

## WEST LINDSEY DISTRICT COUNCIL

MINUTES of the Meeting of the Planning Committee held in the Council Chamber - The Guildhall, Marshall's Yard, Gainsborough, DN21 2NA on 1 March 2023 commencing at 6.30 pm.

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

Councillor Matthew Boles  
Councillor Michael Devine  
Councillor Mrs Jessie Milne  
Councillor Peter Morris  
Councillor Roger Patterson  
Councillor Mrs Judy Rainsforth  
Councillor Mrs Angela White

**In Attendance:**

George Backovic	Development Management Team Leader
Rachel Gordon	Development Management Team Leader
Martha Rees	Legal Advisor
Andrew Warnes	Democratic and Civic Officer

**Also In Attendance:** Two members of the public

**Apologies:** Councillor Robert Waller (Vice Chairman)  
Councillor David Cotton  
Councillor Steve England  
Councillor Cherie Hill  
Councillor Jeff Summers

### 102 PUBLIC PARTICIPATION PERIOD

The Chairman made the following statement in connection with comments made by Mr Chris Thomas at the last meeting during the public participation period:-

“At the last Planning Committee held on 1 February 2023 during the Public Participation session, a speech was made by Mr Thomas in relation to the Central Lincolnshire Local Plan and specifically an allocation in the village of Welton, site reference WL/WELT/008A. During the speech Mr Thomas made a number of claims, including that the Prosperous Communities Committee, in May 2022 had previously been misadvised in relation to phasing requirements set out in Policy S80, when considering WLDC’s formal response to the Regulation 19 consultation.

It is correct that the phasing requirements of the site were highlighted as incorrect during this meeting, however this was on the basis that the phasing requirements were incomplete and as well as being phased back by WL/WELT/001 and 007, the site also needed to be phased back from WL/WELT/003 which is the adjacent site.

In Mr Thomas's statement, he had interpreted this as West Lindsey being against the phasing of sites in Welton, a position which is claimed to be without evidence. In fact, the requirement for site 008A to be phased back from the adjacent site was as a result of the assessment of a premature planning application and was to prevent the two-sites coming forward in isolation of one another.

A meeting has since taken place between Mr Thomas and two other members of the Ryland Residents Group and Sally Grindrod-Smith, Rachael Hughes & Russell Clarkson where Mr Thomas has acknowledged that his statement was incorrect and that the Committee had not been misled during the meeting held on 3 May 2022.

As such, for the purposes of the public record, it is confirmed that on 3 May 2022, the Prosperous Communities' Committee was not misled and that the resolution to submit comments to the Central Lincolnshire Local Plan consultation was appropriate and based on sound evidence. The written response to Mr Thomas will also be shared with Committee Members".

There were no new statements, and no further public participation at this point in the meeting.

### **103 TO APPROVE THE MINUTES OF PREVIOUS MEETINGS**

The Chairman made the following statement:-

"Members will see that we have two sets of minutes for approval this evening. It was brought to our attention that the minutes for the 30 November 2022 Planning Committee meeting contained an error in relation to the planning application 145314, Land South of The Ridings.

This was regarding the additional condition that related to drainage, and the S106 agreement. Since the Committee had already approved the minutes of the meeting on 30 November 2022 at the subsequent meeting on 4 January 2023, the Committee needed to reconsider and approve the accuracy of the minutes in order to correct this omission".

**RESOLVED** that:-

- a) Having regard to the above statement by the Chairman, the minutes of the meeting of the Planning Committee held on 30 November 2022 be confirmed and signed as an accurate record.
- b) The minutes of the meeting of the Planning Committee held on 1 February 2023 be confirmed and signed as an accurate record.

## **104 DECLARATIONS OF INTEREST**

At this point in the meeting, the Chairman and several Committee Members took this opportunity to extend their best wishes to Councillor David Cotton who was recovering from surgery and thanked him for his past contribution to the work of the Planning Committee.

There were no declarations made at this stage in the meeting. Members were reminded that they could at any time make a declaration in relation to any item should they feel it necessary to do so.

## **105 UPDATE ON GOVERNMENT/LOCAL CHANGES IN PLANNING POLICY**

The Committee was advised that good progress was being made towards the adoption of the new Central Lincolnshire Local Plan. The Modifications consultation had closed on 24 February; approximately 40 responses had been received. The Joint Strategic Planning Committee was currently finalising a response to these before sending all of them to the Local Plan Inspectors. A full schedule of consultation responses would be available to view on the Central Lincolnshire Local Plans website, under the examination pages.

It was anticipated that following receipt and consideration of the consultation responses the Inspectors would be in a position to issue their final report on the Central Lincolnshire Local Plan. It was still anticipated that the Central Lincolnshire Local Plan would go before the Joint Strategic Planning Committee on 13 April for adoption.

In terms of decision making, the further the Plan progressed towards adoption, the greater the weight that could be attributed to it. However, it was only after adoption that the Plan would carry full weight in determining planning applications.

In response to the Government's consultation on the Levelling-up and Regeneration Bill: reforms to national planning policy, following the Member Workshop held on 22 February, West Lindsey District Council's response had now been finalised and submitted.

The final response had been circulated to Members via Email. There was as yet no indication when the Government would publish its response to the consultation, however relevant information would be shared with Members through the usual channels.

The Government had issued its response to the consultation on biodiversity, net gain regulations and implementation. The key points to note were that the introduction of biodiversity net gain on small sites would be delayed until April 2024. The Government proposed to exempt small self-build and custom-build housing sites householder applications, biodiversity gain sites and development which would impact the habitat of an area smaller than 25 square metres. Local authorities would be provided with additional funding for and further guidance on preparing the introduction of biodiversity net gain. The price of statutory biodiversity credits would be set in May and off-site gains would be added to a new national register.

There remained one day left in which to submit a response, with the consultation closing on 2 March at 11:45pm. As such, Members were encouraged to take a look, particularly at areas of the consultation that impacted on Communities and also to encourage any Parish

Council's or Neighbourhood Planning Groups to consider the consultation content too. The consultation documents could be viewed via the following link:-

<https://www.gov.uk/government/consultations/levelling-up-and-regeneration-bill-reforms-to-national-planning-policy/levelling-up-and-regeneration-bill-reforms-to-national-planning-policy#chapter-3--providing-certainty-through-local-and-neighbourhood-plans>

With regard to local issues, the Hemswell and Harpswell Joint Neighbourhood Plan referendum would take place on 2 March. A successful result would be reported to full Council on 6 March.

Members also heard the Keelby Neighbourhood Plan examination was nearing completion and the Hemswell neighbourhood Plan examination had started.

The Chairman acknowledged that there was quite a lot of information to digest and expressed the hope that in order to keep everyone up to date, a summary would be prepared and circulated to all Members of the Committee.

#### **106 145791 - LAND REAR OF KIRTON ROAD, BLYTON**

The Chairman introduced the first application of the meeting, application number 145791, for the erection of 5 dwellings and alterations to the existing bungalow to form a new access on land to the rear of Kirton Road, Blyton. The application was presented to the Committee following third party representations on relevant and balanced planning matters.

The Planning Officer took Members through the detail of the application concerning which there were no updates. Particular reference was made to the highways situation having regard to the objections received.

The Chairman welcomed Mr Martin Furnish, Agent for the applicants, who made a statement along the following lines:-

“Good evening Members of the Planning Committee. I am speaking in support of the proposed development. The site is considered suitable and compatible in scale with the existing settlement and its surroundings. This is borne out by the fact that the site already benefits from outline approval for six dwellings and one replacement dwelling under planning reference 141335. Therefore, the principles of the development have already been agreed.

The outline application had considered access issues and it had been thought that due to the number of plots being proposed an existing dwelling, a bungalow, would have to be removed. A reserved matters application had been submitted in conjunction with the outline approval but retaining the on-site bungalow rather than replacing it. In relation to the access, we were asked by the planners to change the application to a full submission.

It is my understanding that the application has been brought before the Committee only on the matter of retaining the existing bungalow. It should be noted that the scheme before you today is for five new units. Because of the reduction in plot numbers, the requirements for

the new driveway access are not so onerous. The outline approval would have resulted in the need for an access road to be constructed in full accordance with current highway standards regardless of it being a private road. For a small-scale scheme like this the infrastructure costs and highway contributions would make the development unviable.

With driveway unit numbers being reduced to five the access can be kept to a private drive standard, meaning less space is required and this is why retention of the existing building has been considered. Therefore, access can now adequately be achieved without knocking down the existing bungalow. The alternative access design proposed is fully supported by the highway authority.

The point of access onto the highway is in exactly the same position as the outline approval. The driveway has been designed to meet all emergency vehicle access requirements. The existing dwelling has its own driveway and therefore does not impact on the new access, so reducing the number of vehicle movements on the new drive. There is already a significant gap to the side of the existing bungalow which is currently used to gain access onto the grassed paddock at the back which forms the bulk of the development site.

We simply propose to alter the side wall of the existing bungalow by reducing the width of the existing dwelling by only 1.3 metres. The extra space is not to get the driveway in but rather to make the site feel more open and support space for planting. It should be noted that it is significantly more sustainable to retain a structure which in this case, is a fully serviced bungalow in a very good condition, rather than replace it. Retaining the bungalow also means that the street scene is retained.

The site is in a built-up settlement where gaps in development would not normally be expected and should be avoided if possible. The new access will have the appearance of a private drive. The design of the driveway has been completed in such a way that vehicles would be kept to low speeds. The scheme has been sensitively designed in all aspects, respecting neighbouring developments and will not be detrimental to any amenity spaces. This is a very good proposal and should be supported. Thank you for your time.”

The Chairman thanked Mr Furnish for his presentation and then invited the Democratic Services Officer to read out a statement on behalf of Lucy Nunn and the Nunn family as follows:-

“My property is next to the proposed site. I simply feel the access for the amount of homes proposed is not adequate for the volume of traffic it will cause and the location in which it is situated. It can be a daily struggle to have a clear view entering the road from my own driveway as a large percentage of the time vehicles are parked all around the proposed access site which makes it a blind spot, especially when vehicles are parked on the pathway which blocks the view completely.

Over the years there have been many accidents near the proposed access site mainly due to vehicles entering Kirton road at speed when another vehicle is oncoming and therefore, they have hit stationary Vehicles, one being a hit and run leading to the vehicle being written off. It is a danger to life to add more traffic to this part of the road and an accident waiting to happen.

Another concern is the access road to the site is so narrow that if vehicles have to wait on Kirton road when there are already vehicles parked, the awaiting vehicle will have to wait on the wrong side of the road blocking the road completely.

This will have a substantial effect on the homeowners of Kirton road.

Many have raised the issue of the infrastructure not being sufficient for a number of years. Water drainage has been an issue since Bovis homes were developed which many believed caused the flooding of Kirton road and the High Street on a number of occasions.

As our homes are only accessible currently via the road, opening up access to the backs of our property which is currently a closed field could lead to more crimes being committed as it will make our homes more vulnerable.

It will also mean a loss in amenity to our privacy and gardens”.

On being asked to Comment, the Development Management Team Leader stated that surface water from the development would be disposed of on site. It was acknowledged that there had been instances of flooding on fields on the opposite side of Kirton Road. A drainage condition was also recommended.

The Chairman thanked the Democratic Services Officer for reading out the above statement and then invited Mr Neil Williamson to address the Committee as follows:-

“Good evening Committee Members my name is Ian Williamson and I live at number 13, Kirton Road. I have twofold objections to the plan put forward today. The first is similar to that previously referred to, which is the vehicular traffic parked along Kirton Road, outside my property. Frequently, vehicles park across the pavement and further down by number 13A. They clearly will obstruct access and egress and vision to the main road. Vehicles are frequently driving down them, and I say that from the point of view of someone who was a police officer and high-speed pursuit driver. I am more than well aware of the danger that has been caused or can be caused by the vehicles as they drive through the village. My suggestion would be that there is a greater analysis undertaken of the traffic flow through that area to provide a more accurate assessment of the impact of the development.

The second part of my objection relates to the flooding element. Zone 1 which is completely acceptable. However, the rest of the road is in zone 2 which would be impacted by a much higher level of flooding. In fact, this has flooded as recently as 2019 quite substantially. The impact of further housing and the lack of infrastructure I believe would again add further potential damage to the environment by way of flooding danger - on top the traffic conditions I've already mentioned. This is why I believe this particular development of so many properties should be rejected. Thank you”.

On being asked to Comment, the Planning Officer indicated that surface water from the development would be disposed of on site. A drainage condition was recommended.

The Chairman thanked Mr Williamson for his statement and opened the application to formal debate.

Members appreciated the concerns expressed by the speakers regarding the traffic issues but also noted that the highway authority had not objected to the access plans which sought to address those issues. The new access arrangements had been designed to ensure as far as was possible amelioration of the traffic situation currently existing on site. A Member

of the Committee expressed that further action to alleviate the highways situation could be taken by the Highways authority, Lincolnshire County Council. It was also confirmed in response to a query about the practices by Lincolnshire County Council that the Highways department do make regular visits, access was considered, and that the consideration for granting an application was that it could not add to an existing problem.

Members commented also on the landscaping, the hedges, and roof heights. In response to a query about the eaves height, the Planning Officer clarified the position in relation to the hedges and indicated that in order to prevent overlooking and loss of privacy to nearby properties, the permitted development rights would be removed. This issue was provided for within the proposed approval conditions.

Having been proposed and seconded, the Chairman put the application to the vote, and it was agreed by majority vote that planning permission should be **GRANTED** subject to the following conditions:-

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

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

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

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

2. Prior to the commencement of the development, full details of both hard **and** soft landscape proposals shall be submitted to, and approved in writing by, the local planning authority. These details shall include, as appropriate, vehicle and pedestrian access and circulation areas; hard surfacing materials; Soft landscaping details shall include details of the existing hedgerows, planting plans; specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, planting sizes and proposed numbers/densities where appropriate

**Reason:** In the interests of visual amenity and biodiversity, in accordance with the provisions of the National Planning Policy Framework and policies LP17, LP21 and LP26 of the Central Lincolnshire Local Plan.

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

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

- Site Block Plan 1502J/100;
- Existing Bungalow - Proposed Elevations : 1502J/103
- Existing Bungalow - Proposed Floor Plans: 1502J/102
- Type 1 (RH) - Proposed Floor Plan (Plot 2): 1502J/104
- Type 1 (RH) - Elevations (Plot 2):1502J/105

- Type 1 (LH) - Proposed Floor Plan (Plot 3): 1502J/106
- Type 1 (LH) - Elevations (Plot 3): 1502J/107
- Type 2 (RH) - Elevations (Plots 1 + 4): 1502J/109
- Type 2 (LH) - Proposed Floor Plan (Plot 5):1502J/110
- Type 2 (LH) - Elevations (Plot 5):1502J/111
- Garage Block (Plots 2 & 3) 1502J/112

**Reason:** To ensure the development proceeds in accordance with the approved plans in the interests of proper planning

4. The materials used in the development shall match those stated on the application form.

**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.

5. No development, other than to foundations level shall take place until a detailed scheme for the disposal of foul and surface waters have been submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out in accordance with the approved details and prior to occupation of the dwellings.

**Reason:** To ensure adequate drainage facilities are provided to serve the development in accordance with Policy LP14 of the Central Lincolnshire Local Plan.

6. No development, other than to foundations level shall take place until full details of the proposed boundary treatments have been submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out in accordance with the approved details and prior to occupation of the dwellings.

**Reason:** In order to ensure there is no overlooking and attendant loss of privacy to existing and proposed dwellings in accordance with Policy LP26 of the Central Lincolnshire Local Plan.

7. No trees, shrubs or hedges within the site which are shown as being retained on the approved plans shall be felled, uprooted, wilfully damaged or destroyed, cut back in any way or removed without previous written consent of the local planning authority; any trees, shrubs or hedges removed without consent or dying or being severely damaged or becoming seriously diseased within 5 years from the completion of the development hereby permitted shall be replaced with trees, shrubs or hedge plants of similar size and species unless the local planning authority gives written consent to any variation.

**Reason:** In the interests of visual amenity and biodiversity, in accordance with the provisions of the National Planning Policy Framework and policies LP17, LP21 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:**

8. Prior to occupation of the new dwellings' full details of the proposed screening to the rear of 13A Kirton Road must be submitted to and approved in writing by the Local Planning Authority and erected in full and retained and maintained thereafter.



**Reason:** To avoid overlooking and loss of privacy in accordance with Policy LP25 of the Central Lincolnshire Local Plan.

9. Notwithstanding the provisions of Classes, AA, B and C, of Schedule 2 Part 1 and Class A of Schedule 2 Part 2 of the Town and Country Planning (General Permitted Development) (Amendment) Order 2015, or any Order revoking and re-enacting that Order, the buildings hereby permitted shall not increase in height with no new windows or alterations to the roof permitted.

**Reason:** To avoid overlooking and loss of privacy to neighbouring dwellings in accordance with Policy LP25 of the Central Lincolnshire Local Plan.

10. All hard and soft landscape works shall be carried out in accordance with the approved details prior to the occupation of any part of the development or in accordance with a timetable approved in writing by the local planning authority. Any trees or plants which, within a period of five years after planting, are removed, die or become seriously damaged or defective, shall be replaced in the next planting season with others of species, size and number as originally approved, and permanently retained

**Reason:** To ensure that an approved landscaping scheme is implemented in a speedy and diligent way and that initial plant losses are overcome, in the interests of biodiversity and the visual amenities of the locality and in accordance with Central Lincolnshire Local Plan policies LP17, LP21 and LP26.

### **Notes to the Applicant**

Comments from LCC Highway Services:

Highway Informative 03

The permitted development requires the formation of a new/amended vehicular access. These works will require approval from the Highway Authority in accordance with Section 184 of the Highways Act. Any traffic management required to undertake works within the highway will be subject to agreement. The access must be constructed in accordance with a current specification issued by the Highway Authority. Any requirement to relocate existing apparatus, underground services, or street furniture because of the installation of an access will be the responsibility, and cost, of the applicant and must be agreed prior to a vehicle access application. The application form, costs and guidance documentation can be found on our website, accessible via the following link:

<https://www.lincolnshire.gov.uk/licences-permits/apply-dropped-kerb>

The access to the proposed development and the existing access to number 15 should be paired, therefore the street lighting column will need to be relocated at the applicants' expense.

Highway Informative 08

Please contact the Lincolnshire County Council Streetworks and Permitting Team on 01522

782070 to discuss any proposed statutory utility connections, Section 50 licences and any other works which will be required within the public highway in association with the development permitted under this Consent. This will enable Lincolnshire County Council to assist in the coordination and timings of these works. For further guidance please visit our website via the following link:

Traffic Management - <https://www.lincolnshire.gov.uk/traffic-management>

Highway Informatives 04

The road serving the permitted development is approved as a private road which will not be adopted as a Highway Maintainable at the Public Expense (under the Highways Act 1980). As such, the liability for the future maintenance of the road will rest with those who gain access to their property from it.

**107 145953 - MARKET RASEN LEISURE CENTRE, GAINSBOROUGH ROAD, MARKET RASEN**

The Chairman introduced the next application of the meeting, application number 145953, seeking permission for the development of a dry leisure centre, together with external sports pitch, this being a variation of conditions 6 and 15 of planning permission 139552 granted on 14 November 2019 – amendments to drawings for drainage and landscaping. The application had been brought before the Committee as West Lindsey District Council was the applicant in this case.

**Note:** The Chairman made the non-pecuniary declaration that the applicant was West Lindsey District Council. This declaration likely applied to all Members of the Committee.

The Planning Officer gave an overview of the proposal indicating that there were no updates to the published report.

The Chairman advised that there were no speakers on this application and invited comments from Members of the Committee.

Members welcomed the fact that the issues referred to in the report had been identified and that arrangements had been made to address them.

Having been proposed and seconded, the Chairman put the application to the vote, and it was agreed unanimously that planning permission should be **GRANTED** subject to the following conditions:-

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

1. Void

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

None

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

2. The development shall be carried out in full accordance with the Construction Phase Health and Safety Plan (CPHSP) – (PEP Part 2) Rev A dated 7<sup>th</sup> March 2019 and Environmental Management Plan (EMP) – PEP Part 3 Rev A dated 15<sup>th</sup> April 2019.

**Reason:** In the interest of the amenity in accordance with policy LP26 of the Central Lincolnshire Local Plan.

3. The tree protection measures shall be carried out in strict accordance with details within Tree protection Root Barrier Plan and Specification Rev 00 dated 28<sup>th</sup> January 2019.

**Reason:** To ensure that adequate measures are taken to preserve trees and their root systems whilst construction work is progressing on site in accordance with policy LP17 of the Central Lincolnshire Local Plan.

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

MRLC1-CPM-01-00-DR-A-X-2001 revision C02 dated 12.09.2018  
MRLC1-CPM-01-01-DR-A-X-2002 revision C02 dated 12.09.2018  
MRLC1-CPM-01-ZZ-DR-A-X-2010 revision C02 dated 12.09.2018  
2001 Rev C04 dated 30.11.18

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

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

5. Void

6. The detailed arrangements for the foul and surface water drainage shall be completed in accordance plan 9601 Rev C04 Drainage Plan. The scheme shall be retained and maintained in full in accordance with this strategy.

**Reason:** To ensure the site is adequately drained in accordance with policy LP14 of the Central Lincolnshire Local Plan.

7. The arrangements shown on the approved plan 2001 Rev C04 dated 30.11.18 for the parking/turning/manoeuvring/loading/unloading of vehicles shall be available at all times when the premises are in use.

**Reason:** To enable calling vehicles to wait clear of the carriageway and to allow vehicles to enter and leave the highway in a forward gear in the interests of highway safety.

8. The development shall be carried out in strict accordance with the ecological reports (Extended Phase 1 Habitat Survey by CBE Consulting dated 14 October 2016 and Review of Ecological and Aboricultural Reports by CBE Consulting dated 25 October 2018)

submitted with the application, including provision of any proposed details of habitat protection/ creation.

**Reason:** To safeguard wildlife in the interests of nature conservation in accordance with LP21 of the Central Lincolnshire Local Plan.

9. The development shall be carried out using the following materials –

Timber cladding – NORclad Scandanvian Redwood 15mm gap  
NORclad Scandanvian Redwood 30mm gap

Curtain Wall Frame – RAL 8019

Render – WEBER Mushroom

Brick – IBSTOCK Leicester Multi Cream

**Reason:** To ensure the materials proposed create a positive appearance and safeguard the character of the surrounding area in accordance with policies LP17 and LP26 of the Central Lincolnshire Local Plan.

10. Landscape Management shall be carried out in accordance with the details contained within the Landscape Management Plan (LMP) Ref: INF\_N0515 R01 dated 06.03.2020 by influence.

**Reason:** In the interests of visual and residential amenity in accordance with policy LP17 and LP26 of the Central Lincolnshire Local Plan.

11. The acoustic fence shall be erected as shown on plan 2001 Rev C04 dated 30.11.18 prior to occupation and maintained and retained thereafter.

**Reason:** In the interests of residential amenity in accordance with policy LP26 of the Central Lincolnshire Local Plan.

12. In the event that a complaint is raised to the Local Planning Authority on the grounds of noise within the first 12 months of the development's first use, noise monitoring shall be carried out by a suitably qualified person, subject to a methodology that has been agreed in writing by the Local Planning Authority prior to monitoring works. Should noise be deemed as reaching unacceptable levels (>50dB LAeq, 1hour) by the Local Planning Authority, a mitigation strategy shall be submitted to and approved in writing by the Local Planning Authority including a timescale for implementation. Mitigation shall be carried out in accordance with the agreed mitigation strategy.

**Reason:** In the interests of residential amenity in accordance with policy LP26 of the Central Lincolnshire Local Plan.

13. The lighting for the site shall be carried out in accordance with the details submitted on Plan MRLC1-EKE-XX-XX-DRE-0111-C04 dated Feb 20 and the details contained within Lighting Design Report by Ansell Lighting Rev A dated 06.03.2020.

**Reason:** In the interests of residential amenity in accordance with policy LP26 of the Central Lincolnshire Local Plan.

14. If during the course of development, contamination not previously identified is found to be present on the site, then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until a method statement detailing how and when the contamination is to be dealt with has been submitted to and approved in writing by the Local Planning Authority. The contamination shall then be dealt with in accordance with the approved details.

**Reason:** In order to safeguard human health and the water environment as recommended by Public Protection.

15. The landscaping shall be carried out in accordance with the details submitted on plan 9601 Rev C04 Landscape Plan (wild grassed areas with meadow mix and amenity grass only) and 9601 Rev CO2.

**Reason:** In the interests of visual amenity and biodiversity in accordance with policies LP17 and LP21 of the Central Lincolnshire Local Plan.

16. Prior to occupation and notwithstanding the technical details required by the highway authority, the footpath and tactile crossing shall be installed in accordance with plan SK008 A.

**Reason:** In the interests of safety of the users of the public highway and the safety of the users of the site.

17. The development shall be carried out in accordance with mitigation measures included in Noise Impact Assessment to inform Planning Application report ref: 21096R01bPKsw by Environoise dated 16 October 2019.

**Reason:** In the interests of residential amenity in accordance with policy LP26 of the Central Lincolnshire Local Plan.

18. Within seven days of the new access being brought into use, the existing access onto Gainsborough Road shall be permanently closed in accordance with details to be agreed in writing with the Local Planning Authority.

**Reason:** To reduce to a minimum, the number of individual access points to the development, in the interests of road safety.

19: The approved development shall not be occupied until those parts of the approved Travel Plan that are identified therein as being capable of implementation before occupation shall be implemented in accordance with the timetable contained therein and shall continue to be implemented for as long as any part of the development is occupied.

**Reason:** In order that the development conforms to the requirements of the National Planning Policy Framework, by ensuring that access to the site is sustainable and that there is a reduced dependency on the private car for journeys to and from the development.

20. Construction works shall only be carried out between the hours of 07:00 and 19:00 on Mondays to Fridays; between 08:00 and 13:00 on Saturdays and at no time on Sundays and Bank Holidays unless specifically agreed in writing by the Local Planning Authority beforehand.

**Reason:** To protect the amenity of the occupants of nearby dwellings in accordance with 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:**

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

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

22. The use hereby permitted shall not be open to customers outside the following times 07:00 to 22:00 Monday to Sunday and shall not open on Christmas Day, Boxing Day or New Years Day.

**Reason:** To protect the amenities of adjoining properties and the locality in general in accordance with LP26 of the Central Lincolnshire Local Plan.

23. The lighting for the 3G pitch shall only be illuminated between the hours of 06:45 and 22:15. The illumination shall be in accordance with details in Lighting Impact Assessment Report Issue P02 by built environment consulting Ltd dated 9<sup>th</sup> January 2019.

**Reason:** In the interests of residential amenity in accordance with policy LP26 of the Central Lincolnshire Local Plan.

24. The development shall be carried out in strict accordance with the amended Travel Plan (Framework Travel Plan by Turvey Consultancy Limited dated January 2019).

**Reason:** To ensure that access to the site is sustainable and reduces dependency on the car in accordance with the National Planning Policy Framework.

25. Plant noise shall not exceed background noise (41dB LA90(15min) for daytime and 29dB LA90(15min) for night-time as per details within the Noise Impact Assessment to inform Planning Application report ref: 21096R01aPKsw by Environoise dated 09 January 2019.

**Reason:** In the interests of residential amenity in accordance with LP26 of the Central Lincolnshire Local Plan.

Planning Committee - 1 March 2023

**108 DETERMINATION OF APPEALS**

The determination of appeals was **NOTED**.

The meeting concluded at 7.07 pm.

Chairman