

WEST LINDSEY DISTRICT COUNCIL

MINUTES of the Meeting of the Planning Committee held in the Council Chamber - The Guildhall on 15 June 2022 commencing at 6.30 pm.

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

Councillor Michael Devine
Councillor Cherie Hill
Councillor Mrs Cordelia McCartney
Councillor Mrs Jessie Milne
Councillor Roger Patterson
Councillor Mrs Angela White
Councillor Mrs Caralyne Grimble

In Attendance:
George Backovic Principal Development Management Officer
Martha Rees Legal Advisor
Holly Horton Development Management Officer
Ele Snow Senior Democratic and Civic Officer
Andrew Warnes Democratic and Civic Officer

Also In Attendance: 9 Members of the Public.

Apologies: Councillor Matthew Boles
Councillor David Cotton
Councillor David Dobbie
Councillor Peter Morris
Councillor Mrs Judy Rainsforth
Councillor Jeff Summers

Membership: Councillor Mrs Caralyne Grimble substituted for Councillor Jeff Summers

10 PUBLIC PARTICIPATION PERIOD

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

11 TO APPROVE THE MINUTES OF THE PREVIOUS MEETING

RESOLVED that the minutes of the meeting of the Planning Committee held on Wednesday, 25 May 2022 be confirmed and signed as an accurate record.

12 DECLARATIONS OF INTEREST

Councillor C. McCartney declared that she would speak as Local Ward Member for application number 144395 (agenda item 6a). She also stated that she had not been present at the previous meeting, and at the site visit, and felt that she was not be able to participate in the debate.

13 UPDATE ON GOVERNMENT/LOCAL CHANGES IN PLANNING POLICY

The Committee heard from the Development Management Team Leader that there was no new National Planning Policy Framework document coming out, with the publication previously planned for release in July 2022. The Officer stated that the new version was to clarify some of the changes to planning policy, and expressed surprise of the sharp change.

14 144395 - BARNABY, 18 RASEN ROAD, TEALBY

The Chairman introduced the first application of the meeting, planning application number 144395, for extensions and alterations to existing dwelling, at Barnaby, 18 Rasen Road, Tealby. The Officer gave a few updates on the application, which included that the previously submitted designs had a scaling error on the site plan, which this update was to correct, and that the Committee had made a site visit to the proposed site.

Note: Councillor C. Grimble entered the Chamber at 6.34 pm

The Chairman then informed the Committee that there were four registered speakers. The first of these speakers was Gareth Johnson, the agent for the application.

The speaker thanked the Committee for the opportunity to speak and stated that the agents had worked to improve the design and features of the dwelling. This proposed application was to create a better property appearance and asserted that the current dwelling was out of character. The speaker explained that the process had followed the recommended approach of the Planning Department, carefully considered the comments and significantly amended the original application. The speaker referred to the additional screens proposed on the site.

Regarding the site visit, the speaker hoped that Members saw that the proposed application was to improve the property and would not affect the Viking Way and the AONB. The speaker stated that there was a proposed reduction of the buildings close to other properties, and made the proposed design more subservient. The neighbouring property, 16 Rasen Road, was referenced as a property that had undergone similar changes in the area. The statement then stated that these improvements were highly focused and that the proposed balcony had privacy screens. The statement reflected that this had changed from a two-storey extension and was to improve the applicants' living conditions.

The speaker then commented about issues raised at the last meeting, specifically on the proposed ridge lift. Members hear that no other height would be gained internally and would improve the view of the property. The speaker concluded that the agents and applicants had followed the suggested process, with pre-application advice, and worked with others. The speaker asserted that the proposal fitted the planning policy and asked for approval.

The Chairman thanked the speaker for his statement and invited an objector, Joanne MacBeth, to give her statement. Before the objector spoke, the Chairman stated that at the site visit, both one of the applicants and the registered objector speaker did try to talk to Members at the meeting. The Chairman noted that participation was limited by anyone, not in the site visit and emphasised that this was to ensure a fair process.

The speaker thanked the Committee for going to the site visit and emphasised the huge impact that she felt would have on the family home. Stressing the huge loss of light, the speaker stated that the proposed application would create a feeling of being hemmed in and said that her family's privacy would be removed, particularly in the garden. The speaker asserted that the Officer's report, which stated the immediate garden area would remain private, was false.

The speaker progressed to speak about the balcony size, emphasising the large size and would be big enough to look over the neighbouring properties of 16 and 20 Rasen Road. The statement asserted that there was plenty of space to alter the angle of vision. The speaker was concerned about enjoying her garden without being watched from the terrace, alongside noise and light pollution being carried across her property.

The speaker then stated that Number 17 on the same road had a balcony rejected, with the refusal notice that included remarks of number 19's privacy being invaded. The speaker then referenced the Human Rights Act Article 8, and the application would impact her right to privacy and family life. The statement then referred to LP17 of the Central Lincolnshire Local Plan and that a property needs to have protected amenities and enjoy them. The speaker concluded her statement that Number 18 does need development but that she cannot accept the proposed application as it adversely affected her family.

The Chairman thanked the speaker for her statement. The Chairman then noted that two Local Ward Members were registered to speak. The first, Councillor Stephen Bunney, was invited to speak.

The Member stated that his comments came through the residents and parish council. The statement reflected gratefulness for the changes made by the agent and applicants, but two main concerns remained regarding the application. The first was the size of the proposal, and the second was the conservation aspect.

Regarding the size, the Member raised that the shadowing impact of the proposed development would impede the neighbouring properties and that the proposed flat roof was enormous, with neighbours being physically overlooked from the balcony. The Member stressed that shelter and screening would still cause problems and expressed that LP26 would be put into contention.

Regarding the second point about conservation, the Member referenced that Tealby sat predominately in the Lincolnshire Wolds AONB and was in a conservation area, with the Viking Way nearby. Tourists that visit the area might be put off. Though the Member stated that it was just outside the conservation area, the proposed application would impact it and noted that the Parish Council viewed it negatively. The Member said that one building could do this with a detrimental effect and referred to LP17, with the view and impact needed to be considered.

The statement progressed to speak about the overshadowing and that the view of the building would impact this aspect. The Member concluded the considerable concerns the Parish Council and the other Local Ward Members raised, and hoped for some movement to mitigate any issues.

The Chairman thanked the Member for his statement and invited the second registered Local Ward Member, Councillor Cordelia McCartney, to speak.

The Member stated that she was not on the site visit but knew the location well. The Member reiterated that her views tied together with comments by Councillors Bunney and McNeill. She argued that the current site with the flat roof was an eyesore, but the proposal was too large.

The statement then raised the issue of privacy for the neighbouring property and contended that the proposed private screening was not as strong as the applicant declared. The Member concluded her statement that the proposed application created an overlooked feeling, found fault in size and form with the proposed extension and that the extension should be rejected.

The Chairman thanked the Member for her statement.

Note: Councillor C. McCartney left the Chamber at 6.56 pm

The Chairman then invited a response from the Planning Officers. The Permitted Development Team Leader reiterated that there were no objections from the conservation officer and that the Lincolnshire Wolds Service did not recommend rejecting the application. Regarding comments about overshadowing, the Officer re-emphasised that there had been a shadow study conducted and that though there was a noted effect, it was not significant enough. In responding to overdevelopment comments, the Officer referenced nearby properties and the 11-metre gap. The Officer concluded his response to reference the privacy matters, stating that there was no direct overlooking point, with the 6-foot screening preventing any overlooking, with someone having to go above the glass screens. The Chairman then invited comments and statements from the Committee.

Debate ensued, and Members raised several points about the application. Regarding the view from the Viking Way, Members concurred with the Officer's viewpoint that the impact would be insignificant, and some commented that the proposed increase of the size would not harm the area or the views of nearby properties.

Regarding the privacy and overlooking concerns, several Members expressed differing views on whether there was a potential privacy concern and whether the glass screening was enough to protect neighbouring properties from being viewed. Members used their knowledge from the site visit and referenced the views they could see from different points on the applicants' property and the neighbouring property. One Member commented that the screening on the end of the property would stop any direct overlooking.

Concerning the design of the proposed application, some Members commented that they preferred the proposed application's design to the current house, with one Member stating that it was more in keeping with Tealby and made it less of a problem for maintenance.

Similarly, in comments about the light aspect, a Member stated that the reduction of light was limited in effect. The same Member also referenced that no statutory bodies objected to the proposal.

Having been proposed and seconded, the Chairman took the vote and it was agreed that 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: 1788B / 21 / 24d dated 29th March 2022, 1788B / 21 / 22c dated 29th March 2022 and 1788B / 21 / 23c dated 29th March 2022. The works shall be carried out in accordance with the details shown on the approved plans and in any other approved documents forming part of the application.

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

3. The development must be completed in strict accordance with the external materials listed on the application form and on drawing 1788B / 21 / 24d dated 29th March 2022.

Reason: To ensure the use of appropriate materials to accord with the National Planning Policy Framework, Policy LP26 of the Central Lincolnshire Local Plan, and Policy D1 of the Neighbourhood Plan.

4. Prior to first occupation of the approved development, the north east facing window on the first floor of the two-storey extension shall be glazed in obscure glass and thereafter retained in perpetuity.

Reason: To safeguard the residential amenities of nearby residential properties and avoid overlooking in accordance with Policy LP26 of the Central Lincolnshire Local Plan.

5. Prior to first occupation of the approved development, the privacy screens at either end of the roof terrace shall be installed and thereafter retained in perpetuity.

Reason: To safeguard the residential amenities of nearby residential properties and avoid overlooking in accordance with Policy LP26 of the Central Lincolnshire Local Plan.

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

6. Notwithstanding the provisions of Class A, B and E of Schedule 2 Part 1 of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (or any order revoking and re-enacting that Order), following the commencement of the development hereby permitted, there shall be no further alterations, additions or enlargement to the dwelling and its roof, or additional buildings within its curtilage, unless planning permission has first been granted by the local planning authority.

Reason: To safeguard the residential amenity of adjoining dwellings and to safeguard the character and appearance of the building and its surroundings and in accordance with the National Planning Policy Framework and Policy LP17 and LP26 of the Central Lincolnshire Local Plan.

Note: Councillor C. McCartney returned to the Chamber at 7.09 pm

15 144646 - LAND ADJACENT TO DUNHOLME CLOSE, DUNHOLME

The Chairman informed the Members of the Committee that owing to the withdrawal of application number 144646 by the applicant, the application in this agenda item was no longer being considered by West Lindsey District Council, and would not be considered by the Committee at this meeting.

16 DETERMINATION OF APPEALS

A Member commented that he found the Hemswell dismissal interesting, and stated that it showed West Lindsey District Council did work to preserve the history and architecture of the rural areas.

The determination of the appeals were **DULY NOTED**.

The meeting concluded at 7.12 pm.

Chairman