

# MINUTES

DEVELOPMENT CONTROL  
COMMITTEE  
TUESDAY, 7 FEBRUARY 2012



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## COMMITTEE MEMBERS PRESENT

Councillor Ashberry  
Councillor Cook  
Councillor Higgs  
Councillor Howard  
Councillor Mrs Kaberry-Brown  
Councillor Vic Kerr  
Councillor Morgan  
Councillor Parkin (in the Chair)

Councillor Powell  
Councillor Jacky Smith  
Councillor Mrs Judy Smith  
Councillor Judy Stevens  
Councillor Adam Stokes  
Councillor Mrs Brenda Sumner  
Councillor Wilkins

## OFFICERS

Head of Development and Growth (Mark Williets)  
Development Management Service Manager (Pat Reid)  
Area Planning Officers (Philip Moore, Nigel Bryant, Rob Vincent)  
Planning Enforcement Officer (Mick Clift)  
Committee Support Officer (Malcolm Hall)  
Assistant Solicitor (Paul Rushworth)

## OTHER MEMBERS

Councillor Ian Stokes  
Councillor Mrs Cartwright  
Councillor Miss Channell

*(In accordance with Council Procedure Rule 24.5, Councillor Miss Channell spoke in connection with application RV1)*

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## 69. APOLOGIES

Apologies for absence were received from Councillors King and Wren.

## 70. DECLARATIONS OF INTEREST

Councillor Wilkins declared a personal and prejudicial interest in application JJ1 as he was employed by the agent for the application.

Councillor Morgan declared a personal and prejudicial interest in application PWM1 as she had extensively lobbied against approval of the application, and

in KJC1, to avoid the impression of bias.

Councillor Brenda Sumner declared a personal interest in application NB3, as former secretary of the Outdoor Bowls Club in Stamford.

Councillor Powell declared a personal interest in application JJ1, as a member of Bourne Town Council, and also a personal interest in application RV1, as she knew one of the public speakers on the application.

Councillor Judy Smith declared a personal interest in application JJ1, as a member of Bourne Town Council.

Councillor Adam Stokes declared a personal interest in application KJC1 (later in the meeting), as a Member of the site owner (Lincolnshire County Council).

## **71. MINUTES OF MEETING HELD ON 10 JANUARY 2012**

The minutes of the meeting held on 10 January 2012 were approved as a correct record of decisions taken.

## **72. PLANNING MATTERS**

*Decision:-*

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

*(1:10pm – Councillor Wilkins left the meeting, having declared an interest).*

### JJ1

Application ref: S11/2953/MJRF

Description: Demolition of all buildings on site (except mill building which is to be retained and refurbished) and redevelopment of site to create 7 retail units at ground floor level (Use Classes A1, A2, A3), 4 new apartments in refurbished mill building and 10 new-build apartments at 1<sup>st</sup>/2<sup>nd</sup> floor over new retail space. Future phase 2 land to be grassed and landscaped. Alterations to adjacent Burghley Street car park

Location: Land off Burghley Street, Bourne

Decision: Deferred

Noting comments made during the public speaking from

Trevor Holmes – Bourne Town Council

Ms E Beckett – objecting  
Paul Fieldhouse – agent

together with an objection from Bourne Town Council, comments from the Lincolnshire Police Crime Prevention Design Advisor, Community Leisure Officer, Lincolnshire County Council Children’s Services, Planning Policy team, Lincolnshire County Council Highways, English Heritage and Anglian Water, no objection from Environmental Health or the Environment Agency, comments from the Conservation Officer and representations from nearby residents together with a note of the Section 106 Heads of Terms; late information report circulated to Members present at the meeting including a note that the Highway Authority raise no objection subject to conditions, a note of amended plans and a Heritage Impact Assessment, no objection from Natural England and officer comments on the information submitted together with a change to the recommendation in regard to the receipt of a Unilateral Undertaking to secure highway works and a Traffic Regulation Order, and additional 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 Development Management Service Manager, after consultation with the Chairman, subject to the summary of reasons referred to in the case officer’s report, subject to the receipt of a Unilateral Undertaking to secure the highway works and Traffic Regulation Orders, and to appropriate conditions, to include the conditions in the main and late reports.

*(2:00pm – Councillor Wilkins returned to the meeting).*

KJC1

Application ref: S11/0967/MJRF

Description: Demolition of 49 St. Catherine’s Road and 1A Dudley Road and construction of retirement accommodation for the elderly including provision of communal facilities, landscaping and car parking

Location: 49 St. Catherine’s Road, Grantham, NG31 9DE

Decision: Deferred

*(Councillor Morgan spoke in accordance with the provisions in the Constitution, and, having declared a personal and prejudicial interest left the meeting at 2:25pm).*

Noting comments during the public speaking session from:-

Jenny Johnson – objecting

Robyn Longden – objecting  
Marilyn Campbell – objecting  
Anne Gayfer – objecting  
Alice Brown – objecting  
Lisa Matthewson – agent

together with comments from the Highway Authority, Anglian Water, Environment Agency, Open Space Officer, Lincolnshire Community Health Services, Historic Environment Officer (Archaeology), Crime Prevention Officer, Environmental Protection, Tree Officer and Planning Policy, confirmation from English Heritage that the building does not meet the criteria for designation in a national context, lengthy comments from the Acting Principal Conservation Officer, comments from Lincolnshire Wildlife Trust and representations (including a petition) objecting from nearby residents and letters in support, together with a note of the required Section 106 Heads of Terms; late information report circulated to Members at the meeting, including the applicant's response to Lincolnshire Wildlife Trust's initial comments, a response from the Lincolnshire Wildlife Trust to the applicant's comments, together with the officer comments thereon and Committee briefing notes prepared by the applicant and by local residents, report of site inspection and comments made by Members at the meeting.

It was proposed and seconded that the application be approved. Following further lengthy discussion, an amendment was proposed to defer a decision on the application pending a review of the design to reduce the size and bulk of the buildings and to reconsider the car parking and access arrangements and if possible to incorporate the existing building into the scheme.

On being put to the vote the amendment was carried, and on being put as the substantive motion was also carried. The proposal was therefore deferred to a future meeting for the reasons noted above.

*(The meeting adjourned from 3:51pm to 4:13pm).*

*(Councillor Morgan returned to the meeting on its resumption).*

## KJC2

Application ref:	S11/2206/FULL
Description:	Demolition of public house and construction of fast food takeaway with associated restaurant
Location:	Isaac Newton Public House, Harlaxton Road, Grantham, Lincolnshire, NG31 7SA
Decision:	Refused

Noting comments from Environmental Protection, Environmental Health (Food Hygiene), the Archaeological Consultant, Inland Drainage Board, Police Architectural Liaison Officer, Planning Policy, the Highway Authority and a number of representations from nearby residents and a note of the Section 106 Heads of Terms; late information report circulated to Members present at the meeting including a letter of objection from a nearby resident, additional Highway comments and officer comments thereon, together with additional conditions required by the Highway Authority, report of site inspection and comments made by Members at the meeting.

It was proposed and seconded that the application be approved. On being put to the vote, the proposition was lost.

It was then proposed that the application be deferred for further discussions with the applicants with regard to an amended plan incorporating a re-design of the building and consideration being given to the access being off Springfield Road.

A general discussion then ensued, and the Committee Support Officer and Assistant Solicitor gave advice on procedure for the information of Members.

As an amendment, it was proposed and seconded that the application be refused, on grounds of design appearance potential and anti-social behaviour and also on highway safety grounds. The Development Management Service Manager advised that he considered that the Committee could make a decision at this meeting without further deferral based on the above reasons. The amendment was then put to the vote and carried and on being put as the substantive motion was also carried. The application was therefore refused for the following reasons:-

1. The proposal by virtue of design and materials would have an industrial/commercial appearance detrimental to the character and appearance of the area on this prominent route into Grantham. As such the proposal would be contrary to policy EN1 of the adopted South Kesteven Core Strategy. The proposal would not be appropriate to the quality and character of the built fabric and its setting.
2. The proposed vehicular access from Harlaxton Road in close proximity to the existing junction would be likely to result in vehicles queuing and waiting to the detriment of highway safety and the free flow of traffic. As such the proposal would be contrary to PPG 13 - Transport.
3. The proposed use would be likely to result in congregations of customers and members of the public at unsociable hours resulting in noise and disturbance and antisocial behavior to the detriment of the amenities of nearby residents. As such the proposed use would be contrary to policy EN1 of the adopted South Kesteven Core Strategy and PPS1: Delivering Sustainable Development.

PWM1

Application ref: S11/2065/FULL

Description: Residential development – 8 dwellings (including demolition of former hotel)

Location: Shirley Croft Hotel, Harrowby Road, Grantham, NG31 9EA

Decision: Refused

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 Mrs Kaberry-Brown and Howard) who had not been present at the meeting on 18 October 2011.

*(Councillor Morgan spoke in accordance with the provisions in the Constitution, and, having declared a personal and prejudicial interest left the meeting at 4:55pm).*

Noting comments during the public speaking session from:-

Jim Smith – objecting

together with comments from the Highway Authority, no objection from the arboriculturalist, comments from the Upper Witham Internal Drainage Board, Grantham Civic Trust and SKDC Principal Conservation Officer, together with a number of letters and a petition of objection from nearby residents and letters in support and, in relation to the amended plans, a further eight letters of objection; late information report circulated to Members present at the meeting including further letters of objection and a petition from residents of St. Vincent's Road, officer comments thereon and changes to the recommendations to include an amended schedule of conditions, together with comments from Members at the meeting.

It was proposed and seconded that the application be refused, as being over-dominant and having an adverse impact on the residents of neighbouring properties. The Development Management Service Manager advised that he considered the Committee could make a decision at this meeting, without further deferral, based on the above reasons. The proposition was put to the vote and carried, and the application was refused for the following reason:

1. It is considered that single storey dwellings only would be acceptable on plots 5 - 8 and that the proposed dwellings on these plots would not be in keeping with the form and character of the area contrary to national planning policy given in PPS1 (Sustainable Development), PPS3 (Housing), policies 1, 2 & 3 of The East Midlands Regional Plan and policies SP1, H1 & EN1 of the South Kesteven Core Strategy.

2. It is considered that the proposed dwellings on plots 5 - 8 would have a detrimental impact on the residential amenities of occupiers of the adjacent dwellings on Croft Drive and St Vincent's Road from overshadowing, overlooking and loss of privacy and by creating a dominant and oppressive environment, contrary to national planning policy given in PPS1 (Sustainable Development).

*(5:10pm – Councillor Cook left the meeting).*

*(5:10pm – Councillor Morgan returned to the meeting).*

### PWM2

Application ref: S11/2371/HSB

Description: Retention of two conservatories, veranda, extension to Coach House and various structures within the curtilage (including fountain, fencing, CCTV cameras and landscaping works), erection of leisure building, greenhouse and cold frames within existing walled garden, construction of tennis court

Location: Caythorpe Hall, Church Lane, Caythorpe, Grantham, NG32 3EL

Decision: Deferred

Noting comments during the public speaking session from:-

Pete Sowerby – applicant

together with comments from the Community Archaeologist, the Ramblers' Association and Caythorpe Parish Council, lengthy observations from English Heritage recommending refusal, comments from the SKDC Conservation Officer and a statement from the applicant's agent, together with one comment from a local resident, report of site inspection and comments made by Members at the meeting.

It was proposed and seconded that the application be approved. After discussion, the proposition was withdrawn and it was proposed and seconded that further consideration be deferred on the planning and listed building application pending an application endorsed by the Committee being made to the Secretary of State. On being put to the vote, this proposition was agreed.

### PWM3

Application ref: S11/2372/LB

Description: Extensions and alterations to listed building including

retention of two conservatories, veranda, and extension to Coach House, erection of leisure building and greenhouse within existing walled garden, replacement Coach House doors and other associated works

Location: Caythorpe Hall, Church Lane, Caythorpe, Grantham, NG32 3EL

Decision: Deferred

Noting comments made during the public speaking session from:-

Pete Sowerby – applicant

together with comments from the Community Archaeologist and Caythorpe Parish Council, lengthy observations from English Heritage objecting to the proposal, comments from the SKDC Conservation Officer and a statement from the applicant's agent, together with observations from a nearby resident; late information report circulated to Members present at the meeting including a further representation supporting the application for listed building consent from a local resident and officer comments thereon together with a recommended amendment to the reasons for refusal, report of site inspection and comments made by Members at the meeting.

It was proposed and seconded that the application be approved. After discussion, the proposition was withdrawn and it was proposed and seconded that further consideration be deferred on the planning and listed building application pending an application endorsed by the Committee being made to the Secretary of State. On being put to the vote, this proposition was agreed.

*(The meeting adjourned from 6:00pm-6:10pm).  
(6:00pm – Councillor Mrs Brenda Sumner left the meeting).*

#### NB1

Application ref: S11/0979/FULL

Description: New driveway to residential property

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

Decision: Approved

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 Mrs Kaberry-Brown and Howard) who had not been present at the meeting on 13 December 2011.

Noting no objection from the Highway Authority, comments from the Parish Council and comments from Lincolnshire Heritage, Natural England, the Environment Agency, Lincolnshire Wildlife Trust, Consultant Arboriculturalist and SKDC Property and Facilities, representations from nearby residents and comments from Ecological Consultant and confirmation from Natural England and Lincolnshire Wildlife Trust that there was no objection to the proposal with regard to its impact on protected species, 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. Any gates to the vehicular access shall be set back a minimum of 5.0 metres from the nearside edge of the carriageway of Carby Road and shall not open over the highway.
3. The development hereby permitted shall be carried out in accordance with the following list of approved plans submitted as part of the application:

2011/08-01G  
11016/S/G22/030

4. As identified in the submitted tree survey, the drive shall be constructed using no dig construction techniques and a plan showing a section through the drive shall be submitted to and approved in writing by the Local Planning Authority. The drive shall be constructed in accordance with the details as approved.
5. A sample of materials to be used for the drive shall be submitted to and approved in writing. The details as approved shall be used in construction of the drive.
6. Before development is commenced 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.
7. No development shall take place until full details of 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. Soft landscape works shall include a schedule of plants, noting species, plant

sizes and proposed numbers/densities where appropriate.

Note(s) to Applicant

1. Erection of flow control structures or any culverting of a watercourse requires the prior written approval of the Environment Agency under s.23 of the Land Drainage Act 1991 or s.109 of the Water Resources Act 1991. The Environment Agency resists culverting on nature conservation and other grounds and consent for such works will not normally be granted except for access crossings.
2. Please note that this grant of planning permission does not authorise the change of use of the paddock to residential curtilage and any future developments on this land are likely to require the submission of a planning application.
3. Should any protected species be found during the construction of the drive work should cease and contact be made with appropriate organisations to ensure that identified species are not harmed.

NB2

Application ref: S11/1384/CAC

Description: Demolition of timber buildings in Conservation Area

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

Decision: Approved

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 Mrs Kaberry-Brown and Howard) who had not been present at the meeting on 13 December 2011.

Noting comments from Heritage Lincolnshire, the Parish Council and Natural England, no objection from the Environment Agency or Lincolnshire Wildlife Trust, objections from nearby residents and comments from Ecological Consultant and confirmation from Natural England and Lincolnshire Wildlife Trust that there was no objection to the proposal with regard to its impact on protected species; site inspection report and comments from Members made 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 works hereby permitted shall be commenced before the expiration

of three years from the date of this consent.

2. The development hereby permitted shall be carried out in accordance with the following list of approved plans submitted as part of the application:

2011/08 02b

3. 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.

#### Note(s) to Applicant

1. Should protected species be found on site during the demolition of the structures work would need to cease immediately and contact be made with appropriate authorities or qualified individuals who have the authority to handle such animals.

#### NB3

Application ref: S11/1689/FULL

Description: Erection of club house (amendments to permission S10/2679)

Location: Stamford and District Indoor Bowling Club Ltd, Exeter Gardens, Stamford, Lincolnshire, PE9 2SA

Decision: Approved

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 Mrs Kaberry-Brown and Howard) who had not been present at the meeting on 13 December 2011.

*(6:25pm – Councillor Mrs Kaberry-Brown left the meeting).*  
*(6:28pm – Councillor Mrs Kaberry-Brown returned to the meeting).*

Noting submissions in support from the applicant, comments from Lincolnshire Heritage, no objection from the Highway Authority, Planning Policy or Sport England and comments from Stamford Town Council together with objections from nearby residents; late information report circulated at the meeting including further letters from local residents objecting to the proposal (printed in full in the report), comments from Environmental Health and additional information from the applicant together with officer comment on the information received, 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 arrangements shown on the approved plan 2010/20-01d, dated 19 July 2011, for the parking/turning of vehicles shall be available at all times when the premises are in use.
2. The development hereby permitted shall be carried out in accordance with the following list of approved plans submitted as part of the application:  
  
2010/20 - 01d  
2010/20 - 02h
3. All hard and soft landscape works, including a replacement tree and grassed areas (drawing number 2010/20 02h), shall be carried out in accordance with the approved details. The works shall be carried out in the first available planting season or in accordance with the programme agreed with the local planning authority.
4. The building shall not be used outside the hours of 9:00 – 23:00 Monday – Friday and 12:00 – 22:00 Saturday, Sunday and Bank Holidays.

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. During the hours of darkness it is respectfully requested that curtains to the high level windows in the rear elevation are closed.

*(6.45pm - Councillor Ashberry left the meeting)*

RV1

Application ref: S11/2949/FULL

Description: Erection of two polytunnels in connection with horticultural business

Location: The Old Bakehouse, Main Street, Manthorpe, Bourne, Lincolnshire, PE10 0JE

Decision: Approved

Noting comments made during the public speaking session from:-

Councillor Miss Channell – local representative

*(6:48pm – Councillor Ashberry returned to the meeting).*

Michael Thompson – objecting

Mike Dawson – supporting

Penny Dawson – applicant

together with comments from the local representative, no objection from the Highway Authority or parish council, a number of letters of objection and in support, 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. The horticultural buildings hereby permitted shall only be used for the purposes of, and in conjunction with the field used for horticulture by the applicants and shall not be used to house livestock.
3. The scheme for hedge planting on the southern boundary of the site and supplementary planting to the eastern and northern boundaries of the site shall be implemented in the next available planting season, as shown on the A3 landscaping plan received 25 November 2011. Any hedging removed, dying, becoming seriously damaged or deceased within 5 years of planting shall be replaced by hedging of a similar size and species to that originally planted.
4. Deliveries to the premises authorised by this permission shall not take place outside the hours of 8am to 5pm Monday to Friday, 8am to 1pm on Saturday and at no time on a Sunday or Bank Holiday.
5. No part of the site or buildings hereby permitted shall be used for retail sales without the express written consent of the Local Planning Authority.

### **73. PLANNING ENFORCEMENT BRIEFING PAPER**

The Committee noted briefing paper PLA922 from the Planning Enforcement Officer summarising the level of enforcement activity for the period July to December 2011. Also included was an update in relation to Section 106 activity and Section 106 monies received. The Planning Enforcement Officer answered

questions from Members and indicated that in response to Section 106 queries he would ensure that the Section 106 Officer replied to Members as soon as possible. Members noted the report.

**74. INFORMATION RELATING TO DEVELOPMENT CONTROL AND OTHER PLANNING ACTIVITY**

The Development Management Service Manager submitted his report PLA923 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 January 2012.

In response to queries from Members, the Assistant Solicitor and Development Management Service Manager gave an update in relation to the development at Ford End, Gonerby Road, Grantham, and indicated that a full report would be submitted to a future meeting.

**75. CLOSE OF MEETING**

The meeting closed at 7:18pm.