

MINUTES

DEVELOPMENT CONTROL COMMITTEE

TUESDAY, 26 JULY 2011



COMMITTEE MEMBERS PRESENT

Councillor Ashberry
Councillor Cook
Councillor Howard
Councillor Vic Kerr
Councillor King
Councillor Morgan
Councillor Parkin (Chairman)

Councillor Jacky Smith
Councillor Mrs Judy Smith
Councillor Stevens
Councillor Adam Stokes
Councillor Sumner
Councillor Wilkins (Vice-Chairman)
Councillor Wren

OFFICERS

Head of Development and Growth
(Mark Williets)
Acting Lead Professional (Paul Green)
Area Planning Officers (Paul Milne, John
Taylor, Nigel Bryan and Phil Moore)
Planning Technician (Tim Robertson)
Acting Principal Conservation Officer
(Ian Wright)
Planning Enforcement Officer (Mick
Clift)
Section 106 Monitoring Officer (Pauline
Cousins)
Principal Building Control Officer (Rob
Howbrook)
Project Officer Property and Facilities
(Chris Maw)
Committee Support Officer (Malcolm
Hall)
Assistant Solicitor (Paul Rushworth)

OTHER MEMBERS

Councillor Thompson
Councillor Selby
Councillor John Smith
*(In accordance with Council procedure
rule 24.5, Councillor Thompson spoke
in connection with application PJM1).*

17. APOLOGIES

Apologies for absence were received from Councillors Mrs Kaberry-Brown and Powell.

18. DECLARATIONS OF INTEREST

Councillor Morgan declared a personal interest in application KJC1, as she formerly lived in the property subject to the application.

19. MINUTES OF MEETING HELD ON 28TH JUNE 2011

The minutes of the meeting held on 28 June 2011 were approved as a correct record of decisions taken.

20. PLANNING MATTERS

Decision:-

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

PJM1

Application ref:	S10/2841/MJRF
Description:	Erection of 18 dwellings (affordable)
Location:	Land R/o Highfield Mews, Great Gonerby, Grantham, NG31 8XA
Decision:	Deferred

Noting comments made during the public speaking session from:-

- John Galvin – objecting (and on behalf of some residents of Coachmans Court)
- Dave Richards – objecting (and on behalf of some residents of Green Street)
- Mike Sibthorp – agent

together with no objection from the Highway Authority, Upper Witham Internal Drainage Board, Local Plans (Policy), Lincs Wildlife Trust, Area Footpaths Officer, Conservation Officer, Open Space Officer and Partnership and Projects Officer, comments from Anglian Water and the SKDC Projects Officer, an objection from the Parish Council and objections from nearby residents together with additional information submitted by the applicant and a note of proposed Section 106 Heads of Terms, report of site inspection and comments made by members at the meeting.

It was proposed, seconded and agreed that the application be deferred for determination by the Acting Lead Professional, after consultation with the Chairman or Vice Chairman, subject to the summary of reasons referred to in the Case Officer’s report and subject to the completion of a Section 106 obligation to ensure that the dwellings remain affordable in perpetuity, and

to appropriate conditions as listed in the report. As the agreement has not been concluded prior to the committee, a period not exceeding 6 weeks after 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 6 week period, and where in the opinion of the Acting Lead Professional acting in consultation with the Chairman or Vice Chairman, 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 an unacceptable development acceptable, have not been forthcoming.

(The meeting adjourned from 1.50pm to 1.57pm).

JST1

Application ref: S11/0623/FULL

Description: Erection of six dwellings and associated works

Location: Part OS 1037, East Lane, Morton, Bourne

Decision: Deferred

Prior to discussion taking place on this application, the Committee Support Officer gave advice in relation to public speaking for the benefit of members (Councillors Cook and Stevens) who had not been present at the meeting on 28 June 2011.

Noting no objection from the Highway Authority or Parish Council and comments from Planning Policy, Housing Solutions, the Ramblers Association and Waste and Recycling, and a note of the Section 106 Heads of Terms; late information report circulated to Members at the meeting including a report of discussions in relation to the level of financial contribution for affordable housing, revisions to conditions and an additional condition in relation to amended plans, together with comments made by members at the meeting.

It was proposed, seconded and agreed that the application be deferred for determination by the Acting Lead Professional, after consultation with the Chairman or Vice Chairman, subject to the summary of reasons referred to in the Case Officer's report, and subject to the completion of a Section 106 agreement in relation to contributions toward affordable housing, and to appropriate conditions, as listed in the report. As the agreement had not been concluded prior to the committee, a period not exceeding 6 weeks after 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 6 week period, and where in the opinion of the Acting Lead Professional acting in consultation with the Chairman or Vice Chairman, 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 an unacceptable development acceptable, have not been forthcoming.

PWM1

Application ref: S11/1154/OUT

Description: Demolition of existing dwelling and erection of five dwellings with associated improvements to access

Location: 16, Harrowby Lane, Grantham, NG31 9HX

Decision: Approved

Noting comments made during the public speaking session from:-

Sarah Gathercole – objecting

together with no objection from the Community Archaeologist, Highway Authority and SKDC Arboriculturalist, comments from the SK Projects Officer (Drainage) and a number of objections from neighbouring residents; late information report circulated to members at the meeting containing further comments from the Highway Authority in relation to traffic calming measures, a further letter of objection and officer comments on the information, report of site inspection, and comments made by members at the meeting.

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

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

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

3. When application is made for approval of the 'reserved matters', that application shall show details of arrangements to enable a motor vehicle to turn within the site so that it can enter and leave the highway in forward gear.
4. 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 drawing number 11612/01 Rev A dated 01 July 2011, and thereafter the visibility splay shall be kept free of obstacles exceeding 0.6 metres in height.
5. The vehicular access shall incorporate 8.0 metres radii tangential to the nearside edge of the carriageway of Harrowby Lane and the minimum width of the access shall be 4.8 metres.
6. 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.
7. No development approved by this permission shall be commenced until a scheme for the provision of surface water drainage works 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.
8. No development shall take place until there has been submitted to and approved in writing by the local planning authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before the buildings are occupied. Development shall be carried out in accordance with the approved details.
9. When application for reserved matters is submitted, that application should include details of existing and proposed levels, including north-south and east-west cross sections through the site, showing the relative heights and finished floor levels of the proposed dwellings, adjacent roads and footpaths road and the adjacent properties. The development shall be built in accordance with the approved details.
10. Before development is commenced, a tree protection plan and method statement showing how the trees would be protected during construction shall be submitted to and agreed in writing with the local planning authority. Development shall be carried out in accordance with the agreed details
11. As part of the landscaping scheme, the trees on site shall be retained

and maintained in accordance with the submitted arboricultural survey dated 05 May 2011. Any retained trees which within a period of five years from the completion of the development die 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.

12. Notwithstanding the submitted plans, when application is made for reserved matters, that application shall include further details of landscaping along those sections of the eastern and western boundaries where there are no trees, (indicating inter alia, the number, species, heights on planting and positions of all the trees). Such scheme as may be approved by the District Planning Authority shall be undertaken in the first planting season following the occupation of the buildings or the completion of the development, whichever is the sooner, and any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the District Planning Authority gives written consent to any variation.
13. A no dig construction method shall be used for any parts of the access road which fall within the root protection areas (shown on the approved plans), details of which shall be submitted to and agreed in writing by the Local Planning Authority before any development is commenced. The development shall proceed in accordance with the approved details.
14. Notwithstanding the submitted scale parameters, no dwelling on the site shall have an eaves height greater than 6 metres.
15. No part of the dwellings shall be within 10m of the northern boundary of the site.
16. Other than works necessary to widen and improve the access, the stone retaining wall along the street frontage shall be retained.
17. The development hereby permitted shall be carried out in accordance with the following list of approved plans submitted as part of the application:
 - i) 1:1250 site location plan received 20 May 2011
 - ii) 1:500 Block Plan 11612/01/REV A (position of access and retention of trees only)

Note(s) to Applicant

1. 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.

2. 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.
3. This road is a private drive and will not be adopted as a highway maintainable at the public expense (under the highways act 1980) and as such the liability for maintenance rests with the frontagers.
4. You are advised to inform any contractors involved in the demolition of the existing buildings 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.
5. You are advised that that the indicative layout shown on the plans would not be appropriate, as the design fails to respond adequately to the constraints of the site. The plot arrangement appears unimaginative and suggests a uniform house type not necessarily suited to the character of the area. The layout would therefore need to be revised in order to be acceptable as part of a reserved matters application. When an application for reserved matters is submitted, you are advised that the following design principles should be followed:
 6. The area is characterised by dwellings of varying styles, heights and footprints. Therefore uniform/standard house types should be avoided – the design and position of each dwelling should be varied and respond specifically to the constraints of the site and contribute positively to the character of the area.
 7. One, one and a half, or two storey dwellings would be preferable, however two storey (to eaves height) with some limited accommodation in the roofspace, with appropriately positioned dormers or rooflights may be acceptable on some parts of the site.
 8. Any turning head should be designed in accordance with the Highways Authority's required standards and dimensions.
 9. No access/driveway to any individual dwelling (off the main private drive) should be within 15m of the main access.
10. When submitting details for surface water drainage, you are advised that hard surfaces should be constructed of porous materials or provision should be made to direct surface water run off to a porous or permeable surface within the application site. Soakaways are not an acceptable form of drainage on this site. A sustainable urban drainage system should be considered. To discuss a suitable alternative, please contact Chris Maw (SKDC Drainage Officer) on 01476 406409
11. 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.

Authority also given for a tree preservation order to be made in respect of

all appropriate trees on the application site.

KJC1

Application ref: S11/1028/FULL
Description: Change of use from dwelling to 6 bed hostel accommodation
Location: 63, Barrowby Road, Grantham, NG318AB
Decision: Approved

Noting comments made during the public speaking session from:-

Pete Middlemiss – applicants

together with a design and access statement submitted by the applicants, Local Policy, comments from the Crime Prevention Design Advisor and Housing Solutions, no objection from the Highway Authority, Senior Historic Environment Officer Archaeology and Environmental Protection and a number of letters from local residents and further information in support from the applicants; late information report circulated to members at the meeting including information in relation to anti-social behaviour at the site and in relation to a petition referred to by one of the objectors, 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. There shall be no more than six bedsits within the property.
3. The hostel hereby permitted shall operate in accordance with the operational details, security measures, landscaping, lighting and refuse/waste collection/disposal as set out in approved Design and Access Statement.
4. The development hereby permitted shall be carried out in accordance with the following list of approved plans submitted as part of the application:

Drawing No. 11011/02 received by the local planning authority on 10th May 2011

Drawing No. 11011/01 received by the local planning authority on 10th May 2011

NB1

Application ref: S10/2313/LB

Description: Alterations and extensions to listed building

Location: 4, St Marys Place, Stamford, Lincolnshire, PE9 2DN

Decision: Approved

Prior to discussion taking place on the application, the Committee Support Officer gave advice in relation to public speaking for the benefit of members (Councillors Cook, Stevens and Wren) who had not been present at one or more previous meetings.

(2.43pm - Councillors Cook and Wren left the meeting).

A member informed the committee that he was withdrawing a comment which he had made in relation to this application and asked the committee to disregard the comment because he had been informed that the statement was incorrect.

Noting an objection from Stamford Town Council, comments from English Heritage, Building Control and the South Kesteven Planning Archaeologist, a number of representations from nearby residents, an analysis of the environmental impacts in relation to the proposed development, a letter from the St Mary's Place Residents' Association (circulated to members prior to the last meeting) and now attached as an appendix to the agenda, detailed letter from the applicant's agent attached as an appendix to the agenda and further information from the applicants circulated to members last week enclosing information on fire safety and in relation to the historic staircase; late information report circulated to members at the meeting in relation to the staircase, fire regulations, monitoring and suggested alterations to conditions, together with comments made by members at the meeting.

(2.55pm - Councillor Wren returned to the meeting).

(3.02pm - Councillor Cook returned to the meeting).

It was proposed, seconded and agreed that the application be approved subject to the conditions circulated by the Acting Lead Professional:-

1. The works hereby permitted shall be commenced before the expiration of three years from the date of this consent.
2. No development shall take place until samples of the materials (including colour of render, paintwork or colourwash) to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the

Local Planning Authority. Development shall be carried out in accordance with the approved details.

3. 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.
4. This permission relates solely to the application as amended by plans received on 07 February, 6 May, 11 May, 13 May and 18 July 2011.
5. Before the works hereby granted consent are commenced, a Method Statement together with full drawings of proposed service runs shall be submitted to the Local Planning Authority detailing how services associated with the use of the listed building as a hotel/restaurant are to be installed without causing any undue harm to historic fabric. Such Method Statement as may be agreed in writing shall be strictly adhered to during the installation of services.
6. The Local Planning Authority will retain the option of inspecting all works to the building (whether in connection with the installation of services or not) at regular intervals to ensure that the detailed drawings are being adhered to and that the historic fabric of the building is not being damaged or unduly compromised.
7. Prior to the commencement of the works hereby granted consent, details shall be submitted to the local planning authority of the proposed self-closing doors to the fire lobby on the ground floor, including large scale details of the interface of the fixings with the existing fabric and only such details as may be agreed in writing shall be used in the installation of the fire lobby doors.
8. Notwithstanding that no works of alteration are proposed to the eighteenth century staircase as part of the current application further surveys of the staircase and its associated balustrading be carried out and full proposals for any work required or may be deemed to be required to the staircase and/or to the balustrading shall be submitted to and approved in writing with the Local Planning Authority before any works to the building shall be commenced.

9. No development shall take place before detailed construction drawings of all the works to the building, in at least as much detail as required for building regulations approval and to a scale of not less than 1:20, are submitted to and approved by the Local Planning Authority in order to ensure that there is no untoward risk to the historic fabric of the building.
10. No works shall commence on the building until a detailed photographic survey, including referenced plans, has been submitted to and approved by the Local Planning Authority. The photographic survey shall show the nature, design and current state of the walls, floors, ceilings and other features. Reason: To ensure that a proper historical record is made of the buildings and that an appropriate standard of refurbishment is achieved in the interests of the amenity of the listed building.

(The meeting adjourned from 3.09 pm to 3.23pm).

21. ENFORCEMENT ACTION - FENCE, 133 PRINCESS DRIVE, GRANTHAM

It was proposed and seconded that:

EXCLUSION OF THE PUBLIC

IN ACCORDANCE WITH SECTION 100A(4) OF THE LOCAL GOVERNMENT ACT 1972, THE PUBLIC BE EXCLUDED FROM THE MEETING BECAUSE OF THE LIKELIHOOD, IN VIEW OF THE NATURE OF THE BUSINESS TO BE TRANSACTED, THAT IF MEMBERS OF THE PUBLIC WERE PRESENT, THERE WOULD BE A DISCLOSURE TO THEM OF EXEMPT INFORMATION AS DEFINED IN PARAGRAPHS 2 AND 5 OF PART 1 OF SCHEDULE 12A OF THE ACT.

This proposition was approved.

(3.26pm – the press and public left the meeting).

Decision:-

That enforcement action be not taken in regard to the front fence between 131 and 133 Princess Drive, Grantham.

Members considered report PLA903 from the Planning Enforcement Officer in relation to the fence above the permitted height of 2 metres between 131 and 133 Princess Drive, Grantham.

The report set out the history to the site, detailed the breach which had occurred and subsequent action which had been taken, set out the relevant planning policy together with legal advice which had been sought, and noted other options which had been considered.

It was proposed, seconded and agreed that no further enforcement action be taken with regard to the fence separating 131 and 133 Princess Drive, Grantham.

22. INFORMATION RELATING TO DEVELOPMENT CONTROL AND OTHER PLANNING ACTIVITY

The Acting Lead Professional submitted his report PLA904 listing details of applications not determined within the 8 week time period. Also submitted was a list of applications dealt with under delegated powers and a planning appeals update/summary, including copies of actual appeal decisions, as at the end of June 2011.

23. PLANNING ENFORCEMENT - JANUARY TO JUNE 2011

The committee noted briefing paper PLA902 from the Planning Enforcement Officer summarising the level of enforcement activity for the period January to June 2011. Also included within the report was a note of the mechanism for dealing with enforcement matters, and an update in relation to Section 106 activity and Section 106 monies received. Members noted the report.

24. CLOSE OF MEETING

The meeting closed at 3.52pm.