

MINUTES

**DEVELOPMENT CONTROL
COMMITTEE
TUESDAY, 23 AUGUST 2011, 1PM**



COMMITTEE MEMBERS PRESENT

Councillor Ashberry	Councillor Powell
Councillor Cook	Councillor Jacky Smith
Councillor Higgs	Councillor Mrs Judy Smith
Councillor Howard	Councillor Stevens
Councillor Mrs Kaberry-Brown	Councillor Adam Stokes
Councillor Vic Kerr	Councillor Sumner
Councillor King	Councillor Wilkins
Councillor Parkin (in the Chair)	Councillor Wren

OFFICERS

Acting Lead Professional (Paul Green)
Principal Planning Officers (Kevin Cartwright, Justin Johnson)
Planning Technician (Tim Robertson)
Planning Policy and Partnerships Service Manager (Karen Sinclair)
Committee Support Officer (Malcolm Hall)
Assistant Solicitor (Paul Rushworth)

25. DECLARATIONS OF INTEREST

Councillor Stokes declared a personal and prejudicial interest in application KJC1, as he knew the landowner well, and a personal interest in application JJ5, as a member of the applicant body (Lincolnshire County Council).

26. MINUTES OF MEETING HELD ON 26 JULY 2011

The minutes of the meeting held on 26th July 2011 were approved as a correct record of decisions taken.

27. PLANNING MATTERS

Decision:-

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

(1:03pm – Councillor Stokes left the meeting, having declared an interest)

KJC1

Application ref: S10/2106/MJRF

Description: Demolish existing dwelling and garage and construction of 13 dwellings and associated garages

Location: 53 and land to the rear of No.s 45 - 59 (inclusive), Harrowby Lane, Grantham, NG31 9HZ

Decision: Deferred

Noting comments made during the public speaking session from:

- Andrew Chamberlain – objecting

together with no objection from the Highway Authority or Environment Agency, comments from the Projects and Partnerships Officer (Affordable Housing), Environmental Protection (contamination), Historical Environment Officer, Primary Care Trust, Lincolnshire County Council Education, Lincolnshire Crime Prevention Officer, Planning Policy, Upper Witham Internal Drainage Board, Anglian Water and the Community Leisure Officer together with a number of letters of objection from nearby residents, submissions in support from the applicant and a note of the Section 106 Heads of Terms; the late information report circulated to Members at the meeting, including additional comments from the Highway Authority and in regard to drainage and trees, together with officer comments thereon and suggested amendments to conditions, 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 Agreement in relation to developer contributions, to the submission of a protected species survey and to appropriate conditions as listed in the report and in the late report, but in this case as the agreement has not been concluded prior to the committee, a period not exceeding 6 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 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.

(1.38pm – Councillor Stokes returned to the meeting)

JJ1

Application ref: S11/1050/MJRR

Description: Reserved matters application for 120 dwellings and associated public open space and allotments

Location: Land at, Godsey Lane/Towngate East, Market Deeping

Decision: Approved

Noting comments made during the public speaking session from:

- John Jennings – agent

together with an objection from Market Deeping Town Council, no objection from Natural England, the Leisure Officer, Partnership Project Officer, Environment Officer, Highway Authority, Lincolnshire County Council Planning, Lincolnshire Wildlife Trust and the Environmental Protection Officer, comments from the Community Archaeologist, representations from nearby residents and a note of the Section 106 Heads of Terms; late information report including the comments of Heritage Lincolnshire together with officer comment thereon and a proposed change in the conditions, 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. 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.
2. The arrangements shown on the approved plan P.0668_01-2G dated 5 August 2011 for the parking/turning/loading/unloading of vehicles shall be available at all times when the premises are in use.
3. All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with the programme agreed with the local planning authority.
4. No sheds or other storage buildings shall be constructed or placed on the site of the allotments until the precise details have been

submitted to and agreed in writing by the District Planning Authority.

5. No animals or birds or other livestock shall be kept on the allotments hereby approved, other than those allowed by the Allotments Act 1950 (That is hens and rabbits only and no cockerels).
6. Prior to the commencement of the development a scheme shall be submitted to and agreed in writing by the District Planning Authority for the location of bird and bat boxes to encourage wildlife to the development. The agreed scheme shall be implemented prior to the completion of the development.
7. The development hereby permitted shall be carried out in accordance with the following list of approved plans submitted as part of the application:

P.0668_01-2G Received on 5 August 2011
P.0668_2-1A Received on 5 August 2011
P.0668_7-1 Received on 11 May 2011
P.0668_04-1 Received on 11 May 2011
P.0690_01-B Received on 5 August 2011 (Sheets 1-3)
P.0668_2-9 Received on 11 May 2011
P.0668_2-8 Received on 11 May 2011
P.0668_2-7 Received on 11 May 2011
P.0668_2-6 Received on 11 May 2011
P.0668_2-5 Received on 11 May 2011
P.0668_2-5 Received on 11 May 2011 (Plot 46)
P.0668_2-4 Received on 11 May 2011
P.0668_2-4 Received on 11 May 2011 (Plot 110)
P.0668_2-3 Received on 11 May 2011
P.0668_2-2 Received on 11 May 2011
P.0668_2-1 Received on 11 May 2011
P.0668_2-13 Received on 11 May 2011
P.0668_2-13 Received on 11 May 2011 (PLots 55 & 92)
P.0668_2-12 Received on 11 May 2011
P.0668_2-11 Received on 11 May 2011
P.0668_2-10 Received on 11 May 2011
P.0668_2-14 Received on 11 May 2011

8. No development shall take place within the application site until the applicant has secured the implementation of a programme of archaeological works in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority. The details to be submitted shall also include details of the proposed construction method and depth of the foundations. The development shall only be carried out in strict accordance with the approved scheme.

Note(s) to Applicant

1. Prior to the submission of details for any access works within the

public highway the developer must contact the Divisional Highways MAnager on 01522 782070 for application, specification and construction information.

2. You are reminded of the need to comply with the conditions on the substantive outline planning consent S10/0934.
3. This consent should be read in conjunction with the Legal Agreement (S106) dated 6 January 2011

JJ2

Application ref: S11/1157/MJRO

Description: Application to extend time limit for implementation of application S06/1388 for residential development

Location: Anglia Regional Co-Operative Site, Manning Road, Bourne

Decision: Deferred

Pending negotiations with the applicants with regard to the Section 106 terms.

JJ3

Application ref: S11/1158/MJRO

Description: Application to extend time limit for implementation of application S08/0286 for residential development (up to 29 units) with associated access and landscaping

Location: Mays Garage, Spalding Road, Bourne, Lincolnshire, PE10 9LE

Decision: Deferred

Pending negotiations with the applicants with regard to the Section 106 terms.

JJ4

Application ref: S11/1253/MJNR

Description: Reserved Matters for nursing home and associated landscaping

Location: Land between Bowling Green and No. 53, Spalding Road, Deeping St. James

Decision: Deferred

(2:15pm Councillor Wren left the meeting).

Noting no objection from the Environmental Protection Officer and comments from the Highway Authority, Environment Agency and Parish Council, together with objections from nearby residents and businesses and a letter from the developer including a letter from Deepings Arts to the Parish Council in support of the application; the late information report circulated to Members at the meeting in relation to the boundary treatment to the front of the property and a proposed additional condition, 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 no adverse observations from the Highway Authority in relation to the travel plan to be submitted, subject also to appropriate conditions as listed in the agenda and in the late report.

JJ5

Application ref: S11/0673/FULL

Description: Application for new planning permission to replace extant planning permission S08/0277 for conversion of existing barns to three dwellings and erection of two dwellings

Location: Home Farm, High Street, Morton, Bourne, PE10 ONR

Decision: Approved

Noting comments from the Projects and Partnership Officer (Affordable Housing), no objection from the Rights of Way Officer, Parish Council or Heritage Lincolnshire, and a note of the Section 106 Heads of Terms; late information report circulated to Members at the meeting, including comments from the Council's viability consultants in regard to the viability assessment submitted with the application, together with officer comments thereon and a recommendation to approve without the requirement for a Section 106 contribution for affordable housing; 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. Before the development hereby permitted is commenced, final details of the materials to be used in the construction of external walls and roofs shall be submitted to and approved in writing by the District Planning Authority. Only such materials as may be agreed shall be used in the development.
3. Before any development is commenced the approval of the District Planning Authority is required to a scheme of landscaping and tree planting for the site (indicating inter alia, the number, species, heights on planting and positions of all the trees). Such scheme as may be approved by the District Planning Authority shall be undertaken in the first planting season following the occupation of the buildings or the completion of the development, whichever is the sooner, and any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the District Planning Authority gives written consent to any variation.
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. Before any development is commenced, details including location and means of disposal of surface water and foul drainage shall be submitted to and approved by the District Planning Authority, and no building shall be occupied until the drainage works have been provided.
6. The development hereby approved shall be carried out in strict accordance with the mitigation measures outlined in the Protected Species Report prepared by Richard Fox received on 21 March 2011.
7. Large scale details of all external joinery, to a scale of not less than 1:10, to include cross sections to show cills, lintols, etc., shall be submitted to and approved in writing by the District Planning Authority prior to the commencement of the development.
8. Before the dwellings are occupied, the access and turning spaces shall be completed, in accordance with the approved plan number 00 received on 14 February 2008, and retained for that use thereafter.

Note(s) to Applicant

1. The applicant is advised to contact the Senior Highways

Officer, Carl Abram, at Lincolnshire County Council on 01522 782070, with regard to diverting the Public Right of Way that crosses the site. The comments of the Lincolnshire County Council are enclosed for your information.

JJ6

Application ref: S11/0255/FULL

Description: Two storey three bedroom dwelling with dormers in roof

Location: 24, Harvey Close, Bourne, Lincolnshire, PE10 9QJ

Decision: Approved

Noting no objection from Heritage Lincolnshire or Bourne Town Council and letters of objection from nearby residents; the late information report circulated to Members at the meeting, including the recommendation for additional conditions requiring tree protection measures and details of the existing and finished ground levels to be provided, report of site inspection and comments made by Members at the meeting.

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

1. The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.
2. No development shall 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.
3. No construction works, movement of construction traffic, and deliveries to and from the premises shall occur other than between 0730 and 1830 hours weekdays, and 0800 and 1300 hours on Saturdays, and at no time on Sundays or Public Holidays.
4. The development hereby permitted shall be carried out in accordance with the following list of approved plans submitted as part of the application:

SA/SF/042/10 Sheet 1 Rev A received on 14 June 2011

5. The first floor en-suite windows shall not be glazed otherwise than with obscured glass. The window shall be permanently retained in that condition thereafter. The window shall be obscured to a minimum level of Pilkington Glass level 3 or equivalent.

6. No works shall commence on the site until such time as a scheme for protecting the existing trees on and adjacent to the site during the construction process (including root protection) has been submitted to and approved in writing by the Local Planning Authority and implemented to its satisfaction. Such protection as is agreed shall be maintained during the course of the development.
7. No works shall commence until such time as a scheme indicating the existing and proposed ground and finished floor levels in relation to adjacent buildings has been submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in accordance with the agreed levels.

PG1

Application ref: S11/1239/FULL

Description: Detached dwelling

Location: 18, Victoria Place, Bourne, Lincolnshire, PE10 9LJ

Decision: Approved

Noting an objection from the Town Council and no objection from the Highway Authority, together with comments from the Archaeologist, report of the site inspection and comments made by Members at the meeting.

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

1. The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.
2. No development shall take place until samples of the materials 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. Before the dwelling is occupied the access, turning space and parking area shall be completed in accordance with the approved plan dated the 31st May 2011 and retained for that use at all times.
4. 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

and shall include the anticipated working methods, time scales and staffing levels. 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.

5. No development shall commence until the detailed design of the arrangements for surface water drainage has been agreed in writing by the local planning authority and the dwelling shall not be occupied before it is connected to the agreed drainage system.

Note(s) to Applicant

The applicant and any future owner of the site should be aware of the need to prepare a detailed archaeological project specification in consultation with the Historic Environment Team (Heritage Trust for Lincolnshire) at Sleaford Tel: 01529 461499

EXCLUSION OF THE PUBLIC

It was proposed and seconded that:

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, 5 AND 6 OF PART 1 OF SCHEDULE 12A OF THE ACT.

This proposition was approved.

(2:55pm – The press and public left the meeting).

28. PROPOSED TREE PRESERVATION ORDER

Decision:-

That authority be given for a Tree Preservation Order to be made in regard to the group of six trees within Deeping St. James church yard, Church Gate, Deeping St. James, as now specified.

Members had before them report PLA906 from the Area Planning Officer in relation to a proposition to make a Tree Preservation Order with regard to a group of trees within St. James' church yard, Deeping St. James. The report set out when Tree Preservation Orders should be used. It was agreed the six trees had collective merit in terms of their overall amenity

value and impact upon the churchyard. The area proposed to be included in the Order was shown in the plan attached to the report.

It was proposed, seconded and agreed that authority be given for the making of a Tree Preservation Order in respect of the group of trees within Deeping St. James church yard as now identified and specified.

29. INFORMATION RELATING TO DEVELOPMENT CONTROL AND OTHER PLANNING ACTIVITY

The Acting Lead Professional submitted his report PLA908 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 appeal decisions, as at the end of July 2011.

30. CLOSE OF MEETING

The meeting closed at 2:59pm.