

WEST LINDSEY DISTRICT COUNCIL

MINUTES of a Meeting of the Planning Committee held in the Council Chamber at the Guildhall, Gainsborough on Wednesday 29 May 2013.

Present: Councillor Chris Underwood-Frost (Chairman)

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

Apologies Councillor Stuart Curtis
Councillor Richard Doran

Membership Councillor Howitt-Cowan substituted for Councillor Curtis.

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

Also Present 26 members of the public

6 PUBLIC PARTICIPATION

There was no public participation.

7 MINUTES

Meeting of the Planning Committee held on 6 March 2013.

RESOLVED that the Minutes of the meeting of the Planning Committee held on 25 April 2013 be confirmed and signed as a correct record.

8 MEMBERS' DECLARATIONS OF INTEREST

Councillors McNeill and Underwood-Frost declared personal interests in Item 5 as they were regular rail users.

Councillor Patterson declared a personal interest in Item 3 as he had attended public and Parish Council meetings about the development.

Councillor Howitt-Cowan declared a personal interest in Item 2 in that he was a member of the Council's Green Energy Group and the WLDC Champion for green energy, but that he was prepared to consider each application on its own particular merits.

9 UPDATE ON GOVERNMENT CHANGES TO PLANNING POLICY

The Senior Area Development Officer updated the Committee on the Changes to the General Permitted Development Order effective from 30 May 2013.

The key points were summarised as bringing in new classes of permitted development and extending the scope of existing rights in relation to the following uses:

- Office to residential permitted Increasing permitted size of house extensions
- Changes between "B" Use Class
- Permitted extensions to Industrial buildings doubled in size
- Flexible use of agricultural buildings to a variety of uses excluding residential
- A state-funded school can now be formed on land or buildings changing from B1 (business), C1 (hotels), C2 (residential institutions), C2A (secure residential) and D2 (assembly and leisure). Permitted Development for fencing now allows a fence adjacent to a highway to be 2 metres in height for a school provided that no obstruction to the highway is caused.

Officers would circulate the guidance note to Members. It was suggested that it would be useful to circulate it to all Councillors and also Town and Parish Councils.

10 PLANNING APPLICATIONS FOR DETERMINATION (PL.01 13/14)

RESOLVED that the applications detailed in report PL.01 13/14 be dealt with as follows:-

Item 1 - 129621 - Burton

Planning application for replacement dwelling – resubmission – at The Aviary, Hall Drive, Burton.

The Senior Area Development Officer provided two recent updates to the Committee which had been received from the applicant's agent. The first being that the tree protection was not necessary and that the condition should be removed, and secondly that additional plans had been submitted. The Senior Area Development Officer noted that the tree condition was still necessary, and that the additional plans had been submitted too late for consideration by the Committee.

Phil Scrafton, agent for the applicant addressed the Committee and pointed out that the proposal was for a replacement dwelling, not a new development, so different principles had to be considered. It was noted that any development should not try to replicate previous designs but to respond sensitively to the context of the setting. It was felt that the proposals contrasted to and enhanced the site with integrity, and a high quality of design and implementation. Discussions had taken place with English Heritage, and it was felt that the proposals were of a modest scale and massing, with a better space separation, and would be sustainable and self sufficient, and there were no concerns regarding drainage.

Councillor David Cotton spoke as Ward Member for the application. Whilst acknowledging some of the agent's statements he pointed out that Burton had a very special character and that Hall Yard was particularly sensitive. Any development should complement the setting but the proposals were out of character. Councillor Cotton felt that the proposals were in contravention to policies STRAT1 and RES1.

Committee Members then discussed the merits of the application, noting that the site visit had been particularly useful. It was agreed that the site was currently an eyesore and that it needed rejuvenation, but concerns were raised that the current application was not the right answer. It was felt that should the application be granted that permitted development rights be withheld to prevent unacceptable changes to the original design of the building .

It was moved and seconded that the application be refused, and on being voted upon, agreed unanimously.

It was therefore **AGREED** unanimously that the application be **REFUSED** for the reasons set out below.

This proposal does not accord with Policy RES1 Housing Layout and Design which specifically sets out that permission will be granted on appropriate sites for new residential development provided that proposals are satisfactory with regard to:

- i The nature of the local environment in terms of siting, layout, density, scale, massing, materials, design and detailing;
- ii The provision of key features which will be in keeping with and which enhance the character of the settlement or locality such as hard and soft landscaping (e.g. hedges, walls, trees);”

The development is contrary to this policy in that it is not in keeping with the locality or the area and would not enhance or compliment the street scene. Hall Yard is unique and any built development that is not in keeping harms the context and setting of the area .

It is also contrary to policy STRAT 8 as it will harm and will **not** significantly preserve, enhance or complement the character of existing dwellings and the wider settlement and will not represent a successful integration within the village. It will have a negative visual impact and adversely affect the amenity of the area.

2 - 129564 - Spridlington

Planning application for proposed biomass-crop only renewable energy facility, associated works and landscaping at Grange Farm, Cliff Road Spridlington.

The Senior Area Development Officer informed the Committee of additional objections . One argued that the submitted highways information was meaningless as it stipulated there would be no traffic through Spridlington and yet resisted the imposition of traffic and routeing restrictions. The highways department had failed to take into account the frequency of the operation of the proposals. There would also be a massive increase in movements arising out of changes to crops, The Senior Area Development Officer responded that traffic restrictions could not be placed on the use of public roads and that crops could be rotated at any time without the requirement for planning approval The second objection noted that whilst the Government policy supported renewable energy this was not to be at any cost and this proposal would be alien and intrusive within the landscape. Comparisons were also made with an application submitted in a neighbouring authority by the same applicant in Hibaldstow which they felt supported their assertions that the vehicle movements were unrealistic, The Senior Development Officer noted that the comments predated the additional information that had been submitted at the request of the Highways Authority following which they raised no objections to the proposal.

The Ward Member Cllr. M. Parish had raised no objections to the proposal.

Slides were shown which depicted the site, its context and also the area extent of landholding which showed where crops would be transported from and the main routes would be via the A15. As concerns had been expressed about vehicles from the east by residents in Spridlington from Cold Hanworth the applicants had submitted a routeing plan which indicated how the vehicles would avoid the core of the village.

Alan Presslee and John Ward, the agent and one of the applicants addressed the committee and described how the proposals were adjacent to existing farm buildings and would provide clean renewable energy for 2,500 houses during winter. Only crops would be used as fuel, not waste, and there would be operational and economic benefits. No problems would arise in relation to

odour or air quality and there would only be a minimal increase in traffic, which would use the A15 rather than travelling through villages.

Matthew Pardoe, of Signet Planning, then spoke on behalf of objectors. Whilst the need to renewable energy was appreciated the acceptability of the proposal's impact had to be considered. There was little mitigation proposed for the intrusion on views and other sites would be more discreet. The same agent had been used for the site at Hibaldstow and that had seen an increase of 8,000 lorries per annum. Some traffic may use the A15 but it was not possible to legislate, and on some village roads it was not possible for two vehicles to pass, thereby endangering trees and hedgerows.

Cllr David Hayes of Spridlington Parish Council then addressed the committee stating that it was felt some of the statistics in the application were misleading and that the traffic figures were only advisory. There were several choke points along the village roads and lorries could pass within 60cm of a tree protected by a preservation order. The amenity value of local properties could be affected, and traffic movements should be prohibited.

The Senior Area Development Officer in response to suggestions on traffic restrictions that had been placed on previous planning permissions confirmed to the committee that these had been applications determined by the County Council and did not alter his view that such restrictions could not be placed on the submitted application. Members discussed the application, noting that farmers could change which crops they grew without needing permission, and that as the Highways department had raised no objections the Committee could not impose any conditions. West Lindsey policies promoted renewable energy schemes which were often unpopular with local residents, however this application was not felt to be detrimental to the open countryside. Most concerns had been addressed in the report including the landscaping and colour schemes which were covered in Condition 3.

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

3 – 129648 - Ingham

Planning application for the erection of 17 dwellings consisting of 7 affordable and 10 open market properties with access onto Lincoln Road on land at Lincoln Road, Ingham.

The Senior Area Development Officer showed slides relevant to the application which depicted the site and its context in relation to the adjacent doctors' surgery.

The applicant addressed the committee, describing how, being a local family, wanted a development to be proud of. The number of affordable housing units had been agreed with Council officers and whilst there were some concerns regarding parking, there was general support from local people and

the Parish Council. A great deal of consultation had been undertaken and amendments had been made as a result.

Councillor Patterson, Ward Member, congratulated officers, the applicant and the Parish Council on the way they had worked together. He agreed there were parking concerns which the Council could not address, although the County had been requested to put double yellow lines in Lincoln Road. Assurances had been received from Anglian Water that there were no drainage issues, so this was felt to be a good scheme, and Councillor Patterson moved approval of the application.

The motion to approve was seconded.

Other Members of the Committee had concerns, particularly regarding the position of the site, and questioned why the area north of the doctors' surgery was not being proposed as this would be adjacent the existing village housing. It was noted that the site had been considered but that underground cabling together with size of the development required to ensure viability had prohibited development. Members were not happy that the development was proposed to be sited in an Area of Great Landscape Value and that the proposal was encroachment into the open countryside on agricultural land. The lack of open space in the development was also a concern.

It was moved and seconded that the application be refused.

The Committee then voted on the motion to approve, and the motion was LOST. The motion to refuse permission was then voted upon and AGREED. It was therefore carried that the application be **REFUSED**.

Note Councillors Bierley, Leaning, Howitt-Cowan, Caine and Patterson wished it to be recorded that they had voted in favour of approval of the application and against refusal.

Councillors Milne, Underwood-Frost, Rainsforth, Cotton, Fleetwood and McNeill wished it to be recorded that they had voted in favour of refusal of the application and against approval.

Reasons given for refusal are set out below:

- The site is in a protected Area of Great Landscape Value (AGLV) protected by saved local plan policy NBE 10 and that this application would be detrimental to the skyline and views through over development and the topography of the land and site area. This site is in the AGLV to the east of Lincoln Rd Ingham.
- The application is detrimental to policy NBE 10, i, ii, iii and iv because this site is in protected open countryside and is over development.
- This site is in breach of RES 7 ii and vi. On the provision of Public Open Space (POS) on the site being questioned, it was pointed out that the site road was wider in areas to provide POS, so it was questioned whether it was expected to have young children playing in

the road. This application also detracts from Policy RES 7 ii, because the site is not adjoining to the settlement it is in open countryside south of the Doctors buildings

- This village has got/had land within the local plan for development therefore this site is not recognised as land for development and is located in a protected area of AGLV also contravenes NBE10, plus RES7 along with no public open space.

4 - 129816 – Torksey

Planning application for demolition of existing three storey dwelling and erection of a new three storey dwelling at the Elms, Torksey.

The Senior Area Development Officer informed Members that the application was before the Committee as the applicant was a fellow Councillor. One letter of objection had been received from a nearby resident who had concerns regarding overlooking. The application was for a replacement dwelling and those windows facing the neighbouring property were roof lights which would have opaque glass.

The application was moved, seconded, and on being voted upon it was AGREED that permission be **GRANTED**.

5 - 129844 – Saxilby

Planning application for erection of a footbridge at Saxilby Railway Station, Station Road, Saxilby.

Senior Area Development Officers informed Members that the application was before the Committee as it was considered to be a major development, however there had been no objections. The foot bridge was necessary as the railway was being upgraded and there would be an increase in the number of trains, thereby being unsafe for pedestrians crossing the track.

The application was moved, seconded, and on being voted upon it was AGREED that permission be **GRANTED**.

11 DETERMINATION OF APPEALS

RESOLVED that the determination of appeals be noted.

The meeting concluded at 8.47 pm.

Chairman