



# MINUTES

## DEVELOPMENT CONTROL COMMITTEE

### TUESDAY, 12 SEPTEMBER 2006

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#### COMMITTEE MEMBERS PRESENT

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

Councillor Stanley Pease  
Councillor Mrs Angeline Percival  
Councillor Mrs Margery Radley  
Councillor Bob Sandall  
Councillor Ian Selby  
Councillor Ian Stokes  
Councillor Frank Turner  
Councillor John Wilks

#### OFFICERS

Principal Planning Officer  
Senior Planning Officer  
Area Planning Officers (2)  
Committee Support Officer  
Legal Executive

#### OTHER MEMBERS

Councillor David Brailsford  
Councillor Elizabeth Channell  
Councillor Mrs Azar Woods

In accordance with Council procedure rule 24. 5, Councillor Channell spoke in connection with application SR1 and Councillor Brailsford spoke in connect with application SU1.

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#### **726. MEMBERSHIP THE CHIEF EXECUTIVE TO NOTIFY THE COMMITTEE OF ANY SUBSTITUTE MEMBERS.**

The Committee was notified by the Chief Executive that he had received a notice under Regulation 13 of the Local Government (Committees and Political Groups) Regulations 1990 and had appointed Councillor Mrs M Radley in place of Councillor N Radley for this meeting only.

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

Councillor Mrs Jalili made a statement indicating that, although she had no personal interest in application SO6/0593/69 – erection of single storey front extension and raising of roof, 13 Fox Dale, Stamford, in view of remarks which had been made by interested persons implying that she had an interest, she would take no part in the voting on this item.

The following interest was noted:-

Councillor Mrs M Radley – personal and prejudicial interest in application NR1, under the Members’ Code of Conduct, and further under the Probity in Planning Code of Guidance, to avoid the impression of predetermination or bias towards the application, in view of her husband’s acquaintanceship with the applicant.

The following interest was declared during the meeting:-

Councillor Exton – personal interest in application SU2, under the Members’ Code of Conduct, and further under the Probity in Planning Code of Guidance, to avoid the impression of predetermination or bias towards the application, in view of the fact that he was acquainted with two of the objectors.

## **728. MINUTES OF MEETING HELD ON 22ND AUGUST 2006**

The minutes of the meeting held on 22<sup>nd</sup> August 2006 were confirmed as a correct record of decisions taken subject to, in minute 722 (SU1), the reference to Mr D Hollins speaking on behalf of the occupier of 15 Fox Dale, Stamford, being amended to indicate that he was speaking on behalf of 17 objectors of Fox Dale, Stamford.

## **729. PLANNING MATTERS: LIST FOR DEBATE**

*Decision:-*

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

*(2.07pm – Councillor Mrs M Radley left the room, having declared an interest)*

### **NR.1**

Application ref: S06/0482/47

Description: Conversion of stables to two dwellings

Location: Little Scotland Farm, Scotland Lane, Ingoldsby

Decision: Deferred

Noting comments made during the public speaking session from:-

David Dodd – objecting

Mrs O’Rourke – objecting

together with comments from the Highway Authority and Community Archaeologist, letters of objection in respect of the original and amended schemes, detailed submissions from the applicants' agent in support of the application, a detailed note of the precedent of previous decisions and a note of the policy considerations, for a site inspection to view the siting and layout of the proposal and the access arrangements.

*(2.27pm – Councillor Mrs M Radley returned to meeting)*

## **SR.1**

Application ref: S06/0779/17

Description: Demolition of existing bridge and formation of new embankments and re-profiling of carriageway

Location: Redundant Railway Bridge (EBO/3), Carlby Road, Carlby

Decision: Minded to refuse

Noting comments from the Highway Authority, representations from nearby residents, Greatford Parish Council and the Lincolnshire Wildlife Trust, submissions in support from the applicants and further representations from Braceborough and Wilsthorpe Parish Council, together with additional information in relation to the structural condition of the bridge and its life expectancy submitted by the agents together with comments from the conservation officer on the historic interest of the bridge.

Following a lengthy discussion it was proposed and seconded that the application be approved. On being put to the vote, this proposition was lost.

It was then proposed and seconded that the committee were minded to refuse the application, as it did not comply with policy EN1 of the South Kesteven Local Plan. The Committee Support Officer reminded members of the procedure which must now be followed, and as set out in the Constitution, where the committee proposed to take a decision against clear advice from the Acting Development Control Services Manager. He reminded members that the Constitution provided for a recorded vote on the first and subsequent hearings of an application in this category.

A recorded vote was then taken as follows:-

### **FOR**

Councillor Howard  
Councillor Mrs Hurst  
Councillor Mrs Jalili  
Councillor Mrs M Radley  
Councillor Sandall  
Councillor Selby

### **AGAINST**

Councillor Fines  
Councillor Kerr  
Councillor Parkin  
Councillor Percival  
Councillor Turner

### **ABSTAIN**

Councillor Exton  
Councillor Stokes

Councillors Chivers and Pease were not eligible to vote, as they had not been present throughout the whole of the discussion on this item. Councillor Wilks was not present for this item.

The proposition was therefore carried.

The Committee Support Officer then reminded members that under the terms of aforementioned amendment to the Constitution those members supporting the decision must, within five days, provide to the Acting Development Control Services Manager the planning reasons for their view and the evidence that supports it. The application would now be placed on the agenda for consideration at the next meeting.

## **SR.2**

Application ref: S06/1010/78

Description: Conversion of garage to playroom and orangery extension

Location: Plot A Adj, Barclay House, Bertie Lane, Uffington

Decision: Approved

Noting comments from the Parish Council, Community Archaeologist and representations from nearby residents.

The proposal is in accordance with national and local policies as set out in planning guidance note PPG15, Policy BE3 of the Lincolnshire Structure Plan and Policy's H6, C9 and EM1 of the South Kesteven Local Plan, and there are no material considerations that indicate against the proposal which is approved subject to the following conditions:-

1. Required to be imposed pursuant to section 91 of the Town and Country Planning Act 1990.
2. To maintain the appearance of the building and in accordance with Policies EN1, C9 and H6 of the South Kesteven Local Plan.

### Note(s) to Applicant

1. Your attention is drawn to the enclosed Planning Guidance Note No 1 entitled 'Archaeology and Your Development'.
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.

## **SU.1**

Application ref: S06/0514/69

Description: Residential development

Location: Former Quarry Farm Brickworks, Little Casterton Road, Stamford

Decision: Deferred

Noting comments made during the public speaking session from:-

Mr J Milliard – objecting

Mrs M Lloyd – objecting

Mr R Woolston – agent for the applicants’

together with comments from the Highway Authority, Environment Agency, Housing Solutions, Leisure and Cultural Services, The East Midlands Regional Assembly, The East Midlands Development Agency (in support), Community Archaeologist, Lincs Police Architectural Liaison Officer, an objection from Stamford Town Council, no objection from English Nature, comments from Rutland County Council, numerous representations from nearby residents and local organisations, including a petition, further representations from local residents on the amended drawing, and confirmation of the Stamford Town Council’s objection, for a site inspection to investigate the roads and accesses to the site and the possible effect on existing nearby development.

*(The meeting adjourned from 3.37pm to 4.00pm)*

## **SU.2**

Application ref: S06/0593/69

Description: Construction of single storey front extension and raising of roof

Location: 13, Fox Dale, Stamford

Decision: Approved

Noting comments from Stamford Town Council, no objection from the Highway Authority, numerous representations from nearby residents, a representation in support and confirmation from the applicant that he requires the application to be determined as submitted, together with further information objecting on behalf of local residents.

It was proposed and seconded that the committee were reminded to refuse the application as it was out of character in this particular area.

The Committee Support Officer reminded members of the procedure which must now be followed, and as set out in the Constitution, where the committee proposed to take a decision against clear advice from the Acting Development Control Services Manager. He reminded members that the

Constitution provided for a recorded vote on the first and subsequent hearings of an application in this category.

A recorded vote was then taken as follows:-

<b><u>FOR</u></b>	<b><u>AGAINST</u></b>	<b><u>ABSTAIN</u></b>
Councillor Sandall Councillor Stokes Councillor Wilks	Councillor Fines Councillor Howard Councillor Kerr Councillor Parkin Councillor Mrs Percival Councillor Mrs M Radley Councillor Turner	Councillor Exton Councillor Mrs Hurst Councillor Mrs Jalili Councillor Selby

Councillors Chivers and Pease were not eligible to vote, as they had not been present throughout the whole of the discussion on this item.

The motion was therefore lost. It was then proposed and seconded that the application be approved, as it was in line with policies and material considerations, and in accordance with national and local policies as set out in planning policy guidance notes and policies H6 and EN1 of the South Kesteven Local Plan, and as the issues relating to overshadowing, loss of light, being out of keeping, affecting the street scene, being dominant and increasing parking problems are material considerations, but subject to the conditions below are not sufficient in this case to indicate against the proposal and to outweigh the policies referred to above:-

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
2. This consent relates to the application as amended by letter and plans received on 2 June 2006.
3. 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.

**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.

**SU.3**

**Application ref:** S06/0851/12

**Description:** Residential development (121 dwellings)

**Location:** Wherry Lane, Off South Road, Bourne

Decision: Deferred

Noting comments made during the public speaking session from:-

Mr G Cudmore – on behalf of Bourne Town Council – objecting

Mrs G Clingo – on behalf of Bourne United Charities – objecting

Mr J Wherry – site owner

Mr B Maynard – agent for the applicants

together with an objection from Bourne Town Council, request to refuse from the Highway Authority, comments from the Environmental Agency, Lincolnshire County Council Footpaths, The Ramblers Association, Lincolnshire Police, Lincolnshire County Council Education, no objection from English Nature, comments from Lincolnshire Wildlife Trust, East Midlands Development Agency, East Midlands Regional Assembly and representations from nearby residents together with detailed submissions in support from the applicants, comments from the Amenities Manager and Bourne United Charities, further comments from Lincolnshire County Council Highways and the Community Archaeologist, a letter in support from solicitors on behalf of the site owners and a letter from the Head Master of the neighbouring Grammar School, deferred to enable a discussions to take place between the developers, Highway Authority and District Council in relation to outstanding issues of planning and access.

### **730. INFORMATION RELATING TO DEVELOPMENT CONTROL AND OTHER PLANNING ACTIVITIES.**

The Acting Development Control Services Manager submitted his report PLA613 listing details of applications not determined within the eight-week time period. Also submitted was a list of applications dealt with under delegated powers.

### **731. CLOSE OF MEETING**

The meeting closed at 4.51pm