

WEST LINDSEY DISTRICT COUNCIL

MINUTES of a Meeting of the Planning Committee held in the Council Chamber at the Guildhall, Gainsborough on Wednesday 22 August 2012.

Present: Councillor Chris Underwood-Frost (Chairman)
Councillor Stuart Curtis (Vice Chair)

Councillor Owen Bierley
Councillor Alan Caine
Councillor David Cotton
Councillor Ian Fleetwood
Councillor Malcolm Leaning
Councillor Jessie Milne
Councillor Judy Rainsforth
Councillor Anne Welburn

Apologies Councillor Richy Doran
Councillor Roger Patterson

Membership: Councillor Welburn substituted for Councillor Patterson

In Attendance :
Suzanne Fysh Head of Development and Neighbourhoods
Nick Ethelstone Area Team Manager
Rob Lawton Area Team Manager
George Backovic Senior Area Development Officer
Dinah Lilley Governance and Civic Officer

Also Present: Councillor Tom Regis
Councillor Geoff Wiseman
6 members of the public

22 MEMBER TRAINING WORKSHOP

Members were informed that a brief training workshop would take place immediately after the committee meeting had concluded and officers apologised for the lack of prior notice.

23 PUBLIC PARTICIPATION

There was no public participation.

24 MINUTES

Meeting of the Planning Committee held on 25 July 2012.

RESOLVED that the Minutes of the meeting of the Planning Committee held on 25 July 2012 be confirmed and signed as a correct record.

25 MEMBERS' DECLARATIONS OF INTEREST

All Members declared a personal interest in items 1 and 2 in that the property subject to the application was in council ownership.

Councillor Caine declared a personal interest in item 3 as being the council's representative on the Lincolnshire Wolds Joint Management Group.

Councillor Milne declared a personal interest in items 1 and 2 as she was a member of the Trinity Arts Centre Committee.

26 UPDATE ON GOVERNMENT CHANGES TO PLANNING POLICY

There were no recent changes in Government policy to report.

27 PLANNING APPLICATIONS FOR DETERMINATION (PL.06 12/13)

RESOLVED that the applications detailed in report PL.06 12/13 be dealt with as follows:-

Item 1 – 128813 - Gainsborough

Planning application for replacement and relocation to ground floor of three gas boilers and replace existing flue with three 150mm diameter flues through roof at the rear, at Trinity Arts Centre, Trinity Street, Gainsborough.

The Area Team Manager noted that the application was a minor one but that it had to be considered by the committee as the property was council owned. The building was Grade II listed. The proposal was to replace the existing boiler in the building with three new high efficiency condensing boilers. The boilers were to be located in the same position as the existing. The new boilers each required a new flue. These were to be located on the rear of the building on the north (side) roof plane below an existing duct.

The Ward Member, Councillor Rainsforth, stated that it was important to keep the building in use, so necessary to update it, and moved the recommendation.

On being seconded and voted upon it was **AGREED** unanimously to grant permission.

Item 2 – 128386 - Gainsborough

Listed Building Consent for replacement and relocation to ground floor of three gas boilers and replace existing flue with three 150mm diameter flues through roof at the rear, at Trinity Arts Centre, Trinity Street, Gainsborough.

The Area Team Manager introduced the report and noted that the application was the same as the previous item, but that this sought permission for Listed Building Consent.

It was moved, seconded, voted upon and **AGREED** that Listed Building Consent be granted.

Item 3 – 128540 – Claxby

Retrospective planning application for 14 external lighting posts at Wold View Fisheries, Pelham Road, Claxby.

The Senior Area Development Officer updated the committee on further representations which had been received from Mr Raven and Mrs Jordan who had raised questions as to the necessity for lighting, however a proven need was not a planning consideration. The representations had also questioned the proposed time to be allowed for the operation of the lighting, and the potential harmful effects of both the lighting and the columns. It was not felt that the representations raised any new issues not previously considered.

Peter Jordan then addressed the meeting, representing both Claxby and Osgodby Parish Councils, and had previously submitted slides for inclusion in the officer presentation. Mr Jordan stated that the bright sodium lighting was not appropriate in open countryside and gave the effects of an urban street. There were very few 'dark areas' left in England and these should be protected, to enable people to see stars in the night sky. Mr Jordan cited various passages from the Core Strategy and also referred to the planning permission that had been granted for Cherry Willingham marina which referred to protecting open countryside from unnecessary light pollution.

Councillors sought verification that the Core Strategy was still a draft document undergoing consultation, to which significant weight should not be afforded, and that the West Lindsey Local Plan saved policies were the relevant documents by which to consider applications. This was affirmed by officers.

Steve Haslam, agent for the applicant, spoke to the committee, confirming that the application was for retrospective permission, and whilst acknowledging the problems of light and noise pollution, there was a desire to restrict their impact. The lighting was deemed necessary for the safety of anglers in packing up their equipment. Low energy lighting was being used and there was less impact than from surrounding farms in the area.

Phil Raven then spoke in objection to the application, stating that as an amateur astronomer he wished skies to remain dark, whereas these lights were highly visible in winter. Mr Raven also questioned the timing restrictions and noted that from sunset would be more appropriate. Should permission be granted, close monitoring would take place.

Mrs Glen Jordan then added to Mr Raven's comments, stating that the lights were inappropriate in the open countryside. The lights at the Cherry Willingham marina were of a better design and had less impact. The fisheries had been required in the original permission to install bat boxes, however the existence of the lights nearby posed a danger to the bats.

Councillor Tom Regis, spoke as Ward Member on the application, and asked questions on behalf of objectors, querying the necessity for the lighting, the time restrictions and seeking a monitoring framework should the application be granted.

Members of the committee then discussed the application at length. It was reiterated that the need for the lighting was not a planning consideration. Despite the fact that the application was retrospective the application should be judged on its own merits, and Members were assured that, should permission be granted monitoring would be undertaken.

It was moved that the application be refused, as lighting could be provided effectively at a much lower level, and that the dark landscape should be retained and protected. It was then moved that the application be deferred in order for negotiation to take place with the applicant. On being seconded the deferral was voted upon, but not carried.

The motion to refuse was then seconded and voted upon, and it was **AGREED** that the application be **REFUSED** for the reasons set out below:

The lighting columns are considered to have a harmful impact on the character and appearance of the open countryside, and the use of the lighting will result in light pollution that will harm the countryside and adjoining area of outstanding natural beauty and be contrary to policies NBE10 and NBE18.

It was subsequently moved and seconded that the authorisation for enforcement action be appended to the recommendation, this was **AGREED**. It was acknowledged that enforcement action would be subject to any appeal being lodged.

The Chairman reminded Members that any technical questions regarding applications should be referred to officers with sufficient notice prior to Committee meetings.

The meeting concluded at 7.35 pm.

Chairman