

WEST LINDSEY DISTRICT COUNCIL

MINUTES of a Meeting of the Planning Committee held in the Council Chamber at the Guildhall, Gainsborough on Wednesday 1 April 2015.

Present: Councillor Stuart Curtis (Chairman)
Councillor Ian Fleetwood (Vice Chairman)

Councillor Owen Bierley
Councillor Alan Caine
Councillor Malcolm Leaning
Councillor Giles McNeill
Councillor Jessie Milne
Councillor Roger Patterson
Councillor Judy Rainsforth

Apologies Councillor Richy Doran
The Revd Councillor David Cotton

Membership No substitute was appointed

In Attendance:
Derek Lawrence Interim Planning Manager
Jonathon Cadd Principal Development Management Officer
Zoë Raygen Principal Development Management Officer
Diane Krochmal Housing and Communities Project Officer
Dinah Lilley Governance and Civic Officer

Also Present 66 members of the public
Councillor Mrs Di Rodgers
Councillor Malcolm Parish

73 PUBLIC PARTICIPATION

Robert Boulton addressed the Committee referring to the approval of the application at Welton at the last meeting. He noted that it had been stated that the s106 funding was to be ringfenced to Welton, however if this was not spent it would return to the developer. There were no guarantees that the funding would benefit Welton as the doctors' surgery had no plans to expand. All of the recently approved applications in Welton and Dunholme would have a major impact on the infrastructure, in particular the traffic on the A46, for which not all of the funding was yet in place. Mr Boulton stated that it would be negligent to approve any further housing.

The Interim Planning Manager stated that it was normal practice to attach a five year time limit on s106 funding, however this could be extended to 10 years if required, particularly given the scale of the development.

74 MINUTES

Meeting of the Planning Committee held on 4 March 2015.

RESOLVED that the Minutes of the meeting of the Planning Committee held on 4 March 2015, be confirmed and signed as a correct record.

75 MEMBERS' DECLARATIONS OF INTEREST

Councillor Fleetwood noted that he was the Lincolnshire County Councillor for Cherry Willingham.

Councillor Patterson noted that he was the Ward Member for Scampton and also a Member of Scampton Parish Council and whilst he had attended meetings about the application he had not taken part in discussions and expressed no opinions.

76 UPDATE ON GOVERNMENT CHANGES TO PLANNING POLICY

There were several recent Government updates to report however as these had only recently been announced, the Planning Officers needed time to digest and analyse these and would report back to the next Committee meeting.

77 PLANNING APPLICATIONS FOR DETERMINATION (PL.16 14/15)

RESOLVED that the applications detailed in report PL.16 14/15 be dealt with as follows:-

1 – 132257 – Sturton by Stow

Outline planning application to erect six detached dwellings, four semi detached dwellings and two detached garages, access and layout to be considered and not reserved for subsequent applications, on land adjacent Obam Lifts, Tillbridge Lane, Sturton By Stow.

The Principal Development Management Officer noted that the Committee Members had undertaken a site visit in order to assess the access to the site. The Officer also read out a letter which had been received from the Ward Member Councillor Shore. Cllr Shore had raised the issue of the site being designated as employment land and its loss should outweigh the lack of the five year housing supply, as without it the village would become less sustainable. The effects of noise and light pollution would be detrimental to any future residents, and also the development was too large for

the size and designation of the village. Cllr Shore also stated that there may be ancient ridge and furrow on the land which needed to be assessed. It was therefore requested that the application be refused.

The Chairman sought clarification that the access was now to be adopted and not just to adoptable standards, this was affirmed.

Chris Elkington then spoke on behalf of Sturton Parish Council and also cited the problems of light and noise from the adjacent County Council depot. A County surveyor had commented that there would be many complaints as the depot worked all through the night during bad weather. The Chairman however noted that these comments were from an individual and were not the County's official statement.

Andrew Clover, agent for the applicant, addressed the Committee. Mr Clover addressed comments that had been submitted, stating that whilst the Parish Council claimed that the land was unsuitable given its industrial land designation, it had been marketed as such for some time and there had been no interest, so this designation was no longer applicable. The lack of the five year housing supply made the application appropriate and complied with STRAT7. The proposed development was commensurate with the size of the village and would prevent inappropriate development elsewhere. An impact assessment had been carried out and no issues arose with the proximity to the depot, and there were no concerns regarding flood risk.

Members of the Committee debated the application at some length and it was noted that if mitigation measures were required to limit noise disturbance that showed that there would likely be a problem.

STRAT15 stated that the long term protection of employment land should be avoided if there was no interest in the site, however Members felt that just because there was no interest at present this did not mean that there may not be in the near future. Discussion also ensued on the width of the road and proposed adjacent footpath. It was affirmed that this could be a planning condition rather than an advisory note. Questions were also asked about light pollution however this had not been addressed to date, and Members felt that this could be as much of a problem as the noise.

It was proposed that the application be refused for the reasons set out below, this was seconded, and on being voted upon it was **AGREED** that permission be **REFUSED** for the reasons set out below.

Reasons

The use of the site for housing would result in the loss of designated employment land and therefore the future sustainability of the village of Sturton by Stow would be compromised contrary to saved policy STRAT 15 of the West Lindsey Local Plan 2006 and the requirements of the National Planning Policy Framework.

The adjacent site is used as a gritting depot by Lincolnshire County Council and therefore in use throughout the night. The applicant has not satisfactorily demonstrated that the lighting requirement for the gritting depot will not have a harmful impact on the amenities of the proposed residents of the development which would be contrary to

saved policies STRAT 1 and RES1 of the West Lindsey Local Plan 2006 and the requirements of the National Planning Policy Framework.

2 – 131357 - Grasby

Planning application for construction of seven dwellings on land off Bentley Lane, Grasby.

The Principal Development Management Officer read out a response which had been received from Anglian Water which had requested further conditions, which if not complied with would necessitate sewer diversions as there was insufficient capacity.

It had been noted that the report was incorrect in its statement of public transport availability and also that there was an error in the statement of distance to the nearest existing residential property, this should read 30m not 80m. The Principal Development Management Officer also affirmed that the site would not be appropriate for open market housing, and it was only because the application was for affordable dwellings, to meet an identified need, that the recommendation was for approval.

Alec Brown speaking on behalf of the Parish Council raised local concerns about the proposals. Grasby was an attractive village but with limited facilities, and cars were essential to access services. Fifty residents had attended a public meeting and there was no support for the proposals. Bentley Lane was a country lane unsuitable for heavy traffic, there were no footpaths or lighting. There was existing pressure on the sewage system, and the current system of overflowing skips was unacceptable. There were ecological and archaeological considerations to be taken into account. Other derelict sites were available so a greenfield site should not be taken.

Stuart Mitchell of the Lindum Group then spoke on behalf of the application stating that it had been a direct response to a Housing Needs Survey. There were 12 households identified as being in need, and government funding had already been allocated. Waterloo housing association had a good record and the local connection lettings criteria would be applied. The site had emerged through the West Lindsey call for land, this had been unmanaged pasture for some time and the proposals had been designed along with the owner. Hedgerows would be retained and the requested additional parking included, in all it would be a welcome addition to the village.

Peter Kullich spoke on behalf of residents of the village who opposed the proposals. The designation of Grasby was as a small rural village and the proposals were an extension of the village footprint. There were currently only four families on the housing list, the Survey was out of date, and no-one was interested in one bedroomed accommodation or flats. Paths and lights on Bentley lane should be requirements, not extras, and the issues regarding the management of the pond and the surface water drainage should be addressed. There were few amenities in the village and no public transport. The increase in traffic would be dangerous for school children and the ancient pasture was part of the village history.

Councillor Lewis Strange, Ward Member, then addressed the Committee. Cllr Strange felt that the proposed development was in the wrong place, and two other sites were available if there was a need. There should be a fresh appraisal to verify the need. Town houses would not be appropriate for the village, and the ancient ridge and furrow site should be further investigated. Fifty letters had been received in opposition to the proposals. The lane was narrow with no footpath and the visual aspect of the Area of Great Landscape Value and the Viking Way would be spoilt. The lack of infrastructure meant that the current sewage system was overloaded and the quality of life of existing residents should be considered.

Following brief discussion by the Committee a site visit was proposed and seconded, this was voted upon and **AGREED**. It was also suggested that the Principal Development Management Officer negotiate with the applicant regarding the issues raised by the residents.

3 – 131710 - Cherry Willingham

Planning application for erection of eight dwellings, associated garages, access road and shared amenity space at rear of 83 Waterford Lane, Cherry Willingham.

A representation had been received during the course of the meeting from the Ward Member Councillor Anne Welburn, this raised issues regarding flooding and drainage, and photographs were included.

Members of the Committee raised further questions about flooding and mitigation measures, particularly given the the clay land and lack of drainage. The Principal Development Management Officer noted that Condition 6 of the proposed approval set out measures that had to be in place prior to any development commencing. Members noted that the site was in the lowest category of flood risk – Zone 1, however agreed that they would not be happy without the assurances in Condition 6.

An application had been refused in 2005 however the lack of the five year housing supply had not been applicable then.

The recommendation in the report to approve with conditions was moved seconded and voted upon. It was therefore **AGREED** that permission be **GRANTED WITH CONDITIONS** as set out in the report.

4 – 131882 - Dunholme

Outline planning application for residential development of up to 275 dwellings and associated works - access to be considered and not reserved for subsequent applications on land at Lincoln Road/Honeyholes Lane, Dunholme.

The Principal Development Management Officer gave recent updates which had been received. The applicant had affirmed the SUDS and open space provision and

future maintenance, and a further letter of support had stressed the need for bungalows in the village.

Janet Wright of Dunholme Parish Council addressed the Committee stating that the application contravened the emerging Neighbourhood Plan. Facilities had to be shared with neighbouring Welton and these were limited, and the increase in traffic between the settlements was not acceptable. The proposed 275 dwellings represented a 30% increase and the 350 already approved for Welton would exacerbate existing problems especially traffic congestion on the A46 and also flood risk.

Alan Greenway then spoke to voice concerns of Welton Parish Council noting that recent and pending applications would see over 1,000 new dwellings between the two settlements. The resulting impact on education and health provision should be addressed and significant infrastructure improvement should take place before any development commences.

The Chairman affirmed that the Dunholme Neighbourhood Plan was not far enough progressed to be given any significant weight.

Neil Kempster, of Chestnut Homes the spoke for the application, saying that the proposals were the result of two years working with officers, and a robust application for a sustainable development in an appropriate location was now submitted. The proposals would meet the growth aspirations of the District and support had been expressed through public consultation. All appropriate mitigation measures would be met in full and the proposals would be a logical extension to the village, it would assist the housing supply shortfall would meet the social, economic and environmental criteria of the NPPF. No statutory consultees had submitted objections.

Robert Boulton raised concerns on behalf of local residents, in particular the impact on Welton. The proposals were for open market housing on greenfield land in the open countryside and would overload existing facilities. There was no demand for housing, 512 had been approved in recent times, but not built. There was a limited bus service, exiting traffic congestion on the A46 and there would be a detrimental impact on the health service provision. Mr Boulton asked that a decision be deferred until the Neighbourhood Plan was in place.

The Chairman reminded the Committee that the application was for determination now and could not be deferred for the Neighbourhood Plan.

Councillor Malcolm Parish, Ward Member for Welton, questioned the designation as sustainable as the village had only one shop, and asserted that the development would create unwanted links between the two settlements. The Welton Neighbourhood Plan had progressed a long way and should be given consideration. Common sense should prevail and the expansion of villages should be gradual, there was not enough information at present. A bad decision would cause long term problems.

Councillor Mrs Di Rodgers spoke as the other Ward Member for Welton, stating that whilst applications should be judged on their own merits, this one should be considered within the wider context with other applications pending and approved. The lack of Housing Land Supply appeared to be particularly detrimental to Welton and Dunholme with the villages taking the brunt of the rush to develop. There were existing capacity issues already at the health centre and school and concerns regarding increased traffic congestion and safety. The possibility of losing a refusal at appeal should not be a material consideration and the Committee should have the courage to refuse the application as it did for Saxilby.

The Chairman sought confirmation that s106 funding would be ringfenced for the local need, this was affirmed. The Principal Development Management Officer also stated that cumulative effect had been considered in terms of other recent applications. The site was well positioned for access to the A46 and the s106 required highway improvements to mitigate the increase in traffic and help to address issues at the Centurion Garage junction. Funding was also to be directed towards and improvement in the public transport provision, as well as improvements to health and education. The site was considered sustainable.

The Committee debated the application at some length. One concern raised was the possibility of a rat run through the estate but it was shown that the road layout was to be narrowed, making it less attractive to speeding cars.

One Member requested that the figures be produced for the Committee to show how many new houses were being built in West Lindsey when the housing land shortfall was meant to be across central Lincolnshire. It was unfair that West Lindsey should take more than its share.

Clarification was sought regarding the reported cessation of s106 agreements, however it was affirmed that any existing agreements would stand and be binding. A total of 25% affordable housing was proposed for this development and this was not dependent upon viability. The Principal Development Management Officer confirmed that it was possible that West Lindsey would still have a housing shortfall but confirmed that an up to date accurate assessment of housing completions/figures was being undertaken but that these figures were not available to confirm this.

The vice chairman complemented the developer on providing a comprehensive plan for the whole area even though it was merely an outline application at this stage. The level of contributions was set at a good level and there would be major benefits to the area. It was suggested that two access roads would be better and affirmed that this could be addressed through the reserved matters application.

On the question of phasing it was confirmed that dependent upon sales an estimated 35-40 houses per annum would be built taking around 5-8 years for completion of the development. As with a previously considered application at the meeting it was suggested that an extension of time be applied to the s106, this would be discussed with the developer.

It was moved and seconded that the application be approved and on being voted upon it was **AGREED** that:-

The decision to grant planning permission, subject to conditions be delegated to the Chief Operating Officer upon the completion and signing of an agreement under section 106 of the Planning Act 1990 (as amended) pertaining to:-

- a) Up to 69 affordable dwellings (25%) (tenure 70% affordable rent; 30% shared ownership)
- b) Financial Contribution (£657,393) in lieu of on-site education provision;
- c) Financial Contribution (£116,875) in lieu of on-site health care provision;
- d) Financial Contribution (£483,050) towards highway improvements, bus stop, speed limit reduction to Lincoln Road, contribution to weekend and evening bus services and junction improvements at the A46/Lincoln Road, Welton junction (Centurion Garage)
- e) Provision of open space and its future management

And, in the event of the s106 not being completed and signed by all parties within 6 months from the date of this Committee, then the application be reported back to the next available Committee meeting following the expiration of the 6 months.

5 – 131907 - Scampton

Planning Application for erection of 18 new dwellings comprising seven homes for local people with a specific housing need and 11 open market homes with a new site access and associated roads, drives, garages and public open space on land to the West of Manor Farm High Street, Scampton.

Carol Nicholson spoke on behalf of the Parish Council stating that the development would compromise the open character of the village, and would need to be an exception site to comply with policy RES7. The Housing Needs Survey was too old to still be relevant and the open market housing should be less than 50% to be compliant with policy. There was no longer any valid current need. Photographs were shown which depicted the traffic and parking problems which were particularly bad around school times. Most villagers were against the application and as this did not comply with West Lindsey criteria, it was not a suitable location to contribute towards the five year housing supply.

Tim Bradshaw described how his family had owned the land for over 150 years and had strong connections with the area. The site had been put forward during the West Lindsey call for land, and in 45 years had not flooded once. The development would meet an identified housing need, and would be of high quality with 22% public open space, which would provide a community focus which was currently lacking. The traffic survey had proved satisfactory and the housing would provide an opportunity for young people to stay in the local area.

Colin Wilson spoke in objection to the application, describing how at the last public consultation local people were against the application, and there had been no further consultation. Any housing needs could be met by the nearby RAF camp.

There were traffic problems, particularly at school times, and also concerns regarding sewage flooding.

The Principal Development Management Officer affirmed that the applicant was happy to comply with all conditions and the development posed no increased risk of flooding.

Members of the Committee debated the merits of the application and discussed issues such as the location, the traffic impact and also the effects on the nearby schools. The sustainability of the village questioned, and it was suggested that villages needed housing expansion to be able to survive and to support facilities.

It was moved and seconded that the application be refused for the reasons set out below, and on being voted upon it was **AGREED** that the application be **REFUSED**.

Reasons

The proposed development by reason of its location adjoining a rural settlement with limited facilities and transport connections and without overriding justification would represent an unsustainable form of residential development contrary to saved Policies STRAT1, STRAT3 and STRAT12 of the West Lindsey Local Plan First Review and the provisions of the National Planning Policy Framework.

6 – 132419 - Morton

Planning application for proposed extension to existing garage to provide storage, wc and sun room at 3 North Street, Morton.

The proposal had been put before the committee because the applicant was a West Lindsey District Council officer.

It was **AGREED** that permission be **GRANTED** with conditions.

78 DETERMINATION OF APPEALS

RESOLVED that the determination of appeals be noted.

The meeting concluded at 9.32 pm.

Chairman