

## WEST LINDSEY DISTRICT COUNCIL

MINUTES of a Meeting of the Planning Committee held in the Council Chamber at the Guildhall, Gainsborough on Wednesday 5 March 2014.

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

Councillor Owen Bierley  
Councillor Alan Caine  
Councillor David Cotton  
Councillor Richard Doran  
Councillor Paul Howitt-Cowan  
Councillor Giles McNeill  
Councillor Jessie Milne  
Councillor Judy Rainsforth  
Councillor Geoff Wiseman

**Apologies** Councillor Malcolm Leaning  
Councillor Roger Patterson

**Membership** Councillor Wiseman substituted for Councillor Leaning.

**In Attendance:**  
Zoë Raygen Acting Area Team Manager  
Dinah Lilley Governance and Civic Officer

**Also Present** 8 members of the public

### PUBLIC PARTICIPATION

There was no public participation.

### 66 MINUTES

Meeting of the Planning Committee held on 22 January 2014.

**RESOLVED** that the Minutes of the meeting of the Planning Committee held on 22 January 2014, be confirmed and signed as a correct record.

### 67 MEMBERS' DECLARATIONS OF INTEREST

Councillor Curtis declared a personal interest in Item 2 as he was the Ward Member and Parish Councillor, but had not expressed any views during prior discussions on the application.

Councillor McNeill declared a personal interest in that he knew one of the speakers on a social basis.

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

The Acting Area Team Manager had no updates to report however Councillor Cotton noted that there had been overturns at appeals using the Localism Act, which however seemed to go against the Act and the wishes of communities. Until the Local Plan had been adopted the NPPF took precedence, but appeal decisions appeared to be inconsistent.

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

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

### 1 - 128675 – Sudbrooke

Outline planning application for proposed development of six detached dwellings with associated garages, plots and infrastructure including new passing places to Poachers Lane, new bridge crossing Sudbrooke beck and necessary works to existing road. Also, proposed new cycle, pedestrian pathway to parish boundary with Nettleham. Land off Poachers Lane, Poachers Lane, Sudbrooke.

The Acting Area Team Manager informed the Committee that there were no further updates on the report. An additional representation had been received, but raised no new issues not already addressed. A written statement had been submitted by the applicant as he was not present at the meeting, this was read out by the Acting Area Team Manager.

The statement described how the proposals had been carefully designed to minimise impact, and complement the setting. It was felt that there was a need for the footpath to provide a safe route to Nettleham for walkers and cyclists. The benefits of the playing field would outweigh disturbance caused during construction. Liaison had been undertaken with the planning officer, Sudbrooke Parish Council and Lincolnshire County Council Highways Department to devise an acceptable scheme.

Prior to consideration of the application the Chairman of Sudbrooke Parish Council, Peter Heath, addressed the Committee, and stated that the application had been under consideration for some time and discussions had taken place with both the developer and District Council. It had been agreed that the proposals would be advantageous to the village and the Parish Council supported the application.

Mrs Jane Sutcliffe, of Poacher's Lane, spoke on behalf of residents, and in particular the household at No. 4 who had a disabled family member. Mrs Sutcliffe raised five issues: Planning Policy said that the development was inappropriate; a survey in the community was against the development; the proposal site was beyond the water course and outside the natural boundary; the playing field would be of little use; and the cycle path would be a 'white elephant'. There would be an adverse impact on residential amenity in that the open outlook would be lost, and an estate agent had stated that houses would be devalued. The noise and disruption from the development would be detrimental to the disabled resident.

Councillor Stuart Curtis, Ward Member, spoke on the application describing the conditions attached to the S106 agreement, and stated that there were no other available sites for the sports field. Sudbrooke was dependent upon Nettleham for facilities so the footpath would provide safe access.

Discussion ensued around the application and the merits versus the disadvantages. It was suggested that the working hours during construction could be shorter to limit the disruption to residents, however it was pointed out that this would mean a longer development period. It was affirmed that some of the objections raised were not material considerations, such as property prices. Members had serious concerns regarding the impact upon the health of the disabled resident, and also the loss of open countryside, contrary to the NPPF.

It was affirmed that the sports field already existed with its associated visitors' traffic and parking. Ownership of the land was established and also the level of flood risk. Members agreed that it was a finely balanced argument and a difficult decision to make.

Councillor Wiseman moved that the application be approved with the two amended conditions, i.e. shorter operating hours and acoustic fencing surrounding the construction compound.

The motion was not seconded.

Councillor McNeill moved that the application be approved with the condition requiring acoustic fencing included. On being seconded, the motion was then voted upon.

The motion was lost.

It was then moved and seconded that the application be refused for the reasons as set out below. On being voted upon this motion was agreed, therefore the application was **REFUSED**.

**Reasons for refusal:**

- a) The amenity of nearby residents (specifically the health of the resident at No. 4) would be adversely affected by noise and disturbance during the construction of the development.

- b) The application is in contravention of the NPPF and the protection of the countryside as the site is outside of the development boundary and would have an impact on the settlement break between Sudbrooke and Scothern.

## **70 DETERMINATION OF APPEALS**

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

The meeting concluded at 7.30 pm.

Chairman