

# AGENDA



For a meeting of the
<b>DEVELOPMENT CONTROL COMMITTEE</b>
to be held on
<b>TUESDAY, 26 MARCH 2013</b>
at
<b>1.00 PM</b>
in the
<b>COUNCIL CHAMBER, COUNCIL OFFICES, ST PETERS HILL, GRANTHAM</b>
<b>Beverly Agass, Chief Executive</b>

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. PLANNING MATTERS

To consider applications received for the grant of planning permission – reports prepared by the Case Officer. **(Enclosure)**

*The anticipated order of consideration of the applications is as shown on index attached to this report, but this may be subject to change, at the discretion of the Chairman of the Committee*

## **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:

<b>Meeting Date</b>	<b>Notification Deadline</b>
Tuesday 5 March 2013, 1pm	Monday 4 March 2013, 1pm
Tuesday 19 March 2013, 1pm	Monday 18 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

## **Recommendation for application S13/0260:**

**That the development be delegated to the Development Management Services Manager in consultation with the Chairman / Vice Chairman for approval subject to the signing of a legal agreement securing the necessary highways contributions and subject to the attached conditions. Where the agreement has not been concluded prior to the Committee meeting a period not exceeding six weeks post the date of the Committee meeting shall be set for the completion (including signing) of the agreement. In the event that the agreement has not been signed and where in the opinion of the Development Management Services Manager acting in consultation with the Chairman / Vice Chairman of the Development Control Committee, there are no extenuating circumstances which would justify a further extension of time, the related planning application shall be refused on the basis that the necessary infrastructure or community contributions essential to make what would otherwise be unacceptable development acceptable have not been forthcoming.**

## **Revised Conditions for Application No: S13/0260/MJNF**

1. The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.

Reason: To comply with Section 91 (as amended) of the Town and Country Planning Act 1990.

2. Notwithstanding the submitted information precise details including 1:50 scaled elevations of the proposed floodlighting columns shall be submitted to and approved in writing by the local planning authority before the use hereby permitted commences and the building(s) are occupied. The development shall be carried out in accordance with the approved details.

Reason: To enable the Local Planning Authority to retain control over this important detail in the interests of the amenities of the area and in accordance with Policy EN1 of the adopted South Kesteven Core Strategy (July 2010).

3. Prior to the commencement of the development a scheme shall be submitted to and agreed in writing by the District Planning Authority for the location of bird and bat boxes to encourage wildlife to the development. The agreed scheme shall be implemented prior to the completion of the development.

Reason: To encourage additional biodiversity within the development in accordance with policy EN1 of the adopted South Kesteven core Strategy 2010.

4. No development shall take place within the application site until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted to and approved by the Local Planning Authority.

Reason: In order to provide a reasonable opportunity to record the history of the site and in accordance with Policy EN1 of the adopted South Kesteven Core Strategy (July 2010).

5. No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the local planning authority and these works shall be carried out as approved. These details shall include [proposed finished levels or contours; means of enclosure; car parking layouts; other vehicle and pedestrian access and circulation areas; hard surfacing materials; minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting etc.); proposed and existing functional services above and below ground (e.g. drainage power, communications cables, pipelines etc. indicating lines, manholes, supports etc.); retained historic landscape features and proposals for restoration, where relevant]. Soft landscape works shall include [planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate; implementation programme].

Reason: Hard and soft landscaping and tree planting make an important contribution to the development and its assimilation with its surroundings and in accordance with Policy EN1 of the adopted South Kesteven Core Strategy (July 2010).

6. A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas,

shall be submitted to and approved by the local planning authority prior to the occupation of the development or any phase of the development, whichever is the sooner, for its permitted use. The landscape management plan shall be carried out as approved.

Reason: Hard and soft landscaping and tree planting make an important contribution to the development and its assimilation with its surroundings and in accordance with Policy EN1 of the adopted South Kesteven Core Strategy (July 2010).

7. Before development is commence on site all existing trees and hedgerows to be retained as part of the development shall be fenced off to the limit of their branch spread, in accordance with a tree and hedgerow protection scheme to be agreed in writing by the local planning authority. The protection scheme shall include a detailed plan of those trees and hedgerows to be retained as part of the development. No works (including removal of earth), storage of materials, vehicular movements or siting of temporary buildings shall be permitted within these protected areas. All tree works shall be carried out in accordance with the requirements of British Standard 3998 2010 and where trees are to be protected this shall in accordance with the requirements of British Standard 5837 2012.

Reason: To prevent unnecessary damage to existing trees and hedgerows and in accordance with Policy EN1 of the adopted South Kesteven Core Strategy (July 2010).

8. No works pursuant to this permission shall commence, unless otherwise agreed in writing by the Local Planning Authority, until there have been submitted to and approved in writing by the Local Planning Authority a detailed scheme for remedial works and measures to be undertaken to avoid risk from contaminants and/or gases when the site is developed and proposals for future maintenance and monitoring. Such scheme shall include nomination of a competent person to oversee the implementation of the works.

Reason: The submitted Preliminary Investigation Report undertaken by

Soiltechnics indicated a potential for ground gases and to ensure that the proposed site investigations and remediation will not cause pollution in the interests of the amenities of the future residents and users of the development; and in accordance with Policy EN1 of the adopted South Kesteven Core Strategy (July 2010) and the requirements of the National Planning Policy Framework (NPPF)

9. Prior to any development taking place precise details shall be submitted to and agreed in writing by the local planning authority showing the provision of a footpath linking the development hereby approved to the existing footpath located to the west of the application site running along the eastern boundary of Queen Eleanor School and linking in to Kesteven Road. The proposed footpath shall then be provided prior to the occupation of the buildings hereby approved and maintained available thereafter.

Reason: To ensure satisfactory pedestrian access to the site in the interests of sustainability, in accordance with policy SP3 of the adopted South Kesteven Core Strategy 2010.

10. Notwithstanding the submitted details shown on drawing title Proposed Cycle Shelter precise details of the proposed cycle shelters shall be submitted to and approved in writing by the local planning authority. The details shall include a plan showing the precise dimensions including the length, width and height of the proposed shelter. The development shall only be carried out in accordance with the approved details.

Reason: The details submitted with the application were only indicative and did not give all the necessary information. The Council wish to ensure that the development assimilates well with the rest of the proposals in accordance with the requirements of Policy EN1 of the adopted South Kesteven Core Strategy 2010.

11. Notwithstanding the submitted details shown on drawing title Proposed Dug Outs precise details of the proposed dug outs shall be submitted to and approved in writing by the local planning authority. The details shall include a plan showing the

precise dimensions including the length, width and height of the proposed dug outs. The development shall only be carried out in accordance with the approved details.

Reason: The details submitted with the application were only indicative and did not give all the necessary information. The Council wish to ensure that the development assimilates well with the rest of the proposals in accordance with the requirements of Policy EN1 of the adopted South Kesteven Core Strategy 2010.

12. The pitches and buildings hereby approved shall be constructed in accordance with the levels and finished floor levels specified on drawing number (08)008 Rev A00.

Reason: For the avoidance of doubt and to ensure that the development is assimilated into the surrounding landscape in accordance with Policy EN1 of the adopted South Kesteven Core Strategy 2010.

13. No development shall take place until a detailed surface water drainage scheme has been submitted to, and approved in writing by, the local planning authority.

The scheme shall be fully implemented and subsequently maintained, in accordance with the timing / phasing arrangements embodied within the scheme or within any other period as may subsequently be agreed, in writing, by the local planning authority.

Reason: To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site.

14. No development shall take place until:-

(i) A detailed assessment of ground conditions of the land proposed for the new football pitches as shown on drawing number (08)008 Rev A00 shall be undertaken (including drainage and topography) to identify constraints which could affect playing field quality; and

(ii) Based on the results of this assessment to be carried out pursuant to (i) above of this condition, a detailed scheme to ensure that the playing fields will be provided to an acceptable quality (including appropriate pitch drainage measures) shall be submitted to and approved in writing by the local planning authority.

The works shall be carried out in accordance with the approved scheme within a timescale to be first approved in writing by the local planning authority.

Reason: To ensure that the playing field is provided to an acceptable quality and standard, in accordance with the requirements of Sport England and the National Planning Policy Framework (NPPF)

15. The sports building (including sports hall, changing rooms and fitness suite) hereby permitted shall not be constructed other than substantially in accordance with Sport England's Technical Design Guidance Note 'Sports halls: design and layouts design guide February 2012'

Reason: To ensure the development is fit for purpose and sustainable and to accord with the requirements of National Planning Policy Framework.

16. Use of the development shall not commence until a community use agreement prepared in consultation with Sport England has been submitted to and approved in writing by the Local Planning Authority, and a copy of the completed approved agreement has been provided to the Local Planning Authority. The agreement shall apply to the sports building (including the sports hall, fitness room, changing rooms and other ancillary facilities) and artificial and grass pitches and include details of pricing policy, hours of use, access by non college/football club users/members, management responsibilities and a mechanism for review, and anything else in which the Local Planning Authority in consultation with Sport England considers necessary in order to secure the effective community use of the facilities. The development shall not be used at any time other than in strict compliance with the approved agreement.

Reason: To secure well managed safe community access to the sports facilities to

ensure sufficient benefit to the development of sport and to accord with the requirements of the National Planning Policy Framework.

17. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended) (or any order amending, revoking or re-enacting that order), no buildings, moveable structures, works, plant, machinery, access, storage of vehicles (including car parking), equipment or materials or other use in connection with events or temporary uses shall be permitted or take place on the grass or artificial turf pitches.

Reason: To protect playing fields from damage, loss or availability of use and to accord with the requirements of the National Planning Policy Framework.

18. Prior to the commencement of the development hereby permitted details of a noise management scheme shall be submitted to and approved in writing by the Local Planning Authority. The noise management scheme shall contain details to demonstrate how noise emitted from the sports hall, including consideration of the noise impact from functions held in the sports hall, will be mitigated to minimise the impact of the development on the occupiers of adjacent residential properties. The noise management scheme shall be fully implemented and operated at all times in accordance with the approved details.

Reason: To ensure that the development does not adversely impact on the residential amenity of the occupiers of nearby properties in accordance with Policy EN1 of the adopted South Kesteven Core Strategy 2010.

19. No external generators shall be used on site in connection with the car boot sales, unless otherwise agreed in writing by the local planning authority.

Reason: To ensure that the development does not resulting in noise and disturbance to the occupiers of the adjacent residential properties and in accordance with policy EN1 of the adopted South Kesteven Core Strategy.

20. The car boot sales hereby approved shall not take place outside the hours of 06:30 to 17:00.

Reason: Operation of the use outside these hours would result in unacceptable levels of noise nuisance to local residents, in accordance with policy EN1 of the adopted South Kesteven Core Strategy and the requirements of the National Planning Policy Framework (NPPF)

21. The floodlights for the stadium and the training pitches shall not be used between 22:30 hours and 07:30 hours.

Reason: To ensure that the development does not adversely impact on the residential amenities of the occupiers of adjacent dwellings and to minimise the visual impact of the development on this countryside location in accordance with policy EN1 of the adopted South Kesteven Core Strategy 2010.

22. There shall only be a maximum of 30 Car boot sale events held at the site in any one calendar year.

Reason: To ensure that the development does not resulting in noise and disturbance to the occupiers of the adjacent residential properties and in accordance with policy EN1 of the adopted South Kesteven Core Strategy.

23. Mechanical service plant noise levels shall adhere to the details contained in para 5.65 – 5.67 of the Noise Assessment prepared by Hepworth Acoustics dated February 2013. The cumulative LA<sub>r</sub> noise rating levels from any mechanical service plant at the nearest residence, including any acoustic penalty, shall be at least 10dB(A) below the lowest measured LA<sub>90</sub> background noise level.

Reason: To ensure that the development does not resulting in noise and disturbance to the occupiers of the adjacent residential properties and in accordance with policy EN1 of the adopted South Kesteven Core Strategy.

24. Prior to the commencement of development a PA noise management scheme shall be submitted to and approved in writing by the Local Planning Authority. The PA noise management scheme shall include the layout, location, height, type, method of control and sound power levels of the PA system along with details of when and how the PA system will be used in association with the use hereby permitted. The PA noise management scheme shall be fully implemented and operated at all times in accordance with the approved details.

Reason: To ensure that the development does not resulting in noise and disturbance to the occupiers of the adjacent residential properties and in accordance with policy EN1 of the adopted South Kesteven Core Strategy.

25. Notwithstanding the submitted details the proposed acoustic bund located to the south of the proposed pitches shall be at least 10m high in relation to the pitch levels directly adjacent to the bund and at least 4m high in relation to the ground level of the adjacent housing development to the south of the site. Precise details of the ground levels and acoustic bund, including cross sections, shall be submitted to and approved in writing by the local planning authority prior to the commencement of development. The development shall then only be implemented in strict accordance with the approved details.

Reason: To ensure that the development does not resulting in noise and disturbance to the occupiers of the adjacent residential properties and in accordance with policy EN1 of the adopted South Kesteven Core Strategy.

26. Before development commences on site further details relating to the vehicular access to the public highway, including materials, specification of works and construction method shall be submitted to the Local Planning Authority for approval. The approved details shall be implemented on site before the development is first brought in to use and thereafter retained at all times.

Reason: In the interests of safety of the users of the public highway and the safety of the users of the site.

27. Before the development commences the land between the highway boundary and the vision splays indicated on drawing number 10000/04/01 & 10000/04/02 dated January 2013 shall be lowered so that it does not exceed 0.6 metres above the level of the adjacent carriageway Ryhall Road and thereafter the visibility splay shall be kept free of obstacles exceeding 0.6 metres in height.

Reason: In the interests of safety of the users of the public highway and the safety of the users of the site.

28. The arrangements shown on the approved plan LK606 (08)008 Rev A00 dated 29/01/13 for the parking/turning/manoeuvring of vehicles shall be available at all times when the premises are in use.

Reason: To enable calling vehicles to wait clear of the carriageway of Ryhall Road and to allow vehicles to enter and leave the highway in a forward gear in the interests of highway safety.

29. No development shall take place before a scheme has been agreed in writing by the local planning authority for the construction of a 2 metre wide combined footway/cycleway along the frontage of the site and linking the existing provision to the north of Borderville Cottages and extending southwards to Rutland Road, together with arrangements for the disposal of surface water run-off from the highway at the frontage of the site. The agreed works shall be fully implemented before the development is occupied or in accordance with a phasing arrangement to be agreed in writing with the local planning authority.

Reason: To ensure safe access to the site and each building in the interests of amenity, convenience and safety.

30. No development shall be commenced before the works to improve the public highway (by means of ghost island right turn facility and 2 metre combined foot/cycleway together with all necessary lighting, drainage, marking and ancillary works as indicatively identified on drawing number 10000/04/01) or as specified have been certified complete by the local planning authority.

Reason: In the interests of safety of the users of the public highway and the safety

of the users of the site.

31. Prior to commencement of the development a Travel Plan shall be submitted to, and approved in writing by the local planning authority that builds on the framework travel plan for the football ground and the existing college travel plan. Thereafter a survey shall be analysed and submitted to the local planning authority that will provide details of the implementation of the Travel Plan. The occupier shall ensure that travel arrangements are fulfilled in accordance with the Travel Plan, unless the local planning authority stipulates approval to any variation.

Reason: In order that the local planning authority conforms to the requirements of sustainable travel, a Travel Plan has been conditioned to ensure that access to the site is sustainable and reduces dependency on the car.

32. The development hereby permitted shall be carried out in accordance with the following list of approved plans submitted as part of the application:

- Site Location Plan – (08)001 Rev A00 received 29/01/2013,
- Existing Site Plan – (08)002 Rev A00 received 29/01/2013,
- Existing Site Sections – (08)003 Rev A00 received 29/01/2013,
- Comparison of Footprints – (08)004 Rev A00 received 29/01/2013,
- Comparison of Floor Space – (08)005 Rev A00 received 29/01/2013,
- Comparison of Floor Space Site Sections – (08)006 Rev A00 received 29/01/2013,
- Proposed Site Context Plan – (08)007 Rev A00 received 29/01/2013,
- Proposed Site Plan – (08)008 Rev A00 received 29/01/2013,
- Proposed Site Sections – (08)009 Rev A00 received 29/01/2013,
- Proposed Ground Floor Plan – (08)010 Rev A00 received 29/01/2013,
- Proposed First Floor Plan – (08)011 Rev A00 received 29/01/2013,
- Proposed Roof Plan – (08)012 Rev A00 received 29/01/2013,
- Proposed Sections A-A & B-B – (08)013 Rev A00 received 29/01/2013,
- Proposed Sections C-C & D-D – (08)014 Rev A00 received 29/01/2013,
- Proposed North & East Elevation – (08)015 Rev A00 received 29/01/2013,
- Proposed South & West Elevation – (08)016 Rev A00 received 29/01/2013,

- Proposed Covered Seating Stand 1 – (08)017 Rev A00 received 29/01/2013,
- Proposed Covered Seating Stand 2 – (08)018 Rev A00 received 29/01/2013,
- Proposed Toilet Block – (08)019 Rev A00 received 29/01/2013,
- Proposed Turnstile Building 1, 2 & 3 – (08)020 Rev A00 received 29/01/2013,
- Proposed Dug Outs – (08)021 Rev A00 received 29/01/2013,
- Proposed Cycle Shelter – (08)022 Rev A00 received 29/01/2013,
- Proposed Site Entrance – (08)023 Rev A00 received 29/01/2013,
- Proposed Hard and Soft Landscaping Layout – (08)024 Rev A00 received 29/01/2013,
- Proposed Walls, Fences and Boundary Treatments – (08)025 Rev A00 received 29/01/2013,
- Proposed Enclosures to Grass Pitch & Artificial Grass Pitch - (08) 026 Rev A00 received 29/01/2013,
- Ghost Island Right Turn – 4309/01/30 received 29/01/2013

Reason: To define the permission and for the avoidance of doubt.

33. The proposed development shall be undertaken in strict accordance with the Assessment of spoil from the development undertaken by Waldeck and received on 29 January 2013. If any material is to be deposited outside of the application site area no development shall take place until a scheme detailing the method and arrangements for the deposition of soil on adjacent land, in the applicants control, and the removal of sub surface material off site has been submitted to and approved in writing by the local planning authority. The scheme shall include:
- (i) details of the proposed grading and mounding of land areas including the levels and contours to be formed, showing the relationship of proposed mounding to existing vegetation and surrounding landform;
  - (ii) details of any subsurface material to be removed from the site and precise details of where and how the material will be disposed of;
  - (iii) details of the proposed routing arrangements for vehicles removing material from the site. The development shall be carried out in accordance with the

approved details.

The development shall only be carried out in accordance with the approved details.

Reason: This is an outline application and the Council wish to ensure that the soil is disposed of in an appropriate manner in accordance with policy EN1 of the adopted South Kesteven Core Strategy 2010.

34. No development shall commence until final details of the materials to be used in the construction of external walls and roofs of all of the buildings and structures have been submitted to and agreed in writing by the Local Planning Authority. Only the agreed materials shall be used in the development.

Reason: To ensure a satisfactory appearance to the development and in accordance with Policy EN1 of the adopted South Kesteven Core Strategy (July 2010).

Informative(s)

- A. You are advised that the application site falls within an area affected by Radon. You are asked to contact the Council's Building Control section (telephone number 01476 406187) to ascertain the level of protection required and whether a geological assessment is necessary.
- B. The applicants attention is drawn to the attached letter and guidance from Sport England.
- C. The applicant's attention is drawn to the attached letter from Lincolnshire County Council Fire and Rescue dated 11/2/2013, which sets out The Fire Authority's requirements in relation to the provisions to be put in place regarding access for fire fighting vehicles and water supplies for use in the event of a fire.
- D. The applicant's attention is drawn to the attached letter from the Environment Agency dated 18 February 2013.
- E. Within a timescale to be agreed in writing by the local planning authority and before occupation of any part of the development, the existing Traffic Regulation

Orders are to be amended in accordance with a scheme to be agreed and which shall include extending the current speed limit.

- F. Where a footway is constructed on private land, that land may be required to be dedicated to the Highway Authority as public highway.
- G. No works shall commence on site until a Section 278 Agreement of Highways Act 1980 has been entered into with the local highway authority Lincolnshire County Council to provide a ghost island right turn facility and 2 metre combined footway/cycleway together with all lighting, drainage, marking and ancillary works.
- H. This consent should be read in conjunction with the Legal Agreement (S106) dated

