

Present:

Chairman: Councillor Tom Ashton
Vice-Chairman: Councillor Frank Pickett

Councillors: Alison Austin, Peter Bedford, David Brown, Deborah Evans,
Jonathan Noble, Brian Rush, Paul Skinner, Yvonne Stevens,
Peter Watson and Stephen Woodliffe

Officers: Legal Advisor, Legal Services Lincolnshire, Growth Manager,
Democratic Services Manager and Democratic Services Officer

1 APOLOGIES

Apologies for absence were tabled by Councillor Paul Goodale and Councillor Chelcei Sharman. Councillor Deborah Evans substituting for Councillor Sharman.

2 MINUTES

With the agreement of the planning committee members, the Chairman signed the minutes of the previous planning committee meeting held on the 11 February 2020.

3 DECLARATION OF INTERESTS

Prior to receiving any declarations of interest the Chairman made a statement:

“I would like to remind members that they should approach all items with an open mind and any member who may feel conflicted, pre-determined or who cannot approach an application with an open mind should declare as such and leave the meeting for that item of business”

Standing Declarations of Interest are tabled within these minutes for:

Councillors Tom Ashton, Alison Austin and Paul Skinner in their respective roles as Lincolnshire County Councillors.

Councillors Tom Ashton, Alison Austin and Peter Bedford in their respective roles as members of the South East Lincolnshire Joint Strategic Planning Committee and Councillor Jonathan Noble in his role as a substitute member of the committee.

Councillors Tom Ashton, Peter Bedford, Frank Pickett and Paul Skinner in their respective roles as members of the Internal Drainage Boards.

Councillor Peter Bedford declared a prejudicial interest in planning application B 19 0520 in that he had made previously commented on the application with officers. Furthermore, Councillor Bedford referenced the written representation received from Hubberts Bridge Community Centre and advised that some of the members of the centre were personally known to him, he would absent from the meeting at that point in the proceedings.

Councillor Paul Skinner declared that whilst both of the applicants on Planning Application B 19 0520 were known to him through his work as a portfolio holder he was not pre-determined in anyway and would listen and make his decision on the evidence presented.

Councillor Peter Watson declared that he was a member of Kirton Parish Council. He further stated that when the Parish Council had considered planning application B 19 0520 he had taken no part in any discussion and confirmed he would take an open approach when determining the application.

Councillor Yvonne Stevens declared that one of the applicants of planning application B 19 0520 was known to her and they had discussed the matter with her previously. However, Councillor Stevens declared that she was not prejudiced by any previous discussion undertaken and would address the item with an open mind.

Councillor Jonathon Noble declared that one of the applicants for planning application B 19 0520 was known to him for a brief time when the applicant had been a former Conservative Councillor, however that would not influence any decision he would make on the application.

Councillor Stephen Woodliffe declared that Mr Arundel one of the applicants for planning application B 19 0520 was known to him. He further stated that when he previously met the applicant in a local supermarket, the applicant had spoken of his plans. Councillor Woodliffe confirmed that the discussion would not affect his judgement and he would vote with an open mind.

Councillor Brian Rush declared that he knew one of the applicants. He further stated he knew many of the residents within the locality of the site for planning application B 19 0520 from his previous role as Member for Frampton and Kirton Holme. Councillor Rush further confirmed that he had also met with members of the Hubberts Bridge Community Centre, but that he was not conflicted by the discussions held and he could judge the application with an open mind.

Councillor Deborah Evans declared that whilst she knew one of the applicants, Mr Arundell as a former Councillor, she had not spoken with him in respect of application nor seen him since he left the Council. Councillor Evans confirmed she would determine the application with an open mind.

Councillor Tom Ashton declared that whilst he had faintly known one of the applicants as a previous member of the Council, there had been no degree of closeness nor interaction with the applicant and Councillor Ashton confirmed he would determine the application on the policies and papers in the report.

Councillor David Brown declared that he had listened to the owner of a nearby caravan site but had formed no opinion and would address the application with an open mind. He further declared his position as Portfolio Holder for tourism.

The Chairman added that he welcomed Councillor Brown back on to the committee noting he was an experienced planning committee member who would be a welcome addition to the committee.

4 PUBLIC QUESTIONS

No public question.

It is recorded that at this part in the proceedings Councillor Peter Bedford absented from the meeting.

5 PLANNING APPLICATION B 19 0520

PLANNING APPLICATION B 19 0520

Hybrid planning application seeking:

Full planning permission for the part change of use of the golf course for the siting of caravans with associated works including landscaping, handstandings and access routes; provision of a sales area including siting of "show units" and associated parking; and

Outline planning permission (all matters reserved) for the development of a "hub" building of up to 12,000sqm total floorspace - to contain an ancillary reception/activity centre/spa (Class D2)/retail unit (up to 100sqm)/ food and beverage (Classes A1, A4 and A5) and facilities management and ancillary works; and provision of a sales building and associated works

Boston West Golf Centre, Langrick Road, Hubberts Bridge, Boston, Lincolnshire, PE20 3SG

Boston West Golf Limited.

The Growth Manager presented the report to the committee with a summary noted below:

Initially displaying a number of slides, the Growth Manager identified the location of the site and neighbouring properties and businesses, along with existing SUD's features, a vista of the clubhouse and the open area within the site for the erection of the caravans in the event that committee granted the application.

Drone shots depicted the fairways and the heavily landscaped nature of the area, along with the driving range and the driveway through the site. Providing a wider context the drone shots further identified vistas across the range; views back to the clubhouse and the central fairway relationship with the Boardsides on the southern west boundary,

The western part of the site would be developed out for 300 caravans with associated development and associated access roads with a series of circular routes serving the caravans. If granted it was the intent of the applicant to construct the caravans in a lodge style comprising a mix of single and double units and the existing access road would be used and extended to formalise a route to serve the caravan units. Each lodge would have one car parking space with all existing parking remaining.

The site was established and verdant and although there would be some impact of existing trees within the site, it was relatively minor in the overall arboreal character. Boundary treatments were well established and any gaps therein would be sensitively re-enforced with additional trees and shrubs. The northern boundary would see rabbit proof fencing and stock fencing installed with knee rail and hand-gate fencing along the access.

A detailed heritage impact assessment had concluded the development would not harm the area. Although the site sat in a sensitive location with a number of heritage assets in the vicinity it was felt that given the separation distance and the nature and scale of the units considered, the application was acceptable.

Archaeological finds had initially recommended trial trenching be implemented for siting the Caravans. However, officers had felt it unnecessary as the nature of excavations for hard standing for caravans, was equal to trial trenching and had conditioned that an Archaeologist be on site whenever deeper excavation took place.

Two rounds of formal consultation had been undertaken, which had included the substantive revisions to the scheme, with third party majority support for the scheme. Due to the location of the application site, consultation had taken place with four Parish Councils with all feedback taken into consideration.

Following initial consultation with all the statutory consultees, alongside those with the non-statutory consultees, a number of revisions to address the concerns raised had resulted in no standing objections from any of the technical consultees.

In lieu of direct public representation at the committee meeting, members of the public had tabled submissions in hard copy. All submissions had been collated and under cover of a summary of the contents, been circulated to committee ahead of the meeting. The Growth Manager confirmed that having considered the pack of submissions he did not consider that any amendments were required to the application tabled.

Addressing policy the Growth Manager confirmed that the application was compliant with policies 1 and 9. The aim of the site was to develop out a viable leisure facility and high quality resort and destination, with appropriate submission of the application. A detailed viability assessment proved the decline in membership of the Golf Club justifying the request for the change of use. With the provision of tourism accommodation considered acceptable and of a high quality, the development would contribute to the immediate rural economy and the wider economy of the borough with similar examples of accommodation within the locality. In principle the Council had no objection to all year round use of the site, it was subject to flood risk or ecological risk which needed to be weighed up for any restriction on seasonal opening to be imposed.

When consulted, Sport England had raised no objections although the development would result in a reduction in the main course. The 9 hole facility would be retained to encourage use of the short format game, along with the driving range, and a condition on the Hub would require that it secure further enhancements to the current golf offer.

A detailed transport assessment by LCC Highways found them to be comfortable with the transport statement that considered sustainable transport including rail, bus and the Call Connect service. A £25k developer contribution agreed by the applicant was justified with the Call Connect service as the beneficiary of the contribution. However, in the event that the Call Connect service be unable to operate, then the contribution would be redistributed. Permission to grant the application was subject to receipt of the contribution.

The Parish Councils' had voiced concern in respect of significant increases in traffic. However, the area already experienced varied levels of traffic with visitors to the existing hotel, to the function venue facility and to the leisure provision already operating on the site.

A flood warning evacuation plan would be in place for the overall site.

A number of measures would address surface water drainage including drainage ponds and a hydro brake system with the adjacent drains managed by the IDB who had raised no objection to the application.

The applicant had originally intended to use package treatment systems for foul water drainage but changed to using main drainage following advice by Anglian Water.

Addressing the outline application the Growth Manager confirmed that committee was only looking at the principle with all matters being reserved. The original application had changed slightly with two buildings now tabled, not the one building as initially intended. However the maximum parameter remained the same as did the intended mixed use. The appearance and scale were all to be determined at reserved matters.

Concluding the Growth Manager confirmed that the applicant had noted the development would be over a 4-phased plan. Phase 1 would be the consolidation of the existing access road; phase 2 up to 709 units and associated infrastructure, Phase 3 up to 99 units and associated infrastructure and the final stage being 131 units and associated infrastructure.

The applicant envisaged that if permission would be granted, then works could commence in a relatively short period with a timescale for completion between 3 to 4 years.

On conclusion of the presentation, the Chairman thanked the Growth Manager for the comprehensive presentation: his comments were echoed by committee members during their deliberation.

At this point in the proceedings' the Clerk sought confirmation that Councillor David Brown had been able to hear the full presentation made by the Growth Manager in respect of the item, being mindful of technical issues Councillor Brown had experienced prior to the presentation taking place. Councillor Brown confirmed he had heard all of the Growth Managers representation. He further tabled a declaration of interest that is recorded within item 3 of these minutes.

Significant member debate followed the presentation which included the following matters which have been collated to incorporate repetition of comment and also to address questioning:

A number of concerns noted the access and egress of the site. The suggestion of an additional access off the A1121 into the site, before the junction brought concerns that it would be dangerous and cause more congestion. However, there was recognition that Lincolnshire Highways had undertaken a full survey and supported the application, making any refusal on such grounds difficult to defend at appeal. A member noted that returning visitors to the site would be aware they could turn left out of the site to drive into the town and referencing increased congestion, suggested that not all guests would arrive and depart at the same time.

Referencing the existing road through the site which served the farm a member felt the information to be ambiguous along with the information in respect of the access from Kirton Drove and sought clarification

In response to the above queries the Growth Manager advised as follows:

The only access arrangements to be determined were those within the application before committee. The application did not propose any other access. If the applicant considered an additional entrance in the future, it would come forward for determination as its own proposal.

Kirton Drove was not a primary access. The farm continued to use the access road and any change in that agreement was not a planning matter and would be a civil matter between the applicant and the farm owners.

The majority of members acknowledged the detailed flood risk and mitigation measures taken across the whole site, in respect of both tidal and fluvial flooding, with no objections having been raised by the Environment Agency.

However, one member stated he had reservations in respect of the project on behalf of the people of Boston and noted there were one or two gaps in the presentation. Saying he was in support of the project, the member also said the area had experienced severe flooding at the nearby Rugby Club. He further noted the public representation pack delivered late the previous day and the Hubberts Bridge Community representation therein, which referenced consultation in respect of foul water drainage and asked if the matter been addressed thoroughly, to protect the people of Hubberts Bridge.

In response to the above queries the Growth Manager advised as follows:

The application contained a detailed flood risk assessment, which was site specific with proposed mitigation measures. The Environment Agency who were the expert body had no objections in respect of either tidal or fluvial flooding. The golf course had existing drainage arrangements in respect of surface water drainage with both SuDS and drainage into a nearby dyke. The new plan would manage all forms of run-off and proposed to collect it and hold it in suds features, linked to balance volume, and where there would be outfall into a drain dyke, there would be a hydro break fitted. From a planning perspective, there was sufficient evidence and information to make a decision on the matter.

For the disposal of foul water drainage, it had been the applicant's intent to use package treatment plants on site, which although considered a sustainable form of foul drainage, did come with risks. However, the Environment Agency had voiced concerns about the number of package treatment plants required and their preference was to connect to mains drain disposal. The applicant held revised discussions with Anglian Water to gain consent to connect to the network.

Addressing the question in respect of Hubberts Bridge Community Centre, the Growth Manager confirmed that a foul drainage solution connected across their land. Anglian Water who were the statutory undertaker of the equipment had the right to maintain and alter any of the existing infrastructure. Any such change in process being a matter for the Water Industry Act and not a matter for planning.

For reassurance, condition 21 required that further details in respect of connection points, timetables and other specifics to be provided, which at the time of submission had not been defined. The applicant needed to get the consent of Anglian Water to connect to the mains. Anglian Water would need all that information and more, with possible connection costs being required prior to any consent to connect. Once Anglian Water had confirmed the agreement the Council would then discharge condition 21.

Members agreed that the site once developed would create employment and the application adhered to Policy P1 as it was economic development and P9 in that it was large-scale development outside the boundary on an existing visitor attraction. It further adhered to the NPPF in respect of sustainable rural tourism. Referencing the request for the change of use, members agreed that it had been justified by the detailed viability assessment, which had proved a decline in membership of the Golf Club provision, although a member questioned clarification on the enhancements by the Hub offer. Further appreciation noted the confidence in the community by the investors in such hard times. The Lincolnshire economy had been moving to support all year round tourism and the development would allow that, alongside supporting the town in a number of ways, in particular in the winter months with the areas many heritage facilities.

A member questioned that whilst noting the operators' intent to maintain an up to date register, no maximum length of stay appeared to be conditioned.

A further question asked if neighbouring businesses similar to the application were subject to restricted hours or able to trade all year round.

In response to the above queries the Growth Manager responded as follows:

Length of stay was not a planning condition and there would be clear justification needed, which did not apply to the application under consideration. The Woodlands Nature Principle document that the applicant intended to use included a site rule requiring lodges to be vacant for four weeks within a year and the applicant proposed appropriate breaks of stay. Currently all sites were different in opening times, however the recent Ministerial Statement as a result of Covid-19, emphasised that local government needed to be more flexible in respect of opening hours. That statement could also enable existing operators on restricted hours to appeal and amend their licence.

Members were referred to condition 34 addressing the potential of the Hub to improve the short form of the Golf offer for the 9 hole course and the putting green. Proof of improvements would be required before the Hub could be delivered.

Members also noted serious concerns in respect of issues of safety, lighting and noise on the site, with up to a potential of 1200 guests in residence at busy periods. The report included no indication of any CCTV coverage or safety measures to protect guests and their property. No detailed lighting scheme had been included which members agreed would need to be in keeping with the site, whilst also ensuring secure visibility for guests. Furthermore members agreed any lighting should not impact on any neighbouring properties and not affect the wildlife of the site. Ideally no LED lighting would be proposed.

There were no noise mitigation measures within the report, which again at peak times could be significant unless controlled, to reflect the feel of the site and protect neighbouring residents and guests. The lack of footpaths both within the site itself both through to the caravan areas and from the main entrance to the A1221 was also concerning.

In response to the above queries the Growth Manager advised as follows:

Security could be a material consideration addressed under issues of design; however, no detailed CCTV operation was included. That said, the Woodlands Nature Principle document set out how the operator should manage the site. As the operator would be providing a high quality site, it was considered this was a matter predominantly for the operator in relation to the site rules, to manage a site. The onus would be on them as the operator to have responsibility and due regard for the people on the site. The applicant had paid full consideration to issues of noise and disturbance at all stages of the application including neighbouring amenity.

There had been no objection from Environmental Health in respect of any noise pollution. Background noise from traffic at certain times of the day would occur, however the extent of the site relationship with neighbouring properties was deemed to be a reasonable distance and in some instances a long distance.

Condition 14 required full detail of the type of lighting and illumination proposed for use. Minimal level lighting was required as it was important to the character of the site, ecology and neighbouring properties.

There was no justification for additional footpaths within the site due to the nature of the environment. It permitted space for people to move around with the delineation between the main route and the low-key routes serving individual lodges. The application contained no requirement for a footpath outside the site. However, there was merit in the suggestion and it would be a matter for the reserved matters stage for the Hub, should the request for one be presented.

Agreeing design was subjective, overall Members agreed their preference of the use of lodges against caravans. Furthermore, members stressed the need for the lodges to be aesthetically pleasing by blending into the surrounding landscape and using earth colours and natural build materials where possible. Concerns further questioned safe distances between the lodges in respect of potential fire incidents and the build materials of the ledges.

In response to above queries the Growth Manager advised as follows:

All sites needed to be licensed and therefore liable to the conditions of the licence in respect of safety. Environmental Health did consider separation distances and the majority of lodges on the site were compliant with legislation separation distances, being 10m at the narrowest distance. Precise siting of the lodges would be directed by the site licence requirement.

The parking provision of one place per lodge raised concerns in respect of the larger lodges potentially having two to three bedrooms resulting in occupants possibly arriving in more than one vehicle.

In response to the above query the Growth Manager responded as follows:

The applicant intended to retain all 250 existing hard standing parking spaces on the site providing overflow parking for guests.

Overall members were supportive of the application, citing its benefits for tourism and for the town and the knock on for businesses therein. There was enthusiasm for the jobs the attraction would create with indications of potentially 100 posts when completed. The lodges received support against traditional caravans and there was recognition of the applicant amending the original application, following the outcomes of the initial round of consultation.

In conclusion, the Chairman thanked committee for a good debate and stated that whilst members had voiced concerns on highway safety at the intersection, it was a B route and an A route and with no objections from LCC Highways, any such refusal on such grounds would be very difficult to defend on appeal. Agreeing comments of some members the Chairman acknowledged that it would be very difficult to put a new access onto the A1211. Referencing the site, he tabled his gratitude to the applicants for their consciousness in taking full advantage of the landscaping, with the facility not being turned into a site of cramped vans with cars strewn throughout. The Chairman further noted how useful it had been to see through the report, how the applicant had overcome all the statutory objections from the initial consultation process. Endorsing the comments of the overall economic benefits to the Borough, the Chairman stated he felt the proposed development was a vote of confidence in the visitor economy.

It was moved by Councillor Jonathon Noble and seconded by Councillor Yvonne Stevens that the application be granted in line with officer recommendation subject to the conditions, reasons and informatives therein and subject to the conclusion of a Legal Agreement

VOTE: For: 10. Against 0. Abstention 1.

RESOLVED: TO GRANT PLANNING PERMISSION SUBJECT TO THE FOLLOWING CONDITIONS, REASONS AND INFORMATIVES AND SUBJECT TO THE CONCLUSION OF A LEGAL AGREEMENT.

CONDITIONS RELATING TO FULL PLANNING PERMISSION FOR:

Part change of use of the Golf Course for the siting of caravans with associated works including landscaping, hardstanding and access routes:

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

Reason: Required to be imposed pursuant to Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2 Unless varied by other conditions attached to and forming part of this decision, the development hereby approved shall be carried out in accordance with the following approved plans:
 - Ref: P19-2767.006 – ‘Location Plan’
 - Ref: P19-2767.015 – ‘Red Line Boundary Plan Western Area’
 - Ref: P19-2767.16 – ‘Boundary Treatment- Western Area Enlargement’
 - Ref: P19-2767.007 Rev C – ‘Illustrative site layout’
 - Ref: P19-2767.14 – ‘Typical Unit Layout’

And read in conjunction with the various recommendations of supporting documents which accompany the application including:

- Economic Benefits Report
- Foul Drainage Strategy
- Heritage Desk Based Assessment
- Ecology and Protected Species Survey
- Flood Risk Assessment
- Transport Statement
- Landscape Visual Appraisal
- Planning, Economic and Design and Access Statement
- Vitality and Needs Assessment
- Tree Report

Reason: To ensure that the development is carried out in accordance with approved plans in accordance with Policies 2 and 3 of the South East Lincolnshire Local Plan (2011-2036).

- 3 The change of use to allow the siting of caravans hereby permitted relates solely to the area within the red line denoted on plan reference P19-2767.015 – ‘Red Line Boundary Plan Western Area’. No caravans shall be sited outside of this area.

For the avoidance of doubt, no other similar structures / additions (e.g. camping pods), touring caravans, motor homes, tents, or other forms of temporary holiday accommodation, shall be sited anywhere on the site.

Reason: To ensure that the development is carried out in accordance with approved details in accordance with Policies 2 and 3 of the South East Lincolnshire Local Plan (2011-2036).

- 3 The development hereby permitted, in particular the layout of the site including siting of the caravans; layout and arrangements of access roads; position and scale of SUDS features and position and extent of areas of planting; should be undertaken in substantial accordance with the illustrative plans submitted, plan reference P19-2767.007 Rev C – ‘Illustrative site layout’.

Reason: In the interests of visual amenity and to ensure that the approved scheme is implemented satisfactorily based on the details submitted with the application, in accordance with Policies 2 and 3 of the South East Lincolnshire Local Plan (2011-2036).

- 5 The development shall be implemented in substantial accordance with the phasing plan (dated 3rd July 2020) and supporting letter submitted on the 25th June 2020.

Reason: To ensure the development is in accordance with what has been applied for, in accordance with Policy 1 and 9 of the South East Lincolnshire Local Plan (2011-2036).

- 6 A maximum of 300 caravans are permitted only within the approved development area as denoted on plan reference P19-2767.015 – ‘Red Line Boundary Plan Western Area’. No caravans shall be sited outside of this area.

For the avoidance of doubt, no other similar structures / additions (e.g. camping pods), touring caravans, motor homes, tents, or other forms of temporary holiday accommodation, shall be sited anywhere on the site.

Reason: To ensure the development is in accordance with what has been applied for, in accordance with Policy 1 and 9 of the South East Lincolnshire Local Plan (2011-2036).

7. The caravans hereby permitted shall be occupied for holiday purposes only and shall not be occupied as a person's sole or main place of residence.

Reason: To ensure the development is in accordance with what has been applied for, that it is restricted to holiday use only and the accommodation is not used for permanent residential accommodation. This condition is imposed in accordance with Policy 1 and 9 of the South East Lincolnshire Local Plan (2011-2036).

8. The owners/operators of the site shall maintain an up-to-date register of the names of all occupiers of the accommodation on the site, length of stay (including details of arrival and departure dates) and of their main home addresses, and shall make this information available to the Local Planning Authority on request.

Reason: To ensure the development is in accordance with what has been applied for, that it is restricted to holiday use only and the accommodation is not used for permanent residential accommodation. This condition is imposed in accordance with Policy 1 and 9 of the South East Lincolnshire Local Plan (2011-2036).

9. Prior to siting of any caravans within any phase, details of the types of unit (including size, design and proposed materials for the caravan units) to be sited within that phase, shall be submitted to and approved in writing by the Local Planning Authority. Only those types of unit approved shall be sited within each phase.

Reason: In the interests of visual amenity and to ensure that the approved scheme is implemented satisfactorily, in accordance with Polies 2 and 3 of the South East Lincolnshire Local Plan (2011-2036).

10. With the exception of the works to be undertaken within phase 1, prior to the commencement of works within each phase a detailed scheme of landscaping for that phase shall be submitted to and approved in writing by the Local Planning Authority. This shall include details of both hard and soft landscape works (including new planting) and earthworks. The scheme as approved shall be completed in full not later than the end of the first planting season following the occupation of the final holiday unit in each phase.

Reason: In the interests of visual amenity and to ensure an effective landscaping scheme is delivered, including planting of trees, and to ensure that the approved scheme is implemented satisfactorily, in accordance with Polies 2 and 3 of the South East Lincolnshire Local Plan (2011-2036).

- 11 With the exception of the works to be undertaken within phase 1, prior to the commencement of works within each phase a detailed a landscape management plan for that phase shall be submitted to and approved in writing by the Local Planning Authority. The landscape management plan shall include long term design objectives, management responsibilities and maintenance schedules for all landscape areas and areas of new planting within that phase. Each phase of the site shall thereafter be managed in accordance with the management plan at all times.

Reason: In the interests of visual amenity and to ensure an effective landscaping scheme is delivered, including planting of trees, and to ensure that the approved scheme is implemented satisfactorily, in accordance with Polies 2 and 3 of the South East Lincolnshire Local Plan (2011-2036).

12. With the exception of the works to be undertaken within phase 1, prior to the commencement of works within each phase, a detailed schedule of landscape maintenance for that phase shall be submitted to and approved in writing by the Local Planning Authority. The schedule shall cover a period of not less than 5years from the first occupation of the last unit within each phase or the completion of the landscaping/planting within that phase whichever is the later. Landscape maintenance shall be undertaken in accordance with the agreed schedule for that phase only.

Reason: In the interests of visual amenity and to ensure an effective landscaping scheme is delivered, including planting of trees, and to ensure that the approved scheme is implemented satisfactorily, in accordance with Polies 2 and 3 of the South East Lincolnshire Local Plan (2011-2036).

13. Where the development or groundworks within any phase would require excavations exceeding a depth of 1m, no such works shall proceed unless there is presence of an archaeologist on site who shall observe the excavations and record items of interest and finds that may be encountered.
If during development within any phase, any features of archaeological interest are discovered, works shall cease and no further works shall proceed until such time as details of a written scheme of investigation and recording have been submitted to the Local Planning Authority. Thereafter work on that phase shall continue in accordance with the approved scheme of investigation and recording.

Reason: In the interest of protecting heritage assets and features of archaeological interest, in accordance with Policy 29 of the South East Lincolnshire Local Plan (2011-2036).

14. Prior to the installation of any lighting within each phase or within the sales area, details of the location and type of lighting to be installed, along with details of illumination levels, any shielding proposed, and timing of the illumination, shall be submitted to the Local Planning Authority for agreement in writing. Any lighting shall then only be installed in accordance with the agreed details.

Reason: To ensure an appropriate level of lighting is provided which is not detrimental to the amenity of the area in accordance with Policies 2 and 3 of the South East Lincolnshire Local Plan (2011-2036).

15. Prior to the occupation of the first caravan on site, a Framework Travel Plan shall be submitted and approved in writing by the Local Planning Authority. The Plan shall include measures to encourage sustainable travel to and from the site, including provision of information such as: pre-arrival information, location of local facilities and how to get to them by alternative means, routes for cycling & walking, provision of public transport information and timetables. The Travel Plan shall set out monitor able objectives for sustainable travel along with mechanisms for monitoring and review. The applicant shall implement and monitor the approved travel plan in accordance with the approved plan at all times when the accommodation hereby permitted is available for occupation.

Reason: To encourage sustainable development in accordance with Policy 1 of the South East Lincolnshire Local Plan (2011-2036) and the overarching principles of the NPPF.

16. Prior to the occupation of the first caravan on site, the boundary treatment as detailed on plan reference P19-2767.16, 'Boundary Treatment- Western Area Enlargement', shall be implemented. No more than 20 units shall be occupied until the boundary treatments have been completed in full. The approved boundary treatment shall be permanently retained and maintained thereafter.

Reason: In the interests of visual amenity and to ensure that the approved scheme is implemented satisfactorily, in accordance with Policies 2 and 3 of the South East Lincolnshire Local Plan (2011-2036).

17. The siting of caravans hereby permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment (FRA) December 2019/Version 1/ RM Associates and the following mitigation measures detailed within the FRA:

- Finished floor levels to be set no lower than 3m above Ordnance Datum (AOD)
- Flood resilience and resistance measures to be incorporated into the proposed development as stated

The mitigation measures shall be fully implemented prior to occupation of each unit and subsequently remain in place.

Reason: To reduce the risk of flooding to the proposed development and future occupants, and to comply with policy 4 of the South East Lincolnshire Local Plan (2011-2036).

18. Prior to the occupation of the first caravan on site, a flood warning and evacuation plan for the entire site shall be submitted to and approved in writing by the Local Planning Authority. The approved plan shall then be implemented from the occupation of the first caravan on site, and the site shall be operated in accordance with the agreed plan at all times.

Reason: To reduce the risk of flooding to the future occupants, and to comply with policy 4 of the South East Lincolnshire Local Plan (2011-2036).

19. With the exception of the works to be undertaken within phase 1, no development or works (including ground works and vegetation clearance) shall take place until a Construction Ecological Management Plan (CEMP) has been submitted to and been approved by the Local Planning Authority.

Guidance on the structure of the CEMP can be found in BS 42020:2013 Biodiversity Code of Practice for Planning and Development. The CEMP should accord with the National Planning Policy Framework 2019 (paragraphs 170, 174 & 175) and chapter 28 of the South East Lincolnshire Local Plan.

Suggested topics for inclusion into the CEMP should include but not be limited to:

- Scheme description
- Identification of areas/species of conservation interest
- Risk assessment of potentially damaging activities and identification of biodiversity
- protection zones/sensitive areas
- Habitats and species protection - practical measures to be adhered to avoid or minimise impacts during construction e.g. a series of method statements for badgers, bats, common reptiles, hedgehogs and birds etc.
- Incorporation of SuDS and Green Infrastructure
- Full details of how the recommendations in Section 5 of the Inspired Ecology report (March 2020) will be incorporated into the scheme, by what date, how they will be monitored, by whom, how often and for how long.
- The roles and responsibilities of an Ecological Clerk of Works (ECofW) to oversee the implementation of the CEMP and undertake required monitoring and maintenance.
- Responsible persons and lines of communication.
- Details on the submission of interim progress reports to the LPA as evidence of compliance, to report on success failure of mitigation and where necessary the need to amend the CEMP.
- Measures for management, monitoring and recording related to all actions undertaken as a result of the CEMP, for a period of not less than 5years from the completion of the works identified by the CEMP or the last unit to be occupied, whichever is the later.

The development of the site shall then only proceed in accordance with the agreed Construction Ecological Management Plan (CEMP).

Reason: In the interest of protected species, and to support ecological protection and biodiversity enhancement, in accordance with Policy 28 of the South East Lincolnshire Local Plan (2011-2036).

20. There will be no removal of vegetation within the breeding bird season (1 March and 31 August inclusive), unless a search for active nests has been made by an ecologist in advance. Any nests found with eggs or young will be identified and protected until the young have fledged.

Reason: In the interest of protected species in accordance with Policy 28 of the South East Lincolnshire Local Plan (2011-2036).

- 21 With the exception of the works to be undertaken within phase 1, prior to siting or occupation of any caravan within each phase, full details of a scheme of foul water drainage for that phase shall be submitted to and approved in writing by the Local Planning Authority. These details shall include connection points, discharge rates, and timetable for the provision of any required foul drainage infrastructure - which may include on and off-site works. All required works relating to that phase, shall then be delivered in accordance with the approved scheme.

Reason: To ensure that adequate foul drainage is provided, to ensure that there is sufficient infrastructure to mitigate the impacts of the development and prevent flooding and pollution as a result of the development, and to comply with policies 2, 4, and 30 of the South East Lincolnshire Local Plan (2011-2036).

22. With the exception of the works to be undertaken within phase 1, prior to siting or occupation of any caravan within each phase, full details of a scheme of surface water drainage for that phase shall be submitted to and approved in writing by the Local Planning Authority.

These details shall be based upon be based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, and shall include:

- 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;
- details of connection points, attenuation details and discharge rates (which shall be restricted to greenfield run off rate);
- details of the timetable provision of for the surface water drainage scheme; and
- 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.

All required works relating to that phase, shall then be delivered in accordance with the approved scheme.

Reason: To ensure that adequate surface water drainage is provided, to ensure that there is sufficient infrastructure to mitigate the impacts of the development and prevent flooding and pollution as a result of the development, and to comply with policies 2, 4, and 30 of the South East Lincolnshire Local Plan (2011-2036).

CONDITIONS RELATING TO OUTLINE PLANNING PERMISSION FOR: Development of a “Hub” Building(s) of up to 12,000sqm total floorspace containing an ancillary reception/activity centre/Spa (Use Class D2)/Retail Unit (up to 100sqm)/food and beverage (use classes A1, A4 and A5) and facilities management and ancillary works; and provision of a sales building and associated works.

23 No development shall commence until details of the access, layout, appearance, scale and landscaping of the development (hereafter referred to as the 'reserved matters') have been submitted and approved by the Local Planning Authority.
Reason: This is an outline application only and such details must be approved before development commences in order to comply with the objectives of Policies 2 and 3 of the South East Lincolnshire Local Plan (2011-2036).

24. Application for approval of reserved matters shall be made to the Local Planning Authority not later than the expiration of four years from the date of this permission.

Reason: Required to be imposed pursuant to Section 51 of the Planning and Compulsory Purchase Act 2004.

25. The development hereby permitted shall be begun before the expiration of two years from the date of approval of the last of the reserved matters to be approved.

Reason: Required to be imposed pursuant to Section 51 of the Planning and Compulsory Purchase Act 2004.

26. Submissions relating to the 'reserved matters' required under condition 23 above shall include the following arboricultural detail:
1. Tree Survey and Constraints details.
2. An Impact Assessment.
3. A Method Statement and/or Tree Protection Plan to BS5837:2012 Trees in relation to design demolition and construction - Recommendations methodology.

The details shall identify (not necessarily exclusively) the following:

- Identification of trees to be retained and those to be removed.
- Location and specification of protective tree measures in addition to appropriate ground protection measures within the Root Protection Areas of all retained trees within the site.
- Details of all Root Protection Area infringement during the construction and landscaping phases with details on how the impact will be minimised. This includes the location and specification of 'no dig' constructions (where applicable).
- Details of facilitation pruning.
- Location for access, material storage, site office, mixing of cement, welfare facilities etc.
- Specification of landscaping prescriptions (including fencing/walls and changes in soil level) within the Root Protection Area of retained trees.
- Details of signage to be erected within the tree protection areas

Reason: In the interests of visual amenity and in accordance with Policies 2 and 3 of the South East Lincolnshire Local Plan (2011-2036).

27. No swimming pool or pools greater than 20m in individual length shall be installed within or associated with the hub building(s) unless the prior written agreement of the Local Planning Authority has been obtained.

In the event that the Hub building(s) or the associated area, is to include the provision of a swimming pool over 20m in length then the reserved matters submission shall be accompanied by a strategic needs assessment which shall include an assessment of the impact of the pool and wider strategic need for pools of the size and type proposed, and demonstrate that the proposal would not negatively impact upon other strategic facilities.

Reason: To ensure that the development complies with the South East Lincolnshire Sports Provision and Open Space and strategic need and in accordance with Policy 32 of the South East Lincolnshire Local Plan (2011-2036).

28. Submissions relating to the 'reserved matters' required under condition 23 above shall include full details of an archaeological evaluation to determine the presence, character and date of any archaeological deposits present within the area proposed for the Hub building(s), and details of any mitigation measures required as part of the development. This evaluation should include details such as: a written scheme of investigation; details of geophysical survey and trial trenching and any associated results; and any necessary mitigation measures including but not limited to an archaeological watching brief.

Reason: In the interest of considering the impact upon and protecting heritage assets, in accordance with Policy 29 of the South East Lincolnshire Local Plan (2011-2036).

29. Submissions relating to the 'reserved matters' required under condition 23 above shall include a detailed design brief for the 'Hub' building(s) including:

- Design principles applied to the new building and full design details of the building(s) including external appearance
- Details of how the relationships with existing physical features, and surrounding developed forms including designated and non-designated heritage assets have influenced and shaped the design of the hub building
- Details of all external materials and finishes to be used on the building and surrounding hard landscaping and boundaries
- The layout siting and scale of the building(s) and uses to be contained therein
- Details relating to landscaping – including retention or replacement of existing trees as appropriate and any additional planting proposed
- Details of proposed lighting to serve the building and surrounding areas
- Any phasing of development

Reason: In the interests of visual amenity and the historic environment, in accordance with Policies 2, 3 and 29 of the South East Lincolnshire Local Plan (2011-2036).

30. Submissions relating to the 'reserved matters' required under condition 23 above shall include a noise assessment for the 'Hub' building(s) and details of the proposed hours of use/operation.

Reason: In the interest of residential amenity, in accordance with Policy 2 and 3 of the South East Lincolnshire Local Plan (2011-2036).

31. Submissions relating to the 'reserved matters' required under condition 23 above shall include a Construction Ecological Management Plan (CEMP).

Guidance on the structure of the CEMP can be found in BS 42020:2013 Biodiversity Code of Practice for Planning and Development. The CEMP should accord with the National Planning Policy Framework 2019 (paragraphs 170, 174 & 175) and chapter 28 of the South East Lincolnshire Local Plan.

Suggested topics for inclusion into the CEMP should include but not be limited to:

- Scheme description
- Identification of areas/species of conservation interest
- Risk assessment of potentially damaging activities and identification of biodiversity
 - protection zones/sensitive areas
- Habitats and species protection - practical measures to be adhered to avoid or minimise impacts during construction e.g. a series of method statements for badgers, bats, common reptiles, hedgehogs and birds etc.
- Incorporation of SuDS and Green Infrastructure
- Full details of how the recommendations in Section 5 of the Inspired Ecology report (March 2020) will be incorporated into the scheme, by what date, how they will be monitored, by whom, how often and for how long.
- The roles and responsibilities of an Ecological Clerk of Works (ECofW) to oversee the implementation of the CEMP and undertake required monitoring and maintenance.
- Responsible persons and lines of communication.
- Details on the submission of interim progress reports to the LPA as evidence of compliance, to report on success failure of mitigation and where necessary the need to amend the CEMP.
- Measures for management, monitoring and recording related to all actions undertaken as a result of the CEMP, for a period of not less than 5years from the completion of the works identified by the CEMP or the last unit to be occupied, whichever is the later.

Reason: In the interest of protected species in accordance with Policy 28 of the South East Lincolnshire Local Plan (2011-2036).

32. Submissions relating to the 'reserved matters' required under condition 23 above shall include details of the arrangements for the parking / turning / manoeuvring / loading / unloading of vehicles within the site. These approved arrangements shall be implemented before the 'Hub' building(s) are occupied and shall be kept permanently available for such use at all times thereafter.

Reason: To ensure the provision of satisfactory parking and turning in accordance with Policy 36 of the South East Lincolnshire Local Plan (2011-2036).

33. The 'Hub' building(s) hereby approved shall be restricted to a maximum of 12,000 sqm floorspace, and shall only comprise the following uses:

- Reception and associated facilities management / ancillary areas
- Activity centre/Spa (Use Class D2)

- Retail Unit – (Use Class A1) up to a maximum of 100sqm to be ancillary to the wider site
- Food and beverage facilities – (Use Classes A4 and A5) to be ancillary to the wider site

Reason: To ensure that the size and use of the building remains compatible with the surrounding area and in accordance with Policy 9 of the South East Lincolnshire Local Plan (2011-2036).

34. The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment (FRA) December 2019/Version 1/ RM Associates and the following mitigation measures detailed within the FRA:

- Finished floor levels to be set no lower than 3m above Ordnance Datum (AOD)
- Flood resilience and resistance measures to be incorporated into the proposed development as stated

The mitigation measures shall be fully implemented prior to first use of the development and subsequently remain in place.

Reason: To reduce the risk of flooding to the proposed development and future occupants, and to comply with policy 4 of the South East Lincolnshire Local Plan (2011-2036).

35. No building works to the 'Hub' building(s) shall be undertaken until full details of a scheme including phasing, for the provision of mains foul sewage infrastructure on and off site has been submitted to and approved in writing by the Local Planning Authority. The building(s) shall not be brought into use until the works have been carried out in accordance with the approved scheme.

Reason: To prevent flooding, pollution and detriment to public amenity through provision of suitable water infrastructure, and to comply with policies 2, 4 and 30 of the South East Lincolnshire Local Plan (2011-2036).

34. Submissions relating to the 'reserved matters' required under condition 23 above shall include a strategic/business plan for the retained golfing facilities which includes improvements to the golfing facilities, including upgrading of the driving range and practice facilities, and timing for the delivery of such improvements, as well as measures to attract membership, particularly within the local community.

Reason: To ensure that retention and enhancement of the existing leisure facilities in accordance with Policy 9 of the South East Lincolnshire Local Plan (2011-2036).

35. There will be no removal of vegetation within the breeding bird season (1 March and 31 August inclusive), unless a search for active nests has been made by an ecologist in advance. Any nests found with eggs or young will be identified and protected until the young have fledged.

Reason: In the interest of protected species in accordance with Policy 28 of the South East Lincolnshire Local Plan (2011-2036).

36. Submissions relating to the 'reserved matters' required under condition 23 above shall include details of renewable energy provisions, including the location and number of EV charging points to be provided, along with a timetable for the implementation/installation of such provisions.

Reason: To ensure the development meets the requirements in respect of climate change in accordance with Policy 31 of the South East Lincolnshire Local Plan (2011-2036).

Informatives

1. Notwithstanding the conditions imposed and the requirements of any other regulatory regimes, the Local Planning Authority advocate that the site is implemented and managed in with the site rules as set out in the 'Woodland Nature Resort – Overarching Management Principles' document dated 4th May 2020.

Informatives requested by Anglian Water:

2. Anglian Water has assets close to or crossing this site or there are assets subject to an adoption agreement. Therefore the site layout should take this into account and accommodate those assets within either prospectively adoptable highways or public open space. If this is not practicable then the sewers will need to be diverted at the developers cost under Section 185 of the Water Industry Act 1991. Or, in the case of apparatus under an adoption agreement, liaise with the owners of the apparatus. It should be noted that the diversion works should normally be completed before development can commence.
3. Notification of intention to connect to the public sewer under S106 of the Water Industry Act Approval and consent will be required by Anglian Water, under the Water Industry Act 1991. Contact Development Services Team 0345 606 6087.
4. A public sewer is shown on record plans within the land identified for the proposed development. It appears that development proposals will affect existing public sewers. It is recommended that the applicant contacts Anglian Water Development Services Team for further advice on this matter. Building over existing public sewers will not be permitted (without agreement) from Anglian Water.
5. No building will be permitted within the statutory easement width of 3 metres from the pipeline without agreement from Anglian Water. Please contact Development Services Team on 0345 606 6087.
6. The developer should note that the site drainage details submitted have not been approved for the purposes of adoption. If the developer wishes to have the sewers included in a sewer adoption agreement with Anglian Water (under Sections 104 of the Water Industry Act 1991), they should contact our Development Services Team on 0345 606 6087 at the earliest opportunity. Sewers intended for adoption should be designed and constructed in accordance with Sewers for Adoption guide for developers, as supplemented by Anglian Water's requirements.

7. It is highly recommend that you engage with Anglian Water at your earliest convenience to develop in consultation with us a feasible drainage strategy. If you have not done so already, we recommend that you submit a Pre-planning enquiry with our Pre-Development team. This can be completed online at <http://www.anglianwater.co.uk/developers/pre-development.aspx>

IT IS RECORDED THAT A COMFORT BREAK WAS TAKEN AT THIS POINT IN THE PROCEEDINGS.

COUNCILLOR PETER BEDFORD RETURNED TO COMMITTEE ON RECONVENTION OF THE MEETING.

6 PLANNING APPLICATION B 19 0473

PLANNING APPLICATION B 19 0473

Erection of a one and a half storey building comprising ground floor retail unit (use class A1) and a first floor 1-bed apartment, together with revised access and parking arrangements

Boston, 2, Eastwood Road, Fishtoft PE21 0PH

Mr Erhan Akyuz

The Growth Manager presented the report for the erection of a one and a half storey building. He advised members that the original application would have doubled the existing site and had included a significant extension to the existing shop; fewer parking spaces, a building to the rear and a flat to the upper level. The amended plan provided greater reduction in build along with increased parking.

Visual slides confirmed the layout of the proposed development alongside the existing buildings. The access and exit plan showed access only from Lindis Road with exit direct onto Eastwood Road, along with parking spaces providing entry and exit of the site in forward gear and a dedicated parking slot for delivery vehicles. The slides further identified the boundary of the site noting the loss of one dropped pavement on the corner alongside increased visibility at the corner following removal of a high hedge previously shielding drivers' vision when on the site.

Noting the additional commercial activity in close proximity to the site, the Growth Manager further advised that any concerns in respect of impact on the character of the site would be considered suitable, subject to the materials proposed and details in respect of boundary treatments and waste storage. Flood risk and air quality concerns identified would be addressed by recommended conditions.

Member debate followed the presentation which included the following matters which have been collated to incorporate repetition of comment and also to address questioning:

Strong concerns noted a number of highway issues including the number of parking spaces provided, against the number recommended, and a lack of any designated cycle store.

Whilst some members recognised that due to the location of site in a highly residential area, many customers would probably visit on foot, others advised that with the commercial offer in the area many users did travel via car due to a lack of local shops elsewhere.

Issues raised included concern in respect of entering via Lindis Road due to the slight bend of the road with cars coming from Freiston Road onto Eastwood Road, the level of existing traffic at the busy crossroads and the potential increase for both traffic and pedestrian accidents resulting from the additional business.

Members further agreed the call-in of the application by Fishtoft Parish Council with their concerns in respect of highway safety being echoed by the planning committee.

Referencing access and exiting of the site a member asked how practical it would be with cars swinging in from Lindis Road. Referencing the delivery vehicle space for a 7.5 tonne vehicle a member stated that many delivery vehicles were larger and would as such block the entrance. Such vehicles would potentially enter in forward gear and need to exit in reverse gear raising further safety concerns.

A member voiced concerns at a lack of signage both directing drivers through the one-way system onto the site along with a lack of clear kerbside signage for pedestrians. Concerns further noted that the increased number of vehicle movements could compromise the safety of the children from the many schools within the locality.

On suggesting that a device be installed at the exit to prevent vehicles entering over it, a number of members agreed that it was an option moving forward. However concerns were raised that should a driver ignore the sign and attempt to drive over the mechanism to enter from Eastwood Road, the result would be either a blockage to the site or an even greater increase in traffic congestion in the immediate area. Other comments included recognition that the application was compliant with the Local Plan in respect of new shops being in proximity to existing commercial businesses. The design was appropriate with dormer windows in the pitched roof along with velux windows elsewhere; the improved access and egress with a one-way system was significantly better than the existing system and the amended scheme much improved on the original scheme. A member referenced a similar planning application, refused on highways reasons contrary to highways having agreed the application, which had been lost at appeal.

In response to above queries the Growth Manager responded as follows:

Following a members question as to how a driver actually got into the parking spaces from the four-way junction, the Growth Manager reminded members historically there had been a business on the site for many years. During that time, access and exiting of the site had been from both Eastwood Road and Lindis Road, along with the dropped kerb on the corner. Cars had parked in front of the shop and alongside the existing hedgerow in both directions.

The proposed scheme had a dedicated entrance from Lindis Road with a one-way through the site, to a dedicated exit onto Eastwood Road. The parking spaces were over-sized to provide delineated spaces to allow drivers to access and exit in forward gear. Condition 4 within the report addressed issues in respect of clear signage to direct drivers in entering the site, parking and then exiting. For further reference, the Growth Manager pointed out on a visual plan the location of an established pedestrian crossing between existing businesses and the application site and the tactile pram route at the crossroads.

Condition 4 required provision of all details of signage prior to discharge of the condition and if the officers' were not satisfied then they would not approve. A balanced provision of signage was required, which needed to be clearly directionally to motorists and pedestrians but not a distraction in size or content for drivers.

Stating he was mindful of the comments and concerns raised in respect of highway safety the Growth Manager stressed that should a Member move refusal then they needed to very clearly, articulate their reasons to allow advice if the reasons could be defended at appeal. Highways had no objections to the application so clear evidence by members for a refusal would be required.

At this point in the proceedings' Councillor Brian Rush asked that it be recorded that he felt there could be danger to life in respect of the particular development. Councillor Rush further moved refusal but cited no reasons.

For confirmation, during debate Councillor Jonathon Noble had moved the motion as per officer recommendation. Councillor Alison Austin had subsequently seconded the motion.

The Growth Manager referenced the suggestion of a device to prevent vehicles accessing the site through the exit, stating that whilst he felt it would be reasonable and appropriate and achieve the aim of condition 4, the applicant could appeal it or come back with an alternative mechanism or procedure. Officers could consult with highways to seek their agreement to an amendment as part of the discharge the condition. However, should a vehicle ignore the signs and attempt to drive over the mechanism then congestion or worse could occur.

The Chairman interceded and asked if a delegation to the Growth Manager would be appropriate to avoid any need for the application to have to come back to committee on a technical point. The Growth Manager confirmed he would liaise with highways in respect of a device / mechanism or structure to control the one-way system, preventing access from Eastwood Road.

Councillor Jonathon Noble and Councillor Alison Austin respectively agreed the amendment to the original motion they had moved and seconded respectively.

At this point in the proceedings' Councillor Brian Rush asked for a point or order questioning why Councillor David Brown was on the planning committee and that the response be recorded within the minutes.

The clerk confirmed that a previous committee member Councillor Michael Cooper had changed his political stance rendering a vacant seat on the committee. The seat was allocated Conservative under political proportionality rules and Councillor David Brown had been returned to the committee under delegated powers ahead of the meeting.

It was moved by Councillor Jonathon Noble and seconded by Councillor Alison Austin, that the application be granted in line with officer recommendation, subject to the conditions, reasons and informatives therein and subject to the amendment to Condition 4 to delegate authority to the Growth Manager to liaise with highways in respect of a device / mechanism or structure to control the one-way system.

Vote: For. 10

Against: 2

Abstain:

RESOLVED: That the application be granted in line with officer recommendation, subject to the following conditions which include the amendment to condition 4, reasons and informatives:

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

Reason: Required to be imposed pursuant to Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in strict accordance with the revised application received 09-Apr-2020 and in accordance with the associated plans referenced:

- Drawing Number B/3355 3-001 – Proposed – Elevations and Plans (March 2020);
- Drawing Number: B/3355 3-002 – Proposed – Elevations in context/Section AA (March 2020)

Reason: To ensure the development is undertaken in accordance with the approved details, in the interest of residential amenity and to comply with Policies 2, 3, 4, 27, 30 and 36 of the South East Lincolnshire Local Plan 2011-2036.

3. The development hereby permitted shall not be occupied until details of all boundary treatments, including their height, design, colour and position, have been submitted to and approved in writing by the Local Planning Authority. The scheme as may be approved shall be constructed before the building hereby permitted is occupied or brought into use, and shall be retained thereafter.

Reason: In the interests of the visual amenities of the area and highway safety in accordance with Policy 2 of the South East Lincolnshire Local Plan 2011-2036

4. The development hereby permitted shall not be occupied until a plan showing signage and/or markings to delineate the proposed one-way in-and-out arrangements for the site, coupled with details of a device/mechanism/structure to control the aforementioned arrangements and prevent access from Eastwood Road, have been submitted to and approved in writing by the Local Planning Authority. The signage and/or markings, and the device/mechanism/structure, as may be approved, shall be implemented before the building hereby permitted is occupied or brought into use, and shall be retained thereafter.

Reason: In the interests of highway safety, in particular to ensure that the one-way in-and-out arrangements are provided and to prevent vehicles accessing the site from Eastwood Road in accordance with Policy 2 of the South East Lincolnshire Local Plan 2011-2036.

5. The development hereby permitted shall not be occupied until a plan showing 9no. parking spaces (labelled to reflect their allocation to the flats and shops) along with sufficient space to allow vehicles to be parked and turned to enable vehicles to enter and exit in forward gear, has been submitted to and agreed in writing by the Local Planning Authority. The parking spaces and turning area shall be provided in accordance with the agreed plan prior to the occupation or first use of any of the

units, and shall thereafter be retained and be made available for use by the occupants, staff and customers of the development at all times when those units are available for occupation.

Reason: In the interests of ensuring that sufficient parking is provided to meet the needs of the development, to ensure that those parking spaces are retained and are available and that there is sufficient space to enable vehicles to turn so that they may enter and leave the site in forward gear, and to comply with Policy 36 of the South East Lincolnshire Local Plan 2011-2036

6. No development shall take place until details of the materials proposed to be used in the construction of the external surfaces of the building have been 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 the new building is in keeping with the character of the area in accordance with Policies 2 and 3 of the South East Lincolnshire Local Plan 2011-2036.

7. The development permitted shall not be occupied until details of secure refuse storage facilities have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details before the building hereby permitted is occupied or brought into use, and shall be retained thereafter.

Reason: To ensure that the development is in keeping with the character of the area in accordance with Policies 2 and 3 of the South East Lincolnshire Local Plan 2011-2036.

8. Notwithstanding the details shown on the approved plans, prior to first use of the apartment hereby permitted, the dormer window shown on the east facing elevation of the building hereby approved shall be obscurely glazed to a minimum of level 3 on the Pilkington Scale (where 1 is the lowest and 5 the greatest level of obscurity) or equivalent scale, and shall be non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor level of the room in which the window is installed. The duly installed window shall be retained as such thereafter.

Reason: To ensure that appropriate measures are put in place to limit the potential for overlooking between the development and adjacent properties in order to preserve the privacy of adjoining occupiers in accordance with the requirements of Policies 2 and 3 of the South East Lincolnshire Local Plan (2011-2036).

9. Notwithstanding the provisions of Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015, or any equivalent Order following the revocation and re-enactment thereof (with or without modification), no windows other than those expressly authorised by this permission shall be inserted in any of the sides of the building hereby approved.

Reason: To limit the potential for overlooking towards neighbouring dwellings in order to safeguard the privacy of adjoining occupiers in accordance with the requirements of Policies 2 and 3 of the South East Lincolnshire Local Plan (2011-2036).

10. The residential unit hereby permitted shall not be occupied until details of an opaque screen of not less than 1.8m in height from the finished floor level of the landing at the top of the external staircase, shall be submitted to and agreed in writing by the Local Planning Authority. The screen shall run the full width of the southern edge of the landing. The residential unit shall not be occupied until the screen has been constructed in full accordance with the agreed details. The screen shall thereafter be retained at all times when the residential unit is available for use.

Reason: In the interests of the mitigation of any effects on the amenities of the first-floor flat at 2 Eastwood Road, by virtue of overlooking and noise/disturbance, and to comply with Policies 2 and 3 of the South East Lincolnshire Local Plan 2011-2036.

11. The shop premises shall be occupied only by uses within class A1 of the Town and Country Planning (Use Classes) Order 1987 and for no other purpose, including any permitted change of use within the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting either or both of the Orders with or without modification).

Reason: To protect neighbours' amenities and the amenity of the area, and to accord with Policies 2, 3 and 30 of the South East Lincolnshire Local Plan 2011-2036.

12. The shop premises shall not be open to the public outside the hours of 07.00 to 22.00 on any day, and no deliveries to (or despatches from) the premises shall take place outside of the aforementioned hours.

Reason: In the interests of regulating noise and disturbance, to protect the amenity of the area, and to accord with Policies 2, 3 and 30 of the South East Lincolnshire Local Plan 2011-2036

13. The development permitted by this planning permission shall be carried out in accordance with the Flood Risk Assessment (FRA) prepared by Dowlman Architecture, dated August 2019 and the following mitigation measures detailed within the FRA: the FFL to be set at 225mm above ground level; residential accommodation to first floor level only; and flood resilience and resistance measures to be incorporated as stated in the FRA. The mitigation measures shall be fully implemented prior to occupation and subsequently remain in place.

Reason: To reduce the risk of flooding to the proposed development and future occupants, and to accord with the requirements of Policy 4 of the South East Lincolnshire Local Plan 2011-2036.

14. The water consumption of the dwelling hereby permitted should not exceed the requirement of 110 litres per person per day (as set out as the optional requirement in Part G of the Building Regulations 2010 and the South East Lincolnshire Local Plan 2011-2036). The person carrying out the work must inform the Building Control Body that this duty applies. A notice confirming the requirement for the water consumption has been met shall be submitted to the Building Control Body and Local Planning Authority, no later than five days after the completion of the dwelling.

Reason: To protect the quality and quantity of water resources available to the district. This condition is imposed in accordance with Policy 31 of the South East Lincolnshire Local Plan (2011-2036).

Informatives

1. The permitted development requires the formation of a new/amended vehicular access. These works will require approval from the Highway Authority in accordance with Section 184 of the Highways Act. The works should be constructed in accordance with the Authority's specification that is current at the time of construction. Relocation of existing apparatus, underground services or street furniture will be the responsibility of the applicant, prior to application. For approval and specification details, please contact vehiclecrossings@lincolnshire.gov.uk.
2. Please contact the Lincolnshire County Council Streetworks and Permitting Team on 01522 782072 to discuss any proposed statutory utility connections and any other works which will be required within the public highway in association with the development permitted under this Consent. This will enable Lincolnshire County Council to assist in the coordination and timings of these works.

7 ADDITIONAL INFORMATION - WRITTEN SUBMISSIONS

▪

It is recorded that written public representation was received from members of the public in lieu of attendance at the planning committee meeting and taken into consideration by all members of the committee in respect of Planning Application B 19 0520 a summary of which is below:

Additional letters of objection:

Robert Doughty Consultancy had tabled 3 additional letters of objections on behalf of objectors. The letters are very similar in main content, but also raised issues specific to each objector. The letters raised issues in relation to:

- Traffic and Highway matters
- Flood Risk
- Permanent Residential use
- Sustainability
- Residential Amenity
- Impact on neighbouring uses – boundary treatments & impact on farming operations
- Land drainage

Officer comments in relation to the additional objections:

Traffic/Highway matters -

The LCC Highway Officer who commented on the application was asked to respond to the highway/traffic comments contained in the further objection(s) received. In summary, they have advised:

- The TA uses the most relevant information available in TRICS for estimating trip rates to a caravan park. The TRICS data is the best available data.
- Whilst Mr Doughty's letter says that the chosen sites are not comparable, he does not say what he considers the appropriate trip rates should be nor does he provide any evidence to support his assertions regarding the traffic movements.
- The trip rate report had been re-run in TRICS using data from the last 20 years and the results show lower trip rates than those used in the TA.
- The trip rate associated with permanent occupancy would be likely to be much higher than holiday accommodation. However, this use was not being applied for under this application and planning enforcement will presumably be able to ensure the site is only occupied as holiday accommodation.

It was considered that the response supported the conclusions of the report, and Officers had no further comments to make.

Flood Risk –

It was accepted that the language in the report was incorrect. The sentence to be corrected as follows:

“FRA includes reference to the need for a Sequential and Exceptions Test, these are covered by other documents provided with the application.”

It was accepted that only a limited exercise has been undertaken in relation to both the Sequential and Exceptions Tests within the documents submitted with the application.

Officers have considered the proposals in light of the requirements of policy 4, including the principles pertaining to Sequential and Exceptions tests. The proposals are to support an existing leisure site, and this matter was covered under paragraphs 7.8 and 7.65 of the published report. Officers raised no objections to the approach taken within the application submission. Officers remained of the view that the proposals were acceptable in that regard and the conclusions of the section on Flood Risk remained unchanged.

Permanent Residential Development

This was addressed in detail within the report. The proposals were for holiday accommodation as described and would be conditioned as such. Any breaches of the conditions identified would be investigated by Planning Enforcement should they occur.

It must also be remembered that there were currently facilities on site, including a bar/restaurant, and driving range, all of which could be accessed by people using the caravans, hence the ‘hub’ would supplement these facilities. It should also be remembered that there was currently a hotel on site, and also there were other examples of holiday accommodation within the immediate locality, therefore the broad principle of holiday accommodation in this area had been previously accepted.

Sustainability and economic benefit

It was considered that it had been sufficiently dealt with in the main report. The Councils' Economic Development Manager has reviewed the application and supported the proposals. It was considered that the report was informed by a sound methodology and no independent testing was required. In the event the figures quoted were not achieved in full, there would still be a significant positive economic effect. It was considered that both points were matters of planning judgement for the decision-maker.

Residential Amenity

It was considered that this was sufficiently dealt with in the main report, and no further comments were required.

Impact on neighbouring uses – boundary treatments & impact on farming operations

Officers were of the view that the details presented were acceptable, the reference to 'rabbit proof fencing' and 'stock fencing' were common terms, and it would be possible to erect a boundary up to 2m in height without the need for planning permission, therefore further details were not necessary. Further, this must be considered in the context of the existing boundaries, which were established and comprised of significant vegetation that already presented a clear visual and physical barrier. The proposals were to supplement the existing arrangements.

Officers consider it is unlikely that users of the site would be encouraged to transgress on to neighbouring land. In any event, any level of transgression would be unlikely to be so significant that it could not be managed by the site operator and neighbouring landowner in order to ensure that it did not become a problem to the adjacent operations.

Land Drainage

It was considered that this matter has been sufficiently dealt with, the approach to drainage was considered appropriate to the statutory consultees, and would also be dealt with by way of conditions proposed. It was considered that there were existing drainage arrangements serving the golf course, and there was ample space within the site to ensure that drainage and surface water in particular were dealt with in a sustainable way. Equally, the use of SUDs features for other activities and benefits is a recognised approach

Additional letter of comment:

An email has been received from a Mr M Nundy that identified he was a member of the management committee at Hubberts Bridge Community Centre. It provided comments in relation to the main foul drainage arrangements across the land belonging to the community centre. They advised that the arrangements had not been agreed, and they had a number of concerns and questions which would need to be addressed, before they could consider agreeing to their intention. They understood the intentions of the applicants and that a request may be made, but they were not aware of any reason whereby they would not require our permission to proceed as they intend.

Officer response

The revised drainage proposals showed foul drainage being connected to the mains sewer system, this had been discussed with Anglian Water.

In this case, the Council had been informed by Anglian Water that subject to a feasible drainage strategy being developed and agreed by them, along with details of connection points, locations, and agreements being in place for any necessary infrastructure, they had no objections.

The development would need the agreement of Anglian Water to connect to the public network and this would be managed under the Water Industry Act 1991. Any private agreements regarding the ability to connect to the drainage system would be outside of the planning decision, and would fall to the statutory undertaker (Anglian Water) and could involve civil agreements between parties.

Officers had no further comments to add, and the conclusions and recommended conditions remained unchanged.

Additional correspondence on behalf of the Applicant:

The applicant's agent tabled two letters on the applicant's behalf. The first addressed the content of the Report to the Planning Committee, and the second sought to respond to the comments provided by objections received post publication of the report.

Officer response

The letter in response to the content of the Report sought to reinforce the findings of that report, and in particular the lack of objection from technical consultees. Officers noted that:

- The letter referenced the economic effects of Covid-19, and how the proposals could support economic recovery and job creation.
- The letter reinforced the policy compliant nature of the scheme, and that the proposals accorded with the aims of the NPPF, and that proposals which accorded with an up-to-date development plan should be approved without delay.

Officers have no further comment to make on this letter.

The second letter sought to respond directly to the additional letters of objection received post publication of the report. The letter highlighted the following points:

- Further detail was given in respect of the Sequential and Exceptions Tests approach for this development, with due regard to the nature of the proposals and the characteristics of flooding in Boston. It concluded that a sequentially preferable location for the development was unlikely.
- The Agent disagreed with the assertions made in respect of the economic case, indicating that owner-occupied caravans could have higher levels of occupancy, and therefore it did not follow that average spend from the units would be lower. They also indicated domestic

tourism growth was likely to occur as a result of Covid-19 and the scheme would enable Boston to capture some of this growth.

- The owners remained committed to delivering the site as a holiday destination, with proposals for the hub likely to come forward for Reserved Matters within a period of 3months from any grant of approval for the outline.
- The site would be a managed environment and holidaymakers would be encouraged to follow the site rules, and thus any matters relating to trespass could be appropriately managed, as could any issues of noise or disturbance.

Officers have no further comment to make on this letter.

The Chairman closed the meeting thanking all attendees for their time and noting the success of the Zoom system used to facilitate the first virtual planning committee meeting.

The Meeting ended at 1.40 pm