

WEST LINDSEY DISTRICT COUNCIL

MINUTES of a Meeting of the Planning Committee held in the Council Chamber at the Guildhall, Gainsborough on Wednesday 16 October 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 Councillor Chris Underwood-Frost

Membership Councillor Paul Howitt-Cowan substituted for
Councillor Underwood Frost

In Attendance :
Zoë Raygen Acting Area Team Manager
Simon Sharp Senior Growth Strategy Projects Officer
Diane Krochmal Housing & Communities Project Officer
Dinah Lilley Governance and Civic Officer

Also Present 38 members of the public
Councillor Malcolm Parish
Councillor Sue Rawlins
Councillor Reg Shore
Councillor Geoff Wiseman

38 CHAIR'S ANNOUNCEMENT TO VARY THE ORDER OF THE AGENDA

The Chairman noted that as Paper A the Housing Policy Statement was pertinent to Items 2-4, and given the number of people present for Item 1, it was proposed that this be dealt with first.

RESOLVED that the order of the agenda be changed to allow consideration of Item 1 prior to Paper A.

39 PUBLIC PARTICIPATION

There was no public participation.

40 MINUTES

Meeting of the Planning Committee held on 18 September 2013.

RESOLVED that the Minutes of the meeting of the Planning Committee held on 18 September 2013 be confirmed and signed as a correct record.

41 MEMBERS' DECLARATIONS OF INTEREST

Councillor Cotton declared a personal interest in Paper A as a Member of the Central Lincolnshire Joint Strategic Planning Committee, and also Paper B Item 2 as he knew one of the speakers on the application.

Councillor Patterson declared a personal and pecuniary interest in Item 1 as his wife worked in the SPAR shop opposite the site, so he would not take part in the deliberation or vote on the item.

Councillor Milne declared that she had arranged a meeting for objectors to Item 1 with Sir Edward Leigh MP, but had not been involved in the meeting.

42 UPDATE ON GOVERNMENT CHANGES TO PLANNING POLICY

The Acting Area Team Manager informed the meeting that a recent change to policy was the abolition of Conservation Area Consent, and that demolition of a building in a Conservation Area would now require planning permission.

43 PLANNING APPLICATIONS FOR DETERMINATION (PL.08 13/14)

RESOLVED that the applications detailed in report PL.08 13/14 be dealt with as follows:-

1 – 130093 - Dunholme

Planning application for demolition of existing vacant public house and erection of convenience food store, together with associated car parking. Lord Nelson Inn, 1 Market Rasen Road, Dunholme

The Acting Area Team Manager updated the Committee on further representations received. There had been two further letters of objection from 9 Church Lane Eagle and Save Dunholme Amenities Action Group. "The representations continued to object on the grounds of loss of amenities, loss

of heritage, visual amenity and poor design and welfare of existing retail offerings. The group contend that the proposals do not accord with local plan policy in particular CRT 4 in that there is no suitable and convenient alternative available, and it has not been demonstrated that the site is no longer economically viable as a public house or that the new proposals will have significant alternative benefits. They are also concerned about the design of the proposal and the impact on the adjacent listed buildings and point out English Heritage's continuing objections to the proposal. The group are also concerned about the validity of the planning application pointing out concerns regarding the scale of the plans and the lack of dimensions on the plans. They are also concerned about the ownership certificate."

The Acting Area Team Manager clarified that the plans were acceptable and met the requirements of a valid application and plans showing dimensions to the boundaries had been supplied. The ownership certificate was correct.

Two further letters of support had also been received from 27 Ryland Road Welton, Reed House and 4 Spring Close Dunholme.

Prior to consideration of the application Simon Barrett, member of Dunholme Parish Council, addressed the Committee. Mr Barrett stated that the development of the Lord Nelson site would change the view of the village for ever. The building was a heritage asset, and it was feared that the proposal from the Co-op was the last hope of preventing the site from further deterioration. There were concerns regarding the potential loss of the Post Office, and disappointment at the lack of negotiation between the Co-op and the Action Group. This was an opportunity to enhance the village.

Ursula Lidbetter, Chief Executive of Lincolnshire Co-op then addressed the meeting, saying that she was representing the 863 Co-operative members in Dunholme. Ms Lidbetter stated that she had received many letters and emails of support from local residents, and that the Co-op would not have committed so much money if it was not confident that the venture would be popular. Negotiations had taken place with residents and the design of the building had been amended accordingly. Regarding the Post Office, it was stated that change of ownership rules were complicated.

Craig Duncan of the Save Dunholme Amenities Action Group then spoke on the application. Mr Duncan claimed that there were inaccuracies and unsupported statements in the report and it should be rejected. The proposal was in contravention of Policy CRT3, CRT4 and RTC6. The letters from English Heritage and the 580 names on a petition should not be ignored.

Councillor Sue Rawlins, Ward Member, reiterated her previous comments on the proposals, and noted that the best view from the church was at the gates, not further up the path, where members walked on the site visit. Cllr Rawlins queried the comments received from the Third Witham Drainage Board that the permission only be outline, and emphasised that the English Heritage comments, while summarised in the report were actually quite categoric

regarding the preservation of the building. There was a need to maintain the heritage for future generations.

Councillor Malcolm Parish, neighbouring Ward Member, thanked the Committee for having undertaken the site visit, and stressed that the views of English Heritage needed to be taken notice of. The community of Dunholme was not against the Co-op, they were against the demolition of the heritage building. Everyone would benefit from co-operation, this was a unique opportunity to provide a chance for Dunholme to reinvent itself by using existing facilities. There was evidence that the Co-op supported several pubs in other locations. The building had now been designated as a Community Asset.

The Committee Chairman sought clarification on the Community Asset listing and was informed that this carried limited weight as it only became a material consideration when the asset came onto the market. The Acting Area Team Manager further clarified that the issues raised by the Internal Drainage Board could be addressed through conditions, and that the English Heritage objections had to be considered against other relevant matters, including the fact that the building could be demolished without planning permission.

Note Councillor Cotton declared a personal interest at this point in the meeting as a Minister of the Church.

The Committee then debated the application at length. Acknowledgement was made that the arguments were finely balanced. Whilst some Members felt that the building as a heritage asset should be preserved and be utilised as a community facility, others felt that the existing site was an eyesore that needed tidying up, and that the Co-op building would be an improvement to the street scene.

Note Councillor Howitt-Cowan declared a personal interest as being the Council's Champion for Heritage.

It was moved and seconded that permission be refused, and on being voted upon the vote was lost.

The recommendation to approve the application with conditions was then moved and seconded, and it was subsequently **AGREED** that **PERMISSION BE GRANTED**.

Note The meeting adjourned briefly to allow the members of the public from Dunholme to leave the room. The meeting recommenced at 7.40pm.

44 INTERIM HOUSING POSITION STATEMENT (PL.07 13/14)

The Acting Area Team Manager introduced the report which set out the purpose of the Interim Position Statement which was to support appropriate

development in the short term, whilst ensuring that development was in the right location and of an appropriate nature and scale. The Statement had been developed to clarify the approach to maintaining a housing land supply in the interim period before the new housing allocations are in place following the adoption of the Site Allocations DPD whilst at the same time providing justification for the refusal of inappropriate development despite the lack of five year supply of deliverable housing land.

The statement aimed to make it clear to the development industry that sustainable growth and quality development would be supported in Central Lincolnshire. However it also made clear to developers that applications in advance of Site Allocations would have to be supported by evidence that communicates the benefits and appropriateness of the schemes to both the Local Authorities and the communities which the development would impact upon.

The statement did not provide any new policy, it merely highlighted the key principle of the current and emerging policy and expanded these in certain areas.

Members of the Committee discussed the deliverability of housing schemes and the prevention of landbanking. Planning permissions were to be limited to two years to prevent delays. Clarification was given on the status of Community Infrastructure Levy and S106 agreements and it was acknowledged that these would co-exist.

Questions were asked regarding the weight to be afforded to Neighbourhood Plans, and it was affirmed that Plans would not gain weight until they had gone through their statutory six week consultation period.

RESOLVED that the Interim Housing Position Statement be noted.

45 PLANNING APPLICATIONS FOR DETERMINATION (PL.08 13/14)

RESOLVED that the applications detailed in report PL.08 13/14 be dealt with as follows:-

2 – 129094 – Sturton by Stow

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

The Senior Growth Strategy Projects Officer showed photographs of flooding in the area and explained that development would be unacceptable at the present time as it would exacerbate the problems, hence the recommendation to delegate the decision to grant permission once mediation work had been undertaken. The application was being brought forward in the context of the Local Plan first review and was about delivering housing for local people identified as being in need.

Four local residents spoke on the application. Juliette Chamberlain-Bond stated that the sewage works had limited capacity and had had no upgrade since a study was carried out in 2007. Sylvia Parish said that the last flood came within half an inch of her back door, and also if the development progressed there would be nowhere for children to play. Geoff Bates informed the Committee that work had been undertaken to conduct a survey however as connections could not be found the results would likely be inconclusive. There had been a problem for 40 years. Irving Woolley said that the foul sewage was to be connected to the existing grid, but that Anglian Water had said this was at capacity. An urgent upgrade was needed to stop raw sewage entering gardens and causing a health risk.

Councillor Reg Shore, Ward Member raised issues regarding the allocation of affordable housing to those in need, and reiterated the concerns raised by residents regarding flooding. Councillor Shore suggested that the Committee would find a site visit useful.

Questions were also raised regarding the size of the plot, so Members proposed that they undertake a site visit, and suggested that it would also be useful if a drainage officer could also be present to answer questions.

It was therefor **AGREED** that a site visit be undertaken on a date to be agreed.

3 – 130301 - Nettleham

Planning application for erection of new business unit at Brunel House, Deepdale Enterprise Park, Nettleham.

The Senior Growth Strategy Projects Officer read out a letter submitted by Nettleham Parish Council as they were unable to attend the meeting:-

“The Parish Council object to the additional development on this plot on the following grounds:

Overdevelopment of plot contrary to: POLICY CORE 10 – OPEN SPACE AND LANDSCAPING WITHIN DEVELOPMENTS -*New development proposals will be expected to include proposals for landscaping and open space which:*

- i. Help integrate the development into the surrounding environment;*
- ii. Are planned as an integral part of the development;*

Comment: The plot received planning permission as part of an approved outline scheme for the whole site with limited development of each plot. The plot concerned was developed to its maximum size at that time. The reasons for limitation of size of plots were related to the overall concept of barn

conversions and providing a rural feel to the development as a whole. In addition there was a requirement for self-contained parking capability for each site.

The current proposal provides 5 more car parking spaces but 8 more employees.

The current business located on the site is a call centre and has a short fall of 7 parking spaces hence there are regularly 7 cars parked on the local service road causing some congestion and difficulty to the various delivery vehicles accessing the Enterprise Park. Therefore there is a potential shortfall of a total of 10 spaces. We are now at risk of having the service road with 10 cars parked on it which would make it totally congested and would provide many difficulties for larger delivery vehicles entering the Enterprise Park.

Previous Travel Plans for the plot have failed to control the current parking situation and it is not clear how another Travel Plan for the proposed development would have any more success.

Even though this is only a small building its approval does set a precedent for other plots to be expanded which would then destroy the original concept of the Enterprise Park.

There are 2 undeveloped plots available on site which could be more beneficially sold, or split to be sold as smaller units, and provide a more satisfactory development of the Park as a whole, therefore the need for infill building is unnecessary to provide additional employment in the area.

We would therefore respectfully submit that the proposed development is inappropriate and should be rejected.”

The Senior Growth Strategy Projects Officer then suggested that the recommendation be amended to delegate the decision to officers subsequent to agreement being reached with Highways officers regarding the road being developed to acceptable standards.

Peter Cole, the applicant, described the need to expand the existing business within a self contained unit as it was not possible to extend the existing building. The development would be a complementary design and enable growth of the business. This proposal was the first step towards completion of the site following a delay due to the recession. It was also hoped that the highway would soon be adopted by the County Council.

Ward Members Councillor McNeill and Councillor Leaning expressed concerns about the site, its visual impact, and in particular the parking problems which would be exacerbated by an increase in staffing. Refusal of the application was proposed in terms of the reasons in STRAT15 and CORE10.

Other Committee Members felt that it was necessary to encourage business growth, and that screening would improve in time as existing shrubbery grew. It was acknowledged that amended conditions regarding the highway and parking would make the proposal more acceptable.

The motion to refuse the application was seconded, and on being voted upon, was lost.

The recommendation to delegate approval with amended conditions was then moved, seconded and voted upon.

It was subsequently **AGREED** that the power to grant planning permission subject to the conditions detailed in the officer's report be delegated to the Director of Regeneration and Planning subject to the securing of additional on-site parking within plot 1 and the securing of the off-site vehicular access infrastructure to serve the development to a standard agreed with the County Highways Authority and West Lindsey DC. These additional provisions to be secured through the imposition of additional conditions

4 – 130363 - Ingham

Planning application for the erection of 17no. dwellings consisting of 7 no. affordable and 10no. open market properties with access onto Lincoln Road-resubmission of 129648 on Land at Lincoln Road Ingham.

The Senior Growth Strategy Projects Officer reminded Members that this site had been considered by the committee previously and a site visit had been undertaken. Affordable housing was a Council priority and a need had been established in Ingham. Following concerns being raised regarding the impact on the Area of Great Landscape Value the proposals had been amended to include additional landscaping, and also an increase in on-site parking. The concerns regarding the overlooking of the doctors' surgery had been addressed.

Henry Wilson, the applicant, explained to the Committee why other sites had not been suitable for the proposed development, in particular the area to the south of the surgery. The infrastructure constraints would necessitate an increased number of market houses in the development to mitigate the additional costs that would be incurred to make the proposals viable. The development was to include an open space in a central courtyard and was the best scheme available.

Councillor Patterson in whose Ward the proposal was sited, affirmed that other sites had been considered but were not viable. The objections from the surgery were not valid and many residents' objections were based on presumptions of problems. The existing parking problems on Lincoln Road were not relevant to the proposal. Other Members of the Committee generally echoed support for the scheme, whilst some still had reservations, particularly regarding the lack of green space within the development.

On being moved, seconded and voted upon it was **AGREED** that:

The decision to grant permission subject to conditions be delegated to the Director of Regeneration and Planning upon the completion and signing of

an agreement under section 106 of the amended Town & Country Planning Act 1990 which secures:-

1. Which homes are affordable and when they are delivered in the context of the delivery of the open-market homes.
2. The criteria for the first and subsequent occupancy of the affordable homes.
3. The mechanisms for ensuring the affordable homes are affordable.

The meeting concluded at 9.27 pm.

Chairman