

**WEST LINDSEY DISTRICT COUNCIL**

MINUTES of a Meeting of the Planning Committee held in the Council Chamber at the Guildhall, Gainsborough on Wednesday 29 July 2015.

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

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

**Apologies** Councillor Hugo Marfleet

**Membership** No substitute was appointed

**In Attendance:**

Derek Lawrence Interim Planning Manager  
George Backovic Principal Development Management Officer  
Angela Simmonds Lincs Legal Adviser  
Dinah Lilley Governance and Civic Officer

**Also Present** four members of the public

**12 PUBLIC PARTICIPATION**

There was no public participation.

**13 MINUTES**

Meeting of the Planning Committee held on 3 June 2015.

**RESOLVED** that the Minutes of the meeting of the Planning Committee held on 3 June 2015, be confirmed and signed as a correct record.

**14 MEMBERS' DECLARATIONS OF INTEREST**

All Members of the Committee declared a personal interest in Item 1 as the applicant was related to a fellow Councillor.

All Members of the Committee declared a personal interest in Item 2 as the applicant was a fellow Councillor.

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

The Interim Planning Manager circulated a document which summarised the changes to the Planning system which had emanated from the second half of the 2015 Budget. <https://www.gov.uk/government/publications/fixing-the-foundations-creating-a-more-prosperous-nation>

Changes to the system included items under the following headings:

- Local Plans
- Brownfield Land and Compulsory Purchase
- The Planning process
- Devolution of Planning Powers
- Right to Buy
- Starter homes
- Buy to Let

## **16 PLANNING APPLICATIONS FOR DETERMINATION (PL.02 15/16)**

**RESOLVED** that the applications detailed in report PL.02 15/16 be dealt with as follows:-

### **1 – 132698 – Caistor**

Planning application for alterations and extensions to existing dwelling to create three dwellings at 14 Whitegate Hill, Caistor.

The Principal Development Management Officer updated the Committee in that Condition 5 had been omitted, relating to contaminated land in the former quarry. The proposed condition to be added was then read out.

Mr Oliver Lawrence, the applicant, then made a statement to the meeting. The building was the family home but was very old and derelict in parts. Attempts were being made to keep alterations sympathetic and sustainable but to bring the building up to a modern standard and provide three quality family homes. Concerns had been raised regarding the loss of light to the neighbouring property, however the ridge line nearest the boundary had been adjusted.

Members of the Committee clarified that had the applicant not been related to a Councillor the application would have been determined under delegated powers. Consideration having been given to the impact on the neighbour and the additional

condition, the recommendation was moved, seconded and voted upon. It was agreed that permission be **GRANTED** with the additional condition as agreed.

#### Condition 5

Before development is commenced there shall be submitted to and approved by the local planning authority a site investigation and assessment of possible contaminants on the site. Any measures shown in the assessment to be necessary, including either the removal or encapsulation of contaminants as required by the local planning authority, shall be undertaken before any of the proposed development is commenced.

**Reason:** In order to safeguard human health and the water environment and identify potential contamination on-site and the potential for off-site migration as recommended by the Environment Agency and the Environmental Health Manager in accordance with West Lindsey Local Plan First Review Policy STRAT1.

## **2 – 133055 – Fenton**

Planning application to vary condition 4 of planning permission 131784 granted 22 January 2015 - revised surface water drainage details at 40 Lincoln Road, Fenton.

The Principal Development Management Officer explained to the Committee that the revised permission had been sought due to alterations to the drainage arrangements and that the drawing number referred to on the decision notice had to be correct.

The Parish Council had sought a further explanation to the revised application, but there were no other concerns raised. The application would have been determined under delegated powers had the applicant not been a Councillor.

The recommendations were moved seconded and voted upon and it was agreed that permission be **GRANTED** with conditions.

## **17 OBJECTION TO TREE PRESERVATION ORDER BRAMPTON No1 2015 (PL.03 15/16)**

The Principal Development Management Officer gave Members the background to the application. Planning permission had been sought for the erection of a garage at an adjacent property and concerns had been raised regarding the impact on the tree. Therefore a tree preservation order (TPO) had been sought, and subsequently objected to, requiring Committee determination.

Mr Paul Whitfield, the owner of the tree, addressed the Committee, stating that he had no objections to the proposed garage, however the overhang and root spread of the tree could be damaged. The tree was over 100 years old and part of an historic setting in the village, and it was felt that the garage could be sited elsewhere.

Mr J Hayes, neighbour, then spoke in objection to the TPO. Mr Hayes had no wish to harm the tree, but explained the reasons for the alterations he wished to make to his

property and the necessity for the siting of the garage. To erect the garage further away, would require a driveway to be constructed. It was felt that there were adequate building methods which would secure the safety of the tree and its root system.

Members sought further advice on the status of the planning application and were informed that this had not yet been determined, but that the tree would be given consideration during the process, however it was felt that the application of a TPO would be the best way to address this. The tree had been assessed by the Council's tree officer and it was resolved that it met all the criteria for preservation. Members agreed that should the tree suffer any damage and be lost it would leave a massive gap in the street scene.

**RESOLVED** that the Tree Preservation Order Brampton No1 2015 be confirmed.

## **18 DETERMINATION OF APPEALS**

**RESOLVED** that the determination of appeals be noted.

The meeting concluded at 7.04 pm.

Chairman