



MINUTES

DEVELOPMENT CONTROL COMMITTEE

TUESDAY, 6 DECEMBER 2005

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 Stanley Pease
Councillor Norman Radley

Councillor Bob Sandall
Councillor Ian Selby
Councillor Ian Stokes
Councillor Frank Turner
Councillor George Waterhouse
Councillor Avril Williams
Councillor Mike Williams

OFFICERS

Head of Planning Policy and Economic
Regeneration
Development Control Services Manager
Assets and Facilities Manager
Principal Planning Officer (North)
Area Planning Officer (South)
Legal Executive
Scrutiny Officer
Trainee Democratic Support Officer

OTHER MEMBERS

Councillor Wilks
1 Member of the local press

The Chairman had agreed to consider agenda item 6 before agenda item 5.

The Committee were advised that this meeting would be Mr. Edward's last with the Authority. On behalf of all members, the Chairman wished him well for the future.

623. APOLOGIES

Apologies for absence were received from Councillors Helyar and Mrs. Percival.

624. DECLARATIONS OF INTEREST

The Development Control Services Manager declared a personal and prejudicial interest in Agenda item 10 because of a potential conflict of interests with his future employer.

625. MINUTES OF MEETING HELD ON 15TH NOVEMBER 2005

The minutes of the meeting held on 15th November 2005 were confirmed as a correct record of the decisions taken.

626. SECTION 106 AGREEMENT - ELSEA PARK BOURNE

Decision:-

To amend the Section 106 Agreement for Elsea Park, Bourne, in consultation with the Chairman and Vice-Chairman of the Committee.

The Head of Planning Policy and Economic Regeneration reported that when permission had been granted, trigger points had been agreed. Following negotiations with Lincolnshire County Council, the agreement would need to be adjusted in regard to school provision. Amendments to timing would also be required for the playing field and changing facility.

14:03 Councillor Turner entered the meeting

627. PRESENTATION ON HIGHWAY ISSUES BY A REPRESENTATIVE OF LINCOLNSHIRE COUNTY COUNCIL

14:05 Councillor Mrs. Jalili entered the meeting

The Chairman welcomed Brian Thompson and Mark Heaton to the meeting. They were representing the Highways Division of Lincolnshire County Council.

Mr. Heaton gave a presentation to the Committee, which included statistics on the number of recommendations made by the County Council and the number of occasions on which that advice had been taken (97%). Of those applications that had been refused on the advice of the Highways department, 14 had gone to appeal, 13 decisions were upheld.

All applications to the County Council were dealt with in 14 days. 91% of those were fully completed, with recommendations, within 14 days.

When determining advice for planning applications, the County Council would consult documents including: the Lincolnshire Design Guild for Residential Areas, DB32 – Places, Streets and Movement, the Highways Act 1980, the Development Guide on Transport and New Development Issues in Lincolnshire, PPG13 and TD documents adapted as Lincolnshire County Council Policy.

Recommendations to refuse applications would be based on inadequate carriageway width and layout; insufficient information; standard visibility requirements; parking issues including insufficient parking within a development; slowing, turning and manoeuvring; intensification of vehicular movements or inadequate access. Recommendations to refuse would constitute an increase in highways issues that would be detrimental to Highway Safety.

Mr. Heaton and Mr. Thompson answered questions put to them by members of the Committee. Members were concerned about advice that seemed inconsistent regarding two developments on Mount Street. Mr. Thompson explained that the development including flats would have a zero impact on traffic density. Further development in that vicinity would create a positive impact on traffic density. All recommendations made by Lincolnshire County Council would need to be defensible on technical grounds, should a decision be appealed against. There was a strong feeling that Members should be given more information on why a recommendation was made. It was suggested that representatives from the Highways Department could be invited to any site visits to discuss recommendations.

The Chairman thanked Mr. Thompson and Mr. Heaton for their attendance at the

Committee and the information provided.

628. ENFORCEMENT ACTION

1. Cancer Research UK, 16 High Street, Stamford

Decision:-

That authority be given for the appropriate enforcement action to be taken with regard to an inappropriate projecting sign and a coloured frontage not befitting to the Stamford Conservation Area and Grade II listed building.

In his report the Development Control Services Manager told members that the site was a retail property, which faced onto the pedestrian walkway along the main high street in the centre of Stamford. The property was a 3-storey, 18th century stone Grade II listed building with a timber shop frontage, within the Stamford Conservation Area.

An application had been made for replacement signage, which was refused as it was considered that the projecting sign was an unsympathetic feature on the Grade II listed building. Despite refusal, the sign had been erected. The shop front had been painted a deep purple. The colour scheme and signage were not deemed sympathetic to the traditional character and appearance of the listed building, nor did they preserve and enhance the Conservation Area. It was accordingly proposed, seconded and agreed that enforcement action be taken.

2. The New Inn, 10 West Street, Folkingham

Decision:-

That authority be given for the appropriate enforcement action to be taken with regard to the use of inappropriate materials for doors and windows on an extension of a Grade II listed building and to the silver metal extractor unit that had been erected.

The Development Control Services Manager advised the Committee that the property, now a pub, was a Grade II listed building within a Conservation Area. The extension, while not listed in its own right, falls within the definition of a listed building by virtue of Section 1 of the Town and Country Planning Act (Listed Buildings and Conservation Areas) Act. As per conditions when planning permission was granted, plans for new doors and windows were submitted to the local authority before commencement of work. Plans showing primed treated softwood as the material for the doors and windows were approved.

A complaint had been received that UPVC doors and windows had been fitted, as had a silver metal odour extractor unit. Following investigation, it was considered that the materials used for the windows and doors have severely compromised the character and appearance of the main building, which is listed. The silver metal extractor unit formed a discordant feature and was considered visibly detrimental to the Conservation Area. It was accordingly proposed, seconded and agreed that enforcement action be taken.

629. PLANNING MATTERS - STRAIGHT FORWARD LIST

Decision:-

To determine applications, or make observations, as listed below:-

SF.1

Application ref: S05/1344/35
Description: First floor extension to dwelling
Location: 135 Barrowby Road, Grantham
Decision: Approved

Subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
2. The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing building.
3. Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995 (or any other revoking or re-enacting that Order, no windows, doors or other openings shall be inserted into the eastern side elevation of the development hereby permitted without the prior consent in writing of the local planning authority.

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. This permission shall not be construed as granting rights to development on, under or over land not in the control of the applicant.
3. The attached planning permission is for development which will involve building up to, or close to, the boundary of the site. Your attention is drawn to the fact that, if you should need access to neighbouring land in another ownership in order to facilitate the construction of the building and its future maintenance, you are advised to obtain permission from the owner of such land for such access before work is commenced.

SF.2

Application ref: S05/1392/12
Description: Construction of communal off-road parking facility
Location: In front of 31-35 St. Pauls Gardens, Bourne
Decision: Approved

Subject to the following condition:

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

SF.3

Application ref: S05/1438/12, 76

Description: Link road and access
Location: Pt OS 2173, South Road, (A15), Bourne
Decision: Deferred pending the final comments of the Highways Authority

Subject to the following condition:

1. No development shall take place upon 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 by the applicant and approved by the District Planning Authority.

630. PLANNING MATTERS - LIST FOR DEBATE

Decision:-

To determine applications, or make observations, as listed below:-

SU.1

Application ref: S03/1669/69
Description: Erection of a hotel
Location: Former Welland Motor Factors Site, North Street, Stamford
Decision: Refused

Noting comments on initial and subsequent revisions from the Historic Buildings Advisor, the Local Highways Authority, the Community Archaeologist, no objection from the Environment Agency, Stamford Town Council, representations received from members of the public as a result of publicity, Stamford Civic Society and submissions received from the applicant, for the following reason:-

It is considered that the design of the proposed development for this important site on the northern edge of Stamford Conservation Area and adjacent to the Grade II* listed Browne's Hospital, particularly the treatment of the front elevation of the hotel, lacks both the visual and architectural quality to provide the enhancement to the appearance of the area which a site of this prominence warrants.

The proposal is considered, therefore, to be contrary to Central Government Planning Policy Guidance contained in PPG15 (Planning and the Historic Environment), PPG21 (Tourism), Policy BE3 of the Lincolnshire Structure Plan (Deposit Draft - April 2004) and Policy C9 of the South Kesteven Local Plan.

SU.2

Application ref: S05/1348/25
Description: Demolition and rebuild workshop, flue stack and change of use to Restaurant (A3)

Location: 23, Bridge Street, Deeping St. James

Decision: Deferred

Noting comments from Deeping St. James Parish Council, no comment from Peterborough City Council, the Council's Environmental Health Department, Welland and Deepings Internal Drainage Board, the Environment Agency, the Community Archaeologist, local highway authority, consultant architect and representations received from members of the public, Development Control Services Manager authorised to determine the application, after consultation with the Chairman and Vice Chairman, subject to clearance from the Environment Agency subject to appropriate conditions.

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.

SU.3

Application ref: S05/CA/6479/25

Description: Demolition of rear workshop in Conservation Area

Location 23, Bridge Street, Deeping St. James

Decision: Approved

Noting the comments of Deeping St. James Parish Council and no comments from Peterborough City Council or the Consultant Architect and representations by members of the public, subject to the following conditions:-

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
2. The building shall not be demolished before a contract for the carrying out of works of redevelopment of the site has been made, and planning permission has been granted for the redevelopment for which the contract provides.

SU.4

Application ref: S05/LB/6470/69

Description: Extension to listed building (retrospective)

Location: 24, St. Leonards Street, Stamford

Decision: Refused with permission for enforcement

Noting comments from the Historic Buildings Advisor, Stamford Civic Society and Stamford Town Council, for the following reason:

It is considered that the single storey lean-to extension to the rear of the application

property constitutes, by reason of its design, size and the unsympathetic materials of which it has been constructed, an inappropriate and intrusive addition and is therefore contrary to Central Government Planning Policy Guidance contained in PPG15 (Planning and the Historic Environment), Policy BE3 of the Lincolnshire Structure Plan (Deposit Draft - April 2004) and Policy C6 of the South Kesteven Local Plan.

SU.5

Application ref: S05/CA/6495/69
Description: Demolition of dwelling in Conservation Area
Location: Blackfriars House, Kings Road, Stamford
Decision: Approved

Noting comments made during the public speaking session from:-

Mr. Amies – 34 Kings Road, Stamford – objecting
Mrs. Matthews – 4 Princes Road, Stamford – objecting
Mrs. Nicol – 1 Princes Road, Stamford – objecting
Mr. Nicol – 1 Princes Road, Stamford – objecting
Mr. Harrison – applicant

Together with comments received from the Historic Buildings Advisor, Stamford Civic Society and Stamford Town Council and representations received from members of the public.

The Legal Executive reminded members of the amendment to the Constitution with regard to the procedure to be adopted in respect of decisions taken against clear advice from the Development Control Services Manager. She advised members of the procedure and reminded them that the Constitution now provided for a recorded vote on the first and subsequent hearings of an application in this category.

Following a formal proposal that the Committee were minded to refuse the application, those voting for or against the proposal are recorded below:-

<u>For</u>	<u>Against</u>	<u>Abstain</u>
Councillor Mrs. Jalili	Councillor Chivers	
Councillor Pease	Councillor Fines	
Councillor Radley	Councillor Howard	
Councillor Sandall	Councillor Kerr	
Councillor Selby	Councillor Parkin	
Councillor Waterhouse	Councillor Stokes	
	Councillor Turner	
	Councillor Mrs. Williams	
	Councillor M. Williams	

The motion was therefore lost.

It was then moved and seconded that the application be approved. On being put to the vote, this proposition was carried and the application was therefore approved subject to the following condition:-

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

15:30 *The meeting adjourned*

15:49 *The meeting recommenced*

NU.1

Application ref: S05/1378/35
Description: Multi-storey car park
Location: Welham Street, Grantham
Decision: Deferred

Noting comments made during the public speaking session from:-

Mrs. R. Allsop – 3 Grove End Road, Grantham – objecting
Mr. A. Clipsham – 3 Grove End Road, Grantham – objecting (presented by Mrs. Allsop)
Mr. D. Johnson – 5 Grove End Road, Grantham – objecting

Together with comments received from the Environment Agency and the Community Archaeologist, comments from the Highways Authority had yet to be received and representations received from members of the public as a result of publicity, Development Control Services Manager authorised to determine the application subject to the omission of 'siting' from the outline proposal and no adverse comments based on the traffic assessment, after consultation with the Chairman and Vice Chairman and subject to appropriate conditions.

NR.1

Application ref: S05/1358/22
Description: Mixed use development (residential, offices, retail, nursery and workshops)
Location: Colsterworth Industrial Estate, Colsterworth
Decision: Deferred

16:48 *Councillors Turner and Pease left the meeting*

Noting comments made during the public speaking session:-

Mr. M. Robson – agent for the applicants

Together with objections from the Parish Council, comments from the Local Highway Authority, EMDA, English Nature, the Environment Agency and no objections from the Community Archaeologist. Also representations received from members of the public as a result of publicity and submissions made by the applicants, Development Control Services Manager authorised to determine the application, after consultation with the

Chairman and Vice Chairman, subject to the preparation of a Section 106 Agreement and the resolution of any Highways issues.

631. INFORMATION RELATING TO DEVELOPMENT CONTROL AND OTHER PLANNING ACTIVITIES.

The Development Control Services Manager submitted his report PLA543 listing details of applications not determined within the eight week time period. Also submitted was a list of applications dealt with under delegated powers and a table showing an update on planning appeals.

EXCLUSION OF THE PUBLIC

IN ACCORDANCE WITH SECTION 100A(4) OF THE LOCAL GOVERNMENT ACT 1972, IT WAS RESOLVED THAT THE PUBLIC BE EXCLUDED FROM THE MEETING BECAUSE OF THE LIKELIHOOD, IN VIEW OF THE NATURE OF THE BUSINESS TO BE TRANSACTED, THAT IF MEMBERS OF THE PUBLIC WERE PRESENT, THERE WOULD BE DISCLOSURE TO THEM OF EXEMPT INFORMATION, AS DEFINED IN PARAGRAPH 12 OF PART 1 OF SCHEDULE 12 A OF THE ACT.

632. PLANNING APPEAL: SO5/0354/55 - ERECTION OF 5 BUNGALOWS, R/O FARBROOKE, MAIN ROAD, LONG BENNINGTON

14:51 The Development Control Services Manager left the room having declared an interest.

Decision:-

That with regard to the pending public enquiry into refusals at R/O Farbrook, Main Road, Long Bennington, authority be given not to defend the impact on drainage reason.

The Principal Planning Officer (North) reminded members of the history to the consideration of applications on the above site. He said that an application for 5 bungalows had been refused. Insufficient information had been available at the time that the decision was made. Authority was required for the removal of the impact on drainage reason as the claim could not be substantiated.

633. CLOSE OF MEETING

The meeting closed at 16:55.