

WEST LINDSEY DISTRICT COUNCIL

MINUTES of a Meeting of the Planning Committee held in the Council Chamber at the Guildhall, Gainsborough on Wednesday 16 April 2014.

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

Councillor Gill Bardsley
Councillor Owen Bierley
Councillor Alan Caine
Councillor David Cotton
Councillor Paul Howitt-Cowan
Councillor Giles McNeill
Councillor Jessie Milne
Councillor Judy Rainsforth
Councillor Geoff Wiseman

Apologies Councillor Richard Doran
Councillor Malcolm Leaning
Councillor Roger Patterson

Membership Councillor Wiseman substituted for Councillor Leaning.
Councillor Bardsley substituted for Councillor Patterson.

In Attendance:
Zoë Raygen Acting Area Team Manager
Simon Sharp Principal Area Development Officer
Dinah Lilley Governance and Civic Officer

Also Present Councillor Malcolm Parish
Councillor Reg Shore
12 members of the public

PUBLIC PARTICIPATION

There was no public participation.

71 MINUTES

Meeting of the Planning Committee held on 5 March 2014.

RESOLVED that the Minutes of the meeting of the Planning Committee held on 5 March 2014, be confirmed and signed as a correct record.

72 MEMBERS' DECLARATIONS OF INTEREST

Councillors Howitt-Cowan, Bardsley and Wiseman declared a non-pecuniary interest in item 4 as the facility had been approved in principle by the Prosperous Communities Committee.

Councillors Bierley, Cotton and Fleetwood declared a non-pecuniary interest in item 4 as the funding of the facility had been approved in principle by the Policy & Resources Committee.

Councillors Milne and Wiseman declared a non-pecuniary interest in item 3 as being on the board of ACIS.

73 UPDATE ON GOVERNMENT CHANGES TO PLANNING POLICY

The Acting Area Team Manager reminded Members of the Committee of recent updates to the NPPF which replaced a number of circulars, to which hyperlinks were provided within the planning reports.

The Chairman reminded Members of the significant amount of development required to meet the Central Lincolnshire Housing Land Supply targets. 6,500 homes were required for the five year period.

74 PLANNING APPLICATIONS FOR DETERMINATION (PL.14 13/14)

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

1 – 130717 - Land off Hutton Way/Jubilee Avenue, Faldingworth

Planning application for erection of 41 detached, semi-detached and terrace dwellings and garages, with associated parking, landscaping, materials, boundary treatments, pedestrian and vehicular access from Hutton Way and internal roads.

The Principal Area Development Officer read out a statement which had been received from the Environment Agency.

“The Environment Agency has received and reviewed additional calculation on the capacity of the receiving watercourse. I can confirm that in conjunction with the confirmed one-off clearance of the watercourse and the maintenance strip, we are satisfied that the proposed discharge rate is acceptable. We are happy for the final SuDS details to be discussed and agreed at a subsequent MAG meeting and would support this element of the development being delegated to you as planning officer.”

Condition 2 responds to this and a Multi-agency drainage group would be convened prior to discharging the condition.

The Principal Area Development Officer also noted that assurances had been sought by residents that their comments had been taken into consideration and that assessment of the access and drainage arrangements had been made by members at the time of the site visit. These were both confirmed.

Issues with the sewerage system were acknowledged, however Anglian Water and EA had no objections regarding capacity. Acknowledgement was also made of the closure of the shop and need to travel to access facilities, and that the services had diminished in the village in the last eight years. Nevertheless, the site was part of an allocation in the Local Plan and it would be expected to be delivered as part of the deliverable land supply.

Trevor Howard, representing Faldingworth Parish Council, addressed the meeting to voice strong objections to the proposal. It was felt that the development would not be sustainable in terms of either the WLLP or NPPF, access to facilities was around five miles away. The Cricket Meadows development was already isolated from the rest of the village and this would be just as bad. The scale of the development would be more appropriate to a market town.

Sally Cheetham also spoke to the Committee on behalf of residents, stating that community views should be acknowledged. Sustainability arguments did not stand up for this proposal and having undertaken research it seemed that there was no demand for housing in Faldingworth anyway. Issues around traffic safety and quality of life were also raised.

Councillor Malcolm Parish, spoke as Ward Member for the application, thanking the Committee for having undertaken the site visit. Councillor Parish felt that Faldingworth was a unique historic settlement, not much more than a hamlet, and that the size of the development would have a dramatic impact. The lack of facilities meant the proposals were not sustainable and would also increase car use and impact on pre-existing traffic problems.

Members debated various aspects of the proposals, acknowledging concerns regarding sustainability, and questioning whether the development would improve or exacerbate the current situation. Clarification was sought on the capacity of the access roads, and it was affirmed that the original Cricket Meadows access had been designed for the full development including the current application.

Whilst several Members had concerns about the application, particularly in terms of sustainability, others felt that there were no justifiable planning reasons to refuse it. An appeal against a refusal would likely win and the ability to apply conditions would be lost.

The recommendation in the report was proposed and seconded, and on being voted upon it was **AGREED** that the decision to grant permission subject to

conditions be delegated to the Chief Operating Officer upon the signing and completion of a s106 that delivers:

- Affordable housing
- Public open space
- Communally managed landscaping belt
- Access easement to existing watercourse

2 - 130773 - George Hotel, 15 Main Road, Langworth

Outline planning application, including means of access, for up to 36 dwellings, including affordable provision, ancillary convenience store A1, public open space, ecological reserve and landscaping.

The Principal Area Development Officer informed Members that, since the preparation of the report, negotiations had been continuing in relation to the section 106. This had implications on the milestones contained within the recommendation and the Officer asked members to accept the report recommendation with the following adjustments to the milestones contained within the section 106 agreement:-

- construction of affordable units shall be completed prior to the first of occupation of **50%** of the Open Market Dwellings in the whole of the development.
- no more than **50%** of the dwellings granted by planning permission to be occupied until works to the public house, including creation of the shop, have been completed to the written satisfaction of the council.
- no more than **60%** of the dwellings granted by planning permission shall be occupied until the Shop use has been implemented and been open for not less than 7 hours per week for a period of not less than one calendar month as verified in writing by the council.
- implementation of flood mitigation measures before any dwelling granted planning permission being occupied (flood mitigation and drainage works).
- ecology area and public open space implementation will occur before occupation of no more than **50%** of the open market housing.

It was considered important to bring the flood mitigation measures right to the forefront to increase safety from flooding and allow occupation of more houses prior to the requirement for the shop in the interests of the viability of the scheme.

The recommendation with amended conditions was proposed, seconded and voted upon. It was then **AGREED** unanimously that the decision to grant permission subject to conditions be delegated to the Chief Operating Officer upon the signing and completion of a s106 that delivers:-**That the decision to grant permission subject to conditions be delegated to the Chief Operating Officer upon the signing and completion of a s106 that delivers:-**

- **construction of affordable units shall be completed prior to the first of occupation of 50% of the Open Market Dwellings in the whole of the development.**
- **no more than 50% of the dwellings granted by planning permission to be occupied until works to the public house, including creation of the shop, have been completed to the written satisfaction of the council.**
- **no more than 60% of the dwellings granted by planning permission shall be occupied until the Shop use has been implemented and been open for not less than 7 hours per week for a period of not less than one calendar month as verified in writing by the council.**
- **implementation of flood mitigation measures before any dwelling granted planning permission being occupied (flood mitigation and drainage works).**
- **ecology area and public open space implementation will occur before occupation of no more than 50% of the open market housing.**

That, if the s106 is not completed and signed within 6 months of the date of this Committee, then the application be reported back to the next available Planning Committee for determination following the expiration of the 6 month period.

3 - 130886 – Queensway, Sturton By Stow

Planning application for the demolition of 20 garages and the construction of 8 affordable dwellings.

Christopher Elkington of Sturton Parish Council spoke to the Committee and reiterated previously raised concerns regarding surface water drainage and flooding experienced by residents. Whilst the Parish Council was in favour of affordable housing development in Sturton the proposed application was inappropriate not only because of the flooding problems, but also the provision of open space and play areas in the village. Mr Elkington referred to the 42 page drainage report which had been submitted and highlighted several flaws in the document.

Geoff Bates, of the local action group, also cited the severe flooding problems experienced by residents and, with his drainage experience, claimed that the proposed measures would not alleviate the problems.

Councillor Reg Shore, Ward Member for Sturton, echoed the concerns raised by the two previous speakers, and stated that the problems had to be solved before adding to the situation.

The Principal Area Development Officer reminded Members that the granting of planning permission cannot be dependent upon betterment of the problem, merely that it should not exacerbate the situation.

In depth discussion then ensued, and it was proposed and seconded that the application be refused. However, the Principal Area Development Officer suggested to Members that if they were minded to defer the decision this would enable further negotiation to be undertaken with the applicant and in consultation with the Parish Council to attempt to secure a solution to the problems. The motion to refuse was then withdrawn and a proposal to defer the application was moved and seconded.

On being voted upon it was **AGREED** that the application be **DEFERRED** to enable negotiation to take place, as it was agreed that the flood mitigation proposed was not sufficiently robust to not exacerbate the current situation.

4 – 130940 - Wembley Street, Gainsborough

Planning application for demolition of existing light industrial storage - B1-buildings and erection of 12 bedroom Foyer and communal facilities - sui generis - with associated car parking and landscaping.

The Principal Area Development Officer introduced the report, reminding Members that the provision of the facility fitted the objectives in the Council's Corporate Plan.

Alan Lewin, Chief Executive of Axiom, gave background information about the Foyer initiative, describing how it would provide a sound base to assist young people in securing employment or further education and help to alleviate homelessness.

Brief discussion ensued, with Members being wholly supportive of the scheme and the benefits it would provide for the young people of Gainsborough.

The Recommendation in the report was moved and seconded, and on being voted upon it was **AGREED** that permission be **GRANTED** subject to conditions.

75 DETERMINATION OF APPEALS

RESOLVED that the determination of appeals be noted.

The meeting concluded at 8.15 pm.

Chairman