

## WEST LINDSEY DISTRICT COUNCIL

MINUTES of the Meeting of the Planning Committee held in the Council Chamber - The Guildhall on 29 March 2023 commencing at 6.30 pm.

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

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

**In Attendance:**  
Russell Clarkson Development Management Team Manager  
Rachel Gordon Development Management Team Leader  
George Backovic Development Management Team Leader  
Martha Rees Legal Advisor  
Danielle Peck Senior Development Management Officer  
Ian Elliott Senior Development Management Officer  
Richard Green Development Management Officer  
Andrew Warnes Democratic and Civic Officer

**Also In Attendance:** 17 Members of the Public

**Apologies:** Councillor David Cotton  
Councillor Steve England  
Councillor Cherie Hill

**Membership:** No Members were substituted.

### 109 PUBLIC PARTICIPATION PERIOD

No statements were made during the public participation period.

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

**RESOLVED** that the minutes of the meeting of the Planning Committee held on Wednesday, 1 March 2023 be confirmed and signed as an accurate record.

## 111 DECLARATIONS OF INTEREST

In relation to agenda item 6b planning application 145047, and agenda item 6c planning application 145735, Councillor Ian Fleetwood declared a non-pecuniary interest that he was County Councillor for Bardney and Cherry Willingham. He stated he had not been actively involved in any of the respective Parish Council discussions. He had heard comments made in passing by some residents but had not expressed a personal opinion and would therefore continue to chair the meeting during the applications and participate in the discussions concerning these applications.

In relation to agenda item 6a planning application 145688, Councillor Mick Devine declared that he had expressed his opposition to the proposals during the initial stages of the planning process at the outline approval. As such, he expressed that was pre-determined and would declare a prejudicial interest when the Committee reached this item. He stated he would leave the chamber whilst this item was to be considered.

In relation also to agenda item 6a planning application 145688, Councillor Boles stated that he was a local Member but that he had had no previous involvement in the application and would therefore participate in the debate.

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

Before inviting the Planning Officer to present his regular update on local and national planning issues, the Chairman referred briefly to the possibility of RAF Scampton being used for providing accommodation for immigrants whilst their applications for asylum were being processed and stated that this matter would not be discussed at this evening's meeting. It was probable that the issue would arise at a future date.

The Planning Officer advised that in relation to the consultation on changes to the National Planning Policy Framework (NPPF), West Lindsey's comments had been submitted last month.

The Department for Levelling Up, Housing and Communities (DLUHC) had issued a consultation in relation planning fees and performance. Details could be found at <https://www.gov.uk/government/consultations/increasing-planning-fees-and-performance-technical-consultation>

The consultation sought views on the following proposals relating to planning fees and improvements in the performance of local authorities:-

- An increase in planning fees by 35% for major applications and 25% for all other applications.
- The introduction of additional fees for bespoke or 'fast track' services.
- The imposition of an annual inflation-related adjustment to planning fees.
- The ring-fencing of additional fees income.
- The doubling of the fees for retrospective applications.
- The removal of the 'free-go' for repeat applications.
- The introduction of a prior approval fee for the permitted development right allowing

the Crown to develop sites within the perimeter of a closed defence site.

- The building of planning capacity and capability within local authorities, including dealing with the challenges in recruitment and retention, and how these could be addressed.
- The reduction of the Planning Guarantee from 26 weeks to 16 weeks for non-major applications.
- Improvements in the quality of the local authority planning service by monitoring more performance measures.

A response was being prepared which would be shared with the Committee in due course.

Further consultations had been initiated by the DLUHC relating to the following:-

**DLUHC Environmental Outcomes Reports: A new approach to environmental assessment** – The consultation would close on 9<sup>th</sup> June 2023. Details could be found at: <https://www.gov.uk/government/consultations/environmental-outcomes-reports-a-new-approach-to-environmental-assessment>

**DLUHC – Technical Consultation on the Infrastructure Levy** – The consultation would close on 9 June 2023 and details could be found at: <https://www.gov.uk/government/consultations/technical-consultation-on-the-infrastructure-levy/technical-consultation-on-the-infrastructure-levy>

The implications of these consultations for WLDC were being assessed within the context of formulating an appropriate response.

It was reported that the draft Local Plan had been found to be sound subject to a number of modifications and a report would be taken to the Central Lincolnshire Joint Strategic Planning Committee Meeting on 13 April. In the event that the Plan was adopted on 13 April, it would become the Development Plan against which all decisions were made. This meant that at the next Committee meeting decisions would be taken against the policies contained in the new Plan.

With regard to local issues, the following information concerning Neighbourhood Plans (NPs) was submitted:-

- A referendum on the Keelby NP would be arranged following a successful examination outcome.
- The examination process on the Hemswell Cliff NP had commenced and the Planning Inspector had undertaken a site visit.
- The Submission version of the Scothern NP had been submitted for consultation.

Details of the progress of all Neighbourhood Plans within the District could be found at: <https://www.west-lindsey.gov.uk/my-services/planning-and-building/neighbourhood-planning/>

The Chairman expressed the hope that all those Members unable to be present at this evening's meeting would receive a summary of the current position as now reported.

### **113 145688 - LAND TO THE WEST OF HORSLEY ROAD, GAINSBOROUGH**

**Note:** Councillor M. Devine left the Chamber for the item at 6.39 pm.

The Chairman introduced the first application of the meeting, planning application 145688, which sought the approval of reserved matters relating only to appearance, landscaping, layout and scale, following the grant of outline planning permission for 49 dwellings (ref 136577) on 30 October 2019 on land to the west of Horsley Road, Gainsborough. (Access had been determined at the time outline permission had been granted, and was not a reserved matter seeking approval).

The application had been submitted to the Committee at the request of the local Member and at the request of this Committee on 1 May 2019 when it had been resolved to grant outline permission. The Minutes of the Committee had recorded that any future applications for planning permission, outline permission or reserved matters for this site should be heard by the Committee. The Planning Officer presented the report, concerning which there were no updates, and summarised the history of the site.

The Chairman explained the arrangements for speaking at the Committee and invited Mr Brian Reynolds, the applicant, to address the Committee:-

“Good evening, Chairman and Members. My name is Brian Reynolds and I am the London director for North Country homes and, not surprisingly, I am in support of this application. I will not keep you any longer than necessary and so simply, I'd like to thank the Planning Officers, their supporting consultants and staff for the professional and timely manner in which this application had been dealt with. I would ask the Committee to support their professional advice. I would like to say thank you for hearing me; I am here to lend my physical support to the application.”

The Chairman then invited the Democratic Services Officer to read out a statement from Mrs Dawn Anderson (on behalf of herself and her husband), who had objected to the application:-

“Our objection to the building of 49 houses on the land next to our property has previously been submitted. Whilst we appreciate Gainsborough is being 'rejuvenated', there are already new build sites all over the town, these being Foxby Lane, Bowling Green, Hillcrest Developments, Warren Wood and Thonnock Vale. Yes, people need a place to live but surely these developments are more than adequate and there is no need for more residential development. It would be more prudent to develop the infrastructure of the town to offer more facilities than building another 49 properties. Two GP surgeries were inadequate before all of the above building works commenced. The Council should consider the size of the town itself and how all these new residents are to be catered for in a relatively small market town. A further 49 payments of council tax from the building of these new properties will not revive the town's fortunes but it will seriously impact the existing residents of the immediate area. If the “voting committee” were directly involved and living next to a building site would they be prepared to have their lives turned upside down for the months (possibly years) ahead?

Greystones Road and Horsley Road are notoriously difficult to navigate due to the volume of vehicles that park on the road and pavements and the volume of traffic. The access to

Horsley Road is already at breaking point with the volume of traffic; most households in Horsley Road own at least two vehicles with insufficient space on their drives to park more than one vehicle. Adding potentially a further 60 vehicles to these roads will increase the risk of accidents and will make access to the existing properties increasingly difficult, if not impossible. Any vehicle larger than a bin lorry will struggle to access the site via these two roads or indeed from the other side of the site. The increase in traffic will also impact emergency services. As we are at the end of the road, next to the access to the site, we already experience difficulty getting in and out of our drive with the constant stream of deliveries, people dropping off and picking up their children from the local childminder's property and vehicles parked on the pavements opposite to our property. The attached photographs were taken at Sunday lunch time and it is much worse during the week. Have you considered where these people will park if the building goes ahead?

We are aware of the flood risk to Horsley Road and it is difficult to obtain insurance without paying a high premium. Surely removing the natural land that absorbs the rain with concrete is going to add to these problems. In addition, the existing sewer system struggles during heavy rain and there is a constant smell from the drain located on the corner of Greystones Road and Horsley Road.

The level of disturbance that large volumes of plant, vehicles and building work will make, will have a significant impact on the existing residents. We believe that the building work as proposed will have a detrimental effect on the mental health of the residents who work from home or do not go out to work. As we are living directly next to the site I am very concerned about my husband as he is at home all day, every day, suffering with mental health issues. I also work from home and the disturbance for me, as my office backs on to the site, will be detrimental to my own health and wellbeing. There is of course no indication of timescale for the proposed work, hours to be worked etc. but this will not be a short term project and therefore this needs to be taken into consideration. This building work will cause turmoil from which some may not recover.

We do not believe that this proposal is viable in any way, shape or form and the Committee should consider all the residents that will suffer if this goes ahead. Please do take my comments into consideration when making your decisions.”

The Chairman thanked the Democratic Services Officer for reading out the statement and invited him to read out a further statement on behalf of Mr Leigh Street:-

“I wish to object to the proposal based on all my comments made to the original application, no. 136577, as they are all still relevant. Can the Committee confirm all comments from application 136577 are being considered and explain why the application number has been changed to 145688? I would like the Committee to make sure the original planning number is referenced so all the original objections and constant extensions of time are being discussed before voting for its approval. There has been no consideration for anyone who purchases these properties as everyone on Horsley road struggles to get house insurance now and pays at a premium. The development will increase the flood risk already highlighted to St. Paul's Road with the surface run off in heavy rainfall. Access roads through to and including Horsley Road are extremely poor and heavy construction traffic will pose a significant hazard to the local residents, especially during school start and finish times. Floss Mill Lane is not an appropriate alternative access route either and will be very disruptive for local residents, including the access road at Front Street. The significant impact of this on

local residents needs to be seriously considered especially while they make access to the site as there isn't a suitable holding area for vehicles on Horsley Road.

On the application they're suggesting building 2 storey buildings and disregarding the original recommendations and assessments for 3 storey buildings due to the location close to the River Trent, within 50 meters in fact. I understand my comments probably will not influence the decision of this Committee but I wish to highlight that the engagement with the community has been poor and changing the application reference number was poorly communicated. This area would serve the community of Gainsborough much better if developed into a nature reserve or another community facility to enhance the experience of the riverside walk. Building more housing, especially with at least 4 other developments currently ongoing in the town, is not a priority for Gainsborough. Other options for this land should have been explored before it was sold to developers."

The Chairman thanked the Democratic Services Officer for reading out Mr Street's statement and invited the Planning Officer to comment on them.

The Planning Officer advised that infrastructure and flooding matters had been dealt with at the outline application stage. With regard to the hours of working, there was a condition on the outline permission which had to be adhered to by the applicant, who was required to obtain agreement from the authority to a construction management plan. In relation to the comments about reference numbers, it was indicated that there was one reference number for the outline application and one for reserved matters. It was confirmed that the properties were three storey.

**Note:** Councillor M. Boles declared a non-pecuniary interest for the purposes of transparency, that one of the objectors, namely Mr. Leigh Street, was known to him but he had not discussed the application with Mr. Street.

Reference was made to flood mitigation measures and Members were advised that this had been dealt with at the outline application stage. The water management issues had been dealt with in the applicant's flood risk assessment report submitted with the outline application. The drainage report submitted with the outline application had been deemed to be acceptable. There was a condition relating to water management in the event that the situation should change as the development progressed.

A concern was raised about the access arrangements both during and after completion of the development. Questions were also raised about infrastructure provision and in particular the existing pressures on the local health services. Reference was also made to green infrastructure provision. Members were however again reminded that this development had already been granted outline planning permission which provided for a fixed access point, concerning which the Highway Authority had raised no objection, and that the matters before the Committee this evening related only to the layout, scale and appearance of the buildings and landscaping issues.

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

**Conditions stating the time by which the development must be 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 detail matters referred by the conditions of this consent, the development hereby approved shall be carried out in accordance with the following drawings:

1138-2 F  
1138-10  
1138-11  
1138-12  
1138-13  
1138-14  
1138-15  
1138-16  
1138-17  
2B-01  
2B-02  
3B(A)-02  
3B(B)(det)-01  
3B(B)(semi)-01  
3B(B)-02  
4B-01  
4B-02  
5007/1 Rev A  
5007/2 Rev A

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.

2. No development, other than to foundations level, shall take place until details of the proposed new walling, roofing, windows, doors and other external materials have been submitted to and approved in writing by the local planning authority. The development shall thereafter be constructed in accordance with the approved details.

**Reason:** To ensure the use of appropriate materials to safeguard the character and appearance of the street scene in accordance with the NPPF and Policies LP17 and LP26 of the Central Lincolnshire Local Plan.

3. Prior to occupation, details of boundary treatments shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance

with the approved details.

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

4. The landscaping shall be carried out in accordance with the following drawings –

5007/1 Rev A

5007/2 Rev A

**Reason:** To ensure that appropriate landscaping is introduced and will not adversely impact on the character and appearance of the site to accord with the National Planning Policy Framework and local policies LP17 and LP26 of the Central Lincolnshire Local Plan 2012-2036.

5. Landscape management and maintenance shall be carried out in accordance with the details on plan 5007-3 Rev A and contained within the Landscape Management Specification by Blue Hill Landscape Design.

**Reason:** To ensure that appropriate management and maintenance of the landscaping is introduced and carried out in accordance with the National Planning Policy Framework and local policies LP17 and LP26 of the Central Lincolnshire Local Plan 2012-2036.

6. Prior to occupation, details of the management and maintenance of the children's play area (LEAP) shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

**Reason:** To ensure that appropriate management and maintenance of the LEAP is introduced and carried out in accordance with the National Planning Policy Framework and local policies LP17 and LP26 of the Central Lincolnshire Local Plan 2012-2036.

7. Development shall be carried out in accordance with the details contained within the Arboricultural Report by Enviroscope consulting dated October 2022.

**Reason:** To safeguard the appearance and future well-being of the tree(s) in the interests of the visual amenity of the area in accordance with policy LP17 of the Central Lincolnshire Local Plan.

8. The Local Useable Green Space identified on plans 5007/1 Rev A and 5007/2 Rev A shall be retained as such, and in perpetuity.

**Reason:** In the interests of amenity in accordance with policies LP17 and L26 of the Central Lincolnshire Local Plan.

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

None

**Note:** Councillor M. Devine returned to the Chamber at 6.57 pm.



## **114 145047 - LAND AT GOOD'S FARM MEADOW LANE REEPHAM**

The Chairman introduced the next application of the meeting, planning application 145047, seeking permission for the erection of 8 dwellings on land at Good's Farm, Meadow Lane, Reepham. The application had been brought before the Committee because of objections from the Parish Council and other third parties and having regard to the history of the site.

The Planning Officer presented the report and in so doing referred to an objection from Mr. D World of 1 Church Lane. This address was one of those referred to in the report as objecting to the proposal. Mr. World had commented along the following lines:-

"My comment from more than 2 weeks ago about the process relating to the above application has never appeared on the WLDC website and no apparent reference to it has been made. I wrote expressing my concerns at the manner in which this application had been communicated to the public: -

"The latest amendments to the application fail to respond to the many comments, concerns or objections submitted. They do, however, appear to respond to the Conservation Officer's and other local authority officers' comments which have not been made public. It leads me to question whether the 9-month long process/evolution of this application is fair or transparent."

Mr. World disagreed with the conclusion of the Conservation Officer and with the limited weight applied to the Draft Neighbourhood Plan.

The Planning Officer advised that the Neighbourhood Plan had undergone Regulation 14 consultation last year. It was now undergoing its final stages of consultation, with the final draft production after addressing feedback. This was prior to submission by the Parish Council for inspection. (The next Stage was submission to WLDC – Regulation 16 (submission), and then WLDC would consult on the plan. All comments received were then collated, and would form part of the consideration of the Inspector appointed for the Examination)

As the Neighbourhood plan was at Regulation 14 stage only, limited weight could be attached to its policies. WLDC had no knowledge of what representations might be made in support or objection other than those made by WLDC when the Neighbourhood Plan had undergone Regulation 14 consultation last year. It was now undergoing its final stages of consultation, with final draft production after addressing feedback. This was prior to submission by the Parish Council for inspection.

Mr. World had stated that only now that the Conservation Officer's report had been communicated to Members of the Planning Committee, could Members of the public access it. His concern was over incorrect assumptions and the omission of factors for consideration, namely: -

The re-positioning of the Highway on "The Green". He had stated that the Conservation Officer had indicated this this would harm the character of The Green by some loss of the green verge, however, the proposal mitigated this with the extension of green verges on the northern side of the road. Mr. World felt that This would lead to an alteration of the curb-less green verge.

He had stated that the Officers had not acknowledged that this “mitigation” only partially balanced the gains of green extension to the North side of the road - which would exclude the increased width of the extended Tarmac road. This failed to equate to the loss of the entire length of green verge on the opposite side of the road. The consequence was a net loss of Green verge - thus turning “The Green” increasingly “black”. It had been contended that this conflicted with the Officers’ conclusion that “it would not harm the character that The Green offers” and had questionable balance and validity.

Mr. World had asked whether adequate safety considerations had been given to reduction of the green verge which also served as a pedestrian refuge? (There were no pavements at this newly created junction). Traffic movement considerations had appeared to have been given precedence over pedestrian safety.

He had contended that the applicant had used the Farmyard for the parking of an Articulated Lorry, which had negotiated the entrance successfully on an almost daily basis for an extended period. He felt that it was very difficult to justify the need to remove any of the green verges to accommodate movements of much smaller vehicles.

He had stated that there had been a failure to identify that this point in the village had a heavily used footpath entry/exit to the village. It was a transition between the Conservation Area and surrounding countryside. The proposed development was, in his view, starkly different from existing bungalows and older properties. This would increase the perceived separation between the Conservation Area and countryside and represented an impact on the character experienced by those arriving and leaving on foot.

He had also stated that the officer report also identified views to open countryside and into the Conservation Area (CA) that would be lost and although the report described mitigation measures to lessen the impact, the proposal did not satisfy LP25. He had stated that under LP25 of the Central Lincolnshire Local Plan (CLLP, 2017), development affecting the setting within or views in or out of a CA should preserve or enhance the features that positively contribute the area’s character, appearance, and setting.

As previously mentioned the Neighbourhood Plan had undergone Regulation 14 consultation last year. It was now undergoing its final stages of consultation, with final draft production after addressing feedback. This was prior to submission by the Parish Council for inspection. The more advanced its preparation, the greater the weight that may be given.

Reference had been made to a number of the policies included within the draft Plan, including:-

- Policy 1: Historic Environment
- Policy 3: Residential Development on Infill site
- Policy 4: Housing Type, Mix and Affordability

The Planning Officer indicated that the Highway Authority had not raised any concerns in relation to this application.

**Note:** Councillor R. Patterson arrived into the Chamber at 7.02 pm.

The Chairman then invited the applicant, Mr. Ollie Clawson to address the Committee which

he did so along the following lines:-

“Thank you Chairman. My name is Ollie Clawson and I am a chartered Town Planner with Knights and as agent for the application, I am here to speak in favour of the proposal.

The applicant had previously sought planning permission for the erection of 25 dwellings on a much larger site than that which is currently before you. That site incorporates a significant portion of undeveloped land to the north of the existing farm yard and was refused planning permission in October 2018 before being dismissed at appeal in December 2020.

The scheme before you this evening is materially different to the appeal scheme - a fact acknowledged by the case officer. The site, which is the subject of this application, comprises solely of the existing farmyard, which the Inspector had confirmed is part of the line of development on the northern side of the green and is therefore physically part of the village. The site can therefore be defined as a formerly developed brownfield site which, as per the wording of policy LP4 of the Central Lincolnshire Local Plan, is the most sequentially preferable location for new development within medium villages such as Reepham.

This is re-affirmed by the Officer's report which considers the proposal in detail and confirms that the application would retain the core shape and form of the village and would therefore be an appropriate location for development.

As the planning policy position has not altered since the 2020 appeal, the Officer's report considers the current application against each individual reason set out by the dismissal.

I do not consider it expedient to discuss each of those issues in turn, but crucially, it should be noted that the applicant has worked closely with Council Officers in order to achieve a scheme which is acceptable from a highways, drainage and flood risk, Tree and landscape, archaeology and conservation perspective.

Accordingly, the Officer's report confirms that this application adequately addresses each of the reasons considered at appeal and is therefore consistent with all relevant local planning policies.

It is, however, noted that the Councillor call-in request cites some concern over the proposal, the first of which questions the proposed site access arrangements and the impacts these would have on the existing properties along the Green.

Lincolnshire County Council's Highways Department has confirmed that the proposal would not result in any unacceptable harm in relation to matters of highway safety and that all works associated with the minor amendment of the junction between Meadows Lane and The Green will take place within the extent of Highways owned land.

The number of daily trips associated with the proposed dwellings is not considered to be significant and all dwellings benefit from off-street parking space for at least three vehicles.

With regard to accessibility, the application also presents an opportunity to formalise the existing routes of the public right of way which currently traverses the site. A separate

application has been submitted to do so, and the applicant is committed to preparing and signing a section 106 agreement, which would prevent the construction of any plots which would interfere with the existing route until such a time as when that diversion is confirmed.

The call-in request also raises concern about the scale and mass of the proposed dwellings. The height of those properties would not significantly exceed the height of the existing agricultural buildings and as such, the case Officer confirms that this would not represent a reason to withhold consent for the scheme.

Additionally, the Trees and Landscape Officer confirms that the proposed soft landscaping arrangements would ensure that the scheme suitably assimilates with its wider context.

The call-in also queries the impact the proposal would have on the character of the Conservation Area and upon neighbouring residents. The Council's Conservation Officer has confirmed that the minor works to the site access would have no unacceptable impact on the Conservation Area and the Conservation Officer has played a central role in the design of the proposed scheme, providing the applicant with examples of design approaches and materials that they would like to see on site.

The applicant subsequently revised the proposals to account for the Conservation Officer's input and, in doing so, also took the opportunity to reposition some of the proposed dwellings by separating the distance, between both existing and potential future residents. On that basis it is not considered that there is any valid reason to withhold consent and I would therefore respectfully urge Members to vote in accordance with the Planning Officer's recommendation, and grant planning permission. Thank you."

The Chairman indicated that Councillor Patterson had joined the meeting during the item and reminded him that whilst he could participate in the debate, he could not vote on the item, having not heard all the information made available thus far.

The Chairman then invited Louise Carder and Fiona World to jointly address the Committee. Louise Carder spoke first, followed by Fiona World:-

"Good evening. My family and I live in the property directly opposite the proposed development, and I have just three points - one is personal and two are general. My personal comment relates to the impact of policies LP25 and 26.

The Officer's report refers to the movement of the green verge; not referenced at all is the loss of amenity to my property if the verge is moved. The proposed relocation of the green towards our property by 1.4 metres would reduce our off road parking to our two drives by approximately 16% and 20% respectively, resulting in less parking space. Approximately a whole car's worth. This would mean that we can no longer park our car on our own driveway or safely access our garage as our car would be partially obstructing the road while we opened the garage. Moving green verges includes moving our two driveways. Be under no illusion, a driveway parking amenity for our property will become dangerous. Solving the problem on one side of the road is simply leading to another on the other side, and the Highway Authority has not responded to our queries on this.

My second point is about the setting of the church and planning policies LP17 and 25. The farmyard has a fine view of the Grade II listed St. Peter and St. Paul's Church. This is not recorded in the report or noted by the Conservation Officer. The view is visible from the corner of the current boundary of the Conservation Area from the public footpath in the farm yard. This view, and therefore the historical setting of the church, which affords a crucial historical connection from the farmyard to the church, will be lost with the proposed development.

The current documentation focuses only on the church views from the countryside and does not reference the view to the cathedral that will also be lost with the footpath change and development.

I know my technical history because I co-authored the Reepham Neighbourhood Plan, character assessment and page 25 of the officers' report actually does have incorrect statements on it.

We think Reepham is a medium size village and the location is defined as needing to retain the core shape and form. Therefore, most of the proposed development sits outside the core shape and form, and does not meet policy LP24 or 25, and there are other sites available.

It is also not a brownfield site. In addition, the development would crucially increase the separation of the Conservation Area and the countryside at what has been defined as its most vital point, the north-east quadrant, where LP17 is also relevant. Lastly, nowhere are any enhancements to the Conservation Area noted which, in addition to preserving, is a key part of the test. This is no ordinary Conservation Area, so we would ask that you come and visit the site yourself, see the church setting, see my driveway and see that the decision is being made on partially flawed information. Thank you.”

Fiona World then began her statement:-

“My first point against this development is the appearance of the houses in the submission. They are at odds with the surrounding dwellings, which are bungalows and small terrace houses. That is a stark contrast which will dominate and form significant harm to the character and appearance of the Conservation Area. They will spoil views looking into and out of the development.

Please note the Parish Council's objections. The houses being built off Fiskerton Road are now significantly higher than planned because of no topographical survey, and there are no bungalows. These houses will dominate the north side of the village, as it is already higher when viewed or approached from that direction. There is a clear contradiction of LP17 concerning the creation and protection of views. Please view this site if you have not already done so.

Next, the impact on our community. The Green is an essential part of the Conservation Area. It is a lane, not a road - wide grass, verges no footpaths, children playing people walking dogs and stopping to chat to one another away from the busy road which passes

through Reepham. Shared vehicle and pedestrian use; carving out one side at the junction being created, will remove the green verge, prioritise traffic and reduce and harm the character of the Conservation Area. This removal is not being questioned by the Highways Authority or they would have noticed the impact on the drive opposite. With regard to the proposed new junction, the traffic increase, will far outweigh the seasonal farm use. Add in building traffic and delivery vehicles, and the green soon becomes very grey.

Come and see for yourselves before making a final decision.”

The Chairman thanked Louise Carder and Fiona World for their comments and then invited the Democratic Services Officer to read out a statement from Mr. Mark Doughty:-

“Regarding planning application 145047, it is apparent the interests of all properties including and not excluding, 2 and 4 The Green, Blacksmiths Cottage and all properties located on Althea Terrace have been disregarded by the Good Family. All these properties have had historical views for over 60 years, in a large majority of cases for over 100 years.

Due to the proposed size of the properties and associated impact, it is apparent very little consideration has been given regarding the location of the development being in a Conservation Area. The proposed properties are out of character and very large in comparison to a large majority of surrounding residential properties, mainly consisting of bungalows and small cottages. It is my understanding, the size and types of properties – all large houses - is purely influenced by commercial viability and profitability, rather than that of the impact within an established, and protected Conservation Area.

If the development is to be permitted and results in the transfer of the farm to another location, it is evidential the brick built barn (at the entrance to the proposed development) will no longer serve any purpose at all. Therefore, and as informed by the Good family, it is their intention to convert the barn into a residential property. Understandably, this raises further concerns, not just for ourselves but many of our neighbours. Thank you.”

The Chairman thanked the Democratic Services Officer for reading out Mr. Doughty’s statement.

The Chairman then invited the Planning Officer to comment on the statements. The Planning Officer advised that the grass verge was actually part of the adopted highway and was not in private ownership. It was under the control of the County Council as the Highways Authority, so it was not a private piece of land that was going to be taken away as a consequence of this development.

Members noted that the proposal had not been the subject of objections from the Highway Authority or the Conservation Officer and met the requirements of the NPPF and local planning policies. With regard to the footway, it was confirmed that the applicant had submitted an application for its re-alignment. They had been asked to enter into a legal agreement, the effect of which would preclude any construction works that would affect the footway until it had been legally diverted.

Reference was made to the size of the proposed dwellings and Members were advised that the Officers had taken care during discussions with the applicant to ensure that there was little or no detrimental impact on existing properties at this location. Members also learned

the distances between the dwellings were set out in the report, and that consideration was given to not impact on the nearby residents.

During the discussion, several Members felt that having a site visit to review the character of nearby dwellings, the size and the keeping with the village, alongside access concerns, would be beneficial. It was justified that it would allow to gain a better understanding of the likely impact of the proposed development, including dwelling size and the effects on the local character of the area.

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.

### **115 145735 - WESLEY ROAD, CHERRY WILLINGHAM**

The Chairman introduced the next item, planning application 145735, which sought permission for the erection of 20 affordable dwellings on land to the south of Wesley Road, Cherry Willingham. The proposed development comprised 4 one bedroomed bungalows, 10 two bedroomed houses and 6 three bedroomed houses. The application had been brought before the Committee for determination as it was a re-submission of planning application 142360 which had also been considered by the Committee.

The Chairman invited the Planning Officer to present the report, concerning which there were no updates. The report detailed the background to the site and summarised the previous consideration given to development on this site.

The Chairman welcomed the agent for the applicant, Mr. James Collins, who addressed the Committee along the following lines:-

“My name is James Collins and I am speaking on behalf of the applicant, Cherry Tree Homes. The proposal is for an entry level exception site for 20 affordable homes which meet the requirements of paragraph 71 of the NPPF. The application is a re-submission following the refusal of a planning application for 21 affordable homes on the same site in November 2021.

The proposed scheme for affordable homes demonstrates exceptional reasons to justify the granting of a residential scheme in such a location. The proposal will help to meet the identified unmet need for affordable housing in the Cherry Willingham area in response to the West Lindsey housing register.

We have prepared a Section 106 agreement to ensure that the site is designated for affordable houses only. The 106 agreement has been agreed with the Council. The layout, scale and density of the proposed scheme complies with the relevant design principles from the Cherry Willingham Neighbourhood Plan and policies LP17 and 26 of the Central Lincolnshire Local Plan.

At the previous Planning Committee in November 21, Members had raised concerns over

the roadway running through the previous Phases 1 and 2 of the site, suggesting it was unsuitable to support a third phase of residential development. Further objections had suggested that the site is not in a sustainable location. The Committee had subsequently refused the application on the basis that the proposal does not prioritise safe, easy and direct pedestrian access, contrary to Policy D1 of the Cherry Willingham Neighbourhood Plan.

It is the view of the applicant and the consultant team that this reason for refusal is deeply unfair and is not justifiable for a number of reasons. The existing roadway running through phases 1 and 2 has been designed to an adoptable standard to ensure safe and direct pedestrian and vehicular access. As an adoptable road it is suitable for construction vehicles and the Highways Authority has accepted this. The adoption agreement for the roads is nearing completion.

Concerns were also raised that the road network through phases 1 and 2 has many bends and that this makes the phase 3 site less accessible. This is incorrect. The access routes through the previous phases have been designed in accordance with the manual for streets, which supports the use of bends and shared surfaces as this slows down traffic and provides different character areas which help pedestrians to orientate themselves through the site.

A planning application for 19 market-led houses on the same site was refused by the LPA in April 2016. Whilst this application was dismissed at appeal, the Planning Inspector had determined that, for locational purposes, the site is acceptable for the development of residential housing. He went on to say that the appeal site is situated within an accessible and sustainable location for new development and would make a social contribution to the local housing market.

The existing network of roads and footpaths provide safe, easy and direct pedestrian access. There is, in fact, a continuous, safe footpath route from the phase 3 site into the centre of Cherry Willingham. In addition to this, a unilateral undertaking has been agreed with West Lindsey and the adjoining landowner to provide a public right of way from Green Lane, providing an additional, safe walking route to Cherry Willingham and the Local Highways Authority has supported the proposals, both for this planning application and the one refused at Committee in November 2021.

This is not a retirement or over 55 scheme. The 20 affordable housing units will be split into 70% affordable rented housing and 30% shared ownership affordable houses, as stated in the Section 106 agreement. The second reason for the refusal of the previous application was that a design and extension into the countryside would have an urbanising effect. It is our view that this is not a justifiable reason for refusal for the following reasons. The layout scale and density of the proposed scheme closely matches that of the previous two residential phases to the north. The scheme therefore complies with the relevant design principles of the Cherry Willingham Neighbourhood Plan and policies LP17 and LP26 of the Central Lincolnshire Local Plan. However, as part of our re-submission we have amended the scheme, layout and density, reducing the number of units from 21 to 20 to facilitate a softer edge to the adjacent countryside.



In response to the Committee's previous comments, the same materials are proposed as the previous schemes. The application proposes a large net gain of boundary hedges and trees across the site. This softens the impact of the proposals from the surrounding area and further supports local ecology - all in accordance with LP17 and LP26 of the Central Lincolnshire Local Plan. We have added further soft landscaping in this re-submission to assimilate the development into the site and wider surroundings. Bird and bat boxes have also been provided in accordance with the recommendations of the ecology report to further enhance this. Thank you all very much for your time and attention."

The Chairman thanked Mr. Collins for his comments and opened the item up for debate by the Committee.

Members mentioned the issue of the large number and variety of vehicular movements at this location and the road layout on the site itself. In a separate query, the case officer confirmed that there were no speed mitigations proposed.

Other comments made in relation to the application concerned the conditions for the occupation of the proposed dwellings, the materials proposed for the footpath, and the access/egress layout. In response to a query about the contour of the area, the case officer explained the site was relatively flat, and was fairly well elevated to the south of the site, rolling down to the Witham Valley.

In response to a question about the criteria for buying one of the proposed dwellings, the officer confirmed that this was to be in accordance with the Cherry Willingham Neighbourhood Plan regarding any requirements.

Some members felt that it was difficult to reach a conclusion in the absence of some greater knowledge of the site without a site visit, though a small amount noted the Parish Council's support for the application with conditions attached. A site visit was proposed and seconded to see the extent of the development, access, the footpath near the site, and the impact on the existing properties.

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.

## **116 145788 - LAND ADJACENT TO 16 WESTGATE, SCOTTON**

The Chairman introduced the next item, planning application number 145788, which sought outline planning permission for the construction of four dwellings and access on land adjacent to Westgate, Scotton. The application had been brought to the Committee for determination because of objections received from the local Member and the Parish Council. The report set out the history of the site.

The Chairman invited the Planning Officer to present the report and in doing he made reference to a further objection which had been received after the publication of the report.

The objection had been submitted by the owners of the restaurant at 20 Westgate. It had been contended that there were discrepancies in the plans submitted in that the distance between garage number 18 and garage number 20 could not be achieved. It was however reported that these distances had been checked and were accurate and the objection did not warrant any material change the report recommendation.

The Chairman invited the Democratic Services Officer to read out a statement of objection submitted by Karen Ibbeson as follows:-

“Westgate is the main thoroughfare through Scotton. It is not a wide road and buses do struggle to pass on certain sections of the road. It is also used by multiple HGVs, farming traffic, residents and visitors vehicles. The road regularly has cars parked from the local pub past the entrance/exit of the proposed planning application. The single vehicle width entrance/exit means a driver’s vision is restricted by a property that is further up that road. Parked cars on the road will make the single vehicle entrance/exit even more dangerous for everyone.

Would all emergency vehicles be able to access the proposed dwellings safely without having to reverse down the private access road?

The application is for four dwellings and now altered to 3 bedrooms. This means you are going to have a lot of vehicles and pedestrians using this single vehicle width entrance/exit that narrows towards the end of the proposed private access road. I do understand that there is going to be a passing place where the dwellings are going to be built, but there is going to be a lot of reversing up and down this narrow private access road.

Each dwelling will have a minimum of two vehicles, eight vehicles estimated, and even more when they have children with cars, or visitors to the dwellings, who arrive by car. There are no pavements on this private access road, therefore pedestrians cannot safely enter/ exit the proposed dwellings safely if a car is using the private access road. The health and safety of pedestrians and vehicles using a narrow single track private access road definitely has not been addressed by the developers.

Who is going to be responsible for the maintenance of this private access road? We already have a private access road off Middle Street and it’s a very damaged road full of deep potholes. Private access roads are fine for a single dwelling, but not a good idea for multiple dwellings. The existing private access road off Middle Street is proof of that.

Is there going to be adequate lighting down this private access road, so that pedestrians can use the private access road safely? Who would be responsible for the maintenance of the lighting (if there is any) as it is a private access road?

The acoustic reduction tunnel/wall maintenance. When this tunnel/wall needs maintenance because of wear and tear who will be responsible for the maintenance? If this wall/tunnel is lost then neighbours will be affected by the sound and headlights of the cars entering/exiting the private access road, affecting their quality of life and mental health. Everyone has a right to peaceful night sleep.”

The Chairman thanked the Democratic Services Officer and invited him to read out a further

objection received from David and Christine Sylvester:-

“My wife and I are objecting to the above planning application for the following reasons:-

1). The application shows the minimum entrance width to the site from the shared drive as being 3.623M (See applicants drawing 1137-1005 dated 10/08/21 Option 1 & the enlarged view of narrowest point supplied).

The actual measurement of the narrowest point from the rear corner of my garage No. 20 at an angle of 90 degrees to the side wall of No18 garage is 3.10M. (As marked in green on the exploded view of the site application entrance supplied). This dimension was verified in the presence of our District Councillor, Mrs Lesley Rawlings.

Depending on where No18's boundary finishes, the maximum entrance width to the site is 3.10M, minus 2 x the width of the "Acoustic fencing". Therefore the dimensions supplied on the Design & Statement - Access - page 10 of 3.20 metres on the drawing supplied are incorrect & cannot be achieved.

2). The Noise Reducing Acoustic Fencing will only be 2.40M from the side of my bungalow including my drive. This side of my bungalow consists of all my 3 bedrooms and is therefore detrimental in a domestic setting such as this, as this type of fencing is normally used in heavy traffic locations such as main roads & motorways.

Due to the inaccuracies of the dimensions on the drawings supplied I think the entrance does not meet the criteria for a private road and it is therefore imperative that the Planning Committee undertakes a site visit to look at these very important points and the other points that Nos18 and No16 raise on this shared drive that they also use.”

The Chairman thanked the Democratic Services Officer for reading out the statement and invited the Planning Officer to comment. The Planning Officer indicated that the plans submitted with the application indicated a driveway width of 3.2 metres. The acoustic fencing was a reserved matter and would be agreed at a later stage.

The Chairman then opened up the meeting for comments to Members of the Committee.

There were concerns expressed about the proposed access but the Committee appreciated that this was an allocated site for development within the Neighbourhood Plan (NP) which had successfully gone through all of the NP approval processes. Also the Highways Authority was satisfied with the access arrangements.

The position around land ownership and making application for planning permission was clarified and it was confirmed that all the necessary documentation in this respect had been completed.

Reference was made to the need perhaps for a condition regarding the hours of working to avoid any unnecessary disruption to existing residents at this location.

Accordingly, it was proposed, seconded and unanimously agreed that planning permission should be **GRANTED** subject to the following conditions and the submission to the Council for approval prior to the commencement of work on the site, a Construction Method

Agreement relating to the hours of construction work at the site:-

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

1. Application for approval of the reserved matters must be made to the Local Planning Authority before the expiration of three years from the date of this permission.

**Reason:** To conform with Section 92 (2) of the Town and Country Planning Act 1990 (as amended).

2. No development shall take place until, plans and particulars of the **appearance, landscaping and layout** of the buildings to be erected and the landscaping of the site (hereinafter called "the reserved matters") have been submitted to and approved in writing by the Local Planning Authority, and the development shall be carried out in accordance with those details.

**Reason:** The application is in outline only and the Local Planning Authority wishes to ensure that these details which have not yet been submitted are appropriate for the locality.

3. The development hereby permitted must be begun before the expiration of two years from the date of final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.

**Reason:** To conform with Section 92 (2) of the Town and Country Planning Act 1990 (as amended).

4. No development shall take place until the access road to serve the development hereby approved has been installed, as shown on drawing 1137-1009 Rev P04 received 8 March 2023.

**Reason:** In the interests of highway safety in accordance with Policy LP13 of the Central Lincolnshire Local Plan and Policy 3 of the Scotton Neighbourhood Plan.

5. No development must take place until a construction method statement has been submitted and agreed in writing by the Local Planning Authority. The approved statement must be adhered to throughout the construction period. The statement must provide details for:

- (i) the routing and management of traffic;
- (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 hours during which machinery may be operated, vehicles may enter and leave, and works may be carried out on the site.

**Reason:** To reduce disturbance during the construction period in the interests of residential amenity in accordance with policy LP26 of the Central Lincolnshire Local Plan and Policy 3 of the Scotton Neighbourhood Plan.

6. The layout details required by condition 2 will identify off-street parking provision for each

dwelling.

**Reason:** To accord with policy 3 (f) of the Scotton Neighbourhood Plan.

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

7.The landscaping details required by condition 2 shall include details of a boundary treatment to the western boundary of the site.

**Reason:** In order to demonstrate compliance with policy 3 (d) of the Scotton Neighbourhood Plan.

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

8.The development hereby approved must only be carried out in accordance with the recommendations set out in Section 5 (pages 13-20) of the Ecology survey completed by Inspired Ecology Ltd.

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

9. No development, other than to foundations level, shall take place until details of foul and surface water disposal (the drainage system to be used should include the results of soakaway/percolation tests, as appropriate) have been submitted to and approved in writing by the local planning authority. These details should include a plan showing the position of the drainage and location of the connections to the proposal. The approved details shall be implemented, maintained and retained in accordance with the approved plans.

**Reason:** To ensure adequate drainage facilities are provided to serve the development to accord with the National Planning Policy Framework and Policy LP 14 of the Central Lincolnshire Local Plan, and policy 3(g) of the Scotton Neighbourhood Plan.

10. With the exception of the detailed matters referred to by the conditions of this consent, the scale of development hereby approved must be carried out in accordance with the following drawings and any other documents forming part of the application:

- Site Location Plan 1137-1001 Rev P09 (red line only);
- Plans and Elevations 2 Bed Unit 1137-2001;
- Plans and Elevations 3 Bed Unit 1137 3002;
- Plans and Elevations 5 Bed Unit 1137 5002 Rev P01;

All received 8 March 2023. The development must include two and three bedroom dwellings.

**Reason:** To accord with Policy 3 of the Scotton Neighbourhood Plan which requires that the development contains two and three bedroom dwellings.

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

None.

**117 145741 - THE OLD RECTORY RESIDENTIAL HOME, STURTON ROAD, SAXILBY**

The Chairman moved on the next item, planning application number 145741, for the removal of existing buildings and the construction of four dwellings at The Old Rectory Residential Home, Sturton Road, Saxilby. The application had been brought before the Committee for determination at the request of Saxilby Parish Council who were concerned that the proposed development conflicted with the policies contained in the Neighbourhood Plan.

The Planning Officer's report summarised the history of the site. It was confirmed that there were no updates to draw to Members' attention.

The Chairman invited Mr. James Rigby, agent for the applicant to address the Committee which he did so along the following summary:-

"Thank you Chairman and good evening Members. My name is James Rigby, I am a Senior Associate at Knights plc and a chartered member of the Royal Town Planning Institute. I am here this evening to speak in favour of the application on behalf of the applicant.

Firstly, I am pleased that the application is supported this evening with a strong recommendation from your Officers that the application before you should be approved. Indeed, the report prepared by your Officers is comprehensive and provides a detailed appraisal of the scheme against the policies of both the Local Plan and the Neighbourhood Plan.

This application was originally submitted in October last year and we have carried out extensive discussions with your Officers which have seen the scheme revised for the number of dwellings reduced from six to four. Alongside the reduction in dwellings, a number of important changes have been made in relation to the siting of the dwellings, ensuring that the footprints are set outside the root protection areas of the boundary trees. This generous setback allows these trees, which are typically between 15 and 20 metres in height, to continue to dominate the street scene on the approach into the village from the north. The Council's Tree and Landscape Officer has raised no objection to the application.

The amended scheme has also sought to address a number of concerns raised by the Parish Council outlined in their initial consultation response. The existing access to certain roads will now no longer be utilised and this will be stopped up if planning permission is granted.

All four dwellings will be served from an improved access from Broxholme Lane. The homes immediately east of Sturton Road will continue to face onto the road and contribute positively to the street scene as set out in your Officer's report. The application seeks approval for the demolition of the existing structures on the site. It is important to state

that the Council's Conservation Officer has raised no objection to the loss of the Old Rectory stating that, and I quote, "there is no architectural interest visible to consider. This a non-designated heritage asset through its architectural merit."

The application was also supported by a Heritage Impact Assessment prepared by an historic building specialist. This assessment concludes that the fabric of the former Old Rectory has been altered considerably since conversion to a care home in the 1980s. Much of the original fabric has been lost through insensitive interior alterations or poorly designed extensions. In the opinion of the applicant, therefore, conversion of the building to apartments is simply not a viable proposition.

In policy terms, the National Planning Policy Framework is clear that local planning authorities should give substantial weight to the value of using suitable brownfield land, such as this site, within sustainable settlements, for new homes. Also Local Plan policy LP 2, sets a strong presumption in favour of development within designated large villages, such as Saxilby, which result in appropriate infill, intensification or renewal of an existing developed footprint.

In conclusion, there are no objections from statutory consultees on technical matters and the scheme fully accords with the aims of the NPPF and both the Local Plan and the Neighbourhood Plan. Thank you for your time."

The Chairman thanked Mr. Rigby for his contribution and opened up the matter for debate by the Committee. The Planning Officer had no comments at this stage.

Whilst Members were sorry to see the loss of the original building, they recognised that it was in a poor state of repair and noted the comments of the Historic Buildings Officer that it was not of architectural merit.

Accordingly, it was proposed, seconded and unanimously agreed 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. No development including any site clearance works and/or any demolition, shall commence, until details of the form and position of the tree protection measures to be installed during the demolition and construction phases have been submitted to and agreed in writing by the Local Planning Authority. The approved protection measures must be installed prior to commencement and retained in place until the development is completed.

**Reason:** To safeguard the large trees that surround the site that are protected by Tree Preservation Orders to accord with the National Planning Policy Framework and local policy LP21 of the Central Lincolnshire Local Plan 2012-2036.

3. No development including any site clearance works and/or demolition shall commence until an Arboricultural Method Statement (AMS) has been submitted to and approved in writing by the Local Planning Authority. The statement shall include details on how activities under or near the trees would be carried out. It shall also include how tasks from demolition and clearance through to construction completion, drainage, paths around the buildings will be done and shall comply with British Standard 5837. The development or other operations shall then only take place in complete accordance with the approved Arboricultural Method Statement.

**Reason:** To safeguard the large trees that surround the site that are protected by Tree Preservation Orders to accord with the National Planning Policy Framework and local policy LP21 of the Central Lincolnshire Local Plan 2012-2036.

4. No development shall take place until a Historic Building Record of the building has been submitted to and approved in writing by the Local Planning Authority. The recording should be to Level 3 as described in Historic England's- A Guide to Good Recording Practice.

**Reason:** To ensure the appropriate recording of the historic building in a manner proportionate to its importance in accordance with policy LP25 of the Central Lincolnshire Local Plan and guidance within the NPPF.

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

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

Site Location Plan received 27/10/2022

Site Plan 815H- 26D received 23/02/2023

Proposed Block Plan 815H- 39B received 23/02/2023

Amended Plot 1 Elevations 815H- 42 received 23/02/2023

Amended Plot 1 Plans 815H- 41 received 23/02/2023

Amended Plot 2 Elevations 815H- 44 received 23/02/2023

Amended Plot 2 Plans 815H- 43 received 23/02/2023

Amended Plot 3 Elevations 815H- 28A received 23/02/2023

Amended Plot 3 Plans 815H- 27A received 23/02/2023

Amended Plot 4 Elevations 815H- 30A received 23/02/2023

Amended Plot 4 Plans 815H- 29A received 23/02/2023

The works shall be carried out in accordance with the details shown on the approved plans and any other approved documents.

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

6. No development shall take place above foundation level until a scheme for the disposal of



foul and surface waters (including the results of soakaway/percolation tests) 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.

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

7. No development shall take place above foundation level until details of the facing materials to be used in the development 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.

**Reason:** In the interests of visual amenity in accordance with policies LP17 and LP26 of the Central Lincolnshire Local Plan and Policy 2 of the Saxilby with Ingleby Neighbourhood Plan and the National Planning Policy Framework.

8. No development shall take place above foundation level until details including the locations of the bat boxes to be installed at the site have been submitted to and agreed in writing by the Local Planning Authority.

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

9. The development hereby approved must only be carried out in accordance with the recommendations set out in Report of ecology and protected species survey by Tim Smith dated September 2022.

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

10. Prior to the installation/upgrade of the new vehicular access off Broxholme Lane, details of how the existing vehicular access onto Sturton Road is to be permanently closed shall be submitted to and agreed in writing by the Local Planning Authority. Within seven days of the new vehicular access being first brought into use, the existing vehicular access shall be permanently closed in strict accordance with the approved details and retained as such thereafter.

**Reason:** To reduce to a minimum, the number of vehicle access points to the highway, in the interests of highway safety in accordance with policy LP13 of the Central Lincolnshire Local Plan and provisions of the National Planning Policy Framework.

11. The development hereby permitted shall not be occupied until the 2 metre wide footway, to connect the development to the existing footway, as shown on drawing no. 815H 26-D has been provided in accordance with details that shall first have been submitted to, and approved in writing by, the Local Planning Authority. The works shall also include appropriate arrangements for the management of surface water run-off from the highway.

**Reason:** To ensure the provision of safe and adequate pedestrian access to the permitted development, without increasing flood risk to the highway and adjacent land and property in

accordance with policy LP13 of the Central Lincolnshire Local Plan and provisions of the National Planning Policy Framework.

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

12. Notwithstanding the provisions of Class A, AA, B, C, D 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, 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 area, in accordance with the National Planning Policy Framework and Policy LP17 and LP26 of the Central Lincolnshire Local Plan.

13. Prior to the first occupation of the development, a scheme of landscaping including details of the size, species and position or density of all trees and hedges to be planted, and areas of public open space, shall be submitted to and approved in writing by the Local Planning Authority. The details shall include tree lined streets. All planting comprised in the approved details of landscaping shall at the latest be carried out in the first planting season following the occupation of the relevant dwelling; and any landscaping which within a period of 5 years from the completion of the development dies, is removed, or becomes 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 is minimised in accordance with the requirements of Policies LP17 and LP26 of the Central Lincolnshire Local Plan.

**118 145504 - WILLOWBANKS STABLES, PELHAM ROAD, MARKET RASEN**

The Chairman introduced application item 6(f), number 145504, seeking planning permission to erect a replacement dwelling and change the use of an existing log cabin accommodation to staff facilities in association with the business at Willowbanks Stables, Pelham Road, Claxby, Market Rasen.

Although the report recommended approval, the development would conflict with criteria d of LP55 of the Central Lincolnshire Local Plan. Therefore, in accordance with Section 1j of Part IV of the Council's Constitution the application was required to be considered by this Committee.

The Chairman invited the Planning Officer to present the report which set out the history of the site and other relevant matters.

The Chairman then invited the applicant, Sophie Richmond, to address the Committee:-

"My partner and I have built the equestrian business from scratch, along with the continued

support of West Lindsey. We have grown the business from a willow coppice plantation to a thriving equestrian centre where we attract visitors from all over the country, including many Olympic and Team GB members who come to train and compete on our site.

We employ two full-time and three part-time members of staff and we also employ many casual workers during our busy show season. We currently live in the 1 bedroom log cabin, which was built a few years ago when the business was much smaller.

My partner and I now have a six month old daughter called Poppy. The log cabin size and location is not really suitable to bring up a family of any size as it only has one bedroom. Therefore, the replacement dwelling will allow us to live in a suitable home on site, which meets modern family living standards.

We have worked with a Planning Officer and agent and have come up with the design of a property that we believe satisfies all parties. We believe that the replacement dwelling will enhance the area of Claxby and allow us a chance to grow our family and business.

We currently do not have any staff or mess room facilities on site, so this proposal allows the log cabin to become an essential part of the business as a staff welfare unit for our ever increasing number of staff. Thank you for your time."

The Chairman thanked the speaker for her comments, and opened up the debate to Members of the Committee.

The Committee was very supportive of the application which would allow the continued operation of what had now become a successful business, with all the economic benefits that this brought to the District, and the attraction to the site.

Accordingly, it was proposed, seconded and unanimously agreed 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 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:

- 030/0237 Rev B dated 1<sup>st</sup> February 2023 – Site and Landscaping Plan
- 020/0237 dated 1<sup>st</sup> February 2023 – Dwelling Elevations and Floor Plans
- 023/0237 dated 16<sup>th</sup> February 2023 – Log Cabin Elevations and Floor Plan

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

**Reason:** To ensure the development proceeds in accordance with the approved plans and to accord with the National Planning Policy Framework and local policy LP17, LP26 and LP55 of the Central Lincolnshire Local Plan 2012-2036.

3. No development above ground level must take place until the following external materials for the proposed dwelling hereby approved have been submitted to and approved in writing by the Local Planning Authority:

- Brick Type
- Roof Type.
- Windows including colour finish
- Doors
- Rainwater Goods

The development must be completed in strict accordance with the approved details and retained as such thereafter.

**Reason:** To ensure the use of appropriate materials in the interests of visual amenity and the character and appearance of the site and the area including the setting of the area of outstanding natural beauty and area of great landscape value to accord with the National Planning Policy Framework and local policies LP17, LP26 and LP55 of the Central Lincolnshire Local Plan 2012-2036 and the Lincolnshire Wolds AONB Management Plan 2018-2023.

4. No development above ground level must take place until details of a scheme for the disposal of foul and 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 of the dwelling must take place until its foul and surface water drainage connection has been fully installed in strict accordance with the approved details. The approved drainage 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 and local policy LP14 of the Central Lincolnshire Local Plan 2012-2036.

5. The driveway and turning space hereby approved must be constructed from a permeable material and fully completed prior to occupation of the dwelling and retained as such thereafter.

**Reason:** To reduce the risk of flooding to the proposed development and future occupants to accord with the National Planning Policy Framework and local policy LP14 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:**

6. The occupation of the dwelling hereby approved must be limited to a person solely or mainly working, in the equestrian business, or a widow or widower or such person, and to any resident dependents.

**Reason:** The site is within an unsustainable location in the open countryside where a dwelling unencumbered by such a condition would constitute an unsustainable form of use, the occupiers would have to rely upon considerable car journeys to access services and facilities. Such a use would be contrary to the provisions of national guidance contained within the National Planning Policy Framework and local policies LP2 and LP55 of the Central Lincolnshire Local Plan 2012-2036.

7. The log cabin (identified on site plan 030/0237 Rev B dated 1<sup>st</sup> February 2023), on occupation of the dwelling hereby approved, must be used as a staff facility ancillary to the equestrian business in accordance with floor plan 023/0237 dated 16<sup>th</sup> February 2023. Any other use would require an application for planning permission.

**Reason:** To ensure the change of use occurs in a timely manner to retain only one occupational dwelling connected to the equestrian business to accord with the National Planning Policy Framework and local policy LP55 of the Central Lincolnshire Local Plan 2012-2036.

8. Notwithstanding the provisions of Classes A, AA, B and E of Schedule 2 Part 1 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification) the dwelling hereby permitted shall not be extended, altered and no buildings or structures shall be erected within the curtilage of the dwelling unless planning permission has first been granted by the Local Planning Authority.

**Reason:** To enable any such proposals to be assessed in terms of their impact on the design, character and appearance on the site and open countryside in accordance with the National Planning Policy Framework, local policy LP17, LP25 and LP55 of the Central Lincolnshire Local Plan 2012-2036.

9. Notwithstanding the provisions of Class A of Schedule 2 Part 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification) no gates, fences, walls or other means of enclosure must be erected within or on the boundary of the site unless planning permission has first been granted by the Local Planning Authority.

**Reason:** To enable any such proposals to be assessed in terms of their impact on the site and the open countryside to accord with the National Planning Policy Framework, local policy LP17, LP26 and LP55 of the Central Lincolnshire Local Plan 2012-2036.

## **119 146066 - LAND ADJACENT TO 12-14 HIGH STREET, SCOTTER**

The Chairman introduced the final application, planning application number 146066, seeking permission for the erection of a two storey dwelling with garage and orangery; the renovation of an existing granny flat/summer room and the renovation and extension of a granary/workshop and covered garage space to form one new dwelling on land adjacent to 12-14 High Street, Scotter. The application had been referred to the Committee for determination following objections from the Parish Council and other third parties, particularly around the scale of the development.

There were no public speakers on this application and the Chairman invited the Planning Officer to present the report. The Planning Officer reported that since publication of the report another objection had been received – from the occupier of 20 Sands Lane, Scotter who had stated:-

“When I purchased my property I was happy with the two bungalow proposal but the new 2 to three storey dwelling would inhibit my privacy.”

The Planning Officer had a further update. He advised that since the publication of the Committee report, a Structural Condition Inspection Report by Mason Clark Associates dated 16 March 2023 had now been submitted and approved by the Conservation Officer.

It was now proposed to replace recommended pre-commencement condition No.2 in the published Planning Committee report with the following to be observed during the course of development:-

“2. The development shall be carried out in full accordance with the recommendations contained within the Structural Condition Inspection Report by Mason Clark Associates dated 16 March 2023.”

Members noted this amendment to the report.

With no registered speakers, the Chairman opened the item for discussion and many thanked the Planning Officer for the high quality photographs/illustrations of the site/proposed new dwellings. In response to a query about the usage of 12-14 High Street, the case officer explained that these were the address points for knowing where the site was situated.

it was proposed, seconded and unanimously agreed that planning permission should be **GRANTED** subject to the following conditions (which now included the new condition referred to above):-

### **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. The development shall be carried out in full accordance with the recommendations contained within the Structural Condition Inspection Report by Mason Clark Associates dated 16 March 2023.

**Reason:** To ensure the works will not result in the collapse of this Non designated heritage asset and to ensure the use of appropriate methods of repair in accordance with the NPPF and Policy LP25 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: J561-010 D dated 03/03/2023, J561030 C dated 24/02/2023 (see Condition No.2), J561-020 E dated 28/02/2023, J561-002 C dated 24/02/2023 and Drawing No. J561-004 B dated 07/11/2022 (see Condition No.2). 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 in the interests of proper planning.

4. The new dwelling and converted dwelling shall not be occupied until the first floor window to an en-suite and first floor window to the master bedroom in the east elevation of the proposed new dwelling (Drawing: J561010 D dated 03/03/2023) and a first floor window at the top of a staircase in the eastern elevation of the converted former granary (Drawing: J561-030 C dated 24/02/2023 and J561-020 E dated 28/02/2023 have been fitted with obscure glazing and retained as such thereafter.

**Reason:** To prevent unacceptable levels of overlooking on neighbouring properties, in accordance with the National Planning Policy Framework, Policy LP26 of the Central Lincolnshire Local Plan and Policy D5 of the Scotter Neighbourhood Plan.

5. No development, other than to foundations level shall take place until the proposed new walling, roofing, windows, doors and other external materials have been submitted to and approved in writing by the local planning authority. The development shall thereafter be constructed in accordance with the approved details. The details submitted shall include; the proposed colour finish, rainwater goods and type of pointing to be used.

**Reason:** To ensure the use of appropriate materials to safeguard the character and appearance of this non-designated heritage asset in accordance with the NPPF, Policies LP25 and LP26 of the Central Lincolnshire Local Plan and Policy H4 and D5 of the Scotter Neighbourhood Plan.

6. No development, other than to foundations level shall take place until details of all new external timber windows and doors at a scale of no less than 1:20 and glazing bars at scale of 1:1 to include method of opening, cills, headers and lintels, colour and finish

are submitted and approved in writing by the local planning authority. The development shall thereafter be constructed in accordance with the approved details.

**Reason:** To ensure the use of appropriate materials to safeguard the character and appearance of this non-designated heritage asset in accordance with the NPPF, Policies LP25 and LP26 of the Central Lincolnshire Local Plan and Policy H4 and D5 of the Scotter Neighbourhood Plan.

7. No development, other than to foundations level shall take place until a 1m square sample panel of the proposed new brickwork/stonework, showing the coursing of the brickwork/stonework, colour, style and texture of the mortar and bond of the brickwork/stonework have been provided on site for the inspection and approval in writing by the Local Planning Authority (the sample is to be retained on site until the new development is completed). The development shall thereafter be constructed in accordance with the approved details (see notes to the applicant below).

**Reason:** To ensure the use of appropriate materials to safeguard the character and appearance of this non-designated heritage asset in accordance with the NPPF, Policies LP25 and LP26 of the Central Lincolnshire Local Plan and Policy H4 and D5 of the Scotter Neighbourhood Plan.

8. No development, other than to foundations level shall take place until a scheme for the disposal of foul and surface waters (including the results of soakaway/percolation tests) 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 dwelling. The approved drainage must be retained thereafter.

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

9. The development shall be carried out in full accordance with the recommendations contained within the Protected Species Survey (Andrew Chick Ecological Consultant, January 11<sup>th</sup> 2021).

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

10. New hardstanding shall be constructed from a porous material or shall be appropriately drained within the site and shall be retained as such thereafter.

**Reason:** To ensure appropriate drainage to accord with the National Planning Policy Framework and 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:**

11. Notwithstanding the provisions of Classes A, AA, B, C, D, and E 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 building hereby permitted shall not be altered or extended, no new windows



shall be inserted, and no buildings or structures shall be erected within the curtilage of the host dwelling, no new hardstanding and gates, walls or fences unless planning permission has first been granted by the Local Planning Authority.

**Reason:** To enable any such proposals to be assessed in terms of their impact on the living conditions of the host and neighbouring dwellings and the resulting amount of space around the host dwelling and to safeguard the character and appearance of the building and its surroundings in accordance with Policies LP17, LP25 and LP26 of the Central Lincolnshire Local Plan and Policy H4 and D5 of the Scotter Neighbourhood Plan.

## **120 DETERMINATION OF APPEALS**

The determination of appeals was **NOTED**.

The meeting concluded at 8.23 pm.

Chairman