

AGENDA



For a meeting of the
DEVELOPMENT CONTROL COMMITTEE
to be held on
TUESDAY, 14 MAY 2013
at
<u>1.00 PM</u>
* PLEASE NOTE TIME OF MEETING *
(THE LATE REPORT WILL BE EMAILED TO MEMBERS ON THE FRIDAY BEFORE THE MEETING)
in the
COUNCIL CHAMBER, COUNCIL OFFICES, ST PETERS HILL, GRANTHAM
Beverly Agass, Chief Executive

Committee Members:	Councillors Wilkins (Chairman); Parkin (Vice-Chairman); Ashberry; Cook; Higgs; Howard; Mrs Kaberry-Brown; Vic Kerr; King; Morgan; Powell; Jacky Smith; Mrs Judy Smith; Stevens; Adam Stokes; Mrs Brenda Sumner and Wren.
Committee Support Officer:	Malcolm Hall Tel: 01476 406118 m.hall@southkesteven.gov.uk

**(PLEASE NOTE THAT THERE WILL BE A COMFORT BREAK AT
3.00PM FOR TEN MINUTES)**

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

(1) Additional Information

(Enclosure)

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 2013/14 meetings are:

Meeting Date	Notification Deadline
Tuesday 14 May, 1pm	Monday 13 May 2013, 1pm
Tuesday 4 June 2013, 1pm	Monday 3 June 2013, 1pm
Tuesday 25 June 2013, 1pm	Monday 24 June 2013, 1pm
Tuesday 16 July 2013, 1pm	Monday 15 July 2013, 1pm
Tuesday 6 August, 1pm	Monday 5 August 2013, 1pm
Tuesday 27 August 2013, 1pm	Friday 23 August 2013, 1pm Early due to Bank Holiday
Tuesday 17 September 2013, 1pm	Monday 16 September 2013, 1pm
Tuesday 8 October 2013, 1pm	Monday 7 October 2013, 1pm
Tuesday 29 October, 1pm	Monday 28 October 2013, 1pm
Tuesday 19 November 2013, 1pm	Monday 18 November 2013, 1pm
Tuesday 10 December 2013, 1pm	Monday 9 December 2013, 1pm
Tuesday 31 December 2013, 1pm	Monday 30 December 2013, 1pm
Tuesday 21 January 2014, 1pm	Monday 20 January 2014, 1pm
Tuesday 11 February 2014, 1pm	Monday 10 February 2014, 1pm
Tuesday 4 March 2014, 1pm	Monday 3 March 2014, 1pm
Tuesday 25 March 2014, 1pm	Monday 24 March 2014, 1pm
Tuesday 15 April 2014, 1pm	Monday 14 April 2014, 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
14 May 2013**

Additional Information

NB1 - S13/0728

Three additional consultation responses have been received from the Highway Authority, Tree Officer and English Heritage.

Proposal

Replacement dwelling and new vehicular access

Information Received

The Tree Officer has expressed concern about the loss of a number of Poplar trees to the front and rear of the site, all of which are proposed to be removed. There are 4 poplar trees to the front of the site, 2 of which are worthy of preservation, along with the Poplar trees adjacent to the watercourse. The trees occupy prominent positions within the streetscape and are worthy of a preservation order and should be retained within the streetscape.

English Heritage does not consider that there is enough information submitted with the application to determine whether or not the development would have a detrimental impact on the setting of the Scheduled Ancient Monument (SAM). They consider it necessary to have a greater assessment in terms of the photographic evidence, including pictures from the SAM toward the site. However, the applicants agent notes that the SAM is within private ownership and there are access issues.

Lincolnshire County Council, as Highway Authority, does not object to the application subject to the existing access points being blocked up and the front boundary hedge and/or visibility splay not having anything within it above 1.2m in height. They do however express concern about the number of parking spaces provided.

Officer Comment on Information Received

It is considered that the trees to be removed are worthy of protection and should be made subject of a preservation order and the scheme amended to ensure that their longevity is not compromised. This issue alone is significant enough to justify a refusal of planning permission.

English Heritage does not consider that enough information has been submitted to fully assess whether or not the proposal would be harmful to the setting of the adjacent SAM. This is not to say that the organisation object or support the application but given possible impacts it is considered that a lack of information is enough to justify a refusal of the application until such time as the additional information is supplied.

The Highway Authority does not object to the application subject to appropriate conditions. It is however noticeable that they express concern about the level of parking provision in that they would suggest 3 parking spaces should be required. Currently a double garage and parking spaces in front are to be provided and this is considered to be adequate despite the Highway Authority questioning whether garages are parking spaces given that garages are now typically used for storage.

Alterations to Conditions

The additional conditions suggested by the Highway Authority are drafted below;

Within 7 days of the new access to the dwelling being created the two existing access points shall be blocked up and cease being used. A drawing shall be submitted to and approved in writing by the Local Planning Authority showing how the access points will be blocked up. The blocked up access points shall be retained as such thereafter.

Reason: To ensure that highway safety would not be compromised and comply with guidance contained in the National Planning Policy Framework.

No means of visual obstruction e.g. hedge or wall, above a height of 1.2m shall be erected within the visibility splay shown on drawing 1217/PL9.

Reason: To ensure that highway safety would not be compromised and comply with guidance contained in the National Planning Policy Framework.

Changes to Recommendation:

It is unfortunate that unexpected significant material matters have been raised late in the processing of this application. It is considered that the application would need to be significantly amended to attempt to overcome these concerns. Consequently on the basis of the current application it is recommended that planning permission should be refused for the reasons set out below. However, were Members to decide to defer the application, it may be possible that these matters could be overcome.

Refuse the application for the following reasons:

- 1) A number of trees, which are worthy of protection and prominent within the streetscape are proposed to be removed, allowing their removal would be harmful to the character of the streetscene and wider Conservation Area by virtue of their location height, prominence and predicated longevity. The application is therefore deemed contrary to guidance contained in policy EN1 of the South Kesteven Core Strategy; with no other material planning considerations to indicate that the application should be determined otherwise.

- 2) Not enough information has been submitted in support of the application to determine the likely impacts of the replacement dwelling on the setting of the adjacent Scheduled Ancient Monument. In the absence of such information the application is deemed contrary to guidance contained within the National Planning Policy Framework; with no other material planning considerations to indicate that the application should be determined otherwise.

AH1 - S13/0150

Due consideration has been given by officers to the request made by Stamford Town Council that the commuted sums of the Section 106 Agreement in relation to leisure provision be directed towards the skate park facility in the town.

Proposal

Erection of 15 No. dwellings and associated parking

Information Received

As set out in the officer report to the Committee the applicants have indicated that they would have no objection to the request made by Stamford Town Council that the commuted sums in relation to leisure provision be directed towards the skate park facility on the Recreation Ground.

Officer Comment

It is considered that with regard to the commuted sum contributions towards leisure facilities that there ought not to be a specific allocation within the necessary Section 106 Agreement for monies to be specifically directed into the Skate Park fund. Rather it is considered that the Section 106 Agreement should provide for the monies to be used for the provision of play equipment more generally in the locality.

Alterations to Conditions

Not Applicable

Changes to Recommendation:

No Change

Agenda Item 6: Neighbouring Authority Consultation – South Holland
Application Ref: H14-0110-13

Installation of Nine 126 metre (tip height), wind turbines, sub-station and access track at Fen Farm, South Fen, West Pinchbeck

REPORT TO DEVELOPMENT CONTROL
COMMITTEE

REPORT OF: Pat Reid – Development Management Service Manager

REPORT NO: PLA 991

DATE: 14 May 2013

TITLE:	Neighbouring Authority Consultation on planning application (South Holland ref H14-0110-13) Installation of nine 126 metre (tip height) wind turbines, sub-station and access track at Fen Farm, South Fen, West Pinchbeck
KEY DECISION OR POLICY FRAMEWORK PROPOSAL:	N/A
PORTFOLIO HOLDER: NAME AND DESIGNATION:	N/A
CONTACT OFFICER:	Rob Vincent

INITIAL IMPACT ANALYSIS:	Carried out and Referred to in paragraph (7) below	Full impact assessment Required:
Equality and Diversity	N/A	N/A
FREEDOM OF INFORMATION ACT:	This report is publicly available via the Your Council and Democracy link on the Council's website: www.southkesteven.gov.uk	
BACKGROUND PAPERS	Planning application 13/0500 (South Holland ref. H14-0110-13)	

1. RECOMMENDATION

1.1 That South Holland District Council be advised that:

1. It is considered that the proposed wind turbines, by virtue of their height and number, would have an adverse impact upon the character and appearance of the landscape in the vicinity of the site and upon the amenities of residents of South Kesteven who live in close proximity to the site

2. This would be exacerbated by the cumulative impact of the proposed development together with the Deeping St Nicholas wind farm to the south of the application site.

2. PURPOSE OF THE REPORT

2.1 South Holland District Council is in receipt of a planning application for the installation of nine 126 metre (tip height) wind turbines, sub-station and access track at Fen Farm, South Fen, West Pinchbeck. They have consulted this authority on the application. The purpose of this report is to consider South Kesteven District Council's response to that consultation.

2.2 South Holland District Council has sent separate consultations to those parishes inside South Kesteven which border the site and the immediate neighbours in South Kesteven have also been notified of the application.

3. DETAILS OF REPORT

The proposed development

- 3.1 Fen Farm is located south of the main A151 Bourne to Spalding road, to the east of the village of Twenty, approximately 0.5 miles inside South Holland district. The hamlet of Pode Hole is 1.5 miles away and Spalding 3 miles, both of which are in South Holland. Twenty, which is in South Kesteven, is approximately 1.5 miles from the site and Bourne is about 4.5 miles to the west of the site.
- 3.2 The nine turbines are proposed to be arranged in two rows of four and five turbines along the line of existing boundary ditches, running in a south easterly direction away from the A151. The access routes to the site are via minor roads, Slipe Drove along the northern boundary and The Delph on the southern boundary of the site.
- 3.3 The turbines will have some limited existing screening from A151, but in the main this is a flat, open landscape.
- 3.4 The application is supported by an Environmental Impact Assessment (EIA) which considers the likely impact of the development upon landscape character, visual impact, impact upon settlements, impact upon nearby residents, cumulative impact and impact upon flora and fauna.

The impact of the development

- 3.5 The most significant issue in respect of South Kesteven District is likely to be the impact of the development upon the fens landscape, being situated only 0.5 miles beyond the district boundary. The existing wind farm at Deeping St Nicholas, built in 2005/2006 approximately 2.5 miles to the south of the application site, comprises eight 100 metres high turbines and is a prominent feature in the landscape.

This proposal is for nine turbines, each 26 metres higher than those at Deeping St Nicholas, which is likely to have a significant impact upon the character and appearance of the landscape.

- 3.6 There is also likely to be some cumulative impact from the proposed wind farm together with the existing wind farm at Deeping St Nicholas. When viewed across the fens landscape from higher land around Bourne and along the A151 heading east towards Spalding, the combined impact of these two wind farms is likely to have an adverse impact upon the character and appearance of the landscape.
- 3.7 In addition to the general impact upon the wider landscape the turbines would dominate the outlook and amenities of residents in South Kesteven, in Twenty and smaller settlements and individual dwellings closer to the

wind farm. It should be noted that these are closer to the development than many residents in South Holland.

4. OTHER OPTIONS CONSIDERED

4.1 The options open to the Council are whether or not to respond to this consultation. Due to the close proximity of the site to the boundary with this district and it's likely impact upon South Kesteven, it is considered important that a response is provided to the consultation.

5. RESOURCE IMPLICATIONS

5.1 No direct costs. There may be some financial implications if this Council chooses to support South Holland DC's case, should planning permission be refused and the decision be subject to an appeal.

6. RISK AND MITIGATION

6.1 Risk has been considered as part of this report and any specific high risks are included in the table below:

Category Risk	Action / Controls
None applicable	None applicable

7. ISSUES ARISING FROM IMPACT ANALYSIS

7.1 This has been discussed in section 3.

8. CRIME AND DISORDER IMPLICATIONS

8.1 None.

9. COMMENTS OF FINANCIAL SERVICES

9.1 To be reported.

10. COMMENTS OF LEGAL AND DEMOCRATIC SERVICES

10.1 To be reported.

11. COMMENTS OF OTHER RELEVANT SERVICES

11.1 None.