

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 4 April 2018 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 Roger Patterson
Councillor Mrs Judy Rainsforth
Councillor Thomas Smith
Councillor Robert Waller

In Attendance:
Cllr Mrs Jackie Brockway Ward Councillor
Jonathan Cadd Principal Development Management Officer
Ian Elliott Senior Development Management Officer
Ele Durrant Democratic and Civic Officer

Also Present: 7 members of the public

71 CHAIRMAN'S WELCOME AND INTRODUCTION

The Chairman opened the meeting by welcoming all those present and any who may be watching the live webcast. He explained the procedure for the meeting and informed all present of the relevant housekeeping details.

72 PUBLIC PARTICIPATION PERIOD

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

73 TO APPROVE THE MINUTES OF THE PREVIOUS MEETING

Meeting of the Planning Committee held on 7 March 2018.

The Democratic and Civic Officer advised the Committee that there had been an error noted in item 67 of the minutes regarding the recording of the decision. This had since been amended and the minutes to be signed were the correct version.

RESOLVED that the Minutes of the meeting of the Planning Committee held on 7 March 2018 be confirmed and signed as a correct record.

74 DECLARATIONS OF INTEREST

The Chairman invited Members to make any declarations of interest.

Councillor G. McNeill declared that he knew an objector to application number 137326 (Main Street, Burton).

Councillor T. Smith declared a non-pecuniary interest in that he was Ward Member for application number 137353 (Anglian Way, Market Rasen).

Councillor D. Cotton declared that, as application number 137326 (Main Street, Burton) fell in his Ward, he had been contacted about the application but had not commented on the matter and was present at Committee as a Committee Member not a Ward Member.

75 UPDATE ON GOVERNMENT/LOCAL CHANGES IN PLANNING POLICY

The Principal Development Management Officer advised Members there were no current updates.

76 PLANNING APPLICATIONS FOR DETERMINATION

RESOLVED that the applications detailed in agenda item 6 be dealt with as follows:-

76a 137263 - HEYNINGS CLOSE, KNAITH PARK, GAINSBOROUGH

The Principal Development Management Officer advised Committee that there was an update to the report in that there was a typographical error regarding the height of the wall. It was recorded as being proposed at 1.4m however following a review this had been reduced to 1.1m with pillars at 1.3m.

The Chairman noted there were no public speakers registered and so asked Committee for any comments. A member of Committee enquired whether the application would have been presented had the applicant not been related to an Officer of the council and the Principal Development Manager Officer confirmed it would have otherwise be dealt with under delegated powers.

There were no further questions or comments and it was therefore moved, seconded and voted upon with unanimous agreement that permission be **GRANTED** in accordance with

the conditions as set out in the report.

76b 137353 - ANGLIAN WAY, MARKET RASEN

The Principal Development Management Officer advised Members there were no updates to the report. The Chairman again noted there were no speakers registered and so opened discussions for the Committee.

A member of Committee asked of the Principal Development Management Officer whether the application would have been considered under delegated powers had there not been a connection with an Officer of the council and the Principal Development Management Officer confirmed this would have been the case.

There were no further questions or comments and it was therefore moved, seconded and voted upon with unanimous agreement that permission be **GRANTED** in accordance with the conditions as set out in the report.

76c 137326 - LAND EAST OF HILLSIDE COTTAGES, MAIN STREET, BURTON

The Chairman introduced planning application 137326 for the erection of a single cottage, together with the part conversion and extension of an existing garage block to form an ancillary annexe with access and landscaping. The Senior Development Management Officer notified Committee of an update regarding the proposed annex in that, following feedback from the Conservation Officer, the annex extension had been reduced in height and the chimney had been removed. The Conservation Officer had been satisfied with these amendments.

The Senior Development Management Officer also noted that it had been highlighted that the site fell within a green wedge in the village therefore local policy LP22 applies however as the site was considered to be an infill development rather than extending any existing boundaries, this was acceptable within the Local Plan.

The Chairman informed Committee that there were four speakers registered to speak and he reiterated the process for those who were not familiar with it.

The first speaker, Councillor Sue North, introduced herself as Chairman of Burton Parish Council and explained she would be speaking against the application. She highlighted to Committee that Burton was a small village and that the proposed development would cause significant harm in the area. She explained that the new dwelling would not conform to existing building lines and this in itself would ruin the view across the hillside and detract from the aesthetic of the area. Councillor North stated that the planned building materials were out of character with the other houses around the village and this would also have a significant visual impact. Councillor North accepted that there had been amendments made to the proposed annex however she felt that the property would still be too close to the boundary wall and that the materials would not be in keeping with the area. She further commented that the additional vehicles at the site, estimated to be up to four vehicles, would cause ongoing problems for existing dwellings for access to driveways and onto the road. In addition to this, there would be significant damage to trees, either through being cut down or in the course of the building work and, considering the lack of support within the village,

approval of this application would be contradictory to the Local Plan. Councillor North concluded her comments by emphasising that the proposed dwelling and annex would be against the principles of protect and preserve existing green areas.

The Committee was then addressed by Mr James Lambert, who introduced himself as agent for the applicant, Mr S Myers. Mr Lambert stated that he was speaking in favour of the application and welcomed the recommendation to approve the plans. He explained to Committee that the site was an infill site and the proposed one dwelling with annex would provide part of the identified increase in housing for Burton. Mr Lambert highlighted that the applicant fully supported the addition of a condition to ensure the annex was only used in conjunction with the main dwelling and therefore not rented out or inhabited separately. He informed Committee that there had been ongoing consultation with the Planning Department. He stated there had been a formal pre-application enquiry completed, they had met with the Conservation Officers and worked closely with the Planning Officers to ensure the size of dwelling, design and materials would all be in keeping with the area and Local Plan. Mr Lambert highlighted that the dwelling was a single storey cottage with living space in the roof and the natural stone materials were designed to maintain the look of the area. Mr Lambert concluded by thanking the Committee for their time and attention to the application.

The third speaker, Mr Richard Seabrook, introduced himself to the Committee and explained he was representing the owners of 1 Hillside Cottage, who were opposed to the application. Mr Seabrook explained they had provided a selection of photographs to support their statement and he would be reading their words. The Senior Development Management Officer then showed the photographs on the main screens for Committee to view easily. Photographs one, three and four were used to illustrate how the proposed driveway would be above the height of the existing boundary wall at 1 Hillside Cottage. Mr Seabrook stated that not only were the occupants of the cottage concerned about the visual impact of this, such as headlights shining in their windows and seeing the cars driving past along the driveway, they were also concerned about safety issues. Mr Seabrook gave the example that, due to the nature of the landscape, the driveway would be considerably inclined and that if the driver lost control of the car in icy or wet weather, it was possible that the car could overrun and land in the garden at 1 Hillside Cottage. Photographs two, five and six demonstrated the position of the proposed dwelling in relation to the existing cottage. Mr Seabrook explained to Committee that, as shown in the photographs, the house footing would start above the height of the garage at 1 Hillside Cottage and the owners felt it would loom over the cottages. Photograph six was taken from the first floor window and Mr Seabrook explained that it showed how the existing buildings would not obscure the view of the new dwelling and the occupants of the proposed property would have clear view into the existing cottage. Mr Seabrook concluded by stating that the owners of 1 Hillside Cottage agreed fully with the objections of the Parish Council and disagreed with the rebuttals from the District Council.

Councillor Jackie Brockway, Ward Member, addressed the Committee in opposition to the application. She supported the comments made by the Parish Council and re-iterated the concerns of the owners of 1 Hillside Cottage regarding the driveway and their loss of privacy. Councillor Brockway also noted that the applicant did not own the retaining wall and it was unlikely that the wall, which is considered to be around 200 years old, would be sufficient to hold back the land and a house on top of it. The owners of the wall would not allow any changes to be made to it and there were concerns about how the applicant intended to address this to ensure it was suitably stable. Councillor Brockway also

highlighted that there was a stream on the property that had not been mentioned anywhere and she raised concerns about what impact this would have on the stability of the foundations or increased risk of landslide. She also noted that she felt the proposed dwelling was to be situated considerably higher than what had been demonstrated and requested that, if they were minded to, Committee considered a site visit to review for themselves.

The Chairman thanked all speakers and invited response from the Senior Development Management Officer. He explained that Burton had been identified as being able to sustain a further seven dwellings, the proposed property would be one of those seven. In relation to the concern that trees would be lost or damaged, he confirmed there would be one tree lost but there was another being planted and that there were no objections from the Tree and Landscape Officer. In terms of the building line, the Senior Development Management Officer explained the house would be set back and identified the position of Hillside Cottages with Essex House set further back on the site plan slide. Regarding the vehicle access issue, the increase of a possible four cars was considered a very modest increase. He further confirmed that the annex was conditioned to be used as an annex and was not a separate property and that in relation to the stream, he had no prior knowledge of this. He also commented that there were conditions on the application that addressed many of the concerns raised.

The Chairman thanked the Senior Development Management Officer and invited discussion from Committee.

A Member of Committee commented that Burton is considered one of the prettiest villages in Lincolnshire and therefore proposed a site visit in order for Members to see for themselves. Another Member of Committee enquired about the stream mentioned by Councillor Brockway and seconded the proposal for a site visit, adding he had no further comment to make.

There was further discussion about the accessibility of the village and the lack of local amenities and Councillor D. Cotton raised a point of information to clarify that Burton Waters was two miles from Burton village. He commented that the stream did exist.

Prior to voting for the site visit, the Senior Development Management Officer clarified that the Local Plan did support development within Burton and it was considered a sustainable development. It was also clarified by the Chairman that the issue of the retaining wall ownership would not be a planning issue; the concerns about whether it would retain the land with building on it and the stability of the land would be a matter for building control, not the Planning Committee.

As a final point of note, the Vice-Chairman highlighted that there was funding in place for communities to develop a Neighbourhood Plan and whilst it did not impact consideration of the application at Committee, he suggested it could be something for the Parish to look into.

The Chairman called for a vote and it was unanimously **agreed** for a site visit to be arranged prior to any further decision.

The Chairman confirmed the date would be arranged at the conclusion of the Committee and it was requested that, if possible, access to the garden of 1 Hillside Cottage would be beneficial.

77 DETERMINATION OF APPEALS

A Member of Committee noted that of the five appeal decisions, two had been upheld and he enquired whether there had been any costs awarded against the council. The Principal Development Management Officer confirmed there had been no costs awarded.

RESOLVED that the determination of appeals be noted.

The meeting concluded at 7.17 pm.

Chairman