

## 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 18 October 2017 commencing at 6.30 pm.

**Present:** Councillor Ian Fleetwood (Chairman)  
Councillor Owen Bierley (Vice-Chairman)

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

**In Attendance:**  
Oliver Fytche-Taylor Planning Services Manager  
Russell Clarkson Principal Development Management Officer  
Ian Elliott Senior Development Management Officer  
Martha Rees Legal Advisor  
Katie Coughlan Senior Democratic & Civic Officer  
Ele Durrant Democratic and Civic Officer

**Apologies:** Councillor Roger Patterson

### 33 CHAIRMAN'S WELCOME AND MINUTE'S SILENCE

The Chairman commenced the meeting by welcoming all those present, as members of the public, visiting Members and presenting Officers.

The Chairman addressed the room to express his sadness at the recent passing of former District Councillor Stuart Curtis. For those who may not have been aware, Councillor Curtis had been Chairman of the Planning Committee for a number of years and would be sadly missed. All present were asked to join the Chairman in a minute's silence in memory of Councillor Curtis.

The Chairman also asked Members to take a moment in remembrance of the late Councillor Chris Underwood-Frost to mark the anniversary of his death. Councillor Underwood-Frost had previously been Chairman of the Planning Committee and passed away four years ago.

The Committee and all present came together for a minute's silence.

### 34 PUBLIC PARTICIPATION PERIOD

The Chairman explained there was due to have been a participant, Mr Steven Taylor, however he was subsequently unable to attend. The Chairman stated that Mr Taylor

intended to contact the Chairman directly with his questions and comments and he would receive a written response in due course.

### **35 TO APPROVE THE MINUTES OF THE PREVIOUS MEETING**

Meeting of the Planning Committee held on 23 August 2017.

**RESOLVED** that the Minutes of the meeting of the Planning Committee held on 23 August 2017 be confirmed and signed as a correct record.

### **36 DECLARATIONS OF INTEREST**

Councillor J. Milne declared that she had facilitated a meeting with Sir Edward Leigh, MP, for a group of people in relation to the Kingsmead Park application but she had not participated in the meeting.

### **37 UPDATE ON GOVERNMENT/LOCAL CHANGES IN PLANNING POLICY**

The Planning Services Manager informed Members that the Brattleby Neighbourhood Plan would be going to Council on 13 November and the Scotter and Lea Neighbourhood Plans would shortly be going to public referendum. He advised that as well as the link provided in the agenda, there would be further notifications sent to Members and assured the Committee that Officers were seeking to improve communication with Members about such matters.

### **38 PLANNING APPLICATION FOR DETERMINATION**

**RESOLVED** that the application detailed in agenda item 6 (a) be dealt with as follows:-

#### **38a 135610 - KINGSMEAD PARK, SWINHOPE**

The Chairman introduced the proposal for a change of use of land to site 35 holiday lodge caravans and a site office/reception caravan with associated site road, parking and services. He explained the location of the site as being between Brookenby and Kingsmead Park, a residential caravan park. He noted that the site was located within an Area of Outstanding Natural Beauty (AONB) and Members of the Planning Committee visited the site on 2 October 2017 prior to the Planning Committee on 18 October 2017. The recommendation was to grant Permission subject to conditions.

**Note:** At this point in the meeting, the Chairman made a declaration that prior to the commencement of Committee, he had received a letter from the Agent for the Applicant setting forward their case for the application. All Councillors declared they too had received this letter.

There were five people registered to speak, each having up to five minutes to speak. The Chairman stated he had received communication from Dr Edwards, who had been registered to speak but was subsequently unable to attend, and Chairman had noted his objections.

The Senior Development Management Officer noted an amendment to the report and explained that the target decision date had been extended again to 20 October 2017.

The first speaker, Mr Martin Taylor, introduced himself as the agent for the applicant, Turners Parks Group, and spoke in favour of the application. He reiterated the details of the site and noted that the recommendation was for the application to be approved. He explained that he understood the two main objections were regarding traffic and noise issues. With regard to fears over problems with traffic, Mr Taylor commented that the Highways Agency had raised no objections, subject to conditions, and similarly, the Environmental Agency Officer did not raise any issues or add comment. Mr Taylor noted that those objecting had made reference to another application which had been refused. Mr Taylor countered this by stating that the application had been for a residential development and this application was fundamentally different in that the development was to be used for tourism purposes only. With regards to the perceived impact on the AONB, Mr Taylor explained the area was screened already, the development would be of low density and there would be significant open space in the centre of the site. He expanded on plans to further landscape the area for improved screening of the lodges and stated that the main access had been sited to the north of the area in order to minimise loss of trees. Mr Taylor noted there would be benefits to the local economy with increased tourism as well as the three permanent jobs created as well as numerous temporary and seasonal positions. Mr Taylor concluded by apologising to Members for the letter they had received, he explained it had been intended as a supporting document only and did not contain any additional information to that which he had spoken about. He also thanked Committee for allowing him time to speak and for listening to his comments.

The Committee was then addressed by Mr Mike Swannick, a resident of Brookenby who was speaking in opposition to the application. He explained that his main concerns centred on the inadequate road system in the area. He stated that the approach to the site was very narrow with no facility for pedestrians. He explained that the road was so narrow that the edges were broken down as cars had to drive over the verges in order to pass each other. Mr Swannick added that the roadside was not maintained meaning it was unusable to pedestrians who then had no choice but to use the road. In addition to this, Mr Swannick commented that the road at the proposed entrance to the site was only the width of a car and the road was liable to flooding. He stated that visitors to the site would be faced with a narrowing carriageway, on a blind bend, heading into a dim light because of entering a tunnel of trees. He stated that the local roads had been developed for military use and were not suitable for the demographic as it was, without the additional traffic the proposed development would create.

The third speaker, Mr Ian Brace, also spoke in opposition to the application. Mr Brace explained there had been over 100 objections to the application. He noted that if the application was accepted it would increase the number of properties within the site by 35% which would make it the largest lodge holiday park development in the area. He also stated that there were many inconsistencies and false declarations in both the planning and application statements, which he felt the applicant had failed to rectify even with an extension granted of three months. He gave the example that the applicant stated there was no planning history that related to the site. Mr Brace stated this was wrong and referenced application 125478 which was submitted for the land to be used as a recreational area for the residents of Kingsmead Park. Mr Brace also quoted comments made by the Planning Inspector in August 2016 in relation to an appeal for application 134360 in which the

development was not granted for reasons of remoteness from basic services and amenities and concerns about transport and accessibility. Mr Brace concluded by thanking Committee for affording him time and listening to his comments. Mr Brace also provided printed versions of his speech and these were distributed to Members.

Councillor Tom Regis, Ward Member, addressed the Committee in opposition to the application. He supported the comments of Mr Swannick and Mr Brace and added that it was not the nature of the development that was unreasonable, rather the location of it. He noted that the areas adjoining the proposed development site should remain as two separate locations and not be joined. He explained the area had been constructed as a retirement home area where people had moved to enjoy peace and tranquillity in their retirement. Councillor Regis stated that to lose this would have a negative impact on the quality of life for the residents. Councillor Regis also acknowledged the concerns raised by some residents that to allow the proposed development could lead to permanent residential structures in the future which would prove even more concerning. Councillor Regis also commented on the area sitting within the AONB and suggested that WLDC should look to protect the area rather than build on it. To conclude, Councillor Regis referenced a local belief that WLDC had, at one point in the past, promised a Kingsmead Park resident that the land in question would never be built upon. Councillor Regis acknowledged that the belief could not be proven or otherwise, however, he stated it did raise the question as to whether WLDC could be seen to have made false promises to the people of Kingsmead Park.

The final speaker, Councillor Lewis Strange, Member of Lincolnshire County Council, WLDC and representative for the Lincolnshire AONB Committee, also spoke in opposition to the development. Councillor Strange commented that the over-arching guidance for the AONB was to seek to ensure that any plans upheld the primary purpose of the AONB, that being, to protect and enhance the area. He noted that he did not feel the proposed development would either protect or enhance the area. He supported the comments made by Councillor Regis and the previous two speakers and added that special consideration should be afforded to the land as a green wedge. Land identified as such is well protected within the Central Lincolnshire Plan. Councillor Strange also felt the visual impact on the area would be considerable and that current views and vistas would be ruined by the proposals. He also highlighted the traffic issues raised previously, stating there would be significant traffic issues and as there was no public transport, this could not be avoided. Councillor Strange made reference to comments made by Mr Steven Jack of the Lincolnshire Wolds Countryside Service who, he felt, had been overlooked in the report for the application. Councillor Strange concluded his comments by requesting that Committee refused permission for the development in consideration of the uniqueness of the area.

The Senior Development Management Officer responded to the comments raised by the speakers. In relation to the comments about the existing road structure and potential traffic issues, he noted that the Highways Agency had not raised any objections nor requested for pavements to be added. He clarified that the area is not classified as a green wedge and the holiday park would be for tourism only, there would be no permanent residential use. He explained that there would be no permanent structures and facilities were considered to be only a short drive away. In relation to other planning applications, the Officer highlighted that each case had to be looked at on a site by site basis and that Officers did recognise the importance of the AONB.

The Chairman thanked all speakers and asked Committee Members to offer comment.

Lengthy discussion ensued in which Members reiterated the concerns raised by the speakers. It was acknowledged that, as the Highways Agency had not raised any objections, the concerns about traffic and the impact on the road network could not be used as ground for refusal. It was also stated that, as the area was within the AONB, the site did not need to be considered a green wedge. It was questioned whether the priority was to support and protect the AONB and dark skies initiative or whether the choice would be to build over it when it suited.

Questions were raised about the terminology and specification of the proposed structures, whether the park could be classed as a visitor attraction when it was in fact providing accommodation and whether the accommodation was considered in the same class as a mobile home, caravan or holiday park. It was stated that restrictions and guidance were different according to the class of accommodation. Officers explained that the section referenced by Councillors, LP55, was in relation to standing mobile homes in the countryside, not in relation to caravans or holiday parks. The Legal Advisor also noted that the legal definition of a caravan or motorhome was something that must be roadworthy and capable of being driven or towed on the road whereas a chalet or lodge was a structure primarily constructed in a factory in two parts and bolted together on the site.

Members questioned why the structures would not be classed as residential and it was explained that no one would have the right to live on the site. It was clarified that there would be no permanent residents and the Officer pointed out condition nine stating use would be holiday use only.

Further concerns were raised about the infill between parishes and it was felt this could set a dubious precedent. It was questioned what weight could be given to the management plan for the AONB. The Legal Advisor explained that the management plan had been given due weight in the planning considerations but could also be given weight in Committee discussions.

Members commented on the cumulative impact on the area in reference to LP17. It was noted that the vegetation in the area was patchy and insufficient for screening the development and that in terms of heritage assets in the area, the proposal was for a substantial development which would be visible from several areas. It was felt that no amount of vegetation growth would fully screen the site.

Further discussion centred on the National Planning Policy Framework (NPPF), specifically paragraphs 29 and 116, and Members suggested that the development and transport links were not sustainable and therefore could be considered as grounds for refusal. The Legal Advisor read aloud from the Planning Practice Guidance in terms of what weighting should be given to the AONB management plan and clarified that consideration could be given but it was not specified to what extent.

The Vice-Chairman spoke to thank everyone who had attended the site visit and to confirm how useful it had been in assisting the deliberations of Committee. He highlighted that Kingsmead Park had been constructed prior to the allocation of AONB and therefore considerations had changed. It was felt that there was sufficient ground within the Local Plan and the NPPF on which to base refusal of the application. The recommendation of the Environmental Officer for the lodges to have green roofs, to look at more substantial screening or to have smaller units supported the Committee's view that the site would be

visible in the area and this would have a negative impact. It was also commented that the tourism need was to attract people to the AONB however this did not necessarily mean they were to stay in the AONB.

It was discussed that, when taken cumulatively with other developments, the proposal would have a harmful impact on the character, appearance and scenic beauty of the Lincolnshire Wolds Area of Outstanding Natural Beauty. The proposal had not demonstrated it was within the public interest or that there were any exceptional circumstances to justify the proposal in the designated area. The proposal would additionally lead to an unacceptable coalescence of the two settlements. It was therefore contrary to policies LP7, LP17, LP26 and LP55 (Part E) of the Central Lincolnshire Local Plan, and paragraphs 115-116 of the National Planning Policy Framework. It would result in the loss of open space contrary to the provisions of the Lincolnshire Wolds AONB Management Plan (2013-18).

It was also felt that the development would be located in an unsustainable location remote from any services or facilities, being over-reliant on the need for a private vehicle to travel. It was therefore contrary to policy LP13 of the Central Lincolnshire Local Plan and Paragraph 29 of the National Planning Policy Framework.

It was therefore moved and seconded that the recommendation in the report to agree the application be overturned and on voting it was unanimously **AGREED** that the application be **REFUSED**.

### **39 DETERMINATION OF APPEALS**

The Chairman commented that it was very positive that all ten decisions were upheld. Councillor G. McNeill asked for it to be recorded that thanks were extended to all Planning Officers for their work in view of the number of appeal decisions that were upheld.

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

The meeting concluded at 7.45 pm.

Chairman