

MINUTES

DEVELOPMENT CONTROL
COMMITTEE
TUESDAY, 15 NOVEMBER 2011



COMMITTEE MEMBERS PRESENT

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

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

OFFICERS

(none)

OTHER MEMBERS

(none)

46. APOLOGIES

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

47. DECLARATIONS OF INTEREST

Councillor Morgan declared a personal and prejudicial interest in application PJM1, as she had predetermined the application by circulating to members a lengthy email objecting to the proposals.

48. MINUTES OF MEETING HELD ON 18TH OCTOBER 2011

The minutes of the meeting held on 18 October 2011 were approved as a correct record of decisions taken, subject to a small amendment to minute 41 to indicate that Councillor Ashberry had stood at the election referred to as a Co-operative party member only.

49. PLANNING MATTERS

Decision:-

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

KJC1

Application ref: S11/1667/DC

Description: Approval of details required by Conditions 3 (master plan/design code), 4 (school, community facilities), 5 (phasing plan) & 10 (landscaping) of S08/1231

Location: Poplar Farm, Barrowby Road, Grantham, NG31 8AF

Decision: Deferred

Noting comments from Lincolnshire County Council Childrens Services, NHS Primary Care Trust, Planning Policy, Network Rail, Crime Prevention Design Advisor, Great Gonerby Parish Council and the Upper Witham Internal Drainage Board, a number of representations from local residents and submissions in support from the applicants; late information report circulated to members present at the meeting, including further information from the applicants, comments from the Landscape Consultant and suggested alterations to conditions, and comments made by members at the meeting.

It was proposed and seconded that the application be deferred for determination by the Development Management Service Manager, after consultation with the Chairman or Vice Chairman, subject to the summary of reasons referred to in the case officer's report, to no adverse observations from the Highway Authority, and subject to the amended conditions contained in the late report. Following comments from some members, and advice from the Assistant Solicitor and Committee Support Officer, it was proposed and seconded, as an amendment, that the application be deferred for further consideration by the committee following receipt of the comments of the Highway Authority. On being put to the vote, the amendment was lost.

The proposition was then put to the vote and carried, and the application was therefore deferred for determination by the Development Management Service Manager, after consultation with the Chairman or Vice Chairman, subject to the summary of reasons referred to in the case officer's report, to no adverse observations from the Highway Authority, and subject also to the four conditons contained in the late report.

JJ1

Application ref: S11/1950/FULL

Description: Change of Use from B1 light industrial to car sales/showroom

Location: Unit L, Bentley Court, Blenheim Way, Market Deeping, Peterborough, PE6 8LD

Decision: Approved

Noting comments made during the public speaking session from:-

Andy Pelling (in support)
Mike Sibthorp (agent)

together with comments from the Economic Development team and Planning Policy and no objection from Market Deeping Town Council or the Highway Authority, letters in support from nearby businesses and comments from Heritage Lincolnshire; late information report circulated to members present at the meeting including an additional letter in support together with officer comment thereon, report of site inspection and comments made by members at the meeting.

(2.30pm – Councillor Higgs left the meeting).

(2.34pm – Councillor Higgs returned to the meeting).

It was proposed and seconded that the application be refused as recommendation.

As an amendment, it was proposed and seconded that the application be approved, but with the proviso that if other premises or a plot of land more suitable becomes available the applicant be encouraged to move to the new location. The proposition to refuse was then withdrawn and the amendment, now the proposition, was put to the vote and carried, and the application was therefore approved subject to the following condition:-

The development hereby permitted shall be commenced before the expiration of 3 years from the date of this permission.

Note to applicant – Applicant to be encouraged to move to an alternative location should a more suitable building or plot of land become available.

(The meeting adjourned from 2.49 to 3.10pm).

(Councillor Powell did not return to the meeting on its resumption).

PJM1

Application ref: S11/2432/FULL

Description: Application under Section 73 of the Town and County Planning Act for a Mcdonalds Restaurant without complying with Condition 1 of S07/1308

(opening hours)

Location: McDonalds Restaurant, Bridge End Road,
Grantham, Lincs

Decision: Approved

(Councillor Morgan spoke in accordance with the provisions in the constitution, and having declared a personal and prejudicial interest, left the meeting at 3.20pm).

Noting representations from nearby residents, and one of the local ward councillors, no objection from the Highway Authority, Environmental Health Services, Lincolnshire Police or the Arboriculturalist; late information report circulated to members at the meeting including additional objections from nearby residents, comments from Environmental Health in regard to complaints about the site, additional information from the applicant's agent, officer comment on the information received and suggested alterations to conditions, report of site inspection and comments made by members at the meeting.

It was proposed and seconded that the application be approved for a temporary period of 12 months. As an amendment, it was proposed that the application be refused for environmental health (noise) reasons and highway reasons. The amendment received no seconder. The proposal was then put to the vote and carried, and the application was approved, subject to the summary of reasons set out by the Case Officer in the circulated report, and also to the following conditions:-

1. The area shown on the plan accompanying application S01/0387 as reserved for the parking of vehicles shall be used or be available for vehicle parking at all times when the premises are in use.
2. The loading/unloading of delivery vehicles within the application site shall only be carried out between the following times – 0600 and 2300.
3. This permission is valid for a limited period only, expiring 12 months after the date of this notice.

(3.40pm – Councillor Morgan returned to the meeting).

LDPP1

Application ref: S11/1931/OUT

Description: Five dwellings with associated accesses including demolition of existing dwelling

Location: Land adjacent The Laurels, Bottom Street,

Allington, Grantham, NG32 2DT

Decision: Refused

Noting comments during the public speaking session from:-

Alan Bosworth – Allington Parish Council
David Taylor – local resident
Matt Hubbard – agent

together with an objection from Planning Policy, comments from the Highway Authority, Conservation, Lincolnshire Heritage, Property and Facilities, Environmental Health and Allington Parish Council together with representations (objecting) from nearby residents; late information report circulated to members at the meeting including the detailed observations of the Highway Authority, supporting information from the applicant, comments from the Principal Conservation Officer, further information from the applicant and suggested alterations to the reason for refusal; report of site inspection and comments made by members at the meeting.

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

1. This is an outline application for the erection of 5 dwellings in a less sustainable location and the proposal would be contrary to Policy SP1 of the adopted South Kesteven Core Strategy 2010 which states that in all other villages other than Local Service Centres and the countryside development will be restricted. As such the proposal will introduce four additional dwellings in an unsustainable location whereby future occupiers of the site would be reliant on the use of the motor vehicle to meet their everyday needs.

SP1

Application ref: S11/2365/FULL

Description: Installation of solar panels on southern elevation of roof

Location: Corn Exchange, Abbey Road, Bourne, Lincolnshire

Decision: Deferred

Noting late information report circulated to members at the meeting including a request from Bourne Town Council for an extension to the consultation period, and comments from the Consultant Archeaologist and Principal Conservation Officer, together with comments made by members at the meeting.

It was proposed, seconded and agreed that the application be deferred, for determination by the Development Management Service Manager, after consultation with the Chairman and Vice Chairman, subject to no adverse observations being received as the result of the publicity and consultation, subject to the summary of reasons set out by the case officer in the circulated report and subject also to the conditions set out in the report.

(As the meeting had lasted for 3 hours, in accordance with Council Procedure Rule 9, the Committee voted for the meeting to continue).

SP2

Application ref: S11/2366/FULL

Description: Installation of solar panels on south elevation of roof

Location: Bourne Leisure Centre, Queens Road, Bourne, Lincolnshire, PE10 9DX

Decision: Deferred

Noting late information report circulated to members present at the meeting, including a request from Bourne Town Council for an extension of the consultation period, and comments from the Community Archaeologist, together with comments made by members at the meeting.

It was proposed, seconded and agreed that the application be deferred, for determination by the Development Management Service Manager, after consultation with the Chairman and Vice Chairman, subject to no adverse observations being received as the result of the publicity and consultation, subject to the summary of reasons set out by the case officer in the circulated report and subject also to the conditions set out in the report.

SP3

Application ref: S11/2367/FULL

Description: Installation of solar panels on south elevation of roof

Location: Stamford Leisure Centre, Drift Road, Stamford, Lincolnshire, PE9 1XA

Decision: Deferred

Noting late information report circulated to members present at the meeting, including comments from the Community Archaeologist, together with comments made by members at the meeting.

It was proposed, seconded and agreed that the application be deferred, for determination by the Development Management Service Manager, after consultation with the Chairman and Vice Chairman, subject to no adverse observations being received as the result of the publicity and consultation, subject to the summary of reasons set out by the case officer in the circulated report and subject also to the conditions set out in the report.

SP4

Application ref: S11/2368/FULL

Description: Installation of solar panels on south-west elevation of roof

Location: Grantham Meres Leisure Centre, Trent Road, Grantham, Lincolnshire, NG31 7XG

Decision: Deferred

Noting comments made by members at the meeting.

It was proposed, seconded and agreed that the application be deferred, for determination by the Development Management Service Manager, after consultation with the Chairman and Vice Chairman, subject to no adverse observations being received as the result of the publicity and consultation, subject to the summary of reasons set out by the case officer in the circulated report and subject also to the conditions set out in the report.

50. INFORMATION RELATING TO DEVELOPMENT CONTROL AND OTHER PLANNING ACTIVITY

The Development Management Service Manager submitted his report PLA915 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 October 2011, together with a table showing the planning applications performance figures.

51. S11/2188 - AMENDMENTS TO FOUR DWELLINGS - ELM FARM, LILLY STREET, LONG BENNINGTON

Decision:-

That approval be given to the amendment proposed to four plots at Elm Farm, Lilley Street, Long Bennington, and that appropriate amendments be made to the Section 106 Agreement approved under S10/2176.

The Development Management Service Manager told the committee that

application S10/2176 for 21 dwellings on land at Elm Farm, Lilley Street, Long Bennington had been approved, subject to a substantial Section 106 Agreement. An application (S11/2188) had now been submitted for minor amendments to four plots which also required tying in to the original application and Section 106 Agreement. The Development Management Service Manager clarified the amendments, for the information of members, and also showed plans.

It was proposed, seconded and agreed that the minor amendments to four plots at Elm Farm, Lilley Street, Long Bennington, proposed under application S11/2188, be agreed and that appropriate amendments be made to the Section 106 Agreement completed under the original application, S10/2176.

NO MEMBERS OF THE PRESS OR PUBLIC WERE PRESENT AT THIS POINT IN THE MEETING.

52. S10/2210 - HOUSEHOLDER DEVELOPMENT, FORD END, GONERBY ROAD, GRANTHAM

Decision:-

1. *That the Council be recommended to revoke planning permission S10/2210.*
2. *That the officers, with the authority of the Chairman and Vice Chairman, be authorised to continue negotiations with the applicant, with a view to reaching and agreeing a suitable compromise.*

The Development Management Service Manager outlined the background to an approved application for significant extensions to a property on Gonerby Road, Gonerby Hill Foot, Grantham, which had been granted in January 2011. Some questions and concerns had been raised by local residents and one of the local ward members.

The Development Management Service Manager said that a meeting had taken place with the builder on Friday last week and as a result the builder, who lived at the property, had stopped work. He stressed that there was no breach of planning control and the negotiations and discussions which had taken place were in an attempt to reduce the scale and impact of the proposal. He outlined options which in his opinion were available to the committee, which could include modification or revocation of the permission together with an agreement that discussions continue with the applicant, with a view to reaching and agreeing a suitable compromise, with the agreement of the Chairman and Vice Chairman. There could also be financial implications.

A lengthy discussion then ensued, during which members received advice from the Development Management Service Manager and Assistant Solicitor. It was proposed and seconded that the council be recommended to revoke the planning permission. Members were advised that there was a statutory

process to follow which would not be completed by the date of the next council meeting. However work on a compromise would continue and there would be negotiations with the developer. In the event that it proved necessary, it would be possible to call a special meeting of the council to consider revocation of the permission. The proposition was then put to the vote and carried.

53. CLOSE OF MEETING

The meeting closed at 5.10pm.