood Plan and commented that he felt this demonstrated the importance of these Plans. He enquired whether there would be the option to work with Officers to understand the impact and discuss how the prevalence of Neighbourhood Plans may effect decisions in the future.

There was further discussion amongst Members regarding the importance and legal implications of Neighbourhood Plans. The Legal Advisor explained that Neighbourhood Plans form part of the development plan for the district and had to be taken in context with national policies and the Local Plan.

The Chairman invited Visiting Member Councillor Giles McNeill to speak in relation to an allowed appeal in Nettleham. He apologised to the Committee for not having succeeded in defending the appeal and explained the strategic actions he would be looking to take through the strategic forum.

RESOVLED that the determination of appeals be noted.

The Chairman thanked all present for their time and wished all a Merry Christmas and Happy New Year.

The meeting concluded at 8.42 pm.

Chairman