

WEST LINDSEY DISTRICT COUNCIL

MINUTES of a Meeting of the Planning Committee held in the Council Chamber at the Guildhall, Gainsborough on Wednesday 13 November 2013.

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

Councillor Owen Bierley
Councillor Alan Caine
Councillor David Cotton
Councillor Richard Doran
Councillor Paul Howitt-Cowan
Councillor Malcolm Leaning
Councillor Giles McNeill
Councillor Jessie Milne
Councillor Roger Patterson
Councillor Judy Rainsforth

Apologies None

In Attendance :
Zoë Raygen Acting Area Team Manager
Diane Krochmal Housing and Communities Project Officer
Dinah Lilley Governance and Civic Officer

Also Present 8 members of the public
Councillor Reg Shore

Prior to commencement of the meeting a minute's silence was held for the late Councillor Underwood-Frost

49 PUBLIC PARTICIPATION

There was no public participation.

50 MINUTES

Meeting of the Planning Committee held on 16 October 2013.

RESOLVED that the Minutes of the meeting of the Planning Committee held on 16 October 2013 be confirmed and signed as a correct record.

51 MEMBERS' DECLARATIONS OF INTEREST

Councillor Jessie Milne declared a personal interest on Item 1 as she rented a garage from ACIS, and also on Item 2 as being on the shadow board of the Trinity Arts Centre.

Councillor Paul Howitt-Cowan declared a personal interest in Item 2 as being the Council's Champion for Heritage.

Councillor Alan Caine declared a personal interest in Item 1 as he rented garages from ACIS and also knew the person speaking on the application.

52 UPDATE ON GOVERNMENT CHANGES TO PLANNING POLICY

There were no updates to report.

53 PLANNING APPLICATIONS FOR DETERMINATION (PL.10 13/14)

RESOLVED that the applications detailed in report PL.10 13/14 be dealt with as follows:-

1 – 129094 – Sturton by Stow

Planning application for the demolition of garages and the erection of eight affordable dwellings, Queensway, Sturton By Stow.

The application had been presented to the meeting on 16 October and determination deferred to enable a site visit to take place.

Chris Elkington, representing the Parish Council, addressed the Committee stating that the Parish Council strongly objected to the proposals, not to the principle of housing or the design, but because of the existing problems on site. The flooding issues were clear from the photographs and had been discussed at the last meeting. A further issue for concern was the loss of the informal play area. Sturton did have four play areas but these were all north of a busy road and would be difficult to get to. The Parish Council also felt that there was insufficient space for parking and traffic which would be exacerbated by more housing. Mr Elkington also queried the demand for social housing and felt this had been exaggerated, and there was insufficient infrastructure in the village. Anglian Water had stated that there was capacity in the drainage system, but Sturton had its own micro-climate due to topography and the power station and experienced significant rainfall.

Paul Wisher, Head of Development for ACIS, then spoke on the proposals, stating that there were four key issues for consideration. 1, the area was at least risk of fluvial flooding and there had to be a reliance on Anglian Water's claim that capacity was sufficient. ACIS were aware of the concerns regarding surface water flooding and the recommendation to approve was dependent upon a resolution being found. 2, there were no real concerns

regarding highway safety and there were to be 19 off-road parking spaces and a footpath to be provided. 3, the informal usage of the open space as a play area was acknowledged and an area of 522m² within the development had been allowed, which was bigger than a six a side football pitch. 4, there were 56 affordable housing units within the village and these experienced a low turnover so there was a strong demand for more. A S106 agreement was to be entered into to prioritise those in need of affordable housing.

Juliette Chamberlain Bond spoke as a local resident in objection to the proposals, describing the flooding problems that the area experienced which included sewage seeping into people's property. Raw sewage was not just a problem because of the smell, there was a health risk to residents from 120 viruses found in sewage. Queensway residents were mostly elderly and/or disabled with low resistance to infection. The building of more houses would exacerbate the situation and the system was already overloaded.

Sylvia Parrish then spoke further in objection stating that she was unable to sleep when it rained because of the fear of flooding and she did not feel that ACIS cared about the problems. More building would make matters worse.

Councillor Reg Shore then addressed the Committee as the Ward Member for Sturton. Cllr Shore was not convinced regarding the mitigation measures and was concerned regarding Anglian Water's attitude, and the contradictory statements that had been given. Cllr Shore also had little confidence in ACIS. It would be good to see the garages removed but not at the cost of flooding or the loss of the play area. ACIS needed to convince the Parish Council and the flooding experts, and they should come back with a better proposal.

Note there were further declarations of interest at this point.

Councillor Leaning declared a personal interest as he knew the Parish Council representative through the Witham 3rd Drainage Board.

Councillor Fleetwood declared a personal interest as he also knew Mr Elkington through his work on the Drainage Board, and also had an interest in the Environment Agency Regional Flood Defence Committee and Anglian Water Services.

Councillor Cotton declared a personal interest as he knew Mr Elkington and also one of the objectors.

Councillor Milne declared that she knew Mrs Parish as they had both served on the ACIS customer feedback panel, and Cllr Milne was also on the ACIS Board.

Members of the Committee then deliberated on the application at great length. Whilst acknowledging that the flooding was the most serious issue, questions were asked and further clarification sought on matters of the open space, parking and the number of affordable units.

The Housing and Communities Project Officer explained that there were six households identified as being in need, and an additional two houses had been proposed to make the development more viable and meet future need for Choice Based Lettings. Six local people had bid for a three bedroomed house in June.

Potential ways of alleviating the flooding were suggested, including rain water harvesting and a balancing reservoir. It was acknowledged that there were riparian ownership issues with some culverts which could not be addressed by the Council or through a S106 via the application. Some Members expressed concern as to whether the flooding problems would be solved through the conditions in the permission and felt that the decision should be deferred for these matters to be addressed prior to a resubmission of the application to the Committee.

Other Members felt that this application was the only opportunity to get the flooding issues addressed, hence the reason for the recommendation to delegate the decision once the surface water issue had been resolved. The Acting Area Team Manager affirmed that the developer had to demonstrate that the proposals would not make the flooding worse, and if this was not complied with, or the S106 not completed and signed within a six month period then the application would come back to the Committee.

It was proposed and seconded that the application be deferred pending resolution of the surface water flooding, however this motion was subsequently withdrawn, as the recommendation to delegate had the same effect.

The officer's recommendation to delegate approval of the application was then moved and seconded, with an amendment to Condition 1 requiring development to commence within two years rather than three. On being voted upon the **Motion was lost**.

It was then moved and seconded that the application be refused as it was contrary to Policy NBE14. On being voted upon it was **AGREED** that **PERMISSION BE REFUSED** for the reason set out below.

The area of, and surrounding, the application site is known to have an existing surface water flooding problem. The applicant has not adequately demonstrated that the proposal will not make the existing situation worse and therefore the application is contrary to Policy NBE14 of the West Lindsey Local Plan First Review 2006 and the National Planning Policy Framework

2 – 130542 – Gainsborough

Planning application for installation of pole mounted satellite dish in car park at Trinity Arts Centre, Trinity Street, Gainsborough.

The application was before the Committee as West Lindsey District Council was the applicant. The Committee discussed the proposal briefly, with some Members asking why the satellite dish could not be fixed to the building as it was unlikely to be secure in the car park. The Trinity Arts Centre was a Grade II Listed Building so this was not possible.

Members did suggest that given its proximity to the Listed Building, there should be conditions regarding the materials and colour of the dish and pole.

It was noted that the satellite dish would enable live streaming and increase the sustainability of the Arts Centre and save the Council money.

It was moved, seconded and voted upon that the application be granted, with the additional condition. It was subsequently **AGREED** that permission be **GRANTED**.

No development shall commence until details of the materials and colour of the supporting structure and colour of the satellite dish have been submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented on site prior to the dish being brought into use and maintained as such at all times

Reason: In the interests of visual amenity and to accord with saved policy STRAT 1 of the West Lindsey Local Plan First Review 2006

The meeting concluded at 7.45 pm.

Chairman