

AGENDA



For a meeting of the
DEVELOPMENT CONTROL COMMITTEE
to be held on
TUESDAY, 18 SEPTEMBER 2012
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 Wilkins (Chairman); Parkin (Vice-Chairman); Ashberry; Cook; Higgs; Howard; Mrs Kaberry-Brown; Vic Kerr; King; Morgan; Powell; Jacky Smith; Mrs Judy Smith; Stevens; Adam Stokes; Mrs Brenda Sumner and Wren
Committee Support Officer:	Malcolm Hall Tel: 01476 406118 E-mail: 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. DISCLOSURE OF INTERESTS

Members are asked to disclose any interests in matters for consideration at the meeting

4. MINUTES OF MEETING HELD ON 21 AUGUST 2012

(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. PLA946 by the Development Management Service Manager. **(Enclosure)**

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

PUBLIC SPEAKING

Anyone who would like to speak at the meeting should notify the Committee administrator one working day before the time of the meeting. The deadline by which you must notify us for the 2011/12 meetings are:

Meeting Date	Notification Deadline
Tuesday 29 May 2012, 1pm	Monday 28 May 2012, 1pm
Tuesday 26 June 2012, 1pm	Monday 25 June 2012, 1pm
Tuesday 24 July 2012, 1pm	Monday 23 July 2012, 1pm
Tuesday 21 August 2012, 1pm	Monday 20 August 2012, 1pm
Tuesday 18 September 2012, 1pm	Monday 17 September 2012, 1pm
Tuesday 16 October 2012, 1pm	Monday 15 October 2012, 1pm
Tuesday 13 November 2012, 1pm	Monday 12 November 2012, 1pm
Tuesday 11 December 2012, 1pm	Monday 10 December 2012, 1pm
Tuesday 8 January 2013, 1pm	Monday 7 January 2013, 1pm
Tuesday 5 February 2013, 1pm	Monday 4 February 2013, 1pm
Tuesday 5 March 2013, 1pm	Monday 4 March 2013, 1pm
Tuesday 26 March 2013, 1pm	Monday 25 March 2013, 1pm
Tuesday 23 April 2013, 1pm	Monday 22 April 2013, 1pm

If you would like to include photographs or other information as part of your presentation to the Committee, please send the information in an electronic format (e-mail with attachments, memory stick or disc) to the relevant case officer at least one working day before the meeting. If you are submitting hard copy information, please send it to the relevant case officer at least two working days before the meeting.

All speakers are at the Committee Chairman's (or Vice-Chairman's) discretion. Each person is allowed to speak for 3 minutes. Members of the Council are allowed to speak for 5 minutes in accordance with Council Procedure Rules.

Only one speaker for the applicant or the town and parish council will be allowed to speak. If there are several supporters or objectors to an application, they are encouraged to appoint a representative to present a joint case.

Development Control Committee members are able to ask questions about speakers' presentations. There is a time limit of 10 minutes for each speaker.

ORDER OF PROCEEDINGS

1. Short introductory presentation by the case officer
2. Speakers (Committee members will ask questions after each speaker)
 - a. District Councillors who are not Committee members
 - b. Representative from town/parish council
 - c. Objectors to an application
 - d. Supporters of an application
 - e. The applicant or agent for the applicant
3. Debate – Councillors will discuss the application and make proposals
4. Vote – the Committee will vote to agree its decision

MINUTES

**DEVELOPMENT CONTROL
COMMITTEE
TUESDAY, 21 AUGUST 2012**



COMMITTEE MEMBERS PRESENT

Councillor Bob Adams	Councillor Alan Parkin (Vice-Chairman)
Councillor Mark Ashberry	Councillor Bob Sandall
Councillor Michael Cook	Councillor Jacky Smith
Councillor Reginald Howard	Councillor Judy Stevens
Councillor Mrs Rosemary Kaberry-Brown	Councillor Adam Stokes
Councillor Vic Kerr	Councillor Brenda A Sumner
Councillor Michael King	Councillor Martin Wilkins (Chairman)
Councillor Charmaine Morgan	Councillor Rosemary H Woolley

OFFICERS

Head of Development and Growth (Mark Williets)
Development Management Service Manager (Pat Reid)
Principal Planning Officer (Justin Johnson)
Area Planning Officers (Rob Vincent and Alan Harvey)
Systems Support Officer (Gavin Hutchinson)
Committee Support Officer (Malcolm Hall)
Solicitor (Paul Rushworth)

22. MEMBERSHIP

The Committee was notified that notices under Regulation 13 of the Local Government (Committees and Political Groups) Regulations 1990 had been received, appointing Councillor Bob Sandall in place of Councillor Powell, Councillor Adams in place of Councillor Judy Smith and Councillor Woolley in place of Councillor Higgs, for this meeting only.

23. APOLOGIES

Apologies for absence were received from Councillor Wren.

24. DISCLOSURE OF INTERESTS

Councillor Adam Stokes disclosed an interest in application KJC1, as a Member of Lincolnshire County Council, the owners of part of the site.

Councillor Woolley advised that she would not take part in the discussion or voting on RV1, to avoid the impression of bias, as she had advised locally in connection with the application.

Councillor Howard disclosed an interest in application RV2, as the applicant.

25. MINUTES OF MEETING HELD ON 24TH JULY 2012

The minutes of the meeting held on 24th July 2012 were accepted as a correct record of decisions taken.

26. PLANNING MATTERS

Decision:-

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

PWM1

Application ref: S12/1374/MJRF
Description: Erection of ten affordable dwellings and associated infrastructure.
Location: Land off Barnby Lane, Claypole
Decision: Approved subject to a Section 106 agreement

Noting comments made during the public speaking session from:-

Diane Astling – objecting
Richard Hobbs – objecting
Marcella Heath – objecting
Claire Simmonds – objecting
Chris Richardson – objecting
Michael Furey – objecting
Mark Jermy – agent

together with comments from the Highway Authority, Community Archaeologist, SKDC Drainage Officer, SKDC Planning Policy, SKDC Open Space Officer, NHS Primary Care Trust and LCC Education, no objection from Network Rail,

Anglian Water, Upper Witham Internal Drainage Board, the Environment Agency and SKDC Affordable Housing Officer, objections from a number of nearby residents, including a petition of 132 signatures, and letters in support, and a note of the Section 106 Heads of Terms; late information report circulated to Members present at the meeting, including further consultee comments, a letter from the Parish Council in support of the proposals and officer comment thereon, report of site inspection and comments made by Members at the meeting.

It was proposed and seconded that the application be deferred to give further consideration to the design, layout and the adoption of the estate road and access, and also to give further consideration to the potential site on Main Street, Claypole. On being put to the vote the proposition was lost.

It was then proposed and seconded that the application be approved, subject to the conditions listed in the report and to an additional condition requiring the driveways to be constructed to an adoptable standard, and in regard to the Section 106 agreement, if this is not used for the off-site provision of play equipment, then it be paid to the Parish Council for the purchase of land for play purposes.

The proposal was then put to the vote and it was agreed that the application be approved, with authority delegated to the Development Management Service Manager, in consultation with the Chairman and Vice-Chairman, subject to the summary of reasons set out in the case officer's circulated report, and subject to the completion of a Section 106 agreement to ensure that the development remains as affordable housing for local people in perpetuity and the provision of funding for off-site play equipment, and if this is not used for off-site provision, then it be paid to the Parish Council for the purchase of land for play purposes, and to appropriate conditions as listed in the main report, together with a condition requiring the driveways to be constructed to an adoptable standard. 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 six week period, and where in the opinion of the Development Management Service Manager acting in consultation with the Chairman or Vice-Chairman of the 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 an unacceptable development acceptable, have not been forthcoming.

JJ1

Application ref: S12/2300/MJRO

Description: Demolition of existing football club buildings and structures.

Residential development with associated infrastructure, including new means of access with Kettering Road.

Location: Stamford AFC, Kettering Road, Stamford, PE9 2JS

Decision: Approved subject to a Section 106 agreement

Noting comments from Stamford Town Council, no objection in principle from Network Rail, comments from LCC Children's Services and the Environment Agency, no objection from the Lincolnshire Police Crime Prevention Design Advisor, comments from the Community Leisure Officer, Partnerships Projects Officer (Affordable Housing), the Planning Policy Team, English Heritage, the Council's Conservation Officer, Consultant Arboriculturalist, Heritage Lincolnshire and the Highway Authority, an objection from Sport England, objections from nearby residents and a note of the Section 106 Heads of Terms; late information report circulated to Members present at the meeting including comments received in relation to the amended plans from the Environment Agency and Crime Prevention Design Advisor and additional letters of objection, together with officer comments thereon and comments made by Members at the meeting.

It was proposed and seconded that the application be approved, subject to the completion of a Section 106 agreement and to the conditions listed in the main report.

A Member commented in relation to the proposed resolution, which gave authority to the Development Management Service Manager in consultation with the Chairman and Vice-Chairman, and said that it should be the other way round, in his opinion, ie authority delegated to the Chairman and Vice Chairman in consultation with the Development Management Service Manager.

The proposer and seconder of the motion agreed to include this variation in the motion, which was then put to the vote and agreed.

The proposal as amended above was then put to the vote and it was agreed that the application be approved, with authority delegated to the Chairman and Vice-Chairman, in consultation with the Development Management Service Manager, subject to the summary of reasons set out in the case officer's circulated report, and subject to the completion of a Section 106 agreement in relation to developer contributions and obligations, as listed in the report, and to appropriate conditions as listed in the main report. 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 six week period, and where in the opinion of the Development Management Service Manager acting in consultation with the Chairman or Vice-Chairman of the 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 an unacceptable development acceptable, have not been forthcoming.

JJ2

Application ref: S06/1151/MJNF
Description: Non food retail development (6 units) with associated parking, services and access
Location: Former Mirlees Blackstone Site, Uffington Road, Stamford
Decision: Deferred

Pending the further consideration of issues raised by Solicitors for objectors to the application.

(The meeting adjourned from 3.10pm to 3.38pm).

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

RV1

Application ref: S12/1354/FULL
Description: Construction of all weather sports pitch, associated fencing and additional landscaping scheme (revised scheme)
Location: Copthill Preparatory & Nursery School, Barnack Road, Uffington, Stamford, Lincolnshire, PE9 3AD
Decision: Approved

Noting comments made during the public speaking session from:-

Garth Hanlon (Savills) – objecting on behalf of Mr and Mrs Horn
Jonathan Teesdale – applicants

together with comments from Archaeology, the Highway Authority and Parish Council, an objection from the Campaign to Protect Rural England and no objection from the Tree Officer, Conservation Officer or Natural England, letters of objection and in support, including correspondence from an objector following the receipt of the Heritage Assessment, 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 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 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.
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. 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.
5. The development hereby permitted shall be carried out in accordance with the following list of approved plans submitted as part of the application:

Drawing Ref No: U-CIDS-1.1 1:500 Scale Site Levels.

Drawing Ref No: U-CIDS-1.2 1:500 Scale Site Layout.

Drawing Ref No: U-CIDS-1.3 1:200 Scale Fence Details.

Drawing Ref No: U-CIDS-1.4 1:200 Scale Drainage Details.

Drawing Ref No: U-CIDS-1.6 1:500 Landscaping Details.

Note(s) to Applicant

1. You are informed that the close boarded fencing that has been erected at the north western corner of the playing field across the existing gateway does not have the benefit of planning permission and is unlikely to receive favourable consideration in this visually sensitive area. In view of this you are advised to remove the fence within 1 month of the date of this decision notice.

KJC1

Application ref: S12/1720/EIAOL

Description: Section 73 Application to vary Conditions 4, 26, 30 and 50 of Planning Permission S11/2511 to increase the floor area of Building 6 (Business Incubation Centre) and decrease floor area of Building 5 (hotel) and minor amendment to Building 1 (Offices)

Location: Grantham Station Approach, between Grantham Railway Station and Wharf Road, Grantham

Decision: Approved subject to no adverse observations following the expiration of the public consultation period

Noting comments made during the public speaking session from:-

Paul Wheatley – applicants

together with no objection from the Highway Authority or Environment Agency and comments from Economic Development, LCC (Footpaths), Police Architectural Liaison Officer, Open Space Officer, English Heritage, Defence Infrastructure Organisation Lincolnshire Wildlife Trust and Network Rail together with comments in support from the applicants; late information report circulated to Members present at the meeting including comments from the Highways Agency, Environmental Protection, Planning Policy and Natural England, no objection from the Conservation Officer, an objection from the Upper Witham Internal Drainage Board and officer comment thereon, together with comments made by Members at the meeting.

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

It was proposed and seconded that the application be approved, with authority delegated to the Development Management Service Manager, after consultation with the Chairman and Vice-Chairman, subject to the expiration of the public consultation period and to no new material planning considerations being raised that have not already been considered, and subject to the conditions in the report.

A Member indicated that she wished to propose an amendment to reduce the height of building 1, by one floor, to improve the amenities of nearby residents. The Chairman asked that the amendment be written down and submitted. Further consideration of the application was then deferred to enable this to be done.

(Resumption of consideration later in the meeting).

On submission of the written down amendment, the Member agreed to some minor amendments, and it was then read to the Committee and formally proposed and seconded, as follows:-

The application be approved, with authority delegated to the Development Management Service Manager, after consultation with the Chairman and Vice-Chairman, subject to the expiration of the public consultation period and to no new material planning considerations being raised that have not already been considered, and that building 1 be reduced in height to a level no greater than that of the neighbouring listed Victorian workshop, ie 2 to 2.5 storeys high.

The Solicitor gave legal advice relating to the need for consistency with the previous decision, the effect that the proposed amendment might have on the whole scheme, and the Development Management Service Manager's advice that there may be an opportunity to further control the detail of the scheme as each individual proposal is submitted to the Committee.

The amendment was then put to the vote and lost.

The proposal was then put to the vote and agreed, and the application was approved, with authority delegated to the Development Management Service Manager, in consultation with the Chairman and Vice-Chairman, subject to the expiration of the public consultation period and to no new material planning considerations being raised that have not already been considered, and subject to the conditions in the report.

KJC2

Application ref: S12/1272/FULL

Description: Construction of fast food takeaway with associated restaurant

Location: Former Issac Newton Public House, Harlaxton Road, Grantham, Lincolnshire, NG31 7SA

Decision: Approved subject to a Section 106 agreement

Noting comments from the Crime Prevention Design Advisor, Community Archaeology, the Highway Authority, Upper Witham Internal Drainage Board and Environmental Protection, support from the Community Beat Officer and representations from nearby residents, a note of the proposed Section 106 Heads of Terms and comments made by Members at the meeting.

It was proposed and seconded that the application be approved, subject to the completion of a Section 106 agreement in regard to the non-implementation of the fast food element of S10/2331 on land to the west of the site, and subject also to the conditions in the report.

Before the proposition was put to the vote, the Chairman asked if condition 7, in relation to the submission of samples of materials, could be amended to

include samples of the type of brick to be used. The proposer and seconder agreed to the inclusion of this minor amendment within the proposition.

The proposal as amended was then put to the vote and it was agreed that the application be approved, with authority delegated to the Development Management Service Manager, in consultation with the Chairman and Vice-Chairman, subject to the summary of reasons set out in the case officer's circulated report, and subject to the completion of a Section 106 agreement to ensure that the fast food element of S10/2331 on the land to the west of this site is not implemented, and to appropriate conditions as listed in the main report. 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 six week period, and where in the opinion of the Development Management Service Manager acting in consultation with the Chairman or Vice-Chairman of the 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 no assessment of the impact of two fast food establishments on the vitality and viability of the town centre has been undertaken.

(5.08pm – Councillors Mrs Brenda Sumner and Mrs Kaberry-Brown left the meeting).

(5.10pm – Councillor Mrs Kaberry-Brown returned to the meeting).

AH1

Application ref: S12/1129/RM

Description: Reserved matter application in respect of the erection of 5 No dwellings (approved under outline planning permission ref S10/2650/OUT)

Location: 28, Main Street, Baston, Peterborough, Lincolnshire, PE6 9PB

Decision: Approved

Noting comments from the Parish Council, Housing Partnership Project Officer and Heritage Trust of Lincolnshire and no objection from the Environment Agency or Highway Authority and representations from nearby residents; late information report circulated to Members present at the meeting including a note in relation to the effect of revised drawings submitted, with officer comment thereon and appropriate alterations to 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 to the following conditions:-

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

Drawing No. 3602A-S01
Drawing No. 3602A-S02
Drawing No. 3602A-P01A Rev A
Drawing No. 3602A-P02B
Drawing No. 3602A-P03C
Drawing No. 3602A-P04
Drawing No. 3602A-P05B
Drawing No. 3602A-P06A
Drawing No. 3602A-P07B
Drawing No. 3602A-P08
Drawing No. 3602A-P09A
Drawing No. 3602A-P10A
Drawing No. 3602A-P11B
Drawing No. 3602A-P12
Drawing No. 3602A-P13
Drawing No. 3602A-P14 Rev B
Drawing No. 3602A-P15C

The external materials to be used in the construction of the dwellings shall be implemented in accordance with the Finishes Schedule (Project Ref: 3602A Rev A) received on 9 August 2012.

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 No. 3602A-P02B and thereafter the visibility splay shall be kept free of obstacles exceeding 0.6 metres in height.

Prior to any of the dwellings being first occupied the private drive shall be completed in accordance with the details shown on Drawing No. 3602A-P11B.

(5.13pm – Councillor Howard left the meeting, returning at 5.15pm, having disclosed an interest).

RV2

Application ref: S12/1622/LB

Description: Affix steel plaque

Location: Town Hall, Market Place, Market Deeping, Peterborough, Cambridgeshire, PE6 8EA

Decision: Approved

Noting no adverse observations from Archaeology, and the late information report circulated to Members present at the meeting amending the recommendation by deleting the reference to a Section 106 agreement, 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 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:

Drawing Ref: Details of Plaque.

Photograph showing location of plaque on the building.

(5.15pm – Councillor Bob Sandall left the meeting).

27. SECTION 106 AGREEMENTS

S08/0870 – RESIDENTIAL DEVELOPMENT, 14 DWELLINGS AND ASSOCIATED PARKING, LAND OFF STEPHENS WAY, DEEPING ST JAMES

Application withdrawn.

S12/0510 – DEMOLITION OF EXISTING BUILDING AND CONSTRUCTION OF NEWE APARTMENTS (EXTENSION OF TIMEFRAME), S08/0892, FORMER GRANTHAM TYRE AND AUTO, RYCROFT STREET, GRANTHAM

Decision:-

That the approval of planning application S12/0510 be delegated to the Development Management Service Manager, in consultation with the Chairman and Vice-Chairman, subject to the completion of an appropriate Section 106 agreement in relation to developer contributions, and subject also to a condition requiring the submission of details of materials, with authority for the

Conservation Officer to consider and review. 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 and in the opinion of the Development Management Service Manager acting in consultation with the Chairman or Vice-Chairman of the Committee there are no extenuating circumstances that would justify a further extension of time, the related planning application shall be refused on the basis that the necessary contributions essential to make what would otherwise be unacceptable development acceptable have not been forthcoming.

The Committee considered report PLA941 from the Development Management Service Manager.

Members were reminded that this application had been considered at the last meeting, when it had been deferred to enable the Conservation Officer and other appropriate bodies to consider whether the site and buildings was a heritage asset, and to report accordingly. The report was as circulated to the last meeting, with the addition of comments from the Conservation Officer, which were reproduced in full.

The Development Management Service Manager, in presenting the report, drew the attention of Members to the Conservation Officer's conclusion that the buildings were of insufficient merit to be retained. He accordingly recommended that the application be approved.

The Member who had raised the issue at the last meeting said that she had also discussed the application with the Conservation Officer, and she asked that a condition be included to require the submission of details of materials, and for the Conservation Officer to be authorised to consider these and review if necessary. The Development Management Service Manager said that he could accept this suggestion.

It was proposed and seconded that the application be approved, subject to the addition of the condition referred to above, and subject to the completion of an appropriate Section 106 agreement, as recommended. On being put to the vote, the proposition was agreed.

S12/0417 – OUTLINE PLANNING APPLICATION FOR THE ERECTION OF FIVE DWELLINGS (EXTENSION OF TIME), HIGH STREET, BILLINGBOROUGH

Decision:-

That the approval of planning application S12/0457 be delegated to the Development Management Service Manager, in consultation with the Chairman and Vice-Chairman, subject to the completion of an appropriate Section 106 agreement in relation to affordable housing. 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 and in the opinion of the Development Management Service Manager acting in consultation with the Chairman or Vice-Chairman of the Committee there are no extenuating circumstances that would justify a further extension of time, the related planning application shall be refused on the basis that the necessary contributions essential to make what would otherwise be unacceptable development acceptable have not been forthcoming.

The Committee considered report PLA942 from the Development Management Service Manager in relation to an application for an extension of time for a previous application on the site (S09/0142). A condition of the previous consent restricted the number of dwellings to 5, which would trigger an affordable housing requirement. However, the developer had enquired about the possibility of restricting the number of dwellings to 4, to avoid the need for any affordable housing. Subsequently, he had agreed to enter into an agreement to the effect that there would be no requirement for affordable housing if no more than 4 dwellings were built, but that affordable housing, or a contribution, would be required if five dwellings were built.

It was proposed and seconded that the application be approved, subject to the completion of an appropriate Section 106 agreement, as recommended. On being put to the vote, the proposition was agreed.

S12/0567 – REVISION OF DWELLING TYPE TO INCLUDE A SUN ROOM, 5 WINDMILL CLOSE, DEEPING ST JAMES

Decision:-

That the approval of planning application S12/0567 be delegated to the Development Management Service Manager, in consultation with the Chairman and Vice-Chairman, subject to the completion of a Deed of Variation to the Section 106 agreement attached to the original outline planning approval, and to conditions as set out in the report.

The Committee considered report PLA943 from the Development Management Service Manager in relation to a requirement for a Deed of Variation to an existing Section 106 agreement for the development including the above property. There was a requirement for the variation to the agreement because of an application for an amendment to 5 Windmill Way to include a sun room. It was not considered that there were any planning issues that would prevent this amendment being approved.

It was proposed and seconded that the application be approved subject to the completion of a Deed of Variation to the existing Section 106 agreement, and to appropriate conditions as set out in the report. On being put to the vote, the proposition was agreed.

28. INFORMATION RELATING TO DEVELOPMENT CONTROL AND OTHER PLANNING ACTIVITY

The Development Management Service Manager submitted his report PLA944 listing details of applications not determined within the eight week time period. Also submitted was a list of applications dealt with under delegated powers. A planning appeals update/summary as at 6th August 2012 and copies of appeals decisions was also submitted, together with a table showing planning applications performance as at July 2012.

The Solicitor gave an update in relation to the decision on the appeal at St Catherine's House, Grantham. The Chairman congratulated the team for the way in which the appeal had been taken. In response to a question, the Solicitor confirmed that there had been good support from local residents, and that the Case Officer, Phil Moore, should be congratulated for the way in which he had conducted the bulk of the Council's case. This was agreed.

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

The Chairman advised Members that in view of the number of applications pending, he had scheduled an additional meeting of the Committee for Tuesday 2nd October 2012 at 1pm. The site visits prior to this meeting would be on 26th September, and would commence at 9.30am with the full Committee site visit to the site of the proposed wind turbines at Carlton Scroop, with extra viewing points. The remaining visits would be in the afternoon, provisionally to Sedgebrook, Baston and Tallington. The visiting group would be Councillors Mrs Kaberry-Brown, King, Morgan, Jacky Smith, Adam Stokes and Mrs Brenda Sumner.

The Committee Support Officer advised Members of the scheduled attendance at the next round of visits on 12th September.

In conclusion, the Chairman notified Members of dates for short seminars relevant to the work of the committee, firstly on the 11th September on highways and secondly on 30th October on ecology. Both sessions would be in the Council Offices, commencing at 5pm.

Councillor King reminded the Chairman that a session on Section 106 financial appraisals had been suggested, and he offered to present this. It was agreed that the session would be on 20th November, again at 5pm in the Council Offices.

30. C LOSE OF MEETING

The meeting closed at 5.40pm

Agenda Item 5

COMMITTEE: 18 September 2012

	NO	PAGE	PROPOSAL AND LOCATION	REC
NB1	S12/1562	1	Erection of 3 dwellings High Lodge, Casterton Road, Stamford, PE9 2YL	AC
NB2	S12/1561	11	Demolition of Bungalow High Lodge, Casterton Road, Stamford, PE9 2YL	AC
KJC1	S12/1331	17	Approval of Reserved Matters for residential development of 105 dwellings and associated garaging and infrastructure pursuant to outline Planning Permission S08/1231 Poplar Farm, Barrowby Road, Grantham, NG31 8AF	AC
JJ1	S12/0438	33	Demolition of existing retail warehouse building and erection of 10 dwellings 2A Radcliffe road, Stamford	AC

Applicant	Messrs Hartley/Munton The Old Rectory, 2, Greatford Road, Uffington, Stamford, Lincolnshire, PE9 4SW
Agent	Jonathon Hartley Architectural The Old Curiosity Shop, 28, St. Peters Street, Stamford, PE9 2PF
Proposal	Erection of 3 dwellings
Location	High Lodge, Casterton Road, Stamford, Lincolnshire, PE9 2YL
App Type	Full Planning Permission
Parish(es)	Stamford
Reason for Referral to Committee	Considered to be locally controversial
Recommendation Summary	<p>There are considered to be three key issues with the application. Firstly, whether or not the development would represent an enhancement on the character of the area beyond what is currently in situ. In this regard it is considered that the elevation treatment and scale of the proposed dwellings, which are reflective of the attractive neighbouring Victorian properties, would result in an enhancement on the existing. Secondly, the scale of the development would be similar to existing properties in the locality and therefore any overlooking or overbearing impacts that result would be similar to those which currently exist and not justify a refusal of planning permission. Thirdly, vehicular access to the site is from Radcliffe Road with the majority of the access road a private drive. However, the resultant increase in vehicle movements would not be harmful to highway safety and vehicles can and enter leave in a forward gear with ample parking provision within the site.</p> <p>It is, therefore, considered that the application complies with Core Strategy policies EN1, SP1, and H1 along with guidance contained in the National Planning Policy Framework; with no other material planning considerations to indicate that the application should be determined otherwise.</p>

Key Issues

- Access/parking including highway and pedestrian safety
- Impact of development on residential amenities
- Visual impact on the character of the Conservation Area

Technical Documents

- Application Forms
- Site Location Plan
- Site Layout Plans
- Elevational Drawings
- Dwelling Floor Plans
- Site Level Details
- Vehicular Access/Parking Arrangements
- Tree survey and associated plans

REPORT

The Proposal

This is a full application for the erection of 3 dwellings on land off Casterton Road. The dwellings would be two-storey in scale, with accommodation in the roof space, and include a single storey rear aspect. Vehicular access to the site is from Radcliffe Road.

The application site and its surroundings

High Lodge is a bungalow within a relatively large plot. The property is well screened from Casterton Road by two Magnolia trees to the front of the plot. In the rear garden is detached garage with a mixture of planting, fencing and wall, between 2 and 3 metres tall, marking the rear property boundary. Within the rear garden there are a number of trees. There is a significant change in levels across the application site with the garage to High Lodge some 4.85m above the floor level of the bungalow. Vehicular access to the site is from Radcliffe Road and falls between 6 Rock House gardens and 21 St John's Terrace. A number of dwellings currently utilise this access point with an un-adopted road, in a poor state of repair, leading to the rear of High Lodge.

To the immediate west of the site is a footpath, locally known as the Donkey steps, that leads from Casterton Road to Radcliffe Road. Beyond the path and fronting Casterton road is a row of 6 attractive Victorian terraced properties.

Heading up the donkey steps toward Radcliffe Road there are two lines of terraces on the left hand side, St John's Terrace and 21-37 Radcliffe Road. It is understood that High Lodge, the three dwellings to the immediate east and 1-6 Rock House Gardens are built on the former gardens of Rock House, a Listed building. The immediate neighbouring property to the east, Ellesmere, is a two-storey dwelling with a first floor landing and bathroom window in the side elevation adjacent to the site.

The area is characterised by two-storey dwellings which are prominent in the locality.

Relevant site history

An application for the erection of a dwelling on part of the rear garden of High Lodge was refused permission (ref; S10/0968) in June 2010 for the following reasons;

- 1) To prevent the new dwelling from excessively overlooking the existing bungalow a 1.8 metre high solid boundary treatment will be required between the existing and proposed plots. Such a treatment added to the change in levels would create a 5.8 metre high screen within 8.5 metres of the existing bungalow. The height and proximity of this element added to the overall impact of the proposed new dwelling would create an overbearing and obtrusive feature that would unduly harm the residential amenities of High Lodge. It is therefore considered that the proposed development would conflict with the guidance contained within PPS3, Policy 2 of the East Midland Regional Plan as well as Saved Policies H6 and EN1 of the South Kesteven Local Plan.
- 2) It is considered that the proposed dwelling would sit awkwardly with the built form of the surrounding area, appearing out of keeping with the established character of Casterton Road and relating poorly to St John's Terrace and the adjacent Radcliffe Road dwellings. It is therefore considered that the proposed development would conflict with the guidance

contained within PPS3, Policy 2 of the East Midland Regional Plan as well as Saved Policies H6 and EN1 of the South Kesteven Local Plan.

- 3) The application does not provide sufficient details to allow an adequate assessment of the potential impact on highways safety to be undertaken. It is therefore considered that the proposed development would conflict with the guidance contained within PPG13 and Saved Policy H6 of the South Kesteven Local Plan.

Policy Considerations

National Planning Policy Framework

Section 1: Delivering sustainable development
Section 4: Promoting Sustainable Transport
Section 6: Delivering a wide choice of high quality homes
Section 7: Requiring good design
Section 10: Meeting the challenge of climate change, flooding and coastal change.
Section 11: Conserving and enhancing the natural environment
Section 12: Conserving and enhancing the historic environment

East Midlands Regional Plan

Policy 1 – Regional Core Objectives
Policy 2 – Promoting Better Design
Policy 26 – Protecting and Enhancing the Region’s Natural and Cultural Heritage
Policy 27 – Regional Priorities for the Historic Environment

South Kesteven Core Strategy 2010

Policy SP1 – Spatial Strategy
Policy EN1 – Protection and Enhancement of the Character of the District
Policy EN2 - Reducing the Risk of Flooding
Policy EN4 – Sustainable Construction and Design
Policy H1 – Residential Development

Representations received

Lincolnshire County Council, as Highway Authority, does not object to the application subject to the imposition of conditions about the retention of parking and turning areas within the site.

The Consultant Tree Officer agrees with the content of the tree report and notes that it is the trees to the front of the plot that make the greatest contribution to the character of the Conservation Area and those to be removed are ornamental in nature.

The Principal Conservation Officer notes that the replacement dwellings attempt to replicate the terrace to the west in terms of scale, design and materials and if care is taken with the details, the development should represent an enhancement of the appearance of this part of the Conservation Area.

Environmental Protection note that air source heat pumps are proposed for the dwellings and request clarification on the noise that they would generate.

Lincolnshire Police request that the authority consider crime reduction and community safety through appropriate boundary treatments, lighting and landscaping.

The comments of Stamford Town Council are reproduced below;

“The Planning Committee strongly object to the demolition of High Lodge. It is considered to have significant interest having been built in the 1950s of local brick and stone which is now unavailable. It is a good sound property which is in keeping with the fabric of the Conservation Area. It is strongly recommended that the decision to demolish this building is deferred to the Development Control Committee.

The Planning Committee strongly object to the proposed erection of three dwellings as the proposal will overdevelop the site and the roof line will dominate the environment. The design is not in keeping with the character of the area and street scene. The greatest concern is on Health & Safety and the traffic impact on a small un-adopted road which will seriously impact on the residents of the 13 dwellings using this road. The congestion at the junction with Radcliffe Road is already acute, with the additional pressure of vehicles accessing North Street at the Scotgate intersection the congestion will be increased. It is strongly recommended that LCC Highways is fully consulted before this application is given any further consideration.

It has also been brought to our attention that there are major electrical cables which service a major part of Stamford located below the surface of the un-adopted road.

There is concern over the removal of some of the well-established trees which will be detriment to the environment. It is recommended that this application is deferred to Development Control Committee and a site visit conducted”.

On the amended plans the Town Council maintained their original objection to the application.

Representations received as a result of publicity

The application has been advertised in accordance with the Council’s Statement of Community Involvement with the initial closing date for representations being the 03 August 2012. Further consultation was also undertaken following the receipt of amended plans, allowing a further 14 days to submit additional comments.

At the time of writing a total of 33 representations have been received on the application and all respondents object to the application. A summary of their objections to the application is reproduced below;

- The scale of the dwellings are out of character with those that surround it
- There is no justifiable reason for demolishing the existing bungalow
- Noise generated from the occupiers is likely to be over and above that from the current occupiers
- Access from Radcliffe Road is poor with the junction being close to the fire station and New Cross Road
- Maintenance of the road within the site is down to the various occupiers and the increase in numbers will exacerbate existing problems
- There is a main electric cable and substation that would be affected by the development
- Construction traffic will block the road and affect the ability of local people to park
- Approving the development would be contrary to a covenant
- Parking and turning for the dwellings would be difficult
- The donkey track will be poorly lit and increase the fear of crime
- Privacy will be compromised from the development as well as the dwellings resulting in an overbearing impact

- Surface water runoff will increase as a result of the increased hardstanding
- The site falls within the former historic gardens of Rock House and should be protected from further development
- General overdevelopment of the site
- Loss of mature trees and a detrimental impact on the natural environment
- Vehicle movements are likely to be detrimental to pedestrian safety given the widespread use of the donkey track by many local children

Officer evaluation

Amended plans have been received that reduce the overall scale and height of the proposed dwellings and the application is considered accordingly. It should also be noted that an application is under consideration for the demolition of the existing bungalow (ref; S12/1561/CAC) with the application site falling within the recently extended Stamford Conservation Area.

Impact on the character of the area

Following alterations to the application, which reduce the height and depth of the proposed dwellings, it is noticeable that the eave and ridge height of the proposed dwellings would be lower than the adjacent Victorian terraced properties. Furthermore, the eave height of the dwellings would be lower than Ellesmere to the south whilst having a ridge height the same as this dwelling; this is achieved with the proposed dwellings being set lower than the existing bungalow. The depth of the two-storey element of the dwellings, at 8.8m, is also reflective of the adjacent Victorian terraces.

In terms of scale it is considered that the replacement dwellings act as a suitable bridge within the streetscene between the properties that are either side of it, with the ridge heights of the dwellings reducing whilst heading down Casterton Road into central Stamford. Furthermore, the dwellings are reflective in terms of elevation treatment of the attractive Victorian properties to the north. Given that the existing bungalow makes little or no contribution to the character of the Conservation Area and that the replacement dwellings are considered to be an enhancement on the existing there is not considered to be any reason in terms of impact on the character of the area to refuse the application.

Residential amenity

The primary consideration for impacts on residential amenity is overlooking and overbearing issues. The dwellings are proposed to be sited forward of Ellesmere and backward of 2 Casterton Road and would be visible from some of the main windows of these dwellings. However, the dwellings would be set 1m from the plot boundary and any views of the dwellings would be oblique in nature from these properties. With regard to the mass and overbearing impacts that may result it is also noticeable that the main two-storey mass of the proposed dwellings is likely to be similar to that currently experienced from 2 Casterton Road. The two-storey depth of the proposed dwellings would also be less than the facing wall of Ellesmere on the same boundary.

Overlooking from the proposed dwellings would be similar to those that currently exist from neighbouring properties, with the exception of the accommodation in the roof space. However, there is an element of mutual overlooking between neighbouring properties and the change in levels and distance to properties on Radcliffe Road should ensure that privacy would not be unduly compromised.

Highway impacts

The highway authority have not objected to the application with it being noted that there are currently a number of dwellings that utilise the existing access and that the likely increase in vehicle movements would not justify a refusal of permission. Strong objection has been received from local residents about maintenance of the communal turning area to access the application site and this area is in a poor state of repair. However, this is a civil legal matter between relevant parties that have an obligation to maintain and/or use the private road.

The primary consideration with regard to highways is the ability of vehicles to enter and leave in a forward gear. Two car parking spaces are proposed for each dwelling with them to be on an area of hardstanding, similar to the existing garage and parking for the neighbouring property. There is also ample space for vehicles to enter and leave the site in a forward gear. Construction traffic is likely to impact on the private road but this would be temporary in nature and, again, a private civil legal matter.

Other considerations

With regard to impact on trees an Arboricultural Impact Assessment has been submitted in support of the application. The Consultant Tree Officer agrees with its content and notes that the two magnolia trees to the front of the site make the greatest contribution to the character of the Conservation Area and are not affected as a result of the application. Trees to the rear are typical of an ornamental residential garden and not worthy of a Preservation Order and therefore no objection is made to the removal of trees to the rear. Subject to conditions about the protection of trees to be retained and approval of a landscaping scheme there is no concern with regard to impact on trees and vegetation within the application site.

Concern has been expressed about noise from the increased number of occupants but this is not an overriding issue. Furthermore, subject to certain restrictions, the installation of air source heat pumps does not require planning permission.

Section 106 Heads of Terms

Given that the application is for the erection of three dwellings there is no requirement for financial contributions.

Crime and Disorder

The proposed development does not raise any significant crime and disorder implications for the local area.

Human Right 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 erection of three dwellings on this site is considered to be an enhancement on the character of the Conservation Area with the development being reflective in terms of scale and elevation

treatment of the adjacent Victorian terraced properties. The scale of the buildings and relationship with neighbouring properties is such that it is not considered that residential amenity would be compromised through a dominating or overlooking impact. Nor is it considered that the development would be detrimental to highway safety through vehicle movements that may be generated, with vehicles able to enter and leave in a forward gear. Furthermore, it is not considered that the development would be detrimental to trees worthy of retention or the wider environment. It is, therefore, considered that the application complies with Core Strategy policies EN1, SP1, and H1 along with guidance contained in the National Planning Policy Framework; with no other material planning considerations to indicate that the application should be determined otherwise.

SUMMARY OF REASON(S) FOR APPROVAL

The erection of three dwellings on this site is considered to be an enhancement on the character of the Conservation Area with the development being reflective in terms of scale and elevation treatment of the adjacent Victorian terraced properties. The scale of the buildings and relationship with neighbouring properties is such that it is not considered that residential amenity would be compromised through a dominating or overlooking impact. Nor is it considered that the development would be detrimental to highway safety through vehicle movements that may be generated, with vehicles able to enter and leave in a forward gear. Furthermore, it is not considered that the development would be detrimental to trees worthy of retention or the wider environment. It is, therefore, considered that the application complies with Core Strategy policies EN1, SP1, and H1 along with guidance contained in the National Planning Policy Framework; 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. 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.

4. The arrangements shown on approved plan HAR/12/0463-4 rev A for the parking, turning and manoeuvring 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 Radcliffe Road and to allow vehicles to enter and leave in a forward gear in the interests of highway safety.

5. 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.

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

6. As identified in paragraph 8 of the Arboricultural Impact Assessment any works, including demolition and construction of replacement steps to the front of the plot, shall be undertaken by hand or any small diggers shall be used with a banksman to prevent collision with overhead branches.

Reason: To ensure that there would be no detrimental impact on trees to the front of the plot.

7. No development shall take place until full details of 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 planting plans, written specifications and a schedule of plants, noting species, plant sizes and proposed numbers/densities where appropriate.

Reason: 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).

8. 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.

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).

9. Notwithstanding the proposed drawings, the number, location and size of rooflights proposed shall be identified on a plan to be submitted to and approved by the Local Planning Authority and no additional rooflights beyond those agreed shall be inserted.

Reason: To ensure that the number of rooflights is not excessive and harmful to the character of the area and to comply with policy EN1 of the South Kesteven Core Strategy.

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

HAR/12/0463-4 rev A
HAR/12/0463-5 rev A
HAR/12/0463-6 rev A

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

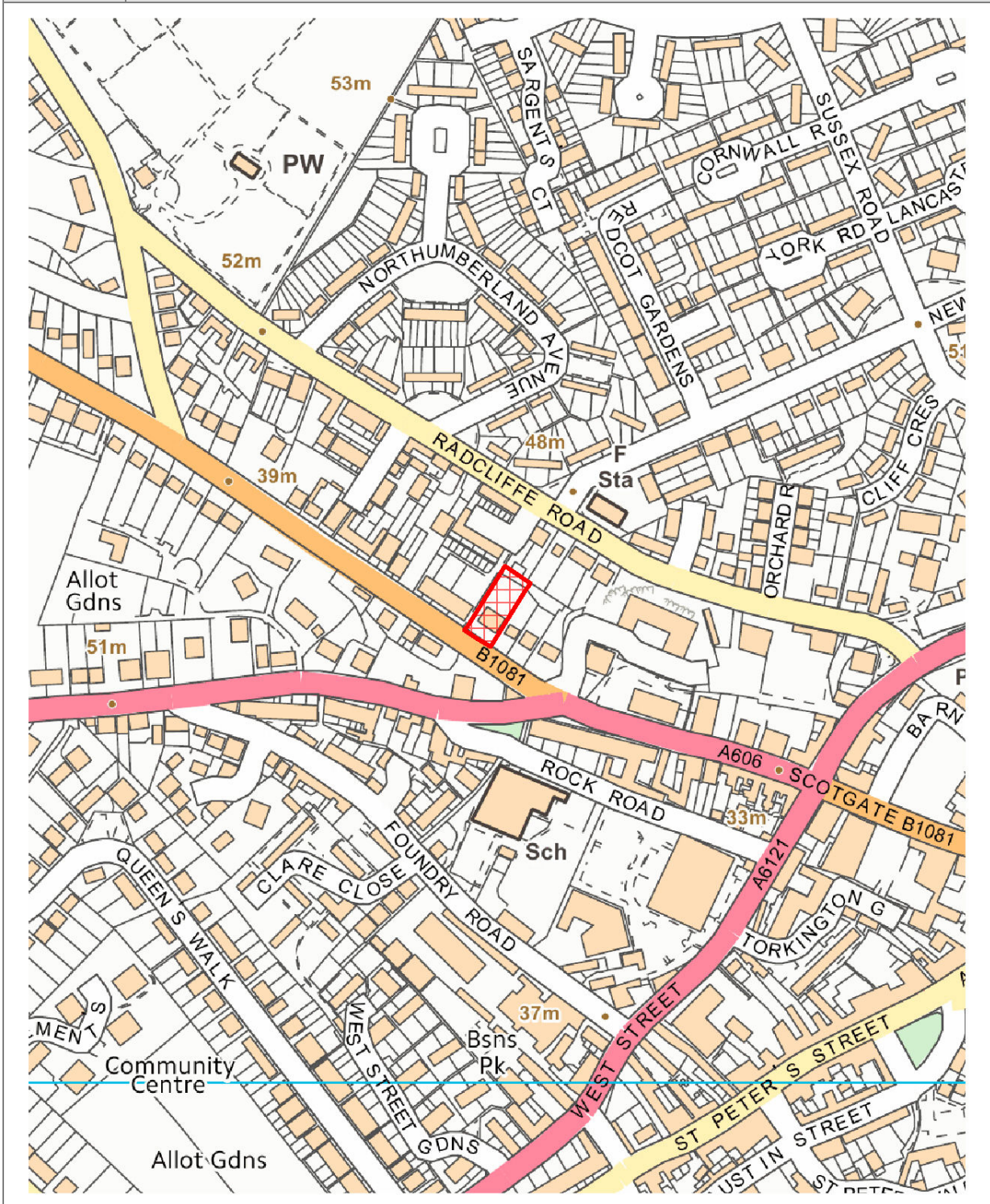
Note(s) to Applicant

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.

* * * * *

Site Location Plan

Ref	S12/1562
Proposal	Erection of 3 dwellings
Location	High Lodge, Casterton Road, Stamford, Lincolnshire, PE9 2YL



Applicant	Messrs Hartley/Munton The Old Rectory, 2, Greatford Road, Uffington, Stamford, Lincolnshire, PE9 4SW
Agent	Jonathon Hartley Architectural The Old Curiosity Shop, 28, St. Peters Street, Stamford, PE9 2PF
Proposal	Demolition of bungalow
Location	High Lodge, Casterton Road, Stamford, Lincolnshire, PE9 2YL
App Type	Conservation Area Consent
Parish(es)	Stamford

REPORT

The proposal

The application is for the demolition of a bungalow within Stamford Conservation Area.

The application site and its surroundings

High Lodge is a bungalow within a relatively large plot. The property is well screened from Casterton Road by two Magnolia trees to the front of the plot. In the rear garden is detached garage with a mixture of planting, fencing and wall, between 2 and 3 metres tall, marking the rear property boundary. Within the rear garden there are a number of trees. There is a significant change in levels across the application site with the garage to High Lodge some 4.85m above the floor level of the bungalow. Vehicular access to the site is from Radcliffe Road and falls between 6 Rock House gardens and 21 St John's Terrace. A number of dwellings currently utilise this access point with an un-adopted road, in a poor state of repair, leading to the rear of High Lodge.

To the immediate west of the site is a footpath, locally known as the Donkey steps, that leads from Casterton Road to Radcliffe Road. Beyond the path and fronting Casterton road is a row of 6 attractive Victorian terraced properties.

Heading up the donkey steps toward Radcliffe Road there are two lines of terraces on the left hand side, St John's Terrace and 21-37 Radcliffe Road. It is understood that High Lodge, the three dwellings to the immediate east and 1-6 Rock House Gardens are built on the former gardens of Rock House, a Listed building. The immediate neighbouring property to the east, Ellesmere, is a two-storey dwelling with a first floor landing and bathroom window in the side elevation adjacent to the site.

The area is characterised by two-storey dwellings which are prominent in the locality.

Relevant site history

An application for the erection of a dwelling on land to the rear of High Lodge was refused permission (ref; S10/0968) in June 2010 for the following reasons;

- 1) To prevent the new dwelling from excessively overlooking the existing bungalow a 1.8 metre high solid boundary treatment will be required between the existing and proposed plots. Such a treatment added to the change in levels would create a 5.8 metre high screen within

8.5 metres of the existing bungalow. The height and proximity of this element added to the overall impact of the proposed new dwelling would create an overbearing and obtrusive feature that would unduly harm the residential amenities of High Lodge. It is therefore considered that the proposed development would conflict with the guidance contained within PPS3, Policy 2 of the East Midland Regional Plan as well as Saved Policies H6 and EN1 of the South Kesteven Local Plan.

- 2) It is considered that the proposed dwelling would sit awkwardly with the built form of the surrounding area, appearing out of keeping with the established character of Casterton Road and relating poorly to St John's Terrace and the adjacent Radcliffe Road dwellings. It is therefore considered that the proposed development would conflict with the guidance contained within PPS3, Policy 2 of the East Midland Regional Plan as well as Saved Policies H6 and EN1 of the South Kesteven Local Plan.
- 3) The application does not provide sufficient details to allow an adequate assessment of the potential impact on highways safety to be undertaken. It is therefore considered that the proposed development would conflict with the guidance contained within PPG13 and Saved Policy H6 of the South Kesteven Local Plan.

Policy Considerations

National Planning Policy Framework

Section 1: Delivering sustainable development
Section 4: Promoting Sustainable Transport
Section 6: Delivering a wide choice of high quality homes
Section 7: Requiring good design
Section 10: Meeting the challenge of climate change, flooding and coastal change.
Section 11: Conserving and enhancing the natural environment
Section 12: Conserving and enhancing the historic environment

East Midlands Regional Plan

Policy 1 – Regional Core Objectives
Policy 2 – Promoting Better Design
Policy 26 – Protecting and Enhancing the Region's Natural and Cultural Heritage
Policy 27 – Regional Priorities for the Historic Environment

South Kesteven Core Strategy 2010

Policy SP1 – Spatial Strategy
Policy EN1 – Protection and Enhancement of the Character of the District
Policy EN2 - Reducing the Risk of Flooding
Policy EN4 – Sustainable Construction and Design
Policy H1 – Residential Development

Representations received

The observations of the Principal Conservation Officer are drafted below;

“The application site is located in one of the recently added extensions to the Stamford Conservation Area and currently contains a nondescript late C20 bungalow situated in an elevated

position on the steeply sloping land on the northern side of Casterton Road.

Apart from this bungalow, the remainder of the dwellings on this side of this road within the CA, the principal approach to the town centre from the north-west, are two-storey. To the north-west of the site there are attractive late nineteenth/early twentieth century terraced houses and, to the south-west, modern detached houses.

The proposal is to replace the existing bungalow, which because of its low profile has only minimal impact on the street scene, with a terrace of three dwellings that will have a greater impact on the street scene than the existing bungalow which is virtually unseen due partly to its low profile and the abundance of overgrown shrubs in the garden.

The proposed replacement dwellings attempt to replicate the terrace to the west in terms of scale, design and materials and if care is taken with the details, the development should represent an enhancement of the appearance of this part of the designated Area.

However, should planning application be refused, I would advise that consent should not be granted for the demolition of the existing bungalow, as despite its modest impact on the scene it would not be in the best interests of preserving the character and appearance of the Conservation Area for there to be an undeveloped gap site left indefinitely”.

The observation of Stamford Town Council is reproduced below;

“The Planning Committee strongly object to the demolition of High Lodge. It is considered to have significant interest having been built in the 1950s of local brick and stone which is now unavailable. It is a good sound property which is in keeping with the fabric of the Conservation Area. It is strongly recommended that the decision to demolish this building is deferred to the Development Control Committee.

The Planning Committee strongly object to the proposed erection of three dwellings as the proposal will overdevelop the site and the roof line will dominate the environment. The design is not in keeping with the character of the area and street scene. The greatest concern is on Health & Safety and the traffic impact on a small un-adopted road which will seriously impact on the residents of the 13 dwellings using this road. The congestion at the junction with Radcliffe Road is already acute, with the additional pressure of vehicles accessing North Street at the Scotgate intersection the congestion will be increased. It is strongly recommended that LCC Highways is fully consulted before this application is given any further consideration.

It has also been brought to our attention that there are major electrical cables which service a major part of Stamford located below the surface of the un-adopted road.

There is concern over the removal of some of the well-established trees which will be detriment to the environment. It is recommended that this application is deferred to Development Control Committee and a site visit conducted”.

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 representations being 3 August 2012.

It should be noted that no additional consultation was undertaken on this application, unlike S12/1562, with there being no alteration to this aspect of the development.

As a result of consultation a total of 16 letters of objection have been received. Many of the observations relate to the possible future redevelopment of the site with the comments specific to this application summarized below;

- There is no justifiable reason to demolish the bungalow which is in a good state of repair
- The bungalow contributes to the character of the Conservation Area being constructed of local materials e.g. Williamson Cliffe brick.
- Traffic to demolish the dwelling would be harmful to the highway and pedestrian safety
- Trees and birds would be affected by the demolition

Officer evaluation

The bungalow was constructed in the 1950's and does not make any great contribution to the character of the Conservation area with it being well screened from public vantage points by existing vegetation as well as being the only bungalow in an area dominated by two-storey dwellings. The garage to the rear of the property is also proposed to be demolished.

Given the lack of historical importance of the dwelling there is not considered, in principle, to be any reason to seek its protection; however, this would be subject to the approval of a suitable scheme to replace it. Application S12/1562 is also due for determination at this Committee and subject to approval of that application there is not considered to be any reason to object to the demolition of this bungalow.

It should be noted that no protected species survey has been completed on the existing bungalow; however, the dwelling is currently occupied and is not a development e.g. barn conversion, where protected species are likely to be found. A note should be added to the decision notice in the unlikely event that protected species are present.

Section 106 Heads of Terms

A section 106 is not required for this type of application.

Crime and Disorder

The proposed development does not raise any significant crime and disorder implications for the local area.

Human Right 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 bungalow is not prominent within the street scene or reflective of the traditional form of the Conservation Area. It is, therefore, not considered to be worthy of retention and subject to a suitable alternative development of the site, which would be an enhancement of the existing, the

demolition of the property is supported. The application is, as a result, deemed to comply with Core Strategy policy EN1 and guidance contained with the National Planning Policy Framework (chapter 12); 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.

Note(s) to Applicant

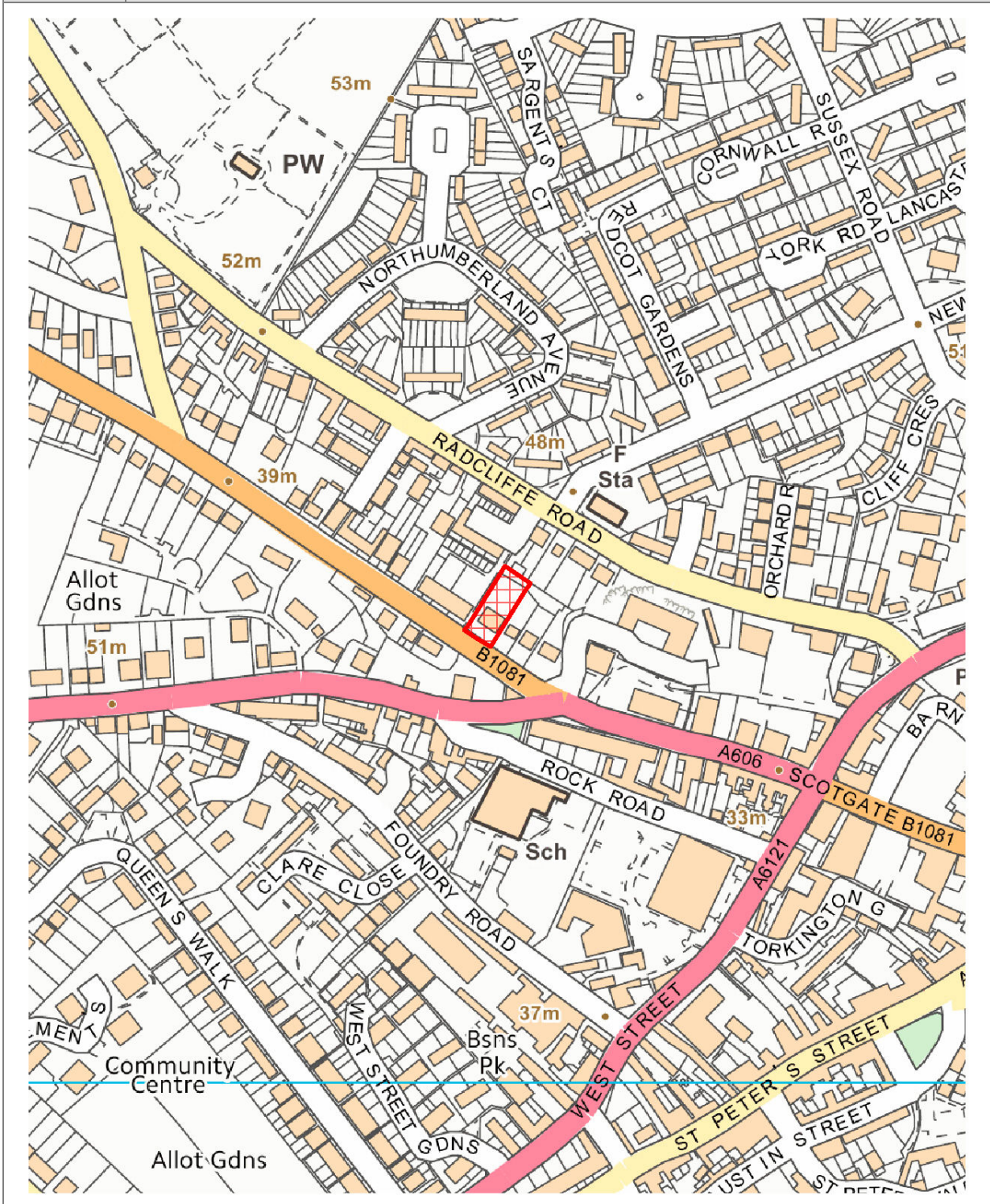
Please note that this grant of Conservation Area Consent does not override the need for a 'Demolition Notice'.

Please note that should protected species be found during the demolition of the dwelling then development should cease immediately and contact be made with a suitably qualified ecologist or Natural England prior to the recommencement of development.

* * * * *

Site Location Plan

Ref	S12/1561
Proposal	Demolition of bungalow
Location	High Lodge, Casterton Road, Stamford, Lincolnshire, PE9 2YL



Applicant	Mr N Wilkins Bellway Homes & Nowich Hub Ltd &, The Buckminster Trust Estate 3, Romulus Court, Meridian East, Meridian Business Park, Leicester, LE19 1YG
Agent	
Proposal	Approval of reserved matters for residential development of 105 dwellings and associated garaging and infrastructure pursuant to outline Planning Permission S08/1231
Location	Poplar Farm, Barrowby Road, Grantham, NG31 8AF
App Type	Major RM (Residential)
Parish(es)	Grantham
Reason for Referral to Committee	Likely to cause wider concern.
Recommendation Summary	<p>This is a reserved matters application for the construction of 105 dwellings, garaging and associated infrastructure pursuant to outline planning permission S08/1231. The area of the development is approximately 3.2 hectares and is located within Parcel H (phase 1) as set out by the approved phasing plan that forms part of the outline planning permission.</p> <p>The development site is located within the Northwest Quadrant Urban Extension site and would provide a further section of the Pennine Way Link Road.</p> <p>As such the proposal is considered to accord with national guidance contained in the National Planning Policy Framework Section 6 Delivering a wide choice of quality homes, Section 7 Requiring good design and Section 11 Conserving and enhancing the natural environment. Policy H2A, H3, SP1, SP3, and EN1 of the adopted Core Strategy and draft Grantham Area Action Plan (GAAP) policy NWQ1.</p> <p>Whilst concerns have been raised in relation to highway safety, residential amenity, visual amenity and drainage they are not considered to outweigh the policies referred to above.</p>

Key Issues

- Compliance with Outline Planning Permission S08/1231
- Compliance with Policy
- Highway Safety
- Residential Amenity
- Visual Amenity
- Drainage

Technical Documents Submitted with the Application

- Design and Access Statement
- Water Vole Mitigation Strategy
- Reptile Survey Report
- Great Crested Newt Survey
- Badger Survey Report

REPORT

The Proposal

The application is the submission of reserved matters pursuant to the grant of outline planning permission (Planning Ref: S08/1231).

The outline planning permission granted a mixed use urban extension comprising up to 1800 dwellings, community facilities, associated open space, new road and associated bridge over the railway.

This application provides the detail of 105 dwellings and a further part of the road which will form, when completed, the Pennine Way Link.

Of the 105 residential units which are proposed, 15 would be affordable shared ownership units.

In accordance with the design code element of the master plan approved as part of the outline planning permission the scheme proposes a mix of 2, 3 and 4 bed houses all of which would be two storey.

The application site and its surroundings

The application site forms part of the larger 68 hectares site which extends from the roundabout adjacent to Asda to the field immediately to the west of the Muddle Go Nowhere public house.

The area of the development is approximately 3.2 hectares and is located within Parcel H (phase 1) as set out by the approved phasing plan that forms part of the outline planning permission. The overall density for the development would be 32 dwellings per hectare.

The site would be bounded by Balmoral Drive and the existing residential development to the south. To the north would be the landscape corridor incorporating sustainable urban drainage. The subject of a separate planning application S12/1502).

It is proposed that the 105 dwellings would be delivered in three phases. The first phase would be the properties taking direct access onto Balmoral Drive. With a second access serving the remainder of the development (two phases) via a new off-site urban boulevard and main street along the western and northern boundaries of the site.

Relevant Site History

SK35/0253/88: Outline – residential development, neighbourhood centre, health and education facilities, public open space, roads and other facilities. Approved 12/3/1990.

SK35/0777/88: Outline – residential. Approved 12/3/1990.

SK0986/90: Reserved Matters – residential. Approved 20/11/1990

SK94/0347: Outline – development without complying with Condition 1 of SK35/0777/88. Approved 10/5/1994.

S99/1248: Outline – Residential development. Withdrawn 26/6/2003.

S02/0154: Outline – Residential, Local centre, School, POS, Roads and Bridge. Withdrawn 15/10/2007.

S08/1231 – Outline Planning Permission was granted for the A mixed use urban extension comprising up to 1800 dwellings, community facilities, (including a primary school, community

centre, retail use classes A1, A2, A3 & A5, doctor's surgery and elderly person's accommodation) and associated open space (including new playing fields, facilities and changing rooms, children's play areas, informal networks of open space and allotments) and a new road and a new road bridge to complete the Pennine Way Link on 23 June 2011.

This application before you is a submission of reserved matters pursuant to the outline planning permission.

S11/1667 - Approval of details required by Conditions 3 (master plan/design code), 4 (school, community facilities'), 5 (phasing plan) & 10 (landscaping) of S08/1231 – was granted approval on 18th November 2011.

S12/1468 – Reserved matters application for the construction of 99 dwellings (including 15 no. affordable dwellings and associated garaging) – current application.

S12/1502 – Approval of details required by conditions 11-landscaping, 17-Strategic Surface Water Regulation System and 33-Overland Flows of planning permission S08/1231 – current application.

S12/1503 – Approval of details reserved by conditions 6 & 13 (Programme of Development), 20 (Protected Species Activity) & 35 (Archaeological Statement) of S08/1231 – current application.

Policy Considerations

National Planning Policy Framework

Section 6 – Delivering a wide choice of high quality homes

Section 7 – Requiring good design

Section 11 – Conserving and Enhancing the natural environment

South Kesteven Core Strategy

Policy SP1 – Sustainable Communities

Policy H2A – North West Quadrant

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

Policy EN4 – Sustainable Construction and Design

Draft Grantham Area Action Plan

Policy NWQ1 – North West Quadrant

Regional Spatial Strategy

Policy 2: Promoting better Design

Policy 13: Regional Housing Provision

Policy 14: Regional Priorities for Affordable Housing

Policy 29: Priorities for Enhancing the Region's Biodiversity

Policy 42: A Regional Approach to Water Resources and Water Quality

Policy 35: A Regional Approach to managing Flood Risk

Policy 37: Regional Priorities for Waste Management

Policy 38: Regional priorities for Energy Reduction and Efficiency

Policy 44: A regional Approach to Traffic Growth Reduction

Policy 45: A Regional Approach to Behavioural Change

Policy 47: Regional Car Parking Standards

Representations Received

Lincolnshire County Council Footpaths Officer

It is expected that the definitive line and customary width of the path will not be affected by any proposed development.

Planning Policy

The application site is located within the Northwest Quadrant Urban Extension site which is designated under Core Strategy Policy H2A.

Under Policy H2A development of the site is (amongst other things) required to complete the road link between Pennine Way and Barrowby Gate. Provision for a further section of the Pennine Way Link Road to be delivered appears to be made through the information submitted.

Policy H2A states that the detailed site boundaries and broad distribution of land uses are to be defined through the Grantham Area Action Plan (GAAP). The information submitted for pre-application advice is broadly in compliance with the information contained in the Submission Draft GAAP Policy NWQ1 and is therefore compliant with this policy area.

Overall the information submitted is broadly compliant with policy.

Highways Agency

As the application is for reserved matters, the principle of the development and its impact has already been agreed. We therefore have no comments to make.

Partnership and Projects Officer (Affordable Housing)

Initial Comments

I would respond to the affordable housing requirements as follows:-

The S.106 requires that from the first 246 residential units on the site 54 (22%) affordable units will be provided. The above proposal seeks permission to develop 105 residential units of which 15 (14.3%) are proposed as affordable housing units. The remainder of the affordable housing units (39 – 27.6%) are expected to be delivered as part of the next 141 units.

The 15 affordable units are proposed to all be shared ownership. The S.106 requires that as a minimum 60% of the affordable housing units will be rented and no more than 40% will be shared ownership. This will mean that on the next development which will provide the remaining 39 affordable units, 32 (82%) of these units will need to be provided as rented units. Any shared ownership units developed will be restricted for sale to local applicants in need of affordable housing and in the current financial market it may prove difficult to sell the shared ownership units to local people in housing need and they may therefore stand empty for some time.

The affordable housing units must form part of a sustainable integrated community and we must be mindful that on the first phase there will be no affordable rented units, whereas on the second phase the majority of the affordable units will be rented and care will need to be taken to ensure that the affordable rented units are not located all together and will need to be pepper potted around the site.

The location, size and type of affordable housing proposed on this site is acceptable in that it will provide affordable housing in two locations on the site, providing 9 x two bedroom houses and 6 x three bedroom houses.

The developer will also need to have regard and liaise with the Council and Registered Provider (housing association) on the following:-

- The proposed tenure of the affordable housing to be agreed in writing between the council and the registered housing provider (RP).
- The affordable housing to be made available to one of the Council's preferred registered housing provider (RP) partners and choice of partner to be agreed in writing with the council. The RP will be required to enter into nomination agreements with the council for both the social rented and shared ownership accommodation.
- The design requirements should ensure the creation of mixed, integrated communities and particularly that the affordable housing should not be distinguishable from the market housing on the site in terms of build quality, materials, details, level of amenity space and privacy
- All social rented and shared ownership housing must be built to meet relevant Home and Communities Agency (HCA) standards and to meet the appropriate level of Code for Sustainable Homes pertaining at the commencement of the development.
- The consideration of the affordable housing units to be offered for sale to a RP shall be market value of the affordable housing units to be transferred but making due allowance for its restricted use for the provision of affordable housing units. (Please note as this is a planning gain site there will be no HCA grant funding for the affordable housing units).

Final Comments

Affordable housing provision should comply with Policy H3 Affordable Housing in the South Kesteven Adopted Core Strategy in that,

'Where affordable housing is to be provided on site, a target of up to 35% of the total capacity of a scheme should be affordable. In the case of Poplar Farm the S.106 was agreed at a lower percentage of 22% for the first phases of development. The S.106 requires that from the first 246 residential units on the site 54 (22%) affordable units will be provided. The above proposal seeks permission to develop 105 residential units of which 15 (14.3%) are proposed as affordable housing units. The remainder of the affordable housing units (39 – 27.6%) are expected to be delivered as part of the next 141 units.

A further planning application has been received from Wilsons to construct another 99 housing units on a site adjacent to the above site with a proposal that 15 units are affordable units (15%). This would leave a requirement for 24 affordable housing units to be provided from the remaining 42 units (57% affordable). This would not be conducive to providing mixed sustainable developments with the potential of the final phase providing 57% social rented housing.

Policy H3 continues – 'The affordable element will be expected to include a mix of socially rented and intermediate housing appropriate to the current evidence of local need. Both applications Bellways and Wilsons suggest the tenure of the affordable housing units as all shared ownership (30 units) which will not meet identified local needs and affordability levels.

Below is the current housing register numbers for applicants who wish to live in affordable housing in Grantham and who are aged under 60 years of age:

SIZE OF HOUSE	NUMBER OF APPLICANTS IN TOTAL REGISTERED FOR AFFORDABLE HOUSING IN GRANTHAM	NUMBER OF APPLICANT IN MEDIUM/HIGH HOUSING NEED (OVER 150 HOUSING POINTS AWARDED)
2 BED HOUSE	1180	146
3 BED HOUSE	346	49
4 BED HOUSE	129	25

(Housing Register 4 September 2012)

A recent enquiry with East Midlands Homebuy has confirmed that they only have 12 applicants looking for shared ownership accommodation in South Kesteven but they were unable to narrow this down to Grantham only.

All units should be of an appropriate size and type to meet the need identified by the current evidence of housing need for that ward. I can confirm that the size, type and location of the affordable housing units on this site do meet identified local needs.

Police Architectural Liaison Officer

Thank you for your recent correspondence and the opportunity to comment on the proposed development. I have studied the said plans and would request that due regard be given to the following points in the interest of crime reduction and community safety.

Perimeter and dwelling boundaries It is recommended that the boundary treatment for the perimeter of the site and the individual plots be a robust fence or wall constructed without footholds to a minimum height of 1800 mm the rails to any timber fencing should face the garden.

All rear pedestrian gates should be fitted with anti lift hinges and be fitted with a locking device. These measures will reduce the opportunities of crime and reduce the fear of crime for the occupiers.

Landscaping

All landscaping, including that within the Public Open Space, should be kept to a maximum growth height of 1 metre. Whilst any trees should be pruned up to a maximum height of 2 metres, thereby maintaining a clear field of vision through the development. Trees when fully grown should not mask any lighting columns or become climbing aids.

Road and parking court lighting

Before the development is brought into use the roads, private driveways, parking areas and footpaths should be provided with lighting in accordance with details to be submitted to and approved in writing by the local planning authority.

Natural England

Protected species

It is noted that a survey for European Protected Species (great crested newts) has been undertaken in support of this proposal. Natural England does not object to the proposed development. On the basis of the information available to us, our advice is that the proposed development would be unlikely to affect a European Protected Species.

We also note that surveys have been undertaken for badger, water vole and reptiles; all have been recorded on site. Provided that the mitigation measures proposed by FPCR in each of the separate

survey reports are carried out, Natural England is satisfied that there will be no adverse impact upon these species as a result of the development.

However, one point of clarification that we wish your authority to consider is the retention of condition 20 with the overall outline planning permission (S08/1231). This current application is seeking to approve reserved matters on parcel H of the granted outline site as well as discharge a number of planning conditions (including condition 20). Should your authority discharge condition 20 as part of this application, we would be concerned about the driver for ensuring that protected species surveys are undertaken prior to the development of each land parcel. For example, badgers have already expanded their range across the site since 2008 – this illustrates the need for up to date survey work to inform up to date mitigation (which could include EPS licenses) on each land parcel.

We therefore advise that outside of our wider non-objection to the development within parcel H, your authority does not discharge condition 20 until the final land parcel has been developed (which could be a number of years away).

We also note that parcels D and K are to be developed as part of Phase 1 – we request that Natural England are consulted on reserved matters applications in either of these parcels when they come forward.

Upper Witham Drainage Board

The site is one that the Board has had a great deal of involvement in the past. The works that affect drainage must be completed in accordance with the agreed Flood Risk Assessment.

As the discharge from the proposed development is to an existing controlled system it should be shown, to the satisfaction of the Local Authority and Internal Drainage Board, that the system can accept the additional discharge without increasing the resulting discharge rate to the receiving watercourse.

Should this not be possible, or the proposed discharge becomes directed to a watercourse or another sewer system and then into a watercourse, then the applicant must provide detailed information to show that the proposed discharge regime will not increase flood risk elsewhere.

Reason: To prevent the increased risk of flooding.

Under the provisions of the Flood and Water Management Act 2010, and the Land Drainage Act. 1991, the prior written consent of the Lead Local Flood Authority (Lincolnshire County Council) is required for any proposed works or structures in any watercourse outside those designated main rivers and Internal Drainage Districts. At this location this Board acts as Agents for the Lead Local Flood Authority and as such any works, permanent or temporary, in any ditch, dyke or other such watercourse will require consent from the Board.

All drainage routes through the Site should be maintained both during the works on Site and after completion of the works. Provisions should be made to ensure that upstream and downstream riparian owners and those areas that are presently served by any drainage routes passing through or adjacent to the Site are not adversely affected by the development.

Drainage routes shall include all methods by which water may be transferred through the Site and shall include such systems as “ridge and furrow” and “overland flows”. The affect of raising Site

levels on adjacent property must be carefully considered and measures taken to negate influences must be approved by the Local Planning Authority.

Reason: To prevent an increase in the risk of flooding and/or waterlogging on adjacent property.

The Board undertook work to assist in the regulation of the surface water flow from the development area some time ago and at that time the landowners and the council accepted that the Board should be recompensed for the preliminary works undertaken. The ability to utilise the surface water discharge watercourses may require use of the system previously constructed by the Board and therefore in addition to any other agreements that may be necessary the Board's Consent may be required to allow discharge into the watercourses that outfalls through this regulation system.

The Board's comments have been made following receipt of information through the planning process. The Board would wish to be re-consulted should the details of the application change, more details become available and/or when future applications are submitted for this site.

Senior Historic Environment Officer (Archaeology)

This application does not affect the area of archaeology interest.

Network Rail

In relation to the above application I can confirm that Network Rail have no further comments to make on the additional information supplied for the above application other than those returned in response to the original application as detailed in the attachment which still apply. We would reiterate the requirement in relation to the bridge for the applicant to obtain an easement and detailed design agreement from Network Rail.

Lincolnshire Wildlife Trust

We have read the protected species survey reports submitted with the application and are satisfied that providing the recommendations are followed, there should not be any significant negative impacts on protected species as a result of the proposed works.

We strongly support the proposed habitat enhancements within the wider development site, through creation of the central landscape strip to provide foraging habitat for badgers, waterbodies which should benefit reptiles and amphibians, and enhancement of the Running Furrows drain for water voles. We have looked at the soft landscaping plan and would recommend that a greater proportion of native species, preferably of local provenance, of trees and shrubs are used. These will have greater benefits for biodiversity, have lower maintenance requirements and will help the development to blend in better with the wider countryside.

We would also recommend that consideration is given to the provision of bat roosting and bird nesting features within the development. Where possible these should include permanent bat roost units or access tiles built into suitable buildings or swift boxes built under the eaves. Nesting features could also be included for other declining birds such as swallow and house sparrow. Recommended levels of roost and nest provision can be found in 'Biodiversity for Low and Zero Carbon Buildings: A Technical Guide for New Build', Dr Carol Williams, 2010, RIBA Publishing.

Environmental Protection

No Comments.

Gonerby Parish Council

No objection to the development

Barrowby Parish Council

There was strong concern expressed regarding the increase of traffic flow on Barrowby Road. In order to alleviate this it was felt that roundabouts should be considered on both A1 slip roads off the A52.

Representations as a result of Publicity

The application has been advertised in accordance with the adopted statement of community involvement. 13 letters of objection have been received. A summary of their main concerns are listed below:

- Grantham roads are already congested
- the proposed access route from A52 to Great Gonerby needs to be implemented prior to any further building works
- any accident on the A1 results in Grantham being in gridlock
- grass snakes have been sighted in the fields behind 86-96 Barrowby Road
- object to the development due to the failure of the Council to solve the east west bypass.
- A52 is at gridlock at peak times. A further 105 dwellings will only make the Asda roundabout worse
- the development would appear entirely of residential properties with no service amenities
- the house built opposite our home as clearly not of a similar size, value or standard
- 21 are being put in a space that on our side is only 11 houses and a green
- lower the value of the bigger houses on Balmoral Drive (not a planning matter)
- the access road is insufficient. All 105 dwellings would be forced to use the single access road from Barrowby Road – this will cause congestion
- there is no indication as to how parcel H will connect to future developments
- how will pedestrian cycle routes connect to the allotments and the development as a whole. Establishing this is a priority
- as Balmoral Drive would be a main feeder road for the Poplar Farm development it is undesirable to have any parking on it. The properties that front Balmoral Drive should have two off road parking spaces (not including garages. It is unrealistic to assume that garages will be used for parking as the general practice is for householders to fill garages with other miscellaneous equipment not a car.
- the town cannot cope with a further 105 houses
- allowing any building without the Grantham bypass is totally irresponsible
- why is the road and bridge over the railway not constructed before any dwellings
- the properties proposed opposite Lindisfarne Way as there have already been three crashes there
- loss of privacy
- visual intrusion
- loss of light
- loss of view (not a material planning consideration)
- the site floods on a regular basis
- proposal could flood Moy Park Factory resulting to people being out of work
- homes are not needed in Grantham. There are no homeless people who are crying out for 4 bedroom executive homes
- there is no housing shortage. There are numerous houses for sale on the Barrowby Lodge Estate
- the land is a public right of way and has been for over 20 years
- there are no residents on my estate that are in favour of the development
- the plans should be delayed until an alternative transport route is secured

- no objection to the new homes, but object to the traffic problems
- impact the development will have on house prices coupled with the drop in prices as a result of the recession (not a material planning consideration)
- traffic impact, increased noise, smell and pollution
- increased traffic would be detrimental to highway safety
- housing design are not in keeping. Would dilute the mix and quality of the existing housing in the area
- wildlife would be destroyed
- Grantham does not have the economic base to support the proposal. Future residents will need to commute thereby not supporting businesses already struggling in Grantham
- there are alternative brown field sites in Grantham that could be developed that would be more beneficial to the town both economically and attractively
- building more homes without infrastructure would repeat the mistakes previously made.
- The Cabe report in response to the Poplar Farm development was scathing, in that no development should be undertaken until highway improvements have been made
- object to building unnecessary house on the only remaining green sites in Grantham
- is there any need for more housing in an already stagnant market
- existing infrastructure is already at breaking point
- area is used for dog walking/walking by many in the area. Never a period when it is not in use
- no play areas in walking distance
- application is unnecessary as these properties will never be sold. They will have waterlogged rear gardens and sinking foundations
- the existing housing estate needs flood plains and drainage. This addition will result in overflowing of drainage and sewage onto the estate
- concerns that wildlife is being ignored. Construction will damage the habitats of many species
- the only people to gain from this application will be the builders not the existing residents
- have the appropriate protected species surveys been undertaken

Officer Evaluation

The main issues for consideration in relation to this application are compliance with the outline planning permission, compliance with policy, highway safety, residential amenity, visual amenity and drainage.

Compliance with Outline Planning Permission (S08/1231)

The principle of development of the site is established by the grant of outline planning permission S08/1231. This submission of reserved matters has been assessed and is considered to accord with the outline planning permission, design and access statement and the associated approved design code.

The scheme would adopt the principle of connected grid of streets and blocks to promote pedestrian permeability. There would be feature squares to provide landmark buildings and a sense of place.

Compliance with Policy

The comments of the Partnership and Projects Officer indicate that the tenure of the affordable units proposed does not meet the identified local need. It is proposed that 15 shared ownership units are provided as part of the scheme. No rented properties would be provided. The rented properties would be delivered as part of the next phases/schemes.

The Section 106 legal agreement that accompanies the outline planning permission requires 54 affordable housing units to be provided before the completion of 246 units. The agreement also requires the location, tenure, size, type and mix to meet local housing need.

The affordable housing need for the district as a whole, not just the Grantham area, shows a clear bias towards rented accommodation with a waiting list of only 12 applicants for shared ownership properties. Not all of these applicants would wish to live in Grantham. Clearly the provision of 15 shared ownership units would be an over provision leading to the units not being occupied.

The situation would be compounded by the fact that a further reserved matters application is currently lodged with the authority (S12/1468). This proposes 99 units of which 15 would be shared ownership. This would give 30 shared ownership units in total. This would be a significant oversupply based on the current identified need.

It is accepted that that the remaining schemes could provide the balance of the affordable units. However, it would result in 24 of the 52 remaining units to be rented.

The comments of the Partnerships and Project Officer indicate that the size, type and location of the affordable housing units on this site do meet identified local needs.

There are ongoing discussions in relation to the provision of affordable housing provision to achieve a tenure mix more suitable to the identified local need.

Highway Safety

The difference in levels on the site has resulted in the proposed properties that would front onto Balmoral Drive would be served off Balmoral Drive. The remainder of the site would be served via the new highway works to the west and north of the site. This would provide a further part of the Pennine Link Road.

It is accepted that there are surrounding road network capacity issues. However, this matter was considered as part of the grant of outline planning permission. It was accepted that in order for the development as a whole to function there is a need for a highway link over the railway. This scheme would deliver a further part of the link road. The overall delivery of the link road is controlled via the Section 106 agreement associated with outline planning permission S08/1231, and a planning condition of that permission requires the railway bridge to be completed before 751 dwellings are certified complete.

Whilst the development would clearly generate additional trips which will feed into the existing network, it is considered that any burden that the proposed development would place on the existing network would not be so severe as to present any specific issues in relation to highway safety and is acceptable until such time as the link road is completed.

Residential Amenity

The nearest existing properties to the proposed development are those immediately adjacent to Balmoral Drive. They would be separated from the application site by Balmoral Drive. It is considered that there would be sufficient separation distances between the existing properties and the proposed development to ensure that there would not be any significant loss of amenity via overlooking/loss of privacy or overshadowing. The separation distance between the boundary of the proposed development and the existing properties is approximately 15 metres at the closest point.

It is accepted that the occupiers of the properties adjacent to the site currently experience unrestricted views over open countryside and the proposed development would change this. This may not be welcomed by local residents. However, to ensure that local residents would experience no change as a result of a development is an unrealistic test for a planning application.

Visual Amenity

An assessment of the visual impact of this development (which is part of the wider site encompassed by outline planning permission S08/1231) was considered at the outline stage. This included both impact on the landscape and surrounding area and heritage assets.

In relation to this specific reserved matters application, the overall layout of the site is very much dictated by the level changes on the site. There is a 10 metre fall in levels on the site from Balmoral Drive, to the northern boundary of the site. Accordingly the layout has been designed to accommodate this level difference by serving the highest part of the site from Balmoral Drive. The remainder of the site would be served by a newly constructed road from the north of the site.

The layout of the site is driven by the need to promote free movement around the site and between the development blocks within the site. Each block would be surrounded by a circulation road/private drive allowing movement to the next. There would be a mix of house types including landmark buildings around the feature squares.

It is considered that the layout and design of the development would be in keeping with the character and appearance of the area and can be seen as a logical extension to the existing residential development.

Drainage

The strategic drainage for the site and the wider area would be provided via a series of balancing lagoons within the adjacent landscape corridor which runs adjacent to the site to the north and beyond to serve the future phases.

The drainage scheme is the subject of a separate planning application (S12/1502).

Whilst it is noted that the requests for additional drainage conditions have been made, it is unreasonable to attach further drainage conditions as part of this reserved matters application as drainage matters are already controlled by the requirements of the outline permission. It is however considered appropriate to attach advisory notes to applicant in relation to the comments of the Upper Witham Drainage Board.

Section 106 Heads of Terms

The application is a submission of reserved matters pursuant to outline planning permission S08/1231. There is a legal agreement that accompanies the outline planning permission which secures a comprehensive package of developer contributions which include open space, education, primary care, sports pitches, highway improvements, allotments and affordable housing.

Further developer contributions cannot be sought at reserved matters stage.

Crime and Disorder Implications

The development raises no significant 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.

Recommendation

That determination of the application be delegated to the Development Management Service Manager in consultation with the Chairman and Vice Chairman for approval subject to an appropriate affordable housing tenure mix to reflect the identified local need.

SUMMARY OF REASON(S) FOR APPROVAL

This is a reserved matters application for the construction of 105 dwellings, garaging and associated infrastructure pursuant to outline planning permission S08/1231. The area of the development is approximately 3.2 hectares and is located within Parcel H (phase 1) as set out by the approved phasing plan that forms part of the outline planning permission.

The development site is located within the Northwest Quadrant Urban Extension site and would provide a further section of the Pennine Way Link Road.

As such the proposal is considered to accord with national guidance contained in the National Planning Policy Framework Section 6 Delivering a wide choice of quality homes, Section 7 Requiring good design and Section 11 Conserving and enhancing the natural environment. Policy H2A, H3, SP1, SP3, and EN1 of the adopted Core Strategy and draft Grantham Area Action Plan (GAAP) policy NWQ1.

Whilst concerns have been raised in relation to highway safety, residential amenity, visual amenity and drainage they are not considered to outweigh the policies referred to above.

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

1. The development hereby permitted shall be undertaken in accordance with the approved materials schedule PC0279/MS received by the local planning authority on 28th May 2012.

Reason: In the interests of visual amenity and to ensure a satisfactory form of development.

2. All hard and soft landscaping works shall be carried out in accordance with the approved details Drawing No. Bir.3996_01A.and PC0279/100/01 Rev C.

Reason: In the interests of highway safety and to ensure as satisfactory form of development.

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

PC0279-100-01-Site Planning Layout, PC0279-100-03-Phasing Plan, Bir 3996_01A -Soft Landscaping Proposals, 300-01-Boundary Treatment Details, 300-02 Boundary Treatment Details, 300-03-Garages, 300-04-Garages, 300-05-Foxton, 300-06 Tilton, 300-07-Somerby

End, 300-08- Somerby End, 300-09-Somerby Mid, 300-10-Ashby, 300-11-Burton, 300-12-Burton, 300-13-Willesley, 300-14-Willesley, 300-15-Belfry, 300-16-Walton, 300-17-Walton, 300-18-Orton, 300-19-Orton, 300-20-Gleneagles, 300-21-Gleneagles, 300-22-Kibworth, 300-23-Kibworth, 300-24-Spinney, 300-25-Spinney, 300-26-Ashby plot 68, 300-27-Walton Sp, 300-28-Walton Sp, 300-29 Willesley Sp, 300-30-Lichfield, GEMMA BDS 3477-EL-90 Engineering Layout, 3477-EL-91-FW Drainage Sections, 3477-EL-92-SW Drainage Sections, JMP-NEA3027-BHM-100-Rev B-Pennine Way Extension Layout, BHM-101-Pennine Way, Balmoral Drive Planning Drawing, BHM-102 Rev A Pennine Way and Main Street Drawing, BHM-103-Rev A Main Street/Bellway Access Planning Drawing, and following supporting information PC0279-DAS-01-Design and Access Statement, PC0279-100-04-Proposed Street Scenes and Sections and 300-31-External Details.

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

4. The finished floor levels and finished grounds levels of the development hereby permitted shall be in accordance with the approved engineering layout Drawing No. E/3477/EL/90.

Reason: In the interests of visual amenity and to ensure a satisfactory form of development.

5. 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.

Reason: To encourage additional biodiversity within the development.

Note(s) to Applicant

As the discharge from the proposed development is to an existing controlled system it should be shown, to the satisfaction of the Local Authority and Internal Drainage Board, that the system can accept the additional discharge without increasing the resulting discharge rate to the receiving watercourse.

Should this not be possible, or the proposed discharge becomes directed to a watercourse or another sewer system and then into a watercourse, then the applicant must provide detailed information to show that the proposed discharge regime will not increase flood risk elsewhere.

Under the provisions of the Flood and Water Management Act 2010, and the Land Drainage Act. 1991, the prior written consent of the Lead Local Flood Authority (Lincolnshire County Council) is required for any proposed works or structures in any watercourse outside those designated main rivers and Internal Drainage Districts. At this location this Board acts as Agents for the Lead Local Flood Authority and as such any works, permanent or temporary, in any ditch, dyke or other such watercourse will require consent from the Board.

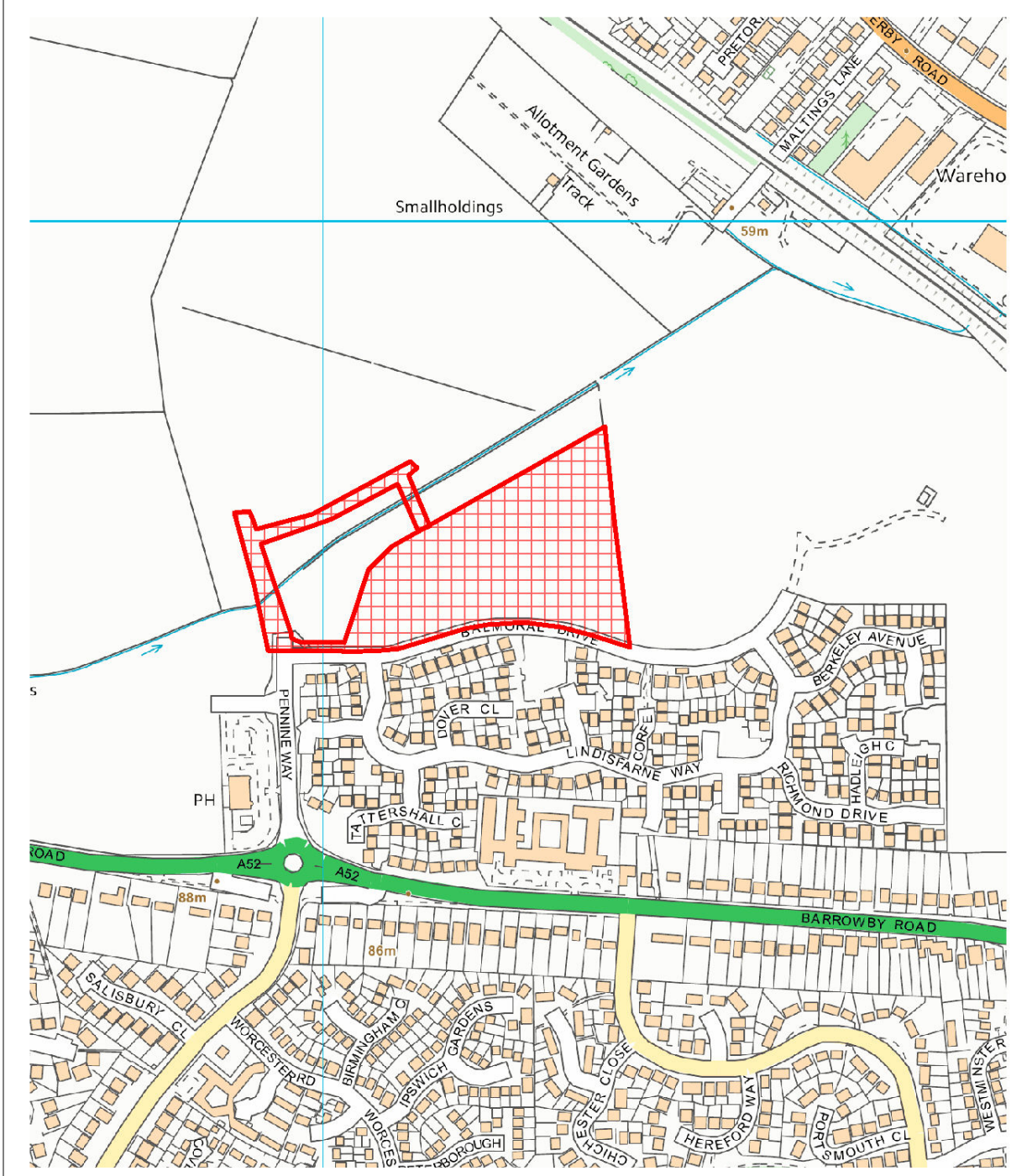
All drainage routes through the Site should be maintained both during the works on Site and after completion of the works. Provisions should be made to ensure that upstream and downstream riparian owners and those areas that are presently served by any drainage routes passing through or adjacent to the Site are not adversely affected by the development.

Drainage routes shall include all methods by which water may be transferred through the Site and shall include such systems as "ridge and furrow" and "overland flows". The affect of raising Site levels on adjacent property must be carefully considered and measures taken to negate influences must be approved by the Local Planning Authority.

* * * * *

Site Location Plan

Ref	S12/1331
Proposal	Approval of reserved matters for residential development of 105 dwellings and associated garaging and infrastructure pursuant to outline Planning Permission S08/1231
Location	Poplar Farm, Barrowby Road, Grantham, NG31 8AF



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Applicant	Mr D Pallett, Anvils of Stamford 2A, Radcliffe Road, Stamford, PE9 1EE
Agent	Mike Sibthorp Planning Logan House, Lime Grove, Grantham, NG319JD
Proposal	Demolition of existing retail warehouse building and erection of 10 dwellings
Location	2A, Radcliffe Road, Stamford, Lincs
App Type	Major Full (Residential)
Parish(es)	Stamford
Reason for Referral to Committee	The application has been referred to the Development Control Committee as the application is a major application requiring a Section 106 Agreement to be completed.
Recommendation Summary	<p>This is an application for the erection of 10 town houses on land off Radcliffe Road, Stamford. A similar development has previously been approved on the site under application S06/0832. It is considered that subject to conditions the proposed development will not compromise the character and appearance of the surrounding area or adversely impact on the residential amenities of the occupiers of adjacent properties. Whilst there have been material changes in policy since the previous approval in 2007 the material circumstances relating to the physical layout of the site have not changed. Although the previously approved development consent has lapsed it is still a material consideration in the determination of this application.</p> <p>Residential redevelopment of the site is in general accordance with the guidance set out in the National Planning Policy Framework and in accordance with policies SP1, SP3, SP4, EN1, EN4, H1 and H3 of the adopted South Kesteven Core Strategy 2010.</p> <p>Concerns have been raised in relation to the appearance of the proposed development, that the development would have detrimental impact on residential amenity, concerns about highway safety, drainage, over development of the site. Whilst these issues are material planning considerations it is considered that subject to the conditions attached to this permission they do not outweigh the principal policies referred to above.</p>

Key Issues

- Planning History
- Design / Scale
- Residential Amenity
- Highway Safety
- Drainage

Technical Documents Submitted with the Application

- Amended elevations
- Amended ground floor plans
- Amended second floor plans

- Amended north and south elevations
- Application forms
- Contaminated land questionnaire
- Design and access statement
- Elevations sheet 1
- Elevation sheet 2
- Existing first floor layout plan
- Existing ground floor plan
- First floor plan
- Ground and first floor layout plan
- Location plan
- Second floor plan
- Sketch plans
- Transport statement

REPORT

Application Category

This application is categorised as a 'major' application.

Reason for Referral to Committee

The application has been referred to the Development Control Committee as this is a major application and is considered to be locally significant. In addition Cllr Powell has requested that the application be referred to the Committee due to concerns about density and parking.

Introduction

Members may recall that this application was reported to the Development Control Committee on the 24 July 2012. The application was deferred in order to look again with the applicant at the height and design of the protective wall and the ridge line and general layout of the development, and to look in detail at the financial appraisal and S106 contributions.

Since the Committee meeting the applicant has amended that proposed development in order to address some of the concerns raised. The amendments include the following:

- A reduction in the total number of dwellings from 11 to 10 units.
- Amendments to the dwellings on the eastern side of the site to include a kitchen dining area with windows and roof lights at ground floor level with a raised patio area above,
- Increase in the depth of the rear gardens to plots 5 to 10,
- Obscure glazing to all the second floor windows in the rear elevation of plots 5 to 10.

The Proposal

This is a full planning application for the demolition of an existing warehouse building, currently used for furniture retail, and the erection of 10 dwellings comprised within two terraces. The development is predominantly three storeys with some of the rooms in the roof space. There is also a single storey dwelling located towards the north-western corner of the site. The proposed dwellings have ridge heights ranging between 9.7m and 10.7m and eaves heights between 5.2m and 7.1m.

The proposed site is accessed via a private driveway leading into the site past Hazel Court. Two terraces of units are proposed, running approximately north-south. The terraces run along the east and western site boundaries and face each other across a central courtyard, used for parking. Eighteen parking spaces are proposed providing 1.8 spaces per dwelling. The eastern terrace occupies land presently taken up by the warehouse building. The warehouse currently runs up to and forms the eastern site boundary. The proposed dwellings will be set off the site boundary by approximately 7m. The area to the rear of the properties would provide a small raised area of amenity space for the properties.

The northern most unit of the western terrace is a single storey hipped roofed unit. The unit has been designed this way in order to minimise the impact upon the adjoining bungalow on Fontwell Gardens.

Outline planning permission was granted under application S05/1505 for residential development of the site. Subsequently an application for reserved matters approval was granted in January 2007 for the erection of 10 townhouses and 1 bungalow (application S06/0832).

The Application Site and its Surroundings

The application site is located approximately 300m to the north of Stamford Town Centre within the built framework of the town. The application site comprises a retail warehouse and its associated parking and manoeuvring areas.

The site is located on the northern side of Radcliffe Road. To the north of the site lies a small development of bungalows on Fontwell Gardens. To the east of the application site lies residential development which fronts on to Cliff Road. Directly to the west of the application site lies S.A.P.S (Stamford Animal Pet Supplies). Beyond the S.A.P.S building there are a number of other commercial premises.

Relevant Site History

SK.69/0181/88 – In March 1988 planning permission was granted for a change of use to light industrial at Hallidays Yard, Radcliffe Rd, Stamford.

SK.69/1221/90 – In November 1990 planning permission was granted for the erection of a light industrial unit at 2A Radcliffe Rd, Stamford.

S01/1226 – In December 2001 planning permission was granted for the change of use of the factory/warehouse to storage, assembly and retail of furniture.

S05/1505 – In February 2006 outline planning permission was granted for residential redevelopment of the site.

S06/0832 – In January 2007 reserved matters approval was granted for the erection of 10 townhouses and 1 bungalow at the site.

Policy Considerations

National Planning Policy Framework:

- Section 1 Building a strong, competitive economy
- Section 4 Promoting sustainable transport
- Section 6 Delivering a wide choice of high quality homes
- Section 7 Requiring good design
- Section 8 Promoting healthy communities
- Section 11 Conserving and enhancing the natural environment
- Section 12 Conserving and enhancing the historic environment

East Midlands Regional Plan 2009:

- Policy 1 Regional Core Objectives
- Policy 2 Promoting Better Design
- Policy 3 Distribution of New Development
- Policy 4 Development in the Eastern Sub-area

Policy 13a Regional Housing Provision

On 27 May 2010 the Secretary of State for Communities and Local Government wrote to Council leaders, highlighting the Coalition Government's commitment to rapidly abolish Regional Strategies and return decision making powers on housing and planning to local councils.

On 6 July 2010 the revocation of regional strategies was announced with immediate effect. In November 2010 this decision was successfully challenged in the High Court by Cala Homes, which resulted in the revocation of the 6 July being quashed. As such, Regional Strategies still form part of the development plan.

Nevertheless, the intention to abolish Regional Strategies announced on 27 May 2010 still remains and is further demonstrated in the Localism Bill promoted by the Government. The Secretary of State has stated that he considered that the intention to abolish Regional Strategies should continue to be a material consideration to which decision makers must have regard when making planning decisions. However, the Secretary of State's statements on this have been legally challenged on the basis that the intention to abolish cannot and should not be a material planning consideration. This challenge was dismissed by the High Court.

On appeal, the Court confirmed that there may be circumstances in which the intention to abolish the RSS could be material to a development control decision.

South Kesteven Core Strategy 2010:

Policy SP1 Spatial Strategy
Policy SP3 Sustainable Integrated Transport
Policy SP4 Developer Contributions
Policy EN1 Protection and Enhancement of the Character of the District
Policy EN4 Sustainable Construction and Design
Policy H1 Residential Development
Policy H3 Affordable Housing
Policy E1 Employment Development

Representations Received

Community Leisure Officer – has requested an off-site contribution of £11,475 towards improvements of the nearby Recreation Ground Play Area.

Stamford Town Council – Strong objection to the proposed application as this development will have a serious impact on another development in the vicinity in Scotgate. The erection of 11 dwellings will overdevelop the site. The height of the design will dwarf the neighbouring buildings and will impact the skyline. There is concern over the traffic impacts at an already busy junction on Radcliffe Road and North Street. Consideration should be given to the road layout at this very busy intersection which is the main access for emergency vehicles. It is recommended that this application is deferred to the Development Control Committee and a site visit is conducted.

Town Council Comments on amended plans – The Committee is still very concerned over the density of this development and repeats its original comments. It is considered that there is no reduction to the density and with loss of privacy as the development overlooks neighbouring properties. There is serious concern over the potential subsidence to the Police houses at the rear of the site.

Planning Policy – The Core Strategy is clear that the focus of all development within the District will be the towns and identified Local Service Centres. Of particular relevance are Core Strategy policies SP1, H1, H3 and EN1.

Policy SP1 locates development within Stamford in order to maintain and support its role as a market town, giving priority to sustainable sites within the built-up part of the town where development would not compromise the nature and character of the town and allocated sites.

Policy H1 allows for residential development in Stamford and policy H3 requires that developments of 5 or more residential units should make appropriate provision for affordable housing. Policy H3 also allows that provision may be made off-site or as commuted sums in the case of smaller developments, such as the subject of this application. In this case, the applicant argues that there are viability issues with the proposed development. I assume, therefore, that the advice of the Partnership Project Officer has been sought in this regard.

The impact of any development and the extent to which it compromises the nature and character of the town may be determined by assessment against the criteria in Core Strategy policy EN1.

This site is located on the edge of Stamford's town centre, and is surrounded on three sides by residential properties. It can, therefore, be considered to be a brownfield site within the built-up part of the town. There are, therefore, no policy objections in principle to residential development on this site.

Heritage Lincolnshire – No archaeological intervention is required on this site.

Partnership Projects Officer (Affordable Housing) – A contribution of 35% affordable housing should be provided on the site. The developer will need to provide evidence on the viability of the site if the target is less than 35%. Consideration may be given to off-site provision or as a commuted sum in lieu of provision of the affordable homes on site if it is not viable to provide the affordable units on site. The applicant has provided a 'viability assessment' from local estate agency Richardsons. This will need to be assessed independently to determine the viability of the site with regard to the provision of affordable housing on site / off site or a commuted sum.

Crime Prevention Design Advisor – It appears that crime prevention and community safety issues have been considered as a result I have no comments to make.

Environment Agency – No objections subject to conditions to mitigate any possible contamination.

Environmental Protection – Recommend standard conditions for demolition works; specifying hours of work and control of dust. A contaminated land mitigation condition is also recommended given the past industrial use of the site.

Property Services (Drainage) – The application states the use of soakaways for SW drainage. The ground in Stamford is known to be generally unsuitable for infiltration drainage. What is the existing means of surface water for the site?

The applicant must demonstrate the efficacy of a suitable sustainable drainage system and submit test results and detailed design accordingly, together with the proposals for future maintenance.

Lincolnshire County Council (Highways) - The local highway authority has been consulted on the amended plans and their comments are awaited. The comments from the highway authority will be reported in the late background papers document.

Representations as a Result of Publicity

The application has been advertised in accordance with the Council's Statement of Community Involvement and 8 letters have been received. The issues raised can be summarised as follows:

- Concerns about the overbearing impact of the development on the single storey properties on Fontwell Gardens,
- Consider the scheme to be dominant and oppressive,
- Loss of privacy / overlooking,
- The western block of properties should be reduced in scale to two storey only,
- Loss of property value,
- Maintenance and stability of the retaining wall to Fontwell Gardens should be protected at all times,
- Concerns that foul and surface water drains for Fontwell Gardens run under the proposed development. These services must be protected as a condition of any approval,
- Request that existing boundary treatments should not be reduced as part of the development,
- There should be no access from the proposed development in to Fontwell Gardens,
- Concerns that the first and second floor windows of the proposed development will overlook the rear gardens of the properties on Cliff Rd,
- Concerns relating to access to the rear of the S.A.P.S building for maintenance. If a rear passage way was installed this would help,
- Concerns about increase noise or smell nuisance form the proposed residential properties,
- Concerns that there has been a lack of consideration to the existing properties and a lack of integration of the scheme with the surrounding area. The main goal of the scheme is to maximise the square footage of floor space,
- Concerns relating to inaccuracies, omissions and ambiguity of the submitted drawings,
- Concerns about the brevity of the submitted viability appraisal,
- I did not object to the original scheme as I only owned the property since 2009. The property was previously rented and the tenants may not have been bothered by the previously approved scheme,
- The terrace of 7 shown in the 2006 proposals featured a traditional mansard roof without full height gables as now proposed. The 2012 roof is approximately 1800mm higher than the 2006 roof at the gable peak (650mm at ridge level),
- The following alterations should be considered to minimise the impact of the development:
 - Reduce the height of the terrace, ideally to 2 or at least 2.5 storeys (as 2006 scheme).
 - Move the living rooms from the rear to the front of the terrace at 1st floor level to prevent unacceptable overlooking into properties on Cliff Rd
 - Position bathrooms overlooking rather than bedrooms as 2nd floor levels.
 - Reduce the number of overlooking windows.
 - The use of obscure glazing to prevent overlooking.
 - Construction of a boundary wall at least 2.5m high.
 - Agree a scheme of planting along boundary (within neighbouring residential gardens if required).
- The planning committee should make a site visit to include properties on Cliff Rd in order for them to fully appreciate the potential impact of the development,
- The applicant should provide levels and dimensions to clearly and accurately show the precise position and height of the development,
- The applicant should provide full details of the proposals for excavation to reduce levels and details of the proposed retaining wall and boundary walls,

- The applicant should provide a detailed cross section to show the precise impact of the development on properties on Cliff Rd, showing window locations and overlooking sight lines,
- The application should be determined by the committee and members of the public should be given the opportunity to make representations to the committee,
- In relation to the amended plans and the proposed boundary wall it is considered that the wall needs to be no higher than 3m, or to a height to avoid overlooking from the ground floor windows in Constable Mews to the first floor sitting rooms of the proposed development. It is considered that as the bedroom windows on the first and second floors of Constable Mews are relatively small, overlooking is not an issue,
- The proposal to retain the existing external wall of the warehouse does solve a lot of my concerns regarding being overlooked and this is welcomed,
- Concerns about feasibility of retaining existing boundary wall and structural stability,
- Conditions should be imposed requiring the developer to place covenants on the purchasers to maintain the retained warehouse wall in good condition and retain its existing height in order to prevent its subsequent deterioration and / or removal,
- I note that the bedrooms and landings to the 3rd floor rear of units 5, 6 & 7 will have obscured glazing. However, the 3rd floor bedrooms to the rear of units 8, 9 & 10 will still overlook my property. If the internal layouts are altered to match units 5, 6 & 7 then my concerns regarding overlooking could be completely resolved,
- The very small rear yard areas of the proposed houses and the close proximity of the retained wall the yards will be oppressive and therefore have a very low/negligible amenity value to the new occupiers,
- Whilst welcomed to limit the impact of this totally undesirable development the retained wall will effectively look and act like an enclosing compound almost akin to a prison camp enclosure – a type of development feature that surely cannot be deemed acceptable from an aesthetic or planning respect? Its retention smacks of desperation to obtain the maximum possible intensity of development without regard to the new living environments being created or the existing adjoining residences.
- It is up to 1.8m higher than the plans previously approved. The current plans could be changed to feature a mansard style roof with a flat top to significantly lessen the unacceptable overlooking, shading and visual impact on the Cliff Rd properties.
- The internal layouts of plots 8-11 could be changed to match 5-7 so that all the 2nd floor accommodation overlooking the Cliff Rd properties are bathrooms with obscured glazing. This would effectively remove all my over privacy concerns.
- The density of the development is unacceptably high resulting in the tiny rear patios.
- Preserving the warehouse wall is welcomed as a screen for my privacy but it is incredibly sad that such a desperate and drastic measure has to be adopted in order to obtain planning permission.
- Your comments regarding the economic viability of the scheme are in my view erroneous – the privacy and amenity value of EXISTING properties should take precedence!

Objections have also been received from an agent acting on behalf of five residents in Police Houses, Constable Mews and Fontwell Gardens. The points raised can be summarised as follows:
:

- My clients do not object to the redevelopment of the Anvils Yard for housing in principle, the objection lies squarely at the design and impact of the current scheme.
- It is considered that the proposal is an overdevelopment of the site which leads to a cramped and contrived development lacking in amenity space and which has a significant adverse impact on the privacy and amenity of a number of adjoining homes.
- Concerns relating to errors and omissions on the submitted plans,

- The previous planning permission has now lapsed and as such they cease to be material to the consideration of the current permissions as they do not offer a fall back permission,
- Planning policy has changed significantly since the 2006 approval,
- Lack of public amenity space within the development,
- Lack of information in relation to levels. The properties have a sunken patio area as amenity space, as well as being sub-standard, cramped, cold and overshadowed spaces in their own right, they are very close to the rear gardens of adjoin properties, no details have been provided as to accurate levels and how the rear gardens of the properties to the east will be retained as it appears that this is a substantial levels change proposed,
- Concerns relating to noise and disturbance,
- Concerns about garden sizes and separation distances with adjacent properties,
- Concerns about overlooking and loss of privacy. The rear gardens of plots 5-11 are only 4.7m long with 5.2 to the end of the (as yet undefined retaining wall) the double sitting room windows will enable a completely unacceptable level of overlooking directly into the private rear gardens of adjacent properties,
- Overshadowing – via a massive loss of evening sunlight with significant overshadowing throughout significant proportions of the day,
- It is considered that the viability assessment submitted with the application is very sparse in information,
- The refuse collection area indicated on the layout is substantially inadequate for the scale of the development proposed.
- It is accepted that the retention of the wall across the rear of the site adjacent to Constable Mews will address some of the overlooking issues and to that respect it is welcomed; however this is a token gesture designed to obscure the worst aspects of this unacceptable proposal. It remains the case that my client's rear gardens and houses will still be overlooked from the second floor rear windows,
- How is the proposed boundary wall to be retained and supported?
- How is this retention to be squared with the provision of appropriate residential amenity within the rear gardens of plots 5-11? It is apparent that the gardens will be very small and in permanent shade sandwiched between the rear of the block and a 7-8m solid wall.

Officer Evaluation

Introduction:

This is a full planning application for the demolition of an existing warehouse building, currently used for furniture retail, and the erection of 10 dwellings comprised within two terraces.

Outline planning permission was granted under application S05/1505 for residential development of the site. Subsequently an application for reserved matters approval was granted in January 2007 for the erection of 10 townhouses and 1 bungalow (application S06/0832). This current application proposes an almost identical scheme to that previously approved. Although these consents have now lapsed and can no longer be implemented they are still a material consideration relevant to the determination of this current application.

Since the outline and reserved matters applications were approved in 2006 & 2007 there have been some policy changes. The Regional Plan was adopted in 2009, the Core Strategy was adopted in 2010 and more recently the National Planning Policy Framework was published earlier this year (2012). These policy changes are also material to the determination of this application.

Although there have been some significant changes in the relevant policy documents since the previous decisions were made, the actual physical layout of the site and the surrounding area has not significantly changed over the last five to six years.

Design:

The design of the proposed development is similar to that previously approved under applications S05/1505 and S06/0832. The proposed development comprises two rows of terraced properties facing each other with a central parking and turning area between them.

The proposed design is considered to be acceptable and picks up on design themes used elsewhere in Stamford. Subject to the use of appropriate materials for the roof and elevations it is considered that the designs would appear to be in character with the surrounding development.

Concern has been raised about the scale of the development it is however considered that the properties would not appear out of scale with surrounding development. The height of the proposed development is the same as that previously considered to be acceptable by the Council in 2007.

Overlooking / loss of privacy:

Concern has been raised in relation to overlooking / loss of privacy. As already stated a similar scheme has previously been approved at the site and although this consent has now lapsed it is still a material consideration in the determination of this application.

When considering the previous application (S06/0832) officers and Members had some concerns about the impact of the development on the S.A.P.S building which runs along the western site boundary and has a number of windows in its eastern elevation. At the time the application was approved cross sections were submitted which demonstrated that these windows were to office and storage areas and at high level. It was considered that this would not result in any significant loss of privacy notwithstanding the very small amenity space to the rear of the proposed properties (approximately 5 metres). This arrangement has not material changed and it is considered that the proposals should therefore be considered to be acceptable as previously accepted by the Council.

In relation to the northern boundary the unit proposed at the end of the western terrace is single storey only. This will ensure that there is no significant loss of privacy to the properties on Fontwell Gardens.

The majority of the objections received relate to the relationship of the proposed eastern terraced to the properties on Cliff Road. The separation distances from the rear of Constable Mews to the proposed terraced has been increased, since the application was last reported to the Committee, to approximately 16 metres and from number 5 Polices Houses approximately 24.5 metres. The units within the eastern terrace would have garden depths of approximately 7 metres. The properties would also be set significantly lower than the properties on Cliff Road. These separation distances and the rear amenity space have now been increase in size since application S06/0832 was considered to be acceptable by the Council. Notwithstanding the policy changes there has not been any significant material change in circumstances since the previous approval in 2007.

Following the Committee Meeting on the 24 July 2012 officers have sought to negotiate some changes to the scheme in order to minimise any potential overlooking / loss of privacy. The changes sought include the retention of the rear wall of the existing warehouse to help screen the first floor windows of the proposed development. The applicants have amended the plans to show that this wall or a replacement boundary feature would be retained up to a height of 3m when measured from the rear gardens of the properties on Cliff Road and 3.8m when measured from the

application site. It is considered that the scheme as amended address some of the previous concerns raised in relation to overlooking and the dominance of the boundary wall.

The applicants have also indicated that the bathroom and landing windows on the second floor of plots 5 to 10 will be obscure glazed to help minimise any overlooking of Constable Mews. It is considered that this will further help to reduce the impact of the development on adjacent properties. Whilst these windows will be visible to the properties on Cliff Road the separation distance is considered to be acceptable and the windows will be non opening where they are below 1.7m above the internal floor level. Therefore the only elements that will be able to be opened will be top lights which are above eye level.

Highway Safety / Parking:

Concerns have been raised in relation to the proposed access and parking arrangements. The access and parking arrangements are not significantly different to the arrangements which were previously considered to be acceptable. The local highway authority has been consulted on the amended plans and their comments are awaited. The comments from the highway authority will be reported in the late background papers document.

Drainage:

Some concern has been raised in relation to drainage and possible damage to surface and foul water drainage pipes which cross the site. A surface water pipe and a foul water pipe cross the site running adjacent to the western boundary. It is the responsibility of the developer to ensure that during construction no damage is caused to the pipes. Given the close proximity of the development to the pipes it may also be necessary for the developer to enter into a build over agreement with Anglian Water.

Given that the majority of the site is already hard surfaced it is considered that the proposed development is unlikely to result in any significant increase in surface water drainage. It is however considered appropriate to attach a condition requiring details of surface water and foul drainage to be submitted prior to any development taking place.

Section 106 Heads of Terms

The Community Leisure Officer has requested an off-site contribution of £11,475 towards improvements of the nearby Recreation Ground Play Area.

Contribution towards affordable housing – Policy Target up to 35% subject to viability.

The applicant submitted a viability assessment based on the previous scheme for 11 dwellings. The assessment indicated that the development would currently be unviable with any S106 contributions. The viability assessment suggests that the applicant would make a profit of approximately 10.69%. The council's financial consultant has indicated that whilst there is some difference in the figures they are not considered to be unreasonable. They indicate that a profit of 13.25% could possibly be achieved. They have however indicated that most developers and their funders would expect a profit in the region of 18-20% after any S106 contribution. The applicants have been asked to submit an updated viability assessment based on the new scheme. It is considered that as the numbers have been reduced it is unlikely that the scheme will now be viable, however the revised assessment is essential to the ensuring that the correct figures can be included in any subsequent S106 Agreement.

Based on the above information it is considered that in the current financial market it is unlikely that the scheme would be viable with a S106 contribution. It is therefore recommended that a S106 be required but that the wording of the agreement includes a claw back clause where the developer only has to make contributions if the market circumstances change and the profits from the scheme increase. The claw back clause will be based on any increase in the sales value of the proposed dwellings.

Crime and Disorder

It is considered that the proposed development raises no significant 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.

Conclusion

This is an application for the erection of 10 town houses on land off Radcliffe Road, Stamford. A similar development has previously been approved on the site under application S06/0832. It is considered that subject to conditions the proposed development will not compromise the character and appearance of the surrounding area or adversely impact on the residential amenities of the occupiers of adjacent properties. Whilst there have been material changes in policy since the previous approval in 2007 the material circumstances relating to the physical layout of the site have not changed. Although the previously approved development consent has lapsed it is still a material consideration in the determination of this application.

Residential redevelopment of the site is in general accordance with the guidance set out in the National Planning Policy Framework and in accordance with policies SP1, SP3, SP4, EN1, EN4, H1 and H3 of the adopted South Kesteven Core Strategy 2010.

Concerns have been raised in relation to the appearance of the proposed development, that the development would have detrimental impact on residential amenity, concerns about highway safety, drainage, over development of the site. Whilst these issues are material planning considerations it is considered that subject to the conditions attached to this permission they do not outweigh the principal policies referred to above.

RECOMMENDED:

That the development be delegated to the Development Management Service Manager in consultation with the Chairman / Vice Chairman for approval subject to the signing of a legal agreement securing developer contributions and subject to the attached conditions. Where the legal agreement has not been concluded prior to the Committee meeting a period not exceeding six weeks post the date of the Committee meeting shall be set for the completion (including signing) of the agreement. In the event that the agreement has not been signed and where in the opinion of the Development Management Service Manager acting in consultation with the Chairman / Vice 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

bases 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

This is an application for the erection of 10 town houses on land off Radcliffe Road, Stamford. A similar development has previously been approved on the site under application S06/0832. It is considered that subject to conditions the proposed development will not compromise the character and appearance of the surrounding area or adversely impact on the residential amenities of the occupiers of adjacent properties. Whilst there have been material changes in policy since the previous approval in 2007 the material circumstances relating to the physical layout of the site have not changed. Although the previously approved development consent has lapsed it is still a material consideration in the determination of this application.

Residential redevelopment of the site is in general accordance with the guidance set out in the National Planning Policy Framework and in accordance with policies SP1, SP3, SP4, EN1, EN4, H1 and H3 of the adopted South Kesteven Core Strategy 2010.

Concerns have been raised in relation to the appearance of the proposed development, that the development would have detrimental impact on residential amenity, concerns about highway safety, drainage, over development of the site. Whilst these issues are material planning considerations it is considered that subject to the conditions attached to this permission they do not outweigh the principal 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. Before the first occupation of the building hereby permitted, the secondfloor bathroom and landing windows to plots 5 to 10 on the eastern elevation(s) shall be fitted with obscure glazing (to a minimum obscurity of Pilkington Level 3 or equivalent) and if any part of the window(s) is less than 1.7m above the floor of the room in which it is installed, it shall be non opening. The window(s) shall be retained as such thereafter.

Reason: To safeguard the privacy of the occupiers of the adjoining property and in accordance with the guidance contained in national Planning Policy Framework.

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).

4. 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), the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing by the local planning authority:

- 1) A preliminary risk assessment which has identified:
 - (i) all previous uses
 - (ii) potential contaminants associated with those uses
 - (iii) a conceptual model of the site indicating sources, pathways and receptors
 - (iv) potentially unacceptable risks arising from contamination at the site.
- 2) A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
- 3) The results of the site investigation and detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
- 4) A verification plan providing details of the data that will be collected in order to demonstrate that works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any charges to these components require the express consent of the local planning authority. the scheme shall be implemented as approved.

Reason: To protect the quality of inland fresh waters and groundwaters in accordance with Policy P9-6 of the Environment Agency's Groundwater Protection: Policy and Practice (GP3) document and the National Planning Policy Framework.

Note:

A desk top study (also known as a Phase I Environmental Assessment) is required as the first stage in assessing the potential risk posed to controlled waters from past use of the site. Based on the findings of the Phase I assessment, further works including site investigation is likely to be required.

5. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, a remediation strategy detailing how this unsuspected contamination shall be dealt with. The remediation strategy shall be implemented as approved.

Reason: To ensure that if previously undetected contamination is encountered during the redevelopment, that it is dealt with appropriately.

6. No infiltration of surface water drainage into the ground is permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. the development shall be carried out in accordance with the approved details.

Reason: to ensure that the use of soakaways does not increase the potential risk posed to controlled waters and to ensure that soakaways are no located in potentially contaminated

ground.

7. 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.

8. 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).

9. 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 the approved details. The details to be submitted shall include details of the retaining wall along the eastern site boundary and details of how this will be supported to ensure that it maintains its structural integrity.

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

10. The first floor windows in the north facing gables shall be obscure glazed.

Reason: To safeguard the privacy of the neighbouring residential properties to the north in accordance with guidance contained in the National Planning Policy Framework.

11. Prior to the commencement of any demolition or construction work on site a method statement regarding the proposed construction and demolition works shall be submitted to and approved in writing by the local planning authority. The statement shall cover the following points:

- a) Hours of operation;
- b) Types of machinery and equipment to be used on site; and
- c) Details of how noise, vibration, dust and asbestos removal are to be controlled, using

best practicable means.

The works shall be carried out in accordance with the approved method statement.

Reason: To ensure that the construction of the development is carried out according to the best practice to minimise disruption to adjoining occupiers.

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

1674 -04B received 29 August 2012
1674 -05B received 29 August 2012
1674 -06D received 29 August 2012
1674 -07B received 29 August 2012
1674 -08D received 29 August 2012
1674 -12C received 3 September 2012

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

13. Any gates to the vehicular access shall be set back a minimum of 6.0 metres from the nearside edge of the carriageway of Radcliffe Road and shall not open over the highway.

Reason: To enable calling vehicles to wait clear of the carriageway of Radcliffe Road in the interests of safety.

14. Before the dwellings are occupied, the access and turning space shall be completed in accordance with the approved plan, drawing number 04B received 29 August 2012, and retained for that use thereafter.

Reason: To ensure safe access to the site and each dwelling/building 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.

15. Prior to any of the buildings being occupied, the private drive shall be completed in accordance with the details shown on drawing number 04B received 29 August 2012.

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

Note(s) to Applicant

This road is a private road 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.

The developers attention is drawn to the attached letter from the Environment Agency.

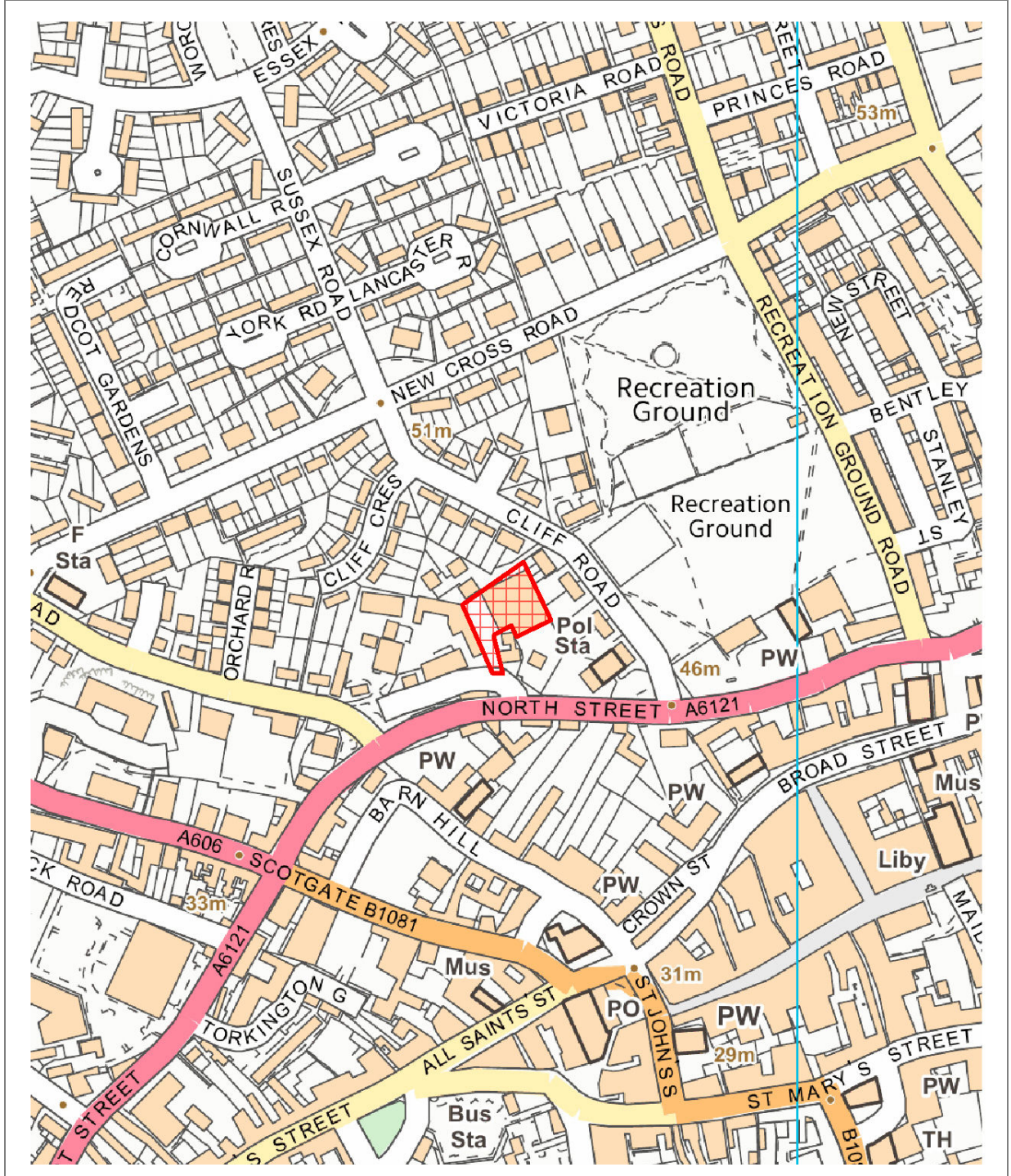
You are advised that the application site falls within an area affected by Radon. You are asked to contact the Council's Building Control section (telephone number 01476 406187) to ascertain the level of protection required and whether a geological assessment is necessary.

This consent should be read in conjunction with the Legal Agreement (S106) dated

* * * * *

Site Location Plan

Ref	S12/0438
Proposal	Demolition of existing retail warehouse building and erection of 10 dwellings
Location	2A, Radcliffe Road, Stamford, Lincs



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Agenda Item 6

AGENDA ITEM

Report No: PLA. 946

DEVELOPMENT CONTROL COMMITTEE

18 SEPTEMBER 2012

REPORT BY DEVELOPMENT MANAGEMENT SERVICE MANAGER

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) = 47

TABLE 2 Applications dealt with under delegated powers from 6 August – 31 August 2012

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 to 31 August 2012 DOCUMENT 3C Copy of Appeal Decisions

Table 3A lists outstanding appeals including newly submitted appeals and Table 3B lists recent decisions accompanied by a summary. Document 3C gives the full appeal decision received from the Planning Inspectorate.

TABLE 4 Planning applications performance

This table displays new end to end times for determining applications.

DEVELOPMENT MANAGEMENT

TABLE 1

Applications not determined within the statutory period

Report No: 946/2012

Date Prepared: 5 September 2012

No of applications over 8 weeks: 80

MAJOR APPLICATIONS (13 weeks)

S06/1151/MJNF/JJ

Date received:
26-Oct-2011
No of days: 313

Wm Morrison Supermarkets plc

Non food retail development (6 units) with associated parking, servicing and access

Former Mirlees Blackstone Site, Uffington Road, Stamford

Reason for non-determination:

Waiting for additional information from Agent

S11/2002/MJRO/KJC

Date received:
24-Aug-2011
No of days: 376

Andrew Rogers, JGP Properties Ltd

Outline planning permission for residential development and the formation of new vehicular access

Land Off Main Road, Long Bennington

Reason for non-determination:

Awaiting assessment of submitted noise report.

S11/2050/MJRF/JJ

Date received:
19-Sep-2011
No of days: 350

Mrs A Lea, Larkfleet Homes

Construction of 18 dwellings

Land north of, Spalding Road, Deeping St. James

Reason for non-determination:

Awaiting S106 Agreement.

S11/2283/MJRO/JJ

Date received:
30-Sep-2011
No of days: 339

Burghley House Preservation Trust

Affordable housing and associated infrastructure and access and allotments

Land rear at Coronation Villas, Barnack Road, Stamford

Reason for non-determination:

Approved Subject to signing of S106.

S11/2288/MJNO/JJ

Date received:
30-Sep-2011
No of days: 339

Stamford AFC/Burghley House Pres Trust

Development of football stadium with capacity for 1500 spectators, with associated infrastructure and facilities to include multi-use training pitch, clubhouse and function rooms, and ancillary office/administrative space. Provision of car and coach parking area with additional use for car boot sales on up to 40 days in any calendar year. Creation of new means of access from Ryhall Road with associated highway alterations

Land west of, Ryhall Road, Stamford

Reason for non-determination:

Approved subject to S106 Agreement.

S11/2300/MJRO/JJ

Date received:
30-Sep-2011
No of days: 339

Stamford AFC/Burghley House Pres Trust

Demolition of existing football club buildings and structures.
Residential development with associated infrastructure,
including new means of access with Kettering Road.
Stamford AFC, Kettering Road, Stamford, PE9 2JS

Reason for non-determination:
Approve subject to S106 Agreement

S11/2472/MJRO/JJ

Date received:
01-Nov-2011
No of days: 307

Persimmon Homes (East Mids) Ltd

Outline application with all matters except access reserved for
approval for residential development
Godsey Lane/Eastfield, Market Deeping

Reason for non-determination:
Subject to S106 Agreement

S12/0187/MJNF/PWM

Date received:
26-Jan-2012
No of days: 221

Mr P Southerington, Witham Specialist Vehicles Ltd

Section 73 application to allow for retention of bunding and for
use to commence before completion of highways works and
temporary access track - conditions 2, 3, 10, 12 and 13 of
S11/0641

Bourne Road, Colsterworth
Reason for non-determination:
Awaiting amended drainage scheme

S12/0484/MJRO/KJC

Date received:
27-Feb-2012
No of days: 189

Stephen Holman, Yelcon Homes Ltd

Erection of 55 residential units (including 15 affordable units)
Outline
Barrack Gardens/Beacon Lane Allotments, Beacon Lane,
Grantham

Reason for non-determination:
On going viability negotiations

S12/0510/MJRO/KJC

Date received:
09-Mar-2012
No of days: 178

Mr Martyn James and Henry Bell & Co Ltd

Demolition of existing building and construction of new
apartments (extension to time frame) S08/0892
former Grantham Tyre & Auto, Rycroft Street, Grantham,
NG316DL

Reason for non-determination:
Delegated to Chairman & Vice Chairman for approval subject
to signing of S106 Agreement

S12/0613/MJRF/PJM

Date received:
10-Apr-2012
No of days: 146

William Davies Ltd

Erection of 18 dwellings (affordable)
Land R/o Highfield Mews, Great Gonerby, Grantham, NG31
8XA

Reason for non-determination:
Awaiting Signing of Section 106 Agreement.

S12/0864/MJRO/NB

Date received:
05-Apr-2012
No of days: 151

Commercial Estates Group and, Cecil Estate Family Trust
Outline application for a sustainable urban extension at Stamford West including residential development (including affordable housing), a business park (10 hectares) and a local centre, with associated highways improvements, pedestrian and cycle links, landscaping and open space. (All matters reserved except for access into the site for vehicles in terms of the positioning and treatment to the access of the site, but excluding accessibility within the site, in terms of positioning and treatment of access and circulation routes and how these fit into the surrounding access network)
Land between Empingham Road and Tinwell Road, Stamford
Reason for non-determination:
Waiting for DPD to go before the Planning Inspectorate

S12/1198/MJNF/NB

Date received:
25-May-2012
No of days: 101

Nick Sewell, New River Retail Limited
Erection of two retail units (non food)
Former R F Witt & Sons and adjacent car park, Godsey Lane, Market Deeping, Peterborough, PE6 8HT
Reason for non-determination:
Waiting on amended plans from agent

S12/1241/MJNF/JJ

Date received:
21-May-2012
No of days: 105

Bourne Services Group Ltd
Proposed new laundry facility
Bourne Services Group Ltd, Cherry Holt Road, Bourne, Lincolnshire, PE10 9LA
Reason for non-determination:
Waiting for Highway comments

ALL OTHER APPLICATIONS
(8 weeks)

S09/2827/FULL/JJ

Date received:
27-Nov-2009
No of days: 1011

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:
To be withdrawn.

S09/2829/LB/JJ

Date received:
27-Nov-2009
No of days: 1011

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:
To be withdrawn.

<p><u>S10/0962/FULL/PL</u></p> <p>Date received: 13-Apr-2010 No of days: 874</p>	<p>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 <u>Reason for non-determination:</u> Contamination report required.</p>
<p><u>S10/1582/FULL/NB</u></p> <p>Date received: 15-Jul-2010 No of days: 781</p>	<p>David Pennell, Burghley House Preservation Trust Conversion and extension of outbuildings to form dwelling 43A, High Street, St Martins, Stamford, Lincolnshire, PE9 2LP <u>Reason for non-determination:</u> With Regional Office decide whether they call-in application</p>
<p><u>S10/1583/LB/NB</u></p> <p>Date received: 15-Jul-2010 No of days: 781</p>	<p>David Pennell, Burghley House Preservation Trust Alteration and extension to listed building 43A, High Street, Stamford, Lincolnshire, PE9 2LP <u>Reason for non-determination:</u> With Regional Office to decide wither they call-in application.</p>
<p><u>S10/1805/FULL/KJC</u></p> <p>Date received: 13-Oct-2010 No of days: 691</p>	<p>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 <u>Reason for non-determination:</u> Concerns re parking provision - ongoing negotiations</p>
<p><u>S10/2020/FULL/JJ</u></p> <p>Date received: 03-Sep-2010 No of days: 731</p>	<p>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 <u>Reason for non-determination:</u> Undertaking consultation on Heritage Enabling Development</p>
<p><u>S10/2021/LB/JJ</u></p> <p>Date received: 03-Sep-2010 No of days: 731</p>	<p>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 <u>Reason for non-determination:</u> Undertaking consultation on Heritage Enabling Development</p>
<p><u>S11/0406/FULL/JJ</u></p> <p>Date received: 17-Feb-2011 No of days: 564</p>	<p>Miss Shani Lees Application to extend time limit for the implementation of application of S08/0317 for construction of 9 dwellings 59 & 65, Abbey Road, Bourne, PE10 9EN <u>Reason for non-determination:</u> Waiting S106</p>

S11/0989/FULL/PWM

Date received:
04-May-2011
No of days: 488

Janette Broadbent

Change of use of land (path) to domestic garden (C3)
32, Minerva Close, Ancaster, Grantham, NG32 3LJ
Reason for non-determination:
Awaiting amended landscaping scheme from Persimmon Homes

S11/1431/FULL/PJM

Date received:
16-Jun-2011
No of days: 445

Mr Peter Aust

Change of use of former railway land to garden land
Land to r/o The Old Stables Woolsthorpe Road to 15 Ingle Court (inclusive), Woolsthorpe By Colsterworth, Grantham, Lincolnshire, NG33 5NT
Reason for non-determination:
Awaiting consultee comments

S11/1922/FULL/PWM

Date received:
09-Sep-2011
No of days: 360

Mr Dick Baines

Two wind turbines (hub height 29.6m, rotor diameter 20m and total ground to tip height 39.6m) and associated works
Lodge Farm, Main Street, Carlton Scroop, Grantham, NG32 3AU
Reason for non-determination:
Awaiting consultee responses, to go to October Committee

S11/2109/HSH/PL

Date received:
01-Sep-2011
No of days: 368

Mr & Mrs D Rose

Erection of double garage in rear garden
28, Croft Drive, Grantham, NG31 9EB
Reason for non-determination:
Additional information requested

S11/2181/FULL/JJ

Date received:
06-Sep-2011
No of days: 363

David Pannell, Burghley House Preservation Trust Ltd

Proposed alteration to ventilation and extract ducting to ground floor kitchens
William Cecil Hotel, 36, High Street, Stamford, Lincolnshire, PE9 2LJ
Reason for non-determination:
Awaiting amended plans

S11/2182/LB/JJ

Date received:
06-Sep-2011
No of days: 363

David Pannell, Burghley House Preservation Trust Ltd

Proposed alteration to ventilation and extract ducting to ground floor kitchens
William Cecil Hotel, 36, High Street, Stamford, Lincolnshire, PE9 2LJ
Reason for non-determination:
Awaiting amended plans

S11/2371/HSH/PWM

Date received:
26-Sep-2011
No of days: 343

Mr & Mrs P Sowerby

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

Reason for non-determination:

To be referred to Secretary of State

S11/2372/LB/PWM

Date received:
26-Sep-2011
No of days: 343

Mr & Mrs P Sowerby

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 of Coach House doors and other associated works Caythorpe Hall, Church Lane, Caythorpe, Grantham, NG32 3EL

Reason for non-determination:

To be referred to Secretary of State

S11/2444/FULL/PJM

Date received:
18-Oct-2011
No of days: 321

Mr Dil Mohammed, Royal Tandoori

Removal and repositioning of external vents and alterations 53 - 57, London Road, Grantham, Lincolnshire, NG31 6ET

Reason for non-determination:

Awaiting additional information on extraction system

S11/2619/FULL/AH

Date received:
15-Nov-2011
No of days: 293

Mr G Bremner

Use of land as grass airstrip and erection of building for storage of aircraft and agricultural machinery Manor Farm, Wilsthorpe Road, Braceborough, Stamford, PE9 4NX

Reason for non-determination:

Awaiting further noise survey results

S11/2782/OUT/JJ

Date received:
23-Nov-2011
No of days: 285

Wm Morrison Supermarkets Plc

Erection of pub/restaurant (with associated parking) Former Mirrlees Blackstone Site, Uffington Road, Stamford

Reason for non-determination:

To future Committee

S11/2814/FULL/PJM

Date received:
13-Jan-2012
No of days: 234

Mrs Jolanta Kowalska, Yo Alina Ltd

Variation of Condition 3 (hours of opening) of planning application S10/1981

29, London Road, Grantham, NG31 6EX

Reason for non-determination:

Awaiting additional information.

S11/2921/LB/SP

Date received:
07-Dec-2011
No of days: 271

Mr Niall Brady

Conversion of listed outbuilding to ancillary accommodation
The Laurels, Main Street, Denton, Grantham, NG32 1JZ
Reason for non-determination:
Awaiting additional information

S11/3007/HSH/SP

Date received:
07-Dec-2011
No of days: 271

Mr N Brady

Conversion of outbuilding to ancillary accommodation
The Laurels, Main Street, Denton, Grantham, NG32 1JZ
Reason for non-determination:
Awaiting additional information

S11/3052/TCA/PJM

Date received:
28-Dec-2011
No of days: 250

Mrs J Owens

Reduce height of 3 evergreen trees in Conservation Area
4, West End, Harlaxton, Grantham, Lincolnshire, NG32 1HE
Reason for non-determination:
Awaiting additional information

S11/3068/FULL/SP

Date received:
26-Jan-2012
No of days: 221

Mr J Cooke

Use of land for the siting of 39 serviced touring caravan
pitches
Wagtail Country Park, Cliff Lane, Marston, Grantham,
NG322HU
Reason for non-determination:
Awaiting further information.

S11/3179/FULL/PL

Date received:
28-Dec-2011
No of days: 250

Wilcox Commercial Vehicles Ltd

Factory unit and offices - extension of time of S04/1789
Land Adjacent Wilcox Body Systems, Blenheim Way, Market
Deeping
Reason for non-determination:
Awaiting Section 106 Agreement.

S12/0054/FULL/PWM

Date received:
23-Apr-2012
No of days: 133

Mr T Hone

Change of use from agricultural land to Gypsy/Traveller site
including ten mobile home pitches, associated access road
and wc blocks
Land At Woolsthorpe Lane, Sedgebrook, Grantham
Reason for non-determination:
Awaiting further information.

S12/0193/FULL/NB

Date received:
17-Feb-2012
No of days: 199

Stamford Town Council

Construction of skatepark
Stamford Skatepark, Recreation Ground, Recreation Ground
Road, Stamford
Reason for non-determination:
Additional consultation required on noise survey

S12/0302/FULL/PL

Date received:
10-Feb-2012
No of days: 206

Lisa Kirby

Installation of air conditioning unit
4, The Covert, Thurlby, Bourne, Lincolnshire, PE10 0QQ
Reason for non-determination:
Additional information requested.

S12/0306/FULL/AH

Date received:
21-Feb-2012
No of days: 195

Mr R Rippon

Conversion, extension and alteration of existing premises to provide 2 no apartments with garaging and erection of new building comprising 3 no. apartments
22, High Street, Market Deeping, Peterborough, Lincolnshire, PE6 8EB
Reason for non-determination:
Revised scheme submitted

S12/0319/OUT/SP

Date received:
01-Feb-2012
No of days: 215

Mr & Mrs S Orme

Erection of two 2-storey dwellings
R/o 12 West Street, Barkston, Grantham, NG32 2NL
Reason for non-determination:
Request for application to held in abeyance.

S12/0417/FULL/SP

Date received:
02-Apr-2012
No of days: 154

Mr J Wand

Erection of five dwellings (Outline) - Extension of time limit
R/o 32 High Street, Billingborough, Sleaford, NG34 0QA
Reason for non-determination:
You are advised that the indicative layout accompanying application S09/0142 is considered illustrative only and in its present form is not acceptable, and you should consult with the District Council before submitting details for Reserved Matters.

S12/0566/FULL/SP

Date received:
05-Mar-2012
No of days: 182

David Wilson Trailers Ltd

New vehicular access
Jubilee Business Park, Honey Pot Lane, Colsterworth, Grantham, NG33 5LZ
Reason for non-determination:
S106 Agreement to be agreed

S12/0648/FULL/LDPP

Date received:
03-Apr-2012
No of days: 153

Mr Nicholas Ablewhite

Demolition of existing and erection of replacement dwelling
Ashes Farm, Sewstern Lane, Long Bennington, Newark, Lincolnshire, NG23 5EX
Reason for non-determination:
Awaiting amended plans and awaiting further information.

S12/0776/FULL/SP

Date received:
27-Mar-2012
No of days: 160

Mr Nev Tointon

Demolition of dwelling and erection of bungalow
36, High Street, Caythorpe, Grantham, NG32 3DS
Reason for non-determination:
Further details now received to be determined shortly

S12/0878/HSH/SP

Date received:
25-Apr-2012
No of days: 131

Mr Spencer Cozens

Build single storey music room in garden
Peacock Place, Scotts Hill, Fulbeck, Grantham, NG32 3JU
Reason for non-determination:
Awaiting further information

S12/0879/FULL/SP

Date received:
20-Apr-2012
No of days: 136

D G Richardson & Son Ltd

Agricultural grain store - affecting the setting of a listed building (Grade I) St Andrew's Church, Sempringham
The Piggery, Marsedyke Bridge, Pointon Road, Billingborough
Reason for non-determination:
On-going discussions with applicants.

S12/0910/FULL/PJM

Date received:
21-May-2012
No of days: 105

Mr & Mrs J Clark

Erection of two storey detached dwelling
Plot adjacent 3, Casthorpe Road, Barrowby, NG32 1DW
Reason for non-determination:
Reconsulting on amended plans

S12/1013/OUT/PL

Date received:
28-Jun-2012
No of days: 67

Robert Price, Bosworth Properties Limited

Outline application for demolition of existing public house and erection of hotel (Class C1), restaurant (Class A3) and fast food/retail unit (Class A5/A1)
The Fox Inn, Great North Road, Colsterworth, Grantham, NG33 5LN
Reason for non-determination:
Waiting for Highway Agency comments

S12/1016/FULL/SP

Date received:
18-May-2012
No of days: 108

Mr & Mrs Machin

Conversion of existing two storey building, build two storey extension and demolish single storey garage and storey room to form a separate dwelling, and the formation of a new vehicle access for a classified road
The Barn, Main Street, Allington, NG32 2EA
Reason for non-determination:
Appeal lodged against non-determination

S12/1017/FULL/AH

Date received:
29-May-2012
No of days: 97

Mr Nicholas Watts

Erection of 2 No. 50kw wind turbines (max height of 39.6 metres)
Casewick Farm, Casewick, Tallington, Stamford, PE9 4RX
Reason for non-determination:
Further information requested

S12/1020/LB/SP

Date received:
18-May-2012
No of days: 108

Mr & Mrs Machin

Conversion of existing two storey building, build two storey extension and demolish single storey garage and storey room to form a separate dwelling, and the formation of a new vehicle access for a classified road
The Barn, Main Street, Allington, NG32 2EA
Reason for non-determination:
Appeal lodged against non-determination

S12/1035/TELX/LDPP

Date received:
23-Apr-2012
No of days: 133

William Osborne, Harlequin Group

Openreach Broadband Cabinet
Land outside The Conifers, Low Road, Barrowby, NG32 1DB
Reason for non-determination:
Awaiting information assessing Conservation Area

S12/1038/HSH/SP

Date received:
23-Apr-2012
No of days: 133

Mr Tim Hutton

Demolition of single storey building on site frontage and replacement with two storey self contained annex, and 2m high stone wall and wooden gates
The Barn, Charity Street, Carlton Scroop, Grantham, Lincolnshire, NG32 3AT
Reason for non-determination:
Ongoing discussions with applicants.

S12/1041/LB/PL

Date received:
26-Apr-2012
No of days: 130

Scrivens Opticians & The Hearing Company

Hanging/projecting sign to facade
UNIT 8, Crown Walk, West Street, Bourne, Lincolnshire, PE10 9PB
Reason for non-determination:
Additional information requested.

S12/1048/FULL/AH

Date received:
25-May-2012
No of days: 101

Mrs Liz Town, Business Manager

Retention of fencing - along with new and re-positioned sections -and retention of 2 No. cycle shelters
Malcolm Sargent Primary School, Empingham Road, Stamford, Lincolnshire, PE9 2SR
Reason for non-determination:
Revised plans received and subject to re-consultation.

S12/1058/FULL/NB

Date received:
28-Jun-2012
No of days: 67

Mr J Lloyd

Demolition of outbuilding, erection of two one and a half storey dwellings and conversion of barn to one dwelling
29, High Street, Castle Bytham, Grantham, Lincolnshire, NG33 4RZ
Reason for non-determination:
Awaiting comments from Highways.

S12/1118/FULL/NB

Date received:
05-Jul-2012
No of days: 60

Mr A Cordial

Change of use of ground floor to exercise room (D2) and part of first floor to theatre school (D1)
Midland Language Centre, 9A St. Peters Hill, Stamford, PE9 2PE
Reason for non-determination:
Additional noise report required.

S12/1218/HSH/SP

Date received:
17-May-2012
No of days: 109

Mrs Sam Gibbs

Demolish existing single storey wing to the North East and replace with 1 1/2 storey extension and build single storey extension to the South
The Old Sheepwash Barn, Stroxtan Lane, Stroxtan, Grantham, Lincolnshire, NG33 5DA
Reason for non-determination:
Awaiting amendments.

S12/1246/LDE/SP

Date received:
21-May-2012
No of days: 105

Mr Robert Kitchen

Certificate of lawful development (existing) - static home for the former Old Pieground Farm, Pointon Fen, Pointon Static Home, (Formerly Old Pieground Farm), Pointon Fen, Pointon, Nr Sleaford, Lincolnshire, NG34 0LF
Reason for non-determination:
Awaiting information from Parish Council.

S12/1271/FULL/PJM

Date received:
19-Jun-2012
No of days: 76

Mr & Mrs N & H Smith

Change of use from field used for agriculture to storage of leisure vehicles/touring caravans
Casthorpe House Farm, Denton Lane, Casthorpe, Grantham, Lincolnshire, NG32 1DS
Reason for non-determination:
Awaiting additional information

S12/1272/FULL/KJC

Date received:
24-May-2012
No of days: 102

Mrs Jennifer Sherlock, Grantham Investments & Alderforce North

Construction of fast food takeaway with associated restaurant
Former Isaac Newton Public House, Harlaxton Road, Grantham, Lincolnshire, NG31 7SA
Reason for non-determination:
Delegated to Chairman, Vice Chairman and Development Management Service Manager for approval subject to S106 Agreement

S12/1290/FULL/PJM

Date received:
11-Jun-2012
No of days: 84

The Kings School

Erection of indoor sports hall and associated car park
Kings School Playing Field, North Parade, Grantham, Lincolnshire, NG31 8AU
Reason for non-determination:
Awaiting additional information.

S12/1298/FULL/SP

Date received:
28-May-2012
No of days: 98

R, B T & C L Wills

Extension to existing stables, retention of existing horse walker and change of use of land for keeping of horses
Land to the West of Clover House,, Claypole Road, Stubton, NG23 5BU
Reason for non-determination:
Amendments now received, to be determined shortly.

S12/1322/LB/IVW

Date received:
23-Jun-2012
No of days: 72

Mr Mick Lai, Hop Sing Chinese Restaurant
Alterations to Listed Building
21, Westgate, Grantham, Lincolnshire, NG31 6LU
Reason for non-determination:
Awaiting Conservation Officer comments.

S12/1365/FULL/SP

Date received:
07-Jun-2012
No of days: 88

Mr C Leake
Change of use from A1 (retail) to mixed use comprising of A1 (retail) & A5 (hot food takeaway) uses.
55A, Main Road, Long Bennington, Newark, Lincolnshire, NG23 5DJ
Reason for non-determination:
Awaiting details regarding odour

S12/1373/OUT/PWM

Date received:
01-Jun-2012
No of days: 94

Mr & Mrs Lingard
Demolition of existing dwelling and erection of four bungalows (outline) - extension of time limit
1, Grosvenor Square, Billingborough, Sleaford, NG34 0QJ
Reason for non-determination:
Awaiting Conservation Officers comments

S12/1375/FULL/NB

Date received:
08-Jun-2012
No of days: 87

M Hindmarch
Siting of static caravan for residential occupation by security guard/caretaker
Hindmarch & Co (Stamford) Ltd, Uffington Road, Stamford, Lincolnshire, PE9 3AA
Reason for non-determination:
Amended location plan required from Agent.

S12/1425/FULL/PJM

Date received:
08-Jun-2012
No of days: 87

Mr P Willoughby
Erection of detached dwelling and retaining wall
Plot adjacent The Cottage, Lower Road, Hough On The Hill, Grantham, Lincolnshire, NG32 2BB
Reason for non-determination:
Awaiting additional information.

S12/1528/HSH/LDPP

Date received:
20-Jun-2012
No of days: 75

Mr & Mrs D Foster
Two storey detached summerhouse, removal of boundary hedge and erection of fence
22, Belton Lane, Grantham, Lincolnshire, NG31 9HS
Reason for non-determination:
Awaiting amended plans.

S12/1635/LB/IVW

Date received:
29-Jun-2012
No of days: 66

C Meadows, Estates Manager
Alteration of Listed Building (Internal)
Pegasus Tower, Harlaxton College, Harlaxton Manor, Grantham Road, Harlaxton, Grantham, Lincolnshire, NG32 1AG
Reason for non-determination:
Awaiting Conservation Officers comments.

S12/1665/FULL/JJ

Date received:
03-Jul-2012
No of days: 62

Burghley House Preservation Trust

Retrospective application for retention of Marquee with
associated bar/servery and toilets
The William Cecil, High Street, St Martins, Stamford,
Lincolnshire, PE9 2LJ

Reason for non-determination:

Awaiting Environmental Health Officer comments.

S12/1687/OUT/PJM

Date received:
05-Jul-2012
No of days: 60

Mr P Collin

Erection of single storey dwelling (outline)
Tree Tops, Gonerby Road, Grantham, Lincolnshire, NG31
8HU

Reason for non-determination:

Awaiting additional information.

S12/1710/TPO/NB

Date received:
04-Jul-2012
No of days: 61

Mr Andrew Pond

Fell beech tree
27, Roman Bank, Stamford, Lincolnshire, PE9 2SS

Reason for non-determination:

Awaiting additional information from Agent

APPLICATIONS DECIDED UNDER DELEGATED POWERS
FROM 6 AUGUST – 31 AUGUST 2012

S11/0347/DC

Applicant: Mr B Collin
 Proposal: Approval of details reserved by Condition 3 (boundary treatment), 4 (stable manure disposal) and 6 (foul and storm disposal) of S10/2190
 Location: Kirk Cottage, 229, Main Street, Welby, Grantham, NG32 3LT
 Decision: Approved - 15 August 2012
 End to End time: 544

S11/3166/EIAFP

Applicant: Mr Tim & Roger Marris, Marris Foston Ltd
 Proposal: Erection of 4 poultry units, 2 control rooms, office and general purpose building, feed bins, hardstanding, gas tanks and electric substation
 Location: Land off Fallow Lane, Foston
 Decision: Withdrawn - 10 August 2012
 End to End time: 214

S12/0099/DC

Applicant: Mr Christopher Duggan, Eden Business (Grantham) Ltd
 Proposal: Approval of details reserved by conditions 4 (materials), 5 (landscaping) & 8 (drainage) of S09/0795
 Location: 11, School Lane, Colsterworth, Grantham, NG33 5NW
 Decision: Approved - 09 August 2012
 End to End time: 206

S12/0123/HSH

Applicant: Mr & Mrs P Smith
 Proposal: First floor front and rear/side extension, ground floor rear extension and reinstate garage
 Location: 70, Gladstone Street, Bourne, Lincolnshire, PE10 9AX
 Decision: Approved by SoS conditionally - 08 August 2012
 End to End time: 204

S12/0367/FULL

Applicant: Mr & Mrs S Thomas
 Proposal: Erection of one dwellings
 Location: The Vine Inn, 19, Church Street, Market Deeping, Peterborough, Lincolnshire, PE6 8AN
 Decision: Approved conditionally - 06 August 2012
 End to End time: 175

S12/0451/FULL

Applicant: Mr Richard Pyne
 Proposal: Erection of block of four stables, hay barn and tack room and formation of new vehicular access
 Location: The Barn, Porters Lodge Farm, Morkery Lane, Castle Bytham, Grantham, NG33 4SR
 Decision: Approved conditionally - 22 August 2012
 End to End time: 182

S12/0498/LB

Applicant: Mrs H Dulieu
Proposal: Single storey rear extensions to form conservatory and plant room, replacement windows and internal/external alterations.
Location: 43, High Street, Market Deeping, Peterborough, Lincolnshire, PE6 8ED
Decision: Approved conditionally - 09 August 2012
End to End time: 150

S12/0499/FULL

Applicant: Mrs H Dulieu
Proposal: Single storey rear extension to form conservatory and plant room, replacement windows and internal/external alterations.
Location: 43, High Street, Market Deeping, Peterborough, Lincolnshire, PE6 8ED
Decision: Approved conditionally - 09 August 2012
End to End time: 150

S12/0538/DC

Applicant: Jonathon Hartley
Proposal: Approval of details of condition 5 (foul and surface drainage) required by S11/2868
Location: The Old Barn, Main Street, Greatford, Stamford, PE9 4QA
Decision: Approved - 08 August 2012
End to End time: 149

S12/0838/ADV

Applicant: Ian Willis, Hometown East Midlands
Proposal: Replace existing banners with 3 no. fascia signs and 1 no. sign to outside fence
Location: Richmond House, Palmer Road, Gonerby Moor, Grantham, NG322BW
Decision: Approved - 15 August 2012
End to End time: 36

S12/0933/HSB

Applicant: Mr M Kemp
Proposal: Single storey side and rear extensions to dwelling
Location: The Fairlings, Church Street, Foston, Grantham, Lincolnshire, NG32 2LG
Decision: Approved conditionally - 08 August 2012
End to End time: 90

S12/1062/FULL

Applicant: Miss Daisy Johnson
Proposal: Change of use from office to dog grooming salon
Location: 31A, Brook Street, Grantham, Lincolnshire, NG31 6RX
Decision: Approved conditionally - 09 August 2012
End to End time: 78

S12/1119/HSB

Applicant: Mr Gary Twelvetree
Proposal: Widening of existing access, provision of driveway & erection of detached garage
Location: The Stables, Stainby Road, Colsterworth, Grantham, Lincolnshire, NG33 5JB
Decision: Approved conditionally - 09 August 2012
End to End time: 98

S12/1153/LB

Applicant: Mr Stuart Knowles, My Nursery
Proposal: Erection of canopy to Listed Building
Location: Granby Mews, Conduit Lane, Grantham, Lincs
Decision: Approved conditionally - 08 August 2012
End to End time: 152

S12/1185/FULL

Applicant: Bradshaws of Bourne
Proposal: Change of use from motor car sales and repairs (sui generis) to B1, B2 & B8
Location: Unit 2A, Spalding Road Business Park, Bourne, PE10 9LF
Decision: Approved conditionally - 30 August 2012
End to End time: 107

S12/1191/FULL

Applicant: Ian Clayton
Proposal: Construction of new porch and replace cladding on the guest rooms with Clipsham Stone
Location: The Coachman, 2, Bourne Road, Corby Glen, Grantham, Lincolnshire, NG33 4NS
Decision: Approved conditionally - 06 August 2012
End to End time: 55

S12/1213/HSB

Applicant: Mr G, Kendall
Proposal: Extensions and alterations to dwelling
Location: The Old Laundry, The Drift, Syston, Grantham, Lincolnshire, NG32 2BY
Decision: Approved conditionally - 16 August 2012
End to End time: 55

S12/1220/FULL

Applicant: The West Grantham Academies Trust
Proposal: Change of use from caretakers bungalow to animal education care centre
Location: The Charles Read School, Bourne Road, Corby Glen, Grantham, Lincolnshire, NG33 4NT
Decision: Approved conditionally - 21 August 2012
End to End time: 85

S12/1273/FULL

Applicant: Mr Stuart Knowles, My Nursery
Proposal: Erection of canopy to day nursery
Location: My Nursery, Conduit Lane, Grantham, Lincolnshire, NG31 6PB
Decision: Approved conditionally - 08 August 2012
End to End time: 72

S12/1327/HSH

Applicant: Mr Roger Gray
Proposal: Erection of garden room
Location: 43, High Street, Harlaxton, Grantham, Lincolnshire, NG32 1JA
Decision: Approved conditionally - 22 August 2012
End to End time: 71

S12/1330/FULL

Applicant: The West Grantham Academies Trust
Proposal: Erection of extension to provide new access, lobby and reception
Location: The West Grantham Academy Spitalgate, Trent Road, Grantham, Lincolnshire, NG31 7XQ
Decision: Approved conditionally - 09 August 2012
End to End time: 38

S12/1336/HSH

Applicant: Mr J Cullen
Proposal: Erection of single storey extension to front, side and rear to form additional accommodation and granny flat
Location: 20, Austerby, Bourne, Lincolnshire, PE10 9JG
Decision: Approved conditionally - 21 August 2012
End to End time: 56

S12/1357/HSH

Applicant: Mr G Freeland
Proposal: Erection of part single storey/part two storey rear extension
Location: Tor View, Main Street, Manthorpe, Bourne, Lincolnshire, PE10 0JE
Decision: Approved conditionally - 21 August 2012
End to End time: 75

S12/1377/FULL

Applicant: Mrs G Hatton
Proposal: Installation of 16 floor mounted solar panels
Location: Howdale Farm, Howdale Lane, Hough On The Hill, Grantham, NG32 2BJ
Decision: Approved conditionally - 09 August 2012
End to End time: 55

S12/1378/DC

Applicant: Nock & Seagrave Builders
Proposal: Approval of details reserved by Conditions 2 (materials) & 5 (window joinery details) of S09/0954
Location: Adjacent Fairfield House, Main Street, Claypole
Decision: Approved - 10 August 2012
End to End time: 51

S12/1398/FULL

Applicant: Barchester Healthcare Limited
Proposal: Single storey extension to care home to provide 5 no. bedrooms and alterations to existing building
Location: Wood Grange, Westminster Lane, Bourne, Lincolnshire, PE10 9TU
Decision: Approved conditionally - 30 August 2012
End to End time: 83

S12/1412/DC

Applicant: Mr I Smith
Proposal: Approval of details reserved by Conditions 3 (drainage), 4 (joinery details), 5 (landscaping), 6 (surface treatment of courtyard) & 7 (paddock fencing detail) of S11/3168
Location: The Cedars, Low Road, Barrowby, Grantham, Lincolnshire, NG32 1DL
Decision: Approved - 23 August 2012
End to End time: 77

S12/1414/FULL

Applicant: Mrs H Dulieu
Proposal: Provision of air source heat pumps/units and associated works
Location: Caudle House, 43, High Street, Market Deeping, Peterborough, PE6 8ED
Decision: Approved conditionally - 30 August 2012
End to End time: 42

S12/1415/LB

Applicant: Mrs H Dulieu
Proposal: Provision of air source heat pumps/units and associated works
Location: Caudle House, 43, High Street, Market Deeping, Peterborough, PE6 8ED
Decision: Approved conditionally - 30 August 2012
End to End time: 42

S12/1417/HSB

Applicant: Miss L Ryan
Proposal: Demolition of single storey rear extension and replacement with two storey extension
Location: 15, Conduit Road, Stamford, Lincolnshire, PE9 1QQ
Decision: Approved conditionally - 30 August 2012
End to End time: 80

S12/1423/LB

Applicant: Hanover Housing Association
Proposal: Paint rendered walls with textured masonry paint colour gardenia
Location: Hanover Court, Elm Street, Stamford, Lincolnshire, PE9 1QA
Decision: Approved conditionally - 17 August 2012
End to End time: 50

S12/1434/FULL

Applicant: Mr & Mrs G Rudkin
Proposal: Erection of glazed sunscreen and entrance lobby
Location: The Old School House, Station Road East, Grantham, Lincolnshire, NG31 8DH
Decision: Refused - 10 August 2012
End to End time: 60

S12/1479/FULL

Applicant: Mr & Mrs R Szkretka, Bravo Pre-School
Proposal: Change of use of ground floor from A2 /B1 to D1 Pre-School Nursery
Location: 95, London Road, Grantham, Lincolnshire, NG31 6HS
Decision: Approved conditionally - 22 August 2012
End to End time: 65

S12/1495/HS

Applicant: Mr & Mrs M Davenport
Proposal: Demolition of existing garage and car port and erection of single and two storey extensions to rear and side of dwelling incorporating garage and car port
Location: 13, Leys Close, Barrowby, Grantham, Lincolnshire, NG32 1TQ
Decision: Approved conditionally - 20 August 2012
End to End time: 66

S12/1498/LB

Applicant: Croft Commercial Developments Limited
Proposal: Removal of (unauthorised) steel flue and replacement with clay chimney pot to match existing
Location: BLACK BULL, Stamford Walk, St Marys Street, Stamford, Lincolnshire, PE9 2JE
Decision: Approved conditionally - 09 August 2012
End to End time: 44

S12/1508/FULL

Applicant: Mrs G Hatton
Proposal: Application for a minor material amendment under Section 73 of the Town and Country Planning Act 1990 to allow a minor amendment to the erection of dwelling including erection of first floor to garage (Condition 4 of S11/2013)
Location: Howdale Farm, Howdale Lane, Hough On The Hill, Grantham, NG32 2BJ
Decision: Approved conditionally - 08 August 2012
End to End time: 51

S12/1509/HS

Applicant: Mr John Whitelam
Proposal: Two single storey rear extensions
Location: 10, High Street, Swinstead, Grantham, Lincolnshire, NG33 4PA
Decision: Approved conditionally - 17 August 2012
End to End time: 42

S12/1510/LB

Applicant: Mr John Whitelam
Proposal: Demolition of larder and WC; erection of two single storey rear extensions
Location: 10, High Street, Swinstead, Grantham, Lincolnshire, NG33 4PA
Decision: Approved conditionally - 17 August 2012
End to End time: 42

S12/1513/HSB

Applicant: Mr Stuart Reader
Proposal: Single storey rear extension to dwelling
Location: 111, Barrowby Road, Grantham, Lincolnshire, NG31 8AE
Decision: Approved conditionally - 08 August 2012
End to End time: 34

S12/1526/HSB

Applicant: Mr R Lennon
Proposal: Raising of roof height and alterations to dwelling to provide first floor accommodation and provision of replacement conservatory along with erection of detached double garage
Location: 7, Bourne Road, Corby Glen, Grantham, Lincolnshire, NG33 4NR
Decision: Approved conditionally - 09 August 2012
End to End time: 51

S12/1527/FULL

Applicant: Ms Tanita Vichathum, Baan Sabai
Proposal: Change of use from hairdressers to aromatherapy use
Location: 50, Broad Street, Stamford, Lincolnshire, PE9 1PX
Decision: Approved conditionally - 06 August 2012
End to End time: 39

S12/1530/FULL

Applicant: Mr Johnathan Parkes
Proposal: Change of use of dwelling to bed and breakfast accommodation
Location: 87, Harrowby Road, Grantham, Lincolnshire, NG31 9ED
Decision: Approved conditionally - 31 August 2012
End to End time: 53

S12/1542/FULL

Applicant: Mr M Thurlby
Proposal: Change of use of outbuilding to commercial kitchen
Location: The Walnuts, Main Road, Tallington, Stamford, Lincolnshire, PE9 4RP
Decision: Approved conditionally - 07 August 2012
End to End time: 48

S12/1544/HSB

Applicant: Mr & Mrs J Oakely
Proposal: Two storey side extension
Location: 1, Mossop Drive, Langtoft, Peterborough, Lincolnshire, PE6 9LY
Decision: Approved conditionally - 15 August 2012
End to End time: 56

S12/1547/HSB

Applicant: Mr & Mrs Andy Dickinson
Proposal: Single storey rear extension
Location: 63, South Parade, Grantham, Lincolnshire, NG31 6HT
Decision: Approved conditionally - 08 August 2012
End to End time: 49

S12/1548/HS

Applicant: Mr Stewart Marshall
Proposal: Single storey extension to front of dwelling
Location: 36, Langford Gardens, Grantham, Lincolnshire, NG31 8DW
Decision: Approved conditionally - 15 August 2012
End to End time: 36

S12/1551/HS

Applicant: Mrs Rachel Femminile
Proposal: Demolition of outbuildings and erect new rear extension
Location: 41, Conduit Road, Stamford, Lincolnshire, PE9 1QQ
Decision: Refused - 20 August 2012
End to End time: 56

S12/1554/HS

Applicant: Mr B Moody
Proposal: Demolition of existing single storey extension to rear elevation and erection of new rear garden room extension along with alterations to second floor layout of principal dwelling and external and internal alterations to outbuilding to form ancillary annex accommodation (including provision of external staircase)
Location: 3, Rutland Terrace, Stamford, Lincolnshire, PE9 2QD
Decision: Withdrawn - 22 August 2012
End to End time: 54

S12/1555/LB

Applicant: Mr B Moody
Proposal: Demolition of single storey extension to the rear elevation of the principal dwelling and internal alterations to second floor layout.
Location: 3, Rutland Terrace, Stamford, Lincolnshire, PE9 2QD
Decision: Approved conditionally - 24 August 2012
End to End time: 56

S12/1558/TPO

Applicant: Lynne Chave
Proposal: Removal of decayed horse chestnut
Location: Halfway House, Back Lane, Skillington, Grantham, Lincolnshire, NG33 5EX
Decision: TC&P - Work allowed - 09 August 2012
End to End time: 52

S12/1569/FULL

Applicant: Miss A Richardson, Anglian Water Services
Proposal: Erection of a profiled metal cladding building over the UV plant
Location: Wilsthorpe Reservoir, Wilsthorpe Lane, Obthorpe
Decision: Approved conditionally - 15 August 2012
End to End time: 54

S12/1572/HS

Applicant: Mr & Mrs P Sanderson
Proposal: Single storey rear extension
Location: 1, Chesham Drive, Baston, Peterborough, Lincolnshire, PE6 9QW
Decision: Approved conditionally - 15 August 2012
End to End time: 54

S12/1582/MJNR

Applicant: Mr Giles Nursey, Larkpoint (Deeping) Ltd
Proposal: Application to vary Condition 5 of application S11/1253.
The amendments relate to minor internal and external changes
Location: Land between Bowling Green and No. 53, Spalding Road,
Deeping St. James
Decision: Approved conditionally - 22 August 2012
End to End time: 58

S12/1591/ADV

Applicant: Scope
Proposal: Installation of 2 x non illuminated signs to shopfront
Location: 35, St Peters Hill, Grantham, Lincolnshire, NG31 6QF
Decision: Approved conditionally - 06 August 2012
End to End time: 28

S12/1595/HSH

Applicant: Ms A Wheeler
Proposal: Single storey rear extension
Location: 27, Main Road, Dyke, Bourne, Lincolnshire, PE10 0AF
Decision: Approved conditionally - 29 August 2012
End to End time: 44

S12/1597/HSH

Applicant: Mr & Mrs G G Aaron
Proposal: Erection of single storey rear extension and repositioning of
window
Location: 34, Welland Way, Deeping St James, Peterborough,
Lincolnshire, PE6 8QE
Decision: Approved conditionally - 15 August 2012
End to End time: 49

S12/1614/HSH

Applicant: Mr & Mrs A Fletcher
Proposal: Single storey rear extension
Location: 14, Elsea Drive, Thurlby, Bourne, Lincolnshire, PE10 0HL
Decision: Approved conditionally - 21 August 2012
End to End time: 55

S12/1616/LB

Applicant: Ms Tanita Vichathum, Baan Sabai
Proposal: Display of new non-illuminated fascia signage
Location: 50, Broad Street, Stamford, Lincolnshire, PE9 1PX
Decision: Approved conditionally - 28 August 2012
End to End time: 50

S12/1617/HSH

Applicant: Jason Atkinson
Proposal: Single storey extension to the rear of the dwelling
Location: 9, Witham Close, Stamford, Lincolnshire, PE9 1SG
Decision: Approved conditionally - 23 August 2012
End to End time: 45

S12/1618/HSH

Applicant: Mrs Mandy Renshaw
Proposal: Single storey front extension to dwelling
Location: 18, Leys Close, Barrowby, Grantham, Lincolnshire, NG32 1TQ
Decision: Approved conditionally - 06 August 2012
End to End time: 39

S12/1630/TCA

Applicant: Mr L D Overton, Rutland Tree Care
Proposal: Reduce overhanging growth of 2m of Wellingtonia adjacent to 44 Torkington Gardens
Location: 44, Torkington Gardens, Stamford, Lincolnshire, PE9 2EW
Decision: TC&P - Work allowed - 13 August 2012
End to End time: 46

S12/1632/FULL

Applicant: Nationwide Building Society
Proposal: Installation of 5 no. replacement air conditioning units within replacement equipment housing
Location: Nationwide Bldg Soc, High Street, Stamford, Lincolnshire, PE9 2AW
Decision: Approved conditionally - 07 August 2012
End to End time: 35

S12/1634/LB

Applicant: Nationwide Building Society
Proposal: Installation of 5 no. replacement air conditioning units within replacement equipment housing
Location: Nationwide Bldg Soc, High Street, Stamford, Lincolnshire, PE9 2AW
Decision: Approved conditionally - 07 August 2012
End to End time: 35

S12/1654/HSH

Applicant: Mrs Lindsey Smith
Proposal: Two storey side extension to dwelling
Location: 48, Belton Lane, Great Gonerby, Grantham, Lincolnshire, NG31 8NA
Decision: Approved conditionally - 06 August 2012
End to End time: 33

S12/1671/HSH

Applicant: Mr Peter Milnes
Proposal: Removal of existing conservatory to west elevation of dwelling and replacement single storey extension
Location: Stoney Oak, Village Streets, Gelston, Grantham, Lincolnshire, NG32 2AE
Decision: Approved conditionally - 30 August 2012
End to End time: 52

S12/1676/DC

Applicant: Governors of Witham Hall School
Proposal: Approval of details of Condition 2 (materials), 3 (landscaping) of p/p S11/2517
Location: Witham Hall School, Witham-on-the-hill, Bourne, PE100JJ
Decision: Approved - 29 August 2012
End to End time: 57

S12/1678/HSB

Applicant: Mr D P Aaron and Miss S Nicholls
Proposal: Single storey side and rear extension
Location: 14, John Eve Way, Market Deeping, Peterborough,
Lincolnshire, PE6 8LJ
Decision: Approved conditionally - 09 August 2012
End to End time: 37

S12/1683/HSB

Applicant: Mr H Sherwin
Proposal: Two storey rear extension
Location: 4, Cross Lane, Bourne, Lincolnshire, PE10 0QU
Decision: Approved conditionally - 24 August 2012
End to End time: 51

S12/1693/HSB

Applicant: Mr & Mrs A Lesiw
Proposal: First floor side and single storey front extension
Location: 18, Chapel Lane, Thurlby, Bourne, Lincolnshire, PE10 0EW
Decision: Approved conditionally - 09 August 2012
End to End time: 35

S12/1694/HSB

Applicant: Mr Graham Hepburn
Proposal: Single storey side extension to dwelling
Location: 27, Chestnut Gardens, Stamford, Lincolnshire, PE9 2JY
Decision: Approved conditionally - 23 August 2012
End to End time: 49

S12/1695/TCA

Applicant: Mrs Harrington
Proposal: Reduce the height of the Redwood tree in the rear garden
by 50%
Location: Delphi Cottage, 7, Church Street, South Witham, Grantham,
Lincolnshire, NG33 5PJ
Decision: TC&P - Work allowed - 07 August 2012
End to End time: 33

S12/1705/FULL

Applicant: Mr & Mrs P Toseland
Proposal: Proposed replacement dwelling and garage
Location: Glen House, Main Street, Manthorpe, Bourne, Lincolnshire,
PE10 0JE
Decision: Approved conditionally - 30 August 2012
End to End time: 45

S12/1706/FULL

Applicant: Mr & Mrs S Twine
Proposal: Erection of 3 bedroomed detached bungalow, garage and
car port
Location: R/O 33A, Horsegate, Deeping St. James
Decision: Refused - 30 August 2012
End to End time: 48

S12/1711/HSH

Applicant: Mr C Milne
Proposal: Two storey side and single storey front extension
Location: 126, Casterton Road, Stamford, Lincolnshire, PE9 2UQ
Decision: Approved conditionally - 13 August 2012
End to End time: 35

S12/1714/DC

Applicant: Paul Fletcher, PF International Karting Ltd
Proposal: Approval of details reserved by Condition 10 (flood lighting) of S10/2880
Location: PFI Kart Circuit, Brandon, Grantham, NG32 2AY
Decision: Approved - 09 August 2012
End to End time: 29

S12/1717/HSH

Applicant: Mr & Mrs Martin Phelan
Proposal: Single storey rear extension
Location: 17, Lodge Way, Grantham, Lincolnshire, NG31 8DD
Decision: Approved conditionally - 21 August 2012
End to End time: 43

S12/1725/TCA

Applicant: Mr M Hoadley, Sovereign Landscapes
Proposal: Pollard two ash trees
Location: 4-5, Exeter Gardens, Exeter Street, Bourne
Decision: TC&P - Work allowed - 20 August 2012
End to End time: 41

S12/1729/TCA

Applicant: Kevin Evison, SKDC
Proposal: Fell willow tree because tree roots are causing differential settlement of nearby dwellings
Location: 6, East Green, Witham On The Hill, Bourne, Lincolnshire, PE10 0JF
Decision: TC&P - Work allowed - 21 August 2012
End to End time: 40

S12/1730/HSH

Applicant: Paul Kirk
Proposal: Single storey rear extension
Location: 18, Wheatfield, Langtoft, Peterborough, Lincolnshire, PE6 9RJ
Decision: Approved conditionally - 29 August 2012
End to End time: 43

S12/1734/TPO

Applicant: Vicky Ironside, OCA (UK) Limited
Proposal: Fell Tree Preservation Order ash tree
Location: 9, Eastfield, Deeping St James, Peterborough, Lincolnshire, PE6 8PB
Decision: TC&P - Work allowed - 15 August 2012
End to End time: 35

S12/1735/HSH

Applicant: Mrs Tina Roach
Proposal: Single storey side extension and new conservatory
Location: 25, Meadway, Market Deeping, Peterborough, Lincolnshire, PE6 8BE
Decision: Approved conditionally - 22 August 2012
End to End time: 42

S12/1737/HSH

Applicant: Mr Ian Bews
Proposal: Proposed replacement extension to rear of dwelling
Location: 14, Victoria Road, Stamford, Lincolnshire, PE9 1HB
Decision: Approved conditionally - 23 August 2012
End to End time: 43

S12/1757/HSH

Applicant: Mrs Katherine Musson
Proposal: Conservatory to rear of dwelling
Location: 98, Cliffe Road, Grantham, Lincolnshire, NG31 8HP
Decision: Approved - 17 August 2012
End to End time: 31

S12/1770/HSH

Applicant: Mr & Mrs R Manning
Proposal: Extension to front of dwelling and car port to side
Location: 18, Long Street, Great Gonerby, Grantham, Lincolnshire, NG31 8LN
Decision: Approved - 17 August 2012
End to End time: 32

S12/1804/HSH

Applicant: Mr P Godfrey
Proposal: Single storey side extension
Location: 3, Saxon Way, Bourne, Lincolnshire, PE10 9QX
Decision: Approved conditionally - 29 August 2012
End to End time: 42

S12/1805/HSH

Applicant: Mr Jason McDonald
Proposal: Creation of vehicular access and block paved drive
Location: 35, South Parade, Grantham, Lincolnshire, NG31 6HT
Decision: Refused - 23 August 2012
End to End time: 36

S12/1813/HSH

Applicant: Mr P Keatley
Proposal: First floor side extension, alteration to roof and single storey rear extension
Location: 4, Park Estate, Deeping St James, Peterborough, Lincolnshire, PE6 8NG
Decision: Approved conditionally - 24 August 2012
End to End time: 31

S12/1902/HSH

Applicant: Mr & Mrs G Merriman
Proposal: Two storey side extension
Location: 5, Forest Gardens, Stamford, Lincolnshire, PE9 2FL
Decision: Approved conditionally - 31 August 2012
End to End time: 31

S12/1965/DC

Applicant:	Mr J White
Proposal:	Approval of Details Reserved by Condition 2 (Materials) of S12/1409
Location:	10, Lytham Close, Grantham, Lincolnshire, NG31 9GE
Decision:	Approved - 10 August 2012
End to End time:	4

PLANNING APPEALS 2011/2012 (excluding Enforcements)**NO OF APPEALS DETERMINED (based on Decision Date)**

	2006/07	2007/08	2008/09	2009/10	2010/11	2011/12
LODGED	56	39	57	54	37	44
DISMISSED	37	35	38	32½	27½	33½
ALLOWED	11	14	18	12½	13½	11½
WITHDRAWN	5	2	2	2	1	0
OUTSTANDING	32	17	13	16	13	22

APPEALS OUTSTANDING AT 6 August 2012

<u>S10/2051/HSH</u> PWM Mr & Mrs I M Crowther Two and three storey side extension to dwelling Castle View, 220, Bridge End Road, Grantham	Written Evidence	Start Date 29-Dec-2010 <u>Date of H / I</u> N/A	
<u>S11/0798/LDP</u> JJ Mr M Thurlby, M Thurlby & S Oliver Lawful Development Certificate (LDC) for proposed use to holiday let 6, Barn Hill, Stamford, Lincolnshire, PE9 2AE	Written Evidence	Start Date 15-Aug-2011 <u>Date of H / I</u> N/A	
<u>S11/1584/HSH</u> LDPP Mr Gary Bellamy Single storey garage and spa room extension The Willows, Birthorpe Road, Billingborough, Sleaford, Lincolnshire, NG34 0QT	Written Representation	Start Date 08-Aug-2011 <u>Date of H / I</u>	
<u>S11/1796/FULL</u> AH Mr D Gibbons Dwelling on land south of Manor House Farm Manor Farmhouse, Main Street, Baston, Peterborough, PE6 9PB	Written Evidence	Start Date 02-Apr-2012 <u>Date of H / I</u> N/A	
<u>S11/1890/FULL</u> AH Alison Lea, Larkfleet Homes 4 no residential dwellings and associated garages along with new detached garage to Tricklebank Tricklebank, Uffington Road, Stamford, Lincolnshire, PE9 3AA	Written Evidence	Start Date 14-Jun-2012 <u>Date of H / I</u> N/A	

<p><u>S11/1898/FULL</u> LDPP Mr W Addison Three storey dwelling (amendments to S01/1047) Adj 3 High Street, Pointon, Sleaford, NG34 0LX</p>	<p>Written Evidence</p>	<p><u>Start Date</u> 27-Mar-2012</p> <p><u>Date of H / I</u> N/A</p>	
<p><u>S11/2030/MJRO</u> PWM Ropsley Farms Ltd Residential development - 28 dwellinghouses The Quarry site, Grantham Road, Ropsley, Grantham</p>	<p>Informal Hearing</p>	<p><u>Start Date</u> 20-Aug-2012</p> <p><u>Date of H / I</u></p>	
<p><u>S11/2065/FULL</u> PWM Mr Rob Johnson Residential development - 8 dwellings (including demolition of former hotel) Shirley Croft Hotel, Harrowby Road, Grantham, NG31 9EA</p>	<p>Written Evidence</p>	<p><u>Start Date</u> 24-May-2012</p> <p><u>Date of H / I</u> N/A</p>	
<p><u>S11/2438/FULL</u> RV Mrs Jill Smith, County Car Auctions Change of use of store to A1 retail County Car Auctions, East Gate, Bourne, Lincolnshire, PE10 9JY</p>	<p>Written Evidence</p>	<p><u>Start Date</u> 14-Jun-2012</p> <p><u>Date of H / I</u> N/A</p>	
<p><u>S11/2807/FULL</u> RV Mr R Cooke Construction of pair of two storey semi-detached cottages Adj 47, High Street, Market Deeping, PE6 8ED</p>	<p>Written Evidence</p>	<p><u>Start Date</u> 09-Aug-2012</p> <p><u>Date of H / I</u> N/A</p>	
<p><u>S11/2864/OUT</u> SP Mrs Keightley Revised outline application to provide two one- and-a-half storey dwellings Rear of Holmleigh, Honington Road, Barkston, Grantham, NG32 2NG</p>	<p>Written Evidence</p>	<p><u>Start Date</u> 11-Jul-2012</p> <p><u>Date of H / I</u> N/A</p>	
<p><u>S11/2892/OUT</u> PL Mrs E M Pignatiello Creation of two building plots 34, Coggles Causeway, Bourne, Lincolnshire, PE10 9LL</p>	<p>Written Evidence</p>	<p><u>Start Date</u> 05-Jul-2012</p> <p><u>Date of H / I</u> N/A</p>	
<p><u>S11/3006/FULL</u> PWM Mr Richard Porter Conversion of domestic garage to accommodation for seasonal workers and use as holiday let Stone Horse Farm, Hough Lane, Carlton Scroop, Grantham, NG32 3BB</p>	<p>Informal Hearing</p>	<p><u>Start Date</u> 21-Aug-2012</p> <p><u>Date of H / I</u></p>	

<p><u>S11/3021/HSH</u> AH Mrs S Uszkurat Erection of two storey rear extension following demolition of existing outbuildings, dormer window to rear elevation and external and internal alterations 27, St Peters Street, Stamford, Lincolnshire, PE9 2PF</p>	<p>Written Evidence</p>	<p><u>Start Date</u> 11-Jul-2012</p> <p><u>Date of H / I</u> N/A</p>	
<p><u>S11/3022/LB</u> AH Mrs S Uszkurat Erection of two storey rear extension following demolition of existing outbuildings, dormer window to rear elevation and external and internal alterations 27, St Peters Street, Stamford, Lincolnshire, PE9 2PF</p>	<p>Written Evidence</p>	<p><u>Start Date</u> 11-Jul-2012</p> <p><u>Date of H / I</u> N/A</p>	
<p><u>S12/0050/FULL</u> PWM Mr S Ballaam, Oak Valley Developments Erection of three dwellings The Paddock, 6, School Lane, Claypole, Newark, NG23 5BQ</p>	<p>Written Evidence</p>	<p><u>Start Date</u> 13-Jul-2012</p> <p><u>Date of H / I</u> N/A</p>	
<p><u>S12/0095/FULL</u> RV Ms Jane Galilee Erection of dwelling 26, Roman Bank, Stamford, Lincolnshire, PE9 2SS</p>	<p>Written Evidence</p>	<p><u>Start Date</u> 29-Mar-2012</p> <p><u>Date of H / I</u> N/A</p>	
<p><u>S12/0123/HSH</u> PL Mr & Mrs P Smith First floor front and rear/side extension, ground floor rear extension and reinstate garage 70, Gladstone Street, Bourne, Lincolnshire, PE10 9AX</p>	<p>Written Representation</p>	<p><u>Start Date</u> 11-Jun-2012</p> <p><u>Date of H / I</u></p>	
<p><u>S12/0318/OUT</u> PJM Mr Lloyd Courtenay Erection of single storey dwelling (outline) The Harbour, Kintore Drive, Grantham, Lincolnshire, NG31 9DH</p>	<p>Written Evidence</p>	<p><u>Start Date</u> 03-Aug-2012</p> <p><u>Date of H / I</u> N/A</p>	
<p><u>S12/0494/HSH</u> NB Jonathon Harvey Erection of detached garage and annexe The Barn, 21, High Street, Carlby, Stamford, Lincolnshire, PE9 4LX</p>	<p>Written Evidence</p>	<p><u>Start Date</u> 01-Aug-2012</p> <p><u>Date of H / I</u> N/A</p>	

<p>S12/0496/HSH PL Dr M Kebbeh Erection of fence and gates 10, The Pollards, Bourne, Lincolnshire, PE10 0QB</p>	<p>Written Representation</p>	<p><u>Start Date</u> 24-Jul-2012</p> <p><u>Date of H / I</u></p>	
<p>S12/0715/HSH AH Mr & Mrs P Sullivan Erection of extension (revised scheme) and new screen planting The Hawthorns, Kings Road, Stamford, Lincolnshire, PE9 1HD</p>	<p>Written Evidence</p>	<p><u>Start Date</u> 24-Jul-2012</p> <p><u>Date of H / I</u> N/A</p>	

RECENT APPEAL DECISIONS TO 4 SEPTEMBER 2012**Application Ref: S11/0902/MJRF NB****Planning Inspectorate No: APP/E2530/A/11/2167104**Appeal Type: **Written Evidence**

Appellant:	. R Graf, Newtons Solicitors
Proposal:	Creation of 3 flats from 12 bedsits and erection of 11 dwellings/flats with associated parking at land rear of 51-58 Scotgate
Site:	Blenheim Court, 51, Scotgate, Stamford, Lincolnshire, PE9 2YQ

Appeal Decision – Date:	Appeal dismissed - 22 August 2012
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SUMMARY

The appeal was made against the non-determination of the application within statutory time frames; however, the views of Members were sought and they concluded, along with the Case Officer, that if the application had been determined by the Authority it would have been refused permission on the grounds of being of out character with the Conservation Area and detrimentally affecting the setting of adjacent Listed Buildings, primarily as a result of the scale and design of the development. Furthermore, a Section 106 (S106) legal agreement was also required for the payment of monies and provision of affordable housing to make the application acceptable in planning terms.

The inspector dismissed the appeal but only for one reason and that was because the S106 had not been signed and the application was, therefore, not acceptable in planning terms. However, the Inspector found the scale and design of the courtyard development acceptable and dismissed the appeal only on the aforementioned reason.

Application Ref: S11/0903/LB NB**Planning Inspectorate No: APP/E2530/E/11/2167119/NWF**Appeal Type: **Written Evidence**

Appellant:	Newtons Solicitors
Proposal:	Partial demolition of Listed Building (elements to the rear) and alteration to form 3 apartments
Site:	Blenheim Court, 51, Scotgate, Stamford, Lincolnshire, PE9 2YQ

Appeal Decision – Date:	Appeal allowed - 21 August 2012
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SUMMARY

The appeal was made against the non-determination of the application within statutory time frames; however, the views of Members were sought and they concluded, along with the Case Officer, that if the application had been determined by the Authority it would have been granted Listed Building Consent.

The Inspector agreed with the conclusion reached by the Council and allowed the appeal subject to the imposition of conditions to ensure that materials used were appropriate and that features of interest were to be retained and the proposal likely to remove previous unsympathetic extensions to the building.

RECENT APPEAL DECISIONS TO 4 SEPTEMBER 2012

Application Ref: S12/0250/HSH NB
Planning Inspectorate No: APP/E2530/D/12/21771196

Appeal Type: **Written Evidence**

Appellant:	Mrs Jane Knight
Proposal:	Installation of solar panels
Site:	1, Saxon Court, Water Street, Stamford, Lincolnshire, PE9 2NJ

Appeal Decision – Date:	Appeal dismissed - 29 August 2012
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SUMMARY

The application was refused permission under delegated powers because of the detrimental impact that the solar panels would have on the character of the Conservation Area. This appeal is rather unusual in that normally solar panels do not require planning permission but permitted development rights were removed when permission was granted with the site being in a prominent location within the Conservation Area.

The Inspector agreed with the reason for refusal and noted the prominent location of the appeal site and how it would be visible from many vantage points. Whilst noting the need to encourage renewable energy the Inspector felt that the overriding consideration was that of protecting the outstanding quality of the townscape.

Application Ref: S12/0320/HSH PJM
Planning Inspectorate No: APP/E2530/D/12/2177938

Appeal Type: **Written Representation**

Appellant:	Mr Neil O'Keefe
Proposal:	Two storey side extension
Site:	The Cottage, Main Street, Little Humby, Grantham, NG33 4HW

Appeal Decision – Date:	Appeal allowed with conditions - 21 August 2012
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SUMMARY

To be reported at next Committee

RECENT APPEAL DECISIONS TO 4 SEPTEMBER 2012**Application Ref: S12/1030/HSH SP****Planning Inspectorate No: APP/E2530/AD12/2178491**Appeal Type: **Written Representation**

Appellant:	Mr Robert Payne
Proposal:	Reposition 6ft high wooden fence alongside 39 Minerva Close, Ancaster,
Site:	39, Minerva Close, Ancaster, Grantham, Lincolnshire, NG32 3LJ

Appeal Decision – Date:	Appeal dismissed - 17 August 2012
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SUMMARY

The appellant proposed to enclose a strip of land alongside his side garden wall with 1.8m high close boarded fencing that would run to the back of the footway.

The Inspector agreed with the decision to refuse permission and concluded that the proposal would result in loss of a pleasing strip of planting and that the fencing would be intrusive in terms of impact on the streetscene.



Appeal Decisions

Development & Growth

23 AUG 2012

Admin Team

Site visit made on 10 July 2012

by **P J Asquith MA(Hons) MA MRTPI**

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 21 August 2012

Appeal A, Ref: APP/E2530/E/11/2167119

51 Scotgate and land to the rear of 51 - 58 Scotgate, Stamford, PE9 2YQ

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 against a failure to give notice within the prescribed period of a decision on an application for listed building consent.
- The appeal is made by Mr Robin Graf against South Kesteven District Council.
- The application, Ref. S11/0903/LB, is dated 18 April 2011.
- The development proposed is described as the construction of 12 new flats and housing on parking lot and vacant land. Conversion and part demolition of Blenheim Court from 12 bedsitting rooms (occupying 15 people) to three flats.

Appeal B, Ref: APP/E2530/A/11/2167104

51 Scotgate and land to the rear of 51 - 58 Scotgate, Stamford, PE9 2YQ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for planning permission.
- The appeal is made by Mr Robin Graf against South Kesteven District Council.
- The application, Ref. S11/0902/MJRF, is dated 18 April 2011.
- The works proposed are described as the construction of 12 new flats and housing on parking lot and vacant land. Conversion and part demolition of Blenheim Court from 12 bedsitting rooms (occupying 15 people) to three flats.

Procedural Matters

1. Having regard to Appeal A, the application was for listed building consent applying to the grade II listed Blenheim Court (51 Scotgate). I consider it is more accurate to describe this application as simply the conversion and part demolition of Blenheim Court from 12 bedsitting rooms (occupying 15 people) to three flats. It is on this basis that I have determined this appeal.
2. Although the application subject to Appeal B is as described above, it is clear that, once submitted and following discussions with the Council, the application was amended to relate to the construction of 11 new flats and housing rather than 12, together with the conversion and part demolition of Blenheim Court to three flats. It is on this latter basis that I have determined Appeal B.
3. Questions have been raised about the ownership title of certain small sections of the appeal site within the context of the drawing up of an agreement under Section 106 of the Town and Country Planning Act 1990. However, the applications were accepted by the Council on the basis of the certificates accompanying them, the appeals have been accepted as valid and I shall determine the appeals accordingly.

4. The Council failed to determine the applications within the prescribed period. However, following the lodging of the appeals the cases were reported to its relevant committee to seek views as to its response had the Council been in a position to determine the applications. I have taken these views into account in determining the appeals.

Decisions

Appeal A

5. The appeal is allowed and listed building consent is granted for the conversion and part demolition of Blenheim Court from 12 bedsitting rooms (occupying 15 people) to three flats at 51 Scotgate, Stamford, PE9 2YQ in accordance with the terms of the application Ref. S11/0903/LB, dated 18 April 2011, subject to the following conditions:
- 1) The works hereby authorised shall begin not later than 3 years from the date of this consent.
 - 2) The works hereby authorised shall be carried out in accordance with the following approved plans: DR114B, DR110, DR109, DR107.
 - 3) No works shall take place until samples of the materials (including where appropriate colour of render, paintwork or colourwash) to be used in the construction of the external surfaces of the building hereby permitted have been submitted to and approved in writing by the local planning authority. Works shall be carried out in accordance with the approved details.
 - 4) No works shall take place until full details of all proposed joinery works including 1:20 sample elevations and 1:1 joinery profiles have been submitted to and approved in writing by the local planning authority. The works shall be implemented in accordance with the agreed details and maintained as such thereafter.
 - 5) Collyweston slates shall be retained on the roof of the property.

Appeal B

6. The appeal is dismissed.

Main Issues

7. From all I have read and seen the main issues in these cases are:
- The impact of the proposals on the special architectural and historic interest of the listed Blenheim Court.
 - The effect of the proposals on the appearance and character of the Stamford Conservation Area No. 1 and the setting of adjacent listed buildings.
 - Whether the scheme would safeguard the living conditions of adjoining residents and provide adequate living conditions for future residential occupiers of the development.
 - Whether the proposals would adequately secure the provision of appropriate affordable housing, and educational and health care contributions.

Reasons

Blenheim Court

8. The overall appeal site comprises the listed Blenheim Court, fronting directly onto Scotgate, a principal entrance to the town, together with land to the rear of this and other frontage buildings. The other frontage buildings of No. 52, and Nos. 57 and 58, which are not within the appeal site, are also grade II listed buildings, currently in commercial use. Together with No. 59 Scotgate they are listed as part of a group. The land to the rear is partially down to hardstanding used for informal parking, together with an area that is overgrown and temporarily fenced off. The site is within the extensively-drawn conservation area which encompasses much of the central, mostly stone-built, market town.
9. Blenheim Court is a two-storey, stone-built building of late 18th or early 19th century origins with a stone-slatted mansard roof containing attic rooms. The building, which has latterly been used as bed-sitting accommodation, has had more recent lower extensions to its rear, including a flat-roofed brick-built addition, which have no particular architectural merit. The proposal is to remove these later unsympathetic additions, leaving the original building fronting Scotgate divided into three, two-bedroomed affordable flats. Having regard to the listed building consent, the Council has expressed no objection to the scheme and would have been minded to grant consent. I have no reason to disagree with this assessment. Subject to the imposition of appropriate conditions (which are discussed in paragraph 23 below) the proposed works would have an overall beneficial impact on the building's special architectural and historic interest and would assist in maintaining its significance as a heritage asset.

Conservation Area and setting of listed buildings

10. The Council similarly appears to have no objection to the principle of the residential development of the land to the rear of Blenheim Court and the adjacent buildings. The new-build combined house and flat proposal would result in a courtyard development with vehicular access/egress from two existing points off Scotgate. It would be a fairly high-density development but in terms of the character of this part of the conservation area, general townscape and urban grain its form would not be inappropriate. The detailing would be largely conventional and domestic in style, with external stone walling under slated roofs.
11. There would be variation in roof and eaves heights, some elements being single-storey, some of two-storeys and others having gabled dormers. Even with a slight rise in land levels from Scotgate towards the rear of the site, all the roof heights would be lower than that of Blenheim Court, which is the most prominent and imposing of the buildings fronting the site. Some elements would be slightly taller than the lower and more varied roofscape of the other listed properties along the Scotgate site frontage. However, there are limited views of the rear of the site from within this road. Views across the car parking area of the bathroom and tile showroom that adjoins the site to its west would be principally of an element whose overall height would be no greater than Blenheim Court. There would be additional views of the development along the access points between the Scotgate frontage buildings. From here, because of the angle of view, it would be difficult to appreciate that some elements of the

development were slightly taller than Nos. 52 to 59. Overall, the scheme would be of a varied and well-articulated form with an interesting roofscape.

12. I do not consider that the proposal would dominate or appear overbearing in relation to the listed buildings to the front in a manner that would be materially harmful to their setting. The development would make a positive contribution to both the character and appearance of the heritage asset of the conservation area. It would result in enhancement of what is currently a somewhat neglected and uninspiring part of the area and approach into the centre of the town and which is currently markedly at odds with the attractively varied townscape to the opposite side of Scotgate. I do not view the proposals as being contrary to Policy EN1 of the South Kesteven Core Strategy (CS) which requires development to be appropriate to the character and significant historic attributes of the district. Nor would it be out of step with advice provided within the National Planning Policy Framework (the Framework). This requires account to be taken of the desirability of new development making a positive contribution to local character and distinctiveness.

Living conditions

13. The eastern element of the proposals would back onto residential properties within North Street which are separated from the site by existing walling. It would be of two-storeys and would be inset from the site boundary such that the proposal would not appear overly dominant or oppressive from the rear of the North Street properties. I accept that there could be scope for overlooking of the rear of the North Street properties and their short rear gardens from first floor windows. However, given the configuration of the proposed accommodation, were permission to be granted it would be feasible for a condition to be imposed to ensure the first floor east-facing windows could be obscure-glazed to prevent any actual or perceived loss of privacy.
14. I have also noted objections from the owners of land off Radcliffe Road to the north of the appeal in respect of possible loss of privacy and amenity. This is in connection with an existing planning permission for two town houses. I have been provided with no details of this permission and am not therefore able to assess how the proposed scheme might affect such matters. Nevertheless, I note that in its committee report the Council does not make reference to this as a drawback of the scheme. Furthermore, the internal configuration of the appeal development could mean that it would not be unreasonable to require the first floor windows in the north-facing gable nearest to this adjacent site to be obscure-glazed should this be deemed necessary if permission was to be granted.
15. The proposed development would have limited amenity space for its occupiers, which the Council notes would be smaller than is considered typical for a conventional housing development. Nevertheless, having regard to the site context close to Stamford town centre, it considers the amenity space provision to be acceptable. I do not consider this to be an unrealistic assessment. However, I note from the submitted plans that areas between the proposed housing and the steeply sloping bank that forms the northern boundary appear to be divided, with pockets of space relating to individual units separated one from another. Given that there is no rear direct door access from these proposed units it is unclear how beneficial use could be made of these areas for their occupiers. Whether this is something of an oversight or intentional, in my view, it would be necessary to rectify this to ensure that this space became

genuinely available for potential use by future occupiers. Were permission to be granted it would be possible to overcome this drawback by the imposition of a suitable condition. On this basis I consider the scheme need not have a materially adverse impact on the amenity of adjoining residential occupiers and would provide adequate living conditions for its potential occupiers.

Section 106 - Affordable housing and financial contributions

16. CS Policy SP4 indicates that the Council will enter into planning obligations with developers to secure the provision of (or financial contributions towards) infrastructure and community benefits considered necessary in conjunction with development; obligations will cover those matters which would otherwise result in planning permission being withheld.
17. The proposals would provide three units of affordable accommodation within Blenheim Court, which it is intended would be within the control of a Registered Housing Provider. Because of the nature of the overall accommodation to be provided it is clear that the development would be likely to result in additional demands on education and health care provision. Accordingly, financial contributions, worked out on a formula basis, are sought for these. It is clear that the appellant has no objection in principle to entering into a Section 106 agreement to provide a mechanism to secure the affordable housing element and to provide the suggested financial contributions; a draft agreement has been provided. Furthermore, I have no reason to doubt that such requirements would be compliant with Regulation 122 of the Community Infrastructure Levy Regulations 2010. They would be necessary to make the development acceptable, they would be directly related to the development, and would be fairly and reasonably related in scale and kind to it.
18. However, it appears that because of some uncertainties over title to land no signed and executed agreement has been provided; the Council has clearly not received a signed and executed agreement, and no copy of an executed agreement has been provided with the appeal documentation. It may be possible to secure the affordable housing provision by condition, were the planning appeal to be allowed. Nevertheless, paragraph 83 of Circular 11/95, *The Use of Conditions in Planning Permissions* makes clear that it would not be correct to secure the necessary financial contributions by this means. The absence of a mechanism to secure the necessary contributions therefore makes the proposal unacceptable and contrary to the thrust and intent of CS Policy SP4.

Conclusions

19. I therefore conclude that, subject to the imposition of appropriate conditions, the proposals would not be harmful to the special architectural and historic interest of the listed Blenheim Court. In this regard the appeal relating to listed building consent for the works to this building is allowed.
20. The overall proposals relating to the whole development would make a positive contribution to the appearance and character of the Stamford Conservation Area and would not be harmful to the setting of adjacent listed buildings. Furthermore, subject to the imposition of appropriate conditions, the scheme would safeguard the living conditions of adjoining residents and provide adequately for those of its future occupiers. However, the scheme would fail to provide necessary financial contributions for health care and educational

provision in the absence of an executed Section 106 agreement. This is a considerable drawback of the scheme which, on balance, outweighs my favourable findings on the other main issues identified. On this basis the appeal in respect of the planning application must fail.

Other matters

21. I have taken account of all other matters raised, including expressed concerns regarding access and parking provision. There are two existing vehicular access points to the site from Scotgate and it is proposed that these should operate on a one-way, in-out basis given their narrowness as they pass between frontage buildings. The Council's adviser on highways matters has offered no objections to the proposals, subject to the imposition of appropriate conditions. This follows a traffic survey undertaken on behalf of the appellant which suggests that the proposal would be likely to generate very similar levels of vehicular movements to those which currently takes place. I have noted one objector's concerns as to whether the survey conducted only on one day could be considered as truly representative of the present situation. Nonetheless, I consider the survey provides a reasonable pointer to how the site is presently used and the fact that, subject to controls relating to access/egress to and from the site, the proposal need not result in traffic conflict.
22. Although some residents and businesses have expressed concern regarding the level of parking to be provided, neither the Council nor the local highway authority have expressed objections on this front. I have no reason to suppose that the provision would not be adequate. Overall, in the absence of any compelling evidence to the contrary, I do not consider the scheme would be likely to result in conditions prejudicial to highway safety. I have also noted comments about rights of access to the site and concerns regarding future maintenance of property abutting the site, which are not strictly planning matters. However, neither these nor any other matters raised are sufficient to alter the balance of the conclusions reached above regarding the planning issues.

Conditions relating to listed building consent

23. Having regard to the conditions suggested by the Council, I shall impose a condition specifying the plans to which the listed building consent applies, for the avoidance of doubt. Conditions are also necessary requiring the submission and agreement of samples of external materials and plans for joinery details, to ensure a satisfactory appearance and to maintain the special architectural interest of the building. For the same reason a condition is required to ensure Collyweston slates are retained on the building.

P J Asquith

INSPECTOR



Appeal Decisions

Development & Growth

23 AUG 2012

Admin Team

Site visit made on 10 July 2012

by **P J Asquith MA(Hons) MA MRTPI**

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 21 August 2012

Appeal A, Ref: APP/E2530/E/11/2167119

51 Scotgate and land to the rear of 51 - 58 Scotgate, Stamford, PE9 2YQ

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 against a failure to give notice within the prescribed period of a decision on an application for listed building consent.
- The appeal is made by Mr Robin Graf against South Kesteven District Council.
- The application, Ref. S11/0903/LB, is dated 18 April 2011.
- The development proposed is described as the construction of 12 new flats and housing on parking lot and vacant land. Conversion and part demolition of Blenheim Court from 12 bedsitting rooms (occupying 15 people) to three flats.

Appeal B, Ref: APP/E2530/A/11/2167104

51 Scotgate and land to the rear of 51 - 58 Scotgate, Stamford, PE9 2YQ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for planning permission.
- The appeal is made by Mr Robin Graf against South Kesteven District Council.
- The application, Ref. S11/0902/MJRF, is dated 18 April 2011.
- The works proposed are described as the construction of 12 new flats and housing on parking lot and vacant land. Conversion and part demolition of Blenheim Court from 12 bedsitting rooms (occupying 15 people) to three flats.

Procedural Matters

1. Having regard to Appeal A, the application was for listed building consent applying to the grade II listed Blenheim Court (51 Scotgate). I consider it is more accurate to describe this application as simply the conversion and part demolition of Blenheim Court from 12 bedsitting rooms (occupying 15 people) to three flats. It is on this basis that I have determined this appeal.
2. Although the application subject to Appeal B is as described above, it is clear that, once submitted and following discussions with the Council, the application was amended to relate to the construction of 11 new flats and housing rather than 12, together with the conversion and part demolition of Blenheim Court to three flats. It is on this latter basis that I have determined Appeal B.
3. Questions have been raised about the ownership title of certain small sections of the appeal site within the context of the drawing up of an agreement under Section 106 of the Town and Country Planning Act 1990. However, the applications were accepted by the Council on the basis of the certificates accompanying them, the appeals have been accepted as valid and I shall determine the appeals accordingly.

4. The Council failed to determine the applications within the prescribed period. However, following the lodging of the appeals the cases were reported to its relevant committee to seek views as to its response had the Council been in a position to determine the applications. I have taken these views into account in determining the appeals.

Decisions

Appeal A

5. The appeal is allowed and listed building consent is granted for the conversion and part demolition of Blenheim Court from 12 bedsitting rooms (occupying 15 people) to three flats at 51 Scotgate, Stamford, PE9 2YQ in accordance with the terms of the application Ref. S11/0903/LB, dated 18 April 2011, subject to the following conditions:
- 1) The works hereby authorised shall begin not later than 3 years from the date of this consent.
 - 2) The works hereby authorised shall be carried out in accordance with the following approved plans: DR114B, DR110, DR109, DR107.
 - 3) No works shall take place until samples of the materials (including where appropriate colour of render, paintwork or colourwash) to be used in the construction of the external surfaces of the building hereby permitted have been submitted to and approved in writing by the local planning authority. Works shall be carried out in accordance with the approved details.
 - 4) No works shall take place until full details of all proposed joinery works including 1:20 sample elevations and 1:1 joinery profiles have been submitted to and approved in writing by the local planning authority. The works shall be implemented in accordance with the agreed details and maintained as such thereafter.
 - 5) Collyweston slates shall be retained on the roof of the property.

Appeal B

6. The appeal is dismissed.

Main Issues

7. From all I have read and seen the main issues in these cases are:
- The impact of the proposals on the special architectural and historic interest of the listed Blenheim Court.
 - The effect of the proposals on the appearance and character of the Stamford Conservation Area No. 1 and the setting of adjacent listed buildings.
 - Whether the scheme would safeguard the living conditions of adjoining residents and provide adequate living conditions for future residential occupiers of the development.
 - Whether the proposals would adequately secure the provision of appropriate affordable housing, and educational and health care contributions.

Reasons

Blenheim Court

8. The overall appeal site comprises the listed Blenheim Court, fronting directly onto Scotgate, a principal entrance to the town, together with land to the rear of this and other frontage buildings. The other frontage buildings of No. 52, and Nos. 57 and 58, which are not within the appeal site, are also grade II listed buildings, currently in commercial use. Together with No. 59 Scotgate they are listed as part of a group. The land to the rear is partially down to hardstanding used for informal parking, together with an area that is overgrown and temporarily fenced off. The site is within the extensively-drawn conservation area which encompasses much of the central, mostly stone-built, market town.
9. Blenheim Court is a two-storey, stone-built building of late 18th or early 19th century origins with a stone-slatted mansard roof containing attic rooms. The building, which has latterly been used as bed-sitting accommodation, has had more recent lower extensions to its rear, including a flat-roofed brick-built addition, which have no particular architectural merit. The proposal is to remove these later unsympathetic additions, leaving the original building fronting Scotgate divided into three, two-bedroomed affordable flats. Having regard to the listed building consent, the Council has expressed no objection to the scheme and would have been minded to grant consent. I have no reason to disagree with this assessment. Subject to the imposition of appropriate conditions (which are discussed in paragraph 23 below) the proposed works would have an overall beneficial impact on the building's special architectural and historic interest and would assist in maintaining its significance as a heritage asset.

Conservation Area and setting of listed buildings

10. The Council similarly appears to have no objection to the principle of the residential development of the land to the rear of Blenheim Court and the adjacent buildings. The new-build combined house and flat proposal would result in a courtyard development with vehicular access/egress from two existing points off Scotgate. It would be a fairly high-density development but in terms of the character of this part of the conservation area, general townscape and urban grain its form would not be inappropriate. The detailing would be largely conventional and domestic in style, with external stone walling under slated roofs.
11. There would be variation in roof and eaves heights, some elements being single-storey, some of two-storeys and others having gabled dormers. Even with a slight rise in land levels from Scotgate towards the rear of the site, all the roof heights would be lower than that of Blenheim Court, which is the most prominent and imposing of the buildings fronting the site. Some elements would be slightly taller than the lower and more varied roofscape of the other listed properties along the Scotgate site frontage. However, there are limited views of the rear of the site from within this road. Views across the car parking area of the bathroom and tile showroom that adjoins the site to its west would be principally of an element whose overall height would be no greater than Blenheim Court. There would be additional views of the development along the access points between the Scotgate frontage buildings. From here, because of the angle of view, it would be difficult to appreciate that some elements of the

development were slightly taller than Nos. 52 to 59. Overall, the scheme would be of a varied and well-articulated form with an interesting roofscape.

12. I do not consider that the proposal would dominate or appear overbearing in relation to the listed buildings to the front in a manner that would be materially harmful to their setting. The development would make a positive contribution to both the character and appearance of the heritage asset of the conservation area. It would result in enhancement of what is currently a somewhat neglected and uninspiring part of the area and approach into the centre of the town and which is currently markedly at odds with the attractively varied townscape to the opposite side of Scotgate. I do not view the proposals as being contrary to Policy EN1 of the South Kesteven Core Strategy (CS) which requires development to be appropriate to the character and significant historic attributes of the district. Nor would it be out of step with advice provided within the National Planning Policy Framework (the Framework). This requires account to be taken of the desirability of new development making a positive contribution to local character and distinctiveness.

Living conditions

13. The eastern element of the proposals would back onto residential properties within North Street which are separated from the site by existing walling. It would be of two-storeys and would be inset from the site boundary such that the proposal would not appear overly dominant or oppressive from the rear of the North Street properties. I accept that there could be scope for overlooking of the rear of the North Street properties and their short rear gardens from first floor windows. However, given the configuration of the proposed accommodation, were permission to be granted it would be feasible for a condition to be imposed to ensure the first floor east-facing windows could be obscure-glazed to prevent any actual or perceived loss of privacy.
14. I have also noted objections from the owners of land off Radcliffe Road to the north of the appeal in respect of possible loss of privacy and amenity. This is in connection with an existing planning permission for two town houses. I have been provided with no details of this permission and am not therefore able to assess how the proposed scheme might affect such matters. Nevertheless, I note that in its committee report the Council does not make reference to this as a drawback of the scheme. Furthermore, the internal configuration of the appeal development could mean that it would not be unreasonable to require the first floor windows in the north-facing gable nearest to this adjacent site to be obscure-glazed should this be deemed necessary if permission was to be granted.
15. The proposed development would have limited amenity space for its occupiers, which the Council notes would be smaller than is considered typical for a conventional housing development. Nevertheless, having regard to the site context close to Stamford town centre, it considers the amenity space provision to be acceptable. I do not consider this to be an unrealistic assessment. However, I note from the submitted plans that areas between the proposed housing and the steeply sloping bank that forms the northern boundary appear to be divided, with pockets of space relating to individual units separated one from another. Given that there is no rear direct door access from these proposed units it is unclear how beneficial use could be made of these areas for their occupiers. Whether this is something of an oversight or intentional, in my view, it would be necessary to rectify this to ensure that this space became

genuinely available for potential use by future occupiers. Were permission to be granted it would be possible to overcome this drawback by the imposition of a suitable condition. On this basis I consider the scheme need not have a materially adverse impact on the amenity of adjoining residential occupiers and would provide adequate living conditions for its potential occupiers.

Section 106 - Affordable housing and financial contributions

16. CS Policy SP4 indicates that the Council will enter into planning obligations with developers to secure the provision of (or financial contributions towards) infrastructure and community benefits considered necessary in conjunction with development; obligations will cover those matters which would otherwise result in planning permission being withheld.
17. The proposals would provide three units of affordable accommodation within Blenheim Court, which it is intended would be within the control of a Registered Housing Provider. Because of the nature of the overall accommodation to be provided it is clear that the development would be likely to result in additional demands on education and health care provision. Accordingly, financial contributions, worked out on a formula basis, are sought for these. It is clear that the appellant has no objection in principle to entering into a Section 106 agreement to provide a mechanism to secure the affordable housing element and to provide the suggested financial contributions; a draft agreement has been provided. Furthermore, I have no reason to doubt that such requirements would be compliant with Regulation 122 of the Community Infrastructure Levy Regulations 2010. They would be necessary to make the development acceptable, they would be directly related to the development, and would be fairly and reasonably related in scale and kind to it.
18. However, it appears that because of some uncertainties over title to land no signed and executed agreement has been provided; the Council has clearly not received a signed and executed agreement, and no copy of an executed agreement has been provided with the appeal documentation. It may be possible to secure the affordable housing provision by condition, were the planning appeal to be allowed. Nevertheless, paragraph 83 of Circular 11/95, *The Use of Conditions in Planning Permissions* makes clear that it would not be correct to secure the necessary financial contributions by this means. The absence of a mechanism to secure the necessary contributions therefore makes the proposal unacceptable and contrary to the thrust and intent of CS Policy SP4.

Conclusions

19. I therefore conclude that, subject to the imposition of appropriate conditions, the proposals would not be harmful to the special architectural and historic interest of the listed Blenheim Court. In this regard the appeal relating to listed building consent for the works to this building is allowed.
20. The overall proposals relating to the whole development would make a positive contribution to the appearance and character of the Stamford Conservation Area and would not be harmful to the setting of adjacent listed buildings. Furthermore, subject to the imposition of appropriate conditions, the scheme would safeguard the living conditions of adjoining residents and provide adequately for those of its future occupiers. However, the scheme would fail to provide necessary financial contributions for health care and educational

provision in the absence of an executed Section 106 agreement. This is a considerable drawback of the scheme which, on balance, outweighs my favourable findings on the other main issues identified. On this basis the appeal in respect of the planning application must fail.

Other matters

21. I have taken account of all other matters raised, including expressed concerns regarding access and parking provision. There are two existing vehicular access points to the site from Scotgate and it is proposed that these should operate on a one-way, in-out basis given their narrowness as they pass between frontage buildings. The Council's adviser on highways matters has offered no objections to the proposals, subject to the imposition of appropriate conditions. This follows a traffic survey undertaken on behalf of the appellant which suggests that the proposal would be likely to generate very similar levels of vehicular movements to those which currently takes place. I have noted one objector's concerns as to whether the survey conducted only on one day could be considered as truly representative of the present situation. Nonetheless, I consider the survey provides a reasonable pointer to how the site is presently used and the fact that, subject to controls relating to access/egress to and from the site, the proposal need not result in traffic conflict.
22. Although some residents and businesses have expressed concern regarding the level of parking to be provided, neither the Council nor the local highway authority have expressed objections on this front. I have no reason to suppose that the provision would not be adequate. Overall, in the absence of any compelling evidence to the contrary, I do not consider the scheme would be likely to result in conditions prejudicial to highway safety. I have also noted comments about rights of access to the site and concerns regarding future maintenance of property abutting the site, which are not strictly planning matters. However, neither these nor any other matters raised are sufficient to alter the balance of the conclusions reached above regarding the planning issues.

Conditions relating to listed building consent

23. Having regard to the conditions suggested by the Council, I shall impose a condition specifying the plans to which the listed building consent applies, for the avoidance of doubt. Conditions are also necessary requiring the submission and agreement of samples of external materials and plans for joinery details, to ensure a satisfactory appearance and to maintain the special architectural interest of the building. For the same reason a condition is required to ensure Collyweston slates are retained on the building.

P J Asquith

INSPECTOR



Appeal Decision

Site visit made on 2 August 2012

by R W Moon BSc MCD MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 29 August 2012

Appeal Ref: APP/E2530/D/12/2177196

1 Saxon Court, Water Street, Stamford, Lincolnshire, PE9 2WZ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mrs Jane Knight against the decision of South Kesteven District Council.
 - The application Ref S12/0250/HSR was refused by notice dated 26 March 2012.
 - The development proposed is the fitting of solar PV panels to garage roof.
-

Decision

1. The appeal is dismissed.

Main issue

2. I consider the main issue in this appeal to be the effect of the proposed development on the setting of nearby listed buildings and whether it would preserve or enhance the character or appearance of the Stamford Conservation Area.

Reasons

3. The appeal site is in a very prominent and important position within the Stamford Conservation Area. The Conservation Area is an extensive one but no details of any Conservation Area Statement have been provided. However, it appears clear to me that its character is based on a large collection of old stone-built buildings of great quality that are closely grouped in an intricate pattern of streets and passages. There is a remarkable unity of townscape created by use of stone walls and roof tiles of similar colour and texture. Given the contours of the town centre the roofs are particularly prominent. The appeal building, being a garage backing onto Water Street within a group of similar buildings, is in full view of the public from several directions, most prominently from the junction of High Street St Martins with Station Road and Water Street. There are several listed buildings within the vicinity of the appeal site including The George Hotel, Lord Burghleys Hospital and the Grade II Listed Building which is now a restaurant next to the Town Bridge. The bridge is itself another important feature of the area and together these heritage assets provide the context for the appeal proposal.
4. The recently built Saxon Court has been carefully designed to integrate with the Conservation Area. This is particularly noticeable in respect of the building materials and as a result of weathering the imitation Collyweston roof tiles have taken on the appearance of the older tiles on neighbouring roofs.

5. The Design and Access Statement indicates that there would be 8 panels and the drawings indicate that these would cover a significant part of the southern roofslope. It is appreciated that non-reflective glass is intended but nevertheless the solar panels would stand out as a most alien feature in the special context of its surroundings described above. The fact that a restrictive condition was imposed on the originating permission for this newer scheme appears fully justified due to its prominent location and the care taken with the details of its design. On my site visit I did not see any other solar panel from the site itself or from the nearby roads. Were the appeal to be allowed it would be an invitation for applications on the roofs of other garages in this group to follow.

6. The general ability of occupiers to place solar panels within conservation areas without seeking planning permission combined with the support in national policy for sustainable energy developments are important considerations but are outweighed heavily in this case due to the outstanding quality of the townscape and the prominent location of the site. I conclude that the proposed development would fail to preserve the character and appearance of the Stamford Conservation Area as a whole and would have a harmful impact on the nearby listed buildings. It would also be in conflict with Policy EN1 of the Core Strategy of the Local Development Framework for South Kesteven and Policy EN3 which seeks to encourage energy from renewable resources providing it does not conflict with other Core Strategy policies. In this case the proposal is contrary to Policy EN1 which seeks to protect historic character, amongst other things.

R W Moon

INSPECTOR



Appeal Decision

Site visit made on 13 August 2012

by **G M Garnham BA BPHIL MRTPI**

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 21 August 2012

Appeal Ref: APP/E2530/D/12/2177938

The Cottage, Little Humby, Grantham, Lincolnshire, NG33 4HW

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Neil O'Keefe against the decision of South Kesteven District Council.
 - The application Ref S12/0320/HSH was refused by notice dated 3 May 2012.
 - The development proposed is a two storey extension to existing dwelling.
-

Application for Costs

1. An application for costs was made by Mr Neil O'Keefe against South Kesteven District Council. This application is the subject of a separate decision.

Decision

2. The appeal is allowed and planning permission is granted for a two storey extension to the existing dwelling at The Cottage, Little Humby, Grantham, Lincolnshire, NG33 4HW in accordance with the terms of the application Ref S12/0320/HSH, dated 7 February 2012, and the plans submitted with it, subject to the conditions in the Schedule at the end of this decision.

Main Issue

3. I consider that this is the effect of the proposal on the living conditions of the occupiers of the adjoining dwelling at Red House Farm.

Reasons

4. The Cottage occupies a plot forward of but to the side of a detached dwelling known as Red House Farm. The rear (north) wall of The Cottage abuts the south side of the main part of the garden of Red House Farm.
5. Planning permission exists for a 2 storey side extension of The Cottage (ref S10/2514/HSH). At ground floor level, this scheme would add 4.8 metres to the width of the building, very close to the common boundary with Red House Farm. At first floor level, the extension would be stepped back 1 metre from the ground floor end wall. The roof would have a gable end.
6. I understand that this planning permission is valid until December 2013. I consider that it represents a realistic fall-back position that could be implemented if the present appeal fails. This is an important material consideration. This is a recent planning permission, from which I take it that the Council was satisfied that there would be no overriding harmful effect from

it on the neighbour's living conditions. Consequently, I consider that this appeal turns on whether the additional 1 metre of projection now sought (to bring the first floor out to the ground floor end wall) would harm living conditions to the extent that planning permission should be withheld.

7. Red House Farm is a double fronted house, with ground floor windows either side of the centrally placed front door. The site plan indicates that, at its nearest point, the approved extension would probably be less than 8 metres from the nearest living room window. This window faces south over a landscaped front garden. The back wall of The Cottage is almost parallel with the front wall of Red House Farm. As a result, the additional 1 metre of extension would bring The Cottage closer to this window by a smaller amount. This would be visible from the neighbour's front window, but impinge on outlook only by a slightly greater angle. The same room has a second window on the side (west facing) wall. I consider that the extension (both approved and proposed) would be at too sharp an angle from this window to have any significant effect on outlook from it. The effect on outlook would be further mitigated by the facts that the level of the ground floor at The Cottage is significantly below that at Red House Farm, and that the roof of the extension would slope upwards away from the neighbouring property.
8. The relationships between the appeal proposal and the living room windows at Red House Farm similarly mean that overall there would also be little effect on the total amount of daylight entering this room. Consequently I find that the proposal would not result in a material worsening of outlook from or daylight in the living room at the south west corner of Red House Farm.
9. There is a first floor window at Red House Farm, directly above that on the ground floor nearest the appeal site. At this level, I consider that the effect of the proposal on outlook and daylight would be minimal.
10. The effect on sunlight is not part of the Council's reason for refusal. Nonetheless, the shadow diagrams submitted by the appellant show that the proposal would have very little effect on the amount of direct sunlight entering the windows of Red House Farm during the course of the day.
11. The original part of The Cottage abuts the southern edge of the main part of the garden of Red House Farm, and the extension would be very close to it. The existing house and the approved extension measure over 12 metres in width. The approved extension adds to the enclosing effect of the existing house. It would increase midday overshadowing, though the effect would be less in the summer months, when it is expected that the garden might be used more. I consider that the effect of the additional 1 metre at first floor level would not materially alter either the sense of enclosure along the south side of the garden, or the amount of shading of it. In these respects also, the proposal would not have a significant adverse effect.
12. The closeness of the proposal to the boundary with the adjoining property means that any additional windows above ground floor level (apart from the 2 roof lights currently proposed) on the north or east elevations could give rise to overlooking and loss of privacy. Also, any further extensions of these sides of the building could give rise to an unacceptable effect on outlook. As a result, I need to impose planning conditions to withdraw rights to permitted development in these respects, in the interests of the living conditions of the occupiers of the adjoining property.

13. Subject to these conditions, I conclude that the proposal would not materially harm the living conditions of the occupiers of the adjoining dwelling at Red House Farm. There would be no conflict with policy EN1 in the South Kesteven Core Strategy (2010). Among other things, this policy seeks to avoid problems of visual intrusion.
14. Two other conditions are needed if planning permission is to be given. Firstly, in the interests of a satisfactory appearance of the extension, it is necessary that the materials used should match those of the existing house. Secondly, otherwise than as set out in this decision and conditions, and for the avoidance of doubt and in the interests of proper planning, it is necessary that the development shall be carried out in accordance with the approved plans.
15. Subject to these conditions, I consider that the proposal would be acceptable. Planning permission can be given and I allow the appeal.

G Garnham

INSPECTOR

Schedule of Planning Conditions

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: numbers 01, 02, 03 & 04.
- 3) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking, re-enacting or modifying that Order), no windows or other openings (other than those expressly authorised by this permission) shall be constructed above ground floor level on the north or east elevations of the extension hereby permitted.
- 4) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking, re-enacting or modifying that Order), no enlargement or alteration of the extension hereby permitted shall take place on its north or east sides pursuant to Classes A, B or C of Part 1 of Schedule 2 of the Order.
- 5) The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing building.



Appeal Decision

Site visit made on 13 August 2012

by **G M Garnham BA BPHIL MRTPI**

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 17 August 2012

Appeal Ref: APP/E2530/D/12/2178491

39 Minerva Close, Ancaster, Grantham, Lincolnshire, NG32 3LJ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Robert Payne against the decision of South Kesteven District Council.
 - The application Ref S12/1030/HSH was refused by notice dated 31 May 2012.
 - The development proposed is to reposition a 6ft high wooden fence alongside 39 Minerva Close, Ancaster.
-

Decision

1. The appeal is dismissed.

Procedural Matter

2. There is no description of the proposal on the planning application form. The description above is that found on the Council's decision notice, which has been used by the appellant in his grounds of appeal.

Main Issue

3. I consider that this is the effect of the proposal on character and appearance of the street scene.

Reasons

4. The appeal site occupies a corner plot towards the head of a cul-de-sac in a modern estate of about 50 two storey houses. The houses are built of brick in hues of yellow to red and have tiled roofs. The layout is tightly arranged. Houses lack front gardens of any size, but instead have a narrow strip between the front door and the edge of the highway. In some cases, such as the appeal site, similar strips of land run down the side of an enclosed curtilage. These areas are planted and landscaped in a variety of ways. These strips of green soften and add visual interest to a closely packed urban street scene that is otherwise dominated by the hard surfaces of the buildings and the blocks (or nearer the estate entrance, tarmac) that forms the footways and carriageway.
5. The appellant proposes to enclose the strip of land alongside his side gable wall and the high fence that encloses his back garden. At present the land is covered by shrub planting to about knee high. There is also a healthy looking but still quite young tree (which I understand would be retained). The land would be enclosed by a close boarded fence some 1.8 metres high that would

run along the back of the footway from the far end of the garden to the front face of the house.

6. I consider that this would detract from the street scene in two ways. Firstly, it would involve the loss of a strip of planting that has a pleasant greening effect within the street scene. Where the layout shows a few similar strips of open land that run alongside houses, they remain open, so far as I could see. Secondly, the replacement fence would abut the footway where I consider it would form an intrusive feature in the street scene. These impacts would be prominent, whether approaching the site from the main road or negotiating the T-junction outside the front of the house that forms the head of the cul-de-sac. The fitting of standard garden fencing panels between concrete posts is a treatment that might be acceptable between adjoining gardens. However, I consider that it would detract significantly from the existing coherently planned layout and choices of materials or planting.
7. The appellant says that he has been solely responsible for maintaining the shrubs. I do not dispute this, or that it may be troublesome for him at times. Nonetheless the open space he proposes to enclose is a planned and integral part of tightly drawn layout in which the limited open spaces play an important and intentional role. I consider that this inconvenience to the owner would not outweigh the harm to the public realm that would come from the removal of the planting and the erection of a high fence of an unsuitable design. The fact that visibility for vehicles leaving the adjoining driveway of no.37 could be ensured by a splay in the fence would also not overcome the inherent shortcomings of the proposal.
8. I conclude that the proposal would materially harm the character and appearance of the street scene. This would be contrary to the purposes of policy EN1 in the South Kesteven Core Strategy (2010). Among other things, this policy seeks to protect and enhance the character of the district with respect to such matters as local distinctiveness and sense of place. The proposal would also fall short of the high standards of design required by the National Planning Policy Framework.
9. Planning permission should therefore be withheld and I dismiss the appeal.

G Garnham

INSPECTOR

PLANNING APPLICATIONS PERFORMANCE

Apr - August 2012

New end to end times for determining applications	Days	Target (days)
Average no of days to determine Major's (small scale)	84.5	90
Average no. of days to determine Minor's	70.2	55
Average no. of days to determine Other's	70.7	50
Average no. of days to determine Householder's	52.1	45