

## WEST LINDSEY DISTRICT COUNCIL

MINUTES of a Meeting of the Planning Committee held in the Council Chamber at the Guildhall, Gainsborough on Wednesday 6 April 2016.

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

Councillor Owen Bierley  
Councillor David Cotton  
Councillor Hugo Marfleet  
Councillor Jessie Milne  
Councillor Judy Rainsforth  
Councillor Thomas Smith

**Apologies** Councillor David Bond  
Councillor Giles McNeill

**Membership** No substitutes were appointed.

**In Attendance:**  
George Backovic Principal Development Management Officer  
Rachel Woollass Interim Senior Planning Officer  
Stuart Tym Lincs Legal Adviser  
Dinah Lilley Governance and Civic Officer

**Also Present** 25 members of the public

### 73 PUBLIC PARTICIPATION

There was no public participation.

### 74 MINUTES

Meeting of the Planning Committee held on 9 March 2016.

**RESOLVED** that the Minutes of the meeting of the Planning Committee held on 9 March 2016, be confirmed and signed as a correct record.

### 75 MEMBERS' DECLARATIONS OF INTEREST

Councillor Marfleet declared a pecuniary interest in Item 4 (133759 - Planning application and 133760 - Listed building consent, to erect rear extension and

alterations to include conversion of existing outbuilding at Crown House, 15 Front Street, Tealby) as being the applicant, and would leave the room for consideration of the application.

Councillor Smith declared a non-pecuniary interest in Item 4 (133864 - Market Rasen) as being the Ward Member and had requested that the application be determined by the Committee.

It was noted that all Members had a personal interest in Items 1, 2 and 3 (133759 and 133760 – Tealby, and 133932 and 133933 - Sturton) as the applicants were fellow Councillors.

The Chairman declared that for Paper B – 133284, Sudbrooke, as he was a member of Sudbrooke Parish Council and also the Sudbrooke Neighbourhood Plan Committee he would remove himself from the Planning Committee and speak as Ward Member on the report.

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

The Principal Development Management Officer noted that the only update was that the Central Lincolnshire Local Plan had now been submitted for approval of adoption so would now carry slightly more weight in the determination of applications.

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

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

**Note:** Councillor Marfleet left the room for consideration of the following application, having declared a pecuniary interest.

### **1 – 133759 and 133760 - Tealby**

A: 133759 Planning application to erect rear extension and alterations to include conversion of existing outbuilding, and

B: 133760 Listed building consent to erect rear extension and alterations to include conversion of existing outbuilding at Crown House, 15 Front Street, Tealby.

The Principal Development Management Officer read out additional objections which had been received in relation to the application, and also noted that in the last paragraph of the report Historic England had requested that should the Committee be minded to grant approval then the application be referred to the Secretary of State for determination. Should the Committee be minded to approve permission then the decision be delegated to the Chief Operating Officer whilst confirmation be established with Historic England as to whether referral to the Secretary of State be required.

Lynda Bowen of Tealby Parish Council addressed the Committee, raising concerns regarding the size and shape of the extension. The style was not consistent with the street scene and would restrict views of the open countryside. Front Street was a main thoroughfare through the village and there were already existing parking problems, particularly at school times. There was also the issue of school capacity as Tealby School was full. There was strong local feeling regarding the proposals, which felt like a substantial change to the centre of the village, and that there would be no enhancement to the building, the street or the village.

Andrew Clover, spoke as agent for the applicant, noting that the annexe extension was to provide accommodation for the applicant's mother. Discussion had taken place with Planning Officers, this had been positive and proactive, during which amendments had been made to the proposals. The boundary wall had been reduced to a 1m hedge, and there was to be minimal impact on the access to light and privacy of the neighbouring buildings. The proposed small obscured window would be an improvement on the existing large kitchen window and would have less amenity impact. The Council's conservation officer had agreed with the proposed conditions to be applied.

Isoldt Harris, neighbouring resident, spoke against the application, as being the resident of the former chapel next door to the application property. Three principal concerns were raised: the number of communications with planning officers demonstrated the level of sensitivity of the application, and it was felt that the 'small token gestures' were inadequate to address concerns; the size and scale of the proposals had not changed during the negotiation, there were too many different materials being used on one building and Historic England had stated that the extension was overwhelming to the original building; and the concerns raised by Historic England had not been addressed, heritage assets were an irreplaceable resource and a more sympathetic design at the rear of the property should be considered. This would be the first change to Front Street for 150 years.

Members acknowledged that the site visit had been useful and given a much better perspective than viewing photographs. Some Members had had reservations regarding the impact on the street scene, however it was felt that the majority of the extension was to the rear of the building so the impact would be minimised.

Verification was sought as to the exact increase in the size of the footprint, this was confirmed as being an increase of 67 square metres which equated to a one third increase on the existing 197 square metres. This was felt to be an appropriate subordination to the existing house.

It was moved and seconded that the permission and the Listed Building Consent be granted. On being voted upon it was **AGREED** that:

The decision to grant planning permission and Listed Building Consent be delegated to the Chief Operating Officer subject to obtaining confirmation from Historic England that they were not requesting that the matter needed to be referred to the Secretary of State. If this was not the case the applications would then be referred.

**Note** Councillor Marfleet returned to the meeting.

## **2 – 133932 – Sturton by Stow**

Application for approval of reserved matters for residential development following outline planning permission 131536 granted 23rd September 2014 - resubmission of previous approved scheme 132886 on Plot 1 Land between 15 and 25 Marton Road, Sturton By Stow.

Having sought and received verification that had the applicant not been a Member of the Council the application would have been determined by officer delegation, it was moved, seconded and voted upon that the application be approved and permission be **GRANTED** subject to conditions.

## **3 – 133933 – Sturton by Stow**

Application for approval of reserved matters for residential development following outline planning permission 130565 granted 12 June 2014 - resubmission of previously approved scheme 132885 on Plot 2 Land between 15 and 25 Marton Road, Sturton By Stow.

Having sought and received verification that had the applicant not been a Member of the Council the application would have been determined by officer delegation, it was moved, seconded and voted upon that the application be approved and permission be **GRANTED** subject to conditions.

## **4 – 133864 – Market Rasen**

Outline planning application for proposed development consisting of the creation of a highly landscaped woodland walk, public green space and 48 dwellings - access and layout to be considered and not reserved for subsequent applications at Glebe Farm, Willingham Road, Market Rasen.

The Interim Senior Planning Officer informed the Committee that the contribution to education provision was correct as stated on the front of the report.

Andrew Clover, agent for the applicant, addressed the Committee, and described the high quality of the application and its benefits. A public consultation event had been held and attended by around 40 people and good feedback had been received. The proposals were of a low density and included a woodland walk, and whilst details would be submitted in the Reserved Matters application, a protected species survey was to be undertaken, and a drainage strategy had addressed any flood risk concerns. The fact that few objections had been received was a testament to the quality of the application, positive feedback had been received from the management of the Racecourse and that the site would be a positive asset and form a gateway to the town.

Questions were raised regarding the potential for flooding and also why the NHS had not submitted comments when the local surgery was struggling. The Interim Senior Planning Officer responded that no objections had been received on either matter and that had the NHS felt that it was necessary it would have requested a financial contribution.

Further discussion ensued and it was felt that with good landscaping and amenities the proposals could be an asset to Market Rasen, which needed to expand. It was questioned whether the site was allocated for development in the Local Plan or was designated as Open Countryside. It was affirmed that the land was designated as Open Countryside, however Policy LP2 stated that Market Rasen was identified for growth and that non-allocated sites could be given permission for proposals of less than 50 dwellings.

It was moved and seconded that permission be granted as per the recommendation set out in the report, and on being voted upon it was **AGREED**:

That planning permission be **GRANTED** subject to conditions stated below upon the completion and signing of an agreement under section 106 of the planning Act 1990 (as amended) pertaining to:-

- a) 25% of the dwellings to be delivered on-site as affordable housing;
- b) Provision of Open Space including woodland walk to be managed in accordance with an open space management plan;
- c) A contribution of £101,487.00 towards primary education

And, in the event of the s106 obligation not being completed and signed by all parties within 6 months from the date of this Committee, then the application be reported back to the next available Committee meeting following the expiration of the 6 months.

**Note:** Councillor Smith requested that it be recorded that he had voted against the recommendation.

**Note:** Having declared that he would speak as Ward Member on the application, Councillor Curtis vacated the Chair and Councillor Fleetwood chaired the meeting for the following item.

## **78 APPEAL AGAINST NON-DETERMINATION – SADBROOKE PARK (PL.16 15/16)**

The Principal Development Management Officer clarified for the Committee that the applicant had submitted an appeal against non-determination of the application, and that the Committee was requested therefore to verify that it would have been minded to refuse planning permission had it been making the decision.

It was also clarified that the application was for 130 dwellings, not 120 as stated at the front of the report.

An aerial view photograph was shown to Members which depicted the area which would be subject to loss of woodland. The tree officer's comments were set out in the report.

Peter Heath addressed the meeting, setting out the key concerns of the Parish Council. Fears were expressed regarding the loss of assets and the number of dwellings proposed, equating to 155 homes. The woodland had Tree Preservation Orders for the protection of its amenity value, and there were concerns about the potential loss of public access. The proposals represented limited benefits but with negative impacts on the Historic Park and Gardens and on the Site of Nature Conservation Interest.

David Harness spoke as a member of the Sudbrooke Neighbourhood Plan Steering Committee, and following a survey and open day the majority of residents had expressed the opinion that development should not take place in Sudbrooke Park. The application should be rejected on environmental grounds as any planting of new trees would not compensate for the loss of the established woodland. There was no confidence in the safe management of the woodland, and other matters of traffic increase, Rights of Way, and archaeological heritage were all raised. The application was an attempt to circumvent the Local Plan prior to its adoption and once lost this asset would be gone for ever.

Speaking as the Ward Member, Councillor Curtis addressed the Committee, reiterating several of the issues already raised regarding the loss of trees and biodiversity, scale of development, loss of footpath, impact on infrastructure etc. A five year supply of housing land now existed and the Central Lincolnshire Local Plan had now been approved for adoption at the end of the year, in which Sudbrooke was designated as a medium growth village with up to ten percent growth. Including a previously approved application, ten percent equated to 62 dwellings.

Councillor Curtis proposed that as well as the policies for refusal quoted in the report, NBE8, NBE12, STRAT1 and STRAT12, additional policy reasons should include NBE13, NBE10 and CRT9.

The Principal Development Management Officer agreed that the additional policies would be appropriate and Committee Members all agreed that the application was utterly wrong on the proposed site. The loss of woodland was quoted as being frightening and the damage would be irreparable. Policy NPPF106 was also cited as being relevant.

The recommendation in the report was moved, seconded and on being voted upon and it was agreed unanimously that:

**RESOLVED** that the Council would have been minded to refuse planning permission on the following grounds:

The development would result in the destruction of many individual trees, groups and woodlands protected by Tree Preservation Orders within this Site of Nature Conservation Interest and Historic Park and Garden in addition to many non-protected trees. It would destroy

large areas of habitat and damage biodiversity. It will introduce houses into the core of this Historic Park and Garden and would cause substantial harm to the parkland, its setting and the historic features contained within it. Development at the scale proposed would result in the growth of this rural settlement at unsustainable levels in view of its limited facilities, and the probable use of private vehicles to access employment, retail and other basic facilities. Development would conflict with and potentially undermine the growth strategy being advocated by the emerging Central Lincolnshire Local Plan. The adverse impacts of development would significantly and demonstrably outweigh the benefits of development and it therefore does not meet the NPPF presumption in favour of sustainable development being directly contrary to paragraph 106 and all other relevant provisions. The Development was also contrary to saved policies STRAT1, STRAT12, CRT9, NBE8, NBE10, NBE12 and NBE13 of the West Lindsey Local Plan First Review (2006),

**Note:** Councillor Curtis retook the Chair for the remainder of the meeting.

#### **79 OBJECTION TO TREE PRESERVATION ORDER - CAISTOR NO1 2015 (PL.17 15/16)**

There were no further updates to the report, the tree met the criteria for having a Preservation Order and an objection had been submitted, therefore the report for Committee consideration. A photograph of the tree and its location was shown to the Committee.

**RESOLVED** that the confirmation of the Tree Preservation Order Caistor No1 2015. be approved.

#### **80 DETERMINATION OF APPEALS**

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

The meeting concluded at 7.48 pm.

Chairman