

## WEST LINDSEY DISTRICT COUNCIL

MINUTES of the Meeting of the Planning Committee held virtually via MS Teams on 16 September 2020 commencing at 6.30 pm.

**Present:** Councillor Ian Fleetwood (Chairman)  
Councillor Robert Waller (Vice-Chairman)

Councillor Owen Bierley  
Councillor Matthew Boles  
Councillor Michael Devine  
Councillor Jane Ellis  
Councillor Cherie Hill  
Councillor Mrs Cordelia McCartney  
Councillor Mrs Jessie Milne  
Councillor Keith Panter  
Councillor Roger Patterson  
Councillor Mrs Judy Rainsforth  
Councillor Mrs Angela White

**In Attendance:**  
Russell Clarkson Interim Planning Manager (Development Management)  
Danielle Peck Development Management Officer  
Martha Rees Legal Advisor  
Ele Snow Democratic and Civic Officer  
James Welbourn Democratic and Civic Officer

**Apologies:** Councillor David Cotton

### 38 REGISTER OF ATTENDANCE

The Chairman undertook the register of attendance for Members and each Councillor confirmed their attendance individually.

The Democratic Services Officer completed the register of attendance for Officers and, as with Members, each Officer confirmed their attendance individually.

### 39 PUBLIC PARTICIPATION PERIOD

There was no public participation at this point in the meeting.

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

**RESOLVED** that the minutes of the meeting of the Planning Committee held on Wednesday, 19 August, and adjourned until Monday, 24 August 2020 be confirmed as an accurate record.

#### **41 DECLARATIONS OF INTEREST**

There were no declarations of interest at this point in the meeting.

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

The Interim Planning Manager (Development Management) explained there were no further updates from the meeting the previous month. The response to the Government's White Paper was being progressed and there was a workshop due to take place for Members to have the opportunity to have an input. A Member of the Committee noted her concerns that local communities were facing a weakening of their powers and enquired as to the timescale for the review of the Local Plan. The Chairman reiterated the plans to hold a workshop to ensure Members could provide feedback for the response to the White Paper and also advised there was no clear timescale for the review of the Local Plan but assured Committee that Members would be kept updated.

#### **43 PLANNING APPLICATIONS FOR DETERMINATION**

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

#### **44 141174 - LAND BETWEEN HAWTHORNE CLOSE AND ELIZABETH CLOSE, GLENTWORTH**

The first application of the evening was introduced for Members' consideration. Planning application number 141174 for erection of 1no. dwelling on land between Hawthorne Close and Elizabeth Close, Glentworth, Gainsborough. The Development Management Officer stated there were no updates to the application.

The Chairman invited the first speaker to address the Committee.

Councillor John Latham, of Glentham Parish Council, thanked the Chairman and explained to the Committee that a statement from the Parish Council, setting out their objections, had been submitted as summarised in the Officer's report. He stated that the Parish Council had two main concerns. The first concern was the size of the site and the proximity to other dwellings. He stated it would be dominant over other houses and would detract from the other homes in the area. He stated it was contrary to Section 3 of the Neighbourhood Plan regarding scale. He continued that the principle objection was regarding the proposal to build on open public space that had been conditioned to remain as such in a previous application. The Councillor explained that, as a result of that condition, the land had not been designated as public space in the Neighbourhood Plan. He stated that the Parish

Council and residents were subsequently non-plussed by the decision to build on the land. He questioned why a condition would be put in place in the first place if it was not going to be adhered to. He thanked the Committee for their time and asked them to consider the implications of other conditions should the application be approved.

The Chairman thanked Councillor Latham and invited the second speaker, Mr Robert Bryan, to address the Committee.

Mr Bryan introduced himself as agent for the applicant and thanked the Chairman for the opportunity to address the Committee. He commented that they were grateful for the Officer recommendation and would not repeat the details of the report, however he wished to comment on a couple of issues raised by the Parish Council. He stated that conditions could be changed with changing circumstances and that, in the time since the original condition had been agreed, the Neighbourhood Plan had been adopted which did not identify the land in question as open public space. He stated that it would have been the perfect opportunity for the Parish to safeguard the space, but that did not happen. In addition, Mr Bryan explained that the proposal did not negate the value of the open space as the public footpath would be retained and there would be additional landscaping to enhance the area as well as space to the side of the footpath. With regards to the design and scale of the proposal, he noted that it was deemed to be in accordance with planning policies and the elevation, design and scale of the neighbouring dwellings. He also highlighted that it was at a distance away from number 16 as to avoid overlooking. He concluded by stating that the proposal was fully compliant with all policies and would make a valuable addition to the area.

The Chairman thanked Mr Bryan for his time and introduced the third and final speaker for the evening, Councillor Paul Howitt-Cowan.

Councillor Howitt-Cowan thanked the Chairman and stated he was speaking in his role as Ward Member in opposition to the Officer recommendation. He explained there was no demand for the additional housing in the village and the assumption had been that the land was protected by the existing conditions. He quoted the NPPF that local green space designation should only be used when it was not demonstrably important to the community. He stated that there was amenity value not just for the residents of the close but also for the village as a whole and visitors to the area. He explained that the proposal would have an impact on the area, the living conditions of neighbouring properties and on the whole village. He highlighted the importance of retaining green space, especially for the perpetuation of wellbeing and good mental health.

The Chairman thanked all speakers and invited any further comment from the Officer. The Interim Planning Manager highlighted that the Local Plan and the Neighbourhood Plan were very explicit as to what was considered green open space and the area of land in question had not been recognised as green space in the development plans.

A Member of the Committee enquired as to the details of the relocation of the footpath and whether there was a timescale or deadline for this to be completed. It was explained that there was no condition regarding the footpath but there could be one added if necessary. The map of the proposed re-situation of the footpath was displayed on screen and Members noted that it was proposed to be moved approximately 2-4m south of the existing situation. It was requested that a condition be added for the footpath to be moved prior to the development starting. The Legal Advisor noted that any pre-commencement conditions

would have to be agreed with the applicant, however, it was accepted that there would be scope for the condition as requested by Members.

With no further comment it was unanimously agreed that planning permission be **GRANTED** subject to the following conditions:

**Conditions stating the time by which the development must be commenced:**

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

**Reason:** To conform with Section 91 (1) of the Town and Country Planning Act 1990 (as amended).

**Conditions which apply or require matters to be agreed before the development commenced:**

None.

**Conditions which apply or are to be observed during the course of the development:**

2. With the exception of the detailed matters referred to by the conditions of this consent, the development hereby approved shall be carried out in accordance with the following drawings: ZD/G/P1 and ZD/G/P2 received 1<sup>st</sup> September 2020. Works shall be carried out in accordance with the details shown on the approved plans.

**Reason:** To ensure the development proceeds in accordance with the approved plans and to accord with policies LP17 and LP26 of the Central Lincolnshire Local Plan and the National Planning Policy Framework.

3. No development shall take place above foundation level until details of all proposed facing materials have been submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out in accordance with the approved details.

**Reason:** To ensure the use of appropriate materials to accord with policy LP17 and LP26 of the Central Lincolnshire Local Plan and the National Planning Policy Framework.

4. No development shall take place above foundation level until a scheme for the disposal of foul and surface waters (including the results of soakaway/percolation tests) have been submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out in accordance with the approved details.

**Reason:** To ensure adequate drainage facilities are provided to serve the development in accordance with Policy LP14 of the Central Lincolnshire Local Plan.

5. Prior to the occupation of the dwelling full and final landscaping details, including the height and type of hedging to be planted to the north boundary shall be provided to and agreed in writing by the Local Planning Authority.

**Reason:** To ensure that appropriate landscaping is introduced and will not adversely impact

on the character and appearance of the site to accord with the National Planning Policy Framework and local policies LP17 and LP26 of the Central Lincolnshire Local Plan 2012-2036.

6. All planting or turfing comprised in the submitted details of landscaping as shown on plan ZD/G/P1 received 1<sup>st</sup> September 2020 and as agreed in condition 5 of this permission must be carried out in the first planting and seeding season following the completion of the development, whichever is the sooner; 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 must 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. The landscaping should be retained thereafter.

**Reason:** In the interests of visual amenity and nature conservation to accord with the National Planning Policy Framework and local policy LP21 of the Central Lincolnshire Local Plan 2012-2036.

7. The development hereby approved must only be carried out in accordance with the recommendations set out in section 5 (pages 21-22) of the preliminary ecological appraisal survey completed in August 2020 by Whitcher Ecological Consultants Ltd.

**Reason:** In the interest of nature conservation to accord with the National Planning Policy Framework and local policy LP21 of the Central Lincolnshire Local Plan 2012-2036.

8. The development must be completed in accordance with the tree protection measures identified within the arboricultural method statement by AWA Tree Consultants dated May 2020. The approved protection measures must be installed prior to commencement and retained in place until the development is completed.

**Reason:** To safeguard the existing trees on the site during construction works, in the interest of visual amenity to accord with the National Planning Policy Framework and local policy LP17 and LP21 of the Central Lincolnshire Local Plan 2012-2036.

**Conditions which apply or relate to matters which are to be observed following completion of the development:**

9. Notwithstanding the provisions of Schedule 2 Part 1 (including Classes A, B, C, D, and E) of the Town and Country Planning (General Permitted Development) (Amendment) Order 2015, or any Order revoking and re-enacting that Order, the dwelling hereby permitted shall not be altered or extended, no new windows shall be inserted, and no buildings or structures shall be erected within the curtilage of the dwelling unless planning permission has first been granted by the Local Planning Authority.

**Reason:** To enable any such proposals to be assessed in terms of their impact on the resulting amount of space around the dwelling and to safeguard the character and appearance of the building and its surroundings.

**45 DETERMINATION OF APPEALS**

The determination of appeals were noted.

The meeting concluded at 7.05 pm.

Chairman