



MINUTES

DEVELOPMENT CONTROL COMMITTEE
TUESDAY, 25 OCTOBER 2005

2.00 P.M.

COMMITTEE MEMBERS PRESENT

Councillor Brian Fines (Vice-Chairman)
Councillor Bryan Helyar
Councillor Reginald Howard
Councillor Mrs Maureen Jalili
Councillor Albert Victor Kerr
Councillor Alan Parkin (Chairman)
Councillor Stanley Pease
Councillor Mrs Angeline Percival

Councillor Norman Radley
Councillor Bob Sandall
Councillor Ian Selby
Councillor Ian Stokes
Councillor Frank Turner
Councillor Mike Williams
Councillor Avril Williams

OFFICERS

Development Control Services Manager
Principal Planning Officer
Planning Application Case Officer
Arboriculturalist
Committee Support Officer
Legal Executive

OTHER MEMBERS

Councillor Wilks

609. APOLOGIES

Apologies for absence were received from Councillors Chivers and Waterhouse.

610. DECLARATIONS OF INTEREST: MEMBERS ARE ASKED TO DECLARE AN INTEREST IN MATTERS FOR CONSIDERATION AT THE MEETING.

The following interest was noted:-

Councillors Mrs A and M G Williams – 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 the proximity of their residential property to the application site.

611. MINUTES

The minutes of the meeting held on 4th October 2005 were confirmed as a correct record of decisions taken.

612. SECTION 106 AGREEMENT - S04/1896/68 - RESIDENTIAL DEVELOPMENT, BULLIMORES COAL YARD, SOUTH WITHAM

Decision: -

To agree to a Section 106 Agreement being entered into in respect of S04/1896/68 – residential development, Bullimores Coal Yard, South Witham, in respect of affordable housing and recreational play equipment.

The Legal Executive reported that the above application had been a decision of the Planning Panel and, as such, there was no minute recording this, which was required to complete the Section 106 Agreement prior to signing and the issue of the planning approval. The agreement was in respect of affordable housing and recreational play equipment.

613. PLANNING MATTERS - LIST FOR DEBATE

Decision: -

To determine application, or make observation, as listed below: -

SR.1

Application ref: S05/1076/17

Description: Two storey detached dwellinghouse

Location: Adj 3, Church Street, Carlby

Decision: Approved

Noting comments made during the public speaking session from:-

Mrs M Smithers, 15 High Street, Carlby – representing St Stevens PCC - objecting

Mrs E G Clarke, 6 Church Street, Carlby – objecting

Mr A Ferguson, 3 Church Street, Carlby – objecting

together with comments from the Highway Authority, Community Archaeologist and Arboriculturalist, an objection from the Parish Council, objections from nearby residents, tree report submitted on behalf of the Parochial Church

Council and further representations from neighbouring 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. The applicant shall arrange for an archaeologist recognised by the District Planning Authority to monitor all stages of the development involving ground disturbance in accordance with a scheme to be submitted to and approved by that Authority before development is commenced. A report of the archaeologist's findings shall be submitted to the District Planning Authority within one month of the last day of the watching brief and shall include arrangements for the conservation of artefacts from the site.
3. The arrangements shown on the approved site plan received 5 September 2005 for the parking of vehicles shall be available at all times when the premises are in use.
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 external walls of the approved dwelling shall be constructed of natural limestone laid in horizontal, random, courses.
6. 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.
7. Excavation of the foundations of the western gable wall of the approved dwelling shall be undertaken using only hand digging.
8. Construction of the driveway and vehicle parking area shall be undertaken only using the 'no-dig' method, recommended in the Arboricultural Practice Notes appended to this decision notice.
9. Before the development hereby permitted is commenced details of the means of surfacing the driveway and parking area shall be agreed in writing with the local planning authority and only such details as may be agreed in writing shall be used to surface these areas.
10. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order without modification), no buildings shall be erected on the application site, other than that allowed by this permission, and no other structures involving ground disturbance without the express permission of the district planning authority.
11. Prior to the commencement of development a temporary access shall be formed through the eastern end of the wall on the site frontage for vehicles delivering materials. This access shall be used by all vehicles connected with the construction of the dwelling and the wall shall be

reinstated before occupation of the dwelling.

12. Before development is commenced on the site, all existing trees shown on the approved plan shall be fenced off to the limit of their branch spread. No works (including removal of earth) storage of materials (including soil) vehicular movements or siting of temporary buildings shall be permitted within these protected areas.

Note(s) to Applicant

1. Your attention is drawn to the enclosed Planning Guidance Note No. 2 entitled 'Watching Brief' and the Community Archaeologist's assessment which may be helpful to you in complying with the condition relating to archaeology included in this approval. The South Kesteven Community Archaeologist may be contacted at Heritage Lincolnshire, The Old School, Cameron Street, Heckington, Sleaford, Lincs NG34 9RW - Tel: 01529 461499, Fax: 01529 461001.
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. 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.

SU.1

Application ref: S05/1095/56

Description: Re-positioning of garden wall

Location: 57, Tattershall Drive, Market Deeping

Decision: Approved

Noting report of site inspection, no objection from the Community Archeologist, an objection from the Parish Council and representation from a nearby resident, 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. The wall shall be sited back in the site at least 600mm from the highway.

Note(s) to Applicant

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.

NR.1

Application ref: S05/0955/55

Description: Four dwellings

Location: Crosburn House, Main Street, Long Bennington

Decision: Approved

Noting comments from Highway Authority, no objection from the Community Archaeologist, comments from the Parish Council, representations from nearby residents, submissions in support from the applicants and comments from the local member, together with further information in support of the proposal from the applicant together with amended plans, support from neighbouring resident and suggested reasons for refusals submitted by members, together with the comments of the Development Control Services Manager thereon.

The Development Control Services Manager said that his recommendation had always been to approve the development but, with the amendments now proposed, the applicant had done enough to mitigate the harm to any neighbouring residents.

It was proposed, seconded and agreed that the development be approved, 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 District Planning Authority a plan showing the exact location, species and spread of all trees and hedges on the site and those proposed to be felled or uprooted during building operations together with measures for their protection in the course of development.
4. The screen walls shown on the submitted plan shall be erected at the same time as the associated dwellings.

5. 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.
6. Prior to any of the buildings being occupied, the private drive shall be completed in accordance with the details shown on drawing number H5999/11 Rev. C dated 30 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.)
7. No development shall take place before the detailed design of the arrangements for surface water drainage has been agreed in writing by the Local Planning Authority and no building shall be occupied before it is connected to the agreed drainage system.
8. Prior to the commencement of the development large scale layout and elevational details shall be submitted to and approved in writing by the local planning authority to show the exact location and treatment of the new walls to be constructed either side of the access road. Any such details as may be approved shall be provided in accordance with condition 4 of this planning approval.

Note(s) to Applicant

1. 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.
2. 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.

NR.2

Application Ref: S05/1062/38

Description: Residential Development

Location: The Pallett Yard, Dallygate, Great Ponton

Decision: Approved

Noting report of site inspection, comments from the Parish Council, Highway Agency and Environmental Health Services and representations from nearby residents, subject to the following conditions:-

1. 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.
2. Before the development is commenced a scheme for the protection of the proposed dwellings from noise from the adjacent A1 Trunk Road shall be submitted to and approved by the district planning authority. All works which form part of the approved scheme shall be completed before any of the permitted dwellings are occupied.
3. A scheme showing raised kerbs along the eastern edge of the car parking block 19-28 shall be submitted to and approved by the district planning authority prior to the commencement of the development.
4. Development shall not commence unless and until the existing access has been closed off and a new access has been constructed and reinstated on Dallygate as shown on drawing A0342-15, to the satisfaction of the local planning authority in consultation with the Highways Agency.
5. 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.
6. This consent relates to the application as amended by a site layout plan (drawing number A0342-15 Rev. C) received 11th October 2005 and elevational details (drawing number A0342-25 Rev. E) received on 20th October 2005.

NU.1

Application ref: S05/0980/35

Description: 24 dwellings, access & public open space

Location: Land At Crystal Motors, Barrowby Road, Grantham

Decision: Deferred

Noting comments made during the public speaking session from:-

Mrs Mendham, 229 Barrowby Road (also on behalf of the occupier of The Annexe, 229 Barrowby Road) – objection

together with report of site inspection, comments from The Highway Authority and Grantham Civic Society, no objection from the Community Archaeologist, comments from Lincolnshire County Council and representations from nearby residents and advice from the Development Control Services Manager that the planning gain referred to in the report was not now required, Development Control Services Manager authorised to determine the application, after consultation with the Chairman and Vice Chairman, subject to the applicants agreeing to amend the house details for Plot 1 and subject also to appropriate conditions to include conditions relating to access and the public open space.

(3.22 pm Councillors Mrs A and M G Williams left the room, having declared an interest).

NU.2

Application ref: S05/1156/35

Description: Residential development

Location: Land Off Dysart Road/Autumn Park, Dysart Road, Grantham

Decision: Deferred

Note comments from the Highway Authority, Community Archaeologist, Lincs Police Architectural Liaison Officer and Assets and Facilities Management, together with information in support from the applicants, Development Control Services Manager authorised to determine the application, after consultation with the Chairman and Vice Chairman, subject to no adverse observations from the Environment Agency as a result of the amended details received on the 17th October 2005, and subject also to appropriate conditions.

614. INFORMATION RELATING TO DEVELOPMENT CONTROL AND OTHER PLANNING ACTIVITY

The Development Control Services Manager submitted his report PLA536 listing details of application not determined within the eight week time period. Also submitted was a list of applications dealt with under delegated powers and a list of appeals and newly submitted appeals and decisions received during October, together with a summary of the DETR statistical returns for the period July to September 2005.

615. CLOSE OF MEETING

The meeting closed at 3.30 pm.

