

**WEST LINDSEY DISTRICT COUNCIL**

MINUTES of a Meeting of the Planning Committee held in the Council Chamber at the Guildhall, Gainsborough on Wednesday 21 October 2015.

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

Councillor Sheila Bibb  
Councillor Owen Bierley  
Councillor David Cotton  
Councillor Mick Devine  
Councillor Steve England  
Councillor Jessie Milne  
Councillor Giles McNeill  
Councillor Judy Rainsforth  
Councillor Thomas Smith

**Apologies** Councillor David Bond  
Councillor Roger Patterson  
Councillor Hugo Marfleet

**Membership** Councillor Devine Substituted for Councillor Bond  
Councillor England substituted for Councillor Patterson  
Councillor Bibb substituted for Councillor Marfleet

**In Attendance:**  
George Backovic Principal Development Management Officer  
Jonathan Cadd Principal Development Management Officer  
Russell Clarkson Principal Development Management Officer  
Diane Krochmal Housing and Communities Project Officer  
Stuart Tym Lincs Legal Adviser  
Dinah Lilley Governance and Civic Officer

**Also Present** 62 members of the public  
Visiting Ward Members Councillors Shore, Summers  
County Councillor Lewis Strange

**32 PUBLIC PARTICIPATION**

There was no public participation.

### **33 MINUTES**

Meeting of the Planning Committee held on 23 September 2015.

**RESOLVED** that the Minutes of the meeting of the Planning Committee held on 23 September 2015, be confirmed and signed as a correct record.

### **34 MEMBERS' DECLARATIONS OF INTEREST**

Councillor Smith declared that for items 5 (133129 - Middle Rasen) and 6 (133119 – Market Rasen) he was the Ward Member, and also on the Town Council for Market Rasen. He had also been approached by a resident to discuss an application.

Councillor Cotton declared that he had attended the Parish Council meeting at which item 1 (132286 – Saxilby) had been discussed, but had not taken any part nor expressed any views. Councillor Cotton had had discussions with Officers on the item but had not precluded himself from participation.

Councillor Curtis informed the Committee that he was the Ward Councillor that had requested that item 2 (132790 – Scothern) be determined by the Committee, and in order to prevent any perception of pre-determination, he would withdraw from the Committee and speak as Ward Member on the application.

### **35 UPDATE ON GOVERNMENT CHANGES TO PLANNING POLICY**

Principal Development Management Officers read out policy updates to the Committee.

- (a) The Housing and Planning Bill had its first reading in the House of Commons in the previous week. The Committee would be kept informed of any developments and its progress.

Key Measures included:

- New affordable Starter Homes – a new legal duty would be placed on councils to guarantee the provision of Starter Homes on all reasonably sized new development sites; these would be offered to first-time buyers (under 40yrs) at a 20% discount on market prices (with an initial price cap at £250,000 outside London.)
- Local Plans – targeted powers to ensure that all councils got Local Plans in place by 2017, or the government could directly intervene;
- Government powers to grant automatic planning permission in principle on brownfield sites, and allocated sites in development plans and neighbourhood plans. Regulations would also require a local authority to compile and maintain a register of brownfield land suitable for housing.
- Neighbourhood Planning - The Bill introduces a timetable by which councils must undertake key neighbourhood planning functions, and

gave the Government the power to intervene in council's decisions. Councils must also notify neighbourhood forums of any planning applications in their area if requested.

- Self-build and custom housing - There would be a new duty on councils to grant planning permission for enough sites to meet the demand for custom-build and self-build in a local authority area arising from the local self-build and custom build register.
- Further powers for the Government to designate a local authority for its planning performance (may include non-major applications);
- Ensuring high value assets are managed effectively – ensuring the sale of high value council assets to be used to support people into home ownership.

The Bill can be viewed, and its progress can be followed here:

<http://services.parliament.uk/bills/2015-16/housingandplanning.html>

- (b) The Government had also announced that permitted development rights to convert offices into dwellings, which would have expired May 2016, would now be made permanent. The rights would be extended to allow for the demolition of offices and replacement new build for residential use – subject to the Council's prior approval. (Details yet to be given).
- (c) In addition, new PD rights would enable change of use of light industrial buildings and laundrettes to new homes, subject to the Council's prior approval.
- (d) The Court of Appeal had granted the Government permission to appeal against the recent High Court ruling that forced ministers to remove a policy to exempt small developments from affordable housing contributions from national planning practice guidance. Committee would be given updates on the outcome of the Court of Appeal decision. In the meantime, Local WLLP policy RES6 remained valid.
- (e) The Further Draft Central Lincolnshire Local Plan was published for public consultation which commenced 15 October. Expires 11:59pm on 25 November. Comments to be made to the Central Lincs Local Plan Team, in writing or online.
  - It was a material planning consideration – the weight to attach rested with the decision maker, but as an untested policy document, the advice was that limited weight should be attached at this stage.
  - Final Draft CLLP – Mar-Apr 2016 consultation
  - LP Examination – May-Nov 2016
  - Adoption December 2016.

The Principal Development Management Officer read out a statement relating to the Central Lincolnshire Five Year Land Supply Report (Oct 2015).

“As committee may be aware the Council has received the Central Lincolnshire Five Year Land Supply Report (Oct 2015). This is an important consideration in the determination of planning applications presented at tonight's planning committee and indeed all other non-determined housing applications within the system.

Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The National Planning Policy Framework (NPPF), paragraph 14, indicates a presumption in favour of sustainable development and instructs decision makers to “approve development proposals that accord with the development plan without delay; and where the development plan is absent, silent or relevant policies are out of date, granting permission unless:

- any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or
- specific policies in this Framework indicate development should be restricted.

The NPPF seeks to boost significantly the supply of housing and Local Planning Authorities are told to identify and update annually a supply of specific deliverable sites sufficient to provide 5 years’ worth of housing against their housing requirements with an additional buffer of 5% to ensure choice and competition in the market. The policy also notes that where there has been a constant under delivery of housing a 20% buffer should be utilised.

The National Planning Practice Guidance (NPPG) advises that housing figures in up-to-date Local Plans should be used as the starting point for identifying the five year requirement. As the Local Plan for West Lindsey dates from 2006, it does not contain up to date housing figures, and as the policies in the emerging joint Local Plan are at an early stage, these can only be afforded limited weight except where they accord with the NPPF.

Taking into consideration all current housing sites under construction, planning permission granted but not started, sites with resolutions to grant planning permissions, allocated sites within the adopted Local Plan, all emerging allocations in the Central Lincolnshire Further Draft Local Plan (CLFDLP) and a windfall allowance; Central Lincolnshire is now able to identify a deliverable five year supply of housing land (+20%) to deliver 12,059 dwellings which equates to a deliverable supply of 5.37 years (1540 dwellings per year).

This is a material change from the previous (September 2014) assessment which could only identify a 3.5 year supply of deliverable housing land. Whilst the Authority can now identify a five year deliverable supply, it is acknowledged that the spatial strategy of the current Local Plan is still out of date – it does not have sufficient allocations to meet the five year supply and departures from the Plan are necessary to make up that shortfall. Consequentially, its housing supply policies are still considered to be out of date, and the application should still be considered against the NPPF presumption in favour of sustainable development.

Equally, the NPPF indicates that the 5 year supply of land identified is a minimum and the emphasis on supporting sustainable housing development remains and should be given appropriate weight. Therefore if a site is

deemed appropriate for housing it should be supported and brought forward even if there are other allocated sites shown within the 5 year supply document or draft Local Plan. There is also a need within the district for affordable housing and this also needs to be considered within any planning balance.

Nonetheless, when applying the presumption balance test, the ability of the Authority to demonstrate a five year supply means that the ability of the applicant to contribute towards the five year supply should still carry weight but that this is less significant than previously found.”

Councillor McNeill requested that the statement be emailed to all Committee Members.

### **36 PLANNING APPLICATIONS FOR DETERMINATION (PL.07 15/16)**

**RESOLVED** that the applications detailed in report PL.07 15/16 be dealt with as follows:-

#### **1 – 132286 - Saxilby**

Hybrid planning application to include outline planning application for the erection of up to 133 dwellings with all matters reserved and change of use of agricultural land to cemetery on land Off Sturton Road, Saxilby.

The Principal Development Management Officer read out a statement received from the applicant’s agent which referred to the 5 Year Housing Land Supply stating that this was not a reason for refusal. That the supply relied upon allocations within the Further Draft of the local plan which was afforded very limited weight and would be the subject of objections. There were no allocations in Saxilby due to awaiting the outcome of the appeal, and this application and the plan had predicated significant windfall sites within villages.

The Affordable Housing Officer had submitted comments affirming that there was an identified need for affordable housing in West Lindsey as shown in the Homefinder Scheme. The policy position was that 25% of a development be affordable housing which on this development would equate to 33, however, based on the proposed density for the site 14 was considered acceptable.

A “No comment” response had been received from the Parish Council in relation to the revised plans and the Environment Agency had submitted no objections. No response had yet been received from Historic England.

Further representations had been submitted by a number of residents which covered issues such as:- the consultation period had only just closed; the result of the Church Lane appeal should be awaited to allow the full impact of both schemes to be assessed; a site visit should take place to assess the physical impact on the character of the entrance to the village of Saxilby and the grade 1 listed church; too

many houses were proposed; junctions were dangerous and additional traffic would make them worse; GPs were already overstretched; loss of view of the church; detrimental to the village; presence of bats; excess traffic and parking on inadequate congested roads; pressure on the school; flood risk from drains being at or over capacity; brownfield land should be used; there were plenty of existing homes for sale; a large percentage of the village opposed the scheme.

Simon Sharp, agent for the applicant addressed the Committee and described the level of engagement that had been undertaken with both residents and the Parish Council to identify constraints and opportunities. A drop in event had taken place and leaflets distributed. The applicant had listened to comments and amended the scheme – the access had been altered; more open space proposed; views from the church protected; the size of the cemetery increased; and bungalows included in the development. Regarding the infrastructure contributions, various sums had been agreed, however the s106 agreement could not be seen as a panacea to cure all existing problems in the village. Housing was needed in Saxilby and one other application had been withdrawn whilst another was the subject of appeal. Should the appeal succeed the cumulative impact had been considered.

Elizabeth Hillman, spoke as the Chair of the Saxilby Village Action Group, stating that development was sought in appropriate places, but there were concerns about the proposed location. There had been no improvements to Church Lane and there were concerns that it would become a rat run and be used by HGVs as a cut through. The road infrastructure had been inadequate for 50 years and the proposed development would increase road journeys. County Highways officers never raised any concerns. The GPs surgery was already overstretched and in special measures. There were concerns regarding flooding and sewage disposal which would be exacerbated by the development. The site was greenfield and in the open countryside in an agricultural landscape, the views of which would be spoiled. There was to be a Housing Needs Survey the following month – the outcome of this should be awaited. It was suggested that a site visit would be useful and that the outcome of the pending appeal be known prior to determination of this application. She requested a site visit to be undertaken to allow the committee to understand and see for themselves the character of this site and the impact the proposal would have on this important character.

Councillor Cotton acknowledged the work of the applicant in their consultation and agreed that no infrastructure contributions could cure all existing problems. There were suitable sites for development in Saxilby but this was not one of them. He agreed that a site visit would be useful. The highway network was inadequate and led to queues on the A57. It would be useful to have capacity statistics. There were recruitment difficulties at the doctors' surgery and a deficit of three doctors, and the village was growing, and also problems with the capacity of the school. Grade 3a and 3b agricultural land had been deemed worthy of preservation, and the existing sewage removal system by tanker was inadequate.

The Principal Development Management Officer informed the Committee that to defer the application to await the outcome of either the pending appeal or the Housing Needs Survey could lead to an appeal on non-determination grounds. The application took account of the appeal proposal in its reports and assessments so

that a determination on the overall impact could be made by the Planning Committee. It was also clarified that the sewage removal improvements were proposed to increase capacity beneath the road, through widening of the piped network. This was to have the effect of increasing storage within the network rather than increasing the speed at which sewage reached the treatment works. Such measures had in principle been agreed with Anglian Water. The positive and negative aspects of the proposal needed to be balanced against each other.

It was proposed that a site visit be undertaken in order to better understand the problems in the area, particularly the highway network, and this would allow further time for comments to be received from Historic England.

The proposal was seconded and voted upon and it was subsequently **AGREED** that a **SITE VISIT** take place on a date to be agreed.

**Note** The Chairman, Councillor Curtis, removed himself from the Committee for consideration of the following item and Councillor Fleetwood took the chair.

## **2 – 132790 - Scothern**

Hybrid planning application for the erection of 33 dwellings, associated hard and soft landscaping, including drainage provision, formulation of new vehicular access to Weir Farm Paddock. Outline permission is sought with all matters reserved for the erection of two self-build plots on land to the rear of Weir Farm Paddock, Scothern.

The Principal Development Management Officer read out comments which had been received from the applicant regarding the 5 Year Housing Land Supply, stating that this relied on unallocated sites without planning permission and cited the case law of *Wainhomes (South West) Holdings Ltd v Secretary of State [2013] EWHC 597 (Admin)* which stated site specific evidence should be considered to ensure such sites are deliverable.

An email had also been received from County Councillor Sue Rawlins, this was read out to the Committee.

“As the LCC Councillor for Scothern, I would like to draw the Committee’s attention to the *cumulative* effect of this proposal, in terms of the 30 % increase that this development would represent in properties in the village, *when taken with the other developments recently approved therein*.

There are few amenities in Scothern and the primary school of Ellison Boulton Church of England Academy is often over-subscribed. Although a capital contribution is sought for an additional primary places there is none mentioned for William Farr Academy in Welton nor for health facilities there. What are the likely spend constraints in terms of time for the educational contribution – will this be a five year window?

The planning report ( page 10 ) states that “ there are retail, health and other facilities within Dunholme “, There are in fact *no* health facilities in Dunholme,

only in Welton, and the “ Spar ” shop and Post Office in Dunholme has recently closed.

There are concerns around the traffic flows and road safety in the village being exacerbated by increased vehicle movements and interaction with local commercial and agricultural vehicles.

Drainage issues are also a major concern for local residents arising from this proposal.

I would like to join Scothern Parish Council in requesting that the Committee undertake a site visit to properly appreciate the above issues.”

**Note** Councillor McNeill declared that he was employed by Councillor Rawlins. Councillor Fleetwood declared that he was a fellow County Councillor of Mrs Rawlins.

Cathryn Nicoll spoke on behalf of Scothern Parish Council who opposed the application. Scothern was a small village with few amenities. The Chief Operating Officer had recently attended a meeting and stated that cumulative effect was taken into account. If this application was granted it would mean a 30% increase in housing in the village, when only 10% was recommended in the draft Local Plan. Recent housing alterations had led to a lack of parking spaces necessitating residents’ on street parking which recently blocked access to an ambulance. The highway was not meant to be a through road, however does often get used as such, and also by agricultural vehicles. The road was not safe for pedestrians or cyclists, and the bus stop on Sudbrooke Road was not a general public service one. A recent traffic survey counted over 16,000 vehicles over a period of five days. The local schools were under pressure and would soon reach the stage where local children would not be able to attend. Issues were also raised with the inconsistent character of the proposed dwellings with the rest of the village and also to cumulative effect on the the drainage system, with which Anglian Water were not comfortable with the responsibility for maintenance. It was suggested that a site visit would enable a better understanding of the issues, in particular the highways problems.

Dominik Jackson, agent for the applicant, addressed the Committee, and described the evolutionary approach that had been taken to the application over two years. Plots had been moved following consultation and a sympathetic amenable solution sought to provide an attractive development. A lot of effort had been put into the proposals, this was a local firm that wished to progress the development as soon as possible with local supplies and local employment, and several enquiries had already been received from prospective purchasers. No construction lorries were proposed to pass through the village. A voluntary contribution had been offered towards the Village Hall however this could not be formalised and be part of a legal agreement. The other contributions contained within the s106 agreement equated to £13,000 per proposed plot. The application was for full planning permission not outline, showing the developer’s commitment to the scheme.

William Payne, resident of Scothern, spoke in objection to the proposals, stating that the adverse impacts of the proposals outweighed any benefits to be gained. Of the available potential sites this was the least appropriate, with a single point of access. Significant weight should be given to the 5 Year Housing Land Supply statement. All services were at full capacity.



Robert Creasey also spoke against the application, citing several concerns:- the lack of a safe vehicular route; the lack of drainage capacity; the size and scale of the proposals being out of character with the village; residents and the Parish Council were all opposed to the proposals.

Mike Thompson also addressed the Committee showing photographs of existing traffic problems and stating that there would be a permanent reduction in the quality of life of existing residents. The area was never intended to be expanded, there were blind corners with restricted access and parking on the road frequently meant single lane access. There would be an adverse effect on the whole village.

The Principal Development Management Officer clarified that the matter of construction traffic was covered in the proposed conditions, and that a drainage scheme was proposed which should improve the existing situation.

Councillor Curtis, having vacated the chair, spoke as Ward Member on the application, stating that the road was a cul de sac not intended to serve additional vehicles which would cause congestion particularly at peak times. The location jutted out into the open countryside. The lack of capacity at the schools meant that they would not be available for local children. The s106 agreement stated that affordable housing would be provided within a 5 mile radius which would be of no benefit to Scothern. The voluntary contribution to the Village Hall had been deemed not directly related to the development so did not meet the test criteria, however this should be challenged through renegotiation. In the emerging Central Lincolnshire Local Plan Scothern was designated as a medium sized village limited to 10% growth, which had already been approved, so this proposal was in contravention of the emerging Local Plan.

Councillor Curtis proposed that policies STRAT19, STRAT12, NBE10, NBE20 were appropriate reasons for refusal. The impact on Public Footpath 154 was also a material consideration, as was the 5 Year Housing Land Supply.

Members of the Committee debated the application and sought clarification on a number of matters (i.e. the non-existence of a shop and the definition of '2.5' storeys). A variety of concerns were reiterated, including school capacity, accessibility problems, community opposition in light of Localism, architectural character as defined in policy RES1, and it being an unallocated site. The reasons for refusal suggested by Councillor Curtis were formally proposed and seconded.

The Principal Development Management Officer clarified that the site was not visually prominent being enclosed by woodland on two sides. The current WL Local Plan was out of date and the NPPF presumption in favour of sustainable development was applicable, and positive weight should still be attached towards the site's ability to contribute towards housing need and the 5 Year Housing Land Supply. Regarding the number of objections received, it was the issues being raised that should be considered rather than the quantity of objections. It was verified that the Footpath would require a modification order separate from planning permission, and also that the loss of Grade 3 agricultural land was a matter to which balanced consideration needed to be given.

The reasons for refusal were amended to include the loss of best and most versatile land, and development being out of keeping with Scothern's vernacular.

The committee then voted on the reasons for refusal as suggested by Councillor Curtis and it was **AGREED** unanimously that the application be **REFUSED**.

#### Reasons for refusal

1. Development would take place in open countryside and would be harmful to the rural landscape setting and character of the village of Scothern, and would place pressure on local infrastructure, contrary to the provisions of the West Lindsey Local Plan First Review 2006, particularly saved policies STRAT12, STRAT19, NBE10 and NBE20.
2. Development would take place on the best and most versatile agricultural land and it is not demonstrated that this is necessary, contrary to the provisions of the National Planning Policy Framework, particularly paragraph 112.
3. The development would be out of scale and keeping with the character and appearance of the village of Scothern, to the detriment of visual amenity and contrary to the provisions of the West Lindsey Local Plan First Review, particularly saved policy RES1.

**Note** The Committee adjourned for a comfort break at 8.05pm and reconvened at 8.15pm.

### **3 – 133025 – Normanby by Spital**

Planning application to erect three dwellings on land rear of Bottle and Glass Public House, 46 Main Street, Normanby by Spital.

The Principal Development Management Officer updated the Committee on further representations which had been received. The Parish Council had raised concerns regarding the car parking, in that two of the spaces appeared to block the rear access to the public house, and there were no designated disabled parking spaces.

Two letters of support had also been received expressing support for the pub landlord and welcoming well designed affordable housing for local people.

Nadine Fox, representing the Parish Council addressed the Committee raising concerns regarding the siting of the houses and quoting policies STRAT1, 7 and 9. The reduction in the number of parking spaces for the pub would lead to more on street parking and create a dangerous access. The proposed properties would not have a view over farmland as there was an agricultural workshop to the rear. There was no public transport in the village and there would be a problem of overlooking from a balcony. It was feared that construction storage would block access to the adjacent shop. A site visit to check measurements was requested.

Simon Sharp, agent for the applicant spoke on the proposals, emphasising the retention of the public house amenity, and describing the landlord's investment in the community and the attempt to build housing for local people. The site was brownfield land, not in the open countryside and there would be no impact on residents. The current parking arrangements involved a voluntary agreement that users of the school and shops were able to park on the private land, and different users had different time requirements, so there were no existing problems. The proposed cottage design comprised a sensitive proposal in the local vernacular and had received support from residents.

County Councillor Lewis Strange spoke on the application saying that he felt that a pub car park was not an appropriate place for affordable housing and that he had concerns regarding the parking capacity and the impact on the shop.

Councillor Jeff Summers, visiting Ward Member, sought a consensus on whether the 5 Year Housing Land Supply having been met gave the ability to refuse applications. Cllr Summers had concerns regarding the access to the car park and adjacent shop and the limited visibility. The school was only 20 metres from the site and the road became very busy. Cllr Summers also reiterated the concerns raised by Councillor Strange. He suggested that the application be refused for reasons of the Housing Land Supply, no site allocation, over development, detriment to pub car parking, unacceptable site for housing and highways issues.

The Principal Development Management Officer clarified that applications could not be refused merely based on the 5 Year Housing Land Supply, and that the Highways department had raised no concerns regarding the application.

The Committee debated the application briefly and felt that it would be beneficial to be able to see the site for themselves, therefore a visit was proposed, and seconded. On being voted upon it was **AGREED** that a **SITE VISIT** be undertaken on a date to be agreed.

#### **4 – 133052 – Sturton by Stow**

Hybrid planning application for the change of use of the former Red Lion public house from a drinking establishment (A4) to a single dwellinghouse (C3); Partial demolition of single storey extensions and further external alterations; Outline application for residential development of up to five dwellings (All Matters Reserved) at The Red Lion, 1 Marton Road, Sturton By Stow.

The Principal Development Management Officer read out an email which had been sent by Ward Councillor Reg Shore in which he clarified that he had not previously meant to imply any personal criticism of the landlord of the Red Lion.

Chris Elkington of Sturton Parish Council addressed the Committee stating that it was felt that whilst public houses were generally in decline there was no carte blanche to go ahead with proposals such as this. Mr Elkington claimed that the Red Lion had been deliberately allowed to decline and had suffered from a lack of investment. A CAMRA report three years ago had described it as a thriving pub. When the

relationship and business fell apart it was run down and then overpriced for sale as a going concern. The nearby Plough had a very different clientele and the proposals would lead to the loss of a community facility, with no suitable alternative. There would be no community benefits from the proposed housing.

James Rigby spoke on behalf of the applicant, who had expressed upset at his credibility being questioned. He had tried to keep the business afloat at significant cost to himself. Beer sales were at their lowest since the 1930s and it was particularly difficult without food sales. Competition was faced from the Plough and also the Cross Keys and he had struggled for 10 years. Numerous business models had failed and there had been a £7,000 loss in 2012, followed by a personal investment of £21,000. The business accounts had been submitted to the Council and the pub was no longer sustainable. This was seen as an opportunity to provide housing on a brownfield site and an improvement to the visual street scene, the proposals met all the criteria of policies CRT4 and STRAT7.

Gavin Widdison, owner of the Premier shop opposite the Red Lion, described how he had seen the Red Lion decline and then thrive twice before. Previous proposals in 2001 had been rejected and the pub thrived again. It had been difficult to find details of the business for sale, there had been a deterioration of quality and cleanliness and a reasonable offer had been declined. It was felt that an effective landlord could revive the business. A petition had been compiled in the village as it was felt that the pub had a future as a community asset.

The Principal Development Management Officer affirmed that the business accounts had been submitted from 2010, during which one year saw a small profit of £5,000.

Councillor Reg Shore, visiting Ward Member stated that the decline of the business coincided with a relationship breakdown, however the collection of signatures on a petition demonstrated the principles of Localism to retain a community asset. Whilst any applicant wanted the highest return, the best price available was to advertise for sale as a building plot, but the Change of Use should not be granted, and its designated use as a public house should be retained. It was advertised at a price of £375,000 in specialist publications, with no visible 'for sale' signs outside, as 'with development potential'. There was a lack of available information but the site had a run down appearance.

Councillor Shore cited the following policies as reasons for refusal:-

CRT4 – protection of a public house believed to be viable

ECON9 – protection of employment land

CRT3 – protection of recreational community facility

It was felt that the Red Lion had the most potential facilities to be a viable business and would ask for it to be marketed at a reasonable price.

A Committee member asked if the pub could be demolished by the owner without consent, and it was affirmed that prior approval would be required. It was further clarified that the proposals intended to retain the frontage of the building.

Members debated the application briefly and it was proposed that the reasons for refusal given by Councillor Shore be formally moved and seconded. On being voted upon it was **AGREED** that the application be **REFUSED** for the reasons as stated.

Reasons for refusal  
CRT4 and ECON9

1. On balance it was not considered that there was a suitable alternative facility within the settlement. The marketing of the property to secure its reuse was not considered sufficiently robust, so on this basis it cannot be reasonably concluded that it was no longer economically viable. The proposal was therefore contrary to saved policy CRT4 of the West Lindsey Local Plan First Review 2006 .

2. The retention of the premises for employment use had not been fully explored and it had not been demonstrated that there was no longer a need for the land for employment purposes and was therefore contrary to saved policy ECON9 of the West Lindsey District Local Plan First Review 2006.

**5 – 133129 – Middle Rasen**

Outline planning application for the erection of up to 53 dwellings together with open space - access to be considered and not reserved for subsequent applications on land North of Old Gallamore Lane, Middle Rasen.

The Principal Development Management Officer updated the Committee on additional representations which had been received. The applicant had submitted a letter which was read out, this noted that the 5 Year Housing Land Supply should not be regarded as a ceiling to development, which would be contrary to the Government objective of building a wide choice of homes.

Further concerns had been raised by residents on such matters as:- traffic on Church Street particularly at school times and on race days; the site was greenfield and outside of the village boundary; drainage and flooding issues; school capacity; and noise.

Lesley Bailey spoke in objection to the application on behalf of 31 households comprising over 50 people. The land on site was greenfield and must be protected, and outside of the village development boundary encroaching into the rural area. This could set a precedent and change the character of the village. The area was subject to regular flooding and soaked away very slowly, it was not believed that moving the floodplain would solve existing problems. The proposals were for a large estate which would be out of character, and along with other pending applications would total 60 dwellings on one lane. There would be an increase in traffic at peak times, speed restrictions were regularly ignored, increasing the potential for accidents. If approved it was requested that the access be from the A46 instead. Issues of noise, light pollution and overlooking were also raised. As there were no facilities within the village there would be an impact on neighbouring Market Rasen, but there were no safe footpaths to walk along.

County Councillor Lewis Strange also spoke on this application stating that he had been contacted by 26 different residents, and suggested that this was unwanted speculative development in the open countryside. There were flooding problems and access issues and a site visit would enable a better understanding of the matters.

The Principal Development Management Officer clarified that a SUDS scheme had been proposed for onsite attenuation of surface water run off, and clarified how part of the area was to be raised out of Flood Zone 3 to Flood Zone 1, and that only a small portion of the site was contained within Flood Zone 3.

The issues raised by Councillor Strange were reiterated and it was felt that no need for the housing had been demonstrated and that there was no justification to exacerbate the already existing flooding problems. Councillor Smith suggested that policies STRAT9, 12 and 13, NBE 14 and 20 would be appropriate reasons for refusal.

Councillors expressed concerns regarding the loss of the green wedge and the closing up of the settlement break between Middle Rasen and Market Rasen. Any benefits to be gained from the development would not be outweighed by the loss of the green wedge. The Principal Development Management Officer affirmed that the area is designated as green wedge and also maintained in the emerging Central Lincolnshire Local Plan, however balance had to be considered between the positive and negative aspects of the proposals.

It was proposed and seconded that the reasons put forward for refusal be agreed and on being voted upon it was **AGREED** unanimously that permission be **REFUSED**.

1. The proposal was considered to represent unjustified residential development of land located within the open countryside, to the harm of its intrinsic character and beauty. Furthermore the proposal would result in the partial development of land identified as an undeveloped break between settlements within the West Lindsey Local Plan First Review (June 2006), which was considered to significantly erode the significance of the gap in sustaining the separate and individual identities and setting of the settlements of Middle Rasen and Market Rasen and would lead to the perceived coalescence of the settlements. The proposal was therefore considered to be contrary to Local Plan Policies STRAT9 - [Phasing of Housing Development and Release of Land](#), STRAT12 – Development in the Open Countryside, Policy STRAT13 - Undeveloped Breaks between Settlements and Green Wedges Around Lincoln and NBE20 – Development on the Edge of Settlements of the West Lindsey Local Plan First Review (June 2006) and the emphasis upon sustainable development contained in the NPPF.
2. The proposal partially related to land within Flood Zones 2 and 3 and the development was expected to exacerbate the risk of flooding elsewhere. As such the proposal was considered to be contrary to Local Plan Policy NBE14 and the NPPF.

**6 – 133119 – Market Rasen**

Planning application to erect one dwelling on land adjacent Peck Mill, Victoria Road, Market Rasen.

It was affirmed that the application had been put before the Committee as the site was adjacent the home of a senior officer of the Council. Had this not been the case it would have been granted permission under delegated powers.

It was moved, seconded and voted upon, and subsequently **AGREED** that permission be **GRANTED**.

The meeting concluded at 9.50 pm.

Chairman