

WEST LINDSEY DISTRICT COUNCIL

MINUTES of the Meeting of the Planning Committee held in the Council Chamber - The Guildhall, Marshall's Yard, Gainsborough, DN21 2NA on 24 April 2024 commencing at 6.30 pm.

Present: Councillor Matthew Boles (Chairman)
Councillor Jim Snee (Vice-Chairman)

Councillor Emma Bailey
Councillor John Barrett
Councillor Karen Carless
Councillor Ian Fleetwood
Councillor Sabastian Hague
Councillor Tom Smith

Also Present: Councillor Stephen Bunney
Councillor Mrs Lesley Rollings
Councillor Moira Westley
Councillor Trevor Young

In Attendance:
Russell Clarkson Development Management Team Manager
Ian Elliott Development Management Team Leader
Martha Rees Legal Advisor
Maisie McInnes Democratic and Civic Officer

Also In Attendance: 20 members of the public

Apologies: Councillor David Dobbie
Councillor Peter Morris

106 PUBLIC PARTICIPATION PERIOD

There was no public participation.

107 TO APPROVE THE MINUTES OF THE PREVIOUS MEETING

RESOLVED that the minutes of the Planning Committee meeting held on Wednesday, 27 March 2024 be confirmed and signed as an accurate record.

108 DECLARATIONS OF INTEREST

Councillor Fleetwood declared he would abstain from the vote on application 146801 as he

was not present at the previous meeting when the decision was deferred. He added that he did attend the site visit and would contribute to the debate.

Councillor Hague declared an interest as the ward member for Dunholme and Welton, application number 146801, and would consider the application with an open mind.

109 UPDATE ON GOVERNMENT/LOCAL CHANGES IN PLANNING POLICY

Members heard that on 2 April 2024, mandatory Biodiversity Net Gain (BNG) came into force for smaller sites, following its requirement for major developments since February. Introduced under the Environment Act 2021, BNG required a developer to apply a statutory metric to a site prior to its development to give a baseline value to its current biodiversity. Consequently, a development should be looking to achieve at least a 10% uplift in the baseline value following development. Where the developer could not achieve this on site, they would need to buy off-site credits to make up the difference.

On 17 April, the Central Lincolnshire Principal Ecology and Wildlife Officer, Chris Harrison provided training to Councillors on BNG. The session was recorded and slides were circulated to Members.

On 6 March, the Government launched a consultation on its proposals for “[An Accelerated Planning System](#)”. The consultation sought views on proposals to:

- **Introduce a new “fast-track” service for major commercial applications** – currently major applications were due to be determined within 13 weeks, unless an extension of time (EoT) was agreed with the developer. It was proposed that a developer could instead pay a higher fee in exchange for a decision within 10 weeks, or they would receive their fee back;
- **Change the use of extensions of time (EoT)** – Currently, local planning authorities were expected to determine major development applications in 13 weeks, and non-major applications in 8 weeks, unless an extension of time (EoT) had been agreed in writing with the applicant. The Government proposed to remove the ability to agree an EoT on householder applications, and the ability to seek more than one extension on other applications. The extract below showed how West Lindsey compared with the England average for determining applications within the statutory time period (8/13 weeks) and/or within an agreed extension of time.

| *Year ending Sept 2023 | Determined within Statutory Period (8 / 13 weeks) | | Determined within statutory period and/or within an agreed EoT | |
|-------------------------------|---|-----------|--|-----------|
| | England | W Lindsey | England | W Lindsey |
| Major applications (13wks) | 19% | 39% | 88% | 94% |
| Non-major applications (8wks) | 49% | 63% | 88% | 98% |
| Householders (8wks) | 56% | 77% | 90% | 99% |

- **Expand the current simplified written representations appeals process for householder and minor commercial appeals to most appeals, being dealt with via written representations** – The Government proposed to expand its simplified appeal process across most appeals decided through written representations. This would remove opportunities for parties to provide additional information at the appeal stage.
- **A new process to “vary or amend” an existing planning permission** – this was proposed to enable an applicant to make an application to a local planning authority for a new planning permission for development which was not substantially different to that previously granted by an existing planning permission. This would allow the developer to seek to change the description of the development as well as any conditions of permission. At present, an applicant could only seek to change the conditions, but not the description.

Members also heard the following update on Neighbourhood Plans in the district.

| Neighbourhood Plan/s | Headlines | Planning Decision Weighting |
|----------------------------------|---|------------------------------------|
| Made Neighbourhood Plans | Brattleby, Caistor*, Cherry Willingham*, Dunholme*, Great Limber, Lea, Nettleham*, Osgodby, Riseholme, Scotter, Scothern*, Saxilby with Ingleby*, Welton by Lincoln*, Willoughton, Glentworth, Spridlington, Sudbrooke*, Scotton, Bishop Norton and Atterby, Gainsborough, Morton, Corringham, Sturton by Stow and Stow*, Hemswell and Harpswell, Keelby, and Hemswell Cliff. | Full weight |
| Scothern Review* | Examination successful, referendum to be held on Thursday 20 June 2024. | Review NP has significant weight |
| Nettleham Review* | The examiner’s fact-check report is with the parish council for comment. | Review NP has increasing weight |
| Reepham | NP at the examination stage. The examiner is to be appointed shortly. | Increasing weight |
| Ingham | Regulation 14 consultation closes on 7 May 2024. | Some weight |
| Sturton by Stow and Stow Review* | Parish councils are making minor modifications to their joint NP. They intend to submit it to WLDC by the end of May. | Review NP has little weight |
| Grasby and Searby cum Owmbly | Supporting evidence is being prepared including a design guide and housing needs assessment. | Little weight |
| Saxilby with Ingleby Review* | A supporting draft housing needs assessment has been issued for comment. | Review NP has little weight |
| Cherry Willingham Review* | Early work on the review has begun. | Review NP has little weight |
| Swallow | The parish council is to consider applying to prepare a NP. | No weight |

| | | |
|---|--|--|
| Barlings, Newball, Stainton by Langworth and Reasby | Langworth Group PC's application to extend the NP area and rename it has been approved by WLDC. | Little weight |
| Normanby by Spital | The parish council is to prepare its own NP. | Little weight |
| Neighbourhood Plans - made (26) - designated/in preparation (17) - under review (9)* - future (40 approx) | To view all of WL's neighbourhood plans please go to: https://www.west-lindsey.gov.uk/my-services/planning-and-building/neighbourhood-planning/ | NP stage-weighting - Made–full weight - Referendum successful–full weight - Examination successful/Decision Statement issued–significant weight - Submission Reg 16– increasing weight - Draft Reg14 - some weight - Designated – little weight |

110 146801 - LAND OFF EASTFIELD LANE, WELTON

The Chairman introduced application 146801, to erect 108 dwellings with access to be considered, on land off Eastfield Lane, Welton. The application decision had been deferred from the previous meeting to allow for a site visit to take place to consider the access to the site and impact on the local area. The Planning Officer presented the indicative site plan showing the corner of Eastfield Lane and photographs of viewpoints from the site from the North, South, East and West perspectives. He explained there were no material considerations for Members to be aware of since the previous meeting.

The Chairman thanked the Officer for his presentation and advised the Committee there were five registered speakers.

Councillor Mike Powell, Chair of Welton-by-Lincoln's Planning and Development Committee addressed the Committee and stated that Welton had been inundated with development to satisfy housing need for the next decade, and planning policy should consider the density of building form, desirability, and preserve the prevailing character and setting of the area. He referred to the Welton Neighbourhood Plan, and quoted the character of area K, Welton East and Welton's community objective CO2 to integrate new housing that maintains the rural character. He expressed safety concerns and showed photographs of car accidents that had occurred on Eastfield Lane.

Mr Steve Catney, the agent for the site, acknowledged the Planning Officer's technical presentation and explained he had sympathy with residents, and stressed that due diligence and planning consideration had taken place. He explained that the ransom strip could not be enforced, the access was not required from the West, and Highways implications had been considered in the application report. The safety requirement for visibility was 215m, and the visibility for the site was 330m.

Mr Chris Thomas thanked Members for conducting a site visit and explained that he had approached the Central Lincolnshire Plan team who had responded it was impossible and inappropriate to define a specific density in the Local Plan. He objected to the application and urged Members to consider the density of the site and the local vernacular.

Mr Ian Turvey expressed his concerns relating to the safety of the roads and stated that the site would bring an increase in traffic. He shared that development traffic would need to negotiate the sharp bends. He explained that access was preferred to the West of the site as agreed by the Highway authority and he felt this should be considered, and the proposed passing bays were contrary to planning and transport policy.

Councillor Mrs Diana Rodgers addressed the Planning Committee in her capacity as a local ward member for Dunholme and Welton. She expressed flooding concerns with the increased sewerage, drainage, and impact of the weather on the site. It was hoped that West access would be considered, in addition to the East access, to provide a through route. She urged members to refuse the development site with due regard to the flooding and traffic concerns.

The Planning Officer responded to comments made and considered the site plan would be low density and the character of Welton included higher density modern development to the West of the site. He was in regular communication with Highways, who maintained they had no objection to the access point with the road improvements to take place on Eastfield Lane. In terms of infrastructure, S106 contributions for secondary and sixth form provision would be from the Community Infrastructure Levy. No education contribution was required for primary schools and there were places available. A health contribution of just under £70,000 would be secured in a section 106 agreement.

Members discussed the application and asked for clarification on the specification of the passing places. The Officer responded that Highways as the responsible authority would ensure these were up to standard. Members expressed road safety concerns with the bend on Eastfield Lane having a blind spot which had potential for collisions with oncoming vehicles.

The Legal Advisor advised Members that the application was for an allocated site in the Local Plan, had been thoroughly assessed prior to being accepted for allocation by the Planning Policy team, was supported by Lincolnshire County Council, and put forward to the Planning Inspectorate. As the body with the statutory responsibility for the safety of roads in Lincolnshire, Highways had raised no objections to the site and would not put the site forward if it was not up to specification and deemed safe.

Members asked a question surrounding the use of Neighbourhood Plans and capacity of housing on development sites. The Development Management Team Manager explained if there were any conflicts between planning documents, consideration would be given to the most recent plan. In the case of this application, the Local Plan was adopted in April 2023 and the application site was an allocated site. The calculation for site capacity within the Plan followed a formula set out in the Officer's report. 'Low density' was not defined and required a judgement, and applications would need to demonstrate efficient use of land and deliverability.

Members proceeded to debate the application and raised concerns relating to the safety of the road, the density of the site, flooding, and other planning considerations. Two proposals for refusing the application were put forward, with Members unable to provide material planning reasons for the refusal of the application site.

It was proposed and seconded that the site be recommended for approval, subject to the conditions set out in the Planning Officer's report.

On taking the vote, it was agreed that planning permission be **GRANTED** subject to the following conditions.

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

1. Apart from the five self-build plots an application for approval of the reserved matters for the remaining 104 dwellings must be made to the Local Planning Authority before the expiration of three years from the date of this permission. No commencement of the five self-build plots must occur until the reserved matters for the self-build plots are approved.

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

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

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

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

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

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

4. No development must take place until a construction method statement and plan has been submitted and agreed in writing by the local planning authority. The approved statement(s) must be adhered to throughout the construction period. The statement must provide for:

- a) the routeing and management of traffic including any off-site routes for the disposal of excavated material;
- b) the parking of vehicles of site operatives and visitors;
- c) loading and unloading of plant and materials;
- d) storage of plant and materials used in constructing the development;

- e) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- f) wheel cleaning facilities;
- g) measures to control the emission of dust and dirt;
- h) protection of the public right of way along the west boundary;
- i) details of noise reduction measures;
- j) a scheme for recycling/disposing of waste.
- k) the hours during which machinery may be operated, vehicles may enter and leave, and works may be carried out on the site;
- l) 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.

Reason: To restrict disruption to the living conditions of the neighbouring dwellings and surrounding area from noise, dust, and vibration and to accord with the National Planning Policy Framework and local policy S53 of the Central Lincolnshire Local Plan 2023.

5. No development must take place until a Travel Plan has been submitted to, and approved in writing by, the Local Planning Authority. The approved Travel Plan must be implemented in accordance with the timetable contained therein and must continue to be implemented for as long as any part of the development is occupied.

Reason: In order that the permitted development conforms to the requirements of the National Planning Policy Framework, by ensuring that access to the site is sustainable and that there is a reduced dependency on the private car for journeys to and from the development to accord with the National Planning Policy Framework, local policy S47 of the Central Lincolnshire Local Plan 2023 and policy D2 of the Welton by Lincoln Neighbourhood Plan.

6. Any reserved matters application must include the following:
- A housing mix schedule
 - An off-street parking standards schedule

Reason: In order to ensure an appropriate mix of housing and the provision of an acceptable standard of off-street parking for each dwelling to accord with the National Planning Policy Framework, local policy S1, S2 and S23 of the Central Lincolnshire Local Plan 2023 and policy D1 of the Welton by Lincoln Neighbourhood Plan.

7. Any reserved matters planning application submitted to the Local Planning Authority considering layout, scale and appearance must be accompanied by an Energy Statement to accord with the requirements of local policy S6 and S7 of the Central Lincolnshire Local Plan 2023. The development must thereafter proceed only in accordance with the agreed Energy Statement, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In order to ensure efficient buildings and reduce energy consumption, to accord with the National Planning Policy Framework and local policy S6 and S7 of the Central Lincolnshire Local Plan 2023.

8. Any reserved matters applications submitted to the Local Planning Authority must include the following documents:

- A 30-year Biodiversity Net Gain Management and Monitoring Plan
- Landscape Ecological Management Plan

Reason: To safeguard the biodiversity net gain of the development and to ensure all recommendations listed in section 6 of the Preliminary Ecology Appraisal (PEA) by ESL dated January 2024 to accord with the National Planning Policy Framework, local policy S61 of the Central Lincolnshire Local Plan 2023 and policy EN1 Environmental Capital and EN2 Habitat of the Welton by Lincoln Neighbourhood Plan.

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

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

- AP038224-PW01 Rev E dated 30th August 2022 – Site Plan (Vehicular Access Only)
- AP038224-PW02 Rev A dated 18th May 2022 – Location Plan

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

Reason: To ensure the development proceeds in accordance with the approved plans and to accord with the National Planning Policy Framework and local policy S47 and S80 of the Central Lincolnshire Local Plan 2023.

10. No development above ground level must take place until a detailed surface water drainage scheme for the site, based on sustainable urban drainage principles has been submitted to and approved in writing by the Local Planning Authority. If a full sustainable urban drainage system scheme is incapable of being delivered then comprehensive justification of this must be submitted. The scheme must:

- 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 must be restricted to 5 litres per second.
- provide details of the timetable for and any phasing of implementation for the drainage scheme; and
- provide details of how the scheme must 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 must be occupied until the approved scheme has been completed or provided on the site in strict accordance with the approved phasing. The approved scheme must be

retained and maintained in full, in strict accordance with the approved details.

Reason: To ensure that surface water is adequately and appropriately drained on the site and without creating or increasing flood risk to land or property, nor drainage network adjacent to, or downstream of, the permitted development to accord with the National Planning Policy Framework, local policy S21 of the Central Lincolnshire Local Plan 2023 and policy EN3 of the Welton by Lincoln Neighbourhood Plan.

11. No development above ground level must take place until details of a scheme for the disposal of foul sewage have been submitted to and approved in writing by the Local Planning Authority. Development must thereafter proceed in strict accordance with the details and be operational before the first dwelling is occupied.

Reason: To ensure adequate foul drainage facilities are provided to serve the development to prevent the pollution of the water environment and to accord with the National Planning Policy Framework, local policy S21 of the Central Lincolnshire Local Plan 2012-2036 and policy EN3 of the Welton by Lincoln Neighbourhood Plan. The approved scheme must be retained and maintained in full, in strict accordance with the approved details

12. No occupation of any dwelling must take place until the works to improve the public highway by means of widening the Eastfield Lane carriageway and the provision of a frontage footway to connect to the existing footway terminating outside 77 Eastfield Lane and to extend the existing footway into the site, 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 to accord with the National Planning Policy Framework, local policy S47 of the Central Lincolnshire Local Plan 2012-2036 and policy D2 of the Welton by Lincoln Neighbourhood Plan.

13. The development hereby permitted must be undertaken in accordance with an Estate Road Phasing and Completion Plan, which must first be approved in writing by the Local Planning Authority. The Plan must set out how the construction of the development will be phased and standards to which the estate roads on each phase will be completed during the construction period of the development.

Reason: To ensure that a safe and suitable standard of vehicular and pedestrian access is provided for residents throughout the construction period of the development to accord with the National Planning Policy Framework, local policy S47 of the Central Lincolnshire Local Plan 2012-2036 and policy D2 of the Welton by Lincoln Neighbourhood Plan.

14. No services must be laid within the development for the provision of piped natural gas.

Reason: In the interests of energy efficiency to accord with the National Planning Policy Framework and local policy S6 and S7 of the Central Lincolnshire Local Plan 2023.

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

Reason: In the interests of energy efficiency to accord with the National Planning Policy Framework and local policy S6 and S7 of the Central Lincolnshire Local Plan 2023.

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

NONE

111 DETERMINATION OF APPEALS

With no comments, questions or requirement for a vote, the determination of appeals was **NOTED**.

The meeting concluded at 7.50 pm.

Chairman