



AGENDA

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| For a meeting of the |
| DEVELOPMENT CONTROL COMMITTEE |
| to be held on |
| TUESDAY, 3 OCTOBER 2006 |
| at |
| 2.00 PM |
| in the |
| COUNCIL CHAMBER, COUNCIL OFFICES, ST PETERS HILL, GRANTHAM |
| Duncan Kerr, Chief Executive |

| | |
|----------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Committee Members: | Councillor George Chivers, Councillor Mike Exton, Councillor Brian Fines (Vice-Chairman), Councillor Bryan Helyar, 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 Norman Radley, Councillor Bob Sandall, Councillor Ian Selby, Councillor Ian Stokes, Councillor Frank Turner and Councillor John Wilks |
| Committee Support Officer: | Malcolm Hall Tel: 01476 406118 |

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

- 1. MEMBERSHIP THE CHIEF EXECUTIVE TO NOTIFY THE COMMITTEE OF ANY SUBSTITUTE MEMBERS.**
- 2. APOLOGIES**
- 3. DECLARATIONS OF INTEREST: MEMBERS ARE ASKED TO DECLARE AN INTEREST IN MATTERS FOR CONSIDERATION AT THE MEETING.**
- 4. MINUTES OF MEETING HELD ON 12TH SEPTEMBER 2006**

(Enclosure)

- 5. PLANNING MATTERS:**
To consider applications received for the grant of planning permission – reports prepared by the Area Planning Officers.

- (a) Straight forward list
- (b) List for Debate

(Enclosure)
(Enclosure)

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

Report No PLA616 by the Acting Development Control Services Manager
(Enclosure)

7. ANY OTHER BUSINESS WHICH THE CHAIRMAN, BY REASON OF SPECIAL CIRCUMSTANCES, DECIDES IS URGENT.



MINUTES

DEVELOPMENT CONTROL COMMITTEE

TUESDAY, 12 SEPTEMBER 2006

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.

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 22nd 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:-

| <u>FOR</u> | <u>AGAINST</u> | <u>ABSTAIN</u> |
|-------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------|
| 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

SR.1

Under the provisions of the Council's Constitution this application was deferred from the Development Control Committee on the 12th September 2006 following a resolution to refuse planning permission contrary to the stated recommendation of the Planning Officer.

A recorded vote was taken at the meeting on 12th September 2006 and six members (Councillors Howard, Mrs Hurst, Mrs Jalili, Mrs M Radley, Sandall and Selby) voted in favour of refusal of the application. In accordance with the Council's Constitution these members have been asked to provide, within 5 working days of the meeting their suggested reasons for refusal of the application.

The relevant Members have submitted the following:

"We give notice that we intend to propose refusal on Planning Application SR.1 on the basis of Policy EN1 which seeks protection of existing environment and particularly EN3 that the proposal is not sensitive to the existing landscape."

Planning Officer's comments

Your Officers remain of the opinion that the proposal is sensitive to the existing landscape and that the bridge does not constitute an important feature in that landscape. The proposal is not, therefore, contrary to Policies EN1 and EN3 of the Local Plan.

The Conservation Officer has also advised that the bridge is of little architectural or historic significance and, therefore, no case can be made on conservation grounds for its retention.

The recommendation remains that the development be approved subject to the conditions previously stated.

Agenda Item 5A

SF.1 S06/1124/35

Date Received: 08-Aug-2006

| | |
|-----------------|-------------------------------------------------------------------------------------|
| Applicant | Mr & Mrs P Stokes 44, Stephenson Avenue, Grantham, Grantham, Lincolnshire, NG31 8QB |
| Agent | |
| Proposal | Single storey side and rear extension |
| Location | 44, Stephenson Avenue, Grantham |
| App Type | Full Planning Permission |

RECOMMENDATION: That the development be Approved subject to condition(s)

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.

The reason(s) for the condition(s) is/are:

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 H6 and EN1 of the South Kesteven Local Plan.

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.

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SF.2 S06/LB/6657/65

Date Received: 15-Aug-2006

| | |
|-----------------|----------------------------------------------------------------------------------------|
| Applicant | Mr & Mrs Brown The Manor House, Chapel Hill, Ropsley, Grantham, Lincolnshire, NG33 4BW |
| Agent | |
| Proposal | Amendments to application SK94/LB/4380 for conversion of stable to dwelling |
| Location | The Manor House, Chapel Hill, Ropsley |
| App Type | Listed Building Consent |

RECOMMENDATION: That the development be Approved subject to condition(s)

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

The reason(s) for the condition(s) is/are:

1. Required to be imposed pursuant to section 18 of the Planning (Listed Buildings & Conservation Areas) Act 1990.

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.

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AGENDA ITEM 5B

Development Control Committee

3 October 2006

SR.1 S06/0779/17

Date Received: 25-May-2006

| | |
|-----------|-------------------------------------------------------------------------------------------------------|
| Applicant | BRB (Residuary) Limited 5th Floor, Hudson House, York, YO1 6HP |
| Agent | Jacobs Babbie West Offices, City Business Centre, Station Rise, York, YO1 6HT |
| Proposal | Demolition of existing bridge and formation of new embankments and re-profiling of carriageway |
| Location | Redundant Railway Bridge (EBO/3), Carlby Road, Carlby |

| | |
|-------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <u>Site Details</u> Parish(es) | Carlby C Class Road Demolition of any building - BR1 Radon Area - Protection required Area of special control for adverts EN3 Area of great landscape value Airfield Zone - No consultation required Drainage - Welland and Nene |
|-------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

REPORT

The Site and its Surroundings

The application site is a redundant, three-span, railway bridge of brick construction, on the C class road from Carlby to Greatford. It carries the road over the former Stamford to Bourne line and is only 120m to the east of the junction with the A6121.

The cutting beneath the bridge is overgrown and subject to fly-tipping.

Site History

There is no planning history relating to the bridge subject of this application.

The Proposal

The proposal is to demolish the bridge, form new embankments and re-profile the carriageway so that it is the same level as the road on either side.

The bridge has structural problems, as evidenced by the cracks in the brickwork above the arches and has been subject to monitoring for some time.

Policy Considerations

PPG13 – Transport.

South Kesteven Local Plan

Policy EN1 – Protection and Enhancement of the Environment.

Policy EN3 – Areas of Great Landscape Value.

Statutory Consultations

Local Highway Authority: Requests one condition and Note to Applicant – see below.

Community Archaeologist: Comments awaited.

Parish Council: Comments awaited – notified 7 June 2006.

Representations as a result of Publicity

The application has been advertised in accordance with the Statement of Community Involvement. Letters have been received from the following:

1. P Launders, Spa Halt, Spa Road, Braceborough.
2. Rachael & Richard Barron-Clark, Church View House, Greatford.
3. Greatford Parish Council.
4. Alan & Betty Rose, Ash Lodge, Carlby Road, Greatford.
5. Mike & Pat Smith, 14 Greatford Gardens, Greatford.
6. Dr Ann Henley, 4 Greatford Gardens, Greatford.
7. Lincolnshire Wildlife Trust.

Planning issues raised:

- a) Ownership of land to either side of bridge (P Launders), therefore need to know extent of works on either side. (1)
- b) If bridge unsafe for heavy traffic put weight limit on to prevent use by HGV's. (3)
- c) Attractive addition to the countryside. (2)
- d) Demolition would remove hump in road to detriment of road safety. (3)
- e) Adverse impact on Greatford parish resulting from removal of bridge. Carlby Road is one of principal approach roads to Greatford and already carries considerable volume of HGV traffic using it as a shortcut. Removal would lead to increase in traffic on road already unsuitable. Junction with Stamford Road inadequate for current traffic. Road surface in Greatford not good enough for existing problem, infill arches to retain humped profile. Question findings of Ecological Survey that no protected species present. (1)
- f) Area beneath bridge provides habitat for wildlife. (1)
- g) Proposal will increase traffic and damage to environment of Greatford Conservation Area. (2)
- h) Removal would enable fast moving traffic to approach busy Essendine/Bourne Road even faster with increased risk of collision. (1)

- i) Ecological survey required. (1)

Applicants Submissions

“Jacobs act as Consulting Engineers/Agents for the British Railway Board (Residuary) Ltd, who own a large proportion of the railway structures throughout the country that are associated with redundant railway lines.

EBO/3 is a 3 span brick arch bridge. The abutments, piers, spandrels and parapets are of brick construction.

The side arches show vertical fractures from the quarter points of the arches. This is consistent with the development of hinges within the arch. In addition there are cracks stretching from the middle of each barrel at the springing line from the abutments running longitudinally for approximately 1 metre.

Only a small area of the abutments are visible but it would appear that there has been some degree of settlement indicated by the position of cracking in the arch barrels. The parapets have significant cracking. These cracks are being monitored but there are significant signs of rotation of the parapets with crack widths up to 40mm at coping level.

The structure is in poor condition and has been subject to a 3 monthly monitoring scheme for some time. A feasibility study was undertaken by Jacobs in 2004/5 to consider possible remedial action. The resulting recommended scheme includes the demolition of the bridge superstructure and re-profiling of the existing carriageway to remove the “hump” in the road, forming of new embankments (in the redundant cutting) and erection of timber post and rail fencing (adjacent to the re-profiled section of carriageway) and quick growing Hawthorne hedging.

An Ecological survey was undertaken by the Robert Stebbings Consultancy Ltd to ascertain whether any protected species are present in the vicinity of the structure. The report concludes that there are no specially designated wildlife areas around the structure and no known protected species were present.

A safety audit of the scheme is currently being undertaken by Lincolnshire Road Safety Partnership. A stage 1 (outline) audit has already been completed and there were no comments regarding the scheme in principle.”

Conclusions

The bridge subject of this application displays clear signs of structural defect. It does not benefit from any statutory protection. The former railway line is not covered by any wildlife or nature conservation designation.

A copy of the Ecological Survey referred to in the applicants supporting statement has been submitted and copy forwarded to the parish council.

Copies of the representations referred to highway safety issues have been taken by the representative of the Local Highway Authority.

Summary of Reason(s) for Approval

The proposal is in accordance with national and local policies as set out in Planning Policy Guidance Note PPG13 (Transport) and policies EN1 and EN3 of the South Kesteven Local Plan. There are no material considerations that indicate against the proposal though conditions have been attached.

RECOMMENDATION: That the development be Approved subject to condition(s)

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

Prior to the commencement of the approved development the works to the public highway in conjunction with the re-profiling of the carriageway shall be agreed and certified by the local planning authority.end_number

The reason(s) for the condition(s) is/are:

Start_numberRequired to be imposed pursuant to section 91 of the Town and Country Planning Act 1990.

In the interests of the safety of users of the public highway, in accordance with PPG13 - Transport.end_number

Note(s) to Applicant

Start_numberNo works shall commence on site until a Section 278 Agreement under the Highways Act 1980, has been entered into with the local highway authority (Lincolnshire County Council) for the highway improvement works in conjunction with the road re-profiling.end_number

This application was deferred from the last Committee to enable members to undertake a site visit.

The Highway Authority have made the following additional comments in response to representations on this application:

“In respect of the removal of this bridge and the ‘levelling’ of carriageway alignment would be constructed/designed and approved to the requirements of this (highway) authority and current regulations.

As part of the scheme the authority will look at enhancing the signing and junction arrangements from Calby Road onto the A6121, Stamford Road. The authority is aware of HGV issues in this area, but it would be unreasonable to request refusal of this application”.

The following representations were not included on the agenda for the last meeting:

From Carlby Parish Council:

1. The bridge is of historic interest.
2. Existing hedgerow on either side of bridge is mixed mature native trees and shrubs, which is better for wildlife than just hawthorn, as proposed.
3. Bridge acts as a speed hump for traffic approaching A6121 junction from Greatford.
4. Proposal would have a detrimental effect on the environment of this rural area.
5. Why has speed restriction not been imposed if bridge is structurally unsound?

From members of the public:

1. Clive Osborne, 7 Main Street, Greatford
2. Dr K M Langley, The Grange, Bourne Road, Carlby
3. Mrs L M Webb, 1 Old Bridge Cottage, Greatford
4. Mr G M and Mrs H J Campbell, The Brimbles, Rectory Drive, off Carlby Road, Greatford

Issues raised:

- a) Proposal will add to the problem of HGV's using this route to avoid the HGV ban in Stamford and as a shortcut, rather than following the recommended lorry routes. (4)
- b) HGV traffic is destroying the road surface and edges of the carriageway, despite frequent costly repairs. (2)
- c) Removal and re-profiling will increase speeds on approach to junction with A6121. (3)
- d) This type of bridge is part of character of English roads and Countryside. Should be protected. (2)
- e) Proposal will mitigate against the possibility of old railway being used as a linear park. (1)
- f) Weight limit should be imposed and bridge retained. (2)

This application was deferred from the last meeting for the submission of further information on the structural condition of the bridge and its life expectancy.

The following additional information has been submitted by the Agents:

Thank you for your letter regarding the further deferment of a decision regarding planning permission.

With regard to more detailed information on the structural condition of the bridge, it should be noted that the critical defects were detailed in the "Additional Information" submitted with the planning application.

I have included an extract from the Condition Report issued to our client which basically gives the same details as those given in the "Additional Information".

Construction Type

EBO 3 is a 3 span brick arch bridge with span to rise ratio of approximately 4:1. Little is known about the construction form of the abutment construction; other than that they are constructed from brick. The piers are approximately 2.6m high (above ground level) but nothing is known about the foundations at present. The parapets are of brick construction with a ridged coping-stone and are approximately 1.2m high. All the brickwork appears to be English bond, with the arch barrels being 4 no. rings thick (475mm approx).

Structural Capacity

The actual capacity of the EBO 3 is not known but the bridge is being monitored quarterly for continuing movement.

Summary of Condition

- Arch barrel

The centre arch barrel is in fair condition, however the side arches exhibit some vertical cracking from the quarter points of the arches. This is consistent with the development of hinges within the arch. In addition there are cracks stretching from the middle of each barrel at the springing line from the abutments running longitudinally for approximately 1 metre.

- Abutments

Little of the abutments are visible but it would appear that there has been a certain degree of settlement indicated by the position of cracking in the arch barrels.

- Piers

The piers are not showing any sign of rotation or settlement and as such are in reasonable condition. There does not appear to be any water staining on them or significant open joints.

- Parapets

The parapets have significant cracking particularly 7m in from the west pilasters. These cracks are being monitored but there are significant signs of rotation of the parapets with crack widths up to 40mm at coping level.

- Wingwalls

There are no wingwalls on the structure, instead the ground ramps at a gradient of approximately 1:1.5 down to the former track bed.

- Cause of Defects

The cracking to the side arches, spandrels and parapets above is consistent with the abutments having rotated away from the former railway and suffered settlement relative to the piers.

The defects described in the “Additional Information” and above extract are symptoms of the rotation of the abutments.

The fractures in the parapets and spandrels as well as the deviation in the line of the string course are all due to this movement.

To estimate the expected future life of the bridge is very difficult as it is dependent on the degree of movement of the aforementioned abutments and associated fractures and hinges. The structure has been subject to a 3 monthly monitoring scheme where movement has been recorded at various monitoring points throughout the structure. The results have shown that the movement is continuous but also shows seasonal variation. Due to the varying results and the complexity of arch structures, the expected future life of the bridge cannot be easily determined and it would not be appropriate for Jacobs or BRB (Residuary) Ltd to quote a figure.

BRB (Residuary) Ltd's first priority is to ensure the safety of members of the public using their infrastructure. The design submitted will remove any future risk to the public that this structure poses.

At the last meeting several Members suggested the bridge should be retained for its historic interest. With this in mind, it has been inspected by the Conservation Officer and his conclusions are as follows:

It is basically a 3 arch brick structure, with a tarmac deck and guard walls on either side of the road.

The walls include a smooth plinth and flush gabled brick coping, and coped blue brick pillars at either end. The coursing is alternate headers and stretchers in red brick with occasional blue brick infill. On the outside, there is evidence of more substantial areas of blue brickwork in the arches themselves and on the infill between, but this appears to be very random in nature, with no particular decorative pattern being followed. The only decorative feature appears to be a semi-circular brick string course above the arches, which this may simply serve to define the deck level on the other side.

There is evidence of ongoing spalling in the arches and elsewhere, and potentially serious failure in parts of the walling adjacent to the road. Some repair work has been carried out here, but with no

regard to the appearance of the structure. "Tell tales" are presently in place to measure any current movement, and it is likely to deteriorate further.

This bridge is in my view a simple functional structure of basic design for its purpose. Of its type I would consider it to be of little architectural or historic merit, and it appears to have outlived its purpose.

I do not therefore consider that on conservation grounds, a case can be made for its retention.

Under the provisions of the Council's Constitution this application was deferred from the Development Control Committee on the 12 September 2006 following a resolution to refuse planning permission contrary to the stated recommendation of the Planning Officer.

A recorded vote was taken at the meeting on 12 September 2006 and six members (Cllrs Howard, Mrs Hurst, Mrs Jalili, Mrs M Radley, Sandall and Selby) voted in favour of the refusal of the application. In accordance with the Council's Constitution these members have been asked to provide, within 5 working days of the meeting their suggested reasons for refusal of the application. At the time of writing this report no reasons have been received.

Planning Officer's Comments

Your Officers remain of the opinion that the application should be approved subject to the conditions previously stated.

* * * * *

SU.1 S06/0514/69

Date Received: 06-Apr-2006

| | |
|-----------|-----------------------------------------------------------------------------------------------|
| Applicant | Mr P Doyle, Bloor Homes Stirling House, The Avenue, Cliftonville, Northampton, NN1 5BT |
| Agent | Mr R A Woolston, rg & p The Old School, 346, Loughborough Road, Leicester, LE4 5PJ |
| Proposal | Residential development |
| Location | Former Quarry Farm Brickworks, Little Casterton Road, Stamford |

| | |
|-------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <u>Site Details</u> Parish(es) | Stamford Adj authority - Rutland CC - AA6 C Class Road Radon Area - Protection required Section 106/52 applies on site H2 Housing - Stamford Airfield Zone - No consultation required EA: Adj not waste disposal site - TIP2 Drainage - Welland and Nene Wildlife - g/c newts etc - WL3 |
|-------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

REPORT

The Site and its Surroundings

The 4.92ha application site is the former Williamson Cliff brickworks on Little Casterton Road.

The site has been cleared of buildings.

There are existing residential properties to the south, south-east, south-west and east. To the west are the former brick clay pits with full planning permission for residential development and the north agricultural land in Rutland.

There is a steady fall across the site from north to south.

Site History

The site has outline planning permission for residential development granted on 27 July 2005 (S02/1670/69). The permission was subject to a Section 106 Agreement covering the following:

- i) Affordable Housing – 15% of total numbering the ratio of 60% for rent and 40% shared equity.
- ii) Green Areas – 40 sq.m. per unit POS and 20 sq.m. per unit as play areas. A LEAP within POS £12,000 commuted sum towards future maintenance.
- iii) Highway Contributions. £25,000 towards off-site improvements. £65,000 towards Community Travel Zone.

The Outline approval did not specify a housing density or a maximum number of units.

The Proposal

Reserved Matters approval is sought for a layout comprising 183 dwellings, a mixture of 3, 2 and 1½ storey dwellings. 27 of the units would be Social Housing.

The main point of access to the site would be off Little Casterton Road. The site will connect with the development already approved to the west and ultimately, via a tortuous route to discourage 'rat-running' with Belvoir Close.

The density of development would be 43.3 units per hectare.

The Public Open Space provision would be 0.73 ha.

Policy Considerations

Central Government Policy Statements

PPG3 – Housing 2000

PPG25 – Development and Flood Risk

PPS23 – Planning and Pollution Control

Lincolnshire Structure Plan – Deposit Draft

Policy H2 – Housing on Previously Developed Land

South Kesteven Local Plan

Policy H6 – Residential Development on Unallocated Sites

Policy EN1 – Protection and Enhancement of the Environment

Statutory Consultations

Local Highway Authority: Minor amendments to visibility splays and road surfaces required. Final comments awaited.

Environment Agency:

No objection on Flood Risk.

Objection on contamination grounds pending submission of further information.

Housing Solutions:

Plans indicate that, in-line with the Section 106 Agreement 15% affordable housing will be provided on site. The plans indicate 27 affordable units 'pepper-potted' on site.

Leisure and Cultural Services:

No objection. Play equipment should comply with NPFA recommendations and to BS EN1176/BS. All proposals should have local planning authority's approval prior to provision.

East Midlands Regional Assembly:

Thank you for your consultation dated 13 April 2006. My understanding is that this application is for approval of details following grant of outline consent in July 2005 (ref. S02/1670/69). Therefore, there are no conformity issues of principle arising.

RSS8 Policy 31 promotes conservation of the historic environment and is particularly applicable to historic towns such as Stamford. The efforts the local authority has made in the selection of building materials that are sympathetic to the town's character have achieved significant benefits both on new buildings within the built up framework and on edge of town developments that can be seen from some miles away across the surrounding countryside. This work has strong accord with the above policy. In this context, it may be appropriate to select bricks that are similar to those formerly produced on the site, limestone type dressings and roof tiles that are sympathetic to the Collyweston slates historically used throughout the town and surrounding locality.

East Midlands Development Agency:

Thank you for your letter dated 13 April 2006 requesting the comments of emda on the above planning application. You will have received a copy of the Notification Criteria which emda sent to all local authorities in June 2004. The above application falls under Criterion 1(b):

Residential development comprising of more than 100 dwellings in the Eastern Sub-area.

Significant development of the type proposed is considered to be within the provisions of Article 10(1)(zc)(ii) of the Town and Country Planning (General Development Procedure) (England) (Amendment) Order 2003.

This reserved matters application for residential development comprises a total number of 183 units (140 houses/bungalows and 43 flats/apartments) with associated car parking and landscaping. Outline planning permission for residential development has been granted in July 2005.

The above application is for a part of a brownfield site previously used as a brick manufacturing works. The reclamation and reuse of this site is welcomed as it is in line with targets for re-using previously developed land for housing as set out in the Site Provision and Development Strand of the Regional Economic Strategy (RES) 'Destination 2010'.

We welcome the fact that the Design Statement includes sustainable transport proposals such as a connecting bus route through the site, cycle routes and public footpaths. The location of the site approximately one mile from the town centre of Stamford supports sustainable forms of transport.

Therefore, emda supports this application and recommends approval.

Community Archaeologist: Proposed development does not affect any known archaeological sites.

Lincs Police Architectural Liaison Officer:

1. Lighting to parking areas.
2. Minimum of 1800mm high perimeter fencing.
3. Landscaping to maximum growth height of 1m.
4. 900mm rolled top fence to be erected around the perimeter of each public open space with self-closing gated access.

Stamford Town Council:

- The Planning committee is alarmed at this proposal.
- Although the Committee has been informed that they cannot consider the 'big picture' of the impact of a further development of this size on the town, it is

noted that this proposal is contrary to Policy H2 of the existing Local Plan in that it is a major development sited at the urban edge of the town.

- Moreover, it takes the overall numbers of new houses to close to even above the required numbers in Stamford up to 2021.
- In addition, the Committee believes that the impact of the increased traffic generated, will be detrimental both in the immediate vicinity onto the adjacent already inadequate feeder roads and on the town as a whole.
- The Committee would prefer this development not to occur, but if it does, they would wish to see the road through the site re-configured to make it less usable as a 'rat-run' for those wishing to travel from one part of the town to another, or as an alternative road from west to east or vice-versa.
- The Committee also see a need for community facilities, a hall or centre and play areas to be included.
- The Committee is also not convinced that the drainage survey adequately reflects the actual situation as it is known that areas close and below this site already suffer from flooding in heavy rain.
- Recommend refusal.

English Nature: No objection.

Rutland County Council: Concerns about traffic generation onto Little Casterton Road and through the village of Little Casterton.

Representations as a result of publicity

The application has been advertised in accordance with statutory requirements and the Statement of Community Involvement the closing date for representations being 19 May 2006.

Representations have been received from the following:

1. M Challis, 1 Elton Close, Stamford.
2. Mr M N Christie, 1 Eshton, Wynyard Woods, Wynyard Estate, Teesside.
3. E Taylor, 1 Gainsborough Road, Stamford.
4. Garry Smith, 1 Haddon Road, Stamford.
5. R & V Crossley, 12 Haddon Road, Stamford.
6. S Rawnsley, 13 Elton Close, Stamford.
7. A Denness, 14 Haddon Road, Stamford.
8. C D & B M Potter, 15 Chatsworth Road, Stamford.
9. Gail Burnham, 16 Elton Close, Stamford.
10. Stamford Civic Society, 17 Ermine Rise, Great Casterton.
11. Mr K A Edwards, 18 Haddon Road, Stamford.
12. Mr & Mrs A S Leonard, 2 Haddon Road.

13. Jane Bateman, 20 Ancaster Road.
14. Mrs I Haynes, 20 Haddon Road.
15. S & J Puttrich, 24 Elgar Way.
16. Rev Mrs M E Lloyd, 29 Elgar Way.
17. Mrs A M Gibbs, 3 Elton Close.
18. T M Johnson, 33 Elgar Way.
19. Keith Hansell, 40 Waverley Gardens.
20. Mr & Mrs J Goff, 43 Waverley Gardens.
21. Mr M E Allman, 45 Little Casterton Road.
22. Mr E Wright, 47 Little Casterton Road.
23. Mr P K Jarvis, 49 Little Casterton Road.
24. Mr & Mrs M Griggs, 5 Elton Close.
25. M & P Callow, 5 Gainsborough Road.
26. Mr N Liu, 5 Haddon Road.
27. Miss A Holwell, 55 Little Casterton Road.
28. Mrs E Broom, 6 Haddon Road.
29. Mr A M Christie, 6 Ravel Close.
30. John Milliard, 6 Waverley Gardens.
31. K Wallace, 7 Elton Close.
32. Mr & Mrs J Owen, 8 Elton Close.
33. L & P Brown, 8 Haddon Road.
34. B & D Carter, 9 Elton Close.

The issues raised are:

- a) Surrounding road network cannot cope with existing levels of traffic. (20)
- b) Increased flooding at junction of Waverley Gardens and Little Casterton Road. (1)
- c) Shops should be provided in development site. (3)
- d) Design out of character with existing properties. (4)
- e) Visually intrusive development. (1)
- f) Overlooking and loss of privacy. (13)
- g) Inadequate infrastructure for scale of development proposed. (5)
- h) Social considerations, police, medical, education. (1)
- i) Density too high. (9)
- j) Loss of privacy and sunlight from three storey units close to boundaries with existing properties. (12)
- k) Inadequate parking for three storey units. (4)
- l) Environmental hazard due to 'hotspots' needing special treatment and producing toxic dust. (2)

- m) Established trees on the boundary may be uprooted to accommodate new buildings. (1)
- n) Location of affordable housing contrary to government policy on social inclusion. (1)
- o) Three storey units out of context with other buildings in the area. (3)
- p) Unreasonable area of public open space. (1)
- q) Multiple-occupancy dwellings should not be allowed. (1)
- r) Nursery/primary school facilities should be provided within site. (1)
- s) Will create a dominant and oppressive environment. (6)
- t) Increase noise and disturbance. (6)
- u) Inadequate off-street parking provision. (6)
- v) Layout plan omits mature trees to rear of 18 Haddon Road. (1)
- w) Design of three storey units not in-keeping with remainder of proposals. (3)
- x) Insufficient medical and educational facilities in town to cater for proposed development. (6)
- y) concern at noise and disturbance during development period. (1)
- z) Development will increase on-street parking on Little Casterton Road affecting road safety. (1)
- aa) Object to access off Little Casterton Road. (2)
- bb) Buildings in close proximity to boundary will affect future growth of trees. (1)
- cc) Layout plan does not show trees on nos. 10, 12, 14 and 16 Haddon Road that are a haven for wildlife. (1)
- dd) Design of three storey units unsafe as they only have one entrance/exit. (1)
- ee) Overcrowded development difficult to access for emergency vehicles. (4)
- ff) Loss of trees will affect wildlife habitat. (3)
- gg) Any guarantee that drainage will be adequate and not flood adjoining properties. (2)
- hh) Telecommunications mast adjacent to northern site boundary. Is it safe to locate houses next to it? (1)

- ii) Site should be used to put in place first stage of a ring road or developers should be required to contribute to future provision of such a road. (1)
- jj) Access opposite 49 Little Casterton Road will make it difficult to enter and exit that property. (1)

In addition to the above, a petition with 33 signatures of local residents has been received objecting to the development on the following grounds:

- a) Dominant and oppressive environment created by the proposal especially when viewed in conjunction with additional housing development plans proposed for the area.
- b) Highway safety and traffic impact.
- c) Visually intrusive.
- d) Will result in excessive noise or smell nuisance.
- e) Overlooking and loss of privacy in some instances.
- f) Environmental issues. Drainage to mature trees.
- g) Insufficient notices posted in area. No notices put up in areas most affected.

Planning Panel Comments

To be determined by Committee.

Conclusions

The majority of the objections relate to impact of the proposed development on the surrounding road network and the positioning of the three storey units in relation to existing properties.

The Highway Authority have not taken issue with the traffic likely to be generated by the proposed number of dwellings and improvements to the Scotgate and Casterton Road junctions will have to be undertaken before the development commences.

Rutland County Council are currently considering an application for the relocation of the telecom mast some 500m to the north-east, further into Rutland, of its current position adjacent to the application site.

The applicants are reconsidering parts of the layout where overlooking is a concern. At the time of writing an amended layout is awaited.

The objection by the Environment Agency on contamination grounds is a holding objection. This is likely to be lifted when further information has been submitted addressing their concerns. Again, at the time of writing this report, the additional information is awaited.

Subject to the receipt of satisfactory amendments and further information on contamination, it is considered that the development as proposed conforms to both national planning guidance and the current development plan and, subject to the imposition of relevant conditions, forms an acceptable development.

RECOMMENDATION: That the development be Approved subject to condition(s)

1. This consent relates to the application as amended by drawing nos. 6412/005 Rev H, 6412/009 Rev C, 6412.010 Rev, 6412/011 Rev B, 6412/012 Rev C and 6412/013 Rev B received on 25 August 2006.
2. 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.
3. No dwellings (or other development as specified) shall be commenced before the first 60 metres of the estate road from its junction with the public highway, including visibility splays, as shown on drawing 6412/005 Rev H received on 25 August 2006 has been completed.
4. Before any dwelling is commenced, all of that part of the estate road and associated footways that forms the junction with the main road and which will be constructed within the limits of the existing highway, shall be laid out and constructed to finished surface levels in accordance with details to be submitted to and approved by the Local Planning Authority.
5. Prior to any works commencing on site, a written report demonstrating that the proposed measures to remediate identified land contamination have been successful should be submitted and approved in writing by the local planning authority.
6. Development shall proceed fully in accordance with the mitigation measures (e.g. finished floor levels) set out in the approved Flood Risk Assessment, and the applicant shall confirm completion of the approved scheme within one month thereafter.

The reason(s) for the condition(s) is/are:

1. For the avoidance of doubt.
2. To allow vehicles to enter and leave the highway in a forward gear in the interests of highway safety, and in accordance with PPG13.
3. In the interests of safety of the users of the public highway and the safety of the users of the site, and in accordance with PPG13.
4. In the interests of safety of the users of the public highway and the safety of the users of the site, and in accordance with PPG13.
5. To prevent contamination of controlled waters as a result of development in accordance with PPG23.

6. To reduce the risk and impact of flooding in accordance with PPG25.

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.

This application was deferred from the 25 July meeting to allow time for re-consultation on the amended plans received on 25 July 2006.

Representations on the amended drawings submitted on the 25 July were received from the following:

1. James Brown, 31 Elgar Way.
2. M E Lloyd, 29 Elgar Way.
3. Mr E Wright, 47 Little Casterton Road.
4. Simon Osborne, 16 Ravel Close.
5. D E Carter, 9 Elton Close.
6. Mr P K Jarvis, 49 Little Casterton Road.
7. E Taylor, 1 Gainsborough Road.
8. Mr K A Edwards, 18 Haddon Road.
9. Jane Bateman, 20 Ancaster Road.
10. Malcolm and Pat Callow, 5 Gainsborough Road.
11. Miss Ann Howell, 55 Little Casterton Road.
12. Malcolm Allman, 45 Little Casterton Road.
13. A Denness, 14 Haddon Road.

The issues raised are:

- a) Original report does not properly reflect object (Mr E Wright, 47 Little Casterton Road) – Main entrance to the estate should be opposite Cambridge Road, not opposite 49 Little Casterton Road, as planned. Of three possible options, to have it opposite Cambridge Road is the safest, opposite no. 49 is the most dangerous, and opposite Fitzwilliam Road is less so. (1)
- b) Amendments do not change in impact on 14 Haddon Road – loss of light and oppressive environment. (1)
- c) Lack of employment opportunities locally for residents of proposed dwellings. (1)
- d) Proposed access in dangerous location. Should be opposite Cambridge Road with a roundabout. (2)
- e) Lack of serves in this part of town – will encourage use of motor car. (1)
- f) Insufficient off-street parking for proposed dwellings. (1)
- g) Little Casterton Road and adjoining roads already congested with traffic. (4)

- h) Density still too high. (2)
- i) Concern at the effect on Stamford as a whole. (1)
- j) Dwellings on plots 55-59 and 104-107 are out of character with existing developments. (1)
- k) Mature trees to rear of 18 Haddon Road not shown on layout. (1)
- l) Loss of privacy, sunlight and creation of oppressive environment by proposed dwellings to rear of no. 18 Haddon Road. (1)
- m) Amendments to not address loss of privacy to 1 Gainsborough Road from overlooking from dwellings on Little Casterton Road frontage. (1)
- n) Three storey flats still in same location. (1)

The Town Council commented as follows:

“The Committee’s previous comments dated 3 May 2006 still apply – recommend refusal.”
Further amended plans have now been received and these show the three storey apartment block moved away from the south-east corner of the site, where there were issues in respect of its relationship to existing residential properties, to the north-west.

Other amendments to the original layout are 2½ storey houses on the southern boundary where previously 3 storeys were proposed.

As a result of the amendments, the overall number of houses proposed has been reduced by one, from 183 to 182.

Since the application last appeared on an Agenda, the Highway Authority has confirmed acceptance of the layout and the Environment Agency have withdrawn their objection.

In response to the comments made on the position of the access to the site off Little Casterton Road, the Highway Authority have made the following comments:

1. *The Authority have recently been removing mini-roundabouts due to the number of incidents at them. They also do not assist in pedestrian safety which must be borne in mind, especially in a residential area.*
2. The access arrangements were agreed at outline stage and was designed in accordance with current standards and adopted policies, taking into consideration the road network and internal road network. It is a Distributor Road leading to Belvoir Close.

Summary of Reasons for Approval

See above.

This application was deferred from the last meeting for Members to undertake a site visit.

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SU.2 S06/0851/12

Date Received: 12-Jun-2006

| | |
|-----------------|----------------------------------------------------------------------------------------------------------|
| Applicant | Stamford Homes Ltd Ashurst, Southgate Park, Bakewell Road, Orton Southgate, Peterborough, PE2 6YS |
| Agent | |
| Proposal | Residential development (121 dwellings) |
| Location | Wherry Lane, Off, South Road, Bourne |

| | |
|------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Site Details Parish(es) | Bourne Site adjoins Conservation Area Public footpath crosses site - FP1 Public footpath adjoins site A Class Road Demolition of any building - BR1 Adjacent Listed Building Site of wildlife interest - WL1 Drainage - Welland and Nene EA: Development exceeding 1ha - EA6 |
|------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

REPORT

The Site and its Surroundings

The application site is located on the west side of South Road, Bourne and is currently occupied by Wherry's industrial premises, a children's day nursery and a children's play centre. The site is adjacent to residential properties to the south, some open agricultural land to the southwest and west, the listed building of Red Hall to the north along with the fire station premises and a builders yard.

The application site measures 2.46 hectares and is long and narrow in shape, the southern end of which passes under 2 sets of overhead power cables and is adjacent to 2 public footpaths. The site is level and benefits from very dense boundary landscaping on most of its boundaries.

The site adjoins the conservation area and is very close to the town centre when compared to the majority of other new-build development within the town and, from its access point onto South Road is within 460m of the Market Place area. The application site is, in residential terms, a very sustainable area and its redevelopment would clearly be 'brownfield' in character.

Site History

There is a mixed planning history to the entire site but the applications related to extensions to premises, changes of use and advertisements, all linked into the existing uses of the buildings on the land.

Application S06/0092/12 sought planning permission for the erection of 121 dwellings on the site. This application was discussed at the Development Control Committee on 2 occasions in April of this year and, whilst positively encouraged in planning terms, was refused planning permission on 25 April 2006. Members will be aware that the refusal was based entirely on highway related issues, primarily concerning the access from the site onto South Road. The reason for refusal was as follows:

1. Visibility both north and south from the proposed point of access is substantially below requirements due to the existing carriageway alignment. The junction arrangements proposed does not comply with current standards. It is considered that vehicles entering or emerging from this proposed access will be in conflict with traffic travelling on the A15, a County Class 1 Road, contrary to the interests of highway safety.

The applicants have lodged an appeal against this refusal which, although early days, is currently being considered by the Planning Inspectorate. A date for the Hearing has not yet been set.

The Proposal

In an attempt to address the previous reason for refusal the applicants are now proposing an alternative type of access into the site, allowing for a traffic light controlled junction onto South Road.

Within the site 121 dwellings are proposed, allowing for a mix of development across the site providing detached dwellings, semi's, terraced rows and grouped units of apartments. The range of house types proposed would allow for different dwelling sizes and the provision of affordable housing (Section 106 Agreement).

A central spine road would run the entire length of the site to serve the dwellings. In places 'courtyard' areas and pinch-points would be provided to reduce traffic speeds and to add to the visual interest when travelling through the site. In addition to this areas to the edges of the public highway would be landscaped/tree planted to aid the visual amenity within the site.

On entering the site the existing site access to the builders yard premises to the north would be retained. The road would then feed into a courtyard area, from which a secondary (legal) access would be retained to the rear of the builders yard. The site then

opens up in width and would allow for a 3-storey range of apartments to the north of the road and mixed dwellings to the south. The apartments would be site to the east of the children's nursery, which is to remain, and to the south east of the Red Hall, a grade II* listed building. Car parking for the nursery would be provided to the west of the building as opposed to the east where it currently exists.

The access road then meanders through the remainder of the site, terminating in the main area of open space at the southern end of the site.

The site boundaries are well landscaped and the dense Leylandii screen hedge along the southern boundary is within the application site, and is shown to be removed as part of the development. Other mature trees within the site are to be retained where possible, as shown on the submitted layout plan.

At 121 dwellings the density of the site (2.46ha) equates to 49 dwellings per hectare. This is the upper end of the suggested densities in PPG3 but, as the site is within an urban area and is in close proximity to the town centre, is not considered to be an issue in this instance.

Members will recall that concern was raised when considering the previous application in relation to the provision of the modern 3-storey apartment building in such close proximity to Red Hall. The buildings were originally only 20m apart but submitted amended details showed a re-plan of the apartment buildings to site them further away from Red Hall to reduce any issues of impact on the setting of this grade II* listed building. This amended siting has been retained as part of this application and it is considered that there will be no detrimental impact on the adjacent listed building.

Members may also recall that discussions were underway with the applicants during the consideration of the previous application in order to ensure that sufficient public open space was provided either within the site or that contributions were made for the upgrade of nearby areas of public open space. The current applications confirms that 3246m² of POS can be provided within the site. Confirmation has also been given that the applicants are happy to make a financial contribution to the upgrade of POS within the vicinity, of an equivalent amount to account for the shortfall of 1594m². This approach is considered to be acceptable and would form part of a Section 106 Agreement should planning permission be forthcoming.

Policy Considerations

National Policy

PPG3 – Housing – Seeks to ensure the development of brownfield sites in sustainable locations, a good mix of house types, sizes and style and advises of development densities of between 30 and 50 per hectare.

PPG3 – Transport – Is mainly focussed on traffic movements and the need to provide sustainable development with good transport links in order to reduce the need to travel by car.

Lincolnshire Structure Plan

Policy S2 – Location of Development – The development would be in accordance with this policy as the site is within the urban area and is well served by public transport and local facilities.

Policy M6 – Traffic Management and Calming – States that provision shall be made to introduce traffic management where such a scheme would promote road safety.

Policy H2 – Housing on Previously Developed Land – Seeks the provision of a percentage of new housing on previously developed land.

Policy H3 – Density of New Housing Development – Seeks a density of new housing development to achieve an average of 30 dwellings per hectare. The development of this urban site would achieve just fewer than 50 dwellings to the hectare.

South Kesteven Local Plan

Policy H6 – Housing - Allows for development that (inter alia) has no resultant impact on the form, character and appearance of the settlement. A residential development on this site would not be harmful to the character and appearance of this part of Bourne and seeks to replace centrally located industry and business uses with residential properties. In visual terms the scheme could vastly improve the character of the area.

Policy EN1 – Protection and Enhancement of the Environment – Allows for development that (inter alia) reflects the general character of the area through layout, siting, design and materials.

Policy REC4 – Open Space Provision – Seeks a minimum standard of 40m² of public open space (POS) per dwelling on developments of over 100 dwellings – or 4840m² for this application. As referred to above a total area of just under 3246m² of public open space (POS) is to be provided within the scheme the remainder of which will be off-set with a financial contribution towards the upkeep of nearby areas of POS.

Policy C5 – Conservation – Allows for developments that are not deemed to be detrimental to the setting of a listed building. The buildings would be well distanced from Red Hall and existing landscaping along the boundary would aid in screening the development and reduce any issues of impact on the setting of this grade II* listed building.

Urban Capacity Study – The consultation document for the urban capacity study highlighted a possible development of 60 dwellings on this site. The formal document of December 2005 suggested a figure of 75 dwellings on the site (at a medium PPG3 density of 40 dwellings per hectare) based on only 80% of the site being developable. This figure would be closer to 100 if 100% of the site were to be developed. At the higher density of 50 dwellings per hectare the current figure of 121 dwellings would be accurate. Bearing in mind the UCS is an advisory document the proposal is not deemed to be contrary to the advice contained therein.

Planning Gain

A Section 106 Agreement is required for this proposal to ensure the provision of affordable housing (at 31%), the provision and future maintenance of a sufficient area of public open

space and a commuted sum for an Educational Contribution to Lincolnshire County Council.

In addition to the above, a further planning gain from the residential development of the site is the removal of un-fettered industrial use of the majority of the site. A residential usage in this location is far better in neighbourly terms than the existing uses of the land.

Statutory Consultations

Bourne Town Council:

Objection

Bourne Town Council believes that this proposal is contrary to Government Planning Policy (RPG8)

The proposal is out of keeping with the historic character of the area.

Development in such close proximity to the Red Hall, early 17th mansion in red brick and Conservation Area would be damaging to a Grade II Listed Building and Conservation Area. The proposed development would destroy a substantial Greenfield site on this land and would have a detrimental impact on wildlife.

Highways safety and traffic impact: The development's proposed access of the A15 is located very closely to a narrow S-bend. An increase in traffic moving along an already busy and narrow 'A' road, particularly at peak times is likely to be detrimental to highway safety.

The proposal of 121 dwellings is clear over-development of the site and would create an oppressive and dominant environment.

Bourne Civic Society: Comments awaited.

Local Highway Authority: Request the refusal of the planning application for the following reasons:

The junction arrangement proposed onto the A15, a County Class 1 Road is below requirements in respect of design and layout configuration. The arrangement proposed does not comply with current standards. It is considered that vehicles entering or emerging from this proposed access will be in conflict with traffic travelling on the A15, a County Class 1 Road, contrary to the interests of highway safety.

Community Archaeologist: No comments made.

Environment Agency: Notwithstanding that a Flood Risk Assessment was submitted with the proposal an objection is still raised until additional information is provided.

Lincolnshire County Council Footpaths: The definitive line and customary width of the footpath will not be affected by any proposed development.

The Ramblers Association: The development will not affect the public right of way.

Lincolnshire Police: Note to the applicant concerning the lighting, landscaping and boundary details. A condition can be imposed relating to the lighting for areas of shared car parking.

Lincolnshire County Council Education: Request and educational contribution (via a S.106) of £390.495.

English Nature: No objection subject to a condition on any approval relating to nesting birds.

Lincolnshire Wildlife Trust: No objection subject to a condition on any approval relating to nesting bats or birds.

East Midland Development Agency: Already commented on this proposal in a letter to your Council dated 14th February 2006. We do not wish to make any additional comments on this occasion.

East Midlands Regional Assembly:

This new application falls within the East Midlands conformity criteria. Point 3 in my letter of 2.3.06 still applies. It may be judged that the development affects the setting of a 11* listed building, in which case, English Heritage would need to be consulted. There does not appear to be provision made, particularly in the communal dwellings, for the provision of facilities for the segregated storage, aggregation and collection of wastes for composting and recycling. I refer you to the Regional Waste Strategy, Policy RWS 7 regarding the existing buildings and hard surfaces etc. The S106 agreement could include consideration of upgrading the legal status, width and surface of the footpath to provide safe, segregated access to local facilities. You may also wish to investigate with the highway authority the adaptation of the wide verges/footpaths and environmental enhancements on South Road to provide footpath/cycleway links to local facilities and the town centre with associated resource implications. The earlier observations regarding the incorporation of high-energy efficiency standards and potential for local CHP schemes still stand.

Representations as a Result of Publicity

The application has been advertised in accordance with established procedures and representations have been received from the following:

1. Mrs Harwood, 64 Southfields
2. N Hydes, 85 Northorpe Lane, Thurlby
- 3.....J Ropson, 7 Broadway Close
4. J Carvath, 12 Southfields
5. I Morley, 10 Station Avenue, South Witham
6. Stansgate Planning Consultants, on behalf of Bourne United Charities
7. A & M Smith, Ashbrook House, 23a South Street
8. I Robinson, 30 Southfields
9. M Williamson, c/o Jewsons
10. D Main, 10 Southfields

The following issues were raised:

- a) Hazardous access onto South Road, danger to pedestrians and vehicles.
- b) Previous comments on S06/0092/12 still apply.
- c) Inappropriate location.
- d) Density is too high – higher than Urban Capacity Study.
- e) Impact on the listed building of Red Hall.
- f) Pressure on infrastructure, school places etc.
- g) Drastic increase in vehicles onto South Road.
- h) Loss of trees will open up site and result in a loss of privacy.
- i) Damage to boundaries and adjacent gardens.
- j) Footpaths should remain un-diverted and open.
- k) Conflict with vehicles using the Jewsons entrances.
- l) Development contrary to PPG3 and PPG25.
- m) Impact on the Conservation Area.
- n) Flooding issues have not been addressed.

- o) Overlooking and loss of privacy.

Planning Panel Comments

11 July 2006 – The application be determined by the Development Control Committee.

Applicants Submissions

As part of the planning application the applicant's have submitted a Flood Risk Assessment (surface water run-off), which has been assessed by the relevant body (see above) and has been found to lack sufficient information for any formal clearance to be given. In addition to this the applicants have provided an Ecological Assessment, Design Statement, open space calculations, Transport Assessment, a Geo-Environment Investigation report, a preliminary Section 106 Agreement and large-scale details of the proposed access onto South Road.

Additionally on 7th August 2006 a comprehensive report from the Applicant's Highway Engineers was received highlighting the potential options for vehicular access into the site. This included provision for the retention of the existing junction, the provision of a right turn ghost island, the provision of a mini roundabout or the provision of a traffic signalised junction. A full copy of this report is included as an Appendix to this Agenda.

The Highway Authority have been asked to comment on this report and their views have been requested prior to the Development Control Committee.

In addition to this the following information was received from the applicants on 8 August 2006:

'You will have received a report from Faber Maunsell, our highway consultant, on the various options proposed so far. As you will see, from the reports attached all the solutions are practical but the simple T-junction is still the best option. We have carried out a speed survey and demonstrated the actual speeds are below 30mph (23 and 28 mph) and therefore the visibility is adequate.

We have sought the opinion of another consultant on the approach taken by both Faber Maunsell and Lincolnshire Highways and he concurs with the conclusion that the T junction is the best solution, and that LCC's approach of absolute compliance with standards is untenable and not what the guidance is for. (Hurlstone Partnership letter attached).

To be absolutely sure of our position, we have also consulted TRL, the consultants used by government to formulate standards. Their comments are (submitted to the LPA) accord with the others.'

Other Issues

Key Issues – The key issues for members to consider in the determination of this application are as follows:

1. Access issues and highway safety at the point of access onto South Road
2. Issues of potential flooding due to the increase in surface water on the site.
3. Potential loss of privacy and overlooking.
4. Density.
5. Loss of landscaping and loss of the strong boundary hedges.
6. Impact of the development on the adjacent listed building of Red Hall.
7. Acceptability of 3-storey development within the site.
8. The provision of adequate public open space.

Policy Analysis – The policies that are relevant to this application are listed in the policy section above.

Conclusions

The redevelopment of this site represents a brownfield development, within a sustainable location close to the town centre of Bourne. National planning policies contained in PPG3 are therefore met in this instance.

The site is currently occupied with unrestricted industrial premises, a day nursery and a children's activity centre. The potential 'bad neighbour' use of the site would be removed if planning permission was forthcoming – arguably creating a better residential environment for the adjoining residents to the south. In planning terms the proposal represents a good re-use of the land, in a sustainable location, close to the town centre.

The Highway Authority maintain the opinion that a traffic light controlled junction onto South Road would not be appropriate in this location and would be contrary to the interests of highway safety.

RECOMMENDATION: That the development be Refused for the following reason(s)

1. The junction arrangement proposed onto the A15, a County Class 1 road, is below requirements in respect of design and layout configuration. The arrangement proposed does not comply with current standards. It is considered that vehicles entering or emerging from this proposed access will be in conflict with traffic travelling on the A15 contrary to the interests of highway safety.

This application was deferred from the Development Control Committee on 22 August 2006 to enable Members to have the following information.

Speakers: Mrs G Clingo - against
Mr Wherry & Mr B Maynard

Letter to Councillors:

Lincs Standards are only guidance and do not take into account prevailing conditions and safety benefits of the scheme. These benefits are:

- HGV's associated with Wherry's will cease;
- Unrestricted HGV use at the site;
- Remove conflict HGV's and vehicles using playbarn and nursery;
- Significantly improve pedestrian safety by providing a route from the school to the town avoiding the bends.

SKDC Amenities Manager:

Shortfall of POS can be addressed through compensation measures. A LEAP + LAP will be required.

Bourne United Charities:

Highways

The assessment predicts that the residential development would generate peak morning flows of 66 traffic movements and peak evening flows of 70 movements. However, these figures are substantially below predicted trip generation rates provided by TRICS. For a development of 121 dwellings, this predicts that the total weekday traffic movements could be between 8-10 trips per household. Therefore the total traffic movements generated by the site could be between approximately 968 to 1210 trips per day. The peak hour between 1700-1800 hours could generate an inbound flow of 12 per cent of this figure and outbound flow of 6 per cent. The total peak evening flow of traffic movements could therefore be approximately 218 trips.

Impact on the Red Hall

Despite the amendments to the proposed flats adjacent to the Red Hall, this does not mitigate for the adverse impact it has on this building. The scheme will have a detrimental impact on the character, appearance and setting of the Listed Building for the following reasons:

- ☐ The scheme proposes apartments near to the boundary with the Red Hall;
- ☐ These are inappropriate in terms of their location, size and scale;
- ☐ The scale, size and position of the proposed building will cause an overbearing and claustrophobic relationship with the adjacent Listed building;
- ☐ The excessive height and location of the apartments detract from the setting of the adjacent listed building.

Whilst in general that it is better that old buildings are not set apart, but are woven into the fabric of the living and working community it specifically warns that new buildings should be carefully designed to respect their setting, following fundamental architectural principles of scale, height, massing and alignment, and use appropriate materials.

Character of the area

With over 60 dwellings per hectare the scheme is cramped and contrived and represents a gross over-development. The proposed development does not respect or integrate with its surroundings on this edge of town location. Furthermore, the proposals fail to preserve or enhance the character and appearance of the Conservation Area or the setting of the Listed Buildings.

This would create a very hard urban edge detrimental to the setting of the Conservation Area and to the amenities of users of the nearby public amenity areas and rights of way.

Lincolnshire County Council Highways:

I refer to the executive summary dated 7 August 2006 and plans regarding various access proposals for the above named site.

The comments made by yourself are noted, however taking each of your proposals in turn I would comment as follows.

Existing Junction Layout

The visibility splays quoted and the document referred to Places, Streets and Movement for the design of internal residential road and footpath layouts, not for access onto a County Class I Road, the A15. The document to be used is TD42/95 this is a policy of this Council as local highway authority and as such 90m splays are required as previously stated.

Right Turn Ghost Island

TD42/95 is the correct document to be used in this instance but as previously stated to yourself traffic flows will rise from 856 trips per day at present to 1149 from the proposed new development, a 25% increase in traffic (data taken from your own Transport Assessment). A high percentage of these movements will occur during either morning or evening peak, hence creating a right turn vehicle hazard at these times which does not exist at present. Due to the above a ghost island right turn lane would be required, but from the designs so far produced this scheme cannot be accommodated within land under your clients control or existing highway limits.

Mini Roundabout

The design put forward does not comply with this authority's standards and once again you are quoting a document which is incorrect to use for this type of road and hence would be detrimental to highway safety. Once again you have failed to take into account the change in traffic flow patterns and the disruption of a roundabout in this location.

Traffic Signals

The scheme put forward as you are aware once again does not comply with policy standards adopted by this authority.

Whilst some of your proposals do have some benefits the overall impact on the highway network is negative and hence considered by this authority to be detrimental to highway safety, especially where adopted policy standards for design cannot be achieved.

Community Archaeologist: Condition re scheme of works.

Letters of Support

Mrs Parker: Will stop lorry noise at 4am, reduce dust and remove high conifers.

Adrian Christmas Solicitors (on behalf of Wherry & Sons):

1. It is a brownfield site.
2. The current mixed use does not sit comfortably with the residential areas to the south. The factory creates noise and dust pollution.
3. Having a play school in the middle of an industrial site is not an ideal environment for the children.
4. By building houses nearer the town centre, this should encourage pedestrian traffic into the town centre, thus encouraging local trade. This should also impact on the future redevelopment plans for the North Street/Burghley Street area.

5. Your Council has already approved plans to redevelop the Hereward centre at Cherryholt Road, to cater for Lets Play and other leisure activities. It makes sense to have all the leisure activities in one place. This site would no longer need to cater for the traffic that goes to the existing Lets Play building.
6. A residential development will remove the heavy goods traffic to the existing factory.
7. By opening up the site for housing, it will improve visual impact for the Well-head Fields, another environmental advantage.
8. Back in 1999 The Bourne Town Centre Management Partnership commissioned a Town Centre Action Plan, which we believe has been adopted. Great emphasis was placed on "townscape". The existing buildings on the Wherry site detract from that plan. Redeveloping this part of Bourne would appear to fit in with the objects of the Action Plan and should enhance the approach to the town centre from the south.

Headmaster of Bourne Grammar School: Understands that within the application there is a proposal for a safer pedestrian route to the town which has obvious benefits.

This application was considered at the Development Control Committee on 12 September 2006 when the application was deferred to enable further discussions between the developers/highway authority and local planning authority to address the issues relating to the junction arrangements proposed onto the A15.

The various alternative access proposals for the site, namely visibility splays at the existing junction, right turn ghost island, mini roundabout and traffic signs have been fully assessed by the local highway authority. It is acknowledged that some of the proposed arrangements do have some benefits. However, the overall impact on the highway network is negative and is considered to be detrimental to highway safety.

* * * * *

SU.3 S06/0937/69

Date Received: 03-Jul-2006

| | |
|-----------|---------------------------------------------------------------------------------------------------------|
| Applicant | Moseley Brown Developments West Cottages, 8, Stretton Lane, Houghton on the Hill, Leics, LE7 9GL |
| Agent | Robert Dixon, Dixon Sharman Associates Limited 19, West Street, Kings Cliffe, Peterborough, PE8 6XB |
| Proposal | Erection of five town houses, two maisonettes and one flat |
| Location | 6-16, New Town, Water Street, Stamford |

| | |
|------------------------------------------|---------------------------------------------------------------------------------------------------------------------|
| Site Details Parish(es) | Stamford Adj authority - Peterborough City - AA7 Unclassified road Radon Area - Protection required |
|------------------------------------------|---------------------------------------------------------------------------------------------------------------------|

| | |
|--|-----------------------------------------------------------------------------------------------------------------------------------------------|
| | Railtrack (York) within 50m - RAIL1 Cottesmore/Wittering (refuse tips only) Wittering (Yellow exc 45.7m) Drainage - Welland and Nene |
|--|-----------------------------------------------------------------------------------------------------------------------------------------------|

REPORT

Representations Received

Town Council: No objections.

Local Highway Authority: Requests 4 conditions and three notes to applicant (see below).

Community Archaeologist: Requests Note to Applicant – ARC1.

Network Rail: No objection.

Peterborough City Council: Does not wish to make any comments.

The application has been advertised in accordance with established procedures, the closing date for representations being 9 August 2006. Representations have been received from seven local residents raising, in summary, the following issues:

1. Over development. (4)
2. Proposed development too high in relation to Welland Mews. (3)
3. Dangerous access. (4)
4. Loss of light to properties on the south side of Welland Mews, which are at a lower level. (2)
5. Too oppressive on Welland Mews. (2)
6. Scheme should include some social housing. (1)
7. No wheelchair access to pavement level either side of access off Water Street. (1)
8. Loss of privacy to 1 Barons Court. (1)
9. Insufficient on-site parking. (1)
10. Impact of bin store on Parkgate House. (1)

Officer Report

Reason for referral to Committee

Planning Panel – To be determined by Committee.

The Site and its Surroundings

The 0.11ha application site is located on the eastern side of Water Street, immediately to the north of the railway line (in cutting), some 39m from the junction with Barnack Road.

To the north and east, at a lower level, are the residential properties of Welland Mews. To the west, between the site and Water Street is Parkgate House, a two storey detached property orientated gable on to the road.

The main body of the roughly triangular site is set back from the road.

The 5.6m wide access runs between Parkgate House and the railway line.

The site does not lie within the Stamford Conservation Area.

The Proposal

Full planning permission is sought for a scheme comprising five town houses, two maisonettes and one flat in two blocks aligned north/south and fronting onto a central parking area.

The easternmost block would comprise two houses and one maisonette. The remainder would be in the western block.

There would be no openings in the gable walls facing onto the Welland Mews properties.

The external walls of the proposed dwellings would be constructed of natural limestone, with render to small areas such as dormer cheeks and panels below bay windows.

The roof coverings would be Bradstone artificial slates, a type used successfully on other recent developments in the historic core of Stamford.

The height of the proposed dwellings would be approximately 9m to the ridge and 5m to the eaves, the usual heights for 2½ storey dwellings.

The Main Issues

- Impact on the immediate surroundings.
- Impact on amenities of neighbouring residential properties.
- Highway safety.
- Density of development.

Planning Policy

Central Government Policy Guidance/Statements

PPG3 – Housing.

PPG13 – Transport.

PPS1 – Delivering Sustainable Development.

Lincolnshire Structure Plan

Policy S1 – Promoting Sustainable Development.

Policy S2 – Location of Development.

Policy H2 – Housing on Previously Developed Land.

South Kesteven Local Plan

Policy H6 – Development in Towns and Villages.

Policy EN1 – Protection and Enhancement of the Environment

In respect of buildings, reflect the general character of the area through layout, siting, design and materials.

South Kesteven Interim Housing Policy – June 2005

Site History

In March 2005 outline planning permission was granted (S05/0001/69) for residential redevelopment of the site.

Considerations

The site is higher than the Welland Mews properties to the north and some of those properties will inevitably be overshadowed by the proposed dwellings. However, they are overshadowed at present along the entire length of the northern boundary by the existing workshop building and only the end gables of the proposed dwellings would be against this boundary.

Summary of Reason(s) for Approval

The proposal is in accordance with national and local policies as set out in Planning Policy Statement PPS1, Planning Policy Guidance Notes PPG3 and PPG13, Policies S1, S2 and H2 of the Lincolnshire Structure Plan, Policies H6 and EN1 of the South Kesteven Local Plan and adopted supplementary planning guidance contained in the South Kesteven Interim Housing Policy. The issues relating to highway safety, overlooking and overbearing presence are material considerations but, subject to the conditions attached to this permission, are not sufficient in this case to indicate against the proposal and to outweigh the policies referred to above.

RECOMMENDATION: That the development be Approved subject to condition(s)

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 drawing no. Des 02 Rev C received on 22 August 2006.
3. 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.
4. 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.
5. 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 development relating to Class A of Part 1 of Schedule 2 (erection of extensions) shall be undertaken without the prior written approval of the Local Planning Authority.
6. 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.
7. 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.
8. Before the dwellings hereby permitted are occupied the gardens/patios shall be enclosed in accordance with details to be submitted to and approved in writing by the local planning authority.
9. Before the development is brought into use the private driveway and communal parking area shall be provided with lighting (to a minimum level of 1 lux/3.5 lux average point luminance) in accordance with details to be submitted to and approved in writing by the local planning authority.
10. Development shall not be commenced until a scheme to deal with any contamination of the site has been submitted to and approved in writing by the local planning authority.
11. The decontamination scheme required by condition 9 above shall include an investigation and assessment to identify the extent of contamination and the measures to be taken to avoid risk to the public and the environment when the site

is developed. Development shall not commence until the measures approved in the scheme are implemented.

12. Before the development hereby permitted is commenced a scheme for protecting the proposed dwellings from vibrations arising from the adjacent railway shall be submitted to and approved in writing by the local planning authority. All works which form part of the approved scheme shall be completed before any dwelling is occupied.
13. The arrangements shown on the approved plan DES 02 Rev C dated 22 August 2006 for the parking/turning/loading/unloading of vehicles shall be available at all times when the premises are in use.
14. 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.
15. Before any dwelling is commenced, all of that part of the estate road and associated footways that forms the junction with the main road and which will be constructed within the limits of the existing highway, shall be laid out and constructed to finished surface levels in accordance with details to be submitted to and approved by the Local Planning Authority.
16. No development shall be commenced (apart from those works identified on drawing number DES 02 Rev C or as specified) before the works to improve the public highway (by means of widening the footway and providing visibility) have been certified complete by the Local Planning Authority.

The reason(s) for the condition(s) is/are:

1. Required to be imposed pursuant to section 91 of the Town and Country Planning Act 1990.
2. For the avoidance of doubt.
3. These details have not been submitted and the District Planning Authority wish to ensure that the colour and type of materials to be used harmonise with the surrounding development in the interests of visual amenity and in accordance with Policy/ies ** of the South Kesteven Local Plan.
4. The planning authority wish to be in a position to determine the effects that such development would have on the surrounding area and in accordance with Policies H6 and EN1 of the South Kesteven Local Plan.
5. The planning authority wish to be in a position to determine the effects that such development would have on the surrounding area and in accordance with Policies H6 and EN1 of the South Kesteven Local Plan.
6. To ensure satisfactory provision is made for the disposal of foul and surface water drainage from the site and in accordance with Policies H6 and EN1 of the South Kesteven Local Plan.
7. Landscaping and tree planting contributes to the appearance of a development and assists in its assimilation with its surroundings. A scheme is required to enable the

visual impact of the development to be assessed and to create and maintain a pleasant environment and in accordance with Policies H6 and EN1 of the South Kesteven Local Plan.

8. In the interests of safeguarding the privacy of the occupiers of the approved dwellings.
9. To provide adequate lighting of the private driveway in the interests of crime prevention and community safety.
10. To ensure the proper treatment of any contamination present on the site, in the interests of public and environmental safety.
11. To ensure the proper treatment of any contamination present on the site, in the interests of public and environmental safety.
12. In the interests of the amenities of the occupiers of the approved dwellings.
13. To allow vehicles to enter and leave the highway in a forward gear in the interests of highway safety, and in accordance with Policies H6 and EN1 of the South Kesteven Local Plan.
14. To ensure that surface water run-off from the development will not adversely affect, by reason of flooding, the safety amenity and commerce of the residents of this site, and in accordance with Policies H6 and EN1 of the South Kesteven Local Plan.
15. In the interests of safety of the users of the public highway and the safety of the users of the site, and in accordance with Policies H6 and EN1 of the South Kesteven Local Plan.
16. In the interests of safety of the users of the public highway and the safety of the users of the site, and in accordance with Policies H6 and EN1 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.

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|-----------------|--------------------------------------------------------------------------------------------------|
| Applicant | Mr & Mrs M Jasinski Little Scotland Farm, Scotland Lane, Ingoldsby, Grantham, NG334ES |
| Agent | Mr M O Powderly Bsc, MRTPI 26, Lincoln Drive, Melton Mowbray, Leics, LE13 0AH |
| Proposal | Conversion of stables to two dwellings |
| Location | Little Scotland Farm, Scotland Lane, Ingoldsby |

| | |
|-------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <u>Site Details</u> Parish(es) | Ingoldsby Public footpath adjoins site Unclassified road Radon Area - Protection required Area of special control for adverts EN3 Area of great landscape value Airfield Zone - No consultation required Drainage - Welland and Nene |
|-------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

REPORT

The Site and its Surroundings

The application site is on gently sloping land, situated on the south side and approximately 250 metres along Scotland Lane. The site is in the hamlet of Scotland, which extends westwards along Scotland Lane from its junction with the C418 Boothby Pagnell Road approximately 300 metres west of the village of Ingoldsby.

The hamlet is a mix of farmsteads and about eleven dwellings, varied in appearance and including dwellings of modern design as well as converted traditional farm buildings. The properties are irregularly spaced but predominantly in the form of frontage development either side of the lane. Scotland lane is a no through road of approximately single carriageway width and with a number of passing places, mainly at the entrance to the properties.

At the roadside and adjacent to the farm entrance is a range of single storey, brick built, pantiled stables/barns arranged in a "U" shape configuration with the wings running away from road. Immediately to the rear of the barns is a modern portal-frame agricultural building with a lean-to structure.

To the south east of the farm yard is another portal frame building and the farmyard doubles as an operating centre for a haulage business run by the applicant.

Site History

S03/021 Conversion of barns to 2 dwellings and erection of 5 new dwellings. Application called in and refused 24.10.04.

The Proposal

This is an application for full planning permission to convert the stables into two dwellings and not for holiday lets. This proposal stands alone and is not linked to any other redevelopment of the farm.

The amended plans for the conversion will not enlarge the buildings and only one additional opening is to be created. Each conversion will have an independent access onto Scotland Lane.

The private amenity areas will be created within the courtyard and these will extend into the area of a building to be demolished. The gardens are not to abut the remaining barn because an access to the farmhouse is proposed.

Internal layouts of the barns mitigates overlooking and provides for a corridor between bedrooms and the existing farm access.

Policy Considerations

National Planning Policy

PPS1 – Delivering Sustainable Development. PPS1 sets out the governments broad aims and objectives on planning policy. The key thread of this policy is the principle of sustainable development, the prudent use of natural resources and social cohesion and inclusion. There are numerous definitions of sustainable development but the basic principles involve the re-use of previously developed sites well related to the existing settlement and easily served by a range of transport choices for future occupants.

PPG3 – Housing. PPG3 specifically outlines the governments objectives in relation to the provision of housing. Whilst pre-dating PPS1, PPG3 also confirms the primacy of delivering sustainable developments. This guidance provides information that is of particular relevance to this proposal on the following matters (relevant paragraph numbers provided):

- 1 Avoid housing development which makes inefficient use of land and provide for more intensive housing development in and around existing centres and close to public transport nodes (para 11).

The Governments commitment to maximising the re-use of previously-developed land to minimise the amount of greenfield land being taken for development. (para 22).

Undertaking of a sequential approach to site selection (para 30 and 31).

Making best use of land, i.e. avoiding developments below 30 to the hectare (para 57-58).

Defining previously developed land (annex c).

PPS7 – Sustainable Development in Rural Areas. Paragraphs 17 and 18 refer to the re-use of agricultural buildings. This is a permissive policy which seeks to achieve commercial use of the buildings, where appropriate, before their use for residential purposes.

PPG24 – Planning and Noise. Sets out the criteria when considering noise issues.

Development Plan

Regional Spatial Strategy for the East Midlands – RSS8. The regional spatial strategy sets the overall housing requirement for the County. It also sets out policies for ensuring sustainable pattern of development, including a sequential approach to the location of development (Policy 2 & 3)

Lincolnshire Structure Plan 2006. This plan has now been adopted subject to legal challenge. As with all contemporary planning documents the promotion of sustainable development is the central plank of the revised Structure Plan. The Structure Plan translates the regional strategic housing requirement into district allocations. As Members will be aware South Kesteven's allocation has been cut to approximately 9,200, a figure which has largely been accommodated in commitments and urban capacity sites. The revised Structure Plan identifies the settlement hierarchy for the County.

Additionally the revised Structure Plan adopts a lower than national threshold for the delivery of previously developed sites at 40% of all new dwellings.

South Kesteven Local Plan 1995.

Interim Housing Policy – Limits residential development in the “rural area”, i.e. all villages not defined as Local Service Centres and in the open countryside and only housing proposals that fall within one of three exceptions will be allowed. The third exception states:

Conversion of buildings provided that the following criteria are met:

- i) the building(s) contribute to the character and appearance of the local area by virtue of their historic, traditional or vernacular form;
- ii) the building(s) are in sound structural condition;
- iii) the building(s) are suitable for conversion without substantial alteration, extension or rebuilding;
- iv) the works to be undertaken do not detract from the character of the building(s) or their setting; and
- v) it can be demonstrated that all other alternative uses have been considered.

Policy EN1 – The Protection and Enhancement of the Environment. This is a general consideration policy that aims at ensuring that new developments do not have an adverse impact upon their environs.

Policy EN3 – Areas of great Landscape Value. This is a restrictive policy and development is measured against one of three criteria. The relevant criteria for this application is that it relates to the appropriate re-use or adaptation of existing agricultural and other rural buildings provided that the proposed use, form, bulk, and general design of the converted buildings are in keeping with their surroundings.

Statutory Consultations

Local Highway Authority:

Advise that certain highway improvements are to be undertaken within the highway:

to widen the junction of Scotland lane and the Boothby Pagnell Road, create a passing place approximately half way between the junction; and the access to the site and improve the access and carriageway width opposite the site entrance.

Community Archaeologist: The proposed development does not affect any known archaeological sites.

Parish Council: Does not propose to enter any representations with regard to the application.

Representations as a result of publicity

In respect of the original scheme five letters of objection were received and the following issues were raised:

- a) The Secretary of State decided that there should be no further development in the area of Scotland Lane.
- b) Where are the septic tanks to be located and what consideration is being given to their run off.
- c) The entrance to the haulage yard has been greatly reduced in width.
- d) Is this planning by stealth for future development.
- e) The call-in Inspector concluded:
"In my view there is no housing need justification for the residential development, including the barn conversions, at little Scotland Farm."
"I conclude that the proposed housing would not have good accessibility to jobs, shops and services by modes of transport other than the car, with no significant potential for improving such accessibility"
"Overall I consider the residential development would not make a significant contribution to the development of a sustainable community";
"I consider the mix of business and residential use in close proximity would not be compatible, especially in view of the position and building configuration of the barns"
- f) The current haulage business will continue in the farmyard adjacent to the proposed conversions and adjacent to the steel framed machine barn and store contrary to the conclusions presented at The Public Inquiry.
- g) The following questions on the application form are incorrect.
- h) Does the development involve anything other than houses or house extensions ?
- i) Does this application relate to any dwelling in connection with agriculture ?
- j) Does the applicant own or control any of the adjoining land ? There is a list of land holdings outside the blue line.
- k) New access onto Scotland are questioned as to their safety.

In respect of the amended scheme correspondence objecting to the development has been received from three individuals raising the following matters:

1. A letter with the amended plans mentions holiday homes has the application been changed ?
2. Previous comments still apply.

3. The applicant's agent refers to a desire to relocate therefore the intention to develop holiday lets is not the real reason for the application and that this is an attempt to develop the site piecemeal.
4. A list of the applicant's land holdings is given in various parts of the district.
5. Adverse impact of noise on the future occupants of the conversions.

Planning Panel Comments

25 July 2006– Defer the application to the Development Control Committee for full consideration.

Applicants Submissions

The applicant's have submitted three letters in the course of this application, the first with the application, the second with the amended plans and a third in respect of noise amelioration.

These letters are also included in an appendix to this report

Planning Considerations

The key issues of this application are precedent of previous decisions, policy, noise and the impact on the character of the area.

Precedent of Previous Decisions

A previous decision is a material consideration and previous decisions by the Secretary of State must be given greater weight. The rationale for that is given by Mann LJ in *North Wiltshire District Council v Secretary of State for the Environment* [1992] 65 P&CR 137 at 145, in which he said:

"It was not disputed in argument that a previous appeal decision is capable of being a material consideration. The proposition is in my judgement indisputable. One important reason why previous decisions are capable of being material is that like cases should be decided in a like manner so that there is consistency in the appellate process. Consistency is self-evidently important to both developers and development control authorities. But it is also important for the purpose of securing public confidence in the operation of the development control system. I do not suggest and it would be wrong to do so, that like cases must be decided alike. An inspector must always exercise his own judgement. He is therefore free upon consideration to disagree with the judgement of another but before doing so he ought to have regard to the importance of consistency and to give his reasons for departure from the previous decision.

To state that like cases should be decided alike presupposes that the earlier case is alike and is not distinguishable in some relevant respect. If it is distinguishable then it usually will lack materiality by reference to consistency although it may be material in some other way. Where it is indistinguishable then ordinarily it must be a material consideration. A practical test for the inspector is to ask himself, whether, if I decide this case in a particular way am I necessarily agreeing or disagreeing with some critical aspect of the decision in the previous case?"

In order for a previous decision properly to be taken into account it is necessary that not just the fact of the determination, grant or refusal of planning permission, should be known to the decision maker and taken into account, but regard should be had to the basis of the decision.

The applications determined by the Secretary of State related to the comprehensive redevelopment of the farmyard and the development of the farm at Bitchfield Road and the two were interlinked. The farmyard was to be developed by the conversion of the barns into two dwellings and the erection of 5 new dwellings.

Clearly this application is distinguishable from the previous application in that this is simply for the conversion of the barns/stables and deletes the new buildings for the other 5 dwellings. Further there is no proposal, linked or otherwise, for a farm at Bitchfield Road. It is then pertinent to consider whether it is material in some other way.

The objectors quote sections from the Inspectors Report and these have been set out above. Firstly attention is drawn to the Inspectors conclusion that there is no housing justification for residential development. This conclusion dealt with 1) new development of 5 houses and 2) change of use of existing buildings. The Inspector prefaced this conclusion by stating that there was a policy vacuum on the overall level of housing required in the district. This vacuum has been filled by the Interim Housing Policy that has identified locations for sustainable development..

The Interim Housing Policy restricts residential development in the hamlet of Scotland, and only development that accords with one of the three identified exceptions to development in non-sustainable locations can be recommended for approval. A common theme between this application and that at Scotland House is that officers consider that both the host buildings are buildings that contribute to the character and appearance of the local area by virtue of their historic, traditional or vernacular form; are in sound structural condition; are suitable for conversion without substantial alteration, extension or rebuilding; the works to be undertaken do not detract from the character of the building(s) or their setting; and it can be demonstrated that all other alternative uses have been considered.

The view that the barns at Little Scotland Farm contribute to the character of the area is re-inforced by the Inspector who states at paragraph 12.19 "The barn conversions and the use of the courtyard layout would be in keeping with the rural scene. The simple rectangular forms and the general massing would reflect the local character. The scale of the individual dwelling would respect the scale of neighbouring Development." She then went on to contrast this with the new buildings at the rear, and drawing on previous paragraphs in her report, would have an adverse impact on the character on the area that was mainly composed of frontage development. Your officers requested amended plans and there is only one new opening being created and would concur with both the Inspectors conclusions. It is considered that they are structurally sound, a structural engineers report has been submitted concluding their soundness, and that there are no substantial extensions.

Officers consider that the buildings, in both this application and at Scotland House, should not be used for other uses because this would introduce a business use at Scotland House and add further independent business uses at Little Scotland Farm. Officers consider that this would adversely affect both sites.

Your officers consider that the last quote from the Inspectors Report stated by the objectors is being taken out of context. Paragraph 12.65 quoted in full states "In relation to the proposed barn

conversions, PPG7 encourages re-use for business rather than residential purposes. However, there was no information available on the availability of rural buildings for business re-use [7.10]. I consider a mix of business and residential use in close proximity would not be compatible, especially in view of the position and building configuration of the barns”

Your officers consider that the inspector was stating that the barns of this application were not suitable for business use because of their relationship to other dwellings. This conclusion, one with which your officers concur, is supported by the Inspector stating at paragraph 12.41 “....I consider the weight of the evidence is that the agricultural haulage business can operate satisfactorily from the existing site without causing significant harm to the living conditions of nearby occupiers through unreasonable disturbance.”

To put the objector’s construction on the mix of business and residential uses, that the barns are not suitable for residential development because of the haulage business, means that the two conclusions of the Inspector conflict. Your officer’s construction is considered to the logical meaning derived from the two conclusions.

Your officers conclude that application S03/0210 is a significant material consideration. However, the parts of the decision that are relevant to this proposal are only a part of the whole decision and are supportive in some respects as explained above. Taking the relevant elements of the previous decision, the Interim Housing Policy and the recent grant of permission for a similar change of use, also on Scotland Lane, there is sufficient reason to reach a conclusion on this proposal which differs from the Secretary of State’s overall decision on the previous application.

This application has much in common with S06/0220 at Scotland House; one of the objectors has sought in correspondence to distinguish the application at Scotland House from this application by stating that “..it did not involve new residential building, as to my knowledge that barn conversion has been in lawful occupation since about 1999.” Your officers disagree, firstly the building had been subject to a condition that it should be ancillary to the main dwelling house and because no certificate of lawfulness had been granted the occupation of the barn conversion was unlawful in 1999. In both cases there is no new building but the material change of use of buildings to independent dwellings.

Policy

The key policy in this application is the Interim Housing Policy derived from RSS8, PPS7, PPG3, PPS1 and the Lincolnshire Structure Plan. Much of this policy has been rehearsed above and your officers conclude that this development accords with the criteria set out in exception 3 of the Interim Housing Policy and is therefore acceptable.

Noise

Objectors have stated that noise from the haulage business will have an adverse impact. The applicant’s have stated that the buyers will be aware of the situation when they purchase the properties. Whilst this may be true your officers consider that this impact should be addressed. PPG24 offers the following advice:

1. When assessing a proposal for residential development near a source of noise, local planning authorities should determine into which of the four noise exposure categories (NECs) the proposed site falls, taking account of both day and night-time noise levels. Local planning authorities should then have regard to the advice in the appropriate NEC, as below:

| | |
|-----|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| NEC | |
| A | Noise need not be considered as a determining factor in granting planning permission, although the noise level at the high end of the category should not be regarded as a desirable level. |
| B | Noise should be taken into account when determining planning applications and, where appropriate, conditions imposed to ensure an adequate level of protection against noise. |
| C | Planning permission should not normally be granted. Where it is considered that permission should be given, for example because there are no alternative quieter sites available, conditions should be imposed to ensure a commensurate level of protection against noise. |
| D | Planning Permission should normally be refused. |

3. The NEC noise levels should not be used for assessing the impact of industrial noise on proposed residential development because the nature of this type of noise, and local circumstances, may necessitate individual assessment and because there is insufficient information on people's response to industrial noise to allow detailed guidance to be given. However, at a mixed noise site where industrial noise is present but not dominant, its contribution should be included in the noise level used to establish the appropriate NEC.

Your officers have concluded that the site falls into Category B. Members attention is draw to the first page of the agent's letter received 14 August 2006 stating the measures to ameliorate noise and it is considered that a condition be attached to implement these measures. It is consider that the implementation of these measure will render the application acceptable with regard to noise.

Character of the Area

The character of the area is composed of properties that are irregularly spaced but predominantly in the form of frontage development either side of the lane.

The Inspector concluded in paragraph 12.13 "... I found the farmyard and agricultural buildings to be in keeping with the rural landscape setting, because as explained in evidence by the Rule 6 third parties, the existing site is a typical working rural farmyard [8.20]. In contrast, the concentration of the new housing would introduce a development of atypical character." The Inspector further stated at paragraph 12.19 "... In assessing whether the scheme would reflect good design I have referred to the advice in the SPG [4.14]. The barn conversions and the use of a courtyard layout would be in keeping with the rural scene. The simple rectangular forms and the general massing would reflect local character. The scale of the individual dwelling would respect the scale of neighbouring development ..."

This development will continue that form of development and in this respect conforms to the criteria of Policy EN3 and is not disputed by the Inspector and therefore considered acceptable.

Other matters raised by Objectors

The objectors have raised other matters relating to land holdings outside the red and blue lines of the applicant and whether these can be developed. These comments are made in conjunction with speculation that the refused application is to be made piecemeal and that an application to relocate the farm to Bitchfield Road will be made. The applicant has stated openly that he still desires to relocate at some time and that he will consult Planning Officers prior to making any application. Any such proposal would have to be considered on its own merits, and current policy, and against the conclusions of the Secretary of State, for example, agricultural justification and landscape impact.

Other matters have been raised in correspondence by both objectors and applicant and are considered to be not material to the determination of this application.

Conclusion

It is concluded that this application is distinguished from the previous refusal because of the nature of the development and that any material issues have been addressed through the Interim Housing Policy. It is concluded that the development accords with the criteria of the Interim Housing Policy and Policy EN3. The development is considered acceptable.

RECOMMENDATION: That the development be Approved subject to condition(s)

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
2. The development shall not be commenced until the works required by Lincolnshire County Council Highways within the highway have been completed.
3. The development shall accord with details stated in a letter from Mr M Powderly dated 14 August 2006 in respect of noise mitigation measures.
4. 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.
5. Before the dwelling(s) is/are occupied, the access and turning space shall be completed in accordance with the approved plan, The Proposed Layout received 12 June 2006, and retained for that use thereafter.
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 development relating to Class A of Part 1 of Schedule 2

(erection of extensions) shall be undertaken without the prior written approval of the Local Planning Authority.

7. 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.
8. This consent relates to the application as amended by amended plans received on 12 June 2006.
9. Before any of the works hereby approved are commenced, the applicant shall arrange for access into the site by a recognised expert in order to undertake a survey to establish whether the site is occupied by bats or barn owls, protected species under the Wildlife and Countryside Act 1981. The results of such a survey shall be submitted to the District Planning Authority and, if it confirms the presence of bats or owls, shall be accompanied by a scheme of mitigation detailing the periods within which the development will be undertaken. Such a scheme as may be approved in writing shall be strictly adhered to during the period in which the development is undertaken.
10. All materials to external elevations shall be made good using matching and where available original materials.
11. 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.
12. 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.

The reason(s) for the condition(s) is/are:

1. Required to be imposed pursuant to section 91 of the Town and Country Planning Act 1990.
2. To improve highway safety to accord with PPG25.
3. To mitigate the impact of possible noise to accord with Policy EN1 and PPG24.
4. To prevent overlooking to and from the development and to reduce the impact of the development on the appearance of the area and in accordance with Policy EN1 of the South Kesteven Local Plan.
5. In the interests of safety of the users of the public highway and the safety of the users of the site, and in accordance with Policy T3 of the South Kesteven Local Plan.

6. To protect the character and visual amenities of the area and the amenity of adjacent residential properties, and in accordance with the Interim Housing Policy and Policy EN3 of the South Kesteven Local Plan.
7. The planning authority wish to be in a position to determine the effects that such development would have on the surrounding area and in accordance with the Interim Housing Policy and Policy EN3 of the South Kesteven Local Plan.
8. For the avoidance of doubt.
9. To ensure that satisfactory provision is made to safeguard the habitat of protected species that may be present on the site and in accordance with Policies EN1 and EN3 of the South Kesteven Local Plan.
10. To maintain the appearance of the building and in accordance with Policy EN3 of the South Kesteven Local Plan.
11. To ensure satisfactory provision is made for the disposal of foul and surface water drainage from the site and in accordance with PPG25 and Policy EN1 of the South Kesteven Local Plan.
12. No such details have been submitted and the district planning authority wish to be in a position to ensure that the proposed details are sympathetic to the property and in accordance with Policy EN3 of the South Kesteven Local Plan.

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.

This application was deferred from the 12 September 2006 meeting to enable Members to undertake a site visit.

The Government Office for the East Midlands has written informing the Council that the matter will not be called in for determination by the Secretary of State.

Whilst the letter is included as an appendix to this report there are a number of salient points that members should note:

1. In paragraph 5 the Secretary of State describes the previous applications that were refused and then states:

“... However the current application is not a repeat application and can be distinguished from the previous refusal because of the nature of the development in that it proposes only the conversion of existing barns/stables and omits the additional five new dwellings for which permission was previously sought. There is also no linked proposal for the development of a farm. The current application should therefore, be considered on its own facts.”

The Secretary of State quite clearly distinguishes this application from that refused by her Inspector. This conclusion is one to which your officers had derived in the previous report.

2. In paragraph 6 the Secretary of State considers the re-use of the buildings and concludes that some buildings are better suited to residential use. This same conclusion was reached by the Inspector at the Call-in Inquiry and stated at paragraph 12.19 of her report. It is reiterated that your officers have also reached the same conclusion.

3. In paragraph 7 the Secretary of State acknowledges the location as being in a less sustainable location but concludes that it is at such a small scale as to create no adverse impact.

Owing to an administrative error, whilst the agent had notified the authority that he wished to speak on behalf of the applicant, Mr M Powderley's name was not included on the list of speakers. He wished to bring the following matters to Member's attention:

"I'm Mike Powderly a chartered planning consultant here on behalf of the applicants. I'm familiar with planning in SK, having been Borough Planner for Melton during the Vale of Belvoir coal mining saga, and since involved in several proposals in the District. This included the Call-in Inquiry process a couple of years ago for the relocation of Little Scotland Farm.

One salient point emerged though, relevant to the current application. The Inspector determined that the location of Scotland Lane farmstead was suitable for the farm and haulage businesses. This despite the lane and objections to the operators license for two vehicles in 2001, plus other objections since. She also confirmed that the agricultural haulage business was legitimate farm "diversification". Mr and Mrs Jasinski are therefore intending to stay at their present site, so clearly endorsed by the Inspector. Farmstead relocation, in credit supported in principle by this Authority at the time, stands refused.

I need add little to the detail of your officers' report. The application before you is of course an entity on its own, to be considered under local plan policies, plus government intentions under PPS7. This includes possible re-use of such farm buildings for residential purposes as well as businesses or tourism. Business uses were not considered appropriate through traffic generation from employees and customers cars, and service vans. From the applicant's experience of successfully letting the one-time granny annexe at the farmhouse to tourists, there is the possibility, if allowed for residential use, of short-term lets or leases to those seeking accommodation in a relaxed atmosphere to study or complete some particular work, while enjoying the local area. In practical terms, residential use, whether dwellings as such or for tourist use, has the same external appearance.

However, no doubt members will assess the application for stables conversion on its merits in relation to planning policies. It bears repeating that the call-in inspector found Scotland Lane suitable for Mr and Mrs Jasinski's businesses, and the applicants will continue to live and work there on the Inspector's assurance. Whether or not they make applications in future in connection with their farming enterprise on this or other parts of their expanded holding is of course for the future."

* * * * *

| | |
|-----------|-----------------------------------------------------------------------------------------------------------------------------------|
| Applicant | Sustrans/Colsterworth PC National Cycle Network Centre, 2, Cathedral Square, College Green, Bristol, BS1 5DD |
| Agent | Chris Dent, Sustrans Planning 5, North Avenue, Exeter, EX1 2DU |
| Proposal | Change of use of disused railway line between Woolsthorpe & Burton Road Ind Estate to cycle path & sculpture trail |
| Location | Former Railway Land, Colsterworth |

| | |
|-------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <u>Site Details</u> Parish(es) | <p>Colsterworth Easton</p> <p>Public footpath crosses site - FP1 Public footpath abuts site B Class Road C Class Road Unclassified road Trunk Road 40mph + Trunk Road Dev within 67m TR - HA1 Radon Area - Protection required Area of special control for adverts EN3 Area of great landscape value EN8 Wildlife and geological site Airfield Zone - No consultation required Cottesmore/Wittering (refuse tips only) Site of wildlife interest - WL1 Adj site of wildlife interest - WL2 EA: Adj not waste disposal site - TIP2 Drainage - Lincs EA: Flood Risk Zone 2 (New Build Only) EA: Flood Risk Zone 3 (New Build Only)</p> |
|-------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

REPORT

The Site and its Surroundings

The 'site' is defined, in the main, by the former rail line that runs between the very western edge of Woolsthorpe-by-Colsterworth and Burton lane, to the south of the Easton Cold Stores. The line has been redundant for many years and, for the purposes of the application, is 3200m in length.

At a point nearing the middle the line crosses the A1 and, slightly to the west of this point the former rail line crossed the road from the A1 into Colsterworth village. The bridge remains in place over the A1 but has been demolished where it crosses the road to the village.

For the majority of its length the line is embanked and tree lined. The route of the line is therefore clearly defined.

The rail lines and sleepers have been removed and the surface of the line is now rough grass.

Site History

None

The Proposal

Consent is sought for the change of use of the defined length of the former rail line to form the Colsterworth Railway Path Project (part of the National Cycle Network) to allow for its open usage by walkers, horse riders and cyclists. It is also intended to extend the use in the future to provide a sculpture trail, although further planning consent will be required for the provision of the sculptures.

To form the path a multi-use surface area will be provided to a width of 2.5m. In places the embankments will be re-formed, re-aligned or made wider to straighten the line of the path and to allow direct approaches to the bridge areas.

It is intended to reinstate a new bridge over the road to the village (B6403), the detail of which will have to form part of a further application. An indicative plan is provided with the submitted details to show how this could be achieved.

Policy Considerations

National Policy

PPG17 relates to Planning for Open Space, Sport and Recreation and the key principles of this guidance are as follows:

- supporting an urban renaissance – local networks of high quality and well managed and maintained open spaces, sports and recreational facilities help create urban environments that are attractive, clean and safe. Green spaces in urban areas perform vital functions as areas for nature conservation and biodiversity and by acting as ‘green lungs’ can assist in meeting objectives to improve air quality.
- supporting a rural renewal – the countryside can provide opportunities for recreation and visitors can play an important role in the regeneration of the economies of rural areas, Open spaces within rural settlements and accessibility to local sports and recreational facilities contribute to the quality of life and well being of people who live in rural areas.
- promotion of social inclusion and community cohesion – well planned and maintained open spaces and good quality sports and recreational facilities can play a major part in improving people’s sense of well being in the place they live. As a focal point for community activities, they can bridge together members of deprived communities and provide opportunities for people for social interaction.
- health and well being - open spaces, sports and recreational facilities have a vital role to play in promoting healthy living and preventing illness, and in the

social development of children of all ages through play, sporting activities and interaction with others.

- promoting more sustainable development – by ensuring that open space, sports and recreational facilities (particularly in urban areas) are easily accessible by walking and cycling and that more heavily used or intensive sports and recreational facilities are planned for locations well served by public transport.

More specifically, with reference to recreational rights of way paragraph 32 of PPG17 states that "... rights of way are an important recreational facility, which local authorities should protect and enhance. Local authorities should seek opportunities to provide better facilities for walkers, cyclists and horse-riders, for example by adding links to existing rights of way networks."

Lincolnshire Structure Plan

Policy M8 states that provision will be made to encourage a greater proportion of journeys to be made by cycle through (inter alia) providing a network of cycle routes both on and off the highway, including those for recreational use.

Policy M9 states that provision will be made to encourage a greater proportion of journeys to be made on foot through (inter alia) the development of convenient and safe routes for pedestrians and the reduction of vehicular and pedestrian conflict.

South Kesteven Local Plan

Policy EN2 – supports development within the open countryside that allows for recreational facilities which could not reasonably be located within the confines of a settlement and which draw on the character of the countryside itself rather than imposing on it.

Policy REC8 – allows for recreational facilities in the open countryside, which are compatible with a rural location and where the use would not present any unacceptable environmental or traffic problems.

It is considered that the proposed development accords with all of the policies listed above and represents a good use of this redundant rail line with no overriding impact on the rural area or the immediate surroundings.

Statutory Consultations

Local Highway Authority: Request a 'Note to Applicant' on any approval.

Community Archaeologist: No objections.

Environment Agency: No comments made.

Parish Council: The Parish Council supports all the objections stated in the attached letters from Parish Councillors.

Cllr Wilks: Requests that the application be referred to the Development Control Committee.

Lincolnshire Wildlife Trust:

"The ownership stated in the application is inaccurate. According to Trust records the former line to the west of the B6403 (dismantled bridge) is still owned by Lincwaste with whom the Trust has a legal agreement to manage the site as a nature reserve until 2008. Lincwaste made an offer to donate the ownership of the land managed as a nature reserve to the Trust but it declined after making a risk assessment of the culvert which takes the river Witham underneath part of old line. The Trust understands that Lincwaste intends to make a gift of the land west of the B6403 to Colsterworth Parish Council with the understanding that the Trust will continue to manage the site as a nature reserve. However there is diminished wildlife interest in the stretch behind the housing which covers the area marked '2' to '11' on Map 1 dated April 2006. The area of this part of the reserve is 3.464ha, marked on our map (attached) and the Trust raises no objections to plans along this stretch.

The Trust wishes to continue to manage the remaining sections of 2.418ha and 1.862ha as limestone grassland – a scarce resource in the country. Amongst other wildlife features it has colonies of 2 rare species of butterfly – dingy and grizzled skipper. Whilst all Trust reserves are open to the public for walking, cycling and horse riding is discouraged. Most of the regular users of the reserve appreciate quiet enjoyment and relaxation as they walk (many with their dogs) along this narrow reserve appreciating plants, birds and butterflies in particular. Discussions with members of Colsterworth Parish Council support this view. Therefore the Trust objects to any plans to alter the status quo.

During the planning stage of realignment of the junction of the A1 and B6403, the Trust discussed with Atkins Design Environment and Engineering Consultants the plans for reinstatement of limestone grassland associated with the new slip roads on the east side of the A1 since both verges of the B6403 are designated Protected Road Verges under the scheme agreed between Lincolnshire County Council and this Trust. Agreement was reached to store and use existing turf and seed of local provenance to create limestone grassland as part of the vision agreed by English Nature, Lincolnshire Wildlife Trust and Leicestershire and Rutland Wildlife Trust for the re-establishment of limestone grassland in the Lincolnshire and Rutland Limestone Natural Area. The Trust will object to any plans by Sustrans to diminish the area of proposed limestone grassland reinstatement by inappropriate tree planting, tarmac laying or neutral grassland seeding. It would prefer to negotiate and advise where appropriate.

I trust that the level of detail supplied indicates that the application could have deleterious effects on plant and animal wildlife in the area."

SKDC Senior Projects Officer:

"South Kesteven District Councils cycling strategy strongly supports this application. The works to convert this former railway line to a cycle path were identified in SKDC's Cycling Strategy and programme from 1999 onwards with the aim of it fulfilling 3 roles:

1. To form part of the National cycle Networks Regional Route 16 between Grantham and Stamford.
2. To form part of a circular tourist route, provisionally named 'The Newton Route' to maximise the potential of Cycle Tourism for tourist enterprises in villages nearby.
3. To enable the journey to work for those employed from the villages of Woolsthorpe and Colsterworth at the Burton Road Industrial Estate to be made safely on cycle or foot.

A key feature in the utilisation of this route for all three purposes is the re-use of the existing bridge over the A1. It represents the only safe method, for pedestrians and cyclists to cross the A1 between Great Ponton (a pedestrian footbridge), 4.5 miles to the North, and South Witham (a local road passes under the A1 but with no specific cycle/pedestrian facility), a similar distance to the south.

Similarly the proposed reintroduction of a bridge across the route of the old A1 just north of Colsterworth will particularly enhance the routes safety and utility for people from Woolsthorpe in particular but also for cycle borne tourists seeking to get to the National Trust owned farmhouse where Sir Isaac Newton was born."

Representations as a result of publicity

The application has been advertised in accordance with established procedures and representations have been received from the following:

1. G Stewart, 14 Ingle Court, Woolsthorpe-by-Colsterworth.
2. P Key, 15 Ingle Court.
3. B Norman, 8 Ingle Court.
4. L Crabb, 6 Ingle Court.
5. J Rigby, 3 Ingle Court.
6. R Griffin, 12 Ingle Court.
7. G Jenkinson, Easton Lodge, Easton.
8. R & N Rose, 4 Ingle Court.
9. G Austin, 2 Ingle Court.
10. M Jones, 5 Ingle Court.
11. The Easton Estate, The Estate Office, Burton le Coggles.
12. R Skelton, Easton Farm, Easton.
13. H Gait, Church Farm, Stoke Rochford.
14. Escritt Barrell & Golding on behalf of A Skelton, Ridds Farm, Easton.
15. S Branston, 7 Ingle Court.
16. P Robotham, 46 Woolsthorpe Road, Woolsthorpe-by-Colsterworth.
17. Savills on behalf of Trustees of the Cholmeley 1968 Settlement.

The following issues were raised:

- a) No control over fly-tipping and vehicular access.
- b) No indication of future maintenance.
- c) Motorbike use is uncontrolled and is a nuisance – this will be increased as a result of this application.
- d) No EIA submitted with the application.
- e) Poor car park area with no security.

- f) Access gained over private land, no notice served.
- g) Limited benefits of the scheme.
- h) Potential loss of privacy from embanked areas.
- i) Concern over security to rear of properties.
- j) Path too narrow for horses.
- k) Incompatible with adjacent agricultural uses.
- l) 'Urban' materials acceptable in rural locations.

Planning Panel Comments

5 September 2006 – The application be determined by Committee.

Applicants Submissions

None

Conclusions

The proposal makes good use of the redundant railway line and, whilst conforming to national and local planning policies, provides a good recreational facility for use by all. Further planning permission will be required for any proposed sculptures and the provision of the new bridge over the road.

Many of the issues raised as a result of the publicity of the application are not planning related and, although they are referred to above for Members information, cannot be taken into account in the determination of the planning application.

Summary of Reasons for Approval

The proposal is in accordance with national and local policies as set out in Planning Policy Guidance note(s) PPG17, policies M8 and M9 of the Lincolnshire County Structure Plan, policies EN2 and REC8 of the South Kesteven Local Plan. The issues relating to noise and disturbance, security, loss of privacy, legal access and incompatibility of uses are material considerations but, subject to the condition(s) attached to this permission, are not sufficient in this case to indicate against the proposal and to outweigh the policies referred to above.

RECOMMENDATION: That the development be Approved subject to condition(s)

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
2. Prior to the commencement of the development, large scale plan and sectional details (to a scale of not less than 1:200) to show all the sections where the configuration or realignment of the embankments is proposed, shall be submitted to and approved in writing by the local planning authority.

The reason(s) for the condition(s) is/are:

1. Required to be imposed pursuant to section 91 of the Town and Country Planning Act 1990.
2. The submitted details are not of scale where the accuracy of these details can be determined and the planning authority wish to be in a position to determine that any works proposed do not impact on the surrounding area, in accordance with Policy EN2 of the South Kesteven Local Plan.

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) on 01522 782070 for appropriate specification and construction information.
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. Planning permission may be required for the provision of any sculptures or structures as may be sited along the length of the trail and planning permission will be required for the new bridge structure to cross the B6403. No details have been submitted to show these structures and these elements have not been asked to be considered as part of this application.
4. Access may be shown to serve the trail over land which is not owned or controlled by the applicants. If this is the case legal agreement will need to be reached between the applicants and the respective landowners.

* * * * *

| | |
|-----------------|----------------------------------------------------------------------------------------------------------------------|
| Applicant | Countryfield Village Homes Ltd First Floor Office, Portland Chambers, King Street, Southwell, Notts, NG25 0EH |
| Agent | Rosamund Nicholson Knapeney Farm, Ossington Lane, Ossington, Newark, Notts, NG23 6ND |
| Proposal | Demolition of existing dwelling and erection of 24 starter homes |
| Location | 24, Doddington Lane, Claypole |

| | |
|-------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <u>Site Details</u> Parish(es) | Claypole C Class Road Demolition of any building - BR1 Area of special control for adverts Airfield Zone - No consultation required Drainage - Lincs |
|-------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

REPORT

The Site and its Surroundings

The site forms a rectangular parcel of land to the west side of Doddington Lane that is currently occupied with a single dwelling. The site is flat and is well landscaped to the boundaries, although at the time of drafting this report some site clearance works were underway.

There is a single dwelling to the north of the site (20 Doddington Lane) and to the north of that is the recent Bovis development. Opposite the site to the east is a residential development of around 10 years old. Immediately to the east and south of the site are open agricultural fields.

Site History

Application S04/0943/21 sought consent for the residential development of the site, but was withdrawn by the applicant on 19 August 2004.

Outline planning permission was granted for the residential development of the site on 20 January 2005, under application reference S04/1829/21. Condition 6 of the outline planning permission stated:

1. The siting of any dwelling on the site shall take the form of road frontage development, which should avoid any forms within the western half of the site.

A further application was made towards the end of June 2005, under application reference S05/0893/21, for the variation of Condition 6 of the original outline approval to allow for a more comprehensive development of the site by showing a hatched area of land, sweeping around the south-west portion of the site, which would remain un-developed to provide a break between the built form and the open countryside to the west and south.

Following much debate the application was approved at the Development Control Committee on 13 September 2005 with the following (varied) condition imposed:

1. The hatched area on the submitted plan shall not contain any built development and shall form a landscaping belt, in accordance with details to be submitted to and approved in writing by the local planning authority, to screen the development and provide a gentle transition between the built environment and the open countryside to the west and south of the application site. Planting shall be carried out in accordance with the approved details.

Reserved matters approval was sought under application S05/1453 for the erection of 20 dwellings on the site. It was established through the consideration of this application that, due to discrepancies between the reserved matters application and the outline planning approval that it was pursuant to, that the application was invalid. To overcome this the applicants withdrew the application, on 1 March 2006, and submitted a subsequent application to rectify the anomalies on the outline planning permission (S04/1829/21 – referred to above).

Members will be fully aware of the recent application, S06/0347/21, to amend one of the conditions imposed on the outline planning application and to omit one other condition. Both of these conditions related to highway issues. This application was approved at the Development Control Committee on 13 June 2006.

Consent is therefore in place, in outline form only, for the residential development of the site with an access to serve the site of an adoptable standard and with visibility splays that are acceptable to the Highway Authority.

The Proposal

Reserved Matters approval is sought for the erection of 24 'starter homes' on the site. Access into the site will be as per the details approved on the outline planning permission. The access road feeds into the centre of the site with the proposed dwellings arranged around the turning feature.

The proposal offers a variety of small 2 and 3-storey (rooms in the roof) properties with the provision of 10 apartments, arranged in 2 3-storey blocks, to the south west side of the site, following the agreed line beyond which no development should take place (see application S05/0893/21 as referenced above).

All of the apartments are 2-bedroomed and the semi-detached and terraced properties on the remainder of the site are all 2-bedroomed other than plots 6, 7 and 17 which are 3-bedroomed. The properties are well designed, incorporating many features that are common to village development and, due to their unique designs and siting, offer a good roofscape to this part of the village, without compromising the street scene characteristics.

To the rear of the apartment buildings would be a shared area of amenity space and landscaping that would be available for use by all the future occupiers of the dwellings on the site.

The dwellings to be sited along the northern boundary of the site have been carefully designed in order to avoid any issues of height impact and overlooking on the neighbouring dwelling to the north (20 Doddington Lane). Plot 1 is level with the neighbouring dwelling and has no impact on the adjacent dwelling. Plot 2 has a single window at first floor in the rear elevation, serving only a WC/bathroom. Plots 3, 4 and 5 only have rooflights at first floor on the rear elevation, serving bedrooms and the side elevation to plot 6 has a blank gable wall facing north-east.

A plan submitted on 28 July 2006 identifies 10 existing properties within 100m of the application site that are either 3-storey or incorporate a 2nd floor within the roof area. There are other examples within the village of 3-storey development (modern and traditional), which gives further evidence that this height of development is not uncommon in a rural location.

In addition to these details the applicants have also provided elevational drawings of the properties through the site to show the development in context and to offer a clearer indication of how the development will be viewed from within and outside of the site.

Members will recall that issues relating to the sustainable character of the village, a potential Section 106 Agreement and the future density of the site were all discussed at the June Development Control Committee. The principle of the development of the site has been established by the approved outline permission and the proposed dwelling numbers have been accounted for in the housing figures. A Section 106 Agreement cannot be imposed on a reserved matters application and, based on the site area and the dwelling numbers proposed the density of the site is compliant with PPG3 suggested densities.

Policy Considerations

National Policy

PPG3 – Housing – Seeks to ensure the development of brownfield sites in sustainable locations, a good mix of house types, sizes and style and advises of development densities of between 30 and 50 per hectare.

Lincolnshire Structure Plan

Policy H2 – Housing on Previously Developed Land – Seeks the provision of a percentage of new housing on previously developed land.

South Kesteven Local Plan

Policy H6 – Housing – Allows for development that (inter alia) has no resultant impact on the form, character and appearance of the settlement. A residential development on this site would not be harmful to the character and appearance of this part of the village and seeks to replace an existing dwelling with residential properties. In visual terms the scheme would not be harmful to the character of the area.

Policy EN1 – Protection and Enhancement of the Environment – Allows for development that (inter alia) reflects the general character of the area through layout, siting, design and materials.

Policy H9 – Seek to ensure the provision of a good mix of dwelling styles and sizes to cater for a range of housing needs.

Statutory Consultations

Parish Council:

1. 85% of the site area is hard surface which gives cause for concern regarding surface water disposal. The pond arrangements for dealing with this are not clear and may not be adequate. This view is partly based on the recent experiences with the closely adjacent Bovis estate and the problems with drainage there.

2. Safety of the pond needs some consideration given that these homes are starter homes and will inevitably have a number of small children who may be at risk.
3. The school, as you are aware, is already experiencing demand exceeding capacity and this will add to those problems.
4. The designs of the properties are fine and the Architect has gone to some lengths to meet concerns of residents in a sympathetic manner. The issue of village infrastructure and its capacity to absorb a further 24 properties remains a concern.

Local Highway Authority: Request the imposition of 3 conditions and a 'note to applicant' on any approval.

Community Archaeologist: No comments made.

Environment Agency: No comment made.

Representations as a Result of Publicity

The application has been advertised in accordance with established procedures, the closing date for representations being 11 August 2006. At the time of drafting this report representations had been received from the following:

1. Mrs C Collier, 11 Wickliffe Park
2. Mr T Thomas, 12 Moore Close
3. C Sharp, By email, address withheld
4. Mr D Grove, 33 Doddington Lane

The following issues were raised:

- a) Village is classed as un-sustainable, how can more development be accepted?
- b) Impact on village infrastructure, school and services
- c) Noise levels from development will impact on adjacent dwellings.
- d) More use of cars and increase in volume of traffic on village roads.
- e) Visual impact.
- f) Further drain on resources.
- g) Access on a dangerous bend – highway safety.
- h) Densities exceed Government guideline for rural areas, set out in PPG3.

Planning Panel Comments

25 July 2006 – The application be deferred to the Development Control Committee for consideration.

Applicant Submissions

A comprehensive car-parking appraisal was submitted as part of the application, which has been considered and accepted by the Highway Authority.

Conclusions

The site is clearly 'brownfield' in character is therefore sequentially preferable for re-development to 'greenfield' sites that may exist within or on the edges of the village. As the site is within the built-

up area of the village it does not create an expansion of the village contrary to its form and character. Further enhancement is gained by the preservation of the landscaped belt to the south-west corner of the site. On this basis it is considered that the proposal also conforms to the key issues of PPG3 as well as housing policy H6 and environmental policy EN1 of the South Kesteven Local Plan.

The development also conforms to Policy LH9 of the South Kesteven Local Plan as it provides a good mix of dwelling styles and sizes to cater for a range of housing needs.

Further large-scale development within the village is now protected against through the Interim Housing Policy and local and national policies relating to sustainable development.

Summary of Reasons for Approval

The proposal is in accordance with national and local policies as set out in Planning Policy Guidance note(s) 3, policies H6, H9 and EN1 of the South Kesteven Local Plan. The issues relating to impact on infrastructure, noise, traffic generation, visual impact, highways safety and densities of development are material considerations but, subject to the condition(s) attached to this permission, are not sufficient in this case to indicate against the proposal and to outweigh the policies referred to above.

RECOMMENDATION: That the development be Approved subject to condition(s)

1. Before the development is brought into use, the private driveway shall be provided with lighting (to a minimum level of BS 1549) in accordance with details to be submitted to and approved in writing by the Local Planning Authority.
2. The first floor window in the north elevation of Plot 1 shall be non-opening and fitted with obscure glazing in perpetuity. No variation shall be made to this window without the written consent of the local planning authority.
3. 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 within plots 1 to 6.
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 buildings, outbuildings, extensions, conservatories, garages, garden structures or other such developments shall be erected on the land without the express permission of the District Planning Authority.
5. 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.
6. Before any dwelling is commenced, all of that part of the estate road and associated footways that forms the junction with the main road and which will be constructed within the limits of the existing highway, shall be laid out and constructed to finished surface levels in accordance with details to be submitted to and approved by the Local Planning Authority.

7. The arrangements shown on the approved plan 1205.A.2.A dated 24 July 2006 for the parking/turning/loading/unloading of vehicles shall be available at all times when the premises are in use.
8. This consent relates to the application as amended by cross sectional elevations through the site as received on 6 July 2006 and elevational and layout details received on 10 July 2006.

The reason(s) for the condition(s) is/are:

1. To provide adequate lighting of the private driveway in the interests of crime prevention and community safety and in accordance with Policy EN1 of the South Kesteven Local Plan.
2. To ensure that there is no direct over-looking of the adjacent property to the north in the interests of residential amenity and to ensure a satisfactory development as in accordance with policy EN1 of the South Kesteven Local Plan.
3. The planning authority wish to be in a position to determine the effects that such development would have on the surrounding area and in accordance with Policy EN1 of the South Kesteven Local Plan.
4. The planning authority wish to be in a position to determine the effects that such development would have on the surrounding area and in accordance with Policy EN1 of the South Kesteven Local Plan.
5. To ensure that surface water run-off from the development will not adversely affect, by reason of flooding, the safety amenity and commerce of the residents of this site, and in accordance with Policy EN1 of the South Kesteven Local Plan.
6. In the interests of safety of the users of the public highway and the safety of the users of the site, and in accordance with Policy H6 of the South Kesteven Local Plan.
7. To ensure safe access to the site and each dwelling/building in the interests of residential amenity, convenience and safety, and in accordance with Policy H6 of the South Kesteven Local Plan.
8. For the avoidance of doubt.

Note(s) to Applicant

1. Your attention is drawn to the conditions imposed on the outline planning permission S04/1829/21, and subsequent applications to vary those conditions as approved under applications S05/0893/21 and S06/0347/21, which remain relevant in this instance.

The above application was deferred from the last meeting pending the receipt of further information on the drainage of the site, to be circulated with the agenda for the next meeting.

This information has now been received.

Amended plans have been received at a scale of 1:100 to address the conditions of the outline planning permission.

Amended plans have been received regarding the access and site layout. The local highway authority has indicated that these plans are acceptable.

Assets and Facilities Management have made the following comments regarding the drainage details:

As far as this department is concerned your proposals are acceptable provided only that:

- The future maintenance of both foul and surface water pumps are assured, and the council is informed as to contact details for those maintaining them.
- Likewise the future maintenance of the pond and receiving ditches.
- The receiving ditches for surface water are initially cleansed of overgrown vegetation and silt (as per my previous comments).
- Noting comments from Aqua-Jet, the existing sw sewer between MH2 and MH4 must be cleared of debris.

The following representations were not included on the agenda for the last meeting.

Claypole Parish Council:

1. 85% of the site is hard surfaced which gives cause for concern regarding surface water disposal. The pond arrangements for dealing with this are not clear.
2. Safety at the pond needs some consideration given that these homes are starter homes and will inevitably have a number of small children who may be at risk.
3. The school as you are aware is already experiencing demand exceeding capacity and this will add to these problems.
4. The design of the properties are fine. The issue of village infrastructure and its capacity to absorb a further 24 properties is a concern.

From members of the public:

1. Sunnyside House, 20 Doddington Lane, Claypole.
2. 11 Wickliffe Park, Claypole.

A summary of the main issues raised are listed below:

1. The plans submitted are not at a scale of 1:100. Therefore contrary to the planning conditions.
2. Accuracy of the plans is a concern to allow accurate monitoring of the built form.
3. Drainage details have not been submitted.
4. Our property has already experienced flooding following the removal of trees from the site.
5. The number of houses on the site is too dense for the village of Claypole, and is contrary to PPG3.

6. Proposal will increase the traffic throughput of the village.
7. The local school is already full and there is limited public transport.
8. The outline permission states that this development is off a private drive and only supports a maximum of 5 houses from this site.
9. The amount of parking on the site is adequate for the numbers of houses. There are only 2 visitor parking spaces for the whole site. This will necessitate additional parking adjacent to the site access on Doddington Lane which is close to a 90 degree bend and opposite a pedestrian access.
10. The development is out of character with the village and Doddington Lane itself.
11. the trees removed from the site was contrary to condition 4 of the outline planning permission.
12. The houses (numbers 1, 2, 3, 4, 5 and 6) are too close to the boundary. They would result in an invasion of privacy and impact on light into lounge and master bedroom.
13. Demolition should not take place until all planning matters are resolved and planning permission has been granted.
14. The proposed density does not reflect the existing pattern of settlement.
15. Claypole has limited public transport and no safe cycle routes.
16. It is agreed that some one/two bedroom starter homes/flats are required in the village. But it is not considered that a development of this scale (two or three bedroom homes) and density is the answer. The support services are either over stretched or not in place.

Any further comments received as a result of the statutory consultation period will be reported verbally.

Comments on Representations Received

The overall area of the site is approximately 0.4 hectares. There would be a landscaped area in the south-western corner of the site which would be accessed via a pedestrian hand gate. It is considered that as this area would be accessible for the proposed residents and therefore usable, it can be considered incidental open space/landscaping and should therefore be included in the net site density. The overall density for the site would therefore be approximately 60 dwellings per hectare. Current government guidance regarding residential development is contained in Planning Policy Guidance Note PPG3. This requires local planning authorities to make more efficient use of land at a density of between 30 and 50 dwellings per hectare. The density of the development in its submitted form is therefore marginally above the indicative densities set out in PPS3. However, the layout of the site does provide reasonable space about the dwellings and does not appear over development of the site and is comparable in form, character and layout to the existing residential developments off Doddington Lane.

The layout of the development is such that plots 1 and 2 are the units closest to the neighbouring property (20 Doddington Lane). Plot 1 is approximately 7.3 metres from the neighbouring property at its closest point. Plot 2 is 6.5 metres away at its closest point, but is set at a more oblique angle, not directly facing 20 Doddington Lane. It is considered that this is sufficient separation, when coupled with the proposed boundary treatment to protect the residential amenity of the

neighbouring occupiers, and ensure that they do not experience any significant overshadowing/loss of privacy that could justify a refusal of planning permission on these grounds.

It is accepted that the outlook from the neighbouring property would change and the current feeling of tranquillity/quietness may well diminish as a result of the proposed development. Whilst these changes may not be welcomed, to ensure that neighbouring occupiers experience no loss of amenity is an unreasonable test for any planning application.

* * * * *

NR.4 S06/1003/55

Date Received: 17-Jul-2006

| | |
|-----------|---------------------------------------------------------------------------------------------------------|
| Applicant | HPC (Homes) Limited Tilia House, 2, Tilia Way, Bourne, PE10 0QR |
| Agent | A Briggs & C Wicks, Clive Wicks Associates Old School House, 36, Boston Road, Sleaford, Lincs, NG34 7EZ |
| Proposal | Residential development (14) |
| Location | 29, Great North Road, Long Bennington |

| | |
|-------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <u>Site Details</u> Parish(es) | Long Bennington Public footpath abuts site C Class Road Unclassified road Demolition of any building - BR1 Area of special control for adverts H5 Housing - villages Airfield Zone - No consultation required TPO adjoins site - TPO2 Drainage - Lincs Drainage - Trent |
|-------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

REPORT

The Site and its Surroundings

The proposal relates to the erection of 14 residential properties on the land which is currently occupied, in part, by a motor garage and 29 Great North Road. The western half of the site is a private paddock. The site would be accessed off Great North Road.

Site History

The adjacent site (21 Great North Road) has been the subject of a number of planning applications.

S05/0436 – Demolition of existing dwelling and erection of five dwellings. Outline planning permission was granted at appeal on 16 November 2005.

S06/0324 – Demolition of existing dwelling and erection of six dwellings and widen access. Outline planning permission was granted on 21 April 2006.

S06/0955 – At the time of drafting this report a reserved matters planning application for 6 dwellings is lodged with the local planning authority.

The Proposal

The proposal relates to the erection of 14 dwellings. There is a mix of detached and semi-detached properties.

The applicant has submitted the following information in support of the application:

1. The site is partly brownfield.
2. Although the site is below the 15 unit qualifying level for affordable housing, the proposals include 4 no. low cost 3 bed semi-detached houses within the site.
3. A financial contribution will be made in lieu of on site open space provision. A further contribution towards play equipment provision at the managed play field areas.
4. The density of the proposal accords with PPG3 within being alien to either the other recent developments in the village or the original dwellings on Great North Road.
5. The overall concept of the design is one of 'back edge of footpath' to echo the older parts of Long Bennington.
6. Heavy landscaping is proposed.
7. It is anticipated that the project will, with its design and materials, fit into the fabric of Long Bennington.

Policy Considerations

Central Government Guidance

PPG3 – Housing (2000) – seeks to ensure the development of brownfield sites in sustainable locations.

South Kesteven Local Plan

Policy EN1 – Protection and Enhancement of the Environment.

Policy H6 – Housing on Unallocated Sites.

Policy H5.36 – Housing on Allocated Sites – land to the east of Costa Row and south of The Manor Hotel.

Statutory Consultations

Local Highway Authority: The Highway Authority has raised concerns regarding the junction visibility. An amended plan has been received to address this matter. Any comments/requested planning conditions received from the Highway Authority will be reported verbally.

Community Archaeologist: The proposed development does not affect any known archaeological sites.

Environment Agency: No objections.

Asset and Facilities Management:

Existing surface water drainage systems are at capacity. All new drainage must be independent.

Parish Council:

1. This proposal is fundamentally contrary to the Long Bennington Village Design Statement which although not formally implemented at this time has been received and welcomed by South Kesteven District Council as a comprehensive and meaningful document. This document sets out the Development Needs and identifies these under the following headings:

- Affordable Housing
- Nursing home
- Sheltered accommodation
- Residential homes suitable for retirement

This proposal does not in any respect meet these identified requirements, indeed it is yet another proposal for executive homes of which there is already an abundance in Long Bennington.

This particular site is in a prime place for either a residential home for the elderly or for sheltered housing or for retirement homes in terms of its close proximity to all amenities in the village.

2. The disposal of foul sewage through the Anglian Water Company is already a concern and additional loading on the system should be carefully approached by SKDC to Anglian Water before any further development in this part of the village is approved.
3. The proposal for disposal of surface water by means of soakaways will again present serious problems (as stated so many times in the past by this Parish Council) since the land in this area consists of heavy clay. We have had difficulties in the recent past with flooding and ineffective soakaways will only add to this problem.
4. The form and character of Long Bennington is being changed by the continuous development of, it seems, every piece of available land by proposals such as this one. The Parish Council is exasperated by the apparent desire of developers and the SKDC to ignore the needs of this village in respect of its form and character. Despite our representations in the past we are still bombarded with this kind of proposal for unsympathetic properties. The parish Council is of the view that this will set a precedent on Main Road for this type of

development, ie backland and infill which has blighted many other parts of this pleasant village.

The visual impact of developments should blend into the existing streetscape and not have a detrimental effect on the form and character of the local environment. Long Bennington is frighteningly quickly losing its village character and sadly becoming an urban conurbation.

5. This development as submitted will be overlooking existing adjacent properties and as such will be detrimental to them.
6. There are adequate areas of land identified in the Local Plan to meet the housing need for the District Council and over recent years Long Bennington has had a great deal more than its quota of new housing developments.

Representations as a result of publicity

Letters of objection have been received from the occupiers of the following properties:

1. 23 Manor Drive, Long Bennington.
2. 31 Great North Road, Long Bennington.
3. 21 Manor Drive.
4. 35 Manor Drive.
5. Embleton Lodge, 33 Manor Drive.
6. Archway Cottage, 7-13 Welbournes Lane.
7. 25 Manor Drive.

A summary of their main concerns are listed below:

1. There are too many developments in Long Bennington. The infrastructure cannot support so much additional development.
2. The adjacent site has received planning permission for six dwellings off a single track access onto an area of Main Street which is already congested.
3. The two larger properties (plots 10 and 11) will be constructed immediately on our hedge line (23 Manor Drive) which will result in a loss of privacy.
4. Detrimental effect on property values.
5. The northern boundary dwellings should be single storey.
6. Overshadowing/loss of light.
7. Noise and disturbance.
8. Loss of privacy.
9. The existing footpath would be flanked by development producing a corridor effect.
10. Large portion of the site is greenfield.
11. Would create a dominant and oppressive environment.

12. Impact on highway safety.
13. Visually intrusive.
14. Drainage problems within the village.
15. The density of the development is out of character with the surrounding development.
16. Contrary to Supplementary Planning Guidance – Backland Development.
17. Loss of daylight/sunlight.
18. Loss of a significant willow tree.
19. Restrictive covenant on the paddock which stipulates the paddock can only be used as garden associated with the adjoining dwelling.
20. Proposed development is contrary to the Long Bennington Plan (the village has reached its limit for growth).
21. There is currently a traffic hot spot around the post office/general store. This development will exacerbate the problem.

Planning Panel Comments

To be determined by Committee

Conclusions

The proposal is located on a site which is part previously developed and part Greenfield. The previously developed proportion of the site, approximately half, is occupied by a car garage and is associated curtilage, and the property, 29 Great North Road and its associated garden area.

The rear half of the site, the greenfield (paddock) part of the site is allocated in the adopted South Kesteven Local Plan under Policy H5.36.

It is acknowledged that, whilst the site is allocated in the Local Plan, Planning Policy Guidance Note PPG3 is still relevant:

“Where the planning application relates to development of a Greenfield site allocated for housing in the adopted Local Plan or UDP, it should be assessed, and a decision made on the application, in the light of the policies set out in this guidance. Comparison with available previously-developed sites against the criteria in paragraph 31 and in the light of the presumption in paragraph 32 and the policies on design, layout, and efficient use of land, including car parking, will be particularly relevant.”

Paragraph 31 states:

In deciding which sites to allocate for housing in local plans and UDPs, local planning authorities should assess their potential and suitability for development against each of the following criteria:

- the availability of previously-developed sites and empty or under-used buildings and their suitability for housing use;
- the location and accessibility of potential development sites to jobs, shops and services by modes other than the car, and the potential for improving such accessibility;
- the capacity of existing and potential infrastructure, including public transport, water and sewerage, other utilities and social infrastructure (such as schools and hospitals) to absorb further development and the cost of adding further infrastructure;
- the ability to build communities to support new physical and social infrastructure and to provide sufficient demand to sustain appropriate local services and facilities; and
- the physical and environmental constraints on development of land, including, for example, the level of contamination, stability and flood risk, taking into account that such risk may increase as a result of climate change.

Long Bennington is identified as a local service centre by the Council's Interim Housing Policy. As such the village can be regarded as a sustainable location for development and compliant with PPG3.

It is considered that the density of the development (14 dwellings on a site with an area of 0.55ha) would result in an efficient use of the land without resulting in a form of development out of character with the area.

Whilst concern has been raised regarding highway safety, and the capacity of the highway network to accommodate the additional vehicle movements, the local highway authority is content with the scheme.

It is accepted that erection of 14 dwellings on the site would result in built form significantly closer to the neighbouring dwellings than at present. It is considered that the existing and proposed boundary treatments and separation distances would ensure that there is no significant loss of residential amenity to the neighbouring occupiers that could justify refusal on these grounds.

It is acknowledged that the outlook from the neighbouring dwellings would change as views over the adjacent paddock would be removed. I accept that these changes may not be welcomed. But to ensure that the existing occupiers would experience no adverse impact from a new development would be an unreasonable level of test for a proposed development.

The proposed residential development of the site would also result in the removal of the existing car garage. It is considered that this would remove a source of noise and disturbance from what is currently a non-conforming land use.

Summary of Reasons for Approval

The proposal is in accordance with national and local policies as set out in Planning Policy Guidance note(s) PPG3 and Policies EN1, H6 and H5.36 of the South Kesteven Local Plan. The issues relating to impact on infrastructure, noise and disturbance, traffic generation, visual impact, highway safety, density of development, loss of privacy and loss of sunlight/daylight/overshadowing are material considerations but, subject to the condition(s) attached to this permission, are not sufficient in this case to indicate against the proposal and to outweigh the policies referred to above.

RECOMMENDATION: That the development be Approved subject to condition(s)

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
2. The roofing and facing materials to be used in the development hereby permitted shall be in accordance with the submitted materials schedule received by the local planning authority on 17 July 2006 unless otherwise agreed in writing by the local planning authority.
3. This permission shall be read in conjunction with the submitted application and the amended plans (Drawing No. 6155/01 Rev B, 61655/07 Rev A and 61655/11) received by the local planning authority from the applicants agent on 15 September 2006 unless otherwise agreed in writing by the local planning authority.
4. 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.
5. 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 unless otherwise agreed in writing by the local planning authority.
6. 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.
7. 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.
8. All planting, seeding or turning comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the

sooner; and any trees, shrubs or plants which within a period of 5 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 local planning authority gives written approval to any variation.

The reason(s) for the condition(s) is/are:

1. Required to be imposed pursuant to section 91 of the Town and Country Planning Act 1990.
2. In the interests of visual amenity and in accordance with Policy EN1 of the South Kesteven Local Plan.
3. To define the permission.
4. To ensure a satisfactory form of development and in accordance with Policy EN1 of the South Kesteven Local Plan.
5. The planning authority wish to be in a position to determine the effects that such development would have on the surrounding area and in accordance with Policy EN1 of the South Kesteven Local Plan.
6. To prevent overlooking to and from the development and to reduce the impact of the development on the appearance of the area and in accordance with Policy EN1 of the South Kesteven Local Plan.
7. In the interests of amenity, to ensure a satisfactory development and to ensure that any new development does not impose adversely upon its surroundings and in accordance with Policy EN1 of the South Kesteven Local Plan.
8. Landscaping and tree planting contributes to the appearance of a development and assists in its assimilation with its surroundings. The implementation of the scheme is therefore necessary to create and maintain a pleasant environment and in accordance with Policy EN1 of the South Kesteven Local Plan.

Note(s) to Applicant

1. The comments of the Environment Agency have been sent direct to the applicant/agent.
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.

* * * * *

Agenda Item 6

AGENDA ITEM

Report No: PLA.616

DEVELOPMENT CONTROL COMMITTEE

03 OCTOBER 2006

REPORT BY ACTING DEVELOPMENT CONTROL SERVICES MANAGER

Information relating to development control and other planning activity

TABLE 1 **Applications not determined within 8 weeks**

This table, broken down into the four Development Control Zones, lists those applications that have not been determined within the recommended 8 week time period. These applications are listed by application number, registration date, applicant, proposal and location.

The number of applications listed, 67 in total, is similar to the previous Committee (66 applications listed).

TABLE 2 **Applications dealt with under delegated powers from 28 August – 15 September 2006**

This table lists those applications upon which decisions have been made under the Powers of the Council Exercisable by Officers (as adopted by the District Council on 12 April 1990), and are set out on Pages 65-67 of the Council Yearbook. Decisions authorised by the Planning Panel are identified.

TABLE 3 **Planning Appeals Update**

This table lists outstanding appeals together with newly submitted appeals and decisions received during the last month.

DEVELOPMENT CONTROL SERVICES**Applications not determined within the 8 week statutory period**

Report No: 13/06

Date Prepared: 18 September 2006

No of applications over 8 weeks: 67

NORTH RURAL**S05/1030/57/KJC**

Date received:

27-Jul-2005

No of days: 419

Mr M Dossa

Extension to provide additional bedrooms

The Olde Barn Hotel, Toll Bar Road, Marston

Reason for non-determination:

Awaiting amended plans

S05/1269/22/EAB

Date received:

16-Sep-2005

No of days: 368

Mr A G White

Industrial Development (B1, B2, B8)

Sir Isaac Newton Business Park, Part OS 0062, Bourne Road,

Colsterworth

Reason for non-determination:

Highways Agency require additional information

S05/1358/22/MH

Date received:

11-Oct-2005

No of days: 343

Vishal Properties Ltd

Mixed use development (residential, offices, retail, nursery & workshops)

Colsterworth Industrial Estate, Colsterworth

Reason for non-determination:

Chairman/Vice Chairman to approve subject to S106 agreement

S06/0102/21/KJC

Date received:

23-Jan-2006

No of days: 239

Mr R Cox

Change of use of agricultural land to garden

15, Welfen Lane, Claypole

Reason for non-determination:

Awaiting comments from consultees

S06/0487/63/MAS

Date received:

03-Apr-2006

No of days: 169

Mr D Rowlands, Iberdrola Renewables Energies

50m tall, steel meteorological mast

Neslam Farm, Sempringham Fen

Reason for non-determination:

Further information received, now subject to consultation and analysis

S06/0532/46/KJC

Date received:

10-Apr-2006

No of days: 162

Mr & Mrs Rowland

Proposed garage extension and alterations

The Old Hall, Hall Lane, Brandon

Reason for non-determination:

Awaiting amended plans

S06/0678/42/EAB

Date received:
11-May-2006
No of days: 131

Mr E A Cant

Change of use of agricultural land to car parking
38, Church Leys, Heydour
Reason for non-determination:
Deferred pending decision on Scheduled Monument Consent

S06/0713/55/KJC

Date received:
16-May-2006
No of days: 126

Dr Lawrenson & Dr Pullinger

Demolition of existing house & surgery and erection of two storey starter flats (18)..
15 - 17, Winters Lane, Long Bennington
Reason for non-determination:
Awaiting consultation period to expire and S106 agreement

S06/0843/59/KJC

Date received:
12-Jun-2006
No of days: 99

Mr & Mrs R J Dowding

Removal of occupancy cond to allow annexe to be occupied as separate dwelling
Beechcroft Farm, Normanton on Cliffe
Reason for non-determination:
Applicant requested to withdraw

S06/1004/26/MH

Date received:
17-Jul-2006
No of days: 64

Trustees of Denton Settlement

Renovation of farmhouse and provision of extensions and garages and conversion of barns to two dwellings
Hill Top Farm Cottage, Croxton Kerrial (Parish of Denton)
Reason for non-determination:
Still under consideration

S06/1029/66/ST

Date received:
21-Jul-2006
No of days: 60

Hon James & Lady Caroline Ogilvy

Single storey extension and first floor alterations
Sedgebrook Manor, Church Lane, Sedgebrook
Reason for non-determination:
Chairman/Vice Chairman to approve subject to clearance of listed building consent S06/LB/6631/26 from Secretary of State

S06/LB/6588/46/KJC

Date received:
10-Apr-2006
No of days: 162

Mr & Mrs Rowland

Garage extension and alterations
The Old Hall, Hall Lane, Brandon
Reason for non-determination:
Awaiting amended plans

S06/LB/6596/05/KJC

Date received:
27-Apr-2006
No of days: 145

Anthony John Scarborough

New openings in curtilage buildings and demolition of tin shed
Heath Farm, Barkston
Reason for non-determination:
Awaiting amendments

S06/LB/6631/26/MH

Date received:
17-Jul-2006
No of days: 64

Trustees of Denton Settlement

Renovation of farmhouse and provision of extensions and garages and conversion of barns to 2 dwellings
Hill Top Farm Cottage, Croxton Kerrial
Reason for non-determination:
Still under consideration

S06/LB/6634/66/ST

Date received:
21-Jul-2006
No of days: 60

Hon James & Lady Caroline Ogilvy

Alteration to listed building
Sedgebrook Manor, Church Lane, Sedgebrook
Reason for non-determination:
Chairman/Vice Chairman to approve subject to clearance from
Secretary of State

NORTH URBAN**S01/0426/54/MAS**

Date received:
05-Apr-2001
No of days: 1993

Mr R D Stafford

Residential development (renewal)
Adjacent Bridge End Grove, Grantham
Reason for non-determination:
Awaiting details of flood prevention measures

S02/0154/35/MAS

Date received:
05-Feb-2002
No of days: 1687

Buckminster Estate & Jenkinson Trust

Residential development, local centre, school, open space,
roads and bridge
Poplar Farm, Barrowby Road, Grantham
Reason for non-determination:
Public Inquiry set for February 2007

S03/1189/35/PJM

Date received:
01-Sep-2003
No of days: 1114

Clinton Cards Plc

New illuminated fascia and projecting sign
48a, High Street, Grantham
Reason for non-determination:
Awaiting further information

S03/1190/35/PJM

Date received:
01-Sep-2003
No of days: 1114

Clinton Cards Plc

New shop front
48a, High Street, Grantham
Reason for non-determination:
Awaiting further information

S03/LB/6083/35/PJM

Date received:
01-Sep-2003
No of days: 1114

Clinton Cards Plc

New shopfront including illuminated fascia and projecting sign
and removal of staircase
48a, High Street, Grantham
Reason for non-determination:
Awaiting further information

S05/0788/35/KJC

Date received:
09-Jun-2005
No of days: 467

Ben Stanley

Fascia sign, swing sign and projecting box sign
Dr Thirsty, 85, Westgate, Grantham
Reason for non-determination:
Awaiting amended plans

S05/1609/35/KJC

Date received:
02-Dec-2005
No of days: 291

Mr M DiMeglio

Change of use from A1 (retail) to A3 (restaurant/snack bars)
Unit 8, The George Shopping Centre, Grantham
Reason for non-determination:
Awaiting amended plans

S06/0552/35/MH

Date received:
12-Apr-2006
No of days: 160

Asset & Facilities Management

Residential development
Former Kwiksaver Site, Castlegate, Grantham
Reason for non-determination:
Awaiting Archaeological Evaluation

S06/0997/35/KJC

Date received:
14-Jul-2006
No of days: 67

William Hill Organization Ltd

Rear extension & siting of 3 air condenser units on rear wall
45, High Street, Grantham
Reason for non-determination:
Additional plans/information requested

S06/1186/35/ST

Date received:
30-Jun-2006
No of days: 81

Mr T Durham

Erection of single storey rear extensions to dwelling
17, Langdale Crescent, Grantham
Reason for non-determination:
Waiting for site notice to expire

SOUTH RURAL**S02/1522/68/KJC**

Date received:
13-Nov-2002
No of days: 1406

A G White

Change of use to B1, B2 and B8
The Fox Garage, A1 North, South Witham
Reason for non-determination:
Awaiting details of traffic generation

S04/1509/75/IVW

Date received:
01-Oct-2004
No of days: 718

The Proprietor

Day nursery
Adj & R/o Pumping Station, Barholm Road, Tallington
Reason for non-determination:
Awaiting further information

S05/0855/23/MAS

Date received:
22-Jun-2005
No of days: 454

Hay Hampers Limited

Removal of condition 2 from planning permission
SK23/0631/89 (retention of windows)
The Barn, Church Street, Corby Glen
Reason for non-determination:
Further amendments required

S05/1252/58/MAS

Date received:
13-Sep-2005
No of days: 371

Alston Country Homes

Erection of dwelling (substitution of house type)
Plot 5, East Lane, Morton
Reason for non-determination:
Amendments required but subject to other applications

S06/0553/23/IVW

Date received:
24-Jul-2006
No of days: 57

Mr & Mrs H Smith

Erection of dwelling
Land Adjacent, 14, The Green, Corby Glen
Reason for non-determination:
Awaiting final comments from Highway Authority

S06/0781/68/IVW

Date received:
31-May-2006
No of days: 111

Conroy Construction Limited

Residential development (36) with associated external works
Bullimores Coal Yard, Thistleton Lane, South Witham
Reason for non-determination:
Awaiting amended drawings

S06/0932/68/IVW

Date received:
30-Jun-2006
No of days: 81

Mr & Mrs J H Dickinson

First floor extension
24, Station Avenue, South Witham
Reason for non-determination:
Awaiting amended drawings

S06/LB/6620/04/IVW

Date received:
20-Jun-2006
No of days: 91

T M Trollope-Bellew

Alteration of listed building (insertion of flue liners)
The Old Hall, Barholm
Reason for non-determination:
Awaiting revised details

SOUTH URBAN**S00/1124/69/IVW**

Date received:
31-Oct-2000
No of days: 2149

F H Gilman & Co

Business Park
PT OS 2700, Land north of Uffington Road, Stamford
Reason for non-determination:
Chairman/Vice Chairman to approve subject to Archaeological
Evaluation and S106 agreement

S03/0320/56/MAS

Date received:
27-Feb-2003
No of days: 1300

The Robert Doughty Consultancy Ltd

Industrial development B1, B2 and B8
OS 3900, 4800, 5300 & PT OS 7200, Northfield Road, Market
Deeping
Reason for non-determination:
Pending Local Development Framework

S03/0580/56/MAS

Date received:
06-May-2003
No of days: 1232

Messrs R & N Stanton

Erection of restaurant and takeaway
Adjacent The Towngate Inn, Peterborough Road, Market
Deeping
Reason for non-determination:
Awaiting Flood Risk Assessment

S03/1206/69/IVW

Date received:
03-Sep-2002
No of days: 1477

Mr S Haynes

Erection of garage and verandah
56, High Street, St. Martins, Stamford
Reason for non-determination:
Awaiting amended plan

S03/LB/6086/69/IVW

Date received:
03-Sep-2003
No of days: 1112

Mr S Haynes

Extension of listed building (verandah and garage)
56, High Street, St. Martins, Stamford
Reason for non-determination:
Awaiting amended drawings

S04/0949/69/MAS

Date received:
22-Jun-2004
No of days: 819

Hereward Homes Ltd

Erection of three flats and a two storey dwelling
R/o 4 St. Pauls Street, Stamford
Reason for non-determination:
Still under consideration

S04/1455/56/KJC

Date received:
22-Sep-2004
No of days: 727

Holland House Nursing Homes

Erection of 14 sheltered housing units
Holland House Residential Home, 35, Church Street, Market
Deeping
Reason for non-determination:
Discussions ongoing - amended plans received

S04/1463/56/MAS

Date received:
24-Sep-2004
No of days: 725

Tesco Stores Ltd

Extension to superstore
Tesco Stores Ltd, Godsey Lane, Market Deeping
Reason for non-determination:
Chairman and Vice Chairman to approve subject to S106

S04/1789/56/MAS

Date received:
26-Nov-2004
No of days: 662

Wilcox Body Trailers

Factory unit and offices
Land Adjacent Wilcox Body Systems, Blenheim Way, Market
Deeping
Reason for non-determination:
Chairman and Vice Chairman to approve subject to S106
agreement

S05/0183/69/IVW

Date received:
10-Feb-2005
No of days: 586

Croft Commercial Developments Limited

Creation of flat
8, St. Marys Hill, Stamford
Reason for non-determination:
Still under consideration following archaeologist's report

S05/0890/69/IVW

Date received:
30-Jun-2005
No of days: 446

Hegarty & Co

Partial demolition of store, ground floor extensions and internal alterations

10, Ironmonger Street, Stamford

Reason for non-determination:

Chairman/Vice Chairman to approve subject to clearance from Secretary of State

S05/1201/56/MAS

Date received:
05-Sep-2005
No of days: 379

Alston Country Homes Limited

Conversion of 5 barns to dwellings and construction of 2 dwellings

Towngate Farm House, Towngate West, Market Deeping

Reason for non-determination:

English Heritage objects - application to be withdrawn

S05/1426/69/IVW

Date received:
24-Oct-2005
No of days: 330

M Thurlby

Change of use of former RAFA Club to public house and single storey extension

The former Royal Air Forces Association, 12, St. Pauls Street, Stamford

Reason for non-determination:

Awaiting English Heritage comments

S05/1492/69/IVW

Date received:
08-Nov-2005
No of days: 315

Mr & Mrs B Green

Erection of 3 houses, 1 flat and associated parking and external works

Land Adj Grafton House, 1, Conduit Road, Stamford

Reason for non-determination:

Awaiting Highways comments on additional information

S05/1652/69/MAS

Date received:
09-Dec-2005
No of days: 284

Croft Commercial Developments Ltd

Four Class B1 (business) units

South View Farm, Tinwell Road, Stamford

Reason for non-determination:

Awaiting further information

S05/LB/6435/69/IVW

Date received:
30-Jun-2005
No of days: 446

Hegarty & Co

Partial demolition of store, ground floor extensions and internal alterations

10, Ironmonger Street, Stamford

Reason for non-determination:

Chairman/Vice Chairman to approve subject to clearance from Secretary of State

S05/LB/6461/56/MAS

Date received:
05-Sep-2005
No of days: 379

Alston Country Homes Limited

Conversion of five barns to dwellings and construction of two dwellings

Towngate Farm House, Towngate West, Market Deeping

Reason for non-determination:

English Heritage objects - application to be withdrawn

S05/LB/6489/69/IVW

Date received:
24-Oct-2005
No of days: 330

Mr M Thurlby

Alteration, partial demolition and extension to listed building
The former Royal Air Forces Association, 12, St. Pauls Street,
Stamford

Reason for non-determination:

Awaiting English Heritage comments

S06/0230/12/JJ

Date received:
16-Feb-2006
No of days: 215

Mr Twell

Residential development
R/o 48-64 Willoughby Road, Bourne

Reason for non-determination:

Chairman/Vice Chairman to approve subject to S106
agreement

S06/0439/69/IVW

Date received:
27-Mar-2006
No of days: 176

E Bowman & Sons

Residential development (outline)
Land And Premises Of E Bowman & Sons, Cherryholt Road,
Stamford

Reason for non-determination:

Awaiting final comments from Highway Authority

S06/0614/12/JJ

Date received:
25-Apr-2006
No of days: 147

Mr R Hiblin, c/o Workplace Property Ltd

Variation of time limit condition of p/p S03/0474 (extension to
bone mill and change of use to B2)
The Bone Mill, The Slupe, Bourne

Reason for non-determination:

Awaiting contaminated land survey

S06/0630/12/IVW

Date received:
28-Apr-2006
No of days: 144

Bourne Rugby Union Football Club

Erection of floodlights (6 retrospective and 11 proposed)
Bourne Rugby Club, Milking Nook Drove, Bourne

Reason for non-determination:

Awaiting additional information

S06/0632/69/IVW

Date received:
28-Apr-2006
No of days: 144

The George of Stamford

Restoration and conversion of garages into storage and
workshop facilities for hotel, provision of skip enclosure and
formation of additional car parking within garden area
George Hotel, High Street, St. Martins, Stamford

Reason for non-determination:

Awaiting additional information

S06/0694/12/JJ

Date received:
10-May-2006
No of days: 132

HPC (Homes) Ltd

Erection of storage and packaging warehouse with office
(revised scheme)
Part OS 3030, South Fen Road Business Park, South Fen
Road, Bourne

Reason for non-determination:

Awaiting additional information

S06/0756/12/MAS

Date received:
22-May-2006
No of days: 120

Anglia Regional Co-op Society

Demolition of existing factory unit and erection of 1 no foodstore, 4 non-food retail units with service yard and associated car parking
Land off, South Road, Bourne
Reason for non-determination:
Awaiting amendments

S06/0771/69/IVW

Date received:
26-May-2006
No of days: 116

Bex Boutiques Limited

Illuminated projecting sign
8, St. Marys Hill, Stamford
Reason for non-determination:
Negotiations ongoing

S06/0832/69/IVW

Date received:
09-Jun-2006
No of days: 102

Anvils of Stamford

Erection of 11 townhouses
2A, Radcliffe Road, Stamford
Reason for non-determination:
To a future meeting

S06/0907/69/IVW

Date received:
26-Jun-2006
No of days: 85

Mr & Mrs Vipan

Erection of chalet bungalow
88, Queens Walk, Stamford
Reason for non-determination:
Negotiations on-going

S06/0918/12/JJ

Date received:
29-Jun-2006
No of days: 82

M Parker & Sons Ltd

Erection of four dwellings including demolition of existing barns
40, Main Road, Dyke
Reason for non-determination:
Amendments to be requested

S06/0929/25/JST

Date received:
30-Jun-2006
No of days: 81

Ms C Dandridge

Parking of commercial vehicle (renewal)
18, Church Street, Deeping St. James
Reason for non-determination:
Awaiting amended plan for parking

S06/0940/25/JJ

Date received:
05-Jul-2006
No of days: 76

Mr Ian Bird

Erection of storage buildings & associated works in connection with cultivated turf business (retrospective)
Hards Lane, Frognall, Deeping St. James
Reason for non-determination:
Awaiting replies to consultations

S06/0944/12/JJ

Date received:
06-Jul-2006
No of days: 75

R P Markley

Change of use from foundry to wholesale builders merchants & erection of fence
Traditional Ironware, Cherry Holt Road, Bourne
Reason for non-determination:
Awaiting replies to consultations

S06/0959/12/BW

Date received:
04-Jul-2006
No of days: 77

Mr & Mrs Gamble

Siting of mobile home in conjunction with agriculture
Four Acre Farm, Berries Drove, South Fen Road, Bourne
Reason for non-determination:
Awaiting Agricultural Assessment

S06/LB/6598/69/IVW

Date received:
28-Apr-2006
No of days: 144

The George of Stamford

Alterations to curtilage listed building
George Hotel, High Street, St. Martins, Stamford
Reason for non-determination:
Awaiting additional information

APPLICATIONS DECIDED UNDER DELEGATED POWERS
FROM 07 – 25 AUGUST 2006

S05/LB/6455/69

Applicant: Mr & Mrs K McKay
Proposal: Alteration of listed building (replacement windows to dormers)
Location: The Old Salutation, 16, All Saints Street, Stamford
Decision: Approved conditionally - 21 August 2006

S06/0288/58

Applicant: Edren Homes Ltd
Proposal: Erection of two dwellings and associated works
Location: Land North Of Grove House, The Grove, Hanthorpe
Decision: Approved conditionally - 24 August 2006
* **DCSM authorised by Panel to determine**

S06/0327/69

Applicant: Viyella
Proposal: Fascia signage (non illuminated)
Location: 15a, St. Marys Street, Stamford
Decision: Refused - 08 August 2006

S06/0706/69

Applicant: Mr & Mrs C Holt
Proposal: Dormer windows to dwelling..
Location: 85, Empingham Road, Stamford
Decision: Approved conditionally - 21 August 2006

S06/0722/12

Applicant: Mr & Mrs P Carter
Proposal: Alterations and extensions to form first floor office with two garages under
Location: Manor Farmhouse, 34, Main Road, Dyke
Decision: Approved conditionally - 15 August 2006
* **DCSM authorised by Panel to determine**

S06/0737/76

Applicant: J Shackell
Proposal: Removal of existing outbuildings and erection of new garage/rear two storey extension
Location: Walnut Tree House, 20, Northorpe, Thurlby
Decision: Approved conditionally - 09 August 2006

S06/0809/69

Applicant: Dr & Mrs G Wheatley
Proposal: Extension to dwelling
Location: 11, St. Peters Street, Stamford
Decision: Approved conditionally - 25 August 2006
* **DCSM authorised by Panel to determine**

S06/0816/69

Applicant: Mr M Richards
Proposal: Two storey rear extension to dwelling
Location: 29, Vine Street, Stamford
Decision: Approved conditionally - 25 August 2006

S06/0828/22

Applicant: Mr A Lambert
Proposal: Erection of dwelling
Location: Land Off Main Street, Colsterworth
Decision: Refused - 08 August 2006

S06/0829/06

Applicant: Mr & Mrs D Harris
Proposal: Porch to front and study to rear
Location: 51, High Road, Barrowby, Grantham
Decision: Approved conditionally - 07 August 2006

S06/0833/69

Applicant: Mr & Mrs M Sharpe
Proposal: Extensions to dwelling
Location: Clan Ranald, Casterton Road, Stamford
Decision: Approved conditionally - 25 August 2006

S06/0840/69

Applicant: Mr & Mrs Thornton
Proposal: Erection of part two-storey side extension to dwelling
Location: 2, Cottesmore Road, Stamford
Decision: Approved conditionally - 08 August 2006

S06/0853/56

Applicant: Mr J Shaw
Proposal: Erection of bungalow and garage
Location: R/o 26 & 28A, Stamford Road, Market Deeping
Decision: Approved conditionally - 09 August 2006
*** DCSM authorised by Panel to determine**

S06/0868/35

Applicant: Paul Heard Properties Ltd
Proposal: Conversion of existing retail premises and first floor flat into 4 no self contained flats
Location: 1, Victoria Street, Grantham
Decision: Approved conditionally - 08 August 2006

S06/0869/69

Applicant: Mr T Gosney
Proposal: First floor extension
Location: 12, Roxburgh Road, Stamford
Decision: Refused - 09 August 2006

S06/0870/12

Applicant: Swedeponic UK Ltd
Proposal: Extension to rear and side of existing, glasshouse and formation of earth bank to rear to new extension
Location: Swedeponic Uk Ltd, Spalding Road, Bourne
Decision: Approved conditionally - 21 August 2006

S06/0877/35

Applicant: Mr & Mrs M Hough
 Proposal: Two storey extension
 Location: 42, Manchester Way, Grantham
 Decision: Approved conditionally - 08 August 2006

S06/0878/35

Applicant: Gov of St Mary's Catholic Primary School
 Proposal: Erection of 2 metre high security fence to site boundary including 2 pedestrian gates and 2 vehicle access gates
 Location: St. Mary's Catholic Primary School, Sandon Road, Grantham
 Decision: Approved conditionally - 08 August 2006

S06/0879/08

Applicant: Mr D A Johnson
 Proposal: Formation of vehicular access
 Location: 37, Low Road, Manthorpe
 Decision: Approved conditionally - 08 August 2006

S06/0880/12

Applicant: Mr T Bannister
 Proposal: Erection of dwelling
 Location: Adj. 24, Bede House Bank, Bourne
 Decision: Refused - 08 August 2006

S06/0881/63

Applicant: Mr M F Lingard
 Proposal: Erection of car port
 Location: 1, Pinfold Lane, Pointon
 Decision: Approved conditionally - 24 August 2006

S06/0883/12

Applicant: M H Crofts
 Proposal: Storage, sales and hire of vehicle area (renewal)
 Location: Adj West View, Tunnel Bank Road, Bourne
 Decision: Approved conditionally - 11 August 2006
*** DCSM authorised by Panel to determine**

S06/0884/76

Applicant: Jason Murray Homes Ltd
 Proposal: Erection of carport/garden implement store
 Location: 55, High Street, Thurlby
 Decision: Approved conditionally - 11 August 2006
*** DCSM authorised by Panel to determine**

S06/0885/62

Applicant: Meister Properties Ltd
 Proposal: Conversion of public house to dwelling and conversion of outbuildings from 2 apartments to single dwelling
 Location: Blue Bell, Church Lane, Pickworth
 Decision: Approved conditionally - 10 August 2006
*** DCSM authorised by Panel to determine**

S06/0886/56

Applicant: Mr & Mrs Pascoe
 Proposal: First floor extension over existing garage
 Location: 6, Nightingales, Market Deeping
 Decision: Approved conditionally - 09 August 2006

S06/0888/12

Applicant: Mr & Mrs R Bostock
Proposal: First floor rear extension
Location: 1, Laburnum Close, Bourne
Decision: Refused - 14 August 2006

S06/0889/12

Applicant: Mrs M Manderfield
Proposal: Single storey rear conservatory
Location: 28, Lavender Way, Bourne
Decision: Approved conditionally - 09 August 2006

S06/0892/35

Applicant: Miss S J Wells
Proposal: Erection of sectional concrete garage to replace existing
Location: 14, Jubilee Avenue, Grantham
Decision: Approved conditionally - 08 August 2006

S06/0894/08

Applicant: De Vere Hotels & Resorts
Proposal: Erection of external balconies to 28 first floor bedrooms
Location: Belton Woods Hotel, Belton
Decision: Approved conditionally - 08 August 2006

S06/0896/12

Applicant: Mrs M Gray
Proposal: Erection of dwelling
Location: (R/o 2 Lodge Road), Broadlands Avenue, Bourne
Decision: Refused - 14 August 2006

S06/0897/73

Applicant: Mr & Mrs R Warren
Proposal: Two storey side extension and conservatory
Location: 54, High Street, Swinstead
Decision: Approved conditionally - 15 August 2006

S06/0898/35

Applicant: Mr & Mrs S Storey
Proposal: Two storey rear extension
Location: 97, Queensway, Grantham
Decision: Refused - 14 August 2006
* **DCSM authorised by Panel to determine**

S06/0899/05

Applicant: Mr & Mrs D Sheard
Proposal: Single storey extension to form utility room
Location: 36, West Street, Barkston
Decision: Approved conditionally - 14 August 2006

S06/0900/55

Applicant: J D Wakefield
Proposal: Agricultural building for use as storage & workshop
Location: Fendyke Cottage, Valley Lane, Long Bennington
Decision: Approved conditionally - 10 August 2006

S06/0901/12

Applicant: Mrs Wright
 Proposal: New roof & 2nd floor extension to create rooms in roof space
 Location: 1, The Retreat, Bourne
 Decision: Withdrawn - 16 August 2006

S06/0902/56

Applicant: Mr J Shaw
 Proposal: Erection of two storey infill extension
 Location: 26, Stamford Road, Market Deeping
 Decision: Approved conditionally - 14 August 2006

S06/0903/07

Applicant: Mr A Copland
 Proposal: Rear extensions to dwelling
 Location: 25, Deeping Road, Baston
 Decision: Approved conditionally - 15 August 2006

S06/0904/56

Applicant: Mr & Mrs S Williams
 Proposal: Single storey extension to side of dwelling
 Location: 9, Nightingales, Market Deeping
 Decision: Approved conditionally - 15 August 2006

S06/0905/35

Applicant: Mr K Smith
 Proposal: Two storey side extension to dwelling
 Location: 32, Newport Avenue, Grantham
 Decision: Approved conditionally - 15 August 2006

S06/0906/64

Applicant: Mr David Doncaster
 Proposal: Demolition of existing single storey rear extension & erection of two storey rear extension
 Location: 15, Middle Street, Rippingale
 Decision: Refused - 17 August 2006
*** DCSM authorised by Panel to determine**

S06/0908/56

Applicant: J Goodman
 Proposal: Erection of conservatory
 Location: 35, Bramley Road, Market Deeping
 Decision: Approved conditionally - 25 August 2006

S06/0910/66

Applicant: Mr & Mrs P McCaul
 Proposal: Extension to front of dwelling (bay window)
 Location: Glovers Cottage, School Lane, Sedgebrook
 Decision: Approved conditionally - 15 August 2006

S06/0911/35

Applicant: Mr J Cave
 Proposal: Extension
 Location: 35, Chelmsford Drive, Grantham
 Decision: Approved conditionally - 16 August 2006

S06/0912/12

Applicant: Mr & Mrs P Fitzgerald
Proposal: Two storey side and rear extension
Location: 12, Aykroft, Bourne
Decision: Approved conditionally - 24 August 2006
* **DCSM authorised by Panel to determine**

S06/0913/35

Applicant: Mr & Mrs N Brewster
Proposal: Extension to dwelling and detached garage
Location: 168, Harlaxton Road, Grantham
Decision: Approved conditionally - 18 August 2006

S06/0915/17

Applicant: Mrs E Bell
Proposal: Conversion of barn to dwelling
Location: 19, High Street, Carlby
Decision: Approved conditionally - 18 August 2006
* **DCSM authorised by Panel to determine**

S06/0916/55

Applicant: Mr & Mrs Pudner
Proposal: Replacement conservatory
Location: 8, Drury Park, Long Bennington
Decision: Approved conditionally - 21 August 2006

S06/0917/35

Applicant: Bradford & Bingley plc
Proposal: 1 no. non-illuminated fascia sign and 1 no. timber amenity board
Location: 81, Westgate, Grantham
Decision: Approved conditionally - 22 August 2006

S06/0920/56

Applicant: P Brown
Proposal: Rear kitchen extension and alteration to roof over garage
Location: 8, Meadow Road, Market Deeping
Decision: Approved conditionally - 15 August 2006

S06/0921/69

Applicant: Mr B Raine
Proposal: Resiting wall and fencing to dwelling
Location: 12, Meadowsweet, Stamford
Decision: Approved conditionally - 09 August 2006

S06/0925/35

Applicant: Sportswift t/a Card Factory
Proposal: Static illuminated fascia signs
Location: 29, The Pantiles, Isaac Newton Centre, Grantham
Decision: Approved conditionally - 22 August 2006

S06/0926/35

Applicant: Mr & Mrs L Checkley
Proposal: Single storey rear extension to dwelling
Location: 22, Welby Gardens, Grantham
Decision: Approved conditionally - 21 August 2006

S06/0927/54

Applicant: Mr & Mrs Michelson
Proposal: Single storey extensions to front, side and rear of existing dwelling, demolition of existing garage and erection of detached double garage
Location: 14, Harrowby Hall Estate, Grantham
Decision: Approved conditionally - 21 August 2006

S06/0930/56

Applicant: Mr & Mrs C Sparkes
Proposal: First floor extension
Location: 5, Douglas Road, Market Deeping
Decision: Approved conditionally - 21 August 2006

S06/0931/52

Applicant: The Muir Group Housing Association Ltd
Proposal: Residential development (8)
Location: Land Off, Glen Close, Little Bytham
Decision: Withdrawn - 23 August 2006
*** DCSM authorised by Panel to determine**

S06/0933/69

Applicant: Marks & Spencer plc
Proposal: Installation of plant behind mansard roof and screen and insertion of louvres in existing openings in eastern elevation
Location: 41, High Street, Stamford
Decision: Approved conditionally - 21 August 2006

S06/0935/35

Applicant: Grantham Conservative Club
Proposal: Extension to existing car park area
Location: Grantham Conservative Club, 50, Castlegate, Grantham
Decision: Approved conditionally - 17 August 2006

S06/0936/35

Applicant: F W & R Properties
Proposal: Installation of three roller shutters to front elevation
Location: Unit 1, Inner Street, Grantham
Decision: Approved conditionally - 25 August 2006

S06/0941/35

Applicant: Lindpet Properties Ltd
Proposal: Demolition of garage building and erection of new retail and office building with associated works
Location: R/o Lindpet House, Conduit Lane, Grantham
Decision: Refused - 25 August 2006
*** DCSM authorised by Panel to determine**

S06/0947/54

Applicant: Sam Ballaam
Proposal: Extension to workshop
Location: Sam Ballaam Motor Engineering, Ruston Road, Grantham
Decision: Approved conditionally - 22 August 2006

S06/0949/35

Applicant: Mr & Mrs J Kidd
Proposal: Single storey side/rear extension
Location: 44, Harrowby Road, Grantham
Decision: Approved conditionally - 22 August 2006

S06/0950/35

Applicant: Mr & Mrs M Lister
Proposal: Single storey rear extension
Location: 2, Cambrian Close, Gonerby Hill Foot, Grantham
Decision: Approved conditionally - 22 August 2006

S06/0953/03

Applicant: Mr R Jackson
Proposal: Renewal of planning permission (S01/1129/03)
Location: Low Park Farm, Aslackby
Decision: Withdrawn - 10 August 2006

S06/0957/35, 37

Applicant: Mr & Mrs R C Bailey
Proposal: Single storey rear extension
Location: 35, Grampian Way, Gonerby Hill Foot, Grantham
Decision: Approved conditionally - 24 August 2006

S06/0958/35

Applicant: Mr & Mrs M Mapletoft
Proposal: Extension to dwelling (amended)
Location: 5, Gorse Road, Grantham
Decision: Approved conditionally - 25 August 2006

S06/0962/12

Applicant: R Longstaff & Co
Proposal: Display of non-illuminated wall and fascia signs
Location: 73B, Abbey Road, Bourne
Decision: Approved conditionally - 17 August 2006

S06/0966/63

Applicant: R W Thorpe
Proposal: Erection of house and garage
Location: Land Adjacent Windy Acres, South Side, Millthorpe Drove, Millthorpe
Decision: Approved conditionally - 24 August 2006

S06/0973/69

Applicant: Mr N Clipston
Proposal: Removal of condition 2 of planning permission S06/0679 (to allow garages to be used by others)
Location: Headlands, New Cross Road, Stamford
Decision: Approved conditionally - 24 August 2006

S06/0977/41

Applicant: Vale Garden Houses Ltd
Proposal: Use of premises for light industrial use (B1) with an element of retail sales
Location: Vale Garden Houses Ltd, Melton Road, Harlaxton
Decision: Lawful Development - 17 August 2006

S06/0978/58

Applicant: Lincolnshire County Council
Proposal: Erection of single storey extension to school
Location: Morton C Of E Controlled School, Station Road, Morton
Decision: Approved - 24 August 2006

S06/0987/22

Applicant: Mr & Mrs K Russell
Proposal: Garage and access
Location: 28, Bourne Road, Colsterworth
Decision: Approved conditionally - 24 August 2006

S06/0988/35

Applicant: TK Maxx
Proposal: Internally illuminated signage
Location: T K Maxx, Dysart Retail Park, Dysart Road, Grantham
Decision: Approved conditionally - 24 August 2006

S06/1066/44

Applicant: Lincolnshire County Council
Proposal: Retention of existing relocatable classroom unit
Location: Browns C Of E (aided) School, Sandygate Lane, Horbling
Decision: Approved - 24 August 2006

S06/1084/83

Applicant: Dr C Hale
Proposal: Erection of detached garage
Location: Doctors Surgery, Main Street, Woolsthorpe By Belvoir
Decision: Withdrawn - 15 August 2006

S06/AG/08/42

Applicant: Mr W E Guinness
Proposal: Provision of 2 field shelters
Location: Land Adj. Bramble Cottage, Oasby
Decision: Details required - 15 August 2006

S06/LB/6565/69

Applicant: Viyella
Proposal: Non-illuminated fascia sign
Location: 15a, St. Marys Street, Stamford
Decision: Refused - 08 August 2006

S06/LB/6587/69

Applicant: Manorgrove Estates Limited
Proposal: Alteration of listed building (internal)
Location: 15, St. Marys Street, Stamford
Decision: Approved conditionally - 21 August 2006

S06/LB/6612/69

Applicant: Dr & Mrs G Wheatley
Proposal: Extension to listed building
Location: 11, St. Peters Street, Stamford
Decision: Approved conditionally - 25 August 2006
* **DCSM authorised by Panel to determine**

S06/LB/6621/05

Applicant: Mr & Mrs D Sheard
Proposal: Single storey extension to form utility room
Location: 36, West Street, Barkston
Decision: Approved conditionally - 15 August 2006

S06/LB/6622/35

Applicant: Bradford & Bingley plc
Proposal: 1 no. non-illuminated fascia sign and 1 no. timber amenity board
Location: 81, Westgate, Grantham
Decision: Approved conditionally - 22 August 2006

S06/LB/6625/69

Applicant: Marks & Spencer plc
Proposal: Alteration of listed building
Location: 41, High Street, Stamford
Decision: Approved conditionally - 21 August 2006

S06/LB/6626/69

Applicant: Mr A Palmer
Proposal: Alteration of listed building
Location: 6, Rock Terrace, Scotgate, Stamford
Decision: Approved conditionally - 21 August 2006

PLANNING APPEALS 2006/2007 (excluding Enforcements)

Update for August 2006

NO OF APPEALS DETERMINED (based on Decision Date)

| | 2001/02 | 2002/03 | 2003/04 | 2004/05 | 2005/06 | 2006/07 |
|--------------------|-----------|-----------|-----------|-----------|-----------|-----------|
| LODGED | 61 | 48 | 49 | 107 | 55 | 20 |
| DISMISSED | 34½ | 26½ | 22½ | 65½ | 51½ | 14 |
| ALLOWED | 20 | 21 | 9½ | 21½ | 20½ | 4 |
| WITHDRAWN | 2 | 2 | 1 | 3 | 5 | 3 |
| OUTSTANDING | 20 | 20 | 37 | 53 | 29 | 28 |

APPEAL DECISIONS LAST MONTH

| | | | |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------|------------------------------------------------------------------------------------|---------------------------------------------------------------------|
| <u>S04/1241/69</u> IVW Mr & Mrs McNamara Single storey rear extension and detached outbuilding and minor internal alterations 4, Water Street, Stamford | Informal Hearing | <u>Start Date</u> 03-Mar-2005 <u>Date of H / I</u> 14-Jun-2006 | Appeal allowed with conditions 17-Aug-2006 |
| <u>S04/LB/6267/69</u> IVW Mr & Mrs McNamara Alterations and extension to listed building 4, Water Street, Stamford | Informal Hearing | <u>Start Date</u> 03-Mar-2005 <u>Date of H / I</u> 14-Jun-2006 | Appeal allowed with conditions 17-Aug-2006 |
| <u>S05/0873/34</u> KJC T Balfe Construction Limited Change of use of farmland to storage of materials (topsoil etc), machinery and portacabins R/o Richmond House, Brant Road, Fulbeck | Informal Hearing | <u>Start Date</u> 02-Nov-2005 <u>Date of H / I</u> 05-Sep-2006 | Appeal withdrawn 31-Aug-2006 |

OUTSTANDING APPEALS

| | | | |
|-------------------------------------------------------------------------------------------------------------------------------------------------|------------------|----------------------------------------------------------------------------|--|
| <u>S03/1348/35</u> PJM Ryan Michaels Limited Internally illuminated fascia and projecting signage 77-78, Westgate, Grantham | Written Evidence | <u>Start Date</u> 04-Mar-2004 <u>Date of H / I</u> N/A | |
| <u>S03/1669/69</u> IVW Maiden Properties Limited Erection of an hotel Former Welland Motor Factors Site, North Street, Stamford | Written Evidence | <u>Start Date</u> 09-May-2006 <u>Date of H / I</u> N/A | |

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| <u>S03/LB/6110/35</u> PJM Ryan Michaels Ltd Fascia and projecting sign 77-78, Westgate, Grantham | Written Evidence | <u>Start Date</u> 10-Mar-2004 <u>Date of H / I</u> N/A | |
| <u>S05/0354/55</u> MH Ablehomes Ltd Erection of five bungalows R/o Farbrooke, Main Road, Long Bennington | Public Enquiry | <u>Start Date</u> 09-Aug-2005 <u>Date of H / I</u> 16-Aug-2006 | |
| <u>S05/0640/76</u> PJM Michael Chalmers Erection of double garage 26, The Green, Thurlby | Written Evidence | <u>Start Date</u> 25-Oct-2005 <u>Date of H / I</u> N/A | |
| <u>S05/0922/55</u> MH Ablehomes Ltd Erection of 5 detached dwellings & garages accessed of Vicarage Lane R/o Farbrooke, Main Road, Long Bennington | Public Enquiry | <u>Start Date</u> 21-Oct-2005 <u>Date of H / I</u> | |
| <u>S05/0932/55</u> MH Ablehomes Ltd Erection of 5 detached dwellings & garages accessed of Vicarage Lane R/o Farbrooke, Main Road, Long Bennington | Public Enquiry | <u>Start Date</u> 21-Oct-2005 <u>Date of H / I</u> | |
| <u>S05/1183/34</u> KJC N Fitzakerly Retention of vehicular access to Brant Road to serve grazing land to rear field Willow Farm, Brant Road, Fulbeck | Written Evidence | <u>Start Date</u> 08-May-2006 <u>Date of H / I</u> N/A | |
| <u>S05/1219/69</u> IVW Mr & Mrs J Ogilvie-Davis Illuminated signage Mi Famiila, Old Barn Passage, St Mary's Street, Stamford | Informal Hearing | <u>Start Date</u> 27-Jan-2006 <u>Date of H / I</u> 24-Oct-2006 | |
| <u>S05/1260/16</u> IVW Mr & Mrs Booty Erection of livery stables Park Farm, Careby | Written Evidence | <u>Start Date</u> 06-Jun-2006 <u>Date of H / I</u> N/A | |

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| <u>S05/1328/46</u> MH K Blyth Erection of dwelling Land Rear Of Beechers Farm, Hough-on-the-hill | Written Evidence | <u>Start Date</u> 22-May-2006 <u>Date of H / I</u> N/A | |
| <u>S05/1554/02</u> SLM Sandy Ford-Pain Change of use of part of premises as tea room The Barn 19a, Ermine Street, Ancaster | Written Evidence | <u>Start Date</u> 22-May-2006 <u>Date of H / I</u> N/A | |
| <u>S05/1575/69</u> JJ Mr J Regis & Mr J Stevenson, Stamford Developers Ltd Erection of five dwellings (including demolition of existing dwelling) Beverley House, New Cross Road, Stamford | Written Evidence | <u>Start Date</u> 22-Jun-2006 <u>Date of H / I</u> N/A | |
| <u>S05/1611/07</u> PJM E G Wyman Change of use of agricultural land to school playing field Appeal against condition No.2 (vehicular and pedestrian access) Kirkstone House School, 1-6, Main Street, Baston | Written Evidence | <u>Start Date</u> 30-May-2006 <u>Date of H / I</u> N/A | |
| <u>S05/1621/32</u> EAB Mrs K Chester Amendment of windows & doors to UPVC & erection of flue to kitchen to rear extension. The New Inn, 10, West Street, Folkingham | Written Evidence | <u>Start Date</u> 23-Aug-2006 <u>Date of H / I</u> N/A | |
| <u>S05/1681/78</u> PJM Mr A M Navid Erection of two dwellings Barclay House, Bertie Lane, Uffington | Written Evidence | <u>Start Date</u> 14-Aug-2006 <u>Date of H / I</u> N/A | |
| <u>S05/CA/6520/69</u> JJ Mr J Regis & Mr J Stevenson, Stamford Developers Ltd Demolition of dwelling in the Conservation Area Beverley House, New Cross Road, Stamford | Written Evidence | <u>Start Date</u> 22-Jun-2006 <u>Date of H / I</u> N/A | |
| <u>S05/LB/6464/69</u> IVW Mr & Mrs J Ogilvie-Davis Alteration of listed building (Illuminated signage) Mi Familia, Old Barn Passage, St Mary's Street, Stamford | Informal Hearing | <u>Start Date</u> 27-Jan-2006 <u>Date of H / I</u> 24-Oct-2006 | |

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| <u>S05/LB/6470/69</u> IVW Jane Cox Extension to listed building (retrospective) 24, St. Leonards Street, Stamford | Written Evidence | <u>Start Date</u> 13-Jun-2006 <u>Date of H / I</u> N/A | |
| <u>S05/LB/6513/32</u> EAB Mrs K Chester Amendment of windows & doors to UPVC & erection of flue to kitchen to rear extension The New Inn, 10, West Street, Folkingham | Written Evidence | <u>Start Date</u> 23-Aug-2006 <u>Date of H / I</u> N/A | |
| <u>S06/0092/12</u> MH Stamford Homes Ltd Demolition of factory/mill and erection of 121 dwellings Wherry Lane, Off, South Road, Bourne | Informal Hearing | <u>Start Date</u> 26-Jul-2006 <u>Date of H / I</u> 07-Nov-2006 | |
| <u>S06/0241/55</u> KJC Mr & Mrs J A Willis Erection of dwelling Adjacent The Parklands, Vicarage Lane, Long Bennington | Written Evidence | <u>Start Date</u> 29-Jun-2006 <u>Date of H / I</u> N/A | |
| <u>S06/0264/56</u> JJ Mr T Hicks Erection of bungalow and garage R/o 14 Halfleet, Market Deeping | Written Evidence | <u>Start Date</u> 25-May-2006 <u>Date of H / I</u> N/A | |
| <u>S06/0301/55</u> KJC Jill Rose Erection of single dwelling 15, Wheatsheaf Lane, Long Bennington | Written Evidence | <u>Start Date</u> 26-Jul-2006 <u>Date of H / I</u> N/A | |
| <u>S06/0328/35</u> MH Mr & Mrs Bennett Change of use to private residential gypsy site Lazy Acres, Gorse Lane, Grantham | Public Enquiry | <u>Start Date</u> 05-Sep-2006 <u>Date of H / I</u> | |
| <u>S06/0333/13</u> PJM Mr & Mrs D Ivtsan Change of use of part of building used as stables and training centre to B1 offices Spa House, Spa Road, Braceborough | Written Evidence | <u>Start Date</u> 01-Aug-2006 <u>Date of H / I</u> N/A | |

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| <u>S06/0370/35</u> BW Mr J D Lucas Erection of dwelling land adjacent to 58, Hornsby Road, Grantham | Written Evidence | <u>Start Date</u> 03-Aug-2006 <u>Date of H / I</u> N/A | |
| <u>S06/0613/52</u> JST Mr S Wright Erection of two habitable dwellings with garages and access 7, Church Lane, Little Bytham | Written Evidence | <u>Start Date</u> 15-Aug-2006 <u>Date of H / I</u> N/A | |
| <u>S06/0667/69</u> BW Mr & Mrs J Pye Erection of boundary fence 2, Angus Close, Stamford | Written Evidence | <u>Start Date</u> 22-Aug-2006 <u>Date of H / I</u> N/A | |