

WEST LINDSEY DISTRICT COUNCIL

MINUTES of the Meeting of the Planning Committee held in the Council Chamber - The Guildhall on 21 August 2019 commencing at 6.30 pm.

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

Councillor Owen Bierley
Councillor Matthew Boles
Councillor Stephen Bunney
Councillor Christopher Darcel
Councillor Michael Devine
Councillor Paul Howitt-Cowan
Councillor Giles McNeill
Councillor Mrs Jessie Milne
Councillor Keith Panter
Councillor Roger Patterson
Councillor Mrs Judy Rainsforth

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

Apologies: Councillor David Cotton
Councillor Cherie Hill
Councillor Mrs Angela White

Membership: Councillor Stephen Bunney substituted for Councillor Angela White
Councillor Christopher Darcel substituted for Councillor Cherie Hill.

19 PUBLIC PARTICIPATION PERIOD

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

20 TO APPROVE THE MINUTES OF THE PREVIOUS MEETING

The minutes of the meeting held on 26 June 2019 were approved as a correct record and signed by the Chairman.

21 DECLARATIONS OF INTEREST

There were no declarations of interests at this stage of the meeting.

22 UPDATE ON GOVERNMENT/LOCAL CHANGES IN PLANNING POLICY

The Planning Manager provided the Planning Committee with an update to the following Neighbourhood Plans (NPs):

- Willoughton NP was made on 1 July;
- Glentworth NP had passed its examination, with a referendum to be held on September 5;
- Both Spridlington and Sudbrooke NPs were under examination;
- Bishop Norton NP was at the first draft stage and out for consultation until 7 October;
- Hackthorn and Cold Hanworth have applied to do a joint plan and this was out for consultation.

23 139558 - LAND AT SOUTH STREET NORTH KELSEY

Members considered a planning application for 1no. dwelling with detached garage at land to north of South Street North Kelsey Market Rasen LN7 6ET. There were no further updates to the application from officers.

The first public speaker to the application was Richard Alderson from Brown and Co, the agent for the applicant. He raised the following points during his speech:

- A principal of planning law is that applications should be in accordance with the Development Plan;
- The definition of an appropriate planning law depends on the Central Lincolnshire Local Plan (CLLP); LP2 of the CLLP categorises the way developments were rated for medium villages. The policy also confirms that no sites were allocated except for Hemswell Cliff and Lea;
- Policy LP4 (growth in villages) gives a sequential test for priority as follows:
 - Brownfield land or infill sites in appropriate locations, within the developed footprint of the settlement;
 - Brownfield sites at the edge of a settlement, in appropriate locations;
 - Greenfield sites at the edge of a settlement, in appropriate locations.
- The definition of an 'appropriate location' is contained within LP2 of the CLLP, along with provision for clear community support;
- The site was previously developed as a sand quarry. The officer's report suggested that the site in question was detached from the core settlement of North Kelsey. We believe that the site was protected from open countryside by vegetation. The archaeology response supported this view;
- The officer report confirmed that there was no issue with visual impact;
- The application met the stringent test of LP2 of the CLLP; it was necessary to consider the shape of the whole community. Weight has been placed on LP2 of the CLLP, but nothing from the National Planning Policy Framework (NPPF);
- The officer considered there would be little impact on the neighbouring property, and the visual impact and design were considered acceptable;
- There were no archaeological or highways concerns;

- Drainage was controlled by condition;
- The ecology report found no specific issues with vulnerable species;
- In the absence of a conflict with the NPPF, North Kelsey was a well established community. The application had received strong support from the Parish Council, and written support from residents.

The second public speaker was Jacqueline Duke, a local resident objecting to the application. She raised the following points on behalf of herself, her husband and another local resident:

- Nothing has changed following the last application in the area that was refused in January 2019;
- Her property was the nearest to the lane involved in the application. When moving into the house 28 years ago the sand quarry was still in use. Subsequently, it was left to go wild until the applicants purchased the site;
- The site had historically housed badgers and other wildlife; in the past planning applications had been turned down on this basis;
- There were great crested newts in the area, with a colony living on Carr Road within half a mile of the site;
- The sandpit started at the front of South Street and was excavated and backfilled. When the objector's bungalow was built, there were concerns around excavating the lane and further concerns with subsidence;
- The entrance to the lane was quite tight, and South Street was very narrow;
- If planning permission was granted it could set a precedent for development to the south of South Street. There was a planning application for 9 dwellings at Sheepcote Farm that had gone to appeal to the Secretary of State;
- A landowner for property to the west of the site had indicated they would apply for planning permission in the future.

The final speaker was Councillor Lewis Strange, Ward Councillor for the application. He raised the following points:

- He had asked this application to be considered by Planning Committee as it had been refused previously;
- If constructed sympathetically it would not be out of place in the village;
- Committee were asked to view the site for themselves to consider whether this application lay within the planning envelope. The village did not have a NP;
- Whilst the application had been supported by Councillor Strange and the Parish Council, a number of residents had expressed concerns around the parish boundary and the precedent it may set;
- A site visit could outline the adverse effects that some residents may face.

Note: Following his speech Councillor Strange left the Chamber and did not return.

Officers responded to the public speeches by informing committee that there was an indication that there is no record of badgers residing within the site itself and should not in itself be a bar to development.

Members then provided comment on the application and asked questions of officers.

Further information was provided:

- If a site visit was requested, the applicant could appeal against non-determination, if the applicant was not minded to agree an extension of time;
- It was open to applicants to make repeat applications; every application would be judged on its own merits. The previous application on this site had been assessed and it was important to be mindful of this application for consistency;
- The site immediately to the west of this application applied for 9 dwellings and was refused earlier in the year. One of the reasons for this was that it wasn't within the core shape of the village. This was a material consideration when considering this current application. The decision had now been appealed to the Secretary of State. The determination of this application would form a material consideration when the Planning Inspector considered the appeal ;
- The historic core of North Kelsey did not necessarily relate to the current "developed footprint" which is set out within the Local Plan; the Local Plan defines the footprint as the continuous built form of the settlement with specific exclusions given;
- The application refused in January 2019 and the current application were exactly the same.

The application had earlier been moved, and seconded. With no further comments from the Committee it was voted upon and agreed that permission be **REFUSED**.

24 DETERMINATION OF APPEALS

The appeals were noted.

The meeting concluded at 7.06 pm.

Chairman