

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 7 March 2018 commencing at 6.30 pm.

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

Councillor Matthew Boles
Councillor Michael Devine
Councillor Giles McNeill
Councillor Mrs Jessie Milne
Councillor Roger Patterson
Councillor Mrs Judy Rainsforth
Councillor Thomas Smith
Councillor Robert Waller

In Attendance:

Oliver Fytche-Taylor	Planning & Development Manager
Jonathan Cadd	Principal Development Management Officer
Russell Clarkson	Principal Development Management Officer
Ann Scott	Senior Development Management Officer
Joanne Sizer	Area Development Officer
Martha Rees	Lincolnshire Legal Services
James Welbourn	Democratic and Civic Officer

Also present 20 Members of the public

Apologies: Councillor David Cotton
~~Councillor Hugo Marfleet~~ JW 16/04/18

62 PUBLIC PARTICIPATION PERIOD

There was no public participation.

63 TO APPROVE THE MINUTES OF THE PREVIOUS MEETING

RESOLVED that the Minutes of the meeting of the Planning Committee held on 7 February 2018, be confirmed and signed as a correct record.

64 DECLARATIONS OF INTEREST

Councillor Judy Rainsforth declared a personal interest in item 67 (planning application number 136309) as she currently lived off Willingham Road. She confirmed that she had come with an open mind to the application.

Councillor Jessie Milne declared an interest in item 67 (planning application number 136309), and would remove herself from the Committee and speak as Ward Member on the application.

Councillor Owen Bierley declared an interest in item 68 (planning application number 137095). Prior to the Caistor Town Council meeting in February Councillor Bierley had not met the applicant; therefore he wished to remain as a member of the Committee rather than stand down as a Word Member.

65 UPDATE ON GOVERNMENT/LOCAL CHANGES IN PLANNING POLICY

The Principal Development Management Officer updated the Committee on government and local changes in planning policy.

The following points were raised:

- The Government had published its draft revised National Planning Policy Framework (NPPF), with consultation closing on 10th May;
- Consultation was also underway on a review of “Supporting housing delivery through developer contributions”. The intention was to incorporate many of the policies proposed in last year’s Housing White Paper. The Central Lincolnshire authorities were coming together to provide a response;
- The presumption in favour of sustainable development would be triggered where a council cannot demonstrate a five year housing supply, or where the housing delivery test indicates that delivery of housing has been substantially below the housing requirement over the previous three years;
- A housing delivery test would impose sanctions on councils failing to meet housebuilding targets in their local plans;
- A standard methodology for assessing housing need would be implemented via the revised framework. A requirement of 20% of housing supply to be met on smaller sites was also being considered;
- Examination of the draft Osgodby Neighbourhood Plan had concluded, and the examiner found the plan sound, subject to modifications. Osgodby could now move towards a referendum;
- Great Limber Neighbourhood Plan had been formally submitted to West Lindsey District Council and was now at the consultation stage;
- Pre-submission consultations on the Glentworth and Cherry Willingham Neighbourhood Plans are underway, ahead of formal submission to West Lindsey District Council (WLDC) by the respective Parish Councils.

66 PLANNING APPLICATIONS FOR DETERMINATION

67 136309 - WILLINGHAM ROAD, LEA

The Principal Development Management Officer introduced planning application number 136309 – Willingham Road, Lea - outline planning application to erect 61no. dwellings- access to be considered and not reserved for subsequent applications.

In addition to the published paperwork, there was a further update for committee, as the Secretary of State was minded to consider to call the application in. This did not mean that it would be called in, and no way indicated that the application was in error. The call-in decision was not dependant on whether the committee decided to support the recommendation to approve or not; however, Committee would not be able to make a determination. The Secretary of State's casework unit would take over – there was no timeframe on this.

Further comments had been received from Lea Parish Council. Since they made their initial response, the Lea Neighbourhood Plan (NP) had been made. They also wanted to raise the following concerns:

- Policy 1 did indicate comprehensive redevelopment off Willingham Road. They questioned whether the bungalows at types 7 and 8 would be satisfactory for the development. Similarly concerns were raised that feature properties were not fully defined;
- Criteria B of Policy 1 of the Lea Neighbourhood Plan – the Parish Council asked that West Lindsey District Council (WLDC) be certain there be no further risk of flooding or foul water;
- Criteria D of Policy 1 of the Lea Neighbourhood Plan – concerned about traffic movements and parking around Stainton Close, and felt that the junction of Willingham Road and the A156 had been focused on instead of this. They were particularly concerned about the levels of traffic around the school's opening and closing times, and that this had not been properly assessed;
- Criteria E of Policy 1 of the Lea Neighbourhood Plan – concerned about the overall height of certain bungalows on the development and the impact on residential amenity;
- Criteria H of Policy 1 of the Lea Neighbourhood Plan – the Parish Council felt that there were very minimal areas of open space on the development, and felt that the Community Infrastructure Levy should be used on Lea Park;
- The public footpath connection to the park was a concern, with respect to its location entering the park;
- Questioned whether the off street parking for the proposed new residents was sufficient;
- Concerned whether there was sufficient drainage;

The Principal Development Management Officer responded to this by saying that the

majority of these points had been responded to as part of the committee report. In terms of the car parking space – this was an indicative plan. If the report was to be approved, then a reserved matters application would need to be submitted and would give a clearer indication of where, and how many, car parking spaces were proposed.

There was an error in page 27 of the reports pack, which should have read '12 Willingham Road', rather than '14 Willingham Road.

Finally, Lincolnshire Wildlife Trust did not wish to make any comments, and referred to the standing advice on newts and bats produced by English Nature.

Following this, Mr Simon Elliott, speaking on behalf of the applicants addressed the committee, and raised the following points:

- The application site is proposed in the Lea Neighbourhood Plan (NP) and the Local Plan (LP);
- The applicants had been in discussion with WLDC's planning officers and the Lea Neighbourhood Plan Steering Group.
- The number of proposed dwellings had been reduced to 61 units from 68 units, including 1 bedroom apartments, affordable houses, semi-detached units and bungalows;
- The number of objections was acknowledged, but Mr Elliott considered that these had been dealt with by the officer's report;
- A number of consultation responses had been received by WLDC – the Highways authority had had no objections, Historic England and Natural England had no comments, and the Conservation Officer and local drainage engineers had no objections;
- Additional screen planting and a comprehensive landscaping scheme were to be undertaken across the site.

Mr Robin Heppenstall then spoke in opposition to the application on behalf of the CLEAR group, and raised the following points:

- The Planning Portal on the WLDC website stated that planning consultation was still underway, and there was no mention of any planning meeting;
- The Lea Neighbourhood Development Plan accepted the presence of the site only as it was imposed by the Central Lincolnshire Local Plan (CLLP). However development on the site was only supported if it fitted into the historic landscape, and the historic core of Lea;
- The NP should safeguard Lea from inappropriate development;

- The application did not meet the criteria set out in the NP, in terms of the size and scale of the buildings, surface water run-off, and open spaces;
- The road access is dangerous. The proposed site access would be straight out into a plethora of parked cars, particularly difficult at school opening and closing times;
- The response from the Highways department at Lincolnshire County Council says that no development should take place until various criteria have been complied with. This response, and the response from Lea Parish Council around non-compliance with its criteria should have been enough to refuse the application at this present time;
- Only concern with the Parish Council's response was around the use of the term 'indicative'. In Mr Heppenstall's opinion, this meant that the discussions of the Lea Neighbourhood Plan Steering Group had been dismissed by the landowner, and that the NP had been disregarded;
- This was not a village development, and did not meet the Central Lincolnshire criteria for villages. It was an urban development, as part of Gainsborough's expansion – however, it did not meet Gainsborough's criteria either;
- The application would do a disservice to residents of both Lea, and Gainsborough.

Councillor Jessie Milne spoke on the application as Ward Member, and stood down from her position on the Planning Committee. The following points were highlighted:

- This application was in the same part of the parkland, albeit to the side, as the previous application for this area. The same issues were still present, namely endangered birds, and wildlife;
- Part of the land was susceptible to flooding. Surface water had always been a problem for the village;
- When Lincolnshire County Council did the highways survey, they came at the wrong times. The school and commute times were not taken into account. Willingham Road had cars parked both sides of the road as the nursery finishes at a different time to the school;
- The entrance and exit to the site was attached to a very busy road. A potential for two vehicles for family would lead to a further 100-plus vehicles in the area;
- The primary school was excellent and popular with parents; it was currently at capacity;
- The doctor's surgeries allocated for Lea in Gainsborough were struggling, and Willingham surgery was full. In addition, Willingham surgery do not dispense so medication would need to be picked up from Gainsborough;
- This application was in the LP and the NP, but that did not mean it was the right place

to build. The application would have a major impact on the lives and homes of the people in Lea. Councillor Milne could not support the outline application.

Note: Following her speech, Councillor Jessie Milne left the chamber for the remainder of the item.

The Principal Development Management Officer responded to the queries raised by speakers as follows:

- The Planning department try to take comments on applications right up until the time of committee, hence why comments provided on the day of the meeting have been brought to the attention of committee. The web site was therefore right to state that consultation was on going. The Committee agenda for each meeting would be published on line in advance of each meeting and has been available for public viewing. Comments are put on WLDC's website in advance;
- The Lea NP does indicate an acceptance of development of up to 68 dwellings, with caveats. It was considered that the application did accord with the points in the NP, and the applicant had tried to meet a lot of the concerns. It was not considered appropriate to limit the dormer style bungalows as they could be designed in such a way that from the rear they could appear as bungalows, protecting residential amenity. These would be considered at a later date when reserved matters were submitted;
- Highways officers have responded to WLDC officers outlining that they had looked at traffic on a number of occasions as part of the Local Plan and NP process, but also as part of the application. The road access and parking was considered to be acceptable. The works on the highway would be completed within specific timescales to maintain safety;
- For car parking, there were a number of properties in the indicative plan that could accommodate longer driveways; this could be investigated at the reserved matters stage;
- Drainage: surface water drainage issues in the area are noted but reports provided show the site could be drained via a mixture of soakaways and positive drainage. The central areas of the site had a clay consistency but the eastern and western areas were of a more sandy composition, so percolation could occur for drainage. In the central areas surface water would be transported via swales and pipes to a large attenuation pond. The proposal has been looked at in detail by the lead local flooding authority, and they had not objected;
- Severn Trent Water had been able to look at the foul water situation within Lea as part of their five year plan. The applicant had worked with them to see what extra load would be put onto the system and what enhancements were required. There was also a condition within the NPPF to ensure these works had been done;
- The applicant had undertaken a number of assessments on newts and bats. Indications were that the use of the pond on site from newts was very low level; additional surveys had not managed to find any newts.

Bats were using the site, in particular a tree to the rear of number 12 Willingham Road, but there was no evidence that they were roosting. There were however mitigating measures on tree felling on the site.

Note: Councillor Giles McNeill declared a personal interest as he knew Mr Heppenstall socially.

He also declared a further interest as he had dined with the Secretary of State, but the conversation had not included the application in Lea.

Note: Councillor Judy Rainsforth declared an interest as she also knew Mr Heppenstall.

There was then the opportunity for comment from Members and responses from the Principal Development Management Officer. Further points are highlighted below:

- The development may have been better split into two rather than coming as one scheme for 61 dwellings, but this the Local Plan and NP supports a single site;
- The Highways team at Lincolnshire County Council were specifically asked about the primary school opening hours, and have confirmed they are happy on a professional basis that the entrance/exit was safe;
- A condition requiring a parking strategy as part of reserved matters could be added;
- There was a mixture of house types; any future developer would have to outline the mix of housing, but a condition is proposed;
- The outcome of the Lea NP referendum was almost 3 to 1 in favour of the plan;

Both Lea and Morton were considered to meet Gainsborough's growth needs with reference made to paragraph 3.4.9 of the CLLP.

The application was proposed, seconded and voted upon and approved.

It was therefore **AGREED** that the application be **GRANTED**, subject to conditions, and delegated to the Chief Operating Officer, to enable the completion and signing of an agreement under section 106 of the Planning Act 1990 (as amended) pertaining to:-

- The delivery of no less than 20% as affordable housing;
- Measures to secure the delivery, and ongoing maintenance and management of public open space, drainage features and ecological and protected species works including potential mitigation and compensatory features/land;
- A capital contribution towards enhancements of Lea Park, playground and woodland walk and strategic sports provision.
- Provision and maintenance of a pedestrian footpath linking site to Lea Park

Members also requested additional conditions relating to parking, design, scale and the nature of the development, and also requested that the application came back at the reserved matters stage.

This was all subject to the Secretary of State not calling in the application.

Note: The meeting was adjourned at **1937** to allow some members of the public to leave the room.

Note: The meeting recommenced at **1938**, and Councillor Jessie Milne re-joined the committee.

68 137095 - BRIGG ROAD, CAISTOR

The Senior Development Management Officer introduced planning application number 137095 – workshop adjacent Ranyard Signs, Brigg Road, Caistor LN7 6RX - Planning application for change of use from industrial use-B2 to gym- D2.

There was a communication given to the committee on behalf of Councillor Lewis Strange, who supported the application on three main grounds:

1. Employment in an area short of jobs;
2. Health and wellbeing;
3. With the closure of Caistor Yarborough School, this would replace the outgoing facilities.

In the report, the gym site was mentioned as being 900 metres from the centre of Caistor. This distance was likely to be 'as the crow flies'; a more reliable walking distance would be 1.2 kilometres.

Parish Councillor Steve Critten, of Caistor Town Council spoke to the application, highlighting the following points:

- When related specifically to the Caistor NP, the following policies have been satisfied:
 - Policy 1 – the applicant had kept Caistor Town Council and the local community informed at all times, as well as involving other community groups, such as the fire service;
 - Policy 3 – the proposal involved an existing unit that will not be changed externally;
 - Policy 6 – this was a conversion of an existing business unit that had been empty for several years;
 - Policy 7 – the proposal brought an improvement to existing facilities as they were being closed down at both Caistor Yarborough and Caistor Grammar Schools;
 - Policy 8 – if the application would have been turned down, it would have led to their being no fitness facilities within 10 miles;
 - Policy 2 – most of the homes within Caistor are within 1.4 kilometres of the gym. The policy itself relates to residential units being 800 metres from the market place, and was deemed not relevant to the application.
- One of the conditions of application 136715 was a 1.2 metre wide footpath to connect the town to log cabins sited on Brigg Road. This had now been completed, and allows pedestrian access all the way to the gym;

- The gym can only add to the prosperity of Caistor, and would be good for the younger generation.

Mrs Amy Atkins then spoke to the application as the applicant, and highlighted the following points:

- There were nine other potential sites within Caistor for the gym, but all were unsuitable for a variety of reasons;
- There were a range of activities available at the gym, for all ages;
- CPR training was available free to the community, once a month;
- The gym was currently situated 1.2 kilometres from the town centre. The walk from the local housing development was approximately 10 minutes. Public transport was available in the area;
- The gym created new jobs and opportunities in the area;
- The nearest other gyms were available in Market Rasen, Brigg and Grimsby, as Caistor Yarborough School gym was due to close in May 2018;
- There were 840 members of the gym; throughout 2017 there were 18,469 visits captured on the clubwise member management system. This averaged 50 visits a day;
- 80% of members were from Caistor and the surrounding villages; 10% travel from Market Rasen, and the remaining 10% were from further afield;
- There were 180 letters of support, and 520 support signatures from the local community;
- Sir Edward Leigh MP and Growth Lincolnshire both showed their support on the grounds of health and wellbeing, as well as the training and employment opportunities;
- The gym had taken on 5 apprenticeships since opening;
- The gym can lead to new friendships and the formation of stronger communities.

Note: Councillor Thomas Smith declared a non-pecuniary interest as he was Armed Forces Champion for WLDC and the applicant had stated a background in the military.

The recommendation to approve the planning application was moved, seconded and voted upon and it was **AGREED** that planning permission be **GRANTED** with the conditions as set out in the report.

69 137063 & 137064 - 25 MARKET STREET, GAINSBOROUGH

The Principal Development Management Officer introduced planning application number 137063, and listed building consent application 137064 at 25 Market Street Gainsborough, DN21 2BE. The applications were as listed below:

PLANNING APPLICATION PROPOSAL: Planning application for internal works to include the refurbishment of the ground floor shop and refurbishment of the residential accommodation on the 1st and 2nd floors to provide 2no. apartments. Also replacement windows, new roof and alterations to existing outbuilding to form bin store.

LISTED BUILDING CONSENT PROPOSAL: Listed building consent for internal works to include the refurbishment of the ground floor shop and refurbishment of the residential accommodation on the 1st and 2nd floors to provide 2no. Apartments. Also replacement windows, new roof and alterations to existing outbuilding to form bin store.

A brief update was given to committee – the applicant had been met on site, and had agreed to the retention of historic elements of the building. Revised drawings had now been submitted to reflect this. Officers therefore could now recommend that Listed Building Consent was given.

A draft list of conditions had been circulated to all Members prior to the meeting.

The revised drawings explain the existing roof would be “carefully removed, cleaned, and set aside for re-use, introduce sarking felt over existing roof timbers and replace the existing pantile roof”. The Conservation Officer had recommended an addition to the conditions, advising it appropriate to require a schedule of repairs. The Committee were advised they may consider adding this if they considered it was necessary.

The application was proposed, seconded and voted upon and approved unanimously.

It was therefore **AGREED** that:

- 1) planning permission be **GRANTED**, subject to conditions as detailed in the written report;
- 2) listed building consent be **GRANTED**, subject to conditions.

70 DETERMINATION OF APPEALS

RESOLVED that the determination of appeals be noted.

The meeting concluded at 8.03 pm.

Chairman