

AGENDA



For a meeting of the
DEVELOPMENT CONTROL COMMITTEE
to be held on
TUESDAY, 16 OCTOBER 2012
at
1.00 PM
in the
**COUNCIL CHAMBER, COUNCIL OFFICES, ST PETERS HILL,
GRANTHAM**
Beverly Agass, Chief Executive

Committee Members:	Councillor Mark Ashberry, Councillor Michael Cook, Councillor David Higgs, Councillor Reginald Howard, Councillor Mrs Rosemary Kaberry-Brown, Councillor Vic Kerr, Councillor Michael King, Councillor Charmaine Morgan, Councillor Alan Parkin (Vice-Chairman), Councillor Helen Powell, Councillor Mrs Judy Smith, Councillor Jacky Smith, Councillor Judy Stevens, Councillor Adam Stokes, Councillor Brenda A Sumner, Councillor Martin Wilkins (Chairman) and Councillor Debbie Wren
Committee Support Officer:	Malcolm Hall Tel: 01476 406118

Members of the Committee are invited to attend the above meeting to consider the items of business listed below.

(1) Additional Information

(Attached)

PUBLIC SPEAKING

Anyone who would like to speak at the meeting should notify the Committee administrator one working day before the time of the meeting. The deadline by which you must notify us for the 2011/12 meetings are:

Meeting Date	Notification Deadline
Tuesday 16 October 2012, 1pm	Monday 15 October 2012, 1pm
Tuesday 20 November 2012, 1pm	Monday 19 November 2012, 1pm
Tuesday 11 December 2012, 1pm	Monday 10 December 2012, 1pm
Tuesday 8 January 2013, 1pm	Monday 7 January 2013, 1pm
Tuesday 5 February 2013, 1pm	Monday 4 February 2013, 1pm
Tuesday 5 March 2013, 1pm	Monday 4 March 2013, 1pm
Tuesday 26 March 2013, 1pm	Monday 25 March 2013, 1pm
Tuesday 23 April 2013, 1pm	Monday 22 April 2013, 1pm

If you would like to include photographs or other information as part of your presentation to the Committee, please send the information in an electronic format (e-mail with attachments, memory stick or disc) to the relevant case officer at least one working day before the meeting. If you are submitting hard copy information, please send it to the relevant case officer at least two working days before the meeting.

All speakers are at the Committee Chairman's (or Vice-Chairman's) discretion. Each person is allowed to speak for 3 minutes. Members of the Council are allowed to speak for 5 minutes in accordance with Council Procedure Rules.

Only one speaker for the applicant or the town and parish council will be allowed to speak. If there are several supporters or objectors to an application, they are encouraged to appoint a representative to present a joint case.

Development Control Committee members are able to ask questions about speakers' presentations. There is a time limit of 10 minutes for each speaker.

ORDER OF PROCEEDINGS

1. Short introductory presentation by the case officer
2. Speakers (Committee members will ask questions after each speaker)
 - a. District Councillors who are not Committee members
 - b. Representative from town/parish council
 - c. Objectors to an application
 - d. Supporters of an application
 - e. The applicant or agent for the applicant
3. Debate – Councillors will discuss the application and make proposals
4. Vote – the Committee will vote to agree its decision

**Development Control Committee
16 October 2012**

Additional Information

KJC1 – S12/1468

Proposal Reserved Matters Application for the construction of 99, Dwellings, Poplar Farm.

Officer Comments

Affordable Housing

For member's information the requirements of the Section 106 agreement have not been varied. The requirements for affordable housing remain as per the agreed S106 which states:

- 10 *The Owners shall not permit the Certification of:*
- 10.1 *More than 246 (two hundred and forty six) Dwellings before EITHER the transfer to a Registered Social Landlord agreed by the Council or to the Council of Affordable Housing Land for the provision of 54 (Fifty Four) Affordable Housing Units OR entering into a Contract with the Council or a Registered Social Landlord agreed by the Council for the construction of 54 Affordable Housing Units on the Affordable Housing Land PROVIDED THAT if at any time after the Certification of 235 Dwellings the Owners having used reasonable endeavours to find a Registered Social Landlord willing to accept an offer in accordance with paragraph 1 of Part 1 of this Schedule for transfer of 54 Affordable Housing Units or Affordable Housing Land therefore, have found no Registered Social Landlord so willing for all or part thereof the Owners shall offer in writing to transfer to the Council in accordance with sub paragraphs 1.2 and 1.3 of this part of this Schedule the Affordable Housing Units or the Affordable Housing Land for which no Registered Social Landlord so willing has been found and, if the offer has not been accepted in writing by the Council within two calendar months of the offer the Owners' obligation in this paragraph shall be deemed to have been fully discharged.*

As such, of the first 300 units 54 (18%) should be affordable split 60/40 rented

/shared ownership, (32 and 22).

This proposal for 99 dwellings (including 9 shared ownership and 4 rented) would provide 13 affordable units.

The recently approved scheme (S12/1331) for 105 dwellings, including 10 shared ownership and 3 rented on the adjacent site gives an overall total of 204 dwellings, including 26 affordable units.

Clearly, the requirements of the S106 can still be met in that a further 28 affordable units would need to be provided as part of the remaining 96. The shared ownership, rented mix could still be achieved by providing the balance of 3 shared ownership and 25 rented units.

It should also be noted that the next phases are not necessarily going to be solely for the remaining 96 units. A scheme for more than 96 dwellings to be constructed on site could be submitted giving further flexibility in relation to the housing mix.

In the spirit of current government advice it is considered that this approach provides a degree of flexibility that will help kick start the development and complies with the advice of Rt Hon Pickles MP in relation to “Reducing the cumulative burden of red tape”:

He states:

“It is vital that the affordable housing element of Section 106 agreements is negotiated during different economic conditions is not allowed to undermine the viability of sites and prevent the construction of new housing. This results in no development, no regeneration and no community benefits at all when agreements are no longer economically viable.

The Government estimates that up to 75,000 new homes are currently stalled due to site viability. S106 is an important tool to provide affordable housing and we welcome the flexible approach that many councils have taken to renegotiating these agreements where necessary”.

Whilst the level of affordable housing provision proposed does not comply with the requirements of the S106 pro rata. It must be remembered that this is only part of the initial phase. The requirements of the S106 agreement can still be fulfilled by the later reserved matters submissions.

In relation to affordable housing the S106 requires:

54 affordable units shall be provided before completion of 246 units.

This scheme provides 13 affordable units of the 105 dwellings proposed.

Taking into consideration the current economic climate, the commentary from Rt Hon Eric Pickles and the fact that the future phases of the development will permit the remaining balance of affordable units to be provided it is considered that the affordable housing provision is acceptable.

Alterations/Additional Conditions

None

Changes to Recommendation

No change to recommendation.

KJC2 – S12/2249

Proposal: Business Incubation Centre, Plot 6, Approval of Reserved Matters pursuant to Outline Planning Permission S12/1720.

Grantham Station Approach, between Grantham railway station and Wharf Road.

Information Received

Natural England – From the information provided with this application, it does not appear to fall within the scope of the consultations that Natural England would routinely comment on.

(Officer Comment – Members may recall that Natural England and Lincolnshire Wildlife commented on the outline application for the development as a whole which resulted in the requirement for bat and bird box provision).

Network Rail – In relation to the reserved matters application I can confirm that Network Rail have no further comments to make than those returned in response to the original outline application. (Original comments below).

Network Rail – we note the comments made but I am afraid they do not overcome the plain fact that consent for the removal of the existing car parking spaces is a matter for the regulator, and it is unlikely that consent would be forthcoming without proper provision for their replacement, either at the same time or to an agreed and costed programme, neither of which are in place here. Although you may still technically grant consent for the works, it cannot be implemented with respect to the 70 spaces until the regulatory issues are addressed. We must therefore maintain our stance that the scheme needs to address the re-provision of these displaced spaces and does not in its current form.

English Heritage

This area of Grantham is an entrance to the town centre and adjacent to the town centre conservation area. The proposed scheme will be pivotal in setting the standard for future development, which will in turn determine the success of the overall mater plan.

While the proposal broadly follows the line of the street corner, consistent with the prevailing pattern of development, its response to local character essentially ends there. Probably the most obvious manifestation of this is the choice of materials, which does not reflect the locally characteristic materials of brick and stone. We therefore advise that the applicants are encouraged to reconsider their

choice of materials using the Grantham Townscape Character Assessment as a guide, and that permission should only be given when agreement can be reached on using materials that are consistent with the inherited character of Grantham.

Providing that the issues we have identified are addressed, we recommend that this case should be determined in accordance with government guidance, development plan policies and with the benefit of any further necessary conservation advice locally. It is not therefore necessary for us to be consulted again on this application.

Recommendation

We would urge you to address the above issues, and recommend that the application should be determined in accordance with national and local plan policy guidance, and on the basis of your specialist conservation advice. It is not necessary for us to be consulted again.

Principal Conservation Officer

I refer to your memorandum inviting comment on the Reserved Matters submission for the above.

The design is refreshingly modern but I have to express concern about some of the material finishes proposed as it would appear that no regard has been had to the Materials Palette in the Grantham Townscape Character Assessment (GTCA).

That document was specifically commissioned by this Council to ensure that new development had regard to the established built environment of the town and a materials palette was produced for each character area. That for the area in which this site is located can be found on pages 123 and 124 of the Assessment document.

I am particularly concerned about the strident green colour for proposed for large areas of the building and suggest this be toned-down, again with reference to the materials palette of the GTCA.

Also, I note that Forticrete reconstituted stone panels is to be used for some elements and that the Portland type of this product is proposed. Portland stone is not a common material in this area, occasionally used for banks, and it would be preferable if a stone colour more compatible with the indigenous Jurassic Limestone of this area.

Samples of the materials should be submitted to confirm the colours and textures.

It is also disappointing that no drawings have been submitted showing the proposed building in context so that a proper appreciation of its impact on the surroundings is likely to be. The only drawings that appear to have been submitted are floor plans and elevations of the buildings in isolation, which is not really sufficient, I suggest, particularly for a development on this scale.

Officer Comment

Parking

Parking provision was extensively discussed as part of the determination of the outline planning permission (S12/1720). There are a number of planning conditions that relate to parking and other matters on the outline planning permission that this and all subsequent reserved matters applications must comply with. This reserved matters application relates to plot 6 only and has its own parking provision. It does not have any direct impact on current parking provision in and around the railway station.

Materials

The comments of English Heritage and Principal Conservation Officer indicate that the submitted materials/colour are not acceptable. It is recommended that, notwithstanding the submitted details, a condition requiring material details to be submitted to and approved in writing by the local planning authority, including a sample panel of materials.

Alterations/Additional Conditions

Notwithstanding the submitted details, a sample panel of the proposed materials shall be constructed on site, and shall be subject to the approval of the local planning authority prior to the work commencing on site. The panel shall show the proposed method of construction including type of materials and finish, details of any mortar mix and method of coursing to be used in the development. The approved development shall be constructed in accordance with the sample panel as may be approved, and the panel shall be maintained on site throughout the construction works.

Reason: In the interests of visual amenity and to ensure a satisfactory form of development.

Changes to Recommendation

No change to recommendation.

NB1 - S12/0193

Additional Information

Clarification has been sought from the Environmental Protection about the number of complaints received when the previous skatepark was in operation.

A number of additional letters have also been received from local residents.

Proposal

Construction of skatepark, associated earthworks and fencing.

Information Received

Environmental Protection note that from June 2002 to June 2004 a total of 9 complaints were received and investigated. One complaint resulted in noise monitoring being completed but none were considered to result in a noise nuisance. The majority of complaints related to noise from the users of the park itself rather than noise from the impact of the skateboards. The skatepark was closed in 2004 because of maintenance issues.

In terms of greater detail on the noise impact it is largely agreed that a noise reading not exceeding 60 dB at the nearest property should be acceptable to prevent annoyance to local residents; and subject to greater controls over use of the park at night. However, it is the two highest parts of the skatepark that are not properly mitigated against and likely to cause a noise nuisance, to Gibson Cottage in particular, despite the predicted average noise level falling within acceptable parameters.

A total of 50 additional letters of support have been received about the skatepark. The majority highlighting points already covered including the overriding need for the facility and effort that has gone in to raising money by local teenagers. Attention was also drawn to a rally held on the recreation ground on Sunday the 7th of October in support of the application. In addition, a petition of 140 signatures has also been submitted by a local resident.

One additional letter of objection has been received about the skatepark. The letter highlights points already covered in the committee report and draws attention to the conclusions reached by the noise consultant appointed by the

Council – MAS - which indicates that the application should be refused permission.

Officer Comment on Information Received

It is noted that the previous skatepark did not generate noise complaints that were held to be a nuisance. However, the computer generated models for assessing the current application indicate that the revised skatepark may generate complaints, despite the mitigation put forward. Despite the parallels between the current application and operation of the previous skatepark greater weight should be given in the decision making process to the noise modelling of the current application.

Alterations to Conditions

None.

Changes to Recommendation:

None.

SP1 - S12/2016

Proposal: 3X15 metre high wind turbines.

Summary of information received:

Comments from the Highway Authority, Claypole Parish Council and the Principal Conservation Officer will be reported verbally at the meeting.

Officer comments on information received and issues raised:

To be reported verbally at Committee.

Changes to recommendation:

To be reported verbally at Committee.