

WEST LINDSEY DISTRICT COUNCIL

MINUTES of the Meeting of the Planning Committee held in the Council Chamber - The Guildhall, Marshall's Yard, Gainsborough, DN21 2NA on 29 November 2023 commencing at 6.30 pm.

Present: Councillor Jim Snee (Vice-Chairman, in the Chair)

Councillor Emma Bailey
Councillor John Barrett
Councillor Karen Carless
Councillor David Dobbie
Councillor Ian Fleetwood
Councillor Peter Morris
Councillor Tom Smith

In Attendance:

Sally Grindrod-Smith	Director Planning, Regeneration & Communities
Russell Clarkson	Development Management Team Manager
George Backovic	Development Management Team Leader
Daniel Galpin	Senior Development Management Officer
Martha Rees	Legal Advisor
Andrew Warnes	Democratic and Civic Officer

Also In Attendance: Four Members of the Public.

Apologies:

Councillor Matthew Boles
Councillor Sabastian Hague
Councillor Baptiste Velan

Membership: Councillor Karen Carless substituted for Councillor Matthew Boles.

59 PUBLIC PARTICIPATION PERIOD

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

60 TO APPROVE THE MINUTES OF THE PREVIOUS MEETING

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

61 DECLARATIONS OF INTEREST

Councillor T. Smith declared a personal interest, in relation to agenda item 6a, application number 146685, that though he was present at the site visit, he was not in attendance at the previous meeting where the application was heard. In line with West Lindsey District Council's Constitution, he would abstain from voting.

Councillor K. Carless declared a personal interest, in relation to agenda item 6a, application number 146685, that she was sitting as a substitute Member of the Committee, and had not been present at the previous meeting nor the site visit. She stated she would not participate in the item.

Councillor D. Dobbie declared a personal interest, in relation to agenda item 6a, application number 146685, that though he was not present at the site visit, and so would not participate in the vote, he would give his opinion on a related matter with the application.

62 UPDATE ON GOVERNMENT/LOCAL CHANGES IN PLANNING POLICY

The Committee were advised about the National Planning Fee Increase. Following debates in Parliament, the Town and Country Planning (Fees for Applications, Deemed Applications, Requests and Site Visits) (England) (Amendment) Regulations 2023 had been approved and were made on 8 November 2023. The regulations were viewed here:- <http://www.legislation.gov.uk/id/uksi/2023/1197>

The measures in the regulations did the following:-

- Increased planning application fees by 35% for applications for major development applications and 25% for all other applications;
- Introduced an annual indexation of planning applications fees, capped at 10%, from 1 April 2025;
- Removed the fee exemption for repeat applications, commonly known as the 'free-go'. An applicant would still be able to benefit from a 'free-go' if their application was withdrawn or refused in the preceding 12 months, which was subject to all other conditions for the 'free-go' being met;
- Reduced the Planning Guarantee for non-major planning applications from 26 to 16 weeks; and
- Introduced a new prior approval fee of £120 for applications for prior approval for development by the Crown on closed defence sites.

The new fees would come into force from 6 December 2023.

The Development Management Team Manager concluded the update by briefing the Committee on the status of the neighbourhood plans as of the meeting, and were advised as followed:-

Neighbourhood Plans	Headlines	Planning Decision Weighting
Scothern NP Review	Examination underway.	Review NP had increasing weight.
Nettleham NP Review	Regulation 16 consultation underway closes 22 Dec.	Review NP had increasing weight.
Dunholme NP Review	Regulation 14 consultation underway closes 3 Jan.	Review NP had some weight.

63 146685 - LAND TO THE SOUTH OF LEGSBY ROAD, MARKET RASEN

The Vice Chairman, in the Chair (Chairman), introduced the first application of the meeting, item 6(a), application number 146685, for the erection of 6no. detached bungalow dwellings & associated garages on land to the South of Legsbys Road, Market Rasen.

This was an application deferred from the 1 November 2023 Planning Committee meeting for a site visit to be held. The Case Officer informed Members of an amended site plan with a revised footpath. Members heard the definitive right of way path would require an entirely separate application regardless of the decision made by the Committee.

There had been surface water flooding on the northern part of the site, which gave a medium risk of surface water flooding. This was supplemented by a submitted indicative drainage strategy and for a swale and five soakaways. The Officer further explained the Building Control team would assess this and the planned drainage would capture surface water from the dwellings and the road. The Senior Development Management Officer gave a short presentation about the application and highlighted the submitted designs.

The Chairman informed the Committee that there were four registered speakers and statement, and invited the first registered speaker, the agent for the application, Mr Daniel Hyde to address the Committee.

Mr Hyde explained that the planning application proposed four dwellings in a low-density scheme, complying with local policies and including a flood risk assessment. The approval was expected to enhance the area. In his statement, the agent stated that a previous application in 2020 proposed five dwellings and established the principle of development on the site. The eventual approved application moved from five dwellings to four due to development issues and proximity to the open countryside. Members learned that this was a low density scheme, with 11 dwellings per hectare, which was lower than nearby housing schemes of similar designs. The agent asserted the approved scheme in 2020 should form part of the decision-making process.

The agent explained that there was no adverse impact on the nearby appearance and residential amenity. The submitted designs were to create a sense of place in these proposed dwellings. The agent stated that the submitted application complied with local policies, and a newly commissioned ecological study had been uploaded. The submitted application was expected to achieve a 30% net gain in habitable conditions.

The agent described the current situation, which included the public footpath and an

undesigned pond. The footpath currently moved to the east and shared access to the road leading to the site. Members learned that there were resubmitted plans for the hedge and that the registered right of way would still need further formal consultation and a decision outside this application. The agent stated the hedge on the site's western side would be retained for the most part, with only a small amount of the northern part removed to enable access.

He emphasised that the boundary and ownership of the site were not part of the consideration of the local planning authority, and specifically for the planning committee. The agent then stated the legal plans showed these were in full ownership of the applicant, and adjacent residents did not own the hedge and footpath. Moving to drainage, the agent detailed a flood risk assessment submitted with the application and highlighted no technical consultees objected to the plans. These plans included removing the existing land drainage scheme and implementing soakaways. The agent asserted that the approval of the application would address the ponding issue, as the proposed drainage system had been designed to manage water flow effectively, prevent future ponding, and potentially stop issues being caused.

In concluding his statement, the agent stated Lincolnshire County Council highways had not objected to this application, the visibility splays were sufficient, and the submitted application would enhance the area.

The Chairman thanked the speaker for his statement, and invited the first registered objector, Mr John Norburn, to address the Committee. The speaker made the following statement.

“When the original outline planning application was proposed I objected to the use of the public footpath within the site plan as it is clearly defined on the site layout plan 267/B/2 drawn by Hugh Bourn Development (Wragby) Ltd. I informed the planning department then, that the public footpath was on The Ridings and not owned by the applicant since vendor Mrs Wilson as part of the agricultural access. Please show photograph A. This site layout drawing by Hugh Bourn clearly shows that the Public footpath was routed along the back of plots 1,2,9,10 and 11, on his land.

The drawing shows that a two metre wide public footpath is within the then existing boundary hedge and is shown to be on these plots, there are lines dividing the plots which are drawn beyond the fence line right up to the boundary hedge(as every plot was shown on the plan to be) clearly indicating that the footpath is on land owned by these plots. Please show photograph B. The drawing was altered by amendment A to reflect this. Please show photograph C. My wife and myself are now the legal owners of Plot 1 The Ridings and photograph C is taken from the original conveyance deeds to a Mr and Mrs Fullam in 1987. This clearly States that all of plot number 1 The Ridings was conveyed.

West Lindsey District Council in 1987 passed a Public Path Diversion Order to relocate the footpath number 162 at the behest of Hugh Bourn and the footpath was duly moved to its current position, clearly on land that he owned at that time as he had to pay for the movement of the path. I have submitted to the Land Registry to correct the boundary line mistake shown between our properties. I have sent copies of Hugh Bourn's site layout plan, the Public Path (Diversion) Order and the relevant part of the original title deeds of plot 1 The Ridings as proof of ownership of the land beneath the Public Footpath. I have received

an email today from the Land Registry stating that they are looking further into the matter.

Please show photograph D. The planning officer at the site meeting told the councillors attending that only a small amount of hedge was going to be removed. In fact, the developers want to remove 20 metres. I question if this is a small amount. Hedges save wildlife, improve our mental health and are physically vital features of the landscape. They are essential refuges and corridors for wildlife, they improve the quality of our air by capturing carbon, therefore a loss of biodiversity if removed. This is a native hedge of blackthorn and hawthorn and should not be removed.

I would prefer to see that the common shared native hedge be retained as is, and the developers replace the missing native hedge down to Legsby road. This would provide a safety barrier separating the public using the footpath from vehicles on the proposed road and would also stop vehicles from pulling up onto the footpath. The developer has now produced a visibility splay for his proposed road, which I understand shows the sight line, which was said by the planning officer at the site meeting, has to be for 43 metres. Please show photograph E.

We need to look at the visibility splay shown on the Ridings site layout plan, for vehicles leaving the Ridings and entering Legsby Road. Vehicles waiting at the exit of the proposed road will obscure The Ridings visibility splay within the 43 metres sight line. Surely this needs to be looked at further. Please show photograph F.

The Ridings and Legsby Road are now reasonably busy roads with The Ridings now being used as a rat run for traffic including school buses, articulated lorries, and agricultural vehicles. We also have the road being narrowed when the racecourse has races on, with vehicles being parked down both sides of the road. The blue car on the top left is waiting to exit from the Ridings and is looking at the verge where the visibility splays.

Students are dropped off and picked up at the start and end of the school day, which can create a number of vehicles being parked up in the area. We have vehicles parked regularly for 20/30 minutes in the afternoon. There is also a pedestrian gate with students crossing Legsby Road walking home away from the school. New developments are already both underway and proposed further down Legsby road which will cause even more traffic.

There have been many photographs submitted both during the outline planning application and in the planning application before you, concerning the amount of water that floods the area that they propose to build on. The Indicative drainage Plan 1323/004 Issue A still needs updating to match the latest site plan, the soakaways are now shown but only take stormwater from the building roofs, and the top part of the roadway is shown to drain towards a ditch."

The Chairman thanked the speaker for his statement. He stated that the allocated five minutes for the objector slot had been filled, which meant the statement scheduled to be read would not be. The Chairman invited the final registered speaker, Councillor Moira Westley, Local Ward Member, to address the Committee.

In her statement, Councillor Westley expressed this submitted application was an overdevelopment of the site. She stated that the surface and sewage water drainage along the north side of the development would run into a ditch. Councillor Westley expressed

concerns about the responsibility of the ditch and drainage and asserted that the ditch overflow would run into a pre-existing neighbouring dwelling. This was a small development, with every aspect needing further context. The nearby dyke was not big enough to cope with the increased water runoff.

Councillor Westley emphasised that with more significant effects from climate change, all local planning authorities should mitigate more extreme weather, and further lobbying to central government was necessary. The previously used one in 100 year flooding event was becoming more frequent.

Moving to the public right of way, Councillor Westley expressed that residents had provided evidence showing the neighbouring properties were within two metres of the existing hedgerow and proposed entrance to the site. She asked the Committee to accept the evidence and keep the grass public right of way. She then explained that Andrew Pickwell of Lincolnshire County Council had removed his objection about the public path diversion.

In concluding her statement, Councillor Westley stated the developer needed to include a footpath into the site from the roadway adjacent to the existing public right of way, which would narrow the access to the site. She emphasised the flooding issues and said the Planning Committee should leave the planning approval to the previously permitted development.

The Chairman thanked Councillor Westley for her statement and invited a response from the Planning Officers. In his response, the Development Management Team Manager explained that the Committee and, more broadly, the Local Planning Authority should refrain from debating land ownership, as the necessary checks had satisfied the process. Though at a close junction, the visibility splays were sufficient, and Lincolnshire County Council Highways identified no safety issues with the previous application.

Regarding flooding issues, the Officer stated that sequential tests were required in Flood Zone 1 and said the Environment Agency did recognise surface water flooding regularly occurred. The role of planning was not to increase the risk of flooding elsewhere but to ensure dwellings were protected from flooding. The Officer explained there were issues with drainage at the site, and the applicant had submitted a positive drainage strategy. Officers looked at whether submitted applications improved the situation.

Note: Councillor D. Dobbie left the Chamber at 6.56 PM. He returned at 6.58 PM.

The Senior Development Management Officer further explained that most of the hedgerows were to remain in place, and the formal footpath diversion was a separate process after considering the application. Members heard that the impact on wildlife was positive, with a 30% net gain, with a minimum required 10% net gain to satisfy the required conditions. A condition for a management plan and ongoing maintenance of the foul and surface water drainage was possible. The Officer highlighted the issue's potential significance in future planning applications for small application sites following legal requirement changes in April 2024.

The Chairman thanked the Officers for their responses and invited comments from Members of the Committee. In response to queries about flooding and drainage, Members heard that the application submitted had an indicative drainage strategy with foul water being dealt with

by soakaway positions. The technical specifications were to come from the Building Control team.

The Committee also learned the flood risk assessment showed positive infiltration, and any development would not start until further consultation with the consultees on the specific designs. The drainage strategy was indicative, and Members were reminded they could add additional details on the maintenance of the swales and soakaways by amending the conditions.

In reply to a similar set of queries about protecting bungalow plots from flooding, the Senior Development Management Officer explained the lowest part of the site gave a slight rise of 20 to 30 cm in the change of the landscape. There was a condition to manage the surface water drainage.

The Officer detailed that Flood Zone 1 was to ensure positive drainage on the site, with the flood risk assessment considering climate change in dealing with any surface water problem. Members learned the purpose of the drainage strategy was to stop the water flow and ensure the water goes to a safe point.

Members were reminded the legal tests were for an application to mitigate itself and address issues specific to the site. The statutory consultees were satisfied the legal tests could be achieved, and the details would be reviewed before development. This included mitigation on the site, with pre-commencement conditions that addressed on-site flooding and did not cause flooding elsewhere. The Committee heard this meant development would only occur if the statutory consultees were content with the further submitted details.

In an answer to a separate question about the town's planning policies, Members learned Market Rasen Town Council was not preparing a local plan for planning applications. A Member of the Committee also reminded the Committee about the issues with refusing an application on limited policy grounds.

During the discussion, several Members expressed they preferred further information on the drainage to be checked and agreed to before any development. This discussion further led to amending condition 2 in the Officer's report and including further details on the maintenance requirements before any development commences.

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

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

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

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

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

2. No development shall take place until a scheme of foul and surface water drainage have been submitted to and approved in writing by the Local Planning Authority. The scheme shall include the following:
 - Full details of locations, technical specifications and capacity of the proposed swale and soakaways;
 - Percolation testing to ensure appropriate infiltration into the ground can be achieved to reduce the risk of surface water flooding;
 - Full details to ensure the proper disposal of foul sewage, including the connects to the nearest public sewer; and
 - Management plan to ensure the on-going management to prevent the swale becoming ineffective, including expected frequency of inspections and the response in the instance of either a flooding event or failure of the existing drainage system; and
 - Topographical details to show existing and proposed ground levels.

The approved details shall thereafter be implemented and maintained in strict accordance the approved details.

Reason: To ensure appropriate foul sewage and surface water drainage in accordance with the National Planning Policy Framework and Policy S21 of the Central Lincolnshire Local Plan.

3. Prior to the commencement of construction works on any dwelling, including footings being commenced, a scheme shall be agreed in writing with the Local Planning Authority relating to the verification of the post-construction energy performance of the dwelling(s) to be constructed under this permission, including a mechanism for the provision of the verification to individual home owners. The approved scheme shall be implemented in full, including mechanisms by which any shortfall in performance against the updated Energy Statement received 13th September 2023 will be mitigated.

Reason: To ensure that the development takes place in accordance with the approved details and in accordance with the provisions of Policies S6 and S7 of the Central Lincolnshire Local Plan (2023).

4. Prior to the commencement of the development, a scheme of landscaping shall be submitted to and approved in writing by the Local Planning Authority. This shall include the following details:
 - Details of the size, species, planting arrangement and position of all trees, hedgerows and other vegetation to be planted in accordance with the details in the submitted Preliminary Ecology Appraisal and Biodiversity Net Gain Assessment and Biodiversity Metric 4.0 Calculation dated August 2023.

The development shall be carried out in accordance with the approved scheme.

Reason: To ensure that a landscaping scheme to enhance the development is provided in accordance with Policies S53, S60 and S61 of the Central Lincolnshire Local Plan and Sections 12 and 15 of the National Planning Policy Framework.

5. No development hereby permitted shall take place unless a Construction Method Statement has been submitted to, and approved by, the Local Planning Authority. The statement shall include the following:

- Construction working hours;
- Measures for the routing and parking of construction related traffic;
- Indicate areas for the loading and unloading of materials;
- Measures to prevent the obstruction of the Public Right of Way during construction;

The development shall thereafter be undertaken in accordance with the approved Method Statement.

Reason: In order to minimise the disruption that may arise through the construction period to residential amenities, and to ensure that the Public Right of Way is not unduly obstructed, in accordance with Policies S47 and S49 of the Central Lincolnshire Local Plan.

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

6. The scheme referred to in Condition 3 shall also include a specification of solar panels to demonstrate the total energy output outlined in the submitted Energy Statement and on the submitted Site Plan 1323/003 REV B, received 15th August 2023.

Reason: To ensure that the development takes place in accordance with the approved details and in accordance with the provisions of Policies S6 and S7 of the Central Lincolnshire Local Plan (2023).

7. 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: 1323-005, 1323-006, 1323-007, 1323-008, 1323009, 1323-010 and 1323-0011 received, 23rd May 2023 and 1323/003 REV B received 15th August 2023. The works shall be carried out in accordance with the details shown on the approved plans and in any other approved documents forming part of the application.

Reason: To ensure the development proceeds in accordance with the approved plans and to accord with the National Planning Policy Framework and Policy S53 of the Central Lincolnshire Local Plan.

8. The development must be completed in strict accordance with the external materials listed on the application form received, 29th August 2023.

Reason: To ensure the use of appropriate materials to accord with the National Planning Policy Framework and Policy S53 of the Central Lincolnshire Local Plan.

9. No development shall take place on Plot 6 unless a formal diversion order for footpath 162 has been granted by virtue of Section 119 of the Highways Act 1980 or Section 257 of the Town and Country Planning Act 1990.

Reason: To ensure that the proposed development protects and enhances the existing Public Right of Way (Footpath 162) and that the existing route does not have a detrimental impact on residential amenity to accord with Policy S53 of the Central Lincolnshire Local Plan and the National Planning Policy Framework.

10. The development hereby permitted shall be undertaken in accordance with the recommendations in Section 5 and 6 of the submitted Flood Risk Assessment received, 30th June 2023.

Reason: To ensure that the development does not result in an unacceptable impact on flood risk in accordance with Policy S21 of the Central Lincolnshire Local Plan and the National Planning Policy Framework.

11. The development hereby permitted shall be carried out in accordance with the details set out in the updated Energy Statement received 13th April 2023 unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the development takes place in accordance with the approved details and in accordance with the provisions of Policies S6 and S7 of the Central Lincolnshire Local Plan (2023).

12. No services shall be laid within the development for the provision of piped natural gas.

Reason: In the interests of energy efficiency to accord with Policies S6 and S7 of the Central Lincolnshire Local Plan (Adopted 2023).

13. The development hereby permitted shall be undertaken in accordance with the mitigation and enhancements in the following ecological documents:

- Preliminary Ecology Appraisal and Biodiversity Net Gain Assessment and dated August 2023

Reason: To ensure that a landscaping scheme to enhance the development is provided in accordance with Policy S60 of the Central Lincolnshire Local Plan and Sections 12 and 15 of the National Planning Policy Framework.

14. Any site clearance or works to vegetation should be undertaken outside of the bird nesting season (March to August) unless otherwise given the all clear by a suitably qualified professional and subsequently agreed in writing with the Local Planning Authority.

Reason: In the interests of protecting biodiversity and protected species in accordance with Policy S60 of the Central Lincolnshire Local Plan and Section 15 of the National Planning Policy Framework.

15. Prior to their installation details of the external appearance of all doors and garage doors including materials and finish shall be submitted to and agreed in writing with the Local Planning Authority. The development thereafter shall be undertaken in strict accordance with the approved details.

Reason: To ensure that the development does not have an unacceptable impact on the character and appearance of the area in accordance with the National Planning Policy Framework and Policy S53 of the Central Lincolnshire Local Plan.

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

16. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and reenacting that Order with or without modification) no domestic oil tanks or domestic gas tanks shall be placed within the curtilage of the dwelling(s) hereby approved.

Reason: In the interests of energy efficiency to accord with Policies S6 and S7 of the Central Lincolnshire Local Plan (Adopted 2023).

64 146242 - "LAND AT LITTLE TRANBY", MILL LANE, MIDDLE RASEN

The Committee gave consideration to the second application of the meeting, item 6(b), application number 146242, for removal of existing outbuilding and the erection of 2no. bungalows, on land at Little Tranby, Mill Lane, Middle Rasen LN8 3LE.

The Development Management Team Leader explained there was an additional objection, specifically on the drainage provision of the application. Members learned the flooding had occurred in the village. Following further investigation and the preparation of a drainage study this showed that it was most likely due to the insufficient diameter of the pipe in the culvert.. The application would not use the culvert and would have its own means of drainage so would have no impact on flooding experienced in the village. A short presentation was given about the application.

The Chairman informed the Committee there was one registered speaker and invited the agent for the application, Daniel Hyde, to address the Committee.

In his statement, the agent stated the submitted application was to replace the current dilapidated dwelling. The development fell within the developed footprint of the village and was a Central Lincolnshire Local Plan designated site. The speaker explained the dwellings would be more modern and would assimilate into the surroundings.

The agent explained there was enough separation distance between the proposed dwellings, aiming to create a mix of dwelling types and balance community questions. Research had been conducted to show delivery vehicles could safely enter the site. The off-street parking met the standards set out in the National Planning Policy Framework, and there were no technical objections from Lincolnshire County Council Highways. A submitted drainage strategy was supported, with the site in Flood Zone 1. The agent stated the area was suitable for development.

An additional 44 cubic metres of storage would be provided upstream of the culvert to avoid impacting the existing culvert and benefit future environmental net gain considerations. Progressing to the permeability, the driveway and the designed hardstanding would ensure that the water issue would not exacerbate the surface water run-off. An experienced former

flood designer for the Environment Agency had created these designs. The submitted application included a preliminary Ecology Appraisal, which showed a 12.99% net gain in biodiversity. The extra hedgerow units would provide a 17.2% net gain, well above the 10% required in the Central Lincolnshire Local Plan. The agent concluded his statement by stating they were unaware of contamination issues but were content with any related conditions the Local Planning Authority agreed upon.

The Chairman thanked the speaker for his statement and invited comments from Members of the Committee. Members supported the application and saw no issues with the drainage scheme submitted.

Having been proposed and seconded, the Chairman took the vote and it was unanimously agreed that planning permission be deferred and **DELEGATED** grant of approval to officers subject to conditions and the completion of a legal agreement that delivers the required biodiversity net gain.

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

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

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

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

None.

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

2. No work on plot 1 shall commence on site until a single evening presence/absence bat survey has been carried out between May and August with the results submitted to the local planning authority for written approval.

Reason: To comply with the recommendations of the KJ Ecology report in the interests of protecting biodiversity in accordance with policy S60 of the Central Lincolnshire Local Plan

3. A nesting bird survey shall be carried out if any works are to take place in the bird nesting season (March to August) before the works commence. If a nesting bird is found, then works will cease until the chicks have fledged and the ecologist has given the all clear.

Reason: As there is potential for nesting birds on site, in the interests of protecting biodiversity in accordance with policy S60 of the Central Lincolnshire Local Plan

4. Works on site shall take place in accordance with the recommendations of the report prepared by KJ Ecology.

Reason: In the interests of protecting biodiversity in accordance with policy S60 of the Central Lincolnshire Local Plan

5. No development, other than to foundations level shall take place until a scheme for the disposal of surface waters has been submitted to and approved in writing by the Local Planning Authority. Development must be carried out in accordance with the approved details prior to occupation of the dwellings and retained and maintained thereafter

Reason: To ensure appropriate surface water drainage in accordance with Policy S21 of the Central Lincolnshire Local Plan

6. 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:

Proposed Block Plan: Drawing Number 136/002 Revision A

Proposed Site Plan: Drawing Number 136/003 Revision B

Plot 1 Plans and Elevations Drawing Number 136/004

Plot 2 Plans and Elevations Drawing Number 136/005

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 including the outline sustainable drainage strategy prepared by Roy Lobley Consulting dated June 2023.

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

7. If during the course of development, contamination is found to be present on site, then no further development (unless otherwise agreed in writing by the local planning authority) must be carried out until a method statement detailing how and when the contamination is to be dealt with has been submitted to and approved in writing by the local planning authority. The contamination must then be dealt with in accordance with the approved details.

Reason: In accordance with policy S56 of the Central Lincolnshire Local Plan.

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

8. Prior to occupation of the hereby approved dwellings evidence must be submitted to the local planning authority that two rainwater harvesting butts of a minimum of 100 litres have been installed.

Reason: In the interests of sustainable water management in accordance with policy S12 of the Central Lincolnshire Local Plan

9. Notwithstanding the provisions 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 domestic oil tanks or domestic gas tanks shall be placed within the curtilage of the dwellings hereby approved.

Reason: In the interests of energy efficiency to accord with policies S6 and S7 of the Central Lincolnshire Local Plan (Adopted 2023).

65 147333 - 27 SILVER STREET, GAINSBOROUGH

The Committee gave consideration to the final application of the meeting, item 6(c), planning application 147333, for 2no. shopfronts to form 2no. retail units and 5no. residential flats including replacement windows and full internal and external refurbishments at 27 Silver Street, Gainsborough, DN21 2DT. The application had been referred to the Planning Committee as it was a departure from policy S49 (Parking Provision) of the Central Lincolnshire Local Plan.

The Chairman invited the Planning Officer to present the report, and highlighted the submitted designs of the development. The Chairman informed the Committee that there were no registered speakers, and invited comments from Members of the Committee.

Members supported the application and highlighted the ongoing developments in Gainsborough Town Centre. Members also highlighted the necessity for retail places, such as the submitted application and the hopeful drive to support the town's investment.

Note: Councillor D. Dobbie made a non-pecuniary personal declaration that since new information had been provided following his involvement with the application at Gainsborough Town Council, he had an open mind, and would sit as a Member of the Planning Committee.

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

None.

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

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

- Existing Ground Floor Plan 2431-EX01;
- Existing First Floor Plan 2431-EX02;
- Existing Second Floor Plan 2431-EX03;
- Existing Third Floor Plan 2431-EX04;

- Existing Roof Plan 2431-EX05;
- Existing (West) Front Elevation 2431-EX06;
- Existing East Elevation 2431-EX07;
- Existing South Elevation/Section D-D2431-EX08;
- Existing Section B-B 2431-EX09;
- Site Location Plan & Block Plan 2431-0S;
- Proposed Door A & B Details 2431-D01;
- Proposed Door C Details 2431-D02;
- Proposed Interior Door D Details 2431-D03;
- Proposed Ground Floor Plan 2431-PP01;
- Proposed First Floor Plan 2431-PP02;
- Proposed Second Floor Plan 2431-PP03;
- Proposed Third Floor Plan 2431-PP04;
- Proposed Roof Plan 2431-PP05;
- Proposed (West) Front Elevation 2431-PP06;
- Proposed (West) Front Elevation (with canopy open) 2431-PP07;
- Proposed East Elevation 2431-PP08;
- Proposed North & South Elevations 2431-PP09;
- Proposed Section A-A, B-B, C-C 2431-PP10;
- Proposed Sash Window A Details (windows W01-W04) 2431-W01
- Proposed Sash Window B Details (windows 5-8) 2431-W02
- Proposed Sash Window C Details (window W09) 2431-W03
- Proposed Sash Window D Details (windows W10-W11) 2431-W04
- Proposed Sash Window E Details (windows W12) 2431-W05
- Proposed Sash Window F Details (window W13) 2431-W06
- Proposed Sash Window G Details (windows W14) 2431-W07
- Proposed Sash Window H Details (windows W15) 2431-W08
- Proposed Sash Window I Details (windows W16) 2431-W09
- Proposed Sash Window J Details (windows W17) 2431-W10
- Proposed Rooflight Details 2431-W11

Documents all received 18th September 2023.

- Proposed Shopfront Details 2431-PP11 REV A;
- 2431-PP12;

Documents received 13th November 2023.

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 to safeguard the fabric and setting of the Grade II Listed Building in accordance with Policy S57 of the Central Lincolnshire Local Plan, Policy NPP18 of the Gainsborough Neighbourhood Plan and Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

3. Prior to any intrusive works which would alter the historic or architectural fabric of the building a written specification has been submitted to and approved by the Local Planning Authority. This shall be submitted should include the following:

- a) An assessment of significance and proposed mitigation strategy (i.e. preservation by record, preservation in situ or a mix of these elements);
- b) A methodology and timetable of site investigation and recording;
- c) Provision for site analysis;
- d) Provision for publication and dissemination of analysis and records;
- e) Provision for archive deposition;
- f) Nomination of a competent person/organisation to undertake the work;

Part 2

The archaeological site work must be undertaken only in full accordance with the approved written scheme referred to in the above Condition. The applicant will notify the Local Planning Authority of the intention to commence at least fourteen days before the start of archaeological work in order to facilitate adequate monitoring arrangements. No variation shall take place without prior consent of the Local Planning Authority.

Part 3

A report of the findings shall be submitted to the Local Planning Authority and the Historic Environment Record Officer at Lincolnshire County Council within three months of the works hereby given consent being commenced unless otherwise agreed in writing by the Local Planning Authority; and the condition shall not be discharged until the archive of all work undertaken hitherto has been deposited with the County Museum Service, or another public depository willing to receive it.

Reason: To preserve the special historic and architectural significance of 27 Silver Street in accordance with Policy S57 of the Central Lincolnshire Local Plan, Policy NPP18 of the Gainsborough Neighbourhood Plan and Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

4. Prior to installation the exact detail of the proposed double glazing for the windows and shop front shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To preserve the special historic and architectural significance of 27 Silver Street in accordance with Policy S57 of the Central Lincolnshire Local Plan, Policy NPP18 of the Gainsborough Neighbourhood Plan and Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

5. Prior to installation the following shop front details shall be submitted to and approved in writing by the Local Planning Authority:

- Details of Retail unit 1 shop front at a scale of 1:20
- Awning product details
- Shop front and awning colour
- Tiled stall riser details

Reason: To preserve the special historic and architectural significance of 27 Silver Street in accordance with Policy S57 of the Central Lincolnshire Local Plan, Policy NPP18 of the Gainsborough Neighbourhood Plan and Sections 66 and 72 of the Planning (Listed

Buildings and Conservation Areas) Act 1990.

6. Prior to the occupation of the development hereby permitted, a scheme for the disposal of foul sewage shall be submitted in writing to the Local Planning Authority for approval. The scheme shall thereafter be implemented in strict accordance with the approved details.

Reason: To ensure that the development hereby permitted has sufficient disposal of foul sewage in accordance with Policy S21 of the Central Lincolnshire Local Plan and the National Planning Policy Framework.

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

None.

66 DETERMINATION OF APPEALS

There were no appeal determinations for noting.

The meeting concluded at 7.34 pm.

Chairman