

EAST LINDSEY DISTRICT COUNCIL SUPPLEMENTARY LIST

PLANNING COMMITTEE AGENDA Thursday, 5 October 2023

Item Subject: TOWN AND COUNTRY PLANNING APPLICATIONS:

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SCHEDULE OF PLANNING APPLICATIONS TO BE DETERMINED AT THE PLANNING COMMITTEE MEETING DATE – 05th October. 2023

SUPPLEMENTARY INFORMATION

Item No. 05.	
S/039/00565/23	
Pg. No's. 1-8	4 BLACKENED COTTAGES, CROFT LANE, CROFT, SKEGNESS, PE24 4PA
	<p>It is recommended the following additional conditions are imposed:</p> <p>Condition 2 – Within 2 months from the date of this permission, a Management Plan (stating how the commercial use of the swimming pool is to be managed and providing for the keeping of a register of all commercial bookings, days and hours of use, number of persons on the premises at any one time, number of available bookings per day), shall be submitted to and approved in writing by the Local Planning Authority. The commercial use of the pool shall be carried out in accordance with the approved Management Plan.</p> <p>Reason: In the interests of residential amenity having regard to SP10 of the East Lindsey Local Plan and paragraph 130 of the National Planning Policy Framework.</p> <p>Condition 3 – The owners/operator of the swimming pool shall maintain an up to date register of the commercial use of the pool which shall include the names, addresses, times, and dates of commercial users of the pool, and shall make this information available to the Local Planning Authority upon request.</p> <p>Reason: To ensure the commercial use of the pool is suitably managed in the interests of residential amenity having regard to SP10 of the East Lindsey Local Plan and paragraph 130 of the National Planning Policy Framework.</p>
Item No. 06.	
S/153/1503/23	
Pg. No's. 9-24	EX FUN CITY SITE, NORTH PARADE, SKEGNESS, PE25 1DB
	<p>Further consultation responses received: HERITAGE LINCOLNSHIRE (ARCHAEOLOGY) – No comments</p> <p>HERITAGE LINCOLNSHIRE (CONSERVATION) – The site is opposite the Former Skegness Convalescent Home, Grade</p>

	<p>II listed and adjacent to the Skegness Esplanade and Tower Gardens, Grade II listed. There would be a low degree of harm to the adjacent park by the proposed heras fencing on the southern elevation, but it is not thought that this is too substantial an issue. There would not be notable harm to the Former Convalescent Home as there are many buildings already developed within the vicinity that have set a precedent for this type of development.</p> <p>OFFICER COMMENT – Based on the above comments it is considered that the proposal would not result in adverse harm to the setting of the Former Convalescent Home (Former Town Hall) or on the Skegness Esplanade and Tower Gardens, particularly when considering existing surrounding buildings. Taking into account the policy context set out in paragraph 7.22 of the main officer report, it is considered that the proposal meets the policy criteria of SP11 and would result in less than substantial harm to the setting of the listed building and gardens. Paragraph 202 of the National Planning Policy Framework (NPPF) requires developments that result in less than substantial harm to be weighed against the public benefit of the scheme. In this case, the public benefit of the scheme is the regeneration of a site that has been vacant for a number of years in a busy tourist location. Any harm to the listed building and gardens would not be notable and so the public benefits of the scheme outweigh this.</p>
Item No. 08	
S/035/00909/23	
Pg. No's. 37-46	PROCTORS FARM, SANDY BANK, CONINGSBY MOORSIDE.
	<p>Further information has been submitted by way of correspondence from Sills & Betteridge Solicitors who have been able to provide confirmation about the historic transfer of land within the current landowners family. The information provided clarifies that the original dwelling on site was last occupied approximately 15 years ago (until receipt of this information, the time period since last occupation was vague and not substantively confirmed) and offers explanation in part, for the circumstances which have led to the poor condition of the dwelling. These include the personal circumstances of the various family owners over time and that ownership was only transferred to the current owners on grant of probate.</p> <p>Consequently, in considering the relevant fourth strand test as to whether a use has been abandoned (i.e., the owners intentions for the site/building), it is now</p>

considered that the additional information, although not 'absolute' in terms of evidence, does indicate that the dwellings current condition is significantly a consequence of inaction through circumstance, as opposed to any clear intent to abandon the use.

It is unfortunate that the additional information was submitted late in the application process, but as a consequence, on review, it is now considered that, on the balance of probability, the use of the dwelling on site has not been abandoned.

That situation is therefore a material consideration of some weight in the consideration of this planning application.

There is no specific policy in the East Lindsey Local Plan relating to the provision of replacement dwellings in open countryside locations (wherein the usual policy expectations seek to restrict development unless specific exceptions as identified in SP8 (Rural Exceptions) apply). None of those exceptions (such as essential need by rural workers) apply, but, in circumstances whereby the replacement of an existing dwelling in an open countryside location, would not harm the Councils strategic policies (for requiring new housing requirements to be met in the more sustainable locations) and would also result in replacement by a potentially better quality/appropriately designed dwelling, such proposals can be supported.

That is now considered to be the situation for this application, subject to the existing dwelling (located on a different footprint to that of the new dwelling proposal) being first demolished.

Although an unusual set of circumstances, it is therefore, now **recommended that planning permission be granted, subject to expiry of the outstanding period of publicity, without any new material planning issues being raised, and subject to the following conditions:**

Conditions

1) The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this permission.

Reason: In order to comply with the requirements of Section 51 of the Planning and Compulsory Purchase Act 2004.

	<p>2) The development hereby permitted shall only be undertaken in accordance with the following approved plans;</p> <p>Plan no. 30722-101 Received by the LPA 25.04.2023.</p> <p>Plan no. 30722-102 Received by the LPA 25.04.2023.</p> <p>Plan no. 30722-103 Received by the LPA 25.04.2023.</p> <p>Reason: For the avoidance of doubt and the interests of proper planning.</p> <p>3) Before any works above the damp proof course are undertaken, a schedule of external materials, including samples where requested, to be used in the construction of buildings and hard surfaced areas shall be submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in accordance with the approved details.</p> <p>Reason: In the interests of the character and appearance of the development and the visual amenity of the area in which it is set. This condition is imposed in accordance SP10 of the East Lindsey Local Plan and paragraph 130 of the National Planning Policy Framework.</p> <p>4) The development hereby permitted shall be constructed to Building Regulation Part G(2)(b) standards limiting water consumption to 110 litres per person per day.</p> <p>Reason: To reduce demand for finite resources as the district is in a water scarce area. This condition is imposed in accordance with SP10 of the East Lindsey Local Plan.</p> <p>5) The scheme of landscaping and tree planting shown on Drawing 30722-103 received by the Local Planning Authority on 25.04.2023 shall be carried out in its entirety the first planting season following the date on which development is completed, or in line with a timetable/phasing strategy agreed in writing by the Local Planning Authority. All trees, shrubs and bushes shall be maintained by the owner or owners of the land on which they are situated for a minimum of five years beginning with the date of completion of the scheme and during that period all losses shall be made good as and when necessary.</p> <p>Reason: To ensure that appropriate landscaping is provided to integrate the site into the local area. This</p>
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	<p>condition is imposed in accordance with SP10 and SP23 of the East Lindsey Local Plan.</p> <p>6) Prior to commencement of the dwelling hereby permitted, the existing dwelling on the site shall be fully demolished and all rubble and associated materials cleared from the site.</p> <p>Reason: To ensure that the existing dwelling is demolished to prevent the creation of a second dwelling in an unsustainable location. This condition is imposed in accordance with objectives of SP3 of the East Lindsey Local Plan and the NPPF.</p> <p>7) The development shall be completed in strict accordance with the mitigation measures detailed within Section 5 of the Preliminary Ecological Appraisal undertaken by CGC Ecology dated October 2022 including that before any works are undertaken to the existing brick-built barn a further survey be undertaken to ascertain the presence/absence of any roosting bats. The survey shall be submitted to the LPA and any mitigation measures identified implemented in accordance with details to be submitted to and approved in writing by the LPA.</p> <p>Reason: To ensure conservation of local biodiversity in accordance with SP24 of the East Lindsey Local Plan and the NPPF.</p>
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