

WEST LINDSEY DISTRICT COUNCIL

MINUTES of a Meeting of the Planning Committee held in the Council Chamber at the Guildhall, Gainsborough on Wednesday 10 December 2014.

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

Councillor Owen Bierley
Councillor Alan Caine
The Revd Councillor David Cotton
Councillor Richard Doran
Councillor Malcolm Leaning
Councillor Giles McNeill
Councillor Jessie Milne
Councillor Roger Patterson
Councillor Judy Rainsforth

Apologies No apologies were received

In Attendance:
Mark Sturgess Chief Operating Officer
Russell Clarkson Principal Development Management Officer
Jonathan Cadd Principal Development Management Officer
Dinah Lilley Governance and Civic Officer

Also Present nine members of the public

49 PUBLIC PARTICIPATION

There was no public participation.

50 MINUTES

Meeting of the Planning Committee held on 12 November 2014.

RESOLVED that the Minutes of the meeting of the Planning Committee held on 12 November 2014, be confirmed and signed as a correct record.

51 MEMBERS' DECLARATIONS OF INTEREST

With regard to Item 1 Councillor Bierley declared that he had visited the site with the officer but had expressed no views on the application, and also that he was a member of the AONB Management Group.

Councillor Caine declared that he was the Chairman of the AONB Management Group.

52 UPDATE ON GOVERNMENT CHANGES TO PLANNING POLICY

The Principal Development Management Officer gave the Committee an update on recent Government Guidance, which was that S106 planning obligations were not to be sought for small scale applications. i.e. “contributions should not be sought from developments of 10-units or less, and which have a maximum combined gross floorspace of no more than 1000sqm”.

As this new guidance conflicted with policies in the extant statutory West Lindsey Local Plan (First Review), Officers were taking further advice on how much weight to give to the new guidance.

Members sought further clarification and the Officer stated that he would ensure that a link was sent to all.

<http://planningguidance.planningportal.gov.uk/blog/guidance/planning-obligations/planning-obligations-guidance/>

53 PLANNING APPLICATIONS FOR DETERMINATION (PL.11 14/15)

RESOLVED that the applications detailed in report PL.11 14/15 be dealt with as follows:-

1 - 131427 – Keelby

Planning Application for proposed dwelling on land to rear of Riby Road, Keelby.

The Principal Development Management Officer introduced the report and informed the Committee that confirmation had been received that the Parish Council maintained their objections regarding the open site, flooding, loss of trees and the character of the area. The Principal Development Management Officer affirmed that all of these matters had been addressed in the report.

Tracey Henrickson, the applicant, addressed the Committee and thanked officers for working with her on the application. Mrs Henrickson told the Members that she was a 34 year old mother with an incurable condition which meant that at times she suffered from paralysis and needed a property local to a family support network. No other properties were available in Keelby which were capable of the required modifications. The proposed plot of land was accessible to all amenities and attempts had been made to address local concerns and reduce the impact of the building. Work had been undertaken with the drainage board and a satisfactory solution found which should also alleviate existing problems in the area. Whilst the loss of the existing tree was unavoidable it was proposed to replace this with other mature trees.

Councillor Bierley also thanked everyone involved in attempting to find solutions with minimal impact. Councillor Bierley commended the excellent report but acknowledged that the arguments were finely balanced. The area was seen as important open space, however a Housing Needs Survey in 2008 had identified a lack of affordable housing in Keelby. The applicant was from a local family and had a specific reason to want to return to the area. Whilst two previous applications on the site had been refused, planning guidance had since changed, and all concerns raised had been addressed. Councillor Bierley felt that the application could be supported and moved that permission be granted.

Other Members of the Committee acknowledged the exceptional circumstances of the applicant and were supportive of the application, however concerns were raised that if for some reason the development did not proceed the land would have planning permission which could be utilised by another developer, and it was agreed that were it not for the particular needs of the applicant permission would likely not be granted. An amendment was therefore proposed and seconded that the permission be specific to the applicant.

The Principal Development Management Officer assured Members that any other application would be determined on its own merit and no precedent would be set, however it would be possible to apply a condition that the first occupant of the property be the applicant. It was also affirmed that Condition 13 removed Permitted Development Rights.

It was then **AGREED** that the application be **APPROVED** subject to the conditions set out in the report, with the additional condition to require the first occupant to be the applicant.

2 – 131591 – Claxby

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

The Principal Development Management Officer updated the Committee on further representations which had been received. A letter of support had been sent in by the residents of the Old Smithy describing how it was felt that the proposals would be of benefit to the existing tourism amenities in Claxby.

A letter had also been received from Councillor Tom Regis, Ward Member, who was not able to be present. This was read out and referred to the small, 'unsustainable' village of less than 60 dwellings, with no facilities and which did not deserve this level of intrusion or disturbance at its very heart. This development was entirely out of keeping with the local and wider environment. It would undoubtedly disfigure the landscape of the unique Area of Outstanding Natural Beauty.

Councillor Regis felt that the report also failed to consider several important aspects, and in conclusion stated that Policy CRT19 in the existing WLDC Plan underlined the case for refusal: "...Areas subject to special protection (e.g. The Lincolnshire Wold's

AONB) are of a particular character sensitive to new development. Caravan and Camping activities could rarely be satisfactorily assimilated.....'.

The Principal Development Officer also recommended that the Committee give consideration to an additional planning condition to prohibit the use of motor generators on site, in the interests of amenity.

Julia Lindley-Baker then addressed the meeting on behalf of the Parish Council stating that over 80% of those residents that had expressed their views were against the proposals. Whilst some of the objections had been addressed by amendments to the application the main concerns had not been overcome. Principal objections included:- overlooking and loss of privacy; noise pollution from this and other tourism facilities in the village; negative aesthetic effect on the countryside; parking and access problems via narrow roads; lack of a business plan; and inadequate waste and sewage disposal.

Chris Jackson, the applicant then addressed the Committee, describing how he worked in the catering, food and leisure industry and had over 600 clients. Lincolnshire was the forgotten county and needed to encourage visitors, this was a small scale project designed to attract tourists to a beautiful area. The intention was for facilities to be basic and back to nature. Concerns of disturbance were understood, however there were already facilities within the area which attracted visitors. Small market towns were struggling and needed to promote themselves with tourism that was small scale and sensitive, unlike the proliferation of caravans on the east coast. It was hoped to work with local people.

Note Councillors Curtis, Cotton and Patterson declared a personal interest as they knew the following speaker as being a local school headmaster.

Paul Strong then spoke in objection to the proposals. Mr Strong's transcript was circulated around the Committee along with copies of his presentation. Mr Strong had submitted a list of material considerations in opposition to the application and asserted that neither an Environmental Impact Assessment nor the impact of Disability Discrimination Legislation had been carried out. It was felt that little consideration had been given to the unique position in the centre of the village, and there was a lack of basic facilities. It was feared that permission would set a precedent with change of use for the whole site and the large tents would be out of character with the setting in the AONB. Water supply and disposal were inadequate and parking proposals hazardous. There was no community support and no pre-application consultation had been conducted, the Parish Council were also in opposition. Mr Strong concluded that the proposals were intrusive, unsustainable and unwanted and would provide no benefits to Claxby.

The Chairman reminded the Committee that at this time limited weight could be afforded to policies in the emerging Local Plan.

Several Councillors felt that a site visit would be beneficial in determining this application, to assess the potential impact of the traffic, parking, access, noise and smell, and the likely effect on neighbouring residents.

It was moved, seconded and **AGREED** that a site visit be undertaken on a date to be agreed.

54 DETERMINATION OF APPEALS

RESOLVED that the determination of appeals be noted.

The meeting concluded at 7.30 pm.

Chairman