

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 13 December 2017 commencing at 6.30 pm.

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

Councillor Matthew Boles
Councillor David Cotton
Councillor Michael Devine
Councillor Giles McNeill
Councillor Mrs Jessie Milne
Councillor Mrs Judy Rainsforth
Councillor Thomas Smith

In Attendance:
Councillor Bob Waller Observing
Russell Clarkson Principal Development Management Officer
Charles Winnett Development Management Officer
Martha Rees Lincolnshire Legal Services
James Welbourn Democratic and Civic Officer

Also present 2 Members of the public

Apologies: None.

Membership: There were no substitutes for the Committee.

48 PUBLIC PARTICIPATION PERIOD

There was no public participation.

49 TO APPROVE THE MINUTES OF THE PREVIOUS MEETING

The minutes of the meeting dated 15 November were agreed as a true record and signed by the Chair.

50 DECLARATIONS OF INTEREST

Councillor Thomas Smith declared an interest in item 52b (136785) as a Member of Dunholme Parish Council called him to talk about the application. He informed the caller that he was a Member of the Planning Committee and expressed no view on the application during the phone call.

51 UPDATE ON GOVERNMENT/LOCAL CHANGES IN PLANNING POLICY

Both Lea and Scotter have had a majority vote in favour of adopting their Neighbourhood Plans (73% at Lea; 90% at Scotter) at recent public referendums held on 7th December. Both Plans would now be referred to the next meeting of the Full Council (22nd Jan) to be formally “made”.

Osgodby Parish have now formally submitted their final draft Neighbourhood Plan to West Lindsey District Council (WLDC) and the six week consultation period was now underway, expiring on 24th January (extended for Christmas). The Plan would then proceed to an independent examination.

Officers were working on developing the Members intranet site as requested by Cllr Cotton at the last meeting, although this was not directly in the control of Planning officers.

The Community Infrastructure Levy (CIL) remains on track to be implemented in the New Year as previously advised.

Finally, at the last committee the Planning and Development Manager advised that the revision to the 5 year supply position was being worked on by the Central Lincolnshire team – this work was still ongoing and was currently expected to be reported to the joint committee in January; this would be circulated to all members at WLDC once approved.

52 PLANNING APPLICATIONS FOR DETERMINATION

53 136686 CLIFF VIEW CHURCH LANE AISTHORPE

The Committee considered a planning application for a single storey side extension, including the removal of a single storey sun room and chimney, associated boundary treatments and external window alterations. There was no update for this application and no speakers.

Officers confirmed that this application had been brought in front of the Committee as it related to a member of staff. Had this application not involved a member of staff, it would have been decided under the scheme of delegations.

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

It was therefore **AGREED** that the application be **GRANTED**, subject to conditions.

54 136785 HONEYHOLES LANE DUNHOLME

The Principal Development Management Officer introduced planning application number 136785 to erect 64no. dwellings with roads, garages and residential parking, including community parking, with public open spaces. This was a resubmission of 135790. There were no further updates to the report from the Principal Development Management Officer. The Officer noted that planning permission would be unlikely to be issued ahead of the implementation of the Community Infrastructure Levy (CIL) in January. Therefore, secondary school provision would be captured by CIL, not the S106 planning obligation. 25% of any CIL payment would go to the Parish Council as they have a Neighbourhood Plan in place.

Mr Steven Ibbotson RIBA, an architect representing Cyden Homes addressed the Committee and spoke in support of the application:

- The previous application (135790) was refused on five points, which are addressed below:
 1. **Overdevelopment** – LP52 states that developers are encouraged to produce the most appropriate design led solution in arriving at a total dwelling figure at their site, and may not be constrained by the indicative figure in the column headed ‘indicative dwelling figure’. Mr Ibbotson stated that the site could support up to 74 dwellings using the Local Plan formula, and could increase the affordable homes offer by 33%, from the approved scheme. Policy LP26 stated that proposals should make ‘effective and efficient use of land’;
 2. **Open Space** – 23% of the site is provided as open space, this included a dedicated 3 metre wide cycle and foot path, a green wedge, an ecology pond and a public car park. The proposed increase in the number of dwellings had not reduced the open space provision;
 3. **Landscape and Green Wedge** – a 5 metre wide buffer zone had been created enforced by native English species;
 4. **Affordable housing** – this was provided at 25%, and was well integrated within the layout of the site, with three different street scene frontages;
 5. **Housing mix** – this had been revised and amended following the refused application. There was no prescribed requirement for housing mix within the Local Plan or Neighbourhood Plan. The application provided 30% of housing to Part M4(2), for those who were less mobile. Also added was 5% (3 dwellings) to Part M4(3) that were large enough to be fully converted into wheelchair compliant properties.

The next speaker was Councillor Tony Pache, representing Dunholme Parish Council. The following points were highlighted:

- Application 135790 for 64 houses was refused in May 2017 for a number of planning issues;
- Dunholme Parish Council were delighted with the Dunholme Neighbourhood Plan, and thought that 49 dwellings was just right for the site;
- The applicant had met with the Parish Council;
- Allocating more affordable housing was good and agreed with proposed locations, but most of the allocation was for social housing, rather than an opportunity for first time buyers;
- There were concerns over the level of car parking, for the affordable homes in particular (16 spaces allocated for 12 affordable dwellings). The row of 11 spaces on the site did not look attractive;
- LP52 should apply as the site in the proposal was overdeveloped;
- There was hardly any open space in the development; the edges of the site looked fine, but the centre did not;
- Dunholme Parish Council would want to revert back to 49 dwellings rather than 64.

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

- It was open for an applicant to come back and resubmit an application. The onus is upon them to show how previous reasons for refusal have been overcome;
- The affordable housing on the site was now in two locations. The proposed scheme was not too dissimilar to the previous approved scheme for 49 houses. Smaller gardens have allowed for this to happen;
- There were 17 car parking spaces for the 10 affordable units in the north-eastern corner. On average, there was more than one space per affordable unit. Planning policy did not prescribe the amount of available car parking spaces.

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

- Proposed public car parking was available on the site to serve the adjacent community facilities, which would be gated and managed to make use of the available facilities. It would be included as open space provision because it was supporting the current community recreation provision;
- 64 dwellings was 31% over and above what was accepted by the community in the Dunholme Neighbourhood Plan. It was much greater than what the community may reasonably expect from the development plan allocations. Otherwise policy becomes meaningless;
- This site was out of the centre of the village, and gives potential for more noise and disruption;
- The Central Lincolnshire Local Plan (CLLP) uses the word 'indicative' for recommended dwelling numbers, and the Neighbourhood Plan uses the word 'approximate'. A 31% increase in housing on the site could be perceived to go beyond this 'approximate' number, but not necessarily the 'indicative' level, as there was no hint of a ceiling on this number;
- As a point of reference (but not policy), using the formula in the Local Plan, the indicator for recommended dwellings per hectare is 30. This proposed site measured at 25.2 dwellings per hectare, which would generally be deemed as low;
- The infant and junior school in Dunholme were within walking distance and there was capacity within local junior schools. There was insufficient capacity at the local comprehensive school, William Farr in Welton, but that would be addressed with a S106 contribution/CIL as part of this application;
- Case law seemed to indicate that a indicative rise in the number of dwellings would be less than 31% in total;
- Public Open Space provision had not proportionally increased with the housing numbers;
- 31% increase in numbers is greater than that accepted by the Neighbourhood Plan as being acceptable alongside the green wedge. Increased landscape buffer acknowledged. However, impact on green wedge is more than the number of dwellings on northern boundary, but overall scale and density of development overall.
- It was considered an improved and more balanced housing mix was now proposed, overcoming the fifth reason for refusal.
- The Dunholme Neighbourhood Plan was formally made, and had the same status as the CLLP as part of the statutory development plan. If there was ever conflict between the two plans, preference would be given to the more recent iteration. In law, both plans were considered as one and have the same status;

It was then moved and seconded that the recommendation in the report to agree the application be overturned and on voting it was **AGREED** that the application be **REFUSED** for the following reasons:

1. A development of 64 dwellings would comprise overdevelopment of the site, far in excess of that envisaged by policy LP52 of the Central Lincolnshire Local Plan and policy 1 of the Dunholme Neighbourhood Plan;
2. The site layout fails to take the opportunity for providing an appropriate amount of new open space, sports and recreation facilities, contrary to policy LP24 of the Central Lincolnshire Local Plan;
3. Taking into account the scale, siting, design, and materials, the proposed development would be expected to adversely impact on the function of the adjacent green wedge, contrary to policy LP22 of the Central Lincolnshire Local Plan and policy 11 of the Dunholme Neighbourhood Plan;
4. The development would not integrate the affordable housing seamlessly into the site layout amongst the private housing, contrary to policy LP11 of the Central Lincolnshire Local Plan and contrary to the objective of creating mixed, inclusive and balanced communities as per paragraph 50 of the National Planning Policy Framework.

55 DETERMINATION OF APPEALS

RESOLVED that the determination of appeals be noted.

The meeting concluded at 7.26 pm.

Chairman