

WEST LINDSEY DISTRICT COUNCIL

MINUTES of the Meeting of the Planning Committee held in the Council Chamber - The Guildhall on 26 April 2023 commencing at 6.30 pm.

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

Councillor Michael Devine
Councillor David Dobbie
Councillor Cherie Hill
Councillor Mrs Jessie Milne
Councillor Peter Morris
Councillor Roger Patterson
Councillor Mrs Judy Rainsforth
Councillor Jeff Summers
Councillor Mrs Angela White

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

Also In Attendance: 13 Members of the Public

Apologies: Councillor Matthew Boles
Councillor David Cotton
Councillor Steve England

Membership: No Members were substituted.

121 PUBLIC PARTICIPATION PERIOD

No statements were made during the public participation period.

122 TO APPROVE THE MINUTES OF THE PREVIOUS MEETING

RESOLVED that the minutes of the meeting of the Planning Committee held on Wednesday, 29 March 2023 be confirmed and signed as an accurate record.

123 DECLARATIONS OF INTEREST

In relation to agenda item 6(a), planning application 145047, Land at Goods Farm, Meadow Lane Reepham, the Chairman, Councillor Ian Fleetwood, declared a non-pecuniary interest that he was the County Councillor that covered Reepham and had been lobbied on a number of occasions in connection with the proposal. Accordingly, he would not vote or take part in the discussions, would vacate the Chair and hand over to the Vice Chairman, who would preside over the discussion on this particular item. Councillor Fleetwood would leave the chamber whilst this item was being considered.

In relation to item 6(b), planning application number 145735, Land to the south of Wesley Road, Cherry Willingham, the Chairman, Councillor Ian Fleetwood, declared a non-pecuniary interest that he was a member of the Parish Council. However, he had not discussed the application either within the Parish Council or with anyone within the local community and had not been the subject of any lobbying. He would remain in the Chair for the item.

In relation to agenda items 6(d) and 6(e), planning application 146082 and planning application 145353, both at Land off Deepdale Lane Nettleham, Councillor Angela White declared a non-pecuniary personal interest, that she had objected to these applications in the past and, having spoken on them, she would leave the Chamber whilst both items were discussed.

In relation to agenda items 6(a), planning application 145047, Land at Goods Farm, Meadow Lane, Reepham), and 6(b) planning application 145735 Land to the south of Wesley road, Cherry Willingham, Councillor Cherie Hill declared a non-pecuniary personal interest that she was the Ward Member for both sites, and that as she had not attended any of the original discussions or site visits she would be abstaining from the voting, although she would remain in the Chamber.

Also in connection with agenda items 6(a) and 6(b), referred to in the preceding paragraph, Councillor Judy Rainsforth indicated that she had not attended the site visits and would abstain from the voting on these items.

In relation to agenda item 6(a), planning application 145047, Land at Goods Farm, Meadow Lane, Reepham, Councillor Jeff Summers declared a non-pecuniary personal interest that though he had made a comment which possibly indicated his views whilst at the site visit, he stated that his decision would be based on the information received this evening and during the site visit, and would remain a Member of the Committee and sit with an open mind.

In relation to agenda item 6(c), planning application 146151, Land adjacent to Sudbrooke Park, off West Drive, Sudbrooke, Councillor Bob Waller declared a non-pecuniary personal interest that he would be speaking on the item as Ward Member, and would leave the chamber whilst the item was discussed after his statement.

124 UPDATE ON GOVERNMENT/LOCAL CHANGES IN PLANNING POLICY

The Committee was advised that the new Central Lincolnshire Local Plan (CLLP) had been formally adopted on 13 April 2023 and was with immediate effect the development plan

against which all planning decisions, including those this evening, had to be considered. Indeed, two applications considered at the previous meeting of the Committee and which were subject to further consideration this evening had been reviewed by the officers within the context of the new CLLP policies.

A schedule showing the position in relation to Neighbourhood Plans across the West Lindsey District was submitted and included the weighting that they currently held within the context of the new CLLP. Details could be found at <https://www.west-lindsey.gov.uk/my-services/planning-and-building/neighbourhood-planning/>

Particular reference was made to the following Neighbourhood Plans:-

- The Keelby NP had been successful at examination and a referendum date was awaited.
- The Hemswell NP examination was nearing completion and the Examiner's clarification note had been issued.
- The Scothern NP review had been submitted for consultation and examination.
- The Nettleham NP was subject to a second Regulation 14 Draft Plan Consultation following comments received during the previous consultation. The second consultation would end on 13 June 2023.

Members welcomed the adoption of the new CLLP and the policies it contained, particularly mentioning the section on RAF Scampton.

Note: Councillor I. Fleetwood left the Chamber, in advance of the next item, at 6.38 pm.

125 145047 - LAND AT GOOD'S FARM, MEADOW LANE, REEPHAM

The first application before the Committee was planning application 145047, relating to the proposed erection of 8 dwellings on land at Good's Farm, Meadow Lane, Reepham. The application had been deferred at the previous meeting to enable a site visit to take place.

As referred to in the Declarations of Interest, the Chairman had vacated the Chair and handed over to the Vice-Chairman, in the Chair, who presided over the consideration of this item.

The Planning Officer presented the report advising the Committee that several late representations had been received which had been placed on the Council's website. These representations did not however raise anything that had not already been included in the report. The Planning Officer clarified the position in relation to the grass verge which had been raised at the last meeting.

Having received the Planning Officer's presentation, the Vice-Chairman welcomed the agent for the applicant, Mr Ollie Clawson, who addressed the Committee along the following lines:-

“Thank you Members for your time on site last week. I am conscious that I spoke at last month's meeting, and so I simply want to reaffirm several key points for you this evening.

Firstly, the appeal decision confirms that the site is physically part of the village. The scheme is therefore compliant with Policy S2 of the new CLLP with regards to the principle of development. The applicant has worked at length with Highways Officers and this included pre-application discussions and a recognition that the existing access arrangement is less than ideal.

To address this, the application proposes to take a minimal amount of land from the south of the existing carriageway to realign the highway and achieve adequate visibility. The Highways Authority owns the entirety of that verge and has confirmed that the proposals are deliverable without the need to utilise any third party land.

The works would not therefore impact on any right to private vehicle parking, and residents of existing properties would simply have to park their vehicles within their plots rather than across Highways owned land as they may currently do.

The verge taken from the south, will be replaced at the northern side of the highway, as shown in green on the proposed site access drawing in order to maintain the character and feel of the Conservation Area.

Each of the proposed dwellings has been designed to be as energy efficient as they possibly can be, and your officer's report confirms that it would be unreasonable to ask for any further information in this respect.

All Council Officers, including the Conservation and Case Officers, are satisfied that the proposed development is consistent with the policies of the Local Plan. It is therefore respectfully suggested that you vote in accordance with the Officers' recommendation. In doing so, you would enable the applicant to move their current operations to more appropriate sites away from the village core. Thank you.”

The Vice-Chairman, in the Chair, thanked Mr. Clawson for his contribution.

The Democratic Services Officer was then invited to read out a statement submitted by a supporter of the proposal, Mr Vernon Stuffins:-

“Bringing a farm up to modern specifications is a difficult task, and one that those who do not work in the sector cannot begin to understand. The proposal that has been put forward is a well put together solution that (with moving the farm out of the village core) can continue a business that has been in the Parish for five generations.

This can be accomplished whilst remaining sympathetic to the Conservation Area and general aesthetic of the village. The layout proposed is an effective use of space; one that is not a linear development, something the village has previously voiced disquiet about. The proposed gardens are set away from pre-existing dwellings and there is ample space left around the old barn to maintain the Conservation Area. Previous developments of former businesses within the village have neglected some or all these points but this proposal (and by extension, the applicants) have given full consideration to these historic issues.

The amendment to the proposal on this brownfield site has a nice layout, whilst still maintaining views on The Green due to the natural drop of the site. In addition, the reduction of heavy-duty traffic will be of great benefit to the immediate area and in conjunction with this parking has been well provided for within this proposal, that would not impact on on-road parking, something that has been apparent in the village core for quite some time now.

The residents of the Parish have voted in favour of developing this brown field site twice now and yet a persistently aggrieved minority have objected to all proposals despite the applicants going above and beyond to address concerns.

In addition, this select quorum of discontent have held the majority share of seats on the neighbourhood planning group since its infancy and now presumably are the only ones left, bar the chairman. I say presumably because there has been a woeful lack of public communication from this group for the past few years. One of the mission statements from the start was to be open and transparent, yet this has not been the case and members that differ in their views have been made to leave the group with no credible reason as to why. I speak from first-hand experience and for other members of the Parish that were deemed to have pecuniary interests in this regard, despite no neighbouring steering groups with similarly interested individuals being asked to do the same. We were told this came under the general rules of participation akin to any Parish Councillor's declarations etc, but this was not the case when we initially signed up.

Through this last year's harvest, the Goods have had to endure much hardship from surrounding malcontents, one of which is a current Parish Councillor. This harassment has included intentionally inconsiderate parking near the main access point and road cones placed on land owned by the county council with "24/7 hour surveillance". I have also fallen foul of these individuals with verbal abuse, such as being called the "village idiot" and the threat of legal action against me for taking photos of this ridiculous behaviour.

The reason I raise the above is because this group is running rough shod over local politics and trying to bend democratic processes to their will and ignoring the ample evidence sourced from the Parish. As we are all well aware, interest in local politics is difficult to begin or maintain and it is precisely because of malicious and ridiculous behaviour like the above, more and more people feel like it just isn't worth it. It is my hope that common sense can finally rule the day and thoughtful developments such as this that are respectful of communities' wishes can be assessed properly and not undermined by local busy bodies polishing their own egos under the guise of public service. Thank you."

The Vice-Chairman, in the Chair, thanked the Democratic and Civic Officer for reading out the above statement and then invited an objector, Mr Chris Carder, to address the Committee along the following lines:-

"I speak on behalf of several residents of Reepham. This application fails to meet key 2023 CLLP Policies and as this plan has now been adopted as we have just heard I ask the Committee to reject the application, which should be judged against the CLLP policies.

The 2023 CLLP Policy S4 requires that proposed developments lie fully within the developed footprint. The application paperwork does not provide evidence that it is compliant.

Map 1 in our submission illustrates that it is not. The black line represents the edge of the current developed footprint, drawn between the 2 most northerly properties in the village located either side of the proposed development, 5 Althea Terrace and The Manor House.

This, the line, which the Planning Committee walked, is a continuation of the “line of development along the northern side of The Green” identified by the Appeal Inspector. The agricultural buildings were built in open countryside beyond this line.

Map 1 clearly shows that plots 4-8 all fall outside of the developed footprint. Any proposed development North of the line fails the test of an “appropriate site within the developed footprint”.

The 2023 CLLP also states.... “agricultural buildings and associated land on the edge of the settlement” are excluded from the footprint. Land outside the footprint does not qualify for development just because it adjoins land that does.

The same applies to the undeveloped land behind 2 The Green and next to 5 Althea Terrace. This land also straddles the developed footprint and is in open countryside as you can see on map 2. It is excluded from the developed footprint. The 2023 CLLP states: “undeveloped land within the curtilage of buildings on the edge of the settlement where land relates more to the surrounding countryside than to the built up area of the settlement” is not suitable for an unallocated site development.

By developing outside of the footprint, the proposal further challenges the transition to open countryside due to the situation of the plots. Map 1 again clearly shows plots 5 – 8 would directly abut open countryside with no long garden interface like the rest of the historic north-east quarter. Lack of transition to countryside is at odds with the settlement’s character and appearance and also with historic environment policy as well as the Neighbourhood Plan.

Policy S57 states that “significant weight will be given to the protection and enhancement of Conservation Areas, and that existing street patterns should be retained to contribute to the character and appearance of the area.”

Let’s not forget also the views of the Church, which relate to its historical setting and would be lost with plot 1, contrary to Policy S57 and the 2017 CLLP. By basing his approval for this site on material considerations, the Planning Officer avoids crucial policies in the 2023 and 2017 CLLP. He also side-steps the settlement hierarchy sequential test which neatly ignores the Neighbourhood Plan’s alternative sites. He also incorrectly states that the site has not been included for development in that plan. In fact, it has but with a lower dwelling count.

So it needs to be spelt out that supporting this application would change the shape of the Historic settlement forever. It would entirely change the developed footprint of the village and encroach into open countryside to the North and harm the Conservation Area. Land Registry documents for the site define their space as the whole entrance to the yard, whereas the Good’s application does not appear to match this. Which one is correct?

In relation to the asbestos within the farm buildings and concrete flooring pads, safe removal is critical. Neighbouring residents may be impacted by health risks and disruption. They may have to vacate their homes during the dismantling period. Does the application budget for all of this? We don’t think so and we seek assurances.

Finally, with regards to the movement of grass verges on The Green even the Conservation Officer noted that moving The Green would cause harm and is against Policy. Highways did not object, but they also gave no consideration to the fact this is a Conservation Area. It was

pleasing to hear finally that the drawings have been admitted to be incorrect and shows that there are measurement inaccuracies. The measurements are at least a metre out.

We have shared documents with the Planning Officer and Highways, but our concerns have also never been directly addressed, either with regards to the actual move or mitigation for our loss of parking amenity. There are other options that could be considered rather than reducing my parking amenity to potentially one useable space and reducing safety around my property. The reduction means that any visitors would need to park vehicles on the grass verge at the junction and near the blind corner of the Lane, which reduces safety for all road users, including pedestrians.

A decision that permits this application cannot be reversed, but by rejecting it, the applicant could apply again, this time with a plan that fits the 2023 CLLP without question and the Neighbourhood Plan and also still delivers profit, or the farm move that the applicants seek.

To conclude, we are not against development on this site, but we are against this particular application and would welcome a further application that we can all, including the Parish Council, support.”

The Vice-Chairman, in the Chair, thanked Mr. Carder for his contribution and invited the Officers to respond to the statements made.

The Case Officer pointed out that the issue of asbestos removal was not a planning consideration and was a matter covered by other legislation. He also indicated that the application had been looked at within the context of the new CLLP and he read out the relevant polices against which the application had been judged.

The Vice-Chairman, in the Chair, reminded Councillor Dobbie that as he was not present at the last meeting he could not vote on this application but he could speak. The Committee was also reminded that only those Members who were present at the site meeting could vote. The application was then opened up to discussion by the Committee.

During the debate, reference was made to the fact that the application would result in a reduction in heavy vehicle and agricultural machinery movements which would be of benefit to the local community. There was some concern raised about the condition proposed by the Highways Authority, but it was confirmed that it was their view that the condition was necessary in the interests of highway safety. The scheme as submitted had been the subject of detailed negotiations between the applicant and the Highways Authority.

Having been proposed and seconded, the Vice-Chairman, in the Chair, put the application to the vote, and it was agreed by majority vote that the application should be deferred and approval delegated to officers' subject to completion of a Unilateral Undertaking under S106 not to commence construction of the plots (7 and 8) until such time that an order to divert footpath Reep/129/1 has been confirmed and subject to the following conditions:-

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

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

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

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

2. Prior to any development an addendum to the Ecology Statement shall be submitted for the written approval of the Local Planning Authority, which calculates the anticipated biodiversity net gain that will be achieved through the proposed mitigation, against Natural England's Biodiversity Metric.

Reason: In order to demonstrate how the development will deliver measurable net gains in biodiversity in accordance with policy S61.

3. No development shall take place until a written scheme of archaeological investigation has been submitted to and approved in writing by the local planning authority. This scheme shall include the following:

1. An assessment of significance and proposed mitigation strategy (i.e. preservation by record, preservation in situ or a mix of these elements).
 2. A methodology and timetable of site investigation and recording.
 3. Provision for site analysis.
 4. Provision for publication and dissemination of analysis and records.
 5. Provision for archive deposition.
 6. Nomination of a competent person/organisation to undertake the work.
7. The scheme to be in accordance with the Lincolnshire Archaeological Handbook.

Reason: To ensure the preparation and implementation of an appropriate scheme of archaeological mitigation and in accordance with the National Planning Policy Framework and policy S57 of the Central Lincolnshire Local Plan.

4. No development shall take place until a scheme for the disposal of foul and surface waters have been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full prior to occupation of any dwellings and maintained thereafter.

Reason: To ensure adequate drainage facilities are provided to serve the development in accordance with Policy S21 of the Central Lincolnshire Local Plan.

5. No development shall take place, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

- (i) the routing and management of construction traffic;
- (ii) the parking of vehicles of site operatives and visitors;
- (iii) loading and unloading of plant and materials;
- (iv) storage of plant and materials used in constructing the development;
- (v) the erection and maintenance of security hoarding including

decorative displays and facilities for public viewing, where appropriate;

(vi) wheel cleaning facilities;

(vii) measures to control the emission of dust and dirt during construction;

(viii) details of noise reduction measures;

(ix) a scheme for recycling/disposing of waste resulting from demolition and construction works;

(x) the hours during which machinery may be operated, vehicles may enter and leave, and works may be carried out on the site;

(xi) Measures for tree and hedgerow protection;

(xii) measures to protect Public Right of Way Reepham/129/1, and ensure its continuous use unencumbered and without obstruction.

Reason: In the interests of amenity in accordance with policy S53 of the Central Lincolnshire Local Plan.

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

6. No construction works above ground level must take place until the materials listed below have been submitted to or inspected on site, and approved in writing by the Local Planning Authority.

- a one metre square sample panel of brickwork, mortar and bond. The brickwork panel constructed must be retained on the site until the development hereby approved has been completed.
- roofing materials
- rainwater goods and downpipes including the colour
- all windows and, domestic doors and garage doors including section drawings

Reason: In the interests of the character and appearance of the site and Reepham Conservation Area in accordance with policy S57 of the Central Lincolnshire Local Plan.

7. The local planning authority shall be notified in writing of the intention to commence the archaeological investigations in accordance with the approved written scheme referred to in condition 3 at least 14 days before the said commencement.

Reason: In order to facilitate the appropriate monitoring arrangements and to ensure the satisfactory archaeological investigation and retrieval of archaeological finds in accordance with the National Planning Policy Framework and

8. Following the archaeological site work referred to in condition 3 a written report of the findings of the work shall be submitted to and approved in writing by the local planning authority within 3 months of the said site work being completed.

Reason: To ensure the satisfactory archaeological investigation and retrieval of archaeological finds in accordance with policy S57 of the Central Lincolnshire Local Plan.

9. The report referred to in condition 8 and any artefactual evidence recovered from the site shall be deposited within 6 months of the archaeological site work being completed in accordance with a methodology and in a location to be agreed in writing by the local planning authority.

Reason: To ensure the satisfactory archaeological investigation and retrieval of archaeological finds in accordance with policy S57 of the Central Lincolnshire Local Plan.

10. 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 825-2D-101B;
Proposed Levels: 825-2D-105A;
Plot 1 Floor Plans and Elevations; 825-2D-201C
Plot 2 Floor Plans and Elevations; 825-2D-202C
Plot 3 Floor Plans and Elevations; 825-2D-203B
Plot 4 Floor Plans and Elevations; 825-2D-204C
Plot 5 Floor Plans and Elevations; 825-2D-205D
Plot 6 Floor Plans and Elevations; 825-2D-206C
Plot 7 Floor Plans and Elevations; 825-2D-207C
Plot 8 Floor Plans and Elevations; 825-2D-208C
Soft Landscape Proposals 96/001/REV E
Materials Plan 825-2C-102
General Arrangement VD22649 Revision P01

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.

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

11. No part of the development hereby permitted shall be occupied before the works to improve the public highway (by means of realigning the lane and junction of The Green and Meadow Lane) have been certified complete by the Local Planning Authority.

Reason: To ensure the provision of safe and adequate means of access to the permitted development in accordance with policy S47 of the Central Lincolnshire Local Plan.

12. All planting, seeding or turfing comprised in the approved details of landscaping (Drawing 96/001/REV E) shall be carried out in the first planting and seeding season following the occupation of the building(s) or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

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

Policy S53

13. Notwithstanding the provisions of Classes A, AA, B, and C, of Schedule 2 Part 1 and Class A of Schedule 2 Part 2 of the Town and Country Planning (General Permitted Development) (Amendment) Order 2015, or any Order revoking and re-enacting that Order, the dwellings hereby permitted shall not be altered or extended, unless planning permission has first been granted by the Local Planning Authority.

Reason: To enable any such proposals to be assessed in terms of their impact on the living conditions of neighbouring dwellings and to safeguard the character and appearance of the dwellings and its surroundings in accordance with Policies S53 and S57 of the Central Lincolnshire Local Plan.

Note: Councillor I. Fleetwood returned to the Chamber at 7.13 pm.

126 145735 - WESLEY ROAD, CHERRY WILLINGHAM

The Chairman introduced the next application of the meeting, Item 6(b), application number 145735, relating to the construction of 20 affordable dwellings on land south of Wesley Road, Cherry Willingham. This application had been deferred at the last meeting to enable a site visit to be undertaken. The site visit had taken place on 20 April 2023. The proposal was a re-submission of application number 143260 which had been refused by the Committee on 4th November 2021.

This application proposed the erection of 20 fully affordable dwellings in a semi detached and terraced format. This also included 4 bungalows in the south east corner of the site. The dwelling types were 4 one bed bungalows, 10 two bed houses and 6 three bed houses.

The Planning Officer presented the report, concerning which there were no updates.

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

“My name is James Collins and I am the agent acting on behalf of Cherry Tree Homes, the applicants, which is a small local family business. I would like to thank the Committee for taking the time to visit the site last week.

During that visit, the Committee raised some questions about the adjacent development land. I would just like to point out that this land is not owned by Cherry Tree Homes, and we have no intention of developing that land in the future.

This application is a re-submission of a previously rejected scheme considered by the Committee in November 2021 which had a recommendation for approval from the Planning Officer, Highways Authority and the Parish Council.

We have revised the scheme in light of the Committee's previous comments, reducing the density from 21 units to 20 units. The revised scheme also has a recommendation for approval from the Planning Officer, Highways Authority and the Parish Council.

The roads on the site will be built to adoptable standards and we have submitted a swept path analysis which demonstrates the roads are adequate for bin wagons and emergency vehicles and delivery vehicles. The site has access and egress from both Hawthorn Road and Wesley Road via Hawthorn Avenue. There are two link roads between our site and the adjacent Cherry Paddock site, which is not owned by Cherry Tree Homes and was not developed by Cherry Tree Homes.

The Parish Council has wanted to provide a footpath link from Little Cherry to Green Lane for many years to improve pedestrian access to the village. This scheme would deliver that link and whilst this would not be a tarmac footpath or have street lighting, it would offer an additional link to the village which would be of benefit to the community.

The connecting road to the adjacent undeveloped land has been provided to ensure continuity for future development, providing a cohesive design which considers pedestrian and vehicular movements through the applicant's site and the adjacent Cherry paddock site. As previously stated, Cherry Tree Homes do not own this land and will not be developing it.

We have taken into account the Committee's previous comments. We have reduced the density of the site and softened the scheme with additional landscaping. We have amended the position of the letter boxes, and the scheme will help to meet the identified unmet need for affordable housing in Cherry Willingham in response to the West Lindsey housing register, providing much needed affordable housing to support the local community. Thank you again for your time and consideration."

The Chairman thanked Mr Collins for his contribution, concerning which the Planning Officer had no observations.

Note: Councillor I. Fleetwood declared that he was a Member of Cherry Willingham Parish Council but had not discussed the application with the Parish Council, and had not been lobbied on the application.

The Chairman then opened up the application for debate by the Committee.

Members welcomed the type and mix of dwellings to be constructed on the site and the proposal to create a footpath link to the village. Reference was also made to the intention to protect a large mature tree on the site.

It was commented that showing dimensions on the applicants' site/design drawings might have been helpful to the Committee in its consideration of the proposal. Members noted that there would be a construction site management plan.

Having been proposed and seconded, the Chairman put the application to the vote, and it was agreed that permission should be **GRANTED** subject to the completion of a Section 106 Agreement securing the dwellings as fully affordable and to secure the NHS contribution, as well as the signing of a Unilateral Undertaking and 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 shall take place until a detailed Construction Management Plan and Method Statement has first been submitted to and approved in writing by the Local Planning Authority. The Construction Management Plan and Method Statement shall indicate measures to mitigate the adverse impacts of vehicle activity and the means to manage the drainage of the site during the construction stage of the permitted development. The approved document shall be adhered to throughout the construction period. It shall include;

- (i) the routing and management of construction traffic;
- (ii) the on-site parking of all vehicles of site operatives and visitors;
- (iii) the on-site loading and unloading of all plant and materials;
- (iv) the on-site storage of all plant and materials used in constructing the development;
- (v) wheel washing facilities;
- (vi) the routes of construction traffic to and from the site including any off-site routes for the disposal of excavated material and;
- (vii) measures to control the emission of dust and dirt during construction;
- (viii) details of noise reduction measures;
- (ix) a scheme for recycling/disposing of waste resulting from demolition and construction works;
- (x) the hours during which machinery may be operated, vehicles may enter and leave, and works may be carried out on the site.

Reason: In the interests of the safety and free passage of those using the adjacent public highway and to ensure that the permitted development is adequately drained without creating or increasing flood risk to land or property adjacent to, or downstream of, the permitted development during construction.

3. No development shall take place until a detailed surface water drainage scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme shall:

- be based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development;
- provide flood exceedance routing for storm event greater than 1 in 100 year;
- provide details of how run-off will be safely conveyed and attenuated during storms up to and including the 1 in 100 year critical storm event, with an allowance for climate change, from all hard surfaced areas within the development into the existing local drainage infrastructure and watercourse system without exceeding the run-off rate for the undeveloped site;
- provide attenuation details and discharge rates which shall be restricted to greenfield run-off rates;
- provide details of the timetable for and any phasing of implementation for the drainage scheme; and

- provide details of how the scheme shall be maintained and managed over the lifetime of the development, including any arrangements for adoption by any public body or Statutory Undertaker and any other arrangements required to secure the operation of the drainage system throughout its lifetime. No dwelling/ no part of the development shall be occupied until the approved scheme has been completed or provided on the site in accordance with the approved phasing. The approved scheme shall be retained and maintained in full, in accordance with the approved details.

Reason: To ensure that the permitted development is adequately drained without creating or increasing flood risk to land or property adjacent to, or downstream of, or upstream of, the permitted development in accordance with Policy S21 and the provisions of the NPPF.

4. No development shall take place until a detailed ecological mitigation and enhancements report based on the principles established in the submitted Ecological Appraisal dated June 2021, has been submitted to and approved in writing by the Local Planning Authority. Development shall proceed in accordance with the approved details.

Reason: To prevent harm to and provide net gain for protected species in accordance with Policy S60 of the Central Lincolnshire Local Plan.

5. No development shall take place until an addendum to the Ecology Statement shall be submitted for the written approval of the Local Planning Authority, which calculates the anticipated biodiversity net gain that will be achieved through the proposed mitigation, against Natural England's Biodiversity Metric.

Reason: In order to demonstrate how the development will deliver measurable net gains in biodiversity in accordance with policy S61.

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

6. Protective fencing shall be erected along the outer extents of the root protection area of the ash tree prior to work commencing in the area around it. A small indent may be made to allow for construction of the car parking spaces within the RPA.

Reason: To protect existing trees in accordance with Policies S53 and S60 of the Central Lincolnshire Local Plan and D1 of the CWNP.

7. Prior to their use in the development, details of external finishing materials shall have been submitted to and approved in writing by the Local Planning Authority. The development shall only proceed in accordance with the approved details.

Reason: To secure good design in accordance with Policy S53 of the Central Lincolnshire Local Plan and D1 of the CWNP.

8. Prior to the occupation of the development, details of foul water drainage to accommodate foul and surface flows from the proposal shall have been submitted to and approved in writing by the Local Planning Authority.

Reason: To secure appropriate drainage that prevents flooding and protects the water environment in accordance with Policy S21 of the Central Lincolnshire Local Plan.

9. 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 A-10-01 A01 received 09/01/2023

Proposed Site Plan 1290-A-10-005 A01 received 09/01/2023

Proposed Block Plan 1290-A-10-005 A01 received 09/01/2023

Proposed Site Layout Plan (08) 018 A03 received 09/01/2023

Proposed highway layout plan (08) 017 A02 received 09/01/2023

Amended proposed ground floor site plan 1290-A-10-006 A01 received 09/01/2023

Units 1 & 2 Proposed Floor Plans, Sections and Elevations 1290- A- 08-005 Rev 00 received 18/10/2022

Units 3 & 4 Proposed Floor Plans, Sections and Elevations 1290- A- 08-004 Rev 00 received 18/10/2022

Units 5 & 6 Proposed Floor Plans, Sections and Elevations 1290- A- 08-003 Rev 00 received 18/10/2022

Units 7 & 8 Proposed Floor Plans, Sections and Elevations 1290- A- 08-001 Rev 00 received 18/10/2022

Units 9 & 10 Proposed Floor Plans, Sections and Elevations 1290- A- 08-007 Rev 00 received 18/10/2022

Units 11, 12, 13 & 14 Proposed Floor Plans, Sections and Elevations 1290- A- 08-008 Rev 00 received 18/10/2022

Units 15 & 16 Proposed Floor Plans, Sections and Elevations 1290- A- 08-002 Rev 00 received 18/10/2022

Units 17 & 18 Proposed Floor Plans, Sections and Elevations 1290- A- 08-006 Rev 00 received 18/10/2022

Units 19 & 20 Proposed Floor Plans, Sections and Elevations 1290- A- 08-009 Rev 00 received 18/10/2022

Tree Constraints Plan 71882-3- 01 received 18/10/2022

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

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

10. Prior to the occupation of any dwelling, all of that part of the estate road and associated footways that forms the junction with the main road and which will be constructed within the limits of the existing highway, shall be laid out and constructed to finished surface levels in accordance with details to be submitted to, and approved in writing by the Local Planning Authority.

Reason: In the interests of safety, to avoid the creation of pedestrian trip hazards within the public highway from surfacing materials, manholes and gullies that may otherwise remain for an extended period at dissimilar, interim construction levels in accordance with policy S47.

11. Prior to the first occupation of the development, a scheme of landscaping including details of the size, species and position or density of all trees and hedges to be planted, and areas of public open space, shall be submitted to and approved in writing by the Local Planning Authority. The details shall include tree lined streets. All planting comprised in the approved details of landscaping shall at the latest be carried out in the first planting season following the occupation of the relevant dwelling; and any landscaping which within a period

of 5 years from the completion of the development dies, is removed, or becomes seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: To ensure the visual impact of the development on the area is minimised in accordance with the requirements of Policies S53 and S60 of the Central Lincolnshire Local Plan.

12. The on-site public open space shall be landscaped in accordance with the details approved under condition 10 of this permission and shall be available for use upon occupation of the 15th dwelling of the development hereby permitted.

Reason: To ensure provision of open space in accordance with the requirements of Policy S51 of the Central Lincolnshire Local Plan.

13. Prior to occupation, details of the management and maintenance of the public open space shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure that appropriate management and maintenance of the open space is carried out in accordance with the National Planning Policy Framework and policy S53 of the Central Lincolnshire Local Plan.

14. The Public Open Space as identified on plans 1290-A-10-005 A01 and 1290-A-10-005 A01 received 09/01/2023, shall be retained as such, and in perpetuity.

Reason: In the interests of amenity in accordance with policies S51 and S53 of the Central Lincolnshire Local Plan.

15. Prior to occupation, the ground and first floor windows on the north elevation of Plot 5 shall be obscurely glazed to a level of 3 or higher and shall remain in perpetuity for the lifetime of the development.

Reason: To protect the amenity of the neighbouring occupiers, in accordance with policy S53 of the CLLP.

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

None.

127 146151 - LAND ADJACENT SADBROOKE PARK, OFF WEST DRIVE, SADBROOKE

The Chairman introduced the next application, item 6(c), application number 146151 seeking permission to vary condition 13 (for the developer to accord with the proposed scheme to prevent vehicles from accessing the private drive that connected in a southerly direction with the A158) of planning permission 133284 (granted on appeal for the erection of up to 130 dwellings and a new building to provide up to 25 apartments for retirement

living, associated hard and soft landscaping, together with the change of use of land to provide a new area of open space, including the provision of new footpaths and sustainable drainage infrastructure, and to provide new community allotment facilities.

The Chairman invited the Planning Officer to present the report. The Planning Officer indicated that he had been copied into correspondence sent to the Highways Authority by the applicants' agents in relation to a potential revised scheme. However, this had no bearing on the current application concerning which a decision could be made. The report detailed the background to the site.

The Chairman welcomed Parish Councillor Andrew Cottam from Sudbrooke Parish Council who addressed the Committee along the following lines:-

"Sudbrooke Parish Council wish to object to planning application 146151 on the grounds that the proposal completely negates the intention of condition 13 of the appeal decision.

Main Drive is a narrow private road maintained by the residents, who have a right of way written into the deeds of their properties. It has footpath 160 running along its length at its junction with the A158. It has an entrance bordered by Grade II listed gateways comprising two former estate houses and ornate iron gates. It also has a listed grade II stone parapet bridge spanning the back to the north of the gates.

Since the initial application to build a parkland estate was made Sudbrooke Parish Council has expressed written concern over access through the main drive for vehicular traffic. We have held many discussions with representatives of the developers to seek a solution. Ideas put forward have ranged from lifting barriers, lockable gates and rising bollards but none have been adopted by the developers. Indeed, we have been told by the developer on multiple occasions that such a restriction would be illegal because of footpath 160. However, the Parish Council find it difficult to believe that Her Majesty's Inspector would place a condition on appeal that would be illegal.

Currently, there are signs at either end of Main Drive stating that it is a private road and that construction traffic are not to use it but these signs are ineffective. Google Maps shows main drive as an accessible road and is the most direct route to the Parklands development from the A158. As such, it is an easy route for delivery drivers from the supermarkets and online firms. It is also now being used as a "rat run" by current village residents to circumvent traffic problems at the junction of Scothern Lane and the A158.

Sudbrooke Parish Council believes that the historic listed gates and bridge on Main Drive are in danger of being damaged by increased use of Main Drive if the "deter amendment" is accepted to replace "prevent". The additional use of unauthorised vehicles is damaging the road surface and causing confrontation by main drive residents with said drivers. The only way to prevent further use and reduce tensions is to complete condition 13 of the appeal, which should have been done before commencement of the development. Sudbrooke Parish Council therefore asks the Planning Committee to reject this application."

The Chairman thanked Councillor Cottam for his contribution, and invited Mr Keith Millard, another objector to the proposal, to address the Committee. Mr Millard commented along

the following lines:-

"I represent the residents of Sudbrooke Park who hold the rights of way along Main Drive from the A158. Since 2016 we have been living under the safe umbrella of condition 13, the appeals inspector and the developers' own commitment to install a rising bollard to discharge condition 13 to control traffic flow along Main Drive. We assumed he exercised due diligence prior to submitting this bollard option.

Further, West Lindsey District Council approved the bollard on Main Drive as an overarching condition when granting the full planning permission. Installation was to happen at the end of the construction of the Phase 1 houses or at the end of March 2022 whichever came first. The imposition of condition 13 gave us comfort that Main Drive would not become the "rat run" that has ensued.

What was an unknown at the time of the original application was that when residents started to move in, all service vehicles would be routed down main drive under satnav. There are large numbers of home delivery service vehicles and supermarket deliveries, effectively magnifying the "rat-run" analogy. The road surface on Main Drive has completely crumbled under the sheer weight of vehicles.

So what is the developer's view of Main Drive and I refer to the following documents. I refer to the developer's construction management plan where, in the local highway network section on page 3 he describes Main Drive as... "Main Drive, provides a further access to the site from the south via a priority junction with the A158." What he fails to mention is that Main Drive is a single track road not suitable for two-way traffic, with access passing through the historic Grade II listed gates and gate lodges and passes over the listed bridge, halfway along its length. It has public right of way status as a footway with occasional vehicular access.

Here is a copy of a register of title from the new Parklands development. Note 3 of the title deed states... "the land has the benefit of a right of way over main drive." This shows contempt of the planning laws, contempt to the existing rights of way holders and to the new owners of the houses when knowingly, he agreed to stop up Main Drive.

I would seriously question the legality of selling something that is not yours to sell. To mislead the existing residents, several tactics were used to deceive the rights of way holders. A scenario was created whereby the existing residents in a Northern group did not want the bollard, and a southern group of residents, who did want the bollard. I disproved this with a petition in December of 21 which proved categorically that all 23 property holders required the bollard. Then they changed the argument to the bollard installation stating that it was illegal.

If you refer to the Highways Authority response to this application, you can see that LCC Highways are most insistent that the bollard control should be installed. Another document shows how to achieve this.

The final attempt to confuse the residents into submission was to suggest that the appeals inspector, was acting ultra vires by imposing condition 13. Nothing could be further from the

truth; every relevant authority, including the emergency services, have approved the bollard installation.

One other relevant point is that Main Drive was closed to all traffic for 18 months to allow the construction of infrastructure. That closure did not present any problems to the circular walk around the village. People enjoyed the quiet and amenity that this afforded.

The proposal to change the wording of condition 13 from “prevent traffic” to “deter traffic” is a complete nonsense. It is inconceivable to come along five or six years later to change the wording of a condition that has been etched in stone since day one.

Bearing in mind that we are 13 months past the deadline date of March 2022, could consideration be given to recommend that the West Lindsey District Council Enforcement Team be asked to issue a prohibition notice to cease construction until a bollard is installed.”

The Chairman thanked Mr Millard for his contribution and then invited the Local Member, Councillor Waller to address the Committee. Councillor Waller spoke along the following lines:-

“I am speaking as a Ward Member regarding this application, and, as indicated at the start of the meeting, will retire from the Chamber after this speech.

This development has been ongoing since 2016 when a developer won an appeal against this Committee's refusal to grant permission. The development has had various issues over the years that have caused a lot of destruction, disappointment, and inconvenience to existing and new residents of Sudbrooke.

However, tonight we are only dealing with the issue of the installation of the bollard on Main Drive to prohibit unauthorised access. I know this development very well, as I lived in a village for 12 years, only moving out last year. When the original application was submitted, I was Vice-Chairman of the Parish Council (a year before I was elected to West Lindsey). I feel I can speak on this application with some knowledge.

When the developer won the appeal, it was with various conditions. One of the main conditions was number 13 to prohibit access for traffic from the new development along Main Drive to link up with the A158 through Grade II listed gates where the carriageway is fairly narrow. The word “prohibit” was used, not the word “deter”.

You have heard from the Parish Council and an objector both of whom highlighted a lot of relevant and pertinent points. It is a private road; it is a single-track road not suitable for two-way traffic. There is a listed bridge along its route, and it is far from suitable for regular heavy traffic.

These are the main reasons the Inspector made a condition. The developer has in an open meeting, stated that residents of Main Drive do not understand what they are doing and what they are supporting by having a bollard in place. In my view this insults their intelligence and integrity.

The developer wants to change the wording from “prevent traffic” to “deter traffic”. I fail to understand why having agreed to a condition six years ago and having commenced building, the developer now says that having a bollard is illegal. The developer has included in the deed for of new properties on parts of the development that they have the right of way over Main Drive.

One questions whether this is this is legal. I mention this as it impacts on the residents of all 23 properties in Main Drive. The Highways Authority and every other authority, including the emergency services, have supported the installation of a bollard on Main Drive. At a public meeting, when asked why the bollard was illegal, the site manager stated that Deliveroo and other fast food companies were not happy. This, in my opinion, was a very flippant and unhelpful response.

If, as a Committee, we do not agree with the officers’ recommendations to reject this application, then I believe we will be failing in our duty to safeguard the rights of residents. I urge you to refuse this application in line with the Officers’ recommendation.”

Note: Councillor R. Waller left the Chamber for the remainder of the item at 7.40 pm.

The Chairman thanked Councillor Waller for his contribution and invited the Officers to comment on the statements made. The Case Officer indicated that there was nothing further to add to the report submitted.

Members were opposed to any amendment to the original condition imposed in relation to this development and indeed considered that having regard to the current position, the matter should be referred to the Council’s Enforcement Team for further investigation. This proposal was accordingly proposed and seconded.

Having been proposed and seconded, the Chairman put the application to the vote, it was unanimously agreed that planning permission, as detailed in the Officer’s recommendation, be **REFUSED**.

At the same vote, having been proposed and seconded, it was unanimously further

RESOLVED that the application be referred to the Planning Enforcement team for further investigation.

Note: Councillor R. Waller returned to the Chamber at 7.45 pm.

The Chairman paused the meeting for a few moments, so Members could return from a comfort break before re-commencing the meeting.

Note: Councillor D. Dobbie left the Chamber for a comfort break at 7.45 pm. He returned to the Chamber at 7.47 pm.

Note: Councillor J. Summers left the Chamber for a comfort break at 7.46 pm. He returned to the Chamber at 7.48 pm.

Note: Councillor M. Devine left the Chamber for a comfort break at 7.46 pm. He returned to the Chamber at 7.48 pm.

128 146082 - LAND OFF DEEPDALE LANE, NETTLEHAM

The Chairman introduced the next application, item 6(d), planning application number 146082, for the erection of 30 affordable homes and associated infrastructure on land off Deepdale Lane, Nettleham). The report set out the history of the site and the issues surrounding the application. The Chairman invited the Planning Officer to present the report and in doing so reference was made in particular to the following:-

The Committee was advised that the purple hashed area shown on the presentational plans was third party land owned by the LACE development already built. The original access in the appeal decision involved this land but the applicant could not come to a legal agreement with LACE to provide this access. This purple hashed area is shown on the original layout as a green hash to show the inability to build this access with third party land.

The applicants had a contractual obligation with the landowner to provide an access road that was built to adoptable standards, but unfortunately, the road could not be widened due to residential units already there. These two factors put together meant that the access could not go there, and that another alternative point needed to be looked at.

The applicants were contractually obliged to provide an access that could be used by any agricultural vehicle, so could not specify what type of vehicle exactly. However, they had stated that it was unlikely that this access would be used frequently, as the current tenant farmer, who had a longstanding agreement with the landowner, currently used a different access.

Two objections had been received since publication of the report from 41 High Street, Nettleham and 15 Shaw Way, Nettleham stating that the proposal did not accord with the Nettleham Neighbourhood Plan and also referring to the impacts on local services. These further representations did not however change the recommendation of the report.

It was reported that the unilateral agreement was yet to be finalised which secured the NHS contribution and the affordable housing. Therefore, for this reason it was being recommended that the application be granted (subject to conditions) and delegated back to officers to finalise this agreement.

The Chairman stated that there was one registered speaker to application, and welcomed Hannah Guy who addressed the Committee along the following lines:-

“Good evening ladies and gentlemen, thank you for the opportunity to speak this evening. My name is Hannah Guy and I am the Planning Manager at Alison Holmes. I am speaking to you today in support of both planning applications for this site (see item 128 below). I fully endorse the Officers' reports and recommendations for approval for both the 30 unit scheme and the 8 units scheme (next item).

These two applications have been summarised in the Committee reports before you. As the

Committee reports highlight, the principle of developing the site has already been deemed acceptable and this was by way of the appeal last year. There is approval for up to a potential of 40 units.

The submitted changes, as explained by the Planning Officer are due to the requirement for the provision of an access to the field to the rear. It was established after the appeal approval, that the proposed access was not adequate and we couldn't accommodate it in originally intended location, so we had to do a basically a layout replan.

To be in line with the contractual agreement, changes needed to be made to the access arrangements. Other than the call-in from the Parish Council and the other than Call-in (referred to in the Committee report) there were no objections from statutory consultees.

The Officer's report and presentation effectively explains the differences between the two schemes, so I won't go over that again and it's already been indicated that we will provide a Unilateral Undertaking for the financial contributions that have been requested, I therefore hope that the decision is a positive one. Thank you.”

The Chairman thanked Hannah Guy for her contribution and invited the Planning Officer to comment. The Planning Officer had nothing further to add to the report in the light of the above presentation.

The Chairman then invited Councillor Mrs White as Local Ward Member to address the Committee:-

“Thank you. I will speak to this application and the next application referred to in the Minute below and then, as indicated at the beginning of the meeting, I will retire from the chamber.

These applications were won on appeal, the Parish Council having objected on the grounds of density, design and amenity. I would just like to make the point that when the original Baker Drive, application was submitted (application number 135567) the conditions for the path were set out. The path that goes around this site and ends at Deepdale Lane near the Enterprise Park is not up to the standards set out in the original application 135567 and there have been several complaints from residents about the access to that path for people with pushchairs or wheelchairs.

I note the affordable housing and I have asked the officers what type of affordable housing was to be provided and who would be the provider. Also, I asked whether the development complied with a ministerial statement that 25% should be first homes.

Another point that was made in the original application for the main development was the provision of a bus stop, and we are lobbying Lincolnshire County Council for an additional bus stop. The number of houses is quite confusing because the developers have two permissions - one permission for 33 and one permission for 30. I have also questioned the officers about this because this application is for 30 and 8.

I note the point about education but there is no contribution to education as this was not in

the original application for this site. For the main site, Baker Drive, there was a contribution that went to Monks Abby school in Lincoln for £124,000, so we didn't get anything in Nettleham.

I had assumed that these affordable houses are for the West Lindsey District, as provided for in the Central Lincolnshire Local Plan. However, I know from the people already living in the affordable housing here that the majority are not Nettleham residents. But I also know that Nettleham residents would get priority in the future. I would just like to say that we have had far more than our share of affordable housing. Thank you.”

Note: Councillor A. White left the Chamber for the remainder of the item and the whole of the next item at 7.56 pm.

The Chairman thanked Councillor Mrs White for her contribution and invited a response from the Case Officer. The Planning Officer confirmed that the affordable housing related to the policies in the Central Lincolnshire Local Plan. The Planning Officer stated that discussions were taking place regarding the level and type of affordable homes to be provided, hence the recommendation for this application to be delegated.

In relation to the comments made about the type of affordable homes, the Council's legal advisor indicated that it was now a legal requirement that housing developments should provide a percentage of first homes. However on sites which were fully affordable, such as this, (which was going to comprise totally affordable homes), they were excused from providing "first homes" so that they could provide all of those traditional, affordable housing tenures, affordable rent and shared ownership.

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

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

1. The development hereby permitted 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 Construction Management Plan and Method Statement has been submitted to and approved in writing by the Local Planning Authority which shall indicate measures to mitigate against traffic generation and drainage of the site during the construction stage of the proposed development. The Construction Management Plan and Method Statement shall include;

- phasing of the development to include access construction;
- the parking of vehicles of site operatives and visitors;
- loading and unloading of plant and materials;
- storage of plant and materials used in constructing the development;

- wheel washing facilities;
- the routes of construction traffic to and from the site including any off site routes for the disposal of excavated material and;
- strategy stating how surface water run off on and from the development will be managed during construction and protection measures for any sustainable drainage features. This should include drawing(s) showing how the drainage systems (permanent or temporary) connect to an outfall (temporary or permanent) during construction.
- construction working hours

The Construction Management Plan and Method Statement shall be strictly adhered to throughout the construction period.

Reason: To ensure that the permitted development is adequately drained without creating or increasing flood risk to land or property adjacent to, or downstream of, the permitted development during construction and to ensure that suitable traffic routes are agreed.

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 details shown on the approved plans:

L162-NET-SL-03 C
L000-A102-DS-01 AS
L000-A102-DS-01 OP
L000-B204-E-DS-01 AS
L000-B204-M-DS-01
L000B204-E-DS-01 OP
L000-C305-DS-01 AS
L000-C305-DS-01 OP
L000-C308-DS-01 AS
L000-C308-DS-01 OP
L000-C308-E-DS-01
L---/C308A/DS/01
L---/C308A/DS/01
L---/D407/DS

and in any other approved documents forming part of the application.

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

4. No development other than to foundation level shall take place until full details of foul and surface water drainage has been submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the approved details and retained thereafter.

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.

5. Prior to occupation, a scheme of landscaping to include an area of open space including details of the size, species and position or density of all trees to be planted, fencing and walling shall be submitted to and approved in writing by the Local Planning Authority. 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 policy S53 of the Central Lincolnshire Local Plan.

6. Prior to occupation, a schedule of landscape management and maintenance for a minimum period of five years from the completion of the development shall be submitted to and approved in writing by the local planning authority. The schedule shall include details of the arrangements for its implementation and the development shall be carried out in accordance with the approved details.

Reason: To ensure that an approved landscaping scheme is implemented in a speedy and diligent way and that initial plant losses are overcome, in the interests of the visual amenities of the locality and in accordance with S53 of the Central Lincolnshire Local Plan.

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

Reason: To ensure the use of appropriate materials to safeguard the character and appearance of the street scene in accordance with the NPPF and Policies S53 of the Central Lincolnshire Local Plan and D-6 of the Nettleham Neighbourhood Plan.

8. The development shall be carried out in accordance with the submitted flood risk assessment dated March 2023 by Millward Consulting Engineers. Any mitigation measures shall be fully implemented prior to occupation and shall be retained and maintained thereafter throughout the lifetime of the development.

Reason: To reduce the risk of flooding to people and property in accordance with policy S21 of the Central Lincolnshire Local Plan and policy D-4 of the Nettleham Neighbourhood Plan

9. The development hereby permitted shall not be occupied before a 1.8 metre wide frontage footway connecting the western footway to the access, has been provided in accordance with details that shall first have been submitted to, and approved in writing by, the Local Planning Authority. The works shall also include appropriate arrangements for the management of surface water run-off from the highway.

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

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

None

129 145353 - LAND OFF DEEPDALE LANE, NETTLEHAM

The Chairman moved on to the last application of the meeting, item 6(e), planning application number 145353, for the erection of 8 affordable homes, on land at Deepdale Lane, Nettleham. The application had been called in for Committee consideration due to objections received from Nettleham Parish Council and in order for it to be considered alongside application number 146082. The Planning Officer introduced the item indicating that an additional letter of objection had been received from 7 Parkway Nettleham.

It had been stated in the letter of objection that the new location of a farm track ran down Kevin Road in the middle of a 30 home housing estate. The road was narrow and could not provide access for farm vehicles. It could easily cause damage to vehicles. Silage for fields could drop from farm vehicles, causing serious health hazards to all concerned, especially children. The farm track had been ill-thought-out by the applicant. Having 8 affordable houses which were in fact homes up for rent in the middle of a private housing estate was considered inappropriate. The objector would much prefer to see homes for first-time buyers. Members sought clarification around the access width, but otherwise supported this application.

Accordingly, it was proposed, seconded and unanimously agreed that planning permission should be **GRANTED** subject to the signing of a Unilateral Undertaking to secure the dwellings as affordable and 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 shall take place until a Construction Management Plan and Method Statement has been submitted to and approved in writing by the Local Planning Authority which shall indicate measures to mitigate against traffic generation and drainage of the site during the construction stage of the proposed development. The Construction Management Plan and Method Statement shall include;

- phasing of the development to include access construction;
- the parking of vehicles of site operatives and visitors;
- loading and unloading of plant and materials;
- storage of plant and materials used in constructing the development;
- wheel washing facilities;
- the routes of construction traffic to and from the site including any off site routes for the disposal of excavated material and;
- strategy stating how surface water run off on and from the development will be managed during construction and protection measures for any sustainable drainage features. This

should include drawing(s) showing how the drainage systems (permanent or temporary) connect to an outfall (temporary or permanent) during construction. The Construction Management Plan and Method Statement shall be strictly adhered to throughout the construction period.

Reason: To ensure that the permitted development is adequately drained without creating or increasing flood risk to land or property adjacent to, or downstream of, the permitted development during construction and to ensure that suitable traffic routes are agreed.

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 details shown on the approved plans:

Site Location Plan- L162/NET2/LOCATION/01 REV C

Site Layout Plan- L162-NET-SL-02 REV C

C305 Floor Plans and Elevations OP L000-C305-DS-01

C305 Floor Plans and Elevations AS L000-C305-DS-01

B204 End Floor Plans and Elevations OP L000-B204-E-DS-01

B204 End Floor Plans and Elevations AS L000-B204-E-DS-01

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

4. No development other than to foundation level shall take place until full details of foul and surface water drainage has been submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the approved details and retained thereafter.

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.

5.No development other than foundation level shall take place until details of external finishing materials have been submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure the use of appropriate materials to safeguard the character and appearance of the street scene in accordance with the NPPF and policy S53 of the Central Lincolnshire Local Plan and D-6 of the Nettleham Neighbourhood Plan.

6.Prior to occupation, a scheme of landscaping including details of the size, species and position or density of all trees to be planted, fencing and walling shall be submitted to and approved in writing by the Local Planning Authority. 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 policy S53 of the Central Lincolnshire Local Plan.

7.The development shall be carried out in accordance with the submitted flood risk

assessment dated March 2020 by Millward Consulting Engineers. Any mitigation measures shall be fully implemented prior to occupation and shall be retained and maintained thereafter throughout the lifetime of the development.

Reason: To reduce the risk of flooding to people and property in accordance with policy S21 of the Central Lincolnshire Local Plan and policy D-4 of the Nettleham Neighbourhood Plan.

8.All planting, seeding or turfing comprised in the approved details of landscaping, as required by condition 6 of this permission, shall be carried out in the first planting and seeding season following the first operation of the lagoon or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation. The landscaping should be retained thereafter.

Reason: To ensure that appropriate landscaping is implement and that initial plant losses are overcome in the interests of visual amenity to accord 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:

None.

Note: Councillor A. White returned to the Chamber at 8.09 pm.

130 DETERMINATION OF APPEALS

The determination of appeals was **NOTED**.

131 CHAIRMAN'S MESSAGE OF THANKS

The Chairman concluded the meeting by giving a holistic summary of the past four years of the Committee and thanked all those that had served on the Committee. He thanked the Legal Advisor and the legal team, the Democratic and Civic Officer and past democratic officers, and the Planners for all their support and hard work to the Committee.

Following the thanks to the Planning team, the Chairman stated that the team handled most of the applications, and the Committee only saw about 1% of the applications, being about 100 applications a year. The Chairman thanked everyone for their efforts and wished a happy retirement for those not re-standing.

The meeting concluded at 8.11 pm.

Chairman