

Present:

Chairman: Councillor David Brown  
Vice-Chairman: Councillor Sue Ransome

Councillors: Alison Austin, Peter Bedford, Colin Brotherton,  
Michael Cooper, James Edwards, Jonathan Noble,  
Stephen Raven, Brian Rush, Claire Rylott, Yvonne Stevens  
and Stephen Woodliffe

Officers: Corporate Director and Monitoring Officer, Interim  
Development Control Manager, Senior Planning Officer,  
Senior Planning Officer and Democratic Services Officer

**128 APOLOGIES**

Apologies were tabled by Councillor Paul Skinner with Councillor Colin Brotherton substituting.

**129 MINUTES**

With the agreement of the committee the Chairman signed the minutes of the last planning committee meeting held on the 6 February 2018.

**130 DECLARATION OF INTERESTS**

The clerk confirmed that standing declarations of interest would be recorded for Councillor Alison Austin as a member of Lincolnshire County Council; in respect of Councillors David Brown, Michael Cooper, Sue Ransome and Claire Rylott as members of the South East Lincolnshire Local Plan and in respect of Councillors Michael Cooper and Claire Rylott as representatives of Internal Drainage Boards.

The clerk further advised that a lobbying form had been tabled with the Council by Councillor Yvonne Stevens in respect of planning application B 17 0397.

**131 PUBLIC QUESTIONS**

No public questions were tabled.

**132 PLANNING APPLICATION B 17 0534**

**Erection of 9 no. industrial units, construction of new vehicular access, and associated parking areas**

**Reed Point, Spalding Road, Sutterton, Boston, PE20 2EP**

**Mr Richard King, Fossitt and Thorne 2003 Pension Scheme**

The Senior Planning Officer presented the report to the committee advising one updated to the report tabled. Referencing members to the consultation section of the report the officer advised that the Council's Economic Development Manager had responded confirming his support of the application which members were reminded needed to be taken into consideration as a material consideration.

Representation was received in objection to the application by Mr Knight which included:

Referencing the bend in the road close to the site the objector stated that the area was outside of the village envelope and drivers did not comply with speed limits. Residents close to the site would suffer with light and noise pollution. There was no main drainage at Reed Point so it would mean a septic tank. Further areas of objection noted that alternative sites within the village, including the area behind the units on Spalding Road, were available and he commented that it would be preferable to keep all the industrial units together in one place. Concluding the objector questioned how a change of use of the site had been secured as he stated the site had always been arable and pasture land and stated that vehicle movements would increase significantly to the site by employees and visitors to the businesses.

Representation was received by the applicant's agent Mr Evans which included:

The site was in a sustainable location surrounded by existing industrial activity located close to the A17 giving direct links to wider regions. Referencing the Transport Statement he noted that it stated whilst most movements would come from the A17, the site was in easy walking distance and cycling distance of the village of Sutterton.

The surrounding area contained many other commercial developments with the Anglian Water Pumping Station at the rear and across the road the tyre recycling centre and wood yard.

Planning permission had already granted for a large flour processing plant. Further commercial properties were sited just across the A17.

The need for the development in Reed Point had been demonstrated by agents from the East Midlands who reported a lack of industrial stock and light industrial stock in the area would impede growth in the area. Local agents Pygott and Crone confirmed that light industrial units were in demand in the location and was supported by the applicants who had received many informal enquiries from prospective users of the development.

Landscaping proposals would enhance the ecology of the site including planting wildflowers and native trees. The development would transform a piece of wasteland into a species rich habitat which compliant with policy G2 with sensitive design of the buildings and a carefully landscaped setting.

It was moved by Councillor Jonathan Edwards and seconded by Councillor Michael Cooper that the application be refused in line with officer recommendation for the reasons therein:

Vote: In Favour: 8. Against: 5. Abstentions: 0.

**RESOLVED:** That the committee refuse the application in line with officer recommendation for the following recommendations:

- 1 The application site lies within countryside, over 250m away from the built up part of Sutterton village. Insufficient evidence has been submitted which clearly demonstrates why this form of development cannot be located within a sustainable location, ie either within or next to a settlement in accordance with Local Plan policies CO1 and ED 6. Neither has a sequential assessment been made on the availability of other industrial land within the surrounding villages which could accommodate the proposed 9 industrial units. It is considered therefore that the economic benefits of this development would be outweighed by the substantial adverse environmental impact the development would have on the amenity and character of the countryside. The development therefore will contravene Local Plan policies G1, C01 and ED6 and the sustainable objectives of the NPPF.
- 2 It is considered that the proposed pedestrian links from the site to the village of Sutterton would be unsatisfactory given the distance involved and that the majority of the footpath link to the village would be unlit. Future employees of the industrial units and its visitors would be less likely to walk to the site and would be more likely reliant on the motor vehicle to access the site. The proposal would not be sustainable in environmental or social terms. Collectively, the proposed development would not fully enable the three dimensions of sustainable development to be jointly and simultaneously achieved. The development therefore will contravene Local Plan policies G1, C01 and ED6 and the sustainable objectives of the NPPF.
- 3 The proposed development will be out of character with the sporadic nature and the pattern of development in the area. It would lead to the consolidation of development along both sides of Spalding Road and would introduce an urbanising and alien form of development which would have a materially harmful effect on the nature, character and appearance of the area. This development will not be sustainable development and would conflict with Local Plan policies G1 and C01 which collectively seeks, amongst other things to ensure that new development does not substantially harm the general character of an area.

### **133 PLANNING APPLICATION B 17 0397**

#### **Demolition of existing property and outbuildings and erection of 5 dwellings with associated works**

**16 York Street, Boston, Lincolnshire, PE21 6JN**

**Mr & Mrs C Adcock**

The Senior Planning Officer presented the report and confirmed committee that two letters of support had been received since issuing of the agenda: one from no. 17 York Street and one from no. 20 York Street.

Representation was received in objection to the application by Mr Anstey which included:

Thanking Mr Taylor for his assistance during liaison in respect of the development Mr Anstey confirmed he was speaking on behalf of his friends affected by the development and not on behalf of himself. He stated that there had been a number of amendments to the plan with 3 variations of the theme of the development. The main concern noted was an increase in noise and the possible erection of a Berlin Wall style wall which would be totally objectionable to the neighbours and create an eyesore for all parties.

Stressing he did not wish to inhibit the future development of housing in Boston, Mr Anstey confirmed that should the development have two bungalows as opposed to two storey houses it would make a difference.

Objections had further been identified in respect of the loss of light to the kitchen and stair case. Committee were asked to recognise that the 5 new buildings could result in 10 families living on the site resulting in additional cars; litter bins and increased noise from outdoor activity from both children and adults.

Representation was received by the applicants agent Mr Wickes which included:

Members were advised it had been a difficult design in order to overcome all the potential amenity issues. He confirmed Mr Taylor and his own staff had worked hard to create a solution to fully overcome the issues. The development would bring 5 low cost dwellings where needed right into the centre of Boston.

All amenities were within walking distance and members were asked to agree there would be no question of the site not being sustainable. The final design also ensured no overshadowing of neighbouring gardens. The roofs had been lowered creating semi dormers making these lower than the adjacent houses and it had also overcome flood risk issues. The traditional street scene frontage along York Street had been retained and each property provided 2 car parking spaces. The turning space allowed for leaving of the site in a forward gear and members were advised that the two rear dwellings would be sited 25 metres away from no. 18,

It was moved by Councillor Brian Rush and seconded by Councillor Stephen Raven that the application be deferred to enable an official planning committee site visit to take place:

Vote: In Favour: 4. Against: 9. Abstentions: 0.

**Resolved:** The motion fell.

It was moved by Councillor Peter Bedford and seconded by Councillor James Edwards that the application be granted in line with officer recommendation and subject to the conditions and reasons therein:

Vote: In Favour: 5. Against: 6. Abstentions: 2.

**Resolved:** The motion fell.

It was moved by Councillor Jonathan Noble and seconded by Councillor Michael Cooper that the application be refused contrary to officer recommendation as it contravened Adopted Plan Policies H2, H3 and G1.

Vote: In Favour: 7. Against: 4. Abstentions: 2.

**Resolved:** That the committee refuse the planning application contrary to officer recommendation for the following reasons:

1. The siting of the dwellings at the rear of the plot will appear out of character with the pattern of development in the immediate area that is predominantly road frontage properties. The proposed development would therefore undermine the amenity and character of the area and be contrary to the objectives of Adopted Plan Policies H2, H3 and G1.

2. The proposed frontage properties, by virtue of their size and design, would introduce dwellings that would appear incongruous within the streetscene to the detriment of the character and appearance of the area. The proposed dwellings would therefore be contrary to the objectives of Adopted Plan Policies H2, H3 and G1.
3. The introduction of the proposed dwellings, both in respect of properties along the highway frontage and at the rear of the plot, will lead to regular vehicle and pedestrian movements that are likely to cause substantial harm to neighbour's amenity by way of noise and disturbance. Furthermore, neighbour's amenity will be further affected by way of loss of light due to the poor relationship between the frontage dwellings and no.18 York Street. The proposal would therefore be contrary to the objectives of Adopted Plan Policies H2, H3 and G1.

### **134 PLANNING APPLICATION B 17 0443**

**Outline application for the erection of 45 no. dwellings, including access an layout with appearance, landscaping and scale reserved for later approval**

**Land off Tooley Lane, Wrangle, Boston, PE22 9BL**

**Mr W Edwards**

*It is recorded at this point in the proceedings that Councillor Brian Rush declared he was conflicted with the application as a member of his family resided within the area of the site. He advised he would take no part in the deliberation or determination of the application.*

The Senior Planning Officer presented the report and advised that a further 5 additional letters of objection had been received following issue of the agenda, all from neighbours who had already made representation. Their main objections were concern on the impact on third party flooding; errors and mistakes and false assumptions made in both the submitted flood risk report and the protected species report and that the Section 106. Should have triggers requiring contributions to be made at 50% of the development to ensure they are delivered as opposed to them being made on the last dwelling. Objections also questioned the validity of Parish Councils consideration of the application.

Representation was received by the applicant which included:

Committee were advised that the family had historical roots within the local area and had farmed in Wrangle for many generations. They were very pro-active in supporting village life in a variety of ways including representation on the Parish Council; committee youth club and board of governors and also in supporting the Wrangle show. Furthermore the family had been active in assisting in clearing local roads of snow during recent severe weather conditions.

When they had been approached with a view to securing land for development, they had as a family discussed and agreed the field would be suitable and had commissioned Neil Dowlman Architecture to proceed with the application with a design in keeping with a village scene.

It had been agreed to only apply for the dwelling density as within the white paper and also to apply for a higher percentage of low cost housing at 20%. As a local employer whose employees lived in Boston, Mr Edwards stated he had recognised the need for affordable housing in the villages. The site was within easy walking and cycling distance of the village facilities.

It was moved by Councillor Jonathan Noble and seconded by Councillor Yvonne Stevens that the application be granted in line with officer recommendation and subject to the provisos, conditions and reasons therein and that an additional condition limiting the number of dwellings on the site to 45.

Vote: In Favour: 12. Against: 0. Abstentions: 0.

**RESOLVED: That the committee grant the application in line with officer recommendation and subject to the following proviso's, conditions and reasons:**

- Any permission is not released until the applicants have entered into a section 106 planning obligation with the Council requiring the provision of 10 affordable units and contributions of £120,375 towards education and £19,980 towards health.
  - Authority is delegated to the Development Control Manager to approve this application upon satisfactory completion of the planning obligation.
- 1 No development shall commence until details of the appearance, landscaping and scale of the development (hereafter referred to as the 'reserved matters') have been submitted to 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 Local Plan policies G1 and H3 and required to be imposed pursuant to Section 92 of the Town and Country Planning Act 1990.
  - 2 Application for approval of reserved matters shall be made to the Local Planning Authority not later than the expiration of three years from the date of this permission.  
**Reason:** Required to be imposed pursuant to Section 92 of the Town and Country Planning Act 1990.
  - 3 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 92 of the Town and Country Planning Act 1990.
  - 4 Before each dwelling is occupied the roads and/or footways providing access to that dwelling, for the whole of its frontage, from an existing public highway, shall be constructed to a specification to enable them to be adopted as Highways Maintainable at the Public Expense, less the carriageway and footway surface courses.

The carriageway and footway surface courses shall be completed within three months from the date upon which the erection is commenced of the penultimate dwelling.

**Reason:** To ensure safe access to the site and each dwelling/building in the interests of residential amenity, convenience and safety and to accord with the Local Plan policy G6.

- 5 No dwellings shall be commenced before the first 60 metres of estate road from its junction with the public highway, including visibility splays, has been completed.

**Reason:** In the interests of safety of the users of the public highway and the safety of the users of the site and to enable calling vehicles to wait clear of the carriageway of Tooley Lane and to accord with the objectives of Local Plan policy G6.

- 6 Before any dwelling is commenced, all of that part of the estate road and associated footways that forms the junction with the main road and which will be constructed within the limits of the existing highway, shall be laid out and constructed to finished surface levels in accordance with details to be submitted and approved by the local planning authority.

**Reason:** In the interests of safety of the users of the public highway and the safety of the users of the site and to accord with the objectives of Local Plan policy G6.

- 7 No development shall take place until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development has been submitted to and approved in writing by the Local Planning Authority. The scheme shall:

- a) Provide details of how run-off will be safely conveyed and attenuated during storms up to and including the 1 in 100 year critical storm event, with an allowance for climate change, from all hard surfaced areas within the development into the existing local drainage infrastructure and watercourse system without exceeding the run-off rate for the undeveloped site;
- b) Provide attenuation details and discharge rates which, unless agreed otherwise with the surface water receiving body, shall be restricted to 1.4 litres per second per hectare;
- c) Provide details of the timetable for and any phasing of implementation for the drainage scheme;
- d) Provide details of how the scheme shall be maintained and managed over the lifetime of the development, including any arrangements for adoption by any public body or Statutory Undertaker and any other arrangements required to secure the operation of the drainage system throughout its lifetime.

The development shall be carried out in accordance with the approved drainage scheme and no dwelling shall be occupied until the approved scheme has been completed or provided on the site in accordance with the approved phasing. The approved scheme shall be retained and maintained in full in accordance with the approved details.

**Reason:** To ensure residents of the permitted development, neighbouring land and neighbouring properties are not adversely affected, by reason of flooding, by the construction of the permitted development and to accord with the objectives of Local Plan policy G3.

- 8 The development hereby approved shall be carried out in accordance with the approved Flood Risk Assessment by George Shuttleworth Ltd Consulting Engineers dated October 2017. In particular, the finished floor levels of the dwellings shall be no lower than 2.80m AOD.
- Reason:** To reduce the risk of flooding to the proposed development and future occupants and to accord with the objectives of Local Plan policies G1, G3 and H3.
- 9 No development shall commence until a foul water strategy has been submitted to and approved in writing by the Local Planning Authority. No dwellings shall be occupied until the works have been carried out in accordance with the foul water strategy.
- Reason:** To prevent environmental and amenity problems arising from flooding and to accord with the objectives of Local Plan policies G3.
- 10 With regard to the access and layout, the development hereby permitted shall be carried out in accordance with the following approved plans:
- Location plan scale 1: 1250 (1/8)
  - Proposed site access plan ref B/3154-101 (4/8)
  - Proposed site layout plan ref B/3154-203 rev A (6a/8)
- Reason:** To ensure the development is undertaken in accordance with the approved details and to accord with Adopted Local Plan Policy G1.
- 11 The proposed areas of equipped public open space as shown on plan Proposed site layout plan ref B/3154-203 rev A (6a/8) shall be laid out in a manner to be submitted to and agreed in writing by the Local Planning Authority and shall be made available for use in accordance with timescales which shall be submitted to and agreed in writing with the Local Planning Authority before occupation of any dwelling.
- Reason:** To provide a satisfactory level of publicly available amenity open space within the development and to accord with Adopted Local Plan Policy H4.
- 12 A landscape management plan including management responsibilities and maintenance schedules of the public open space and play equipment shall be submitted to the Local Planning Authority before the occupation of any dwelling. The management plan shall be carried out as approved.
- Reason:** To ensure the long term maintenance of the public open space in the interests of the amenity of residents and to accord with the objectives of Local Plan policy H4.
- 13 No development shall commence above slab level until details of measures to enhance the biodiversity of the site as a consequence of the development, together with a timescale for implementation have been submitted to and approved by the local planning authority. The works thereafter shall proceed in accordance with the approved details.
- Reasons:** In the interests of realising a biodiversity enhancement of the site in view of its significant size in accordance with the NPPF.



- 14 Prior to the commencement of the development hereby permitted, a Construction Management Plan shall be submitted to the local planning authority for approval. The Construction Management Plan will prescribe how the construction of the site will be phased, where site accommodation and welfare facilities will be placed, hours of working, where site vehicles and the vehicles of site personnel will be parked and where materials will be delivered and stored within the site. Construction of the permitted development shall be undertaken in accordance with the approved Construction Management Plan.

**Reason:** In the interests of the safety and free passage of the public and to accord with the objectives of Local Plan policies G1 and G6. This is a pre-commencement condition due to the fact that the management of plant, site equipment etc needs to be agreed prior to the commencement of any development to ensure that neighbour's amenity and safety are respected.

- 15 Before occupation of any dwellings hereby approved, the private drives shall be provided with lighting in accordance with details, including the maintenance of the lighting, to be submitted to and approved in writing by the Local Planning Authority.

**Reason:** In the interests of crime prevention and the safety and amenity of residents. This condition accords with the objectives of Local Plan policies G1 and H3.

- 16 Prior the commencement of development details of the means to prevent flooding onto neighbouring land which may result from raised land levels shall be submitted to and approved in writing by the local planning authority. These details shall also include:

- The finished land levels including sections showing garden areas, driveways and private roads measured at Ordnance Datum
- Proposed surface water drainage system including future maintenance to prevent third party flooding
- Method of boundary treatment to avoid any overlooking that may arise from raised land levels.

These approved details shall be carried out in accordance within agreed timescales.

**Reason:** This is a pre-commencement condition in order to prevent third party flooding and protect residential amenity and to accord with the objectives of Local Plan policies G1 and G3.

- 17 No more than 45 dwellings shall be built on this site.

**Reason:** To define this permission, in order to retain the character of the area, to maintain the amenity of the neighbouring and in the interests of highway safety. This condition accords with the objectives of Local Plan policies G1 and H3.

**135 PLANNING APPLICATION B 17 0447**

**Erection of a two storey dwelling, incorporating a shop/office (for the management of the holiday lodges and fishing lake), a detached outbuilding (to house vehicles and grounds maintenance equipment and a small workshop) and a detached bio-mass boiler room**

**Land off Cowbroads Lane, Old Leake Commonside, Boston, PE22 9QZ**

**Mr & Mrs Paul Wilkinson, Wilkin Property (Boston) Ltd**

The Senior Planning Officer presented the report and confirmed that no updates to the report had been tabled following issue of the agenda.

Committee were asked to note that within section 5 of the report, 13 letters of support for the application had been received.

Representation was received by the applicant that included:

Members were advised that when purchased initially the site had been a dumping ground on which now the applicant had constructed four fishing lodges and landscaped the 16 acre site. Furthermore, the family had also planted 3500 trees on the site and erected over 100 bird boxes. Since opening a year ago the site now attracted visitors from all over the world.

The build would be totally unique with the house being eco-friendly using a timber construction and red cedar cladding. It would also be very energy efficient and totally sustainable via use of a bio-mass boiler / log burners and solar panels.

Currently the family lived 7 miles from the site which was not practical and caused concern for security.

It also proved problematic at check in times when guests arrived early or later than scheduled. It was also difficult to maintain the site as there was no garaging to keep equipment in and no security on the site.

Concluding the applicant stated he had been overwhelmed with the support of his neighbours. He noted he understood the concerns of the Parish Council but stressed the solar panels would be hidden, and in line with their suggestion, he confirmed that if the application should be successful, he would purchase more mature trees to plant alongside the house to compliment it.

It was moved by Councillor Jonathan Noble and seconded by Councillor Michael Cooper that the application be granted in line with officer recommendation and subject to the conditions and reasons therein.

Vote: In Favour: 13. Against: 0. Abstentions: 0.

**RESOLVED:** That the committee grant the application in line with officer recommendation and subject to the following reasons and conditions:

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

**Reason:** Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.

2. The development hereby permitted shall be carried out in accordance with the supplication forms, the supporting planning statement and the following approved plans;

- Ref: 03 Rev C 'Site Plan' (3A/11)
- Ref: 04 Rev C 'Block Plan' (4A/11)
- Ref: 05 Rev B 'Ground Floor Plan' (5A/11)
- Ref: 06 Rev A 'First Floor Plan' (6/11)
- Ref: 07 Rev A 'West and South Elevations' (7/11)
- Ref: 08 Rev A 'East and North Elevations' (8/11)
- Ref: 09 Rev A 'Section Detail' (9/11)
- Ref: 12 'Garage Plan' (10A/11)
- Ref: 11 'Bio-Mass Boiler House' (11/11)
- Ref: 'water colour visuals'

**Reason:** To ensure the development is undertaken in accordance with the approved details and to accord with Adopted Local Plan Policy G1.

3. The development shall be carried out in accordance with the approved Flood Risk Assessment (FRA) by RM Associates, October 2017 Version 1, including the following mitigation measures detailed within the FRA:

- Ground floor living accommodation to have finished floor levels no lower than 2.25m AOD (1.0m above existing ground level)
- Flood resistance and resilience construction as described
- All external doorways to be fitted with Stormguard flood doors or approved equivalent

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

**Reason:** To reduce the risk and impact of flooding to the development and future occupants.

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that order with or without modification), other than the works approved by this consent;

- No external alterations or extensions shall be carried out to the dwelling;
- No additional garages or outbuildings (other than those hereby approved) shall be erected within the curtilage of the dwelling;
- No gates, walls, fence or other structures (other than those hereby approved) shall be erected; and,
- No new windows or dormer windows (other than those hereby approved) shall be added to the dwelling, without the express permission of the Local Planning Authority

**Reason:** In order to protect the architectural design of the building in accordance with the National Planning Policy Framework (2012).

5. Any gates to the vehicular access shall be set back a minimum of 4.5 metres from the nearside edge of the carriageway and shall not open over the highway.  
**Reason:** To enable calling vehicles to wait clear of the carriageway in the interests of safety and to accord with Adopted Plan Policy G6.
  
6. Before development commences on site further details relating to the vehicular access to the public highway, including materials, specification of works and construction method shall be submitted to the Local Planning Authority for approval. The approved details shall be implemented on site before the development is first brought into use and thereafter retained at all times.  
**Reason:** In the interests of safety of the users of the public highway and the safety of the users of the site and to accord with Adopted Plan Policy G6.

*It is recorded that Councillor Brian Rush left the meeting at this part in the proceedings.*

## **136 DELEGATED DECISION LIST**

The Development Manager referred committee to pages 88 and 89 of the report and confirmed that the three items referencing Viking Link were not delegated decisions, but had been decided by committee.

No further comments were made and committee noted the delegated decision list for the period 22-01-18 to 16.02.18.

The Meeting ended at 12.40 pm