

## WEST LINDSEY DISTRICT COUNCIL

MINUTES of the Meeting of the Planning Committee held virtually via MS - Teams on 14 October 2020 commencing at 6.30 pm.

**Present:** Councillor Ian Fleetwood (Chairman)

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

**In Attendance:**

Russell Clarkson	Interim Planning Manager (Development Management)
Rachel Woollass	Development Management Team Leader
Ian Elliott	Senior Development Management Officer
Martin Evans	Senior Development Management Officer
Richard Green	Planning Officer
Daniel Evans	Senior Development Management Officer
Martha Rees	Legal Advisor
Ele Snow	Democratic and Civic Officer
James Welbourn	Democratic and Civic Officer

**Apologies:** Councillor Robert Waller

### 46 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.

### 47 PUBLIC PARTICIPATION PERIOD

There was no public participation at this point in the meeting.

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

**RESOLVED** that the minutes of the meeting of the Planning Committee held on Wednesday, 16 September 2020 be confirmed as an accurate record.

#### 49 DECLARATIONS OF INTEREST

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

#### 50 UPDATE ON GOVERNMENT/LOCAL CHANGES IN PLANNING POLICY

The Interim Planning Manager (Development Management) explained that the consultation on the Government White Paper “Planning for the Future” closed on Thursday 29 October. A workshop had been held with Members on Wednesday 7 October and comments from that were being fed into the response being prepared by Officers. The proposed response would be reported to the Prosperous Communities Committee on 20 October.

He also provided the following update regarding Neighbourhood Plans.

Neighbourhood Plan/s	Headlines	Planning Decision Weighting
Made Neighbourhood Plans	Brattleby, Caistor*, Cherry Willingham, Dunholme, Great Limber, Lea, Nettleham*, Osgodby, Riseholme, Scotter, Scothern, Saxilby, Welton, Willoughton, Glentworth, Spridlington, and Sudbrooke.	Full weight
Scotton NP	Examination successful. Decision statement issued. But due to COVID-19 situation referendum delayed until May 2021.	Significant weight
Bishop Norton NP	Examination successful. <b>Decision statement to be issued shortly.</b> But due to COVID-19 situation referendum delayed until May 2021.	Increasing weight
Gainsborough NP	Submission consultation completed (Reg16). <b>Appointment of examiner underway.</b>	Increasing weight
Morton NP	Submission consultation completed (Reg16). <b>Responses to be posted on website and appointment of examiner process to begin shortly.</b>	Increasing weight
Hemswell and Harpswell NP	Submission version(Reg16) expected to be submitted to WLDC for consultation and examination soon.	Some weight
Hemswell Cliff NP	Environmental(SEA) scoping report recently completed.	Little weight
Corringham NP	<b>Public event held on 18 Sept on housing site selection. Covid 19 restrictions were observed.</b>	Little weight
Ingham NP	<b>Local housing needs and site assessments recently completed.</b>	Little weight

Grasby NP	PC meeting with WLDC and Community Lincs held 30 Sept to discuss start with NP.	Little weight
Normanby and Owmbly NP	Normanby by Spital and Owmbly by Spital PCs have decided to now do their own NPs for their parish areas only. Previously they were preparing a joint NP which will be withdrawn. Decisions on applications to be made by Full Council on 2 Nov.	Little weight
*Caistor NP	Review underway.	-
*Nettleham NP	Review underway. Consultant appointed.	-
Neighbourhood Plans - made (17) - in preparation (22) - at designation (1) - at pre-designation stage (2) - to be started (42) - to be reviewed (2)*	To view all of WLDC's neighbourhood plans go to: <a href="https://www.west-lindsey.gov.uk/my-services/planning-and-building/neighbourhood-planning/">https://www.west-lindsey.gov.uk/my-services/planning-and-building/neighbourhood-planning/</a>	<b>NP stage-weighting</b> Made–full weight Referendum successful–full weight Examination successful–significant weight Submission Reg16–increasing weight Draft Reg14 - some weight Designated – little weight

## 51 PLANNING APPLICATIONS FOR DETERMINATION

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

### 52 141263 - SAXILBY

The first application of the evening was introduced for Members' consideration. Planning application number 141263 for erection of 1no. poultry rearing unit with ancillary feed silos, hardstanding and access, Sykes Lane, Saxilby. The Senior Development Management Officer stated that the applicant had submitted details on the HGV movements to and from the site. It was stated that there was no intention for there to be movement during unsocial hours. The busiest week would be week 16 of the cycle and there would be two HGVS each day carrying 16,000 birds a day. There would be no HGV activity before 7am nor any late evening activity. At all other times the HGV activity would be during normal working hours.

The Chairman invited the first speak to address the Committee.

Councillor Liz Hillman, of Saxilby Parish Council, thanked the Chairman and detailed the landscape and character of Saxilby. She explained that Sykes Lane started in Saxilby and was popular with families, cyclists and dog walkers, particularly during the recent restrictions on day to day life. She stated that it added leisure amenity to the area and with a nature

project due to open in spring 2021, was only going to become ever more popular with residents and visitors alike. Councillor Hillman stated that the use of the lane by lorries, and the route through the village, would have a significantly negative impact on the area and the use of the lane for local residents. She explained that the HGVs would cause the roads to become damaged and unsafe and that the road itself was not suitable due to the number of blind bends and narrow lane. She stated that the application was not in accordance with the Neighbourhood Plan with regards to improving health and wellbeing and minimising impact on the natural environment. She again highlighted the impact of the traffic on the village and use of the lane and requested the Committee to refuse planning permission.

The second speaker, Mr Oliver Grundy, Agent for the Applicant, had submitted a statement to be read aloud and the Chairman invited the Democratic Services Officer to do so.

This letter outlines comments in support of the above application, which are presented to the 14th October 2020 Planning Committee for consideration.

The proposed development comprises a farm diversification scheme. It will allow applicants' P. A. Arden and Son to rear chickens required to supply their portfolio of local free range egg production farms. The purchasing of new hen colonies is one of the largest overheads with 32,000 birds typically costing in excess of £100,000. P A Arden & Son Ltd have identified that the long term commercial viability and profitability of their established free range egg production enterprise will be enhanced through diversification into poultry rearing.

At present, chickens at point of lay are purchased from remote suppliers and transported a considerable distance to free range farms near Newton on Trent, Thorney and North Harby. The proposed development will localise the rearing process. Aside from reducing overheads associated with flock purchase, such will also reduce stress currently experienced by chickens being transported over long distances. The applicant's will be able to manage their own rearing operation to a very high standard, thus raising strong healthy hens capable of thriving after transfer to the various free range farms. Each of P A Arden & Son's 32,000 bird free range units is accompanied by over 40 acres of woodland and meadow ranging area. Happy healthy hens typically range and forage more effectively in these expansive semi-natural environments, thus producing richer eggs on a daily basis. The proposed rearing unit will therefore comprise an important addition to the wider free range egg production operation, which accords with the highest welfare standards in the UK.

The proposed rearing farm comprises a relatively low intensity operation. Chickens will be reared from day old chicks to point of lay over the course of 16 weeks within a state of the art climate controlled poultry house. The development's environmental impact is characteristically of very small magnitude. Odour and ammonia emissions are demonstrably *de minimis*. No adverse impacts will be experienced by neighbouring residents in terms of noise, odour or disturbance. Outlying habitat land will be unaffected by the operation. The site can be readily drained and the development will not give rise to localised flooding. The new unit will be well screened and not easily visible from outlying receptors.

Unlike free range egg production, the rearing operation does not require frequent servicing by delivery vehicles. Even when transferring reared birds to outlying free range farms, which is arguably the busiest phase of each 19 week cycle, only four HGV's will typically access the site over a two day period. Delivery operations will also take place during normal working hours. It is realistically unlikely that local residents will notice any tangible change to levels of

vehicular activity experienced along the local highway network.

On this basis, the applicants' are rather surprised that the proposal has attracted a number of objections. Sadly it is apparent that the majority of these stem from misinformation spread via social media as opposed to careful consideration of the submitted application portfolio. It is evident that the development will not give rise to any significant adverse effects and the scheme achieves full compliance with all relevant planning policy. It is also emphasised that the scheme will create new jobs on site whilst supporting a number of existing jobs that have been created by the farm business. Particularly in context of a looming economic crisis, the importance of supporting the local rural economy through sustainable development of this nature cannot be understated.

The Officer highlighted for Members that it was usual for an application such as this to be in an isolated location away from dwellings. Screening had been included in the plans and the Highways Agency had not objected to the application, subject to the completion of three passing places along the lane prior to development.

The Chairman invited comments from Committee Members and the concerns raised regarding the width of the access lane, and the impact on the village of HGV movements, were recognised by Members. It was highlighted that the passing places did have to be in situ prior to the development and the details regarding the HGV movement times was reiterated. Members were supportive of the application but questioned whether there was any alternative access route. Members were reminded that the application for determination was as stated in the report.

There was further discussion regarding the use of the lane and the importance of the passing places. There was also recognition of the concerns regarding increased traffic but the Committee did consider the timings of the HGV movements to be minimal. Other concerns raised, such as the odour of the chickens or waste produced, were recognised but Members gave examples of other locations where the air filtration systems were of such quality that there was no impact of the surrounding areas. It was also highlighted that the location was isolated and at a considerable distance from neighbouring dwellings.

Having been proposed and seconded, it was voted upon that permission be **GRANTED** subject to the following conditions.

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

1. The development hereby permitted 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 a Construction Management Plan and Method Statement has been submitted to and approved in writing by the Local Planning Authority which shall indicate measures to mitigate against traffic generation and drainage of the site

during the construction stage of the proposed development. The Construction Management Plan and Method Statement shall include:

- i. the parking of vehicles of site operatives and visitors;
  - ii. loading and unloading of plant and materials;
  - iii. storage of plant and materials used in constructing the development;
  - iv. wheel washing facilities;
  - v. the routes of construction traffic to and from the site including any off site routes for the disposal of excavated material and;
  - vi. method statement for surveying verges along Sykes Lane prior to construction and remedial works for any damage caused by vehicular traffic relating to the development.
- The Construction Management Plan and Method Statement shall be strictly adhered to throughout the construction period.

Reason: To ensure that the public highway is not impeded during the construction phase causing obstruction and hazard to other highway users to accord with the National Planning Policy Framework, local policy LP13 of the Central Lincolnshire Local Plan 2012-2036 and policy 11 and 17 of the Saxilby with Ingleby Neighbourhood Plan.

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

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

- F2961-A1-01 dated April 2020 – Location, Site, Elevations and Floor plans (Rearing Unit, Silos and LPG Tank)

The works must be carried out in accordance with the details shown on the approved plans, the materials/colour finish identified in section 7 of the application form and email dated 4th September 2020 from the agent 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, LP26 and LP55 of the Central Lincolnshire Local Plan 2012-2036 and policy 2 of the Saxilby with Ingleby Neighbourhood Plan.

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

Reason: To ensure adequate drainage facilities are provided to serve each dwelling and to reduce the risk of flooding to accord with the National Planning Policy Framework, local policy LP14 of the Central Lincolnshire Local Plan 2012-2036 and policy 2 of the Saxilby with Ingleby Neighbourhood Plan.

5. No operation of the development must take place until details to provide three heavy goods vehicle passing places along Sykes Lane between the Saxilby settlement edge and the sites vehicular access have been submitted to and approved in writing by the Local Planning Authority. The three passing places must be completed prior to operation of the

development.

Reason: To ensure the provision of safe and adequate means of access to the permitted development to accord with the National Planning Policy Framework, local policy LP13 of the Central Lincolnshire Local Plan 2012-2036 and policy 2 and 17 of the Saxilby with Ingleby Neighbourhood Plan.

6. No operation of the development must take place until details of the tree species and planting height for the tree belt identified on site plan F2961-A1-01 dated April 2020 has been submitted to and approved in writing by the Local Planning Authority. The approved details must be completed in the first planting season following completion of the development. Any trees which within a period of 5 years from the completion of the development die, are removed, or become seriously damaged or diseased must be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation. The tree belt must be retained thereafter.

Reason: To ensure that appropriate landscaping is introduced and will not harm the character and appearance of the site or the area to accord with the National Planning Policy Framework, local policies LP17, LP26 and LP55 of the Central Lincolnshire Local Plan 2012-2036 and policy 2 and 111 of the Saxilby with Ingleby Neighbourhood Plan.

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

7. All manure from the operation of the development must be removed from the site in accordance with paragraph 2.9 of the Environmental Report and Design and Access Statement dated June 2020 by JHG Planning Consultancy.

Reason: To ensure that all manure from the site is removed in an appropriate manner to accord with the National Planning Policy Framework and local policies LP17 and LP26 of the Central Lincolnshire Local Plan 2012-2036.

**53 141442 - SUNNYSIDE, TEALBY**

Members were asked to consider application number 141442 for change of use of land for siting of caravans (lodges) and proposed recreation pond with 20 fishing pegs, to include site levelling using excavated material, located at Sunnyside Up Farm Shop, Poplar Farm. This was a resubmission of 140707. There were no updates from the Officer and so the Chairman invited the registered speakers to address the Committee.

It was heard that the Parish Council had registered to speak but had not provided any details to be able to join the MS Teams meeting. They had also not provided a statement to be read on their behalf. The Chairman subsequently requested that the next register speaker, Ms Kelly Casswell, daughter of the applicant, should address the Committee. Ms Casswell made the following comments.

“I’m the applicant’s daughter, Kelly. I would like to thank members for their previous comments, which we have taken on board.

1. This application meets planning policies as did the previous one for 50 Holiday Lodges, which the officer recommended approval.
2. The reduction of Lodges has nearly halved and although the application states caravans, the lodges are natural timber which blends into the surroundings. Not white caravans.
3. With regards to the AONB, we have personally walked the Viking Way and the Lodges aren't visible.
4. The Farmshop is highly sustainable which provides over 25 Lincolnshire products and supplies local businesses with Lincolnshire Meat.
5. Due to Covid-19, the first phase of 15 Holiday Lodges has been delayed. The park will be opening in Spring 2021, with firm bookings already made through cottages.com.
6. We have 16 applicants on the waiting list for cleaning and reception jobs. Rural UK holidays are in high demand and with this site been in a tourist area, this application has so much to offer.
7. I'd like to point out that Laura Burgin from West Lindsey Enforcement has been for a site visit, the renewing of fencing, gateways and signage is all compliant with planning.
8. I stand for the younger generation and Market Rasen. Our site is in a unique location between Willingham and Walesby Woods which already attracts walkers and cyclists all year round. The tourism we will generate will be a massive boost to the Racecourse, Golf Course, the new Leisure Centre and regenerate the high street. Both myself and my brother are hugely ambitious, ready and waiting to serve the community, together with visitors from further afield on a larger scale.
9. I personally have worked in the tourism sector for 11 years and my other holiday businesses are 98% occupied. This development will be 100% successful.

Thank you for your time.”

The Chairman invited the next speaker, Ms Lynda Bowen, to address the Committee.

“The decision notice for the application which was granted in 2019 for 15 lodges (App Ref: 139788) contained a condition (Condition 6) which stated ‘the maximum number of log cabins on the site shall not exceed 15’. The reason for this condition was that 15 lodges were considered to be acceptable to maintain and enhance the rural character of the area and the setting of the Lincolnshire Wolds AONB in accordance with the Central Lincolnshire Local Plan.

It is therefore clear that by implementing this condition, West Lindsey consider that the site is within the setting of The Lincolnshire Wolds AONB and the reason for limiting the quantum was explicitly used to protect the site from future increase of development. The policy position has not changed since this decision and therefore there is no reason for an increased number to now be considered acceptable especially when the first application has not been fully built out.

This application should not be considered as a ‘second site’, but it is an expansion to the existing permission and the increased number of lodges is greater than the number WLDC originally considered to be acceptable. Policy LP17 of the Central Lincolnshire Local Plan states that ‘in considering the impacts of the proposal, the cumulative impacts as well as the individual impacts will be considered’. The Officer Report states this re-submission applies for a 46% reduction in lodges from the previously refused application for 50, however irrespective of this, this application proposes a 180% increase from the 15 lodges that were previously only considered to be acceptable.

In the previous refusal, some Councillors had concerns about the impact on the countryside. As the 15 lodges which have permission have not been fully built yet the development impact of the existing permission cannot be fully established and it is impossible for the environmental impact to be considered and judged against currently. This includes planning considerations such as the visual impact of urbanisation in the setting of the Lincolnshire Wolds AONB, light amenity impact and vehicular traffic impact.

As West Lindsey have already considered and accepted that the site is within the setting of the Lincolnshire Wolds AONB and it is considered any further increase in number will have an impact on the setting of the Lincolnshire Wolds and would therefore be contrary to LP2, LP17 and LP26 of the Central Lincolnshire Local Plan. The policy position has not changed and this application should be considered as an expansion to the existing permission and the cumulative impact of granting the decision would be contrary to the Council's previous reasoning for limiting the quantum. The cumulative impact would therefore be unacceptable in accordance with LP17 of the Central Lincolnshire Local Plan and would result in a development of an unacceptable size and scale for the rural character of the location.

P.170 of the NPPF states that planning decisions should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes and recognise the intrinsic character and beauty of the countryside. The limitation of a maximum of 15 was implemented to purposefully protect the setting of the Lincolnshire Wolds AONB and the countryside. It is considered that allowing for a further large scale expansion through this application would be contrary to the Council's previous intentions of protecting a valued landscape and would therefore be contrary to the provisions of the NPPF.

Policy LP7 (D) of the Central Lincolnshire Local Plan states that development should be designed so that they are 'appropriate for the character of the local environment in scale and nature'. It is stressed that previously 15 lodges were only considered acceptable in line with this policy and that the cumulative expansion would not accord with this policy.

Policy 7 also states that development should be located within existing settlements unless 'such locations are unsuitable for the nature of the proposal and there is an overriding benefit to the local economy and/or community and/or environment for locating away from such built up areas; or it relates to an existing visitor facility which is seeking redevelopment or expansion'. As the permission for the 15 lodges is not fully operational, the demand, impact and overriding benefit to the local economy, community and environment cannot be tested against. Further, local tourism clearly is struggling, with vacancies increasing, as fewer people are able to holiday due to government lockdowns, fewer people have disposable cash for holidays, and most importantly, the number of vacant beds in catered and self catering accommodation in this area is already high and growing. There is no possible way that adding to an existing local problem is going to enhance the local economy, and I am amazed at the case officers naïve reliance on an office-based tourism officer who to my knowledge has limited links and liaisons to what is happening in the local economy. The case officer offers only a weak statement from this officer with no demonstrable evidence of growing needs. Why the officer thinks that rural areas are going to recover faster from corona virus is naïve beyond belief

This proposal will add to an existing local problem in the economy and be damaging to local businesses, without adding anything new to the area. People coming to holiday in Lincolnshire ( a decreasing number of people over the last few months, as the catchment

area for tourism- predominantly the north east and north west and midlands, are locked down) need more amenities and things to see and do- not more of what already exists- plentiful accommodation much of which lies vacant.

Further I consider that this application fails completely to accord with the provisions of LP7, as the application cannot be an appropriately assessed 'expansion' of an existing tourism business as the existing business itself is not fully operational.

Overall, the cumulative impact of this application alongside the previous permission falls foul of the protection to the setting of the Lincolnshire Wolds AONB that the Council originally secured via limiting the quantum by condition.

Policy LP17 emphasises the importance to consider the cumulative impact of development and as stated, the cumulative impact of this application would be contrary to the Local Development Plan, national policy and West Lindsey's own intentions to protect the Wolds AONB."

The Chairman thanked both speakers and invited any further comment from the Officer. She offered the clarification regarding the number of lodges that, if there had been no restriction, there could have been any number of lodges located on the site. There was now a condition to limit the number to 27 on the new site.

Committee Members were invited to comment on the application and whilst there was some concern regarding the impact on the AONB, overall comments were supportive of the business venture and the benefit it would have on the local economy. It was felt that the reduction in number of lodges was a positive amendment and that the plans demonstrated a well-laid out development.

On being proposed and seconded it was agreed that permission by **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:**

2. No development shall take place until a final landscaping scheme including details of the size, species and position or density of all trees/hedges to be planted, details of any removal of hedges, details of the height and materials used for any boundary treatments and the surface material of the parking spaces have been submitted to and approved in writing by the Local Planning Authority.

**Reason:** To ensure that appropriate landscaping is introduced and will not adversely impact on the character and appearance of the site to accord with the National Planning Policy Framework and local policies 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:**

**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 details shown on the approved plans:

Foresters Lodge Elevations and Floor Plan

The Strand Elevations and Floor Plan

DMC 18535/401

DMC 18535/402

DMC 18535/403

DMC 18535/404

DMC 18535/405

and in any other approved documents forming part of the application.

**Reason:** To ensure the development proceeds in accordance with the approved plans.

**4.** Prior to the installation of any external lighting, details of the lighting scheme (including a light spill diagram) including luminance shall be submitted to and agreed in writing by the Local Planning Authority. The scheme shall then be implemented in strict accordance with the approved plans and retained as such thereafter.

**Reason:** To maintain and enhance the rural character of the area, the setting of the Lincolnshire Wolds AONB and to protect wildlife and in accordance with policies LP2, LP17 and LP26 of the Central Lincolnshire Local Plan.

**5.** The development hereby approved shall only be carried out in accordance with the recommendations set out in the Extended Phase 1 Survey dated April 2019 by Ecology & Forestry Ltd.

**Reason:** In the interest of nature conservation to accord with the National Planning Policy Framework and local policy LP21 of the Central Lincolnshire Local Plan 2012-2036.

**6.** No development shall take place during the bird breeding season (1<sup>st</sup> March to 31<sup>st</sup> July) in any year until, a detailed survey is undertaken to check for the existence of bird nests. Any active nests shall be protected until the young fledge. Completion of bird nest inspection shall be confirmed by a suitably qualified person and a report submitted to and approved in writing by the Local Planning Authority before any demolition works commence.

**Reason:** In the interest of nature to accord with the National Planning Policy Framework and local policy LP21 of the Central Lincolnshire Local Plan 2012-2036.

**7.** No erection of the log cabins shall take place until details of the proposed surface water and foul water drainage have been submitted to and approved in writing by the Local Planning Authority. The approved details must be in place before occupation of the log cabins

**Reason:** To ensure satisfactory drainage arrangements are in place in accordance with

policy LP 14 of the Central Lincolnshire Local Plan.

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

**8.** The maximum number of log cabins on the site shall not exceed **27**.

**Reason:** This was the number considered acceptable to maintain and enhance the rural character of the area and the setting of the Lincolnshire Wolds AONB and in accordance with policies LP2, LP17 and LP26 of the Central Lincolnshire Local Plan.

**9.** All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the occupation of the building(s) or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

**Reason:** To ensure that an approved landscaping scheme is implemented in a speedy and diligent way and that initial plant losses are overcome, in the interests of the visual amenities of the locality and in accordance with policies LP17 and LP26 of the Central Lincolnshire Local Plan.

**10.** The accommodation hereby permitted shall only be used for holiday accommodation and shall not be used to provide any unit of permanent residential accommodation.

**Reason:** To accord with current planning policies under which continuously occupied dwellings would not normally be permitted on the site to accord with the National Planning Policy Framework and local policy LP26 of the Central Lincolnshire Local Plan 2012-2036.

**54 140906 - TEALBY**

The third application of the evening was introduced. Application number 140906 for change of use from water storage tank to single family dwelling on land off Caistor Lane, Tealby. Members heard there were no updates and, having seen the Officer presentation, the Chairman invited the first speaker to address the Committee.

Laura McMullan, Agent for the Applicant, made the following statement.

“Evening Chair, Thank you for the opportunity to speak this evening.

As you are aware we are applying for permission to re-use an existing redundant water tank and convert this into a single dwelling. We are seeking permission for the dwelling under paragraph 79 of the NPPF. The NPPF states that in order for the application to be approved that it must meet the criteria of section c of paragraph 79

which states that:

c) the development would re-use redundant or disused buildings and enhance its immediate setting;

To ensure that we have achieved alignment with paragraph 79 we consulted an external design panel, as requested by West Lindsey planning department, to review the proposals who are experts in the analysis and critiquing projects with regards to paragraph 79 applications.

The response from the design review panel praised the design and how it was deeply rooted in the history and context of the site and also state that it is a 'bold and convincing response to the existing structure on the plot and is a positive contribution to the site.

During the planning process we have then clarified further points with the planner to ensure we align with paragraph 79, these were submitted in an addendum document.

We whole heartedly believe we meet the criteria set out by paragraph 79 as the building has a positive impact on the landscape and its visibility from the surrounding areas evokes intrigue which ultimately arouses more questions around the history and context of the site. The revised landscaping proposals are also a great improvement on the current grassed, over grown mound and metal fencing. The site is littered with electrical boxes and industrial equipment which doesn't have a positive impact on the landscape. The current concrete post and barbed wire fencing also have a negative impact on the landscape whilst our proposals seek to soften the edge of the site and blend harmoniously with the surrounding context. Not only do we comply with section c of paragraph 79 we also exceed the requirements by also complying with section e with regards to raising standards of design in rural areas.

The reason we are here is to ask the committee do you agree that the current proposals are reusing an existing redundant structure and enhancing its immediate setting. We have demonstrated that we are in complete alignment with paragraph 79 section c of the NPPF. Through the use of design reviews, written documentation, 2D and 3D drawings.

We thank you for your involvement in this process and are open to answer any further questions from the floor."

The Chairman clarified questions were not permitted however thanked Ms McMullen for her time.

There was significant discussion regarding the benefit to the local area versus the potential impact on the rural location. It was noted that there had been no objections raised from the AONB Officer and there was assent that the design and addition to the area would be beneficial.

The Chairman commented that, whilst it was an interesting and innovative design, it was not suitable to the rural location and so he moved the Officer recommendation to refuse permission. This was seconded and so the Chairman conducted a vote. With the majority vote against the recommendation, the proposal to refuse permission was lost.

Having been moved and seconded for the application to be agreed under paragraph 79 of the NPPF, the Chairman undertook a second vote. With the majority vote, it was agreed for planning permission to be **GRANTED** subject to conditions as provided by the Officer.

**55 141429 - GRASBY**

Members were asked to give consideration to application number 141429 outline planning application for 5no. dwellings - with all matters reserved on land to the south of Clixby Lane, Grasby. There were no Officer updates and following the initial presentation, the Chairman invited the first speaker to address the Committee.

Councillor Viv Wood, of Grasby Parish Council, explained that there had been at least 68 objections against the application as well as work recommended by the Lincolnshire wildlife Trust. She wanted to emphasise the most concerning aspects. Regarding ecology, she stated that the field had been undisturbed for 60 years and was an ecosystem in its own right. She stated that the applicant had already removed a hedgerow and simply putting up some bat boxes would not mitigate the loss of the natural habitat. She continued that Clixby Lane was very narrow and there were no street lights near the entrance. She suggested that a site visit would be the only way to appreciate the difficulties of the narrow access. She added that it was difficult for vehicles to turn around and often had to reverse up the lane. She noted the difficulties this would cause during the construction of the proposed development. Councillor Wood stated that a previous application had been refused as a result of the narrow lane. With regards to the historical importance of the lane, she enquired what actions would be taken should there be archaeological finds during the development work. The impact on existing residents, businesses and the local wildlife was highlighted and Councillor Wood implored Members to request a site visit in order to see for themselves the difficulties that would arise from the proposed development.

The Chairman invited the second speaker, Leanne Pogson, Agent for the Applicant, to address the Committee. She made the following statement.

“Good Evening,

My name is Leanne Pogson, I am an Associate Planner at Brown and Co and I am the agent representing the applicants, David Frankish and Judith Frankish, and I am speaking in support of this application.

This application seeks outline planning permission for five dwellings on land at Clixby Lane, Grasby, and has been recommended for approval by the case officer.

The site is part of an agricultural field on the southern side of Clixby Lane. There is residential development to the north and west of the application site and a brick-built building which has permission for business use to the east. This building has recently been refurbished and modernised.

Pre-application advice was sought earlier in the year for four dwellings on the site, which the case officer considered to be acceptable in principle. Informal discussions with the case officer during the pre-app process suggested that five dwellings would be supported on the site.

An indicative layout submitted with the application shows two vehicular entrances to the site, with a private drive parallel to the main road. This would reduce the number of vehicle movements along Clixby Lane as opposed to creating individual access points and would also retain all but one of the trees along the site frontage. These two access points would

also provide natural passing places, which are currently lacking on Clixby Lane, thereby improving the lane for all road users.

As stated in the officer's report, Grasby has a growth level of 10% and would still support 13 new dwellings before this growth limit is met. A sequential test has been carried out and no sites within the main body of the village, or brownfield sites on the edge of the village are available and this site is therefore considered suitable for development, without affecting the core shape and form of the settlement.

There are no technical objections to the application with highways, drainage, ecology and trees all being considered to be acceptable by professional officers.

Any concerns regarding design and amenity can be designed out at reserved matters stage.

The NPPF states that there is a favour in presumption of sustainable development unless material considerations indicate otherwise. The proposed development for five dwellings is considered by the case officer, in line with the Central Lincolnshire Local Plan and the NPPF to be sustainable. The absence of any concerns and objections by technical consultees and the ability to design out any potential impact on amenity at the next stage, would demonstrate that there are no material considerations which would justify refusing the application.

As such, on behalf of my client I respectfully ask members to follow the officer's recommendation, local and national planning policy and grant permission for this proposal.

Thank you."

The final speaker, Mr Blair Bushby, was invited to speak. HE made the following comments.

"Thank you, Chairman, for this opportunity to address the committee.

Highways – Grasby has had to accommodate a substantial increase in vehicle movements due to significant developments both within the village and in adjacent settlements, these impact on the A1084 which runs directly through the village. Over the years there has been numerous collisions at the crossroads, some fatal.

Grasby has no local amenities and it is likely that each dwelling will have at least 2 plus cars. This will add a minimum of 20 additional vehicle movements to Clixby Lane per day.

Clixby Lane narrows after number 10, the last house on the South side. There is good reason why this narrower section of Clixby Lane has only been developed on one side as it is totally inadequate for vehicles merging from both sides.

There is a total absence of footpaths. All vehicles larger than a medium size van must reverse up or down the Lane, this poses a great risk to pedestrians and cyclists. Deliveries block the Lane and there is further danger when children are dropped off and collected from the village school.

Following a freedom of information request it should be noted that the highways report is based on a desk top study. If the application is not declined, then a site visit is imperative.

Previous development on Clixby Lane and in Grasby – Since the 1970's there has been 8 new houses built on Clixby Lane, with a further one already approved this year, this represents a 50% increase. If 5 more houses are added this gives an increase of 75% with no road improvements.

In Grasby there has already been approval for 7 new dwellings this year. Last year on top of the permanent new dwelling approvals there was approval for 32 lodges in the old chalk quarry off Grasby Wold Lane.

It is clear to see that Grasby is already undergoing significant development for its size.

Objections – There have been over 60 objections to this development, and not one in support.

Grasby has 11 roads and there were objections from 8 of these. This means residents from 73% of the roads have put in an objection. Therefore, the majority of the village deem this development inappropriate and not just Clixby Lane residents.

If a physical meeting had been allowed in the chamber, then residents would have been able to show their disapproval by virtue of their presence.

In Character – The proposed development site doesn't feature in the LP4 Hierarchy as it is a Green site within the settlement, NOT at the edge. As properties exist on all 4 sides of the development this greenfield is definitely in the core and not at the edge. This means the sequential test cannot be applied and used in support of the application.

The proposed development does not meet with the requirements of LP2 as the settlements character and appearance would be harmed by building on one of the few green spaces left within the core. Furthermore, the character and appearance of the surrounding countryside and rural setting would be harmed by blocking the view over the Ancholme Valley and escarpment at Nettleton and Caistor. This view is appreciated by the many walker on the Viking Way.

No other road in the village has a secondary access road running parallel to it. This proposed access road is significantly wider than Clixby Lane and will be over dominant and out of character. Clixby Lane is 3m wide and the proposed access road is 4.5m with the splays extending to 15m. How can this be in keeping with a small single-track lane. Again, a site visit is imperative to appreciate.

Wildlife and habitat loss – The Ecology report was primarily a desktop study with only one site visit taking place before the main growing season and before many migrating birds had arrived. In June and July when the grass is a full height the site is an important habitat for insects, reptiles and small mammals. Lincolnshire Wildlife Trust was hoping for a second visit, but this never happened.

The report fails to mention that the site is a regular feeding ground for the local Barn Owls, which are listed in Schedule 1 of the Wildlife and Countryside Act. Swallows, Swifts and bats all feed on the abundant flying insects that emanate from this grassland. Once their feeding grounds are destroyed these species will be absent from Grasby for ever.

Another omission of the Ecology report is not mentioning a single type of insect. Our pollinators are declining rapidly and many of the flowering plants that grow at the site support their existence.

Environmental impact – We must consider what village we want to leave for the next generation? A village with green spaces and abundant wildlife or a village with no green spaces and the wildlife desecrated by inappropriate development. Once the wildlife is destroyed, it will be gone for ever. Our quest should not be to race blindly forward and build further houses just because LP4 states a 10% growth. The world is in danger of forgetting about the importance of the natural world. Future generations will judge us on whether we prioritised development over the natural environment.

After the passing of Councillor Strange Grasby no longer has a ward councillor and we feel disadvantaged because no one is talking in this position.”

The Chairman invited any return comments from the Officer who reminded Members that there were no outstanding objections from ecology nor highways and the area was not a designated open space.

Members of the Committee enquired whether there would be any archaeological work undertaken and it was confirmed that they had been consulted and no input was required. There were also several comments regarding the suitability of further development in Grasby. It was confirmed that based on the development plan, Grasby was suitable for growth however it was the exact site that was under consideration.

The Officer recommendation to grant permission was moved and seconded however on taking the vote, the proposal was lost and so the Chairman requested for an alternative recommendation to be put forward.

Following further discussion, it was proposed that permission be refused as contrary to LP13 and LP26 section B. This was seconded and taken to the vote. It was agreed by majority vote that permission be **REFUSED** for the aforementioned reasons.

**Note:** The meeting adjourned at 8:48pm for a short comfort break and reconvened at 8:55pm. A full register of attendance was undertaken.

## **56 141550 - SADBROOKE**

The next application for consideration was number 141550 for the removal of existing dwelling and erection of 1no. dwelling house with associated access alterations, vehicle parking and landscaping at Rosemary Villa, 30 Wragby Road, Sudbrooke. Members heard from the Officer that since the report was drafted, further objections had been received from residents of Green Garth, 24 Wragby Road; and Homelea 28 Wragby Road summarised as follows:

- Not against a replacement dwelling but do not agree with multi occupancy.
- Potentially another 10 cars and people do not fit with current infrastructure of Sudbrooke and the busy road
- Impact on residential amenity- the size and proximity of the proposal to the neighbouring property will overshadow, reduce light and impact views from the rear of the property. The

rear projection of the proposal would break the 45 degree rule in relation to number 28.

- Increased pollution and noise for the garden of 28, including noise from smokers outside the proposal
- Size of replacement dwelling is out of context and does not compliment neighbouring dwellings
- Loop hole means the house could be changed to a HMO. Objector requests an Article 4 direction is applied to this application to prevent this happening.
- The second floor plan is primed for conversion to additional en-suite bedrooms suggesting this is the intention.
- The noise survey is for an HMO indicating this is the objective
- Previous conclusions of the planning inspectorate on the last application still apply. The application must be refused for the same reasons.

These representations did not change the recommendation.

The Chairman invited the registered speakers to address the Committee. Councillor Peter Heath, of Sudbrooke Parish Council, made the following statement.

“Sudbrooke Parish Council took this application at face value and recorded no objection. However, we have revised our opinion in the light of residents’ concerns and now wish to object for the following reasons.

Planning application 141550 is a straightforward resubmission of application 140180, refused by this Planning Committee in January. Comparing the plans for this application to the last scheme, the design of the building and internal layout is identical. Only minor amendments have been made to re-label room descriptions.

For example, the second-floor roof plan for this application retains the exact same layout, simply re-labelled. It has not been redesigned from the original scheme or its dominance on the area reduced in any way. Bedrooms in the original layout now appear as a ‘study, fitness room, playroom, games room and cinema room’ instead. However, each of these rooms retains an individual bathroom.

The result of this is that we now have a proposal for a five bedroom “house” with nine bathrooms across 3 floors. Three of these bathrooms are in the roof space alone! This is clearly not a usual family home. Family homes in villages should also seek to maximise outdoor space. This proposal would turn over half of the existing rear garden into a large driveway and double garage, leaving only a small lawn area – quite out of character with a large family home and the local character.

Consequently, the layout is dominated by vehicle movements and not amenity space. Most significantly the development will introduce vehicle movements to the rear of the property. Vehicle noise and disturbance from car lights in winter months or at night will negatively impact future residents of the proposed dwelling and harm the amenity and enjoyment of the existing neighbouring properties too.

Many other examples show the true intentions of the applicant. The noise impact assessment, dated August 2020, refers to the erection of a ‘house in multiple occupancy’ and ‘HMO’ throughout, and noise impact is assessed on this basis. Taken together, there is almost no attempt to disguise the very clear motives of the applicant.

The council can confidently refuse this application; the last committee decision was subsequently upheld at appeal, with the Planning Inspector agreeing that the development is wholly unsuited to the site and in conflict with the development plan. The appeal for costs, also dismissed by the Inspectorate, further underpins the robust case and justified decision this committee reached.

The applicant operates a lettings company called 'Properties on the Market' in Lincoln that includes many HMOs. The agent for this application, "Buildrow" has the same address as the letting company at 65 High Street Lincoln. They appear one and the same.

The purpose of this application is to plainly to develop an HMO by whatever means necessary and avoid planning controls. The fact remains however than in retaining the original design and layout, the scheme is no more suitable for this location than the previous failed attempt. The negative and harmful impact on neighbours is just as severe. Residents should feel protected from harmful development.

Visiting the site, it is clear that the proposal is totally out of character with the neighbouring dwellings and indeed all dwellings on the southern side of Wragby Road. The site occupies a prominent end plot which further exposes its dominance and negative impact on the street scene and rural backdrop.

Conclusion - If this application is a genuine attempt to deliver a family home, why build a house that is like no other in the locality in terms of scale and design. Why not make the rear garden a safe environment to relax and play too? The answer is clear – this is not a family home.

This development has already been firmly refused on grounds of harm to neighbour amenity. Policy conflicts with LP26 and NP policy 9 identified by the Inspector last time remain valid. A condition restricting occupancy was, the Inspector concluded, not reasonable. This means that planning controls that the council could impose in some cases cannot reasonably address the harm to neighbour amenity here.

On the grounds of design, misleading supporting evidence, harmful impact on neighbour amenity and conflict with the design code of the neighbourhood plan, this application should be refused."

The second speaker, Mr Sath Vaddaram, Applicant, made the following comments alongside a selection of photographs he had provided in advance.

"My name is Sath Vaddaram. Regarding objector's comments:

1. There is no relevance to HMO here as it is for C3 dwelling.
2. 11 immediate neighboring properties are currently parking at rear.
3. Business use at 24 Wragby Road is causing enormous vehicle movements..

It is surprising to learn that 26 has no concerns of above activities but has more interest on my property which is located far and other side of the cluster.

I challenge 2 Conditions proposed:

Condition 7

1. HMO is not relevant here. Every C3 proposal is conducive to future use as HMO. It is unreasonable to differentiate this proposal with that single point. Past planning history

should complement for my honesty rather than be against.

2. The facts of Inspector's statement have changed within the Officer's report. The appeal has only dealt with 8 bed HMO and is clear from points 4, 17, 19 of the decision notice. Appeal has no relevance to any other proposals less than 8 beds. Officer cannot use someone else's unconfirmed statement.
3. There are 13 HMO's in that area. Full details were provided to the council, most of them are using their PD rights.
4. The noise report conflicts with this condition.
5. Regarding other potential disturbance such as
  - A. Vision: Vehicle lights are acceptable as per the drawings on the screen (WRA030-HL-01) and part 4 of Lighting Regulations 1989
  - B. Smell: All the vehicles are subject to emission test.
6. Proposal is not in 'designated areas' where PD rights are more restricted.
7. Drawings on the screen (WRA030-PD1-01) shows the scope of PD rights on all properties in the cluster. They would be considerably larger and can be used as HMOs. Then, my property faces more concerns by debarring PD rights those can be used to confront when other properties exercise their rights.
8. Updated PD rights 2020 reconfirms in favour of C3 to C4. This condition is against the government policies.
9. I am not against implementation of Article 4 to tackle all the concerns raised applicable to every property in that area. Current approach constitutes discrimination against the applicant.
10. Appeal Case studies (APP/Q1445/W/18/3206340 87-89) confirm that this condition is unreasonable and will not justify the need as per Paragraph 55 of the NPPF

As an example the appeal decision states that  
'The fact that other neighbouring properties might still enjoy PD rights, I see no reason why the occupiers should be debarred from the entitlement available under Class C.'

Condition 5.

- A. Construction methods will reduce the noise impact levels from inside the building.
- B. Outside usage unchanged.

Overall, the proposal should have less noise impact on neighbouring property. So, the EPO's classification should be "No Observed Effect Level".

Even though the Applicant is not against his proposal, but stipulating this as a condition constitutes as discrimination because there is no acoustic fencing present between any C3 dwellings or in any other C3 planning conditions from this council.

In conclusion, the Planning permission should be granted without these two conditions.

Thank you.”

The third speaker for the evening, Ward Member Councillor Robert Waller had sent his apologies and so the following statement was read aloud by the Democratic Services Officer.

“Good Evening Members of the Committee

I would like to speak regarding the application 141550 a C3 dwelling on the site of an existing building at 30 Wragby Road Sudbrooke. I am the WLDC Councillor for the Sudbrooke Ward. I asked for this application to be brought to the full committee due in part to the controversial previous application for this site and also to ensure all residents have the opportunity to see that due process has been followed. In addition part of the application mentions HMO which has aroused suspicion amongst members of the public.

This application is very similar to the previous one for this site that was refused by this committee and by the inspector when the applicant lodged an appeal. The appeal (APP/N2535/W/20/3245962) was refused on the 15th July this year. The main reasons for the appeal being refused are still, in my opinion extant in relationship to this new application. One of the main factors was the detrimental impact that a building of this size would have on the immediate neighbours with the proposed building being only 0.75m from the common boundary. The Inspector cited the following as some of her reasons in the decision;

- The impact on the living conditions of the neighbours at number 28 Wragby Road
- Conflict with policy LP 26
- NP Policy 9
- Giving full weight to Sudbrooke NP made on the 13th February 2020

We have before us an application that is very, very similar in design and layout, although the bedroom size has been reduced from 8 to 5, however three full en-suite rooms have been designated as a study, fitness room and child's playroom have replaced the other bedrooms. These rooms appear to have the same dimensions to the bedrooms they have replaced. So the applicant appears to be developing a residence that can be changed to an HMO at a later date despite losing an appeal for a previous HMO. This has obviously caused concern amongst some residents and neighbours within the village. I do appreciate that one of the applicant's companies specialise in the provision of HMOs in and around Lincoln. However, the application before the committee tonight is for a C3 dwelling and as such members are voting on this but I ask you to bear in mind the previous application and the objections that were identified and supported when the appeal was refused. I would also like to highlight to the members of the committee that this is no ordinary dwelling. I have never heard of a five bedroom house with 9 bathrooms, 3 of which are in the roof space. This cannot be classed as a normal family residence. In addition the house has not got a “family” garden but a very large area for several cars with an underpass for these vehicles.

In its current format I would not be able to support this application. It is my personal opinion that this application is an attempt to establish an HMO by the submission of a C3 dwelling. I would be happy to see a new building erected on this site with the current house being demolished but only if the design, size and build all meet the requirements of the Neighbour

hood plan and policies of the CLLP. Any new build on this plot must, in my opinion take into consideration the immediate neighbours quality of living.”

The Chairman asked whether there was any further Officer update and the Interim Planning Manager reiterated to Members that the application was for a C3 family home and that was how it should be assessed. He noted that under current legislation, a C3 home could be converted into an HMO without any involvement of the Council, however, the report did include a condition whereby a conversion to an HMO would be required to return to the Committee. He also highlighted that planning history and inspectorate decisions were material considerations.

There was considerable discussion regarding the size and layout of the property in consideration of the previous refusal and the dismissed Planning Inspectorate appeal. Both the Planning Officers and the Legal Advisor reiterated to Members that the application was for a C3 family dwelling and any conversion to an HMO would be conditioned to return for further permission.

A Member of Committee moved an alternative proposal for the permission to be refused as contrary to LP26 section R and NP policy 9. This was seconded by the Chairman. On being put to the vote, it was carried that the application be **REFUSED** as contrary to LP26 section R and NP policy 9.

## **57 141348 - WELTON**

The final application was introduced, application number 141348, for demolition of existing dwelling, erection of 1no. replacement dwelling and 3no. new dwellings, with associated garaging and new vehicular access, at 27 Prebend Lane, Welton. Members heard from the Senior Development Management Officer that the archaeological comment had been received and they were not aware of anything of note. The tree and landscape officer had confirmed all trees were considered to be class C and therefore not of sufficient quality to retain, they should not pose any restraint to the development. He added that the draft condition two was to be removed and there was an amendment to condition four.

The Chairman invited the Democratic Services Officer to read aloud the statement provided by Dan Rontree, Agent for the Applicant.

In light of the current COVID 19 restrictions, it is understandable that this meeting is being held remotely. This small statement is intended to substitute our speech at committee and is to be read out in support of the application. The statement has been written by Dan Rontree, who is a Director at Heronswood Design, the designer of the scheme and acting as the agent on behalf of Mr & Mrs Sykes.

Whilst we have taken the opportunity to have this statement read out at Committee in lieu of it being delivered verbally (we have registered to speak, but will not intend on doing so if this report is to be read out in entirety), HWD are sitting in the virtual meeting room and would be happy to address the committee with clarification of any matter contained within this statement.

Prior to the continuation into this report, we would also like to take the opportunity to advise that a small number of factual discrepancies in the officers committee report have been

brought to the officers attention prior to this evenings meeting, along with some additional information from consultees and it is anticipated that Ian Elliot will have addressed those points in an update to the committee before this meeting commenced.

This small scheme for 4 dwellings (1 of which is as a direct replacement for the host dwelling) is strategically located in what the CLLP describe as a 'LARGE VILLAGE' where policies suggest that development will be allowed in various forms within the developed footprint, whether that be via allocated sites, appropriate infill, intensification or renewal. It is our suggestion that this proposal quite clearly meets that criteria and will be in line with the core strategies of the CLLP which cites a presumption in Favour of Sustainable Development.

Quite evidently, this application seems to have drawn in a number of objections, which have been clearly summarised in the report produced by the case officer. We would further that by agreeing that the majority of objections seem to relate most strongly towards the impacts upon the residential amenity of the surrounding neighbourhood, the impact upon highways safety, the loss of a number of trees, the inappropriateness of designs on Plots 1 & 2 and the detrimental impact the construction process will place upon the immediate environments. As part of our role as agents for this application, we have been monitoring comments raised and objections submitted, with a view to better understanding the feelings of the neighbouring residents as well as the statutory consultees.

Regular dialogue with Ian Elliot (Case Officer) during the consultation period has been maintained and this has led to a positively pro-active approach from both WLDC and Heronswood Design (HWD).

Public objectors to the proposals raised significant concerns in connection with a number of design issues relating to the overbearing nature of the originally submitted designs for Plots 1 & 2, along with a statutory query in connection with adequate parking and turning facilities not being made available for these 2 plots.

As a result of these objections, HWD voluntarily entered into dialogue with WLDC to seek the views of the case officer and these discussions led to the extension of the statutory determination period, giving an opportunity for a revised design proposal to be put forward for Plots 1 & 2. It is our view that this pro-active approach has led to the betterment of the proposals and it is now felt that Plots 1 & 2 are significantly more sympathetic towards the objections raised and it is now our opinion that the development can be harmoniously integrated with Prebend Lane, without undue harm being brought. It is also suggested that the Officers recommendation for approval of this application demonstrate WLDC's agreement with our thoughts.

The mid consultation amendments to Plots 1 & 2 also appear to have satisfied LCC Highways as it is now advised that they have no objections to the development in connection with the 2 plots served from Prebend Lane.

It should be noted that at no time during the consultation period of the application have LCC Highways raised any objection to the elements of the development proposed in connection with the use of The Cloisters serving Plots 3 & 4.

Notwithstanding the support of LCC Highways in connection with the use of The Cloisters to serve this part of the development, HWD have shown an understanding of the nature of the

objections received in connection with its use during the construction period and have gone to great lengths to produce a Demolition & Construction Management Plan. This plan attempts to provide WLDC with a control mechanism (via planning condition compliance). The intention of this document is to restrict construction traffic over The Cloisters until the very latter stages of the development. By this point, the demand for larger vehicles is significantly reduced, therefore the residents of The Cloisters can hopefully accept that the applicant is showing an understanding towards their concerns and all that can be done to protect their safety and enjoyment of amenity values while this development is completed, is being proposed.

The final major cause for objections appears to be in connection with the loss of trees at the application site. Whilst at the time of writing his report, the case officer had not yet received the formal response of the Council's Arboricultural Officer, these comments have since been received. In conclusion WLDC have stated that a professional tree survey has been carried out by a well-known, established arboriculturist, in which he has identified all the trees as being classed as Category C. WLDC have since gone on to confirm that any category C trees should not realistically pose a constraint to the proposed development, their retention could not be insisted upon, nor do any of the trees meet the Criteria for the introduction of a Tree Preservation Order.

**Note:** The meeting adjourned at 9:52pm and was reconvened at 9:58pm to allow for the live webcasting of the meeting to be continued.

Members of Committee enquired whether there was provision within the Local Plan for further development in Welton and this was confirmed to be the case. It was also clarified that although the location was not an allocated site, it would be considered infill.

With no further discussion, the recommendation was proposed, seconded and voted upon and it was agreed that permission be **GRANTED** subject to the following conditions.

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

1. The development hereby permitted 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 must take place until a demolition method statement for the existing dwelling (27 Prebend Lane) to be demolished has been submitted to and agreed in writing by the local planning authority. The approved statement must be adhered to. The statement must provide for:
  - (i) measures to control the emission of dust and dirt;
  - (ii) details of noise reduction measures;
  - (iii) a scheme for recycling/disposing of waste;
  - (iv) the hours during which machinery may be operated, vehicles may enter and

leave, and works may be carried out on the site;

Reason: To restrict disruption to the living conditions of the nearest neighbouring dwellings and the surrounding area from noise, dust and vibration to accord with the National Planning Policy Framework, local policy LP26 of the Central Lincolnshire Local Plan 2012-2036 and D1 of the Welton Neighbourhood Plan.

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

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

- 1633S/19/15B dated 15th September 2020 – Plot 1 Floor and Roof Plan
- 1633S/19/16B dated 15th September 2020 – Plot 1 Elevation and materials schedule
- 1633S/19/17B dated 15th September 2020 – Plot 2 Floor and Roof Plan
- 1633S/19/18B dated 15th September 2020 – Plot 2 Elevation and materials schedule
- 1633S/19/19A dated 26th May 2020 – Plot 3 Floor and Roof Plan
- 1633S/19/20A dated 26th May 2020 – Plot 3 Elevation and materials schedule
- 1633S/19/21A dated 26th May 2020 – Plot 4 Floor and Roof Plan
- 1633S/19/22A dated 26th May 2020 – Plot 4 Elevation and materials schedule
- 1633S/19/23D dated 29th September 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, local policy LP26 of the Central Lincolnshire Local Plan 2012-2036 and policy D1 of the Welton Neighbourhood Plan.

4. The development must be completed in accordance with the Construction Management Plan Revision A dated 29th September 2020 and Construction Site Plan 1633S/19/25 dated September 2020.

Reason: To restrict disruption to the living conditions of the neighbouring dwelling and surrounding area from noise, dust and vibration and to limit the impact on the public rights of way to accord with the National Planning Policy Framework and local policy LP26 of the Central Lincolnshire Local Plan 2012-2036.

5. No development above ground level must take place until details of the red and buff brick type have been submitted to and agreed in writing by the Local Planning Authority. The development must be completed in accordance with the approved brick.

Reason: To ensure the use of appropriate materials in the interests of visual amenity and the character and appearance of the site and the surrounding area to accord with the National Planning Policy Framework and local policies LP17 and LP26 of the Central Lincolnshire Local Plan 2012-2036 and policy D1 of the Welton Neighbourhood Plan.

6. No development above ground level must take place until details of the tree species,

planting arrangement and aftercare of all new trees have been submitted to and agreed in writing by the Local Planning Authority.

Reason: To ensure the development site is appropriately landscape with a mix of native trees to accord with the National Planning Policy Framework, local policies LP17 and LP26 of the Central Lincolnshire Local Plan 2012-2036 and policy EN1 of the Welton Neighbourhood Plan.

7. 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 must occur until the approved scheme has been carried out.

Reason: To ensure adequate drainage facilities are provided to serve each dwelling, to reduce the risk of flooding and to prevent the pollution of the water environment to accord with the National Planning Policy Framework, local policy LP14 of the Central Lincolnshire Local Plan 2012-2036 and policy EN3 of the Welton Neighbourhood Plan.

8. No occupation of each individual dwelling must take place until their vehicular access, individual driveway and turning space has been fully completed in accordance with site plan 1633S/19/23D dated 29th September 2020.

Reason: In the interests of safety of the users of the public highway and the safety of the users of the site to accord with the National Planning Policy Framework, local policies LP13 and LP26 of the Central Lincolnshire Local Plan 2012-2036 and policy D1 of the Welton Neighbourhood Plan.

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

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

Reason: To ensure that additional trees are provided within the site to mitigate for the trees which are to be removed to accord with the National Planning Policy Framework, local policies LP17 and LP26 of the Central Lincolnshire Local Plan 2012-2036 and policy EN1 of the Welton Neighbourhood Plan.

**58 DETERMINATION OF APPEALS**

As of 6 October 2020, no appeal determinations had been received since the previous meeting.

Planning Committee – 14 October 2020

The meeting concluded at 10.05 pm.

Chairman