

WEST LINDSEY DISTRICT COUNCIL

MINUTES of the Meeting of the Planning Committee held in the Council Chamber - The Guildhall on 15 October 2025 commencing at 6.30 pm.

Present: Councillor Ian Fleetwood (Chairman)
Councillor John Barrett
Councillor Matthew Boles
Councillor Emma Bailey
Councillor David Dobbie
Councillor Peter Morris
Councillor Tom Smith
Councillor Jim Snee

In Attendance:
Paul Burkinshaw Chief Executive
Russell Clarkson Development Management Team Manager
Ian Elliott Development Management Team Leader
Vicky Maplethorpe Development Management Officer
Martha Rees Legal Advisor
Molly Spencer Democratic & Civic Officer

Apologies: Councillor Jacob Flear
Councillor Karen Carless
Councillor Sabastian Hague

Membership: Councillor Emma Bailey was appointed substitute for Councillor Karen Carless.

Also in Attendance: 12 members of the public

35 PUBLIC PARTICIPATION PERIOD

There was no public participation.

36 TO APPROVE THE MINUTES OF THE PREVIOUS MEETING

Having been proposed and seconded, it was

RESOLVED that the minutes of the Planning Committee meeting held on Wednesday, 20 August 2025, be confirmed and signed as an accurate record.

37 DECLARATIONS OF INTEREST

Councillor Barrett declared a non-pecuniary interest in relation to application WL/2024/00974

as he was ward member for this application. He confirmed that he had received no correspondence in relation to the item under consideration, was satisfied he was approaching the matter with an open mind and were therefore able to participate in the meeting and decision-making process as normal.

38 UPDATE ON GOVERNMENT/LOCAL CHANGES IN PLANNING POLICY

The Committee was informed that recent updates had been made to national planning guidance concerning flood risk. In December 2024, the National Planning Policy Framework (NPPF) had been revised to clarify that the sequential test must consider all sources of flooding, including surface water flooding, rather than solely fluvial flood risk. The sequential test was intended to direct development towards land that was reasonably available and at a lower risk of flooding.

It was noted that this amendment had caused concern within the development industry, which had sought further clarification on the application of the sequential test. In response, Planning Practice Guidance on Flood Risk had been updated in September 2025.

Paragraph 27 had been revised to state that the sequential test could be avoided if a site-specific flood risk assessment demonstrated clearly that the proposed layout, design, and mitigation measures would ensure the safety of residents from both current and future surface water flooding for the lifetime of the development, without increasing flood risk elsewhere. This applies only to land at risk of surface water flooding, and not land at risk of river/coastal flooding.

Additionally, a new Paragraph 27a had been introduced to explain that, for individual applications, the area of search used to identify and compare sites based on flood risk would be determined by local circumstances relating to the catchment area of the proposed development. It was highlighted that this area could extend beyond local planning authority boundaries in cases involving infrastructure proposals of regional or national importance. However, for non-major residential development, the area of search would typically not extend beyond the town or city of the proposed site, or beyond an individual village and its immediate neighbouring settlements.

Further details had been made available through the updated Planning Practice Guidance on Flood Risk, accessible via the following link: <https://www.gov.uk/guidance/flood-risk-and-coastal-change#the-sequential-approach-to-the-location-of-development>.

39 WL/2024/00947 - ASH TREE FARM SUDBROOKE LANE, NETTLEHAM

The Committee was advised by the Officer that the application site comprised a large, modern agricultural building situated to the east of Nettleham. The site was surrounded by open countryside, with Ash Tree Farmhouse located to the west, alongside another large agricultural building.

The existing structure measured approximately 41 metres by 18.5 metres and had been constructed using a steel portal frame, with a corrugated sheet roof. A large sliding door was positioned on the south-east elevation, and a hardstanding yard area was located externally.

It was noted that prior approval had been granted on 20 October 2023 for the conversion of the existing agricultural building. This approval had permitted a change of use from agricultural to residential, comprising four smaller dwellings and one larger dwelling.

The current application sought full planning permission for the demolition of the agricultural building and the erection of five dwellings in its place.

The Chairman thanked the Officer for her presentation and stated there were two registered speakers for this application; the first, Councillor Angela White, as a representative for Nettleham Parish Council was invited to address the Committee.

The Committee received a statement from Councillor Angela White, Chair of Nettleham Parish Council, who addressed Members in objection to the application.

It was acknowledged that the Officer's report had accepted the application as a departure from the development plan, specifically in relation to Policies S1 and S5 of the Central Lincolnshire Local Plan (April 2023), and Policy D6(3) of the Nettleham Neighbourhood Plan (November 2024). These policies had formed the principal grounds for objection by the Parish Council.

Reference was made to the prior approval granted under Part 3 Class Q for application 147245, which had permitted the change of use of the existing agricultural building to five dwellings. It was stated that the current proposal relied on the fallback position, supported by case law and local precedent.

Councillor White recalled attending a workshop in 2015 on Neighbourhood Plans and the Localism Act, during which the powers of local communities to influence development location and housing numbers had been discussed. It was remarked that such powers had since diminished.

Concern was expressed regarding the preparation of the November 2024 Nettleham Neighbourhood Plan, in which sites and housing numbers had been determined without consultation with residents, in contrast to the 2016 version which had involved public engagement.

Further reference was made to a government policy change in 2019, which had allowed affordable housing to be built on unallocated sites. This had resulted in the development of 35 properties on Baker Drive, which had not been anticipated by existing residents.

It was noted that no comments had been received from neighbouring properties, as the site was located outside the developed footprint of the village. The only adjacent properties were an upholstery business in a nearby barn and Ash Tree Farm, which had been constructed under agricultural 'permitted development' provisions.

Concerns were raised regarding highway safety. The site was accessed via a narrow single-track road from Sudbrooke, subject to a 60mph speed limit. The Parish Council had highlighted issues relating to traffic speed and volume, particularly from vehicles avoiding congestion on the A158. The road passed the entrance to Larch Avenue, which now served as the exit point for two new estates comprising over 100 properties, before reaching the

junction with Lodge Lane where further traffic joined from the A158.

Although no objection had been raised by Lincolnshire County Council Highways, it was stated that traffic issues existed in the area and had the potential to worsen.

It was further noted that the provisions of Part 3 Class Q had been extended to allow up to ten properties since May 2025. It was suggested that the proposed development could act as a gateway to further development on the eastern side of the village.

In conclusion, Councillor White stated that local plans offered limited protection against further development. The Chairman thanked Councillor White for her comments, and invited the second speaker, Mr Michael Orridge, as Agent to take his seat.

The Committee received a statement from Mr Orridge, who spoke on behalf of the applicant in support of the application. Mr Orridge introduced himself as both the agent and architect for the proposal and provided an overview of the background, the improvements made, and the reasons why the current application represented a clear planning betterment compared to the existing Class Q permission.

It was explained that the site at Ash Tree Farm currently contained a large, modern agricultural shed. This building already benefited from prior approval under Class Q legislation for conversion into five dwellings, and that approval could be implemented at any time. However, Mr Orridge stated that such a conversion would result in residential units that were constrained in layout, visually harsh in appearance, and inefficient in terms of energy performance.

The current proposal sought to demolish the existing agricultural building and replace it with five purpose-built, low-energy homes. Mr Orridge emphasised that the new scheme would deliver improved design, enhanced sustainability, and a more appropriate relationship with the rural surroundings. These improvements were considered to align with the core aims of the Central Lincolnshire Local Plan.

The proposed layout was reported as being carefully developed to reflect the traditional pattern of farmyard clusters, as illustrated in the submitted plans. The five dwellings would be arranged around a shared courtyard, which would help to reduce the scale and form of the development in comparison to the existing barn.

The proposed materials included timber and concrete cladding, along with standing-seam metal roofing. These materials had been selected to reflect the character of local agricultural buildings while achieving a high architectural standard with refined detailing. It was noted that the timber would weather naturally to a grey tone, allowing the dwellings to integrate sensitively into the surrounding landscape. Mr Orridge described the scheme as a clear visual improvement in every respect.

The proposal was also presented as a significant environmental enhancement over the fallback position. Each dwelling would be highly energy efficient and would comply with Policy S7, which required dwellings to generate as much renewable energy as they consumed. The scheme included solar panels, air-source heat pumps, and a highly insulated building fabric. A whole-life carbon assessment had confirmed that the proposed development would perform better over a sixty-year period than the conversion of the

existing concrete-framed structure.

Mr Orridge confirmed that all technical matters had been fully addressed. The site access had been upgraded in accordance with Lincolnshire County Council standards, and no objections had been raised by Lincolnshire County Council Highways. A ten percent biodiversity net gain would be delivered through on-site planting and habitat creation. The site was located within Flood Zone 1, and sustainable drainage systems had been incorporated to ensure that there would be no increased flood risk.

It was further noted that a fallback position existed for up to ten dwellings under the extended Class Q legislation and relevant case law, including the Mansell judgment. Mr Orridge also reported that he had spoken with the neighbour to the east of the site, who had contacted the office and, following discussion, had raised no objection to the proposal.

In conclusion, Mr Orridge stated that the proposal would replace a utilitarian agricultural shed with a well-designed, energy-efficient development that would sit comfortably within its rural setting. The scheme was described as offering clear planning betterment in terms of design quality, visual appearance, environmental performance, and residential amenity. It was confirmed that the proposal complied with the Central Lincolnshire Local Plan, the Nettleham Neighbourhood Plan, and the aims of the National Planning Policy Framework.

Mr Orridge respectfully requested that Members support the Officer's recommendation and grant planning permission for what was described as a sustainable and high-quality redevelopment of a farmyard site.

The Chairman thanked Mr Orridge for his comments and having asked the Officer if she had a response, which there was not, the Chairman opened the floor for discussion.

The Chairman commented that the site plans did not clearly show the location of the application site. Thanks were extended to the planning officer for including additional images within the presentation to assist Members.

A Committee Member stated that the application had been presented in a clear and concise manner and had not been difficult to understand. Reference was made to Policies S6 and S7, and it was noted that their application had been appropriately considered. They expressed the view that demolishing and rebuilding a structure would result in increased carbon emissions and therefore did not consider this to be a material planning consideration. It was acknowledged that the visual appearance of buildings was a matter of personal opinion, but it was accepted that the proposed dwellings would be more energy efficient over their lifetime.

Another Member of the Committee agreed with Councillor White's observation that the site was located outside the area identified within the Neighbourhood Plan. Concern was raised that the development of five dwellings could result in approximately ten vehicles. It was noted that the population of Nettleham had increased to approximately 5,000 over the past two years. Although the existing building was considered unsightly, a preference was expressed for the landowner to consider development outside the village boundary.

It was queried by a Member of the Committee whether, in the event that the development was not maintained, a condition could be imposed requiring the developer to ensure proper

upkeep. Concern was raised regarding the accuracy of highway assessments, particularly in light of local knowledge. It was suggested that West Lindsey District Council should be informed whether site visits had been undertaken by Highways Officers, and that further clarification could assist future decision-making.

In response, the Development Management Team Manager confirmed that the proposed road layout indicated a private road. It was acknowledged that the existing building could potentially be changed to up to ten dwellings, under permitted development allowances. It was not known whether Highways Officers had visited the site, but it was suggested that clarification could be sought and reported back to a future meeting.

Two further points were raised by a Member of the Committee. Firstly, concern was expressed regarding the long-term maintenance of the area, particularly if it was not adopted by Highways. It was queried how the site would be maintained following any future sale, including the treatment and upkeep of landscaping. Secondly, it was noted that while the views of Highways were considered, the Parish Council also held statutory status. It was questioned whether the concerns raised by the Parish Council should carry greater weight in the decision-making process.

The Chairman asked whether a management company or organisation would be responsible for the long-term maintenance of public access areas.

In response, the Development Management Team Manager stated that planning decisions were made in the wider public interest. It was confirmed that, should the Committee consider there to be a public issue, further consideration could be given to the matter.

A Member of the Committee expressed support for the proposal, noting that the development appeared to be located within the footprint of the existing building. The change from brownfield to residential use was welcomed. It was considered that the precedent set by such developments could be beneficial in assessing future applications and changes.

The Chairman concluded that there was no conflict with the Central Lincolnshire Local Plan. It was noted that the area had been identified by central government as requiring additional development land. It was stated that the Central Lincolnshire Local Plan must respond to this directive by providing further opportunities for residential development.

The proposal to accept the Officers recommendations was duly seconded and voted upon. It was therefore agreed that planning permission be **GRANTED** subject to the following conditions:

Recommended 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:

No development hereby permitted must take place until a written Habitat Management and Maintenance Plan [HMMP], in accordance with the most recently submitted Statutory Biodiversity Metric dated 14th July 2025 and prepared by Kiran Johal Mzool, has been submitted to and approved in writing by the Local Planning Authority. The HMMP shall relate to all 'significant' biodiversity gains on site and must be strictly adhered to and implemented in full for a minimum of 30 years following the initial completion period approved pursuant to condition 11. The HMMP document must be produced in accordance with sections listed below:

- a) a non-technical summary;
- b) the roles and responsibilities of the people or organisation(s) delivering/monitoring the [HMMP];
- c) the details of funding, resources and mechanisms for long term delivery of the [HMMP].
- 4) the planned habitat creation and enhancement works for the initial 5 completion period to create or improve habitat.
- e) the management measures to maintain habitat for a period of 30 years from the end of initial habitat creation.
- f) the monitoring/reporting methodology and frequency in respect of the retained, created and/or enhanced habitat to be submitted to the local planning authority on years 1, 5, 10, 15, 20 and 30. All reports must be submitted no later than September 1st on each reporting year (reports may be produced by those meeting the definition of a competent person as defined by the statutory Small Site Metric user guide)
- g) the mechanisms of adaptive management and remedial measures to account for changes in the work schedule to achieve required targets.

Reason: To ensure the development delivers a biodiversity net gain on site in accordance with Schedule 7A of the Town and Country Planning Act 1990 and Policy S61 of the Central Lincolnshire Local Plan 2023-2043.

No development shall take place until a written Ecological Mitigation & Enhancement Plan (EMEP) prepared in accordance with the Preliminary Ecological Appraisal and Reptile Surveys dated October 2024 and prepared by Archer Ecology is submitted to and approved in writing by the local planning authority. The EMEP shall include: -

- Details of any precautionary method statements for protected species
- Details of a sensitive lighting strategy
- Details of wildlife friendly landscaping within curtilage of private dwellings (including native tree planting, garden ponds, flowering lawns and urban greening [i.e. rain gardens])
- Details of educational leaflets to be provided to all residence as to the enhancements for wildlife within their own cartilage and the wider development.
- Details, specification location of hedgehog highway within all closed panel fence boundaries and 1x hedgehog refugia
- Details, specification, locations of amphibian friendly curb and drain treatments.
- Details, specification and location of the following species enhancements incorporated into structures across the site:
 - Integrated bird boxes, Total across site to be equal to number of dwellings (swift bricks should be installed in groups of 3)
 - 1x Pole mounted Owl boxes

- Integrated bat boxes, Total across site to be equal to number of dwellings
- 2 bee/insect bricks per dwelling

The EMEP shall be implemented in strict accordance with the approved plan. All features shall be installed during construction and retained as such thereafter.

Reason: In the interest of nature conservation and to accord with the National Planning Policy Framework and local policy S60 of the Central Lincolnshire Local Plan 2023.

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

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:

- J20001-PL-00 P01 dated 23/7/25
- J20001-PL-01 P02 dated 23/07/25
- J2000a-PL-02 P04 dated 19/9/25
- J2000a-PL-03 P01 dated 23/7/25
- J2000a-PL-10 P01 dated 01/11/24
- J2000a-PL-11 P01 dated 01/11/24
- J2000a-PL-12 P02 Dated 19/9/25
- J2000a-PL-13 P01 dated 01/11/24
- J20001-PL-20 P02 dated 19/9/25
- J2000a-PL-21 P02 dated 19/9/25

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.

No development above foundations level shall take place until a scheme of foul sewage and surface water drainage has been submitted to and agreed in writing with the Local Planning Authority. The development shall thereafter be carried out in strict accordance with the approved details.

Reason: To prevent flooding and protect future residents to accord with the National Planning Policy Framework and Policy S21 of the Central Lincolnshire Local Plan.

The development hereby permitted shall be carried out in accordance with the details set out in the Amended Energy Statement A02 dated 18th October 2025 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).

Prior to occupation of the dwelling hereby permitted, a written verification statement shall be submitted to demonstrate that the approved scheme has been implemented in full, in accordance with the Amended Energy Statement A02 dated 18th October 2025 and

approved 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.

No external lighting shall be installed on the development hereby permitted unless a scheme of external lighting is submitted to and agreed in writing with the Local Planning Authority. The development thereafter shall be carried out in strict accordance with the approved details.

Reason: To ensure that the development hereby permitted does not have an unacceptable impact on residential amenity to accordance the National Planning Policy Framework and Policy S53 of the Central Lincolnshire Local Plan.

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

Reason: In order to safeguard human health in accordance with the National Planning Policy Framework and Policy S56 of the Central Lincolnshire Local Plan.

10. The Biodiversity Gain Plan shall be prepared in accordance with the most recently updated Statutory Biodiversity Metric dated 14th July 2025 and prepared by Kiran Johal Mzool.

Reason: To ensure the development delivers a biodiversity net gain on site in accordance with Schedule 7A of the Town and Country Planning Act 1990 and Policy S61 of the Central Lincolnshire Local Plan 2023-2043.

11. Notice in writing shall be given to the Council within 15 working days of the Initial habitat creation and enhancement works as set out in the HMMP being completed.

Reason: To ensure the development delivers a biodiversity net gain on site in accordance with Schedule 7A of the Town and Country Planning Act 1990 and Policy S61 of the Central Lincolnshire Local Plan 2023-2043.

12. Prior to occupation of the approved dwellings evidence must be submitted to and approved in writing by the local planning authority that a rainwater harvesting butt of a minimum 100 litres has been installed.

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

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

13. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking or re-enacting that order), no development as may otherwise be permitted by virtue of the following: Ø Schedule 2 Part 1 Classes A, AA, B, C, D, E, F, G and H of the Order shall be carried out within the curtilage of the dwelling permitted; and Ø Schedule 2 Part 2 Class A, without express permission from the Local Planning Authority.

Reason: To ensure that the development hereby permitted does not have an unacceptable impact on the character and appearance of the area in accordance with paragraph 130 f) of the National Planning and Policy Framework and Policy S53 of the Central Lincolnshire Local Plan.

40 WL/2025/00837 - LAND ADJACENT 2 SCHOOL LANE, GRAYINGHAM

The Chairman introduced the second application of the meeting and invited the Officer to present.

The Committee was advised that the application site related to a vacant parcel of land located within Grayingham. The site had previously been used as a vehicle breakers yard. It was noted that the site was adjoined to the east by two recently constructed dwellings, with other residential properties situated along all remaining boundaries. The northern boundary of the site was defined by hedging, and a Public Right of Way, referenced Gray/10/1, ran adjacent to this boundary along School Lane.

The application sought full planning permission for the erection of a single storey, three-bedroom dwelling and a detached double garage. The proposed dwelling would measure approximately 26.2 metres in maximum width, 12.7 metres in maximum depth, 2.6 metres to the eaves, and 4.2 metres in total height. The proposed detached double garage would measure approximately 6.2 metres in width and 6.2 metres in depth, with an eaves height of 2.5 metres and a total height of 4.1 metres.

The Committee was informed that a late comment had been received from the Archaeology Department at Lincolnshire County Council. It had been confirmed that there was unlikely to be any archaeological impact arising from the proposed development. It was noted that a minor amendment was required to Condition 9 of the draft decision notice, where the word “dwellings” should be corrected to “dwelling”. Furthermore, it was advised that the wording of Condition 12 should be amended to include the phrase “without express planning permission from the local planning authority” at the end of the condition.

The Chairman thanked the Officer for his presentation and stated there were two registered speakers for this application; the first, Kate Kelly, on behalf of the applicant was invited to address the Committee.

The Committee received a statement from the applicant’s representative in support of the proposal. It was stated that the application, similar in nature to the previously considered proposal in Grayingham, had been fully assessed and found to comply with Policy S1 of the Central Lincolnshire Local Plan.

It was noted that the plot size was consistent with neighbouring residential plots and similar in character to two recently approved dwellings located adjacent to the site. The proposed

separation distances were considered appropriate, and the design included a single-storey bungalow with the main private garden area situated to the rear, on the southern side of the property.

The site benefitted from an existing access, and it had been confirmed by both the Local Planning Authority and Lincolnshire County Council Highways that the proposal would not result in any detrimental impact on highway safety. The application was also confirmed to be compliant with Policy S21.

In relation to drainage, it was stated that foul water services had been considered, and there was no requirement for a single dwelling to address any wider capacity issues. The proposal included rainwater harvesting measures as part of its sustainability credentials.

It was acknowledged that some residents had submitted objections to the application, and these concerns had been noted. However, it was highlighted that both bungalows located to the east of the site had previously received support from Members of the Committee, and the current proposal was similar in detail and scale. In conclusion, the speaker stated that the proposed development would make an important contribution to local housing provision and was in accordance with relevant planning policies.

The Chairman thanked Ms Kelly for her statement and invited the second speaker, Mr David Harrison, as objector, to address the Committee.

The Committee received a statement from Mr David Harrison, who that he resided in one of the two cottages adjacent to the application site and that his written objection had been submitted and included within the published documents.

Mr Harrison raised two principal concerns. The first related to the existing hedgerow. He expressed a hope that additional measures could be considered to protect the hedgerow beyond the provisions of the Hedgerow Regulations 1997. It was stated that, should the hedgerow be removed following the sale of the property, the resulting loss of screening would lead to overlooking and a reduction in privacy at his property. Mr Harrison queried whether, if the Committee felt unable to determine the application at the current meeting, a deferral could be considered to allow further review.

The second concern related to construction traffic and site access. Mr Harrison explained that School Lane was an unadopted road and not designed to accommodate heavy vehicles. He reported that over 120 heavy goods vehicles had been recorded using the road over the past year. Particular concern was raised regarding the structural vulnerability of his property, which included a traditionally built central section that was susceptible to vibration. Mr Harrison requested that consideration be given to how hardstanding materials would be broken up and removed from the site in a manner that was sensitive to the surrounding properties.

Mr Harrison clarified that he was not objecting to the principle of development but was instead seeking reasonable adjustments. He noted that construction traffic had previously caused delays for his daughter travelling to school and suggested that a traffic management plan be considered. It was acknowledged that such plans were mandatory for larger developments and requested that similar provisions be explored for smaller schemes such as the one under consideration.

The Chairman thanked Mr Harrison for his statement and asked if there was a response from the Officer. The Committee was advised that the existing hedgerow along the northern boundary of the site was subject to a landscaping condition, specifically Condition 7 of the draft decision notice. The Officer confirmed that the retention of the hedgerow would be supported and required and the removal of a section measuring approximately five metres, could have a detrimental impact on the amenity, privacy of neighbouring properties and Biodiversity Net Gain. It was stated that the planning team was in agreement that the hedgerow should be retained.

The Chairman thanked the Officer for his response and invited Members to comment.

A Member of the Committee commented that the application was located on a brownfield site and supported the principle of development. Another raised concerns regarding the interpretation of Policy S1 in relation to development within hamlets. It was stated that, based on training and previous meetings, the policy had typically been applied to allow up to three dwellings within a hamlet. Reference was made to a 2018 appeal decision, which had emphasised the importance of maintaining clear gaps between properties. A Committee Member expressed the view that the current proposal did not reflect the intended application of the policy.

In response, the Officer confirmed that matters relating to the hedgerow would be addressed through the discharge of Condition 7. With regard to construction traffic, it was confirmed that the timing of works could be controlled, and that a Construction Management Plan would be required.

The Chairman supported the Officer's approach to managing the hedgerow through condition discharge procedures. It was agreed that an additional condition (Condition 13) would be imposed, requiring the submission of a Construction Management Plan. The plan would include restrictions on construction activity during school travel times.

It was queried by a Member of the Committee whether consultation with local schools would be necessary to determine appropriate timings. In response, the Officer confirmed that operational hours would be set out within the Construction Management Plan.

The Legal Advisor sought clarification regarding the extent of Officer discretion in relation to delivery timings. The Officer advised that it would be preferable to specify permitted delivery times within the condition to ensure clarity and enforceability.

It was agreed that the hedgerow would be retained, and that Condition 7 be amended to specify this.

It was further confirmed that Condition 9 required a spelling correction, replacing "dwellings" with "dwelling", and that Condition 12 should be amended to include the phrase "without express planning permission from the local planning authority".

Condition 13 would be added to require a Construction Management Plan, with permitted construction hours to be restricted to avoid conflict with school traffic.

The Development Management Team Manager stated that, where construction activities conflicted with existing conditions, a Construction Management Plan would be required to address the issue. The reason for the condition would be clearly stated as the need to avoid

disruption during school travel times.

Concern was expressed by a Member of the Committee regarding School Lane; they suggested that no vehicles should be parked on the site prior to the permitted construction hours. In response, the Officer advised that such a restriction would fall outside the remit of the Planning Committee. However, it was confirmed that provision for on-site construction parking could be included within the Construction Management Plan.

A proposal for a site visit was moved and duly seconded. Subsequently, a second proposal seeking to grant planning permission was tabled. The proposal for a site visit was considered first. Upon being put to the vote, the motion was lost with three Members voting in favour and four voting against.

The proposal to accept the Officers recommendations was duly seconded and voted upon. It was therefore agreed that planning permission be **GRANTED** subject to the following conditions:

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

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

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

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

2. No development, including any site clearance shall take place until a Construction Management Plan has been submitted to and agreed in writing with the Local Planning Authority. The Management Plan shall indicate measures to mitigate the adverse impacts of vehicle activity during the construction stage of the permitted development. It shall include;

- The on-site loading and unloading of all plant and materials;
- The on-site storage of all plant and materials used in constructing the development storage of materials to be away from the boundary hedge;
- A plan to show the on-site parking of all vehicles of site operatives and visitors;
- Details of the sites operational/working hours;
- Details of the times for all site deliveries.

The development shall only proceed in accordance with the approved construction management plan.

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

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

Site Location Plan 720.07A
Scheme Block Plan 720.06 B

Floor Plans, Elevations and Sections 720.05C

The work, including proposed materials shall be carried out in accordance with the details shown on the approved plans.

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

4. The Biodiversity Gain Plan shall be prepared in accordance with the Ecological and Biodiversity Net Gain Statement dated July 2025 and prepared by ESL Ecological Services.

Reason: To ensure the development delivers a biodiversity net gain in accordance with Schedule 7A of the Town and Country Planning Act 1990.

5. 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 scheme shall detail how the drainage hierarchy has been followed in relation to surface water. 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 and to prevent pollution of the water environment in accordance with Policy S21 of the Central Lincolnshire Local Plan 2023.

6. The development hereby permitted shall be carried out in full accordance with the details set out in the submitted Energy Statement by G Reports dated June 2025 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).

7. Prior to the occupation of the dwelling hereby approved a written verification statement shall be submitted to demonstrate that the approved scheme has been implemented in full, in accordance with the submitted Energy Statement by G Reports received June 2025 and approved 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).

8. 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, shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall also include details of all new hard landscaping, including proposed boundary treatments. 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: In the interests of biodiversity enhancements and visual amenity in accordance with Policy S53 and Policy S60 of the Central Lincolnshire Local Plan 2023.

9. The development hereby permitted shall proceed in strict accordance with the recommendations contained within Section 6 of the Ecological Appraisal by ESL dated July 2025.

Reason: In the interests of protected species in accordance with Policies S60 and S61 of the Central Lincolnshire Local Plan and the provisions of the NPPF.

10. Prior to occupation of the approved dwelling evidence must be submitted to the local planning authority that a rainwater harvesting butt of a minimum 100 litres has been installed.

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

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

Reason: In order to safeguard human health and the water environment and to accord with the National Planning Policy Framework and local policy S56 of the Central Lincolnshire Local Plan 2023.

12. All 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 S21 of the Central Lincolnshire Local Plan.

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

13. 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 hereby approved without express planning permission from the local planning authority.

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

41 WL/2025/00460 & WL/2025/00462 - TEN ACRES CAFE, TOP ROAD, OSGODBY

The Chairman introduced the final application of the evening and invited the Officer to

present.

The Committee was advised that two planning applications had been presented concerning the Ten Acres Café site, situated in open countryside within the wider parish of Osgodby and designated as an Area of Great Landscape Value.

It was explained that both applications had sought the removal of occupancy conditions attached to previous planning permissions. The first application related to Condition 2 of permission 96/P/0805, which had restricted the occupancy of an annex to individuals employed or last employed in the operation of Ten Acres Café and the associated haulage company. The second application concerned Condition 3 of permission W75/872/91, which had limited the occupancy of the main dwelling to individuals employed in the operation of Ten Acres Café and the operation of three heavy goods vehicles.

The Committee had been informed that both dwellings had originally been permitted solely on the basis of their functional connection to the café and haulage operations. It was noted that the removal of these conditions would result in unrestricted residential use, which would be contrary to both local and national planning policy that seeks to prevent unjustified residential development in the countryside.

The Officer raised concerns regarding the potential impact on residential amenity and the character of the designated landscape area. The Officer had recommended that both applications be refused.

The Chairman thanked the Officer for their comments and invited the only registered speaker on this application, Mr Cook, as agent to address the Committee.

Mr Cook addressed the Committee in objection to the officer's recommendation for refusal of applications WL/2025/00460 and WL/2025/00462. He spoke on behalf of the applicant.

He stated that the applicant was disappointed with the recommendation for refusal, particularly in light of the absence of objections to the proposals. Reference was made to planning law, which required decisions to be made in accordance with the development plan unless material considerations indicate otherwise. It was asserted that such material considerations had not been fully taken into account.

Mr Cook disputed the officer's view that the proposals would result in unacceptable development in open countryside, stating that no new development was proposed and that both the dwelling and café were existing and established. He emphasised that no physical alterations were intended.

The Committee was informed that the café required investment to secure its long-term future and viability. It was explained that the current arrangements, whereby both properties were considered commercial by lenders, resulted in borrowing costs that rendered investment unviable. Separation of the properties was therefore sought to enable funding to be released.

The speaker further stated that the applicant intended to lease the café to a suitable individual or organisation to ensure its continued operation, while retaining ownership. The café was described as a valued community asset, serving as a social hub and providing

meals to local residents, including the elderly.

Mr Cook argued that the existing occupancy conditions restricted flexibility and limited opportunities for improvement. Financial information had been submitted to the case officer in support of this position. It was suggested that the conditions had served their purpose and that there were no challenging reasons preventing approval. The Committee was asked to support the applications.

Attention was drawn to the claim that the applicant could reside in the dwelling regardless of the café's operation, and that the condition could be circumvented by nominal employment arrangements. It was argued that greater harm would result from refusal of the applications, placing the café's future at risk.

Mr Cook concluded by stating that the applicant would be agreeable to suitably worded conditions or a legal agreement and urged Members to support the proposals.

The Chairman thanked Mr Cook for his comments and with no further registered speakers, and no response from Officers, he opened the debate and noted that no representations had been received from the Ward Member, Parish Council, or local residents.

A Member of the Committee expressed concern regarding the rationale for refusal, stating that the Committee should be supporting local businesses. It was suggested that failure to approve the applications would likely result in the closure of the café and the creation of a vacant property.

Two points were raised by another Member of the Committee. Firstly, a question was directed to Officers regarding the enforceability of the occupancy condition, referencing the agent's suggestion that it could be circumvented through a zero-hours contract. It was stated that if the condition could be subverted in this way, it would not be enforceable. Secondly, concern was expressed regarding the financial implications, noting that failure to resolve the matter could result in another derelict property in the countryside, which was considered particularly problematic given the site's location within the Lincolnshire Gateway Business Park. Reference was also made to HGV parking, with the view that any future buyer would be aware of the site's operational context.

The Development Management Team Manager responded that the conditions were as displayed and did not believe they could be subverted in the manner suggested. Comparisons were drawn with standard wording used for agricultural worker conditions. It was noted that the dwelling had been granted approximately 30 years ago, and concern was expressed regarding the potential for substandard arrangements. Reference was made to the distinction between residential and commercial properties when linked or separated. It was advised that the applicant should undertake further work and consider submitting a legal agreement to demonstrate how ownership of the café would be retained.

A Member of the Committee queried the implications of zero-hours contracts in relation to the occupancy condition, asking whether such an arrangement would satisfy the condition if someone were to move into the dwelling under those terms.

The Legal Advisor agreed with the Development Management Team Manager, stating that the condition had been written prior to the existence of zero-hours contracts and that a

negative view would likely be taken of any attempt to circumvent it. However, it was noted that this was a matter of opinion and not fact, and that further research into employment law would be required.

A Member of the Committee expressed concern that if the café operator resided elsewhere and the dwelling remained vacant, it would be detrimental. It was suggested that the best way forward would be for the applicant to return with a legal agreement.

A proposal for a site visit was moved and duly seconded. Subsequently, a second proposal seeking deferral of the item was tabled. The proposal for a site visit was considered first. Upon being put to the vote, the motion was lost with three Members voting in favour and four voting against.

During the debate, reference was made to the Planning Committee Code of Practice in relation to site visits. A Member of the Committee stated that they were familiar with the location and did not consider a site visit to be necessary. However, Section 'K' of the Code of Practice was quoted, prompting further discussion.

NOTE: Councillor Dobbie exited the meeting at 8.06pm and entered at 8.07pm.

It was requested that the Code of Practice be reviewed as a matter of urgency to ensure clarity and consistency, particularly in circumstances where Members may feel sufficiently informed without the need for a formal site visit.

The proposal for deferral was then considered. Having been seconded and voted upon, it was

RESOLVED that the application be deferred to allow further negotiation with applicant to secure a legal agreement and/or alternatively worded condition to enable cafe owner to occupy the dwelling

42 DETERMINATION OF APPEALS

With no comments, questions or requirements for a vote the appeal decisions were **DULY NOTED**.

43 PLANNING ENFORCEMENT: FORMAL CASE UPDATE

With no comments, questions or requirement for a vote, the Planning Enforcement Report was **NOTED**.

The meeting concluded at 8.13 pm.

Chairman