



MINUTES

DEVELOPMENT CONTROL COMMITTEE

TUESDAY, 23 AUGUST 2005

2.00 P.M.

COMMITTEE MEMBERS PRESENT

Councillor George Chivers
Councillor Brian Fines (Vice-Chairman)
Councillor Reginald Howard
Councillor Mrs Maureen Jalili
Councillor Albert Victor Kerr
Councillor Alan Parkin (Chairman)

Councillor Mrs Angeline Percival
Councillor Bob Sandall
Councillor Ian Selby
Councillor Frank Turner
Councillor Mike Williams
Councillor Avril Williams

OFFICERS

Development Control Services Manager
Principal Planning Officers (2)
Planning Application Case Officer
Corporate Manager Democratic and
Legal Services
Committee Support Officer

OTHER MEMBERS

Councillor Mrs Hurst
Councillor Wilks

In accordance with Council procedure rule 24.5, Councillor Mrs Hurst spoke in connection with application NU.1 and Councillor Wilks spoke in connection with applications NU.3 and NU.4.

578. MEMBERSHIP

The Committee was notified by the Chief Executive that Councillor Selby would replace the late Councillor Dexter on the Committee until the next annual meeting of the District Council.

579. APOLOGIES

Apologies for absence were received from Councillors Helyar and Pease.

580. DECLARATIONS OF INTEREST

The following interests were noted: -

Councillor Parkin – personal and prejudicial interest in application NU.2, under the members Code of Conduct, and further under the Probity in Planning Code of Guidance, to avoid the impression of pre-determination or bias towards the application in view of his friendship with the applicants.

Councillor Fines – personal and prejudicial interest in application SR.1, under the members Code of Conduct, and further under the Probity in Planning Code of Guidance, to avoid the impression of pre-determination or bias towards the application in view of his acquaintanceship with the applicants.

Councillor Howard asked for advice in relation to a declaration of interest in connection with application SF.2, which was by the District Council, of which he was a member, and in the parish of Market Deeping, where he was the ward representative as well as being a member of the Town Council. The Corporate Manager advised that there was no interest to be declared in either case.

581. MINUTES

The minutes of the meeting held on 26th July 2005 were confirmed as a correct record of decisions taken.

The Chairman advised the Committee that the decision taken under minute 575, application NU.1, whilst not being incorrect, required an amendment and he would raise this under agenda item 9, as a decision had to be made quickly.

582. ENFORCEMENT ACTION - UNAUTHORISED MOBILE HOME, GLEBE FARM, CARLBY

Decision: -

That authority be given for appropriate enforcement action to be taken to secure compliance with the requirements of the local planning authority in connection with the unauthorised siting of a mobile home at Glebe Farm, Carlby.

In his report PLA521, the Development Control Services Manager told the Committee that the site was some 1km to the west of Carlby and in a prominent position in open countryside, being used as a stonemason's workshop for the manufacture of garden ornaments and concrete products. In addition, there was also an established skip business together with other units for storage of plant and machinery.

Following a retrospective planning application a temporary permission for one year was given for the siting of a mobile home in January 2003, and an application for renewal of the permission was refused in January 2004 for reasons of development in open countryside locations in the absence of any overriding need. No good reason had been put forward by the applicant in this instance to warrant a departure from this policy. The owners of the site had been requested to remove the mobile home, however to date it still remained. It was accordingly proposed and seconded that authority be given for

appropriate enforcement action to be taken. On being put to the vote the proposition was agreed.

583. PLANNING PANEL AND SITE VISITS

Decision: -

That planning panel and site visit arrangements continue to operate as at present but that members be advised of the likely commitment to the two groups and asked if they wish to be considered as part of the rotas.

The Committee had before them report PLA523 from the Development Control Services Manager as a follow-up to a recent verbal report concerning arrangements for membership of the planning panel and site visits.

Details of the current arrangements for both these bodies were shown. It was noted that membership as it currently existed was set up, in the case of site visits, when the Committee totalled twenty seven and in the case of the planning panel when the Committee totalled twenty one. Since the membership of the Committee had reduced to seventeen the net result was that members of the Committee were now involved in another group, either planning panel or site visit group, as well as the Committee meetings, on a much-increased basis. The frequency of meetings was clearly a commitment that some members found difficult to honour, and it had been agreed on the last occasion the matter was discussed that a report with suggestions for alternatives be brought to a future meeting.

The Development Control Services Manager listed several options for alternatives to the current situation. Members discussed the report and it was proposed and seconded that the planning panel and site visit arrangements continue to operate as at present. It was suggested that, should the proposition be agreed, panel and site visit members be asked if they wish to be considered as part of the rota and that the likely commitment be pointed out to members before new lists were drawn up.

On being put to the vote the proposition was carried.

584. PLANNING MATTERS - STRAIGHTFORWARD LIST

Decision: -

To determine applications, or make observations, as listed below.

SF.1

Application ref: S04/1789/56

Description: Factory unit and offices

Location: Land Adjacent Wilcox Body Systems, Blenheim

Way, Market Deeping

Decision: Deferred

Development Control Services Manager authorised to determine the application, after consultation with the Chairman and Vice-Chairman, subject to the completion of a Section 106 Agreement relating to the payment of a contribution towards highway improvements, and subject also to appropriate conditions.

585. PLANNING MATTERS - LIST FOR DEBATE

Decision: -

To determine applications, or make observations, including application SF.2 transferred from the straightforward list, as listed below: -

SF.2

Application ref: S05/0968/56

Description: Change of use from residential garden to public open space

Location: Land opposite, 45, High Street, Market Deeping

Decision: Deferred

Noting an objection from a nearby resident, Development Control Services Manager authorised to determine the application, after consultation with the Chairman and Vice-Chairman, after the advertisement closing date of 26th August 2005, subject to appropriate conditions.

NU.1

Application ref: S05/0476/35

Description: 14 apartments

Location: The Stables, Bridge Street, Grantham

Decision: Approved

Noting comments from the Highway Authority, Lincs Police Architectural Liaison Officer and Grantham Civic Trust, representations from a number of nearby residents and submissions in support from the applicants with regard to the original and amended applications, and further representations from local residents, subject to the following conditions:-

1. The development hereby permitted shall be begun before the expiration of five years from the date of this permission.
2. Samples of the materials to be used for all external walls and roofs shall be submitted to the District Planning Authority before any development to which this permission relates is commenced and only such materials as may be approved in writing by the Authority shall be used in the development.
3. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before the building(s) are occupied, or in accordance with a timetable agreed in writing with the Local Planning Authority. Development shall be carried out in accordance with the approved details.
4. Before the development is commenced there shall be submitted to and approved by the District Planning Authority details (including cross-sections) of the relative heights of existing and proposed ground levels of the site and existing adjoining development and roads.
5. The arrangements shown on the approved plan number 1301/1d received on 22nd July 2005 for the parking of vehicles shall be available at all times when the premises are in use.
6. Notwithstanding the provisions of the Town & Country Planning (General Permitted Development Order) 1995 (or any order revoking or re-enacting that order with or without modification), no windows/dormer windows or roof lights (other than those expressly authorised by this permission) shall be constructed.
7. This consent relates to the application as amended by details (drawing number 1301/1d) received on 22nd July 2005 and an e-mail received on 23rd August 2005 confirming that the application be considered as a full planning application.

Note: Prior to commencement of any of the access works within the public highway, please contact the Divisional Highways Manager, Lincolnshire County Council for appropriate specification and construction information.

(2.35pm – Councillor Parkin left the meeting, having declared an interest)

(Councillor Fines in the Chair)

NU.2

Application ref: S05/0603/35

Description: Residential development (10 dwellings)

Location: R/o 6 And 16, New Beacon Road, Grantham

Decision: Deferred

Noting comments from Lincs Police Architectural Liaison Officer and Property Services, and representations from nearby residents together with the submission of an amended plan by the applicants, and receipt of a flood risk assessment, Development Control Services Manager authorised to determine the application, after consultation with the Vice-Chairman, subject to no adverse comments as a result of the publicity of the flood risk assessment from the Environment Agency, and subject also to appropriate conditions.

(2.42pm – Councillor Parkin returned to the meeting and resumed the Chair).

NU.3

Application ref: S05/0745/35

Description: Change of use of part of dwelling to B & B (3 rooms)

Location: 23, North Parade, Grantham

Decision: Approved

Noting comments made during the public speaking session from: -

Mrs Beck – local resident – objecting
Mr A Richardson – applicant

together with a request to refuse from the Highway Authority, no objection from the Community Archaeologist, representations from neighbouring residents and detailed submissions in support from the applicant, the Committee consider that whilst overlooking/loss of privacy and traffic generation are material considerations they are not sufficient to outweigh planning policies EN1 and T3 and the application should be approved subject to the following condition:-

1. The development hereby permitted shall be begun before the expiration of five years from the date of this permission.
2. The arrangements shown on the submitted plan for the parking/turning/loading/unloading of vehicles shall be available at all times when the premises are in use.

NU.4

<u>Application ref:</u>	S05/0835/35
<u>Description:</u>	Variation of condition 5 (occupancy) imposed on original application S05/0110/35
<u>Location:</u>	101, Manthorpe Road, Grantham
<u>Decision:</u>	Approved

Noting comments made during the public speaking session from:-

Mr M McManus – on behalf of the applicants

together with representations from nearby residents and detailed submissions from the applicants, and noting the requirement for primacy to be given to health staff and for a tight definition of “key workers”, subject to the following condition:-

Priority on the occupation of the residential units hereby approved shall be primarily for persons employed or based at Grantham Hospital, employed within the NHS Trust, the School of Nursing, persons who are medical students or other ancillary hospital staff. In the event that no more than 80% (37 units) of the units are occupied by persons in the above categories the remaining 20% (9 units) of the units may be occupied by local “key workers” as defined in the schedule attached to this decision notice. For the avoidance of doubt, “key workers” as defined by the attached schedule shall occupy no more than 9 units at any one time.

NU.5

<u>Application ref:</u>	S05/0905/35
<u>Description:</u>	9 flats and car park
<u>Location:</u>	Former Post Office Site, Gonerby Road, Gonerby Hill Foot, Grantham
<u>Decision:</u>	Approved

Noting comments made during the public speaking session from:-

Mr J Owen – 189 Barrowby Road, Grantham – objecting

together with no objection from the Community Archaeologist, comments from one of the local representatives, representations from nearby residents or

property owners and submissions from the applicants, subject to the following conditions:-

1. Application for approval of reserved matters must be made not later than the expiration of three years beginning with the date of this permission, and the development must be begun not later than whichever is the later of the following dates:
 - (a) the expiration of five years from the date of this permission; or
 - (b) the expiration of two years from the final approval of the reserved matters, or, in the case of approval on different dates, the final approval of the last such matter to be approved.
2. The following matters are reserved for subsequent approval by the District Planning Authority and no development shall be carried out until these matters have been approved, viz. detailed drawings to a scale of not less than 1/100, showing the siting, design and external appearance of the building(s) including particulars of the materials to be used for external walls and roofs, the means of access and the landscaping of the site.
3. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before the building(s) are occupied, or in accordance with a timetable agreed in writing with the Local Planning Authority. Development shall be carried out in accordance with approved details.
4. Before the development is brought into use, the private driveway shall be provided with lighting (to a meet standard BS 1549 part 9) in accordance with details to be submitted to and approved in writing by the Local Planning Authority.
5. When application is made for the approval of 'reserved matters', details including location and the means of disposal of surface water and foul drainage shall be submitted to and approved by the District Planning Authority and no buildings shall be occupied until the APPROVED drainage works have been provided.
6. Within a period of six months from the completion of the last dwelling to be constructed on the site, the areas shown on the submitted plan as amenity space/play area shall be provided, laid out and landscaped and made available for use. This amenity space shall not thereafter be used for any other purpose.
7. The development shall not exceed two full stories in height.

Note(s) to Applicant

1. This road is a private drive and will not be adopted as Highway Maintainable at the public expense (under the Highways Act 1980) and, as such, remains the responsibility of the individual property owner.

2. You are advised that the application site falls within an area which requires protection from Radon. You are advised to contact the District Council's Building Control Services to ascertain the level of protection required, and whether geological assessment is necessary.

(3.25pm – Councillor Fines left the meeting, having declared an interest)

SR.1

Application ref: S05/0751/76
Description: Residential development
Location: Thurlby Road Garage, Main Road, Thurlby
Decision: Deferred

Noting comments made during the public speaking session from:-

Mr N Hydes, Northorpe Lane, Thurlby – objecting
Mr J Dadge – agent for the applicants

together with report of site inspection, comments from the Parish Council, Housing Services, Community Archaeologist, Police Architectural Liaison Officer and the Local Education Authority together with no objection from the Highway Authority, an objection from Property Services and objections from nearby residents together with submissions in support from the applicants, Development Control Services Manager authorised to determine the application, after consultation with the Chairman, subject to the completion of a Section 106 Agreement relating to a contribution towards education and affordable housing, and subject also to appropriate conditions.

(The meeting adjourned from 3.38pm to 3.55pm)

(Councillor Fines returned to the meeting after the adjournment)

SU.1

Application ref: S05/0415/69
Description: Installation of rooflights and windows to roof of flats
Location: Former Nightclub Site, Chapel Yard, North Street, Stamford
Decision: Refused

Noting comments from the Highway Authority and Arboriculturalist/Landscape Officer, an objection from Stamford Town Council and detailed submissions in support from the applicant's agent, including a response following the adjournment to consider amendments, for the following reason:-

It is considered that the proposed insertion of dormer windows into the north and eastern facing roofslopes, to provide daylight to rooms of proposed flats in the roofspace of the existing buildings would endanger the continued existence of the protected Lime trees on the adjacent Recreation Ground by severely restricting natural light reaching those rooms, thus leading to pressure for their removal.

In some cases the dormers are not necessary as they are not the only means of providing natural light and in others it could be provided by alternative means.

The proposal is therefore contrary to Policy EN1 of the South Kesteven Local Plan.

Authority given for the commencement of enforcement proceedings with regard to the unauthorised insertion of dormer windows into the north and eastern facing roof slopes of the development.

SU.2

<u>Application ref:</u>	S05/0737/12
<u>Description:</u>	Partial demolition, construction and conversion to create 1 no office, 1 no A5 takeaway, 2 no A1 retail and 8 no C3 dwellings
<u>Location:</u>	64-66, North Street, Bourne
<u>Decision:</u>	Approved

Noting report of site inspection, an objection from Bourne Town Council, no objection from the Highway Authority and comments from the Community Archaeologist and Police Architectural Liaison Officer together with letters of objection from nearby residents and submissions in support from the applicants, subject to the following conditions:-

1. The development hereby permitted shall be begun before the expiration of five years from the date of this permission.
2. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the

positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed in accordance with a timetable agreed in writing with the Local Planning Authority. Development shall be carried out in accordance with approved details.

3. That part of the premises hereby granted approval for A5 use shall be used for A1, A2 or A5 only and for no other purpose, (including any other purpose of the Schedule to the Town and Country Planning (Use Classes) (Amendment) (England) Order 2005 or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order).
4. Before the development is brought into use, the private driveway shall be provided with lighting in accordance with details to be submitted to and approved in writing by the Local Planning Authority.
5. A schedule giving the type and colour of materials to be used for all external walls and roofs of each building and structure on the site, and the type and colour of brick to be used for screen walls shall be submitted to and approved in writing by the District Planning Authority before the development hereby permitted is commenced. Only such materials as may be approved by the authority shall be used in the development.
6. Large scale details of all external joinery, to a scale of not less than 1:20, to include cross sections to show cills, lintols, etc., shall be submitted to and approved in writing by the District Planning Authority prior to the commencement of the development.
7. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification), no buildings, fences, walls or gates shall be erected on the land without the express permission of the District Planning Authority.
8. Notwithstanding the provisions of the Town & Country Planning (General Permitted Development Order) 1995 (or any order revoking or re-enacting that order with or without modification), no windows/dormer windows (other than those expressly authorised by this permission) shall be constructed.
9. Before the use is commenced, equipment shall be installed as will suppress the emission of fumes or smell and obviate odours from frying or other cooking processes. No development shall take place until details of the equipment have been submitted to and approved by the District Planning Authority.
10. The premises shall not be used for the operation of business or the sale of goods and services between the hours of 11 pm and 8 am.
11. No part of the land outside the building or designated area indicated on the approved plan shall be used for the deposit, manufacture, storage or display of any goods, waste or other materials or items, except as may be agreed in writing with the District Planning Authority.
12. The arrangements shown on the approved plan Drawing No. 0490/06

Rev D received 31 July 2005 for the parking/turning/loading/unloading of vehicles shall be available at all times when the premises are in use.

13. Prior to any of the buildings being occupied, the private drive shall be completed in accordance with the details shown on drawing number 0490/06 Rev D received on 31 July 2005. (Please note that this road is a private road and will not be adopted as a highway maintainable at the public expense (under the Highways Act 1980) and as such the liability for maintenance rests with the frontagers.)

Note(s) to Applicant

1. Your attention is drawn to the enclosed Planning Guidance Note No 1 entitled 'Archaeology and Your Development'.
2. Prior to the commencement of any of the access works within the public highway, please contact the Divisional Highways Manager (Lincolnshire County Council) for appropriate specification and construction information.
3. This road is a private drive and will not be adopted as Highway Maintainable at the public expense (under the Highways Act 1980) and, as such, remains the responsibility of the individual property owner.

SU.3

Application ref: S05/0833/25

Description: Conversion and extension of 2 barns to dwellings, demolition of buildings, 4 dwellings and carport/garages/parking and alterations to facilitate a wider access

Location: Land At Horsegate Farmyard, Deeping St. James

Decision: Approved

Noting comments made during the public speaking session from

Mr S Gilbert – 39 Horsegate, Deeping St James - objecting

together with report of site inspection, an objection from the Parish Council, no objection from the Highway Authority, Welland and Deepings Internal Drainage Board or English Nature, comments from the Community Archaeologist, representations from nearby residents and submissions in support from the applicants, subject to the following conditions:-

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

2. Before any development is commenced the approval of the District Planning Authority is required to a scheme of landscaping and tree planting for the site (indicating inter alia, the number, species, heights on planting and positions of all the trees). Such scheme as may be approved by the District Planning Authority shall be undertaken in the first planting season following the occupation of the buildings or the completion of the development, whichever is the sooner, and any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the District Planning Authority gives written consent to any variation.
3. Notwithstanding submitted details, no development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before the building(s) are occupied, or in accordance with a timetable agreed in writing with the Local Planning Authority. Development shall be carried out in accordance with approved details.
4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification), no extensions, alterations or buildings shall be erected on the land without the express permission of the District Planning Authority.
5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development Order) 1995 (or any order revoking and re-enacting that Order with or without modification), no gates, fences or walls shall be erected within the curtilage of any dwellinghouse wall of that dwellinghouse which fronts onto a road.
6. Notwithstanding the provisions of the Town & Country Planning (General Permitted Development Order) 1995 (or any order revoking or re-enacting that order with or without modification), no windows/dormer windows (other than those expressly authorised by this permission) shall be constructed.
7. Before the development is brought into use, the private driveway shall be provided with lighting in accordance with details to be submitted to and approved in writing by the Local Planning Authority.
8. A schedule giving the type and colour of materials to be used for all external walls and roofs of each building and structure on the site, and the type and colour of brick to be used for screen walls shall be submitted to and approved in writing by the District Planning Authority before the development hereby permitted is commenced. Only such materials as may be approved by the authority shall be used in the development.
9. Before any development is commenced, details including location and means of disposal of surface water and foul drainage shall be submitted to and approved by the District Planning Authority, and no building shall

be occupied until the drainage works have been provided.

10. Before the development hereby permitted commences on the site, a soil survey of the site shall be undertaken and the results provided to the Local Planning Authority. The survey shall be taken at such points and to such depth as the Local Planning Authority may stipulate. A scheme for decontamination of the site shall be submitted to and approved by the Local Planning Authority in writing and the scheme as approved shall be fully implemented and completed before any residential unit hereby permitted is first occupied.
11. The arrangements shown on the approved plan Drawing No. 6758/AT R003 received 7 June 2005 for the parking/turning/loading/unloading of vehicles shall be available at all times when the premises are in use.
12. Prior to any of the buildings being occupied, the private drive shall be completed in accordance with the details shown on drawing number 6758/AT R003 received 7 June 2005. (Please note that this road is a private road and will not be adopted as a highway maintainable at the public expense (under the Highways Act 1980) and as such the liability for maintenance rests with the frontagers.)
13. Development shall proceed fully in accordance with the mitigation measures (e.g. finished floor levels) set out in the approved Flood Risk Assessment, submitted by Fenland Hydrotech Ltd (ref: 1259), and the applicant shall confirm completion of the approved scheme in writing within one month thereafter.

Note(s) to Applicant

1. You are advised that the application site falls within an area which requires protection from Radon. You are advised to contact the District Council's Building Control Services to ascertain the level of protection required, and whether geological assessment is necessary.
2. Prior to the commencement of any of the access works within the public highway, please contact the Divisional Highways Manager (Lincolnshire County Council) for appropriate specification and construction information.
3. This road is a private drive and will not be adopted as Highway Maintainable at the public expense (under the Highways Act 1980) and, as such, remains the responsibility of the individual property owner.
4. Your attention is drawn to the letter from English Nature attached to this permission.

586. INFORMATION RELATING TO DEVELOPMENT CONTROL AND OTHER PLANNING ACTIVITY

The Development Control Services Manager submitted his report PLA524 listing details of applications not determined within the eight-week time period. Also submitted was a list of applications dealt with under delegated powers together with a list of newly submitted appeals and decisions received during

the last month.

587. PLANNING APPLICATION S05/0220/35 - RESIDENTIAL DEVELOPMENT - IMPRESS FACTORY, SPRINGFIELD ROAD, GRANTHAM

Decision:-

That noting that a Section 278 Agreement is not required for the above development, the development be approved subject to appropriate conditions including highway conditions:-

Members were reminded that at the last meeting they had authorised the Development Control Services Manager to determine the application for residential development at the Impress Factory site, Springfield Road, Grantham subject to the completion of Section 278 and Section 106 Agreements. It had now been agreed with the Highway Authority that a Section 278 Agreement was not required and that their requirements could be met by the imposition of conditions.

588. CLOSE OF MEETING

The meeting closed at 4.20pm.