

WEST LINDSEY DISTRICT COUNCIL

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

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

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

Apologies Councillor Richy Doran

Membership No substitute was appointed

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

Also Present 16 members of the public
Councillor Mrs Di Rodgers
Councillor Malcolm Parish
Councillor Reg Shore
Councillor Geoff Wiseman

66 PUBLIC PARTICIPATION

There was no public participation.

67 MINUTES

Meeting of the Planning Committee held on 4 February 2015.

RESOLVED that the Minutes of the meeting of the Planning Committee held on 4 February 2015, be confirmed and signed as a correct record.

68 MEMBERS' DECLARATIONS OF INTEREST

The Reverend Councillor David Cotton declared a personal non-pecuniary interest in that he knew the applicant for Item 2.

69 UPDATE ON GOVERNMENT CHANGES TO PLANNING POLICY

There were no recent Government updates to report.

70 PLANNING APPLICATIONS FOR DETERMINATION (PL.14 14/15)

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

1 – 132257 – Sturton by Stow

Outline planning application to erect six detached dwellings, four semi detached dwellings and two detached garages, access and layout to be considered and not reserved for subsequent applications, on land adjacent Obam Lifts, Tillbridge Lane, Sturton By Stow.

Chris Elkington of Sturton Parish Council addressed the Committee noting that there had been many planning applications in Sturton, this one was opportunistic and unsuitable and would take up industrial land. Three dwellings had previously been granted permission in order to finance the business expansion, the applicant was now requesting a further 10, had this been a miscalculation? If the original application been for 13 this would have required a S106 contribution. The site adjacent the County Council depot would be too noisy for residential development, especially at night. Facilities in Sturton had declined in recent years and it was becoming a commuter village. The proposals would be against Policies STRAT 12, 15 and 19, and NBE20.

Councillor Reg Shore then spoke on the application. Councillor Shore stated that he was disappointed that having agreed the previous application with difficulty, a further proposal had now been put forward. Employment land was being built on, and there were no other employment sites available in Sturton. Once lost these could not be regained without using greenfield land. Along with other sites, a total of 26 dwellings pending would be unsustainable for the village.

The Chairman noted that planning applications would not be granted simply in order to facilitate a firm's expansion, and that the long term protection of employment land was not to be encouraged if there was no interest in preserving it. The Principal

Development Management Officer clarified that STRAT 12 was not applicable as the site was not in the open countryside.

Discussion ensued with acknowledgement being given to the fact that it was a modest development and not in open countryside, so accessible to the village. An increase in residents would give more support to existing facilities. Concerns were raised regarding the footpath as it was felt important to acknowledge its existence. It was affirmed that this could be given greater emphasis.

Some Members agreed that the industrial nature of the adjacent site would make it unsuitable for residential development and that the location was not ideal in terms of sustainability and access to facilities such as shops and the poor bus service.

Concerns were raised as to the suitability and width of the access point and a site visit was proposed to assess this, along with an officer from the County Highways department. On being seconded and voted upon, it was **AGREED** that a site visit be undertaken on a date to be agreed.

2 – 131681 – Welton

Outline application for residential development of up to 350 dwellings, including specialist retirement housing, with means of access to be considered.

The Principal Development Management Officer updated the Committee on additional representations which had been received. The Environment Agency had withdrawn its objections and were satisfied that a sustainable urban drainage system (SUDS) was now feasible. They advised an additional condition on surface water infiltration which the Officer recommended be added.

The applicant had also agreed to bring forward the contributions for the highways improvements.

Further objections had also been received which were summarised by the Principal Development Management Officer. One of which claimed that the application assessment was being based on a number of tenuous and ill-informed arguments; including the information provided to the Committee; the confused views of the Parish Council and the lack of transparency in the Applicant's assessment. Consultation in the community, whilst acknowledging building would take place in the village, did not support a large development all in one place. It was feared that the proposal would be approved now based on a mitigation promise rather than a commitment and that the outcome would not align with the final Neighbourhood Plan.

It was clarified that the Neighbourhood Plan was a material consideration and that the weight to be attached rested with the decision maker. However it was still at an early stage in its progress, could be subject to change and it was advised should only be attached limited weight as set out in the report.

Alan Greenaway then presented the views of Welton Parish Council. The Parish Council felt that the application should be refused for the same reasons as those given for refusal of the application at Cliff Road/Heath Lane. There would be an unacceptable increased demand on facilities such as education, health services etc., and was contrary to Policy STRAT 19 and paragraphs 7 and 17 of the NPPF. The proposals were not socially or environmentally beneficial. The huge increase in traffic would be detrimental to the village and it was suggested that the application be refused until such time as the emerging Neighbourhood Plan was 'made', as had been agreed by the Secretary of State on other applications.

Richard Costall, of Beal Homes, addressed the Committee, describing how the company had worked extensively with local landowners, the Parish Council and Neighbourhood Plan group, statutory consultants and head teachers of the schools. All highways concerns had been addressed with improvements to junctions. Additional community facilities were proposed within the development, and 10 retirement bungalows planned to meet an identified need. 43% of the site was to be public open space.

Three objectors then spoke to the Committee. Messrs Boulton and Matthews and Dr Cheffins raised such issues as: the size of the development, particularly in light of a proposal for 63 dwellings having been refused; concerns regarding highway safety; the cumulative effect when added to those applications already approved; and the fact that Welton was already bigger than Market Rasen but with fewer facilities.

Councillor Mrs Di Rodgers, Ward Member, addressed the meeting, reiterating the concerns she had already raised in her objection set out in the report. Councillor Mrs Rodgers emphasised the enormity of the proposal and raised the impact on the facilities such as schools and the health provision. There were already existing highway safety concerns and the A46 was over capacity. The weight to be given to the Neighbourhood Plan and the Central Lincolnshire Local Plan was questioned, and it was asked why Welton should bear the burden of the housing supply shortfall for the whole of central Lincolnshire. The application failed on social, environmental and economic benefits as required by the NPPF.

The Chairman asked for clarification that the health contributions could be ringfenced to Welton, this was affirmed.

Councillor Malcolm Parish, also Ward Member, then presented favourable comments regarding the benefits of the application. Contributions were to be made towards health and education provision and the existing highways problems would be addressed. Whilst it was good that the Cliff Road application had been refused, this one was different and the opportunity should be taken.

The Committee then debated the application at length. Clarification was given regarding the plans and the site layout, in that the northern field was part of the site and was indicated to be used as open space for playing fields.

The Committee was referred to Planning Practice Guidance which stated that refusal of planning permission on grounds of prematurity would seldom be justified where, in the case of a Neighbourhood Plan, it was before the end of the local planning authority

publicity period. The Welton Neighbourhood Plan was yet to be formally submitted to the local planning authority.

A thorough Transport Assessment had been submitted, and accepted by the Highways Authority, which found that there was existing capacity at junctions throughout Welton to accommodate the development.

Note: Councillor Giles McNeill declared a non-pecuniary interest in the application as a former employee of LACE housing.

The report had set out a requirement for further archaeological works and it was acknowledged that this would be included in the conditions. Questions were raised regarding pedestrian access and it was affirmed that whilst the application had originally proposed a footpath link, permission for access had been refused by the landowner, however there was existing access along Eagle Drive/Manor Park.

Comparisons were again made with the size of Market Rasen, which was a town with appropriate facilities, whereas Welton was a village. Welton was the second biggest settlement in West Lindsey in terms of population but had no infrastructure.

Some Councillors felt that Welton would benefit from the increase in facilities and that the proposed LACE Housing retirement dwellings would be beneficial and of good quality. Comments were made that the Parish Council had not originally made any comments or raised any objections, and that there were no un-addressed objections from statutory consultees. It was acknowledged that with limited public funding the highways improvements to the A46 junction at the Centurion Garage would be unlikely to be undertaken without this proposal and contribution.

The unmet need for a five year supply of housing land was a material condition and the adverse impacts of the proposals did not outweigh the benefits. It was proposed that with the additional conditions regarding archaeology and surface water infiltration, the recommendations be approved.

The recommendations, having been seconded, were then voted upon, and it was **AGREED** that:

the decision to grant planning permission, subject to conditions and a Unilateral Undertaking for a capital contribution towards highway junction improvements, be delegated to the Chief Operating Officer upon the completion and signing of an agreement under section 106 of the Planning Act 1990(as amended) pertaining to:-

- Up to 87 affordable dwellings (25%) subject to viability (tenure 80% affordable rent; 20% shared ownership)
- Financial Contribution (£1,161,218) in lieu of on-site education provision;
- Financial Contribution (£148,750) in lieu of on-site health care provision;
- Provision of on-site sports pitches.

Additional conditions:

- **Condition:** No development shall take place until a scheme of archaeological works, in accordance with a written scheme of archaeological investigation which has been submitted to and agreed in writing with the Local Planning Authority, has been undertaken. This should take the form of a set piece excavation of the area of archaeological interest identified by the Archaeological Evaluation Report (dated October 2014).

Reason: In order to record and advance understanding of the significance of any heritage assets, in accordance with paragraph 141 of the National Planning Policy Framework.

- **Condition:** No infiltration of surface water drainage into the ground shall be permitted other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approval details.

Reason: The site is located within an SPZ1 for a public water supply abstraction. If infiltration SuDS are proposed for anything other than clean roof drainage in SPZ1, a risk assessment will be required to demonstrate that pollution of groundwater will not occur.

Note Councillor Patterson left the meeting at this point.

71 APPEAL AGAINST APPLICATION 131498 LAND OFF HANCOCK DRIVE, MANOR FARM, BARDNEY (PL.15 14/15)

The Chairman questioned whether the report should be considered in open session, however the Governance and Civic Officer clarified the reasons why the exemption paragraphs could not be applied.

Four reasons had been given for refusing application 131498 at Bardney, however it was suggested that two of these reasons be withdrawn as it was proving difficult to provide evidence for their defence.

RESOLVED that: Subject to no further information being submitted to adequately defend reasons three and four of refusal of application 131498 relating to the impact on health and education facilities in Bardney and the impact on highway safety by reason of the single access point and restricted road widths and layout of the existing estate (through which the development would be accessed) the Council formally determine not to pursue the appeal on the basis of reasons 3 and 4.

72 DETERMINATION OF APPEALS

RESOLVED that the determination of appeals be noted.

The meeting concluded at 8.22 pm.

Chairman