

WEST LINDSEY DISTRICT COUNCIL

MINUTES of a Meeting of the Planning Committee held in the Council Chamber at the Guildhall, Gainsborough on Wednesday 18 September 2013.

Present:

Councillor Owen Bierley
Councillor Alan Caine
Councillor David Cotton
Councillor Stuart Curtis
Councillor Richard Doran
Councillor Ian Fleetwood
Councillor Malcolm Leaning
Councillor Giles McNeill
Councillor Jessie Milne
Councillor Roger Patterson
Councillor Geoff Wiseman

Apologies

Councillor Judy Rainsforth
Councillor Chris Underwood-Frost

Membership

Councillor Wiseman substituted for Councillor Rainsforth

In Attendance :

| | |
|--------------|--------------------------------|
| Zoë Raygen | Acting Area Team Manager |
| Joanne Sizer | Development Management Officer |
| Dinah Lilley | Governance and Civic Officer |

Also Present

32 members of the public
Councillor Sue Rawlins
Councillor Malcolm Parish
Councillor Jeff Summers

30 ELECTION OF CHAIRMAN

RESOLVED that Councillor Stuart Curtis be appointed Chairman of the Committee for the remainder of the 2013/14 civic year.

Councillor Stuart Curtis took the Chair for the remainder of the meeting, and paid tribute to Councillor Underwood-Frost for his work as Chairman in the time that he had undertaken the role.

31 ELECTION OF VICE CHAIRMAN

Nominations were received for Councillor Ian Fleetwood and Councillor David Cotton for Vice Chairman.

On being voted upon it was **RESOLVED** that Councillor Ian Fleetwood be appointed Vice-Chairman of the Committee for the remainder of the 2013/14 civic year.

32 PUBLIC PARTICIPATION

There was no public participation.

33 MINUTES

Meeting of the Planning Committee held on 21 August 2013.

RESOLVED that the Minutes of the meeting of the Planning Committee held on 21 August 2013 be confirmed and signed as a correct record.

34 MEMBERS' DECLARATIONS OF INTEREST

Councillor Roger Patterson declared a personal and pecuniary interest in Item 2 as his wife worked at the SPAR shop opposite the site, so he would not take part in the deliberation or vote on the item.

Councillors Jessie Milne and Giles McNeill declared a personal interest in Item 2 in that a deputation of objectors had lobbied Sir Edward Leigh MP, but whilst being employed by him, had not been involved.

36 UPDATE ON GOVERNMENT CHANGES TO PLANNING POLICY

The Acting Area Manager informed the Committee of new legislation as from 1 October 2013. There was to be a 26 week time limit for determination of applications, and if Planning Authorities did not meet this deadline the application fees must be paid back to the developer. Secondly, there was to be no renewal of planning applications available to developers.

Members sought clarification on the first point and questioned if the repayment of the fee would still apply if the non-determination was due to insufficient information from developers. The Acting Area Manager affirmed that this would be the case and applications would have to be determined on the basis of the information available at the time.

Members also asked whether it was possible for Neighbourhood Plans to be approved prior to approval of the Core Strategy, as this question had arisen at the recent Planning Summer School. Councillor Cotton stated that Saxilby had been told that the Core Strategy must be adopted before a

Neighbourhood Plan, but that he would raise the matter at the next meeting of the Joint Planning Unit.

37 PLANNING APPLICATIONS FOR DETERMINATION (PL.06 13/14)

RESOLVED that the applications detailed in report PL.06 13/14 be dealt with as follows:-

1 – 129973 - Scothern

Planning application for change of use of land at rear from paddock land to garden land and erection of single storey annexe at 3 The Oaks, Scothern.

The Acting Area Manager reminded Members that the application had been deferred from the previous meeting to clarify Permitted Development Rights. The curtilage of the property was shown on the plan and it was officers' opinion, with legal advice, that the stables block was not within the curtilage of the property so no Permitted Development would apply, therefore it would not be possible to convert stables to a dwelling without planning permission. A Planning Inspector determining an appeal however could reach a different conclusion.

Cathryn Nicholl, representing Scothern Parish Council informed the Committee that the Parish Council reiterated all the previous comments made on the application. Briefly, in respect of Policies RES3, RES13, STRAT12, and that the conversion of the paddock to garden was in contravention of the previous application. Questions were also raised regarding vehicular access and whether the annexe would be incidental to the host dwelling.

Mark Harris, the applicant, stated that he was disappointed that it had taken 16 weeks for the application to be determined which was twice the normal time for a family annexe. He said that he was confused by the stance of the Parish Council as there had been no objections from neighbouring residents. Mr Harris said that he felt discriminated against, despite having lived in the village for 15 years, and would take a refusal to an appeal which would cost the Council money. He then questioned why a development would be acceptable for horses, storage and garaging, but not for his mother to live in.

Councillor Curtis, as Ward Member referred to Policies RES13, STRAT12, NBE10 and NBE20, and stated that he did not feel that the proposed annexe was integral to the host property, and was development on the edge of the settlement in the open countryside, and would therefore be detrimental to views of the landscape.

The Committee then deliberated on the application and agreed that regardless of potential appeal costs, had to determine the application on its individual merits. It was noted that stabling for horses and a residential property were different uses for which different criteria applied in open countryside. Members gave consideration to the condition requiring the

annexe to not be occupied other than for purposes ancillary to the host dwelling, however felt that the property could be sold as a separate dwelling in the future. There was agreement that the proposal was not integral to the host dwelling and a refusal of the application was proposed, seconded and voted upon.

It was **AGREED** that the application be **REFUSED** for the reasons set out below.

1. The proposed development would be outside of the defined settlement limits for Scothern as allocated in the West Lindsey Local Plan First Review 2006 and would not be an essential development for agriculture, horticulture, forestry, mineral extraction or other land use which necessarily requires a countryside location, it would therefore be unsustainable development in the open countryside contrary to the requirements of saved Policy STRAT 12 of the West Lindsey Local Plan First Review 2006 and the requirements of the National Planning Policy Framework

2. The proposed development would be on the edge of the settlement of Scothern and the annexe by virtue of its domestic character and large size, scale and massing would represent a significant intrusion in an otherwise area of rural character and therefore the development would be contrary to saved Policies NBE10 and NBE20 of the West Lindsey Local Plan First Review 2006 and the requirements of the National Planning Policy Framework

3. The proposed annexe would not be incidental to and within the curtilage of the original dwellinghouse of 3 The Oaks and therefore would be contrary to the requirements of saved Policy RES 13 of the West Lindsey Local Plan First Review 2006.

2 – 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 Manager updated the Committee on four further letters of objection which had been received from: Costcutter; 33 Devonshire Road, Scampton; Fieldhouse, Lincoln Road, Welton; and William Farr Comprehensive School. The representations continued to object on the grounds of loss of amenities, loss of heritage, visual amenity and poor design, welfare of existing retail offerings.

Matthew Wilkinson, Development Manager for the Lincolnshire Co-operative Society described the Co-op's links with local communities and the support that it gave. The application comprised an investment of ¾ million pounds and would provide 14 jobs, local suppliers and contractors were to be used, and eco-technology employed. It was noted that the public house had been for sale for over a year prior to being purchased by the Co-op.

Craig Duncan, of the Save Dunholme Amenities Action Group, had prepared a presentation which was shown to the Committee. The principal reasons for the objection were: loss of amenities (Policies CRT3 and CRT4); loss of heritage and visual amenity (PPS7); and design (RTC6 and PPS7). A 580 signature petition had been submitted and objections had been supported by the local MP and English Heritage. It was felt that the public house had been marketed at an unrealistic price and a reasonable offer of £250,000 had been rejected. A nearby public house had been renovated whilst the Lord Nelson had been left to deteriorate by the owners, Punch Taverns. It was felt that the creation of the Co-op store would lead to the demise of other local shops and the post office and lead to a loss of jobs. The Action Group had a vision of a community hub and described the facilities that could be offered from the existing building which was an important heritage asset to the village.

Councillor Sue Rawlins, Ward Member, agreed with the eloquent presentation submitted by the Action Group, and reiterated the matter of loss of amenity and heritage, and the unsustainable business model of Punch Taverns. There was one opportunity to get this right and there were other options available to preserve this important building. Councillor Rawlins asked the Committee to defer the application in order to undertake a site visit.

Councillor Malcolm Parish, neighbouring Ward Member, also spoke on the proposals noting three main issues: the finely balanced arguments; the impact on the historic area in the centre of the village and the concerns raised by English Heritage. The Corporate Plan Priorities included a commitment to the Localism Act. It would be preferable to work with the Co-op to create a community hub. Cllr Parish asked 'don't destroy – create with vision'.

Members of the Committee expressed concerns about the lack of consultation with the community, but acknowledged that the potential impact on other businesses was not a material consideration in the determination. It was noted that it would be possible for the building to be demolished without permission.

A deferral to undertake a site visit to assess the context was proposed, and it was then noted that the deferral would facilitate further negotiation. It was also suggested that English Heritage be invited to be present.

The proposal was moved, seconded and voted upon, and it was unanimously **AGREED** that a site visit be undertaken by the Committee on a date to be determined.

3 – 130117 - Torksey

Planning application for change of use of former public convenience to photo studio/gallery including raising the existing eaves height and replacing the roof structure. Former Public Toilets, Torksey Lock, Torksey

It was clarified that whilst the proposal was in Flood Risk Area 3 the floor level was to be raised, and that it was to be a non-vulnerable use. Members

Planning Committee – 18 September 2013

agreed that the building was currently a derelict eyesore that would benefit from being brought back into use.

On being moved, seconded and voted upon it was **AGREED** that permission be **GRANTED**.

The meeting concluded at 7.40 pm.

Chairman