

AGENDA



For a meeting of the
DEVELOPMENT CONTROL COMMITTEE
to be held on
TUESDAY, 1 MARCH 2011
at
<u>1.00 PM</u>
* PLEASE NOTE TIME OF MEETING *
(THE LATE REPORT WILL BE AVAILABLE IN THE MEMBERS' ROOM FROM 12 NOON)
in the
COUNCIL CHAMBER, COUNCIL OFFICES, ST PETERS HILL, GRANTHAM
Beverly Agass, Chief Executive

Committee Members:	Councillors Parkin (Chairman); Adams (Vice-Chairman); Cook; Exton; Mrs Gaffigan; Helyar; Higgs; Holmes; Howard; Sam Jalili; Mrs Jalili; Mrs Kaberry-Brown; Vic Kerr; Scott; Mrs Smith; Turner and Avril Williams
Committee Support Officer:	Malcolm Hall Tel: 01476 406118 m.hall@southkesteven.gov.uk

(PLEASE NOTE THAT THERE WILL BE A COMFORT BREAK AT 3.00PM FOR TEN MINUTES)

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 1ST FEBRUARY 2011

(Enclosure)

5. PLANNING MATTERS

To consider applications received for the grant of planning permission – reports prepared by the Case Officer.

(Enclosure)

6. INFORMATION RELATING TO DEVELOPMENT CONTROL AND OTHER PLANNING ACTIVITY

Report No. PLA873 by the Acting Lead Professional

(Enclosure)

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

MINUTES

**DEVELOPMENT CONTROL COMMITTEE
TUESDAY, 1 FEBRUARY 2011
1.00 PM**



COMMITTEE MEMBERS PRESENT

Councillor Adams
Councillor Cook
Councillor Exton
Councillor Mrs Gaffigan
Councillor Helyar
Councillor Higgs
Councillor Holmes
Councillor Mrs Jalili

Councillor Mrs Kaberry-Brown
Councillor Vic Kerr
Councillor Parkin (Chairman)
Councillor Scott
Councillor Bob Sandall
Councillor Mrs Smith
Councillor Turner
Councillor Williams

OFFICERS

Acting Lead Professional
Area Planning Officer (3)
Planning Technician
Committee Support Officer
Legal Executive
Planning Enforcement Officers (2)
Section 106 Officer

OTHER MEMBERS

Councillor Miss Channel
Councillor Mrs Cartwright
(In accordance with council procedure rule 24.5, Councillor Miss Channel spoke in connection with Application PG1.)

79. MEMBERSHIP

The committee was notified that a notice under Regulation 13 of the Local Government (Committees and Political Groups) Regulations 1990 had been received, appointing Councillor Bob Sandall in place of Councillor Howard for this meeting only.

80. APOLOGIES

An apology for absence was received from Councillor Sam Jalili.

81. DECLARATIONS OF INTEREST

There were none declared from members. However, the Committee Support Officer informed the committee that he was Clerk to Barkston and Syston Parish Council, who had commented on Application FF1, on which there was also public speaking by the Parish Council.

82. MINUTES OF MEETING HELD ON 4TH JANUARY 2011

The minutes of the meeting held on 4 January 2011 were approved as a correct record of decisions taken.

83. PLANNING MATTERS

Decision:-

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

JST1

Application ref: S09/2806/LB
Description: External canopy to front
Location: Cafe Black, 21, High Street, Stamford, PE9 2AL
Decision: Refused

Noting objections from Stamford Town Council, Historic Buildings Advisor, Highway Authority, Stamford Civic Society and English Heritage, representations from nearby residents, one in support and one objecting, and comments made by Members at the meeting.

It was proposed, seconded and agreed that the application be refused for the following reason, and that appropriate enforcement action be authorised to remove the canopy:-

1. In the opinion of the local planning authority the canopy for which retrospective consent is sought is visually intrusive and architecturally out of place, and thereby detrimental to the character and appearance of the listed building, this part of the Stamford Conservation Area and the streetscene in general.

Furthermore, the large box that houses the retracted canopy also appears incongruous within its setting and unsympathetic to the existing attractive shopfront.

The application is therefore considered to be contrary to Planning Policy Statement 5 (PPS5), Policy 27 of the East Midlands Regional Plan (2009) and Policy EN1 of the South Kesteven Core Strategy.

PG1

Application ref: S10/1876/HSB
Description: Erection of classic car storage unit for domestic

use

Location: The Old Rectory, Carlby Road, Greatford,
Stamford, Lincolnshire, PE9 4PR

Decision: Deferred

Noting comments made during the public speaking session from:-

Martin Brebner - Greatford Parish Council
Mr G Rose - Objecting
Mr G Campbell - Objecting

together with comments from Heritage Lincolnshire (Archaeology), no objection from the Highway Authority, Environment Agency or Ramblers' Association, comments from Greatford Parish Council and objections from nearby residents, report of site inspection and comments made by Members at the meeting.

(1.19pm - Councillor Helyar entered the meeting).

(1.31pm - Councillor Turner entered the meeting).

It was proposed and seconded that the application be approved subject to, in addition to the conditions in the report, a condition in regard to the removal of permitted development rights. Following further discussion, this proposition was withdrawn and it was proposed and seconded that further consideration be deferred to enable discussions with the applicant in relation to amended plans showing a smaller development with more appropriate materials.

PG2

Application ref: S10/2088/FULL

Description: Retention of 8 floodlights and install 2 portable buildings

Location: Sports Fields, Manor Close, Langtoft,
Peterborough, PE6 9NB

Decision: Deferred

Noting comments made during the public speaking session from:-

Mrs Taylor - Objecting

together with comments from Environmental Protection and a letter from a local resident, together with comments made by members at the meeting.

It was proposed, seconded and agreed that the application be deferred for

one month to enable the floodlights to be re-angled to ensure that the impact on neighbouring residents is lessened, and if this is not done then the application be refused.

PWM1

Application ref: S10/2416/ADV
Description: Replacement signage
Location: McDonalds Restaurants Ltd, Bridge End Road, Grantham, NG31 7ES
Decision: Approved

Noting comments from the Community Archaeologist 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 advertisement(s) hereby granted consent shall not be installed or erected until the existing signs shown on drawing 4432_1233_05 rev B have been removed and any damage incurred by removal repaired.
2. This permission relates solely to the application as amended by the drawings 4432_1233_07 Rev A, 4432_1233_09 Rev A & 4432_1233_05 Rev B received on 29 Nov 2010.

PWM2

Application ref: S10/2429/ADV
Description: Ten freestanding signs (various sizes) within curtilage of drive through restaurant
Location: McDonalds Restaurants Ltd, Bridge End Road, Grantham, NG31 7ES
Decision: Approved/Refused

Noting comments from the Community Archaeologist and comments made by members at the meeting.

It was proposed, seconded and agreed that the 8 illuminated freestanding signs be approved, subject to the summary of reasons set out by the case officer in the circulated report, and subject also to the following condition:-

1. The advertisement(s) hereby granted consent shall not be installed

or erected until the existing signs shown on drawing 4432_1233_03 have been removed and any damage incurred by removal repaired.

and that the two non illuminated banner signs be refused for the following reason:-

1. It is considered that the two proposed non illuminated banner signs would be unduly prominent and visually intrusive features which would give a cluttered appearance to this prominent street frontage, detrimental to the site and the wider streetscene. This part of the proposal would therefore be contrary to national planning policy given in PPG19 (Outdoor Advertisement Control).

PWM3

Application ref: S10/2297/OUT
Description: Erection of three dwellings
Location: 2, Bourne Road, Colsterworth, Grantham, NG33 5JE
Decision: Deferred

Pending the receipt of further information from the applicant and Highway Authority.

NB1

Application ref: S10/2477/FULL
Description: Retention of workshop
Location: Sunnyside Cottage, Edenham Road, Lound, Bourne, Lincolnshire, PE10 0LJ

Decision:

Application withdrawn.

(2.40pm - Councillor Mrs Jalili left the meeting).

FF1

Application ref: S10/2127/FULL
Description: Change of use of part of farm yard to storage of caravans

Location: Mill Farm, West Street, Barkston, Grantham,
NG32 2NZ

Decision: Approved

Noting comments made during the public speaking session from:-

Councillor John Jackson - Barkston & Syston Parish Council
Stephen Elnor - applicant

together with no objection from the Parish Council, Highway Authority, SKDC Policy Team, SKDC Consultant Arboriculturist, Lincolnshire Wildlife Trust, Natural England and the Ramblers Association, an objection 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. Prior to commencement of any works on site relating to the storage of caravans, the works to improve the public highway (by means of passing bays to a full approved specification along with all associated ancillary works) have been completed to the satisfaction of the Area Highways Manager.
3. All movements will be by appointment.
End users wishing to collect their caravans on site must do so in the morning before 1200 hours
End users wishing to return their caravans on site must do so in the afternoon after 1300 hours
(All traffic movement must be adhered to as set out in the JHG Planning Consultancy Ltd's Planning Report dated September 2010)
4. During the landscaping phase appropriate working methods will be carried out in accordance with the submitted application set out in Drawing No F2129-01 dated August 2010.

The works approved to be carried out within 2 years from the date of consent.

Note(s) to Applicant

1. You are advised to inform any contractors involved in the (development/demolition/works) of all relevant protected species legislation and in particular the protected status of bats and their roost sites. Work should proceed carefully and care should be taken to ensure that bats are not killed or injured. Should any bats be

found, work should cease and the advice of Natural England sought.

2. There should not be any negative impacts on protected species as a result of this development. Lincolnshire Wildlife Trust has recommended that consideration is given to include bat and bird boxes on suitable buildings or mature trees around the site.
3. Note to the applicant: No works shall commence on site until a Section 278 Agreement Highways Act 1980 has been entered into with the local highway authority, Lincolnshire County Council to provide passing bays to full approved specification with all ancillary works.
4. Works with the highway shall be arranged in liaison with Lincolnshire County Council Development Directorate.
5. 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.

CM1

Application ref: S10/2811/HSB

Description: Extensions and alterations to dwelling

Location: The Poplars, 19, Village Street, Gelston,
Grantham, NG32 2AE

Decision: Deferred

Pending confirmation of the correct display of the site notices.

84. INFORMATION RELATING TO DEVELOPMENT CONTROL AND OTHER PLANNING ACTIVITY

The Acting Lead Professional submitted his report PLA865 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.

For the information of members, the Chairman said that he had instructed the Acting Lead Professional to ensure that, in relation to all applications currently deferred pending the completion of a Section 106 Agreement, that if they did not meet the current agreed standards (ie completion of the Agreement within 6 weeks), then the application will be refused unless the delay is as the result of circumstances outside the applicant's control, eg awaiting a decision from the County Council.

85. POPLAR FARM, GRANTHAM - FINALISED SECTION 106 AGREEMENT

The Acting Lead Professional introduced Report PLA863 from the Head of Development and Growth in relation to progress being made towards the finalisation of the Section 106 Agreement for the proposed development at Poplar Farm, Grantham. The report set out the background to the situation as at present, pointing out that since the decision to approve in principle in September 2009 members had been kept aware of the current state of negotiations with regard to the completion of the Section 106 Agreement on a regular basis. The report set out in detail progress of the Agreement in relation to transport matters, highlighting in particular discussions which had taken place in relation to the delivery of the bridge over the railway, including the threshold at which the bridge was to be provided, "the bridge fund" clause in the Section 106 and the estimated cost of the bridge. It was considered that there were no grounds to review the earlier decision as the facts upon which the committee's decision were based were fair, reasonable and known and there had not been any material change in circumstances since the decision to approve in 2009.

One matter highlighted during the review was the need for an additional explicit clause to be included in the Section 106 Agreement to ensure that the applicant/developer used their reasonable endeavours to secure an "assignable easement" across the railway land to deliver the bridge. It had been agreed between the main parties to the agreement that the intent to secure an easement was implied through the proposed development and this section would make it an explicit provision. Another benefit of this would be that the easement could be assigned to another party and would provide for greater flexibility for the delivery of the bridge in due course.

In conclusion the report noted that there had been a variety of minor amendments to the Section 106 proposed and agreed between the main parties, but the main provisions and principles as reported last year remained unaffected. It was anticipated that subject to final proof reading and amendment the Section 106 could be signed and permission issued by the Acting Lead Professional, in consultation with the Chairman and Vice Chairman, hopefully before the end of February 2011.

(2.55pm - Councillor Mrs Jalili returned to the meeting).

In conclusion, the Acting Lead Professional referred to a letter which had been recently received from agents acting for the owners of the large site to the west of the Poplar Farm site, in relation to the way in which development on this land was being treated in isolation from the larger allocation of which it formed part. The owners were concerned to ensure that the outline planning permission and Section 106 for Poplar Farm was not prejudicial to the delivery of the overall development in the north west quadrant and that development of the western element was not adversely affected from both legal and viability perspectives. Particular concern had been expressed about vehicular access arrangements for this area as a whole, and also that the overall site was brought forward in accordance

with the agreed housing trajectory. In the circumstances the agents felt that the Section 106 should not be finalised until the committee had been advised of the provisions of the agreement including full details of a developer contributions and trigger points to which these contributions related. They requested that the committee provided a further and more detailed report on the matter and that the Section 106 Agreement was not finalised until the committee had made a further resolution to this effect.

Members discussed and noted the report submitted and letter received.

86. PLANNING ENFORCEMENT REPORT

The committee noted briefing paper PLA862 from the Planning Enforcement Officer summarising the level of enforcement activity for the period September to December 2010. The report also included a report on action taken following recommendations made by the auditors into Section 106 activity, and a statement of Section 106 monies received since September 2010. Members noted the report.

87. FREQUENCY OF MEETINGS

Decision:-

That the Full Council be recommended to continue with the 4 week cycle of meetings.

The Chairman reminded the committee that they had proposed, and the Council had agreed, that the committee move to a 4 week cycle of meetings for a trial period of 1 year with effect from the 1st meeting after the annual meeting of the Council in 2010. That trial period was now coming to an end, and it would be necessary to consider whether or not to continue with this frequency so that an appropriate report could be made to the Annual Council in April.

It was proposed, seconded and agreed that the Council be advised that the Development Control Committee support the continuation of a 4 week cycle for their meetings.

88. SITE INSPECTIONS

A brief discussion took place on the administration of site inspections, in particular whether it would be possible to arrange combined transport for members on the various rotas. The Committee Support Officer explained that these difficulties had been considered by the committee on many occasions in the past, but bearing in mind the size of the district and the fact that it was not known when the rota was drawn up where the site inspections would take place, the current system of members combining transport wherever possible would be the best solution. However, he agreed that when drawing up the rota for the next series of site inspections he would attempt to list members in such groupings so as to minimise

travel. In addition, the Committee Support Officer was asked to ensure that postcodes were included on the list sent with the site inspection notice so that satellite navigation technology could be used to find sites more easily.

89. CLOSE OF MEETING

The meeting closed at 3.15pm.

Agenda Item 5

COMMITTEE: 1 MARCH 2011

NO	PAGE	PROPOSAL AND LOCATION	REC	
PL1	10/1804	1	Retention of agricultural building and change of use to house livestock with additional livestock building and food storage, Odd House Farm, Holme Lane, Claypole, NG23 5AP	R
NB1	10/2312	10	Change of use from residential (C3) to restaurant (A3) and hotel (C1) and erection of single storey and part two storey rear extension, 4 St Mary's Place, Stamford PE9 2DN	DEF
NB2	10/2313	22	Alterations and extensions to listed building, 4 St Mary's Place, Stamford, PE9 2DN	AC
NB3	10/2619	28	Erection of bridge club house, Land Adj Stamford & District Bowls Club, Off Exeter Gardens, Stamford, PE9 2RN	AC
PG1	10/1876	34	Erection of classic car storage unit for domestic use, The Old Rectory, Carlby Road, Greatford, PE9 4PR	AC
PG2	10/2088	41	Retention of 8 floodlights and install 2 portable buildings, Sports Fields, Manor Close, Langtoft, PE6 9NB	AC
PWM1	10/1759	44	Erection of one wind turbine (hub height 50m, blade diameter 33.4m and total ground to tip height 66.7m), and associated access track and crane hardstanding, Frinkley Farm, Frinkley Lane, Hougham, NG32 2JQ	R
PWM2	10/2403	54	Erection of nine dwellings, Winters Lane, Long Bennington, NG23 5DW	R
PWM3	10/2297	61	Erection of three dwellings, 2 Bourne Road, Colsterworth, NG33 5JE	AC
PWM4	10/2547	67	Demolition of existing garage and erection of one and a half storey dwelling, 3 High Road, Barrowby, NG32 1BH	AC
PWM5	10/1384	73	Demolition of existing dwelling and erection of six dwellings (Extension of time of S07/0843), Sandy Willows, 354 Harlaxton Road, Grantham	AC
KJC1	10/2813	80	Extension of time – S07/0798 – Residential, business and industrial development, Bairds Malt Ltd, Springfield Road, Grantham	AC
PJM1	11/0031	90	Creation of new access and driveway, The Stables, 57 Hough Road, Barkston, NG32 2PA	AC
CM1	10/2811	93	Extensions and alterations to dwelling, The Poplars, 19 Village Street, Gelston, NG32 2AE	AC

**Development Control Committee
1 March 2011**

PL1 S10/1804/FULL

Target Decision Date: 16-Feb-2011

Applicant	Mr James Allen, TJ & KG Allen 22, Barnby Lane, Claypole, Newark, NG235BD
Agent	Ms Paula Money, Paula Money Planning Ltd 10, Bluebell Close, Underwood, Nottingham, NG16 5FN
Proposal	Retention of agricultural building and change of use to house livestock with additional livestock building and food storage
Location	Odd House Farm, Holme Lane, Claypole, Newark, NG23 5AP
App Type	Full Planning Permission
Parish(es)	Claypole

REPORT

Application Category

This application is categorised as a minor application.

Reason for Referral to Committee

The application has been referred to the Development Control Committee at the request of two local members for the following reasons:

- Excessive noise and smell nuisance
- Visually intrusive to neighbour
- Proximity to barn conversion
- Retrospective application as one barn already erected and used for livestock.

The Proposal

This is a full application for the retention of an agricultural building and change of use to house livestock and the erection of an additional livestock building and food storage area with associated hardstanding and turning facilities.

The application site and its surroundings

The application site is located to the north side of a track to the west of Holme Lane, approximately 1500metres to the north of the village of Claypole. One barn has already been erected to the north side of the track and currently used to house livestock, with the surrounding land currently in use for agriculture.

To the east of the application site located on the inside of a bend in Holme Lane are further agricultural buildings associated with the existing farming business, a recently built replacement dwelling for the former farmhouse and a redundant barn, currently being converted to a dwelling under a planning permission granted in 2008.

To the north of the application site there are a further two dwellings, approximately 350 metres away that are accessed off Holme Lane.

Relevant Planning History

In November 2008 an agricultural determination application for the erection of an agricultural storage building was determined by the Council as not requiring a planning application.

In July 2010 a further agricultural determination application was received for a replacement agricultural building. During the consideration of this application it was found that the storage building considered in 2008 above, had been erected in the wrong location and was being used for the housing of livestock.

Regarding the adjacent land, in September 2007 planning permission was granted for the replacement of the former farmhouse. This has been completed and is occupied.

In August 2008 planning permission was granted for the conversion of a redundant agricultural barn. Work is currently in progress on the conversion.

Representations Received

Claypole Parish Council – (These comments are on the earlier proposal; no comments have been received on the amended scheme).

This is an application for change of use of agricultural building to house livestock and erection of additional livestock building.

Background : The proposal is described as "Shed 1 with planning for agriculture erected in 2009 10 meters from original site we are applying for change of use to livestock and planning to remain were build. Also we would like to build another shed 2 on the site planned for shed 1 This will be used for cattle"

The original planning application (S10/1233/AG) was passed under agricultural determination and specifically stated that the premises did not include use for cattle. After building, cattle were located in the building. The application also stated that the building would not be within 400 metres from the nearest house excluding the farmhouse. Neither of these two conditions have been complied with.

An additional related aspect is that application S08/0790/21 by the same applicant for conversion of farm building to residential dwelling house and change of use of yard to garden, argued in the submitted consultants report (paragraph 2.7 that " In the yard to the west of the traditional barn, there are two more modern farm buildings ... These two buildings have been used for general storage including wheat, small vehicles and sundry

items as well as a few weeks a year for lambing. It is intended to continue to use the buildings for general storage including for a few weeks per year for grain."

This application has generated very significant opposition from nearby residents who purchased redundant farm building from the applicant.

Parish Council comments:

As this is a retrospective planning application, relating to non conformance with an original application is difficult to confine comments solely to the application under discussion i.e. S10/1804/FULL/PC1

It should also be noted that the applicant is a Parish Councillor. In accordance with standing orders, declared an interest and withdrew from the Parish Council meeting when the application was discussed. The existing, wrongly sited, barn and the new barn, as proposed, will be within 400 metres of the residential dwellings. This is contrary to planning standards - there must be no development intended for or used by livestock, slurry or sewage sludge housing and within 400m of the curtilage of a dwelling. The curtilage usually means the physical boundary of the land surrounding a dwelling. If the works are within 400m of buildings within an agricultural unit (or a dwelling or other building on another agricultural unit) they are excluded from this restriction. Clearly the residential dwellings are not part of the agricultural unit and the exclusion is in any case principled to account for isolated farms with the farmer living on the farm i.e. agricultural unit. The adjacent residents report that there is now "intense" cattle rearing in operation in the barns. It is not clear what the definition of intense is, or if the farm meets that criteria, but it is recognised that the original agricultural determination clearly stated that no cattle would be located in the barn.

If it is intended to continue cattle farming in these buildings, so close to these dwellings then there will clearly be an impact on the neighbourhood and on the living conditions for neighbouring residents.

Claypole is a village in an agricultural area and over time redundant farms and agricultural land on the edges of the village have been re utilised for residential use. In general the Parish Council fully support such developments and both residents and farmers benefit and successfully co-exist. This application seems to be in non conformance to planning regulations and will likely be a continual source of friction between the residents affected and the applicant.

If such cattle farming is to take place it must be in an appropriate place. Close to residential dwellings is not considered appropriate. This is further not appropriate given the farming methods reportedly already adopted on this site. The 400m distance is a key element in the determination.

Archaeological – no affects on any known sites.

Lincolnshire County Council Highways – The local highway authority are concerned as previously expressed at the planned growth of the farming unit and its likely associated vehicular movements. The lane serving the farm is low on the County's hierarchy but is

increasingly requiring maintenance and attendance over and above what would normally be expected for this type/class/location.

It is therefore deemed necessary for the passing places and adjacent surface re-profiling to be provided to facilitate movement along its length without the increased incidence of verge/carriageway edge damage.

Provided the passing places and associated ancillary work is undertaken, the local highway authority would not object to the proposal.

Environmental Protection – The proposed cattle sheds are located less than 100m from 2 residential properties located to the East and 350m from another residential property to the north of the site. Environmental Protection have received complaints from the residents to the East which can be generally be categorised as relating to noise, flies and odour. These complaints are in relation to the shed which is already in use to house cattle, and movement of agricultural vehicles from a nearby barn to service the cows.

I would make the following representations in respect of the application;

The applicant states that a Dosatron Airborne 10 system is to be installed as an odour neutralising system. It should be noted that the installation of these types of systems are generally used for short term operations as they are often not cost effective in the long term. The applicant cannot guarantee that there will be no odour from the operations beyond the boundary and consequently odours are likely to affect the amenities of the nearby residents.

A significant sample of flies (approx 100) was collected by a nearby resident from inside their home. The majority of the sample was identified as Yellow Dung flies which are generally associated with dung, and one blow fly which lay their eggs on decaying animal and vegetable matter. The number of flies reduced with the onset of the cold winter weather, however it is expected that the population will increase as the weather improves and numbers may increase further if cattle numbers increase. Large numbers of flies affecting nearby residents are likely to lead to a statutory nuisance and detrimentally affect the amenity of the nearby residents.

The area for the storage of vegetable waste to be fed to the cattle is not fully enclosed. The vegetable feed has continued to be a source of odours. An increase in the number of cattle at the site due to the second large building will lead to more food being located in this area.

The frequency of deliveries/ removal of waste and livestock from the site to the site will increase with the increased number of beasts. It may be possible to control delivery hours through a condition, however, given the nature of the business general operating hours for plant would be more difficult to control. The acoustic report dated January 2011 by ANV suggests general operating hours for plant as between 07:30 to 18:00 Monday to Friday and 07:30 to 13:00 on weekends, save for emergencies. The report has shown that noise levels from plant working at the existing shed and proposed additional shed are “low”, however, the existing machine storage shed is directly adjacent to, and shares an open boundary with a residential property.

The waste bedding and food is to be stored on muck heaps and spread to land owned by the applicant. This land surrounds the existing farm and residential properties resulting in odours from this additional activity.

In conclusion, it is considered that the proposed use is in such close proximity to local residents that they are likely to experience nuisance from the activities, particularly from flies and odours.

Environment Agency – The Environment Agency has inspected the submitted information and wishes to make the following additional comments for the applicant's attention:

Waste

Uncontaminated excavated natural materials can be tipped on site. However, if any other waste material is to be used then it may be necessary to obtain an appropriate Exemption or Authorisation from us. Further information is available on our website at www.environment-agency.gov.uk/subjects/waste or by contacting our Kesteven Environment Management team on 01522 785813.

Please note that it is a requirement, under the Duty of Care Regulations, for the developer to ensure that any waste materials removed from the site are sent to an appropriate licensed disposal site and that all relevant documentation is completed and kept in line with the appropriate regulations.

Surface Water

Only surface water from roofs and paved areas not accessible to vehicles should be discharged to any soakaway, watercourse or surface water sewer. All surface water from roofs should be piped directly to an approved surface water system using sealed downpipes. Open gullies should not be used.

Foul and surface water manhole covers should be marked to enable easy recognition, convention is red for foul and blue for surface water. This is to enable water pollution incidents to be more readily traced.

Slurry, Oil and Chemical storage

Slurry and/or silage liquor should be stored within a sealed system in accordance with Defra's Code of Good Agricultural Practice. In particular, the document 'Protecting our Water, Soil and Air'.

Any facilities, above ground, for the storage of oils, fuels or chemicals should be sited on impervious bases and surrounded by impervious bund walls. The volume of the bunded compound should be at least equivalent to the capacity of the tank plus 10%. All filling points, vents, gauges and sight glasses must be located within the bund. The drainage system of the bund should be sealed with no discharge to any watercourse, land or underground strata. Any associated pipework should be located above ground and protected from accidental damage and all filling points and tank overflow pipe outlets should be detailed to discharge into the bund.

Network Rail - With reference to the protection of the railway, Network Rail has no objection in principle to the development, but below is a requirement which must be met.

Abnormal Loads

Network Rail would request that the applicant contact our Asset Protection Engineer to confirm in advance of any abnormal loads to the site during the construction phase given that the access to the site is via a level crossing, it may be necessary to agree a strategy to protect our asset(s) from any potential damage caused by abnormal loads. I would also like to advise that where any damage, injury or delay to the rail network is caused by an abnormal load (related to the application site), the applicant or developer will incur full liability. We would be pleased if an informative could be attached to the decision notice in respect of this issue.

Network Rail is required to recover all reasonable costs associated with facilitating these works.

Agricultural Consultant. – concludes that the agricultural holding together with the size of the existing and proposed livestock buildings are suitable for the level of livestock proposed.

Representations as a result of publicity

The application has been advertised in accordance with the adopted Statement of Community Involvement. Since the application was originally received and subsequently amended, 14 responses together with over 100 e-mails have been received and the points raised can be summarised as follows:

1. There will be a significant increase in traffic on Barnby Lane.
2. Smells from the livestock.
3. Insufficient infrastructure to cope with the increased traffic.
4. Noise from increased vehicle movements.
5. Significant increase in agricultural activity from when we brought our property.
6. Noise from bellowing cows.
7. Flies.
8. Smells from the storage of rotten food.
9. Cattle should be removed as this is not an appropriate location.
10. Lorry turning area does not make sense.
11. Submitted noise assessment does not reflect reality.
12. Food area is massive.
13. No landscape/drainage or storage details submitted.
14. The noise, smells and flies I believe are a breach of our human rights.

15. EIA is not an EIA.
16. Damage to the road network.
17. Shed was erected unlawfully.
18. Applicants do not live on site to be affected by the impact of this development.
19. This development will impact on us 365 days a year.

Planning Considerations

National Policy

PPS 7 – Sustainable Development in Rural Areas.

Core Strategy

Policy EN1 – Protection and Enhancement of the Character of the District.

This is a general policy containing a list of criteria which seeks to preserve and enhance the visual quality and amenity of the built and countryside environments and criteria 4, 9 and 11 refer in this case relating to, the layout and scale of buildings, remoteness and tranquility and noise and light pollution.

Key Issues

The key issues to be considered as part of the determination of this application relate to the following:

Impact on site and surroundings
Noise
Pollution and Smells
Highways

Officer Evaluation

The proposals are to retain the existing building, (13.7m x 32m with a ridge height of 6.7m) and construct a new building (19.6m x 36.5m ridge height of 9.2m) with a food storage area (20m x 13.7m) located between the two buildings. To the east of the buildings a vehicular turning area is proposed. Both buildings are to be used to house livestock and planning permission is required as these are within 400 metres of protected dwellings. The purpose of this distance is not, as some comments suggest, to exclude development but reflects the fact that there may be impacts on the amenities of nearby residents.

In order to assess the potential impacts of the development, specific environmental information has been requested and provided by the applicant. For the avoidance of doubt, this does not take the form of a full Environmental Impact Assessment, but of individual reports on each relevant issue.

Impact on Site and Surroundings

The existing and proposed agricultural buildings due to their design, materials and siting will have no detrimental affect upon the site or surroundings being typical, modern farm buildings and relating well to the existing farm structures located to the east of the application site. Due to their location and the relationship with the nearest residential properties to the east, the buildings will have no adverse affect upon these properties in terms of loss of visual amenity.

Traffic Movements and Highways

The applicants' state that in a typical working week a HGV will deliver feed twice a week and once every two weeks to deliver wood chippings. A forklift is used every day for short periods within the farm unit for the movement of bedding and feed. The forklift is used every four weeks to clean out the shed with the waste removed on a trailer and tractor to an off site muck heap. Once a week, on average, cattle will be transported off site to market using a cattle trailer and four wheel drive vehicle.

It is noted that County Council Highways have raised no objection in principle to the proposal subject to the provision of passing bays on the access road to the site from Claypole.

Noise

An independent noise assessment has been submitted that has indicated low levels of noise which is considered unlikely to give rise to any potential disturbance to the occupants of surrounding properties. To further ensure that noise levels are minimized the applicants seek to maintain and implement additional control measures on the farm.

Having regard to the location of the machine storage shed directly adjacent to and sharing an open boundary with a residential property and the likely increase in vehicular movements when the maximum numbers of livestock are on site, the frequency of movements could cause noise and disturbance to the detriment of residential amenity.

Pollution and Smells

The Environment Agency has raised no objection in principle to the proposed development subject to regulation and suitable collection and disposal methods that can be employed.

Regarding smells, whilst this is difficult to quantify and people are affected by it in different ways, it is noted that an odour neutralising system is proposed to reduce/remove the impact. It should be noted that the installation of these types of systems are generally used for short term operations as they are often not cost effective in the long term. The area for the storage of vegetable waste to be fed to the cattle is not fully enclosed. The vegetable feed has continued to be a source of odours. An increase in the number of cattle at the site due to the second large building will lead to more food being located in this area. The applicant cannot guarantee that there will be no odour from the operations beyond the boundary and consequently odours are likely to affect the amenities of the nearby residents.

The approval for the replacement farmhouse was granted in 2007 and then a subsequent approval for the barn conversion was granted in 2008. At the time of the barn conversion approval the adjacent farm buildings although not redundant were described as being for a low key usage, housing farm vehicles and being used for lambing sheep once a year. The barn conversion was considered to be appropriate in this location and no conflict with working farm activities were anticipated.

This current proposal, because there are no other farm buildings available to service the beef rearing unit effectively means that a working farm has been re- created adjacent to the barn conversion with the resultant impact upon residential amenity. Sustained objections have been made to the current use of the one unauthorised livestock building by reason of noise and smell from the cattle and general disturbance from vehicular movements both bringing supplies, food etc to the site and vehicle movements and use of equipment to feed the animals.

The proposal to add a further unit will significantly exacerbate these issues to the detriment of residential amenity to the nearby dwellings. On balance the proposed level of development and related activity is unacceptable and the application is recommended for refusal.

Crime and Disorder Implications

It is considered that the proposed development will not have any significant or detrimental crime and disorder implications.

Human Rights Implications

Articles 6 (Right to fair decision making) and Article 8 (Right to private family life and home) of the Human Rights Act have been taken into account in making this recommendation.

It is considered that no relevant Article of that act will be breached.

Should Members agree with the recommendation authorization is sought that enforcement action be authorised to cease the use of the agricultural building for livestock.

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

1. In the opinion of the Local Planning Authority the proposed retention of the agricultural building and its change of use to house livestock and the erection of an additional livestock building with associated food storage area and vehicular turning area is likely to have a detrimental affect upon residential amenity to the nearby, unrelated, domestic accommodation by reason of noise and smell associated with the cattle and their food supply and general disturbance from vehicular movements both bringing supplies, food etc to the site and vehicle movements and use of equipment to feed the animals.

The proposal is therefore considered to be contrary to the aims of Policy EN1 of the South Kesteven Core Strategy.

Applicant	Mark Harrod, Agellus Hotels Limited Vale House, 2, Kings Mill Lane, Stamford, Lincolnshire, PE9 2QS
Agent	Philip Grover, Grover Lewis Associates Limited The Green, 10, Beacon Hill Road, Newark, NG23 1NU
Proposal	Change of use from residential (C3) to restaurant (A3) and hotel (C1) and erection of single storey and part two storey rear extension
Location	4, St Marys Place, Stamford, Lincolnshire, PE9 2DN
App Type	Full Planning Permission
Parish(es)	Stamford

REPORT

Application Category

The application is categorised as a minor application.

Reason for Referral to Committee

The application is to be determined by Committee with a previous application on the same site also determined at Committee, as well as the proposal considered to be locally controversial.

The Proposal

The proposal is to convert the building, with a current use as a residential property, to a luxury restaurant on the ground floor with up to 66 covers and a boutique hotel with 9 bedrooms on the upper floors. In addition to internal alterations, such works would require the demolition of an existing office and greenhouse and the construction of a new kitchen with cold storage and staffroom above. Refuse wheeled bins and cycle storage would be sited adjacent to existing outbuildings, within which would be located refrigeration and condenser units. All servicing and access would be from St. Mary's Place, with valet parking provision for hotel guests.

The Application Site and its Surroundings

The application property is late C18th and listed Grade II*, located on the southern corner of St. Mary's Place. This relatively narrow cobbled street is within the historic core of Stamford Conservation Area. The site is of an 'L' shaped configuration and abuts the eastern and southern boundaries of St. Mary's Church whilst extending from St. Mary's Street to the north to St. Mary's Hill to the west. To the north of No. 4 are residential flats (Lansbury House, 3 St. Mary's Place); to the west is the Town Hall. Walls on the eastern and southern boundaries of the appeal site curtilage abut both the rear garden to the ground floor flat to 3 St. Mary's Place and gardens to the nearby Registry Office.

Relevant Site History

Planning application S09/0815 and Listed Building Consent S09/0846 were both refused permission on 14 October 2009. The reasons for refusal attached to the full permission are reproduced below;

1) It is considered that the proposed development would create an adverse impact on the amenities of neighbours, particularly at 3 St Mary's Place, from noise and odours by activities in the kitchen and noise from activities in the rear area. It is also considered that there are inadequate facilities for the storage and disposal of food waste from the restaurant and hotel. This is contrary to Saved Policy EN1 (vii) of South Kesteven Local Plan.

2) It is considered that delivery and service vehicles together with private motor vehicles would create highway congestion that could not be permanently controlled by condition, contrary to Saved Policy EN1(vi) of South Kesteven Local Plan.

3) It is also considered that insufficient evidence has been submitted to substantiate the use as a hotel and restaurant rather than as a private residence as the only viable use for the building, contrary to Policy 27 of RSS8 and Paras 3.8 – 3.11 of PPG15.

Both applications were determined at the Development Control Committee, contrary to Officer recommendation. An appeal was made against both decisions and both appeals dismissed. Despite the Inspector finding in favour of the Council an award of costs was given to the appellant against the Council on the grounds of limited expert witnesses being put forward at the Inquiry and a reliance on local resident's evidence.

Policy Considerations

National Policy

PPS1: Delivering Sustainable Development
PPS5: Planning for the Historic Environment
PPS6: Planning for Town Centres
PPG13: Transport
PPG24: Planning and Noise

Regional Planning Policy - East Midlands Regional Plan

Policy 1: Regional core objectives
Policy 2: Promoting better design
Policy 27: Regional Priorities for the Historic Environment

Core Strategy Policy

SP1: Spatial Strategy
EN1: Protection and Enhancement of the Environment
EN3: Renewable Energy Generation
EN4: Sustainable Construction and Design

E2: Town Centre and Retail Development (plus The Town Centre Shopping Area defined in Local Plan policy S1)

Representations Received

The comments of Stamford Town Council are reproduced below;

“The Town Council Planning Committee recognises the adjustments made within the application. However it wishes to reaffirm strong objection to this application as the location in the corner of a very narrow cobbled street is totally inappropriate for a hotel. There has been no apparent change proposed to allay the concerns of the serious impact of the change of use on highway safety and traffic movement along this ancient cobbled street in the heart of this Conservation Town. St. Mary’s Place is already heavily used for parking restricting the width of the road system at the junction of St. Mary’s Place and St. Mary’s Street. The serious concern over the access for service and delivery vehicles and Emergency Services still remain. Concern is also expressed over the location of the kitchen facilities which would have a serious impact on a neighbouring resident whose dwelling is directly above the proposed kitchen.

This application went to Appeal and was refused in reference to Planning Policy Statement (PPS) 5 which relates to planning guidance for the Historic Environment and the accompanying Historic Environment. The Appeal decision supported the findings of the 1977 survey of the Town of Stamford by the Royal Commission for Historic Monuments (RCME) which identified St. Mary’s Place as a street whose preservation was thought to be of paramount importance. The RMCE also concluded that 4 St. Mary’s Place, being a Grade II* had a distinctive and particular plan form. It is considered that the proposed works would fundamentally and unacceptably alter the layout and setting of this listed building and consequently be at odds with the main thrust of East Midlands Regional Plan Policy 27 which establishes regional priorities for the Historic environment and criteria (iii) and (iv) of SKDC Local Plan Policy EN1 which require that development reflects the general character of the area and does not intrude upon the setting of important buildings”.

The Consultant Arboriculturalist does not raise objection to the application subject to an appropriate condition.

South Kesteven Planning Archaeologist considers the site has potential for archaeological remains with it lying within the historic medieval core of the town. Request that if permission is granted a condition about a watching brief is added to the decision notice.

Planning policy comments are reproduced below and do not raise any objection to the application;

“Application S09/0815 [for CoU residential (C3) to restaurant (A3) and hotel (C1)] was refused by this Council in October 2009. This decision was upheld by the Inspector in May 2010. This application has been submitted to address the issues raised by the Inspector.

Since application S09/0815 was submitted the Core Strategy has been adopted. This has replaced the Local Plan which was extant at the time of the first application. However,

certain locational policies remain until such time as they are replaced by other LDF documents. The Town Centre Shopping Area defined in Local Plan policy S1 remains effective. The Site Allocations and Policies DPD, which is in the course of preparation, will contain policies which define the town centres and shopping areas of Stamford (and other towns). The emerging policy does not, however, locate the application site within the defined town centre.

Essentially, therefore, the advice I gave in relation to application S09/0815 remains the same and I reproduce it below:

"This property is situated within a small square, dominated by St Mary's Church, which is immediately adjacent to the area designated as S1: Town Centre Shopping Area in the Local Plan. It is also adjacent to one of the Primary Shopping Streets (S3 designation in Local Plan). The properties along both St Mary's Street and St Mary's Hill (both of which face St Mary's Place) are predominantly in retail/business/commercial use. The Town Hall is adjacent to the application site.

PPS6 Annex 2 defines Town Centres in terms of Primary Shopping Areas, Primary frontages, Secondary frontages and Edge-of Centre locations. Although the application site does not fall within the area designated as a "Town Centre Shopping Area" it is considered that St Mary's Place could still be regarded as part of the Town Centre of Stamford. Using PPS6 definitions, it is certainly an Edge-of-Centre location (within 300m of a town centre boundary). As such, in strictly policy terms, it is considered that restaurant/hotel use is not incompatible with its location."

Core Strategy policy EN1 will also be relevant when considering the application".

Lincolnshire County Council, as highway authority, does not object to the application subject to appropriate conditions including an annual revision of the Parking Demand Management Plan and approval of a staff Travel Plan. Furthermore, a financial contribution toward highway improvements in the area would be required.

English Heritage request that the application be determined in accordance with local and national policy guidance, and on the basis of Council specialist conservation advice.

Building Control note that the proposal does not fully comply with the Disability Discrimination Act; however, taking into account changes that have been made and constraints given the buildings Listing, raise no objection to the proposal.

Environmental Protection does not object to the application subject to the Waste Management Plan identifying the method of glass disposal and compliance with the Inspectors observations on use of the garden area. Also see no reason to object to a condition restricting the hours of opening for the restaurant to guests not staying at the hotel.

A letter has been received from Lincolnshire Police, via a member of the public, identifying that during a ten minute site visit two cars mounted the pavement in St Mary's Place and they raise concern about highway safety. Also note there have been no recorded accidents in St Mary's place since 2005, which is as far back as records go, but note how difficult it would be for larger vehicles to exit on to St Mary's Street.

Representations as a Result of Publicity

The application has been advertised in accordance with the Councils adopted statement of Community Involvement, the closing date for representations being 03 December 2010. A total of 25 representations have been received as a result of consultation. A summary of the reasons for objecting to the application is set out below;

1. The Planning Inspector Dismissed the appeal and that decision should be upheld by the Development Control Committee and revised application refused permission.
2. Under the Government's proposed 'Localism Bill' local resident views should be listened to and application refused permission.
3. The proposal does not comply with DDA or Part M of the Building Regulations, along with expressing concern about fire safety as a result of the change of use.
4. The grant of planning permission would irreversibly change the residential character of the area.
5. Consider the proposal would be detrimental to highway safety through the increase in vehicular traffic and lack of parking in the immediate area.
6. Feel that the valet system is unrealistic and that the number of potential users for the hotel and restaurant would mean congestion in the area is inevitable.
7. Express concern about the ability of delivery lorries to access the site.
8. Believe that the proposed use would be detrimental to the amenity of neighbouring buildings through increased overlooking from hotel bedrooms.
9. Consider the design of the proposed extensions and alterations detrimental to the character of the grade ii* Listed Building and wider Conservation Area.
10. The internal layout of the hotel is likely to result in excessive noise pollution through the Party Wall to neighbouring properties, particularly from the kitchen.
11. Removal of waste and disposal of bottles would generate excessive noise and require pick up from large vehicles.
12. Feel that part of an important green space in the Conservation Area would be lost and built over.
13. Enforcement and monitoring of a Parking Demand Management Plan is unrealistic and likely to be expensive.
14. Believe that the use would reduce house values in the area.
15. There is no demand for a hotel of this nature in Stamford with it not being in the Town Centre.
16. The overall intensity of the use e.g. number of diners, guests and workers, is likely to alter the character of the area.
17. The kitchen would result in an excessive amount of noise and an alternative location should be considered for this aspect.
18. The extraction and condenser units would result in an excessive level of noise as well as likely to generate unacceptable odours.
19. The proposal is contrary to local and national policy guidance with the application site not within the town centre.
20. The building should be retained as a residential use with there being a shortage of housing in the local area.

Officer Evaluation

It should be noted that four amended plans have been received that make slight alterations to the ground and first floor internal layout. This is a result of improving access to disabled guests. Furthermore, a summary of Draft Management Plans, including a 'Highways and Parking Demand Management Plan', 'Travel Plan', 'Waste Management Plan' and 'Odour Management Plan', have also been submitted. No additional consultation was undertaken on the alterations but the information put onto the Internet. The amendments are considered to be relatively minor in terms of internal layout and final agreement of the management plans controlled via condition.

The conclusion reached by the Planning Inspector on the previous application is considered to be an important material planning consideration in the outcome of this application. When determining the appeals the Inspector considered there to be three key issues; firstly the appearance, layout and setting of the listed building; secondly the level of residential amenity enjoyed by the occupiers of the neighbouring property, thirdly service access and highway safety.

The first issue is considered in greater detail in Committee report S10/2313, with particular regard to impacts on the Listed Building; however, the broad conclusion reached by the Inspector was that the proposal would not be harmful to the character or appearance of the Conservation Area with there being no alterations to the front façade, whilst proposed extensions would be to the rear. Your officers agree with the Inspectors view in respect of this issue.

The second issue relates to the level of residential amenity enjoyed by occupiers of the neighbouring property. The Inspector considered that the disposal of waste would be appropriate through a waste management plan. This included the provision and storage of food waste in the outhouse in a refrigerator and glass being reduced in a 'little smasher' in a storage area abutting the cellar. General waste would be stored in wheeled bins adjacent to the outhouse. With appropriate controls over the time and frequency of collections it is not considered that waste would be detrimental to the amenity of neighbouring properties with it being possible to wheel the bins to St Mary's Hill without passing a residential property. Odour from the kitchen would be released through existing chimneys on the main roof, this form of extraction is considered acceptable to ensure residential amenity would not be compromised.

With regard to noise in St Mary's Place the Inspector did not consider that when taking into account appropriate management plans and existing traffic movements there would be unacceptable increase in noise from the proposal. Furthermore, with appropriate conditions and measurements noise that may be generated from plant and equipment, including condenser units and the kitchen generally, would not give rise to an unacceptable level of noise.

However, the Inspector did dismiss the appeal on the grounds that noise from conversations within the garden area would be over and above that associated with a typical residential property. This would be detrimental to the enjoyment of neighbouring properties and audibly intrusive. It was for this reason that the Inspector dismissed the appeal on the second issue. However, the revised application proposes that the rear garden area will not be used by guests and only accessible by members of staff. Such a

proposal could be controlled via a suitably worded condition. In addition, to further alleviate concerns a condition that would restrict use of the ground floor restaurant to hotel guests at unsociable hours is recommended.

In view of the above it is considered that the revised application has overcome the reason for refusal highlighted by the Inspector relating to the second issue, residential amenity.

The third issue relates to highway considerations. The Inspector noted that vehicle speeds within St Mary's Place are slow and that there is no recorded incidence of accidents in the area. It was also suggested that most restaurant and hotel visitors are likely to arrive by private vehicle or taxi, with a valet system available. The Bath Row car park is a short distance from the building. In addition a Highways and Parking Demand Management Plan is proposed which includes provision for timed delivery of service vehicles; no vehicles larger than a 3.5T van can enter St Mary's Place, with larger vehicles required to park on St Mary's Hill. A travel plan for employees would also be required.

The Inspector noted that vehicle movements are likely to increase as a result of the proposal but also observed that due to the historic layout of the town a degree of congestion is evident (and indeed tolerated) within Stamford. With appropriate conditions and a unilateral undertaking the Inspector concluded that the proposal would afford adequate service access and highway safety. The proposal was therefore deemed to comply with the then relevant policy of the Local Plan. Furthermore, there is now no reason to conclude that the proposal would be contrary to pertinent core strategy or national policy guidance relating to highway issues. The proposal is therefore considered to be acceptable with regard to the third key issue, service access and highway safety.

Additional concerns have been raised as a result of consultation including whether or not the proposal fully complies with the Disability Discrimination Act; however, part M of the building regulations makes it clear that with historical buildings it need not necessarily fully comply with the regulations if it would compromise the character of the Listed Building.

Concern has also been expressed about sustainable development and use of resources e.g. energy associated with refrigeration, air conditioning etc. Whilst a hotel may use more energy than if the building were to be used as a residential property it is not considered that this would justify a refusal of permission with there also being a need to consider constraints on the building given its II* Listing.

In summary, the appeal against a previous full application was dismissed on one key issue, the detrimental impact on residential amenity through noise that would be generated from use of the rear garden area. Subject to a condition restricting the use of the garden area it is considered that this sole reason for has been overcome.

Section 106 Heads of Terms

A financial contribution has been requested by the Highway Authority to 'undertake measures it deems necessary for reason of safety and convenience/or prevention of damage to the highway infrastructure'. A section 106 is, in this instance, not necessary with a contribution of £7,500 payable to the Highway Authority through a unilateral undertaking. At this stage it is unclear whether the contribution would be utilised toward

the establishment of a one way system or improved parking layout to the front of the building, but it has been identified as an important factor by the Highway Authority.

Crime and Disorder

It is not considered that the proposal would raise any significant issues with regard to crime and disorder.

Human Rights Implications

Articles 6 (Right to fair decision making) and Article 8 (Right to private family life and home) of the Human Rights Act have been taken into account in making this recommendation.

It is considered that no relevant Article of that act will be breached.

Conclusion

It is considered that the alterations to the application overcome the reasons for refusal attached to permission S09/0815 as well as those attached to appeal decision APP/E2530/A/10/2120312. With appropriate conditions the development is therefore deemed to respect the character of the Conservation Area and Listed Building through the alterations, extensions and materials that are proposed. Nor would the development be detrimental to residential amenity through noise, waste or smell that may be generated. As a result of the development it is also not considered that the proposal would be detrimental to highway safety or lead to a significant degree of congestion. In addition, the use of the building is appropriate given that no substantial harm would be caused to the Listed Building and the location of the application site adjacent to the town centre. The proposal is therefore deemed to comply with core strategy policies SP1, EN1, EN3, EN4 & E2; East Midlands Regional Plan policies 1, 2 & 27 and national policy guidance PPS1, PPS5, PPS6, PPG13 & PPG24; with no other material planning considerations to indicate that the application should be determined otherwise.

Recommendation(s)

Recommendation 1

That the Committee resolve to approve the application and delegate authority to the Acting Lead Professional of Development Control in consultation with to the Chairman and Vice Chairman to issue a planning permission subject to the signing of a unilateral undertaking for the contribution of monies to the Local Highway Authority and subject to the conditions set out below;

Recommendation 2

Where the agreement has not been concluded prior to the Committee a period not exceeding six weeks post the date of the Committee shall be set for the completion (including signing) of the agreement. In the event that the agreement has not been concluded within the six week period and where in the opinion of the Lead Professional acting in consultation with the Chairman of the Development Control Committee, there are

no extenuating circumstances which would justify a further extension of time, the related planning application shall be refused on the basis that the necessary infrastructure or community contributions essential to make what would otherwise be unacceptable development acceptable have not been forthcoming.

SUMMARY OF REASON(S) FOR APPROVAL

It is considered that the alterations to the application overcome the reasons for refusal attached to permission S09/0815 as well as those attached to appeal decision APP/E2530/A/10/2120312. With appropriate conditions the development is therefore deemed to respect the character of the Conservation Area and Listed Building through the alterations, extensions and materials that are proposed. Nor would the development be detrimental to residential amenity through noise, waste or smell that may be generated. As a result of the development it is also not considered that the proposal would be detrimental to highway safety or lead to a significant degree of congestion. In addition, the use of the building is appropriate given that no substantial harm would be caused to the Listed Building and the location of the application site adjacent to the town centre. The proposal is therefore deemed to comply with core strategy policies SP1, EN1, EN3, EN4 & E2; East Midlands Regional Plan policies 1, 2 & 27 and national policy guidance PPS1, PPS5, PPS6, PPG13 & PPG24; with no other material planning considerations to indicate that the application should be determined otherwise.

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

Reason: To comply with Section 91 (as amended) of the Town and Country Planning Act 1990.

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.

Reason: To ensure a satisfactory appearance to the development and in accordance with Policy EN1 of the adopted South Kesteven Core Strategy (July 2010).

3. No development shall take place within the application site until the applicant has secured the maintenance of an on-site watching brief by a suitably qualified and experienced archaeologist during construction work in accordance with written details which have been submitted to and approved in writing by the Local Planning Authority. In the event of important archaeological features or remains being discovered which are beyond the scope of the watching brief to excavate and record and which require a fuller rescue excavation, then construction work shall cease until the applicant has secured the implementation of a further programme of archaeological work in accordance with a written scheme of investigation which has

been submitted to and approved in writing by the Local Planning Authority.

Reason: In order to provide a reasonable opportunity to record the history of the site and in accordance with Policy EN1 of the adopted South Kesteven Core Strategy (July 2010).

4. Before the use hereby permitted commences, a scheme for the installation of equipment to control the emission of fumes and odours from the premises shall be submitted to, and approved in writing by, the local planning authority and the approved scheme shall be implemented. All equipment installed as part of the scheme shall thereafter be operated and maintained in accordance with the manufacturer's instructions. Replacement equipment shall not be installed without the written approval of the Local Planning Authority.

Reason: To ensure that the proposal would not give rise to an unacceptable level of odour release that would be detrimental amenity of neighbouring properties and to comply with core strategy policy EN1.

5. The level of noise emitted from plant and equipment on the site shall not exceed LAeq1hr = 35 dB between 0700 and 2300 hours and LAeq5min = 30 dB between 2300 and 0700 hours, as measured at one metre from the windows of 3 St Mary's Place. The measurements and assessment shall be made according to the provisions of BS 4142:1997.

Reason: To ensure that the development would not give rise to an unacceptable level of noise to neighbouring properties and to comply with guidance contained in PPG24.

6. The rear garden area shall not be open to guests of the hotel or diners at any time.

Reason: To ensure that the development would not give rise to an unacceptable level of noise to neighbouring properties and to comply with guidance contained in PPG24.

7. No development shall take place until a Highways and Parking Demand Management Plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter annually from the commencement of the use the Occupier shall review the operation of the Plan with the Local Planning Authority. Any variation to the Plan agreed by the Occupier and the Local Planning Authority upon review shall be implemented by the Occupier thereafter within a timescale to be agreed by the parties.

Reason: To ensure that the development would not give rise to an unacceptable increase in vehicle movement or be detrimental to highway safety and to comply with guidance contained in PPG13.

8. Within 6 months of the use commencing, a Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. Thereafter annually, a staff survey shall be analysed and submitted to the Local Planning Authority together with details of the implementation of the Travel Plan. The occupier shall ensure that travel arrangements to and from the site are fulfilled in accordance with the Travel Plan, unless the Local Planning Authority gives approval to any variation.

Reason: To ensure that the development would not give rise to an unacceptable increase in vehicle movement or be detrimental to highway safety and to comply with guidance contained in PPG13.

9. This permission relates solely to the application as amended by plans received on 07 February 2011.

Reason: For the avoidance of doubt and to ensure that the development complies guidance contained in PPS5.

10. No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the local planning authority and these works shall be carried out as approved. These details shall include means of enclosure, hard surfacing materials, planting plans, written specifications (including a schedule of plants, noting species, plant sizes and proposed numbers/densities where appropriate) along with an implementation programme.

Reason: To assimilate the proposal within the locality and to comply with core strategy policy EN1.

11. Prior to the commencement of development a timetable for the implementation of the Arboricultural Method Statement (contained in the Arboricultural Implications Assessment received on 21 August 2009) shall be submitted to and approved in writing by the local planning authority. Development shall proceed in accordance with the approved details unless the local planning authority gives written consent to a variation.

Reason: To ensure that the proposal would not be detrimental to retention of existing trees and to comply with core strategy policy EN1.

12. No development shall take place until a Waste Management Plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter annually, from the commencement of the use, the Occupier shall review the operation of the Plan with the Local Planning Authority. Any variation to the Plan agreed by the Occupier and the Local Planning Authority upon review will be implemented by the Occupier thereafter within a timescale to be agreed by the parties.

Reason: To ensure that the amenity of neighbouring properties is respected and to

comply with core strategy policy EN1.

13. No development shall take place until an Odour Management Plan has been submitted to and approved in writing by the Local Planning Authority. Thereafter annually, from the commencement of use, the Occupier shall review the operation of the Plan with the Local Planning Authority. Any variation to the Plan agreed by the Occupier and the Local Planning Authority upon review will be implemented by the Occupier thereafter within a timescale to be agreed by the parties.

Reason: To ensure that the amenity of neighbouring properties is respected and to comply with core strategy policy EN1.

14. 15. Use of the restaurant shall not take place, save for residential guests of the hotel, other than between the hours of:-
11:00 – 23:00, Sunday – Thursday
11:00 – 24:00, Friday – Saturday

Reason: To ensure that the amenity of neighbouring properties is respected and to comply with core strategy policy EN1.

15. The door from the kitchen to rear garden area shall only be used as a fire escape and be kept closed at all other times.

Reason: To ensure that the amenity of neighbouring properties is respected and to comply with core strategy policy EN1.

16. No collections or deliveries of goods shall take place outside the hours of 08:00 – 20:00.

Reason: To ensure that residential amenity is respected and to comply with core strategy policy EN1.

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.

* * * * *

Applicant	Mark Harrod, Agellus Hotels Limited Vale House, 2, Kings Mill Lane, Stamford, Lincolnshire, PE9 2QS
Agent	Philip Grover, Grover Lewis Associates Limited The Green, 10, Beacon Hill Road, Newark, NG23 1NU
Proposal	Alterations and extensions to listed building
Location	4, St Marys Place, Stamford, Lincolnshire, PE9 2DN
App Type	Listed Building Consent
Parish(es)	Stamford

REPORT

Application Category

This application is categorised as a other application.

Reason for Referral to Committee

The application is to be determined by Committee with a previous application on the same site also determined at Committee, as well as the proposal considered to be locally controversial.

The Proposal

The proposal is to convert the building, with a current use as a residential property, to a luxury restaurant on the ground floor with up to 66 covers and a boutique hotel with 9 bedrooms on the upper floors. In addition to internal alterations, such works would require the demolition of an existing office and greenhouse and the construction of a new kitchen with cold storage and staffroom above. Refuse wheeled bins and cycle storage would be sited adjacent to existing outbuildings, within which would be located refrigeration and condenser units.

The Application Site and its Surroundings

The application property is late C18th and listed Grade II*, located on the southern corner of St. Mary's Place. This relatively narrow cobbled street is within the historic core of Stamford Conservation Area. The site is of an 'L' shaped configuration and abuts the eastern and southern boundaries of St. Mary's Church whilst extending from St. Mary's Street to the north to St. Mary's Hill to the west. To the north of No. 4 are residential flats (Lansbury House, 3 St. Mary's Place); to the west is the Town Hall. Walls on the eastern and southern boundaries of the appeal site curtilage abut both the rear garden to the ground floor flat to 3 St.Mary's Place and gardens to the nearby Registry Office.

Relevant Site History

Listed Building Consent S09/0846 and planning application S09/0815 were both refused permission on 14 October 2009. The reasons for refusal attached to the Listed Building Consent are reproduced below;

Notwithstanding previous unsympathetic alterations, it is considered that the plan form of the internal rooms is historically important. This legibility would be unduly compromised by proposed subdivisions associated with the change of use to a hotel, creating an adverse impact on the historic character of the building derived from the original residential use. It is also considered that insufficient evidence has been submitted to substantiate the use as a hotel and restaurant rather than as a private residence as the only viable use for the building, contrary to Policy 27 of RSS8 and Paras 3.8 – 3.11 of PPG15.

It is considered that the living wall and light grey aluminium panels would have an adverse impact on the character and setting of this listed building that is predominately of traditional “Georgian” form contrary to Policy 27 of RSS8 and Paras 3.12 – 3.13 of PPG15.

Both applications were determined at the Development Control Committee, contrary to Officer recommendation. An appeal was made against both decisions and both appeals dismissed. Despite the Inspector finding in favour of the Council an award of costs was given to the appellant against the Council on the grounds of limited expert witnesses being put forward at the Inquiry and a reliance on local resident’s evidence.

Policy Considerations

National Policy

PPS1: Delivering Sustainable Development
PPS5: Planning for the Historic Environment

Regional Planning Policy - East Midlands Regional Plan

Policy 1: Regional core objectives
Policy 2: Promoting better design
Policy 27: Regional Priorities for the Historic Environment

Core Strategy Policy

EN1: Protection and Enhancement of the Environment
EN3: Renewable Energy Generation
EN4: Sustainable Construction and Design

Representations Received

The comments of Stamford Town Council are reproduced below;

“The Town Council Planning Committee recognises the adjustments made within the application. However it wishes to reaffirm strong objection to this application as the location

in the corner of a very narrow cobbled street is totally inappropriate for a hotel. There has been no apparent change proposed to allay the concerns of the serious impact of the change of use on highway safety and traffic movement along this ancient cobbled street in the heart of this Conservation Town. St. Mary's Place is already heavily used for parking restricting the width of the road system at the junction of St. Mary's Place and St. Mary's Street. The serious concern over the access for service and delivery vehicles and Emergency Services still remain. Concern is also expressed over the location of the kitchen facilities which would have a serious impact on a neighbouring resident whose dwelling is directly above the proposed kitchen.

This application went to Appeal and was refused in reference to Planning Policy Statement (PPS) 5 which relates to planning guidance for the Historic Environment and the accompanying Historic Environment. The Appeal decision supported the findings of the 1977 survey of the Town of Stamford by the Royal Commission for Historic Monuments (RCME) which identified St. Mary's Place as a street whose preservation was thought to be of paramount importance. The RMCE also concluded that 4 St. Mary's Place, being a Grade II* had a distinctive and particular plan form. It is considered that the proposed works would fundamentally and unacceptably alter the layout and setting of this listed building and consequently be at odds with the main thrust of East Midlands Regional Plan Policy 27 which establishes regional priorities for the Historic environment and criteria (iii) and (iv) of SKDC Local Plan Policy EN1 which require that development reflects the general character of the area and does not intrude upon the setting of important buildings".

English Heritage request that the application be determined in accordance with local and national policy guidance, and on the basis of Council specialist conservation advice.

Building Control note that the proposal does not fully comply with the Disability Discrimination Act; however, taking into account changes that have been made and constraints given the buildings Listing, raise no objection to the proposal.

South Kesteven Planning Archaeologist considers the site has potential for archaeological remains with it lying within the historic medieval core of the town. Request that if permission is granted a condition about a watching brief is added to the decision notice.

Representations as a Result of Publicity

The application has been advertised in accordance with the Councils adopted statement of Community Involvement, the closing date for representations being 03 December 2010. A total of 25 representations have been received as a result of consultation. The majority of responses primarily relate to considerations against the full application, although a few did raise issues relating to impacts on the Listed Building, these are set out below;

The rear extension in terms of design would not respect the character of the host building Materials proposed would be at odds with the form of the building as well as the living wall being difficult to maintain

Internal alterations would not respect the character of the grade II* Listed Building

The Planning Inspector dismissed the appeal on the grounds of the alterations not respecting the character and form of the Listed Building and this application should be refused permission also.

Officer Evaluation

It should be noted that four amended plans have been received that make slight alterations to the ground and first floor internal layout. This is a result of improving access to disabled guests. No additional consultation was undertaken on the alterations but the information put onto the Internet. The amendments are considered to be relatively minor in terms of internal layout and the application considered accordingly.

The conclusion reached by the Planning Inspector on the previous application is considered to be an important material planning consideration in the outcome of this application. When determining the appeal the Inspector considered there to be three key issues, the first of which related to the appearance, layout and setting of the listed building. The second and third issues are considered under application S09/2312.

The application proposes a number of alterations to the building as it currently stands and these include the removal of modern extensions to the rear and fixtures in the basement. On the ground floor an existing toilet would be modified and a disabled one created, along with the erection of a new kitchen and disabled lift. At the first floor a large front room would be subdivided and existing rooms upgraded, including the insertion of an en-suite, removal of kitchen and stairs and installation of a disabled lift. At a second floor level bedrooms would have en-suites created and a stair removed. On the third floor a stud wall would be removed and en-suite created.

Internal alterations to the scheme are considered acceptable and the planning Inspector deemed the works sensitive and appropriately designed and not harmful to the appearance and layout of the Listed Building.

External alterations to the rear would include a small glazed lobby and kitchen extension on the ground floor. A staff room and cold store would be above part of the kitchen. The materials proposed in the new extension are relatively modern utilizing a large amount of glazing and living wall. The Inspector concluded that the alterations would clearly be identified as contemporary structures and their location and scale not unacceptably intrude upon the appearance, layout and setting of the listed building. Indeed, and whilst they might not be readily visible to the general public, they would make a pleasing addition to the architectural vocabulary of Stamford.

However, the Inspector dismissed the appeal on the grounds that enclosure of a rear courtyard adjacent to the Town Hall with a timber roof would unacceptably alter the appearance, layout and setting of the listed building. This conclusion was largely reached as a result of evidence contained in the Royal Commission for Historic Monuments (RCME), which identified St. Mary's Place as a street whose preservation was thought to be of paramount importance. The RCME also concluded that 4 St. Mary's Place had a distinctive and particular plan form, being classified as type 11a which is essentially 'L' shaped.

The revised application omits this aspect from the scheme. As a result it is considered that the application as amended overcomes the reason for highlighted by the Inspector and should be granted Listed Building Consent.

It is noted that concern has been expressed about the use of the building and whether or not the original use of the building is most appropriate. However, as identified in policy HE9 of PPS5 such a consideration would only be applicable should it be demonstrated that there would be 'substantial harm', in the lack of such harm the use is considered appropriate in the Listed Building.

Section 106 Heads of Terms

No section 106 would be required for the application

Crime and Disorder

It is not considered that the proposal would raise any significant issues with regard to crime and disorder.

Human Rights Implications

Articles 6 (Right to fair decision making) and Article 8 (Right to private family life and home) of the Human Rights Act have been taken into account in making this recommendation.

It is considered that no relevant Article of that act will be breached.

Conclusion

It is considered that the alterations to the application overcome the reasons for refusal attached to consent S09/0846 as well as those attached to appeal decision APP/E2530/A/10/2120313. With appropriate conditions the development is therefore deemed to respect the character of the Conservation Area and Listed Building through the alterations, extensions and materials that are proposed. Nor would the proposal have a detrimental impact on features of interest and the use proposed is appropriate. The proposal is therefore deemed to comply with core strategy policies EN1, EN3 & EN4; East Midlands Regional Plan policies 1, 2 & 27 and national policy guidance PPS1 & PPS5; with no other material planning considerations to indicate that the application should be determined otherwise.

SUMMARY OF REASON(S) FOR APPROVAL

It is considered that the alterations to the application overcome the reasons for refusal attached to consent S09/0846 as well as those attached to appeal decision APP/E2530/A/10/2120313. With appropriate conditions the development is therefore deemed to respect the character of the Conservation Area and Listed Building through the alterations, extensions and materials that are proposed. Nor would the proposal have a detrimental impact on features of interest and the use proposed is appropriate. The proposal is therefore deemed to comply with core strategy policies EN1, EN3 & EN4; East Midlands Regional Plan policies 1, 2 & 27 and national policy guidance PPS1 & PPS5; with no other material planning considerations to indicate that the application should be determined otherwise.

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

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

Reason: To comply with Sections 18 (as amended) and 74 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

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.

Reason: To ensure a satisfactory appearance to the development and in accordance with Policy EN1 of the adopted South Kesteven Core Strategy (July 2010).

3. No development shall take place within the application site until the applicant has secured the maintenance of an on-site watching brief by a suitably qualified and experienced archaeologist during construction work in accordance with written details which have been submitted to and approved in writing by the Local Planning Authority. In the event of important archaeological features or remains being discovered which are beyond the scope of the watching brief to excavate and record and which require a fuller rescue excavation, then construction work shall cease until the applicant has secured the implementation of a further programme of archaeological work in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority.

Reason: In order to provide a reasonable opportunity to record the history of the site and in accordance with Policy EN1 of the adopted South Kesteven Core Strategy (July 2010).

4. This permission relates solely to the application as amended by plans received on 07 February 2011.

Reason: For the avoidance of doubt and to ensure that the proposal complies with guidance contained in PPS5.

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Applicant	Mr Graham Hedley, Stamford Bridge Club 14, Foundry Road, Stamford, Lincolnshire, PE9 2PY
Agent	Tom Runcorn, Peter Wilmot Architects The Old Stables, High Street, Morcott, Oakham, Leics, LE15 9DN
Proposal	Erection of bridge club house
Location	Land Adj Stamford & District Indoor Bowls Club, Off, Exeter Gardens, Stamford
App Type	Full Planning Permission
Parish(es)	Stamford

REPORT

Application Category

This application is categorised as a minor application.

Reason for Referral to Committee

The application is to be determined by the Development Control Committee with it being on land owned by South Kesteven District Council.

The Proposal

The application is for the erection of a single storey building, the main hall of which would have a floor area of 10.7m by 19m, for use by Stamford Bridge Club.

The application site and its surroundings

The application site comprises land to the east of Stamford and District Indoor Bowls Club. It is currently vacant with part of it tarmaced, although not marked out for parking. There are also a number of scrub and more mature trees/bushes on the site.

Vehicular access to the site is via Exeter Gardens with a mixture of boarded fencing and planting, typically no smaller than 1.8m tall, marking the boundary with adjacent residential properties. To the front of the bowls centre is a number of parking spaces.

Site History

There is no pertinent planning history to the application site

Policy Considerations

PPS 1: Delivering Sustainable Development
PPG13: Transport

PPG17: Planning for Open Space, Sport and Recreation
PPG24: Planning and noise
East Midlands Regional Plan – policies 1, 2, 28, 41

Core Strategy – EN1

Representations Received

Lincolnshire Heritage raises no concern to the application with regard to possible archaeology in the area.

Lincolnshire County Council, as highway authority, does not object to the application subject to conditions.

Stamford Town Council does not object to the application.

Planning policy raise no objection to the application.

Sport England does not object to the application with the bridge club to be located on an unused corner of the site which would not have a detrimental impact on sport provision.

The acting South Kesteven Arboriculturalist does not raise objection to the application subject to mitigation identified within the Arboricultural Impact Assessment being implicated.

The Environmental Health Department make no observations on the application.

Representations as a result of publicity

The application has been advertised in accordance with the Councils adopted statement of Community Involvement, the closing date for representations being the 16 December 2010.

Five letters of objection have been received and express concern about the proposal on the following grounds;

1. The combined number of members for both the bridge and bowls club will be too high resulting in noise and disturbance to local residents.
2. Vehicle movements will increase to the detriment of highway safety with the width of the access too narrow.
3. Proposed parking provision, for a total of 27 vehicles, is insufficient for the number of Members.
4. The scale of development and close relationship with neighbouring properties would result in an overbearing impact.
5. Would result in a cramped form of development in the corner of the plot.
6. Question whether the boundary line shown on the location plan is correct.

Further consultation was undertaken with all respondents who made representation during the first consultation period. This was on amended plans dated 20 January, which were received as a result of a tree survey being completed. The closing date for representation on the amended plans was 08 February.

At the time of writing two additional letters of representation have been received and express similar concern to those already raised in that the proposal would be detrimental to highway safety through vehicle movements, residential amenity and does not overcome their initial concern.

Officer Evaluation

Amended plans have been received that re-site the building to be further away from the boundary of nearby residential properties, to take into account trees that are to be retained, and the application is considered accordingly.

The principle of the development is supported in that it would enhance existing recreational facilities on site. Furthermore, the land would not appear to be used as parking provision for existing uses on the site and is vacant, nor would the proposal be detrimental to existing sports provision.

The applicants note that the Bridge Club has over 300 members and is struggling for a location to play. There is a need for a relatively large area of open space in the building to site the tables, along with ancillary accommodation e.g. store room, office, toilets and kitchenette. Additional information has also been submitted that clarifies the number of people likely to use the building at anyone time would rarely exceed 50.

With regard to highway issues the existing access to Exeter Gardens is considered appropriate to accommodate the increased traffic. A total of 27 new parking spaces would be created and existing provision would be available too. Subject to conditions ensuring that identified spaces are created the proposal is considered acceptable on highway grounds, a view shared by the Highway Authority.

The design of the building is guided by its use and has a relatively large footprint. It is proposed to be constructed of brick and tile with a relatively low pitch roof which would measure 5.54m at its peak. The elevation treatment is rather simple incorporating high level windows and full height fenestration on the front elevation for the door. Sited in the corner of the site it is not considered that the building would be unduly prominent or detrimental to the character of the area. Design of the building is relatively straightforward and functional but appropriate in its context.

In terms of residential amenity it is noted that the building would be sited some 3.6m from the rear boundary fence of properties that front Exeter Gardens. The building would be single storey and it is therefore not considered that overlooking would be an issue; windows that are proposed in the rear elevation would be high level and not afford views across residential gardens. Furthermore, given that the eave height of the building is 2.31m, with the roof sloping away from the residential properties; it is not considered that the building would result in an overbearing impact. It should also be noted that the properties which front Exeter Gardens have rear gardens over 30m in length.

Concern has been expressed about possible noise from users and vehicles; however, it is not considered that this would be an overriding issue given the distance to neighbouring properties and existing use of the site.

A tree survey has been submitted in support of the application and concludes that subject to protection being in place during construction mature trees will not be harmed. This includes trees in a neighbouring garden with the building being sited further away from this boundary.

Section 106 Heads of Terms

No section 106 is required for this application.

Crime and Disorder Implications

The application will not raise any significant issues.

Human Rights Implications

Articles 6 (Right to fair decision making) and Article 8 (Right to private family life and home) of the Human Rights Act have been taken into account in making this recommendation.

It is considered that no relevant Article of that act will be breached.

Conclusion

The principle of the development, on an underused part of the site which would enhance facilities available to the wider community and not be detrimental to existing sports provision, is supported. The design of the building is appropriate given its proposed use and would not be out of character with the area, subject to conditions about materials. Furthermore, it is not considered that the building would be detrimental to residential amenity through a dominating, overlooking impact or noise that may be generated, nor would it be detrimental to highway safety or trees that are worthy of retention. The application is therefore deemed to comply with core strategy policy EN1 along with guidance contained in PPS1, PPG13, PPG17, & PPS24; with no other material planning considerations to indicate that the application should be determined otherwise.

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

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

Reason: To comply with Section 91 (as amended) of the Town and Country Planning Act 1990.

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.

Reason: To ensure a satisfactory appearance to the development and in

accordance with Policy EN1 of the adopted South Kesteven Core Strategy (July 2010).

3. This permission relates solely to the application as amended by plans received on 20 January 2011.

Reason: For the avoidance of doubt and to ensure that the development complies with core strategy policy EN1.

4. No development approved by this permission shall be commenced until a scheme for the provision of surface and foul water drainage has been submitted to and approved in writing by the Local Planning Authority. The drainage works shall be completed in accordance with the details and timetable agreed to the satisfaction of the Local Planning Authority.

Reason: To prevent the increased risk of flooding and to prevent pollution of controlled waters by ensuring the provision of a satisfactory means of surface and foul water disposal.

5. Before development is commence on site all existing trees shown on the approved plan shall be fenced off to the limit of their branch spread. No works (including removal of earth), storage of materials, vehicular movements or siting of temporary buildings shall be permitted within these protected areas.

Reason: To prevent unnecessary damage to existing trees and in accordance with Policy EN1 of the adopted South Kesteven Core Strategy (July 2010).

6. The arrangements shown on the approved plan 2010/20 01 c, dated 20 January 2011, for the parking/turning of vehicles shall be available at all times when the premises are in use.

Reason: To enable vehicles to wait clear of the carriageway of Exeter Gardens and to allow vehicles to enter and leave the highway in a forward gear in the interests of highway safety.

7. No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the local planning authority and these works shall be carried out as approved. These details shall include [proposed finished levels or contours; means of enclosure; car parking layouts; other vehicle and pedestrian access and circulation areas; hard surfacing materials; minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting etc.); proposed and existing functional services above and below ground (e.g. drainage power, communications cables, pipelines etc. indicating lines, manholes, supports etc.); retained historic landscape features and proposals for restoration, where relevant]. Soft landscape works shall include [planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate; implementation programme].

Reason: Hard and soft landscaping and tree planting make an important contribution to the development and its assimilation with its surroundings and in accordance with Policy EN1 of the adopted South Kesteven Core Strategy (July 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 civil legal matters which could affect the development such as development on or over a boundary and the Party Wall Etc Act.

* * * * *

Applicant	Mr Andy Wood The Old Rectory, Carlby Road, Greatford, Stamford, Lincolnshire, PE9 4PR
Agent	Ian Lapsley, Wythe Holland Partnership LLP Unit 6, Messenger Centre, Crown Lane, Tinwell, Stamford, PE9 3UF
Proposal	Erection of classic car storage unit for domestic use
Location	The Old Rectory, Carlby Road, Greatford, Stamford, Lincolnshire, PE9 4PR
App Type	Householder Development
Parish(es)	Greatford

REPORT

Application Category

This application is categorised as a 'householder' application.

Reason for Referral to Committee

This application has been referred to the Development Control Committee at the request of the Councillor Channel.

The application was deferred at the Development Control Committee on 1 February 2011 for amendments to be made in relation to reducing the size and scale of the building that will house the classic cars.

The Proposal

The proposal relates to the erection of a single storey building to house the applicant's collection of classic cars (some 35 items).

The L-shaped building, which measures 30m by 30m on the north and eastern elevations, 10m on its south and west elevations and a front glazed elevation on a 20m radius, is to be single storey with the curved frontage facing into the site. The curved element will comprise glazed folding doors with extending solar blinds coloured green. The rear walls are specified as horizontal timber boarding stained black. The building will have a mono pitched roof, which is very shallow, that would incorporate 18 photovoltaic panels positioned at 35 degrees.

The applicant has responded to the criticisms of the scheme voiced at the February meeting as follows:-

The proposed building is categorically for domestic use to safely and securely garage the applicants private collection of classic cars. The building will not be used for commercial purposes by the applicant. We understand that this 'use' can easily be secured by way of

condition on any given consent. Further the title of the application explicitly states :-
Erection of classic Car Building for domestic use.

The building is of a minimum footprint to accommodate the 36 vehicles the building will garage - the efficient layout is shown on the plan drawing 02. The scale of the building is also at a minimum of 3.5m in height with a flat 1 in 80 roof. As can be seen in the submitted drawings that include contextual elevations the building has been carefully designed and sited to ensure the proposal does not compete or detract from the Listed Building of the Old Rectory. There is little opportunity for the proposed building to be viewed from nearby dwellings therefore its impact at the very least can be described as neutral. The size and scale of the building has been carefully kept to a minimum to follow its function and to be in keeping with its setting. There is no scope to reduce either the scale or the footprint of the proposed building as it would no longer be fit for purpose.

We also understand the proposed use of materials has been raised by the committee. We would respond by highlighting that the application firstly under went pre-application advice from the senior planner at South Kesteven DC. Materials were amended to suit the comments of this consultation process from aluminium cladding to timber cladding. The proposed use of timber cladding helps blend the building into the back drop of a woodland setting that surrounds it. The use of horizontal timber cladding visually aids the low profile of the building. Allowing the timber to weather naturally will give the building a utilitarian appearance in this rural setting. The timber cladding material will not compete with the Listed Old Rectory. The suggestion of stone from the committee as a facing material will make the building appear heavy and incongruous in its setting.

The application site and its surroundings

The Old Rectory is situated on the northern edge of the settlement of Greatford. The dwelling has an extensive garden area with a large garage/outbuilding to the northeast of the property.

A swimming pool is located within the garden area to the east of the outbuilding that has a polyurethane cover and a hard surfaced tennis court, which is surrounded by mesh fencing, is positioned towards the eastern boundary of the site.

Open fields are located to the north, east and south with the access to the main dwellinghouse and a small number of dwellings being situated to the west .

The site falls within the northern edge of the Greatford Conservation Area and within zones 2 and 3 of the Environment Agency's indicative flood plain maps.

There are also a number of trees within the site that are protected by a Tree Preservation Order (TPO)

Site History

The site has some site history; however, these applications are not relevant to this application.

Representations Received

Heritage Lincolnshire (Archaeology) – the proposed development does not affect any known archaeological sites.

Local Highway Authority – Does not wish to restrict the grant of permission

Greatford Parish Council – Concerns raised over the size of the proposal and whether further significant development is forthcoming on the site, increase in vehicular movements due to the number of vehicles stored at the site and for their use in shows etc, and noise pollution. The Parish also recommend a condition, if the application is approved, that the external surfaces to the elevations be timber cladding.

Environment Agency – No objections.

Ramblers Association – No Public Rights of Way (PROW) are affected by this proposal.

Representations as a result of publicity

The application has been advertised in accordance with the Council's Statement of Community Involvement with the closing date for third party objections being 1 October 2010

Five objections were received. The material planning considerations raised are summarised as follows:-

1. The scale of the proposal is too large to be considered domestic
2. It would be difficult for the proposal to be effectively monitored by the council
3. Noise nuisance from traffic
4. Excessive vehicle movements
5. Proposal does not protect the natural and historic environment
6. Precedent may be set
7. Impact on the Grade II listed building and the Conservation Area
8. Adverse impact to the quality, character and amenity value of the countryside
9. Building will have the appearance of a car showroom
10. Highway safety
11. Concern over the materials to be used in the construction

Policy Considerations

Central Government Planning Policy Guidance

PPS1 – Delivering Sustainable Development

PPS5 – Planning for the Historic Environment

PPS25 – Development and Flood Risk

PPG13 – Transport

East Midlands Regional Plan (2009)

Policy 27 – Regional Priorities for the Historic Environment

Policy 35 – Regional Approach to Managing Flood Risk

SKDC Core Strategy (2010)

Policy EN1 – Protection and Enhancement of the Character of the District

Key Issues

Size, Scale and Design
Incorporation of Sustainable Construction
Impact to Residential Amenity
Protected Trees
Third Party concerns

Officer Evaluation

Size, Scale and Design

The size of the footprint of the building is large and on plan form it does appear extensive when compared to the footprint of the existing dwellinghouse and the outbuildings on the site; however, factors to consider would be the height of the building, which is set at approximately 3.35m in height, the location within the plot, the existing landscaping within the site, whether the scale is considered of domestic proportions and the impact to the historic assets.

It is considered that the size of the proposal is relatively low key, in terms of height, and the existing line of trees will help assimilate the building into its surroundings. The materials, which are to be conditioned, will also ensure that the proposal remains sympathetic within its setting.

It could be argued that the overall size of the building is beyond that considered to be of domestic proportions; however, the size of the plot will not become overdeveloped.

The design of the proposal appears appropriate, subject to conditions specifying a natural finish to the external elevations and the colouring of the drive/display apron for the vehicles.

It is considered that the proposal will not compromise the setting of the listed building and will have a neutral impact on the character and appearance of the Conservation Area.

Sustainable Construction

The proposal includes a number of energy saving solutions encouraging a sustainable form of development. These include the orientation of the glazing to allow for natural sunlight, photovoltaic cells to the roof to generate the power for the building, timber cladding to the elevations and a high level of fabric insulation.

Residential Amenity

The proposal is situated towards the eastern boundary of the plot away from nearby residential dwellings. It is considered that there will be no adverse impact to occupiers of these dwellings by way of dominance or overlooking.

Concern has been raised over the noise and disturbance issues arising from the traffic generated from the use of the cars and their associated noise; however, the classic cars are to be situated well away from the existing dwellings to the west, the closest of these being in excess of 100m away and the agent has confirmed that this unit is purely for the personal use of the occupier and not for any commercial activity. The cars are at present stored in a warehouse in an adjoining district.

It is therefore considered that there will be little disturbance to the occupants of nearby dwellings.

Protected Trees

The proposal includes the removal of 9 trees within the site to accommodate the building. There are a number of trees within the site and on the boundary of the site that are protected by a Tree Preservation Order (TPO). It should be noted that none of the trees that are to be removed are covered by a TPO.

Impact on the Grade II listed building and the Conservation Area

The proposal is within the grounds of a Grade II listed building (the Old Rectory) and the Greatford Conservation Area.

It is considered that there will be limited impact of the proposal on the setting of the listed building and that the character and appearance of the Great Greatford Conservation Area would not be harmed.

Visual Impact

The proposal is situated on the eastern part of the garden area close to the eastern boundary. The building will be relatively 'low key' due to its height and the location. There is also a line of trees providing effective landscaping to the north and east. The Old Rectory will further screen the proposal from views from the west. Views from the south will be across the paddock and the building will be against the backdrop of the mature trees.

It is considered that the visual impact of the proposal will be from distance views and allowing for screening from the existing mature trees on site any detrimental visual harm, on balance, will be minimal.

Third Party concerns

The principle concerns are related to the size of the development, traffic and the possibility of it being used as a precedent for similar large buildings. The proposal is an exceptional one unlikely to be replicated in that the size of the plot means it does not represent an overdevelopment of the site and in traffic terms the volume of traffic will be very low. Similarly each proposal must be treated on its merits and it is considered that on balance, subject to the proposal being restricted to remain ancillary to the enjoyment of the main dwellinghouse and not to be used for any commercial purposes, the proposal would be appropriate to accommodate the numerous classic cars for the occupants enjoyment.

Crime and Disorder Implications

It is considered that the proposed development would not give rise to any significant Crime and Disorder Issues.

Human Rights Implications

Articles 6 (Right to fair decision making) and Article 8 (Right to private family life and home) of the Human Rights Act have been taken into account in making this recommendation.

It is considered that no relevant Article of that act will be breached.

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

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

Reason: To comply with Section 91 (as amended) of the Town and Country Planning Act 1990.

2. No development shall take place until samples of the materialsto be used on the external elevations and used in the construction of the hard surface areas (including colour of the surface) are submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: To ensure a satisfactory appearance to the development and in accordance with Policy EN1 of the adopted South Kesteven Core Strategy (July 2010).

3. The building hereby permitted shall be used for a purpose incidental to the enjoyment of the dwellinghouse known as the Old Rectory and shall not be used for any commercial purposes.

Reason: The introduction of a commercial use in this location is likely to cause undue harm to the private amenities of occupants of nearby dwellings and in accordance with Policy EN1 of the South Kesteven Core Strategy and PPS! Delivering Sustainable Development.

* * * * *

Applicant	Mr B Woodthorpe, Langtoft United FC Sports Fields, Manor Close, Langtoft, Peterborough, PE6 9NB
Agent	Mr T Grice, GAA 62, Stamford Road, Easton On The Hill, Stamford, PE9 3PA
Proposal	Retention of 8 floodlights and install 2 portable buildings
Location	Sports Fields, Manor Close, Langtoft, Peterborough, PE6 9NB
App Type	Full Planning Permission
Parish(es)	Langtoft

REPORT

Reason for Referral

The land is owned by the District Council.

The application was deferred at the Development Control Committee on 1 February 2011 for further details to be submitted relating to the alignment of the floodlights to Langtoft Football Club

The Proposal

The floodlights have already been installed and are used for training purposes on two evenings a week until 20.30 hrs during the football season. In addition it is proposed to install two portable cabins which will be joined together to form one unit and will be used for additional changing facilities allowing both girls and boys to change and for refreshments, which will be sited adjacent to the existing pavilion.

The application site and its surroundings

The site is a well established recreation ground with football, tennis and bowling green facilities. It includes a clubhouse and other portable buildings associated with the bowling club activities. The land is adjoined on the southern boundary by housing and on the other three boundaries by open countryside.

Representations received

Langtoft Parish Council - Use must adhere to terms of the licence agreement with SKDC and not materially impact upon amenity of residents adjoining due to light and noise pollution. Recommend conditions concerning lighting, hours of use, waste from the portacabins .appearance, and access to the field for ambulances.

Lincolnshire County Council- Permission should be conditioned to ensure levels of illumination are appropriate.

Archaeology- No observations.

Environmental Protection - Concerned about impact of the lights upon adjoining residents.

Representations received as a result of publicity

One letter from resident concerned that application refers to floodlights being installed when they are already there and concerned at appearance of portacabins. (one has already been placed in position).

Policy Considerations

National Policy

PPG 17- Planning for Open Space Sport and Recreation

PPS23- Planning and Pollution Control

PPG24- Planning and Noise

Local policy

Policy EN1 South Kesteven Core Strategy

Key Issues

The principal concern is that of the impact of the lights and associated activities upon adjoining residents. The lights have been in place for at least 12 months and the application was made as a result of a complaint. However only one objection has been made, and this was not concerned with the impact of the lights, and all residents who back onto the sports ground were notified. The lights do need some adjustment to limit the impact of the illumination and a condition has been suggested to address this. Also the amount of usage is restricted to training sessions twice a week during the winter months only and finishing at 2030 hrs. The concerns of the Parish with regard to the terms of the lease has been investigated and confirmation received that the football club are not in breach of the agreement which relates to the management of the pitches.

With regard to the portable buildings they can be painted an appropriate colour and are similar in appearance to two already on site and used by the bowls club.

It is considered that with conditions restricting hours of use for the floodlights and a temporary consent for the portable buildings together with painting the proposal is acceptable and would promote the use of the recreational facilities.

Crime and Disorder Implications

The proposal appears to raise no concerns with regard to crime and disorder.

Human Rights Implications

No implications.

SUMMARY OF REASON(S) FOR APPROVAL

It is considered that with the conditions imposed and implemented then the concerns of the public and the Parish Council can be addressed in accordance with Policy EN1 of the South Kesteven Core Strategy and PPS1.

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

1. Within one month of this approval details of the positioning of the floodlights and cowlings shall be submitted to and approved in writing by the local planning authority and shall be implemented within one month of the approval of the agreed details and shall be positioned at all times as approved. Reason: To protect the residential amenities of adjoining residents in accordance with Policy EN1 of the South Kesteven Core Strategy and PPG 17 Open Space Sport and Recreation.
2. The buildings hereby permitted shall be removed and the land restored to its former condition on or before 1st February 2016 unless a further permission has been granted by the local planning authority. The buildings shall also be painted a suitable colour, to be submitted to and approved by the local planning authority, within one month of this approval and shall be retained and maintained as approved at all times. Reason : A permanent permission would be undesirable in the interests of amenity as the buildings are of a temporary construction.

* * * * *

Applicant	A & B White Frinkley Farm House, Frinkley Lane, Hougham, Grantham, Lincolnshire, NG32 2JQ
Agent	Louise Roberts, Segen Ltd City Lab, 4-6, Dalton Square, Lancaster, LA1 1PP
Proposal	Erection of one wind turbine (hub height 50m, blade diameter 33.4m and total ground to tip height 66.7m) and associated access track and crane hardstanding
Location	Frinkley Farm, Frinkley Lane, Hougham, Grantham, NG32 2JQ
App Type	Full Planning Permission
Parish(es)	Hougham

REPORT

Application Category

This application is categorised as a minor application for planning permission.

Reason for Referral to Committee

This application has been referred to the committee at the request of the Lead Professional as it is considered to be locally controversial.

The Proposal

The proposal is for a single wind turbine with a hub height of 50.09m, blade diameter of 33.4m and an overall height to blade tip of 66.79m. A compressed hardcore access track and crane platform is also included as part of the development.

The application site and its surroundings

The site is open countryside located approximately 350 metres to the NE of Frinkley Farm itself. The turbine would be located on a ridge (approx 70m AOD) which overlooks The Vale of Belvoir to the west and The Witham Valley to the south and SE. The land rises a further 15 – 20m towards the NE. Apart from the two dwellings at Frinkley Farm, the nearest dwelling is Apple Tree Farm at approximately 900m to the NE.

Site History

A request for a screening opinion was submitted in March 2010 (S10/0888/EIASO) for the proposed turbine. It was considered that an environmental impact assessment was not required in this case, although the applicant was advised to consult various statutory consultees before submitting an application.

Pre application advice was also given suggesting that the site may not be appropriate, as well as drawing attention to recent decisions for nearby windfarm applications at

Thackson's Well and Palmer's Hollow (Melton Borough) where the reasons for refusal given by the Councils and Planning Inspectors at appeal included the impact on heritage assets.

The applicant has in any case provided a similar level of information that would be required for EIA development

Representations Received

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

The Highways Authority: No objection subject to conditions

Highways Agency: Initial concerns about transportation via the A1, but no objection following extra information submitted.

Natural England: No objection subject to a condition requiring post construction monitoring of bird strikes and mitigation measures such as restricting operation during periods of significant bird activity if necessary.

Lincolnshire Wildlife Trust: Initially requested that a full bird survey should be undertaken but later agreed with Natural England that a condition requiring post construction monitoring and mitigation would be adequate.

English Heritage: English Heritage considers that, on the basis of the information provided and our own knowledge of the sites affected, the proposed turbine would, by virtue of its height, movement and appearance, have a harmful impact on the setting and therefore the significance of the following highly graded assets: Belton House (listed Grade I), Belton House registered park and garden (Grade I), Bellmount Tower (listed Grade II*), St Mary's church, Marston (Grade I), Marston Hall (Grade II*) and Gelston Village Cross (Scheduled Ancient Monument). Our advice reflects policy and guidance provided for the historic environment including Planning Policy Statement 5 Planning for the Historic Environment (PPS5), particularly paragraphs HE1.2, HE6, HE7.2, HE7.4, HE7.5, HE9.1, HE9.4 and HE10.1, and the PPS5 Historic Environment Planning Practice Guide (HEPPG), particularly paragraphs 8, 85, and 113 to 124. We consider that it has not been demonstrated that the public benefits outweigh the harm caused or that they could not be delivered in a way that either significantly reduces or eliminates the harm. To accord with PPS5, the local planning authority would need to be fully satisfied that the justification for the proposed scheme shows that there are substantial wider benefits deriving from the proposal, that the harm is necessary in order to deliver these benefits and that harm is outweighed by these benefits.

National Trust: Concerns raised about the likely impact on the landscape, tourism and cultural and heritage assets of the area in particular Belton House and Gardens. Concerns also raised that the submitted Cultural and Heritage Appraisal underplays the impact on heritage assets. From its assessment of the supplementary information on cultural heritage impacts National Trust concludes that there will be adverse impacts upon the heritage assets at Belton; however, it is not considered that those impacts are sufficient on their own to dictate that permission should be refused having regard to the benefits of the

renewable energy that would be generated by the proposed turbine. Nonetheless the adverse impacts do need to be considered by the Council alongside all other adverse impacts, e.g. upon other cultural heritage features, ecology etc in determining whether or not the overall balance lies in favour of an approval in this instance.

Ramblers Association: The proposal does not affect any public right of way

MOD: No objection, but requests that aviation lighting is fitted

NATS: No objection

Hougham Parish Council: fully supports the application

Foston Parish Council: They have consulted local residents through a questionnaire and produced a lengthy document expressing objection to the proposal which can be summarised as concerns about the impact on heritage assets, the surrounding landscape, public health and safety, wildlife and biodiversity, noise and disturbance, tourism, communications infrastructure, aviation safety and a number of other miscellaneous issues.

Hough on the Hill Parish Council: Concern about close proximity to Gelston – request that attention is paid to health and wellbeing of that village. May set a precedent. Stunning views from The Cliff are enjoyed by walkers and cyclists as well as residents.

Barkston & Syston Parish Council: Object due to concerns over inefficiency of wind energy, strobing effect caused by warning lights and sunlight, impact on amenity through massive size and noise, impact on wildlife, visual impact on landscape from a dominating and incongruous feature, little employment gain and would set a precedent.

Representations as a result of publicity

Five objections at the time of writing this report. The issues raised are summarised below:

1. Visually intrusive
2. Highway safety
3. Industrial sized machine in an area steeped in heritage sites
4. Impact on heritage assets
5. Sited in prominent location
6. Will overpower and dominate the landscape
7. Other wind energy proposals nearby have been refused
8. Too close to neighbouring villages
9. Too close to Hougham and Marston pre-school – concerns over welfare of children
10. Could pave the way for a full scale windfarm
11. Only one individual will benefit financially
12. Wind energy inefficient
13. Materials used for blades are non recyclable
14. Ground ripped up and large amount of concrete used for crane pad and foundations
15. Impact on wildlife
16. Impact on tourism will lead to job losses

17. Skylining
18. Strobing effect from lights and shadow flicker
19. Noise and disturbance

Four letters of support at the time of writing this report. The issues raised are summarised below:

1. The turbine in this site will be quite unobtrusive
2. Green energy should be encouraged wherever possible
3. Benefits to the planet from green energy
4. Farm business should be congratulated for taking a risk and trying to reduce non green energy consumption
5. Wind power is available and green
6. Turbines take up a small plot of land allowing continued use of land below

Policy Considerations

National Policy

Planning Policy Statement 1 (PPS1): Sustainable Development

Supplement to Planning Policy Statement 1 - Planning and Climate Change:

Planning Policy Statement 5 (PPS5): Historic Environment

Planning Policy Statement 7 (PPS7): Sustainable Development in Rural Areas

Planning Policy Statement 22 (PPS22): Renewable Energy

Planning Policy Guidance 24 (PPG24): Planning and Noise

East Midlands Regional plan (RSS8)

Policy 1: Regional Core Objectives

Policy 26: Protecting and Enhancing the Region's Natural and Cultural Heritage

Policy 27: Regional Priorities for the Historic Environment

Policy 31: Priorities for Management and Enhancement of the Region's Landscape

Policy 40: Regional Priorities for Low Carbon Energy Generation

South Kesteven Core Strategy

Policy EN1: Protection and Enhancement of the Character of the District

Policy EN3: Renewable Energy

Other Relevant Documents

Belton Setting Study 2010

South Kesteven Landscape Character Assessment (January 2007)

Officer Evaluation

Key Issues

The key issues that members need to consider are:

Wider Benefits of Renewable Energy
Landscape and Visual Impact
Impact on the Setting of Heritage Assets
Noise, Disturbance and Amenity Issues
Impact on Wildlife and Biodiversity

All new wind turbines by their nature will have an impact on their surroundings. There is a general presumption in current policy in favour of renewable energy proposals unless it can be demonstrated that substantial unacceptable visual or other harm would result. On that basis, members should be aware that significant weight must be given to the wider benefits of renewable energy when assessing the potential environmental impact.

Wider Benefits of Renewable Energy

National planning policy given in PPS22 (Renewable Energy) and The Supplement to PPS1 (Planning and Climate Change) promotes the development of renewable energy resources and stresses the need to reduce carbon dioxide emissions which are contributing to climate change. It also states that the wider social and economic benefits should be given significant weight when determining planning applications.

The East Midlands Regional Plan (RSS8) states that consideration should be given to the contribution of wind generation projects to regional renewable targets and national and international objectives on climate change. The South Kesteven Core Strategy (policy EN3) is generally supportive of renewable energy schemes as long as they accord with other core strategy policies which in this case will mean policy EN1 relating to the impact on the surrounding environment.

The applicant would benefit from reduced energy costs, but the proposal would also have wider benefits by contributing to a reduction in demand for energy that would be produced from fossil fuel sources. Although it may be a relatively modest contribution, PPS22 is supportive of small scale schemes, stating that they should not be refused because their level of output is small.

Landscape and Visual Impact

The South Kesteven Landscape Character Assessment (LCA) divides the district into areas with a distinctive landscape character. The site lies within "The Trent and Belvoir Vales" character area although it is on a ridge enclosing the Vale, rather than on the floor of the Vale itself. The site is also very close to the boundary with the "Grantham Scarps and Valleys" character area to the south and by virtue of its size and close proximity will have a direct impact on this area and to a lesser extent the "Southern Lincolnshire Edge" character area to the east.

The turbine would be sited on elevated land of approx 70m AOD giving it a height of 100 – 120m above the low lying and generally flat Vale. From most vantage points within the Vale, it would be seen on the horizon creating a "skylining" effect. However, given the wide open and large scale nature of the landscape, it is considered capable of absorbing a single turbine of this size without being detrimental to its overall character when viewed from the west, southwest and northwest within the Vale.

The land rises to the north and northeast a further 20m or so before dropping back down to Hough on the Hill. To some extent the turbine would still be visible above the horizon, but not to the extent of dominating the landscape when viewed from public vantage points to the north and northeast.

In respect of The Grantham Scarps and Valleys, the LCA says "Landscape sensitivity to wind energy proposals would be high across the whole of the character area. The small scale of the landscape, the complex landscape elements and the proximity to settlement would make it unlikely that any major turbines could be accommodated." It also indicates that skylining development should be avoided. Given the height and elevated position, the proposed turbine can be considered to be a "major" feature in this context. When viewed from the south within the Witham Valley in the vicinity of Barkston, Syston and Belton, and to a lesser extent from Honington and Carlton Scroop to the east, the turbine would be framed by the intimate topography of the valleys, hills and scarps and would become a prominent focal point which the eye would be drawn towards, with the effect of dominating the landscape. For this reason, it is considered that the proposal would be detrimental to the character of this part of the Witham Valley and surrounding area which has a high landscape value.

Impact on the Setting of Heritage Assets

The proposed turbine would be located in an area rich in heritage assets including the nationally important grade I listed Belton House and grade I listed Belton Park and Gardens.

The Belton House and Park Setting Study is an LDF background evidence document which classifies the sensitivity of the setting of Belton House and Park to various types of development including wind turbines. The turbine is within the 5km zone of sensitivity which is classified as being exceptionally sensitive to tall structures within views from various locations including Bellmount Tower and the roof of Belton House. The owners of Belton House and Park, The National Trust, consider that the proposal would adversely affect its setting but not to such a degree as to outweigh the wider benefits of renewable energy.

English Heritage consider that the proposal would, by virtue of its height, movement and appearance, have a harmful impact on the setting of Belton House (listed Grade I), Belton House registered park and garden (Grade I), Bellmount Tower (listed Grade II*), St Mary's Church, Marston (Grade I), Marston Hall (Grade II*) and Gelston Village Cross (Scheduled Ancient Monument) and that it has not been demonstrated that the public benefits outweigh the harm.

The officer view is broadly in agreement with the view of English Heritage and The National Trust. It is considered that the proposal would intrude into views from the roof of Belton House towards the northwest, and views from Bellmount Tower and Harrowby Hill towards Belton House and beyond. It would introduce an alien element into the rural landscape which was intended to form the wider setting of Belton House and Park. A third prominent landmark would be introduced into the panoramic view from Bellmount Tower which currently includes the major landmarks of St Wulfrum's Church at Grantham and Belton House itself set within a rural landscape which is largely unchanged from that which the House and Park were designed to fit into. From some vantage points on Harrowby Hill the turbine would be visible on the skyline directly above Belton House. Although it is acknowledged that power station cooling towers in the Trent Vale are partially visible in the far distance from this viewpoint, as well as the distance of the turbine from this viewpoint, a further erosion of the rural landscape is clearly detrimental to the setting of Belton House.

The officer view is also broadly in agreement with the view of English Heritage on the impact of the proposal on the other heritage assets mentioned: St Mary's Church, Marston (Grade I), Marston Hall (Grade II*) and Gelston Village Cross (Scheduled Ancient Monument) although it is arguable whether a small scale structure such as Gelston Village Cross was intended to be viewed within the wider landscape context rather than within its immediate village context.

The modest scale in relation to large scale windfarms, the fact that it is a single turbine, the relatively short lifespan in relation to that of heritage assets and distance from Belton and other heritage assets are all relevant material considerations. Taking this into account, the impact on each of the individual heritage assets mentioned above may not on its own be sufficient to warrant refusal. However, it is considered that by virtue of the scale, elevated position, movement and appearance, the combined harmful impact on a significant number of heritage assets, some of which are of national (grade I) importance would be significant enough to outweigh the wider public benefits.

Noise, Disturbance and Amenity Issues

There are three properties likely to be directly affected by noise. These are the two properties at Frinkley farm itself, and Apple Tree Farm which is approximately 900m to the north east.

PPS22 is very clear that noise from wind energy development should be assessed using a 1997 report prepared for The Department of Trade and Industry, "ETSU-R-97: The assessment and rating of noise from windfarms". This has been backed up by recent appeal decisions at Thackson's Well and Palmer's Hollow (Melton Borough).

The Council's Environmental Protection officers have been asked to assess the noise level using the ETSU-R-97 guidance. They have concluded that there is no evidence that the software stated to have been used to carry out the noise assessment provided by the applicant, is ETSU-R-97 compliant, and that the graphical information supplied in the accompanying literature does not conform with the information normally supplied when a noise assessment has been carried out according to ETSU-R-97. On that basis, it is considered that insufficient information has been submitted to fully assess the proposal using the ETSU-R-97 criteria.

The guidance states that higher noise levels will be acceptable for properties where the occupier will benefit financially from the turbine. In this case Frinkley Farm House and Frinkley Farm Cottage would fall into this category. Frinkley Farm House is occupied by the applicant. The other property is in the applicant's ownership and is currently empty, but has until recently been occupied by a family member involved in the farm business. It may be possible that a condition could be attached which would restrict future occupancy of this property to someone who would benefit financially from the turbine. However in the absence of an adequate ETSU-R-97 compliant noise assessment, it has not been possible to confirm that this would comply with the guidance.

Concerns have been raised about shadow flicker on nearby properties. The Companion Guide to PPS22 states that flicker effects have only been proven to occur within 10 rotor diameters of a turbine. In this case, with a rotor diameter of 33.4m, that would mean there would be no shadow flicker beyond 334m. As the nearest residential property is approximately 350m away, there would be no detrimental impact from shadow flicker.

The MOD has requested a condition requiring aviation lighting to be fitted on the structure. Given the separation distance from nearby dwellings and the fact that these lights would be low key red lights, it is considered that this is unlikely to impact on residential amenities.

Taking the above into account it is considered that insufficient information has been submitted to demonstrate that residential amenities would not be adversely affected by noise. However, it is considered that the proposal would not be detrimental to the residential amenities of the occupiers of nearby properties through other forms of disturbance.

Impact on Wildlife and Biodiversity

Some concern has been expressed by objectors about the potential impact of the wind turbine on wildlife and biodiversity and in particular on birds. Although it cannot be guaranteed that no bird would be killed or injured, and to some extent there is a lack of data in this area, Natural England and Lincs Wildlife Trust have requested that a condition be attached requiring post construction monitoring of bird strikes followed if necessary by restriction of operation during times of increased bird activity such as migrations. This is considered sufficient to provide mitigation for any potential adverse impact on birds.

Other Issues Raised

Safety: There would be no impact on public safety as the turbine would be located approximately 200m from the closest public right of way, well beyond the recommended "fall over distance + 10%". NB There is no statutory minimum distance of the siting of a turbine from a public right of way.

Health: Some concerns have been raised about potential health implications. It is stated in the Companion Guide to PPS22 that there is no evidence of any damage to public health from wind turbines either from low frequency noise or vibration, and that electromagnetic radiation emissions from wind turbines create no greater risk to human health than most domestic electrical appliances.

Air Traffic and Radar: NATS have raised no safeguarding objection and the MOD Defence Estates do not object subject to a condition requiring aviation lighting on the structure.

Setting a precedent: Concern has been raised that if this application is approved it will pave the way for further wind energy developments or that it could become a windfarm with multiple turbines at some future date. All applications for planning permission are assessed on their own individual merits. Furthermore the cumulative impact (including intervisibility) would have to be taken into account.

Impact on Tourism: Notwithstanding the fact that the setting of various heritage assets would be affected, it is not considered to be of such a scale that it would have a direct impact on tourism to Belton House or the area as a whole resulting in job losses.

Highway Safety: The Highways Agency and The County Highways Authority are satisfied that sufficient measures would be taken to ensure highway safety is not compromised during transportation and construction.

Conclusion

Wind turbines, by their nature will always be controversial and have an impact on their environment, and significant weight has been given to the wider benefits of the proposal in terms of contributing to national targets for renewable energy.

However, it is considered that on balance, in this case the benefits of the development are not sufficient to outweigh the detrimental impact that the proposed wind turbine would have on the character of the high quality landscape to the south and east, and the setting of nearby heritage assets including the nationally important Belton House.

Furthermore, insufficient information has been submitted to demonstrate that residential amenities would not be adversely affected by noise from the turbine.

Crime and Disorder Implications

The application will not raise any significant issues.

Human Rights Implications

Articles 6 (Right to fair decision making) and Article 8 (Right to private family life and home) of the Human Rights Act have been taken into account in making this recommendation.

It is considered that no relevant Article of that act will be breached.

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

1. It is considered that by virtue of the scale, elevated position, movement and appearance, the proposal would be detrimental to the appearance and character of the small scale landscape to the south and southeast of the site, including part of the Witham Valley, contrary to national policy given in PPS7 (Sustainable Development in Rural Areas), policy EN1 of The South Kesteven Core Strategy and the South Kesteven Landscape Character Assessment..
2. It is considered that by virtue of the scale, elevated position, movement and appearance, the proposal would have a detrimental impact on nearby heritage assets, some of which are of national importance including Belton House (listed Grade I), Belton House registered park and garden (Grade I), Bellmount Tower (listed Grade II*), St Mary's church, Marston (Grade I), Marston Hall (Grade II*) and Gelston Village Cross (Scheduled Ancient Monument) contrary to national planning policy given in PPS5 (Historic Environment), policies 26 and 27 of The East Midlands Regional Plan and The Belton Setting Study 2010.
3. it is considered that insufficient information has been submitted to demonstrate that residential amenities would not be adversely affected by noise in accordance with the ETSU-R-97 guidelines contrary to national policy given in PPS1(Sustainable Development), PPG24(Planning and Noise) and PPS22 (Renewable Energy).

* * * * *

Applicant	Mr Geoff Fearn Priory Farmstead, Church Street, Long Bennington, Newark, NG23 5ES
Agent	Mr Lee Sowerby, BSA Design Bridge Farm, Besthorpe Road, North Scarle, Lincolnshire, LN6 9EZ
Proposal	Erection of nine dwellings
Location	Winters Lane, Long Bennington, Newark, NG23 5DW
App Type	Full Planning Permission
Parish(es)	Long Bennington

REPORT

Application Category

This application is categorised as a minor application.

Reason for Referral to Committee

This application has been referred to the committee at the request of the Lead Professional as it is considered to be locally controversial as well as requiring a developer contribution through a section 106 legal agreement.

The Proposal

The proposal involves the erection of 9 large two storey dwellings on a greenfield site at the edge of the built up area of Long Bennington. Four dwellings would front onto Winters Lane, three of which would be accessed directly from Winters Lane. A private access road would serve the other dwellings.

The application site and its surroundings

The site is agricultural land currently used as a paddock. It is broadly rectangular in shape and is enclosed by overgrown hedges. Winters Lane itself is a narrow single carriageway lane serving 3 cul-de-sacs and leading to a dead end. There are some relatively modern large detached properties to the west. On the north side of Winters Lane there are some 1970s detached properties as well as a recently built higher density development of flats. To the northeast of the site is a small C18 vernacular cottage. There is open countryside to the south and southeast.

Site History

Planning permission was refused in 1983 (SK.141/83) for the erection of a dwelling and creation of access as it was considered to be unjustified development of open countryside beyond the built envelope of the village.

More recently in 2007 and 2009, two applications (S07/1656 & S09/2667) were submitted and later withdrawn following objections from the Highways Authority. These two applications were almost identical to the current application but did not include the proposed widening of the highway.

Representations Received

The Community Archaeologist:

The proposed development does not affect any known archaeological sites.

The Highways Authority:

No objection subject to conditions

Long Bennington Parish Council: (comments summarised)

No justification for development outside village envelope

Enough extant permissions in Long Bennington already

Design and Access statement inaccurate

Loss of Greenfield site

Previously classed as important open area in Local Plan policy EN6

Pressure on local services

Drainage issues

SK Projects Officer (Drainage):

Soakaway drainage not acceptable

SK Environmental Protection:

No contamination issues

SK Housing Solutions Officer (Affordable Housing):

On site provision of affordable housing will be required. Off site provision or a commuted sum may be considered if it can be demonstrated that on site provision would make the scheme unviable.

Upper Witham Internal Drainage Board:

Do not object but request conditions to address drainage issues

Representations as a result of publicity

Seven neighbour objections at the time of writing this report. The issues raised are summarised below:

1. Visually intrusive
2. Loss of greenfield site

3. Loss of agricultural land
4. Loss of view
5. Loss of rural character of the area
6. Highway safety/traffic issues
7. Flooding/drainage/sewer capacity issues
8. Pressure on local services
9. Overdevelopment
10. Development beyond village envelope
11. No need for more homes
12. Would set a precedent
13. Impact on biodiversity
14. Design and Access statement misleading
15. Dominant and oppressive environment
16. Overlooking/loss of privacy
17. Design out of character

Policy Considerations

National Policy

Planning Policy Statement 1 (PPS1): Sustainable Development

Planning Policy Statement 3 (PPS3): Housing

East Midlands Regional plan (RSS8)

Policy 1: Regional Core Objectives

Policy 2: Promoting Better Design

Policy 3: Distribution of New Development

South Kesteven Core Strategy

Policy SP1: Spatial Strategy

Policy SP2: Sustainable Communities

Policy SP4: Developer Contributions

Policy EN1: Protection and Enhancement of the Character of the District

Policy H1: Residential Development

Policy H3: Affordable Housing

Officer Evaluation

Key Issues

The key issues to be considered in this case therefore are:

The principle of development (sustainability)

The impact on the form and character of the settlement

Visual impact

Highway safety/parking

Neighbours' residential amenities
Drainage

Sustainability

The thrust of national and regional and local policy is that preference should be given to development on brownfield land in sustainable locations wherever possible. Core Strategy policy SP1 states that within Local Service Centres (such as Long Bennington) preference for development will be given to brownfield sites within the built up part of the settlement and allocated sites. SP1 also states that 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.

Core Strategy policy H1 distributes the district housing requirement, establishing a housing target for each of the towns, the Local Services Centres and the rural areas. In establishing the pattern of distribution the policy seeks to plan for a modest level of development in LSCs to enable them to continue to function as sustainable local centres. The supporting text to policy H1 states that development in the LSCs will be "limited to identified allocated sites and infill/redevelopment sites within the built up part of the settlement". Furthermore, it has been established that there is currently 11 years of readily available housing land in the LSCs

Whilst the policy framework of SP1 and H1 does not preclude the development of greenfield sites within Local Service Centres, it makes it very clear that preference should be given to brownfield and allocated sites. The application site is greenfield and on the edge of the village encroaching into open countryside and cannot therefore be reasonably described as within the built up area of the village or "in fill" or redevelopment site it is not therefore a site where development is preferred.

It should be noted that the example given in the Design and Access Statement of a development approved in Hanthorpe differs significantly from this current application as it consists of infill development of a site wholly surrounded by residential development within the built envelope of the village.

Taking into account the evidence of a continuous five year supply of housing land in the Local Service Centres, and the large amount of housing development which has already taken place and is committed via planning approval in Long Bennington, it is considered that there are no other overriding material considerations relevant to the specific site which justify development of an additional greenfield site for housing.

Taking the above into account it is considered that the proposal is contrary national, regional and local policy on the location of sustainable development.

Impact on Form and Character of the Area

Although there has been some relatively recent development to the west (early 2000s) of a similar scale, the narrow lane and openness of the site gives this part of the village a rural appearance which is considered to be an important part of its character and appearance. Notwithstanding the assertion in the Design and Access Statement that the overgrown hedges screen any views across the site, it is quite obvious from the public realm that there

is no built development beyond and there is a clear sense of the edge of the village and openness. It is also likely that the hedgerows were in the past traditionally layered and maintained at a much lower height. The area was formerly identified as an “important open area” under Local Plan policy EN6 and although the Local Plan has now been superseded by the Core Strategy, this open area is still considered to contribute positively to the form and character of the village in accordance with criterion 14 of Core Strategy policy EN1. Subject to appropriate materials, the house types and plot sizes would not in themselves be inappropriate for an infill, redevelopment or allocated site in a village location. However in this case, this is outweighed by the loss of the open and rural character of the area. Taking the above into account, it is considered that the proposal would be detrimental to the rural form and character of this part of the village.

Neighbours’ Amenities

It is considered that the positions of the dwellings in relation to each other and adjacent dwellings as well as adequate separation distances would ensure that there would be no detrimental impact to the residential amenities of the occupiers of the proposed dwellings or adjacent properties.

Highways/Traffic

As part of the proposal, the carriageway of Winters Lane would be widened as far as Main Road. The two previously withdrawn applications did not include this aspect. The Highways Authority have withdrawn their previous objections and are now supportive of the proposal as the widening of Winters Lane would allow for the safe flow of the increased traffic which would not be acceptable on the existing narrow lane. On that basis it is considered that the proposal is acceptable from a highway safety point of view and that there would be no detrimental impact on highway safety, parking or traffic capacity.

Drainage Issues

The applicant has stated that soakaways would be used for drainage. Long Bennington has been identified as having specific drainage issues due to underlying geology and that soakaways are not suitable. However an adequate means of surface water drainage could be achieved by conditions requiring submission of details.

Affordable Housing

Core Strategy policy H3 requires residential developments of 5 or more dwellings to make provision for affordable housing. Although not stated in the Design and Access Statement, the applicant has provisionally agreed to provide the appropriate level of affordable housing off site or a commuted sum in lieu of provision. The Council’s preference is for 35% affordable housing on site however consideration would be given to offsite provision or a commuted sum if it was demonstrated that on site provision would make the scheme unviable. At the time of writing no further evidence has been submitted by the applicant to demonstrate this.

Open Space

The Design and Access Statement states that there would be no loss of open space as the applicant would provide an offsite public amenity space through a section 106 agreement. By virtue of the small scale of development, in this case there is no requirement for open space provision through a Section 106 agreement. Furthermore, it is considered that provision of amenity space does not mitigate the detrimental impact that the development would have.

Biodiversity

It is not considered that the proposal would be detrimental to biodiversity. There are no designated/protected areas in the vicinity and although some hedgerow would be removed, conditions could ensure partial retention of existing hedgerows and new planting/landscaping.

Other Issues

The issue of loss of a view is not a material planning consideration and has not been taken into account when making this recommendation.

Crime and Disorder Implications

The application will not raise any significant issues.

Human Rights Implications

Articles 6 (Right to fair decision making) and Article 8 (Right to private family life and home) of the Human Rights Act have been taken into account in making this recommendation.

It is considered that no relevant Article of that act will be breached.

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

1. The application site is greenfield and on the edge of the village encroaching into open countryside and cannot therefore be reasonably described as being within the built up area of the village or an infill or redevelopment site. Taking into account the evidence of a continuous five year supply of housing land in the Local Service Centres, and the large amount of housing development which has already taken place and is committed via planning approval in Long Bennington, it is considered that there are no other overriding material considerations relevant to the specific site which justify development of an additional greenfield site for housing. It is therefore considered to be an unsustainable site for development which is contrary to national planning policy given in PPS1(Sustainable Development), PPS3(Housing), policies 1 & 3 of The East Midlands Regional Plan and policies SP1 & H1 of The South Kesteven Core Strategy.

2. The site is considered to be an important open area which contributes positively to the rural character and appearance of this part of the village. It is considered that development of the site would erode the established character and appearance of the area contrary to Policy EN1 of The South Kesteven Core Strategy.
3. Core Strategy policy H3 requires residential developments of 5 or more dwellings to make provision for affordable housing. Although, the applicant has expressed a willingness to provide an appropriate level of affordable housing off site or a commuted sum in lieu of provision, no evidence has been provided to demonstrate that on site provision would make the scheme unviable, contrary to Policy H3 of The South Kesteven Core Strategy.

* * * * *

Applicant	Mrs S Harding Colsterworth Post Office, 2, Bourne Road, Colsterworth, Grantham, Lincolnshire, NG33 5JE
Agent	Mike Sibthorp Planning Logan House, Lime Grove, Grantham, NG319JD
Proposal	Erection of three dwellings
Location	2, Bourne Road, Colsterworth, Grantham, NG33 5JE
App Type	Outline Planning Consent
Parish(es)	Colsterworth

REPORT

Application Category

This application is categorised as a minor application for outline planning permission.

Reason for Referral to Committee

This application has been referred to the committee at the request of the Lead Professional as it involves development of domestic garden land and is considered to be locally controversial.

The Proposal

The proposal involves the erection of a terrace of three dwellings on garden land adjacent to number 2 Bourne Road. The application is in outline form but with matters of access, appearance, layout and scale included for consideration. The dwellings would front onto Bourne Road with a gap of 0.4m from the footway grass verge enclosed by railings. Access would be provided from Bourne Road through an archway to off road parking and a turning space at the rear. All the dwellings would have small rear gardens.

The application site and its surroundings

The site is broadly rectangular in shape and is currently a lawned area which forms part of the curtilage of No 2 Bourne Road. No 2 also contains a single storey building currently used as Colsterworth Post Office within its curtilage immediately to the west of the proposed dwellings. The site is close to the main crossroads of the village where there is a mixture of older higher density, mainly terraced properties abutting the back edge of the pavement and more modern detached properties in fairly spacious plots set further back from the road. The properties immediately to the east and west of the site are all built right up to the pavement. The site slopes down from east to west and is approximately 1m above the level of the road.

Site History

SK.2030/88: erection of bungalow and shared access – this was refused in 1988 due to concerns that it would be overdevelopment of the plot and would leave insufficient amenity

space for no 2 Bourne Road. Notwithstanding these reasons given for refusal, it should be noted that national, regional and local planning policy has changed significantly since then, with a much greater emphasis on sustainability and more efficient use of land.

S10/0107: erection of 3 dwellings (outline) – this was withdrawn on officer advice. The applicant was advised to resubmit with more detailed information including sections, external elevations and street elevations.

Representations Received

The Community Archaeologist:

The proposed development does not affect any known archaeological sites.

The Highways Authority:

The highways Authority do not object subject to conditions. As a result of concerns raised from Members and objectors, they have also provided the following statement to clarify their stance:

“In respect of this application, the local highway authority are satisfied that the proposed access can achieve standards in relation to visibility requirements, width and radius criteria. Parking is provided on site in accordance with current guidance, there are existing accesses to both east and west of the site. A frontage footway serves approximately 9 properties, terminating to the east at the access to numbers 14 & 16 Bourne Road. The existing accesses and footway accommodate one another. Subject to detail it is not unreasonable to assume that the additional access cannot be similarly integrated.

Residents further to the east (and on the site side) have not the benefit of a footway link on their side of the road, but have an available pedestrian route on the north side from which they can choose a point at which to cross to access the Post Office. Further detail can be requested of the applicant in the form of plan and cross-sections to more fully appreciate the likely impact of the proposals, and the local planning authority can condition the need for written approvals of proposed works prior to implementation. Any works in the highway would require the applicant to enter into the appropriate agreement under the Highways Act 1980 prior to commencement.”

Colsterworth Parish Council: (comments summarised)

Concerns about the access given the changes in levels

Highway safety and parking issues

Reduction in amenity space for No 2 Bourne Road

Representations as a result of publicity

Three neighbour objections at the time of writing this report. The issues raised are summarised below:

Visually intrusive

Loss of greenfield site - “Garden grabbing”

Loss of view

Concerns over boundary treatment

Highway safety/parking/congestion issues

Overlooking/loss of privacy
Overbearing impact
Loss of light

Policy Considerations

The application site is within the existing built up area of the village of Colsterworth which is classed as a Local Service Centre (LSC) under the SK Core Strategy and therefore in principle a sustainable location. The thrust of national and regional policy as well as the Core Strategy is that preference should be given to development on brownfield land wherever possible. However, there is not likely to be any available brownfield land in Colsterworth and no allocated land remaining. Core Strategy policy H1 allows for some limited growth in LSCs to maintain their viability. As this is an infill site within the built-up area it is considered that notwithstanding the recent reclassification in PPS3 of garden land as greenfield land, development of this site is acceptable in principle subject to other policy considerations. The proposal has a relatively high density and is therefore an efficient use of the land. Taking the above into account it is considered that the proposal in principle, complies with national, regional and local policy on the location of sustainable development.

Impact on Form and Character of the Area

There are a variety of building types and densities in this part of the village, including older terraces built up to the back edge of the pavement. Taking into account the surrounding development, the site is a logical infill plot. The current openness of the application site is not considered to contribute significantly to the character of the area and its loss would not have a detrimental impact. The proposed terrace would respect the building line on the south side of Bourne Road and would be of a similar scale, density and plot sizes as nearby development. In terms of appearance, the buildings would be of a simple vernacular style, in keeping with the village context and helping to reinforce local distinctiveness (subject to use of appropriate materials). The half hipped roof on the western elevation would help to soften the impact of the proposal when viewed from the west. Taking the above into account, it is considered that the proposal would be of an appropriate appearance as well as being compatible with the form and character of the surrounding development.

Neighbours' Amenities

Concerns have been raised about potential overlooking, overbearing impact and loss of light. It is considered that the angle of the building in relation to its neighbours, modest scale and good separation distances from adjacent dwellings are sufficient to maintain current levels of privacy and ensure that the development would not be overbearing or detrimental to the residential amenities of the occupiers of adjacent properties. Some concern has been expressed about boundary treatment. This will be addressed at the reserved matters stage when landscaping details are submitted.

Highways/Traffic

Some concern has been raised about highway safety and the construction of the access given the steep slope between the application site and the highway and in particular how

this would work in relation to the footpaths. In order to address the concerns raised, the Highways Authority were asked to provide further clarification about highway safety and how the access and footpath would work to their satisfaction given the sharp change in level. They have confirmed that they are satisfied that there would be no detrimental impact on highway safety and that an access could be constructed to accord with the relevant highway safety criteria. It is recommended that a condition be attached requiring that no development take place before details of a satisfactory access have been submitted and approved. Furthermore the applicant has expressed a willingness to provide further plans illustrating how this can be achieved before determination. Any further information will be displayed on the website and reported in the late background papers.

Taking into account the design and layout of the site, the position of the access, the low level of traffic likely to be generated as well as the comments of the Highways Authority, it is considered that there would be sufficient off road parking and turning space and that adequate visibility has been demonstrated at the access. On that basis it is considered that there would be no detrimental impact on highway safety, parking or traffic capacity.

Amenity Space

Concerns have been raised about the reduction of amenity space of no 2 Bourne Road. The current garden of this property is fairly substantial. If the proposal were to go ahead, the curtilage of no 2 (excluding the post office) would still be fairly large at approximately 3 x the footprint of this property. This is adequate to allow off road parking and a garden area. Furthermore the reduced curtilage would not be dissimilar in size to a number of existing nearby properties and would not be reduced to such an extent as proposed by the scheme refused in 1988. All the proposed dwellings would have small garden areas which are considered to be sufficient for dwellings of this size in a village context.

Crime and Disorder Implications

The application will not raise any significant issues.

Human Rights Implications

Articles 6 (Right to fair decision making) and Article 8 (Right to private family life and home) of the Human Rights Act have been taken into account in making this recommendation.

It is considered that no relevant Article of that act will be breached.

SUMMARY OF REASON(S) FOR APPROVAL

It is considered that the proposal for a new dwelling within a Local Service Centre would be an efficient use of the land and complies with the sustainability aims of national, regional and local policy.

The proposal is considered to be of appropriate plot sizes, scale, layout and design for the village context which would be in keeping with the built form and character of the surrounding area.

It is considered that the modest scale and adequate separation distance from adjacent dwellings would preserve the residential amenities of the occupiers of neighbouring properties and that subject to a condition requiring a satisfactory access, there would be no detrimental impact on highway safety.

Taking the above into account, it is considered that the proposal is in accordance with national planning policy given in PPS1 (Sustainable Development), PPS3 (Housing) and PPS7 (Sustainable Development in Rural Areas), policies 1, 2 & 3 of the East Midlands Regional Plan and policies SP1, SP2 and EN1 of the South Kesteven Core Strategy. There are no material considerations that indicate otherwise, although conditions have been attached.

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

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.

Reason: To comply with Section 92 (as amended) of the Town and Country Planning Act 1990.

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:

landscaping.

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

Reason: To enable the Local Planning Authority to control the development in detail and to comply with Section 92 (as amended) of the Town and Country Planning Act 1990.

3. 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 dwellings are occupied. Development shall be carried out in accordance with the approved details.

Reason: To provide a satisfactory appearance by screening rear gardens from public view and in the interests of the privacy and amenity of the occupants of the proposed dwellings and in accordance with PPS1 and Policy EN1 of the adopted South Kesteven Core Strategy (July 2010).

4. 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.

Reason: To ensure that surface water run-off from the development will not adversely affect, by reason of flooding, the safety and commerce of the residents of the site.

5. 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.

Reason: To ensure a satisfactory appearance to the development and in accordance with Policy EN1 of the adopted South Kesteven Core Strategy (July 2010).

6. Before the dwelling is occupied, the parking and turning space shall be completed in accordance with the approved plan drawing number MSP.670/003 RevA dated 27 October 2010 and retained for that use thereafter

Reason: To ensure safe access to the site and the dwelling in the interests of residential amenity, convenience and safety and to allow vehicles to enter and leave the highway in forward gear in the interests of highway safety.

7. No development shall take place before the detailed design of a satisfactory access have been submitted to and agreed in writing by the Local Planning Authority and no building shall be occupied before the agreed access has been completed.

Reason: To ensure safe access to the site and the dwellings in the interests of residential amenity and convenience and highway and pedestrian safety.

Note(s) to Applicant

1. Prior to the commencement of any access works within the public highway, you should contact the Divisional Highways Manager on 01522 782070 for application specification and construction information.
2. 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.

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Applicant	Mr A Grylls, on behalf of AG, JE & SC Grylls 25, St Marks Road, Maidenhead, SL6 6DG
Agent	Mr M Sibthorp, Mike Sibthorp Planning Logan House, Lime Grove, Grantham, NG319JD
Proposal	Demolition of existing garage and erection of one and a half storey dwelling
Location	3, High Road, Barrowby, Grantham, NG321BH
App Type	Full Planning Permission
Parish(es)	Barrowby

REPORT

Application Category

This application is categorised as a minor application for planning permission.

Reason for Referral to Committee

This application has been referred to the committee at the request of the Lead Professional as it is considered to be locally controversial

The Proposal

The application proposes the erection of a single two storey dwelling and detached single garage within the back garden of an existing dwelling. The existing double garage to this dwelling would be demolished to make way for the access off the unadopted Chapel Lane which would be shared by the proposed dwelling and no 3 High Road. Parking space for no 3 would be provided within the remaining back garden area.

The application site and its surroundings

The application site is the rear half of the large domestic garden of 3 High Road. It is bounded to the east by a number of small terraced houses without rear gardens which face onto Chapel Lane. To the south and west are large domestic gardens and the car park and beer garden of the White Swan public house. Chapel Lane is an unadopted Lane serving 11 properties.

Site History

A previous similar application (S10/1777) was withdrawn on officer advice due to highway concerns. The current proposal is almost identical externally but has an amended internal layout and has been reduced to a 2 bed rather than 4 bed dwelling following consultation between the applicant and the highways authority.

Representations Received

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

The Highways authority: does not object subject to conditions.

Barrowby Parish Council: No objection

Representations as a result of publicity

Four neighbour objections:

1. Impact of noise/disturbance/traffic during construction
2. No need for more development in conservation area
3. Impact on neighbour's dwelling from demolition of garage
4. Highway safety concerns
5. Dominant and oppressive environment
6. Design out of keeping
7. Questions as to who will maintain Chapel Lane

Policy Considerations

National Policy

Planning Policy Statement 1 (PPS1) – Sustainable Development

Planning Policy Statement 3 (PPS3) – Housing

Planning Policy Statement 5 (PPS5) – Historic Environment

East Midlands Regional plan (RSS8)

Policy 1: Regional Core Objectives

Policy 2: Promoting Better Design

Policy 3: Distribution of New Development

Policy 26: Protecting and Enhancing the Region's Natural and Cultural Heritage

Policy 27: Regional Priorities for the Historic Environment

South Kesteven Core Strategy

Policy SP1: Spatial Strategy

Policy SP2: Sustainable Communities

Policy EN1: Protection and Enhancement of the Character of the District

Policy H1: Residential Development

Officer Evaluation

Key Issues

The principle of development (sustainability)
The visual impact on the character and appearance of the conservation area
Highway safety
Neighbours' residential amenities

Sustainability

The application site is within the existing built up area of the village of Barrowby which is classed as a Local Service Centre (LSC) under the SK Core Strategy and therefore in principle a sustainable location. The thrust of national and regional policy as well as the Core Strategy is that preference should be given to development on brownfield land wherever possible. However, there is not likely to be any available brownfield land in Barrowby and no allocated land remaining. Core Strategy policy H1 allows for some limited growth in LSCs to maintain their viability. As this is an infill site within the built-up area it is considered that notwithstanding the recent reclassification in PPS3 of garden land as greenfield land, development of this site is acceptable in principle subject to other policy considerations. Furthermore, the proposal would be an efficient use of the land. Taking the above into account it is considered that the proposal in principle, complies with national, regional and local policy on the location of sustainable development.

Visual Impact

The proposed development is considered to be of an appropriate traditional vernacular design using locally distinctive materials and in terms of scale, plot size and siting, respects the form and character of the conservation area. Concerns have been raised that the development would give the area a cramped appearance. The removal of the relatively modern garage (which does not contribute positively to the conservation area) would ensure that this is not the case. Furthermore the dwelling itself would not be easily visible from most public vantage points. Taking the above into account, it is considered that the proposal would preserve the character of the conservation area.

Neighbours' Amenities

The proposed dwelling would be adjacent to the largely blank rear elevations of 5 & 6 Chapel Lane and would be well separated from all other properties in the area ensuring that there would be no overbearing impact, direct overlooking or loss of light. There would be adequate private amenity space for a two bedroomed dwelling of this type and location. Sufficient amenity space would also remain for no 3 High Road. Taking the above into account it is considered that there would be no detrimental impact on the residential amenities of future occupiers or occupiers of neighbouring properties.

Highways/Traffic

The property would add to the number of dwellings already served by the narrow unmade Chapel Lane. However the Highways Authority have withdrawn their previous objections to the scheme as a 2 bedroom property is likely to generate less traffic than a four bedroomed dwelling. Furthermore, conditions removing permitted development rights for extensions and outbuildings are recommended in order that the Council is able to control future expansion that could lead to extra traffic.

Other Issues

Concerns have been raised about the impact of noise/disturbance from construction works and the impact of demolition of the existing garage on the neighbouring property. Because the proposal is for a single dwelling only, although some inconvenience and disruption is likely to occur, it is not likely to be of such a degree as to require conditions restricting vehicular movements during construction. Given that demolition of the garage does not in itself require planning permission or conservation area consent, this is not considered an adequate grounds for refusal.

There are two significant mature trees within the site which are proposed to be retained. Taking into account the separation distance from the proposed dwelling and the identification of a root protection area on the plans, it is considered that a full tree survey is not required and that a condition will be sufficient to ensure protection during construction.

The issue of responsibility for maintenance of the unadopted lane is a legal rather than a material planning consideration and has not been taken into account when making this recommendation.

Crime and Disorder Implications

The application will not raise any significant issues.

Human Rights Implications

Articles 6 (Right to fair decision making) and Article 8 (Right to private family life and home) of the Human Rights Act have been taken into account in making this recommendation.

It is considered that no relevant Article of that act will be breached.

SUMMARY OF REASON(S) FOR APPROVAL

It is considered that the proposal for a new dwelling within a Local Service Centre would be an efficient use of the land and complies with the sustainability aims of national, regional and local policy.

The proposal is considered to be of an appropriate plot size, scale, layout and design and would be in keeping with the built form and character of the conservation area.

It is considered that the boundary treatment and adequate separation distance from adjacent dwellings would preserve the the residential amenities of the occupiers of neighbouring properties and that the limited amount of traffic likely to be generated would be not be detrimental to highway safety. Conditions have been attached to ensure that trees on site are protected during construction.

Taking the above into account, It is considered that the proposal is in accordance with national planning policy given in PPS1 (Sustainable Development), PPS5 (Historic Environment) PPS3 (Housing) and PPS7 (Sustainable Development in Rural Areas), policies 1, 2, 3, 26 & 27 of the East Midlands Regional Plan and policies SP1, SP2, H1 and EN1 of the South Kesteven Core Strategy. There are no material considerations that indicate otherwise, although conditions have been attached.

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

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

Reason: To comply with Section 91 (as amended) of the Town and Country Planning Act 1990.

2. No development shall take place until samples of the materials 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. The development shall be carried out in accordance with the approved details.

Reason: To ensure a satisfactory appearance to the development and in accordance with Policy EN1 of the adopted South Kesteven Core Strategy (July 2010).

3. 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 extension, enlargement or other alteration of the building(s) shall be carried out without Planning Permission obtained from the Local Planning Authority.

Reason: The Local Planning Authority considers that further development could cause detriment to the amenities of the occupiers of nearby properties or to the character of the area, and for this reason would wish to control any future development, and in accordance with Policy EN1 of the adopted South Kesteven Core Strategy (July 2010).

4. 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 outbuilding shall be constructed without Planning Permission obtained from the Local Planning Authority.

Reason: The Local Planning Authority considers that further development could cause detriment to the amenities of the occupiers of nearby properties, to the

character of the area, or to the health and vitality of trees within the site, and for this reason would wish to control any future development, and in accordance with Policy EN1 of the adopted South Kesteven Core Strategy (July 2010).

5. 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.

Reason: To safeguard the amenities of the occupiers of nearby properties and in accordance with the guidance contained in national Planning Policy Statement PPS1.

6. Before the dwelling is occupied, the access and turning space shall be completed in accordance with the approved plan, drawing number MSP.609/002 dated 16 November 2010 and retained for that use thereafter.

Reason: To ensure safe access to the site and the dwelling in the interests of residential amenity, convenience and safety and to allow vehicles to enter and leave the highway in a forward gear in the interests of highway safety.

7. The trees within the site shall be protected, maintained and managed in accordance with BS. 5837:2005 (Trees in Relation to Construction).

Reason: In order to protect and avoid damage to the existing trees in accordance with Policy EN1 of the South Kesteven Core Strategy.

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.

* * * * *

Applicant	Mr Colin Pask, Pask, Somerville & Diment c/o Grantham Electrical Showroom, Harlaxton Road, Grantham, NG31 7SU
Agent	Mike Sibthorp Planning Logan House, Lime Grove, Grantham, NG319JD
Proposal	Demolition of existing dwelling and erection of six dwellings (Extension of time limit of S07/0843)
Location	Sandy Willows, 354, Harlaxton Road, Grantham
App Type	Outline Planning Consent
Parish(es)	Grantham

REPORT

Application Category

This application is categorised as a minor application for outline planning permission.

Reason for Referral to Committee

This application has been referred to the committee as it involves a developer contribution through a section 106 legal agreement.

The Proposal

The proposal involves demolition of an existing dwelling and outbuildings and erection of six detached dwellings. An access and private drive would be created from Harlaxton Road. This is an extension of time limit application which effectively seeks the renewal of a previous permission (S07/1384)

The application site and its surroundings

The site is a rectangular corner plot of approximately 0.48ha in area. Currently there is a large 1960s detached chalet bungalow and associated garden and a group of low quality outbuildings to the rear used for commercial purposes. The land slopes down to the Mow Beck and Grantham Canal to the rear with a large hotel and other commercial development beyond. There is low density residential development to the east, west and south.

Relevant Site History

Outline planning permission was originally granted in 2007 for this development (S07/0843)

Representations Received

The Community Archaeologist:

The proposed development does not affect any known archaeological sites.

The Highways Authority:
No objection subject to conditions

SK Projects Officer (Drainage):
No objection as long as dwellings built to stated levels

Environment Agency:
No objection

Lincs Wildlife Trust:
No objection but recommend enhancements to biodiversity and native species

Upper Witham Internal Drainage Board:
Do not object but request conditions to address drainage issues

SK Housing Solutions (Affordable Housing Officer):
A commuted sum for provision of affordable housing is required

Representations as a result of publicity

One neighbour objection at the time of writing this report. The issues raised are summarised below:

Loss of light
overbearing impact
Highway safety/traffic issues

Policy Considerations

National Policy

Planning Policy Statement 1 (PPS1): Sustainable Development
Planning Policy Statement 3 (PPS3): Housing

East Midlands Regional plan (RSS8)

Policy 1: Regional Core Objectives
Policy 2: Promoting Better Design
Policy 3: Distribution of New Development
South Kesteven Core Strategy

Policy SP1: Spatial Strategy
Policy SP4: Developer Contributions
Policy EN1: Protection and Enhancement of the Character of the District
Policy H1: Residential Development
Policy H3: Affordable Housing

Officer Evaluation

This is an application for an extension of time limit to a previously approved scheme (S07/0843) which effectively seeks the renewal of the previous permission. It is an outline application with matters of layout, scale and access included for consideration. Since the previous application was approved on 15 August 2007, it is considered that the relevant development plan policies and other material considerations that were taken into account when determining that application have not changed to such an extent to indicate against this proposal. There has been no significant development nearby or changes that might affect highway safety and the site context remains the broadly the same.

The Lincolnshire Structure Plan has been superseded by RSS8, and the SK Local Plan has been superseded by The SK Core Strategy, however, there is no significant change in the thrust of policy, sufficient to indicate against this proposal.

Since 10 June 2010 domestic gardens have been reclassified as greenfield land. The thrust of national and regional policy as well as the Core Strategy is that preference should be given to development on brown field land in sustainable locations wherever possible. However, given the shortage of available brownfield and allocated land remaining, it is considered that notwithstanding the recent reclassification of garden land as greenfield land, development of this partially greenfield site is acceptable as it is a logical infill/redevelopment site in a sustainable location within an existing urban area.

Although not requested for the previous application, a flood risk assessment was requested due to the risk of failure of the adjacent made up canal bank. The SK Drainage Officer is satisfied that there is minimal risk of flooding as long as the stated floor levels are adhered to.

The issues raised about loss of light and overbearing impact have been resolved by a condition requiring plot 6 to be single storey only. The biodiversity/tree issue can be adequately addressed by a landscaping scheme at the reserved matters stage.

Since the SK Core Strategy was adopted in July 2010 policy H3 requires an affordable housing contribution for developments of 5 or more dwellings. In this case it is considered that a commuted sum for offsite provision is acceptable, given the small scale nature of the development and also taking into account the applicant's submitted development appraisal. The applicant has agreed to sign a Section 106 agreement for such a contribution.

Taking the above into account it is considered that the proposal is in accordance with the relevant development plan policies and that there are no material considerations that indicate against it.

Section 106 Heads of Terms

A commuted sum of £4275 towards the provision of offsite affordable housing would be required

Crime and Disorder Implications

The application will not raise any significant issues.

Human Rights Implications

Articles 6 (Right to fair decision making) and Article 8 (Right to private family life and home) of the Human Rights Act have been taken into account in making this recommendation.

It is considered that no relevant Article of that act will be breached.

SUMMARY OF REASON(S) FOR APPROVAL

Since the previous application was approved on 15 August 2007, the relevant development plan policies and other material considerations that were taken into account when determining that application have not changed to such an extent to indicate against this proposal. There has been no significant development nearby or changes that might affect highway safety and the site context remains the same.

Notwithstanding the reclassification of domestic gardens to greenfield land, taking into account the lack of available brownfield land and allocated housing land, it is considered that the development of this site within a sustainable urban area is in accordance with the sustainability aims of national, regional and local policy.

It is therefore considered that the current proposal is in accordance with national planning policy given in PPS1 (Sustainable Development), PPS3 (Housing), policies 1, 2 & 3 of The East Midlands Regional Plan, and policies SP1, SP4, H1, H3 & EN1 of the South Kesteven Core Strategy, and that there are no material considerations that indicate otherwise, although conditions have been attached.

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

1. Application for approval of reserved matters must be made not later than the expiration of three years beginning with the date of this permission, and the development must be begun not later than the expiration of two years from the final approval of the reserved matters, or, in the case of approval on different dates, the final approval of the last such matter to be approved.

Reason: Required to be imposed pursuant to section 92 of the Town and Country Planning Act 1990, as amended by section 51 of the Planning & Compulsory Purchase Act 2004.

2. The following matters are reserved for subsequent approval by the District Planning Authority and no development shall be carried out until these matters have been approved, viz. detailed drawings to an appropriate scale showing the appearance and the landscaping of the site.

Reason: The application was submitted in outline only.

3. Notwithstanding the submitted scale parameters the dwelling on plot 6 shall be single storey.

Reason: To protect the amenity of adjacent occupiers and in accordance with PPS1

4. The vehicular access shall incorporate 6 metres radii tangential to the nearside edge of the carriageway of Harlaxton Road and the minimum width of the access shall be 5.5 metres.

Reason: In the interests of safety of the users of the public highway and the safety of the users of the site.

5. Within seven days of the new access being brought into use, the existing access onto Harlaxton Road shall be permanently closed in accordance with a scheme to be agreed in writing by the Local Planning Authority.

Reason: To reduce to a minimum, the number of individual access points to Harlaxton Road, in the interests of highway safety.

6. When the application is made for approval of the 'reserved matters' that application shall show details of the arrangements for the parking/turning/manoeuvring/loading/unloading of vehicles within the site. These arrangements shall be provided before the building is occupied and shall be kept permanently free for such use at all times thereafter.

Reason: To allow vehicles to enter and leave the highway in a forward gear in the interests of highway safety.

7. 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 the agreed drainage system has been implemented.

Reason: 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.

8. No development shall be commenced (apart from those works identified on drawing number B/HRDCC0224/P/2000 for ghost island right turn lane (part) before the works to improve the public highway (by means of of the ghost island right turn facility) have been certified complete by the Local Planning Authority.

Reason: in the interests of safety and the users of the public highway and the safety of the users of the site.

9. There shall be no means of vehicular (or pedestrian) access to the development from Swingbridge Road.

Reason: in the interests of safety and the users of the public highway and the safety of the users of the site.

10. No development shall commence on the site until such time as the site has been surveyed to ensure that no protected species are found to be present on the site. If protected species are found to be present a scheme of mitigation measures shall be submitted to and approved in writing by the local planning authority and thereafter implemented in accordance with the approved scheme.

Reason: To ensure no protected species are harmed.

11. The existing natural hedge along the south eastern boundary fronting Harlaxton Road shall be retained unless otherwise agreed in writing by the local planning authority.

Reason: These features make an important contribution to the appearance of the area. Their retention will maintain the appearance of the area and help assimilate the development with its surroundings and in accordance with Policy EN1 of the South Kesteven Core Strategy.

12. When application is made to the District Planning Authority for approval of the 'reserved matters', that application shall be accompanied by a scheme of landscaping and tree planting (indicating inter alia, the number, species, heights on planting and positions of all the trees) in respect of the land to which that application relates; and such scheme shall require the approval of the District Planning Authority before any development is commenced. Such scheme as may be agreed 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.

Reason: 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 Policy EN1 of the South Kesteven Core Strategy.

13. Building operations shall not be commenced on site until details of the existing and proposed ground levels within the site, and finished floor levels of the proposed buildings, together with the existing floor and ground levels of adjoining properties have been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure a satisfactory form of development and protect the amenities of adjacent occupiers and in accordance with policy EN1 of the South Kesteven Core Strategy.

Note(s) to Applicant

1. Prior to commencement of works on site, a Section 278 Agreement, Highways Act 1990 shall be entered into with the local highway Authority, Lincolnshire County Council for the provision of a ghost island right turn facility together with any necessary ancillary works.
2. Where private drives are proposed as part of any development, you should be aware of the requirements laid down in the Lincolnshire Design Guide for Residential Areas.
3. Prior to the commencement of any access works within the public highway, you should contact the Divisional Highways Manager on 01522 782070 for application specification and construction information.
4. Any soakaways should be constructed to have a positive outfall overflow to the Mowbeck, protected by a non return valve. Construction details of the bank outfall structures will be required by the Environment Agency. You are advised to contact Chris Maw (SK Projects Officer - Drainage) on 01476 406409 before submitting surface water drainage details.
5. Your attention is drawn to the attached comments of The Environment Agency.
6. Your attention is drawn to the attached comments of Lincs Wildlife Trust
7. Your attention is drawn to the attached comments of Upper Witham Internal Drainage Board
8. 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.

* * * * *

Applicant	Bairds Malt Ltd C/o Agent
Agent	Mr George Machin, Savills 9, Fletcher Gate, Nottingham, NG1 1QQ
Proposal	Extension of time - S07/0798 - Residential, business & industrial development
Location	Bairds Malt Ltd, Springfield Road, Grantham
App Type	Major Outline (Residential)
Parish(es)	Grantham

REPORT

Application Category

This application is categorised as a major development

Reason for Referral to Committee

The application requires developer contributions to be secured by a Section 106 Legal Agreement

The Proposal

This application is to allow for a new planning permission to replace an existing permission that is in danger of lapsing. It is in the form of an extension of time for the implementation of planning permission S07/0798 by granting new planning permission for the development authorised by the original permission.

In this instance planning permission S07/0798 relates to an outline approval for Residential, Business and Industrial Development. An indicative scheme accompanied the application demonstrating how 2 industrial units, 56 houses and 20 apartments could be accommodated on the site.

To facilitate this development the existing buildings would be demolished on the site. Access to the site would be off Harlaxton Road as per the previous planning permission.

The Application Site and its Surroundings

The application site has an overall site area of approximately 2.53 hectares and is situated south of Grantham town centre between Harlaxton Road and Springfield Road. The site is currently occupied by Bairds Malt.

The existing buildings on the site are substantial and have no real architectural merit. The main tower is a visually prominent feature when approaching the town from the south along Harlaxton Road.

The surrounding area contains a mix of different building types and uses including industrial unit, magistrates court, allotments and a new residential development on Springfield Road opposite the application site.

Relevant Site History

S07/0798/35 – Outline Planning Permission was granted for residential, business and general industrial development on 9th January 2009. Conditions of this approval include a restriction on the number of industrial units on the site to a maximum of 10, and the number of dwellings on the site to not exceed 56.

The Section 106 legal agreement associated with this application secures developer contributions in relation to affordable housing, play equipment, highway improvements/provisions, education and health.

S09/2343 – Planning permission was granted on 7th January 2010 for the formation of a new car park.

Policy Considerations

PPS1 – Delivering Sustainable Development

PPS3 – Housing

South Kesteven Core Strategy

SP1 – Spatial Strategy

The majority of all new development should be focused on Grantham to support and strengthen its role as a Sub-Regional Centre.

SP4 – Developer Contributions

The Council will enter into planning obligations with developers to secure the provision of (or financial contributions towards) infrastructure and community benefits which the council considers are necessary in conjunction with the development.

EN1 – Protection and Enhancement of the Character of the District

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 and restoration.

EN2 – Reducing the Risk of Flooding

EN4 – Sustainable Construction and Design

Proposals for new development should consider and demonstrate how the design of buildings and site layouts use energy, water and minerals, materials and other natural resources appropriately and efficiently.

H1 – Residential Development

This policy is designed to deliver the minimum level of housing required during the plan period 2006 – 2026 required by the Regional Plan.

H3 – Affordable Housing

A target of up to 35% of the total capacity of a scheme should be affordable.

E1 – Employment Development

The council's objective is to broaden and diversify the employment bases for the District

Representations Received

Archaeology

The planning application does not affect any known archaeological sites. Therefore no archaeological intervention is required.

Crime Prevention Officer

I have no additional comments to make other than those contained in my letter dated 27th June 2007 under planning application S07/0798:

“The development hereby permitted shall incorporate measures to minimise the risk of crime and to meet the specific security needs of the development. Details of these measures shall be submitted to and approved in writing by the local planning authority. The security measures must incorporate the principles and objectives of secured by design to improve community safety and crime prevention”. (Letter to be attached to any grant of planning permission).

Environment Agency

The Environment Agency has inspected the application and has no objection to the replacement of planning permission S07/0798 provided that our previously requested conditions are included on the new permission.

A number of conditions have been requested in relation to compliance with the submitted flood risk assessment and contamination.

Lincolnshire County Council (Education)

The previous Section 106 contributions are still relevant and should be renewed with this planning permission.

Lincolnshire County Council (Highways)

A request for £200,000 is required by planning permission S07/0798. This should be indexed linked and form part of this new planning permission.

A number of conditions relating to movement within the site and the provision of visibility splays and pedestrian refuge have been requested.

Representations as a Result of Publicity

The application has been advertised in accordance with the statement of community involvement relevant to this type of planning application. One letter of objection has been received. A summary of the main concerns are listed below:

1. The future occupiers are likely to experience noise and disturbance from the traffic on Springfield Road.
2. Fumes from the adjacent traffic would be detrimental to the future residents.
3. Concerns regarding overlooking and loss of privacy.
4. Replacing the existing eyesore building with another.
5. There are no nearby green spaces for the additional children to play on.
6. Would the proposed trees affect neighbouring properties
7. Would the access into the site conflict with the existing traffic lights.
8. Will our home be secure during the demolition of the existing buildings on the site?
9. The future residents adjacent to the proposed industrial units are likely to experience noise and disturbance.

Officer Evaluation

At the time of the submission of the original application (S07/0798) the site employed only 15 persons. Information accompanying the application states:

“The maltings provide malt products to the brewing and distilling industries. There are presently only 15 people employed on the site”.

As the buildings are custom built for a specific use it is unlikely they would be suitable for any other use. The buildings have no architectural merit. Their sheer size dominates the approach to the town centre along Harlaxton Road and makes no positive contribution to the character and appearance of this part of the town.

As the proposed development includes a commercial element it is considered that there would be no overall loss of employment by allowing redevelopment of the site. In fact it would remove the existing unsightly buildings improving the appearance of the area.

It is considered that there has not been any material change in circumstances since the determination of the previous planning application. This is reflected in the comments received by the various statutory consultees. As such the principle of the development is considered to be acceptable.

Whilst concern has been raised by the occupier of the adjacent property in relation to noise and disturbance, pollution, and impact of the demolition phase overlooking and loss of privacy these matters can be appropriately addressed at reserved matters stage when details of the layout and design of the scheme are determined.

The local highway authority has not objected to the proposal. As such it is considered that the proposal, subject to developer contributions relating to highway improvements/alterations, would not have any adverse impact on the surrounding highway network or general highway safety.

The concerns of the resident regarding damage to their property as a result of any demolition is a legal matter for the parties involved. The developers would have a duty of care to ensure that no works had a detrimental impact on any neighbouring properties. The demolition of the existing buildings on the site does not require planning permission and as such cannot be considered as part of this planning application.

Section 106 Heads of Terms

The previous planning application is the subject of a section 106 agreement securing developer contributions in relation to affordable housing, play equipment, highway improvements/provisions, education and health. It is intended to tie this planning permission back to this original agreement.

This would secure the following developer contributions:

Affordable Housing

31% of the total number of housing units on the site would be affordable.

Play Provision

£929 per using unit to be constructed on the land towards the provision of play equipment. Payable on occupation of 75% of the housing units.

Highway Works

£200,000 towards highway improvement works. Which would, in this instance be £95,000 to purchase or support the provision of the purchase of a bus to extend the bus service passing the site.

£100,000 comprising off £50,000 for two years to support the provision of the new bus, and £5000 for the provision of two bus stops in the vicinity of the site for the new bus.

Education

Education contribution based on the following formula:

Each 2 bedroom home = £1,458
Each 3 bedroom home = £3,499
Each 4 and 5 bedroom home = £4,083

Health

£905 per housing unit to be paid prior to the occupation of the first housing unit towards the provision, maintenance and/or expansion of health facilities.

Crime and Disorder

It is considered that the proposal would not result in any specific crime and disorder implications. The crime prevention officer has requested that the development incorporate the principles and objectives of secured by design to improve community safety and crime prevention. His comments will be attached to any decision notice.

Human Rights Implications

Articles 6 (Right to fair decision making) and Article 8 (Right to private family life and home) of the Human Rights Act have been taken into account in making this recommendation.

It is considered that no relevant Article of that act will be breached.

Conclusion

The proposal is considered to accord with the objectives of national planning guidance contained in PPS1 and PPS3, policies SP1, SP4, EN1, EN2, EN4, H1, H3 and E1 of the adopted Core Strategy. Whilst concerns have been raised in relation to noise and disturbance, pollution, highway safety/capacity, residential amenity and visual amenity are material considerations they do not outweigh the policies referred to above though conditions have been attached.

RECOMMENDATION:

That the application be deferred for determination by the Lead Professional for Development Control in consultation with the Chairman and Vice Chairman subject to the completion of a Section 106 Agreement securing the developer contributions as per planning permission S07/0798 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 or two years from the approval of the last of the reserved matters, whichever is the later.

Reason: To comply with Section 92 (as amended) of the Town and Country Planning Act 1990.

2. The following matters are reserved for subsequent approval by the District Planning Authority and no development shall be carried out until these matters have been approved, viz. detailed drawings to an appropriate scale showing the layout, scale, appearance, the means of access and the landscaping of the site.

3. When application is made to the District Planning Authority for approval of the 'reserved matters', that application shall be accompanied by a scheme of landscaping and tree planting (indicating inter alia, the number, species, heights on planting and positions of all the trees) in respect of the land to which that application relates; and such scheme shall require the approval of the District Planning Authority before any development is commenced. Such scheme as may be agreed 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.
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 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. This consent relates to the application as amended by amended plan received by the local planning authority on 30 May 2007.

Reason: To define the permission and for the avoidance of doubt.

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. The number of industrial units on the site shall not exceed 10.

Reason: To define the permission and for the avoidance of doubt.

8. The number of dwellings on the site shall not exceed 56.

Reason: To define the permission and for the avoidance of doubt.

9. No development approved by this permission shall be commenced until a scheme for the provision of surface water drainage works has been approved by the Local Planning Authority. Such scheme shall be implemented before the construction of impermeable surfaces draining to this system unless otherwise agreed in writing by the Local Planning Authority.

Reason: To prevent the increased risk of flooding by ensuring the provision of a satisfactory means of surface water disposal and in accordance with PPS25 - Development and Flood Risk.

10. Prior to the commencement of development approved by this planning permission (or such other date or stage in development as may be agreed in

writing with the Local Planning Authority), a scheme to deal with the risks associated with contamination of the site shall be submitted to and approved, in writing, by the local planning authority. That scheme shall include all of the following elements unless specifically excluded, in writing by the Local Planning Authority.

1. A site investigation scheme based on the desk study, to provide information for an assessment of the risk to all receptors that may be affected, including those off site.
2. The results of the site investigation and risk assessment (1) and a method statement based on those results giving full details of the remediation measures required and how they are to be undertaken.
3. A verification report on completion of the works set out in (2) confirming the remediation measures that have been undertaken in accordance with the method statement and setting out measures for maintenance further monitoring and reporting. Any changes to these agreed elements require the express consent of the Local Planning Authority.

Reason: To ensure a satisfactory development, and to ensure the proper treatment of any contamination present on the site, in the interests of public and environmental safety.

11. The Development shall proceed fully in accordance with the approved Flood Risk Assessment, and the applicant shall confirm completion of the approved scheme in writing within one month thereafter.

Reason: To reduce the risk of flooding in accordance with requirements of PPS25 Development and Flood Risk.

12. Building operations shall not be commenced on site until details of the existing and proposed ground levels within the site, and finished floor levels of the proposed buildings, together with the existing floor and ground levels of adjoining properties have been submitted to and approved in writing by the local planning authority. The development shall proceed in accordance with the approved details unless otherwise agreed in writing with the local planning authority.

Reason: To ensure a satisfactory development, in the interests of the amenities of the locality and in accordance with Policies EN1 and H6 of the South Kesteven Local Plan.

13. There shall be no means of vehicular access to the development from Springfield Road.

Reason: In the interests of safety of the users of the public highway.

14. When the application for approval of reserved matters is made that application shall show details of the arrangements for the parking/turning/maneuvering/loading and unloading of vehicles within the site.

These arrangements shall be provided before the building(s) are occupied.

Reason: To enable calling vehicles to wait clear of the adjacent carriageway(s) and to allow vehicles to enter and leave the highway in a forward gear in the interests of highway safety.

15. No development shall be commenced (apart from those indicatively identified on drawing no. HSL00898 Figure 2 dated 17/01/07 before the works to improve the public highway (by means of providing a ghost island right turn facility and access together with pedestrian refugees, visibility splays, cycle lane and ancillary works have been certified complete by the local planning authority.

Reason: In the interests of safety of the users of the highway and the safety of the users of the site.

16. Before each dwelling (or other development as specified) is occupied, the roads and/or footways providing access to that dwelling, for the whole of its frontage, from an existing public highway, shall be constructed to a *specification to enable them to be adopted as highways maintainable at the public expense, less the carriageway and footway surface courses.

The carriageway and footway surface courses shall be completed within three months from the date upon which the erection is commenced of the penultimate dwelling (or other development as specified).

*Note to Applicant: You are advised to contact Lincolnshire County Council, as the local highway authority, for approval of the road construction specification and programme before carrying out any works on site.

17. 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.
18. No dwellings (or other development as specified) shall be commenced before the first ** metres of the estate road from its junction with the public highway, including visibility splays, as shown on drawing *** dated *** has been completed.
19. 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.

Note(s) to Applicant

1. Please find attached copy of the comments of the Police Crime Prevention Officer
2. Prior to any works commencing on site a Section 278 Agreement under the Highways Act 1980 must be entered into with the local highway authority Lincolnshire County Council for the works indicatively identified on drawing HSL00898-figure 2 within the submitted Transport Assessment (Provision of ghost island and access on Harlaxton Road together with all necessary ancillary works).

* * * * *

Applicant	Mr & Mrs Anthony Spencer The Stables, 57, Hough Road, Barkston, Grantham, Lincolnshire, NG32 2PA
Agent	
Proposal	Creation of new access and driveway
Location	The Stables, 57, Hough Road, Barkston, Grantham, Lincolnshire, NG32 2PA
App Type	Full Planning Permission
Parish(es)	Barkston

REPORT

Reason for Referral to Committee

The application has been referred to committee due to the applicant being a member of staff.

The Proposal

The proposal is for the provision of a new vehicular access and associated driveway to The Stables, 57, Hough Road, Barkston.

The application site and its surroundings

The application site comprises of a detached chalet style dwelling with a stable sited to the western corner of the plot. The plot has an existing vehicular entrance to the south of the dwelling which leads to a tarmac driveway.

The proposal involves the continuation of the existing driveway into a 'U' shape formation leading to a second vehicular access point. The new section of driveway will be constructed from permeable block paving.

There is currently a small gated pedestrian access at this point set within the hedgerow.

Representations Received

Local Highway Authority: No objections. Condition attached.

Parish Council: No objections

Representations as a result of publicity

The application was advertised in accordance with the adopted Statement of Community Involvement with the closing date for third party objections being 4 February 2011.

One third party representation was received raising concern over the new access onto Hough Road and how dangerous this would be due to the narrow road and blind bend. Also commenting that vision from this property is very restricted.

Site History

There is no relevant site history

Policy Considerations

National Policy

PPS 3 - Housing

PPG13 - Transport

Policies of the South Kesteven Core Strategy

Policy EN1

Key Issues

Highway safety

Concerns have been raised in the objection received that acceptance of this proposal will not result in an adverse impact on highway safety due to poor visibility. However, no objection has been received from the Highway Authority and it is considered that there will be no adverse impact on highway safety

Impact on the streetscene

It is considered that the proposed access and driveway will not have a detrimental impact on the streetscene.

Crime and Disorder Implications

The site appears to raise no concerns relating to crime and disorder.

Human Rights Implications

It should be noted that Article 6 (Right to fair decision making) and Article 8 (Right to private family life and home) will be taken into account in determining this application

It is considered that no other relevant Article will be breached.

SUMMARY OF REASON(S) FOR APPROVAL

In the opinion of the local planning authority it is considered that the proposal will not compromise highway safety or adversely impact on the streetscene.

It is therefore considered that the proposal is in accordance with national and local policies as set out in Planning Policy Statement 3 (PPS3), planning policy guidance note 13 (PPG13) and Policy EN1 of the South Kesteven Core Strategy.

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

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

Reason: To comply with Section 91 (as amended) of the Town and Country Planning Act 1990.

2. Before the access is brought into use, all obstructions exceeding 0.6 metres high shall be cleared from the land between the highway boundary and the vision splays indicated on Amended drawing dated 26th January 2011, and thereafter the visibility splay shall be kept free of obstacles exceeding 0.6 metres in height.

Reason: In the interests of safety of the users of the public highway and the safety of the users of the site.

Note(s) to Applicant

1. Prior to the commencement of any access works within the public highway, you should contact the Divisional Highways Manager on 01522 782070 for application specification and construction information.
2. 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.

* * * * *

Applicant	Mr Michael Cooke The Poplars, 19, Village Streets, Gelston, Grantham, Lincolnshire, NG32 2AE
Agent	
Proposal	Extensions and alterations to dwelling
Location	The Poplars, 19, Village Street, Gelston, Grantham, NG32 2AE
App Type	Householder Development
<u>Parish(es)</u>	Hough on the Hill

REPORT

Application Category

This application is categorised as a householder application for full planning permission.

Reason for Referral to Committee

This application has been referred to the committee as it involves an application by an employee of the District Council.

Due to errors in the consultation process the application was withdrawn from the February Agenda. Further publicity has been given to the application and additional consultations have been undertaken, also the Parish Council's views have been incorporated into the report.

The opportunity has been taken to correct an error in the previous report and make minor amendments to the wording in order to clarify some aspects of the application.

The Proposal

The application is for planning permission for two-storey extensions to the rear of the original house and other alterations including increasing the roof height and making changes to elevations, at The Poplars, Gelston. The development applied for has been substantially completed under a planning permission (S06/0486/46) approved by the Development Control Committee on 16 May 2006. The current application has been submitted as the development has not been carried out in accordance with the plans approved in 2006. The differences between the approved plans and those built and being considered here are detailed below.

The application site and its surroundings

The application site is broadly rectangular in shape covering about 0.4 hectares. It fronts onto a narrow grassed verge next to a village street at the south east edge of Gelston. The front elevation of the two storey house is close to the edge of the highway and the rest of the front part of the site comprises various outbuildings, the access and extensive parking/storage areas.

There is a domestic property next door to the site (20 Gelston Village), with a white painted two storey house on it. The house is located fairly close to the road frontage and on the same building line as the application dwelling. There are three dwellings opposite the application site across the village street.

Relevant Site History

S06/0486: extensions and alterations – granted full permission, subject to conditions on 22 May 2006.

Policy Considerations

National Policy: Planning Policy Statement 1 (PPS1): Sustainable Development

East Midlands Regional plan (RSS8): Policy 2: Promoting Better Design

South Kesteven Core Strategy: Policy EN1: Protection and Enhancement of the Character of the District

Representations Received

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

Hough on the Hill Parish Council: No objections to the oak coloured being used for windows and doors but have concerns regarding the height of the extension as it is not the same, but considerably higher than the original cottage (as detailed on the previous application).

Representations as a result of publicity

There was an error made in the initial consultation process and further publicity has been given to the application and the date for making representations extended. Thus, the application has been advertised in accordance with the Council's adopted statement of Community Involvement, the closing date for representations on the Site Notice being the 19 February 2011.

There is one neighbour response of no objection.

There is one neighbour response in support of the proposal, happy with the view from the neighbour's property from across the street and happy with the way in which it is constructed and will be pleased when completed.

There is an objection from a neighbour, on the following grounds:

The domestic property next door is not two storey being a dormered cottage, significantly lower in height (than the proposal).

The term extension is a misnomer, because of the size and scale of the new build in comparison to the original cottage, which it far exceeds, particularly the height; the drawing is misleading as it seems to indicate no increase in height; it is also higher than the single

storey sides to the original cottage; generally creating a wider, higher block of roof at the front overlooking the objectors property, exacerbating the impact on the property immediately opposite.

The building is over a metre higher the dwelling permitted in 2006 and has created room for third floor in the roof, as highlighted by the double doors and balcony to the rear.

The additional height at the front increases the visual impact on the street scene and approach to the village, making it more intrusive and dominant.

Concerned about the precedent the proposal creates for similar massive rebuilds disguised as extensions, e.g. 20 Gelston, also directly opposite the objectors dwelling. Such developments in this rural hamlet are out of keeping with character of the area, being too dominant and visually intrusive.

The objector concludes: whilst it is appreciated that approval for a storey house was given in 2006, to which the objector was opposed, the additional 1 metre in height, so creating a third storey, increases the visual impact and compromises the residential amenity and values.

The objector makes comments on the officer report prepared for the February Committee as follows:

The PO's view that 'the extensions are to the rear and though they can be seen from the side close too they do not appear out of keeping in the local street scene' is disagreed with, the extensions are not all at the rear and are visible immediately the hamlet comes into view, a considerable distance from the property. It is out of scale and therefore out of place in the surroundings, the elevation fronting the road is particularly dominant and overbearing; whilst there is a variety of building types around none have the visual impact of this proposal, which dwarfs its immediate neighbours.

The PO notes that the 2006 plans were of a poor quality and somewhat sketchy, it is therefore surprising that they were approved.

Notes the PO's view that the increased height is marginal in terms of the impact beyond the immediate surroundings and that in that context is an issue of residential amenity. The objector feels that the difference is not marginal and has a visual impact not to be dismissed both in terms of residential amenity and visual impact.

Whilst the windows are 'better balanced' the increased height is not an improvement to the design.

There is an error in the report, as there are two dormers with windows to habitable rooms in the side elevation of the next door property facing the site.

This objector also cites a number of concerns relating to:

- The fact that the significant works was carried out that were not in accordance with the 2006 approval;
- Lack of consultation, despite objecting in 2006, were not informed of the application, whilst the site notice did not have a date on it, an administrative error that caused stress and meant that a recommendation was made (in the withdrawn officer report) without the objectors views being taken into account.
- The Parish Council's comments are not mentioned in the previous report.

There is an objection from a visitor to one of the houses opposite, stating that the building is not in keeping with the vicinity. The new roof, is regarded as 'hugely dominating' as from the house immediately opposite across the street, affecting outlook and light, also dominant in the street scene, 'dwarfing everything around it'.

Officer Evaluation

Key Issues:

This is an application for the approval of changes to an already approved development that has been substantially completed, but is not fully in accordance with the approved plans. The key material issues in this case are judged to be:

The visual impact on the form and character of the original dwelling, the dwelling as approved, the street scene and the character and appearance of the village.

Residential amenity

Impact on Form and Character of the original dwelling, the dwelling as approved, the streetscene and the village

There are a variety of building types and densities in this part of the village, and it is considered that the proposal would not be generally out of keeping with or have a detrimental impact on its surroundings. Many of the properties in the village, including the properties in the immediate vicinity of the application site, have seen significant extensions in the past and many are similar in scale to the proposal under consideration here.

It is judged that the development as built is of a significantly better design than the original dwelling, as it was in 2006, and that approved in 2006. Though large in scale in overall terms and in relation to the original cottage, the extensions are to the rear and though they can be seen from the side close too they do not appear out of keeping with the local street scene.

The extensions and alterations being applied for have been built, but not in accordance with the details shown on the plans approved in 2006. It should be noted that those approved plans were of a poor standard and somewhat sketchy. The overall impact of the dwelling as extended, compared with that approved, on the form and character of the area are, as just stated, considered to be generally positive. The elevations and outline are more balanced than the original dwelling and that approved in 2006, whilst it is considered that the increased height is marginal in terms of any visual impact beyond the very immediate environs, where it is considered to be an issue of residential amenity rather than visual impact as such.

The elevations and particularly the openings are considered to be an improvement in design terms to those on the original dwelling and the design approved in 2006; the overall effect is one of better balance aesthetically and better, more traditional detailing.

It is considered, on design and visual impact grounds, that the proposal is in accordance with the relevant policies of the Core Strategy (EN1) and Regional Plan (Policy 2) and guidance in PPS1.

Residential Amenity

Concerns were raised in connection with 2006 application about potential overbearing impact and loss of light, particularly in relation to the adjoining property, No. 20 Main Street, Gelston. Now that the extensions have been substantially constructed, it is possible to make a direct assessment of its impact.

It is considered that though the west elevation next to No. 20 has two dormer windows facing the west elevation of the application dwelling the impacts of the proposal relative to the design approved in 2006 are not significantly different and the ground floor windows and rooflight do not result in additional adverse impacts on the privacy of the occupants of the next-door property. It is noted that the rear part of No. 20 are additions to the original cottage and that the dormer windows overlooked the rear of the back garden behind the original cottage on the application site.

In terms of overshadowing and overbearing effects, the space between the two dwellings is occupied in part by the access way to No. 20 and in part by a single storey extension on that property. Thus levels, although the roof height of the built dwelling is about a metre higher than that approved the impacts are not judged to be materially greater to any significant degree. The occupants of the most affected property (No. 20) have responded to publicity by submitting a letter indicating that they do not object to the development.

The concerns of one of the neighbours occupying a property across the street are material in terms of impacts on the residential amenity enjoyed by their property. However, it is considered that, by virtue of the distance between the front, street facing, elevations of the two properties (around 25 metres), the increase in height and massing relative to the front elevation approved in 2006 is not significant and does not adversely impact visually and in terms of overshadowing and overbearing effects on the amenities afforded to the objectors property or those of the other two properties across the street from the application. It is noted that the occupants of one of these dwellings considers the proposal to be acceptable.

Thus in terms of residential amenity the proposal is considered to accord with relevant local and national policies and guidance.

Crime and Disorder Implications

The application will not raise any significant issues.

Human Rights Implications

Articles 6 (Right to fair decision making) and Article 8 (Right to private family life and home) of the Human Rights Act have been taken into account in making this recommendation.

It is considered that no relevant Article of that act will be breached.

SUMMARY OF REASON(S) FOR APPROVAL

The proposal is in accordance with national and local policies as set out in Planning Policy Statement 1, Policy 2 of the East Midlands Regional Plan and Policy EN1 of the South Kesteven Core Strategy. The issues relating to design, visual impact, impact on residential amenity, materials 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 commenced before the expiration of three years from the date of this permission.

Reason: To comply with Section 91 (as amended) of the Town and Country Planning Act 1990.

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.

Reason: To safeguard the amenities of the occupiers of nearby properties and in accordance with the guidance contained in national Planning Policy Statement PPS1.

3. 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.

Reason: To ensure a satisfactory appearance to the development and in accordance with Policy EN1 of the adopted South Kesteven Core Strategy (July 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.

* * * * *

Agenda Item 6

AGENDA ITEM

Report No: PLA. 873

DEVELOPMENT CONTROL COMMITTEE

01 MARCH 2011

REPORT BY ACTING LEAD PROFESSIONAL DEVELOPMENT CONTROL

Information relating to development control and other planning activity

TABLE 1 Applications not determined within statutory period

This table, broken down into Major applications and Others, lists those applications that have not been determined within the recommended 13 week (for Majors) or 8 week (for Others) time period. These applications are listed by application number stating a brief reason for the decision not being made.

Applications outstanding (at the date the report was compiled) = 49

TABLE 2 Applications dealt with under delegated powers from 17 January – 11 February 2011

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 27 October 2006).

TABLE 3A Outstanding Planning Appeals TABLE 3B Appeal Decisions with Summary

This table lists outstanding appeals together with newly submitted appeals and recent decisions accompanied by a summary.

DEVELOPMENT SERVICES
DEVELOPMENT CONTROL

Applications not determined within the statutory period

Report No: 03/2011
Date Prepared: 11 February 2011
No of applications over 8 weeks: 49

MAJOR APPLICATIONS
(13 weeks)

S06/1151/MJNF/JJ

Date received:
08-Aug-2006
No of days: 1648

Wm Morrison Supermarkets plc

Construction of non food retail & leisure development
Former Mirlees Blackstone Site, Uffington Road, Stamford
Reason for non-determination:
Awaiting amended plans from applicant to omit part of original proposal

S07/1267/MJRF/KJC

Date received:
13-Sep-2007
No of days: 1247

Able Homes Ltd

Demolition of existing dwelling and erection of 10 detached dwellings
53 And R/o 45-59 (incl), Harrowby Lane, Grantham
Reason for non-determination:
Lead Professional to approve in consultation with Chairman/Vice Chairman subject to S106 agreement

S08/0780/MJRF/NB

Date received:
17-Sep-2008
No of days: 877

Mr T Robinson, G S Robinson (Builders)

Residential development - 14 dwellings & associated parking
Land Off Stephens Way, Deeping St. James
Reason for non-determination:
Lead Professional to approve in consultation with Chairman/Vice Chairman subject to S106 agreement

S08/1231/EIAOL/PG

Date received:
30-Jun-2009
No of days: 591

Outline permission for residential, community facilities, public open space, sports pitch, railway bridge, roads and ancillary works
Poplar Farm, Barrowby Road, Grantham, NG31 8AF
Reason for non-determination:
Lead Professional to approve in consultation with Chairman/Vice Chairman subject to S106 agreement

S09/1671/MJRO/RV

Date received:
16-Nov-2009
No of days: 452

Mr C G Richardson

Outline: Erection of 8 houses, 6 apartments with 33 ancillary parking spaces.
Bourne Auction Rooms, Spalding Road, Bourne, PE10 9LE
Reason for non-determination:
Lead Professional to approve in consultation with Chairman/Vice Chairman subject to S106 agreement

S10/1038/MJRO/KJC

Date received:
17-May-2010
No of days: 270

Springfield Park Property &, Kimberley Developments

Outline application for residential development
Springfield Park, Caunt Road, Grantham, NG31 7BG
Reason for non-determination:
Lead Professional to approve in consultation with
Chairman/Vice Chairman subject to S106 agreement

S10/1283/MJRO/KJC

Date received:
24-Jun-2010
No of days: 232

Mr B Herrod - Planning Manager, Bovis Homes Ltd

Application Order Section 73 of the Town and Country
Planning Act for residential development (to not comply with
Condition 8 of application S05/0220/35 relating to affordable
housing)
Former Impress Factory site, Springfield Park, Grantham
Reason for non-determination:
Lead Professional to approve in consultation with
Chairman/Vice Chairman subject to S106 agreement

S10/2176/MJRF/KJC

Date received:
19-Oct-2010
No of days: 115

Ablehomes Ltd

Residential Development (21 dwellings)
Elm Farm, Lilley Street, Long Bennington, Newark, NG23 5EJ
Reason for non-determination:
Ongoing negotiations – amendments to layout

<p>ALL OTHER APPLICATIONS (8 weeks)</p>
--

S07/0818/OUT/IVW

Date received:
12-Jun-2007
No of days: 1340

Dr D Burston

Erection of Community Health Centre
The Old Quarry, Castle Bytham
Reason for non-determination:
Lead Professional to approve in consultation with
Chairman/Vice Chairman subject to S106 agreement

S09/1675/FULL/FF

Date received:
13-Aug-2010
No of days: 182

Mr Andrew Beale, Gonerby Grange Farm

Change of Use from agriculture to mixed use comprising
agriculture and storage of commercial vehicles including the
formation of bunding and erection of 2.0m wire mesh fencing
and gates
Gonerby Grange, Belton, Grantham, NG32 2NX
Reason for non-determination:
Awaiting determination

S09/2409/FULL/NB

Date received:
15-Oct-2009
No of days: 484

Mr T Robinson, G S Robinson (Builders) Ltd

Residential development (7 dwellings)
Land Off Stephens Way, Deeping St. James
Reason for non-determination:
Lead Professional to approve in consultation with
Chairman/Vice Chairman subject to S106 agreement

S09/2827/FULL/JJ

Date received:
27-Nov-2009
No of days: 441

Mr C Riddle

Extension to existing dwelling, change of use and extension to existing barns to form dwelling and erection of dwelling
47, East End, Langtoft, Peterborough, Lincolnshire, PE6 9LP
Reason for non-determination:
Awaiting consultation from District Valuer and additional financial appraisal from applicant

S09/2829/LB/JJ

Date received:
27-Nov-2009
No of days: 441

Mr C Riddle

Extension and alterations of farmhouse, conversion and extension and re-build of barn and dovecote
47, East End, Langtoft, Peterborough, Lincolnshire, PE6 9LP
Reason for non-determination:
Awaiting consultation from District Valuer and additional financial appraisal from applicant

S10/0256/FULL/IVW

Date received:
09-Feb-2010
No of days: 367

Mr J Thorold

Use of Marston Hall for civil weddings, entertainment receptions, guided tours, conferences and use of adjacent land for event car parking
Marston Hall, School Lane, Marston, Grantham, NG322HQ
Reason for non-determination:
Deferred pending outcome of applicant's discussions with the Highway Authority

S10/0857/FULL/NB

Date received:
03-Jun-2010
No of days: 253

Mr A F Martin

Siting of temporary mobile home for agricultural worker
Meadow Farm, King Street, West Deeping, Peterborough, PE6 9JE
Reason for non-determination:
Awaiting info from agent

S10/0962/FULL/PL

Date received:
13-Apr-2010
No of days: 304

Mr Robert Cunniffe

Change of use of area 1 into garden and change of use of areas 2, 3 & 4 to recreational equine land
Land adjacent to Orchard House, Woolsthorpe Road, Woolsthorpe By Colsterworth, Grantham, NG335NT
Reason for non-determination:
Awaiting additional info

S10/1364/FULL/PL

Date received:
08-Jun-2010
No of days: 248

Mr Stewart Thorpe, S T A S Ltd

Erection of one dwelling
Ryland Grange Farm, Fulbeck Heath, Grantham, NG32 3HJ
Reason for non-determination:
Awaiting additional info

S10/1388/HSH/FF

Date received:
14-Jun-2010
No of days: 242

Miss H Robertshaw

Extensions and alterations to dwelling and alterations to garage/store and installation of solar PV panels (amendments to S07/0378)
7, Broad Street, Grantham, Lincolnshire, NG31 8AP
Reason for non-determination:
Awaiting determination

S10/1582/FULL/NB

Date received:
15-Jul-2010
No of days: 211

David Pennell, Burghley House Preservation Trust

Conversion and extension of outbuildings to form dwelling
43A, High Street, St Martins, Stamford, Lincolnshire, PE9 2LP
Reason for non-determination:
Awaiting info from agent

S10/1583/LB/NB

Date received:
15-Jul-2010
No of days: 211

David Pennell, Burghley House Preservation Trust

Alteration and extension to listed building
43A, High Street, Stamford, Lincolnshire, PE9 2LP
Reason for non-determination:
Awaiting inform from agent

S10/1613/OUT/PL

Date received:
15-Jul-2010
No of days: 211

Rev C Martin, The Methodist Church

Outline - residential development (4)
High Street, Billingborough
Reason for non-determination:
Awaiting additional info

S10/1668/FULL/NB

Date received:
17-Aug-2010
No of days: 178

Mr G Day

Erection of dwelling and detached garage
Church Farm, 3, Church Street, Corby Glen, Grantham, Lincolnshire, NG33 4NJ
Reason for non-determination:
Awaiting amended plans

S10/1732/FULL/JJ

Date received:
30-Jul-2010
No of days: 196

Mike Sibthorp Planning

Demolition of existing dwelling and erection of two 2 1/2 storey dwellings
6, Fox Dale, Stamford, Lincolnshire, PE9 2UZ
Reason for non-determination:
Appeal against non-determination

S10/1776/LB/TF

Date received:
15-Sep-2010
No of days: 149

Sir S Benton Jones

Partial demolition of listed building and erection of two single storey side extensions and front canopy to pool house
Irnham Hall, Corby Road, Irnham, Grantham, Lincolnshire, NG33 4JD
Reason for non-determination:
Awaiting highways comments on additional info

S10/1800/ADV/PL

Date received:
05-Aug-2010
No of days: 190

Mrs G Noon, Great Gonerby Parish Council

Erection of direction sign to cemetery
Land At Belton Lane, Opposite Covill Close, Great Gonerby,
Grantham

Reason for non-determination:

Sign to be located

S10/1805/FULL/KJC

Date received:
13-Oct-2010
No of days: 121

Mr S Turner, Grantham Roofing Services Ltd

Residential Development for the creation of nine flats
including demolition of the existing building
20b, Swinegate, Grantham, NG316RJ

Reason for non-determination:

Ongoing discussions re parking requirements

S10/1853/FULL/TF

Date received:
15-Sep-2010
No of days: 149

Sir Simon Benton Jones

Partial demolition of listed building, extensions to pool house
and change of use to events use
Irnham Hall, Corby Road, Irnham, Grantham, Lincolnshire,
NG33 4JD

Reason for non-determination:

Awaiting highways comments on additional info

S10/1978/FULL/JJ

Date received:
01-Oct-2010
No of days: 133

Mr S Fox, Alston Homes

Conversion, alteration and extension of barns to create 5
dwellings; erection of 2 dwellings and car port and shed,
erection of 3m earth bund
Towngate House Farm, Towngate West, Market Deeping

Reason for non-determination:

Awaiting amended plans to address conservation concerns

S10/2002/FULL/RV

Date received:
31-Aug-2010
No of days: 164

Mrs N Jacobs *, Bourne Town Council

Change of use from residential land to cemetery and 14 space
car parking area

Land Rear Of, 41-45, South Road, Bourne

Reason for non-determination:

Awaiting determination

S10/2015/LB/JJ

Date received:
01-Oct-2010
No of days: 133

Mr S Fox, Alston Homes

Conversion, alteration and extension of listed building
Towngate House Farm, Towngate West, Market Deeping

Reason for non-determination:

Awaiting amended plans to address conservation concerns

S10/2020/FULL/JJ

Date received:
03-Sep-2010
No of days: 161

Mr C Riddle

Extension to existing dwelling, change of use and extension to
existing barns to form dwelling and erection of 3 dwellings
47, East End, Langtoft, Peterborough, Lincolnshire, PE6 9LP

Reason for non-determination:

Awaiting consultation from District Valuer and additional
financial appraisal from applicant

S10/2021/LB/JJ

Date received:
03-Sep-2010
No of days: 161

Mr C Riddle

Extension and alterations of farmhouse, conversion and extension and rebuild of barn and dovecote
47, East End, Langtoft, Peterborough, Lincolnshire, PE6 9LP
Reason for non-determination:
Awaiting consultation from District Valuer and additional financial appraisal from applicant

S10/2134/HSH/FF

Date received:
20-Sep-2010
No of days: 144

Mr J Shimel

Two storey rear extension to dwelling
56, Eastgate, Deeping St James, Peterborough, Lincolnshire, PE6 8HJ
Reason for non-determination:
Awaiting amended drawings, if not received within 7 days application will be refused

S10/2140/LB/IVW

Date received:
11-Oct-2010
No of days: 123

Mrs M Traynor

Alteration of listed building
Rose Cottage, 7, Corby Road, Swayfield, Grantham, Lincolnshire, NG33 4LQ
Reason for non-determination:
Awaiting amended drawings

S10/2142/FULL/TF

Date received:
01-Oct-2010
No of days: 133

Invicta Developments Ltd

Demolish existing walls & carports to form new vehicular access and erection of 11 garages
Land Off Albert Street, Grantham
Reason for non-determination:
Consultations being undertaken on amended plans

S10/2181/FULL/FF

Date received:
01-Oct-2010
No of days: 133

George Bowman & Son Ltd

Provision of hard standing for outside seating area
The Fighting Cocks, 13, Market Place, Corby Glen, Grantham, Lincolnshire, NG33 4NH
Reason for non-determination:
Awaiting determination

S10/2185/FULL/TF

Date received:
23-Sep-2010
No of days: 141

Daltons Solicitors

Demolition of existing dwelling and erection of 2 pairs of semi-detached dwellings
St Nicholas, Priory Road, Stamford, Lincolnshire, PE9 2EU
Reason for non-determination:
Withdrawal expected

S10/2200/LDE/TF

Date received:
23-Sep-2010
No of days: 141

Mr D T Copland

Lawful Development Certificate (LDC) for existing builders yard use
171, Eastgate, Deeping St James, Peterborough, Lincolnshire, PE6 8RB
Reason for non-determination:
Amendments negotiated , awaiting formal submission

S10/2224/FULL/PL

Date received:
01-Oct-2010
No of days: 133

Mr R Potts

Erection of 1.5 storey office building (B1)
46, Main Road, Long Bennington, Newark, NG23 5DJ
Reason for non-determination:
Awaiting consultation response

S10/2555/FULL/PJM

Date received:
12-Nov-2010
No of days: 91

Delwood Properties

Change of Use of residential care home and staff
accommodation to house of multiple occupation
98, Bridge End Road, Grantham, NG317ES
Reason for non-determination:
Awaiting draft S106 agreement

S10/2674/FULL/JJ

Date received:
24-Nov-2010
No of days: 79

Mr P Taylor, Victus Developments

Substitution of house types to plots 5 and 6 of application
S07/0894
47, Main Road, Dyke, Bourne, Lincolnshire, PE10 0AF
Reason for non-determination:
Awaiting amended plans

S10/2685/FULL/PJM

Date received:
29-Nov-2010
No of days: 74

Mrs L Summers

Construction of menage
April Cottage, Aisby, Grantham, NG323NF
Reason for non-determination:
Awaiting additional info

S10/2711/NMA/JJ

Date received:
26-Nov-2010
No of days: 77

Victus Developments

Non material amendment to provide garage doors to car barn
at Plot 1 of application S07/0894
47, Main Road, Dyke, Bourne, Lincolnshire, PE10 0AF
Reason for non-determination:
Awaiting amended plans

S10/2755/FULL/JST

Date received:
08-Dec-2010
No of days: 65

Mr S W Rodgers

Change of use from snooker hall (D2) to Freemasons Lodge &
erection of canopy/porch
1 & 2, Roman Bank, Bourne
Reason for non-determination:
Discussions ongoing

S10/2802/FULL/PL

Date received:
12-Dec-2010
No of days: 61

Mr Richard Potts

Erection of one and half storey office building (B1)
R/o 46 Main Road, Long Bennington, Newark, NG235DJ
Reason for non-determination:
Awaiting consultation response

S10/2826/LB/PJM

Date received:
13-Dec-2010
No of days: 60

Mr Alexander Gordon, National Trust

Installation of internal secondary glazing to office, wc and bedroom windows
Estate Office and House Managers Flat, Belton House,
Belton, Grantham, NG32 2LS
Reason for non-determination:
Awaiting conservation comments

S10/2829/HSH/LDPP

Date received:
15-Dec-2010
No of days: 58

Mr & Mrs C J S Maughan

Extensions to dwelling
The Gabled House, Green Lane, Aisby, Grantham,
Lincolnshire, NG32 3NF
Reason for non-determination:
Awaiting determination

S10/2909/HSH/PWM

Date received:
10-Dec-2010
No of days: 63

Mr Gary Twelvetree

Detached double garage and log store
The Stables, Stainby Road, Colsterworth, Grantham, NG33
5JB
Reason for non-determination:
To be determined by 3 March 2011

S11/0117/HSH/RV

Date received:
28-Jan-2010
No of days: 379

Mr & Mrs P Owen

Extension to east gable and to the front (north) elevation of the existing dwelling
8, Elton Close, Stamford, Lincolnshire, PE9 2UL
Reason for non-determination:
Awaiting determination

**APPLICATIONS DECIDED UNDER DELEGATED POWERS
FROM 17 JANUARY – 11 FEBRUARY 2011**

S09/2357/DC

Applicant: Mr Anthony Critchley
Proposal: Approval of details required by Condition 4 (surface water drainage) of S09/1428
Location: Hookcliff Farm, East Of Newark Hill, Great Gonerby
Decision: Approved - 26 January 2011

S10/1204/MJRF

Applicant: Mr B Corr
Proposal: Demolition of existing garage depot and erection of 11 town houses (Extension to time for implementation of planning permission S06/1206)
Location: Fossitt & Thorne, Eastgate, Bourne, PE109LB
Decision: Approved conditionally - 27 January 2011

S10/1444/MJRF

Applicant: Mr J Strowbridge, Avery Homes Grantham Ltd
Proposal: Application under Section 73 of the Town and County Planning Act for a 65 bed nursing home to vary Conditions 9 and 10 of Planning Permission S07/1365 to provide 3no. additional parking spaces
Location: 37, Beacon Lane, Grantham, NG319DN
Decision: Approved conditionally - 27 January 2011

S10/1533/FULL

Applicant: Mr Vito Cataffo, Ginos Restaurant
Proposal: Change of use from public house to restaurant with flat above with internal and external alterations
Location: 23, Westgate, Grantham, NG316LU
Decision: Approved conditionally - 27 January 2011

S10/1534/LB

Applicant: Mr Vito Cataffo, Ginos Restaurant
Proposal: Internal and external alterations to Listed Building
Location: 23, Westgate, Grantham, NG316LU
Decision: Approved conditionally - 27 January 2011

S10/1538/LB

Applicant: Ms Josefina Martinez-Perez
Proposal: Replacement windows, removal of door, re-pointing and removal of entrance hall
Location: Red House Farm, The Green, Allington, Grantham, NG322EA
Decision: Approved conditionally - 09 February 2011

S10/1735/FULL

Applicant: Mrs J Sherlock, Grantham Investments
Proposal: Change of use from A1 to A3 (food & drink) and A4 (public house)
Location: 12, Westgate, Grantham, NG31 6LT
Decision: Withdrawn - 26 January 2011

S10/1807/ADV

Applicant: Mr Vito Cataffo, Ginos Restaurant
Proposal: Display of advertisements
Location: 23, Westgate, Grantham, Lincolnshire, NG31 6LU
Decision: Withdrawn - 25 January 2011

S10/1965/LB

Applicant: Miss Sophie Brown
Proposal: Internal and external alterations to dwelling
Location: The Nook, 15, Chapel Lane, Claypole, Newark, NG23 5BB
Decision: Approved conditionally - 09 February 2011

S10/1972/HSH

Applicant: Mr & Mrs D Mathieson
Proposal: Extension and alterations to dwelling
Location: Keepers Cottage, Sand Lane, Marston, Grantham, NG32 2HX
Decision: Approved conditionally - 10 February 2011

S10/2190/HSH

Applicant: Mr B Collin
Proposal: Removal of outbuildings to rear and erection of rear extensions, replacement porch, replacement roof to dormer, demolition and rebuild store, erection of detached garage/carport and loose boxes
Location: Kirk Cottage, 229, Main Street, Welby, Grantham, NG32 3LT
Decision: Approved conditionally - 27 January 2011

S10/2198/FULL

Applicant: Mr Tim Gadsby
Proposal: Extension to outbuilding to create a dwelling
Location: The Malting House, Church Street, Barrowby, Grantham, NG32 1BX
Decision: Refused - 27 January 2011

S10/2210/HSH

Applicant: Ms S L Capon
Proposal: Extension to dwelling and alterations
Location: Ford End, Gonerby Road, Grantham, NG31 8HU
Decision: Approved conditionally - 26 January 2011

S10/2223/HSH

Applicant: Mr M Taylor
Proposal: Erection of front extension to dwelling
Location: 41, Allen Close, Deeping St James, Peterborough, PE6 8EZ
Decision: Approved conditionally - 20 January 2011

S10/2230/FULL

Applicant: Mr R F Addy
Proposal: Erection of agricultural workers dwelling
Location: Five Acres, Hards Lane, Frognall, Peterborough,
Lincolnshire, PE6 8RP
Decision: Refused - 10 February 2011

S10/2235/HSH

Applicant: Miss J Britten
Proposal: Single storey extension to the rear and side of the dwelling
Location: 27, Emmanuel Road, Stamford, Lincolnshire, PE9 1JE
Decision: Approved conditionally - 02 February 2011

S10/2262/DC

Applicant: G A Rigby, Rigby & Partners
Proposal: Submission of details in relation to Condition 5 (Surface
Water Drainage Scheme) of planning permission S10/1307
Location: Brakes, Palmer Road, Gonerby Moor, Grantham, NG32
2BW
Decision: Approved - 26 January 2011

S10/2305/HSH

Applicant: Mrs T Britton
Proposal: Erection of 2 storey side/rear extension and single storey
rear extension to dwelling
Location: 1, Barholm, Stamford, PE9 4RA
Decision: Approved conditionally - 18 January 2011

S10/2306/FULL

Applicant: Mr B Taylor
Proposal: Formation of vehicular access
Location: Bunkers Hill Farmhouse, 54, Bourne Road, Morton, Bourne,
PE10 0RN
Decision: Approved conditionally - 18 January 2011

S10/2315/HSH

Applicant: Mr Kevin Lawry
Proposal: Single storey extensions to two sides of bungalow, internal
& external alterations and erection of double garage
Location: 5, Pond Street, Harlaxton, Grantham, NG32 1HW
Decision: Approved conditionally - 18 January 2011

S10/2323/HSH

Applicant: Ms V Smart
Proposal: Replacement front porch
Location: 1, Church Street, South Witham, Grantham, NG33 5PJ
Decision: Approved conditionally - 26 January 2011

S10/2332/HSH

Applicant: Mr & Mrs Odell
Proposal: Single storey front extension
Location: 32, Croft Drive, Grantham, NG31 9EB
Decision: Approved conditionally - 26 January 2011

S10/2336/FULL

Applicant: Mr Stephen T Jackson, TRH Jackson & Partners
Proposal: Retention of mobile caravan to be used as holiday accommodation
Location: Mill Farm, Dallygate, Great Ponton, Grantham, NG33 5DP
Decision: Refused - 09 February 2011

S10/2345/LB

Applicant: Mr Michael Watson
Proposal: Alteration of listed building
Location: Lordship House, Main Street, Welby, Grantham, Lincolnshire, NG32 3LP
Decision: Approved conditionally - 08 February 2011

S10/2353/DC

Applicant: Mr Tom Reeve
Proposal: Approval of details of conditions 4 (materials), 5 (surface and foul water), 6 (landscaping), 8 (boundary treatments) and 10 (ecological survey) of permission S10/0795
Location: Glen Farm, Main Street, Greatford, Stamford, Lincolnshire, PE9 4QA
Decision: Approved - 28 January 2011

S10/2355/ADV

Applicant: Carl Holmes, Vodafone UK
Proposal: Erection of lettering and hanging sign
Location: 7, High Street, Stamford, Lincolnshire, PE9 2AL
Decision: Split decision - 24 January 2011

S10/2356/LB

Applicant: Carl Holmes, Vodafone UK
Proposal: Alterations to listed building (erection of lettering and hanging sign)
Location: 7, High Street, Stamford, Lincolnshire, PE9 2AL
Decision: Refused - 24 January 2011

S10/2377/HSH

Applicant: Mr Dean Gibbons
Proposal: Replace flat roof with pitched roof and rear dormer extension
Location: 4, Pointon Fen, Pointon, Sleaford, NG34 0LF
Decision: Approved conditionally - 26 January 2011

S10/2379/LB

Applicant: Mr & Mrs N Merricks
Proposal: Alteration of listed building
Location: 110, Station Street, Rippingale, Bourne, Lincolnshire, PE10 0TA
Decision: Approved conditionally - 08 February 2011

S10/2392/HSH

Applicant: Mr Roger Norman
Proposal: Two storey rear extension to dwelling
Location: Cherry Cottage, 81, Main Street, Claypole, Newark, NG235BA
Decision: Approved conditionally - 03 February 2011

S10/2415/FULL

Applicant: McDonalds Restaurant Ltd
Proposal: Extensions/alterations to drive through restaurant
Location: McDonalds Restaurants Ltd, Bridge End Road, Grantham, NG31 7ES
Decision: Approved conditionally - 27 January 2011

S10/2416/ADV

Applicant: McDonalds Restaurant Ltd
Proposal: Replacement signage
Location: McDonalds Restaurants Ltd, Bridge End Road, Grantham, NG31 7ES
Decision: Approved conditionally - 02 February 2011

S10/2429/ADV

Applicant: McDonalds Restaurant Ltd
Proposal: Ten freestanding signs (various sizes) within curtilage of drive through restaurant
Location: McDonalds Restaurants Ltd, Bridge End Road, Grantham, NG31 7ES
Decision: Split decision - 10 February 2011

S10/2444/HSH

Applicant: Mr James Ward
Proposal: Erection of summer house and canopy porch to front elevation
Location: The Manor Cottage, 16, Newton Way, Woolsthorpe By Colsterworth, Grantham, NG33 5NR
Decision: Approved conditionally - 26 January 2011

S10/2477/FULL

Applicant: Mr N Smith
Proposal: Retention of workshop
Location: Sunnyside Cottage, Edenham Road, Lound, Bourne, Lincolnshire, PE10 0LJ
Decision: Withdrawn - 19 January 2011

S10/2483/FULL

Applicant: Mr David Wright
Proposal: Erection of 4 bedroom detached house and single garage
Location: R/o 55 Woolsthorpe Road, Woolsthorpe By Colsterworth
Decision: Withdrawn - 25 January 2011

S10/2486/HSH

Applicant: Mr J Riley
Proposal: Two storey extension to side and single storey extension to the rear
Location: 36, Edinburgh Road, Grantham, Lincolnshire, NG31 9QZ
Decision: Approved conditionally - 24 January 2011

S10/2564/TPO

Applicant: Mr John Morris
Proposal: Works to four horse chestnut trees
Location: 23, Main Road, Long Bennington, Newark, NG23 5DJ
Decision: TC&P - Work allowed - 03 February 2011

S10/2585/DC

Applicant: Mr Mick Jones
Proposal: Approval of details reserved by condition 3 (materials) of p/p S10/1269
Location: Adjacent The Knoll, Bridge End, Colsterworth, Grantham, NG33 5NZ
Decision: Approved - 26 January 2011

S10/2593/FULL

Applicant: Mr M Bailey
Proposal: Erection of dwelling
Location: R/o 62 & 64 Manthorpe Road, Grantham, NG31 8DN
Decision: Refused - 03 February 2011

S10/2597/FULL

Applicant: PM Wagstaff Ltd
Proposal: Erection of 4 dwellings
Location: Sparrow Lane, Long Bennington, Newark, Notts, NG23 5DL
Decision: Withdrawn - 27 January 2011

S10/2604/HSH

Applicant: Mr K Reid
Proposal: Single storey rear extension to provide new kitchen and sun lounge area
Location: 30, Highlands Way, Stamford, Lincolnshire, PE9 2XH
Decision: Approved conditionally - 08 February 2011

S10/2647/HSH

Applicant: Mrs A Billington
Proposal: Single storey extension
Location: Meadow Cottage, Melancholy Walk, Stamford, Lincolnshire, PE9 2QL
Decision: Approved conditionally - 08 February 2011

S10/2651/FULL

Applicant: Mr K Ford
Proposal: Erection of 1 dwelling
Location: 27, Easthorpe Road, Great Gonerby, NG31 8LZ
Decision: Approved conditionally - 26 January 2011

S10/2665/FULL

Applicant: Anglia Regional Co-operative Society
Proposal: External alterations to retail unit
Location: Plot 1, Manning Road Industrial Estate, Manning Road, Bourne, Lincolnshire, PE10 9HW
Decision: Approved conditionally - 03 February 2011

S10/2677/ADV

Applicant: Barclays Bank plc
Proposal: 1 no fascia sign (non-illuminated) and 1 no hanging sign (non-illuminated), ATM surround and information plate
Location: 46, Broad Street, Stamford, Lincolnshire, PE9 1PZ
Decision: Approved conditionally - 27 January 2011

S10/2679/HSH

Applicant: Mr R Bull
Proposal: Single storey side and rear extension; first floor rear extension
Location: 46, Towning Close, Deeping St James, Peterborough, Lincolnshire, PE6 8HR
Decision: Approved conditionally - 21 January 2011

S10/2690/LB

Applicant: Mr C Crabbe
Proposal: Removal of chimney, insertion of 3 rooflights, replace door with window
Location: Baston House, 59, Main Street, Baston, Peterborough, Lincolnshire, PE6 9PB
Decision: Approved conditionally - 20 January 2011

S10/2691/TCA

Applicant: Horizon Landscapes Ltd
Proposal: Pollarding six lime trees in Conservation Area
Location: R/o Spitalgate House, 12, London Road, Grantham, NG31 6EJ
Decision: TC&P - Work allowed - 27 January 2011

S10/2694/FULL

Applicant: Seagate Homes Limited
Proposal: Erection of 2 dwellings
Location: 2, The Grove, Hanthorpe, Bourne, Lincolnshire, PE10 0RD
Decision: Approved conditionally - 28 January 2011

S10/2697/FULL

Applicant: Mr S Stubbley
Proposal: Erection of two dwellings and office building
Location: 68 & 70, North Street, Bourne, Lincolnshire, PE10 9AJ
Decision: Approved conditionally - 21 January 2011

S10/2698/CAC

Applicant: Mr S Stubbley
Proposal: Demolition (partial) of 68 & 70 North Street (including outbuildings)
Location: 68 & 70, North Street, Bourne, Lincolnshire, PE10 9AJ
Decision: Approved conditionally - 21 January 2011

S10/2710/HSH

Applicant: Mrs Mould
Proposal: Single storey rear extension and recladding of timber infill panels
Location: 2, Rectory Lane, Harlaxton, Grantham, NG321HD
Decision: Approved conditionally - 17 January 2011

S10/2716/FULL

Applicant: Mr C Crabbe
Proposal: Conversion of first floor to stables and garage to self contained annex and provision of 3 rooflights
Location: Baston House, 59, Main Street, Baston, Peterborough, Lincolnshire, PE6 9PB
Decision: Approved conditionally - 08 February 2011

S10/2720/HSH

Applicant: Mr Simon Pestell
Proposal: Erection of conservatory
Location: 44, Kedleston Road, Grantham, Lincolnshire, NG31 7FG
Decision: Approved conditionally - 10 February 2011

S10/2730/LB

Applicant: Mr A Graham
Proposal: Alteration of listed building
Location: 18, Halfleet, Market Deeping, Peterborough, PE6 8DB
Decision: Approved conditionally - 04 February 2011

S10/2733/FULL

Applicant: Mr A Colburn, Ropsley Farms Ltd
Proposal: Conversion of east wing of of courtyard barns into farm office
Location: North Lodge, Long Lane, Ropsley, Grantham, Lincolnshire, NG33 4AT
Decision: Approved conditionally - 10 February 2011

S10/2740/HSH

Applicant: Mr & Mrs M Austin
Proposal: Two storey rear extension and alterations to garage
Location: 22, Station Road, Thurlby, Bourne, Lincolnshire, PE10 0JA
Decision: Approved conditionally - 27 January 2011

S10/2741/ADV

Applicant: Barclays Bank plc
Proposal: Non illuminated signage, replacement ATM surround and name plate
Location: 27, Market Place, Market Deeping, Peterborough, Lincolnshire, PE6 8EA
Decision: Approved - 27 January 2011

S10/2743/DC

Applicant: Jon Gibbison, Hereward Homes Limited
Proposal: Approval of details of conditions 4 (archaeology), 5 (joinery) & 6 (materials) required by S10/0701
Location: R/o 4, St. Pauls Street, Stamford
Decision: Approved - 27 January 2011

S10/2747/FULL

Applicant: Mr V B Patel
Proposal: Change of use of building to B8 (storage & distribution)
Location: Trent House, Venture Way, Grantham, NG317XS
Decision: Approved conditionally - 10 February 2011

S10/2750/FULL

Applicant: Barclays Bank plc
Proposal: Installation of CCTV camera, external security light & replacement ATM surround
Location: 27, Market Place, Market Deeping, Peterborough, Lincolnshire, PE6 8EA
Decision: Approved conditionally - 27 January 2011

S10/2752/LB

Applicant: Barclays Bank plc
Proposal: Alteration of listed building (signage and internal alterations)
Location: 27, Market Place, Market Deeping, Peterborough,
Lincolnshire, PE6 8EA
Decision: Approved conditionally - 27 January 2011

S10/2757/FULL

Applicant: Heather Denny, Claypole Playgroup
Proposal: Change of use of land to community play area
Location: Village Hall, Main Street, Claypole, Newark, Lincolnshire,
NG23 5BA
Decision: Approved conditionally - 21 January 2011

S10/2758/HSH

Applicant: Mr David Wright
Proposal: Construction of new access
Location: 55, Woolsthorpe Road, Woolsthorpe By Colsterworth,
Grantham, Lincolnshire, NG33 5NU
Decision: Approved conditionally - 28 January 2011

S10/2759/HSH

Applicant: Mr P Perring
Proposal: Erection of two storey side extension, single storey rear
extension, front porch and dormer windows to dwelling
Location: 43, Haconby Lane, Morton, Bourne, Lincolnshire, PE10
0NP
Decision: Approved conditionally - 08 February 2011

S10/2767/FULL

Applicant: Deeping St James United Charities
Proposal: Creation of vehicular access
Location: 21, Church Street, Deeping St James, Peterborough,
Lincolnshire, PE6 8HF
Decision: Refused - 02 February 2011

S10/2768/FULL

Applicant: Deeping St James United Charities
Proposal: Creation of vehicular access
Location: 19, Church Street, Deeping St James, Peterborough,
Lincolnshire, PE6 8HF
Decision: Refused - 02 February 2011

S10/2769/HSH

Applicant: Mr R Strotz
Proposal: Two storey side and single storey front and rear extensions
Location: 18, The Rides, Langtoft, Peterborough, Lincolnshire, PE6
9RR
Decision: Approved conditionally - 20 January 2011

S10/2772/TCA

Applicant: Graham Bingham, Lincolnshire County Council
Proposal: Prune and reshape cherry tree to provide 2m clearance
from 46 Church St
Location: 46, Church Street, Market Deeping, Peterborough,
Lincolnshire, PE6 8AL
Decision: TC&P - Work allowed - 19 January 2011

S10/2773/HSH

Applicant: Mr H Panesar
Proposal: Retention of two storey rear extension
Location: 43, New Beacon Road, Grantham, NG319JS
Decision: Approved conditionally - 03 February 2011

S10/2775/TCA

Applicant: Mr Phil Hallam, Nottingham Community Housing Association
Proposal: Pollard 6 Lime trees
Location: Spittlegate House, 12, London Road, Grantham, Lincolnshire, NG31 6EJ
Decision: TC&P - Work allowed - 20 January 2011

S10/2778/LDE

Applicant: Mr M Van Der Drift
Proposal: Lawful development certificate for existing use of land to be used as residential garden
Location: 5-THE BYRE, Parkers Place, Stainfield Road, Hanthorpe, Bourne, Lincolnshire, PE10 0FB
Decision: Lawful Development - 17 January 2011

S10/2781/FULL

Applicant: Barclays Bank plc
Proposal: Installation of new air conditioning unit, replace existing air conditioning units and installation of CCTV camera, security light and ATM surround to existing ATM
Location: 46, Broad Street, Stamford, Lincolnshire, PE9 1PZ
Decision: Approved conditionally - 28 January 2011

S10/2782/LB

Applicant: Barclays Bank plc
Proposal: Signage and internal/external alterations to listed building
Location: 46, Broad Street, Stamford, Lincolnshire, PE9 1PZ
Decision: Approved conditionally - 28 January 2011

S10/2784/HSH

Applicant: Mrs M O'Callaghan
Proposal: Erection of porch
Location: 11, Dale Road, Grantham, NG318EF
Decision: Approved conditionally - 01 February 2011

S10/2785/HSH

Applicant: Mr Stephen Mason
Proposal: Erection of garden room
Location: Wellington House, Bottom Street, Allington, Grantham, NG322DT
Decision: Approved conditionally - 04 February 2011

S10/2786/TCA

Applicant: Mr K Brumfield- South Kesteven & Sleaford Highways, Lincolnshire County Council
Proposal: Removal of cherry, apple and purple plum trees in Conservation Area
Location: 8, Woodlands Drive, Colsterworth, Grantham, NG33 5NH
Decision: TC&P - Work allowed - 27 January 2011

S10/2792/HSH

Applicant: Mrs M Bompfrey
Proposal: Erection of two storey extension to front
Location: 209, Belton Lane, Grantham, NG319PW
Decision: Approved conditionally - 20 January 2011

S10/2793/FULL

Applicant: Mr Anthony Murphy
Proposal: Erection of dwelling
Location: Land Adjacent To The Hawthorns, Rectory Lane, Barrowby, Grantham, NG32 1BT
Decision: Approved conditionally - 28 January 2011

S10/2796/HSH

Applicant: Mrs K Mik
Proposal: Proposed side and rear extension, rear conservatory and roof alterations
Location: 378, Dysart Road, Grantham, NG317LY
Decision: Approved conditionally - 01 February 2011

S10/2797/LB

Applicant: Ms J Sherlock, Grantham Investments Ltd
Proposal: Replacement doorway and 2 windows to listed building
Location: 2, Westgate, Grantham, Lincolnshire, NG31 6LT
Decision: Refused - 03 February 2011

S10/2801/FULL

Applicant: Mr R Hazelwood
Proposal: Erection of replacement building for use as Restaurant/Cafe (Extension of time limit of S07/1677)
Location: Roman Cafe, Bridge End Road, Grantham, NG323AD
Decision: Approved conditionally - 01 February 2011

S10/2812/NMA

Applicant: NCHA
Proposal: Non-material amendment of S09/2629 to include changes to the windows and materials to gable walls
Location: The Vicarage, Edinburgh Road, Grantham, Lincolnshire, NG31 9QZ
Decision: Approved - 20 January 2011

S10/2823/HSH

Applicant: Mr Derek Copland
Proposal: Installation of new entrance door
Location: 50, Dixons Road, Market Deeping, Peterborough, Lincolnshire, PE6 8AG
Decision: Approved conditionally - 27 January 2011

S10/2824/LB

Applicant: Mr Derek Copland
Proposal: Installation of new entrance door
Location: 50, Dixons Road, Market Deeping, Peterborough, Lincolnshire, PE6 8AG
Decision: Approved conditionally - 27 January 2011

S10/2834/DC

Applicant: Mrs Joanne Donnelly
Proposal: Submission of details in relation to Conditions 3 (drainage), 9 (disposal of manure), 10 (disposal of waste water) & 11 (disposal of cattery waste) of S09/2203
Location: Dairy Farmhouse, Barrowby Vale, Grantham, NG32 1ED
Decision: Approved - 17 January 2011

S10/2838/HS

Applicant: Mr & Mrs Holden
Proposal: Alterations to roof including insertion of dormer windows to front and rear
Location: 3, Doddington Lane, Claypole, Newark, NG235BE
Decision: Refused - 08 February 2011

S10/2839/HS

Applicant: Mr & Mrs L Driver
Proposal: Single storey rear extension
Location: 32, Fen Road, Pointon, Sleaford, Lincolnshire, NG34 0LZ
Decision: Approved conditionally - 10 February 2011

S10/2840/DC

Applicant: Mrs B Thompson
Proposal: Approval of details reserved by condition 2 (details of construction) & 3 (samples of materials) of p/p S08/LB/7040
Location: Bitchfield House, Bitchfield, Grantham, NG334DS
Decision: Approved - 26 January 2011

S10/2843/HS

Applicant: Mr Andy Dunderdale
Proposal: Extension to dwelling
Location: 31, Millfield Crescent, Caythorpe, Grantham, NG32 3HG
Decision: Approved conditionally - 03 February 2011

S10/2846/HS

Applicant: Mr Tony Vaughan
Proposal: Extensions to dwelling
Location: 16, Humby Road, Ropsley, Grantham, NG334BD
Decision: Approved conditionally - 07 February 2011

S10/2851/DC

Applicant: Mr & Mrs M Chlopek
Proposal: Submission of details in relation to Condition 2 (paint finish) of S10/2478
Location: 67, Heathfield Road, Grantham, Lincolnshire, NG31 7NH
Decision: Approved - 17 January 2011

S10/2863/FULL

Applicant: Mel Warren
Proposal: Change of use of barn to habitable use for annexe and demolition of storage building
Location: 87, Main Road, Uffington, Stamford, Lincolnshire, PE9 4SN
Decision: Approved conditionally - 07 February 2011

S10/2867/CAC

Applicant: Mel Warren
Proposal: Demolition of storage building
Location: 87, Main Road, Uffington, Stamford, Lincolnshire, PE9 4SN
Decision: Approved conditionally - 31 January 2011

S10/2875/HSH

Applicant: Mr Henry Wells
Proposal: Demolish existing single storey extensions and erection of two storey side and rear extensions, detached garage and brick piers
Location: Grange Farm, Greatford Road, Uffington, Stamford, Lincolnshire, PE9 4ST
Decision: Approved conditionally - 08 February 2011

S10/2876/FULL

Applicant: South Witham Parish Council
Proposal: Change of use of land to burial ground/cemetery including car park
Location: Land To North Of, Moor Lane, South Witham
Decision: Approved conditionally - 07 February 2011

S10/2882/DC

Applicant: Mr Ronnie Wright
Proposal: Submission of details in relation to Conditions 3 (car parking), 6 (structures) and 9 (access and layout) of S08/1337
Location: Land Off, Maltings Lane, Gonerby Hill Foot, Grantham
Decision: Approved - 20 January 2011

S10/2905/LB

Applicant: Mr Peter Thomas
Proposal: Retention of replacement window/door to listed building
Location: The Manor Barn, Church Lane, Pickworth, Sleaford, NG34 0TF
Decision: Approved - 09 February 2011

S10/2910/NMA

Applicant: Peter Sears
Proposal: Non-material amendment to S09/2936 (addition of doors to garage)
Location: Hill Top Farm, Grantham Road, Croxton Kerrial, Grantham, NG32 1QJ
Decision: Approved - 09 February 2011

S11/0010/ADV

Applicant: Everards Brewery Ltd
Proposal: Display of an illuminated fascia sign, an illuminated projecting sign, an internally illuminated menu box and 3 non-illuminated amenity signs
Location: Crown And Anchor Public House, Main Street, Welby, Grantham, Lincolnshire, NG32 3LP
Decision: Approved conditionally - 31 January 2011

S11/0024/ADV

Applicant: Mr Alex Shearer, Sainsburys Supermarkets Limited
Proposal: Erection and/or replacement of signage
Location: J Sainsbury Plc, Exeter Street, Bourne, Lincolnshire, PE10 9NJ
Decision: Approved - 04 February 2011

S11/0028/TCA

Applicant: David James
Proposal: Fell copper beech (T1), cut back lime (T2) and maple (T3)
Location: Holly Lodge, 8, The Lane, West Deeping, Peterborough,
Lincolnshire, PE6 9HS
Decision: TC&P - Work allowed - 08 February 2011

S11/0033/TCA

Applicant: Mr John Allenby
Proposal: Cut down yew tree to height of holly bush from which it
grows
Location: 50, High Street, Billingborough, Sleaford, NG34 0QB
Decision: TC&P - Work allowed - 08 February 2011

S11/0047/LDP

Applicant: Mr I B Smith
Proposal: Erection of dormer to side elevation
Location: 31, West Road, Bourne, Lincolnshire, PE10 9PS
Decision: Lawful Development - 25 January 2011

S11/0048/DC

Applicant: Andy Lodowski
Proposal: Approval of details of condition 2 (materials) required by
S10/2390
Location: Sewstern Timber Services Ltd, Gunby Road, Sewstern,
Grantham, NG335RD
Decision: Approved - 19 January 2011

S11/0051/FULL

Applicant: Mr M Harrod
Proposal: Extension of time limit to extant planning permission for
material alterations to street facing elevation
Location: Vale House, 2, Kings Mill Lane, Stamford, Lincolnshire, PE9
2QS
Decision: Approved conditionally - 11 February 2011

S11/0052/LB

Applicant: Mr M Harrod
Proposal: Extension of time limit to extant planning permission for
material alterations to street facing elevation
Location: Vale House, 2, Kings Mill Lane, Stamford, Lincolnshire, PE9
2QS
Decision: Approved conditionally - 11 February 2011

S11/0058/NMAH

Applicant: Mrs A Matavuso-Lowe
Proposal: Non material amendment to S09/1475 (change to
fenestration and realignment of conservatory)
Location: The Coach House, 18C, Chapel Street, Billingborough,
Sleaford, NG340QH
Decision: Approved - 07 February 2011

S11/0095/DC

Applicant: Mr Potts
Proposal: Approval of details reserved by condition 3 (materials) of
S10/2083
Location: R/o 20a, Costa Row, Long Bennington, Newark, NG23 5DY
Decision: Approved - 10 February 2011

S11/0108/TCA

Applicant: Mr Christopher Everett
Proposal: Fell sumach in Conservation Area
Location: The Yews, Church Street, Barkston, Grantham, NG32 2NB
Decision: TC&P - Work allowed - 08 February 2011

S11/0119/TCA

Applicant: Mr Coates
Proposal: Prune and thin two apples trees in Conservation Area
Location: White Steps, 34, Low Road, Manthorpe, Grantham, NG31 8NQ
Decision: TC&P - Work allowed - 08 February 2011

S11/0121/TCA

Applicant: Dr M Boutell
Proposal: Removal of two leylandii hedges
Location: Scartrym, Newgate Lane, Londonthorpe, Grantham, NG31 9RY
Decision: TC&P - Work allowed - 08 February 2011

S11/0136/DC

Applicant: Jon Gibbison, Hereward Homes Limited
Proposal: Approval of details of conditions 3 (archaeology), 4 (joinery) and 5 (materials) required by S10/2559
Location: R/o 4, St. Pauls Street, Stamford
Decision: Approved - 27 January 2011

S11/0153/LDP

Applicant: Mr John Woodward
Proposal: Extensions to dwelling (Lawful Development Certificate - Proposed)
Location: 114, Bridge End Road, Grantham, NG317ET
Decision: Lawful Development - 08 February 2011

S11/0223/DC

Applicant: Mr Peter Burrows, Lindpet Properties Limited
Proposal: Approval of details of condition 2 (landscaping) required by S10/2045
Location: Granby Mews, Conduit Lane, Grantham
Decision: Approved - 07 February 2011

S11/0295/S198

Applicant: Dr V J Dighe
Proposal: Removal of horse chestnut tree
Location: 15, Maplewood Close, Grantham, NG31 8GY
Decision: TC&P - Work allowed - 11 February 2011

PLANNING APPEALS 2010/2011 (excluding Enforcements)**NO OF APPEALS DETERMINED (based on Decision Date)**

	2005/06	2006/07	2007/08	2008/09	2009/10	2010/11
LODGED	55	56	39	57	54	29
DISMISSED	52½	37	35	38	32½	21½
ALLOWED	20½	11	14	18	12½	10½
WITHDRAWN	5	5	2	2	2	0
OUTSTANDING	29	32	17	13	16	12

APPEALS OUTSTANDING AT 31 JANUARY 2011

<u>S09/1233/MJRF</u> KJC Richard Edwards, Larkfleet Homes Erection of 29 affordable dwellings and associated infrastructure Land Off Valley Lane, Long Bennington	Public Inquiry	<u>Start Date</u> 29-Oct-2010 <u>Date of H / I</u> 02-Mar-2011	
<u>S09/2490/HSB</u> PL Mr Simon Lewis Erection of 1.8m fence and gates 118, Fifth Avenue, Grantham, NG319TJ	Written Evidence	<u>Start Date</u> 06-May-2010 <u>Date of H / I</u> N/A	
<u>S09/2675/FULL</u> JST Mr M Thurlby, The Crown Hotel Change of use from dwellinghouse (C3) to use as four hotel bedrooms 6, Barn Hill, Stamford, PE9 2AE	Written Evidence	<u>Start Date</u> 18-Jun-2010 <u>Date of H / I</u> N/A	
<u>S10/0034/FULL</u> NB Mrs C Lister Retention of mobile home Langtoft Livery Stables, Cross Road, Langtoft Fen, Peterborough, PE6 9NX	Written Evidence	<u>Start Date</u> 30-Nov-2010 <u>Date of H / I</u> N/A	
<u>S10/0745/FULL</u> JST Mr B Maynard, Stamford Homes Ltd Erection of four dwellings and associated works (Plot substitution 46-49 of application S09/1659) Former Quarry Farm Brickworks, Little Casterton Road, Stamford	Written Evidence	<u>Start Date</u> 06-Oct-2010 <u>Date of H / I</u> N/A	

<p>S10/1081/MJRF KJC Mr T Bower & Others Change of use of land to use as a residential caravan site for Gypsies and Travellers as defined by Paragraph 15 of Circular 01/2006, with 13 mobile homes and 13 touring caravans, including the laying out of hardstanding and creation of new access Land North Of Fallows End, Stragglethorpe Lane, Fulbeck, Grantham</p>	<p>Public Inquiry</p>	<p><u>Start Date</u> 11-Oct-2010</p> <p><u>Date of H / I</u> 16-Feb-2011</p>	
<p>S10/1246/HS NB Mr David Lowe Two storey rear extension The Clock Tower, New Cross Road, Stamford, Lincolnshire, PE9 1QZ</p>	<p>Written Evidence</p>	<p><u>Start Date</u> 22-Dec-2010</p> <p><u>Date of H / I</u> N/A</p>	
<p>S10/1260/FULL KJC Mr R Ranshaw Change of use of office building to dwelling Barkston Heath Mushrooms, Heath Lane, Barkston</p>	<p>Informal Hearing</p>	<p><u>Start Date</u> 27-Sep-2010</p> <p><u>Date of H / I</u> 01-Feb-2011</p>	
<p>S10/1443/HS JJ Mr & Mrs R Bullen Extension to existing annex to residential dwelling ANNEXE 1, Pond Farm, Edenham Road, Bourne, Lincolnshire, PE10 0LG</p>	<p>Written Evidence</p>	<p><u>Start Date</u> 03-Nov-2010</p> <p><u>Date of H / I</u> N/A</p>	
<p>S10/1732/FULL JJ Mike Sibthorp Planning Demolition of existing dwelling and erection of two 2 1/2 storey dwellings 6, Fox Dale, Stamford, Lincolnshire, PE9 2UZ</p>	<p>Written Evidence</p>	<p><u>Start Date</u> 03-Dec-2010</p> <p><u>Date of H / I</u> N/A</p>	
<p>S10/2051/HS PWM Mr & Mrs I M Crowther Two and three storey side extension to dwelling Castle View, 220, Bridge End Road, Grantham</p>	<p>Written Evidence</p>	<p><u>Start Date</u> 29-Dec-2010</p> <p><u>Date of H / I</u> N/A</p>	
<p>S10/2068/FULL KJC Mr Gordon Cakebread Application under Section 73 of the Town and Country Planning Act for a shop and associated car park to not comply with Condition 12 of planning permission S10/0179 (requiring the construction of the pedestrian refuge) Land At The Drift, Harlaxton, NG32 1AE</p>	<p>Written Evidence</p>	<p><u>Start Date</u> 19-Jan-2011</p> <p><u>Date of H / I</u> N/A</p>	

RECENT APPEAL DECISIONS TO THE END OF JANUARY 2011

Application Ref: S10/0523/FULL PJM
Planning Inspectorate No: APP/E2530/A/10/2136271/WF

Appeal Type: **Written Evidence**

Appellant:	Mr G Morgan
Proposal:	Erection of dwelling
Site:	Quarry Lodge, Pottergate Road, Ancaster, Grantham, NG32 3QZ

Appeal Decision – Date:	Appeal dismissed - 26 January 2011
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SUMMARY

To be reported at a later date

Application Ref: S10/1369/HSB JST
Planning Inspectorate No: APP/E2530/D/10/2141883

Appeal Type: **Written Evidence**

Appellant:	Mr L Giaracuni
Proposal:	Erection of detached domestic garage
Site:	Paddock View, Main Street, Manthorpe, Bourne, Lincolnshire, PE10 0JE

Appeal Decision – Date:	Appeal dismissed - 20 January 2011
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SUMMARY

To be reported at a later date

Application Ref: S10/1962/HSB RV
Planning Inspectorate No: APP/E2530/D/10/2142110

Appeal Type: **Written Evidence**

Appellant:	Dr H Deo
Proposal:	Erection of timber framed garage with tiled roof
Site:	12, Overgate Road, Swayfield, Grantham, Lincolnshire, NG33 4LG

Appeal Decision – Date:	Appeal dismissed - 21 January 2011
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SUMMARY

This application was refused on the grounds of impact on the setting of the adjacent Grade 2 Listed Building, out of character, in this prominent street scene location to the detriment of the visual appearance of the locality.

The Inspector concluded that the garage would have an impact on the Grade 2 Listed Building and would erode the relationship of the existing barns to the street scene to the detriment of the visual appearance of the surrounding area. The appeal was therefore dismissed.