

WEST LINDSEY DISTRICT COUNCIL

MINUTES of a Meeting of the Development Management Committee held in the Council Chamber at the Guildhall, Gainsborough, on Wednesday 2 May 2012 at 6.30 pm.

Present: Councillor Chris Underwood-Frost (In the Chair)
Councillor Stuart Curtis

Councillor Owen Bierley
Councillor Alan Caine
Councillor David Cotton
Councillor Richy Doran
Councillor Malcolm Leaning
Councillor Jessie Milne
Councillor Roger Patterson
Councillor Judy Rainsforth
Councillor Jeff Summers

In Attendance:

Suzanne Fysh	Planning, Development and Regeneration Services Manager
Simon Sharp	Development Management Team Leader
George Backovic	Senior Area Development Officer
Kirsty Catlow	Senior Area Development Officer
Dinah Lilley	Governance and Civic Officer

Apologies: Councillor Ian Fleetwood

Membership: Councillor Jeff Summers substituting for Councillor Ian Fleetwood

Also Present: Councillor Chris Darcel
25 members of the public

92 PUBLIC PARTICIPATION

There was no public participation at the meeting, however the Development Management Team Leader updated the Committee on previous public participation.

A letter had been sent in response to Mr and Mrs Jordan who spoke at the previous meeting, which the Development Management Team Leader read out in full.

“Thank you for your e-mail providing further information relating to your question posed during the public participation period of the meeting of West Lindsey’s Development Management Committee on 4th April.

In response to your questions, I can confirm that the Council does not have an adopted Tourism Strategy and nor is there an equivalent strategy for Lincolnshire. However, both national and regional policy, contained within the Good Practice Guide on Planning for Tourism (2007) and the East Midlands Regional Plan (2009) respectively, both recognise the importance of tourism to rural economies in the East Midlands. For example, the Good Practice Guide notes that tourism contributed £74 billion to the nation’s Gross Domestic Product and employs 2.2 million people with most being employed in small and medium sized enterprises (such as Wold View Fisheries). The Guide also notes that, in 2003, tourism was responsible for 20% of new jobs in East Midlands and that revenue generated by tourism can help to support and enhance local services and facilities such as shops and pubs and aid diversification within the rural economy. Tourism is therefore a key element of the sustainable economic growth of the district, such growth being a key national, regional and Council objective

The Regional Plan is part of the development plan for West Lindsey and therefore at the forefront of the decision making process for planning applications, whilst the Good Practice Guide is an important material consideration.

It is accepted that both of these documents advise of the need for data to inform local policy and decision making and it is accepted that, without such an evidence base, it would be inappropriate to support development of tourist accommodation within the district..

There is not a specific target number of units of holiday accommodation explicitly referenced in any document prepared by or on behalf of the Council. However, we do retain data provided by Global Tourism Solutions UK Ltd. using the STEAM (Scarborough/Scottish Tourism Economic Activity Monitor) model, the latest information dating from 2010. This provides data on revenue and the use of accommodation within the district. A report prepared by Arkenford Ltd. was also commissioned by Lincolnshire Tourism in 2009 which provides invaluable data on trends in the demand for tourist accommodation in Lincolnshire. These documents are both considered to be material considerations that shape our assessment as to whether proposals are in the right location and of the right scale and character. The Arkenford report specifically researched the demographic split of people visiting the County, what attributes they associate with the County, its strengths and weaknesses and types of holiday and activities that interest them. In this context, locations such as Wold View Fisheries provide a viable proposition that responds to different interests, being close to the Wolds and the Viking Way as well as offering specific on-site recreational opportunities.

It is acknowledged that each proposal is considered on its own merits and there are always a number of site specific considerations that need to be taken into account. These include visual impact and the need to preserve

particularly sensitive landscapes such as the Lincolnshire Wolds Area for Outstanding Beauty. The design number of units, their siting and the existing landscaping or ability to landscape the site (enforced through planning conditions) are all factors which influence officer recommendations. The Council also considers the cumulative impact of proposals in terms of visual impact, traffic generation and impact on residential amenity as we have a detailed record of each development within the district.

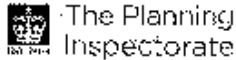
In the case of Wold View fisheries, it was the officer's opinion that the number of units needed to be limited and the siting confined to a particular area of the site for the proposal to be acceptable.

The case of Wold's Retreat is materially different to the more recent decisions; the original permissions for this site dates back a number of years and there have been policy changes at national, regional and local level since these determinations. The current application for permanent occupancy has yet to be determined but will be considered by our Development Management Committee.

I hope I have responded to your queries, but please do not hesitate to contact me if you wish to discuss the matter further.

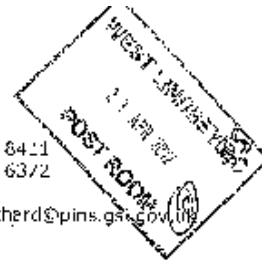
Finally, I can confirm that it is my intention to read out this response to Committee members at the next available Development Management Committee meeting. “

A letter from the Planning Inspector had also been received regarding the submission of dvd evidence by Hemswell Parish Council.



4/06 Kite Wing
Temple Quay House
2 The Square
Bristol
BS1 6PN

Direct Line: 0117 372 6411
Customer Services: 0117 372 6372
e-mail: chris.pritchard@pins.gov.uk



Mr S Sharp
Development Management
Team Leader
West Lindsey District Council
Cullchall
Marsha's Yard
Gainsborough
Lincolnshire DN21 2NA

Your Ref: 126619
Our Ref: APP/N2535/D/11/2148879
Date: 20 April 2012

Dear Mr Sharp

APPEAL MRS J BARKER – SITE AT 10 WELDON ROAD, HEMSWELL, GAINSBOROUGH, DN21 5UG

Thank you for your letter of 23 February. Please accept my apologies for the delay in responding.

I am sorry to read of the continued concerns expressed by the members of your Development Management Committee. I have reviewed the correspondence and I would firstly say that my previous letter did not state that electronic evidence cannot be accepted. Indeed, our published appeal Procedural Guidance is clear that the electronic submission of appeal material is encouraged. Furthermore, The Household Appeals Service is operated purely as an expedited electronic service for household appeals which proceed on the basis of written representations. The Procedural Guidance document can be viewed at the following link:

http://www.planningportal.gov.uk/uploads/pins/procedural_guidance_planning_appeals.pdf

My previous response specifically related to the submission of evidence in the form of DVD. For the reasons explained, DVD evidence is not accepted for appeals which proceed by way of the written representations procedure, not least that we do not regard this type of evidence as written representations. However, DVD evidence can be accepted at appeals which follow the Hearing and Inquiry procedure at the discretion of the Inspector.

With regard to your request that we review our procedures, I have forwarded this correspondence on to colleagues in our Procedure Policy Unit, who are responsible for guidance on the handling of appeal correspondence.

Yours sincerely

Chris Pritchard
Quality Assurance

<http://www.planningportal.gov.uk/planning/development/>



93 MINUTES

Meeting of the Development Management Committee held on 4 April 2012.

RESOLVED that the Minutes of the meeting of the Development Management Committee held on 4 April 2012 be confirmed and signed as a correct record.

94 MEMBERS' DECLARATIONS OF INTEREST

All Members of the Committee declared a personal interest in Item 3 as the applicant was a West Lindsey District Councillor.

Councillor Alan Caine also declared a personal interest in Item 1 as he knew the applicant, and that he was a Town Councillor and had been at meetings at which the item had been discussed, but had not taken part. Councillor Caine also declared personal interests in Item 2 as he knew the applicant, and Item 4 as he knew the objector.

95 UPDATE ON GOVERNMENT CHANGES TO PLANNING POLICY

The Development Management Team Leader referred to the newly emerged Gypsy and Traveller Sites Policy which had been released shortly after the National Planning Policy Framework, which should be read in conjunction. Particular reference was made to Policy H, and the Development Management Team Leader would answer any questions as they arose. It would be ascertained that all Members had received a copy of the Policy.

96 PLANNING APPLICATIONS FOR DETERMINATION (DM.28 11/12)

RESOLVED that the applications detailed in report DM.28 11/12 be dealt with as follows:-

Item 1 - 127804 – Caistor

Planning application for change of use of land to touring caravan park with 40 touring pitches, 20 tent pitches, storage for 62 touring caravans, a reed bed drainage system and associated facilities – including an amenity building containing shower and toilet facilities, reception area and small shop, laundry room and café-lounge with commercial kitchen. 115 Brigg Road Caistor.

The Senior Development Management Officer updated the Committee on late representations which had been received. Additional comments had been received from Dr McKinlay at 117 Brigg Road, noting that he had not requested removal of the fence, merely reduction to the height. The owner of Caistor Fisheries had questioned the viability of the proposal, however this was not considered to be relevant to the consideration of the proposal.

The Committee had previously requested amendments to the plans, in that the nearest caravan plot be moved and that extra landscaping be incorporated. Conditions 3, 8, 9, 11, 14, 15, 16 and 17 all referred to the original plans and would need to be updated to reflect the most recent drawing which was Master Plan 4K

Mr Manning, the applicant, spoke to the Committee, noting that he had addressed all the concerns that had been raised by objectors and aimed to work closely with the community, market the business and facilitate tourism in Caistor.

Councillor Alan Caine, spoke as Ward Member for the application. Councillor Caine noted that the application had been on a long journey, thanked officers for their hard work on this application, and congratulated the applicant on his patience. Councillor Caine then listed each of the concerns that had been raised by objectors, all of which had been addressed by the applicant, and therefore moved the recommendation.

Other members of the Committee agreed that as the application had been before them three times and the applicant had addressed all concerns raised by objectors there could be no justifiable reason to refuse the permission.

It was then voted upon and **AGREED** that Planning Permission be granted subject to conditions.

Item 2 – 128151 - Fenton

Planning application for the construction of three rural business units - Use Class B1-B8. Grices Yard, Lincoln Road, Fenton, Lincoln

The Senior Development Management Officer updated the Committee on three additional letters of objection received since the publication of the report. A number of issues were raised, all of which had been addressed within the report.

Officers accepted that the buildings did not reflect the character of the area, however this could be mitigated to a certain extent by the imposition of conditions relating to construction materials, landscaping and no outdoor storage. The NFFP which was a material consideration in the determination of the application placed great weight on economic development and job creation. In this instance it was the view of Officers that the weight attached to such economic development outweighed the temporary harm to the visual amenities which would diminish over time as the landscape screening became established.

Mrs T Coulson spoke on behalf of the applicant and described how the company had worked with officers and amended the scheme to mitigate any concerns. This was a local business which had to diversify in order to survive, operations already took place on the brownfield site and there was an extant planning permission in place. It was pointed out that there was no settlement

boundary to the village and the site was immediately adjacent the edge and part of the settlement. There would be no loss of agricultural land or open countryside. Old buildings existed on the site and best use of the area was sought, in accordance with the NPPF and the ethos of the West Lindsey entrepreneurial council.

Mr G Newton, acting as spokesperson for nearby residents, claimed that the revised application addressed none of the concerns raised by the 43 people who had signed a petition. The Localism Act gave powers to communities and individuals to be involved in development but there had been no consultation with residents. Concerns were raised regarding the raised floor level which would in turn raise the height of the roof. The development was not sustainable in terms of NPPF, particularly paragraph 58 'Safe from Crime', and brought no benefits to the village. An autistic child lived nearby and there were fears that the construction and increased traffic could exacerbate the child's condition.

Members of the Committee discussed the application referring to the extant planning permission, and the fact that the site was already light industry. The application was merely to change the buildings, so no justification could be seen for refusal. It was felt that an appeal against a refusal would likely be successful and that would mean the Council losing control of conditions. Clarification was sought on landscaping, B8 storage, colour of materials and lighting. It was agreed that a lighting condition be added to the permission.

The recommendation was then moved, seconded and voted upon, and it was **AGREED** that the decision to grant planning permission subject to the conditions detailed in the report, along with the additional condition regarding lighting, be delegated to the Planning and Development Services Manager upon the expiration of the statutory publicity period subject to no representations being received raising issues not covered in the report.

Additional Condition 12

No lighting shall be erected within the site until a scheme detailing the type, position, angle and illumination of the lights has been submitted to and approved in writing by the Local Planning Authority. No lighting other than that approved by this condition shall be erected within the site.

Reason; To minimise light pollution and potential glare in order to safeguard the amenity of nearby residents and to protect the character of the open countryside, in accordance with Policy STRAT 1 of the West Lindsey Local Plan First Review June 2006.

Item 3 – 128363 - South Kelsey

Planning application for change of use from storage yard to site for 8no. log cabins, proposed convenience shop and an increase in the number of touring caravans on site from 30 to 56. Watermill Farm Leisure Park, Station Road, Moortown, Market Rasen.

Note Councillor Jeff Summers declared a personal interest in the application as he knew the applicant.

The Senior Development Management Officer updated the Committee on additional representations which had been received. Some of the issues raised included speeding concerns, antisocial behaviour and the impact on the electricity supply, none of which were matters under the control of the West Lindsey District Council Planning department.

The Ward member, Councillor Strange had requested refusal of the application on the grounds that the area was becoming overrun with caravan sites and he also asked if previous conditions had been complied with.

Clarification was given that there were no outstanding enforcement cases at that time. One cabin had been removed from the application, planting and screening was proposed to assist with privacy, and the log cabins were to have just one small window at the rear to prevent overlooking.

County Highways had raised no objections, and any sewage or flooding issues were covered by conditions in conjunction with work with the Environment Agency. The Senior Development Management Officer noted that there were several references in the report to eight log cabins, this should be amended to read seven.

Members discussed the application and the proposed conditions, agreeing that the site needed to be cleared up, and that its rurality would be its attraction, particularly with log cabins.

One representation had referred to the presence of lizards, none had been found on the site, however there was a requirement for a protected species survey to be carried out by condition 8

On being moved, seconded and voted upon it was **AGREED** that the decision to grant planning permission subject to the conditions detailed in the report be delegated to the Planning and Development Services Manager upon the expiration of the statutory publicity period subject to no representations being received raising issues not covered in the report.

Item 4 – 128134 - Rand

Planning application for removal of existing agricultural shed and replace with new proposed agricultural shed. Manor Park Farm Rand Market Rasen.

The Senior Development Management Officer updated the Committee by informing them that there was an error in the measurements quoted in the report, as the height of the building was to be 7.16 metres not 6.6 metres as stated.

The application was for a replacement agricultural building and had been amended following objections received.

Mr R Costall, a local resident, spoke against the application, stating that the proposal was not best practice and not all local concerns had been addressed. There would be a large scale impact on the rural character of the village. Other buildings along the road line were either set back further or were well screened so were not visible. It was requested that if the application were to be approved that negotiation take place on the siting and design.

Note Councillor Cotton declared a personal interest at this point as he knew the objector.

Councillor Darcel spoke as Ward member for the application, pointing out that Rand was a particularly desirable residence and although there was a large business park it was well set back and screened. Other farm buildings were well designed but the proposed structure was not in keeping with the village.

Prior to any discussion amongst the Committee Members, it was moved that a site visit would be useful to see the potential impact of the proposals.

On being seconded and voted upon, it was **AGREED** that a site visit take place on a date to be agreed, and that the application be deferred pending that visit.

97 WIND FARM AND WIND TURBINE APPLICATIONS – PUBLIC SPEAKING AT DEVELOPMENT MANAGEMENT COMMITTEES (DM.29 11/12)

The Development Management Team Leader reminded the Committee of a report which had been considered on 21 September 2011 regarding the publicity procedures for wind turbine applications. Since approval of that report representations had been received regarding the allocated speaking time at committee meetings considering such applications.

The report sought to extend the length of speaking time at certain meetings considering wind turbine applications. At regular Development Management Committee meetings the time allocation was five minutes each for supporters, objector and parish councils. It was proposed that this be extended to 15 minutes at meetings convened solely for the purpose of considering turbine applications, at a venue close to the site of the application.

Members agreed with the proposal in principle, but discussion ensued on procedures for other contentious applications such as traveller sites or a nuclear power station. Officers noted that there was always the facility for changes to be made to procedures at the Chairman's discretion, as was the case at the special meeting held on 4 August 2010.

Several large applications were in the process of being dealt with by the Planning Inspectorate rather than local authorities. The report was seeking to

provide some clarity and certainty for the public for those instances when the local authority had to consider a large application.

Members then asked if there ought to be a facility for a 'right of reply' in some cases, and it was suggested that a further report be submitted which dealt with procedures at special meetings in terms of venues, speakers, trigger points etc.

RESOLVED that the report be deferred for further details to be included.

97 APPEALS

No appeal decisions had been received for inclusion with the agenda, however Members had been circulated a letter received from the Planning Inspectorate on the application to the rear of William Street / High Street, Saxilby.

The meeting concluded at 8.27 pm

Chairman