

WEST LINDSEY DISTRICT COUNCIL

MINUTES of the Meeting of the Planning Committee held in the Council Chamber - The Guildhall, Marshall's Yard, Gainsborough, DN21 2NA on 8 March 2017 commencing at 6.30 pm.

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

Councillor Owen Bierley
Councillor Matthew Boles
Councillor David Cotton
Councillor Michael Devine
Councillor Giles McNeill
Councillor Mrs Jessie Milne
Councillor Judy Rainsforth
Councillor Thomas Smith

In Attendance:
Oliver Fytche-Taylor Planning Services Manager
Russell Clarkson Principal Development Management Officer
Martin Evans Senior Planning Officer
Stuart Tym Legal Services Lincolnshire
Dinah Lilley Governance and Civic Officer

Also present 8 Members of the public

Apologies: Councillor Roger Patterson

Membership: There were no substitutions

74 PUBLIC PARTICIPATION PERIOD

There was no public participation.

75 TO APPROVE THE MINUTES OF THE PREVIOUS MEETING

Meeting of the Planning Committee held on 8 February 2017.

RESOLVED that the Minutes of the meeting of the Planning Committee held on 8 February 2017, be confirmed and signed as a correct record.

76 DECLARATIONS OF INTEREST

Councillor Matthew Boles declared that he had made comments in objection on the site for item 6b (135491 – Lea) some years ago, prior to becoming a member of the Planning Committee, however he retained an open mind regarding the current application.

Councillor David Cotton declared that item 6b (135491 – Lea) was in his ecclesiastical parish however the interest was purely personal.

Councillor Milne declared that for Item 6b (135491 – Lea) she would step down from the Committee and speak as Ward Member and not take part in the determination of the application.

77 UPDATE ON GOVERNMENT/LOCAL CHANGES IN PLANNING POLICY

The Planning Services Manager informed the Committee that the closing date for consultation on the modifications to the Central Lincolnshire Local Plan had closed on Monday of that week, and it was hoped that adoption would be complete by the end of April.

Members welcomed the news, and also requested that, although it would be available electronically, the Committee be provided with hard copies. The Planning Services Manager agreed that this would be the case.

78 PLANNING APPLICATIONS FOR DETERMINATION

78a 131035 - KETTLEBY

Planning Application for amended scheme for an increased number of smaller caravan pitches from eight to 16 at Field View Caravan Park, Kettleby Lane, Kettleby, Brigg.

The Principal Development Management Officer confirmed that there had been no further update, however, proposed that Condition 3 be amended to reflect that the application was retrospective and therefore that the landscaping requirements be effective from the date of the first planting season following the approval of the landscaping scheme.

The Chairman sought clarification that the application was an amendment to the previous permission granted for eight pitches. The Principal Development Management Officer affirmed that permission for eight pitches had been granted in November 2010 but was not implemented in accordance with the permission. This retrospective application was now for 16 smaller pitches on the same site.

It was questioned whether there was an identified need for a traveller site. A need for 72 pitches had been identified in Central Lincolnshire and this site would contribute 16 pitches towards that need. There had been some speculation as to whether the site was to be used for travellers, as, if not, it would not contribute to that quota. It was affirmed there was no evidence that the site was not being used in this way, and that the applicant was amenable with the condition requiring occupancy only by those meeting the national planning policy definition of “gypsy/traveller”.

It was then questioned that if the number of vans on site was to double, would the pitches meet the criteria for the size required? It was confirmed that whilst these were smaller than was typical the guidance did not prescribe a specific size. It was noticed that the vans looked larger than touring caravans, as would be expected to be towed by travellers. The response was that these were static trailers, which were typically provided for within a pitch. The applicant had previously advised they were being primarily used by older residents who wanted a quieter area to stay, with less travelling.

The recommendation was moved and seconded. On being voted upon it was **AGREED** that permission be **GRANTED** subject to conditions as set out in the report with the amendment to Condition 3 as agreed.

3. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding season **following the approval of the details as required by condition 1**; and any trees or plants which within a period of 5 years from the completion of the development die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

78b 135491 - LEA

Outline planning application for residential development of up to 68 dwellings with access to be considered and not reserved for subsequent applications on land at Willingham Road, Lea, Gainsborough.

The Principal Development Management Officer updated the Committee that the Local Education Authority figures quoted in the report as being required as an education contribution were based on the original application for 135 dwellings. Updated figures were awaited, however the legal adviser noted that at outline stage it was good practice to quote a formula rather than specific figures, within any legal obligation.

Jane Brown, of Lea Parish Council, informed the Committee that there were strong objections to the proposals from both the Parish Council and local residents. The Recent residents' survey confirmed the majority did not want development on greenfield sites, with infill sites elsewhere considered preferable. Residents valued the application site as an important green area offering a safe environment used by residents, dog walkers, ramblers, offering views across historic parkland. The Central Lincolnshire Local Plan identified an alternative allocation to meet the 15% growth requirement. The landowner for the CLLP site was already working with the Neighbourhood Planning Group, to meet local needs. The landowner/applicant had not consulted or engaged with the Neighbourhood Planning Group or Parish Council or sought to work with the community.

David Hardy, representing the applicant, noted that he had sent a letter by email to all Members of the Committee with additional information. A chance to settle future growth in Lea. He asserted that growth would happen in Lea, the 15% target growth for medium villages equated to an additional 68 dwellings in Lea. Unusual that only two of twenty 'medium villages' had an allocation – Hemswell Cliff and Lea. Justification for Lea was less clear and had been challenged. The proposed site was felt to be better than that proposed to

be allocated in the CLLP (site CL3044). Historic permission had been granted on application site, indicating that it was previously considered suitable for development. The allocated site had no relevant planning history. The allocated site would have significant harm, to the setting of Grade I Listed Church. The draft Plan only considered these matters at a very high level. CL3044 would result in the loss of important hedgerow, would also have parking and congestion problems, and constraints on site meant that 68 dwellings would not be possible, resulting in pressure elsewhere. The allocated site was also within a Mineral Safeguarding Area. There were several benefits to the proposed site with up to 17 affordable dwellings, with a registered provider indicating a strong commitment to deliver within 12 months. There were no highway objections and infrastructure contributions were offered to improve sustainability. Contributions to health and education would be provided.

Councillor Jessie Milne, having stepped down from the Committee spoke as Ward Councillor for Lea, noted that this was the third application for Lea, one had been withdrawn and the second (450 dwellings) had been refused and was going to a Public Inquiry. The CLLP had designated up to 68 houses for Lea, up to 2025, on a particular site (CL3044). The Neighbourhood Plan was almost ready for submission before going to referendum. There were no facilities within Lea, it did not have a shop, post office or doctors' surgery, or facilities within walking distance and to access any would mean transport to Gainsborough. The land was good quality agricultural land needed to produce food for an increasing population. There was an abundance of wildlife, woodland, shelter for over wintering birds and a footpath in existence on the site and enjoyed by locals as designated parkland. There were traffic, flooding, and drainage issues. There were numerous brownfield sites within Gainsborough which should be developed prior to greenfield sites such as this.

Councillor Milne left the meeting at 7.01pm.

The Principal Development Management Officer informed Members that the previously approved application was granted in the 1990s, and pre-dated the extant 2006 Local Plan, and had not manifested in an allocation within the Local Plan, the statutory document to consider the application against, unless material considerations indicated otherwise. The historical permission had expired and should be afforded limited, if any, weight. Regarding criticism of site CL3044, the Local Plan examination was the correct forum to determine its suitability. The site remained in the draft CLLP following the Hearings, and was a material consideration. The committee should consider the proposal before it, and as the draft CLLP stands, it was advised the application should be considered likely to be in addition to, not instead of, site CL3044.

Members noted that during the CLLP consultation proposed sites were requested to be submitted for consideration, and the CLLP sites were assessed at the appropriate level. Members considered they were not undertaking a comparative exercise, but would consider the application on its merits. Officers clarified that whilst a number of sites had been submitted, each had to be scrutinised for suitability and only one was felt appropriate for adoption.

Members debated the application but could see no policy basis on which to approve the proposals. It was noted that facilities were not within reasonable walking distance. The site was considered to be an unsustainable location in the open countryside. The recommendation to refuse permission was then moved and seconded. On being voted upon it was **AGREED** that permission be **REFUSED**.

Note Councillor Milne returned to the meeting at 7.10pm.

79 DETERMINATION OF APPEALS

RESOLVED that the determination of appeals be noted.

On a further appeal, circulated the previous day, but not included within the agenda at this meeting, Members queried the Planning Inspector's interpretation of the written ministerial statement on Neighbourhood Plans (12 December 2016). Officers were asking questions of DCLG over the interpretation and whether it was taken in line with the spirit of the WMS. It was felt that the weight given to the Local Plan by Appeal Inspectors was inconsistent, and the Chief Operating Officer had already written to the Inspectorate previously on the matter.

80 COMMUNITY INFRASTRUCTURE LEVY (CIL)

The Planning Service Manager confirmed to Members that the CIL Examination in Public had now concluded and that no new evidence had been presented. The document was now subject to the Inspector's conclusions and his report was anticipated within 6-8 weeks, in the absence of any significant objections. Regular progress updates would be provided to the Committee.

Whilst the CLLP would be effective immediately upon adoption, the CIL legislation was subject to a different process and a report would be submitted to Council for adoption on a specific date, probably in the autumn.

The first session in the new year's programme of training events would be on the Community Infrastructure Levy, possibly in June, on a date to be confirmed.

The meeting concluded at 7.20 pm.

Chairman