

WEST LINDSEY DISTRICT COUNCIL

MINUTES of a Meeting of the Planning Committee held in the Council Chamber at the Guildhall, Gainsborough on Wednesday 26 June 2013.

Present: Councillor Chris Underwood-Frost (Chairman)

Councillor Owen Bierley
Councillor Alan Caine
Councillor David Cotton
Councillor Richard Doran
Councillor Ian Fleetwood
Councillor Paul Howitt-Cowan
Councillor Jessie Milne
Councillor William Parry
Councillor Roger Patterson
Councillor Lewis Strange

Apologies Councillor Stuart Curtis
Councillor Malcolm Leaning
Councillor Giles McNeill
Councillor Roger Patterson
Councillor Judy Rainsforth

Membership Councillor Howitt-Cowan substituted for Councillor Curtis.
Councillor Lewis Strange substituted for Councillor McNeill
Councillor William Parry substituted for Councillor Patterson

In Attendance :
Nick Ethelstone Acting Head of Development and Neighbourhoods
George Backovic Senior Area Development Officer
Zoë Raygen Senior Area Development Officer
Dinah Lilley Governance and Civic Officer

Also Present 16 members of the public
Councillor Anne Welburn
Councillor Geoff Wiseman

12 PUBLIC PARTICIPATION

There was no public participation.

13 MINUTES

Meeting of the Planning Committee held on 20 and 29 May 2013.

RESOLVED that the Minutes of the meeting of the Planning Committee held on 20 and 29 May 2013 be confirmed and signed as a correct record.

14 MEMBERS' DECLARATIONS OF INTEREST

Councillor Howitt-Cowan declared that he had already expressed support for the applicant for Item 3 and would speak as Ward member for the application and not take part in the deliberation.

Councillor Milne declared that she had been contacted regarding Item 3 by parties wishing the support of Edward Leigh MP.

Councillor Fleetwood declared that he was the County Councillor for Item 1.

Councillor Cotton declared that he had had discussions with third parties regarding Item 3 but that he still had an open mind.

Councillor Strange declared that he had already expressed support for the applicant for Item 3 and would speak as a visiting member for the application and not take part in the deliberation.

15 UPDATE ON GOVERNMENT CHANGES TO PLANNING POLICY

There were no recent government updates.

16 PLANNING APPLICATIONS FOR DETERMINATION (PL.02 13/14)

RESOLVED that the applications detailed in report PL.02 13/14 be dealt with as follows:-

1 - 129426 – Cherry Willingham

Planning application for change of use of gamesroom to provide child care facilities at 64 Croft Lane, Cherry Willingham.

The Senior Area Development Officer read out in full the email from the Ward Member, Councillor Welburn. This had requested that the application be determined by the Committee on the grounds of traffic, parking and access problems and the impact of disturbance on the immediate neighbour.

The Senior Area Development Officer also informed members that Condition 4 had been amended to change the date that the plans were received to 6 May 2013. Slides were then shown which depicted the proposed position of the acoustic fencing and the position of the kitchen door of the adjacent neighbour.

Mr and Mrs Taylor, the applicants then addressed the Committee, describing how they had been running the business for seven years from their previous property and had no complaints from neighbours despite them being closer. They had moved to larger premises to provide better facilities and were allocating the whole of the ground floor to the business. A school run service was provided by minibus which reduced the traffic at the school by up to 8 cars, and the business employed local staff, some of whom had gained apprenticeships. There had never been as many as 30 cars at the same time, arrivals and departures were staggered and the turning point was working well.

Mr Taylor, the neighbouring objector, then spoke on the application. He described how he had enjoyed peace and quiet in his home for 24 years and had good neighbour relationships. Mr Taylor felt that the intention had always been for childcare facilities rather than a games room, and the proposed design relied on access adjacent his kitchen door. The noise from up to 24 children between 7.30am and 6.30pm would cause disturbance and there would be an increase in traffic. Mr Taylor requested that if the Committee were minded to approve the application then the boundary acoustic fencing be at a height of 6'6".

Councillor Welburn then noted that it was a sad situation, the nursery facility was needed but there were three principal concerns – parking safety, noise and the proximity of the neighbour. An acoustic fence and relocation of the access would be better.

The senior Area Development Officer noted that an alternative access was not a possibility, and that apart from the recommendation of the acoustic fence there had been no objections from Environmental Health.

Members of the Committee felt that as the business was already in operation it would be possible to assess its impact if a site visit were to take place. A site visit was then proposed, seconded and voted upon.

RESOLVED that a site visit be undertaken, at a time and date to be arranged.

2 – 129581 - Blyton

Planning application for proposed residential development of one pair of semi detached dwellings, one detached dwelling and detached garages - resubmission of 128808 – on land rear of 30 Laughton Road, Blyton.

The Senior Area Development Officer informed the Committee of two additional objections which had been received, one which had concerns regarding the dropped kerb and the fact that there were already plenty of affordable properties in the area. The other objector raised the matter of overlooking from rear windows and the proximity of the buildings to the rear of 5 and 6 Meadow Rise.

Andrew Robinson, spoke in objection to the application, noting that outline planning permission had been granted, and the current application was for a different style of properties, and the detached property was to have a greater footprint. There were concerns regarding existing trees and hedges, vehicular access, problems with drainage on a clay soil base, the site being on the edge of the green belt and detracting from the view on the approach to the village. Mr Robinson was particularly concerned that one of the properties would overlook directly into his daughter's bedroom, because of the different ground levels.

The Senior Area Development Officer clarified that the definition of 'green belt' was not appropriate, but that the site was on the boundary of open countryside. The application was not Reserved Matters following Outline Permission, but was an application for full planning permission.

Members felt that it may be useful to be able to see the rise and fall of the land to assess the impact of possible overlooking. A site visit was then proposed, seconded and voted upon.

RESOLVED that a site visit be undertaken, at a time and date to be arranged.

Note Councillors Paul Howitt-Cowan and Lewis Strange left the body of the Committee for consideration of the following application and took their places as Ward and visiting Members.

3 - 129764 – Hemswell Cliff

Planning application for new first floor extension to existing single storey antiques centre at Former Guardsroom, Gibson Road, Hemswell Cliff.

The Acting Head of Development and Neighbourhoods informed the Committee that two further letters of support had been received, from the local MP Edward Leigh and Steve Gelder, who had raised matters of economic benefits, employment gains and tourism figures.

Robert Miller, the applicant described to the Committee how Hemswell Antiques had grown over the years and attracted a wide range of clientele from all over the world. The guardsroom building was deteriorating to the point that three walls needed rebuilding and the roof was leaking. It was suggested that the gateway to the site needed a 'wow' factor and this would be provided by the proposed first floor extension, built with materials in

keeping with the existing building. A rear ground floor extension would not be viable in terms of cost and the land was required for secure parking. No objections had been received to the application.

Councillor Lewis Strange was the County Councillor for the site and questioned why the building was not listed if it was of historical importance. The entrepreneurial spirit of the applicant should be supported and there would be jobs available for the unemployed in Hemswell village. Other buildings on the site were of two storey design and it would be unreasonable to expect the applicant to find the extra costs for a ground floor extension.

Councillor Howitt-Cowan spoke at length as Ward Member for the application, noting that the issue was not about a conflict between heritage and economy, it was about the regeneration of a derelict building. The officer's report described the building as well preserved but this was not the case. It was felt that the proposal was in accordance with STRAT1 – design, in that the alterations were sympathetic and preserved the original features. The building would be a showcase for the potential regeneration of an ex MOD site, and an endorsement of entrepreneurialism with the creation of 8-14 jobs.

The Members of the Committee discussed the application and all were in agreement that the building was in need of regeneration and that the proposed alterations were in keeping with the original. In the current economic situation it was important support businesses providing employment.

It was proposed and seconded that the application be approved with conditions as it was in accordance with STRAT1 and fulfilled the aspirations of the Council. On being voted upon it was agreed unanimously that **PERMISSION BE GRANTED** subject to 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 drawings: XL 1054/100 revision A "Site

Details”; and XL 1054/201 revision A “Proposed Details”; both by XL Architects LLP. 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: For the avoidance of doubt and in the interests of proper planning.

3. Condition: Notwithstanding the submitted details, no boundary treatments associated with the development hereby permitted shall be erected unless full details of the boundary treatments have been submitted to, and agreed in writing with the Local Planning Authority. The boundary treatments shall thereafter be erected in accordance with the agreed details.

Reason: In the interests of visual amenity, and in accordance with saved policy STRAT1 of the West Lindsey Local Plan First Review June 2006.

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

None.

4 – 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.

Cathryn Nicholl representing Scothern Parish Council, reiterated comments already submitted by the Parish Council and added that since the report gave little weight to policy RES13, and the NPPF had no references to family annexes, weight should be given to existing WLDC policies. The emphasis given to the existing building work commenced should not set a precedent as this was not for residential use. Nor should the contravention of STRAT12 be allowed to set a precedent for unauthorised change of use. The report was contradictory in terms of vehicle access.

Mark Harris, the applicant, made references to being entrepreneurial, having started with small stables and now running a thriving business with 14 staff. If the annexe was attached to the existing house it would be looked on favourably, but this was not practical. The proposed annexe was to be on the same footprint as the previously approved stable block and would be incidental to the host property. It was not to be a separate dwelling, but a home for the applicant’s mother. Access would not be a problem and the approved stables would have generated a greater volume of traffic.

Members were not sure that the proposed annexe was subservient to the main building as it was large and offset. It was questioned as to whether conditions could be applied which would limit occupation of the annexe to a relative of the host family, and restrictions applied that it could not be sold as a separate residence.

Following concerns being expressed regarding the size of the annexe and access to the garages it was suggested that a site visit would be useful. A site visit was then proposed, seconded and voted upon.

RESOLVED that a site visit be undertaken, at a time and date to be arranged.

17 MEMBER OVERTURN PROCESS

The Acting Head of Development and Neighbourhoods presented a report which reminded Members of the requirements for making a decision contrary to that recommended by Planning Officers. The process would also be covered during the forthcoming training session.

RESOLVED that the process for overturning officer recommendations be noted.

18 DETERMINATION OF APPEALS

RESOLVED that the determination of appeals be noted.

The meeting concluded at 8.20 pm.

Chairman