



**Guildhall Gainsborough
Lincolnshire DN21 2NA
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This meeting will be recorded and published on the website

AGENDA

**Planning Committee
Wednesday 21 January 2015 at 6.30 pm
The Council Chamber, Guildhall, Gainsborough**

Members: Councillor Stuart Curtis (Chairman)
Councillor Ian Fleetwood (Vice-Chairman)

Councillors Owen Bierley, Alan Caine, David Cotton,
Richard Doran, Malcolm Leaning, Giles McNeill, Jessie
Milne, Roger Patterson, Judy Rainsforth.

1. Apologies for absence.
2. Public Participation Period. Up to 15 minutes are allowed for public participation. Participants are restricted to 3 minutes each.
3. Minutes.
 - i) Meeting of the Planning Committee held on 10 December 2014, previously circulated.
4. Members' Declarations of Interest.

Members may make any declarations of interest at this point but may also make them at any time during the course of the meeting.

5. Update on Government/Local Changes in Planning Policy

Agendas, Reports and Minutes will be provided upon request in the following formats:

Large Clear Print: Braille: Audio Tape: Native Language

6. Planning Applications for Determination
(Summary attached at Appendix A)
Print herewith PL.12 14/15

PAPER A

7. To note the following determination of appeals:

- i) Appeal by Mr R Douglas against the decision of West Lindsey District Council to refuse to grant planning permission for the erection of a dwelling at Rose Cottage, Thornton Road, South Kelsey.

Appeal dismissed - See copy letter attached as Appendix Bi.

Officer decision to refuse.

M Gill
Chief Executive
The Guildhall
Gainsborough

13 January 2015

Agendas, Reports and Minutes will be provided upon request in the following formats:

Large Clear Print: Braille: Audio Tape: Native Language

1 – 131591 – Claxby

PROPOSAL – Planning Application for a glamping camping site on land to rear of the Old Smithy, Mulberry Road, Claxby.

RECOMMENDATION – Grant Permission

2 – 131784 – Fenton

PROPOSAL: Planning application for change of use from B1 business and B8 storage to housing with the erection of four new houses at A Grice & Son Ltd, 40 Lincoln Road, Fenton, Lincoln

RECOMMENDED DECISION: Approve subject to conditions

3 – 131923 – Nettleham

PROPOSAL: Planning application to remove condition 17 of planning permission 125006 granted 3 August 2010, change of opening hours of clubhouse at Longdales Park, Lodge Lane, Nettleham

RECOMMENDED DECISION: Temporary consent for one year subject to conditions.

4 – 132027 – Scothern

PROPOSAL: Planning application for the erection of 30 dwellings - 16 open market houses and 14 affordable homes on Land at Heath Road, Scothern.

RECOMMENDED DECISION: That the decision to grant permission subject to conditions be delegated to the Director of Regeneration and Planning upon the completion and signing of an agreement under section 106 of the amended Town & Country Planning Act 1990 which secures:-

1. Which homes are affordable and when they are delivered in the context of the delivery of the open-market homes.
2. The criteria for the first and subsequent occupancy of the affordable homes.
3. The mechanisms for ensuring the affordable homes are affordable
4. Maintenance and management of public open space and drainage systems

5 – 132215 - Gainsborough

PROPOSAL: Planning application for the erection of 14no. dwellings on Land South of Corringham Road, Between Rosefields and Redman Close, Gainsborough.

RECOMMENDED DECISION: Grant with conditions.

Appeal Decision

Site visit made on 15 December 2014

by Alison Partington BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 19th December 2014

Appeal Ref: APP/N2535/A/14/2227574

Rose Cottage, Thornton Road, South Kelsey, Market Rasen LN7 6PS

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Mr R Douglas against the decision of West Lindsey District Council.
 - The application Ref 131787, dated 15 August 2014, was refused by notice dated 10 October 2014.
 - The development proposed is the erection of a dwelling.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The application was submitted in outline with all matters reserved for future consideration. I have dealt with the appeal on this basis, treating the plans that show scale, access and siting as indicative.

Main Issue

3. The main issue in the appeal is whether or not the proposed development would conflict with policies for residential development which seek to achieve an accessible form of development.

Reasons

4. The appeal site currently forms part of the garden area of Rose Cottage and is surrounded by other residential uses. It is located within the village of South Kelsey. In order to promote sustainable rural development Policies STRAT1 and STRAT3 of the West Lindsey Local Plan First Review 2006 (adopted June 2006) (WLLP) seeks to direct new residential development towards the main settlements which have the facilities and services to cater for new residents and which have access to public transport.
5. In the settlement hierarchy set out in Policy STRAT3, South Kelsey is designated as a Subsidiary Rural Settlement which is defined as a village that provides a smaller range of day to day facilities. Policy STRAT7 indicates that infill development that meets various criteria in such villages will only be permitted where it is to meet an identified local need. It is no part of the appellant's case that the development would meet such a local need.

6. A core planning principle of the *National Planning Policy Framework* (the Framework) is to focus significant development in locations which are, or can be made, sustainable. With the aim of promoting sustainable development in rural areas, paragraph 55 directs housing to areas where it will enhance or maintain the vitality of rural communities. In general, new residential development is most appropriate in locations where there is access to services, opportunities for employment and alternative modes of transport other than the private car (paragraphs 30 and 37).
7. Services within South Kelsey comprise a village hall, church, public house, garage, pre-school/day nursery and a play area and these are all within walking distance of the site. Whilst the "Call Connect" service does cover the village there is no regular bus service. A greater range of services, including a convenience store and a primary school are available in North Kelsey. However, at a distance of around 3km and connected by a road with no pavements or street lights outside the village boundaries, the majority of people are likely to access these by car.
8. The Framework acknowledges that opportunities to travel by sustainable means, and to minimise journey lengths, will vary from urban to rural areas. Notwithstanding the fact that some people can now work at home and that supermarkets offer home delivery, the limited services in the village would require future residents to travel outside the village to meet the majority of their basic needs and they would be dependent on the private car to do so. Although the proposal would not, of itself, generate large amounts of traffic, the cumulative impact of allowing such developments would increase the amount of unsustainable journeys made. In addition, the limited range of local services means that the impact of the proposal on the vibrancy and vitality of the immediate community would be minimal.
9. As a result, I consider that the proposal would not create an accessible pattern of development. As such it would conflict with Policies STRAT1, STRAT3 and STRAT7 of the WLLP and the guidance within paragraphs 30 and 37 of the Framework.

Other Matters

10. The Framework sets out in paragraph 47 that to boost significantly the supply of housing, local planning authorities should be able to demonstrate a 5 year supply of deliverable housing sites. The Council acknowledges that it cannot demonstrate this. This is clearly a matter of significant weight.
11. My attention has been drawn to other applications within the village for residential development that have recently been approved. However, for the reasons set out in the Council's evidence these do not appear to be directly comparable to this site. I have, in any case, reached my own conclusion on the appeal proposal on the basis of the evidence before me.
12. It is highlighted that outline permission for residential development has been granted on the site previously, the most recent being in 1993. Given the time that has elapsed since these applications and the significant changes in policy that have occurred since then, I have only given minimal weight to this in my decision.

Conclusion

13. In circumstances where a Council cannot demonstrate a five year supply of housing land, paragraph 49 states that housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five year supply of deliverable housing sites.
14. The workings of the presumption in favour of sustainable development are set out in paragraph 14 of the Framework. This tells us that the presumption in favour of sustainable development should be seen as a golden thread running through both plan-making and decision-taking. For decision-taking, the presumption means approving proposals that accord with the development plan without delay and where the development plan is absent, silent or relevant policies are out of date, granting permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or specific policies in the Framework indicate that development should be restricted.
15. In terms of harmful impacts, the development proposed would not be accessible and so would create a pattern of development that the Framework seeks to resist. Whilst the provision of a new house would be a benefit of the scheme, its contribution to housing delivery in the borough would be small. Therefore, in this case, I consider that the adverse impacts of the proposal significantly and demonstrably outweigh the benefits, when assessed against the policies of the Framework as a whole.
16. For the reasons set out above, I conclude the appeal should be dismissed.

Alison Partington

INSPECTOR