

Minutes of a Meeting of the Planning Committee held in the Hub, Mareham Road, Horncastle, Lincolnshire LN9 6PH on Thursday, 7th March, 2024 at 10.30 am.

PRESENT

Councillor Stephen Eyre (Chairman)
Councillor Alex Hall (Vice-Chairman)

Councillors Dick Edginton, David Hall, Neil Jones, Sam Kemp, Terry Knowles, Steve McMillan, Daniel McNally, Kate Marnoch and Ruchira Yarsley.

OFFICERS IN ATTENDANCE:

Andrew Booth	- Development Management Lead Officer
Lindsey Stuart	- Senior Planning Officer
Martha Rees	- Legal Representative
Lynda Eastwood	- Democratic Services Officer
Laura Allen	- Democratic Services Officer

65. APOLOGIES FOR ABSENCE:

Apologies for absence were received from Councillors Richard Cunnington and Sid Dennis.

66. DISCLOSURE OF INTERESTS (IF ANY):

At this point in the Meeting, Members were invited to disclose any relevant interests. The following interests were disclosed:

- Councillor Alex Hall asked it be noted that in relation to Item 8, he was Ward Member, however he remained of an open mind.
- Councillor Daniel McNally asked it be noted that he was a Member of the Wolds AONB Committee.
- Councillor Stephen Eyre asked it be noted that he knew one of the applicants, however he remained of an open mind.
- Councillors Dick Edginton, Stephen Eyre, Neil Jones and Daniel McNally asked it be noted that they were Members of the Lindsey Marsh Drainage Board.

67. MINUTES:

The Minutes of the Meeting held on 11 January 2023 were confirmed and signed as a correct record.

68. UPDATE FROM PLANNING POLICY COMMITTEE

Councillor Terry Aldridge, Vice-Chairman of Planning Policy Committee, advised Members that at the previous Meeting held on 1 February 2024, there was an update on the East Lindsey Development Company. Members also reviewed the Local Plan settlement pattern.

Members were advised that the Minutes were available on the Council's website.

69. N/164/02337/23:

Application Type: Remove or Vary a condition

Proposal: Section 73 application to vary condition no. 2 (approved plans), condition no. 3 (construction management plan), condition no. 4 (construction environmental management plan), condition no. 5 (tree protection), condition no. 6 (hard landscaping), condition no. 7 (landscaping & tree planting), condition no. 8 (archaeology), condition no. 12 (surface water drainage) and condition no. 17 (phasing) as imposed on planning permission reference N/164/00946/22 (for the change of use of land for recreational use as a cycle park, construction of associated cycle tracks/trails, erection of a building to be used as a visitor centre, provision of associated car parking and construction of a vehicular access).

Location: LAND OFF, DONINGTON ROAD, SOUTH WILLINGHAM

Applicant: Christopher Heneage Farms

Members received an application to Remove or Vary a condition – Section 73 application to vary condition no. 2 (approved plans), condition no. 3 (construction management plan), condition no. 4 (construction environmental management plan), condition no. 5 (tree protection), condition no. 6 (hard landscaping), condition no. 7 (landscaping & tree planting), condition no. 8 (archaeology), condition no. 12 (surface water drainage) and condition no. 17 (phasing) as imposed on planning permission reference N/164/00946/22 (for the change of use of land for recreational use as a cycle park, construction of associated cycle tracks/trails, erection of a building to be used as a visitor centre, provision of associated car parking and construction of a vehicular access) at land off Donington Road, South Willingham.

The proposal was presented to the Planning Committee for consideration due to the significant number of objections and the officer recommendation to approve.

The main planning issues were considered to be:

- Type of Application.
- Conditions to be varied.

Members were referred to the additional information contained on page 1 of the Supplementary Agenda.

Lindsey Stuart, Senior Planning Officer, detailed site and surroundings information to Members at Paragraph 2, together with the description of the proposal at Paragraph 3, pages 13 to 16 of the report refer.

Mr Daniel Sharp (Agent) spoke in support of the application.

Ms Shirley Asquith, South Willingham Parish Council, spoke in objection to the application.

Councillor Richard Fry spoke as Ward Member.

Members were invited to put their questions to the speakers.

- A Member queried the number of proposed car parking spaces, stating that 200 seemed excessive. Mr Sharp confirmed that the car park proposal was for 50 spaces with an overflow car park.
- A Member commented that the car park would be very noticeable and change the character of the landscape and queried what measures the applicant proposed to put in place to ensure this did not change.

Mr Sharp advised Members that the car park was on the north-east side of a tall hedge so the car park would not be visible from the South Willingham side.

Following which, the application was opened for debate.

- A Member queried why the original conditions were removed.

The Senior Planning Officer advised that the information submitted was effectively seeking to discharge the conditions rather than remove them and that the only condition that was removed was related to the submission of the written scheme of investigation for archaeology as agreed by Heritage Lincolnshire.

- Following a query from a Member asking whether there were any assurances given to ensure the next phases were carried out, the Senior Planning Officer advised that they were unable to set a timescale, however highlighted that the landscaping would have to be agreed before they moved on to the various phases.

- A Member further queried whether the officer had any concerns with regards to the car park changing the character of the landscape. The Senior Planning Officer advised that the roadside hedge was quite dense and confirmed that the cyclists would not be seen due to the landscaping.
- In response to a Member's query on whether the application in effect was just a re-phasing exercise, the Senior Planning Officer confirmed that it was as the conditions still stood.
- A Member queried whether the applicant had been required to provide financial costings. The Senior Planning Officer advised that the applicant had not provided any costings and confirmed that this was how they had now chosen to develop the site.
- Following a query with regards to the types of events that would be allowed to take place on the site, the Senior Planning Officer advised Members that the original condition would still stand, page 32 of the report refers. It was confirmed that the condition relating to amplified music not being allowed would still stand and that there was a limit of 12 special events to be held per year.
- A Member queried whether there was an option to explore additional shielding on phases 1 and 2 of the project.

The Senior Planning Officer advised that the landscaping condition allowed for phases 1 and 2, and further landscaping would be agreed at the commencement of phases 3 and 4.

Following which, the application was proposed and seconded for approval in line with officer recommendation.

Upon being put to the vote for approval, the vote was carried.

Vote: 6 In favour 4 Against 1 Abstention

RESOLVED:

That the application be approved subject to the following conditions:

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70. N/084/02204/23:

Application Type: Remove or Vary a condition

Proposal: Section 73 application to vary condition no. 1 (approved plans) as imposed on reserved matters approval N/084/00438/19 for the erection of 10 no. houses.

Location: MANOR FARM, SKEGNESS ROAD, HOGSTHORPE,
SKEGNESS, PE24 5NR

Applicant: Mr P Joyce

Members received an application to Remove or Vary a condition – Section 73 application to vary condition no. 1 (approved plans) as imposed on reserved matters approval N/084/00438/19 for the erection of 10 no. houses at Manor Farm, Skegness Road, Hogsthorpe, Skegness, PE24 5NR.

The application was subject to a call-in request by Councillor Roger Dawson due to the impact of the raising of the land on the amenity of the neighbours and concerns about overlooking and loss of privacy. Also, the need for landscaping and impact on flood risk.

The main planning issues were considered to be:

- The scope of the application
- Impact on neighbouring amenity and quality of development

Members were referred to the additional information contained on page 1 of the Supplementary Agenda.

Lindsey Stuart, Senior Planning Officer, detailed site and surroundings information to Members at Paragraph 2, together with the description of the proposal at Paragraph 3, pages 37 to 38 of the report refer.

Mr Phil Joyce spoke in support of the application.

Mr Jonathan Daws spoke in objection to the application.

Councillor Roger Dawson sent a written submission as Ward Member.

Members were invited to put their questions to the speakers.

- In response to a Member's query on the distance Mr Daws' house was from the site and whether any windows of his property overlooked this, Mr Daws advised Members that his house backed on to the site and his kitchen and conservatory windows overlooked the site.
- Mr Daws further confirmed that he could see the site over the existing 6ft hedge and that he could also see the tyres of the construction vehicles.

Following which, the application was opened for debate.

- Further to a concern raised with regards to the run-off water and drainage and no response from the drainage company in the report, the Senior Planning Officer confirmed that there was an approved drainage scheme in place. Members were further advised that the

surface water from the houses would go towards the road and to a swale and the water at the back would go into the dyke between the two properties.

- A Member further queried why there was no update with regards to the drainage since the land had been raised. The Senior Planning Officer advised that there had been no objections received from Lincolnshire County Council or the drainage board.
- When asked where the pictures referred were taken from, the Senior Planning Officer replied that this was from the Mr Daws' kitchen window.
- A Member queried how close the digger was to the house as it was appeared to be right outside. The Senior Planning Officer responded that it looked close as it was right on the boundary, however advised that there would be a distance of 20m between the properties.

At this point in the meeting, the Development Management Lead Officer provided Members with some clarity on the relationship issue between the dwellings as approved as part of the application and the intervening use of the land.

- Further to a Member's query, the Senior Planning Officer confirmed that the landscaping strip had been conditioned.
- A Member understood the neighbour's concern, however acknowledged that My Joyce needed to raise the levels to help with potential flood risk. With regards to the diggers working on site, it was highlighted that this was temporary whilst work was underway on the site.

Following which, the application was proposed and seconded for approval in line with officer recommendation.

Upon being put to the vote for approval, the vote was carried.

Vote: 6 In favour 4 Against 1 Abstention

RESOLVED:

That the application be approved subject to the following conditions:

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71. N/084/02040/23:

Application Type: Remove or Vary a condition

- Proposal:** Section 73 application to vary condition no. 2 (approved plans) as previously imposed on planning permission reference N/084/00126/23 for the erection of 4no. dwellings.
- Location:** MANOR FARM, SKEGNESS ROAD, HOGSTHORPE, SKEGNESS, PE24 5NR
- Applicant:** Mr P Joyce

Members received an application to Remove or Vary a condition – Section 73 application to vary condition no. 2 (approved plans) as previously imposed on planning permission reference N/084/00126/23 for the erection of 4no. dwellings at Manor Farm, Skegness Road, Hogsthorpe, Skegness, PE24 5NR.

The application was subject to a call-in request by Councillor Roger Dawson due to the impact of the raising of the land on the amenity of the neighbours in relation to possible overlooking and loss of privacy. Also, the need for landscaping and impact on flood risk.

The main planning issues were considered to be:

- The scope of the application
- Impact on neighbouring amenity and quality of development

Members were referred to the additional information contained on pages 1 to 2 of the Supplementary Agenda.

Lindsey Stuart, Senior Planning Officer, detailed site and surroundings information to Members at Paragraph 2, together with the description of the proposal at Paragraph 3, pages 49 to 50 of the report refer.

Mr Phil Joyce (Agent) spoke in support of the application.

Mr Jonathan Daws spoke in objection to the application.

Members were referred to a letter sent in by Councillor Roger Dawson, pages 3 to 5 of the Supplementary Agenda refer.

Members were invited to put their questions to the speakers.

No questions were received.

Following which, the application was opened for debate.

The Development Management Lead Officer advised Members that the application was similar to the previous application considered, to regularise the raising of the land levels.

Following which, the application was proposed for approval in line with officer recommendation.

- In response to a Member's query relating to the drainage details, the Development Management Lead Officer informed Members that the drainage for the whole site was considered and no objection was raised by the Lead Local Flood Authority (LLFA).
- A Member queried why updates from LCC Highways, LLFA and Environmental Services (Drainage) had not been received, points 4.4 and 4.6 on page 51 of the report refers.

The Development Management Lead Officer advised that with regards to a response from the LLFA, it was a minor application with only 4 plots, so was unlikely to receive a response. Members were referred to the earlier permission that related to the totality of the site, ie. 10 plots, and it was highlighted that the LLFA had raised no issue with that. Therefore, it would achieve the same outcome as the previous Section 73 application for 10 plots which the Committee had already approved.

Following which, the application was seconded for approval in line with officer recommendation.

Upon being put to the vote for approval, the vote was carried.

Vote: 8 In favour 2 Against 1 Abstention

RESOLVED:

That the application be approved subject to the following conditions:

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72. S/114/01809/22:

Application Type: Full Planning Permission

Proposal: Planning Permission - Erection of 27 no. dwellings and construction of a vehicular access.

Location: LAND EAST OF SHERATON, MAIN STREET, MAREHAM LE FEN

Applicant: Gleeson Homes

Members received an application for Full Planning Permission - Erection of 27 no. dwellings and construction of a vehicular access at land East of Sheraton, Main Street, Mareham Le Fen.

The proposal attracted opposition locally and was called in to Committee by local Ward Members Councillor Martin Foster and Councillor Richard Avison. The call-in request was following objections received from local residents and included the following reasons:- site not allocated for housing development in the adopted Local Plan; lack of local services and adverse impacts on those local services and facilities in the village by an enlarged local population; additional pressures on the A155 which carried heavy traffic particularly in the summer months and issues with speeding; and the proposed development was not in keeping with other houses in the village.

The main planning issues were considered to be:

- Principle
- Housing Mix, Design and Residential Amenities
- Highways
- Contamination, Drainage and Flood Risk
- Ecology
- Heritage Assets
- Section106 Contributions

Andrew Booth, Development Management Lead Officer, detailed site and surroundings information to Members at Paragraph 2, together with the description of the proposal at Paragraph 3, pages 61 to 62 of the report refer.

N.B. The Meeting adjourned to fix an IT issue at 11:41am and reconvened at 11:47am.

Ms Fiona Beddoes (Applicant) spoke in support of the application.

Mr Keith Hodgson spoke in objection to the application.

At this point in the Meeting, the Development Management Lead Officer read out a written submission sent in by Ward Member, Councillor Martin Foster.

Members were invited to put their questions to the speakers.

- Further to Mr Hodgson confirming that the land did not belong to him, a Member queried his thoughts on what was going to happen to the land concerned if it was not developed.

Mr Hodgson responded that part of the agreement was that it would go back to being agricultural land.

Following which, the application was opened for debate.

- A Member queried why the current application for 27 houses was being refused when the land to the east was currently being developed for 62 dwellings by the applicant. The decision for

refusal was further queried when the village would also receive further S106 funding towards the NHS, education and for the benefit of the village in general.

The Development Management Lead Officer advised Members that the principal of the development wasn't being questioned, the concerns were with the quality of the development and its proximity to the closest property, 'Sheraton'.

- A Member commented that the site plans looked compact and cramped and queried what the distance was between the houses.

The Development Management Lead Officer estimated that the distance was approximately 18-20m, however explained that the impact related to the front elevation of the property which was compromised by the grouping and arrangement of the new houses.

- A Member concurred with comments relating to the distance between the houses, and whilst acknowledging that there was often a compromise with space for affordable housing, highlighted that the development was on the edge of the village.

Following which, the application was proposed and seconded for refusal in line with officer recommendation.

Upon being put to the vote for refusal, the vote was carried.

Vote: 11 In favour 0 Against 0 Abstentions

RESOLVED:

That Full Planning Permission be refused.

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73. S/215/01507/23:

Application Type: Full Planning Permission

Proposal: Planning Permission - Erection of a bungalow and carport and erection of a new boundary wall.

Location: ABBEY LODGE, TATTERSHALL ROAD, KIRKSTEAD

Applicant: Mr & Mrs Boddy

Members received an application for Full Planning Permission – Erection of a bungalow and carport and erection of a new boundary wall at Abbey Lodge, Tattershall Road, Kirkstead.

The application was called into Planning Committee by Councillor Leyland as Ward Member. The reason for this request was to enable Members to consider fully the material considerations presented in the application, which included in summary;

- The proposed bungalow was in the location of the former village hall;
- The design and materials of the bungalow had sought to reflect the former village hall structure;
- The building did not harm the setting of the listed Abbey Lodge and was designed as a subservient structure;
- Existing and future growth of housing development along Tattershall Road took built development closer to the site and therefore within the realms of being acceptable under Policy SP3 (i.e. it was only a minor departure);
- Woodhall Spa Parish Council was supportive of the application;
- Heritage Lincolnshire was supportive. They recognised that it had always been two distinct curtilages;
- Lincolnshire County Council highways had no objection;
- The site was connected by a footpath to the village;
- The proposal supported a rural business. Given the challenges rural pubs faced, ELDC should consider such a proposal positively as it secured the future of a successful business that had been run by the same family for nearly 40 years. The application enhanced the sustainability of a rural business.

The main planning issues were considered to be:

- Principle of development
- Design and Landscape
- Heritage
- Biodiversity
- Impact on Highway Safety
- Drainage
- Contaminated Land
- Planning Balance

The Development Management Lead Officer detailed site and surroundings information to Members at Paragraph 2, together with the description of the proposal at Paragraph 3, pages 79 to 81 of the report refer.

Mrs Boddy (Applicant) spoke in support of the application.

Councillor Craig Leyland spoke as Ward Member.

Members were invited to put their questions to the speakers.

- A Member requested more information relating to linking a property to a business.

Councillor Leyland advised that a property's usage could be tied to a business and he confirmed that the applicants would be happy to accept that.

Following which, the application was opened for debate.

- A Member queried whether the site would be classed as brownfield land, and whether policy SP4 covered that particular area.

The Development Management Lead Officer advised that the proposed site was part of the curtilage of the pub so could be classed as a brownfield site that sat in an open countryside location away from the village.

- A Member commented that they did not understand why the officer's recommendation was for refusal.

The Development Management Lead Officer explained the process for determining a planning application and informed Members that currently the application did not comply with local policy.

- A Member queried whether the recommendation would change if a condition was added that tied the property to the business. The Development Management Lead Officer informed Members that there would have to be an essential need and in this case, it was not considered that there was an essential need.

The Legal Advisor explained to Members that an essential need was commonly used in respect to agricultural dwellings and Committee would need to demonstrate why it was essential to have a dwelling in that location. In this case it would be considered helpful to the existing business, but not essential.

- A Member commented that the site was that of a former village hall and if it had remained as such, would most likely have received permission to have been converted into a house. Further comments were made with regards to there being a footpath to the village, the support from the Parish Council and the fact that it would not affect the listed status of Abbey Lodge. It was highlighted that employment within the area should be encouraged.
- Following a brief discussion, Members further considered that people should not be penalised by policies for wanting to develop their own land and run a family business which would bring economy into the local area.

At the Chairman's request, the Development Management Lead Officer advised Members on their position with opting to approve the application. He explained that it was contrary to policy and that they would need something more substantive to back-up their decision.

- A Member queried whether 'achieving well designed places' from the NPPF could support it. The Development Management Lead Officer responded that this reason was not sufficient.
- A Member commented that the interpretation of the word 'essential' could be different if looking at it from a Councillor's point of view.

The Legal Representative advised Members that in planning policy, development in the countryside was restricted to only that which was essential.

- A Member suggested the following reason, to back-up their decision to approve the application:

'The dwelling to be constructed was to replicate the original appearance of the former village hall with a very similar style and detailing'.

As previously mentioned, if the application was for a conversion, then it would likely to be approved, but unfortunately the building was no longer there. It was considered that the proposal reinstated a 'like for like' heritage asset that provided visual enhancements to the entrance of the village. Furthermore, it was capable of providing a dwelling without compromising amenity, flood risk or highway safety and therefore on balance it was considered that the application could be supported.

Following which, the application was proposed and seconded for approval against officer recommendation.

Upon being put to the vote for approval, against officer recommendations, the vote was carried.

Vote: 11 In favour 0 Against 0 Abstentions

RESOLVED:

That Full Planning Permission be approved with the following conditions:

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74. APPEALS DECIDED:

The Appeals Decided were noted.

75. DELEGATED DECISIONS:

The Delegated Decisions were noted.

76. DATE OF NEXT MEETING:

The date of the next meeting was noted as Thursday 4 April 2024.

The Meeting closed at 12.41 pm.