

# MINUTES

DEVELOPMENT CONTROL  
COMMITTEE  
TUESDAY, 4 JANUARY 2011



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## COMMITTEE MEMBERS PRESENT

Councillor Adams (Vice-Chairman)  
Councillor Cook  
Councillor Exton  
Councillor Mrs Gaffigan  
Councillor Holmes  
Councillor Howard  
Councillor Mrs Jalili

Councillor Mrs Kaberry-Brown  
Councillor Vic Kerr  
Councillor Parkin (Chairman)  
Councillor Mrs Smith  
Councillor Turner  
Councillor Avril Williams

## OFFICERS

Acting Lead Professional (2)  
Principal Planning Officer  
Area Planning Officer  
Planning Technician  
Committee Support Officer  
Legal Executive

## OTHER MEMBERS

Councillor Craft  
Councillor Mrs Radley  
Councillor Thompson  
Councillor Wootten  
(In accordance with council procedure rule 24.5, Councillors Thompson and Wootten spoke in connection with application CM1)

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## 72. APOLOGIES

Apologies for absence were received from Councillors Higgs, Sam Jalili and Scott.

## 73. DECLARATIONS OF INTEREST

There were none declared.

## 74. MINUTES OF MEETING HELD ON 7TH DECEMBER 2010

The minutes of the meeting held on 7 December 2010 were approved as a correct record of decisions taken.

## 75. PLANNING MATTERS

*Decision:-*

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

### **PWM1**

Application ref: S10/1946/OUT

Description: Partial demolition of existing dwelling and outbuildings and erection of four dwellings

Location: Land Adjacent to 47 Pond Street, Great Gonerby

Decision: Refused

Noting comments made during the public speaking session from:-

Robert Hutchinson - objecting

together with comments from the Community Archaeologist, no objection from the Highway Authority or Parish Council, objections from nearby residents, report of site inspection and comments made by members at the meeting.

It was proposed, seconded and agreed that the application be refused for the following reason:-

1. It is considered that by virtue of the layout, density, and substantial alterations to the historic stone boundary wall, the proposed development would be detrimental to the open semi-rural character of this part of the village and would intrude into the setting of grade II listed Elms Farmhouse. Although not itself within the conservation area, the development would be detrimental to its setting by virtue of its close proximity and intrusion into the views both into and out of it.

Taking the above into account, it is considered that the proposal would be contrary to national planning policy given in PPS1 (Sustainable Development), PPS3 (Housing), PPS5 (Historic Environment), policies 1, 2, 3, 26 & 27 in the East Midlands Regional Plan and policies SP1, SP2, & EN1 of The South Kesteven Core Strategy.

### **PWM2**

Application ref: S10/2338/FULL

Description: Application under section 73 of the TCPA 1990 for variation of condition 6 of p/p S09/0488 (removal of caravans)

Location: Pickworth Hall, Folkingham Road, Pickworth,  
Sleaford, NG34 0TJ

Decision: Approved

Noting comments from the Community Archaeologist and representations from a neighbouring resident, report of site inspection and comments made by members at the meeting.

It was proposed, seconded and agreed that the application be approved, subject to the summary of reasons set out by the case officer in the circulated report, and subject also to the following conditions:-

1. The development hereby permitted shall be commenced before the expiration of three years from the date of this permission or two years from the approval of the last of the reserved matters, whichever is the later.
2. Details of the reserved matters set out below shall be submitted to the Local Planning Authority for approval within three years from the date of this permission:
  - (a) layout;
  - (b) scale;
  - (c) appearance;
  - (d) access; and
  - (e) landscaping.

Approval of all reserved matters shall be obtained from the Local Planning Authority in writing before any development is commenced.

3. No development shall commence until final details of the materials to be used in the construction of external walls and roofs have been submitted to and agreed in writing by the Local Planning Authority. Only the agreed materials shall be used in the development.
4. 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 buildings are occupied. Development shall be carried out in accordance with the approved details.
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. Caravans A, B & C (as shown on drawing 1440.A.1b received 07 December 2010) shall be removed from the site within one month of the occupation of the first dwelling on plots 1, 3 & 4 hereby approved.
7. The dwelling hereby approved on plot 2 shall not be commenced before all the caravans have been removed from the site.
8. Unless otherwise agreed the scheme to be submitted pursuant to Condition 2 above shall be in accordance with the design and principles set out on the indicative drawings 1440.A.2C and 1440.A.1B.

Note(s) to Applicant

1. 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.

Applicant to be advised that the committee would expect to see appropriate liaison between the developer and existing residents on the site during the course of the development.

**NB1**

Application ref: S10/2390/FULL

Description: Erection of bio mass boiler including 4 kilns, woodchip store and associated hardstanding

Location: Sewstern Timber Services Ltd, Gunby Road, Sewstern, Grantham, NG335RD

Decision: Approved

Noting comments made during the public speaking session from:-

David Ball - in support  
David Limb - agent for the applicant

together with no objection from Melton Borough Council, Lincolnshire Heritage, Highway Authority, Planning Policy and Parish Council, comments from Environmental Health, representations from a nearby resident, report of site inspection and comments made by members at the meeting.

It was proposed, seconded and agreed that the application be approved, subject to the summary of reasons set out by the case officer in the circulated report, and subject also to the following conditions:-

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

2. No development shall take place until samples of the materials (including colour of render, paintwork or colourwash) to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
3. The bio mass boiler shall only utilise waste material from the existing timber yard and no external waste material shall be brought for processing in the bio mass boiler.
4. All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with the programme agreed with the local planning authority.
5. The parking arrangements shown on the approved plan '030 - 81', dated 01 December 2010 for the parking/turning/manoeuvring/loading/unloading of vehicles shall be available at all times when the premises are in use.
6. This permission relates solely to the application as amended by plans received on 14 December 2010.

Note(s) to Applicant

1. You are advised that the application site falls within an area affected by Radon. You are asked to contact the Council's Building Control section (telephone number 01476 406187) to ascertain the level of protection required and whether a geological assessment is necessary.
2. Please note that this grant of planning permission does not override the need for an Environmental Permit.

**NB2**

Application ref: S10/2559/FULL

Description: Mixed use development incorporating 1 house, 2 flats and 2 shops (alterations to permission S10/0701)

Location: R/o 4, St. Pauls Street, Stamford

Decision: Approved

Noting comments from English Heritage and Lincolnshire Heritage, no objection from the Highway Authority and comments made by members at the meeting.

It was proposed, seconded and agreed that the application be approved, subject to the summary of reasons set out by the case officer in the circulated report, and subject to the following conditions:-

1. The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.
2. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking or re-enacting that Order with or without modification), no window, dormer window or rooflight other than those expressly authorised by this permission shall be constructed without planning permission having first been obtained from the Local Planning Authority.
3. No development shall take place within the application site until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted to and approved by the Local Planning Authority.
4. No works shall take place until full details of the all proposed joinery works including 1:20 sample elevations and 1:1 joinery profiles have been submitted to and approved by the Local Planning Authority. The scheme shall be implemented in strict accordance with the agreed details and maintained as such thereafter.
5. A sample panel of the proposed materials shall be constructed on site, and shall be subject to the approval of the district planning authority prior to work commencing on site. The panel shall show the proposed method of construction including the type of natural stone and its finish, the mortar mixture and the method of coursing to be used in the development. The approved development shall be constructed in accordance with the sample panel as may be approved.
6. The arrangements shown on the approved plan '2009/59 – 3 B', dated 12 November 2010 for the parking/turning/manoeuvring/loading/unloading of vehicles shall be available at all times when the premises are in use.
7. The screening to the rear terrace of flat 1 shall be erected prior to the occupation of the property and shall be retained thereafter in perpetuity.
8. Before the flats are occupied details of the means of screening the rooflights in the rear elevation shall be submitted to and agreed in writing by the local planning authority and implemented before occupation.

**JJ1**

Application ref: S10/1923/MDPO

Description: Discharge of planning obligation relating to the payment of £25,000 towards affordable housing in relation to S106 agreement dated 30 November 2000 attached to p/p S99/1172 and linked to p/p S02/0173/75 by supplemental S106 agreement dated 27 May 2002

Location: Manor Farm & Walnut Farm, Main Road, Tallington, PE9 4RF

Decision: Refused

Noting comments made during the public speaking session from:-

Jonathan Gibbison - applicant.

Members were reminded that this application had been reported to the last meeting when it had been resolved to refuse. However, the applicant had attended the meeting just after the application had been considered, with some additional information. Following discussions with the Acting Lead Professional, Chairman and Vice Chairman it had been agreed that the application would be reconsidered at this meeting with the additional information, and following the public speaking, as noted above. The applicant's comments were copied in full in the report accompanying the agenda.

A member sought clarification of the legal situation, noting that the decision at the last meeting had been to refuse. The Legal Executive confirmed that the committee were able to reconsider the application, as a refusal was a two-part procedure, firstly the decision at the committee and secondly the issue of the appropriate decision notice. In view of the comments made above, the decision notice had not been issued, and therefore the application could quite properly be reconsidered.

Members noted details of the proposal and noted also further comments from the applicant's agent and the original requirements of the Section 106 Agreement.

*(2.02 pm - Councillor Adams left the meeting).*

*(2.05 pm - Councillor Adams returned to the meeting).*

After further comments from members, it was proposed, seconded and agreed that the application be refused for the following reason:-

1. It is the District Council's opinion that the evidence provided by the applicant does not justify the discharge of the S106 requirements relating

to affordable housing in this case. The off-site contribution of £25,000 was required in connection to a full application for 12 dwellings and was requested on the bases of the then housing need situation. The applicants were fully aware and prepared to enter the agreement at that time and there has not been a material change in circumstances since as there still remains a requirement to provide affordable housing in Tallington. Although the policy situation has changed recently the Core Strategy only strengthens the affordable housing requirement by requiring developments of 5 or more dwellings to provide a contribution of 35% towards affordable housing.

*(Councillor Adams asked for it to be recorded that he did not vote on the proposal, as he had not been in the meeting during the entire discussion).*

### **CM1**

Application ref: S10/0142/EIAOL

Description: Sustainable urban extension to Grantham comprising: at least 1000 dwelling houses; a continuing care retirement community; a neighbourhood centre (incorporating a primary school, primary healthcare and community assembly facilities (UCO Class D1) and small scale (maximum 750 sq m) convenience shopping (UCO Class A); Public House/Lodge Hotel; ancillary (formal (playing field/play areas) and informal) open space, including structural landscaping and biodiversity enhancement areas; and access works (including alterations to the A607/Belton Lane junction). Land to the north of Grantham (bounded by the East Coast main railway line, by Belton Lane and High Road (A607), Manthorpe), Lincs

Location: Land north of Grantham bound by railway, Belton Lane/High Road (A607), Manthorpe, Grantham

Decision: Refused

Noting comments made during the public speaking session from:-

Mr A Hopwell - Belton and Manthorpe Parish Council  
Mr R Flack - objecting  
Peter Brown - Nicol Thomas Architects - in support  
Martin Herbert - Brown and Co - agents for the land owners  
Tony Aspbury - agent for the applicant

together with a significant number of documents accompanying the application - a letter in support, an environmental impact assessment, a town planning statement, a statement of community involvement, an "illustrative masterplan", draft heads of terms for a Section 106 Agreement, transport assessment, flood risk assessment, landscape framework and arboricultural survey together with a bat survey report.

Also noted were comments from the East Midlands Regional Assembly, SKDC Grantham for Growth, LCC Planning Policy, the Highway Authority, English Heritage, National Trust (recommending refusal), Natural England, SKDC Conservation, Environmental Protection, The Environment Agency, Anglian Water, Upper Witham Internal Drainage Board, Lincolnshire NHS, LCC Children Services, LCC Adult Social Care, LCC Library and Museums, Housing Solutions, Sport England, SKDC Play Provision, Ministry of Defence - Estates Safeguarding, Lincolnshire Police, Campaign to Protect Rural England, Lincolnshire Wildlife Trust and Network Rail together with objections from Belton and Manthorpe and Great Gonerby Parish Councils, objections from the Manthorpe Residents Association, 60 individual letters of objection together with a solicitor's letter representing two further residents, letters in support, report of site inspection and comments made by members at the meeting.

The Acting Lead Professional, in introducing the discussion, took members through all the various documents which had been referred to and which were circulated with the agenda. He also referred to a supplementary report which had been circulated prior to Christmas, and which focused on 5 matters in particular - firstly submissions by the applicants of information and views concerning the reasons for objection, by several consultation respondents to the proposed development on grounds relating to the impact that it would be likely to have on its setting. It also sought to remedy the fact that the applicants had not taken account of several policy documents relevant to these and related matters and also summarised the key points addressed by the applicants in the supplementary design report and revised illustrative masterplan and the responses from various bodies consulted on these documents. Secondly, the addendum addressed the reassessments of the likely impacts of the proposed on the physical setting of the site presented in the supplementary design report which had led to revisions being made to the originally submitted illustrative masterplan. Thirdly, the detailed reasons for refusal were included and fourthly and lastly were letters submitted on behalf of the applicants which were attached in full as Appendix 1 and Appendix 2. Also circulated to members present at the meeting was a further supplementary report which included corrections to the reasons for refusal included in the first supplementary report. The Acting Lead Professional also referred to two late letters which had been received from local residents in relation to traffic problems, overhead cables and sewage matters.

*(The meeting adjourned from 3.11 pm to 3.23 pm).*

The committee heard from two local members, Councillors Thompson and

Wooten, and then the Acting Lead Professional made further comments, during which he showed views of the site and its surroundings and addressed some of the points made during the public speaking session.

Members then discussed the report and comments made in detail, and agreed that the report had reasonable balance, and that with the information available they could make a reasoned and balanced decision taking account of all material considerations. It was then proposed, seconded and agreed that the application be refused for the following reasons:-

1. The application proposal is considered by the Local Planning Authority to be contrary to National Policy in respect of the advice in Planning Policy Guidance Note PPS1 Delivering Sustainable Development (including Paragraphs 7 and 8), that to deliver sustainable development decisions must be made within a 'plan-led system, that gives certainty and predictability; with plans being drawn up with community involvement, to present a shared vision and strategy of how the District should develop to achieve sustainable patterns of development; the Local Authority consider the appropriate means for considering the merits of developing this site is in the light of the evidence base underpinning the Core Strategy for South Kesteven, including Urban capacity Studies, Strategic Land Availability assessments, comparative sustainability appraisals, infrastructure requirements and the current 5 year housing land supply.
2. The Local Planning Authority consider that the application proposal is contrary to the Development Plan, comprising the East Midlands Regional Plan and the Core Strategy for South Kesteven, in particular the proposal is not in accordance with policies on strategic housing growth, in particular Policy *SP1 (Spatial Strategy)*, in which it is stated (*inter alia*): "The majority of all new development should be focused upon Grantham to support and strengthen its role as a Sub-Regional Centre. New development proposals shall be considered on appropriate sustainable and deliverable Brownfield sites and appropriate greenfield sites (including urban extensions), sufficient to ensure the achievement of growth targets. Details of specific sites (including urban extension sites) will be included in a Grantham Area Action Plan. ... In all cases planning permission will only be granted on a less sustainable site where it has been proven that there are no other more sustainable options available or there are other overriding material considerations. All cases will also be subject to all relevant policies within the remainder of the core strategy or other relevant development plan documents. ...". Furthermore it is considered that there is no overriding strategic policy justification for this North Grantham/Manthorpe application site to come forward for development at this time and that the Core Strategy should be given more weight than any other material consideration.
3. It is considered by the Local Planning Authority that the development of

the application site would be premature in the context of the fact that the Grantham Area Action Plan DPD is shortly to be consulted upon and is scheduled to be adopted within the next year; in the opinion of the Local Planning Authority, notwithstanding the fact that weight must be given to the guidance in paragraphs 71 and 72 of PPS3: Housing, in respect of a potential marginal shortfall in a 5 year land supply for South Kesteven District (as measured against the housing growth trajectory for Grantham (shown in the Core Strategy page 42) ), the approval of a housing site of the scale proposed in this application (in the region of a 1000 dwellings), would undermine to a very significant degree the ability to consider a range of options, whereby the most sustainable sites for new housing development in Grantham can be identified and allocated in the Grantham Area Action Plan DPD to achieve an overall sustainable pattern of development. In this regard the development of this North Grantham/Manthorpe application site, is considered to be premature and should be refused.

4. In terms of the criteria for a sustainable urban extension, set out in Policy *H2: Urban Extension Sites (Grantham)*, the Local Planning Authority consider that the application site is not large enough to provide the full range of infrastructure that should be expected from a SUE. Also it is also judged that the site is not as a good location as the adopted SUEs in terms of sustainability, including in terms of transport issues. The proposed development would not provide for any employment land, although there will be some job opportunities created through the CCRC, retailing and commercial uses on the site if these aspects of the proposal are brought forward; whilst if a significant element of 'employment land' were to be included in the development of the site, it is considered that there would be a greater likelihood that more harm would be caused to the local environment than the present proposal, particularly in respect of the likely impact on historic assets.
5. The Local Planning Authority consider that the development of the application site as proposed would be detrimental to the setting, character and appearance of the Grade 1 listed Belton House and Historic Park and Garden and to key views looking in and out of Belton Park and Garden and as such is contrary to policy *EN1 (Protection and Enhancement of Character of District)*: in which it is stated (inter alia). "Development must be appropriate to the character and significant natural, historic and cultural attributes and features of the landscape within which it is situated, and contribute to its conservation, enhancement or restoration." Furthermore, it is considered that the setting of the Grade 1 registered park, would be adversely affected to a significant degree as a result of the development, by reason of the loss of rural character on the approach roads to Belton House and Historic Park and Garden, the introduction of the roundabout at the Belton Road junction, and the adverse impact on the present views across and out of the Park to the surrounding countryside. Accordingly, the proposal does

not comply with relevant planning policies of Development Plan and Regional/National Policy, In particular Policies HE9.1, HE9.2 and HE10.1 of PPS5 and Policies 26 and 27 of the Regional Plan and Policy EN1 of the Core Strategy for South Kesteven.

6. Notwithstanding the data and proposals submitted by the applicant, it is considered that there are significant shortcomings in some of the analysis and the detail provided and that the mitigating measures proposed are not sufficient to demonstrate that the traffic likely to be generated by the proposed development can be accommodated satisfactorily on the highway network. It is therefore considered by the Local Planning Authority that the traffic generated by the proposed development would have an adverse impact on through traffic in Grantham, its approaches and junctions, in particular in the vicinity of the site along the A607 and the roads around the town centre and would be a likely source of unacceptable danger to other users of the highway, particularly because of the heavy volumes of traffic.

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

The Acting Lead Professional submitted his report PLA860 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 planning appeals update.

#### **77. S10/2068 - APPLICATION TO NOT COMPLY WITH A CONDITION OF PLANNING PERMISSION S10/0179 (REQUIRING THE CONSTRUCTION OF A PEDESTRIAN REFUGE, LAND AT THE DRIFT, HARLAXTON)**

The Chairman reminded members that the above application had been refused at the last meeting. Members had asked that a letter be sent to the County Council expressing the Committee's concern that the speed limit through Harlaxton should be reduced to 30 mph. A letter had been sent, and for the information of members he read the reply received from the Area Highways Manager which indicated that the County Council, having been directed by the Government to carry out a review of speed limits on all its A and B roads had in fact already decided to update its speed limit policy and as a result this section of the A607 had recently been assessed and the 50 mph speed limit had been found to be consistent with the requirements of the new speed limit policy. Accordingly the speed limit would remain as it currently stood in accordance with the County Council's adopted policy.

#### **78. CLOSE OF MEETING**

The meeting closed at 3.56 pm.