

## WEST LINDSEY DISTRICT COUNCIL

MINUTES of the Meeting of the Planning Committee held in the Council Chamber - The Guildhall on 13 July 2022 commencing at 6.30 pm.

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

Councillor Matthew Boles  
Councillor David Cotton  
Councillor Michael Devine  
Councillor David Dobbie  
Councillor Mrs Cordelia McCartney  
Councillor Mrs Jessie Milne  
Councillor Peter Morris  
Councillor Roger Patterson  
Councillor Mrs Judy Rainsforth  
Councillor Mrs Angela White  
Councillor Christopher Darcel  
Councillor John McNeill

**In Attendance:**  
Russell Clarkson Development Management Team Manager  
Martha Rees Legal Advisor  
Ian Elliott Senior Development Management Officer  
Holly Horton Development Management Officer  
Andrew Warnes Democratic and Civic Officer

**Also In Attendance:** 12 Members of the Public.

**Apologies:** Councillor Cherie Hill  
Councillor Jeff Summers

**Membership:** Councillor John McNeill sat as substitute for Councillor Jeff Summers.  
Councillor Christopher Darcel sat as substitute for Councillor Cherie Hill.

### 17 PUBLIC PARTICIPATION PERIOD

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

## 18 TO APPROVE THE MINUTES OF THE PREVIOUS MEETING

**RESOLVED** that the minutes of the meeting of the Planning Committee held on Wednesday, 15 June 2022 be confirmed and signed as an accurate record.

## 19 DECLARATIONS OF INTEREST

Councillor P. Morris declared a personal interest, in relation to agenda item 6e, application number 144759, as he had a close relationship to the applicant, and knew him well. He would step down from the Committee for the item, and leave the Chamber.

Councillor J. Milne declared, in relation to agenda item 6e, application number 144759, that she knew too much information about the application, and could not give an impartial judgment on the application. She would step from the Committee for the item, and leave the Chamber.

Councillor J. McNeill declared, in relation to agenda item 6e, application number 144759, that he was going to speak as a supporter for the application. He stated that he would state his points, and leave the Chamber.

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

The Development Management Team Manager informed Members of local changes to planning policy. This included that the Sturton by Stow and Stow joint Neighbourhood Plan was formally adopted at the full Council meeting on 4 July 2022. Members also heard that the Hemswell and Harpswell joint Neighbourhood Plan had its examiner appointed.

<b>Neighbourhood Plan/s</b>	<b>Headlines</b>	<b>Planning Decision Weighting</b>
Sturton by Stow and Stow joint NP	Made by Full Council meeting on 4 <sup>th</sup> July 2022.	Full weight
Hemswell and Harpswell joint NP	Examiner appointed and examination starts soon.	Increasing weight

## 21 144645 - LAND REAR OF 7 WATERFORD LANE, CHERRY WILLINGHAM

The Chairman introduced the first application of the meeting, planning application number 144645, for 3no. bungalows with rooms in the roof space including single garages and all associated works at Land rear of 7 Waterford Lane, Cherry Willingham.

**Note:** Councillor I. Fleetwood declared that he was Chairman of Cherry Willingham Parish Council. He stated that he did not deal with planning applications in his role as chairman of the parish council, and has made no representations on planning applications.

The Officer stated that there were no updates to his report, and gave a short presentation on the application. The Chairman then invited the registered speaker, the agent for the application, Kevin Coupland to address the Committee. The following statement was made.

The agent thanked the committee, and highlighted the positive neighbourhood consultation process, with no public objections and one registered neighbour supporting the application. It was referred that the boundary issues were dismissed, and that the objections from Cherry Willingham Parish Council were vague. The agent stated that the objection regarding the access road was mistaken, as the access had been increased in width and was approved by Lincolnshire County Council Highways. The speaker also stated that in fire engine access, this was enough, and was also supported by the domestic sprinkler system for the 3 properties.

Regarding objections about density of the application, the agent stated that this was not the case. He stated the studies and drawings from the application submission showed that it was not of high density, and that the location for the development was not challenged by Planning or the Parish Council. Members also heard that there were no statutory bodies objecting to the application, and that the building lines were fine for the development. He summarised that the application was acceptable for development.

The agent progressed to state that the Neighbourhood Plan issues raised by Cherry Willingham Parish Council were aimed at larger developments, such as local character, environment and landscaping. The agent asserted that the trees on the site would be retained. The agent then stated the accessibility of the properties was good, and was of sound design, and followed building control regulations. The agent concluded his statement to reassert that the application stood to scrutiny, held no consultee objections, and hoped for the Committee's approval.

In response to the statement from the agent, the Senior Development Officer clarified that though the drive on the site does narrow, Lincolnshire Highways did not object to the application and the access for emergency vehicles was a matter for building control through building regulations.

The Chairman then invited comments from Members of the Committee. Debate ensued, and Members brought up points about the density of the proposed site, with comments that referred to nearby, similar developments. Members also discussed the design of the properties, and that statutory bodies had not objected to the application, which included the access for fire engines.

Members also commented the site plans shown in the presentation were out of date, and that these incorrectly showed the easement size. Members also felt that the application site did not have too high of density.

In response to a query about the slope off on the land as shown on the drawings, this was confirmed to be a natural feature.

Having been proposed and seconded, the Chairman took the vote and 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 must be begun before the expiration of three years from the date of this permission.

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

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

NONE

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

2. With the exception of the detailed matters referred to by the conditions of this consent, the development hereby approved must be carried out in accordance with the following proposed drawings:
  - 1768P-22-26c dated 18th May 2022 – Site Plan
  - 1768P-22-27 dated February 2022 – Plot 7a Floor Plans
  - 1768P-22-28 dated February 2022 – Plot 7a Elevation Plans
  - 1768P-22-29 dated February 2022 – Plot 7b Floor Plans
  - 1768P-22-30 dated February 2022 – Plot 7b Elevation Plans
  - 1768P-22-31 dated February 2022 – Plot 7c Floor Plans
  - 1768P-22-32a dated 1st April 2022 – Plot 7c Elevation Plans
  - 1768P-22-33 dated April 2022 – Plot 7a and 7b Garage Elevation and Floor Plans
  - AMS22-01 dated 24th May 2022 – Tree Protection Plan (Appendix A of the Arboricultural Method Statement by Brown Bear Tree Care dated 24th May 2022)

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

**Reason:** To ensure the development proceeds in accordance with the approved plans and to accord with the National Planning Policy Framework, local policy LP17 and LP26 of the Central Lincolnshire Local Plan 2012-2036 and policy H3 and D1 of the Cherry Willingham Neighbourhood Plan.

3. The development must be completed in strict accordance with the Arboricultural Method Statement by Brown Bear Tree Care and Tree Protection Plan (AMS22-01) dated 24th May 2022. All tree protection measures must be installed prior to works commencing and retained in place until the development is fully completed. The areas identified on the Tree Protection Plan for a cellular confinement system must be completed using a no dig/excavation method.

**Reason:** To appropriately protect and safeguard the protected trees and trees to be retained on the site to accord with the National Planning Policy Framework, local policy LP21 of the Central Lincolnshire Local Plan 2012-2036 and policy D1 of the Cherry Willingham Neighbourhood Plan.

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

**Reason:** To ensure adequate drainage facilities are provided to serve each dwelling, to reduce the risk of flooding and to prevent the pollution of the water environment to accord with the National Planning Policy Framework, local policy LP14 of the Central Lincolnshire Local Plan 2012-2036 and policy D1 of the Cherry Willingham Neighbourhood Plan.

5. No occupation must take place until a landscaping scheme has been submitted to and approved in writing by the Local Planning Authority. Details to include:
  - Type, height and position of all boundary treatments.
  - Material finish of all hardstanding (access road, driveways, patios and paths).
  - Species, planting height, formation and position of all new and retained trees and hedging.

**Reason:** To ensure that appropriate landscaping is introduced and will not unacceptably harm the character and appearance of the site to accord with the National Planning Policy Framework, local policies LP17 and LP26 of the Central Lincolnshire Local Plan 2012-2036 and policy D1 of the Cherry Willingham Neighbourhood Plan.

6. The development must be completed in strict accordance with the external materials identified on the elevation plans listed in condition 2 of this permission.

**Reason:** To ensure the use of appropriate materials in the area to accord with the National Planning Policy Framework, local policy LP17 and LP26 of the Central Lincolnshire Local Plan 2012-2036 and policy D1 of the Cherry Willingham Neighbourhood Plan.

7. No occupation of each individual dwelling must take place until the vehicular access, private drive to the dwelling and its individual driveway identified on site plan 1768P-22-26c dated 18th May 2022 has been fully completed and retained for that use thereafter.

**Reason:** To ensure safe access to the site and each dwelling/building in the interests of residential amenity, convenience and safety and to allow vehicles to enter and leave the highway in a forward gear in the interests of highway safety to accord with the National Planning Policy Framework, local policy LP13 and LP26 of the Central Lincolnshire Local Plan 2012-2036 and policy D1 of the Cherry Willingham Neighbourhood Plan.

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

8. 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 D1 of the Cherry Willingham Neighbourhood Plan.

## **22 143891 - LAND OFF MAIN ROAD & CHURCH HILL, RIBY**

The Chairman introduced the next item of the meeting, application number 143891, to erect 5no. detached dwellings with associated boundary treatments, landscaping, private access drive and altered existing farm access, on Land off Main Road & Church Hill, Riby. The Officer informed the Members of the Committee that there were no updates on the application. A short presentation was then given by the Officer.

The Chairman advised that there were no Speakers registered, and invited comments from Members of the Committee.

Members debated the proposed site, the properties design, and the location of it. Comments included that the application connected to Riby and the Yarbrough Estate in the village. The Officer clarified following a comment from a Member that the site plan was not an indicative plan as this was a full application.

In response to a query about the levels of growth mentioned in the Officer's report, Members learnt that this was expected to last until 2036. It was also learnt in a similar line of questioning that should the application be granted, only applications with community support could be given approval in the future.

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

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

9. 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:**

10. No development must take place until a construction method statement and plan has been submitted and agreed in writing by the local planning authority. The approved statement(s) must be adhered to throughout the construction period. The statement must provide for:

- (i) the routeing and management of traffic including any off site routes for the

- disposal of excavated material;
- (ii) the parking of vehicles of site operatives and visitors;
- (iii) loading and unloading of plant and materials;
- (iv) storage of plant and materials used in constructing the development;
- (v) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- (vi) wheel cleaning facilities;
- (vii) measures to control the emission of dust and dirt;
- (viii) details of noise reduction measures;
- (ix) a scheme for recycling/disposing of waste;
- (x) 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 neighbouring dwellings and surrounding area from noise, dust and vibration and to accord with the National Planning Policy Framework and local policy LP26 of the Central Lincolnshire Local Plan 2012-2036.

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

11. 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:

- dmc 21614/001 Rev A dated 3rd April 2022 – Site Plan
- dmc 21614/002 Rev A dated 3rd November 2021 – Plot 1 Elevation, Floor and Roof Plans
- dmc 21614/003 dated October 2021 – Plot 2 & 3 Elevation, Floor and Roof Plans
- dmc 21614/004 dated October 2021 – Plot 4 Elevation, Floor and Roof Plans
- dmc 21614/005 Rev A dated 3rd April 2022 – Plot 5 Elevation, Floor and Roof Plans

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

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

12. No development above ground level must take place until all external materials in the construction of the dwellings have been submitted to and approved by the Local Planning Authority. The external material details to include:

- Brick/Stone Type
- Roof Type
- Windows and Doors including colour finish
- Rainwater Goods including colour finish

The development must be completed in strict accordance with the approved materials schedule.

**Reason:** To safeguard the character and appearance of the building and its surroundings

including the Area of Great Landscape Value and ensure the proposal uses materials and components that have a low environmental impact and to accord with the National Planning Policy Framework and local policy LP17 and LP26 of the Central Lincolnshire Local Plan 2012-2036.

13.No development above ground level must take place until details of a scheme for the disposal of foul sewage and surface water from the site (including the results of any necessary soakaway/percolation tests and connectivity plan) have been submitted to and approved in writing by the Local Planning Authority. No occupation must occur until the approved scheme has been installed. The development must be completed in strict accordance with the approved drainage scheme and retained as such thereafter.

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

14.No occupation must take place until a comprehensive landscaping plan has been submitted to and approved in writing by the Local Planning Authority. The landscaping plan to include details of:

- All hardstanding
- All boundary treatments
- Retained trees and hedging
- New hedging and new trees including position, species, planting height and planting arrangement.
- New infill planting to the front hedgerow including position, species, planting height and planting arrangement.

The development must be completed in strict accordance with the approved landscaping details.

**Reason:** To ensure the development site is appropriately landscaped in its setting to accord with the National Planning Policy Framework and local policies LP17 and LP26 of the Central Lincolnshire Local Plan 2012-2036.

15.No development above ground level must take place until details have been submitted to demonstrate that at least 2 of the 5 dwellings, as a minimum, meet standard M4(2) of the Building Regulations 2010. The development must be completed in strict accordance with the approved details.

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

16.No occupation must take place until details of the type and position of 3 integral bat boxes, 2 house sparrow nest boxes, 2 swift nest boxes and 2 starling nest boxes have been submitted to and approved in writing by the Local Planning Authority. The approved boxes must be installed in strict accordance with the approved details and retained as such thereafter.

**Reason:** To respond to the enhancement recommendations of the Preliminary Ecological Appraisal (PEA) by CGC Ecology dated June 2021 to accord with the National Planning Policy Framework and local policy LP21 of the Central Lincolnshire Local Plan 2012-2036.

17. In addition to the bat and bird described in condition 8 of this permission the development hereby approved must otherwise only be carried out in accordance with the recommendations set out in section 5 (page 14-17) of the Preliminary Ecological Appraisal (PEA) by CGC Ecology dated June 2021.

**Reason:** To respond to the enhancement recommendations of the Prelim accord to accord with the National Planning Policy Framework and local policy LP21 of the Central Lincolnshire Local Plan 2012-2036.

18. No occupation of plot 1 must take place until its vehicular access off the A1173 and driveway identified on site plan site plan dmc 21614/001 Rev A dated 3rd April 2022 has been fully completed and retained for that use thereafter.

**Reason:** To ensure safe access to the site and each dwelling/building in the interests of residential amenity, convenience and safety and to allow vehicles to enter and leave the highway in a forward gear in the interests of highway safety to accord with the National Planning Policy Framework and local policy LP13 and LP26 of the Central Lincolnshire Local Plan 2012-2036.

19. No occupation of plots 2, 3, 4 and 5 must take place until the access off the A1173, the private drive and each plots individual access and driveway identified on site plan site plan dmc 21614/001 Rev A dated 3rd April 2022 has been fully completed and retained for that use thereafter.

**Reason:** To ensure safe access to the site and each dwelling/building in the interests of residential amenity, convenience and safety and to allow vehicles to enter and leave the highway in a forward gear in the interests of highway safety to accord with the National Planning Policy Framework and local policy LP13 and LP26 of the Central Lincolnshire Local Plan 2012-2036.

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

20. All planting and turfing comprised in the approved details of landscaping approved through condition 6 of this permission 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 and local policies LP17 and LP26 of the Central Lincolnshire Local Plan 2012-2036.

## **23 144201 - LAND TO THE REAR OF BELMONT, LEGSBY ROAD, MARKET RASEN**

The Chairman introduced the next item of the meeting, application number 144201, for change of use to caravan site with associated infrastructure and landscaping, including formation of new access, at Land to the rear of Belmont, Legsby Road, Market Rasen, LN8 3DZ.

The Development Management Team Manager confirmed that there was an update to the report, which was a reversal of a recommendation from the Environment Agency. The sewage issue was possibly conditional, and the Officer confirmed that should the Committee have been minded to grant the application, condition 7 should be amended. The Officer then gave a short presentation on the application.

The Chairman then noted that the large number of registered speakers for this item. The Chairman then invited the first registered speaker, the Town Council Representative, Councillor Taylor of Market Rasen Town Council, to address the Committee. The Representative made the following statement.

The Representative hoped that the Members had read the statement submitted by Market Rasen Town Council, and the report, which highlighted key considerations which included precedence, ecology, environment, roads, landscaping, views and sustainable development. The speaker asserted that this was contrary to six local plan regulations, and declared that it was contrary to LP55, paragraph c. The Representative stated that this provision read that mobile homes should be treated the same as permanent homes.

The speaker commented, as regular user of nearby woods, that the application would disrupt the wildlife and affected LP7. The Representative stated that the new 79 caravans would affect the biodiversity of the area, and a massive extension of the area, not within existing settlements. Regarding the biodiversity, the speaker explained that it was unlikely to be sheltered. The

The Chairman thanked the Representative for his statement.

**Note:** The Chairman made the declaration that the previous speaker was a former Member of West Lindsey District Council, and was known to several Members of the Committee.

The Chairman noted that, in an agreed upon decision as one-off due to the volume and length of the statements, there were five registered speakers in the applicant/agent/supporters' category. The Chairman then invited the first, the agent for the application, Nayan Ghandi, to address the Committee. The agent made the following statement.

The agent stated that the applicant supported the Officer's recommendation, and could see the conditions for the applications. Members heard that the applicant and agent had worked with the Officer to reach a suitable recommendation. The agent explained that the application site was adjacent to the Market Rasen Race Course, and offered an alternative experience for those visiting the area. It was explained that the site would operate all year round, and intended to draw visitors from around the country, which included in the low season.

The agent then asserted that the application was supported by local business owners, and drew on that the site would lead to an increase of 1.5 million pounds in spending, which secured jobs and the area. The agent stated that this responded to the Visitor Economy Strategy recently discussed at another Committee, and the need for economic development. The agent stated that LP7 of the Central Lincolnshire Local Plan had been met, and that the application complied with the planning policy framework.

The agent stated that the application would create a visitor hub and clarified that the site was for holiday use only, and agreed with the proposed condition restricting the site to holiday use. Speaking on this, the agent stated that

The agent then asserted that there would be biodiversity net gain, and would create venue space for the area. The agent then concluded his statement to state that there were multiple statements of support, and reasserted that the application was policy compliant, had the NPPF compliance, and significant benefits for the town.

The Chairman thanked the agent for his statement, and then invited the Democratic and Civic Officer to read the four registered statements out altogether. The first was from Valerie Kirman. This was read aloud by the Democratic and Civic Officer.

“Market Rasen, like many other places now, is losing trade, small businesses etc. But unlike many other places it is uniquely placed to become a centre for tourism and leisure. Situated at the foot of the beautiful Lincolnshire Wolds, there is access for walking and cycling. Willingham Forest, Walesby Woods, the conservation area are within easy reach. There is a lovely walk over to Tealby. The Golf Club and The Racecourse would benefit from this proposal, making it a true recreational and leisure area.”

“It would bring in much needed income and generate new jobs in the town and the environs. Travel to other places of interest e.g. Lincoln, Horncastle and Louth and the East Coast resorts would be very enjoyable days out from Market Rasen hub. For a place not to descend into apathy, it needs to move forward, be dynamic from which the town and it's people will benefit. Thank you.”

The second statement was from Carol King. This was read aloud by the Democratic and Civic Officer.

“I would like to say that I think it would be an asset to Market Rasen and other business, for the planning application to be approved.”

The third statement was from Bettie Sweet. This was read aloud by the Democratic and Civic Officer.

“Ideal plot, location set between golf course and race course. Perfect site for leisure/tourism. Would significantly increase footfall to shops and businesses in town. In last six months the town has seen many closures of shops as not enough people using facilities. Potential increase of people to use expensive new leisure centre which is currently not being used to full capacity. Support Market Rasen and surrounding areas. E.g. Wolds, Louth, Lincoln, Gainsborough, Grimsby and coastal areas. Support Lincolnshire Heritage and History. Support nature, significant planting etc. included in the plan. Lots of public ways, bridle ways

for off road activities. On national cycle route and vast network of cycle trials both on and off road. Significant potential financial benefit for the town and surrounding areas. More people to keep local transport viable and sustain a regular service to the town if used more.”

The fourth and final statement was from Allan and Pauline Tench. This was read aloud by the Democratic and Civic Officer.

“As residents of Legsby Road we wish to state that we have no objection in principle to the scheme. It seems a very good idea for the town.”

The Chairman then stated that there were three registered objectors to the application. The first was a statement from Mrs Sheila Brookes. This was read out by the Democratic and Civic Officer. The following statement was read out.

“Dear Committee, I oppose this suggestion on several grounds. This is a very quiet agricultural area of rural Lincolnshire. The approach lane has an “upside” & a “down side”, yet some of the caravans will sleep up to eleven people, that will be three cars per van. A lot of traffic on a country lane that accommodates only one car in each direction.”

“Also the meadow is a wildlife habitat, the owner is aware of this as she has frequently posted photos that she has taken to friends & associates. These have included Barn Owls, Brown Owls, Buzzards, & Kites, including nesting pairs. She has also sent pictures of hares, hedgehogs, stoats & weasels, and numerous toads & frogs. All would be lost.”

“There is no plan for entertainment or sports facilities on site, this means that people will be driving out on a daily basis. Some may go into Market Rasen, taking the short route through the small estate of bungalows to reach Tesco’s. The estate is not built for this type of traffic.”

“When the caravan occupants choose to drive away from the direction of Market Rasen on the narrow country lane, after less than a 1/2 mile they will be on the Lindsey Trail for the next third of a mile. The Lindsey Trail is the longest round route in the country for the ridden & driven horse, mostly off road. It was opened in 2012 by Sir Edward Leigh, & received an Access Award from the British Horse Society. Please do not allow this quiet rural area with all round woodland to become a camp site and rat run.”

The Chairman thanked the Democratic and Civic Officer for reading out the statement. He then invited the next registered objector, Carol Turner, to address the Committee. The speaker made the following statement.

“I believe most areas regarding why the above mentioned application should be refused have already been covered by the email sent to West Lindsey Council by the Market Rasen Town Council dated 11th March 2022. I myself agree with all their objections regarding Precedent, Ecology, Environment, Biodiversity, Traffic-Roads, Landscape and views and Sustainable Development. Basically, the proposal is for 80 static caravans which in itself is excessive for the site. 165 car parking spaces?? The application does not say if the homes are to be occupied for twelve months of the year, or if they may become permanent homes?”

“The populations of the nearest villages to the site are Legsby approximately 200 people and Linwood less than 200 people. Therefore, in essence a completely new village is being

proposed for this Legsby Road site. If each static caravan houses only six people which I understand some are able to accommodate eight or more, there would be a population of over 450 people a sum greater than that of the two nearest villages combined. In ten years' time who will take responsibility for a site that could become a derelict eyesore to this beautiful area of Market Rasen countryside?"

The Chairman then invited the third registered objector, Lyndsey Horstwood, to address the Committee. The following statement was made.

The speaker stated that following the objections made by Market Rasen Town Council, the proposed application was right next door to residential properties, with some being in residence for 90 years. The objector referred to possible noise pollution caused by the site. The speaker progressed to state about possible flooding for residential properties, and on the roads being exacerbated, with an assertion that the buffer zone was not sufficient.

The objector progressed to state that the proposed new access was too close to nearby other properties' entrances, and that it was on a country road. The speaker then explained that on race days on the adjacent racecourse, the traffic flows the opposite way, going to Legsby, and this would lead to significantly larger amounts of traffic. The speaker stated that the nearby Legsby had single vehicle access roads and was not suited for the application. The speaker then stated that in a previous refused application, traffic access, the countryside area, character harm and vehicle access to local amenities were given as reasons for refusal. The speaker said that this would be worse as that refused application was for 50 properties.

The speaker stated that housing development was preferable to the application's static caravans, and that the year-round usage of the site was longer than in other caravan sites. The objector concluded there was considerable opposition by the local Lindsey Trial Touring Park to the applications, referenced that there were many developments ongoing in Market Rasen, and that it was already a massive site in the previous refused application.

The Chairman then stated that the final registered speaker was a Local Ward Member, Councillor Stephen Bunney. The following statement was read aloud by the Democratic and Civic Officer.

"Apologies for not appearing in person but I have a longstanding prior engagement. I address tonight's planning committee in my capacity as one of the local district councillors for the Market Rasen Ward and as Chair, Mayor, of Market Rasen Town Council."

"It is generally agreed that there is a need for economic development in Market Rasen to improve both the infrastructure and facilities for residents and visitors. 'Visitor Economy' and 'Active Leisure' have been identified as leading drivers to bring this development about. There is also common agreement that the beauty of the natural environment and wildlife, particularly in the area surrounding the built-up area of the town, is a major asset for the community. The challenge faced by planners is to balance the two, so that the any development does not adversely impact the natural environment and community."

"The proposed plan for 79 mobile homes on Legsby Road represents a major build for the site and will inevitably alter the view and ecology of the area. Conditions set as part of proposed planning approval may well mitigate some of the negative effects and indeed,

could enhance nature in the area. However, it needs to be recognized that there is a high chance that not all these conditions will be completed to the standard required by the local community and planners. Conditions imposed inevitable take the form, that plans need to be submitted and approved by officers before the development stage takes place. As they will not be directly consulted, the danger is that the views and knowledge of the locals – who know the area best – will not be fully considered, resulting in the mitigation measures being below par.”

“The current economic climate means that everyone is looking to keep costs as low as possible. In such circumstances mitigation measures are at risk of being rushed and trimmed back – which means that there is a likelihood that they will not be as effective as desired. I appreciate that enforcement procedures exist to protect against this but, with all due respect, enforcement is not an easy process and isn’t always 100% applied.”

“If the planning proposals were for permanent homes the planning officer explains in his report that the scheme would not be granted permission. The officer also writes in the report that in the planning process caravans are to be treated in the same light as permanent homes. It would therefore seem to me that the same reasons for decisions should apply and so planning approval for the mobile homes should not be granted. In reading the detailed application forms I got the impression that if the expected demand for tourist units did not hold there was a possibility that the units could be sold/leased as long-term residencies. This would build permanency into the scheme, which as explained in the previous paragraph would be against officer advice.”

“The plans for the project as submitted imply that the site will be operating for 12 months a year. Whereas other sites in the vicinity have limits of 7 and 8 months accordingly. I believe that for consistency reasons the timings on the proposed project should be similar. This could have a negative influence on the projects business plan. Placing pressure on the owners to convert the units to undesirable permanent residencies.”

“The Central Lincolnshire Plan [CLP] requires planners to favour sustainable development [CP1] and to promote a sustainable visitor economy [CP7]. On the surface the project, as proposed, satisfies both criteria. The key word is SUSTAINABILITY [defined by Collins Dictionary as ‘to keep from failing or sinking - to keep alive - to endure’]. We need to ask the questions are the site, Legsby Road and Market Rasen able to support a project of 79 mobile home units both now and into the future?”

“Recent proposals for Mobile Homes on the B1203 Tealby Road would suggest not. Only 1 of several dozen granted planning permission, by this committee, has been built. If the Legsby Road site does have a better building and occupation rate than the Tealby Road set up the extra numbers of holiday makers will certainly change the ambience of the area by influencing noise, traffic, footpath use etc. This is likely to have an adverse effect on the number of clients using the ‘adult based’ caravan sites along the road, reducing their attractiveness and occupancy, with a consequent reduction in the economic potential of these businesses. In short, the area will be too full of holiday makers!”

“In common with most of the local residents who have commented on the planning portal I conclude that the sheer size of the project is inappropriate for the site and planning permission should be refused. I appreciate that the developers argue that their proposals will enhance aspects of the natural environment but on balance believe the overall effect will

be detrimental and so do not meet LP 17, LP21 and LP55 of the CLP. I also believe that the projects economic and community benefits do not stack up in the short and medium run and so do not meet the Sustainability test required for LP1 and LP7.”

In response to the statements made, the Development Management Team Manager stated that in response to the year-long opening, the legislation for this was changed in 2010 to allow for year-round opening. Regarding the flood risk comments, the Officer stated that the drainage could be conditioned in order to provide indicative details. The Officer then progressed to comment that the access and roadway to the site already had visitor access. For the raised transportation issues, the Officer clarified that the Transport statement submitted by the applicant was reasonable, with vehicle movements between 7 am and 7 pm being around 140 vehicles on a typical weekday, and that the adjacent Legsby Road had capacity.

The Chairman then invited comments from Members of the Committee. Debate ensued, and Members brought up multiple points, which included the access/egress of the site, the usage of caravans, density, and the effect on light and noise pollution of the local area. Members also asserted to the conditions on the road and surrounding areas on race days at the adjacent racecourse.

In response to a clarification, Members learnt that Market Rasen did not have a neighbourhood plan for planning policy and was a designated area. In response to a similar query, there was no planning standards to measure density, though admitted that this had been previous consideration, and the Legal Advisor clarified that this would be governed and licensed with pre-existing regulations for caravan sites. Regarding the noise and lightening issues raised, the Development Management Team Manager said these would be controlled by the environmental protection and regulatory teams. He also stated that street lamps on the site could be conditioned, and that any issues around the transient population would be minimal.

In response to a comment about the use of caravans, the Development Management Team Manager explained that it was LP7 that was engaged, not LP55. It was explained that the previously refused applications was for homes, and due to the transient nature of the users for this possible site, different policies applied. The Officer stated that these were not mobile homes or touring caravans, and so had different regulations attached. In a related query about the year-round nature of the site, Members heard that this would be more market led, with minimal traffic expected in winter months.

In a response to a query about the possible conditioning of blocking permanent use, the Officer explained that any decision had to test for reasonable, and was a standard condition. The Officer stated that this was commonplace, and used Torksey as an example. Members then heard that for enforcing any breach of conditions, it was within 10 years of the local Planning Authority to enforce any breaches.

In response to a query about the registered supporters out of the District in the report, the Development Management Team Manager stated that by law, the Planner has to take into consideration the weight, but that it was up to the Committee the weight they took the letters. It was explained that it was not a referendum, but what they were stating which was the main consideration regarding planning.

In response to a query about the flood zone, the Development Management Team Manager said that the existing water courses were on both sides of the site, and that the water was to run off naturally.

A Member of the Committee proposed a site visit. This was in order to better understand the proposed site's location and layout, and to review the access /egress points to the site due to the possible high occupancy rate.

Having been proposed, and seconded and, on taking the vote, it was

**RESOLVED** that the application be deferred for decision at the next available meeting, in order for a site visit to be undertaken.

## **24 144761 - 11 THE GRANTHAMS, DUNHOLME**

The Chairman introduced the next item of the meeting, application number 144761, for 1.8m high Pallas fence to front and side boundaries, at 11 The Granthams, Dunholme, Lincoln, LN2 3SP. The Development Management Team Manager highlighted, in a short presentation, the unusualness of the application, and emphasised several key points, such as the medical and personal reasons for the application, which warranted the Officer's recommendation for granting the application with the condition.

There were no registered speakers, and the Chairman invited comments from Members of the Committee. Many Members commented that they supported the reasoning behind the fencing, and some referenced individual experiences that related to the personal, medical reasons behind the application.

Responding to a query about the removal of the fencing for future owners', the Legal Advisor stated that a conveyancer should inform that purchaser of this planning condition, and any others that might apply. The Officer clarified that the legal maxim of 'Buyer's Beware' was recommended.

In response to queries about the condition's wording in order to be precise, reasonable, and enforceable, that it had to meet the five tests. The Legal Adviser stated that the reason for the fence for medical reasons meant it would be challenging for non-medical experts, including the Council, to decide whether the child reaching majority no longer needed the fence. In response to a later query, Members learnt that the child's medical condition was severe.

In a later comment response, the Legal Adviser detailed that if Members were unhappy with the condition as printed in the agenda, it could be amended to suit the Committee's preferences.

Members heard that due to not fully knowing the domestic arrangements, and that any changed circumstances could be dealt with by Planning, this condition was precise and enforceable. The Officer explained that though he was understanding of the concerns raised, he stated that he did not foresee the situations raised that would affect the planning condition.

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

1. This permission is granted to, and is for the benefit of Mrs Eloise Rimmer only. Once Mrs Rimmer no longer resides at 11 The Granthams the fencing shall be removed, no later than one month from the date of her departure from the property.

**Reason:** It is considered the personal circumstances of the applicant are a material consideration in the determination of this application.

## **25 144759 - LAND TO THE REAR OF 5 MILL LANE, CAISTOR**

**Note:** Councillor P. Morris stepped down from the Committee for this item and left the Council Chamber at 8.15 pm.

**Note:** Councillor J. Milne stepped down from the Committee for the remainder of the meeting and left the Council Chamber at 8.15 pm.

The Chairman introduced the final application of the meeting, application number 144759, for 1no. dwelling with detached garage, at Rear of 5 Mill Lane, Caistor, Market Rasen, LN7 6UA. The Development Management Officer explained that the applicant was related to an elected Member of the Council, and this was the reason for its consideration by the Committee. The Officer gave a short presentation of the application.

The Chairman invited the registered speaker, a supporter of the application, Councillor John McNeill, to address the Committee. The following statement was made.

The Member stated that he was representing the applicant, Mr Oliver Lawrence, and expressed that he was satisfied with the Officer's report. Though it was a full planning application, the Member articulated that the applicant wanted full transparency, even with the minor variation to the previously granted application. The Member concluded his statement that the applicant was grateful for the additional support.

**Note:** Councillor J. McNeill left the Council Chamber at 8.19 pm.

The Chairman then invited comments from Members of the Committee. Debate ensued, and Members were content with the proposed changes, with queries related to clarifying the proposed design. In response, Members learnt that there was to be one less window, and a 8 inch increase of the property's ridge height.

In response to a query, the Development Management Team Manager confirmed that if the applicant was not related to an elected Member of the Council, this would have been handled under Officer delegation, and would not have come to the Committee's attention.

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

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

None (development has already commenced).

**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 the following drawings: ldc-3597-BR-01 B dated 23rd September 2021, ldc-3597-BR-02 B dated 23rd September 2021, LDC3683-PL-01 dated March 2022, ldc-3597-PL-07 dated April 2022 and ldc-3597-BR-03 B 11th August 2021. 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, Policy LP17 and LP26 of the Central Lincolnshire Local Plan and Policy 3 of the Caistor Neighbourhood Plan.

2. No development above damp proof course level for the proposed garage shall take place until, details of all external and roofing materials for the detached garage to be used have been submitted to and approved in writing by the Local Planning Authority and the development shall only be carried out using the agreed materials.

**Reason:** To safeguard the character and appearance of the building and its surroundings in accordance with the National Planning Policy Framework and Policy LP17 and LP26 of the Central Lincolnshire Local Plan.

3. Before the dwelling is occupied, the access and turning space shall be completed in accordance with the approved plan drawing number LDC3683-PL-01 dated March 2022 and retained for that use thereafter.

**Reason:** To ensure safe access to the site and each dwelling/building in the interests of residential amenity, convenience and safety and to allow vehicles to enter and leave the highway in a forward gear in the interests of highway safety to accord with the National Planning Policy Framework and Policy LP13 of the Central Lincolnshire Local Plan.

4. The development hereby permitted shall not be used or occupied until the sewage disposal works have been completed in accordance with the approved plans and retained as such thereafter.

**Reason:** In the interest of water quality and the residential amenities of future occupiers in accordance with the National Planning Policy Framework and Policy LP14 of the Central Lincolnshire Local Plan.

5. Details of a scheme for the disposal of surface water from the site (including the results of any necessary soakaway/percolation tests and connectivity plan) shall be submitted to the Local Planning Authority within 3 months of this decision. have been submitted to the

Local Planning Authority for written approval. No occupation must take place until the approved scheme has been installed, and shall thereafter be retained as such.

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

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

6. Notwithstanding the provisions of Class A, B and E of Schedule 2 Part 1 of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any order revoking and re-enacting that Order), following the commencement of the development hereby permitted, there shall be no further alterations, additions or enlargement to the dwelling and its roof, or additional buildings within its curtilage, unless planning permission has first been granted by the local planning authority.

**Reason:** To safeguard the residential amenity of adjoining dwellings and to safeguard the character and appearance of the building and its surroundings and in accordance with the National Planning Policy Framework and Policy LP17 and LP26 of the Central Lincolnshire Local Plan.

**Note:** Councillor P. Morris returned to the Council Chamber at 8.24 pm.

**Note:** Councillor J. McNeill returned to the Council Chamber at 8.24 pm.

## **26 DETERMINATION OF APPEALS**

There were no comments or statements in this item.

The determination of the appeals were **DULY NOTED**.

The meeting concluded at 8.25 pm.

Chairman