

WEST LINDSEY DISTRICT COUNCIL

MINUTES of the Meeting of the Planning Committee held virtually via <https://west-lindsey.public-i.tv/core/portal/home> on 29 April 2020 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 Cordelia McCartney
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:

Ian Knowles	Chief Executive
Alan Robinson	Monitoring Officer
Russell Clarkson	Planning Manager (Development Management)
Ian Elliott	Senior Development Management Officer
Daniel Evans	Senior Development Management Officer
Martin Evans	Senior Development Management Officer
Joanne Sizer	Area Development Officer
Martha Rees	Legal Advisor
Katie Storr	Senior Democratic & Civic Officer
James Welbourn	Democratic and Civic Officer
Ele Snow	Democratic and Civic Officer

70 CHAIRMAN'S WELCOME

The Chairman introduced the first virtual committee meeting of West Lindsey District Council and thanked Members and Officers alike for their efforts during unusual times. He extended a warm welcome to those who may have been viewing the webcast and explained that, as far as possible, the meeting would proceed in the usual manner although there had obviously been slight amendments to the process to ensure clear and concise communication.

71 REGISTER OF ATTENDANCE

The Chairman undertook the register of attendance for Members and each Councillor confirmed their attendance individually.

The Democratic Services Officer completed the register of attendance for Officers and, as with Members, each Officer confirmed their attendance individually.

72 PUBLIC PARTICIPATION PERIOD

The Democratic and Civic Officer confirmed there were no public participants registered for this part of the meeting.

73 TO APPROVE THE MINUTES OF THE PREVIOUS MEETING

RESOLVED that the minutes of the meeting of the Planning Committee held on Wednesday, 5 February 2020 be confirmed as an accurate record.

74 DECLARATIONS OF INTEREST

Councillor I. Fleetwood as Chairman declared on behalf of all Planning Committee Members, that application number 140485 was an application from West Lindsey District Council.

Councillor I. Fleetwood declared that he was County Councillor representing the Langworth area. He was also a member of the Environment Agency Northern Flood Defence Committee, a member of the Witham Third Internal Drainage Board covering the same area, and his Environment Agency involvement covered everything south of the Humber. He confirmed that none of those interests would affect his ability to be involved with all agenda items.

75 UPDATE ON GOVERNMENT/LOCAL CHANGES IN PLANNING POLICY

The Interim Planning Manager (Development Management) introduced a short update to Members explaining that there had been several changes in recent times. He stated that the Government's Chief Planner (24 March 2020) had announced that *"It is important that authorities continue to provide the best service possible in these stretching times and prioritise decision-making to ensure the planning system continues to function, especially where this will support the local economy... We ask you to take an innovative approach, using all options available to you to continue your service...We encourage you to be pragmatic and continue, as much as possible, to work proactively with applicants and others, where necessary agreeing extended periods for making decisions."* The Interim Planning Manager added that this was the intention of West Lindsey District Council, as demonstrated by the first virtual meeting.

He explained that the Government had released the “Planning for the Future” paper on 12 March, after the budget. This would:

- Introduce a national brownfield map;
- Introduce new PD rights to build upwards on existing buildings
- Introduce new PD rights to demolish vacant commercial, industrial buildings and residential blocks and replace with “well-designed new residential units”
- Reform planning fees (including automatic rebates where appeals are successful)

<https://www.gov.uk/government/publications/planning-for-the-future>

In specific response to the worldwide pandemic, new regulations came into force on 24 March 2020 allowing restaurants/cafes (A3) and pubs (A5) to change to a hot food takeaway (A5). This was for a temporary period up to 23 March 2021.

<https://www.gov.uk/government/news/government-to-grant-permission-for-pubs-and-restaurants-to-operate-as-takeaways-as-part-of-coronavirus-response>

In addition, The Coronavirus Act postponed all neighbourhood planning referendums until 6 May 2021. Planning Practice Guidance had been amended to now give “significant weight” to draft NPs, where a decision statement had been issued to send a NP to referendum.

<https://www.gov.uk/guidance/neighbourhood-planning--2#coronavirus>

A Member of Committee enquired about the detail within the ‘Planning for the Future’ paper. The Interim Planning Manager explained that there was currently no further detail however Members would of course be updated as and when more information was known.

76 PLANNING APPLICATIONS FOR DETERMINATION

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

77 140485 - OPERATIONAL DEPOT, CAENBY CORNER

The Chairman introduced the first planning application for the evening, application number 140485 to erect a new operational services depot to facilitate waste services in the region, including an operations office and staff welfare building, external yard for storage and maintenance of the vehicle fleet, bulky storage facility, staff and visitor parking, and site landscaping. He invited the Senior Development Management Officer to provide any updates to the report. On confirming there were no updates, the Chairman invited comments from the Committee Members.

There was widespread support for the proposal and recognition for the improved location in comparison with existing depots. There was a question regarding the use of the Caenby Corner site rather than Hemswell Cliff however the Chairman highlighted that the objective was to consider the application as it was presented. There were further questions in relation to the possibility of flooding on the site, however the Senior Development Management

Officer highlighted that the relevant authorities were content that the surface water drainage provisions would be satisfactory.

Having been proposed and seconded, the Chairman led the voting as described at the start of the meeting and it was **AGREED** that powers be delegated to officers to grant planning permission subject to conditions following receipt of any outstanding consultation replies and matters arising as well as receipt of and any matters arising from:

- Cross sections of the site showing any land level changes
- A scheme of archaeological trial trenching

If these matters are not resolved within 6 months of the date of this planning committee the application will be reported back to the next available planning committee after the 6 months has expired.

78 139532 - BARLINGS LANE, LANGWORTH, LINCOLN LN3 5DF

The Chairman introduced planning application number 139532 for caravan site for siting of 79no. static caravans and 109no. touring caravans. He invited the Senior Development Management Officer to provide any update to the report. The Senior Development Management Officer stated there had been one further objection received on behalf of residents of San Juan, Barlings Lane, Langworth summarised as follows:

- Increase in traffic would cause chaos on this small country road
- Cumulative traffic impact from 20 dwellings approved under 139532
- Road infrastructure, particularly during the summer, was inadequate

He added that these comments did not change the recommendation.

The Chairman invited the Democratic Services Officer to state details of those who were registered to speak on the application. She explained that the two registered speakers, one of whom was in support of the application and one who was objecting, had both provided their statements to be read out to the Committee. She added that Councillor C. Darcel had also registered to speak as Ward Member and he would be present in the meeting to make his speech. The Chairman requested that the provided speeches be read out.

Supporting statement from Mr Ricky Newton, Agent for the Applicant:

Ladies and gentlemen, Thank you for allowing me to provide this speech and allowing your officer to read it out to you.

We have worked closely with your officers in this protracted application and have come to an almost mutually accepted conclusion. Your officers have worked hard to come to their professional recommendation for approval and we hope you will endorse their opinion that is in line with your own and national policies.

The only point we disagree with is condition 8 regarding the footpath along Barlings lane because we consider this condition is unjustified and unnecessary for the following reasons.

There is an extant planning permission for an unlimited number of touring caravans granted on appeal in 2014, highlighted in the officer report. There is no existing approval or condition on the site to provide a footpath along Barlings Lane. The occupiers of these up to 495 caravans can come and go from the site on local roads with no planning impediment. The lane is lightly trafficked (as accepted in the traffic assessment for recent approval for 20 homes nearby) and there is no history of vehicle or pedestrian accidents, however for the future when this application is approved there will be a major reduction in allowed vehicle movements particularly those towing caravans. A major benefit to local amenity and highway safety. Taking this into account the requirement for a footpath is unreasonable. These points have not been taken into account by the highways authority who presumably thought these were extra caravans increasing the density and use of the site. This is not true; the facts are it is a major reduction in numbers allowed.

The council granted outline planning to erect up to 20 houses on land fronting both sides of Barlings lane as recently as December 2019. This permission requires the construction of a 1.8 m wide footway link along the southwest side of Barlings lane connecting to the existing footway network with no highway drainage works. The footway will be dedicated to the highways authority and will bring the footpath network to within 100m of the entrance to the site. If the council has any remaining concerns regarding future pedestrian access to the caravan site these will be mitigated by this new footpath.

One further point is the officer's report does not give a reasoned justification for imposing a 6 month submission deadline and a 6 month completion deadline for the details required by conditions 4,5 and 6. This very short period is not reasonable and not imposed on the outline housing development.

Turning to the third party objections, not upheld by the consultees or officers, the foul water package treatment works recently installed is designed for the maximum number of caravans allowed under the appeal decision and therefore will be more than adequate for the numbers of caravans applied for under this application. It was constructed with building regulations and is in full compliance with industry standards.

I thank you for listening and hope you will take the professional advice of your officers in your decision making process and approve this application without condition 8 and the normal time limit on conditions.

Statement of objection from Sue and Chris Driffl:

My wife and I were very disappointed with the Planning Officers recommendation to approve this application and would like the opportunity to summarise our concerns, in the hope that you will give more consideration to his findings.

West Lindsey's previous management of this site has led to the unfortunate position we now find ourselves in. The Planning Officer has recognised the demands of the site owner with regard to his "threat" to swamp the site with up to 300 tourers and has approved the proposals without amendment. It is my belief that the number of tourers would be self-regulated by demand - the more tourers the less attractive the site becomes. So not much

weight should have been attached to it. His approval comes despite the overwhelming concerns of the residents of Barlings Lane and the Parish Council. The size of this development is excessive and will not enhance the community.

Heavy reliance is made of the 10 conditions which the Planning Officer naively expects to be adhered to. During the previous application for “A Woodland and 27 Static Vans”, Mr Epton is minuted as saying that, to the then Planning Committee, “ a tree planting scheme was proposed and that there would be no overlooking of neighbouring properties. This scheme was extremely detailed and proposed the planting of 6400 trees- none of which have been planted, save for a single row of laurel hedging!

The irony now is that the Planning Officer accepts that the existing housing bordering the site will provide the necessary screening from Barlings Lane! I am sure the residents of Barlings Lane will be gratified to know that! He also concludes that “there would be some visual impact, but this would not cause significant harm and can be mitigated by landscaping”. He chose not to venture to say “will” for some reason! The proposed statics will be very close to our boundary. We do not have a large garden, so they will be close to our house. The proposed landscaping is very thin at this southerly end of the site. At the northern end, where the houses are twice the distance from the site boundary, the landscaping is much thicker. This could and should have been considered by the Planning Officer and the first row of statics moved further away and the landscaping increased. The visual impact is important, however the noise impact is of more concern to us.

Having accepted that, despite the overwhelming evidence that no further planning applications should be considered for this site until all previous conditions have been met, I would like you to consider the 10 Conditions that this Approval relies on.

1. You say that there is not one single condition to be applied before work can commence. I believe that all conditions should be met before work starts on site.
2. There is no clarity as to how the development is to proceed. No restrictions on working hours. Will the new touring site to be utilised to accommodate seasonal and touring vans before work commences on the static site? Will new tourers be located there?
3. Lighting. The previous application for 27 statics, proposed 1200 mm high subdued lighting. This was subsequently changed for more intrusive standard lighting columns. You should know now what lighting is acceptable before any work commences. Will the existing excessive, intrusive floodlighting be recovered as part of this proposal?
4. Landscaping. Your condition that no new caravans will be stationed on the site until a landscaping scheme has been agreed, is not good enough. Given what has happened before, this should be a pre-condition of any development here. The landscaping work should be implemented before any work commences. It is the only way it will be done! Why is the protection of the landscaping only for a period of 5 years after the completion of the development? Why not for ever? Could it be removed after the 5 years?
5. Ecology. You are going to allow this development to take place before you know what ecological enhancements are planned. Too late by the time the first caravan is installed!
6. Drainage. You don't even know whether the site is to be connected to the main sewer or

not. Something of major concern to Langworth residents.

The surface water drainage strategy relies solely on the ability of the existing lakes to cope. The plan is to direct all surface water directly and quickly into these lakes. The supposed 300 mm pipe overflow into the Eau will not work when the river is in flood. This will test the actual capacity of the lakes, rather than the theoretical, and it will happen more than once every 100 years!

7. Highways. Don't wait for the first caravan to be installed, the development could be virtually complete by then. Pedestrians need protection during the construction stage, when they will be at most risk from the hundreds of lorries attending the site!

8. Flood Risk Assessment. The increased floor level height will make the landscaping even more important.

9. Flood Warning. No comment.

10. Holiday Conditions following completion. Why should this condition apply on completion? Surely it applies now, during and after completion!

Finally, given the heavy reliance on these poorly worded conditions, could I ask how they will be policed and what penalties exist for non-compliance?

Thank you for allowing me to voice my concerns. I hope it allows you to properly consider the Planning Officers recommendation and, if not refuse the application, amend and reinforce the conditions under which it is to proceed.

The Chairman thanked the Democratic Services Officer and invited Councillor C. Darcel to address the Committee.

Councillor Darcel explained that his representation had been included in the Officer's report, however, he wished to highlight his objections. He stated that he believed there would be too many caravans which would have a negative impact on the amount of traffic in the area. He believed there should be a pavement included for pedestrians. He stated that his main concern was the risk of flooding in the area, as seen in November 2019. He stated to the Committee that areas of the site were low lying and he questioned the advice given by the Environment Agency and the Witham Drainage Board. Councillor Darcel stated that he believed there was a flood disaster waiting to happen and the issues should be mitigated, for example raising the floor levels of the static caravans.

The Chairman requested for Councillor C. Hill to confirm whether she would be participating in the debate as a Committee Member or whether she wished to stand down from Committee and act as Ward Member. Councillor Hill explained that she felt she was pre-determined against the application and as such would stand down from Committee and speak as Ward Member.

Councillor C. Hill stated that she believed the application was contrary to LP2 and LP4 as there had been no consultation with local residents. She stated that there was no local support for the application and there would be no benefit to the local community should the application be approved. She stated that in relation to LP14, regarding flood risk, the area was zoned as a high probability for flooding. Councillor Hill added that contrary to LP 9 there

was no health and wellbeing provision and contrary to LP26 there was no consideration to the layout of the site. She concluded by reiterating that she did not believe there would be any benefit to the local community or local economy and that the application should not be approved.

The Chairman invited the Senior Development Management Officer to provide any additional comment. He stated that the Environment Agency had seen the comments from Councillor C. Darcel and had confirmed in writing that there was no change to their recommendations. There were no objections from the Lead Local Flood Authority and as per the map provided in the papers, West Lindsey District Council had no control over the number of touring caravans that could be placed on the site, following a previous appeal.

The Chairman thanked all for their comments and invited comments from Committee Members. The Committee discussed the details of the proposed numbers of static and touring caravans and a Member enquired about the landscaping and lighting proposals. The Officer confirmed that the landscaping detailed on the map was proposed design, not existing, and stated that the new lighting would be subject to restrictions but not the existing lighting. He added it would be for the enforcement team to ensure conditions were adhered to.

A Member of Committee enquired about the different timescales detailed within the conditions and what was the purpose of the six month limit. The Officer explained the reasons behind that limitation and the Legal Advisor clarified that the six month period was for the details to be submitted, not for the enactment of such details. It was also clarified by the Officer that should planning permission be granted, it would be the decision of the applicant as to whether to use the permission or revert to the previous appeal decision of unlimited touring caravans.

With this in mind, the Officer recommendation was moved and seconded and put to the vote. With a majority vote 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 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. Development shall proceed in accordance with the following approved drawings and shall be for a maximum of 79 static and 109 touring caravans:
LDC2599-02B.

Reason: For the sake of clarity and in the interests of proper planning and in accordance with the terms of the application.

3. No external lighting shall be installed within the application site unless details have first been submitted to and approved in writing by the Local Planning Authority. Lighting shall be installed in accordance with the approved details.

Reason: To prevent harm to residential amenity and the character and appearance of the area in accordance with Policies LP17 and LP26 of the Central Lincolnshire Local Plan.

4. Within 6 months of the date of this permission, a scheme of landscaping including details of the size, species and position or density of all hedges and trees to be planted and measures for the protection of trees to be retained during the course of development shall have been submitted in writing to the Local Planning Authority. The scheme approved in writing by the Local Planning Authority shall be planted in the first available planting season following their approval. Any trees or hedges 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: To ensure that a landscaping scheme to enhance the development and that initial plant losses are overcome is provided in accordance with Policies LP17 and LP26 of the Central Lincolnshire Local Plan.

5. Within 6 months of the date of this permission, a scheme of ecological enhancements shall be submitted in writing to the Local Planning Authority.

The scheme approved in writing by the Local Planning Authority shall be installed within 6 months of their approval and retained.

Reason: To secure ecological enhancements in accordance with Policy LP21 of the Central Lincolnshire Local Plan and the provisions of the NPPF.

6. Within 6 months of the date of this permission, a detailed foul water drainage scheme shall be submitted in writing to the Local Planning Authority. The scheme approved in writing by the Local Planning Authority shall be installed for the use of each caravan before it is first used.

Reason: To ensure appropriate foul water drainage is secured in accordance with Policy LP14 of the Central Lincolnshire Local Plan.

7. Surface water drainage shall be carried out in accordance with the Drainage Strategy Report by ADC Infrastructure dated 07/01/2020 prior to the first use of each caravan.

Reason: To ensure appropriate surface water drainage is secured in accordance with Policy LP14 of the Central Lincolnshire Local Plan.

8. Within 6 months of the date of this permission, details of a 1.8 metre wide frontage footway (to the southwest side of Barlings Lane), to connect the development to the existing footway network including appropriate arrangements for the management of surface water

run-off from the highway, shall have been submitted in writing to the Local Planning Authority. The details approved in writing by the Local Planning Authority shall be constructed within 6 months of their approval.

Reason: To ensure the provision of safe and adequate pedestrian access to the permitted development, without increasing flood risk to the highway and adjacent land and property in accordance with Policy LP13 and LP26 of the Central Lincolnshire Local Plan.

9. The development shall be carried out in accordance with the approved flood risk assessment and the following mitigation measures it details:

- Finished floor levels for static caravans shall be set no lower than 6.5 metres above Ordnance Datum (AOD)
- Static caravans shall be secured to the ground
- These mitigation measures shall be fully implemented prior to occupation
- The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

Reason: To reduce the risk of flooding to the proposed development and future occupants in accordance with Policy LP14 of the Central Lincolnshire Local Plan.

10. The development hereby permitted shall operate the flood warning and evacuation plan detailed in paragraphs 5.9 to 5.11 of the Flood Risk Assessment by LDC issue 1 dated 20/05/2019.

Reason: To reduce the risk of flooding to future occupants in accordance with Policy LP14 of the Central Lincolnshire Local Plan and the provisions of the NPPF.

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

11. The development hereby permitted shall be used for holiday accommodation only and shall not be used as a persons sole or main residence.

Reason: To ensure the development is not occupied as permanent residential accommodation as this would be contrary to Policies LP2, LP4, LP7 and LP26 of the Central Lincolnshire Local Plan.

79 140375 - LAND OFF QUEENSWAY, STURTON BY STOW

The Chairman introduced planning application 140375 for the demolition of 20no. garages and the construction of 14no. affordable dwellings. He invited updates to the report from the Senior Development Management Officer who explained that due to changes with the off-site foul and surface water drainage, it was suggested that conditions numbers six and 11 be removed and instead, be submitted through the section 106 agreement. The recommendation remained the same.

The Chairman stated there was one registered speaker for the application, who had provided a statement to be read by the Democratic Services Officer and he invited her to read aloud the statement.

Statement from Gelders, in support of the application on behalf of the applicant.

Ladies and Gentlemen of the Planning Committee. Thank you for the opportunity to submit a written statement in relation to application 140375 on behalf of the applicants. We would just like to re-iterate a few points before you make your decision.

Firstly, this application will **Improve** Existing Offsite Drainage Infrastructure – resulting in a much lesser risk of localised flooding. During the consultation stage of this application and upon studying the case officer's report, it has become evident that drainage is a concern for some local residents and the Parish Council. This proposed scheme provides storage and attenuation on site, and utilises a Hydro-brake which will severely reduce any outfall of surface water from the site. The Hydro-brake will then (via 450mm diameter drainage pipes) discharge into an existing open watercourse. The proposal then seeks to upgrade an existing 300mm diameter pipe (some 200m away) along Saxilby Road to a new 450mm diameter pipe and installs a new 450mm pipe under the road, thus significantly increasing local drainage capacity. This not only improves drainage on the proposed site but also the drainage offsite providing **Betterment** to the wider community.

Secondly, this application will give younger people as well retirees the opportunity to stay within Sturton by Stow. ACIS has proven local need for housing within Sturton by Stow and they own a number of the existing properties on Queensway.

Thirdly, this application will provide benefits to the community in terms of increased footfall into the local facilities and services. The infill site is located within the heart of Sturton by Stow, which already accommodates a number of services such as shops, halls, churches, pub and play areas.

We and the applicant feel that this development having been considered against all relevant Local and National Planning Policies and upon its own merit is acceptable. This is a view that is shared by the case officer and is confirmed within his report.

Based upon this I urge members to approve this application, to bring long awaited and much needed affordable housing to Sturton by Stow and the district of West Lindsey.

Thank you for your time.

The Chairman invited comments from Committee Members and there was widespread support for the application. It was noted that there was clear evidence of the need for accommodation of this kind and the proposal would fulfil the local need. It was clarified that, as affordable housing, it would be available to any age group and was not intended to be solely for people aged 55 or above.

The Officer recommendation, with the removal of conditions six and 11 to be submitted through the Section 106 agreement, was moved and seconded. Councillor D. Cotton expressed a personal interest in the area as his wife worked at the local shop, and with no further comment from Committee Members it was agreed that planning permission be **GRANTED** subject to conditions, as detailed below, and the signing of a Section 106 Agreement comprising:

1. Construct 14 affordable homes on the site including an agreement to sell or transfer to a registered provider.

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 (Unless Stated Dated 6th December 2019):

- DSA19-053 1000 – House Type A Floor, Roof and Elevation Plans
- DSA19-053 1001 – House Type B Floor, Roof and Elevation Plans
- DSA19-053 1002 – House Type C Floor, Roof and Elevation Plans
- DSA19-053 1003 Rev A dated 27th January 2019 – Site 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 and local policies LP17 and LP26 of the Central Lincolnshire Local Plan 2012-2036.

3. The proposed dwellings must be constructed from the materials in the materials schedule on the three Floor, Roof and Elevation Plans listed in condition 2 of this permission.

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 and local policies LP17 and LP26 of the Central Lincolnshire Local Plan 2012-2036.

4. No occupation of the dwellings must take place until construction details for the pedestrian footpath to the front of the site as shown on site plan DSA19-053 1003 Rev A dated 27th January 2019 have been submitted to and approved in writing by the Local Planning Authority. The details submitted must also include appropriate arrangements for the management of surface water run-off from the highway. No occupation must take place until the footpath has been completed in accordance with the approved plans and details and retained for that use thereafter.

Reason: To ensure the provision of safe and adequate pedestrian access to the permitted development, without increasing flood risk to the highway and adjacent land and property.

5. The development must be completed in accordance with the foul and surface water drainage plan DSA19-053 PP-001 dated December 2019 within appendix A of the Flood Risk Assessment & Drainage Strategy by DesignSpace Architecture dated December 2019. No occupation of each individual dwelling must occur until the individual dwelling has been fully connected to the approved drainage scheme.

Reason: To ensure adequate drainage facilities are provided to serve the development and to accord with the National Planning Policy Framework and local policy LP14 of the Central Lincolnshire Local Plan 2012-2036.

6. The development must be completed in accordance with the Construction Site Management Plan dated 12th February 2020 including the removal and disposal of any known or found asbestos through a licensed contractor.

Reason: To preserve residential amenity to accord with the National Planning Policy Framework and local policy LP26 of the Central Lincolnshire Local Plan 2012-2036.

7. Before each dwelling is occupied, their vehicular access and driveway must be completed in accordance with the approved site plan DSA19-053 1003 Rev A dated 27th January 2019 and retained for that use thereafter.

Reason: To ensure safe access to the site and each dwelling/building has sufficient off street parking in the interests of highway safety to accord with the National Planning Policy Framework and local policy LP13 and LP26 of the Central Lincolnshire Local Plan 2012-2036.

8. Notwithstanding the approved plans, plots 10, 11, 12, 13 & 14 must be constructed to comply with the standards set out in Part M4(2) (Volume 1: dwellings) of the Building Regulations 2010.

Reason: To ensure the development meets the requirements for accessibility set out in Part M4(2) of the of the Building Regulations 2010 and to accord with the National Planning Policy Framework and local policies LP10, LP17 and LP26 of the Central Lincolnshire Local Plan 2012-2036.

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

9. The method of surface water drainage from the site completed in accordance with condition 5 of this permission must be managed and maintained in accordance with the Management and Maintenance Plan for Surface Water Drainage Scheme prepared by Inspire Design and Development received 12th February 2020.

Reason: To ensure adequate drainage facilities are provided to serve the development and to accord with the National Planning Policy Framework and local policy LP14 of the

Central Lincolnshire Local Plan 2012-2036.

80 140513 - LAND OFF MAIN STREET OSGODBY MARKET RASEN LN8 3PA

The Chairman introduced application 140513, an outline planning application to erect 1no. dwelling - all matters reserved. He invited the Development Management Officer to provide any updates and it was explained that the main update was in relation to the remaining growth allowance for the parish of Osgodby, which was set out within the Osgodby Neighbourhood Plan. In the intervening period between the previously scheduled planning committee at the start of April, which was postponed, and the current meeting, an additional dwelling had been granted in Osgodby. This meant the remaining growth for the parish was currently 0. Had planning committee taken place at the start of April, there would have been adequate remaining growth within the parish to accommodate this proposal. He added that the neighbourhood plan was clear that the growth target of 25 dwellings was not a maximum, and could be exceeded where there was the demonstration of community support. However, community support was required to be demonstrated in the circumstance that there was no remaining growth left, at the point of submission. This was not the case here because, at the time of submitting this application, there was adequate remaining growth in the parish to accommodate this proposal. He stated that, therefore, the application was recommended for approval taking into account the growth target and the circumstances that had occurred since the postponement of the last scheduled committee.

The Chairman thanked the Development Management Officer and confirmed there were no speakers registered for the application. He invited comments from Committee Members.

There was discussion regarding the linear development pattern of the village and how the proposal would impact on this. The Officer explained the location of the proposed dwelling was the reason the application was before Committee. He added that, in terms of the Neighbourhood Plan, the location was supportable taking into account the location of the 'darkest areas' as shown on Policy Diagram 1. Further comments from Committee Members supported the importance of the Neighbourhood Plan whilst also appreciating that current circumstances, in relation to the coronavirus pandemic, had impacted on the previous consideration of the application.

As an application for outline planning permission, the Officer recommendation was moved and seconded and on taking the vote, it was agreed that permission be **GRANTED** subject to the following conditions:

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

1. Application for approval of the reserved matters must be made to the Local Planning Authority before the expiration of three years from the date of this permission.

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).

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:

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

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

5. 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: 20.2670.02A dated 9th Jan 2020. 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 LP17 and LP26 of the Central Lincolnshire Local Plan.

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

None.

81 140569 - 18 LINDHOLME SCOTTER

The Chairman introduced planning application 140569 for replacement of a dormer

bungalow with a two storey house. The Development Management Officer explained there had been two further comments received which raised concerns that the finished building would be directly overlooking neighbouring properties. She explained the reason behind the application being the recent flooding in Scotter and that the raised height of the building would allow for better protection in case of future flooding.

The Chairman stated there were two registered speakers on the application and invited the first speaker, Mrs Laura Calvert, Applicant, to address the Committee.

Thank you, Chairman, for the opportunity to address the Committee.

Last November our property suffered almost 1 metre floodwater, after already flooding badly 12 days prior. The third severe flood event, that we are aware of, in 12 years.

Therefore this application is born out of necessity to protect from future flood events. It would be retracted immediately should others be able to assure us that future flood events are preventable. Sadly flooding is a likely occurrence and this has been reiterated by the EA on many occasions, worsened by the low lying position of our home.

After much deliberating on design, projected build costings and rational planning we have concluded that our proposal is the only way to deal with the problem we face but to make it viable we need to enhance the original design by extending the footprint in such a way that it dovetails with the existing layout and is oriented to suit the plot and it's features.

As we understand it, this application has failed because of our reluctance to remove the very extension that will enable this proposal to be viable.

We would like to challenge the planning teams statement that we have had the 'opportunity to address concerns raised but have failed to do so due to our own private interests'. If this is implying financial gain to us, that is far from correct, we may break even if this application is successful, at the very best. The only 'private interest' we have is the safety and assurance for our three boys under the age of 7 years old who are still showing signs of distress following the flood, of which government guidance states should be considered in planning decisions. The planning team are failing to understand that the removal of the extension would be the end of the road for us. We are not a developer seeking to make profit, we are a young family who want to protect their home from flooding. We are not being unreasonable, purely realistic. Nobody can spend significant amounts of money to result in negative equity.

The reality is the proposed design lends itself to minimise costs by using as much of the existing footprint as possible, and the extension and extra bedroom recoups some of these substantial costs. An extension and extra bedroom has always been an option for our growing family.

In a bid to accommodate all concerns we have made many compromises;

- relocation of the Garage to substantially improve the primary view from No.16
- removal of overhanging eaves resulting in a reduction of the ridge height to within 450mm of the ridge height of No.16
- removal of masonry parapet walls on the western boundary to reduce the bulk brickwork view from No.16

- relocation of the rear Patio area away from the western boundary to reduce overlooking
- replacement of front boundary parapet walls with open balustrading to reduce impact
- removal of the Utility access on the Western elevation to remove any form of intrusion or overlooking on No.16.

Furthermore, the planning team had previously asked us to consider indenting the extension to step the West wall. After consideration, we agreed to this, losing 1 metre on both floors. However we were then told that this would make no difference to their recommendation.

Even after all these design changes in a bid to compromise the effect on the adjacent property, it appears that the height and length of the West facing wall is still a point of contention. The height is dictated by the EA requirements and the length is required to accommodate the extension that is essential to enable viability.

Our view is that any reduction in amenity to the adjacent property is minimal and had it not been for the necessity to raise the building by 1.75m our proposal would not have raised any sustainable objections.

It should not be forgotten that the obstruction to the view line from the center of the gable to No. 16 is 16 metres away and that the primary view to No.16 has much improved, and it is the secondary view from only the side garden and property which is the concern.

The view to the South from No.16 currently overlooks our back garden which is mitigated, to some extent, by our proposed extension. Likewise this would make number 16s garden more private. Due to our proposal No.16 will have a reduced overlooking view of the river Eau at the end of our land which would be mitigated substantially at the front by the relocation of the Garage, overall improving No 16's river view.

We really need to emphasize the point to the committee that there is a significant distance between ourselves and the neighbouring property. We are fortunate to have a plot that can easily facilitate this proposal. The fact of the matter is, no planning application for extensions would ever be approved on the grounds that the planning officer is recommending refusal for on this application. We find this really disappointing due to the circumstances and reasons behind this application.

I think it is very important, and relevant, that the committee should be made aware that the owner of No.16 built our existing property and raised his family there. It is our opinion that **any** proposed design to replace our house would be met with strong objections.

It is now 6 months since the flooding, and we, and our home, remains devastated following the effects and our lives have been put on hold throughout this long process.

We hope that the Committee can support what we are trying to do here so that we can finally get on with creating a secure dwelling and home for our young family out of a flawed, at risk building that will always suffer from the likelihood of flooding.

Thank you.

The Chairman invited the second speaker, Councillor L. Rollings, Ward Member, to address the Committee.

I wanted to speak in support of the planning application submitted by Mr and Mrs Calvert in order to add some additional context which I hope will be useful.

Immediately before the Coronavirus outbreak and subsequent crisis, the Lindholme and Riverside area of Scotter had been hit by a series of flooding incidents that have left the residents in a very difficult situation.

These residents were flooded in 2007 and indeed the Calverts were flooded 2 weeks before the November flood, as their property is actually the lowest on their road.

When the waters rose very suddenly, they had to be rescued by the fire service in a boat at 1am. Their children are still very frightened. They can't afford to be flooded again.

In the run up to the November floods, there were several near misses, with the water levels on the River Eau coming within inches of going over the top of the bank.

Given the government's policy of allowing rivers to naturalise, in the short term it is hard to see the situation on the River Eau being rectified.

The residents are in the situation now where they are repairing their homes when in actual fact, at any time there could be a repeat of the November floods, putting them back to square one.

Properties are becoming increasingly difficult to insure and their value dropping.

For the Calverts with their young family, the only solution is to raise the height of their house allowing flood water to go under it without damaging it, in a flood situation.

The problem with this is that it is very expensive.

The only way they can ever borrow enough money as a mortgage is if the value of the property goes up. The only way it goes up is if they can include an additional bedroom and downstairs room as part of their re-design.

The re-designed property sits on the same footprint but is taller, but for anyone who knows Lindholme, they will know that the properties on the opposite side of the river are much higher, so these proposed changes do not adversely impact on the surrounding properties at all. Indeed, there have been no objections from anyone else on the road apart from one neighbour.

So, in summary I have 3 main points.

- 1 Mr and Mrs Calvert are not trying to make a profit, merely to create a property that allows them to get a mortgage for what they've had to spend on it to make it flood proof.
- 2 The issue with the expense of wall and distance from the neighbouring property, I don't feel is acceptable.

The view from the neighbouring property is actually improved from the front, the view from the rear is unchanged – it is only from the side that there is some minimal impact and speaking of consistency in planning, there are literally hundreds of properties that we have given planning permission to that are built closer and with bigger expanses of wall, literally obliterating peoples views. We are regularly told, no one is entitled to a view.

- 3 As a district council, we have to accept that if property owners are going to be allowed to flood - proof their properties, there will be some visual change to the built environment - change that may not fit in with the current constraints interpreted by our planning department. We may have to be more flexible.

Given these exceptional circumstances I would urge the committee to accept this application.

With no further comment from the Development Management Officer, the Chairman invited comments from Members of the Committee.

There was significant discussion regarding the benefits of undertaking the rebuild of the flooded property in a manner that would protect it in future, against the potential impact on the area and neighbouring properties. There was some support for the application and a Member of Committee commented that as the building existed already, rather than being an application for a new development, there should be fewer objections to the proposal, however the size difference between existing property and proposed dwelling were highlighted using the plans and Officer's report. The Interim Planning Manager highlighted that the focus of decision making needed to be the material considerations and there were significant concerns about the impact of the proposed extension on the neighbouring property. He added that the principle of the application was supported however the impact of the extension was too great.

A Member of Committee proposed a site visit may assist Members understand the concerns however this was not seconded nor taken to a vote. It was commented that in relation to neighbouring properties being overlooked, the distance between properties was not the impact, rather it would be the mass of the building that would be detrimental.

With no further comments from Members, and with the Officer recommendation having been proposed and seconded, the Chairman undertook the Member vote. With the majority vote it was agreed that planning permission be **REFUSED**.

82 140540 - HIGH STREET, SCOTTER

The Chairman introduced the final planning application for the evening, application number 140540 for the removal of existing garage and erection of two storey side extension. The Interim Planning Manager (Development Management) confirmed there were no updates to the report and the Democratic Services Officer confirmed there were no speakers registered for the application.

The Chairman enquired of the Planning Manager whether the application would have been determined under delegations if the applicant had not been an Officer of the council and this was confirmed to be the case.

In light of this, the Officer recommendation was moved and seconded and it was unanimously agreed that planning permission be **GRANTED** subject to the following conditions:

Conditions which apply or require matters to be agreed before the development 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 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 drawings 215-100 01, 215-200 01 and 215-002 02 dated Oct 19. The works shall be carried out in accordance with the details shown on the approved plan and in any other approved documents forming part of the application.

Reason: To ensure the development proceeds in accordance with the approved plans and to accord with the National Planning Policy Framework and local policies LP1, LP17 and LP26 of the Central Lincolnshire Local Plan.

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

None

83 DETERMINATION OF APPEALS

The Chairman invited Councillor G. McNeill to the meeting to comment on two appeal decisions relating to the Nettleham Ward. Councillor McNeill noted that there had been made reference of a lack of co-operation with both appeal applications and suggested it may be something the Governance and Audit Committee could look into further. In addition, Councillor McNeill commented that it was pleasing to see the green wedge being upheld.

The Chairman thanked Councillor McNeill for his comments and the appeal decisions were noted.

The meeting concluded at 8.45 pm.

Chairman