

**WEST LINDSEY DISTRICT COUNCIL**

MINUTES of a Meeting of the Planning Committee held in the Council Chamber at the Guildhall, Gainsborough on Wednesday 4 February 2015.

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

Councillor Owen Bierley  
Councillor Alan Caine  
Councillor Malcolm Leaning  
Councillor Giles McNeill  
Councillor Jessie Milne  
Councillor Roger Patterson  
Councillor Judy Rainsforth

**Apologies** The Revd Councillor David Cotton

**Membership** No substitute was appointed

**In Attendance:**  
Derek Lawrence Interim Planning Manager  
Zoë Raygen Principal Development Management Officer  
Diane Krochmal Housing and Communities Project Officer  
Dinah Lilley Governance and Civic Officer

**Also Present** 12 members of the public  
Councillor Mrs Di Rodgers  
Councillor Malcolm Parish  
Councillor Geoff Wiseman

**61 PUBLIC PARTICIPATION**

There was no public participation.

**62 MINUTES**

Meeting of the Planning Committee held on 21 January 2015.

**RESOLVED** that the Minutes of the meeting of the Planning Committee held on 21 January 2015, be confirmed and signed as a correct record.

**63 MEMBERS' DECLARATIONS OF INTEREST**

Councillor Leaning declared that for Item 1, as the nursery in the vicinity of the application was owned by a relative, whilst he had no pecuniary interest, he would not take part in the deliberation of the application.

Councillor Curtis declared that for Item 1, he would remove himself from the Committee and speak as Ward Member on the application.

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

There were no recent Government updates to report.

#### **65 PLANNING APPLICATIONS FOR DETERMINATION (PL.13 14/15)**

**RESOLVED** that the applications detailed in report PL.13 14/15 be dealt with as follows:-

**Note** Councillor Curtis removed himself from the Committee and Councillor Fleetwood took the Chair for the following item.

##### **1 – 132027 – Scothern**

Planning application for the erection of 30 dwellings - 16 open market houses and 14 affordable homes on land at Heath Road, Scothern.

The Principal Development Management Officer read out a letter received from the Developer which responded to previously made comments and objections. Regarding sustainability and the perceived isolation of the development, this was not just about location. The economy, environment and social benefits should be put into context. The proposals complied with the rural exceptions policy and compared favourably with other applications which had been approved. The house types proposed had been designed to be similar to others in the village. It was not felt that the development would lead to a significant increase in traffic, and would be below the materiality threshold. The Highways department had raised no objections, however improvements to the junctions were proposed, along with three passing places.

Cathryn Nicholl spoke on behalf of the Parish Council in objection to the proposals. It was not felt that the development would enhance the village, and it was outside the original settlement boundary. The single track road was used as a short cut by HGVs, and the access/egress was on a bend in a fast road, which had seen two fatal accidents. Photographs had been submitted by the Parish Council which were displayed in the presentation. There were already affordable houses within the village which were often vacant, so why were more needed? The proposed development along with others pending equated to 145 dwellings, a 37.5% increase.

Neil Kempster of Chestnut Homes, then addressed the Committee. Mr Kempster indicated that the need for rural affordable housing had been demonstrated at the last

meeting and policies dictated that proposals for such should be approved unless other factors were shown. The sustainability of the location was good, with a 13 minute walk to the school and the proposals had been through a rigorous design process to build bespoke properties. There would be benefits to the community by way of the highway and junction improvements. The development was to be built by a local company, for local people and to be managed by a local organisation.

Councillor Stuart Curtis then spoke as Ward Member for Scothern. Councillor Curtis echoed the concerns raised by the Parish Council, in that the development was proposed on the edge of the village in the open countryside, and that affordable housing should be in the centre of settlements. Highways concerns were reiterated and the need for affordable housing questioned. A previously approved application had had a S106 agreement which required affordable housing within five miles of Scothern, if there was a need in the village why had this not been stipulated? Councillor Curtis did not feel that housing need had been demonstrated, and that Scothern was designated as a small village.

**Note** At 6.50pm the Committee adjourned for 10 minutes to evacuate the building during activation of the fire alarm.

The meeting reconvened and Councillor Curtis left the chamber during the deliberation of the application.

Members of the Committee debated the application at length, agreeing that it was a difficult decision. The contributions to highway improvements or the village hall were questioned and some Members felt that these would be better directed to education and health provision. Some debate took place on the management of the open space, however it was clarified that the proposed details were a standard arrangement.

The Housing and Communities Project Officer clarified the definition of affordable housing, but some Members questioned whether the housing would be allocated to local people. It was affirmed that the allocations policy required that local people be assigned to the properties.

The Principal Development Management Officer clarified the policy reasoning for rural exceptions sites outside settlement boundaries. There was some debate regarding the actual distance and walking time to the school, the officer stated that she had walked it in 15-20 minutes, however Members felt that a footpath should be provided within the highway improvements proposed. It was acknowledged that Condition 7 had been omitted from the report and this would be rectified.

Some Members supported the proposals feeling that the development was not isolated from the settlement and that it would be good for the local economy. Councillor Bierley proposed approval of the recommendation, however Councillor McNeill proposed an amendment in that the delegation to the Chief Operating Officer include negotiation for contributions for education and healthcare and the provision of a footpath. The amendment was seconded. On being voted on it was **AGREED** that:

That the decision to grant permission subject to conditions 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:-

1. Which homes are affordable and when they are delivered in the context of the delivery of the open-market homes.
2. The criteria for the first and subsequent occupancy of the affordable homes.
3. The mechanisms for ensuring the affordable homes are affordable
4. Maintenance and management of public open space and drainage systems
5. A contribution of £30,000 to be split pro rata between health and education infrastructure.
6. The provision of a tarmacked footpath to join the site to Scothern for pedestrian access.

**Note** Councillors Milne and Leaning requested that it be recorded that they had abstained from voting.

**Note** Councillor Curtis returned to the Committee and retook the Chair.

## **2 – 131492 – Welton**

Outline planning application for a residential development with all matters reserved on land off Cliff Road/Heath Lane, Welton.

Andrew Alison, agent for the applicant, addressed the Committee, describing how the applicant had worked closely with officers and resolved queries that had emerged during the process. The development was proposed to be less than 300 metres from the centre of the village, and there were to be significant financial contributions. There were no objections regarding highways, drainage or archaeology and further checks would be undertaken for protected species. The proposals would assist in improving the economy, meeting the housing shortfall, and were compliant with the aspirations of the emerging Neighbourhood Plan.

Alan Greenway then spoke on behalf of the Parish Council. The 2012 survey had rejected the site as being unsuitable for development due to access and protected open space. It was not felt that there had been any material changes since then. The loss of the protected open space would outweigh any benefits to be gained from the development. The Secretary of State had recently ruled against applications which were in conflict with emerging Neighbourhood Plans and Welton Parish Council would apply for the same consideration should the application be approved. Mr Greenway went on to highlight issues of vehicular access, the inadequate ecological survey and the lack of demonstration of benefits to the community, particularly in terms of highways, education and health.

Councillor Mrs Di Rodgers then spoke as one of the Ward Members for Welton, describing how residents were not averse to development, however were concerned

at the rate of new development and the collapsing infrastructure in the village. At the special Local Plan meeting at the Epic Centre in 2013 it had been stated that cumulative impact could be considered, Welton could not absorb development at the current rate.

Councillor Malcolm Parish, spoke as the other Ward Member for Welton, stating that he had concerns about the adequacy of the archaeological survey, and also regarding highway safety. The emerging Welton Neighbourhood Plan should be given consideration.

The Principal Development Management Officer responded to the points raised by the speakers. It was clarified that when the site had been rejected for development in 2012 there had existed a five year housing supply, this was not now the case and there was a shortfall, so open countryside could be used for development to meet the demand. It was affirmed that the site was designated as open countryside and not protected open space. The proposed contributions had been determined on the basis of the requests received. It was not felt that the development would make significant impact regarding traffic, and an archaeological survey had been carried out and determined that any artefacts of interest were more likely to be to the east of the site.

Members of the Committee deliberated on the proposals, raising further concerns on archaeology and highway safety. It was pointed out that Welton was a village, not a town and could not sustain significant further development. Further details were sought regarding the weight to be afforded to the Neighbourhood Plan. It was affirmed that the Plan was not sufficiently developed to be given full materiality.

Clarification was sought on the education contribution in relation to the provision of school places. The District Council was dependant on the Local Education Authority to determine the impact and necessary requirements to alleviate.

The Chairman proposed that the application be refused, this was seconded and on being voted on it was **AGREED** that the application be **REFUSED** for the reasons set out below:

The proposed development is for open market housing sited in the open countryside. As such it is contrary to the requirements of Policy STRAT 12 of the West Lindsey Local Plan first Review which only allows development in the open countryside if it is essential to the needs of agriculture, horticulture, forestry, mineral extraction or other land use which necessarily requires a countryside location in order to conserve the open countryside for the sake of its beauty, its diversity of landscape, its wealth of natural and agricultural resources, its biodiversity value and maintaining its enjoyment its character gives.

The proposed development of 63 houses will generate an increased demand on the health care and education facilities within Welton. The existing facilities already experience significant demand on their services and will have difficulties coping with the additional requirements placed upon them when the houses are completed. As a result there will not be

sufficient local education and health facilities to reflect the local community's needs and therefore the proposal would not be socially sustainable contrary to paragraphs 7 and 17 of the National Planning Policy Framework and Policy STRAT 19 of the West Lindsey Local Plan First Review 2006.

The proposed development of 63 houses would be sited on a green field site on the edge of Welton. The site contributes significantly to the rural character of Welton as a village and its loss would be harmful to that rural character, visual amenity and the views into and out of the village. The proposal would not therefore contribute to protecting and enhancing the natural environment to achieve environmental sustainability, or recognise the intrinsic character and beauty of this area of the countryside as required by paragraphs 7 and 17 of the National Planning Policy Framework and is also contrary to saved policy NBE 20 of the West Lindsey Local Plan First Review 2006.

The meeting concluded at 8.18 pm.

Chairman