

WEST LINDSEY DISTRICT COUNCIL

MINUTES of a Meeting of the Development Management Committee held in the Council Chamber at the Guildhall, Gainsborough, on Wednesday 4 April 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 Ian Fleetwood
Councillor Jessie Milne
Councillor Roger Patterson
Councillor Judy Rainsforth
Councillor Ray Sellars

In Attendance:

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

Apologies: Councillor Malcolm Leaning
Gerry Phillips (Standards Committee)

Membership: Councillor Ray Sellars substituting for Councillor
Malcolm Leaning

Also Present: 53 members of the public
Councillor Lewis Strange
Councillor Tom Regis

85 PUBLIC PARTICPATION

Mrs Jordan raised the matter of the number of planning applications for holiday accommodation. There was currently a total of 80 places and over 100 had been agreed. Mrs Jordan sought assurance that consultation took place with the planning department on the suitability of such sites and that the possibility of permanent occupancy was monitored.

The Development Management Team Leader responded to Mrs Jordan by stating that he would reply in detail in due course, but in the meantime he confirmed that the Council had a full record of all applications granted and the conditions applied. The West Lindsey Local Plan first review Strategy for Holiday Accommodation was not one of the saved policies, however National advice subsequently came into effect along with the Best Practice Guide for Tourism, which was used as guidance.

86 MINUTES

Meeting of the Development Management Committee held on 7 March 2012.

RESOLVED that the Minutes of the meeting of the Development Management Committee held on 7 March 2012 be confirmed and signed as a correct record.

87 MEMBERS' DECLARATIONS OF INTEREST

Councillor David Cotton declared a personal interest in Item 1 as he knew the land owner and also that he was the church minister for the parish.

Councillors Underwood-Frost, Curtis, Bierley, Cotton, Doran, Fleetwood, Milne, Patterson, Rainsforth and Sellars declared a personal interest in Item 6, as knowing the applicant as this was Councillor Caine.

Councillor Alan Caine declared a personal interest in Item 3 as he was the Chairman of the of the Lincolnshire Wolds Management Committee. Councillor Caine also declared a prejudicial interest in Item 5 as he knew the applicant well, and in Item 6 as he was the applicant.

88 UPDATE ON GOVERNMENT CHANGES TO PLANNING POLICY

The Development Management Team Leader informed the Committee that the new National Planning Policy Framework (NPPF) had been released on 27 March 2012 and its policies came into immediate effect.

It replaced planning policy statements (PPSs) and planning policy guidance notes as well as technical guidance related to the PPSs, a raft of letters to Chief Planners from DCLG and two circulars.

He stated that the officer introduction to each item on this agenda would include a brief assessment and advice to members as to the implications of the publication of the NPPF.

However, in summary, he advised that the introduction of the NPPF did not affect the law that applications for planning permission must be determined in accordance with the development plan unless material considerations

indicated otherwise. He reminded members that, the development plan remains the East Midlands Regional Plan 2009 and the saved policies of the West Lindsey Local Plan First Review 2006.

He also advised members that the NPPF explicitly states in Annex 1 (para 214) that “for 12 months from the day of publication (of the NPPF), decision-takers may continue to give full weight to relevant policies adopted since 2004 even if there is a limited degree of conflict with this Framework.”

He continued by advising that the NPPF is a material consideration when determining applications and it advised that:-

- There is a presumption in favour of sustainable development
- Development proposals that accord with the development plan should be approved without delay.
- Where the development plan is absent, silent or relevant policies are out of date, permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework or specific policies in the Framework indicate development should be restricted.

Sustainability is defined as having three threads

- Economic – Contributing to building a strong, responsive and competitive economy.
- Social – Supporting, strong, vibrant and healthy communities.
- Environmental – by contributing to protecting and enhancing the natural built and historic environment.

In summary, he concluded that it was his opinion that there was no need to defer the applications as a result of the introduction of the NPPF as officers would be able to provide detailed advice on the implications of the NPPF for each application considered. The National Planning Policy Framework carried forward the principles of supporting sustainable economic growth in PPS4, protecting designated and non-designated heritage assets (PPS5), directing development of areas more vulnerable to flooding to areas at lower risk (PPS25), good design (PPS1), maintaining a deliverable supply of housing (PPS3), albeit five years plus 5% and not just five years, and protection for town centre vitality and viability (PPS4).

One specific inclusion in the NPPF was the objective of “Promoting healthy communities.” which he advised would be referred to in paper A item 5 – St. Mary’s Lane, Claxby.”

The Council would be holding a training session for all elected Members on 24 May 2012, which would include further details on the NPPF. Meanwhile there were no changes to any of the recommendations on the applications put before the Committee on this agenda.

89 PLANNING APPLICATIONS FOR DETERMINATION (DM.25 11/12)

RESOLVED that the applications detailed in report DM.25 11/12 be dealt with as follows:-

Item 1 - 127585 - Newton on Trent

Planning application for construction of water treatment works, pumping station and open reservoir. Land to south of Newton on Trent

The Development Management Team Leader updated the Committee on the impact of the National Planning Policy Framework (NPPF) on this application. He advised that, with regard to policy advice on heritage assets formerly covered by PPS5, paragraph 133 of the NPPF states

“Where a proposed development will lead to substantial harm or total loss of significance of a designated heritage asset, LPAs should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss.”

With regard to biodiversity, he advised that with the superseding of PPS9, advice was now found in NPPF para 109 which stated that the planning system should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes, geological conservation interests and soils, recognising the wider benefits of ecosystem services, minimising impacts on biodiversity and providing net gains in biodiversity where possible, preventing both new and existing development from contributing to or being put an unacceptable risk from, or being adversely affected by unacceptable levels of soil, air, water or noise pollution.

He continued by advising that para 118 states that LPAs should seek to conserve and enhance biodiversity and, if significant harm resulting from a development could not be avoided through locating on an alternative site with less harmful impacts, adequately mitigated, or as a last resort compensated for, then permission should be refused.

Finally with regard to flood risk matters, the policy contained within PPS25 had been replaced by the NPPF and para 100 stated that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk, but where development is necessary, making it safe without increasing flood risk elsewhere.

The Development Management Team Leader concluded by advising that the material considerations and weight afforded to them are not considered to

have significantly altered as a result of the publication of the NPPF in this instance, although the need for the development to provide potable water for planned sustainable growth in and around Lincoln should be afforded significant weight. He also advised that any references to PPSs in the assessment, conditions and reason for granting should be replaced by references to the NPPF (2012).

With regard to other matters, the Development Management Team Leader advised members that a representation had been received since preparation of the officer's report, highlighting the introduction of NPPF, with explicit reference to protection and enhancement of valued landscapes, geological interests and soils (para 109). The representation considered that the officer's report did not discuss the issue of the impact of the scheme on geodiversity and geological interest.

In response to this representation, the Development Management Team Leader advised that NPPF considerations had already been outlined in his introduction. It was also accepted that the proposal would impact on a site of geological interest, but not significantly so and the benefits of the scheme and benefits of the location proposed as outlined in the officer's report assessment outweighed this impact. The cliff edge itself to the south was directly unaffected.

The representation also cited the impact of the metalled access road to pumping station and that the landscaping could be more tailored to local biodiversity than specified due to specific nature of grasses being lost. The Development Management Team Leader considered that these issues had been covered in the report.

Messrs Steve Swan and Paul Vallely of Anglian Water addressed the Committee, emphasising that the proposal was essential to cater for the increasing population, if the application was not approved the area would be subject to a shortage of water by 2015. The current drought increased the importance of this. The application had been deferred twice to allow for alternatives to be considered on the source of the water and also the location of the pumping station in terms of landscaping. Further information had been submitted by Anglian Water to address the proposed alternatives, and every attempt had been made to work with the community and to mitigate any impact on the area.

The Committee agreed that the application had been amended and improved to meet residents' concerns and that the benefits of the pumping station outweighed the negative impacts on the area.

The Chairman thanked Anglian Water for working closely with the Council to try to address concerns of residents.

It was then **AGREED** that the decision to grant planning permission subject to conditions be delegated to the Planning and Development Services Manager upon the expiration of the current publicity period subject to no new issues

being raised which were not addressed in the report and the reasons for granting and the conditions to be amended to delete references to Planning Policy Statements (PPS) and Planning Policy Guidance (PPG) and replaced with references to the National Planning Policy Framework.

Note Councillor Milne wished it to be recorded that she had voted against the recommendation.

Item 2 - 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 meeting on the application.

Amended plans had been submitted, and subsequently had to go through the statutory consultation period, it was therefore proposed that the recommendation be changed to delegate approval to the Planning and Development Services Manager upon the expiration of the current publicity period subject to no new issues being raised which were not addressed in the report. The proposed conditions and reasons for granting should also refer to the NPPF and not PPS and PPG.

Two late representations had been submitted. The owner of the adjacent property had noted that his previous concerns had not been resolved, and that the revised layout did not change the proximity of the site to his property and this was not acceptable. The consultants had reiterated their previous submission. Reference was made to the new National Planning Policy Framework and specifically para 64. Concerns had also been expressed regarding a willow tree, which had been addressed by a Tree Preservation Order (TPO), other trees on the site did not meet the TPO criteria.

The officer then gave the update in relation to the NPPF. He advised members that PPS4 had been superseded by a section of the NPPF and para 19 of this framework advised that significant weight should be afforded to sustainable economic growth. PPS7 had also been superseded and the Senior Development Management officer quoted paragraph 28 of the NPPF in full, advising members that it was relevant to the application. He commented that he considered it provided slightly more support than PPS7. Finally, he advised members that the sequential approach to minimising flood risk formerly contained within PPS25 had been carried forward to the NPPF. He concluded that the material considerations had not changed significantly.

The applicant, Mr Manning, then addressed the Committee, stating that his estimates were based upon a 50% occupancy of the accommodation. The shop on site would not detract from the amenities in Caistor, the intention was

to use local contractors and there would be employment opportunities. Mr Manning had worked to address the concerns of residents and also wished to live on site and enjoy a tranquil setting in the same way as other residents in the area.

Mr Handford of the Brigg Road Residents' Group spoke on the application, and thanked the Committee for undertaking the site visit to see the proposal for themselves. The amended plans would not alter the impact on the area. It was not felt that there was any evidence of demand for the site and research had been undertaken with the Caravan Club and Tourism agencies. Other sites in the area were rarely full. A principle of "build it and they will come" was not appropriate, the area should remain as residential, not leisure. This was an example of Big Society and citizens taking charge, the Town Council and the Residents' Group were all against the proposals, this was Localism in action.

Dr McKinlay then elaborated on his previous submission, the proposed changes did not alter the impact, and the site would still be detrimental to his property. The proposed 2.4m fence would not help to mitigate the impact but would have an overbearing effect. Paragraph 64 of the NPPF indicated that the proposal should be refused on grounds of poor design. There had been many letters of objection but none of support. The application of a TPO indicates that the land is of landscape value, but allowing a caravan park would contradict this.

Members agreed the site visit had been useful to assess the area. It was acknowledged that noise could be an issue in the open countryside, however also noted that there were commercial properties to either side of the site. Concerns were expressed regarding the potential overshadowing effect of the 2.4m fence and the benefits it could provide.

The Senior Development Management Officer affirmed that, if Members chose to request further details and clarify the conditions, the application could be deferred further. Questions were asked about the number of pitches that had been removed on the amended proposals and it was felt that trees or shrubbery could provide more effective screening. Assurance was also sought that there would be boundary enclosure around the whole site.

It was moved and seconded that the deferral may be appropriate in order to clarify further details and conditions, and on being voted upon it was **AGREED** to defer the application to allow negotiations and the submission of amended plans for the north eastern corner of the site to be submitted to the Council and considered at a subsequent meeting of the Development Management Committee.

Item 3 - 127898 – Bardney

Planning application for the erection of a single wind turbine on existing poultry farm - 49.9m to the hub and 79.6m to the blade tip. Bardney Poultry Farm Gautby Road Bardney.

The Senior Development Management Officer informed the Committee of the Planning Policy Statement documents that were superseded by the NPPF, principally paragraph 93 regarding the delivery of renewables which she quoted to Members and paragraph 98, which she advised Members did not require an applicant to demonstrate need. It also advised that local planning authorities should grant permission for such proposals where the impact could be mitigated.

The Senior Development Management Officer informed the Committee that a response had also been received from English Heritage on the impact on the heritage assets. The representation advised that the application had not included an appropriate assessment of the impact of the proposal on heritage assets, specifically three Scheduled Monuments. The representation acknowledged that it was common for turbines to be time limited.

A representation had been received from Councillor Lewis Strange, as Chairman of the Lincolnshire Wolds Joint Advisory Committee.

“As you are aware this development is not far from the Wolds, and whilst I understand the need for sustainable energy fully, may I say that I fully agree with East Lindsey’s assessment and objections.

The effect of visual impact to and from the Wolds, would be intrusive and the visual impact would far outweigh the very marginal benefit of a large wind turbine which is very dependent on intermittent wind.

Surely a bank of solar panels placed in an adjacent field in conjunction with a much smaller wind time would be a far better option.

The joint sustainability is a far better template for not only this proposal but also other rural enterprises across the district where the planning team and Councillors will have to take decisions.

Also I ask the committee not to set a precedent, for wind energy not being accompanied by solar energy or some other form of energy production.”

Slides were shown which depicted the proposed siting and impact of the view of the turbine, and charts showing the theoretical visibility, noise levels and shadow flicker.

Martin Price, agent for the applicant, responded to the comments regarding the turbine’s visibility, and stated that there was no viable alternative proposal. The firm was one of the largest chicken farmers in the UK and had worked closely with officers to come up with a scheme which met with policies and also the needs of the applicant. The firm sought to use locally sourced products and employed 15 staff, and their produce had to be low carbon. Farms had no future and could not survive without environmental standards and the proposal was in accordance with the Government’s growth agenda and the Council’s Local Plan.

Mr White, owner of Low Field Farm adjacent the application site, addressed the Committee raising concerns on noise and the visual impact on the open countryside. This was an industrial turbine and if it did not work there were

fears that it would be abandoned. Mr White's property was only 800m from the proposed siting of the turbine.

The local Ward Member, Councillor Fleetwood, noted that there were also other properties closer than Mr White's. The firm's threats to leave the area should the application be refused were not material considerations. If the firm had a rolling programme of redevelopment then this should be awaited before agreeing to wind energy production. New buildings would be able to accommodate solar panels on the roofs. Cllr Fleetwood proposed that the application be refused on the grounds of visibility, proximity to neighbouring properties and the impact on the ancient woodland.

The Senior Development Management Officer clarified that the maximum decibel level was 43. At Low Field Farm the level would be 24, and at the other properties 26. Assurance was also given that turbines that no longer functioned must be removed, and also that a paint covering which prevented sun glistening was possible.

The Committee discussed the benefits and impact of the turbine and did not feel that there would be any wider community benefit. It was felt that shops and supermarkets were attempting to blackmail farmers into becoming low carbon producers, but that this proposal would have minimal impact on the firm's footprint.

Some Members stated that there was always an impact on the landscape from industrial development, and in the current recession consideration should be given to the socio-economic impact. The recommendation to grant permission was agreed with by some Members.

It was moved and seconded that the application be refused for the reason that, in the context of policy advice contained within the National Planning Policy Framework, the development would have a detrimental impact on the landscape specifically due to the proximity to the ancient Limewoods and the three Scheduled Monuments. It would also impact on views from the A158, result in an unacceptable noise impact due to the proximity of neighbouring dwellings and conflict with the important tourism role provided by the Limewoods. These impacts outweighed the benefits of the renewable energy provided.

It was then voted upon and **AGREED** that the application be **REFUSED** for the following reason:-

"In the context of policy advice contained within the National Planning Policy Framework, the development would have a detrimental impact on the landscape specifically due to the proximity to the ancient Limewoods and the three Scheduled Monuments. It would also impact on views from the A158, result in an unacceptable noise impact due to the proximity of neighbouring dwellings and conflict with the important tourism role provided by the Limewoods. These impacts outweighed the benefits of the renewable energy provided."

Note Councillor Cotton wished it to be recoded that he had voted against the refusal.

Note The Committee adjourned for a 10 minute comfort break.

Item 4 - 128203 – Claxby

Outline planning application for 10no. log cabins providing self catering accommodation - all matters reserved. Wold View Fisheries, Pelham Road, Claxby.

The Senior Development Management Officer updated Members on a late representation which had been received. This letter stated that there were some factual errors in the report, in reference to the number of visitors per day and the number of days the facility was open, and it was suggested that an independent check be made on the figures quoted.

The Committee was then informed of the NPPF paragraphs which replaced PPS4 (paragraph 19 being considered to be particularly relevant), PPS7 (paragraph 28 of the NPPF was considered to be relevant by the Senior Development Management Officer who quoted this paragraph in full), PPS9 (para 109 of the NPPF being quoted in full) and PPS25 (para 100 being referred to which carried forward the sequential approach for sites to minimise risk from flooding).

He also advised that a site visit had taken place prior to consideration of this application and it was noted that the application was for outline planning permission, and the indicative plan showed the proposed siting of the log cabins. The shop cabin was already in existence.

Note Councillor Fleetwood declared that he had received a dvd on the site visit but that this was of negligible value.

Peter Jordan spoke on behalf of Osgodby Parish Council and questioned the lighting scheme proposal, for which details should be submitted, as the area was designated as a 'dark landscape'. Mr Jordan also referred to a previous application which had been refused and subsequently also refused at appeal, as the proposal was considered to be recreational, not a tourist facility, and that this was not acceptable adjacent an area of outstanding natural beauty (AONB).

Mr Strong, speaking on behalf of Claxby Parish Council also referred to the AONB and that there would be no economic benefit to the area. Mr Strong raised highways and sustainable transport issues and asked that the committee take note of local community objections.

Steve Haslam, agent for the applicant, addressed the committee and stated that the arguments of the objectors were misinformed and that these were not

planning matters anyway. It was maintained that two groups of five log cabins each would not be incongruous in the landscape, whereas the application which had been refused was for 41 cabins. The land was not agricultural and there had been no objections from Natural England or the Lincolnshire Wildlife Trust. There were no problems with vehicular access and it was proposed to stage national angling events with big prizes which would be good for Lincolnshire.

Terry Jackson, the applicant also stated that the objectors' figures on usage were incorrect and that visitors came with picnics to have a day out. Mr Jackson said that he could provide accountants' figures to substantiate this.

Mrs Janet Stennet, resident of Moat Farm adjacent to the application site, claimed that the site was too remote to be of economic benefit and the previous refusals were still relevant. Mrs Stennet disputed the visitor numbers claimed by the applicant and said that she had kept a log and a record of opening days. She pointed out that other sites with caravans were not fully booked and the proposed figures were not credible. A previous application for a night watchman's residence had been refused because of the lack of amenities and that it was unsustainable in Claxby.

Note Councillor Caine declared a personal interest in the application as he was the Council representative on the Wolds Joint Management Group.

Councillor Tom Regis addressed the Committee as the local ward member, and said that the Wolds View Fisheries was a good example of business growth in West Lindsey, and the proposals created a balance which protected the countryside. Cllr Regis said that he supported the creation of businesses subject to compliance with the rules.

Cllr Strange interjected by claiming that the Wolds AONB board had not been consulted on the application, but the Senior Development Management Officer clarified that the site was not designated as an area of natural beauty or of landscape value.

Members then discussed the application and sought clarification on the lighting matters and occupancy of the accommodation. It was affirmed that the accommodation was to be for holidays only and not permanent residence. The lighting conditions would be addressed through the process of the application for reserved matters. Members generally felt that the proposals would be a modest development and would be of no detraction to the area. The disputed visitor figures were not a material consideration, and it was felt that the site would be barely visible from the road, due to the proposed landscaping.

Officers advised that the proposed conditions were based upon the Tourism Best Practice Guide and that other conditions could be applied on the application for reserved matters.

The recommendation was then moved, seconded and voted upon. It was then **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.

Note Councillor Underwood-Frost wished it to be recorded that he had abstained from voting.

Note Councillor Caine left the meeting for consideration of the following two applications having declared a prejudicial interest.

Item 5 - 128334 – Claxby

Planning application for erection of local needs dwelling including physiotherapy treatment rooms. Coach House, St Marys Lane, Claxby.

The Development Management Team Leader updated the Committee on the NPPF paragraphs which superseded PPS1 (design) and PPS3 (use of land). The new NPPF guidance supported sustainable development in rural areas, and proposed that development in one village could support other nearby settlements. Villages could be treated as sustainable clusters functioning together to deliver services and facilities which was a deviation from previous Local Plan policies.

PPS4 and PPS7 had referred to sustainable growth and the facilitation of flexible working practices. There should be no harm to heritage assets unless the benefits outweighed this. English Heritage had objected to the proposal because of the impact on the Ancient Monument. If the Committee agreed with the Officer's recommendation to refuse the application then the reasons for refusal should refer to the NPPF policies. If the Committee felt minded to approve the application the officer advised that a deferral might be in order to allow for a reassessment in light of the NPPF.

Note Councillor Cotton declared a personal interest in the application because of the proximity of the church.

Mr P Strong, representing Claxby Parish Council welcomed the comments regarding a reassessment with reference to the NPPF. The Parish Council supported the application, as it would provide employment and bring a young family to the village. A health facility would be nearer to support an ageing population. The previous use as a pub had caused no flood or drainage issues, and the Highways comments were inconsistent in that they had objected to this application, but not on the previous use.

James Forster, the applicant addressed the committee and had his statement appended to the report. Mr Forster had grown up in Claxby and had looked at other properties in the area, but none of these had the scope to provide the facilities he wished. Mr Forster had the support of the Parish Council and

many residents, including from health professionals. The view of the church had previously been obscured by leylandii which had been removed by Mr Forster's family, which if this had not taken place the view would not exist.

Councillor Regis, Ward Councillor, spoke to Members of the Committee, circulated three more letters of support and referred to errors in the Officer's report. Cllr Regis stated that the family contributed to the village of Claxby. The first application had not been supported so this had been revised, with the assistance of officers, and the current recommendation to refuse was prior to the implementation of the NPPF. The presumption was now in favour of sustainable development and this application met that criteria, and the Committee should agree to approval of the proposal.

Members of the Committee sought clarification on the applicant's opening hours and the meeting adjourned for five minutes to establish the details, which were explained as being the earliest and latest times that patients could be treated, not that the business would be operational for the total of hours stated.

Further discussion ensued regarding issues such as operational days of the week, street lighting, local need and the separation of the live/work elements of the dwelling. Having considered these issues, members considered that a local need had been demonstrated but that there was a need to tie the occupation of the dwellinghouse to the work unit due to amenity issues (but not on sustainability grounds). In this context, officers clarified that, should the committee be minded to approve the application, this could be delegated to the Planning and Development Services Manager subject to conditions pertaining to the commencement of the development, agreement of materials, surface water drainage, opening hours of the physiotherapist's element and the completion of a S106 agreement setting tying the dwelling and work elements together. Members also considered that conditions relating to boundary treatments, parking and access were required.

It was moved and seconded that the application be approved subject to the above.

It was then voted upon and **AGREED** that the decision to grant planning permission subject to the conditions detailed below be delegated to the Planning and Development Services Manager upon the completion and signing of a section 106 agreement tying the occupation of the dwelling and physiotherapy elements of the development to each other.

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

Reason: To conform with Section 91 (1) of the Town and Country Planning Act 1990 (as amended).

2. No development of the dwelling or physiotherapy treatment rooms hereby approved shall take place until a scheme for surface water disposal reflecting

the principles of sustainable drainage to include runoff limited to existing runoff rates have been first submitted to and approved in writing by the local planning authority.

Reason: To prevent the increased risk of flooding, to improve and protect water quality, ensure future maintenance of the surface water drainage system and to accord with the provisions of the National Planning Policy Framework

3. No development shall take place until details of the external facing materials for the buildings hereby approved have been submitted to and approved in writing by the local planning authority.

Reason: In the interests of preserving the character and appearance of the area including preserving the setting of the listed buildings within the area and to accord with policies STRAT1 and RES 1 of the West Lindsey Local Plan First Review 2006 and the National Planning Policy Framework

4. The physiotherapy rooms hereby approved shall not be first brought into use until the access, parking and manoeuvring areas have been completed in accordance as per the approved drawing S02 Rev C received on 1st March 2012. The said areas shall be retained thereafter.

Reason: In the interests of highway safety and to accord with policy STRAT1 of the West Lindsey Local Plan First Review 2006 and the National Planning Policy Framework 2012.

5. The dwelling hereby approved shall not be first occupied nor the physiotherapy rooms hereby approved first used until the boundaries have been first planted with landscaping or boundary fences and/or walls first erected in accordance with a boundary treatment scheme that has been first submitted to and approved in writing by the local planning authority. The approved scheme shall thereafter be retained with any landscaping that has been lost or died within the first 5 years being replaced.

Reason: In the interests of preserving the character and appearance of the area including preserving the setting of the listed buildings within the area and to accord with policies STRAT1 and RES 1 of the West Lindsey Local Plan First Review 2006 and the National Planning Policy Framework 2012.

6. The dwelling hereby approved shall not be first occupied nor the physiotherapy rooms hereby approved first used until the scheme for the surface water drainage for the site as required by condition 2 has been completed. The scheme shall thereafter be retained.

Reason: To prevent the increased risk of flooding, to improve and protect water quality, ensure future maintenance of the surface water

drainage system and to accord with the provisions of the National Planning Policy Framework

7. The development shall be completed in accordance with the approved plans and the facing materials as required to be submitted and agreed by condition 3.

Reason: In the interests of preserving the character and appearance of the area including preserving the setting of the listed buildings within the area and to accord with policies STRAT1 and RES 1 of the West Lindsey Local Plan First Review 2006 and the National Planning Policy Framework 2012.

8. The finished floor levels shall be as per approved drawing S02 Rev C received on 1st March 2012.

Reason: In the interests of preserving the character and appearance of the area including preserving the setting of the listed buildings within the area and to minimise the risk of flooding of nearby dwellings to accord with policies STRAT1 and RES 1 of the West Lindsey Local Plan First Review 2006 and the National Planning Policy Framework 2012.

9. The physiotherapy rooms hereby approved shall not be open outside of the following times:-

Monday to Saturday 08:00 to 21:00 hrs.

Reason: In the interests of residential amenity and to accord with policies STRAT1 and RES1 of the West Lindsey Local Plan First Review 2006 and the National Planning Policy Framework.

Note that Councillors Underwood-Frost and Curtis wished it to be recorded that they had abstained from voting.

Item 6 - 128260 – Caistor

Listed Building Consent to merge 7 Horsemarket and 9 Horsemarket into one dwelling. Internal alterations to provide access between two properties, and replace rear windows and door to Number 7. Horsemarket Caistor

The Development Management Team Leader referred to PPS5 which had been superseded by the NPPF in terms of preserving the architectural and historical qualities of heritage assets.

It was noted that the property had previously been a single dwelling which had been converted to two, and the proposal was to revert back to one single dwelling. This did not require an application or planning permission.

Members concurred with the conclusions of the officer's report insofar as the works proposed would preserve the architectural and historical qualities of the buildings.

It was moved, seconded and voted upon that the Listed Building Consent be **GRANTED** subject to the conditions set out in the report and **AGREED** unanimously.

Note Councillor Caine returned to the meeting.

90 TREE PRESERVATION ORDER – NORMANBY LE WOLD (DM.26 11/12)

The Development Management Team Leader showed the committee photographs of the site, but clarified that some trees had been removed since the aerial photograph of 1999.

Mr Blake, resident of the property and objector to the Tree Preservation Order, addressed the committee and described how sycamore trees are thought of as being arboreal weeds and not a native species. The tree was very large and dominated the garden, it dripped sap onto the parking area and encouraged ants and greenfly. The nearby holly and willow trees were overshadowed and the 20m high tree was a danger to Mr Blake's property. The telephone lines went through the branches and power lines were also nearby.

Members briefly discussed the points awarded to the tree under the scoring system for Preservation Orders and agreed that although they were sympathetic to the residents they had to abide by the information contained within the report which stated that there was no evidence of damage to the house. It was agreed that the tree was of amenity value on the top of the Wolds escarpment.

RESOLVED that the confirmation of the Tree Preservation Order Normanby le Wold 2011 be approved.

91 PLANNING ENFORCEMENT UPDATE (DM.27 11/12)

The report set out the quarterly position update on Development Management enforcement.

Members had no comments to make on the enforcement update.

RESOLVED that the report be noted.

The meeting concluded at 10.35 pm

Chairman