



# MINUTES

## DEVELOPMENT CONTROL COMMITTEE

### TUESDAY, 5 DECEMBER 2006

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#### COMMITTEE MEMBERS PRESENT

Councillor Chivers	Councillor Parkin (in the Chair)
Councillor Exton	Councillor N Radley
Councillor Fines	Councillor Sandall
Councillor Mrs Gaffigan	Councillor Selby
Councillor Helyar	Councillor Turner
Councillor Howard	Councillor Mrs A Williams
Councillor Mrs Jalili	

#### OFFICERS

Interim Manager – Development Control Services  
Principal Planning Officer  
Acting Principal Planning Officer  
Planning Officers (2)  
Committee Support Officer  
Legal Executive  
Partnership and Project Officer – Housing Solutions

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#### 756. MEMBERSHIP

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. A. Williams in place of Councillor Kerr for this meeting only.

#### 757. APOLOGIES

Apologies for absence were received from Councillors Mrs. Hurst, Pease and Stokes.

#### 758. DECLARATIONS OF INTEREST

The following interest was noted:-

Councillor N. Radley – personal and prejudicial interest in application NR.1, under the Members' Code of Conduct, and further under the Probity in

Planning Code of Guidance, to avoid the impression of pre-determination or bias towards the application, in view of his relationship to the applicant.

## **759. MINUTES**

The minutes of the meeting held on 14<sup>th</sup> November 2006 were confirmed as a correct record of decisions taken.

## **760. PLANNING MATTERS**

*Decision:-*

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

*(2:03pm – Councillor N. Radley left the meeting having declared an interest).*

### **NR.1**

Application ref: S06/1042/42

Description: Change of use of agricultural land to leisure uses including the provision of holiday cabins, creation of a lake, landscaping and improvement to access

Location: Pt OS 5865, King Street, Oasby

Decision: Refused

Noting report of site inspection, objections from Heydour and Welby Parish Councils, comments from the Highway Authority, Community Archaeologist and Environment Agency, an objection from the Campaign to Protect Rural England, detailed submissions in support from the applicant and a significant number of letters of objection from nearby residents, further comments from Heydour Parish Council, the applicant's agent (in relation to the Highway Authority reasons for objection) and further comments from Economic Development confirming their earlier comments with regard to demand for such a site and clarifying that their comments were not site specific or designed to go against the recommendation to refuse, together with comments from Members at the meeting, for the following reasons:

1. The proposed development would not be associated with any significant tourist or recreational facilities/attractions in the locality. Additionally the adjacent settlement of Oasby is defined as a less sustainable village (Interim Housing Policy). The occupiers of the proposed development would therefore be reliant upon trips by motor vehicle to surrounding settlements for essential facilities and access to recreational/tourist attractions.

As such the proposed development is considered to be unsustainable and contrary to Planning Policy Statement PPS7, PPG13 - Transport, Policy T3 of the adopted Lincolnshire Structure Plan and Policy REC11 of the adopted South Kesteven Local Plan.

2. It is considered that the proposed development, notwithstanding the existing and proposed screening would result in a visually prominent and undesirable built form in the open countryside unrelated to the settlement of Oasby. As such the development would be detrimental to visual amenity and would have a detrimental impact on the character of this area of great landscape value.

Accordingly, the proposed development is considered contrary to Policies EN2 and EN3 of the adopted South Kesteven Local Plan.

3. The application and plans submitted are inadequate in terms of details supplied. Precise details of the access or scheme details showing the proposed highway improvement works as suggested in the report are required.

This lack of information makes it difficult for the highway to assess this application and would be detrimental to highway safety.

*(2:09pm – Councillor N. Radley returned to the meeting)*

## **NR.2**

Application ref: S06/1365/55

Description: Residential development of four houses and garage including replacement garage to 'Farbrooke'

Location: 17 Main Road, Long Bennington

Decision: Approved

Noting comments made during the public speaking session from:-

Mr. J. Bishop – objecting

Together with comments from the Highway Authority, no objection from the Community Archaeologist or Assets and Facilities Management and submissions in support from the applicants, further letters of objection from local residents, together with comments from Members at the meeting.

*(2:10pm – Councillor Turner entered the meeting)*

It was proposed and seconded that as the proposal was in accordance with national and local policies set out in Planning Policy Guidance Note PPG3, Policy H2 of the Lincolnshire County Structure Plan, Policies H6 and EN1 of the South Kesteven Local Plan and the Interim Housing Policy, and there are no material considerations that indicate against the proposal, it be approved subject to the following conditions:-

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
2. Samples of the materials to be used for all external walls and

roofs shall be submitted to the District Planning Authority before any development to which this permission relates is commenced and only such materials as may be approved in writing by the authority shall be used in the development.

3. No development shall take place until there has been submitted to and approved in writing by the District Planning Authority a plan showing the exact location, species and spread of all trees and hedges on the site and those proposed to be felled or uprooted during building operations together with measures for their protection in the course of development.
4. The screen walls shown on the submitted plan shall be erected at the same time as the associated drawings.
5. 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.
6. The arrangements shown on the approved plan 1/2/2006 dated 28 September 2006 for the parking/turning/loading/unloading of vehicles shall be available at all times when the premises are in use.
7. Prior to any of the buildings being occupied, the private drive shall be completed in accordance with the details shown on drawing number 1/2/2006 dated 28 September 2006. (Please note that this road is a private road and will not be adopted as a highway maintainable at the public expense (under the Highways Act 1980) and as such the liability for maintenance rests with the frontagers).
8. 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.
9. The minimum width of the access shall be 4.1 metres.

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

**NU.1**

Application ref: S06/1280/06

Description: Development of 24 affordable dwellings

Location: Land off Walkers Way, Barrowby

Decision:                   Deferred

Noting comments made during the public speaking session from:-

Mr. J. Anderson – representing the occupiers of 5 Walkers Way, Barrowby – objecting  
Mr. R. Edwards – agent for the applicants

together with no objection from the Parish Council or Highway Authority, comments from the Partnership and Project Officer – Housing Solutions, Planning Policy, Amenities Manager, Community Archaeologist and Police Architectural Liaison Officer, no objection from Central Networks and representations from a neighbouring resident together with submissions in support from the applicants, comments made by the Partnership and Project Officer – Housing Solutions together with comments made by Members at the meeting.

The Legal Executive reported that a letter had been received from solicitors acting for Northern Affordable Homes, the applicants on another site in Barrowby, raising various points in respect of their refused application, this application and a further application recently submitted by them. This letter had been carefully considered and there was no cause for deferral or withdrawal of this application as they had requested.

It was proposed, seconded and agreed that further consideration of the application be deferred for a site inspection to assess the likely impact of this proposal on the neighbouring properties on Walkers Way.

## **SU.1**

Application ref:           S06/0832/69

Description:                   Erection of 11 townhouses

Location:                   2A Radcliffe Road, Stamford

Decision:                   Deferred

Noting report of site inspection, comments from Stamford Town Council, no objection from the Environment Agency, comments from the Highway Authority and Community Archaeologist, representations from nearby residents, submissions in support from the applicant, a letter from one of the local representatives and a further letter from the owner of the neighbouring site reiterating comments made by him at the last meeting, together with comments made by members at the meeting, for further discussion at the next meeting of the Committee following the submission of an amended layout in relation to buildings nearest to the neighbouring commercial property.

## **SU.2**

Application ref:           S06/1336/12

Description: Change of use from shop premises (A1) to restaurant (A3 & A5)

Location: 37 North Street, Bourne

Decision: Approved

*(2:56pm – Councillor Helyar left the meeting)*

Noting an objection from Bourne Town Council, comments from Environmental Health, an objection from Bourne Civic Society and letters in support from one of the local representatives and two local residents, together with comments made by Members at the meeting.

*(3:00pm – Councillor Helyar returned to the meeting)*

It was proposed and seconded that, as the proposal was in accordance with national and local policies as set out in Planning Policy Statement PPS6, Planning Policy Guidance Notes PPG15 and PPG13, policies S1, E4 and BE3 of the Lincolnshire Structure Plan and policies C9 and EN1 of the South Kesteven Local Plan, and notwithstanding that there is some conflict with policy S3 in this instance, it is considered insufficient in this case to indicate against the proposal, it be approved subject to the following conditions:-

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
2. Before the use is commenced, equipment shall be installed as will suppress the emission of fumes or smell and obviate odours from frying or other cooking processes. No development shall take place until details of the equipment have been submitted to and approved by the District Planning Authority.
3. No development shall take place until there has been submitted to and approved by the District Planning Authority, a scheme showing provision within the site for storage prior to disposal of refuse, crates and packing cases.
4. Prior to the use commencing, there shall be submitted to and approved by the District Planning Authority details of the means of collection of litter externally of the premises. Such details as may be approved shall be installed prior to the use commencing.

#### Note(s) to Applicant

1. You are advised that Advertisement Consent may be required for any signage on the building.

### **SU.3**

Application ref: S06/1374/56

Description: Construction of 18 flats and associated external works

Location: R/o 1-3 Market Place, Market Deeping

Decision: Withdrawn

## **761. INFORMATION RELATING TO DEVELOPMENT CONTROL AND OTHER PLANNING ACTIVITY**

The Acting Development Control Services Manager submitted his report PLA631 listing details of applications not determined within the eight week time period. Also submitted was a list of applications dealt with under delegated powers and a list of outstanding appeals together with newly submitted appeals and decisions received during November.

It was proposed and seconded that:-

**IN ACCORDANCE WITH SECTION 100A OF THE LOCAL GOVERNMENT ACT 1972, THE PUBLIC BE EXCLUDED BECAUSE OF THE LIKELIHOOD, IN VIEW OF THE NATURE OF THE BUSINESS TO BE TRANSACTED, THAT IF MEMBERS OF THE PUBLIC WERE PRESENT THERE WOULD BE A DISCLOSURE TO THEM OF EXEMPT INFORMATION AS DEFINED IN PARAGRAPH 2 OF PART 1 OF SCHEDULE 12A OF THE ACT.**

This proposition was approved.

## **762. ENFORCEMENT ACTION**

*Decision:-*

*That authority be given for appropriate enforcement action to secure compliance with the requirements of the Local Planning Authority in respect of the untidy property and garden at 21 Elm Grove, Grantham.*

Members considered report PLA630 from the Enforcement Officer in relation to a breach of planning control at the above property. Full details of the breach were set out in the circulated report, which included a description of the site, the appropriate planning policy and comments from the officers.

Following detailed comments from Members, it was proposed, seconded and agreed that appropriate enforcement action be taken.

## **763. CLOSE OF MEETING**

The meeting closed at 3:20pm