

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 14 August 2024 commencing at 6.30 pm.

Present: Councillor Matthew Boles (Chairman)
Councillor Jim Snee (Vice-Chairman)

Councillor Emma Bailey
Councillor John Barrett
Councillor Owen Bierley
Councillor Karen Carless
Councillor Ian Fleetwood
Councillor Peter Morris
Councillor Roger Patterson

In Attendance:
Russell Clarkson Development Management Team Manager
George Backovic Development Management Team Leader
Martha Rees Legal Advisor
Maisie McInnes Democratic and Civic Officer

Apologies: Councillor David Dobbie
Councillor Sabastian Hague
Councillor Tom Smith

Membership: Councillor Jeanette McGhee

131 PUBLIC PARTICIPATION PERIOD

The Chairman invited Heather Sugden to address the Committee and explained she would have three minutes to speak. She addressed Members in relation to a previously approved planning application, stating misrepresentations she felt had not been taken into account. Namely, that the applicant's home address was not as stated on the application; whether a change of use application had been made for an area of privately owned land; that the siting of the building was not in accordance with the application; that the applicant be made to remove works undertaken, should an investigation prove breach of planning control; and that the time taken to process planning applications onto the portal was too long.

The Chairman thanked Heather for attending and speaking to Members, and explained Planning Officers were dealing with the request and would respond directly in due course.

132 TO APPROVE THE MINUTES OF THE PREVIOUS MEETING

RESOLVED that the minutes of the Planning Committee meeting held on Wednesday, 17 July 2024, be confirmed and signed as an accurate record.

133 DECLARATIONS OF INTEREST

Councillors Bierley, Carless and Snee declared interests in application 147461 as they did not attend the site visit and would be abstaining from the vote on this application.

Councillor Fleetwood declared an interest in application 147926 as the application was in his ward as a County Councillor.

134 UPDATE ON GOVERNMENT/LOCAL CHANGES IN PLANNING POLICY

Members heard from the Development Management Team Manager that the new Government had made planning reform a priority and on 30 July, published its proposed reforms to the National Planning Policy Framework (NPPF) along with wider planning changes. The consultation will close at 11.45pm on Tuesday 24 September 2024, and officers were currently reviewing the consultation in preparation of a response. See [Proposed reforms to the National Planning Policy Framework and other changes to the planning system - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/consultations/proposed-reforms-to-the-national-planning-policy-framework-and-other-changes-to-the-planning-system)

Whilst the changes were widespread, some of the key headlines are as follows:

- The return of mandatory housing requirements, using the Government's new Standard Method. Under the Government's proposed methodology, the Central Lincolnshire Annual housing requirement would rise from 1,054 to 1,676 dwellings per year (↑59%).
- Under its transitional arrangements, it proposes that Local Plans at early stages of preparation "*should be prepared against the revised version of the NPPF and progressed as quickly as possible*". As the Central Lincolnshire Local Plan was adopted in April 2023, this would apply to the next version as it commences preparation.
- The reintroduction of requiring a five-year housing land supply (with 5% buffer to "to ensure choice and competition in the market for land").
- Amendments to green belt policy (n.b. West Lindsey does not currently include any green belt designated land)
- Local Character and design coding: Rather than district-wide design coding, the government proposes to focus on the preparation of localised design codes, masterplans and guides "for areas of most change and most potential".
- Planning fees: increase fees for householder applications to meet cost recovery levels, with possible increases for other applications and other planning services (but still no proposal to ring-fence). The government are also looking at allowing local authorities to recover their Nationally Significant Infrastructure Project-related costs.
- Nationally Significant Infrastructure Projects: increasing the scope of commercial projects covered, but also raising the thresholds for some renewable energy projects to account for improved generation (i.e. the District Council would receive solar developments up to 150MW (currently 50MW)).
- Strategic planning: "It is our intention to move to a model of universal strategic

planning covering functional economic areas within the next five years,” the document says.

- Climate-change: policy is likely to be strengthened but the government wants ideas on how. There are hints that a more proportionate approach may be taken to flood-risk although the NPPF remains unchanged at present, so it remains a consideration.

The Secretary of State had also written (30th July) to all Local authorities and stated: *“As announced in the King’s Speech, we will introduce a Planning and Infrastructure Bill later in the first session, which will: modernise planning committees by introducing a national scheme of delegation that focuses their efforts on the applications that really matter, and places more trust in skilled professional planners to do the rest; enable local authorities to put their planning departments on a sustainable footing; further reform compulsory purchase compensation rules to ensure that what is paid to landowners is fair but not excessive; streamline the delivery process for critical infrastructure; and provide any necessary legal underpinning to ensure we can use development to fund nature recovery where currently both are stalled. “*

For further information on these matters, please contact Head of Policy Rachael Hughes, or DM Team Manager Russell Clarkson.

Neighbourhood Plan/s	Headlines	Planning Decision Weighting
Made Neighbourhood Plans	Brattleby, Caistor*, Cherry Willingham*, Dunholme*, Great Limber, Lea, Nettleham*, Osgodby, Riseholme, Scotter, Saxilby with Ingleby*, Welton by Lincoln*, Willoughton, Glentworth, Spridlington, Sudbrooke*, Scotton, Bishop Norton and Atterby, Gainsborough, Morton, Corringham, Sturton by Stow and Stow*, Hemswell and Harpswell, Keelby, Hemswell Cliff, and Scothern Review	Full weight
Nettleham Review*	Examination successful, the referendum is to be held on 26 September 2024	Review NP has significant weight
Reepham	NP at the examination stage. The examiner is holding a hearing on 25 September 2024 at Reepham and Cherry Willingham Village Hall to discuss the NP.	Increasing weight
Ingham	The submission version of the NP is being prepared.	Some weight
Sturton by Stow and Stow Review*	The Council has approved the Sturton by Stow and Stow Neighbourhood Plan Review - July 2024 as a minor modifications (non-material) review of the original NP.	Full weight
Dunholme Review*	Regulation 16 consultation is underway and closes on 20 September 2024.	Increasing weight
Grasby and Searby	Supporting evidence is being prepared	Little weight

cum Owmbly	including a design guide and open space provision assessment.	
Welton by Lincoln Review*	The Regulation 14 version of the NP review is in preparation.	Review NP has little weight
Cherry Willingham Review*	Early work on a full review of the NP has begun.	Review NP has little weight
Swallow and Cuxwold Parish	Consultation is underway on the parish council's application to produce a NP for the parish. The consultation closes on 16 August 2024.	No weight
Neighbourhood Plans - made (26) - designated/in preparation (16) - under review (8)* - future (40 approx)	To view all of WL's neighbourhood plans please go to: https://www.west-lindsey.gov.uk/my-services/planning-and-building/neighbourhood-planning/	NP stage-weighting - Made–full weight - Referendum successful–full weight - Examination successful/Decision Statement issued–significant weight - Submission Reg 16–increasing weight - Draft Reg14 - some weight - Designated – little weight

Members discussed the proposed changes in Planning Policy and Members commended the Central Lincolnshire Local Plan which had been named the region's best local plan by the Royal Town Planning Institute. They thanked everyone involved for their hard work and gave appreciation to all of those involved across Councils.

135 147461 - LAND OFF BRIDLE WAY MARKET RASEN LN8 3ZT

The Case Officer confirmed there were no updates since the previous committee meeting and delivered the presentation which showed the proposed floor plans and site photographs of the proposed development area.

Members discussed the application and explained they felt assured having attended the site visit that the development was appropriate and Members were surprised at how generous the size of the site was for the two dwellings.

On taking the vote, it was agreed that planning permission be **GRANTED** subject to conditions set out in the Case Officer's report.

136 147958 - 11-15 SILVER STREET, GAINSBOROUGH, LINCOLNSHIRE, DN21 2DT

The Case Officer presented the proposed floor plans and explained the proposed use for two flats on the first floor and a health centre on the ground floor. He explained that Members sought a deferral regarding clarity on the use of the ground floor and the applicant

had confirmed their view that they consider the proposed use would fall within use class E, being for the provision of medical or health services, principally to visiting members of the public. He advised they had provided details of intended hours of opening, and a new recommended condition for operating hours for 09:00-20:00 Monday to Friday, and 09:00-17:00 9-5pm on Saturdays, Sundays and Bank Holidays was now proposed by Officers. He advised the applicant had not provided answers to other questions, such as whether the 'health clinic' would be open to 'walk in' visiting members of public, or by pre-appointment only. He advised Members that as a former ice-cream parlour (use class E(b)), the authorised use of the ground floor was considered to fall within use class E, and use for another purpose under use class E would not comprise "development" for planning purposes. He advised that the applicant claimed the proposed use would fall within use class E(e), which, on the limited information given, would suggest development would not be taking place. At the rear of the site a new entrance would be created for access to the flats above.

The Chairman explained there was one speaker on this application, Councillor Jeanette McGhee, Ward Member for Gainsborough South-West.

Councillor McGhee addressed the Committee and explained she was aware of the charity planning to use and operate the health centre. She commended the charity for doing a fantastic job, but she was aware of the type of service users who would be potentially accessing the services and objected to the location of the site. She understood that with the complexities of life, a variety of people could benefit from the service, but the Council had received no input with the existing health centre this Charity ran, and it was felt it would be replicated in the town centre. The priority was not to demonise or stigmatise people using the service but consider their wellbeing and privacy using the service. The town centre location was not appropriate, and safeguards needed to be in place to protect individuals accessing help.

Members commended Councillor McGhee for putting the points across so eloquently and compassionately.

Members expressed disappointment that the application had been deferred and the applicant had refused to give more information to Members. Members urged the charity to work alongside the Council to ensure that safeguards were in place and the appropriate location could be put forward for the health centre. It was felt that the health centre would affect the regeneration of Gainsborough town centre and have a detrimental impact on those using the service, in a location surrounded by pubs and restaurants.

The Case Officer advised Members that the application included change of use to the ground floor for a "health centre", however did not specify use class E. The applicant claimed this would fall within use class E(e), which would not comprise development. The Case Officer noted that planning policy supported class E uses, and the local planning authority would need to be satisfied that the ground floor was only for such use. He recommended to the Committee a condition restricting use only for purposes under class E would be advisable. He also advised the Committee that they could restrict opening hours on amenity grounds if they considered it necessary.

Members proposed a condition to amend the operating hours of the health centre to reduce to 09:00 to 18:00 during the week, closing at 6pm rather than 8pm, and restrict the use to

Class E. This would mean the operating hours would be in line with public transport for users accessing site and to reduce the footfall during the town's night economy with nearby restaurants and pubs in the area.

Having been proposed and seconded. Upon a vote for the proposed condition, there were 4 votes for and 5 votes against the proposed condition. The vote was lost.

Members felt they were unable to vote for the application, without knowing all of the relevant information to inform their decision as they had moral and planning obligations as Members of the Planning Committee, and could not be certain on the impacts of the proposed ground floor use upon the town centre or on the amenity of those living in the proposed flats.

It was proposed and seconded that the application be refused on the grounds of inadequate information to ascertain the impacts of the ground floor use. Members encouraged the charity to work with the council and engage so that a better solution could be brought forward.

On taking the vote, it was agreed that planning permission be **REFUSED** on the basis that adequate information had been provided to ascertain the impacts of the ground floor use.

137 147926 - LAND AT GATE CLIFFE FARM, BARDNEY ROAD, NEWBALL, LINCOLN LN3 5DQ

The Case Officer provided an update to the Committee, since writing the report Officers had received an email regarding contamination through a sheep dip on the site. Members could add a condition relating to this if they felt it was required. The proposed floor plans had received prior approval from the Planning Committee, and the new proposal was to add a double garage and remove the existing agricultural building.

Mr Michael Orridge, the agent and architect for the application, addressed the Committee and explained the proposed development would provide betterment to the site, energy efficiencies, biodiversity net gain and landscaping. The applicant would be willing to add a condition to landscaping and the new proposal would include solar panels and would aim to be carbon zero through using renewables. The agent was happy to add a condition in line with the concerns regarding the suspected contamination. He concluded that the Parish Council had no concerns with the site.

Mr Philip Smith, a resident at Abbey House, outlined his objections to the development and explained he became aware of the development through local paper. He felt that material planning considerations had not been taken into account and there was a need to balance the needs of nature and environment against the needs for development.

Members discussed the development and felt the report was well-written and explained the history of the site and present situation very clearly. It was felt that betterment would be delivered through the application and Members supported the aim to reduce carbon footprint.

It was proposed and seconded that a site visit take place to consider the location and appropriateness of the development. Upon the vote, the proposal for a site visit was lost

Having been proposed and seconded to vote on the application as per the Officer's recommendations, on taking the vote, it was agreed that planning permission be **GRANTED** subject to conditions set out in the Case Officer's report.

138 DETERMINATION OF APPEALS

With no comments, questions or requirement for a vote, the determination of appeals report was **NOTED**.

The meeting concluded at 7.55 pm.

Chairman