

WEST LINDSEY DISTRICT COUNCIL

MINUTES of a Meeting of the Planning Committee held in the Council Chamber at the Guildhall, Gainsborough on Wednesday 21 August 2013.

Present: Councillor Chris Underwood-Frost (Chairman)
Councillor Stuart Curtis (vice chairman)

Councillor Owen Bierley
Councillor David Cotton
Councillor Chris Darcel
Councillor Ian Fleetwood
Councillor Malcolm Leaning
Councillor Giles McNeill
Councillor Jessie Milne
Councillor Roger Patterson
Councillor Judy Rainsforth

Apologies Councillor Alan Caine
Councillor Richard Doran

Membership Councillor Chris Darcel substituted for Councillor Caine

In Attendance :
Zoë Raygen Acting Area Team Manager
George Backovic Senior Area Development Officer
Dinah Lilley Governance and Civic Officer

Also Present 21 members of the public

25 PUBLIC PARTICIPATION

There was no public participation.

26 MINUTES

Meeting of the Planning Committee held on 24 July 2013.

RESOLVED that the Minutes of the meeting of the Planning Committee held on 24 July 2013 be confirmed and signed as a correct record.

27 MEMBERS' DECLARATIONS OF INTEREST

Councillor McNeill and also Councillor Milne declared that Sir Edward Leigh MP had commented on some of the applications, but whilst being employed by him, had not been involved in any of the commentary.

Councillor Fleetwood noted that he was the County Councillor and Ward Member for Item 7.

Councillor Cotton declared that he knew several of the objectors in relation to Item 5 so would abstain from voting on the application.

Councillor Darcel noted that he was the Ward Member for Item 7.

28 UPDATE ON GOVERNMENT CHANGES TO PLANNING POLICY

The Acting Area Team Manager informed Members that there had been two recent updates, both of which had been previously circulated by email. The first of these was a summary of available powers for dealing with Illegal and Unauthorised Encampments and included legislation regarding the amendment to Temporary Stop Notices.

The second document was Planning Practice Guidance for Renewable and Low Carbon Energy which replaced PPS22, and set out the criteria for policies and for determination. This gave communities a greater say on such applications.

29 PLANNING APPLICATIONS FOR DETERMINATION (PL.05 13/14)

RESOLVED that the applications detailed in report PL.05 13/14 be dealt with as follows:-

1 – 128961 – Bardney

Planning application for change of use of pub to 2no.dwellings and erect 5no. new dwellings on car park at The Bards, 2 Wragby Road, Bardney.

The Senior Area Development Officer read out a representation which had been received from Punch Taverns who owned the property. They maintained that the establishment had not been deliberately run down as had been proposed at the previous meeting, and that improvements required to the building were not viable. The Nags Head public house would provide an alternative community facility. There was no formal agreement in place for the parking of the fish and chip van in the car park, and its presence indicated the lack of food facilities at the Bards. Approval of the application would enable refurbishment of the building and improvement to the street scene.

Claire Storr then spoke in opposition to the application, having managed the establishment for five years. Mrs Storr had been surprised by the statement

from Punch Taverns and noted that the Bards was unable to provide food due to the mould on the walls in the building, and the chip van had been present for many years. The Bards was an historic building and had been present since 1812, and a letter of support had been received from the local MP. Lincoln County darts league had recently been in touch to ask the pub to assemble a 'super darts team', indicating the importance of this community asset.

Councillor Fleetwood, spoke as Ward Member for the application, and thanked the Committee for having undertaken the site visit. Noting that a refurbishment would make the venue more attractive, there had been no investment in the building for a long time. Councillor Fleetwood supported retention of the public house, and stated that there was no demonstrated need for affordable housing in Bardney.

Committee Members debated the application at length, noting that there had been a local petition against the closure, the building had been for sale for some time at what was felt to be an unrealistic price. There was no demand for additional housing in the area, and the Core Strategy stated that housing should not lead to a loss of community facilities. Fears were expressed that if the application were refused, this could lead to further deterioration of the building. It was suggested that the residents of Bardney could apply to have the pub registered as an Asset of Community Value, and given its age there was even potential for Listed Building status.

It was moved and seconded and subsequently voted upon that the application be **REFUSED**, and it was unanimously **AGREED** for the reasons set out below.

The loss of this public house would result in the loss of an essential community facility contrary to guidance within the National Planning Policy Framework and to Policy CRT 4 of the West Lindsey Local Plan First Review 2006 (Saved Policies) as it is considered that there is no suitable and convenient alternative facility. The arguments in relation to the lack of viability of the public house are not convincing and the provision of additional housing is not considered a significant alternative benefit sufficient to outweigh the loss of an essential community facility.

2 – 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 Team Manager informed the committee that following the site visit the applicant had submitted revised plans which now included access to the property. A further representation expressing concern had been received from the Parish Council.

Cathryn Nicholl of the Parish Council addressed the Committee to reiterate previously made comments. The NPPF does not make reference to family annexes, so WLDC Policy RES13 should apply. The site is outside the development boundary and may conflict with policies NBE20 and RES3. Concerns were expressed that a precedent could be set allowing policy STRAT12 to be disregarded. There was confusion regarding the siting of the access and whether the annexe would be incidental to the host property.

Councillor Curtis spoke as Ward Member for the application and supported the concerns of the Parish Council, citing policies NBE10, NBE20, RES3 and RES13. Councillor Curtis then moved refusal of the application.

Councillors then asked questions about the existing permission for a stable block, noting that footings had been completed. It was questioned that if permission was refused for the annexe, could the stables be completed and then converted to living accommodation without further permission? The Committee then requested further information on the stables. It was suggested that if consideration of the application was deferred this would enable clear guidance and further information to be provided. Councillor Curtis affirmed that if this was agreed he would withdraw his motion to refuse.

It was moved, seconded, voted upon and subsequently **AGREED** that the application be **DEFERRED** for further information and clarity regarding the stables.

3 – 129990 and 130027 – Blyton

Planning application to remove condition 5 of planning permission 129624 granted 20 March 2013, regarding occupancy
and

Planning application to remove condition 4 of planning permission 99P0794 granted 19 September 2001, regarding occupancy on land at Grace Park, Laughton Road, Blyton.

The Acting Area Team Manager informed the Committee that following the site visit the applicant had agreed that the site shall not be occupied between the dates of 14 January and 14 February in any year, apart from for the warden, in order to enforce holiday accommodation only.

It was moved, seconded, voted upon and subsequently **AGREED** that permission be **GRANTED** with conditions as set out in the report.

Note Councillors Underwood-Frost and Milne wished it to be recorded that they had voted against the recommendation.

4 – 130004 – Gainsborough

Planning Application for first floor extension over single storey section of dwelling-resubmission of 129712 at 11 Nelson Street Gainsborough.

The Acting Area Team Manager stated that following the site visit the applicant had submitted floor plans to give a clearer picture of the proposed extension.

The applicant, John Myskiw, then spoke to the Committee, describing how the extension was needed to provide two additional bedrooms for his growing family. He had consulted with his immediate neighbour and amended the proposals, and no written objections had been submitted.

Members noted with disappointment that although the application had been referred to the Committee by a Ward Councillor, no local Members were present.

During deliberation of the application Members noted that whilst it was a finely balanced decision, there was a wide driveway so plenty of light, the street scene was a mixture of old and new build and there was nowhere else that the applicant would be able to extend his property. Members noted that in today's climate people had to extend rather than move house, and no objections had been received to the proposals.

It was moved, seconded, voted upon and **AGREED** that permission be **GRANTED** with the conditions set out below.

Conditions stating the time by which the development must be commenced:

1. Condition: The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To conform with Section 91 (1) of the Town and Country Planning Act 1990 (as amended).

Conditions which apply or require matters to be agreed before the development commenced:

None.

Conditions which apply or are to be observed during the course of the development:

2. Condition: With the exception of the detailed matters referred to by the conditions of this consent, the development hereby approved shall be carried out in accordance with the following drawing: TMA/1066/01 Existing & Proposed Floor Plans & Elevations. The works shall be carried out in accordance with the details

shown on the approved plans and in any other approved documents forming part of the application.

Reason: To ensure the development proceeds in accordance with the approved plans and to accord with West Lindsey Local Plan First Review 2006 Policy STRAT1.

Conditions which apply or relate to matters which are to be observed following completion of the development:

4. Condition: Notwithstanding the provisions of Classes A, B, C, D, E, F, and G of Schedule 2, Part 1 of the Town and Country Planning (General Permitted Development) Order 1995, or any Order revoking and re-enacting that Order, the dwelling shall not be altered or extended, no new windows shall be inserted, and no buildings or structures shall be erected within the curtilage of the dwelling unless planning permission has first been granted by the Local Planning Authority.

Reason: As a result of the extensions now permitted to the property, to enable any such future proposals to be assessed in terms of their cumulative impact on the living conditions of adjoining dwellings and to safeguard the character and appearance of the building and its surroundings and in accordance with West Lindsey Local Plan First Review Policies STRAT1 and RES11.

Notes to the Applicant

None.

Reasons for granting permission

The proposed development is not considered to adversely affect the amenity of the residents of neighbouring properties or adversely affect the character and appearance of the area. This decision has been taken in accordance with saved policies STRAT1 and RES11 of the West Lindsey Local Plan First Review.

5 – 129323 – Newton on Trent

Planning application for the installation of a 500Kw wind turbine with maximum hub height of 50m, blade diameter of 54m and maximum height to tip of 77m. Transformer station at base of turbine and all ancillary work on land at Furrowland Ltd, Newton-On-Trent.

Prior to consideration of the application the Senior Area Development Officer informed the Committee that nine additional objections had been received from:- 18 The Paddocks; 28 Dunholme Road; Lane End Cottage; Studio Cottage; Linburn Lodge; Broomfields; Gorse Bank; Sallie Bank House and 29 High Street. None of the objections had raised any new issues not addressed in the report. A letter of support had been received from 57 High Street.

Caleb Arden and Steve Catney, applicant and agent, addressed the Committee, describing how the family business had been operating for some years, providing refrigerated produce storage on a huge scale to ensure a year round provision of locally produced vegetables. This operation required a constant supply of electricity costing hundreds of thousands of pounds.

Shops and customers demand environmentally sourced produce these days and various alternative energy sources had been considered. The applicant's extended family all lived locally so the best solution for all was sought. In NPPF EN1 and EN3 Planning Authorities should presume in favour of renewable energy solutions.

Richard Elliott addressed the Committee stating that he was speaking on behalf of local residents and Kettlethorpe Parish Council. Numerous objections had been raised, particularly regarding noise, especially at night. The size of the turbine was also a matter for concern as it would dominate the landscape and countryside. Some turbines had already been approved in the area and others were pending, so there were fears that the residents would be surrounded. The objectors requested that if granted the turbine be sited further away from the nearest residence, and that there be guarantees of regular maintenance to mitigate the potential for noise.

Those Councillors who had attended a visit to a wind farm in Mablethorpe some time ago commented that modern turbines generated very little noise so this was unlikely to be an issue. Whilst acknowledging that some turbines had been given permission previously, these were not considered to be in close proximity nor were there enough for a cumulative impact to be considered. Members also noted that the whole of the power output from the turbine was to be used on site and the applicant would not make a financial gain from electricity production.

It was moved, seconded and voted upon that the application be **GRANTED**, this was **AGREED**.

Note Councillor Cotton requested that it be recorded that he had abstained from voting.

6 – 130020 - Scotter

Outline planning application with all matters reserved for consideration in a subsequent application, to amend public open space to residential use, in order to finance the hand over of the play area on land between 20 and 22 The Rookery, Scotter.

Steve Rayner, Chairman of the Planning Committee of Scotter Parish Council, informed Members of the background to the development of the Rookery. There were 24 large houses and two blocks of affordable housing, one play area and an area of open space. The Parish Council had been asked to take over the play area and agreed in principle, however in order to finance this the developer was seeking to sell the open space for residential use, which was defaulting on his legal obligation. The £37,000 offered was a modest sum in comparison to the profit that would likely be made on the sale of the land. The original condition of 7.5% open space in the development would reduce to 3%, and open space was a sensitive issue in Scotter.

Councillor Underwood-Frost, Ward Member for Scotter, stated that this was a difficult site and he understood the Parish Council's concern and open space was important in Scotter.

Members sought further clarification on the context and site of the other play area and agreed that it would be a travesty to lose the green space. The original conditions should be adhered to by the developer, or an alternative proposed which would be in the best interests of the community.

It was moved, seconded, voted upon and **AGREED** unanimously that the application be **REFUSED** for the reason set out below.

The loss of this important open space in this development would be contrary to the National Planning Policy Framework and Policies RES 1 and RES 5 of the West Lindsey Local Plan (First Review) 2006 to the detriment of the amenities of the local residents

7 - 130066 - Fiskerton

Planning application for change of use of part of site to a driver training facility, together with erection of portacabin as office in connection with driver training facility at Fiskerton Airfield, Reepham Road, Fiskerton.

Councillor Darcel, as Ward Member for Fiskerton stated that he had no objections to the change of use, but that there were concerns regarding the proximity of the proposal to the memorial garden. The memories of service men were important and the memorial garden was a well visited and popular tourist attraction. Photographs were shown which depicted how the view of the memorial garden would look with the portacabin only 50 feet away, which was felt to be disrespectful. Alternative views of the cabin being sited 100 or 200 yards away would be more acceptable, particularly with appropriate screening.

Other Members of the Committee felt that the position of the portacabin was not important to the driver training facility, so it was proposed that the application be deferred to allow for negotiation with the applicant.

The proposal was seconded and voted upon and it was **AGREED** unanimously that the application be **DEFERRED**.

The meeting concluded at 9.30 pm.

Chairman