

WEST LINDSEY DISTRICT COUNCIL

MINUTES of the Meeting of the Planning Committee held virtually via MS Teams on 9 December 2020 commencing at 6.30 pm.

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

Councillor Owen Bierley
Councillor Matthew Boles
Councillor David Cotton
Councillor Michael Devine
Councillor Jane Ellis
Councillor Cherie Hill
Councillor 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)
George Backovic	Principal Development Management Officer
Martin Evans	Senior Development Management Officer
Joanne Sizer	Area Development Officer
Vicky Maplethorpe	Area Development Officer
Dan Power	Development Management Officer
Martha Rees	Legal Advisor
Ele Snow	Democratic and Civic Officer
James Welbourn	Democratic and Civic Officer

69 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.

70 PUBLIC PARTICIPATION PERIOD

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

71 TO APPROVE THE MINUTES OF THE PREVIOUS MEETING

RESOLVED that the minutes of the meeting of the Planning Committee held on Wednesday, 11 November 2020 be confirmed as an accurate record.

72 DECLARATIONS OF INTEREST

Councillor I. Fleetwood stated that he had not received any communication regarding any of the applications due to be considered and was impartial in relation to all applications.

With regard to application number 141736, Station Road Bardney, Councillor R. Patterson declared that he had been lobbied by the Bardney Group Parish Council but he remained impartial. He also declared that he had visited Home from Home Care and attended a party in 2016 and he knew a person who worked at the site, however his judgement had not been impacted.

Councillors M. Boles, J. Ellis, R. Waller, A. White, C. McCartney, C. Hill and O. Bierley all declared they had received the lobbying emails from Bardney Group Parish Council but either did not read the emails or did not consider themselves influenced by the content.

Councillor J. Milne declared that she had also received the emails but had not read them. She also declared that she had visited the site through her work with Sir Edward Leigh MP but her impartiality was not affected.

Councillor D. Cotton, as Vice-Chairman of the Standards Committee, raised concerns regarding the lobbying from the Bardney Group Parish Council.

Councillor J. Rainsforth declared that she had received the emails from the Bardney Group Parish Council and believed the information contained would prejudice her against the application and as such she would not be involved in discussions or the vote for application number 141736.

73 UPDATE ON GOVERNMENT/LOCAL CHANGES IN PLANNING POLICY

The Committee heard from the Interim Planning Manager (Development Management) regarding recent updates from Government.

Retail Opening Hours

Written ministerial statement from Secretary of State for Communities and Local Government:

<https://questions-statements.parliament.uk/written-statements/detail/2020-11-30/hlws602>

“...the purpose of this Written Ministerial Statement, which comes into effect from 2 December, is to make clear that, as a matter of urgency, local planning authorities should take a positive approach to their engagement with retailers to ensure planning controls are

not a barrier to the temporary extension of retail opening times in December and January.

In particular, local planning authorities, having regard to their legal obligations, should not seek to undertake planning enforcement action which would result in the unnecessary restriction of retail hours during this period. The National Planning Policy Framework already emphasises that planning enforcement is a discretionary activity, and local planning authorities should act proportionately in responding to suspected breaches of planning control.

Where appropriate, local planning authorities should also highlight this temporary relaxation to retailers in their area so that they can take advantage of longer opening hours if they wish to do so.”

Supporting housing delivery and public service infrastructure

<https://www.gov.uk/government/consultations/supporting-housing-delivery-and-public-service-infrastructure>

Consultation would close at 11:45pm on 28 January 2021

A new PD right would allow all buildings within the newly created use class E (which includes offices, restaurants, shops, gyms, professional services and light industrial) to be converted to residential use (Class C3) without requiring a planning application. There would be “no size limit on the buildings that can benefit from the right”, the consultation document states. prior approval system would be restricted to factors including flooding, noise, contaminated land, and adequate levels of natural light. The new homes must also meet national space standards.

A proposed new “fast track” planning route to build public service buildings - such as schools, colleges, universities, prisons and hospitals - would require local authorities to determine applications for such schemes within ten weeks. The current statutory requirement was 13 weeks. In practice, this would mean local planning authorities having to “prioritise these decisions over other applications for major development”, said the MHCLG. Meanwhile, the statutory publicity and consultation period for such applications would be cut from 21 to 14 days.

Existing permitted development rights allowing public service buildings to expand would be changed to allow greater enlargement. Instead of the limit on such changes being set at 25 per cent of the original buildings’ gross floorspace, this would be set at 25 per cent of their footprint. Instead of total extra floorspace being capped at 100 square metres, this would be set to 250 square metres, as it currently was for schools. The height limit for such work would be raised from five metres to six metres. An exemption from developing playing fields would remain.

The government had announced plans to "simplify and rationalise" permitted developments rights, as part of a review of such rights following recent changes to the Use Classes Order. The government proposed to review and update references to use classes throughout the General Permitted Development Order (GPDO). It planned “appropriate legislative amendments” to be made before 31 July 2021.

The Committee was also provided the following updates on 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. Decision statement issued. But due to COVID-19 situation referendum delayed until May 2021. A claim is to be submitted shortly to MHCLG for Neighbourhood Planning Grant to help reimburse WLDC for the costs of this NP's examination, referendum and other outlays.	Significant weight
Gainsborough NP	Submission consultation completed (Reg16). Examiner appointed. Examination underway. Site visit completed and clarification note issued.	Increasing weight
Morton NP	Submission consultation completed (Reg16). Responses posted on website. Process of appointing the examiner to begin shortly.	Increasing weight
Corringham NP	Consultation on Draft Plan (Regulation 14) underway from 9 Nov to 22 Dec.	Some weight
Sturton and Stow NP	Consultation on Draft Plan (Regulation 14) underway from 2 Nov to 14 Dec.	Some weight
Fiskerton	Early draft of NP issued to WLDC for comment.	-
Ingham NP	Consultation on site assessment report underway from 16 Nov to 11 Dec	-
*Caistor NP	Review underway. Consultant appointed.	-
*Nettleham NP	Review underway. Consultant appointed.	-
Neighbourhood Plans - made (17) - in preparation (24) - to be started (42) - being reviewed (2)*	To view all of WLDC's neighbourhood plans go to: https://www.west-lindsey.gov.uk/my-services/planning-and-building/neighbourhood-planning/	NP stage-weighting Made–full weight Referendum successful–full weight Examination successful–significant weight Submission Reg16–increasing weight Draft Reg14 - some weight Designated – little

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74 PLANNING APPLICATIONS FOR DETERMINATION

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

75 141736 - STATION ROAD, BARDNEY

The Chairman introduced the first application of the evening, number 141736 for change of use of existing care facility to 4no. bed House in Multiple Occupation (HMO) at 51 Station Road Bardney Lincoln. In being the first application, the Chairman detailed the process for invited registered speakers to address the Committee and requested the Planning Officer to provide any updates to the Committee.

The Planning Officer stated that a further representation had been received from the Parish Council with allegations of inaccuracies in the report as well as withholding objections. He stated that Officers had responded to these comments, that all written objections were included in the report and although audio and video files could not be made public, these had been shared with Members of the Committee for transparency of decision making. He clarified that the application was looking for a change of use to residential use with no care provision required. He also noted a small update to the report in that at the bottom of page 18 there was an insertion to be made after the sentence ending “use class C2.” to read “Permission was subsequently granted for a change of use including extensions to use class C2.”

The Chairman invited the first speaker, Councillor Robin Darby to address the Committee.

Councillor Darby thanked the Committee and started by clarifying that the Bardney Group Parish Council had not been lobbying Members of the Committee, rather they had sought to highlight the issues with the application. He wished to highlight to the Committee that the application was not from a charity, rather it was a Limited Company and their motives were for financial gain not for the benefit of their clients. He referenced a previous application for an HMO in Sudbrooke which had been refused based on the potential for noise impact and likened it to the problems already experienced at the site in question. He stated that the complex was not an asset to the village and did not serve local residents. He explained that there were over 80 employees who provided 24 hour care which led to excessive traffic movements at all times of day and night. He added that parking was always problematic and was having a severely negative impact on the area. He wished to make the Committee aware that the only time any noise was reduced, was at the times when they were aware there was a noise report being undertaken. He added that several local residents were reporting an effect on their mental health as a result of the noise generated on the site. In

addition to these concerns, Councillor Darby stated that local services, such as GP appointments, were being exploited to the detriment of other residents. He believed that the complex should be looked at as a whole, not with each stage being considered in isolation. He urged the Committee to reject the application and thanked them for their time.

The second speaker, the applicant Mr Hugo DeSavary, addressed the Committee. He highlighted that his statement regarding the objections raised had been included in the application however he wished to address a couple of points. With regards to parking issues, he acknowledged this had been problematic however construction work was nearing completion which would allow the car park to be in full use. He stated the on-site parking was sufficient for staff and residents. He provided Members with some background to Home from Home Care, stating they were Lincolnshire based, regulated by the CQC with their services rated excellent by that regulator. He added they had been awarded best Care Home Group at the annual Care Awards as well as the Platinum Award as an Investor in People. He acknowledged they were a Limited Company but stated they did not pay dividends and any profit was reinvested into the organisation. He stated they were a family led company seeking to provide the care needed by vulnerable people in society and requested the Committee to approve the application.

The first of two registered objectors, Mrs Dawn Thomas, made the following statement to the Committee.

“In the context of my objections HFHC site refers to all five dwellings, including The Laurels. Please consider this application as a multi housing development, not a single dwelling, not in isolation and with reference to my original objection.

I have concerns regarding the handling of this and previous applications, the unusual and intimidatory responses from Globe Consultants and the new behaviours staff are exhibiting which feels as if they are trying to antagonise and intimidate us.

The site is now screened off but work continues with workmen on site daily the fire exit to the Hawthorns's has been partially bricked up, new side doors added and trees removed the front door of the Laurels is unsightly and out of character as filled in with breeze blocks.

Where we once looked out over gardens there is now a car park and nine industrial sized waste bins which are frequently overflowing, screenings is a hedge that is barely a meter high.

Car parking is an issue for staff and local residents. With Insufficient capacity to support staff parking, nine people carriers, visitors etc. Although it's not illegal to park on Station Road, the original planning permission was granted on the proviso that all employees and visitors would use onsite car parking facilities.

There is considerable vehicle activity coming and going from the site cars queue onto Station Road waiting for the automatic gate to open. The gravel surface is noisy Staff heard having loud conversations as they arrive and leave. Headlights shine directly into our living rooms

Increasing access to incorporate all three gates has the potential to cause collisions, pedestrian incidents and increase light from cars into more of our living space. The

development in my opinion has outgrown the site.

Global Consultants reference noise complaints from residents. In my opinion the Council has not thoroughly monitored these, used any recording devices and only visited the site a hand full of times and not necessarily when the noise is at its worse.

The effect on my family and my own mental health cannot be underestimated. You need to live our life to understand the full impact of the noise which impacts on the peace and enjoyment of our garden and home. The noise gets into your very core, grinds you down to the point where you look at ways to escape. We shouldn't be made to feel that way.

Consideration should be given to the type of residents housed in the centre of our village.

Thank you for taking the time to hear my concerns.”

The second objector, Mr Christopher Bush, addressed the Committee. He stated he had lived opposite the dev for past 18 years and had watched it grow from the original even residents to the now proposed 27 residents. He stated the complex should be looked at as a whole not as separate applications. He raised concerns regarding the increased fire risk with an increased number of residents and a decreased number of staff as care would not be provided. With regard to noise, he highlighted the 24 hour nature of the complex and again highlighted the comings and goings of staff at all hours of the day and night. He explained that the plans submitted did not demonstrate the full parking available and stated there would not be sufficient parking available. He also commented there was a bin shelter to be built which would take up parking spaces. He commented that refuse was also an issue as bins were often overflowing and unsanitary. He reiterated the impact on his family life of the vehicular noise, construction noise and general noise generated by staff and residents. He felt the complex had become too big for the site it occupied and urged the Committee to consider the implications of granting the application.

The Chairman thanked all speakers for their comments and invited the Planning Officer to make any further comment. The Planning Officer reiterated that the application was a change of use to residential use and as such, the concerns regarding staff vehicle movements were not relevant to this application.

The Chairman opened Committee discussions by reiterating that he had not been involved in discussions about the application nor had he had any contact with the Parish Council regarding their concerns. He stated that it seemed apparent that the site had outgrown its location and was having an impact on the day to day lives of local residents. He stated that there was ongoing expansion on the site and supported the concerns raised by speakers to the application.

The Planning Officer highlighted that there was currently no cap on existing numbers however if the application was to be approved, there would then be a limit as to how many occupants could reside at the property.

There was further discussion amongst the Committee regarding the impact of the complex on the area in relation to the application being specific to one dwelling. The concerns raised by residents were acknowledged however as the application was in relation to change of use for one dwelling, those concerns related to the site as a whole rather than the current

application.

With some conflict of opinion amongst Members, the Officer recommendation was moved, seconded and with a majority vote it was agreed that permission be **GRANTED** subject to the following conditions.

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

None

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:

1. With the exception of the detailed matters referred to by the conditions of this consent, the development hereby approved shall be carried out in accordance with drawings 376.28/PL003A, 376.28/PL006A and 376.28/PL007A. The works shall be carried out in accordance with the details shown on the approved plan and in any other approved documents forming part of the application.

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

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

None

76 141447 - SAXILBY ROAD, STURTON BY STOW

The Committee gave consideration to application number 141447, outline planning application for 1no. single storey dwelling with access to be determined and all other matters reserved on land to the rear of 56 Saxilby Road Sturton-by-Stow Lincoln. The Planning Officer updated the Committee that since the report was drafted, the Neighbourhood Plan application had been received and was in the early stage of preparation. Its consistency with the NPPF was yet to be tested and it was to be afforded little weight in decision making. He added there appeared to be conflict within the policies and, in relation to the application, there was little to no community support and focus was on the concerns regarding flooding. Having given his presentation on the application, the Chairman invited the first speaker to address the Committee.

The first speaker introduced herself as Councillor Carol Gilbert of the Parish Council. She stated that the main concerns were regarding the risk of flooding and access to the site. She stated that in 2019 the site, and neighbouring properties, suffered significant flooding and

the only reason the flood water did not breach into houses was because of the efforts of the fire service in pumping water away and residents digging their own defensive trenches. She felt the applicant had accepted there were potential issues but had not proposed any kind of solution. She explained that the site was much lower than surrounding land and formed a catchment pond at times of heavy rain. She stated that the soil was of a heavy clay consistency and so excess water did not simply drain away. She felt the existing drainage did not work and to build on the site would only worsen the existing problems. With regard to access, Councillor Gilbert highlighted that the track was narrow and this had been the reason for previous refusal to build on the site. She noted there was not capacity for additional vehicular usage and the access was not sufficient for two way traffic or to enable passing places. In addition to these concerns, she stated that there would be little garden or amenity space for the proposed dwelling and what was there would be in the shade. She summarised her concerns to focus on the flooding concerns and access to the site and thanked the Committee for their time and consideration.

The second speaker, Mr Jon Cook, Agent for the Applicant, thanked the Committee for the opportunity to speak. He stated they were disappointed that the Officer recommendation was to refuse permission and also felt it should have been a decision made under delegated powers. He highlighted that Lincolnshire County Council, as Lead Flood Authority had not raised any issues, neither had the Environment Agency nor the Flood Specialist. He stated that other, similar, applications had been approved in the same area and decision making should be consistent. He explained that nothing was unsurmountable and there was the opportunity for a positive impact on the drainage of the area should the application be allowed. He felt the positive attributes were being overlooked and requested the Committee to consider granting permission. Mr Cook then handed to Mr Ron Lobley, Independent Flood Management Specialist.

Mr Lobley disputed the Officer suggestion that surface water flooding maps should be used to assess the site suitability. He quoted a similar application in North Kesteven District and explained that discussions in relation to that application specified that mapping was only suitable for nationwide or county wide development. He stated that, with this in mind, the use of such mapping by the Officer was not suitable for a single dwelling application and that the surface water flood map should not be used to ascertain suitability for this application. Mr Lobley acknowledged the concerns regarding surface water pooling in the lower level land however stated that mitigation measures such as raising the floor level would be included in the development.

The Chairman invited further comment from the Planning Officer who highlighted that, contrary to the NPPF, LP and the emerging NP, reports stated the indicative footprint would increase flood depths by 2cm. He also clarified that the Environment Agency only provided comments on river or sea flooding, Lincolnshire County Council were required by law to respond to major applications, which this was not, and it was therefore the responsibility of the District Council to consider the risks and likelihood of the impact of such flooding.

The Chairman invited comments from Members of the Committee and there was significant discussion regarding the recent flood problems in the village as well as whether the proposed development would offer any amelioration of drainage in that specific area. It was generally accepted that any increased risk of flooding was not acceptable.

Having been moved, seconded and put to the vote, it was agreed that permission be

REFUSED.

77 141637 - LAND OFF MIDDLE STREET, SCOTTON

The Chairman introduced application number 141637, outline planning application to erect 1no. bungalow with access and layout to be considered and not reserved for subsequent applications, on land off Middle Street, Scotton, Gainsborough. This was a resubmission of application number 140488. The Officer advised there were no updates to the report and so the Chairman invited the first of the two registered speakers to address the Committee.

Mr James Mumby, Agent for the Applicant, made the following statement.

“Chairman & members of the committee, thank you for the opportunity to speak to you today.

Background

The proposed site is at present, part of a side & rear garden to 11 Middle Street, Scotton, Gainsborough. The site lies within the recognised development boundary of Scotton, does not lie within a flood risk zone & has no special features or bio-diversity.

Proposal

This proposal is to erect a 2 bedroom single storey bungalow on the site with detached garage off-road parking & turning area. The only items to be determined by this application are the development in principle and the new access as appearance, landscaping, layout & scale are to be left as reserved matters.

Although the design of the bungalow would be left for reserved matters it would be proposed to build the dwelling in materials which would be sympathetic to the area & setting.

Access & Parking

The access & parking for the new bungalow & no 11 will be off Middle Street as indicated on the proposed block plan. The position of the entrance is to be where the existing electric post has a stay wire. A discussion has already taken place with Northern Grid and the 4 metre stay wire can be replaced with a 2 metre wooden outrigger stake on the opposite side to accommodate this new entrance.

Justification for Development

The host dwelling is fairly small in size when compared with those dwellings adjacent to it with a garden which is much larger and deeper than those around it – this makes the overall plot look out of character with the general plot sizes in the area. Therefore this proposal to divide the plot into 2 smaller plots would create a layout which we feel would be more in keeping with the general layout & character of the area.

We do not concur with the officer’s statement that the new dwelling would create a pattern of development which would be discordant to or have an adverse effect on the area. In fact the resultant plot sizes will be similar to many existing plots around the immediate area.

Effect on Amenity of Adjacent Dwellings

The new bungalow would not affect the amenity of adjacent dwellings for the following

reasons:

1. The proposed dwelling & the host property will each have sufficient land to provide adequate amenity space without causing a cramped development.
2. The proposed bungalow will be single storey only so no overlooking issues will occur.
3. There is sufficient spacing between the new bungalow and all adjacent properties to prevent any possible loss of amenity.
4. There are existing walls, fencing & mature hedging to all the boundaries of the proposed plot which will screen the proposed development from the adjacent properties.
5. It should be noted that there are existing examples of similar rear developments within the village eg on Crapple Lane.

Please note that the case officer has confirmed within her report that the indicative site layout indicated on the proposed block plan clearly indicates that the site is capable of accommodating a bungalow with sufficient space for parking, turning a vehicle & external amenity space & that an appropriate final design could be done so not have a harmful impact on the living conditions of neighbouring dwellings including each other and the host dwelling.

Trees

There are no trees located in the proposed location of the new buildings.

Contamination

A contamination “Screening Assessment Form” was enclosed with the application to confirm the current & previous uses of the site which indicate that to our knowledge no suspected contamination is present.

Proportionate Minerals Assessment

The proposed site is located in a “Gravel Mineral Safeguarding Area” and therefore a “Proportionate Minerals Assessment” was submitted with the application which concluded that it would be highly unlikely that the site would be granted permission for mineral extraction and therefore we consider it more suitable for the proposal submitted.

Drainage

Foul Water

It is proposed to connect the new dwelling into an existing foul water drain serving no11.

Surface Water

Surface water will be discharged into on-site soakaways subject to satisfactory percolation tests.

These items can be satisfactorily covered by suitable condition.

Summary

We consider that this proposal will provide a suitable plot for an affordable dwelling within the parish without affecting the street scene or creating a loss of amenity on adjacent properties.

Therefore we feel that the proposal would be acceptable development and would kindly ask for the committees support in approving our proposal.

Thank you.”

The Chairman thanked Mr Mumby for his time and invited the second registered speaker,

Councillor L. Rollings, Ward Member, to speak.

Councillor Rollings stated she was surprised to see the recommendation for refusal. She stated that, having visited the site of the proposed development, she felt it was a natural space for a bungalow and that the building adjacent to the site was around the same height as the proposal which she did not feel was demonstrated in the Officer presentation. She stated that she believed there was plenty of space for the new building without being incongruous and that the talk of the village being linear in nature was misleading as in fact, Scotton was rather 'higgledy-piggledy' with criss-cross streets, uphill and downhill development and clusters of houses that weaved around. She added that all properties were built at different times, in different styles, facing different directions, in complete contrast to the description of a linear character to the village. She noted the importance of village residents having the option to downsize but remain in the village and stated this would assist would that. She urged the Committee to support the application and thanked them for their time.

A Member of Committee sought clarification regarding a comment from the Parish Council that they supported the decision of Lincolnshire County Council. The Planning Officer explained the application had been previously refused and comments from Lincolnshire County Council had been in relation to the access to the property.

With this clarification, and with no further Members indicating to speak, the Officer recommendation to refuse was moved from the Chair and seconded. On taking it to the vote, it was agreed that permission be **REFUSED**.

78 141848 - SUMMER HILL, GAINSBOROUGH

The Chairman introduced application number 141848, for balcony to west elevation at Summer House, 3 Summer Hill, Gainsborough. There were no updates from the Planning Officer and, with no registered speakers, the Chairman invited comments from Committee Members.

A Member of Committee noted that the applicant was a relative of a council officer and as such, the application was beofre the Committee for reasons of transparency. The decsiion would have otherwise been made under delegated powers.

Note: Due to technical issues, the meeting was adjourned at 8:19pm and reconvened at 8:25pm. A full roll call was undertaken to confirm all Members were present.

On restarting the meeting, the Chairman summarised the Member comments as detailed above. The Officer recommendation for approval was moved, seconded and voted upon. It was unanimously 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 shall be begun before the expiration of three years from the date of this permission.

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

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

2. With the exception of the detailed matters referred to by the conditions of this consent, the development hereby approved shall be carried out in accordance with the following drawing: Site Location Plan, Elevations 10/20 RP, Floor Plans 10/20 RP received 2 October 2020. The works shall be carried out in accordance with the details shown on the approved plans and in any other approved documents forming part of the application.

Reason: To ensure the development proceeds in accordance with the approved plans and to accord with the National Planning Policy Framework.

3. The balcony hereby approved shall be finished in the colour black, unless otherwise approved in writing by the Local Planning Authority.

Reason: To ensure the use of appropriate materials to accord with the National Planning Policy Framework and Policy LP26 of the Central Lincolnshire Local Plan.

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

None.

79 141726 - ULSTER ROAD, GAINSBOROUGH

The Committee were asked to give consideration to application number 141726, for removal of prefabricated double garage and construction of double garage with additional habitable space/games room above at 12 Ulster Road Gainsborough. This was a resubmission of previously approved permission 140242. There were no updates from the Officer and she presented the details of the application to the Committee.

Note: Due to a recurrence of the technical issues, the meeting adjourned at 8:32pm and reconvened at 9:00pm. The Chairman conducted a full roll call to ensure all Members were present. This was confirmed to be the case.

The Planning Officer continued her presentation and, once completed, the Chairman invited the registered speaker to address the Committee.

Mr Peter Benson, Agent for the Applicant, thanked the Committee for the opportunity to speak. He stated that, as mentioned, the proposal originally was granted permission in February 2020 however, the proposed redesign was to try to get more space on the first floor. To do this, they were suggesting a slightly increased pitch of roof. This increased the first floor space without increasing the footprint. They considered this to be a minor change. The original application approved had an overall ridge height of 5.7m with a corresponding eave height of 2.85m. The distance from the front boundary was 15m which was exactly the same distance as the existing garage. The new amended application had an identical footprint but with a revised height of 6.4m. He stated that due to previous discussions, they

were aware the increase would be met with some resistance but they had taken steps to ensure the impact was minimised. They also undertook lengthy consultation with neighbours to ensure there were no neighbourhood issues. In order to mitigate the increase in height they had moved the building 1.5m further back into the plot so it was further away from the road. This reduced the garden space but the applicants felt this was a suitable compromise in order to gain the additional space on the first floor. They felt the impact on neighbouring properties was minimal, due to the garden areas being raised and the garage being built at a lower level. With regard to the formal and informal consultation with neighbours, Mr Benson stated it was important to note that no negative feedback had been received from residents on the street. Formal letters of support had been received from residents of Ulster Road, including two neighbours, and informal positive feedback had also been received from other residents of Ulster Road. There was also no negative feedback received from the Parish Council, Lincolnshire County Council or the Ward Member. He stated that taking into account all of the above, the recommendation to refuse could be reconsidered by the Committee. He added that the materials to be used were in keeping with the area and the design of the proposal was not changed to the previously agreed application aside from the change to the roof pitch. He summarised the points made above and requested that consideration be given for approval of the application.

There were no further comments from the Planning Officer and so the Chairman asked for comments from Committee Members. A Member of the Committee noted that the application had been referred to the Committee because the applicant was associated with West Lindsey District Council otherwise the decision would have been taken under delegated powers. He stated that he could understand why the recommendation was to refuse permission however stated that, should the Committee be minded to grant the application, there should be a condition put in place to ensure the property remained ancillary to the main dwelling rather than separated off as a small dwelling.

Councillor M. Boles declared a personal interest in that he knew Mr Benson but had not discussed the application with him. Councillor Boles stated that he was struggling to agree with the Officer recommendation to refuse the application. In knowing the area well, he did not agree that the proposal would be overly dominant and noted the support from the neighbours and residents of the street. He stated that he would support the granting of permission.

Another Member of Committee stated that she recognised the concerns raised but was overall surprised at the recommendation to refuse. She noted there seemed to be sufficient space to accommodate the proposal without a negative impact on the area.

With no other indications to speak, the Chairman moved the Officer recommendation, which, on being seconded was taken to the vote. With a majority vote against, the recommendation to refuse planning permission was **not carried** and the Chairman asked for an alternative proposal.

A Member of Committee proposed that permission be granted under a reversal of the reasons for refusal. It was also proposed that an additional condition be put in place to ensure the building remained ancillary to the main dwelling. This proposal was seconded and, on being taken to the vote, it was agreed that permission be **GRANTED**.

80 140997 - OWERSBY BRIDGE ROAD, KIRKBY CUM OSGODBY

The Committee gave consideration to application number 140997 to erect extension(s) to existing dwelling at Clinton Villa, Owersby Bridge Road, Kirkby Cum Osgodby, Market Rasen. There were no updates from the Officer so the Chairman invited the Democratic Services Officer to read the following statement provided by Mr Peter Everton, Agent for the Applicant.

“Good evening Chairman and members of the committee. Thank you for your time this evening.

As stated, this application is for a demolition of the existing garage and a proposal for a single storey rear and side extension to Clinton Villa.

The main concerns raised by the planning officer and neighbour objections from the previously submitted scheme were the views to and from the listed building, scale and massing, and the residential amenity impacts on the neighbouring dwellings.

Following a very productive site meeting and numerous email correspondence with Joanne Sizer, the scheme evolved to what you see before you today.

The design is sympathetic to the existing bungalow and maintains the character of the property. Scale has been reduced along with the amenity impacts on the neighbouring dwellings. Whilst the extension is large, it is appropriately proportioned to the large plot and is of a height and scale which reflects the existing dwelling.

The flat roof element will have minimal visual impact from the street scene and neighbouring properties, with the majority of the flat roof extension only visible from the rear garden which has been designed to negate the impact to the nearby listed building. This was a previous concern of the Conservation Officer and as seen in her most recent response, the Officer states that the setting of Kirk House will not be harmed.

We now present a well-rounded scheme addressing all previous issues, in our opinion adhering to all relevant Planning Policy and with an Officer recommendation for approval, which has been achieved through a proactive approach.

Joanne has been extremely professional, great to work with and we believed going forward this project would be seen positively, especially with the conservation officer now having no issues with the revised design and the planning officer recommending it for approval.

We can now no longer see why this application should not be seen as favourable and granted.

Many thanks for your time.”

With no further comment from the Officer, the Chairman opened the floor for comments from Members. The size of the planned extension was called into question and the Planning Officer confirmed the application for consideration was smaller than had been proposed originally. A Member of Committee commented that she had read the comments from

neighbouring properties with interest, as well as the conservation report. She noted that the applicants had worked with Planning Officers to agree on what was being considered this evening and she was happy to support the application.

Having been moved and seconded, there was discussion regarding the need to condition the use of the workshop for personal use only and whether to remove permitted development rights. It was decided, and agreed by the proposer and seconder, that to safeguard for future use, the workshop should be conditioned for domestic use only and to ensure no further extensions to the property, permitted development rights should be removed.

With these two amendments, the Chairman took the vote and it was unanimously agreed that permission be **GRANTED** subject to those and the following conditions.

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

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

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

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

None.

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

2. With the exception of the detailed matters referred to by the conditions of this consent, the development hereby approved shall be carried out in accordance with the following drawings: E0324-01, E0324-02, E0324-03, E0324-04, E0324-05, E0324-06 and E0324-07 received October 2020. The works shall be carried out in accordance with the details shown on the approved plans and in any other approved documents forming part of the application.

Reason: To ensure the development proceeds in accordance with the approved plans and to accord with Policy LP1, P17, LP25 and LP26 of the Central Lincolnshire Local Plan 2012-2036 as well as Policy 4 of the Neighbourhood Plan.

3. No development other than the laying of the foundations shall take place until details of all external and roofing materials to be used have been submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out using the agreed materials.

Reason: To safeguard the character of the area and setting of the nearby listed building in accordance with Policies LP17, LP25 and LP26 of the Central Lincolnshire Local Plan and Policy 4 of the Neighbourhood Plan.

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

None

81 141621 - PADMOOR LANE, UPTON

The Chairman introduced the final application of the night, 141621, to erect 1no. dwelling on land adjacent 1 & 3 Padmoor Lane Upton Gainsborough.

NOTE: Councillor D. Cotton declared a non-pecuniary interest in the application as it was in one of the parishes to which he ministered and was in reference to the church as a listed building. He therefore left the meeting at 9:40pm.

There was no update from the Planning Officer and as such the Chairman invited the first speaker, Mr Martin Furnish, Agent for the Applicant, to address the Committee. Mr Furnish made the following statement.

“Good evening to all members of the Committee.

I would firstly like to thank the Planning Officer Martin Evans and Conservation Officer Liz Mayle for their support and assistance during the application process in delivering an excellent scheme seeking your support tonight.

It is recognised to be a sensitive site located in the vicinity of three listed buildings in the settlement of Upton, but it has been the main aspiration of this application not to impact on any of these existing buildings.

Therefore, through consultation with both Conservation and Planning Officers, the scheme before you today has been designed to protect visual impact on all the listed buildings, whilst delivering a desirable but modest residential dwelling for the applicants.

The new dwelling is in an infill plot considered in an appropriate location and provides a vast improvement to the street scene in the heart of the village. It would remove an existing flat roofed garage and storage block with no architectural merit, replacing with a dwelling design that includes all the architectural features that would have been expected 100 years ago.

The dwelling has focused on the applicants need to provide a separate piano room to allow the teaching of pupils away from the residential element of their home, which has become more prevalent during recent times. The current residence does not have the ability to provide suitable access to prevent pupils entering the home nor provide the additional space.

Additionally, there has been a significant level of parking allocated within the site, which will avoid any need of parking on the street, helping to maintain the open aspect to the central area of the village.

The new dwelling would provide continued long-term residency in Upton where the applicant, Mrs Crow, has lived all her life, maintaining her close connection to the local community. The applicant’s current property would become available and be suitable for local first time and retirement occupants.

The applicant is a well-respected resident of Upton and has received strong local community support for this application, being fully backed by the Parish Council and Local Residents. The applicant's family have lived in the village for nearly 100 years and have been supportive of the church and local community and continue to do so. Therefore, it would be considered a shame to see the applicants have to move away to seek suitable accommodation.

We therefore hope that the committee can see merit in the application and approve. Thank you for your time.”

The Chairman thanked Mr Furnish and invited comments from Committee Members. Councillor J. Milne stated that she was Ward Member for the application but had not been involved in any discussions and therefore was speaking as a Member of the Planning Committee. She stated that it appeared great consideration had been given to the design of the property and to minimise the impact on surrounding buildings, including the church. She mentioned concerns around dust and noise, however, noted that there had not been such concerns raised regarding the existing forge. She commented that there was significant community support for the application and she moved the Officer recommendation for approval.

There were further comments of support from Committee Members and the level of community engagement was highlighted as particularly positive.

Having been moved and seconded, the Chairman took the vote and it was unanimously agreed that permission be **GRANTED** subject to the following conditions.

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).

2. Development shall proceed in accordance with the following approved drawings:

- 1518C/100 Rev B
- 1518C/102 Rev B
- 1518C/103 Rev B
- 1518C/104 Rev B
- 1518C/105

Reason: For the sake of clarity and in the interests of proper planning.

3. No development shall take place on the site until a Scheme of Archaeological Works (on the lines of 4.8.1 in the Lincolnshire Archaeological Handbook) in accordance with a written scheme of investigation has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include an assessment of significance and research questions and:

- i) the programme and methodology of site investigation and recording;
- ii) the programme for post investigation assessment;
- iii) the provision to be made for analysis of the site investigation and recording;

- iv) the provision to be made for publication and dissemination of the analysis and records of the site investigation;
- v) the provision to be made for archive deposition of the analysis and records of the site investigation;
- vi) the nomination of a competent person or persons/organization to undertake the works set out within the Written Scheme of Investigation.

Reason: To secure appropriate assessment and investigation of potential archaeological interest on the site in accordance with Policy LP25 of the Central Lincolnshire Local Plan.

4. No development above damp roof course level shall take place until details of the means of surface water drainage (including percolation test) has been submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented in full before occupation of the dwelling.

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

5. Prior to their use in the development details of the external finishing materials shall be submitted to and approved in writing by the Local Planning Authority. The development shall proceed in accordance with the approved details.

Reason: To secure good design in accordance with Policy LP26 of the Central Lincolnshire Local Plan.

6. No development above damp roof course level shall take place until a noise, dust, odour and vibration impact assessment has been submitted to and approved in writing by the Local Planning Authority which shall include details of any mitigation measures required. The development shall only be implemented in accordance approved mitigation measures and maintained as such for the life of the development.

Reason: In the interests of the amenity of the future occupiers of the dwelling having regard to the implications from adjacent uses and in accordance with Policy LP26 of the Central Lincolnshire Local Plan.

7. Before the first use of the development, a scheme of landscaping including details of the size, species and position or density of all trees and hedging to be planted or retained, shall have been submitted to and approved in writing by the Local Planning Authority. All planting comprised in the approved details of landscaping shall be carried out in the first planting season following the first use of the dwelling or the completion of the development, whichever is the sooner; and any trees or hedging 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 the visual impact of the development on the area of great landscape value is minimised in accordance with the requirements of Policies LP17 and LP26 of the Central Lincolnshire Local Plan.

82 DETERMINATION OF APPEALS

The determination of appeals was **NOTED**.

The Chairman thanked everyone for their patience through the technical difficulties and wished all present a Merry Christmas and Happy New Year.

The meeting concluded at 9.55 pm.

Chairman