

WEST LINDSEY DISTRICT COUNCIL

MINUTES of a Meeting of the Planning Committee held in the Council Chamber at the Guildhall, Gainsborough on Wednesday 20 August 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 Judy Rainsforth
Councillor Jeff Summers

Apologies Councillor Roger Patterson

Membership Councillor Summers substituted for Councillor Patterson.

In Attendance:
Mark Sturgess Chief Operating Officer
Zoë Raygen Acting Area Team Manager
Simon Sharp Principal Area Development Officer
Andy Gray Team Manager Housing and Communities
Dinah Lilley Governance and Civic Officer

Also Present 16 members of the public
Councillor Lewis Strange
Councillor Geoff Wiseman
Councillor Paul Howitt Cowan
One member of the press

21 PUBLIC PARTICIPATION

There was no public participation.

22 MINUTES

Meeting of the Planning Committee held on 23 July 2014.

RESOLVED that the Minutes of the meeting of the Planning Committee held on 23 July 2014, be confirmed and signed as a correct record.

23 MEMBERS' DECLARATIONS OF INTEREST

Councillor Milne declared that she had been contacted by the applicant for Item 2 in her capacity as being employed by Sir Edward Leigh MP.

Councillor Caine declared a non pecuniary interest in that he knew the applicant for Item 1.

Councillor McNeill declared that he had been asked a question by his employer, Sir Edward Leigh, regarding Item 2, but had not engaged in discussion.

24 UPDATE ON GOVERNMENT CHANGES TO PLANNING POLICY

There were no updates to report.

25 DETERMINATION OF APPEALS

RESOLVED that the determination of appeals be noted.

26 PLANNING APPLICATIONS FOR DETERMINATION (PL.05 14/15)

RESOLVED that the applications detailed in report PL.05 14/15 be dealt with as follows:-

1 – 131377 - Westrum Park Westrum Lane Brigg

Planning application for change of use of land for siting of six permanent Gypsy and traveller pitches and four transit pitches for a total of 24 additional caravans. Also, the change of use of dayroom building to dwelling.

The Principal Area Development Officer updated the Committee on further representations which had been received and circulated. North Lincolnshire Council had sent a revised submission which now raised objections to the proposals. The concerns were summarised as: increased traffic; the junction with the level crossing; and detrimental impact on neighbouring properties and local community. A letter had also been received from the Brigg Ward Members for North Lincolnshire which raised similar concerns and also issues regarding over-intensification of the site and drainage issues.

Concerns had been raised by both Lincolnshire and North Lincolnshire highways departments and questions raised regarding the lack of response from Network Rail. The Principal Area Development Officer clarified that there

was only a legal requirement to consult with Network Rail if there was to be a significant increase in traffic. The traffic increase was not anticipated to be high and the level crossing was on the 'A' road, not Westrum Lane.

The Council's Gypsy and Traveller Liaison officer had submitted comments highlighting that the application was a response to address a need and there would be no detrimental impact on the area.

Mike Doherty spoke on behalf of the applicant, describing how he had many years' experience with gypsies and travellers, and the site in question was one of the best, and incurred no cost to the authority. All of the objections raised were regardless of the facts. There would be no visibility issues, nor noise and disturbance, and no increase in traffic as the proposed plots were to be for family and friends who already visited the existing residents. The proposals offered more than the meeting of target allocations, they were a template of excellence to be proud of.

Councillor Lewis Strange spoke as Ward Member for the site. Councillor Strange noted that the existing site was well run and was a perfect size as it was. An increase of 24 caravans would mean significantly extra weight for the roads. Although objections had not been sent in to the Council, he had been contacted by many people with concerns. The late representations from North Lincolnshire Council had to be taken seriously and the application deferred to allow for negotiation and to get answers to questions. Whilst the road had been resurfaced there was no footpath and no lighting, and being narrow, was not safe. Clarification was needed on the proposals for drainage.

The Principal Area Development Officer stated that the practicality of connecting to the mains sewer for the disposal of foul water was being checked with the Environment Agency and utility provider. If this was not possible an appropriate alternative solution would be sought. It was acknowledged that whilst the road was not of an adopted standard the decision needed to be balanced against other considerations.

Members of the Committee noted their disappointment at the late arrival of some of the representations, however acknowledged that there was a Duty to Co-operate with neighbouring authorities and statutory consultees, therefore benefit could be gained from a deferral in order to get answers to questions and enable further discussion. Specifically, Members considered it was necessary for the Council to consider and respond to the comments made in the most recent representation from North Lincolnshire Council. The Principal Area Development Officer advised that these matters had been considered and there had been considerable engagement with North Lincolnshire Council but that, if members wished, further engagement would be undertaken. Members considered that, whilst the amenity and privacy questions were more easily answered, the highways and drainage matters needed further investigation, and it was proposed that consultation take place with Network Rail, as changes were proposed to be undertaken to the level crossing.

It was moved and seconded, and upon being voted upon, it was **AGREED** that the application be deferred in order to facilitate further discussion with North Lincolnshire Council under the Duty to Co-operate and to enable consultation with Network Rail.

2A – 131219 – Sun Inn Hotel, 1 North Street Gainsborough.

2B – 131220 – Sun Inn Hotel, 1 North Street Gainsborough.

A: Planning application for demolition of former Sun Inn Hotel, including 37 Market Street, and construction of a C1 use class hotel with associated ancillary facilities and servicing access

B: Listed Building Consent for demolition of former Sun Inn Hotel, including 37 Market Street, and construction of a C1 use class hotel with associated ancillary facilities and servicing access

The Chief Operating Officer introduced the item noting that this was an important and significant application for Gainsborough, and there was a need to have regard to material considerations. The leisure, economic and employment deficiencies in Gainsborough had to be balanced against the historic environment. Much discussion had already taken place and it was acknowledged that there was a need for a quality hotel in the town. The proposal was for total demolition of the current building including the part which was Grade II listed, so consent should be refused unless an overriding need could be proven. Members were therefore asked to balance the loss of the listed building against the public benefit.

The Principal Area Development Officer updated the Committee on further representations which had been received, including the Lincolnshire Historic Society, the owner of 35 Market Street, Sir Edward Leigh MP and English Heritage. An objection had also been received from the Environment Agency as the site was in Flood Zone 3, at highest risk. The Principal Area Development Officer suggested that, if members were minded to grant permission, then they delegate the ability to negotiate with the Environment Agency to seek the withdrawal of the objection, thereby removing the necessity to notify the Secretary of State on this matter. The Principal Area Development Officer also advised that, if Members were minded to grant listed building consent, then this power did not currently rest with them given the existence of the objection from English Heritage; the Secretary of State would need to be notified first for them to decide whether they wanted the application to be referred to them or if they were content for the application to be determined by the Council.

Barry Coward of Gainsborough Town Council then spoke in support of the development. Whilst there was awareness that the demolition of a Listed Building was exceptional the NPPF stated that conservation should be accorded to significance, and the present building had no significance in the public eye. The building would likely remain empty for years, cost a

significant amount of money to restore, so would likely deteriorate. The public benefits of the development would outweigh the loss of the Listed Building.

Shan Jaehrig of Sills and Betteridge and the Gainsborough Town Partnership, along with Dave Hale of Dransfield Properties, Nick Dear of Ping Europe, and Carl Currie of a local business, all spoke in support of the hotel citing the benefits that the development would bring to Gainsborough. The design had been well thought out, would provide employment, accommodation for visitors to local businesses and for tourism, and would help to regenerate the town and make it attractive. The Sun Hotel as it stood did nothing to enhance Gainsborough town centre.

D Milles, Chairman of Eminox whose head office was located in the old Court House, the grade II* listed building, accepted that the hotel was needed but raised concerns about the design. It was felt that the proposed design was too tall and would overshadow the Court House. The existing façade could be used and the buildings extended.

The Principal Area Development Officer informed Members that there had been extensive pre-application discussion, and compromise that would have retained important elements had been considered. Marshall's Yard had retained many parts of the existing engineering works buildings, so was exemplar of what could be achieved.

Councillor Mick Tinker, neighbouring Ward Member spoke on the application describing how the facility was needed, and hopefully would be used during the 2020 Mayflower celebrations in Gainsborough. Although officers were facing opposition and appeals, Gainsborough did have other important heritage, but needed a quality hotel.

Councillor Judy Rainsforth, Ward Member, then reminded the Committee that WLDC was an entrepreneurial, forward thinking Council and that the regeneration of Gainsborough was paramount. A previous hotel proposal had been planned for a greenfield site. Gainsborough was steeped in heritage, but sometimes sacrifices had to be made. Shops in the town centre were closing and Market street deteriorating, and a hotel would rejuvenate the area. The benefits would outweigh the loss.

Members of the Committee then debated the application at some length to balance the arguments for and against the proposals. It was acknowledged that compared with buildings such as Gainsborough Old Hall, 37 Market Street was of relatively little significance. There had been much support from local people and businesses.

The Committee had regard to the Conservation Area and the proximity of the old Court House Grade II* Listing. It was considered that the proposed hotel would enhance rather than detract from the setting of the listed building, and it was noted that the Guildhall and the block of flats on the opposite corner were also of a significant height, and that the ridge roof of the old Court House

raised its overall height. In considering the artist's impression of the proposed building it was felt that the designed mimicked that of the Old Court House.

Members were reminded of the need for the Secretary of State to decide whether the demolition of a listed building could be determined locally, and also that the Environment Agency's objection must be given serious consideration. Raising the floor level would naturally raise the height of the building further, however alternative mitigation measures could be agreed upon.

Having given consideration and due regard to the demolition of the listed building, the setting of the grade II* listed former court house and whether the development preserved or enhanced the character and appearance of the conservation area, having regard to the significance of all of these assets as well as the potential benefits of the proposal to Gainsborough in terms of economic , employment, tourism and regeneration opportunities, it was moved and seconded that the substantial public benefits accrued from the development outweigh the impact to the designated heritage assets and that, having taken into consideration all other material considerations, the development and works were acceptable.

On being voted upon it was **AGREED** unanimously that:

A – Members delegate the responsibility to grant planning permission subject to conditions pertaining to commencement of development within 3 years, contamination investigation and remediation, approval and implementation of surface water drainage, approval and implementation of flood mitigation measures, approval and use of external facing materials, approval and implementation of a contract for the redevelopment of the site including timescales and completion of the development in accordance with the amended plans, subject to first the withdrawal of the objection from the Environment Agency.

B – Members delegate the responsibility to grant listed building consent subject to conditions pertaining to commencement of works within 3 years and approval and use of external facing materials following notification to the Secretary of State and subject to them not requiring the application to be referred to them for determination.

The meeting concluded at 8.18 pm.

Chairman