

AGENDA



For a meeting of the
DEVELOPMENT CONTROL COMMITTEE
to be held on
TUESDAY, 16 OCTOBER 2012
at
1.00 PM
in the
COUNCIL CHAMBER, COUNCIL OFFICES, ST PETERS HILL, GRANTHAM
Beverly Agass, Chief Executive

Committee Members:	Councillor Mark Ashberry, Councillor Michael Cook, Councillor David Higgs, Councillor Reginald Howard, Councillor Mrs Rosemary Kaberry-Brown, Councillor Vic Kerr, Councillor Michael King, Councillor Charmaine Morgan, Councillor Alan Parkin (Vice-Chairman), Councillor Helen Powell, Councillor Mrs Judy Smith, Councillor Jacky Smith, Councillor Judy Stevens, Councillor Adam Stokes, Councillor Brenda A Sumner, Councillor Martin Wilkins (Chairman) and Councillor Debbie Wren
Committee Support Officer:	Malcolm Hall Tel: 01476 406118

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 2ND OCTOBER 2012

(Enclosure)

5. PLANNING MATTERS

To consider applications received for the grant of planning permission – reports prepared by the Case Officer. **(Enclosure)**

6. SECTION 106 AGREEMENTS

- (a) S12/1152 – Modification of planning obligation (retention of substation) in relation to Section 106 agreement dated 11 October 2005 attached to planning permission S05/0107, Bairds Malt site, Ancaster**

Report PLA956 by the Development Management Service Manager
(Enclosure)

- (b) S11/3179/FULL – Factory Unit and Offices – Extension of Time of S04/1789, Land adjacent Wilcox Body Systems, Blenheim Way, Market Deeping**

Report PLA959 by the Development Management Service Manager
(Enclosure)

7. INFORMATION RELATING TO DEVELOPMENT CONTROL AND OTHER PLANNING ACTIVITY

Report No. PLA958 by the Development Management Service Manager. **(Enclosure)**

8. 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 16 October 2012, 1pm	Monday 15 October 2012, 1pm
Tuesday 20 November 2012, 1pm	Monday 19 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, 2 OCTOBER 2012

COMMITTEE MEMBERS PRESENT

Councillor Adams
Councillor Ashberry
Councillor Higgs
Councillor Howard
Councillor Mrs Rosemary Kaberry-Brown
Councillor Vic Kerr
Councillor Morgan
Councillor Parkin

Councillor Powell
Councillor Jacky Smith
Councillor Judy Stevens
Councillor Adam Stokes
Councillor Mrs Brenda Sumner
Councillor Wilkins (Chairman)
Councillor Woolley
Councillor Wren

OFFICERS

Head of Development and Growth (Mark Williets)
Development Management Service Manager (Pat Reid)
Strategic Director (Ian Yates)
Environmental Health Service Manager (David Price)
Environmental Health Officer (Martin Glossop)
Area Planning Officers (Nigel Bryan, Sylvia Bland, Philip Moore and Satu Pardivalla)
Systems Support Officer (Gavin Hutchinson)
Partnership Project Officer, Housing Solutions (Mandy Gee)
Committee Support Officer (Malcolm Hall)
Solicitor (Paul Rushworth)

OTHER MEMBERS

Councillor Channell
(In accordance with Council Procedure Rule 24.5, Councillor Channell spoke in connection with application NB1)

38. 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 Adams for Councillor King and Councillor Woolley for Councillor Cook for this meeting only.

39. APOLOGIES

Apologies for absence were received from Councillor Mrs Judy Smith.

40. DISCLOSURE OF INTERESTS

Councillor Woolley advised that she would not take part in the discussion or voting on application NB1 (S12/1350), to avoid giving the impression of bias, as she had been heavily involved with the issue locally.

41. MINUTES OF MEETING HELD ON 18TH SEPTEMBER 2012

The minutes of the meeting held on 18th September 2012 were accepted as a correct record of decisions taken, subject to an amendment to minute 34 to show that the minutes were from the 21st August 2012, not 18th September 2012, and to it being recorded that Councillor Mrs Brenda Sumner returned to the meeting on its resumption at 4pm.

42. PLANNING MATTERS

Decision:-

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

SB1

Application ref: S12/1755/MJRF

Description: Development of 49 dwellings for occupiers aged 55 and over, communal hall, vehicular access, amenity open space, landscaping, allotments and associated works.

Location: Land off, Chesham Drive, Baston

Decision: Refused

Noting comments made during the public speaking session from:-

Councillor Woolley – on behalf of the Parish Council
Michael Ineson – objecting
David Bainbridge – agent

together with objections from the Parish Council and Environment Agency, comments from LCC (Drainage), Welland And Deepings Internal Drainage Board, Planning Policy, SKDC Partnership Project Officer, the Highway Authority, Lincolnshire Fieldpaths Association, LCC (rights of Way), Lincolnshire Wildlife Trust, Natural England and SKDC Community Leisure Officer, no objection from Anglian Water, Heritage Trust of Lincolnshire or Lincolnshire Police and a number of representations from local residents

together with a note of the proposed Section 106 Heads of Terms; late information report circulated to Members present at the meeting including comments from consultees received since the dispatch of the agenda, from SKDC Community Leisure Officer, NHS Lincolnshire Primary Care Trust, Lincolnshire Fire and Rescue and a further letter from the Parish Council, report of site inspection and comments made by Members at the meeting.

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

1. The proposed development would be located on green field land outside the built-up part of the settlement. It is not allocated for residential development in the emerging Site Allocations and Policies DPD. It is contrary to adopted Core Strategy policies SP1 and H1 and emerging Site Allocations and Policies DPD policy SAP H1. The development would be detrimental to the sustainable growth of the District.
2. The Flood Risk Assessment submitted with the application is considered to be inadequate because it does not identify a suitable means of surface water disposal and, consequently, it is contrary to the requirements of paragraph 9 of the Technical Guide and paragraph 103 of the National Planning Policy Framework. As a result of the inadequacy of the Flood Risk Assessment, the application is considered to be contrary to Core Strategy policy EN2.
3. The proposals do not provide the full range of mitigation measures necessary to ensure the development would not have an adverse impact on the infrastructure or the local community. The proposal would not comply with the provisions of the Planning Obligations SPD and Core Strategy policy SP4.

PWM1

Application ref:	S12/0054/FULL
Description:	Change of use from agricultural land to Gypsy/Traveller site including ten mobile home pitches, associated access road and wc blocks
Location:	Land at Woolsthorpe Lane, Sedgebrook, Grantham
Decision:	Refused

Noting comments made during the public speaking session from:-

Councillor Ian McKay – Chairman of Sedgebrook Parish Council

together with comments from the Community Archaeologist, SKDC Projects Officer (Drainage) and Lincolnshire Wildlife Trust, no objection from Severn

Trent Water, objections from Belvoir, Sedgebrook, Bottesford and Woolsthorpe Parish Councils and a large number of objections from local residents, confirmation from the Highway Authority that the proposal would be detrimental to highway safety, report of site inspection and comments made by Members at the meeting.

It was proposed, seconded that the application be refused for the reasons in the report, together with the Highway Authority reason. On being put to the vote the proposition was agreed, and the application was refused for the following reasons:-

1. In the absence of a proven local need for this proposal the scheme represents an unwarranted development in an unsustainable location contrary to National Planning Policy for Traveller Sites (March 2012), NPPF (Paragraphs 6 -17: Achieving Sustainable Development & Section 4: Promoting sustainable transport), Policies 1, 3 & 16 of The East Midlands Regional Plan and Policies H4 and SP1 of the adopted South Kesteven Core Strategy.
2. The applicant has failed to demonstrate that the surface water drainage of the site would be adequate. In the absence of this information the development is contrary to Policy EN2 of the adopted South Kesteven Core Strategy.
3. The applicant has failed to demonstrate that the development would not have an adverse impact upon local ecology. In the absence of this information the development is contrary to NPPF (Section 11: Conserving and enhancing the natural environment) Policy 26 of the East Midlands Regional Plan and Policy EN1 of the adopted South Kesteven Core Strategy.
4. It is considered that visibility would be restricted to an unacceptable degree from the site access, onto a road which is subject to the national 60mph speed limit. Vehicles emerging from the access would be in conflict with traffic travelling on Woolsthorpe Lane due to the lack of visibility. Further conflicting traffic movements are likely to arise from traffic entering and exiting the adjacent Viking Way. It is therefore considered that the proposal would have a detrimental impact on highway safety, contrary to The National Planning Policy Framework (Section 4 - Promoting sustainable transport) and Policy H4 of The South Kesteven Core Strategy.

NB1

Application ref:	S12/1350/MJNF
Description:	Change of use to motorcycle dirt track, retention of portacabins and earthworks. Use for 24 events during a 12 month period. (Retrospective)
Location:	Warren Farm, Main Street, Witham on the Hill, Bourne, PE10 0JN
Decision:	Refused

Noting comments made during the public speaking session from:-

Councillor Channell – local representative	
Jonathan Booty – Chairman of Careby, Aunby and Holywell	
Parish	Meeting
Warwick Banks – objecting	
Mrs Marie Turpin – objecting	
Sean Bashforth – objecting	

In response to comments, the Development Management Service Manager clarified the situation regarding the Highway Authority comments and the submission of a plan by the applicants showing a new access. The Highway Authority objection had been received very late, and for the applicant to overcome the objection, the access point would need to be reconsidered. He advised that the reasons for refusal now before the committee, which included reasons for refusal from the Highway Authority must stand, as the revised access was not part of the application now before the Committee.

Members expressed displeasure at the late receipt of comments from the Highway Authority, which continued to happen, and it was agreed that the Development Management Service Manager would write appropriately to the Highway Authority.

Mr C Thompson – applicant

Following comments made by the applicant during his allotted three minutes, the Chairman asked if it might be better to withdraw this application and resubmit showing the revised access. The applicant responded by stating that he would prefer a decision on the application as submitted.

Mr N Willowton – in support
Mr K Gibbons – in support
Mr M Sawyer – in support (on behalf of W Stanton)

Members noted no objection from the Environment Agency, an objection from the Highway Authority and objections from Witham on the Hill Parish Council and Careby, Aunby and Holywell Parish Meeting, a number of objections from nearby residents and also a number of letters in support and comments from Natural England, Environmental Protection, Planning Policy and Lincolnshire Wildlife Trust; a late information report including information from the agent identifying the revised access, a note of further letters of objection and in support and officer comment thereon, report of site inspection and comments made by Members at the meeting.

In response to comments by the Chairman, the Case Officer confirmed that a time limit condition, say for two years, could be imposed. He also confirmed that the site could be used for 14 days in any year without permission, although he pointed out that the earthworks on the site were operational development.

It was proposed and seconded that the application be refused for the reasons in the report.

The Development Management Service Manager clarified certain issues which had been raised during the discussion. A temporary consent would not be viable, as the revised access was outside the current application boundary, and the Highway Authority objected to the current access. He also clarified the issue surrounding the use for 14 or 24 days. The applicant had applied for the use over 24 days in any year. It was possible to use a site, as had been explained, for 14 days without the need for planning permission. This would not apply in this case, as physical works had been undertaken, hence the retrospective application.

The proposition to refuse was then put to the vote and agreed, and the application was refused for the following reasons:-

1. The proposal if permitted is likely to result in an increase in the number of private vehicles entering, leaving, waiting and turning right on the Main Road where visibility afforded to following or oncoming traffic and for drivers of vehicles entering the highway is below the national recommended distance. The consequent danger to highway safety and interruption that will be caused to other road users cannot be justified.
2. Visibility to the west from the proposed point of access to Main Road is substantially below requirements as indicated both on the drawings submitted and from observations on site due to the geometry of the road and presence of mature hedge and tree lines. It is considered that vehicles emerging from the access will be in conflict with traffic travelling west-east due to the lack of forward visibility, on Main Road and visibility from the point of egress on the minor road contrary to the interests of highway safety.
3. The range of noise levels from this site would have an adverse impact upon the remoteness and tranquillity of this area, particularly the quiet enjoyment of the adjacent nature reserve, contrary to Policy EN1 of the South Kesteven Core Strategy.

(The meeting adjourned from 3.10pm to 3.31pm).

(On the resumption of the meeting, the Chairman advised Members that the meeting programmed for 13th November would be moved to 20th November, in view of elections being held in the week of the original date, which would result in difficulties in staffing the meeting. Members would be formally advised in due course).

PWM2

Application ref: S11/1922/FULL

Description:	Two wind turbines (hub height 29.6m, rotor diameter 20m and total ground to tip height 39.6m) and associated works
Location:	Lodge Farm, Main Street, Carlton Scroop, Grantham, NG32 3AU
Decision:	Refused

In introducing the discussion on this application, the Chairman reminded Members that it had been deferred at the meeting on 6th March with a request for further information, specifically an on-site background noise survey and an on-site ecology survey. Clarification had also been sought from the applicant on the positive benefits of the proposal.

Councillor Adams, who had not been present at the 6th March meeting, advised the meeting that he had listened to the recording of the relevant parts of the meeting and had familiarised himself with the relevant papers. He therefore considered that he could participate in the discussion and vote. Councillor Woolley, who had also not been present, said that she had similarly familiarised herself with all the relevant history of the application and would be participating and voting.

The Chairman asked the Solicitor to the committee to explain the reasons why members of the public had been allowed to speak on the deferred application. The Solicitor explained that the Chairman had exercised discretion because it was six months since the application had previously been heard before the Committee. In the interim period additional technical information had been submitted by the applicants at the Committee's request, relating to noise and ecological issues. In the interests of fairness in such exceptional circumstances, members of the public who had requested to speak again were allowed to make a further address as long as it was limited to a direct response to the additional evidence which had been submitted. The decision had been taken to ensure equality between interested parties.

Members noted comments made during the public speaking session from:-

Councillor Sue Evans – Barkston and Syston Parish Council
Councillor Roger Kingscott – Hough on the Hill Parish Council

Following comments, the Development Management Service Manager clarified that the information from the applicant in the late papers had been submitted in August. The Consultant's assessments had been received more recently.

Councillor Mike Robinson – Carlton Scroop and Normanton Parish Council

At this point, the Solicitor repeated his advice in regard to public speaking, which had been given earlier in the meeting.

Mrs Elizabeth Naeem – objecting

Mrs G Worth – objecting
Mr M Worth – objecting
Robbie Doughty – objecting on behalf of local residents
David Smith
Mrs Blades – objecting
Michael Worth – read statement on behalf of Alan Thomas
Conor McAllister – agent

Members noted comments from the Senior Historic Environment Officer (Archaeology), Natural England (original comments and further comments on site specific ecology survey 28th August and 14th September), Lincolnshire Wildlife Trust (original comments and comments on site specific ecology survey), English Heritage, SKDC Principal Conservation Officer, SKDC Environmental Protection (original comments and comments on site specific noise survey) and Hougham and Caythorpe Parish Councils; no objection from the Highway Authority, National Trust, CPRE, Ministry of Defence, NATS and the Environment Agency, and objections from Carlton Scroop and Normanton Parish Council, Hough on the Hill Parish Council, Ancaster Parish Council and Barkston and Syston Parish Council, a large number of objections from local residents and from Carlton Scroop and Normanton Action on Wind Turbines, together with a list of appropriate policy considerations.

The late information report had been circulated to Members at the meeting, including further information from the applicant showing the likely route of the cabling for the grid connection, amended phase 1 habitat survey (see below) and further details of barn owl mitigation measures dated 1st October, comments from Natural England received 24th September and from Lincolnshire Wildlife Trust received 20th September, MAS Environmental received 19th September and 1st October, no comments from SKDC Environmental Protection and further objections from and on behalf of local residents, together with detailed officer comment on all the issues raised, and changes to the recommendation including an amended schedule of conditions.

Also circulated to Members in advance of the meeting were bat data reports from a survey in May 2012, bird species data, a plan comparing the heights of a nearby BT tower, the Frinkley Farm turbine and the proposed turbines at Lodge Farm, the extended phase 1 habitat survey in May 2012, a copy of the British Wind Energy Association small wind turbine performance and safety standard, MAS Environmental noise impact assessment for small wind turbines dated August 2012, an amended extended phase 1 habitat survey dated September 2012, a copy of a letter from the applicant's agent dated 9th August and a copy of a letter to the applicant from the RSPB dated 9th August.

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

(The meeting adjourned from 5.05pm to 5.12pm).

(5.05pm - Councillor Howard left the meeting).

The Chairman referred to the site inspection which had taken place last week, when the Committee had visited the site and a number of local view points. In view of the fact that the majority of Members had been present on the visit, there was no formal report given.

The Environmental Health Services Manager and Environmental Health Officer gave information on the noise test results and answered questions from Members.

The Solicitor gave advice on the weight to be afforded to bats, and comments from Natural England, and referred Members to a recent Supreme Court case.

It was then proposed and seconded that the application be refused. The Chairman asked that the reasons for refusal be written down and submitted. On the submission of the reasons, the Chairman read them to the Committee. It was suggested that the detrimental effect on bats be added. The Development Management Service Manager commented that the reasons in regard to the effect on the historic landscape and the Viking Way and the contravention of EN1 policy (enhancement and harm) were reasonable, but that he could not support the addition of a reason in regard to ecology in view of the lack of support from Natural England.

The Head of Development and Growth and Solicitor both gave advice in relation to the suggested reasons, in particular to the weight to be given to the advice from Natural England. Specifically, the Solicitor expressed support for the views of the Development Management Service Manager in regard to the reasons for refusal, in particular that the reasons must be supportable.

The proposed reason for refusal was then read to the Committee, as follows:-

The proposed development, by virtue of its size, nature and location would have an adverse impact on the character of the landscape in this area.

The proposal as above was then formally proposed and seconded, and it was also agreed that the reason would be refined by the Development Management Service Manager, subject to final approval by the Chairman and Vice Chairman.

On being put to the vote the proposition was approved, and the application was therefore refused for the above reason, subject to the final approval of the exact wording by the Chairman and Vice-Chairman.

(6.30pm – Councillors Jacky Smith and Higgs left the meeting).

SP1

Application ref: S12/2016/FULL

Description: 3 x 15 meter high wind turbines

Location: Copley Farm, Doddington Lane, Claypole, Newark,
Lincolnshire NG23 5AT

Decision: Deferred

Noting no objection from NATS, Ministry of Defence and Environment Agency, comments from District Archaeologist, Natural England and Anglian Water and request for further information from Claypole Parish Council and the Environmental Health Officer and an objection from a local resident; late information report circulated to Members at the meeting including a note of no objection from Westborough and Dry Doddington Parish Council, report of site inspection and comments made by Members at the meeting.

It was proposed, seconded and agreed that further consideration be deferred pending receipt of the comments of Claypole Parish Council, following provision of the requested information, the formal observations of the Highway Authority and for investigation into the possible implementation of a Section 106 agreement in regard to highway improvements.

(6.55pm – Councillor Mrs Brenda Sumner left the meeting).

(6.59pm – Councillor Mrs Brenda Sumner returned to the meeting).

(6.59pm – Councillor Mrs Kaberry-Brown left the meeting).

KJC1

Application ref: S12/1331MJRR

Description: Approval of reserved matters for residential development of 105 dwelling and associated garaging and infrastructure pursuant to outline Planning Permission S08/1231

Decision: Approved

Noting comments from LCC Footpaths, Planning Policy, Partnerships and Projects Officer (Affordable Housing), Police Architectural Liaison Officer, Upper Witham Internal Drainage Board, Network Rail, Senior Historic Environment Officer and Lincolnshire Wildlife Trust, no objection from the Highway Agency or Great Gonerby Parish Council, comments from Barrowby Parish Council and a number of representations from nearby residents; information, including plans, circulated to Members prior to the meeting in relation to the adoption of roads, specification of private drives, provision for off street parking and siting of garages/dwellings; late information report circulated to Members present at the meeting including a further letter from a local resident and officer comment on additional information provided by the applicants in relation to the request made at the last meeting on parking provision and relocation of properties, together with a suggested amended condition, and comments made by Members at the meeting.

(7.05pm – Councillor Mrs Kaberry-Brown returned to the meeting).

It was proposed, seconded and agreed that the application be approved, subject to the following conditions:-

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.
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.
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.

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.
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.
6. This permission shall be read in conjunction with the submitted application and the additional plan Drawing No. E/3477/EL/20-Engineering Layout.

Note(s) to Applicant

1. 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.

2. 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.
3. 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.

43. CLOSE OF MEETING

The meeting closed at 7.05pm

Agenda Item 5

COMMITTEE: 16 October 2012

	NO	PAGE	PROPOSAL AND LOCATION	REC
KJC1	S12/1468	1	Construction of 99 no. dwellings (including 13 no. affordable dwellings) and associated garaging. Poplar Farm, Barrowby Road, Grantham, NG31 8AF	AC
KJC2	S12/2249	17	Business Incubation Centre, Plot 6, Approval of Reserved Matters Pursuant of Outline Planning Permission. Grantham Station Approach, between Grantham Railway Station and Wharf Road, Grantham	AC
NB1	S12/0193	27	Construction of Skatepark Stamford Skatepark, Recreation Ground, Recreation Ground Road, Stamford	R
JJ1	S12/1483	33	Reserved Matters application for demolition of commercial garage and erection of 14 dwellings (S09/0420) Mears Motors, Main Road, Thurlby, Bourne, PE10 0DZ	AC
LDPP1	S12/1692	40	Drop kerb and create parking area 67 Harrowby Road, Grantham, NG31 9ED	AC
SP1	S12/2016	44	3 x 15 metre high wind turbines. Copley Farm, Doddington Lane, Claypole, Newark, NG23 5AT	AC

Applicant	Mrs Helen Broadhurst - David Wilson Homes and, Trustees of the Buckminster NO.3A Trust Wilson House, 2, Orchard Place, Nottingham Business Park, Nottingham, Notts, NG8 6PX
Agent	Mrs Helen Broadhurst, David Wilson Homes North Midlands Wilson House, 2, Orchard Place, Nottingham Business Park, Nottingham, Notts, NG8 6PX
Proposal	Construction of 99 no. dwellings (including 13 no. affordable dwellings) and associated garaging
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	This is a reserved matters application for the construction of 99 dwellings, garaging and associated infrastructure pursuant to outline planning permission S08/1231. The area of the development is approximately 3 hectares and is located within Parcel D (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. 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.

Key Issues

- Compliance with Outline Planning Permission
- Highway Safety
- Residential Amenity
- Visual Amenity

Technical Documents Submitted with the Application

- Building for Life Assessment
- Street Scene Plan
- Water Vole Mitigation Strategy
- Reptile Survey Report
- Great Crested Newt Survey
- Badger Survey Report

REPORT

Application Category

This application is categorised as a major application

Reasons for Referral to Committee

Likely to cause wider concern.

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 99 dwellings.

The number of affordable units was originally proposed to be 15 shared ownership properties. This has been amended to 13 units of which nine would be shared ownership and 4 would be rented. This is to more readily reflect the identified need for affordable units in Grantham.

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 properties up to two and half storeys.

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.

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.

S12/1331- Reserved matters application for 105 dwellings. Current planning application at the time of drafting this report.

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

Policy13: 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

Partnerships Project Officer

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 99 residential units of which 15 (15%) are proposed as affordable housing units. There is provision within a previous application for 105 residential units to provide 15 affordable units on another site (therefore total would be 30 units affordable housing provision on two sites of a total of 204 units). This would leave a requirement for 24 affordable units from the remaining 42 residential units.

The proposals does not specify the tenure of the affordable units. The requirements are that the tenure of the affordable units should be 60% rented and 40% shared ownership. The previous application provided all 15 affordable units as shared ownership. This leaves a maximum of 7 units could be provided as shared ownership with the remaining units all as rented.

The proposal provides 8 x two bedroom houses and 7 x three bedroom houses on two locations on the edge of the proposed development.

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 as a minimum 60% should be provided as rented. (RP).
- The affordable housing to be made available to one of the Council's preferred registered housing provider (RHP) 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 any 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 unless otherwise agreed in writing with the Council.
- The consideration of the affordable housing units to be offered for sale to a RHP 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

With reference to the above I can confirm that the proposed changes of tenure as outlined below are acceptable for the first stages of development on the Poplar Farm site. The Council has been co-operating with the developers and have been flexible in agreeing this level of affordable housing and tenure in order to assist with the commencement of the first phases of this development. The proposals are as follows:-

Bellway Homes 13 affordable housing units of which 10 will be shared ownership and 3 x 3 bedroom properties for rent,

David Wilson Homes 13 affordable housing units of which 9 will be shared ownership and 4 properties for rent.

This will provide 26 of the 54 affordable housing units required by the S.106 on the completion of 246 units on Poplar Farm.

Public Rights of Way Officer

I have no comments to make regarding this application.

Crime Prevention Design Advisor

With reference to your recent correspondence 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.

Boundary

All rear gardens should be secured with a robust fence or wall without footholds, to a minimum height of 1800mm. The rails to the timber fence should face the garden.

Rear Access Footpaths

Any footpath serving the rear of a maximum of two dwellings should be gated within 300 mm of the face of the dwelling. This would reduce access and reduce the opportunity of criminal activity.

Lighting

Before this development is brought into use it should be provided with lighting in accordance with details to be submitted to and approved in writing by the local planning authority.

Landscaping

Any landscaping should be kept to a maximum growth height of 1 metre. Whilst any tree should be pruned to a minimum height of 2 metres, thereby maintaining a clear field of vision around the development. Trees when fully grown should not mask any lighting columns or become climbing aids.

Highways Agency

Offers no objection.

Planning Policy

The application site which is designated under Core Strategy Policy H2A.

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 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.

Lincolnshire Wildlife Trust

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 would recommend that the soft landscaping plan includes a majority of native species of trees and shrubs, preferably of local provenance. 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.

Please note that the Lincolnshire Wildlife Trust has adopted a new strategic approach to the way in which we engage with the planning system. Your Authority was informed of this change in approach in a letter dated 1 June 2012 to Mark Williets, Head of Development and Growth. We hope that you and your colleagues have been informed of this change. If not, a copy of a statement defining the Trust's position is attached for your information.

In line with the attached statement, we will continue to provide comments on applications which may have impacts on statutory or non-statutory designated sites (including Sites of Nature Conservation Importance (SNCIs) and Local Wildlife Sites (LWSs)) and un-designated sites which meet the LWS criteria, those which may have implications for the Trust's Living Landscape areas, or developments which may be able to contribute positively to biodiversity.

Great Gonerby Parish Council

Great Gonerby parish Council wish to make the following objections:

Council object to any further large scale development on this site as it will place further traffic pressure and congestion on Barrowby Road "Asda" roundabout, inner relief road and Wharf Road causing congestion for rural villages such as Great Gonerby using Grantham as a shopping and social centre. The Pennine Way link road and bridge would afford some relief at the "Asda" roundabout and must be done first, giving consideration to the effect this will have on the B1174/Belton lane Great Gonerby junction which will need major improvements to cope with the extra traffic. Consideration should also be given to a railway platform with waiting room and car parking when building progresses nearer to the railway line.

Natural England

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

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 D 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 D, your authority does not discharge condition 20 until the final land parcel has been developed (which could be a number of years away).

Natural England Standing Advice is available on our website to help local planning authorities better understand the impact of development on protected or BAP species should they be identified as an issue for particular developments. This also sets out, when, following receipt of survey information, the authority should undertake further consultation with Natural England.

Local landscape

Natural England does not hold information on local landscape character; however the impact of this proposal on local landscape character (if any) is a material consideration when determining this application. Your authority should therefore ensure that it has had regard to any local landscape character assessment as may be appropriate, and assessed the impacts of this development (if any) as part of the determination process.

Biodiversity enhancements

This application may provide opportunities to incorporate features into the design which are beneficial to wildlife, such as the incorporation of roosting opportunities for bats or the installation of bird nest boxes. The authority should consider securing measures to enhance the biodiversity of the site from the applicant, if it is minded to grant permission for this application. This is in accordance with Paragraph 118 of the NPPF. Additionally, we would draw your attention to Section 40 of the Natural Environment and Rural Communities Act (2006) which states that 'Every public

authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity'. Section 40(3) of the same Act also states that 'conserving biodiversity includes, in relation to a living organism or type of habitat, restoring or enhancing a population or habitat'. Biodiversity 2020: A strategy for England's wildlife and ecosystem services and Making Space for Nature (2010) also provide strong drivers for the inclusion of biodiversity enhancements through the planning process.

Anglian Water Services

It is understood that this application relates to a part of the wider development site. The reserved matters for which consent is being sought includes the SUDS feature to serve the first two phases of housing on plots D and H (west).

We have previously commented on the discharge of conditions for S12/1502, relating to S12/1231 in which we noted that surface water is to be disposed of in accordance with rates stipulated by the Internal Drainage Board and The Environment Agency. This aspect is outside Anglian Waters jurisdiction and therefore we will have no comments to make as to whether the discharge of these conditions is appropriate, the views of the IDB and the EA will be required in this instance.

In addition, in our previous response we noted that the drainage strategy for the site has been agreed and the submissions have been received from the developers under section 104 of the Water Industry Act 1991. However this process is still in its infancy and therefore it is recommended that condition 17, relating to the foul and surface water drainage strategy for the whole site, remains in place.

Conservation Officer

No observations

Network Rail

With reference to the protection of the railway, Network Rail has no objection in principle to the development, but below are some requirements which must be met. Whilst we recognise the development is some distance from the railway there are two key areas that are still of interest to us.

As part of the S106 Agreement for this site the landowners have an obligation on them to use reasonable endeavours to negotiate with Network Rail for the bridge easement they require. Network Rail has been actively trying to reach such agreement so that the landowners can fulfil their s106 obligations but to date no agreement is forthcoming. However, negotiations continue.

Drainage

We assume that a comprehensive drainage strategy will evolve as part of the overall development. In the absence of further information the following must apply.

All surface and foul water arising from the proposed works must be collected and diverted away from Network Rail property. In the absence of detailed plans all soakaways must be located so as to discharge away from the railway infrastructure. The following points need to be addressed:

1. There should be no increase to average or peak flows of surface water run off leading towards Network Rail assets, including earthworks, bridges and culverts.

2. All surface water run off and sewage effluent should be handled in accordance with Local Council and Water Company regulations.
3. Attenuation should be included as necessary to protect the existing surface water drainage systems from any increase in average or peak loadings due to normal and extreme rainfall events.

Network Rail is required to recover all reasonable costs associated with facilitating these works.

I would advise that in particular the drainage should be the subject of a condition, the reasons for which can include the safety, operational needs and integrity of the railway. For the other matters we would be pleased if an informative could be attached to the decision notice.

I trust full cognisance will be taken in respect of these comments. If you have any further queries or require clarification of any aspects, please do not hesitate to contact myself I would also be grateful if you could inform me of the outcome of this application, forwarding a copy of the Decision Notice to me in due course.

Senior Historic Environment Officer (Archaeology)

This application doesn't affect the area of archaeological interest therefore no archaeological work required for this application.

Upper Witham IDB

It is noted that the application does not include any drainage details, however the Board is aware that this site has been allowed for in the drainage scheme designed by JMP on behalf of the land owners.

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 effect 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'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.

Arboricultural Consultant

No tree survey appears to be available to accompany this application. If you feel that significant trees, shrubs and hedgerows are growing inside or just adjacent to the site boundaries then a tree survey should be provided to meet the requirements of Section 197 of the Town and Country Planning Act 1990.

(Officer comment: there are no trees hedges affected by this proposal).

Representations as a result of Publicity

The application has been advertised in accordance with the adopted statement of community involvement. 9 letters of objection have been received. A summary of their main concerns are listed below:

- highway disruption from construction traffic particularly at the roundabout as this is the only access to our homes
- concern if a rat run is created. Dangerous for children
- impact on resources. 99 families will require medical, education and retail and leisure provision
- road network is already at capacity
- will emergency service be able to access the site
- utilities are already at capacity
- is there a need for the additional homes?
- the link road to Gonerby should be completed in conjunction with any new homes
- increased air pollution from increased traffic
- impact on house values (not a material consideration)
- Grantham needs more economic/employment before any additional housing
- occupiers will have to travel elsewhere for services
- should develop existing brownfield sites ahead of greenfield which would also enhance the appearance of parts of Grantham
- will produce a dominant and oppressive environment for existing residents currently living in close proximity
- streets do not appear to be pedestrian and cycle friendly
- if the cycle pedestrian route is taken through the allotments there will be a loss of privacy for the allotment holders, increase in litter nuisance, noise, theft and damage to crops, flora and wildlife
- there is an effective cycle route along Barrowby Road to the town
- providing a safe network of footpaths, cycleways through the wider development to the town centre must be given higher priority as these phases of development are staged and commence
- the road link and bridge should be constructed now to avoid the same situation as the previously occurred with the developer building 345 homes then declaring bankruptcy and not constructing the bridge.
- SKDC has a duty to protect the open space
- the site floods on a regular basis
- there are no homeless people requiring 4 bedroom executive homes
- there is no housing shortage – there are a number of homes for sale on the Barrowby Lodge Estate. The homes are not required and the development is totally unnecessary
- the best views in Grantham will be lost (right to a view is not a material consideration)

Comments from managers nearby company

- the noisier activities at our company will be likely to result in noise and disturbance to the future occupiers
- it is inappropriate to have residential dwellings in close proximity to a large production facility where families could be exposed to risk of accident
- despite our best endeavours we would also raise the issue of our site creating a potential nuisance in terms of noise/traffic/machinery/process emissions, water vapour from condensers and smells to future occupiers
- our company is a large employer, by allowing the proposed development it may be placing those jobs at considerable risk.

Applicants Submission

Fit with the Section 106 Agreement

The overall Section 106 package was concluded after a long negotiation between land owners. SKDC officer and SKDC's consultants CGMS and NBS. With regard to affordable homes on the site the following was agreed as the basis for the Section 106 agreement:

Affordable Housing

Affordable Housing to be provided	54 for the first 300 units
Affordable Housing to be provided	60 for 301-600 units
Affordable housing to be provided	288 for 601-1,800 units

i.e. a total of 402 units phased throughout the development at an average rate of 22.33% but stepping up over the course of the development.

Following the resolution to grant consent the section 106 was drafted and signed. With regard to affordable housing the relevant clauses are:

More than 246 (two hundred and forty six) Dwellings before EITHER the transfer to a Registered Social Landlord agreed by the Council or to the Council of Affordable Housing Land for the provision of 54 (Fifty Four) Affordable Housing Units OR entering into a Contract with the Council or a Registered Social Landlord agreed by the Council for the construction of 54 Affordable Housing Units on the Affordable Housing Land PROVIDED THAT if at any time after the Certification of 235 Dwellings the Owners having used reasonable endeavours to find a Registered Social Landlord willing to accept an offer in accordance with paragraph I of Part I of this Schedule for transfer of 54 Affordable Housing Units or Affordable Housing Land therefore, have found no Registered Social Landlord so willing for all or part thereof the Owners shall offer in writing to transfer to the Council in accordance with sub paragraphs 1.2 and 1.3 of this part of this Schedule the Affordable Housing Units or the Affordable Housing Land for which no Registered Social Landlord so willing has been found and, if the offer has not been accepted in writing by the Council within two calendar months of the offer the Owners' obligation in this paragraph shall be deemed to have been fully discharged.

The Section 106 requires in the Third schedule, Part 1, clause 3 that: "The Affordable Housing Scheme is to be agreed in writing with the Council in terms of the location, tenure, size, type and mix to meet local housing need and neither party is to withhold consent unreasonably"

(Officer Comments: It would have been clearer if the Section 106 stated that 'The owner shall not permit the Certification more than 246 market dwellings before either the transfer of 54 affordable housing units. Nevertheless it is clear that the intention of both parties was that of the first 300 units 54 (18%) should be affordable split 60/40 rented I shared ownership, (32 and 22).)

The proposed for the first 204 units is therefore a total of 26 affordable units leaving 28 to be delivered within the next phase at Poplar Farm of 96 units. This ratio of 28 units within the next 96 will result in a good mix of private and social housing. The current affordable housing proposals are therefore fully compliant with the letter of the Section 106 agreement as the trigger levels are all met.

The rationale for the current proposals

The whole subject of central government encouraging employment and economic growth through new house building is very topical at the moment. The Government's announcements encourage and require local authorities to work with land owners and developers to ensure that schemes are viable and that new housing can commence as soon as possible.

The current housing and mortgage market difficulties are not conducive to investing in the new large housing projects. Low house prices and low rates of sale mean starting large new developments can be difficult. Nevertheless these first two phases of development at Poplar Farm will be the first major new housing schemes to start in Grantham in the last four years.

Having obtained outline planning permission, the land owner is selling the site on a phased basis and this parcel represents one such phase. Our intention is to complete the purchase following the receipt of reserved matters approval. Discussions with the landowner reveal a desire to kick-start the overall development by reducing the initial infrastructure burden and seek a reasonable financial return. The offer of 4 social rented units and the reduction of affordable units in this phase to 13 is seen to be a reasonable solution.

Like any large new housing scheme the costs of opening up the site for development are significant: high upfront costs of providing utilities and drainage for the first phases, over 11 hectares of open space to be provided etc. These costs amount to some £3.5m the infrastructure provided will also serve the later phases of development making the next phases easier to bring forward. Again the slight reduction in affordable housing within this phase is seen as a good compromise.

In conclusion:

It is our opinion that our current affordable housing proposals are compliant with the Section 106 agreement.

The project will 'kick start' a major housing development for Grantham providing benefits of affordable housing, public open space and other contributions in line with the S106 agreement. Also new jobs will be created in the locality by the construction works and the New Homes Bonus of several hundred thousand pounds will be received by SKDC.

And given central government's recently announced major housing and planning package, requiring local authorities and developers to work together to get new housing started, the project is ideally situated to respond to this.

(Officer comment: the reference to 204 units relates to this application for 99 units and planning application S12/1331 – for 105 units).

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. The shape of the application limits the ability to achieve a complete grid pattern. Nonetheless the road hierarchy and footpaths would ensure good movement within the site.

Highway Safety

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. 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. The local highway authority has not raised any concern in relation to highway safety, capacity or parking provision.

Residential Amenity

The nearest existing residential properties to the proposed development are those currently on Barrowby Road. They would be separated from the application site by Barrowby Road. 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 residential properties is approximately 31 metres at the closest point.

The existing public house would be approximately 16 metres from the nearest proposed dwellings. It is considered that this separation distance is sufficient to ensure that the future occupiers of the property would not experience any significant noise and disturbance from the operation of the public house.

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.

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 up to two and a half storeys with feature buildings at corner locations.

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 and infilling around existing public house and a logical extension to the existing residential development off Balmoral Drive and Barrowby Road.

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.

Other Matters

Current Government Advice

Developer contributions, in particular affordable housing, are a very topical area. A recent Ministerial Statement, on 3rd July announced additional measures to support the delivery of sustainable development. The measures include the ability to renegotiate non-viable S106 agreements.

Of relevance to the determination of this reserved matters application is the commentary of Rt Hon Eric Pickles MP in relation to “Reducing the cumulative burden of red tape”.

He states:

“It is vital that the affordable housing element of Section 106 agreements is negotiated during different economic conditions is not allowed to undermine the viability of sites and prevent the construction of new housing. This results in no development, no regeneration and no community benefits at all when agreements are no longer economically viable.

The Government estimates that up to 75,000 new homes are currently stalled due to site viability. S106 is an important tool to provide affordable housing and we welcome the flexible approach that many councils have taken to renegotiating these agreements where necessary”.

Whilst the level of affordable housing provision proposed does not comply with the requirements of the S106 pro rata. It must be remembered that this is only part of the initial phase. The requirements of the S106 agreement can still be fulfilled by the later reserved matters submissions.

In relation to affordable housing the S106 requires:

54 affordable units shall be provided before completion of 246 units.

This scheme provides 13 affordable units of the 99 dwellings proposed.

Taking into consideration the current economic climate, the comments from the developer, the commentary from Rt Hon Eric Pickles and the fact that the future phases of the development will permit the remaining balance of affordable units to be provided it is considered that the affordable housing provision is acceptable.

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 the development be approved subject to condition(s)

SUMMARY OF REASON(S) FOR APPROVAL

This is a reserved matters application for the construction of 99 dwellings, garaging and associated infrastructure pursuant to outline planning permission S08/1231. The area of the development is approximately 3 hectares and is located within Parcel D (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.

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 carried out in accordance with the approved materials schedule Drwg No. H5523/102 received by the local planning authority on 13th June 2012.

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

2. all soft landscaping works shall be carried out in accordance with the approved landscaping plans: Bir.4033_01, Bir.4033_02 and Bir.4033_03.

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

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

House type plans and elevations - P206, P382, P341, P332, T322, H404, H433, H455, H408, H469, H421, H426 and H500. Garage Plans Single garage GH1A, Double Garage GH2A and Double Garage GH2C. Boundary Treatment Details - Brick Wall - Drwg No. SD14-

014 and Close Boarded Fence Drg No. SD14-015.

Location Plan Drg No. H5523:02, Planning Layout Drg No. H5523/101 Rev E and Streetscenes Drg No. H5523/05.

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

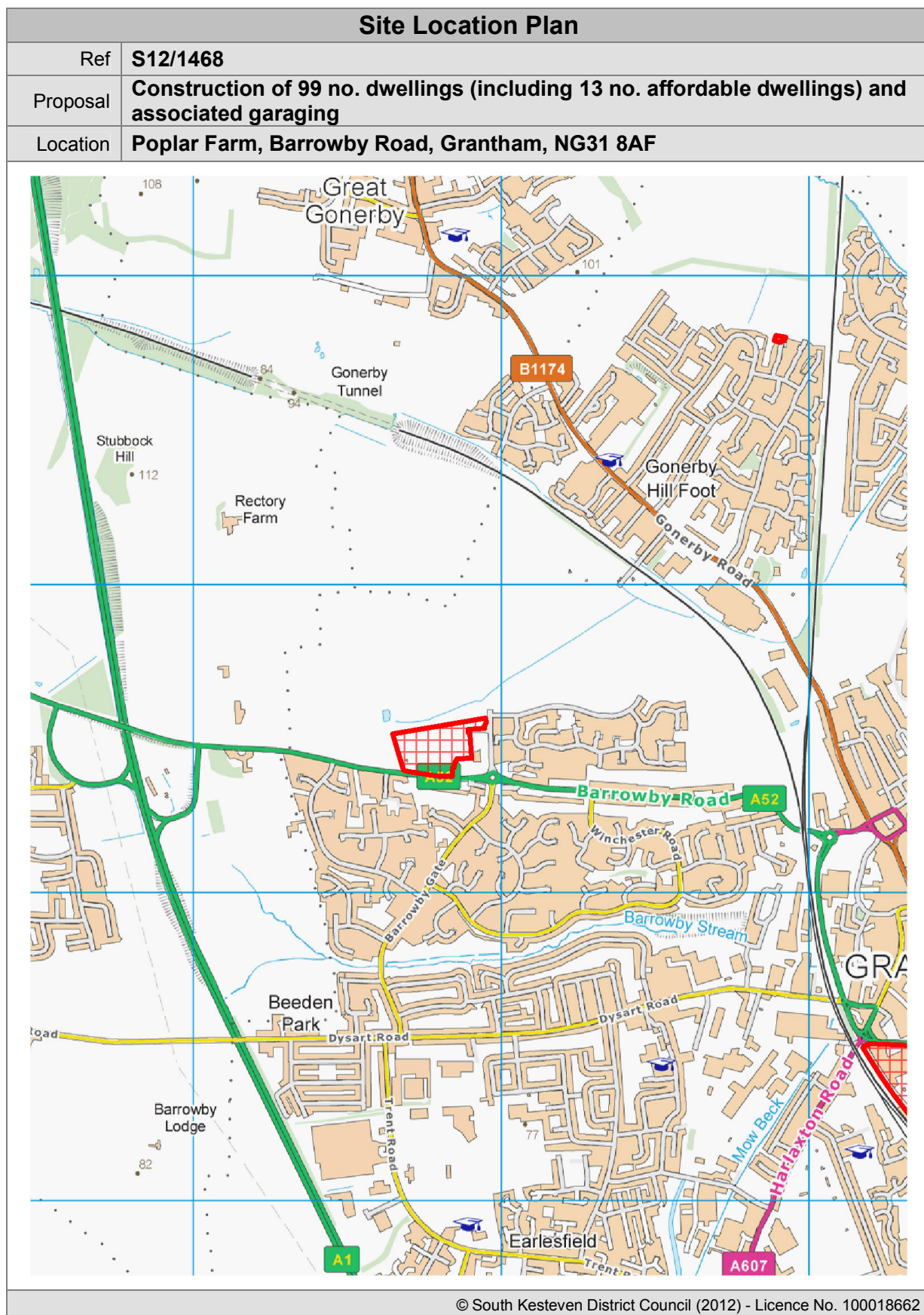
4. The finish floor levels of the development hereby permitted shall be in accordance with the approved Domestic Drainage Layout Plan Drg No. JN 1242-NWK-011.

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 bat and bird boxes to encourage wildlfie development. The agreed scheme shall be implemented prior to the completion of the development.

Reason: To encourage additional biodiversity within the development.

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Applicant	Mr Paul Wheatley, Lincolnshire County Council City Hall, Beaumont Fee, Lincoln, LN1 1DF
Agent	Mr Nick Greenwood, Mouchel Mouchel, Mill House, Brayford Wharf North, Lincoln, LN1 1YT
Proposal	Business Incubation Centre, Plot 6, Approval of Reserved Matters Pursuant of Outline Planning Permission
Location	Grantham Station Approach, between Grantham Railway Station and Wharf Road, Grantham
App Type	Major RM (Non-residential)
Parish(es)	Grantham
Reason for Referral to Committee	The application has been referred to the Development Control Committee because the application relates to a major project that is likely to cause wider concern.
Recommendation Summary	The proposal is considered to be an acceptable form of development that would represent an important opportunity to regenerate the Station Approach area of Grantham and show commitment towards Grantham's Growth Point Status. The proposal is considered to accord with the thrust of national policy contained in the NPPF Building a strong, competitive economy, Ensuring the vitality of town centres, Promoting sustainable transport, Requiring Good Design, Meeting the challenge of climate change, flooding and coastal change, Conserving and enhancing the natural environment, Conserving and enhancing the historic environment, Regional Guidance contained in 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, Policy 14 - Regional Priorities for affordable housing, Policy 18 - Regional Priorities for the economy, Policy 22 - Regional Priorities for Town Centres and Retail Development, Policy 26 - Protecting and Enhancing the Region's Natural and Cultural Heritage, Policy 27 - Regional Priorities for the Historic Environment, Policy 32 - A Regional Approach to Water Resources and Water Quality, Policy 35 - A Regional Approach to Managing Flood Risk, Policy 48 - Regional Car Parking Standards and local guidance contained in policies SP1 - Spatial Strategy, SP3 - Sustainable Integrated Transport, SP4 - Developer Contributions, EN1 - Protection and Enhancement of the Character of the District, EN2 - Reducing the Risk of Flood Risk, EN4 - Sustainable Construction and Design, H1 - Residential Development H3 - Affordable Housing, E1 - Employment Development, E2 - Town Centre and Retail Development, the Station Approach Development Brief - Adopted October 2010, and the emerging Grantham Area Action Plan. The proposed building is considered to accord with outline planning permission S12/1720. It is considered that the building would be a focal point and provide an active frontage along Wharf Road and would not have any significant detrimental effect on the character and appearance of the street scene or surrounding area as a whole.

	The separation distances and disposition of buildings is such that the amenities of neighbouring occupiers would not be significantly affected. As such it is considered that there are no material planning considerations that would outweigh the policies referred to above to justify a refusal of planning permission.
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Key Issues

- Compliance with Outline Planning
- Visual amenity/Impact on street scene
- Impact on the Occupiers of Neighbouring Properties

Technical Documents Submitted with the Application

- Design and Access Statement

REPORT

Application Category

This application is categorised as a major development.

Reason for Referral to Committee

The application has been referred to the Development Control Committee because the application relates to a major project that is likely to cause wider concern.

The Proposal

This application is a reserved matters application pursuant to the outline planning permission (S12/1720) granted on 3rd September 2012. It proposes the construction of a BIC (Business Incubation Centre) to provide accommodation/space for existing and new start up businesses.

The proposal would have a footprint of 842 m² and give a total gross floor area of 3,228m² over four floors. The building would have a dog leg form enclosing a courtyard to the rear. Access to this courtyard will be via a new road off Grantley Street. The proposal would have two entrances one off Wharf Road and one from the courtyard to the rear.

The development accords with the scale parameters established by the outline planning permission which limits the building height to 16m.

The appearance of the building is designed to reflect the experiments of Sir Isaac Newton. The submitted Design and Access Statement states:

“The concept of the building has been developed through visual investigation into the experiments carried out by Sir Isaac Newton with the refraction of light, through the use of prisms. The central ‘prism’ forms a full height atria at the heart of the building with the ‘rays of light radiating from this prism forming the lines of the internal circulation spaces and high level glazing. Entrances are created by the rays on the opposite sides of the building, one to Wharf Road, the other from the courtyard formed by this proposal and a subsequent development on the adjacent site. The rays also form visual cues to the location of the vertical circulation within the building, which project beyond the main envelope, allowing the staircases to be naturally lit. The light ‘rays’ as well as providing form, also allude to their secondary purpose, that of function; allowing natural light to penetrate into the centre of the building.

The ground floor of the building incorporates reception and conferencing facilities, business support, accommodation and the smaller ‘incubation’ units. Also included on the ground floor of the proposal are the showering /changing facilities with lockers and drying room to satisfy both client and BREEAM requirements. The subsequent three floors consist of varying sizes of office units, storage, kitchenettes and toilettes facilities, along with circulation and ‘break out’ spaces. The design has also been developed to ensure that security can be maintained on all floors, with access being restricted to the circulation spaces without a key code.

The internal arrangements of the building however, is intended to be flexible, with stud walls allowing the building owners to adapt and change the layout as the users requirements change.

The elevations have also been designed with this in mind, specific windows have larger central mullions with solid panels allow for the future partition of the more substantial office units.

The ground floor, external envelope of the proposal is to be constructed using a Forticrete coloured cast stone block, providing both a durable finish and also a visual reference to the vernacular use of stone. The further three floors will be clad using the Rockpanel Rain Screen cladding system, creating a contemporary and visually striking contrast to the more traditional block work on the ground floor. A coloured panel will also be used to highlight the more important architectural features such as the bay windows on the north, north east and south elevations, creating dynamic and eye catching facades to the more important aspects of the building.

It also proposes that the ends of the 'rays' be fabricated using precast concrete panels to form four monolithic elements, rising from the ground to support the clerestory windows on the top floor. These panels also form the proposed location for the buildings name signage to the north and south, which would highlight the proposals two main entrances.

In summary, the overall concept of the building is based on a local iconic figure and his experiments with light, the design also incorporates the maximum use of natural light (and ventilation) with its internal spaces. The form itself is iconic, and sets the standard for the further developments on the Station Approach site, a landmark building for a landmark project. The materials proposed for the development incorporate reference to traditional stone, but also utilise modern cladding materials to generate striking elevations with considered use of pastel colours as suggested within the 'Grantham Townscape Character Area 03'".

The application site and surroundings

The application site is roughly triangular and is approximately 3 hectares. It has a mix of current uses that include a small element of residential, tyre fitting business, building suppliers and car parking associated with the railway.

The northern portion of the site contains a number of linear buildings that align with the street pattern to the east. To the north west of the application site adjacent to the junction with Wharf Road are the listed Railway Cottages. The listed buildings are not within application site.

The site is bounded by differing uses. To the north is a mix of residential and town centre uses, to the west is the railway, and to the east is residential and to the south is car parking.

The application is predominantly flat from west to east. The south of the application site is approximately 7 metres higher than the frontage of the site adjacent to Wharf Road.

This application relates to the north eastern part of the site adjacent to the junction of Wharf Road and Grantley Street.

Relevant Site History

The site has been the subject of a number of planning applications. However none are specifically relevant to this current planning application.

92/0674 – Change of use of part of site to a skating rink – granted on 4 August 1992

94/0100 – Alteration of time limit condition of planning permission 92/0674 – granted on 29 March 1994.

96/0563 – County Matter application – Storage of spoil. Refused on 16 July 1996.

S99/0910 – Change of use to car park of former shoe factory Granted 7 December 1999.

S01/1415 – Security fencing – Tanvic Tyres – Granted 7 January 2002.

S01/1459 – Change of use of part of site from D2 to B1 and B2 uses – Application withdrawn. No further action as the requested transport statement was not received.

S01/1489 – Change of use application of part of site from D2 to B8 – Application withdrawn. No further action as the requested transport statement was not received.

S02/0887 – Security fence – Tanvic Tyres – granted 5 August 2002.

S02/1084 – Security fence to former shoe factory – granted 30 September 2002.

S10/0816 – Screening opinion Requested EIA required – 13 May 2010. This relates to the redevelopment of three sites including the subject of this planning application (S11/2511).

S11/2511 – Outline Planning Permission was granted for the construction of the mixed use development – 9th March 2012.

S12/1720/EIASC - Screening opinion was issued on 12th July 2012 confirming that an environmental impact assessment should accompany the Section 73 (S12/1720).

S12/1720 - Section 73 Application to vary Conditions 4, 26, 30 & 50 of S11/2511 was granted on 3rd September 2012.

Policy Considerations

National Guidance

NPPF

Building a strong, competitive economy

Ensuring the vitality of town centres

Promoting sustainable transport

Requiring Good Design

Meeting the challenge of climate change, flooding and coastal change

Conserving and enhancing the natural environment

Conserving and enhancing the historic environment

East Midlands Regional Plan

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
 Policy 14 – Regional Priorities for affordable housing
 Policy 18 – Regional Priorities for the economy
 Policy 22 – Regional Priorities for Town Centres and Retail Development
 Policy 26 – Protecting and Enhancing the Region's Natural and Cultural Heritage
 Policy 27 – Regional Priorities for the Historic Environment
 Policy 32 – A Regional Approach to Water Resources and Water Quality
 Policy 35 – A Regional Approach to Managing Flood Risk
 Policy 48 – Regional Car Parking Standards

South Kesteven Core Strategy

SP1 – Spatial Strategy
 SP3 – Sustainable Integrated Transport
 SP4 – Developer Contributions
 EN1 – Protection and Enhancement of the Character of the District
 EN2 – Reducing the Risk of Flood Risk
 EN4 – Sustainable Construction and Design
 H1 – Residential Development
 H3 – Affordable Housing
 E1 – Employment Development
 E2 – Town Centre and Retail Development

Station Approach Development Brief – Adopted October 2010

Its principles and aims which it seeks to achieve are:

- a) a clear connection between the station and the town centre
- b) a distinctive arrival point for Grantham by creating a station square
- c) An engaging route through a series of urban spaces that encourage people to visit the town centre
- d) a versatile character area with a sustainable mix of employment and residential uses
- e) appropriate scale and massing of development that respects the listed buildings and adjacent residential area
- f) reduced provision of car parking to minimum standards and
- g) creating a public transport interchange with bus services extended to the railway station.

Grantham Area Action Plan – emerging

The Grantham Area Action Plan was submitted to the Secretary of State on 19th December 2011 and the Site Allocation and Policies on the 31st January 2012 in line with Regulation 30 of the Town and Country Planning (Local Development) (England) (Amendment) Regulations.

The role of an Inspector acting on behalf of the SoS is to consider whether a document is legally compliant i.e. meets the requirements of the Planning and Compulsory Purchase Act 2004 and associated regulations and satisfies the criteria for soundness i.e. whether it is justified, effective and consistent with national policy.

Policy MOV1 – Movement and Accessibility
 Policy RT1 – Improving Town Centre Retail Offer
 Policy SA1 – Station Approach
 Policy OSS1 – Open Space Provision

Policy HS1 – New Housing Development
Policy EM2 – New Employment Allocations
Policy HE1 – Townscape Character

Representations Received

Highways Agency

The proposed development is not expected to have a material impact on the closest strategic route, the A52. Therefore the Highways Agency has no objections the proposal.

Senior Highways Officer - Footpaths

I have no comments to make regarding this application. I enclose an extract from the working copy of the Definitive Public Rights of Way Map for your information.

Whilst the showing of a path on a Definitive Map is conclusive evidence as to its existence and status, the reverse is not necessarily true. However, anyone claiming a path not shown on the Map to be a Public Right of Way must prove his claim by submitting sufficient suitable evidence of the path's free and uninterrupted use by the public as the public for at least 20 years before it can be considered for inclusion on the Map. Alternatively, some sort of documentary evidence (such as a Parish Enclosure Award) that the path had been dedicated as a right of way would suffice. However, we are not aware in this office of any such evidence.

Comments:

In the absence of further information, it is expected that the definitive line and customary width of the path will not be affected by any proposed development.

During any works allowed by this proposal, users of the Public Right of Way should not be inconvenienced or exposed to hazard by any such works.

Should there be any doubt about being able to comply with these conditions, please advise the applicant to contact Mike Plant before starting any work.

Lincolnshire Police Crime Prevention Design Advisor

After studying the plans I can state that I have no comments to make.

Consultant Arboriculturist

It appears that there are no arboricultural issues relating to the above application. I have therefore no further comments.

Economic Development and Investment Section

Economic Development have been a major partner in the delivery of this project and wholeheartedly support the application.

Environmental Protection

Environmental Protection have reviewed the documents for the above application and have no comments to make.

Planning Policy

The Station Approach site is identified in the Grantham Area Action Plan (GAAP) under Policy SA1 as a location for a mixed use development including commercial and employment floorspace. The GAAP is currently at an advanced stage of preparation (the examination hearing sessions will commence on the 2nd October) and can, therefore, be given significant weight in decisions and an outline planning permission, in accordance with Policy SA1 has been approved.

Policy SA1 sets out a number of criteria that development proposals should seek to address. Those relevant to this reserved matters application include:

- A creative and positive streetscape that demonstrates a strong building line with active frontages along Wharf Road
- High design quality and architecture

In respect of the latter it is noted that the use of colour in the materials palette has sought to reflect the recommendations of the Grantham Townscape Character Assessment for this particular character area.

Subject to an assessment of the building's design being considered to satisfactorily address the above points, the proposal for the BIC is fully in accordance with the planning policies for Station Approach.

Open Space Officer

No comments for open space and play, as this is not part of the residential aspect of the application.

Local Highway Authority

Further to receipt of details pertaining to this application and following discussions I am aware of conditions applied to the outline planning permission require the applicant to provide details of any proposed works within the limits of the public highway to be approved, and appropriate agreements entered into before works can commence on site.

In the case of this proposal, the local highway authority notes that the red outline takes in the Grantley Street/Wharf Road junction as part of frontage footway on the Wharf Road.

It should be reiterated that further details including layout plans with the proposed specifications relating to works to improve the public highway by means of a reconfiguration of the junction Wharf Road/Grantley Street, widening of Grantley Street works (including Traffic Regulation Orders) will be required to be submitted for the approval of the local planning authority.

I would suggest that it is in the interest of the applicant to submit this detail at the earliest opportunity in order for the proposed highway works to be approved and Agreements be entered into. The timescales for this may be critical to obtaining road space bookings on the highway network which could delay commencement of the building works.

Any other comments will be reported in the late items paper or verbally at committee.

Representations as a result of Publicity

The application has been advertised in accordance with the adopted statement of community involvement. The deadline for responses is 13th October 2012.

At the time of drafting this report no comments have been received. Any comments will be reported in the late items report or verbally at committee.

Officer Evaluation

The main issues for consideration in relation to this application are compliance with the outline planning permission, visual amenity/impact on street scene and impact on the occupiers of neighbouring properties.

Compliance with outline planning permission

The proposed development accords with the footprint and building heights plans approved by the outline planning permission S12/1720.

It is considered that the proposal would comply with the approved design and access statement that accompanied outline planning permission in that the building would be a landmark building and a prominent location within the site. It would provide an active frontage along Wharf Road and Grantley Street. As such it is considered that the proposal would not have any demonstrable harm on the character and appearance of the area or detrimental impact on the street scene.

Visual amenity/impact on street scene

The proposed building would be a landmark building in a prominent location on one of the main routes through the town. Its four storey height, contemporary design and L shaped layout would follow the existing building line and would be a logical extension to the form and layout of the existing properties in the area and would not have any detrimental impact on the character and appearance of the area. It is considered that the building would be an improvement over the existing commercial buildings on the site.

Residential Amenity

The nearest existing residential properties to the development site on Grantley Street would have built form approximately 10 metres away at the closest point. This is a residential flat development of 6 flats and one bedsit. There are a number of windows facing the proposed development which serve a mix of rooms including bedrooms, bathrooms, lounge/kitchen, and a stairwell.

Whilst the Grantley Street elevation as proposed would contain a large number of windows it is considered that the separation distance and the disposition of the buildings would ensure that there would not be any significant overlooking/loss of privacy.

Other matters

As this application is a reserved matters submission there is a requirement for the developers to comply with the requirements of the numerous conditions of the outline planning permission S12/1720. These include matters relating to highway improvements, contamination, noise and drainage. As such the applicant would not be in a position to start construction on site until details relating to the relevant pre-commencement conditions on the outline have been submitted to and approved by the local planning authority.

Section 106 Heads of Terms

This application is a reserved matters application pursuant to outline planning permission S12/1720. There is no legal agreement with that planning permission as the scheme was not viable if developer contributions are sought.

Developer contributions cannot be sought at reserved matters stage.

Crime and Disorder

It is considered that the proposed development would not raise any significant crime and disorder implications.

Human Rights Implications

Article 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 would be breached.

Recommendation: That the development be approved subject to condition(s)

SUMMARY OF REASON(S) FOR APPROVAL

The proposal is considered to be an acceptable form of development that would represent an important opportunity to regenerate the Station Approach area of Grantham and show commitment towards Grantham's Growth Point Status. The proposal is considered to accord with the thrust of national policy contained in the NPPF Building a strong, competitive economy, Ensuring the vitality of town centres,

Promoting sustainable transport, Requiring Good Design, Meeting the challenge of climate change, flooding and coastal change, Conserving and enhancing the natural environment, Conserving and enhancing the historic environment, Regional Guidance contained in 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, Policy 14 - Regional Priorities for affordable housing, Policy 18 - Regional Priorities for the economy, Policy 22 - Regional Priorities for Town Centres and Retail Development, Policy 26 - Protecting and Enhancing the Region's Natural and Cultural Heritage, Policy 27 - Regional Priorities for the Historic Environment, Policy 32 - A Regional Approach to Water Resources and Water Quality, Policy 35 - A Regional Approach to Managing Flood Risk, Policy 48 - Regional Car Parking Standards and local guidance contained in policies SP1 - Spatial Strategy, SP3 - Sustainable Integrated Transport, SP4 - Developer Contributions, EN1 - Protection and Enhancement of the Character of the District, EN2 - Reducing the Risk of Flood Risk, EN4 - Sustainable Construction and Design, H1 - Residential Development H3 - Affordable Housing, E1 - Employment Development, E2 - Town Centre and Retail Development, the Station Approach Development Brief - Adopted October 2010, and the emerging Grantham Area Action Plan.

The proposed building is considered to accord with outline planning permission S12/1720. It is considered that the building would be a focal point and provide an active frontage along Wharf

Road and would not have any significant detrimental effect on the character and appearance of the street scene or surrounding area as a whole.

The separation distances and disposition of buildings is such that the amenities of neighbouring occupiers would not be significantly affected.

As such it is considered that there are no material planning considerations that would outweigh the policies referred to above to justify a refusal of planning permission.

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

1. This permission shall be read in conjunction with the list of approved plans:

Ground Floor Plan Drwg No. C.05.1 RevB, First Floor Plan C05.2 RevB, Second Floor Plan C.05.3 RevB, Third Floor Plan C.05.4 RevB.

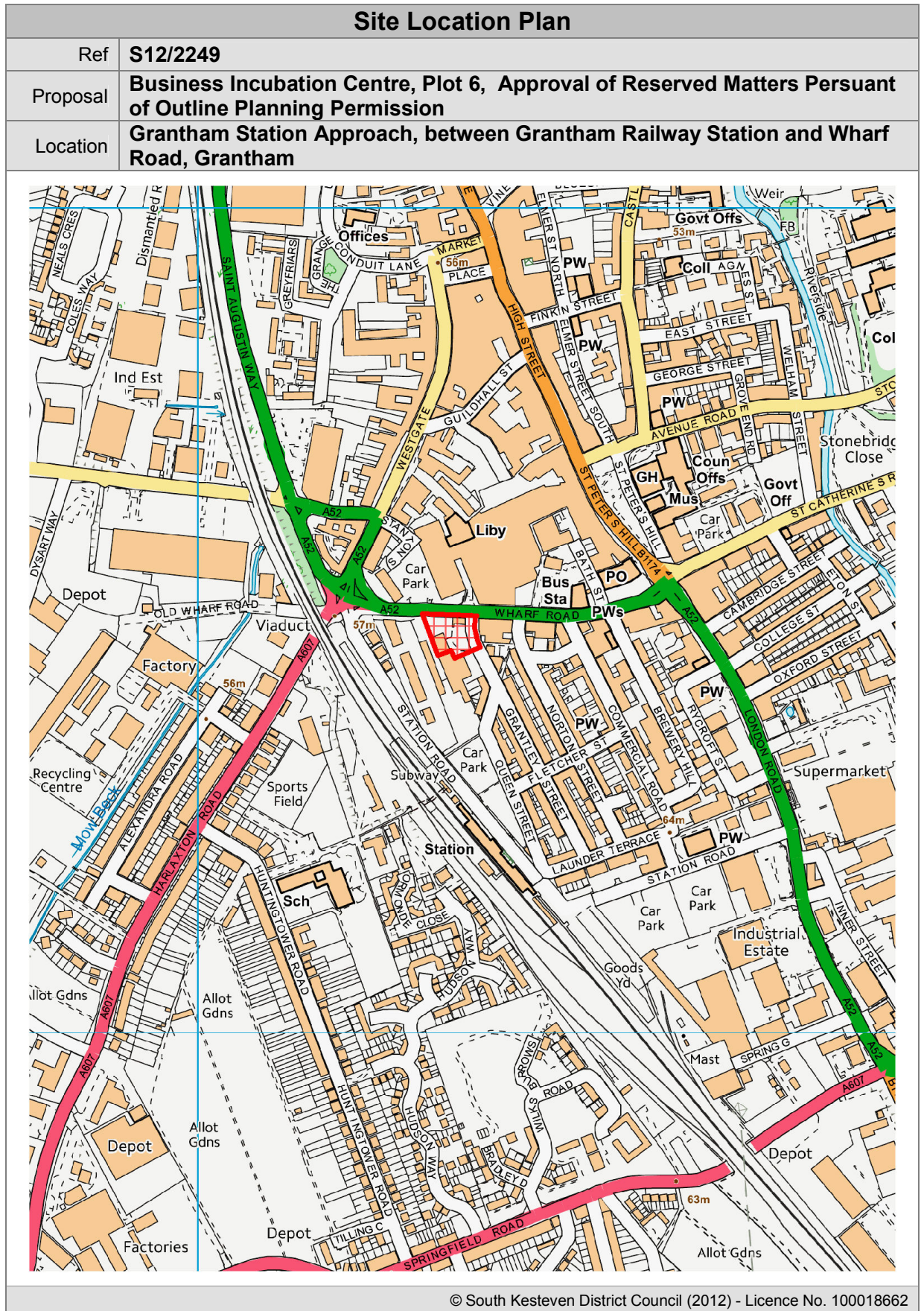
North and East Elevations Drwg No. C.12.1 RevA, South and West Elevations Drwg No. C.12.2 RevA.

Landscaping Plan Drwg No. C.15.1.

Location and Site Plan Drwg No. C.01.

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

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Applicant	Stamford Town Council Town Hall, St. Marys Hill, Stamford, PE9 2DR
Agent	Robert Weighton, Robert Weighton Partnership 10, Broad Street, Stamford, Lincs, PE9 1PG
Proposal	Construction of skatepark
Location	Stamford Skatepark, Recreation Ground, Recreation Ground Road, Stamford
App Type	Full Planning Permission
Parish(es)	Stamford
Reason for Referral to Committee	The application is considered to be locally controversial and one that Members should determine
Recommendation Summary	The principle of development is supported in that it would enhance recreational facilities for the town but this would have to be considered against three, but not exclusively, key issues. Firstly, the visual impact of the development is considered to be acceptable in that the skatepark would be sunk a distance of 0.5m below the existing ground level and enclosed within fencing, which would not be out of place within the context. A small element of bunding would also be created but it is not considered that there would be a detrimental impact on the character of the area from the proposed skatepark. Secondly, noise generated from the park would be detrimental to the amenity of nearby residential properties, in particular through impact noise from the skateboards landing on/striking the ramps. Mitigation has been put forward as part of the application to try and overcome these concerns but the noise generated would still be unacceptable. Thirdly, controls over the use are considered to be acceptable in that the skatepark would be enclosed within a fence and hours of usage could be controlled. Four lighting poles currently surround the site and CCTV would be installed. It is, therefore, considered that controls over the site would be acceptable to ensure that the park could be suitably managed. However, this would not override the aforementioned concern about noise generation. In view of the above it is recommended that the application be refused permission on the grounds of the application being contrary to criterion 11 of policy EN1 of the South Kesteven Core Strategy.

Key Issues

- Impact on the character of the Recreation Ground and surrounding area from the skatepark, associated earthworks and fencing
- Noise that is likely to be generated from the use in particular impacts of skateboards on the ramps and how this would impact on the amenity of nearby properties
- How use of the park would be controlled, supervised and managed to ensure that it would not lead to anti-social behavior

Technical Documents Submitted with the Application

- Noise report
- Sections through showing the relative heights of the development
- A layout of the skatepark and earthworks associated with it
- Elevations of the skatepark

REPORT

The proposal

The application is for the erection of a skatepark on the Recreation Ground within Stamford; it would sit approximately 0.5m lower than an area of hardstanding currently in situ, which was home to a former skatepark. An element of earth bunding and fencing would be created around the periphery of the site along with the ramps, berms and jumps within it. A previous skatepark on site was constructed of timber whilst the proposed would primarily be constructed of concrete with steel coping on the edge of jumps/boxes etc.

The application site and its surroundings

The application site is toward the centre of the Recreation Ground and is surrounded by a 1m high fence. Four lighting poles, similar in appearance and scale to conventional street lights, are around the periphery of the proposed skatepark. To the west of the application site are two tennis courts and a basketball court; a 2m tall wire mesh fence surrounds all of them with an additional fence around the basketball court.

There is a gradual change of levels across the Recreation Ground with the land rising toward New Cross Road. To the north of the application site is a line of conifers and fencing that surround 3 grass tennis courts and a bowling green. Beyond this is a Listed band stand.

The nearest dwelling to the site is 2 Gibson Cottage, approximately 33m away. Others that are in close proximity include Laburnam Villas, the nearest of which is approximately 35m, and Chapel Court, some 65m to the south.

Relevant site history

S01/0946 – ‘Provision of skateboard/BMX facility and ancillary equipment’, Approved in January 2002

Policy considerations

National Planning Policy Framework

Section 1: Building a strong, competitive economy

Section 7: Requiring good design

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

Policy 41 - Regional Priorities for Culture, Sport and Recreation

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

Representations received

Stamford Town Council have not commented on the application with the skatepark proposed to be on the Recreation Ground within their control.

Lincolnshire Heritage note that the application would not affect any known archaeological sites of interest.

Sport England make no observation on the application.

Environmental Health object to the application on the grounds that the skatepark would be detrimental to amenity of neighbouring properties through noise that would be generated

Lincolnshire Police support the installation of 2 CCTV cameras in the interests of community safety as well as reducing the fear of crime for park users and local residents. Also believe that the skatepark will act as a diversity facility for the local youth and a focal point for neighbourhood police engagement.

Lincolnshire County Council, as Highway Authority, does not wish to restrict the grant of planning permission.

Representations as a result of publicity

The application has been advertised in accordance with the adopted Statement of Community Involvement. Initial representations on the application needed to be received by the 15 April. However, amended plans and an updated noise report have been received and further consultation undertaken.

A total of 42 letters of objection have been received and a summary of their observations is drafted below;

The visual impact of the development is out of character with the Recreation Ground and would be harmful to the character of the area;

The skatepark would be detrimental to the setting of the adjacent Conservation Area and Listed band stand;

Similar skateparks, including in Milton Keynes, have been closed because of noise concerns;

The previous skatepark on site was excessively noisy and hard to manage and the new one will be no different;

Management of the site and hours of operation could not be controlled with users jumping over fencing;

Older residents will be intimidated by its users and deterred from using the park;

Vehicle movements and parking problems will increase from older users of the site;

Anti-social behaviour will increase generally e.g. drinking, vandalism, smoking etc;

The noise report submitted in support of the application is inaccurate;

Other less controversial sites should be considered ahead of this one.

A total of 226 letters of support have been received in support of the application

The old skatepark was a resounding success and this one will be too;
There is nowhere else in the locality for young people to socialise;
Many local teenagers have worked long and hard to raise money for the skatepark and they should be applauded for their efforts;
It will improve relations between youths and the local police;
Grant funding will be lost if permission is not forthcoming;
This is the best location for the park where the majority of local residents can use it;
Sporting provision in the town, particularly for teenagers, is poor and the skatepark will fill a void.

Officer evaluation

There are considered to be three key issues with the application and they are covered in turn below. It should be noted that amended plans and a noise report have been received and the application is considered accordingly. The key changes from those originally submitted are that the skatepark will be set 0.5m lower than the existing ground level and extracted material used as bunding; fencing will surround the skatepark; an updated noise report has also been submitted in support of the application given previous concerns highlighted by Statutory Consultees.

Visual impact

The skatepark would be set lower than the existing ground level and earth removed will be utilised in the form of modest bunding to the northwest and southeast of the site. Furthermore, fencing around the site would be 2m tall and surround the park; materials proposed include mesh fencing similar to the adjacent tennis courts, Perspex panels and 'quietstone', a noise absorptive material that is solid in appearance.

Visual impacts of the ramps and jumps would be limited given that they would be 0.5m lower than the existing ground level. Within the park there is a wide range of fencing surrounding existing recreational facilities including the tennis and basketball courts. The materials proposed to surround the park are identified above and would include mesh fencing, which is used elsewhere in the park. Additional screening including Perspex panels and a more solid quietstone would also be installed but given existing fencing within the park, and subject to approval of final materials, there is not considered to be any reason to object to the application on the visual impact of the development. Earth bunds around the site would also not be unduly prominent given change of levels that occur within the park; a maximum of 1m for the earth bunds is proposed. Glazing/Perspex would also allow views into the site for security purposes and deter unsociable behaviour. Subject to suitable controls over the need to approve materials the skatepark is not considered to be out of character with the area and would enhance the services on offer to local residents.

Noise impacts

Skateparks can generate noise through, in particular, the banging/impact of skate boards, as well as its users. A noise report has been submitted in support of the application indicating that the development would be acceptable whilst a report from a third party indicates that the development would generate an unacceptable noise impact. Both reports were submitted by Acoustic Engineers and highlight the difficulty in quantifying whether the use would be a noise nuisance as there is no national standard that can be utilised, rather predictive modelling assessed against known background noise levels. However, an independent noise assessment has been sought by the Council to review the information submitted and this concluded that the application as submitted would generate an unacceptable level of noise that would be detrimental to the amenity of nearby

properties. This is in spite of the bunding and fencing around the site and in particular the aforementioned impact noise of the skateboards and scooters landing on concrete ramps.

In view of the above it is considered that the application should be refused permission on the grounds that it would be harmful to residential through noise that would be generated.

Management of the skatepark

Numerous concerns have been raised by local residents about how use of the skatepark would be controlled and monitored. Amended plans have been received and it would now be enclosed within a fence which could be locked and controlled by the site owner, Stamford Town Council. Hours that may be acceptable would be no greater than 9am to 9pm Monday to Saturday and 10am to 5pm on Sundays and bank holidays. Lighting around the site is also in situ from the previous skatepark and is acceptable. Two additional poles, 4m tall, would be erected to allow CCTV to operate and this is welcomed adding controls and vigilance over users of the site.

Therefore in terms of managing the site and possible increase in anti-social behaviour, or otherwise, it is not considered that this would justify a refusal of permission with suitable conditions allowing appropriate controls to ensure that, most importantly, hours of operation could be controlled. It should also be noted Lincolnshire Police believe it could become a centre for community engagement.

Other considerations

It is not considered that the application would be harmful to highway safety or the setting of the adjacent Conservation Area or nearby Listed Buildings. Other examples of skateparks that operate successfully have been highlighted by supporters of the application. Likewise, objectors to the application have highlighted examples of skateparks that have shut down because of noise and anti-social behaviour. However, each application needs to be judged on its merits and these would not affect the outcome of this application.

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.

Conclusion

Whilst the principle of development - which would enhance sporting facilities within the Town - is supported, this should not be at the expense of residential amenity through noise that may be generated from the skatepark. Therefore, whilst the skatepark is considered to be acceptable in two of three key areas the application is not supported on the grounds that noise generated would be harmful to the amenity of neighbouring properties.

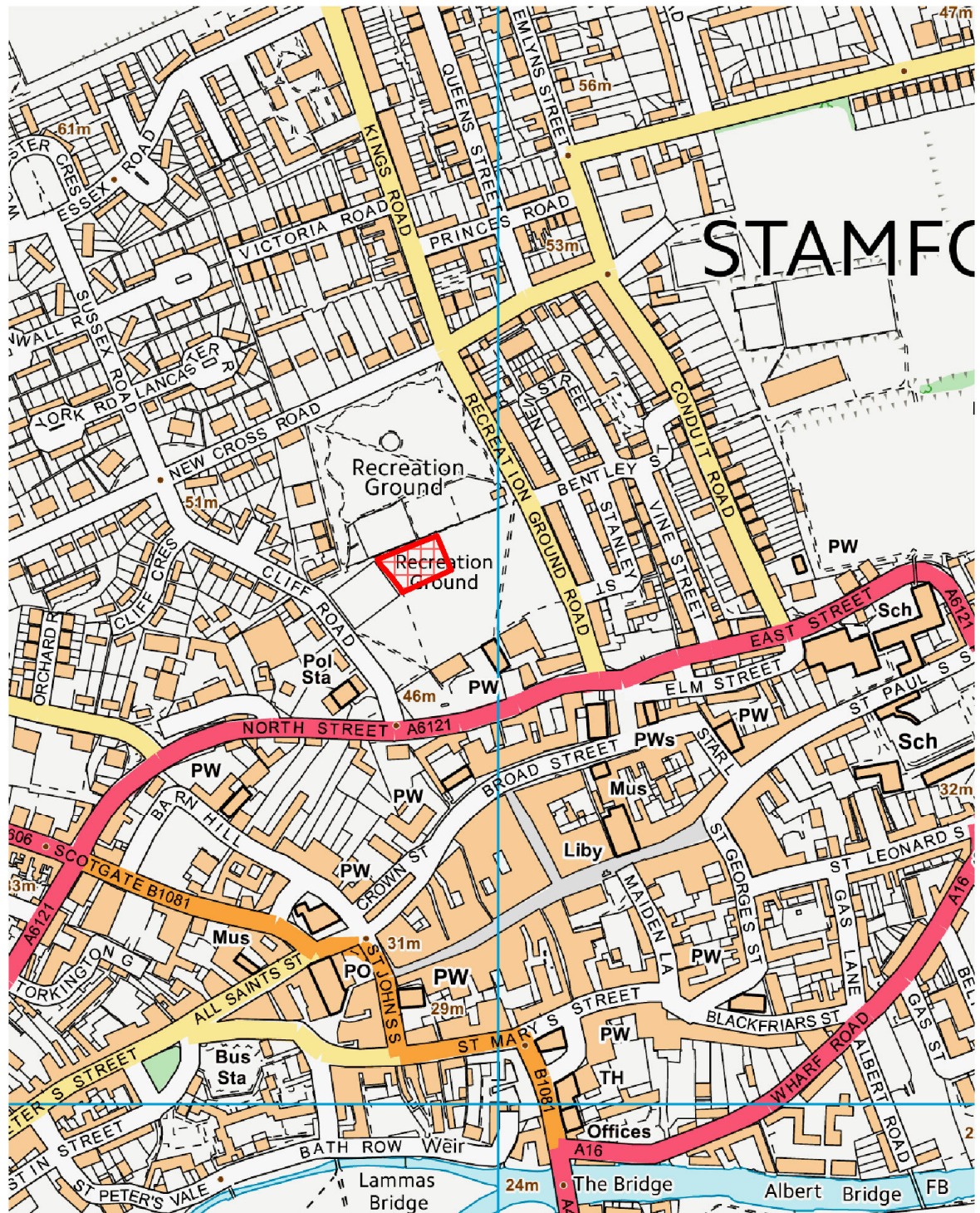
RECOMMENDATION: That the development be Refused for the following reason(s)

1. The proposed skatepark would have a detrimental impact upon the amenity of neighbouring properties through noise that would be generated from it, and this could not be controlled through conditions and in spite of mitigation measures put forward. Therefore, whilst the principle of development is supported the application is refused on the grounds of being detrimental to residential amenity through noise that would be generated from it, and in accordance with criterion 11 of policy EN1 of the South Kesteven Core Strategy; with no other material planning considerations to indicate that the application should be determined otherwise.

* * * * *

Site Location Plan

Ref	S12/0193
Proposal	Construction of skatepark
Location	Stamford Skatepark, Recreation Ground, Recreation Ground Road, Stamford



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Applicant	Mears Motors Ltd By Email Only
Agent	PDG Architects Toll Bar House, Shrewsbury Avenue, Peterborough, PE2 7BX
Proposal	Reserved matters application for demolition of commercial garage and erection of 14 dwellings (S09/0420)
Location	Mears Motors, Main Road, Thurlby, Bourne, PE100DZ
App Type	Major RM (Residential)
Parish(es)	Thurlby
Reason for Referral to Committee	The application has been referred to the Development Control Committee as the application is a major application and the outline application has previously been debated.
Recommendation Summary	The proposed development involves the demolition of an existing former commercial garage and the erection of 14 dwellings and associated infrastructure. The proposed dwellings comprise a mixture of full two storey dwellings and storey and half dwellings with rooms in the roof space. Concern has been raised with regard to the design of the proposed dwellings not being in scale and character with other developments in the area. The application site is located within the Fen Margin Character Area within the adopted Landscape Character Assessment. Within this part of the District there is a varied mix of building ages and styles and materials. Red brick with clay or concrete tile is the dominant building material, but buff brick and render is also common. There are also a limited number of stone buildings. It is considered that the proposed dwellings would not appear out of scale and character with other developments within the surrounding area. Concern has been raised with regard to the site layout and in particular the fact that the buildings fronting on to Bourne Road (A15) are not within the notional building line taken from adjacent properties to the north and south of the site. The proposed dwellings will be set forward of the adjacent properties to the north and south of the site. It is however considered that the existing properties fronting on to Bourne Road are set back to varying degrees with some properties being set back approximately 6-10m and others set back in excess of 25m. The proposed dwellings will be set back approximately 4m from the site frontage in a similar position to the existing front elevation of the existing garage showroom. It is considered that on balance the proposed layout will not appear significantly at odds with the frontages of other adjacent developments. Concerns have been raised in relation to overlooking and loss of privacy. The proposed dwellings will all have rear gardens measuring a minimum of 10m deep. The properties on Woodside East would be approximately 28m from the rear elevations of the proposed dwellings on plots 11 and 12. Given the size of the rear gardens and the proposed separation distances to adjacent properties it is considered that there would be no

	significant overlooking or loss of privacy. Concerns have also been raised in relation to highway safety. The local highway authority Lincolnshire County Council has been consulted and has raised no objections to the proposed access and parking arrangements subject to the imposition of conditions on any consent. It is therefore considered that the proposed access arrangements are acceptable and that the development will not have an adverse impact on highway safety. The proposed development complies with the requirements of the National Planning Policy Framework, Policies 1, 2, 3 and 13a of the East Midlands Regional Strategy (RSS8) and Policies SP1, SP2, SP3, EN1, EN2 and H1 of the adopted South Kesteven Core Strategy 2010 and it is considered that the other material considerations outlined above do not in this instance outweigh the requirements of these policies.
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Key Issues

- Highway safety
- Residential Amenity
- Visual amenity
- Layout and design
- Drainage

Technical Documents Submitted with the Application

- Amended house type A
- Amended house type B
- Amended house type C
- Amended house type D
- Application form
- Design and access statement
- Detached garage plan
- Document issue sheet
- Drainage areas plan
- Drainage layout plan
- Existing roof plan
- Existing site plan
- Hard landscaping plan
- House type A
- House type B
- House type C
- House type D
- Landscaping plan
- Location plan
- Permeable pavement calculations
- Proposed external works and landscaping
- Proposed roof plan
- Proposed site plan
- Road and sewer sections - sheet 1
- Site layout plan

REPORT

Application Category

This application is categorised as a 'major' application.

Reason for Referral to Committee

This application has been reported to the Development Control Committee as it is a major application and the outline application has previously been referred to the Committee.

The Proposal

This is a reserved matters application for the demolition of an existing former commercial garage and the erection of 14 dwellings and associated infrastructure. The proposed dwellings comprise a mixture of full two storey dwellings and storey and half dwellings with rooms in the roof space.

The Application Site and its Surroundings

The application site is approximately 0.421 hectares in size and is located on the western side of the A15 close to the villages of Northorpe and Thurlby. The application site comprises a former car sales showroom and associated hardstandings.

The application site is bordered by residential development to the north, south and west. Hard surfaced areas currently cover half of the site with the remaining areas being gravelled and grassed. The site frontage to Bourne Road (A15) is approximately 59m and is delineated by a low level brick wall and steel access gates.

Relevant Site History

S05/0751 – An application for residential development was approved on 22 February 2006.

S09/0420 – Outline planning permission was granted for the demolition of the existing garage and erection of 14 dwellings On 6 July 2009.

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

East Midlands Regional Plan 2009 (RSS8):

Policy 1: Regional Core Objectives
Policy 2: Promoting Better Design
Policy 3: Distribution of New Development
Policy 13a: Regional Housing Provision

South Kesteven Core Strategy 2010:

SP1: Spatial Strategy
SP2: Sustainable Communities
SP3: Sustainable Integrated Transport
EN1: Protection and Enhancement of the Character of the District
EN2: Reducing the Risk of Flooding
H1: Residential Development

Representations Received

Highway Authority: raise no objections subject to conditions requiring an appropriate new access to be provided on to the A15, space for off-street parking and turning and details of surface water drainage to be provided prior to any development commencing on site.

SKDC Drainage Officer: The proposed surface water drainage appears to be acceptable. Lincolnshire County Council and the IDB should however also be consulted on the application.

Welland and Deeping IDB: No comments received.

Lincolnshire County Council (Lead Local Flood Authority (LCC)): Final comments waited

Thurlby Parish Council: The plan is for 14 dwellings and in the design statement it is anticipated that there will be at minimum of an extra 28 cars that will have to access onto the A15. The present speed limit on this road is the national speed limit of 60 mph. We believe the access onto this road is incompatible with the present speed limit and that this should be reduced to 40 mph before the development had begun.

It is anticipated that Sec 106 money will be received and we would urge that any money obtained is used to provide a pedestrian crossing close to the bus stops. Likewise we understand that recreational facilities should be provided but that this plan makes no reference to any area being set aside. Again any Sec 106 money should be used to provide a play area within the village other than Lawrance Park.

Representations as a Result of Publicity

The application has been advertised in accordance with the Council's Statement of Community Involvement and 5 letters of objection have been received. The comments made can be summarised as follows:

- Concerns relating to highway safety and increased vehicle movements on a dangerous section of the A15,
- Overlooking / loss of privacy,
- Too many dwellings proposed / density concerns,
- Proposals will appear out of scale and character with the surrounding developments in the area,
- Noise pollution from the construction and occupation of the properties,

- Concerns relating to the design of the proposed properties,
- Concerns about the usability of the dwellings and the internal circulation space,
- Poor design which does not resemble the local vernacular,
- Concerns that the site layout will have a significant visual impact on the site frontage due to properties being forward of the existing notional building line,
- As designed you would be confronted by two significant blank gables whether approaching from Bourne or Baston and turning into the development,
- Turning into the development you would be confronted by a double garage, this is not considered to be a suitable stop end.

Officer Evaluation

This is a reserved matters application for the demolition of an existing former commercial garage and the erection of 14 dwellings and associated infrastructure. The proposed dwellings comprise a mixture of full two storey dwellings and storey and half dwellings with rooms in the roof space.

A single access point is proposed off Bourne Road (A15) leading to a 5m wide access road serving all of the proposed dwellings. It is proposed to create frontage development on to Bourne Road comprising three pairs of semi-detached two storey dwellings. No parking will be visible from Bourne Road as the parking is located to the rear of the plots served off the new access road. Plots 1-6 have two parking spaces (a single space and then a single garage space).

The new access road enters into the centre of the site and passes north with a return hammer head providing turning areas for vehicles and providing access to the remaining eight dwellings, plots 7 - 14. These dwellings are arranged in four semi-detached blocks each comprising two dwellings. The dwellings are single storey in appearance with rooms in the roof space.

Concern has been raised with regard to the design of the proposed dwellings not being in scale and character with other developments in the area. The application site is located within the Fen Margin Character Area within the adopted Landscape Character Assessment. Within this part of the District there is a varied mix of building ages and styles and materials. Red brick with clay or concrete tile is the dominant building material, but buff brick and render is also common. There are also a limited number of stone buildings. It is considered that the proposed dwellings would not appear out of scale and character with other developments within the surrounding area.

Concern has been raised with regard to the site layout and in particular the fact that the buildings fronting on to Bourne Road (A15) are not within the notional building line taken from adjacent properties to the north and south of the site. The proposed dwellings will be set forward of the adjacent properties to the north and south of the site. It is however considered that the existing properties fronting on to Bourne Road are set back to varying degrees with some properties being set back approximately 6-10m and others set back in excess of 25m. The proposed dwellings will be set back approximately 4m from the site frontage in a similar position to the existing front elevation of the existing garage showroom. It is considered that on balance the proposed layout will not appear significantly at odds with the frontages of other adjacent developments.

Concerns have been raised in relation to overlooking and loss of privacy. The proposed dwellings will all have rear gardens measuring a minimum of 10m deep. The properties on Woodside East would be approximately 28m from the rear elevations of the proposed dwellings on plots 11 and 12. Given the size of the rear gardens and the proposed separation distances to adjacent properties it is considered that there would be no significant overlooking or loss of privacy.

Concerns have also been raised in relation to highway safety. The local highway authority Lincolnshire County Council has been consulted and has raised no objections to the proposed

access and parking arrangements subject to the imposition of conditions on any consent. It is therefore considered that the proposed access arrangements are acceptable and that the development will not have an adverse impact on highway safety.

Section 106 Heads of Terms

The Section 106 contributions were assessed under outline application S09/0420. The following contributions were required:

- A financial contribution towards education facilities
- A contribution of £904 per dwelling towards the Primary Care Trust facilities in the locality.

The Parish Council has requested contributions towards providing a pedestrian crossing and public open space. As this is a reserved matters application it is not possible to request additional contributions at this time. Such requests need to be made at the outline application stage.

Crime and Disorder

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

The proposed development complies with the requirements of the National Planning Policy Framework, Policies 1, 2, 3 and 13a of the East Midlands Regional Strategy (RSS8) and Policies SP1, SP2, SP3, EN1, EN2 and H1 of the adopted South Kesteven Core Strategy 2010 and it is considered that the other material considerations outlined above do not in this instance outweigh the requirements of these policies.

SUMMARY OF REASON(S) FOR APPROVAL

The proposed development involves the demolition of an existing former commercial garage and the erection of 14 dwellings and associated infrastructure. The proposed dwellings comprise a mixture of full two storey dwellings and storey and half dwellings with rooms in the roof space.

Concern has been raised with regard to the design of the proposed dwellings not being in scale and character with other developments in the area. The application site is located within the Fen Margin Character Area within the adopted Landscape Character Assessment. Within this part of the District there is a varied mix of building ages and styles and materials. Red brick with clay or concrete tile is the dominant building material, but buff brick and render is also common. There are also a limited number of stone buildings. It is considered that the proposed dwellings would not appear out of scale and character with other developments within the surrounding area.

Concern has been raised with regard to the site layout and in particular the fact that the buildings fronting on to Bourne Road (A15) are not within the notional building line taken from adjacent properties to the north and south of the site. The proposed dwellings will be set forward of the adjacent properties to the north and south of the site. It is however considered that the existing properties fronting on to Bourne Road are set back to varying degrees with some properties being set back approximately 6-10m and others set back in excess of 25m. The proposed dwellings will be set back approximately 4m from the site frontage in a similar position to the existing front elevation of the existing garage showroom. It is considered that on balance the proposed layout will not appear significantly at odds with the frontages of other adjacent developments.

Concerns have been raised in relation to overlooking and loss of privacy. The proposed dwellings will all have rear gardens measuring a minimum of 10m deep. The properties on Woodside East would be approximately 28m from the rear elevations of the proposed dwellings on plots 11 and 12. Given the size of the rear gardens and the proposed separation distances to adjacent properties it is considered that there would be no significant overlooking or loss of privacy.

Concerns have also been raised in relation to highway safety. The local highway authority Lincolnshire County Council has been consulted and has raised no objections to the proposed access and parking arrangements subject to the imposition of conditions on any consent. It is therefore considered that the proposed access arrangements are acceptable and that the development will not have an adverse impact on highway safety.

The proposed development complies with the requirements of the National Planning Policy Framework, Policies 1, 2, 3 and 13a of the East Midlands Regional Strategy (RSS8) and Policies SP1, SP2, SP3, EN1, EN2 and H1 of the adopted South Kesteven Core Strategy 2010 and it is considered that the other material considerations outlined above do not in this instance outweigh the requirements of these policies.

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

1. The vehicular access shall incorporate 10 metres radii tangential to the nearside edge of the carriageway of Bourne Road and the minimum width of the access shall be 5.0 metres.

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

2. Before the dwellings are occupied, the access and turning space shall be completed in accordance with the approved plan, drawing number 0659-101-A dated 21st June 2012, and retained for that use thereafter.

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

3. The arrangements shown on the approved plan 8659-101 A dated 21st June 2012 for the parking/turning/manoeuvring/loading/unloading of vehicles shall be available at all times when the premises are in use.

Reason: To enable calling vehicles to wait clear of the carriageway of Main Road and to allow vehicles to enter and leave the highway in a forward gear in the interests of highway safety.

4. Before each dwelling is occupied, the roads and/or footways providing access to that dwelling, for the whole of its frontage, from an existing public highway, shall be constructed

to a *specification to enable them to be adopted as highways maintainable at the public expense, less the carriageway and footway surface courses.

The carriageway and footway surface courses shall be completed within three months from the date upon which the erection is commenced of the penultimate dwelling.

Reason: To ensure safe access to the site and each dwelling in the interests of residential amenity, convenience and safety.

5. Before any dwelling is commenced, all of that part of the estate road and associated footways that forms the junction with the main road and which will be constructed within the limits of the existing highway, shall be laid out and constructed to finished surface levels in accordance with details to be submitted to and approved by the Local Planning Authority.

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

Note(s) to Applicant

1. This site is within 50m of a Land Contamination Concern. Please contact Environmental Protection Services on 01476 406300 for further information.
2. Prior to the submission of details for any access works within the public highway you must contact the Divisional Highways Manager on 01522 782070 for application, specification and construction information.
3. You are advised to contact Lincolnshire County Council as the local highway authority for approval of the road construction specification and programme before carrying out any works on site.

* * * * *

Applicant	Mr & Mrs T Digan 67, Harrowby Road, Grantham, Lincolnshire, NG31 9ED
Agent	
Proposal	Drop kerb and create parking area
Location	67, Harrowby Road, Grantham, Lincolnshire, NG31 9ED
App Type	Full Planning Permission
Parish(es)	Grantham
Reason for Referral to Committee	The application is considered to be locally controversial
Recommendation Summary	That the development be approved subject to conditions

Key Issues

- Loss of Off Road Parking
- Impact on potential Conservation status

Technical Documents Submitted with the Application

- Proposed Layout Plan

REPORT

Application Category

This application is categorised as a full application.

Reason for Referral to Committee

The application is considered to be locally controversial.

The Proposal

The application is a full application to drop kerb and creating parking area to the front of 67 Harrowby Road, Grantham

The Application Site and its Surroundings

The application site is located in a residential area of Harrowby Road, 67 Harrowby Road is a semi detached dwelling with a standard sized front garden. The property has an existing driveway and dropped kerb. A number of the surrounding properties have an element of off-road parking including the neighbouring dwelling.

Relevant Site History

S12/0596 single storey side and rear extensions to dwelling approved 26 April 2012.

Policy Considerations

National Policy

NPPF – Section 7 Requiring good design.

South Kesteven Core Strategy

EN1 – Protection and Enhance of the Character of the District.

Representations Received

Lincolnshire County Council Highways – Does not wish to restrict the grant of permission.

Archaeological – no affect upon any known site.

Representations as a Result of Publicity

The application has been advertised in accordance with the Council's Statement of Community Involvement and 6 letters of objection have been received. The comments made are summarised below.

1. Loss of Off Road Parking
2. Impact on potential conservation status

Officer Evaluation

This proposal is for a dropped kerb and creation of parking area on Harrowby road, the application site is a brick built semi detached dwelling, the application site already benefits from off road parking to the side of the dwelling and a shorter dropped kerb to the front of this existing driveway. The existing drop kerb is approximately 2.7 metres in width, this is proposed to be extended by 4 metres taking the dropped kerb to approximately 6.7 metres in width to the front of the dwelling.

As part of the proposal the front dwarf wall would be removed, issue has been raised in reference this having a negative impact on the potential conservation area status, as the Conservation Area has not yet been designated this application can only be determined on visual amenity and highway safety.

It is considered that the visual impact of the development would be acceptable within the street scene and similar vehicular accesses and parking in front gardens exist in the vicinity of the application site.

The Local Highway Authority was consulted on the application and do not wish to restrict the grant of permission, they considered that the proposed development would not be determined to highway safety or traffic capacity.

Crime and Disorder

It is considered that the development would not result in any significant adverse crime and disorder implications.

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.

Conclusion

The proposals do not introduce any unacceptable highway safety issues and is not detrimental to neighbouring occupiers' residential amenities or the character of the area and complies with Policy EN1 (Protection and Enhancement of the Character of the District) of the adopted South Kesteven Core Strategy and Section 7 of the National Planning Policy Framework requiring Good Design.

Recommendation

That the development be approved subject to condition(s)

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

Existing and proposed layout received 11 July 2012.

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

3. The development shall be built in accordance with the materials detailed on the submitted application forms unless otherwise agreed in writing by the local planning authority.

Reason: In the interests of the visual amenities of the locality and to ensure a satisfactory development in accordance with Policy EN1 of the adopted South Kesteven Core Strategy.

* * * * *



Applicant	Simon Daws Copley Farm, Doddington Lane, Claypole, Newark, Lincolnshire, NG23 5AT
Agent	Windcrop Limited The Granary, Honingham Thorpe, Colton, Norwich, Norfolk, NR9 5BZ
Proposal	3 x 15 meter high wind turbines
Location	Copley Farm, Doddington Lane, Claypole, Newark, Lincolnshire, NG23 5AT
App Type	Full Planning Permission
<u>Parish(es)</u>	Claypole Westborough & Dry Doddington

Key Issues

- Accordance with policy
- Landscape Impact
- Cumulative Impact
- Visual Amenity
- Heritage Impact.
- Noise and Amenity Issues.
- Wildlife and Biodiversity

Technical Documents Submitted with the Application

- Design and Access Statement
- Flood Risk Assessment
- Planning Distance Calculations
- Magic Check Report
- Magic Map

REPORT

Application Category

The application is categorised as an 'MINOR' type of application

Reason for Referral to Committee

The application has been referred to Committee following request by the Chairman as a proposal generating local interest.

The Proposal

The proposal is to install three 15 metre (hub height) wind turbines which are required to provide Copley Farm with a renewable and efficient energy supply. With a rotor diameter of 5.6 metres, the maximum height would be 20.6 metres.

The application site and its surroundings

Copley Farm is a mixed arable and livestock holding covering some 130 hectares, located between and to the east of the road connecting the settlements of Claypole and Dry Doddington. The first turbine is to be located some 75 metres to the south of the farm yard in a grazing field for cattle, the second turbine will be 20 metres further south, and the third another 20 metres to the south of the second turbine. The turbines will be located in a field some 90 metres to the east of Doddington Lane, with some screening from the road by mature hedging running along its length.

Site History

There is an extensive planning history for Copley Farm. Since 1996 various applications have been submitted for farm buildings, dwellings, stabling industrial, material storage and extensions. There is currently a pending application for a temporary agricultural worker dwelling near the farm yard (S11/3144).

Policy Considerations

National Policy Statements

EN1: Overarching national policy and statement for energy.

EN3: Renewable energy infrastructure.

National Planning Policy Framework

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 Policy

Policy 1: Regional Core Objectives.

Policy 26: Protecting and enhancing the region's natural and cultural heritage.

Policy 27: Regional priorities for the historic environment.

Policy 31: Priorities for the management and enhancement of the region's landscape.

Policy 40: Regional priorities for low carbon energy generation.

South Kesteven Core Strategy 2010

Policy SP1 - Spatial Strategy.

Policy EN1 - Protection and Enhancement.

Policy EN3 - Renewable Energy Generation.

Other Relevant Documents

South Kesteven Landscape Character Assessment (January 2007)

Companion Guide to PPS22 (Planning for Renewable Energy). NB. Although PPS22 itself has been superseded by the NPPF, the companion guide remains in force.

Emerging South Kesteven Supplementary Planning Document (SPD) on Wind Energy

Representations Received

The National Air Traffic System (NATS) has stated that the proposal does not conflict with its safeguarding criteria and therefore has no objections.

The Ministry of Defence (MOD) has no objections. The principal safeguarding concern of the MOD with respect to the development relates to their potential to create a physical obstruction to air traffic movements and cause interference to Air Traffic Control and Air Defence radar installations.

Lincolnshire Wildlife Trust has no comments.

The Environment Agency has no objection but it advises that any electrical components are above the predicted flood level for resilience.

The District Archaeologist has stated that the application does not affect any known archaeological sites and therefore no archaeological intervention is required.

Natural England's advice is that the proposal is unlikely to affect the population of any European Protected Species and it does not appear to be located within, or within the setting of, any nationally designated landscape.

The Principal Conservation Officer requires the Design and Access Statement to sufficiently address the impact of the proposals on listed buildings or monuments that are included within the settlements of Claypole, Dry Doddington and Stubton. Of particular concern is the impact of the proposals on the Grade 1 St. Peters Church, Claypole, and the Grade 11* Church of St. James in Dry Doddington.

Claypole Parish Council has expressed concern about the application, and requested more information on impacts relating to noise, vibration, flicker, environment and precedence.

Dry Doddington Parish Council supports this application and small scale (size and number) wind farm.

The Environmental Health Officer requires more information in relation to noise impact.

Anglian Water has no concerns from a groundwater perspective.

Representations as a result of publicity

The application has been advertised in accordance with the adopted Statement of Community Involvement. Representations have been received from a resident of Claypole who objects to the proposal on the grounds of cumulative visual impact (reference is made to the 5 turbines proposed near Templemans Barn), and that economic considerations should not influence a decision.

Officer Evaluation

KEY ISSUES

Government planning policy (through the NPPF, read in conjunction with National Policy Statements EN-1 & EN-3) encourages renewable energy development, including wind energy. Paragraph 98 of the NPPF states that:

When determining planning applications, local planning authorities should not require applicants for energy development to demonstrate the overall need for renewable or low carbon energy and also recognise that even small-scale projects provide a valuable contribution to cutting greenhouse gas emissions; and approve the application if its impacts are (or can be made) acceptable.

On that basis, members should be aware that the need for renewable energy should be balanced against the potential environmental impact.

Taking the above into account, the key issues that need to be considered are:

- The Government Position on Renewable Energy
- Landscape and Visual Impact (including cumulative impact)
- Impact on the Setting of Heritage Assets
- Noise, Disturbance and Amenity Issues
- Impact on Wildlife and Biodiversity

GOVERNMENT POSITION ON RENEWABLE ENERGY

National planning policy given in the National Planning Policy Framework (NPPF) read in conjunction with National Policy Statements EN1 - Overarching National Policy Statement for Energy & EN3 –

Renewable Energy Infrastructure promotes the development of renewable energy resources and stresses the need to reduce carbon dioxide emissions which are considered to be contributing to climate change.

Paragraph 97 of the NPPF states:

To help increase the use and supply of renewable and low carbon energy, local planning authorities should recognise the responsibility on all communities to contribute to energy generation from renewable or low carbon sources.

The applicant (including his farm business) would benefit from reduced energy costs, and any excess would be returned to the national grid. The government's view is that the wider positive benefits of small scale schemes such as this are through a reduction in demand for energy that would otherwise be produced from fossil fuel sources. The government, through the NPPF considers that this represents a benefit to society as a whole and an indirect benefit, (albeit smallscale) to the local community. Although it may be a relatively modest contribution, the NPPF is supportive of small scale schemes stating in paragraph 98 that:

When determining planning applications, local planning authorities should not require applicants for energy development to demonstrate the overall need for renewable or low carbon energy and also recognise that even small-scale projects provide a valuable contribution to cutting greenhouse gas emissions; and approve the application if its impacts are (or can be made) acceptable.

The Development Plan i.e. The East Midlands Regional Plan (RSS8) and The South Kesteven Core Strategy sets out policies on wind energy at the regional and local level and is fully in accordance with national policy (NPPF) in its approach to wind energy development. RSS8 states that consideration should be given to the contribution of wind generation projects to regional renewable targets and national and international objectives on climate change. The South Kesteven Core Strategy (policy EN3) is generally supportive of renewable energy schemes as long as they accord with other core strategy policies which in this case will mean policy EN1 relating to the impact on the surrounding environment.

LANDSCAPE IMPACT

The general thrust of policy is to restrict development in the open countryside. However there are some exceptions to this general rule including rural diversification projects and development which requires a location away from built up areas. Wind turbines are one type of development that require such a location.

Wind turbines are tall structures which by their nature, stand out to some degree and cannot be easily hidden or disguised in any landscape. The key issue here is not whether they would be visible, but the degree to which the proposed development would have an impact on quality and character of the landscape.

Core Strategy policy EN1 requires development to be assessed against a number of criteria. The South Kesteven Landscape Character Assessment (LCA) has been used to inform this policy and identifies the general characteristics of seven landscape areas, each of which displays distinct characteristics of topography, agricultural usage, field systems and settlement patterns as well as historic building styles.

Although the LCA not itself a policy is an important tool in describing the character of different landscapes within the district and assessing their sensitivity to different types of development. The LCA divides the district into areas with a distinctive landscape character. The site lies within "The

Trent and Belvoir Vales” which is characterised by flat or very gently undulating topography. It can be best described as basin shaped with a flat middle with gently rising ground to its sides where the settlements are situated. The villages with their church towers and spires are noticeable in the views across the landscape and provide character.

In terms of landscape sensitivity, there are considered to be few landscape features of intrinsic sensitivity in the Trent and Belvoir Vale. However with respect to wind energy proposals whilst there are few features of intrinsic landscape sensitivity, the open visual character of the landscape is acknowledged to ensure extensive visibility. For this reason and to avoid dominance of the landscape through cumulative impact it is considered desirable for wind energy proposals in this area to be located close to existing man-made structures such as modern farm buildings, power lines and the A1.

The immediate landscape around the application site in which the turbines would be visible is relatively flat with long uninterrupted views and wide horizons. The site is located between the settlements of Claypole to its north, and Dry Doddington to the south, there are few landscape features of intrinsic sensitivity. This part of the Vale is therefore considered to be of low sensitivity to the type of development proposed.

When viewed from the road connecting the settlements of Claypole and Dry Doddington the turbines will be screened behind a high hedge. Within the Vale, the turbines would appear as isolated features within a wide and fairly featureless landscape of intensively cultivated arable farmland dotted with trees and farmsteads. When viewed from the north, this landscape is framed by the higher ground of the escarpments surrounding Grantham and the turbines would be seen against this backdrop. The turbine would be visible from the higher ground to the east and south but the distances involved and the relatively small scale of the structures proposed would mean that they would appear as low key features in the landscape.

As with all wind energy proposals, the turbines will have an impact on the landscape to some degree. However, taking into account the modest height of the turbines and expansive nature of the landscape, it is considered that the turbines would not be unduly prominent to such an extent as to dominate the landscape. For this reason it is felt that the immediate and wider landscape would not be unduly harmed.

CUMULATIVE IMPACT

National policy states that the cumulative impact of wind energy developments in the area should be taken into account.

Other turbines in the area include one (50 metre hub height) approved last April at Frinkley Farm (Hougham) S10/1759, another (24.6 metre hub height) at Pasture Farm, Allington (S12/0580) and others installed and under consideration south of Newark. The cumulative impact of the proposal set against these turbines would not be such as to warrant refusal, as it is unlikely the turbines proposed will be set in the same view with existing turbines except perhaps from some extremely long and elevated distance.

VISUAL AMENITY OF NEAREST RECEPTORS

There is no statutory minimum distance that turbines have to be sited from dwellings so each case has to be assessed according to its individual circumstances. The closest property to the site includes the applicant's dwelling at 389m and another dwelling around 660m to the west. The turbines would be apparent in the landscape when viewed from these distances and would impact to some degree on the outlook from some of these dwellings and their domestic curtilages. However, most of these dwellings are separated from the site by modern farm buildings and other

structures. It is considered that the relatively small scale of the turbine combined with the separation distances and individual circumstance of each dwelling ensures that they would not result in an unacceptable dominance of outlook or undermine the living conditions of the occupants from visual harm.

Furthermore, wind turbines, whether large or small scale, are by their nature slender structures which do not block out the sunlight to any great degree or cast shadows over large areas and apart from the immediate area at the base, and are unlikely to result in a dominant and oppressive environment. Taking the above into account it is not considered that the turbines would cause unacceptable harm to the visual amenity of the occupiers of the nearest properties.

HERITAGE IMPACT

The proposed turbines would not be located close to any heritage assets. The main impacts are considered to be on the Church of St. Peter (Grade 1), and St. James Church (Grade II*) in Dry Doddington, both some 1.2 km away.

It is considered that any heritage assets are out of view or too far away to be significantly affected by the turbines and most will not be affected at all. There is no statutory definition of the extent of a heritage asset's setting. This will depend on the type and scale of the asset as well as the context. In respect of the listed buildings within the villages mentioned, the setting can be reasonably described as their immediate village context. The turbine may be visible as very distant features to some extent within the settings of these buildings and from some viewpoints the heritage assets and turbine would be visible together. However, the impact is considered to be minimal. I

It is considered that the turbines would result in some very limited impact on the setting of a number of heritage assets, which is not considered to be sufficient to resist the development.

NOISE & AMENITY ISSUES

The NPPF read in conjunction with National Policy Statement EN-3 is very clear that noise from wind energy development should be assessed using a 1997 report prepared for The Department of Trade and Industry, "ETSU-R-97: The assessment and rating of noise from windfarms". This position has been consistently backed up by appeal decisions including those at Thackson's Well and Palmer's Hollow (Melton Borough).

The Council's Environmental Protection officers have been asked to assess the noise level using the ETSU-R-97 guidance. They have concluded that the noise levels from the turbines specified and in the location provided, and in relation to the nearest residential properties would fall within the limitations required by the ETSU-R-97 guidance and would therefore be within acceptable limits. For the avoidance of doubt, and in accordance with the ETSU-R-97 guidance, it is recommended that a condition be attached to ensure that the noise is kept within these limits.

Shadow flicker effects have only been proven to occur within 10 rotor diameters of a turbine. In this case, with a rotor diameter of 20m, that would mean there would be no shadow flicker beyond 200m. It also states that shadow flicker only occurs inside buildings through narrow window openings during very limited periods throughout the year. As the nearest residential property is approximately 390m away, there would be no detrimental impact on domestic properties from shadow flicker.

Taking the above into account it is considered that the proposal would not be detrimental to the residential amenities of the occupiers of nearby properties through noise and disturbance.

WILDLIFE & BIODIVERSITY

The applicant has submitted a desktop bird survey indicating that the impact on birds would be minimal and that no further survey work is required. The survey is in accordance with Natural England's standing advice and Lincolnshire Wildlife Trust have confirmed that they have no comments.

In respect of bats, the turbines would be located >50m from hedgerows and linear features where bats are likely to commute, forage and roost, in accordance with Natural England's guidance. Whilst there may be bat populations in nearby churches and other buildings as well as local trees/hedges, research and guidance from Natural England shows that bats generally do not stray far from such features.

Taking the above into account, it is considered that the proposal would not have an unacceptable detrimental impact on wildlife and biodiversity.

AIR TRAFFIC & RADAR

NATS and MOD have raised no safeguarding objection to the proposal.

HIGHWAY ISSUES

The County Highways Authority to follow.

OTHER MATTERS

Lincolnshire County Council has recently issued a Position Statement on wind turbines. It should be noted, for the avoidance of doubt, that this does not form part of planning policy, nor are LCC a statutory consultee for this type of application. Their statement is merely an indication of the position that they will take if they are consulted on wind energy proposals so carries little or no weight.

South Kesteven District Council is currently in the process of preparing a supplementary planning document (SPD) on wind energy. As the document is in draft form it can only be given very limited weight and in any case would not fundamentally alter the assessment of this proposal.

Crime and Disorder Implications

The site appears to raise no concerns relating to crime and disorder.

Human Rights Implications

It should be noted that Article 6 (Right to fair decision making) and Article 8 (Right to private family life and home) will be taken into account in determining this application

It is considered that no other relevant Article will be breached.

Conclusion

This application has been assessed across a number of material issues and due regard and weight has been given to all the relevant policies, consultee responses, and relevant comments made by other parties.

It has been recognised in this assessment that this proposal would have a degree of impact on the landscape character of the immediate and wider area as well as the settings of nearby heritage assets. However in this case, on balance the various impacts are not considered to be substantial and therefore do not carry sufficient weight to warrant refusal.

In the circumstances, it is considered that the proposal should be approved in accordance with paragraph 98 of the NPPF.

SUMMARY OF REASON(S) FOR APPROVAL

It is considered that the proposed wind turbines would provide a source of renewable energy, contributing to a reduction in the use of fossil fuels, in line with national policy. The design, location and relatively small scale are considered to be appropriate. It is considered that the proposal would be sufficiently well separated from the nearest dwellings to ensure residential amenities are protected. Although it is acknowledged that there would be some impact on the landscape character and the setting of heritage assets, on balance, the various impacts are not considered to be substantial and therefore do not outweigh the need for renewable energy as set out in national policy.

For the reasons outlined above, it is considered that the proposal is in accordance with The National Policy Statements - Overarching National Policy Statement for Energy (EN-1) & National Policy Statement for Renewable Energy Infrastructure (EN-3), The National Planning Policy Framework (Section 3 Supporting a prosperous rural economy, Section 12 Conserving and enhancing the historic environment, Section 11 Conserving and enhancing the natural environment, Section 10 Meeting the challenge of climate change and flooding, Section 7 Requiring good design) policies 1, 26, 27, 31 & 40 of The East Midlands Regional Plan and policies SP1, EN1 and EN3 of the South Kesteven Core Strategy and that there are no material considerations that indicate otherwise, although conditions have been attached.

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. The development shall not commence until details of the method and route of delivery of components (including a risk assessment and method statement) have been submitted to, and approved in writing by, the local planning authority. The development shall be carried out in accordance with the approved details.

Reason: In the interests of highway safety.

3. The development shall not commence until details of the external finish and colour of the proposed turbine have been submitted to, and approved in writing by, the local planning

authority. The development shall be carried out in accordance with the approved details, and there shall be no subsequent change to the finish or colour of the turbine without the local planning authority's prior approval in writing.

Reason: To minimise the impact on the landscape in accordance with the National Policy Policy Framework and Policy EN1 of the South Kesteven Core Strategy.

4. In the event that the wind turbine is no longer used for the generation of electricity, it shall be removed as soon as practicably possible, and the land restored to its original condition.

Reason: In the interests of the visual amenities of the area and in accordance with Policy EN1 of the South Kesteven Core Strategy.

5. The noise level from the wind turbines, when measured in accordance with the requirements of ETSU-R-97, shall not exceed an LA90, 10min of 35dB(A) up to wind speeds of 10m/s at 10m height, measured at the curtilage of any lawfully existing dwelling. Within 21 days of a request from the local authority, and following the receipt of a complaint, the wind turbine operator, shall at their own expense employ a suitably qualified and competent person to undertake an assessment of noise from the turbines in accordance with the requirements of ETSU-R-97 and supply a copy of the report to the local authority.

Reason: In order to protect the occupiers of nearby dwellings from unacceptable noise and disturbance.

6. Before the development is commenced, the developer shall provide written confirmation to the MOD (Defence Infrastructure Organisation) of the date of the start of construction and the maximum height of any construction equipment to be used. When the development is completed, the developer shall provide written confirmation to the MOD (Defence Infrastructure Organisation) of the date of completion, and the exact height and latitude and longitude of the position of the turbines, no more than 14 days after this date. The development approved by this permission shall be carried out in accordance with these details.

Reason: In order that this information can be plotted on MOD flying charts to ensure that military aircraft avoid the area.

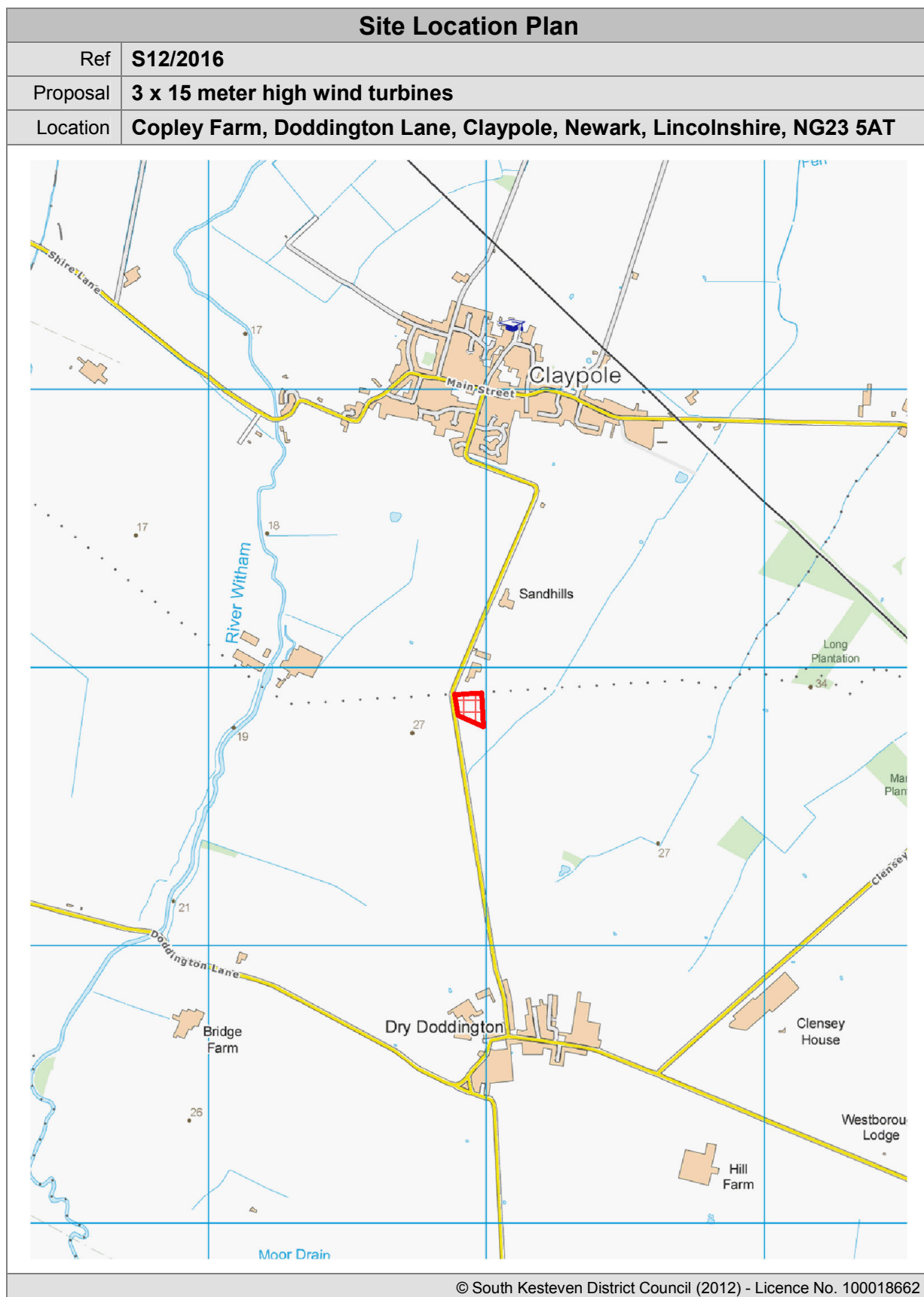
7. The development hereby permitted shall be carried out in accordance with the following list of approved plans submitted as part of the application:

1. 1:10000 Area Plan.
2. Drawing ATC10070-1000*
3. 1:2500 Site Location Plan.
4. Distance calculations for Planning Applications.
5. Biodiversity Checklist.
6. Flood Risk Assessment Report.
7. 1:500 Block Plan.
8. Design and Access Statement.

All received on 10 August 2012

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

* * * * *



REPORT TO DEVELOPMENT CONTROL COMMITTEE

REPORT OF: Pat Reid Development Management Service Manager

REPORT NO: PLA 956

DATE: 16 October 2012

TITLE:	S12/1152 – Modification of planning obligation (retention of substation) in relation to Section 106 agreement dated 11 October 2005 attached to planning permission S05/0107.	
KEY DECISION OR POLICY FRAMEWORK PROPOSAL:	N/A	
PORTFOLIO HOLDER: NAME AND DESIGNATION:	N/A	
CONTACT OFFICER:	Kevin Cartwright	
INITIAL IMPACT ANALYSIS: Equality and Diversity	Carried out and Referred to in paragraph (7) below Not applicable	Full impact assessment Required: Not applicable
FREEDOM OF INFORMATION ACT:	This report is publicly available via the Your Council and Democracy link on the Council's website: www.southkesteven.gov.uk	
BACKGROUND PAPERS	N/A	

1. RECOMMENDATIONS

That determination of the planning application be delegated to the Development Management Service Manager in consultation with the Chairman and Vice Chairman of the Development Control Committee to amend the agreement.

2. PURPOSE OF THE REPORT

To make members aware of need for a revised legal agreement to permit the retention of the substation on site.

3. DETAILS OF REPORT

On 11th October 2005 outline planning permission was granted for the residential re-development of the Bairds Malt site at Ancaster. The redevelopment of the site was the subject of a Section 106 legal agreement requiring affordable housing, education contribution and open space provision on the site.

This application seeks to vary the s106 agreement to permit the retention of the electricity substation on the open space.

The application site and surroundings

The site is the former Bairds Malt site in Ancaster and is now known as the 'Charlestown' residential development.

The open space is located at the south eastern corner of the site. The substation is sited in the north-western corner of the site opposite the rear garden of 32, Minerva Close.

Para 3.3 of the legal agreement states:

"The owner agrees with the Council not to use or permit to be used the Green Area for a purpose other than as a public open space or play area or for the provision of foul and/or surface water drainage facilities pipes and apparatus which are constructed to an adoptable standard".

This para would be amended to include the siting of the substation as per the submitted location plan.

Supporting Information

The applicants have submitted the following information in support of the proposals:

"The need for the sub station was generated by the necessity to have electric powered heating and cooking as the power supplier was unable to confirm that there was sufficient capacity, therefore a further sub station was required.

The substation was built on site in conjunction with the surrounding housing in 2006. The substation was constructed as permitted development by virtue of the General Permitted Development Order 1995 (as amended) Electricity undertakings Class G section (e) and as such no planning permission was required at the time of construction.

The application is not for planning permission, but to solely regularise the S106.

A further modification of the S106 was undertaken in 2010 in relation to providing play equipment off site rather than on site. This has been agreed and implemented".

Relevant Site History

S05/0107 – Outline planning permission was granted for residential development – 11th October 2005.

S05/1385 – Approval of reserved matters was granted for the construction of 69 dwellings

Deed of Variation in relation to the Section 106 agreement that accompanied outline planning permission S05/0107 was varied on 12th July 2011 to permit the play equipment to be sited off site on the adjacent Ancaster playing field.

Conclusion

The comments of the Community Leisure Officer state that:

“The sub-station is in breach of paragraph 3.3 of the S106 agreement. However, the size and position of the sub-station still allow the area to perform the function on an open space and local area of play”.

The substation has been in position and operational for a number of years, and clearly performs the beneficial function of serving the residential development.

It is accepted that additional works are required to bring the open space up to adoptable standards. However, there is a clear need for the substation, and it is considered that its retention on the site would not prevent the remainder of the site functioning as an open space.

As such it is recommended that the legal agreement be varied to permit the substation to remain in situ.

4. OTHER OPTIONS CONSIDERED

None

5. RESOURCE IMPLICATIONS

No significant impact on resources

6. RISK AND MITIGATION

Risk has been considered as part of this report and any specific high risks are included in the table below:

Category Risk	Action / Controls
2	Legal agreement amended to ensure that the open space is not used for any other uses.

7. ISSUES ARISING FROM IMPACT ANALYSIS

Relevant impact addressed in Section 3.

8. CRIME AND DISORDER IMPLICATIONS

It is considered that the development would not result in any significant adverse crime and disorder implications.

9. COMMENTS OF FINANCIAL SERVICES

There are no specific financial comments to make in respect of this report.

10. COMMENTS OF LEGAL AND DEMOCRATIC SERVICES

The electricity substation site is located on an area of land which is described in the completed S106 agreement as “green land”. There is a restriction on the use of the green land that it is to be used for no other purpose other than as a public open space or play area or for the provision of foul and/or surface water drainage facilities pipes and apparatus which are constructed to an adoptable standard. The substation was constructed as permitted development and it is therefore necessary to enter into a deed of variation to exclude the substation site area from being described as part of the “green land”.

11. COMMENTS OF OTHER RELEVANT SERVICES

Community Leisure Officer

The sub-station is in breach of paragraph 3.3 of the section 106 agreement. However, the size and position of the sub-station still allow the area to perform the function on an open space and local area for play.

Therefore from a practical point of view I support the sub-station remaining in its current location.

Environment Health

There are no adverse comments to make concerning this development consequently no objection to the modification of the planning obligation attached to planning permission S05/0107.

12. APPENDICES:

Planning submission can be viewed via the following link:

<http://www.southkesteven.gov.uk/index.aspx?articleid=2230&ApplicationNumber=S12/1152>

REPORT TO DEVELOPMENT CONTROL COMMITTEE

REPORT OF: Pat Reid Development Management Service Manager

REPORT NO: PLA 959

DATE: 16 October 2012

TITLE:	S11/3179/FULL – Factory Unit and Offices – Extension of Time of S04/1789. Land Adjacent Wilcox Body Systems, Blenheim Way, Market Deeping	
KEY DECISION OR POLICY FRAMEWORK PROPOSAL:	N/A	
PORTFOLIO HOLDER: NAME AND DESIGNATION:	N/A	
CONTACT OFFICER:	Peter Lifford	
INITIAL IMPACT ANALYSIS: Equality and Diversity	Carried out and Referred to in paragraph (7) below Not applicable	Full impact assessment Required: Not applicable
FREEDOM OF INFORMATION ACT:	This report is publicly available via the Your Council and Democracy link on the Council's website: www.southkesteven.gov.uk	
BACKGROUND PAPERS	N/A	

1. RECOMMENDATIONS

That determination of the planning application be delegated to the Development Management Service Manager in consultation with the Chairman and Vice Chairman of the Development Control Committee to amend the agreement.

2. PURPOSE OF THE REPORT

To make members aware of need for a revised legal agreement to permit the extension of time.

3. DETAILS OF REPORT

On 23 January 2007 full planning permission was granted for the erection of a factory unit and offices on land adjacent to Wilcox Body Systems, Blenheim Way, Market Deeping. The development of the site was the subject of a Section 106 legal agreement requiring contributions towards highway improvements in the vicinity of the site.

This application seeks to extend the time limit of the application.

The application site and surroundings

Currently a vacant site on the north side of Towngate East to the east of the junction with Blenheim Way, to the north of Market Deeping forming part of a industrial/commercial estate. The applicants have an existing unit to the west of the application site.

Supporting Information

Due to the current recession the applicants have been unable to start the build of the new factory and therefore wish to extend the commencement date of the current application.

Relevant Site History

None

Conclusion

To extend the time limit for developing the site will have no adverse impact on the surrounding industrial/commercial sites.

That the application be approved subject to the completion of the Section 106 agreement.

4. OTHER OPTIONS CONSIDERED

None

5. RESOURCE IMPLICATIONS

No significant impact on resources

6. RISK AND MITIGATION

Risk has been considered as part of this report and any specific high risks are included in the table below:

Category Risk	Action / Controls
2	Legal agreement amended to ensure that the Highways contribution is received (£30.000)

7. ISSUES ARISING FROM IMPACT ANALYSIS

Relevant impact addressed in Section 3.

8. CRIME AND DISORDER IMPLICATIONS

It is considered that the development would not result in any significant adverse crime and disorder implications.

9. COMMENTS OF FINANCIAL SERVICES

Subject to the extension period being agree the S106 officer will need to ensure any monies due are collected at the relevant activation points from the developers and utilised appropriate in accordance with the agreements in place

10. COMMENTS OF LEGAL AND DEMOCRATIC SERVICES

The current application is for permission to extend the time limit for implementation in respect of the development authorised by planning permission S04/1789. It will be necessary to enter into a S106 agreement to ensure that the obligations contained in the S106 agreement attached to the original planning permission remain in full force and effect in respect of the current application.

11. COMMENTS OF OTHER RELEVANT SERVICES

None

12. APPENDICES:

Planning submission can be viewed via the following link:

<http://www.southkesteven.gov.uk/index.aspx?articleid=2230&ApplicationNumber=S12/1152>

DEVELOPMENT MANAGEMENT

Applications not determined within the statutory period

Report No: 958/2012

Date Prepared: 01 October 2012

No of applications over 8 weeks: 68

MAJOR APPLICATIONS

(13 weeks)

S06/1151/MJNF/JJ

Date received:

26-Oct-2011

No of days: 341

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 info from Agent

S11/2002/MJRO/KJC

Date received:

24-Aug-2011

No of days: 404

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.

S11/2283/MJRO/JJ

Date received:

30-Sep-2011

No of days: 367

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: 367

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: 367

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:
Awaiting signing of S106 Agreement

S11/2472/MJRO/JJ

Date received:
01-Nov-2011
No of days: 335

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: 249

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

S12/0438/MJRF/JJ

Date received:
01-Mar-2012
No of days: 214

Mr D Pallett, Anvils of Stamford

Demolition of existing retail warehouse building and erection
of 10 dwellings
2A, Radcliffe Road, Stamford, Lincs
Reason for non-determination:
Subject to S106 Agreement

S12/0484/MJRO/KJC

Date received:
27-Feb-2012
No of days: 217

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

S12/0613/MJRF/PJM

Date received:
10-Apr-2012
No of days: 174

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: 179

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: 129

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:

Committee on 13 November 2012

S12/1374/MJRF/PWM

Date received:
01-Jun-2012
No of days: 122

Mr Aaron Hughes, Rural Affordable Homes Ltd

Erection of ten affordable dwellings and associated infrastructure

Land off Barnby Lane, Claypole

Reason for non-determination:

Awaiting signing of S106 Agreement

S12/1468/MJRR/KJC

Date received:
27-Jun-2012
No of days: 96

Mrs Helen Broadhurst - David Wilson Homes and, Trustees of the Buckminster NO.3A Trust

Construction of 99 no. dwellings (including 15 no. affordable dwellings) and associated garaging

Poplar Farm, Barrowby Road, Grantham, NG31 8AF

Reason for non-determination:

Committee on 16 October 2012

ALL OTHER APPLICATIONS

(8 weeks)

S09/2827/FULL/JJ

Date received:
27-Nov-2009
No of days: 1039

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:

Linked to application S10/2020 below

S09/2829/LB/JJ

Date received:
27-Nov-2009
No of days: 1039

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:

Linked to application S10/2020 below

S10/0962/FULL/PL

Date received:
13-Apr-2010
No of days: 902

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
Reason for non-determination:
Contamination report required.

S10/1805/FULL/KJC

Date received:
13-Oct-2010
No of days: 719

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
Reason for non-determination:
Concerns re parking provision - ongoing negotiations

S10/2020/FULL/JJ

Date received:
03-Sep-2010
No of days: 759

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
Reason for non-determination:
Undertaking consultation on Heritage Enabling Development

S10/2021/LB/JJ

Date received:
03-Sep-2010
No of days: 759

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
Reason for non-determination:
Undertaking consultation on Heritage Enabling Development

S11/0406/FULL/JJ

Date received:
17-Feb-2011
No of days: 592

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
Reason for non-determination:
Waiting S106

S11/0989/FULL/PWM

Date received:
04-May-2011
No of days: 516

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: 473

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

S11/2371/HSH/PWM

Date received:
26-Sep-2011
No of days: 371

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: 371

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

S11/2619/FULL/AH

Date received:
15-Nov-2011
No of days: 321

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 from noise consultants appointed by Local Planning Authority

S11/2782/OUT/JJ

Date received:
23-Nov-2011
No of days: 313

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: 262

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: 299

Mr Niall Brady

Conversion of listed outbuilding to ancillary accommodation The Laurels, Main Street, Denton, Grantham, NG32 1JZ

Reason for non-determination:

Awaiting further structural information.

S11/3007/HSH/SP

Date received:
07-Dec-2011
No of days: 299

Mr N Brady

Conversion of outbuilding to ancillary accommodation The Laurels, Main Street, Denton, Grantham, NG32 1JZ

Reason for non-determination:

Awaiting further structural information.

S11/3068/FULL/SP

Date received:
26-Jan-2012
No of days: 249

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 confirmation from the Highways Authority.

S11/3144/FULL/SP

Date received:
20-Jul-2012
No of days: 73

Mr S C Daws

Temporary dwelling for a key agricultural worker

Copley Farm, Doddington Lane, Claypole, Newark, NG23 5AT
Reason for non-determination:
Awaiting independent assessment on viability.

S12/0193/FULL/NB

Date received:
17-Feb-2012
No of days: 227

Stamford Town Council

Construction of skatepark
Stamford Skatepark, Recreation Ground, Recreation Ground Road, Stamford
Reason for non-determination:
To go to Committee on 16 October 2012

S12/0319/OUT/SP

Date received:
01-Feb-2012
No of days: 243

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.
Awaiting highway assessment.

S12/0417/FULL/SP

Date received:
02-Apr-2012
No of days: 182

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:
S106 Agreement to be completed.

S12/0566/FULL/SP

Date received:
05-Mar-2012
No of days: 210

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: 181

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 further information

S12/0878/HSH/SP

Date received:
25-Apr-2012
No of days: 159

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: 164

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.

S12/1013/OUT/PL

Date received:
28-Jun-2012
No of days: 95

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 comments

S12/1016/FULL/SP

Date received:
18-May-2012
No of days: 136

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: 125

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 from applicants

S12/1020/LB/SP

Date received:
18-May-2012
No of days: 136

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

S12/1058/FULL/NB

Date received:
28-Jun-2012
No of days: 95

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:
Waiting on comments from Highways

S12/1118/FULL/NB

Date received:
05-Jul-2012
No of days: 88

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.

S12/1246/LDE/SP

Date received:
21-May-2012
No of days: 133

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

S12/1250/LDE/PL

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

Mr & Mrs Clark

Lawful Use Certificate for use of land as domestic garden area Edenwood, Edenham Road, Bourne, PE100LG

Reason for non-determination:

Waiting amended plan from agent

S12/1271/FULL/PJM

Date received:
19-Jun-2012
No of days: 104

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: 130

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 for C & CV and DMSM for approval subject to S106

S12/1312/FULL/LDPP

Date received:
23-Jul-2012
No of days: 70

Mr A Joshi, R S Medicare Ltd

Change of use of part of nursing home (C2) to kidney dialysis day centre (D1)
Belton Lodge Nursing Home, 213, Belton Lane, Grantham, Lincolnshire, NG31 9PW

Reason for non-determination:

Changing description to incorporated unauthorised seating area

S12/1365/FULL/SP

Date received:
07-Jun-2012
No of days: 116

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

S12/1375/FULL/NB

Date received:
08-Jun-2012
No of days: 115

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: 115

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

S12/1480/ADV/LDPP

Date received:
24-Jul-2012
No of days: 69

ASDA Stores Ltd

Installation of 32 forms of signage
Asda Stores Ltd, Union Street, Grantham, Lincolnshire, NG31
6NZ

Reason for non-determination:

On going discussions relating to number and location of
adverts

S12/1487/FULL/NB

Date received:
09-Jul-2012
No of days: 84

Andrew Wood

Erection of replacement timber storage buildings, new access
gates and piers

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

Reason for non-determination:

To go before Committee on 13 November 2012

S12/1497/FULL/SP

Date received:
13-Jul-2012
No of days: 80

Mrs Rosemary Sandy

Alterations and extension of existing dwelling to form 3
separate dwellings (2 no additional units)

6A, Church Lane, Caythorpe

Reason for non-determination:

Awaiting design clarification.

S12/1536/FULL/PJM

Date received:
09-Jul-2012
No of days: 84

Mrs Ann MaCaulay, Castlegate Day Nursery

Change of use of Members Club to Early Years and Out of
School childrens nursery

40, Barrowby Road, Grantham, Lincolnshire, NG31 6PD

Reason for non-determination:

Awaiting additional highway information

S12/1584/FULL/PL

Date received:
24-Jul-2012
No of days: 69

Mr P Gregory

Proposed on site dwelling associated with Fishery with office
space to serve Fishery

White House Farm Fishery, Cross Road, Baston Fen

Reason for non-determination:

Waiting further information from agent

S12/1665/FULL/JJ

Date received:
03-Jul-2012
No of days: 90

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:

Waiting for Environmental Health Officers comments

S12/1687/OUT/PJM

Date received:
05-Jul-2012
No of days: 88

Mr P Collin

Erection of single storey dwelling (outline)

Tree Tops, Gonerby Road, Grantham, Lincolnshire, NG31
8HU

Reason for non-determination:

Awaiting additional information

S12/1692/FULL/LDPP

Date received:
11-Jul-2012
No of days: 82

Mr & Mrs T Digan

Drop kerb and create parking area
67, Harrowby Road, Grantham, Lincolnshire, NG31 9ED
Reason for non-determination:
To go before Committee on 16 October 2012

S12/1710/TPO/NB

Date received:
04-Jul-2012
No of days: 89

Mr Andrew Pond

Fell beech tree
27, Roman Bank, Stamford, Lincolnshire, PE9 2SS
Reason for non-determination:
Waiting additional information from agent

S12/1724/FULL/PL

Date received:
09-Jul-2012
No of days: 84

Mr & Mrs D Lister

Change of use of part of agricultural building to joinery workshop
Brackens Farm, Edenham Road, Hanthorpe, Bourne, Lincolnshire, PE10 0RB
Reason for non-determination:
Waiting consultation response from E.P. on noise report

S12/1811/FULL/NB

Date received:
23-Jul-2012
No of days: 70

Mr B Mossman

Replacement dwelling
Manor House Farm and Manor Lodge, Lound, Bourne, PE10 0LJ
Reason for non-determination:
To go before Committee on 13 November 2012

S12/1842/HSR/LDPP

Date received:
23-Jul-2012
No of days: 70

Mr Rob Walker

Demolish existing garage and erection 2 storey side extension, single storey rear extension, front porch and double garage and raise roof to accommodate to 2 additional bedrooms
15, High Street, Harlaxton, Grantham, NG32 1JB
Reason for non-determination:
Amended plans to address highway concerns

S12/1852/FULL/NB

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

Mr C Dunmore

Erection of 3 detached dwellings, following demolition of Casterton House
Casterton House Rest Home, Casterton Road, Stamford, Lincolnshire, PE9 2UA
Reason for non-determination:
To go before Committee on 13 November 2012

S12/1889/FULL/PJM

Date received:
26-Jul-2012
No of days: 67

Mr Alexander Gordon, The National Trust

Change of use of residential dwelling/Horologists workshop to village hall including provision of parking area and construction of access ramp
The Old School, Main Street, Belton, Grantham, Lincolnshire, NG32 2LU
Reason for non-determination:
Awaiting additional information

S12/1932/OUT/PL

Date received:
03-Aug-2012
No of days: 59

Paul Webster Butchers

Construction of two single storey dwellings and garages
(outline)

P Websters, 55, Main Street, Baston, Peterborough,
Lincolnshire, PE6 9PA

Reason for non-determination:

Waiting response from Environment Agency

APPLICATIONS DECIDED UNDER DELEGATED POWERS
FROM 03 - 28 SEPTEMBER 2012

S10/1582/FULL

Applicant: David Pennell, Burghley House Preservation Trust
 Proposal: Conversion and extension of outbuildings to form dwelling
 Location: 43A, High Street, St Martins, Stamford, Lincolnshire, PE9 2LP
 Decision: Approved conditionally - 27 September 2012
 End to End time: 805

S10/1583/LB

Applicant: David Pennell, Burghley House Preservation Trust
 Proposal: Alteration and extension to listed building
 Location: 43A, High Street, Stamford, Lincolnshire, PE9 2LP
 Decision: Approved conditionally - 27 September 2012
 End to End time: 805

S11/1796/FULL

Applicant: Mr D Gibbons
 Proposal: Dwelling on land south of Manor House Farm
 Location: Manor Farmhouse, Main Street, Baston, Peterborough, PE6 9PB
 Decision: Refused by SoS - 24 September 2012
 End to End time: 419

S11/1798/DC

Applicant: Mr Graham Henton, Daraton 2000 Ltd
 Proposal: Approval of details reserved by conditions 8 (footpath and surface water drainage) & 9 (surface water drainage) of S08/0005
 Location: 36 Newton Way, Woolsthorpe By Colsterworth, Grantham, NG33 5NR
 Decision: Approved - 26 September 2012
 End to End time: 425

S11/2109/HSB

Applicant: Mr & Mrs D Rose
 Proposal: Erection of double garage in rear garden
 Location: 28, Croft Drive, Grantham, NG31 9EB
 Decision: Withdrawn - 03 September 2012
 End to End time: 368

S11/2438/FULL

Applicant: Mrs Jill Smith, County Car Auctions
 Proposal: Change of use of store to A1 retail
 Location: County Car Auctions, East Gate, Bourne, Lincolnshire, PE10 9JY
 Decision: Approved by SoS conditionally - 24 September 2012
 End to End time: 350

S11/3052/TCA

Applicant: Mrs J Owens
 Proposal: Reduce height of 3 evergreen trees in Conservation Area
 Location: 4, West End, Harlaxton, Grantham, Lincolnshire, NG32 1HE
 Decision: TCA - TPO required - 25 September 2012
 End to End time: 272

S12/0095/FULL

Applicant: Ms Jane Galilee
 Proposal: Erection of dwelling
 Location: 26, Roman Bank, Stamford, Lincolnshire, PE9 2SS
 Decision: Approved by SoS conditionally - 19 September 2012
 End to End time: 247

S12/0494/HSB

Applicant: Jonathon Harvey
 Proposal: Erection of detached garage and annexe
 Location: The Barn, 21, High Street, Carlby, Stamford, Lincolnshire, PE9 4LX
 Decision: Refused by SoS - 13 September 2012
 End to End time: 199

S12/0551/FULL

Applicant: Mr N Bish
 Proposal: Erection of agricultural storage building (dutch barn)
 Location: Masons Farm, Spalding Road, Bourne, Lincolnshire, PE10 0AU
 Decision: Approved conditionally - 03 September 2012
 End to End time: 175

S12/0708/FULL

Applicant: Mr & Mrs P Duffree
 Proposal: Conversion and extension of outbuilding to form new dwelling (amended version of previously approved scheme - S09/2721)
 Location: Barn adj 46 High Street, Colsterworth, Grantham, NG33 5NF
 Decision: Approved conditionally - 07 September 2012
 End to End time: 74

S12/0715/HSB

Applicant: Mr & Mrs P Sullivan
 Proposal: Erection of extension (revised scheme) and new screen planting
 Location: The Hawthorns, Kings Road, Stamford, Lincolnshire, PE9 1HD
 Decision: Approved by SoS conditionally - 12 September 2012
 End to End time: 175

S12/0769/DC

Applicant: Mr M Franklin
 Proposal: Approval of details of conditions 2 (materials), 3 (roofing) & 4 (mortar mix) required by planning permission S11/3196
 Location: The Manor House, Main Road, Tallington, Stamford, Lincolnshire, PE9 4RP
 Decision: Approved - 06 September 2012
 End to End time: 139

S12/0776/FULL

Applicant: Mr Nev Tointon
 Proposal: Demolition of dwelling and erection of bungalow
 Location: 36, High Street, Caythorpe, Grantham, NG32 3DS
 Decision: Approved conditionally - 06 September 2012
 End to End time: 163

S12/0898/LB

Applicant: William Oscroft, Love It
 Proposal: Retention of works for repainting of shop front from custard yellow to blue
 Location: 1, St Johns Street, Stamford, Lincolnshire, PE9 2DA
 Decision: Approved conditionally - 06 September 2012
 End to End time: 43

S12/0910/FULL

Applicant: Mr & Mrs J Clark
 Proposal: Erection of two storey detached dwelling
 Location: Plot adjacent 3, Casthorpe Road, Barrowby, NG32 1DW
 Decision: Approved conditionally - 21 September 2012
 End to End time: 123

S12/0972/HSB

Applicant: Mrs Clare Milner
 Proposal: Proposed extensions to dwelling
 Location: Rocklands, Casthorpe Road, Barrowby, Grantham, Lincolnshire, NG32 1DW
 Decision: Approved conditionally - 05 September 2012
 End to End time: 125

S12/1038/HSB

Applicant: Mr Tim Hutton
 Proposal: Demolition of single storey building on site frontage and replacement with two storey self contained annex, and 2m high stone wall and wooden gates
 Location: The Barn, Charity Street, Carlton Scroop, Grantham, Lincolnshire, NG32 3AT
 Decision: Refused - 11 September 2012
 End to End time: 141

S12/1039/DC

Applicant: Mr James Richardson
 Proposal: Approval of details of conditions 2 (materials), 3 (cross sections of windows) & 4 (mortar mix) required by S12/0051
 Location: 1, Creeton Road, Swinstead, Grantham, Lincolnshire, NG33 4PF
 Decision: Approved - 20 September 2012
 End to End time: 146

S12/1041/LB

Applicant: Scrivens Opticians & The Hearing Company
 Proposal: Hanging/projecting sign to facade
 Location: UNIT 8, Crown Walk, West Street, Bourne, Lincolnshire, PE10 9PB
 Decision: Approved conditionally - 25 September 2012
 End to End time: 152

S12/1048/FULL

Applicant: Mrs Liz Town, Business Manager
 Proposal: Retention of fencing - along with new and re-positioned sections -and retention of 2 No. cycle shelters
 Location: Malcolm Sargent Primary School, Empingham Road, Stamford, Lincolnshire, PE9 2SR
 Decision: Approved conditionally - 21 September 2012
 End to End time: 119

S12/1189/OUT

Applicant: Great Gonerby Social Club
 Proposal: Demolition of former Social Club building and erection of dwelling (outline)
 Location: Great Gonerby Social Club, 8, High Street, Great Gonerby, Grantham, NG318JP
 Decision: Approved conditionally - 13 September 2012
 End to End time: 120

S12/1218/HSB

Applicant: Mrs Sam Gibbs
 Proposal: 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
 Location: The Old Sheepwash Barn, Stroxtan Lane, Stroxtan, Grantham, Lincolnshire, NG33 5DA
 Decision: Approved conditionally - 10 September 2012
 End to End time: 116

S12/1241/MJNF

Applicant: Bourne Services Group Ltd
 Proposal: Proposed new laundry facility
 Location: Bourne Services Group Ltd, Cherry Holt Road, Bourne, Lincolnshire, PE10 9LA
 Decision: Approved conditionally - 24 September 2012
 End to End time: 126

S12/1290/FULL

Applicant: The Kings School
 Proposal: Erection of indoor sports hall and associated car park
 Location: Kings School Playing Field, North Parade, Grantham, Lincolnshire, NG31 8AU
 Decision: Approved conditionally - 26 September 2012
 End to End time: 107

S12/1298/FULL

Applicant: R, B T & C L Wills
 Proposal: Extension to existing stables, retention of existing horse walker and change of use of land for keeping of horses
 Location: Land to the West of Clover House,, Claypole Road, Stubton, NG23 5BU
 Decision: Approved conditionally - 17 September 2012
 End to End time: 112

S12/1304/HSB

Applicant: Mr Nigel, Parker
 Proposal: Raise ridge level by 0.9 metre to create accommodation in roof space, build 1 1/2 storey front extension and single storey rear extension and widen existing side extension
 Location: Steveley, Mill Lane, Oasby, Grantham, NG32 3ND
 Decision: Approved conditionally - 26 September 2012
 End to End time: 117

S12/1368/FULL

Applicant: Alston Country Homes Limited
 Proposal: Erection of replacement dwelling
 Location: 18, Towngate East, Market Deeping, Peterborough, Lincolnshire, PE6 8DR
 Decision: Approved conditionally - 12 September 2012
 End to End time: 50

S12/1373/OUT

Applicant: Mr & Mrs Lingard
 Proposal: Demolition of existing dwelling and erection of four bungalows (outline) - extension of time limit
 Location: 1, Grosvenor Square, Billingborough, Sleaford, NG34 0QJ
 Decision: Approved conditionally - 26 September 2012
 End to End time: 117

S12/1382/HSB

Applicant: Mr N Johnson
 Proposal: Retrospective application for two roof lights (north-west elevation and south-east elevation)
 Location: Low Park Lodge, Aveland Way, Aslackby, Sleaford, Lincolnshire, NG34 0HF
 Decision: Approved conditionally - 21 September 2012
 End to End time: 66

S12/1407/FULL

Applicant: Mrs H Dulieu
 Proposal: Provision of external staircase (fire exit) to second floor landing to eastern side elevation, flat roofed terrace with associated external staircase to western side of property and provision of solar panels
 Location: Caudle House, 43, High Street, Market Deeping, Peterborough, PE6 8ED
 Decision: Refused - 06 September 2012
 End to End time: 55

S12/1408/LB

Applicant: Mrs H Dulieu
 Proposal: Provision of external staircase (fire exit) to second floor landing to eastern side elevation, flat roofed terrace with associated external staircase to western side of property and provision of solar panels
 Location: Caudle House, 43, High Street, Market Deeping, Peterborough, PE6 8ED
 Decision: Refused - 06 September 2012
 End to End time: 55

S12/1469/FULL

Applicant: Mr N Johnson
 Proposal: Change of use of agricultural land to garden (retrospective application)
 Location: Low Park Lodge, Aveland Way, Aslackby, Sleaford, Lincolnshire, NG34 0HF
 Decision: Approved conditionally - 21 September 2012
 End to End time: 66

S12/1528/HS

Applicant: Mr & Mrs D Foster
 Proposal: Two storey detached summerhouse, removal of boundary hedge and erection of fence
 Location: 22, Belton Lane, Grantham, Lincolnshire, NG31 9HS
 Decision: Approved conditionally - 20 September 2012
 End to End time: 92

S12/1529/HS

Applicant: Mrs C Smith
 Proposal: Porch to side of dwelling
 Location: Carinya, 54, Beacon Lane, Grantham, Lincolnshire, NG31 9DL
 Decision: Approved conditionally - 10 September 2012
 End to End time: 42

S12/1533/FULL

Applicant: Mr T Tye
 Proposal: Replacement dwelling
 Location: Ashleigh, Bourne Road, Colsterworth, Grantham, Lincolnshire, NG33 5JN
 Decision: Approved conditionally - 21 September 2012
 End to End time: 57

S12/1612/FULL

Applicant: Mrs L Spires
 Proposal: Drop kerb
 Location: 23, Stamford Road, Market Deeping, Peterborough, Lincolnshire, PE6 8AB
 Decision: Approved conditionally - 11 September 2012
 End to End time: 48

S12/1635/LB

Applicant: C Meadows, Estates Manager
 Proposal: Alteration of Listed Building (Internal)
 Location: Pegasus Tower, Harlaxton College, Harlaxton Manor, Grantham Road, Harlaxton, Grantham, Lincolnshire, NG32 1AG
 Decision: Approved conditionally - 06 September 2012
 End to End time: 69

S12/1636/FULL

Applicant: Mr Ed Hanna
 Proposal: Retention of 3.2m security fencing
 Location: Hurnsfield, Barrowby Road, Grantham, Lincolnshire, NG31 8NT
 Decision: Approved - 24 September 2012
 End to End time: 56

S12/1637/CWC

Applicant: Mr Ed Hanna
 Proposal: Compliance with Condition 1 of S08/1376 (commencement of development)
 Location: Hurnsfield, Barrowby Road, Grantham, Lincolnshire, NG31 8NT
 Decision: Approved - 07 September 2012
 End to End time: 70

S12/1655/FULL

Applicant: The West Grantham Academies Trust
 Proposal: Erection of vehicle storage building
 Location: The West Grantham Academy St Hughs, The Grove, Grantham, Lincolnshire, NG31 7PX
 Decision: Approved conditionally - 10 September 2012
 End to End time: 34

S12/1666/LDE

Applicant: Mr David Maltby
 Proposal: Lawful Development Certificate for existing use as a Haulage Yard.
 Location: The Saw Mill, Bridge End Road, Grantham, Lincolnshire, NG31 7TS
 Decision: Lawful Development - 25 September 2012
 End to End time: 46

S12/1686/FULL

Applicant: Mr Mark Revill
 Proposal: Demolition of farm buildings and erection of dwelling (resubmission following withdrawal of S12/0623)
 Location: Gordon House Farm, 15, Back Lane, Claypole, Newark, Lincolnshire, NG23 5AA
 Decision: Approved conditionally - 14 September 2012
 End to End time: 71

S12/1688/HSB

Applicant: Mr Andrew Green
 Proposal: Single storey extension to west elevation to form a garage and single storey extension to east elevation to form accommodation
 Location: Chestnut Lodge, Village Street, Sedgebrook, Grantham, Lincolnshire, NG32 2EW
 Decision: Approved conditionally - 07 September 2012
 End to End time: 65

S12/1689/LB

Applicant: Miss Natalie Fahy
 Proposal: Listed Building application for replacement front door
 Location: 7, High Road, Manthorpe, Grantham, Lincolnshire, NG31 8NF
 Decision: Approved conditionally - 06 September 2012
 End to End time: 44

S12/1690/MJNF

Applicant: Mr D S Oliver
 Proposal: Sports Pavilion (amended version of previously approved scheme - S11/1418)

Location: The Playing Fields, Walcot Lane, Folkingham
 Decision: Approved conditionally - 14 September 2012
 End to End time: 60

S12/1691/HSB

Applicant: Mrs J Parker
 Proposal: Construction of brick skin and erection of porch

Location: 34, Brittain Drive, Grantham, Lincolnshire, NG31 9JT
 Decision: Approved conditionally - 11 September 2012
 End to End time: 39

S12/1703/LDE

Applicant: Mr & Mrs G Rudkin
 Proposal: Retention of detached conservatory (Lawful Development Certificate - Existing)

Location: The Old School House, Station Road East, Grantham, Lincolnshire, NG31 8DH
 Decision: Lawful Development - 07 September 2012
 End to End time: 59

S12/1708/FULL

Applicant: Mr & Mrs Michael Mart
 Proposal: Conversion of barn (formally used as a showroom) to dwelling
 Location: Rear of No 4, Sparrow Lane, Long Bennington, Newark, Lincolnshire, NG23 5DL
 Decision: Approved conditionally - 21 September 2012
 End to End time: 77

S12/1709/FULL

Applicant: Simon Birnbaum, Tesco Stores Ltd
 Proposal: Application to vary the store opening hours on Sundays to between 0900 and 2000 during the London Olympic Games and Paralympics from 22 July 2012 to 9 September 2012
 Location: Tesco Stores Ltd, Godsey Lane, Market Deeping, Peterborough, PE6 8UD
 Decision: Approved conditionally - 06 September 2012
 End to End time: 59

S12/1712/HSB

Applicant: Mr & Mrs A Bembridge
 Proposal: Retrospective application for decking area
 Location: 2, Pasture Close, Grantham, Lincolnshire, NG31 7HW
 Decision: Approved conditionally - 13 September 2012
 End to End time: 66

S12/1713/LDE

Applicant: Mr M Leech, Robert Doughty Consultancy
 Proposal: Continued occupation of dwelling not in accordance with agricultural occupancy (Condition 3 of SK06/0639/89) (Lawful Development Certificate Existing)
 Location: Rutland Cottage, Grantham Road, Barrowby, Grantham, Lincolnshire, NG32 1ED
 Decision: Lawful Development - 03 September 2012
 End to End time: 56

S12/1722/TPO

Applicant: Mr L Yates
 Proposal: Raise/lift crowns up to 4m and thin the crown density of two Ash trees by a maximum of 25%
 Location: 22, Obthorpe Lane, Thurlby, Bourne, PE10 0ES
 Decision: TC&P - Work allowed - 04 September 2012
 End to End time: 53

S12/1727/FULL

Applicant: Mr Gary Sharp, InterM2 Ltd
 Proposal: Demolition of Dutch Barn and Nissen Hut, conversion of former barn to 2 dwellings, erection of 3 bay detached garage and erection of detached dwelling
 Location: Oak Farm Barns, Church Street, Harlaxton, Grantham, NG32 1HB
 Decision: Refused - 21 September 2012
 End to End time: 56

S12/1736/LB

Applicant: Kennedy Leigh Charitable Trust, c/o Bidwells LLP
 Proposal: Installation of replacement window unit to lounge
 Location: Manor Farm Cottage, 43, Corby Road, Swayfield, Grantham, Lincolnshire, NG33 4LQ
 Decision: Approved conditionally - 26 September 2012
 End to End time: 43

S12/1746/LB

Applicant: Mr Tony Williamson
 Proposal: Removal of existing single storey rear extension, erection of new single storey rear extension, internal and external alterations to principal building and alterations to barn building to provide garage, stud and storage (including raising height of building)
 Location: 42, Main Street, Baston, Peterborough, Lincolnshire, PE6 9PB
 Decision: Approved conditionally - 21 September 2012
 End to End time: 52

S12/1751/CAC

Applicant: Mr Gary Sharp, InterM2 Ltd
 Proposal: Demolition of Dutch Barn and Nissen Hut
 Location: Oak Farm Barns, Church Street, Harlaxton, Grantham, NG32 1HB
 Decision: Approved conditionally - 20 September 2012
 End to End time: 55

S12/1758/FULL

Applicant: Mr M Jackson, Jackson Homes (Scopwick) Ltd
 Proposal: Section 73 application to allow for restricted opening of en-suite window in the side elevation.(variation of Condition 2 of S09/1046)
 Location: 17, Bourne Road, Colsterworth, Grantham, Lincolnshire, NG33 5JG
 Decision: Approved conditionally - 21 September 2012
 End to End time: 49

S12/1759/HSH

Applicant: Mrs Shelley Wilson
 Proposal: Dropping of kerb in relation to vehicular access and creation of gravel drive
 Location: 144, Harrowby Road, Grantham, NG319DU
 Decision: Refused - 17 September 2012
 End to End time: 39

S12/1761/HSH

Applicant: Mr E Bell
 Proposal: Single storey rear extension
 Location: 54, East End, Langtoft, Peterborough, Lincolnshire, PE6 9LP
 Decision: Approved conditionally - 03 September 2012
 End to End time: 49

S12/1769/HSH

Applicant: Mr & Mrs T Britton
 Proposal: Conversion of brewery to domestic accommodation including extensions and alterations
 Location: 12, Harrowby Lane, Harrowby, Grantham, Lincolnshire, NG31 9HB
 Decision: Approved conditionally - 11 September 2012
 End to End time: 57

S12/1778/HSH

Applicant: Mr D Henderson
 Proposal: Single storey extension to rear of the property
 Location: 21, Clover Road, Market Deeping, Peterborough, Lincolnshire, PE6 8JX
 Decision: Approved conditionally - 19 September 2012
 End to End time: 51

S12/1781/HSH

Applicant: Mr S Smith
 Proposal: Single storey rear extension, garage conversion
 Location: 23, Beech Avenue, Bourne, Lincolnshire, PE10 9RR
 Decision: Approved conditionally - 17 September 2012
 End to End time: 53

S12/1789/FULL

Applicant: Mr George, Winter
 Proposal: Extension to existing agricultural building
 Location: Toft Farm, Barkston Road, Marston, Lincs, NG32 2HN
 Decision: Approved conditionally - 24 September 2012
 End to End time: 35

S12/1793/DC

Applicant: Mr Michael Ellison
 Proposal: Approval of details reserved by conditions 2 (materials) & 5 (joinery details) of planning permission S12/0554
 Location: The Cottage at The Old Rectory, School Lane, Old Somerby, Grantham, NG33 4AG
 Decision: Approved - 20 September 2012
 End to End time: 64

S12/1796/DC

Applicant: Mr Michael Ellison
 Proposal: Approval of details reserved by conditions 2 (materials) & 4 (joinery details) of planning permission S12/0555
 Location: The Cottage at The Old Rectory, School Lane, Old Somerby, Grantham, NG33 4AG
 Decision: Approved - 20 September 2012
 End to End time: 64

S12/1806/FULL

Applicant: Mr Stuart Lucas
 Proposal: Erection of dwelling
 Location: land adjacent to 137, Barrowby Road, Grantham, Lincolnshire, NG31 8AE
 Decision: Approved conditionally - 18 September 2012
 End to End time: 62

S12/1807/LB

Applicant: Mr Mitchell, Freeman
 Proposal: Alteration of a listed building
 Location: 5, Archers Way, Great Ponton, Grantham, Lincolnshire, NG33 5DS
 Decision: Approved conditionally - 10 September 2012
 End to End time: 53

S12/1808/HSB

Applicant: Mr S Wallace
 Proposal: Two storey side extension and single storey rear extension
 Location: 26, Sutherland Way, Stamford, Lincolnshire, PE9 2TB
 Decision: Approved conditionally - 11 September 2012
 End to End time: 48

S12/1809/FULL

Applicant: Mr A Winham, First Hamblin (Eastern)
 Proposal: Change of use of building to retail (A1) and a dwellinghouse; plus external alterations
 Location: Former Darby & Joan Hall, North Street, Stamford, Lincolnshire, PE9 1EL
 Decision: Refused - 21 September 2012
 End to End time: 56

S12/1812/HSB

Applicant: Mrs C Hughes
 Proposal: Single storey rear extension
 Location: 116, Northorpe, Thurlby, Bourne, Lincolnshire, PE10 0HZ
 Decision: Approved conditionally - 19 September 2012
 End to End time: 50

S12/1817/HS

Applicant: Mr & Mrs Grover
 Proposal: Conservatory to side elevation
 Location: 17, Westerdale Road, Grantham, Lincolnshire, NG31 8EJ
 Decision: Approved conditionally - 05 September 2012
 End to End time: 43

S12/1818/HS

Applicant: Mr H MaCullum
 Proposal: External insulation and rendering to dwelling
 Location: 16, Pond Street, Harlaxton, Grantham, Lincolnshire, NG32 1HW
 Decision: Approved conditionally - 10 September 2012
 End to End time: 46

S12/1821/FULL

Applicant: Mr J Stubbs
 Proposal: Variation of Condition 19 to originally approved scheme under S12/0478/FULL to include window in dining room, window in master bedroom, door into garage and reposition garage door and door to replace window from utility room
 Location: Fen Bourne Livery, 38, Spalding Road, Bourne, Lincolnshire, PE10 0AU
 Decision: Approved conditionally - 12 September 2012
 End to End time: 54

S12/1825/HS

Applicant: Mrs Lorraine Robson
 Proposal: Single storey front extension
 Location: 179a, Eastgate, Deeping St James, Peterborough, Lincolnshire, PE6 8RB
 Decision: Approved conditionally - 19 September 2012
 End to End time: 50

S12/1826/HS

Applicant: Mr Richard Wilson
 Proposal: Single storey rear extension
 Location: 9, Horsegate, Deeping St James, Peterborough, Lincolnshire, PE6 8QT
 Decision: Approved conditionally - 17 September 2012
 End to End time: 52

S12/1834/HS

Applicant: Mr R Lear
 Proposal: Single storey extension to front of dwelling
 Location: 9, Ash Grove, Bourne, Lincolnshire, PE10 9SG
 Decision: Approved conditionally - 17 September 2012
 End to End time: 52

S12/1853/HS

Applicant: Mrs Emily Cantwell
 Proposal: Single storey side extension to dwelling
 Location: 15, Beech Grove, Stamford, Lincolnshire, PE9 2JH
 Decision: Approved conditionally - 27 September 2012
 End to End time: 42

S12/1862/FULL

Applicant:

Proposal:

Mrs Sarah, Hart

Section73 application to allow for retention of landscaping/boundary treatment and reinstatement of permitted development rights (variation of conditions 3,5,6 & 7 of S08/1104)

Location:

Walnut House, Somerby Road, Ropsley, Grantham, Lincolnshire, NG33 4AZ

Decision:

Approved conditionally - 10 September 2012

End to End time:

46

S12/1869/HSB

Applicant:

Proposal:

Mr T Williamson

Removal of existing single storey rear extension, erection of new single storey rear extension, internal and external alterations to principal building and alterations to barn building to provide garage, stud and storage (including raising height of building)

Location:

42, Main Street, Baston, Peterborough, Lincolnshire, PE6 9PB

Decision:

Approved conditionally - 21 September 2012

End to End time:

52

S12/1870/FULL

Applicant:

Proposal:

Location:

Mrs Teresa Coupland

Change of use of part of paddock to domestic curtilage

Orchard Cottage, Hough Road, Frieston, Grantham, Lincolnshire, NG32 3DA

Decision:

Approved conditionally - 24 September 2012

End to End time:

47

S12/1875/HSB

Applicant:

Proposal:

Location:

Mr Dreeman

Single storey rear extension and tiled roof to garage

5, The Orchard, Market Deeping, Peterborough, Lincolnshire, PE6 8JS

Decision:

Approved conditionally - 11 September 2012

End to End time:

48

S12/1877/HSB

Applicant:

Proposal:

Location:

Mr Keith Freestone

Proposed single storey front and side extension

79, Stephenson Avenue, Grantham, Lincolnshire, NG31 8QB

Decision:

Approved conditionally - 07 September 2012

End to End time:

43

S12/1883/FULL

Applicant:

Proposal:

Location:

Barbara Doxey

Change of use of building from an industrial unit (B1) to non residential teaching (D1)

E Bowman & Sons Ltd, Cherryholt Road, Stamford, Lincolnshire, PE9 2ER

Decision:

Approved conditionally - 04 September 2012

End to End time:

33

S12/1901/FULL

Applicant: Mr J Woolway
 Proposal: Single storey extension
 Location: Opico, Cherry Holt Road, Bourne, PE10 9LA
 Decision: Approved conditionally - 12 September 2012
 End to End time: 44

S12/1904/FULL

Applicant: Mr M Mitchell, Benchmark Projects Ltd
 Proposal: Change of use of dwelling to form two flats
 Location: 55, Houghton Road, Grantham, NG316JB
 Decision: Approved conditionally - 10 September 2012
 End to End time: 41

S12/1906/HS

Applicant: Mr John Brummitt
 Proposal: Single storey side extensions to dwelling including new garage, proposed conservatory to rear and construction of ramp to front with canopy over
 Location: 2, Ely Way, Grantham, Lincolnshire, NG31 8PG
 Decision: Approved conditionally - 11 September 2012
 End to End time: 39

S12/1907/HS

Applicant: Phillip Page
 Proposal: Single storey side extension to dwelling
 Location: 301, Dysart Road, Grantham, Lincolnshire, NG31 7LR
 Decision: Approved conditionally - 05 September 2012
 End to End time: 35

S12/1917/HS

Applicant: Mrs L Briggs
 Proposal: Erection of first floor extension to dwelling
 Location: The Granary, Church Street, Corby Glen, Grantham, Lincolnshire, NG33 4NJ
 Decision: Approved conditionally - 21 September 2012
 End to End time: 44

S12/1927/TCA

Applicant: Mrs C McGregor
 Proposal: Crown reduce one Judas tree
 Location: Austin House, 4, Austin Street, Stamford, Lincolnshire, PE9 2QR
 Decision: TC&P - Work allowed - 03 September 2012
 End to End time: 32

S12/1934/LB

Applicant: Mr Alexander Gordon, National Trust
 Proposal: Alteration of Listed Building
 Location: 11, Main Street, Belton, Grantham, Lincolnshire, NG32 2LW
 Decision: Approved - 10 September 2012
 End to End time: 39

S12/1952/HR

Applicant: Terrace Hills Farm LLP
 Proposal: Removal of various hedgerows
 Location: The Estate Office, Belvoir, Grantham, Lincs, NG32 1PD
 Decision: HR - Hedgerow Retention Notice - 14 September 2012
 End to End time: 42

S12/1958/FULL

Applicant: Shanghai 111 Ltd
 Proposal: Change of use from A1 to A3 restaurant including creation of new entrance and extract chimney
 Location: 1, The George Shopping Centre, High Street, Grantham, Lincolnshire, NG31 6LH
 Decision: Approved conditionally - 25 September 2012
 End to End time: 46

S12/1960/OUT

Applicant: Mrs R Ioannou
 Proposal: Erection of dwelling (Outline)
 Location: The Old Farmhouse, Pethley Lane, Pointon, Sleaford, Lincolnshire, NG34 0ND
 Decision: Withdrawn - 13 September 2012
 End to End time: 29

S12/1970/FULL

Applicant: Croft Commercial Developments Ltd
 Proposal: Erection of two storey office building (B1)
 Location: South View Business Park, Tinwell Road, Stamford, Lincolnshire, PE9 2JL
 Decision: Approved conditionally - 20 September 2012
 End to End time: 34

S12/1976/TCA

Applicant: Mr C Eveling
 Proposal: Removal of dead & dying branches, 2nd low un-shapely branch - Cypress
 Location: 23, High Street, Ropsley, Grantham, Lincolnshire, NG33 4BG
 Decision: TC&P - Work allowed - 14 September 2012
 End to End time: 42

S12/1987/TPO

Applicant: Mr Peter Fall
 Proposal: Removal of dead wood in canopy of Turkey Oak
 Location: 10, Hazelwood Drive, Grantham, Lincolnshire, NG31 8GZ
 Decision: Withdrawn - 06 September 2012
 End to End time: 24

S12/1991/TCA

Applicant: Mr J Morten
 Proposal: Felling of 1 no. conifer and pollarding works to 1 no. willow
 Location: Shortacre, Church Lane, Braceborough, Stamford, Lincolnshire, PE9 4NT
 Decision: TC&P - Work allowed - 06 September 2012
 End to End time: 22

S12/1992/HSR

Applicant: Mrs L Glover
 Proposal: Single storey rear extension
 Location: 18, Luffenham Close, Stamford, Lincolnshire, PE9 2SE
 Decision: Approved conditionally - 14 September 2012
 End to End time: 31

S12/1994/HS

Applicant: Mr & Mrs Thomson
 Proposal: Two storey extension to the side of the existing dwelling
 Location: 33, Stretham Way, Bourne, Lincolnshire, PE10 9DE
 Decision: Approved conditionally - 27 September 2012
 End to End time: 49

S12/1998/HS

Applicant: Mr & Mrs Woodward
 Proposal: Single storey front and rear extensions to dwelling to allow for conversion of two dwellings to one.
 Location: 17, Kingscliffe Road, Grantham, Lincolnshire, NG31 8ET
 Decision: Approved conditionally - 21 September 2012
 End to End time: 39

S12/2009/LB

Applicant: Jacobs & Turner T/A Trespass
 Proposal: Replacement signage
 Location: 56, High Street, Stamford, Lincolnshire, PE9 2AW
 Decision: Approved conditionally - 17 September 2012
 End to End time: 38

S12/2010/ADV

Applicant: Jacobs & Turner T/A Trespass
 Proposal: Replacement signage
 Location: 56, High Street, Stamford, Lincolnshire, PE9 2AW
 Decision: Approved conditionally - 17 September 2012
 End to End time: 38

S12/2021/HS

Applicant: Mrs Pigott
 Proposal: Conversion of existing garage to kitchen and form link to main dwelling
 Location: 2, Ermine Close, Bourne, Lincolnshire, PE10 9XH
 Decision: Approved conditionally - 27 September 2012
 End to End time: 45

S12/2028/HS

Applicant: Mr Steve Norman
 Proposal: Retention of retaining wall & gate piers
 Location: Orchard House, 29, East Street, Rippingale, Bourne, Lincolnshire, PE10 0SS
 Decision: Approved - 27 September 2012
 End to End time: 26

S12/2029/TCA

Applicant: Mr Meacham
 Proposal: Fell 2 Crab Apple tress
 Location: The Pillared Cottage, Main Street, Witham On The Hill, Bourne, Lincolnshire, PE10 0JH
 Decision: TC&P - Work allowed - 20 September 2012
 End to End time: 37

S12/2031/TCA

Applicant: Mr Lewis
 Proposal: Removal of 3 no. lower limbs from Ash tree
 Location: 3, Clark's Close, Morton, Lincolnshire, PE10 0XF
 Decision: TC&P - Work allowed - 18 September 2012
 End to End time: 35

S12/2032/TCA

Applicant: Mrs Parsons
 Proposal: Prune elaeagnus (T1) and reduce height of laurel by up to 50% (T2)
 Location: 9, Casterton Road, Stamford, Lincolnshire, PE9 2YL
 Decision: Withdrawn - 21 September 2012
 End to End time: 38

S12/2043/FULL

Applicant: Mr M Russo, M & ARC Hair and Beauty
 Proposal: Variation of Condition 4 of p/p S11/3090/FULL to change first floor front window from 5 to 3 panes
 Location: 10, South Street, Bourne, Lincolnshire, PE10 9LT
 Decision: Approved conditionally - 26 September 2012
 End to End time: 42

S12/2054/TCA

Applicant: Mr John Kendall
 Proposal: Reduce crown of 2 Yew trees, lifting crown of London Plane tree and reduce crown of Purple Flowering Plum tree
 Location: The Kings School, Brook Street, Grantham, Lincolnshire, NG31 6RP
 Decision: TC&P - Work allowed - 26 September 2012
 End to End time: 43

S12/2058/DC

Applicant: Mr & Mrs A Van Straubenzee
 Proposal: Discharge of conditions 3 (materials), 4 (cross sections), 5 (mortar mix), 6 (rainwater goods) and 7 (details of means of attaching to building) of planning permission S12/1268/HS
 Location: 13, Church Lane, South Witham, Grantham, Lincolnshire, NG33 5PL
 Decision: Approved - 21 September 2012
 End to End time: 35

S12/2059/HS

Applicant: Mr & Mrs A Van Straubenzee
 Proposal: Removal of condition 8 of planning permission S12/1268/HS in relation to requirements to recess infill panel to existing window opening
 Location: 13, Church Lane, South Witham, Grantham, Lincolnshire, NG33 5PL
 Decision: Approved conditionally - 26 September 2012
 End to End time: 42

S12/2089/DC

Applicant: Mr & Mrs A Van Straubenzee
 Proposal: Discharge of conditions 3 (materials), 4 (cross sections), 5 (mortar mix), 6 (rainwater goods) and 7 (details of means of attaching to building) of listed building consent
 S12/1269/LBC
 Location: 13, Church Lane, South Witham, Grantham, Lincolnshire, NG33 5PL
 Decision: Approved - 21 September 2012
 End to End time: 36

S12/2090/LB

Applicant: Mr & Mrs A Van Straubenzee
 Proposal: Removal of condition 8 of Listed building consent
 S12/1269/LB in relation to requirement to recess infill panel to existing window opening
 Location: 13, Church Lane, South Witham, Grantham, Lincolnshire, NG33 5PL
 Decision: Approved conditionally - 26 September 2012
 End to End time: 42

S12/2153/NMA

Applicant: Mr G Smith
 Proposal: Non material amendment to approval of S11/0072 to reduce parking spaces from six back to four as originally approved under S07/1534
 Location: 10, Broadgate Lane, Deeping St James, Peterborough, Lincolnshire, PE6 8NW
 Decision: Approved - 21 September 2012
 End to End time: 29

S12/2268/CDC

Applicant: Anne Cant, Lincolnshire County Council
 Proposal: To seek retrospective planning permission to retain existing mobile classroom for 3 years- PL/0146/12
 Location: Ingoldsby County Primary School, Lenton Road, Ingoldsby, Grantham, Lincolnshire, NG33 4HA
 Decision: No objections made - 27 September 2012
 End to End time: 21

S12/2272/CDC

Applicant: Anne Cant, Lincolnshire County Council
 Proposal: To seek retrospective planning permission to retain existing mobile classroom for 3 years - PL/0135/12
 Location: Ropsley Church Of England County Primary School, School Lane, Ropsley, Grantham, Lincolnshire, NG33 4BT
 Decision: No objections made - 27 September 2012
 End to End time: 21

S12/2300/TCA

Applicant: Mrs James
 Proposal: Reduce height and spread of holly tree by approximately 6' (1.8m)
 Location: 12a, Austin Street, Stamford, PE9 2QR
 Decision: TC&P - Work allowed - 19 September 2012
 End to End time: 8

S12/2346/DC

Applicant: Nick Teesdale (Director)
Proposal: Approval of details of condition 2 (archaeology watching brief) required by S12/1354
Location: Copthill Preparatory and Nursery School, Barnack Road, Uffington, Stamford, PE9 3AD
Decision: Approved - 25 September 2012
End to End time: 8

S12/2351/DC

Applicant: Mr & Mrs D Rogers
Proposal: Approval of Condition 2 (materials) of p/p S12/0264
Location: School House, Main Street, Witham On The Hill, Bourne, Lincolnshire, PE10 0JH
Decision: Approved - 19 September 2012
End to End time: 2

S12/2390/DC

Applicant: Mr James Richardson
Proposal: Approval of details of conditions 2 (materials), 3 (cross sections of windows) & 4 (mortar mix) required by S12/0052
Location: 1, Creeton Road, Swinstead, Grantham, Lincolnshire, NG33 4PF
Decision: Approved - 20 September 2012
End to End time: 146

S12/2397/DEM

Applicant: Mr Richard Lett
Proposal: Prior notification of demolition of dwelling
Location: 16, Harrowby Lane, Grantham, Lincolnshire, NG31 9HX
Decision: Not required - 25 September 2012
End to End time: 6

PLANNING APPEALS 2011/2012 (excluding Enforcements)**APPEALS OUTSTANDING AT 01 OCTOBER 2012 – Total of 19**

<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	<u>Start Date</u> 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	<u>Start Date</u> 15-Aug-2011 <u>Date of H / I</u> N/A	
<u>S11/1401/LDE</u> LDPP Mr Martin Foster Lawful Development Certificate (Existing) - Use of land as residential garden Greenfields House, 5, Greenfields Lane, Folkingham, Sleaford, NG34 0SH	Written Evidence	<u>Start Date</u> 06-Sep-2012 <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	<u>Start Date</u> 08-Aug-2011 <u>Date of H / I</u>	
<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	<u>Start Date</u> 14-Jun-2012 <u>Date of H / I</u> N/A	
<u>S11/2030/MJRO</u> PWM Ropsley Farms Ltd Residential development - 28 dwellinghouses The Quarry site, Grantham Road, Ropsley, Grantham	Informal Hearing	<u>Start Date</u> 20-Aug-2012 <u>Date of H / I</u> 21-Nov-2012	

<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	Written Evidence	<u>Start Date</u> 24-May-2012 <u>Date of H / I</u> N/A	
<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	Written Evidence	<u>Start Date</u> 09-Aug-2012 <u>Date of H / I</u> N/A	
<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	Written Evidence	<u>Start Date</u> 11-Jul-2012 <u>Date of H / I</u> N/A	
<u>S11/2892/OUT</u> PL Mrs E M Pignatiello Creation of two building plots 34, Coggles Causeway, Bourne, Lincolnshire, PE10 9LL	Written Evidence	<u>Start Date</u> 05-Jul-2012 <u>Date of H / I</u> N/A	
<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	Informal Hearing	<u>Start Date</u> 21-Aug-2012 <u>Date of H / I</u>	
<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	Written Evidence	<u>Start Date</u> 11-Jul-2012 <u>Date of H / I</u> N/A	
<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	Written Evidence	<u>Start Date</u> 11-Jul-2012 <u>Date of H / I</u> N/A	

<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	Written Evidence	<u>Start Date</u> 13-Jul-2012 <u>Date of H / I</u> N/A	
<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	Written Representation	<u>Start Date</u> 11-Jun-2012 <u>Date of H / I</u>	
<u>S12/0318/OUT</u> PJM Mr Lloyd Courtenay Erection of single storey dwelling (outline) The Harbour, Kintore Drive, Grantham, Lincolnshire, NG31 9DH	Written Evidence	<u>Start Date</u> 03-Aug-2012 <u>Date of H / I</u> N/A	
<u>S12/0750/HSH</u> RV Mr & Mrs P Holland Application Order Section 73 of the Town & Country Planning Act for extension to dwelling to not comply with condition 2 of application S11/0828 relating to obscure glazing to the playroom Hollydew, 39, Station Road, Castle Bytham, Grantham, Lincolnshire, NG33 4SJ	Written Evidence	<u>Start Date</u> 04-Sep-2012 <u>Date of H / I</u> N/A	
<u>S12/1135/OUT</u> SB Mr DJ & FE Creasey Erection of single storey dwelling (outline including access, layout and scale only) land to south of, 39, Stainfield Road, Hanthorpe, Bourne, Lincolnshire, PE10 0RE	Written Evidence	<u>Start Date</u> 24-Sep-2012 <u>Date of H / I</u> N/A	
<u>S12/1521/OUT</u> SB Miss H Smitheringale Erection of one 2 storey dwelling Adj. 2, Limetree Avenue, Towngate West, Market Deeping, PE6 8DQ	Written Evidence	<u>Start Date</u> 30-Aug-2012 <u>Date of H / I</u> N/A	

RECENT APPEAL DECISIONS TO 28 SEPTEMBER 2012

Application Ref: S11/1796/FULL AH

Planning Inspectorate No: APP/E2530/A/12/21731

Appeal Type: **Written Evidence**

Appellant:	Mr D Gibbons
Proposal:	Dwelling on land south of Manor House Farm
Site:	Manor Farmhouse, Main Street, Baston, Peterborough, PE6 9PB

Appeal Decision – Date:	Appeal dismissed - 24 September 2012
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SUMMARY

This application was determined under delegated powers and related to the proposed erection of a large detached dwelling on land to the south of Manor Farmhouse. The site is situated adjacent to a lake created upon the restoration of minerals extraction site. The application was refused on three grounds, namely; the development was in an unsustainable location, the scheme was detrimental to the setting of a nearby listed building and the applicant had failed to demonstrate that the site was not at risk of flooding. This latter ground for refusal was subsequently withdrawn by the Council before the determination of the appeal as a result of the appellants demonstrating to the Environment Agency that there would be no flood risk involved.

In dismissing the appeal the Inspector, whilst not agreeing with the District Council's position in respect of the impact on the setting of the listed building, upheld the Council's first refusal reason in relation to the fact that the scheme did not represent sustainable development. In this respect, the Inspector concluded that the site was well beyond the edge of the built up area of Baston and considered that no case had been presented by the appellants that would outweigh the presumption against development in such a location set out in Policy S1 of the South Kesteven Core Strategy and the National Planning Policy Framework.

Application Ref: S11/1898/FULL LDPP

Planning Inspectorate No: APP/E2530/A/12/2172888

Appeal Type: **Written Evidence**

Appellant:	Mr W Addison
Proposal:	Three storey dwelling (amendments to S01/1047)
Site:	Adj 3 High Street, Pointon, Sleaford, NG34 0LX

Appeal Decision – Date:	Appeal dismissed - 14 September 2012
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SUMMARY

TO BE REPORT AT NEXT COMMITTEE

Application Ref: S11/2438/FULL RV

Planning Inspectorate No: APP/E2530/A/12/2172808/NWF

Appeal Type: **Written Evidence**

Appellant:	Mrs Jill Smith, County Car Auctions
Proposal:	Change of use of store to A1 retail
Site:	County Car Auctions, East Gate, Bourne, Lincolnshire, PE10 9JY

Appeal Decision – Date:	Appeal allowed with conditions - 24 September 2012
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SUMMARY

An application was submitted for the erection of a dwelling.

RECENT APPEAL DECISIONS TO 28 SEPTEMBER 2012

The proposal was considered to be an overdevelopment of a site with limited area which would have left little or no private amenity space to the existing or proposed dwelling. If approved would have created loss of privacy to the existing unit and would create a visual impact on the surrounding area by virtue of the cramped appearance the proposal would have created. There was also some impact on the proposed unit from the driveway to the existing dwelling from a noise nuisance, loss of privacy and living standards aspect.

The Inspector indicated that he did not think the proposal would have a major impact on the street scene, was compatible with other development within the surrounding area and the plot size and design of the proposal in context with the plot was acceptable. With regard to overlooking he was of the opinion the distance of 23 metres between the rear windows of the proposed dwelling and the front windows of the existing unit was sufficient. He did agree there would be some overlooking of private space but did not think (8.3 metres from the rear fence of the proposed dwelling) this was a significant issue that would threaten the enjoyment of the proposed rear garden area. As there are no windows in the drive side gable he did not feel that this was likely to cause a significant noise nuisance albeit the driveway is right alongside this wall. This view is at odds with the Council's Back Land Development Guidelines.

In the opinion of the Inspector the proposal is therefore in accordance with National Policies PPS1 and PPS5EN1 and Policies SP1 and EN1 of the South Kesteven Core Strategy (2010) and he has allowed the appeal.

No application for costs was made by either party.

Application Ref: S12/0095/FULL RV
Planning Inspectorate No: APP/E2530/A/12/2172614/NWF

Appeal Type: **Written Evidence**

Appellant:	Ms Jane Galilee
Proposal:	Erection of dwelling
Site:	26, Roman Bank, Stamford, Lincolnshire, PE9 2SS

Appeal Decision – Date:	Appeal allowed with conditions - 19 September 2012
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SUMMARY

An application was submitted for the erection of a dwelling.

The proposal was considered to be an overdevelopment of a site with limited area which would have left little or no private amenity space to the existing or proposed dwelling. If approved would have created loss of privacy to the existing unit and would create a visual impact on the surrounding area by virtue of the cramped appearance the proposal would have created. There was also some limited impact on the visual appearance and setting of the adjacent Listed Building.

The Inspector, whilst indicating that he did not think the proposal would have a major impact on the Listed Building, accepted that the proposal would have little amenity space around the dwelling and the layout of the development would appear unduly cramped. He concluded that the limited size of the plot would be in conflict with the appearance of the area and would fail to preserve the character of the Conservation Area contrary to relevant plan policy and felt that the lack of amenity space would cause harm to future occupiers failing to comply with the high standard of design advised in PPS1

The proposal would therefore be contrary to National Policies PPS1 and PPS5EN1 and Policies SP1 and EN1 of the South Kesteven Core Strategy (2010).

No application for costs was made by either party.

RECENT APPEAL DECISIONS TO 28 SEPTEMBER 2012

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

The appeal was allowed for a two storey extension to the existing dwelling. The Inspector considered the effect of the proposal on the living conditions of the occupiers of the adjoining dwelling at Red House Farm when reaching his decision.

The local authority had previously approved an extension and the Inspector considered that the appeal turned on whether the additional build of the proposed extension would cause harm.

Due to the window positioning, levels and relationship between the two properties the Inspector commented that the extension would not impact on the neighbours outlook or have a significant effect on the levels of light entering habitable rooms.

Subject to conditions the Inspector concluded that the proposal would not materially harm the living conditions of the occupiers of the adjoining dwelling at Red House Farm.

Application Ref: S12/0494/HSH NB
Planning Inspectorate No: APP/E2530/D/12/2180682

Appeal Type: **Written Evidence**

Appellant:	Jonathon Harvey
Proposal:	Erection of detached garage and annexe
Site:	The Barn, 21, High Street, Carlby, Stamford, Lincolnshire, PE9 4LX

Appeal Decision – Date:	Appeal dismissed - 13 September 2012
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SUMMARY

The application was determined under delegated powers and refused permission on the grounds of the building being too tall and out of character with the area, with single story outbuildings being typical for the area.

The appeal was dismissed on the same grounds that the application was refused permission. Whilst accepting that there are other outbuildings in the locality it was noted that they were typically single storey and that this formed part of the character of the area and allowing a structure of the size proposed, with a ridge height of 6m and accommodation at a first floor, would be detrimental to the established character.

RECENT APPEAL DECISIONS TO 28 SEPTEMBER 2012

Application Ref: S12/0496/HSH PL
Planning Inspectorate No: APP/E2530/D/12/2178461

Appeal Type: **Written Representation**

Appellant:	Dr M Kebbeh
Proposal:	Erection of fence and gates
Site:	10, The Pollards, Bourne, Lincolnshire, PE10 0QB

Appeal Decision – Date:	Appeal dismissed - 12 September 2012
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SUMMARY

The application was refused by the Development Control Committee because of the fencing adjacent to the highway would be visually incongruous in the streetscape and have a detrimental affect upon the visual amenities of the locality and out of keeping with the character of the area.

The Inspector agreed that the fence is a harsh and incongruous feature in the street-scene which ignores completely the coherent palette of materials and colours which prevails throughout the development. The characteristic open-plan approach to the public-private realm is also severely compromised by the fence and was satisfied that the development conflicts with Core Strategy policy EN1.

Application Ref: S12/0715/HSH AH
Planning Inspectorate No: APP/E2530/D/12/2178402

Appeal Type: **Written Evidence**

Appellant:	Mr & Mrs P Sullivan
Proposal:	Erection of extension (revised scheme) and new screen planting
Site:	The Hawthorns, Kings Road, Stamford, Lincolnshire, PE9 1HD

Appeal Decision – Date:	Appeal allowed with conditions - 12 September 2012
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SUMMARY

This application was determined under delegated powers and related to the proposed erection of an orangery extension to the south-eastern corner of The Hawthornes; a bungalow located in a visually prominent site at the junction of Kings Road and New Cross Road adjacent to the boundary with the Stamford Northfields Conservation Area. The application was refused on the grounds that the proposal would be an unsympathetic addition to the property that would be detrimental to the visual amenities of the locality and the setting of the Stamford Northfields Conservation Area.

In allowing the appeal the Inspector commented that whilst he had some sympathy with the Council's assessment in terms of its visual impact he considered that given the wide variety of architectural building styles in the locality there was some scope to allow an extension in the position proposed to be absorbed into the wider street pattern. More significantly, however, in his determination the Inspector considered that the Council had underestimated the ability of the landscaped screening provided along the boundaries of the property to soften the visual impact of the proposed addition, especially as the appellants intend to augment it.



Appeal Decision

Site visit made on 20 August 2012

by **Jeremy Eagles DipTP DMS MRTPI**

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

Decision date: 24 September 2012

Appeal Ref: APP/E2530/A/12/2173125

Land south of Manor Farm, Main Street, Baston, Lincolnshire PE6 9PB

- 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 David Gibbons against South Kesteven District Council.
- The application Ref: S11/1796/FULL, is dated 26 July 2011.
- The development proposed is a new dwelling.

Procedural matters

1. The proposed development affects the setting of the nearby listed buildings, The Barn and the adjoining dovecote. However, the proposal was not advertised at application stage in accordance with section 67 or section 73 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and the Council's decision is invalid. I have therefore considered the appeal as though the local planning authority had failed to determine the application within the prescribed period. I have assumed that the reasons for refusal given in the decision notice are those which the Council would have adopted had it had the opportunity to do so.
2. The position of the proposed dwelling is shown in different positions on the submitted plans. However, it is common ground between the parties that its position shown on Drwg. No. 09/3630/01 Rev A is correct. I have determined the appeal on this basis.
3. After the site visit the Environment Agency submitted a revised statement which confirmed that it had reviewed the appellant's Flood Risk Assessment dated March 2012 and was prepared to withdraw its objection. The Council confirms that this means that reason for refusal No 2 has been overcome.

Decision

4. The appeal is dismissed and planning permission for a new dwelling is refused.

Main Issues

5. In view of the Council's withdrawal of reason for refusal No 2, relating to flood risk, the main issues in this case are whether the proposed development would:
 - (i) comply with national and local policies relating to sustainable development, and
 - (ii) adversely affect the setting of two Grade II listed buildings (LB).

Development & Growth

25 SEP 2012

Reasons

6. The appeal site comprises an area of rough grass and recently planted trees on the shore of a large, restored, flooded gravel pit which is set in an extensive area of replanted and reclaimed former mineral workings. Active mineral extraction continues some distance away but the appeal site and its surroundings were restored and extensively landscaped between five and ten years ago. The land and water areas are used as a private nature conservation and amenity area in association with the nearby houses, Manor Farm and The Barn which are occupied by the appellant and members of his family. The proposed dwelling would be a sizable, largely single storey building of an attractive modern design, extending to over 37m in length and up to 6.3m in height, for which a range of energy efficient measures is proposed.

Sustainable development

7. The site lies in a well landscaped area of land and water located to the east of the village. It is generally open in character and although not in agricultural use it lies well beyond the edge of the built-up area of Baston. The appellant argues that the site lies within a line drawn between the last property in the village on Main Street and the southern edge of the Aveland Way estate which he feels naturally encloses the south-east corner of the village. However, this line follows no natural features or boundaries but cuts arbitrarily across adjoining fields and the appellant's nature reserve, outside the developed area of the village. The site clearly lies in open countryside.
8. Policy SP1 of the *South Kesteven Core Strategy* (CS) sets out the Council's Spatial Strategy for the District and restricts development in the countryside to affordable housing, local services, replacement dwellings and the conversion of historic and vernacular buildings. This largely reflects guidance in paragraph 55 of the *National Planning Policy Statement* which advises that authorities should avoid new isolated houses in the countryside except in special circumstances, such as agricultural worker's dwellings, optimal use of heritage assets, re-use of redundant buildings or where the dwelling is of exceptional or innovative design. Although the appellant's Design and Access Statement refers to the modern, simple design of the dwelling it does not address the exceptional design requirements of the *Statement*. The appellant feels it is desirable to be within sight of the lake to observe and monitor it on a daily basis but the proposal would not fall within any of the specified exceptions to national or local rural housing policies.
9. The appellant argues that the site constitutes "brownfield" land. However, Annex 2 (Glossary) to the *Statement* excludes from the definition of previously developed land mineral extraction sites where provision for restoration has been made through development control procedures. The appeal site falls within this category and advice in paragraph 111 of the *Statement*, that planning decisions should encourage the effective re-use of previously developed land, does not apply in this case.
10. The approval of a scheme for 35 holiday lodges around a lake to the east is likely to have been considered under different, tourism and leisure, policies. Paragraph 28 of the *Statement* supports economic growth in rural areas, including the provision of tourist and visitor facilities in appropriate locations, and that decision does not provide a precedent for this residential proposal. The conversion of the nearby listed barn to a dwelling resulted in the re-use of

an existing redundant building and the preservation of a heritage asset, in accord with local and national policy. Similarly, the more recent approval of a household waste recycling centre at Baston Outgang Road is, as a local service facility, provided for in CS Policy SP1. Notwithstanding the energy efficiency measures proposed, the location of the new house would be such that its occupiers would be almost entirely reliant on the use of the private car to access most local services. I conclude on this issue that the proposal would not constitute sustainable development, in conflict with relevant national and local policies.

Setting of Listed Buildings

11. The appeal site is nearby to the recently converted barn and the adjoining dovecote and the Council is concerned that the proposed dwelling would cause harm to the setting of these listed buildings. CS Policy EN1 seeks to protect and enhance the character of the District by, amongst other things, requiring that development must be appropriate to the character and historic features of the landscape.
12. I saw that the proposed dwelling would be sited on the banks of the restored gravel pit in a landscape area dominated by the body of water and the maturing planting around its fringe. The appearance of this area is in contrast to the more open setting of the listed buildings which is marked by its flat topography and relative lack of natural features. Whatever the historic setting of the barn and dovecote was, before the gravel extraction process began, they have lost their agricultural context and use and their setting is now characterised by the newly created residential curtilage of the converted barn. This is relatively limited in area and does not include the appeal site. The additional landscaping carried out as part of the barn conversion will, when mature, further screen the listed buildings from the appeal site. I conclude, on this issue, that the proposed development would not have a significant adverse effect on the setting of two Grade II listed buildings, in accord with relevant development plan policy.
13. Although the Council has withdrawn its reason for refusal No. 2 and I have found that the development would not have a significant adverse effect on the setting of the nearby listed buildings this is insufficient to outweigh the harm arising from the unsustainable location of the proposal in open countryside. I have taken all other matters raised into account, including the views of the interested parties, and conclude that for the above reasons the appeal should be dismissed.

Jeremy Eagles

INSPECTOR



Appeal Decision

Site visit made on 13 August 2012

by Graham M Garnham BA BPhil MRTPI

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

Decision date: 14 September 2012

Appeal Ref: APP/E2530/A/12/2172888

Plot adjacent No 3 High Street, Pointon, Sleaford Lincolnshire, NG34 0LX

- 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 W Addison against the decision of South Kesteven District Council.
 - The application Ref S11/1898/FULL, dated 4 August 2011, was refused by notice dated 6 December 2011.
 - The development proposed is resubmission of previously approved dwelling to cover the amendments made/proposed.
-

Decision

1. The appeal is dismissed.

Procedural Matter

2. The appeal proposal is for amendments to a scheme that was given planning permission on appeal (APP/E2530/A/02/1094826, dated 20 December 2002). This scheme bore the application number S01/1047. The Inspector then concluded that that scheme would not materially harm the character or appearance of the surroundings.
3. Work started on the building in April 2003. It is now largely complete, albeit not in accordance in all respects with the approved plans. In addition, the appellant proposes to add 3 dormer windows to the main roof of the house, and a second floor window in the south gable end. The part retrospective nature of the proposal does not affect my consideration of its planning merits.

Main Issues

4. I consider that these are the effects of the proposal on firstly, the character and appearance of the area; and secondly, the living conditions of the occupiers of nearby dwellings.

Reasons

First main issue – effect on character and appearance

5. The appeal site is towards the southern end of a row of detached properties on the west side of High Street. From the north, these increase in height from a
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bungalow, through a dormer bungalow to two 2-storey houses, the nearest of which to the appeal site (no.3) also has a dormer window above its attached garage. Properties on the other side of the road are also largely 2-storey detached houses. I went along several roads in the village and noted that the types of dwellings on High Street were typical of the village in general. I noticed no houses with 3 floors of accommodation. Several of the larger, more recent 2-storey houses had semi-dormers at the front, which have the appearance of reducing the overall scale and height of the buildings.

6. The appellant has described several changes as built compared to the approved plans. Some of these are minor elevational changes, such as the entrance porch, which have little impact on the overall character and appearance of the building. The main front elevation is 1.5 metres closer to the road. However, the house now lines up with those to the north and I consider that this change is not of itself harmful. Of more significance is the fact that the northern gable end now physically touches a lean-to side extension at no.3. This gives a cramped appearance to the development which is not compensated for by the southern end being further from the other side boundary of the site.
7. Of greater significance still in my view are the increased heights of the roofs. The ridge over the main part of the house has been increased by 0.7 metres to 9.2 metres high. That over the garage has been increased by 0.75 metres to 7.35 metres. Although these differences do not sound great, careful comparison of the approved and proposed drawings indicates to me that the changes are significant. They materially increase the height and mass of the roof in relation to the rest of the building, and increase the bulk of the upper part of the building for its full (and increased) width. The height of the garage, a subordinate part of the overall building, is significantly higher than the 2 storey house next door. Combined with its juxtaposition with the common boundary, this adds to the cramped appearance of this side of the site.
8. I find that other changes not noted by the appellant add to the overall perception that the house is an unduly large addition to the street scene. The pitch of the garage roof is now greater than that of the main house, which emphasises its increased height. In addition, the forward projecting bay feature at the other end of the building is shown to project forward materially more than on the approved ground floor drawing. This change draws attention to this feature which now has an ungainly asymmetrical face towards the road. These changes add to the "presence" and prominence of the house in the street scene.
9. So far as character and appearance are concerned, the main proposed changes are the addition of 2 dormer windows on the front elevation and 1 at the rear. These would not be disproportionately large in relation to the main roof, and would be of the same design and size as that built over the garage. In themselves these would be relatively minor amendments. However, I consider that they would add noticeably to the mass and prominence of the roof, and serve further to emphasise the overall increase in scale and height that the amendments would achieve.
10. Taking all the changes into consideration, it is evident to me that they amount to a considerable enlargement of what was already a large detached house, as originally approved. The building is wider, deeper and higher than that

approved and is intended to include an additional floor of accommodation. These changes may have little impact on a large and secluded plot. However, the appeal site is the main road through a village characterised by houses and bungalows of modest proportions, usually with clear physical spaces between buildings. In contrast, the appeal building is significantly larger in scale than its neighbours, more cramped on its plot and more prominent in the street scene. The proposed dormers would give added emphasis to the inappropriate size and overall adverse effect. I consider that the harm arising from these changes would not be outweighed by the good standard of the workmanship or the suitability and quality of the materials.

11. I conclude that the proposal would materially harm the character and appearance of the area. This would be contrary to the purposes of policy EN1 in the South Kesteven Core Strategy (2010), which says that development should be appropriate to and protect or enhance the character of the district. In particular I find that the proposal falls short with respect to local distinctiveness and sense of place, the layout and scale of buildings and the quality and character of the built fabric and their settings. The proposal would also fall short with respect to the high standards of design sought by the National Planning Policy Framework. This also says that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area.

Second main issue – effect on living conditions

12. Objections have also been made in relation to loss of privacy and an overbearing effect on the occupiers of dwellings opposite and adjoining the appeal site. Nos 8 & 6 are detached houses on the opposite side of High Street. They have living room and main bedroom windows that face the road. The 2 front dormers would add to the opportunity to look towards these houses from a higher level. Nonetheless, I estimate that even with its re-siting forward, the appeal house is about 30 metres away from the houses opposite. This kind of separation distance is usually regarded as adequate in terms of avoiding undue loss of privacy. The dormers would add to the perception of additional overlooking, although at the further distance away they would be, I consider that little material additional loss of privacy would arise. I consider that the effect on living conditions on the far side of High Street would not warrant the withholding of planning permission.
13. The properties at the rear of the site, in St Gilbert's Close, are bungalows. The appeal house appears large when viewed from the rear of these bungalows, especially no.12 immediately to the rear. The extra height of the building adds to this effect, as would the additional dormer (although overlooking could be prevented by the use of obscure glazing for what would be a shower room). At first floor level, the windows are as already approved, and that elevation is slightly further from the bungalows than originally approved. The wall to wall separation distance is again about 30 metres. While the changes would add to the harm as perceived by the neighbour, I consider that the main effect arises from the house as originally approved which, presumably, was considered acceptable at that time.
14. I consider that the additional second floor window in the south gable end would enable overlooking into the garden and windows at no.1 to the south, causing

loss of privacy. This effect could be overcome by imposing a condition to the effect that this window to a proposed store should have obscure glazing.

15. The widened garage now abuts the side extension at no.3 and has blocked off light to a window that was on the boundary. I consider that these changes relate more to boundary and other private issues between the parties, and do not add significant harm with respect to material planning considerations.
16. Overall, I conclude that the changes involved in the proposal would not add materially to any harm to living conditions to the extent that planning permission should be withheld for this reason. Nonetheless some adverse impacts are perceived by local residents, arising from the increased size of the building (including the dormers).

Overall conclusion

17. Overall I find there would be a significant adverse effect with respect to the first main issue. The harm to neighbours' living conditions, whilst not in itself warranting the refusal of planning permission, arises from the same changes that give rise to harm to character and appearance and therefore adds some weight to it.
18. I conclude therefore that planning permission should be withheld and I dismiss the appeal.

G Garnham

INSPECTOR



Appeal Decision

Site visit made on 6 September 2012

by David Kaiserman BA DipTP MRTPI

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

Decision date: 24 September 2012

Appeal Ref: APP/E2530/A/12/2172808

County Car Auctions, East Gate, Bourne PE10 9JY

- 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 J Smith against the decision of South Kesteven District Council.
 - The application Ref S11/2438/FULL, dated 4 October 2011, was refused by notice dated 29 November 2011.
 - The development proposed is the change of use of store-room to food retail (Class A1).
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Decision

1. The appeal is allowed and planning permission is granted for change of use of store-room to food retail (Class A1) at County Car Auctions, Eastgate, Bourne PE10 9JY, in accordance with the terms of the application, Ref S11/2438/FULL, dated 4 October 2011, subject to the following 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 approved plans referenced CCA: 0001 – 0007 (all endorsed revision 01).
3. The shop hereby permitted shall not be open to customers outside the following times:

08.00 to 18.00 on Mondays to Saturdays

08.00 to 12.00 on Sundays and Bank Holidays.

Main Issue

2. The main issue in this case is the effect of the proposal on policies designed to protect the retail function of Bourne town centre.

Reasons

3. The appeal premises occupy 77 sq m of the ground floor of a two-storey workshop-type of building of utilitarian design, part of a larger complex of premises in a range of uses, including car sales and servicing. The building adjoins Cherry Holt Road, which appeared to me on my visit to be a busy all-purpose route serving as a southern and eastern ring road for the market town of Bourne. In the vicinity of the appeal site, the road contains a mixture of residential and

commercial uses. I estimated that the appeal property lies about 1km from the middle of the town centre.

4. It is proposed to change the use of this small area from its existing use as a store-room (*sui generis*) to a shop. The appellant states that her specific intention is to serve the needs of the local Polish community, adding that around three-quarters of the workers at two large factories in the area are from eastern Europe, that they do not have cars, and that the nearest Polish shops are in Spalding and Peterborough, 12 and 18 miles away respectively. She does not dispute the fact that the premises lie outside the town centre.

5. Policy E2 of the Core Strategy seeks to support the District's town centres by adopting a sequential approach to the selection of sites for retail uses. The Council say that this has not been properly followed in this case, and that without any reasoned justification, permission for an out-of-centre shopping use should not be granted. They also say that the land is within an employment development area where retail uses would again generally be resisted.

6. I agree that these broad strategic policies are important, and that they are supported by elements of the National Planning Policy Framework. However, in my opinion, significant weight should also be given to the appellant's assessment of the community benefit of her proposal, which (as with her assertion that it would be difficult for her to find a suitable and affordable site within the town centre) is not commented on by the Council. In my view, these factors, together with the very small scale of the proposal, suggest that the appeal could be allowed without any measurable effect on the health of Bourne as a main centre. I also take into account the fact that Bourne Town Council have lent their support to the scheme.

7. There being no other material considerations, I have decided to allow the appeal, subject to standard conditions. I do so having also taken into account the concerns raised by Mr Boyfield, who lives close to the site, some of which are supported by another neighbour. He objects to the proposal mainly on traffic grounds and because he complains of noise and disturbance over the years arising from other activities on and adjacent to the site. I have noted that the highway authority raise no concern on the first point; on the second, the stated intention is to open during normal trading hours six days a week and close at noon on Sundays. This would prevent any disturbance from the use at unsocial times and I have imposed the restriction as a third condition.

David Kaiserman

INSPECTOR



Appeal Decision

20 SEP 2012

Site visit made on 20 August 2012

Admin Team

by Jeremy Eagles DipTP DMS MRTPI

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

Decision date: 19 September 2012

Appeal Ref: APP/E2530/A/12/2172614

26 Roman Bank, Stamford, Lincolnshire PE9 2SS

- 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 J Galilee against the decision of South Kesteven District Council.
- The application Ref: S12/0095/FULL, dated 11 January 2012, was refused by notice dated 7 March 2012.
- The development proposed is the erection of dwelling.

Decision

1. The appeal is allowed and planning permission is granted for the erection of dwelling at 26 Roman Bank, Stamford, Lincolnshire in accordance with the terms of the application, Ref: S12/0095/FULL, dated 11 January 2012, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) No development shall take place until samples of the materials to be used in the construction of the external surfaces of the dwelling hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.
 - 3) No development shall take place until full details of the landscaping of the site, the means of enclosure, the methods to be employed in the protection of any trees to be retained on or near the site during construction and all hard surfacing, have been submitted to and approved in writing by the local planning authority. The approved tree protection scheme shall be carried out prior to the commencement of any other works or site preparation and retained throughout the construction phase. The hard surfaced areas and means of enclosure as may be approved shall be completed prior to the first occupation of the dwelling hereby approved and retained thereafter. The soft landscaping works shall be carried out before the end of the first planting season following the completion of the development. For a period of five years following the completion of the works any plant damaged, dying or removed shall be replaced with one of a similar type and size during the next planting season.
 - 4) The dwelling hereby approved shall not be occupied until the means of vehicular access and the turning and parking area for both the approved dwelling and No 26 Roman Bank have been constructed in accordance

with the approved plans and made available for use. These areas shall thereafter be so retained.

- 5) The development hereby approved shall be carried out in accordance with the submitted plans No'd: ST-105/100 Rev A and ST-105/101 Rev B.

Main Issues

2. The main issues in this case are the effect of the proposed development on:
 - (i) the character and appearance of the appeal site and its surroundings, and
 - (ii) the living conditions of the occupiers of the proposed and adjoining dwellings, including No 26 Roman Bank, having regard to overlooking, adequacy of amenity space and noise and disturbance.

Reasons

Character and appearance

3. The appeal site comprises the well planted, long front garden of a detached two storey house set a significant distance back from Roman Bank. The unusual siting of the present property is in contrast to the characteristic form of frontage development in the surrounding residential area where detached and semi-detached dwellings run in fairly uniform rows, parallel and closer to the highway. Policy SP1 of the *South Kesteven Core Strategy* sets out the Council's Spatial Strategy and gives priority to development on sustainable sites within the built-up part of towns, such as Stamford, where this would not compromise the nature and character of the town. Policy EN1 states that development must be appropriate to the character and features of the landscape and contribute to its conservation, enhancement or restoration.
4. The proposal includes the erection of a four bedroom, brick and tile, detached house in the front garden of the present property. The front wall of the dwelling would be in line with the adjacent property, 28 Roman Bank, although a little further forward than the house on the other side, No 24. The size of the gaps separating the proposed building from the dwelling on each side would be similar to others in the area and although the plot width would be a little less than typically found locally this would not be so noticeable as to create a discordant feature in the street scene. The overall depth of plots in the area varies considerably, with those on either side of the site being amongst the longest. However, plot depth and rear garden length of the proposal is consistent with other local properties, especially those in The Hermitage and Queen's Walk. The design, scale and siting of the development is in keeping with its context and the size of the new house would be in proportion to the area of its plot.
5. Whilst the appeal site forms part of a well planted front garden, it is not particularly prominent in the street scene, being screened on either side by the adjoining properties. Like all the other front gardens in the locality it is part of the landscaping of this built-up area rather than an important open space, such as allotments or public open space, which Policy EN1(14) seeks to protect. However, where existing planting can be retained it should be protected during construction and a condition requiring a scheme of tree protection is necessary. The new dwelling would result in No 26 becoming a backland plot but the unusual siting of the existing house, which is clearly untypical of the form of development in the area, has existed since it was built and the appeal proposal would not affect that situation. The proposal would not have a cramped

appearance and would have a neutral effect on the character of the locality thereby contributing to the conservation of the suburban landscape. I conclude on this issue that the proposed development would not have a significant adverse effect on the character and appearance of the area in accord with relevant development plan policies.

Living conditions

6. The principle rear windows of the proposed house would face the front windows of No 26 at a distance of approximately 23 m and this would be a sufficient separation distance to ensure that there would be little loss of mutual privacy between the properties. I accept that there will be a degree of mutual overlooking of private gardens between No 26, the proposed house and No 24, but not to an extent that would be unusual or unexpected in a built-up area. Similarly there would be a limited loss of sunlight in part of the rear garden of No 24, but this would not have a significant effect on the occupiers' enjoyment of their garden as a whole.
7. Policy EN1(11) advises that development proposals should be assessed in relation to, amongst other things, noise and light pollution. The erection of the new house would require the relocation of the driveway to No 26 to the south eastern edge of the site where it would pass close to the side elevation of the proposed dwelling. The Council is concerned that vehicles passing along the drive would intrude on the amenities of the future occupiers. However, there would be no principle windows to habitable rooms on this elevation and the provision of a substantial fence or wall between the drive and the rear garden of the proposal would be sufficient to screen much of the vehicle noise and light likely to be created. A condition requiring the approval of details of the means of enclosure is necessary. I accept that the construction process may at times be a source of disturbance to immediate neighbours but this would, by its nature, only be temporary. I conclude on this issue that the proposed development would not have a significant adverse effect on the living conditions of the occupiers of the proposed and adjoining dwellings, in accord with relevant development plan policy.
8. I have considered the conditions suggested by the Council and although No 2 appears to mistakenly assume that this is an outline proposal I agree that details of the external materials, landscaping and means of enclosure are necessary in the interest of amenity. I accept that the provision of the access facilities is necessary in the interests of highway safety and that a condition specifying the approved plans is required for the avoidance of doubt. However, the layout, scale and appearance of the development are already included in the submitted drawings and no further condition relating to these matters is necessary. Insufficient evidence has been submitted to justify a condition requiring the approval of surface water drainage details by the planning authority and this matter can be dealt with under the Building Regulations.
9. I have taken all the other matters raised, including the views of local residents, into consideration and conclude that for the above reasons the appeal should be allowed.

Jeremy Eagles

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/HSB was refused by notice dated 3 May 2012.
 - The development proposed is a two storey extension to existing dwelling.
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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/HSB, 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/HSB). 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 10 September 2012

by J L Cheesley BA(Hons) DIPTP MRTPI

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

Decision date: 13 September 2012

Appeal Ref: APP/E2530/D/12/2180682

The Barn, 21 High Street, Carlby, Stamford, Lincolnshire PE9 4LX

- 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 Jonathon Harvey against the decision of South Kesteven District Council.
 - The application Ref S12/0494/HSW was refused by notice dated 17 May 2012.
 - The development proposed is an erection of a detached garage and annexe.
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Decision

1. The appeal is dismissed.

Main issue

2. I consider the main issue to be the effect of the proposal on the character of the surrounding area.

Reasons

3. The proposed garage building would be situated to the side of a barn currently being converted to a dwelling. The site is situated within the village where there is a variety of design, size and style of dwelling. There are a number of outbuildings in the area, particularly to the side of the appeal site. Many of these outbuildings are characteristically of traditional design and are distinctively single-storey. Whilst it does appear that some outbuildings have been converted to extensions to dwellings, the overriding character is one of dwellings with single storey outbuildings.
4. The proposed garage building would be around 6 metres to the ridge height and would be situated close to the site boundary adjacent to a row of various single-storey outbuildings. From my observations, due to the height of the proposed building, I consider that it would appear as an incongruous addition not in keeping with the characteristic scale of outbuildings in the area. I appreciate that the barn currently under conversion was previously an outbuilding. The proposed garage building would be neither of that scale nor of the scale of neighbouring outbuildings and as such would appear at odds with the character of the area.
5. For the above reasons and having taken into consideration all other matters raised upon which I have not specifically commented, I conclude that the proposal would have an adverse effect on the character of the surrounding area. This would be contrary to Policy EN1 in the South Kesteven Core Strategy 2010 where this policy seeks to protect and enhance local character.

J Cheesley INSPECTOR



Appeal Decision

Site visit made on 6 September 2012

by David Kaiserman BA DipTP MRTPI

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

Decision date: 12 September 2012

Appeal Ref: APP/E2530/D/12/2178461

10 The Pollards, Bourne PE10 0QB

- 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 Dr M Kebbeh against the decision of South Kesteven District Council.
 - The application Ref S12/0496/HSR was refused by notice dated 8 May 2012.
 - The development proposed is the erection of a fence and gate to the front garden.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The fencing was in place at the time of my visit, although it is possible that elements of it were in a slightly different position from the details shown on the submitted plan. The appeal is therefore against the refusal of the Council to permit its retention.

Main Issue

3. The main issue is the effect of the fencing on the street-scene.

Reasons

4. The Pollards is a main access route within an extensive area of new residential development south of Bourne town centre. In the vicinity of the appeal site, it is wide, straight and somewhat formal in its appearance, something which is clearly a deliberate component of the original design concept for the estate. For most of its length, it is bounded by two or three-storey brick terraces set well back from the carriageway edge by wide footpaths and grass verges.
5. No 10 is anomalous in that it is set further back from the road and aligns with a landscaped former ditch running at an angle to it. This has resulted in the creation of an irregularly shaped garden, and it is to this area of private open space which the appeal scheme relates. It consists of a 1.8m high close-boarded fence running for around 20m at the back of pavement, and including a complicated articulated element, much of which is visible from the road, on the eastern boundary.
6. In my opinion, the fence is a harsh and incongruous feature in the street-scene which ignores completely the coherent palette of materials and colours which prevails throughout the development. The characteristic open-plan approach to

the public-private realm is also severely compromised by the fence. Painting it might result in some visual mitigation, but in my view this would not be sufficient to remove the harm. I am satisfied that the development conflicts with Core Strategy policy EN1.

7. I have some sympathy with the fact that the appellant has in the past had problems of anti-social behaviour from people trespassing across the land, and that he has had advice from the local police force about the best way to protect his property. I am not, however, convinced that the only way this could reasonably be done is to erect a solid fence of the design and in the position implemented. I have also taken into account the fact that a 2m high barrier could be erected under permitted development rights if it were set back from the highway; but neither this nor any of the other points put to me alters my conclusion, which is that the appeal should be dismissed.

David Kaiserman

INSPECTOR



Appeal Decision

Site visit made on 7 September 2012

by David Kaiserman BA DipTP MRTPI

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

Decision date: 12 September 2012

Appeal Ref: APP/E2530/D/12/2178402

The Hawthorns, Kings Road, Stamford PE9 1HD

- 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 and Mrs P Sullivan against the decision of South Kesteven District Council.
 - The application Ref S12/0715/HSB was refused by notice dated 15 May 2012.
 - The development proposed is the erection of an extension and new screen planting.
-

Decision

1. The appeal is allowed and planning permission is granted for the erection of an extension and new screen planting at The Hawthorns, Kings Road, Stamford PE9 1HD, in accordance with the terms of the application, ref: S12/0715/HSB, subject to the following 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 approved plans referenced 2012/21: 1, 2, 3a, 4, 5, 6, 7, 8a, 9a, 10a, 11 and 12a.
 3. Before the development commences, samples of the materials to be used in the construction of the external surfaces of the development hereby permitted shall be submitted to, and approved in writing by, the Local Planning Authority. The scheme shall be implemented in accordance with the approved details.
 4. The new screen tree planting shown on the approved plans shall be undertaken in the first planting season following the completion of the extension hereby approved. Any tree(s) which, within a period of five years after the implementation of the planting die, are removed, or become seriously damaged or diseased, shall be replaced in the next planting season or within 12 months, whichever is the sooner, with others of a similar size and species, unless the Local Planning Authority gives its written approval to any variation.

Main issue

2. The main issue is the effect of the proposal on the street-scene, and taking into account the location of the site adjacent to the Northfields Conservation Area.

Reasons

3. The appeal property is a relatively modern dormer bungalow standing on a small, but prominent corner plot within an established residential area north of Stamford town centre. The corner is demarcated by a mature hawthorn hedge, but the steeply pitched roof-lines and characterful dormers are such that the upper elements of the building are easily seen within the street-scene from a wide range of public vantage-points. Despite the fact that it is of an obviously different design to the period dwellings (and in particular the Victorian development within the Northfields Conservation Area which lies across Kings Road to the east), the building is of a high quality and makes a positive contribution to the overall character of the area.
4. The proposal involves the construction of a 4.5 by 4m single storey extension, described as a garden room or orangery, which would be placed (in part) within the recess formed by the main dwelling and its lower southern projection. It would align with the southern elevation, but project by 2m beyond the longer eastern elevation, reaching to within 2.7-3.3m of the eastern plot boundary along Kings Road. Its parapet, at 2.8m high, would project slightly above the existing prominent eaves line, and a further projection above this would take the form of a glazed lantern roof. The brickwork is intended to match that of the host dwelling. The Council's criticism of the scheme rests on the view that the architectural integrity of the building is such that its extension in the location proposed is unacceptable in principle and that it would fail to respect the building's form and detailing.
6. I have some sympathy with this assessment. However, there is a considerable variety of architectural styles evident in the immediate locality and this, together with the slightly irregular nature of the building-lines close to the road junction, would allow some projection to the east to be absorbed into the wider street pattern. Perhaps more significantly, I consider the Council underestimate the ability of the landscaped screening, especially as the appellants intend to augment it, to soften the visual impact of the proposed addition. This is especially the case in views from the south, as the land drops away in that direction towards the town centre, and on the footpaths immediately adjacent to the plot itself.
7. Overall, while I accept that the upper section of the extension would be visible and would introduce a small discontinuity in the "pure" lines of the existing elevations, I have concluded that any resulting harm would be insufficient to warrant a refusal of planning permission on those grounds. The Council have not provided any evidence for their wider concern about the impact on the setting of the Conservation Area, and none was apparent to me on my visit.
8. In my opinion, therefore, the scheme does not materially conflict with Core Strategy policy EN1, and subject to the imposition of conditions which would allow the Council to approve samples of the materials and to ensure the satisfactory completion of the planting scheme, I have decided that the appeal should be allowed.

David Kaiserman

INSPECTOR

PLANNING APPLICATIONS PERFORMANCE**Apr - Sept 2012**

New end to end times for determining applications	Days	Target (days)
Average no of days to determine Major's (small scale)	127	90
Average no. of days to determine Minor's	71	55
Average no. of days to determine Other's	68	50
Average no. of days to determine Householder's	52	45