

WEST LINDSEY DISTRICT COUNCIL

MINUTES of a Meeting of the Planning Committee held in the Council Chamber at the Guildhall, Gainsborough on Wednesday 23 September 2015.

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

Councillor Owen Bierley
Councillor David Bond
Councillor David Cotton
Councillor Hugo Marfleet
Councillor Jessie Milne
Councillor Giles McNeill
Councillor Roger Patterson
Councillor Judy Rainsforth
Councillor Thomas Smith

Apologies Councillor Smith had apologised in advance to say he may be late, and arrived at 6.32pm.

Membership No substitute was appointed

In Attendance:
Derek Lawrence Interim Planning Manager
George Backovic Principal Development Management Officer
Jonathan Cadd Principal Development Management Officer
Paul Rushworth Lincs Legal Adviser
Dinah Lilley Governance and Civic Officer

Also Present 6 members of the public

26 PUBLIC PARTICIPATION

There was no public participation.

27 MINUTES

Meeting of the Planning Committee held on 26 August 2015.

RESOLVED that the Minutes of the meeting of the Planning Committee held on 26 August 2015, be confirmed and signed as a correct record subject to minor amendments as read out i.e. the names and job titles of

those present and the previous application number and determination date of Item 4 – 132885 – Sturton.

28 MEMBERS' DECLARATIONS OF INTEREST

All Members of the Committee declared a non-pecuniary interest in that they knew the applicant, a fellow Councillor, in relation to Item 2 contained within Paper B, namely application number 132412.

29 UPDATE ON GOVERNMENT CHANGES TO PLANNING POLICY

There were no recent Government updates to report.

30 PLANNING APPLICATIONS FOR DETERMINATION (PL.06 15/16)

RESOLVED that the applications detailed in report PL.06 15/16 be dealt with as follows:-

1 – 132795 – Sudbrooke

Outline planning application for the erection of up to six dwellings - all matters reserved, on land West of 91 Wragby Road, Sudbrooke.

The Principal Development Management Officer informed the Committee that the full site had had a Tree Preservation Order (TPO) applied.

Simon Sharp – Agent for the applicant spoke on the application referring to the density, the impact on neighbours and the trees. The TPO was noted, the applicant had not yet had time to respond, however there had never been any intention to clear the site of woodland. A carefully planned, sympathetic design was proposed, with low density executive housing set back behind trees. The design would respect residential amenity and biodiversity. A slide showed a plan which depicted the site in 1887 with a clearing between the trees, and the applicant was working closely with the Council's tree officer to ensure careful clearance and good management of trees.

George Skinner, objector to the application then addressed the Committee, noting that the application could be deferred in order to allow for consultation on the TPO, as this had only just been notified. Mr Skinner felt that the proposal was for too many houses and that the construction period would create chaos on the highway. Mr Skinner also noted that crested newts were present on the site, Sudbrooke was part of a woodland country estate, and the proposed houses would affect the privacy of his property. It was questioned why the proposed hedge did not run the full length and who would be responsible for its maintenance.

Clarification was given as to any potential wildlife and the provision for its protection, so this would not prevent the granting of planning permission, and that a condition could be attached restricting the disruption during construction.

The Chairman noted that he had requested that the application be determined by Committee following concerns being raised by the Parish Council and Natural England. Matters raised included the protection of the trees and wildlife and also the number of proposed dwellings, and it had been questioned whether there was any potential for the number of houses to be reduced.

The Principal Development Management Officer reminded the Committee that it must determine the application on the information before them. The majority of woodland was to be retained and the houses would be set back behind trees so the impact on the street scene would be minimal.

Members of the Committee debated the application at some length and many felt that the straight line arrangement was not appropriate in the location, and the houses would be better staggered. It was proposed that an additional condition be included to ensure that all the houses be detached, which would help to preserve the character of the setting.

Members were reminded that the plan was indicative only as the application was for Outline Permission with Reserved Matters to be submitted, so there could be a change to the layout at that stage.

Clarification was given regarding the part of the site, to the north, that was in Flood Zone 2/3, in that there were no proposals to build on that part of the site, therefore the Environment Agency had raised no concerns.

It was proposed and seconded that the application be granted with the additional two conditions regarding the properties being detached, and minimisation of construction disruption.

On being voted upon, it was **AGREED** that the decision to grant permission subject to the conditions set out in the report and below, be delegated to the Chief Operating Officer upon the completion and signing of an agreement under section 106 of the amended Town & Country Planning Act 1990 which secures an off-site contribution for affordable housing.

Note Councillor Curtis abstained from voting.

Additional Condition 1

No development or site clearance shall take place until a Site Clearance and Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The approved Statement shall be adhered to throughout the site clearance and construction period. The Statement shall provide for:

- Measures to control the emission of smoke and sawdust during site clearance
- The parking of vehicles of site operatives and visitors
- Loading and unloading of plant and materials
- Storage of plant and or materials used in site clearance and in constructing the development
- The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
- Wheel washing facilities
- Measures to control the emission of dirt during construction
- A scheme for recycling/disposing of waste resulting from site clearance and construction works

Reason: To protect the amenities of nearby residential properties and to accord with Policy STRAT 1 of the West Lindsey Local Plan First Review 2006 (Saved Policies) and the National Planning Policy Framework.

Additional Condition 2

The dwellings hereby permitted shall be detached.

Reason: To ensure that the development is sympathetic to the general character and appearance of the surrounding area in accordance with West Lindsey Local Plan First Review Policies STRAT 1 and RES 1.

2 – 132412 – Hemswell

Planning application for the creation of a lagoon for the storage of AD digestate and connecting pipework from Hemswell Cliff AD plant and lagoon on land at Hemswell Cliff, Occupation Lane.

The Principal Development Management Officer informed the Committee that additional representations had been received from Hemswell Parish Council which reiterated those concerns raised by Bishop Norton Parish Council, the majority of which were addressed within the report and associated conditions, but others would be addressed by officers in the meeting.

Comments had also been received from the Environment Agency, raising no objections, but requiring an operational management plan and pipework testing. These points could be addressed through modifications to, and additional, conditions. The Environment Agency stated they would be required to issue a permit for the lagoon and a cover was to be required. The Environmental Protection Team had requested an odour management plan, which the applicant was happy to comply with, along with the lagoon cover. These could be conditioned. The officer then read out the amended and additional conditions.

Councillor Duguid, the applicant, then spoke on the application, pointing out that permission had already been granted for the Anaerobic Digestion (AD) plant and for storage of digestate in tanks. This application was for a lagoon and pipework to replace the storage tanks. It would facilitate the spreading of fertiliser in the area where it was produced, negating the need for lorries transporting such material from the approved tanks to surrounding fields. He also provided additional background as to the AD process and how this would reduce odours by removing methane and hydrocarbons from the waste materials. As a result of the AD process the output would be fertiliser that would be relatively odour free. As it would be liquid, it would also be distributed on fields by dribble bars rather than spreaders, further reducing the potential for odours. Whilst he was happy to install a cover he did not feel that this was necessary and there would be a significant cost.

Councillors gave lengthy consideration to the application asking how necessary the cover was, and whether it would be possible to allow permission without a cover to gauge whether this did cause an odour problem. Reference was made to other potato AD plants with uncovered lagoons. The Principal Development Management Officer advised of the materials that would be taken into the AD plant which included food waste but also certain animal body parts and waste. Whilst this had been approved through the AD plant application this would impact on the nature of the digestate created and the potential for odour. The officer advised that it would be difficult to undertake monitoring and then subsequently enforce the use of a cover due to the costs involved in the construction process and whether such action would be deemed proportionate whether nuisance occurred or not. The cover had been requested on the advice of the Environment Agency and the Environmental Control Team who were the professionals tasked with assessing such development and had experience with such proposals. There was also to be landscaping and a bund surrounding the lagoon.

Councillors agreed that odour would have been burnt off during the digestion process, some having previously visited another site and detected no discernible odour. It was felt that as West Lindsey was a rural, agricultural area, such applications for sustainable diversification and energy production should be encouraged.

It was questioned what the cover would look like and noted that condition 6 required that details shall be submitted for approval prior to construction. Conditions on landscaping to the east and north of the lagoon will further reduce any impact.

It was moved and seconded that the application be granted and on being voted upon it was **AGREED** that it be approved subject to the conditions as set out in the report and amended plus the additional conditions suggested by officers.

Prior to the development commencing an odour management plan shall be submitted to and approved in writing by the Local Planning Authority. The development hereby approved shall be operated in strict accordance with the approved odour management plan thereafter.

Reason: To reduce the potential for odours and waste within the surrounding area in accordance with Saved Policy STRAT1 of the West Lindsey Local Plan.

Prior to development commencing a management plan for the lagoon and pipe work, including regular integrity testing of the pipeline for leakages shall be submitted to and approved in writing by the Local Planning Authority. The developer shall operate the lagoon and pipeline in accordance with the approved management plan and maintain a register of inspections and their results which the Local Authority may request viewing of at any time.

Reason: To reduce the potential for contamination of ground water in accordance with Saved Policy STRAT1 of the West Lindsey Local Plan.

8. Prior to the development being first brought into use detail of the pumping engines proposed shall be submitted to and agreed in writing by the Local Planning Authority. Details shall include their position and acoustic performance and any noise mitigation measures. The pumps shall be constructed in accordance with the approved details and maintained as such thereafter.

Reason: to reduce the potential for noise nuisance in accordance with Saved Policy STRAT1 of the West Lindsey Local Plan.

9. The discharge point to the east of the A15 shall be constructed in accordance with the approved details hereafter and the discharge point only be used for the discharge of digestate for spreading on fields only and no filling of the lagoon.

Reason: To reduce the potential for odours and in accordance with Saved Policy STRAT1 of the Local Plan.

31 DETERMINATION OF APPEALS

Members of the Committee expressed their disappointment at the Inspector's decision on the Scampton appeal. The reasoning behind the decision appeared to disregard all of WLDC Local Plan policies, which still carried some weight until replaced. It was also noted that the application was described as sustainable as there was a two hourly bus service, which Members found worrying.

Acknowledgement was made to the officers concerned (Fran Bell) who had assisted during the appeals and subsequent dismissals of the Solar Farm applications at Burton, and it was noted that the Inspector had determined that the Best and Most Versatile Agricultural Land not be used for Solar Farms.

It was agreed that the Committee acknowledge gratitude to Russell Clarkson for his significant work during the appeal for the Wind Turbines north of Hemswell Cliff., which had also been dismissed.

RESOLVED that the determination of appeals be noted.

The meeting concluded at 7.45 pm.

Chairman