

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 17 June 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 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:
Alan Robinson Director of Corporate Services and Monitoring Officer
Russell Clarkson Interim Planning Manager (Development Management)
Ian Elliott Senior Development Management Officer
Danielle Peck Development Management Officer
Joanne Sizer Area Development Officer
Martha Rees Legal Advisor
Ele Snow Democratic and Civic Officer
James Welbourn Democratic and Civic Officer

1 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.

2 PUBLIC PARTICIPATION PERIOD

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

3 TO APPROVE THE MINUTES OF THE PREVIOUS MEETING

RESOLVED that the minutes of the meeting of the Planning Committee held on Wednesday, 29 April 2020 be confirmed as an accurate record.

4 DECLARATIONS OF INTEREST

Councillor I. Fleetwood declared a non-pecuniary interest as he was Vice Chairman for Cherry Willingham Parish Council, in relation to application number 140743, Bleak Farm. He stated he had not held any conversations regarding the application nor had he been a part of any planning discussions for the village.

Councillor D. Cotton declared a prejudicial interest in application number 141030, 18 Lindholme, as he had had lengthy conversations with the applicant and as such, would stand down from the Committee for the duration of that item.

Councillor P. Howitt-Cowan declared that, as Ward Member for Hemswell, he wished to speak on the application and would therefore stand down from the Committee for the duration of that item.

5 UPDATE ON GOVERNMENT/LOCAL CHANGES IN PLANNING POLICY

The Interim Planning Manager (Development Management) introduced a short update to Members explaining that the Government had announced further measures to introduce flexibility into the planning system in Mid-May, due to the current pandemic.

This included:

- Measures to allow CIL payment deferrals for small developers;
- Encouraging new applications to be made online, as much as possible;
- Confirmation that MHCLG did not intend to extend the timescales for determining applications *“Developers should be encouraged to agree extensions of time where possible”*
- Flexibility in publicising applications where the normal statutory requirements could not be met;
- They continued to want to see Local Plans progressing through the system as a vital means for supporting economic recovery in line with the government’s aspirations to have plans in place across the country by 2023.

See <https://www.gov.uk/guidance/coronavirus-covid-19-planning-update>

On 13 May 2020, the government published a [written ministerial statement](#) on planning and construction working hours. This statement expected local planning authorities to approve requests to extend construction working hours temporarily to ensure safe working in line with social distancing guidelines until 9pm, Monday to Saturday, unless there were very compelling reasons against this.

See <https://www.gov.uk/guidance/coronavirus-covid-19-construction-update-qa>

In addition, the Planning Inspectorate (PINS) latest update (28 May) advised they had now recommenced site visits where safe to do so. For “the foreseeable future” they would not be arranging face-to-face inquiries and hearings however, following a successful trial, they had begun arranging virtual Hearings.

See <https://www.gov.uk/guidance/coronavirus-covid-19-planning-inspectorate-guidance>

Members were given the following update regarding Neighbourhood Plans:

Scotton NP	Examination successful. Decision statement issued. But due to COVID-19 situation referendum delayed until May 2021.	<i>Draft plan can be given significant weight in decision-making, so far as the plan is material to the application.</i>
Bishop Norton NP	Examination completed. Examiner’s report to be issued shortly.	Increasing weight
Gainsborough NP	Submission consultation underway (Reg16) ends 22 July 2020.	Increasing weight
Morton NP	Submission consultation underway shortly (Reg16) will end 7 Sept 2020.	Increasing weight
Hemswell and Harpswell NP	Submission version (Reg16) to be submitted to WLDC for consultation and examination shortly.	Some weight

<https://www.gov.uk/guidance/neighbourhood-planning--2# covid-19>

6 PLANNING APPLICATIONS FOR DETERMINATION

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

7 140416 - LAND ADJ. WOLDGRAIN STORAGE LTD, HEMSWELL

The first planning application of the night was introduced for Members’ consideration. Planning application number 140416 seeking to erect 14no. grain storage silos, 1no. dryer, associated structures and conveyor. The Planning Manager explained that a member of the public had informed the Planning Department that they had requested the Secretary of State use his powers under s77 to “call-in” the application for his own determination. It was the Secretary of State’s policy that they would normally only do this if the application conflicted with national policy in important ways, or was nationally significant. The Planning Casework Unit had been in contact, and it had been requested that, whilst the Committee may proceed to make its resolution, that no decision be issued, until the Secretary of State had determined whether he wished to exercise his powers.

The Senior Development Management Officer presented the details of the application and highlighted there was one update to report, that being the proposed conditions as a result of the revised noise report.

The Chairman explained there were a number of public representations which were to be read out by the Democratic and Civic Officer.

Statement from Hemswell Cliff Parish Council.

“Hemswell Cliff Parish Council has objected to this application on the following grounds:

1. Despite the disquiet, felt by residents of Hemswell Cliff about the noise already created by the existing silos and associated plant. The noise report has been conducted at a quiet time of year and is not representative of what it is like during the busy time of year, whilst this does not suit the grant funding that the applicant is applying for it should not be overlooked. This study would have different results if conducted in August or September. If it is not a Material consideration as stated at page 35 para 1 “The position and importance of this funding to the business is acknowledged, however this funding position is not a material consideration in the determination of the application”
Then why not delay the application until a noise study can be carried out at a more suitable time.

2. Page 34 Quotes

“The 85,000 tonnes of grain is collected from the members and delivered by local hauliers. The proposal will provide an additional 60,000 tonnes of grain storage which is aimed to be delivered in the next 10 years and provide storage for local farmers that currently store their grain outside of Lincolnshire”. If this is a long-term plan over the next ten years are there more Silos and fans in the pipeline.

3. Page 39 Quotes

“The NIA lists the silos and associated fans making it clear on page 10 that the assessment is based on the fitting of fan silencers. The NIA (page 11) is based on the fact that due to power constraints, it is not possible for all 14 no. silo fans to be in operation simultaneously and that only 6 fans would ever be in use at any one time. This has been confirmed by the agent in an email dated 31st March 2020.”

2 Points here: If only 6 fans can be running at any one time, will they upgrade the electricity supply later and run more. In addition, is this an additional 6 fans on top of the already installed fans?

4. Page 47 Item 6 Quotes

“The business outlined in red on location plan LDC2850-PL-01 must operate no more than 6 silo fans at any one time. In accordance with the Noise Report reference NIA/8960/20/9025/v4/Woldgrain; AND if requested by the Local Planning Authority, the applicant/operator must submit digital/electronic records of the number and times of fans in use at any one time. This information must be retained for 2 years. What about the Business in Blue, which is the existing business? How many will they be running at the same time. Whatever they are running will be in addition to the 6 extra Fans

Are the existing fans running with attenuators as the new ones propose. Also there are not just fans but conveyor/elevators to move the grain around the plant all creating additional noise, These were probably not running when the noise study was carried out. Why were the noise studies only taken to the south and west of the Plant? What about the properties to the east. This is very close to the Primary School (200m), the disruption to the school could be very off putting and effect the children’s education. This was one of the main reasons the

Wind Farm application rejected.

5. Will the noise issue be monitored? And what action will be taken if they exceed the limits set in the NIA

6. Page 40 quotes

The NIA goes on to state that the “It can be seen that the rating level of the proposed plant is expected to be below the background noise level during the day and night at all NSRs resulting in a low impact.” This plant is the background noise at night; it is all you can hear!

7. Flooding

The FRA quotes at 5.1 that the area has not been subject to flooding and shows a map (Historical Flood Map from WLDC SFRA) this shows no flooding at Hemswell Cliff! Therefore is incorrect. James Road at Hemswell Cliff was flooded to the extent that several houses were uninhabitable in 2007, which is not shown on the SFRA. These properties are only 500m from the development site. Flooding has also occurred in Spital in the Street.

8. Visual Impact

Although this has apparently been considered, we do not think fairly. The long view will be damaged tremendously, bringing a huge industrial view. The existing silos can already be seen on a clear day from the Wolds, a recognised Area of Outstanding Natural Beauty. Any additional silos will be even more prominent and further damage the long view.”

Statement from Mr John Burnett, Applicant

“Ladies and gentlemen, Good evening and thank you for giving me this opportunity to address you.

Woldgrain has been at Hemswell Airfield since 1980. In fact I believe Woldgrain may have been the first business to become established on the site after the closure of RAF Hemswell. In deciding to purchase our current site, the original Directors of Woldgrain made two very far sighted and important decisions. Firstly, they bought a site with a significant amount of room for expansion. Secondly, Hemswell’s location within an hour of both the coast and the M62/A1 has become more important, strategically for grain movement. We currently store around 85,000 tonnes of grain each year, grown by Woldgrain’s members, the vast majority of whom are farming within 30 miles of Hemswell. Seven of the nine Woldgrain Directors live in the West Lindsey.

Woldgrain has evolved into a grain storage facility with a national importance, satisfying the requirements of the feed, food and fuel supply chains. Wheat and barley stored at Hemswell has been used by processors and manufacturers up and down the country, to create famous products such as Carling lager, Hovis bread and Warburton’s crumpets. Each year a significant proportion of the stored crop is exported through the ports of Lincolnshire and Humberside.

We believe that Woldgrain’s location will become increasingly important in the years to come, as modern supply chains demand a level of traceability that is becoming more difficult to achieve with on farm storage.

During the last 10 years we have seen the business grow significantly, to a point where we

have fully developed our existing site. As you will appreciate growth is vitally important to the success of any business. Over this period the business has grown from an annual turnover of £250,000 to a turnover of £1.8m. We have doubled our number of employees and have recently taken on our first apprentice. In addition, we now employ 6 students each year for our busiest period from July to September. To achieve this growth we have invested almost £15m since 2008, with approximately 60% of this having been spent locally. Since 2008 we have more than tripled our annual use of local grain haulage businesses, spending nearly £400k last year. All of these businesses are North Lincolnshire, if not West Lindsey based, thereby ensuring this money is reinvested locally.

In order to continue to grow we need to acquire more land and there is now the opportunity to purchase the site which is the subject of the application. We believe this site will give us at least another 10 years of growth at Hemswell. The capital spend required for the new plant will be in the order of £12-15m, with a similar proportion being spent locally. Woldgrain is a market-leading grain store, as modern as any in the UK, and has recently won awards, including Small Business of the Year 2016 (Gainsborough Business Awards) and Food & Farming Excellence Award 2017 (Lincolnshire Business Awards).

In the coming years we believe this new expansion project will contribute significantly to the creation and development of the Food Enterprise Zone and the wider socio-economic regeneration of the local area, as outlined in the Hemswell Cliff Masterplan. The agri-food sector, which contributes 18% of Lincolnshire GVA and makes up over 90% of the area covered by West Lindsey, is particularly vulnerable to the impact of Covid-19 and the challenges posed by Brexit. Food and farming also sits at the heart of the industrial strategy for the Greater Lincolnshire Local Economic Partnership (GLLEP). A thriving agri-food sector will be vital to the economic recovery of the county as the Covid lockdown is eased.

Without the support from West Lindsey District Council, none of this growth would have been possible. With your continued support and by approving this application, we believe together we can build on past successes and achieve the following:

- Safeguarding Woldgrain's future at Hemswell.
- Continued support for the local economy.
- Support for the wider agri-food sector in greater Lincolnshire."

Statement of Objection from Mr Alan Pendle

"I would like to ask the committee to take into consideration the trauma the residents of Hemswell cliff and surrounding areas have to endure every year from September through to March, this is when the Woldgrain fans are running 24 hours a day at their highest capacity. The noise resonates and is so annoying it is impossible to sit and read a book or have a quiet discussion. One night my wife and I got in the car and went for a drive at 2am just to get away from the noise. We live just south of the A631 so have total sympathy for those living, including the school just 320 meters from the site, or 170meters from new site. I am asking the committee to postpone any decision on this application until an accurate noise reading can be made at a time when the fans are running at full capacity."

The Chairman thanked the Democratic and Civic Officer and invited Councillor Paul Howitt-Cowan to address the Committee in his role as Ward Member.

Councillor Howitt-Cowan explained that he had no prior knowledge that the application had been referred to the Secretary of State. He stated that his Ward embraced both residential and business interests and it was important to maintain a balance between quality and quantity. He explained that he felt, without tighter conditions, the approval of this application would lead to a reduction in the quality of life for residents which needed to be safeguarded against. He noted that the visual impact of the new silos would be obvious in a negative way and whilst it was necessary to represent the industry of the area, the visual impact needed to be taken into consideration. He also felt that the possible noise impact was a justifiable concern for residents and highlighted that the tests had been conducted during the quiet months and not when the business was running at full capacity. He thanked the committee for their time and welcomed their careful consideration of the full details of the application.

The Chairman thanked Councillor Howitt-Cowan and requested that he absent himself from the Committee for the remainder of the item.

The Senior Development Management Officer highlighted that it was very clearly conditioned for only six fans to be in use and this was an enforceable condition. He added that there had been several noise tests undertaken and the findings of these were detailed in the report. He also noted that the colour of the silos had been chosen to match with the existing and that having them a different colour could make them more prominent and visible, however this could be subject to change should Members wish.

The Chairman invited comments from Committee Members. There was considerable discussion regarding the possible noise impact of the fans and the visual impact of the new silos. The results of the noise testing were taken into consideration and it was acknowledged that, should the application be agreed and noise became an exacerbated issue, the Environmental Health team could be contacted and the conditions regarding noise could be enforced. It was also agreed that the colour of the new silos should be conditioned so as to avoid an excessive visual impact.

Having proposed and seconded the Officer recommendation it was agreed that planning permission be **GRANTED** subject to the conditions set out below alongside a new condition for the colour of the silos to be reconsidered in order to minimise the visual impact.

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:

2. No development shall take place until, suitably qualified contaminated land assessments and associated remedial strategy with none technical summaries, conclusions and recommendations, together with a timetable of works, have been submitted to and approved in writing by the Local Planning Authority (LPA) and the measures approved in that scheme shall be fully implemented. [Outcomes shall appropriately reflect end use and when

combining another investigative purpose have a dedicated contaminative summary with justifications cross referenced]. The scheme shall include all of the following measures unless the LPA dispenses with any such requirement specifically in writing

- a) The contaminated land assessment shall include a desk study to be submitted to the LPA for approval. The desk study shall detail the history of the site uses and propose a site investigation strategy based on the relevant information discovered by the desk study. The strategy shall be approved by the LPA prior to investigations commencing on site.
- b) The site investigation, including relevant soil, soil gas, surface and groundwater sampling, shall be carried out by a suitably qualified and accredited consultant/contractor in accordance with a Quality Assured sampling and analysis methodology.
- c) A site investigation report detailing all investigative works and sampling on site, together with the results of analysis, risk assessment to any receptors and a proposed remediation strategy shall be submitted to the LPA. The LPA shall approve such remedial works as required prior to any remediation commencing on site. The works shall be of such a nature as to render harmless the identified contamination given the proposed end use of the site and surrounding environment including any controlled waters.
- d) Approved remediation works shall be carried out in full on site under a quality assurance scheme to demonstrate compliance with the proposed methodology and best practice guidance. If during the works contamination is encountered which has not previously been identified then the additional contamination shall be fully assessed and an appropriate remediation scheme agreed with the LPA.
- e) Upon completion of the works, this condition shall not be discharged until a closure report has been submitted to and approved by the LPA. The closure report shall include details of the proposed remediation works and quality assurance certificates to show that the works have been carried out in full in accordance with the approved methodology. Details of any postremedial sampling and analysis to show the site has reached the required clean-up criteria shall be included in the closure report together with the necessary documentation detailing what waste materials have been removed from the site.

Reason: In order to safeguard human health and the water environment and identify potential contamination on-site and the potential for off-site migration as recommended by the Environment Agency and the Housing and Environmental Enforcement Manager in to accord with the National Planning Policy Framework and policy LP14 and LP16 of the Central Lincolnshire Local Plan 2012-2036.

3. No development must take place until details 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. Any infiltration system must be supported by an assessment of the risks to controlled waters. No operation must occur until the approved scheme has been completed in accordance with the approved scheme.

Reason: To ensure that the developments surface water drainage scheme does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution caused by mobilised contaminants to accord with the National Planning Policy Framework and policy LP14 and LP16 of the Central Lincolnshire Local Plan 2012-2036.

4. No development must take place unless a colour scheme for the silos has been submitted to, and approved in writing by the local planning authority. The development shall thereafter

be finished and retained, in accordance with the agreed colour scheme.

Reason: In the interests of visual amenity, to mitigate the visual impact of the industrial structures within their surroundings, to accord with the National Planning Policy Framework and policy LP5, LP17 and LP26 of the Central Lincolnshire Local Plan 2012-2036.

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

5. 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:

- P206650-500 issue 02 dated 3rd April 2020 – elevations
- P206650-500 issue 05 dated 7th January 2020 – 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 policy LP17 and LP26 of the Central Lincolnshire Local Plan 2012-2036.

6. No deliveries must be made to the site between the hours of 23:00 and 07:00.

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

7. The business outlined in red on location plan LDC2850-PL-01 must operate no more than 6 silo fans at any one time. In accordance with the Noise Report reference NIA/8960/20/9025/v4/Woldgrain; AND

If requested by the Local Planning Authority, the applicant/operator must submit digital/electronic records of the number and times of fans in use at any one time. This information must be retained for 2 years.

Reason: To retain the low noise impact on the nearest occupied or potentially occupied uses as concluded in the approved ENS Noise Report ref NIA/8960/20/9025/v4/Woldgrain dated 20th May 2020 during operation of the business to accord with the National Planning Policy Framework and local policy LP26 of the Central Lincolnshire Local Plan 2012-2036.

8. Any plant hereby permitted must operate in a way so as not to exceed the specified noise levels as measured at the specified measuring locations defined in Tables 4.5 and 4.6 (page 12) of the approved ENS Noise Report ref NIA/8960/20/9025/v4/Woldgrain dated 20th May 2020.

Reason: To retain a low noise impact on the nearest occupied or potentially occupied uses as concluded in the approved noise report during operation of the business to accord with the National Planning Policy Framework and local policy LP26 of the Central Lincolnshire Local Plan 2012-2036.

9. If, during development, any additional contamination not previously identified is found to

be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) must be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to, and approved in writing by, the local planning authority. The remediation strategy must be implemented as approved.

Reason: To ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution from previously unidentified contamination sources at the development site to accord with the National Planning Policy Framework and policy LP14 and LP16 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:

NONE

8 140743 - BLEAK FARM, HIGH STREET CHERRY WILLINGHAM

The Senior Development Management Officer introduced planning application 140743 for 6no. detached dwellings. He stated there were no updates to the application and presented a brief summary of the history of the site.

The Chairman stated there were two speakers for this application and invited the first speaker to address the Committee.

Councillor Sharron Brylewski made the following statement on behalf of the Parish Council.

“This is an ambitious project and the developer we feel has made changes when necessary. The fact that many reclaimed bricks from the original site are being used again would reflect the age, heritage and overall historical importance of the site. None of the surrounding residents had anything but positive comments to make about the plans. Also, feedback from a public meeting suggested a very positive reaction, even though they have changed slightly over time.

Seven years on and the site has deteriorated massively and we fear if the plans are rejected again the site would obviously get worse. It is now, and has been from the start, a magnet to youths who have systematically broken windows, set fires, and generally caused damage to the property, which in turn has led to residents’ complaints.

Although not a perfect design, from people who know more than we mere mortals, the phrase ‘*blinkered by science*’ comes to mind. Perfection to every individual is perceivably different, so difficult to quantify.

“*One of the basic rules of the Universe is that nothing is perfect. Perfection simply doesn’t exist. Without imperfection, neither you nor I would exist.*” Professor Stephen Hawking.

We have shown the plans to a planning officer from another District and in his opinion the plans are better than others that have been submitted before. I know the following will not influence the planning application decision, but Roy Bowser was a well-respected man who

gave a lot to our village. It would be a fitting tribute to his memory to have this development come to fruition. The time is right to give the Village a boost to moral during this difficult period.

Something to look forward to, and be proud of, a rebuilt historically important part of our Village. Let it be remembered that Cherry Willingham is a large village with a diversity of housing, both old and new. This development, we envision, will add another opportunity for diversity, as well as enhancing our Neighbourhood Plan. In fact diversity seems to be the key word here. We are not a 'pretty village', we are living in a semi-rural community with housing of all types, but mainly detached properties, so this development fits in well with what attracts people to come and live in Cherry Willingham.

The residents and Parish Council feel this development, will raise the bar in terms of its design and layout, and again enhance the mission statements set out in our neighbourhood plan.

The resilience of the residents of this Village over the last few months has been nothing short of inspirational. They have been patient, but something positive is needed to galvanise their ambition and to see this development through. Mindful of all its complexities, we the Parish Council and the residents of Cherry Willingham are on a 'mission' and I personally trust and respect their integrity.

Thank you for listening to this statement.”

The next speaker, Mr Howard Roe, Applicant, was invited to speak.

“Good Evening Mr Chairman, ladies, and gentlemen of the committee, Over the past 11 months both I and Cherry Willingham Parish Council have worked together to design a scheme that we believe will both enhance the village as well as giving quality homes for people to live in.

At a general meeting at the end of October the plans were shown to over 70 members of the community and when put to a show of hands there was majority approval and no objections to the proposed development.

Tennyson Homes are local family builders who build quality homes. Wherever possible, we use reclaimed materials to help the homes blend into the local surroundings. Our previous developments in North Kesteven, East Lindsey and Lincoln City all speak for themselves in quality and design and I would ask that the members of the committee give us the chance to develop a site the village can be proud of in West Lindsey.”

The Chairman thanked both speakers and confirmed there was no further comment from the Senior Development Management Officer. The Chairman highlighted that the condition of a site was not sufficient reason to approve an application and based on policy, there was little support for the suitability of the application.

There was some support amongst Members that the proposed development would be an improvement on the existing state of the land, however it was again reiterated that any development should be in line with National and Local Planning Policies, which, as per the Officer's report, this proposal was not.

The Officer's recommendation was moved and seconded and, on voting, it was agreed that planning permission be **REFUSED**.

9 141030 - 18 LINDHOLME, SCOTTER

Note: Councillor M. Devine spoke on behalf of all Committee Members to advise that they had all received an email from the applicant for this item.

The Area Development Officer introduced planning application 141030 for the replacement of a dormer bungalow with a three storey house. She explained this was a review of the previous application which had been refused permission at the April meeting. She explained that previous objections to the proposal had been withdrawn. She added that condition two relating to flood risk would also be amended subject to approval.

The Chairman invited the two registered speakers to address the Committee.

Statement from Mrs Laura Calvert, Applicant

"Thank you once again Chairman for the opportunity to address the Committee. I will be brief.

Our situation has not changed since the last committee meeting. This application is born out of necessity to protect from future flood events following almost a metre of flood water destroying our property last November, the third severe flood event in 12 years. It is now 7 months since the flooding, and we, and our home, remain devastated following the effects. Following refusal we engaged in further discussions with Planning in recognition of the points of concern expressed by councillors at the last Committee Meeting.

The overbearing concerns on the Western boundary have been addressed by reducing the extension to a single storey and replacing the displaced accommodation in the loft space of the main block. We acknowledge that Planning have some reservations about the raised ridge and appreciate that they have accepted it to enable workable space in the roof void.

We also note that Mr Richards, owner of No.16, has no objection to the revised proposal and we are committed to consulting him on all interface issues throughout construction.

We sincerely hope that the Committee can now support our application to enable a long awaited return to a dry house. Thank you."

The Chairman invited Councillor Lesley Rollings, Ward Member, to speak.

Councillor Rollings reiterated her support for the application and explained that the applicants had worked hard to address the concerns that had been raised previously. She felt it spoke volumes that the objections had been withdrawn. She thanked the Committee and asked them to support the Officer recommendation to approve the application.

The Chairman again thanked the speakers and invited comments from the Committee Members. It was noted again that condition two would be amended, however, with

significant praise for the amendments to the proposal, the Officer recommendation was moved, seconded and voted upon and it was agreed that planning permission be **GRANTED** subject to the following conditions.

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

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

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

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

None

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

2. The development shall be carried out in accordance with the approved flood risk assessment (FRA) dated May 2020 and drawing numbers '19/19/R1/11', '19/19/R1/15', '19/19/R1/07', '19/19/R1/08', '19/19/R1/09' and '19/19/R1/04' and the following mitigation measures they detail:

- Finished floor levels shall be set no lower than 6.84 metres above Ordnance Datum (AOD).
- Flood resilience measures shall be implemented as described on page 16 of the FRA.
- Compensatory flood storage shall be provided as shown in the submitted drawings and as described in the FRA.

Reasons: To reduce the risk of flooding to the proposed development and future occupants, the impact of flooding on the property and to prevent flooding elsewhere by ensuring that compensatory storage of flood water is provided in accordance with Policy LP14 of the Central Lincolnshire Local Plan and guidance within the NPPF.

3. With the exception of the detailed matters referred to by the conditions of this consent, the development hereby approved shall be carried out in accordance with the following drawings, details and materials: 19/19/R1/09, 19/19/R1/18, 19/19/R1/19, 19/19/R1/16, 19/19/R1/04A, 19/19/R1/05A, 19/19/R1/06A, 19/19/R1/07A, 19/19/R1/08A, 19/19/R1/11A, 19/19/R1/12A, and 19/19/R1/15A. 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 Policy LP1 and LP26 of the Central Lincolnshire Local Plan 2012-2036.

4. The scheme for the disposal of surface water and dealing with foul sewage for the replacement dwelling shall be completed in accordance with the submitted drainage strategy, associated details and percolation tests. Should it come to light during construction

that the approved system will not function adequately, then details of an alternative scheme shall be submitted to and approved in writing by the Local Planning Authority. All approved drainage works shall be completed prior to the first occupation of the dwelling and be retained/maintained for the lifetime of the development thereafter.

Reason: To ensure adequate drainage facilities are provided to serve the development, in the interest of Flood Risk and to prevent pollution of the water environment in accordance with Policy LP14 of the Central Lincolnshire Local Plan and guidance within the NPPF.

5. The applicant or developer is to provide the Local Planning Authority two weeks' notice of their intention to start the archaeological works. The archaeological work shall then only be carried out in accordance with the submitted and approved specification dated March 2020 undertaken by Neville Hall, Freelance Field Archaeologist & Consultant. Within 3 months of the completion of the archaeological works on site a written report of the findings shall then be submitted to the local planning authority to ensure any finds and documentary archive is submitted to a suitable archive or museum.

Reason: To ensure appropriate preservation of archaeological remains through recording are achieved in accordance with Central Lincolnshire Local Plan Policy LP25 and guidance within the NPPF.

6. The development, including any demolition works shall be carried out in strict accordance with the recommendations set out in the ecological report submitted with the application, including provision of any proposed details of habitat protection/ creation. These are set out below:

- Bats – Supervision of all works relating to the removal of timber cladding and roofing tiles from the existing dwelling shall be undertaken by a suitably licensed ecologist. All Contractors working on the buildings will be briefed on the legal protection afforded to bats and their places of shelter and how to proceed if a bat is discovered during the course of the work, as set out in Appendix 2 of the ecology report.
- Lighting – Any proposed security lighting on site used during construction should be placed as far from the boundaries of the site as possible. Light spillage on any retained hedgerows should be avoided by using shields to direct light to target areas only. Where possible the use of low pressure sodium lamps or high pressure sodium instead of mercury or metal halide lamps shall be used. The height of any lighting columns should be as short as possible the use of a sensor should be considered to provide some dark periods on site.
- Bat conservation – 3 bat roosting units (Schwegler type 1FE with back plate as shown in Appendix 2 of the ecology appraisal or similar) shall be provided/installed on the replacement dwelling prior to its completion or first occupation and retained thereafter.
- Birds – If works are commenced during the bird breeding season (March to August), a search for nests should be carried out before they begin, and active nests be protected until the young fledge.
- Badgers – Good working practices should be adhered to during development, including demolition, with any trenches being covered overnight and any pipes over

200mm in diameter capped off at night.

Reason: To protect, manage and enhance biodiversity in accordance with Central Lincolnshire Local Plan Policy LP21 and guidance within the NPPF.

7. The proposed boundary wall running along the front western boundary between No 16 and No 18 Lindholme as shown on drawing No's 19/19/R1/15A and 19/19/R1/19 shall be fully completed prior to first occupation of the dwelling. It shall then be retained and maintained in perpetuity for the lifetime of the development.

Reason: in the interest of residential amenity in accordance with Policy LP26 of the Central Lincolnshire Local Plan and guidance within the NPPF.

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

8. Notwithstanding the provisions of Classes A, B and E of Schedule 2 Part 1 of the Town and Country Planning (General Permitted Development) (Amendment) Order 2015 (as amended), or any Order revoking and re-enacting that Order, the replacement dwelling hereby permitted shall not be altered or extended, no new windows or doors shall be inserted on the West elevation, and no buildings or structures shall be erected within the curtilage of the dwelling house unless planning permission has first been granted by the Local Planning Authority.

Reason: To enable any such proposals to be assessed in terms of their impact on flood risk and the living conditions of neighbouring properties in accordance with Central Lincolnshire Local Plan Policies LP14 and LP26 as well as guidance within the NPPF.

10 140545 - PLOT 9, LAND SOUTH OF EASTGATE, SCOTTON

Members gave consideration to the last application of the night, application number 140545 for approval of reserved matters for the erection of 1no. dwelling and detached garage with annex accommodation, considering appearance, landscaping, layout and scale- following outline permission 139520 granted 16 January 2020. The Development Management Officer stated there had been one further objection received, summarised as follows:

- They questioned the use of extensions of time on the outline application and this reserved matters application and said that the application should have been refused immediately
- Issues in relation to highways and access still outstanding
- Policies from the neighbourhood plan had been cherry picked by the planning officers
- Size of the dwellings being approved on the site were too large
- Plot 9 should be a single storey dwelling
- Impact on the residential amenity of no. 32-oveshadowing and scale
- Loss of the view to grade 1 listed church

The Chairman noted there were four speakers registered for the application, with the first being a statement to be read out by the Democratic and Civic Officer.

Statement from Scotton Parish Council

“1. The Parish Council has sent in an objection to this application and wish that you please note these objections.

2. The Parish Council would like to inform you that the Scotton Neighbourhood Plan has been approved and therefore should be considered regarding this application. This application contravenes Policy 5 and 6 of the Plan. The size is over 2 to 3 times what is required for any development within Scotton. This is also contrary to Local Policy LP26 as it will adversely affect the amenities of other properties.

3. The Parish Council has concerns that the original percolation test for the plot has not been made public or any other tests.

4. The present road leading to this application is only wide enough for one vehicle. The delivery of materials and vehicles of the workmen will cause this road to be blocked for other traffic unless the road improvements are in place before any building work is allowed.

The Chairman thanked the Democratic and Civic Officer and invited the next speaker, Jessica McCague, Agent for the applicant, to address the Committee.

The Agent explained there were three main points she wished to make in response to objections raised against the application. Firstly, with regard to the scale of the house, she noted that there had been an objection raised which stated the proposal in the current application was 50% larger than the indicative house size on the original application. The Agent stated that this was not true. The footprint of the house on both applications was at 238m² and therefore had not altered. The garage with one bedroom annex was larger than originally planned, however with a footprint increase from 81m² to 134m² this was an overall increase of only 16%. She stated that, in response to several requested amendments to the plan, they had complied with the requests accordingly, such as reducing the length of the garage alongside the boundary of number 32 from 25m to 13.5m; moving the garage an increased distance away from the boundary of number 32 and reducing the height of the garage in relation to the impact on plot 1. In response to concerns that the applicant would seek to convert the garage and annex into a separate dwelling at a later date, the Agent stated that this was not the wish of her client and the use of the garage was too important to his way of life to consider changing it. Finally, she confirmed that the proposal was not for commercial use. Her client was an independent joiner who wished to store his van, tools and materials in a safe and secure environment in order to best minimise the risk of theft and the impact that would have on his livelihood. She explained that her client already lived in the community and had made every effort to ensure their proposals worked for the community as well as their own needs. She thanked the Committee for their time and asked them to consider and support the Officer’s recommendation for approval.

The next speaker was then invited to speak. Mr Redfern, objector to the application, made the following comments.

“We object to this application and are at a complete loss to understand how this can possibly be justified and recommended for approval, even with the conditions when there are so many compelling reasons for rejection. The proposed development represents overbuild and extravagance in the extreme. Based on the measurements given by the Case Officer, the

house is a huge 640m² with a proposed workshop of 180m², our house is 160m² and accommodates four adults and two children. The only house bigger than this is the 40 bed nursing home. The officer states 'dwellings in the locality are of a mixed scale', they are and range in size from 96m² and 310m², not even close to 640m². It will be a carbuncle on the beautiful landscape and is therefore totally inappropriate in terms of size, scale, orientation, appearance and landscaping. It will certainly not relate well to the surrounding area and will have a detrimental impact on the character and appearance of the area as well as causing an unacceptable loss of amenity in terms of privacy, outlook and potentially noise to us.

The proposed outbuilding shows excavation to below ground level, contrary to planning conditions. There is a problem with the silver birch trees, the root protection area is 3.6m and should not be encroached on. It is 13.5m long, 3.5m longer than our house. It sits adjacent to the area mostly used in our garden, which causes great concern regarding the potential for noise levels from cars, dogs, workshop etc. We have a long, narrow garden, approximately 80m long. Plot 9 has a huge plot of 1620m² running 57m along our boundary which leaves just 23m to accommodate Plot 1, which is also adjacent to us. Every part of our boundary is being unnecessarily encroached upon and you would have thought, with a plot of this size, there would be some room for compromise. The house and outbuilding could be reoriented away from our boundary, as previously recommended by a Planning Officer. It is acknowledged that the Neighbourhood Plan (N.P.) carries significant weight. Policy 5 N.P. (g). Any proposed dwelling to the front of the site and immediately adjacent to the shared boundary with 32 Eastgate should have an appropriate scale and relationship with the property and protect the living conditions of the occupants. This proposal would not! It seems to us that the proposal for this building couldn't be designed more perfectly to deny us the amenity of natural sunlight, privacy and overshadowing if it tried. It is as close to our border as the silver birch trees allow, running parallel to the recreational and food growing areas of our garden that we have cultivated for over 44 years. It is a haven of peace and tranquillity and it feels that this annex alone, which is larger than some houses on Eastgate, has been poorly sited and would take away a lot of our amenity. L.P.26. The amenities which all existing and future occupants of neighbouring land + building may reasonably expect to enjoy must not be unduly harmed by as a result of development. Consideration should be given in relationship to overlooking, overshadowing and loss of light. All of this applies to us. The case officer acknowledges there will be loss of light + overshadowing but it is considered to be not of an unduly harmful level. In the future there will also be loss of light and overshadowing when Plot One is developed. This development will have a major impact on our life. In fact Plot 9 would benefit from everything that we would be deprived of including the beautiful views over open countryside. Are the needs of the applicant to be given priority over any of our needs, including the residents of Scotton expressed in the Neighbourhood Plan.

N.P. Point 7.6.and 7.9 and policy 5 12.2 supports new development where they are sensitive and appropriate to their location. Small scale in relation to building form in the village and that new houses sit well within the wider landscape. The general development should include smaller dwellings of 2 to 3 bedrooms to support the local accommodation needs in the village. LP26 design principle C - relates well to the site and surroundings particularly in relation to siting height and scale; it does none of these. A planning application in Scotton to build a bungalow was refused as the officers report stated it was incongruous and having an adverse affect on both the immediate surroundings and the wider landscape. This proposal is all of these! Another application, in order to protect the rural character of the settlement and to safeguard the amenities of neighbouring properties in accordance with LP26 the

dwelling approved was limited to single storey accommodation. Why cannot the annex next to us be single-storey to safeguard our amenities?...”

At the end of the five minute time limit, the Chairman thanked Mr Redfern for his time and asked Councillor Lesley Rollings to speak, in her role as Ward Member.

Councillor L. Rollings explained she had received many comments regarding this application. She expressed her concerns that there appeared to be no oversight of the whole site, allowing nine self-build properties being monitored by individual Planning Officers, rather than a plan for the site as a whole. She stated that, on the original application, Lincolnshire County Council Highways had stated that the roads would not be adopted, and there were no details in the papers as to who would be responsible for roads, lighting, pavements and suchlike. Councillor Rollings stated that she believed the Neighbourhood Plan was being ignored and the need for smaller dwellings was being overlooked. She stated the sections of the Neighbourhood Plan relevant to number 32 Eastgate and reiterated the sentiments of the previous speaker that they would lose their privacy in being overlooked along all boundaries of their garden. She also queried the future plans for the proposed dwelling, voicing concerns that it could be for commercial use in the future. With regards to size and scale of the property, Councillor Rollings repeated the size details of other properties in the area but stated there was nothing of the size of the proposed building. She questioned why there was a history of applications for smaller properties being refused, where this application for such a large property was being recommended for approval. She stated that she believed the size of the dwelling should be significantly reduced, the garage should become simply a garage, rather than the separate building and annex and the siting of the building on the plot should be reconsidered to minimise the impact on neighbouring properties. She thanked the Committee for their time.

At the end of the speakers, the Interim Planning Development Manager highlighted to the Committee that, in terms of decision making, where the local planning authority had issued a decision statement (as set out under Regulation 18 of the Neighbourhood Planning (General) Regulations 2012) detailing its intention to send a draft neighbourhood plan to referendum, that plan could be given significant weight in decision-making, so far as the plan was material to the application.

The Chairman invited comments from Members of the Committee. It was reiterated that the application was for reserved matters only. There were concerns raised regarding the size of the annex and whether it could be conditioned that it must remain ancillary to the main dwelling, both for current and future occupants. It was confirmed this was an option.

There was significant discussion regarding the size of the property and the Development Management Officer clarified that the larger measurements encompassed the floor space over two floors as well as the garage space.

It was proposed that the permitted development rights be extended to cover the entire building rather than just the first floor of the annex.

With this amendment it was moved, seconded and agreed that reserved matters of scale, appearance, layout and landscaping, with conditions as detailed below, be **APPROVED**.

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

Refer to outline planning permission ref 139520.

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

1. No development must take place until details (including the colour) of all external and roofing materials to be used have been submitted to and approved by the Local Planning Authority.

Reason: To safeguard the character and appearance of the building and its surroundings and ensure the proposal uses materials and components that have a low environmental impact and to accord with the National Planning Policy Framework and local policy LP17 and LP26 of the Central Lincolnshire Local Plan 2012-2036 and policy 5 of the draft Scotton Neighbourhood Plan.

2. No development must take place until a final landscaping scheme has been submitted including details of the height, materials and species of planting to be used for the boundary treatments have been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the development site is appropriately landscape in its setting to the National Planning Policy Framework and local policies LP17 and LP26 of the Central Lincolnshire Local Plan 2012-2036 and policy 5 of the draft Scotton Neighbourhood Plan.

3. No development must take place until, details of the form and position of the protection measures to protect the trees adjacent to the west boundary have been submitted to and approved in writing by the Local Planning Authority. The approved protection measures must be installed prior to commencement and retained in place until the development is completed.

Reason: To safeguard the existing trees on the site during construction works, in the interest of visual amenity to accord with the National Planning Policy Framework and local policy LP21 of the Central Lincolnshire Local Plan 2012-2036.

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

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

- ALLISON-A-04B received 28th April 2020;
- ALLISON-A-02B received 16th April 2020;
- ALLISON-A-05D received 16th April 2020;
- ALLISON-A-03D received 16th April 2020.

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 5 and 12 of the draft Scotton Neighbourhood Plan.

5. No occupation of the dwelling must occur until the proposed driveway and turning space identified on site plan ALLISON-A-03D received 16 April 2020 has been constructed. All hardstanding identified on site plan ALLISON-A-03D received 16 April 2020 must be constructed from a permeable material and retained thereafter.

Reason: To ensure off street parking provision is provide prior to occupation and to reduce the risk of surface water flooding on the site and the highway to accord with the National Planning Policy Framework, local policy LP14 and LP26 of the Central Lincolnshire Local Plan 2012-2036 and policy 5 of the Scotton Neighbourhood Plan

6. Notwithstanding drawing no. ALLISON-A-03D received 16 April 2020, no works on the construction of the outbuilding shall commence until a plan showing the final position of the outbuilding has been submitted to and agreed in writing by the Local Planning Authority. Once agreed, the works must be carried out in accordance with the details shown on the approved plan.

Reason: In the interests of protecting the adjacent trees on the west boundary with no.32 Eastgate, in accordance with Section 197 of the Town and Country Planning Act 1990.

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

7. The first floor annex accommodation in the detached garage building shall not be occupied at any other time other than for the purposes ancillary to the residential use of the main dwelling on 'Plot 9, Eastgate'.

Reason: The application has been assessed and found to be acceptable as an annex ancillary to the use of the main dwelling on 'Plot 9' in accordance with the NPPF and policies LP17 and LP26 of the Central Lincolnshire Local Plan and Policy 5 of the Scotton Neighbourhood Plan.

11 DETERMINATION OF APPEALS

The Chairman reiterated that during the Covid-19 pandemic appeal casework had been placed on hold by the Planning Inspectorate (PINS); consequently, there had not been any appeal decisions received. However, as mentioned in the update earlier in the meeting, it had been announced that they were in the process of recommencing site visits and hearings where possible.

The meeting concluded at 8.46 pm.

Chairman