

# AGENDA



For a meeting of the
<b>DEVELOPMENT CONTROL COMMITTEE</b>
to be held on
<b>TUESDAY, 26 MARCH 2013</b>
at
<b><u>1.00 PM</u></b>
<b>* PLEASE NOTE TIME OF MEETING *</b>
<b>(THE LATE REPORT WILL BE EMAILED TO MEMBERS ON THE FRIDAY BEFORE THE MEETING)</b>
in the
<b>COUNCIL CHAMBER, COUNCIL OFFICES, ST PETERS HILL, GRANTHAM</b>
<b>Beverly Agass, Chief Executive</b>

Committee Members:	Councillors Wilkins (Chairman); Parkin (Vice-Chairman); Ashberry; Cook; Higgs; Howard; Mrs Kaberry-Brown; Vic Kerr; King; Morgan; Powell; Jacky Smith; Mrs Judy Smith; Stevens; Adam Stokes; Mrs Brenda Sumner and Wren.
Committee Support Officer:	Malcolm Hall Tel: 01476 406118 <a href="mailto:m.hall@southkesteven.gov.uk">m.hall@southkesteven.gov.uk</a>

**(PLEASE NOTE THAT THERE WILL BE A COMFORT BREAK AT  
3.00PM FOR TEN MINUTES)**

**Members of the Committee are invited to attend the above meeting to consider the items of business listed below.**

**1. MEMBERSHIP**

The Chief Executive to notify the Committee of any substitute members

**2. APOLOGIES**

**3. DISCLOSURE OF INTERESTS**

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

**4. MINUTES OF MEETING HELD ON 19TH MARCH 2013**

**(To follow)**

**5. PLANNING MATTERS**

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

*The anticipated order of consideration of the applications is as shown on the index attached to this report, but this may be subject to change, at the discretion of the Chairman of the Committee*

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

Report No. PLA982 by the Development Management Service Manager. **(Enclosure)**

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

## **PUBLIC SPEAKING**

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

<b>Meeting Date</b>	<b>Notification Deadline</b>
Tuesday 5 March 2013, 1pm	Monday 4 March 2013, 1pm
Tuesday 19 March 2013, 1pm	Monday 18 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

# Agenda Item 5

**COMMITTEE: 26 March 2013**

<b>NO</b>	<b>PAGE</b>	<b>PROPOSAL AND LOCATION</b>	<b>REC</b>	
NB1	S13/0221	1	Approval of details of Conditions 3 and 4 (scheme protecting amenity) to planning permission S12/0193 for the erection of a skate park Stamford Skatepark, The Recreation Ground, Recreation Ground Road, Stamford	A
NB2	S12/1198	9	Erection of two retail units (non food) Former R F Witt & Sons and adjacent car park, Godsey Lane, Market Deeping, PE6 8HT	AC
PJM1	S12/2769	22	Proposed new community building/sports pavilion and additional associated parking Great Gonerby Playing Fields, Belton Lane, Great Gonerby	AC
JJ1	S13/0260	31	Development of a Football Stadium, with associated Infrastructure and facilities to include multi-use training Pitch. Erection of sports college building to include dual use Facilities for the football stadium. Provision of car park and Coach parking area with additional use for car boot sales On up to 30 days in any calendar year. Creation of new Means from Ryhall Road with associate highways alterations Land west of, Ryhall Road, Stamford	
KJC1	S12/0484	57	Erection of 55 residential units (including 15 affordable units) Outline Barrack Gardens/Beacon Lane Allotments, Beacon Lane, Grantham	AC
PWM1	S12/2038	81	Erection of poultry broiler unit - including 8 new broiler sheds with service buildings & associated stores, feed bins and associated equipment, farm managers dwelling, farm assistant managers dwelling & new access track. Mill Farm, Caythorpe Heath Lane, Caythorpe, Grantham NG32 3EZ	AC
JJ2	S13/0224	93	Approval of Condition 8 (joinery) and 9 (sound insulation) of planning permission S11/2953 Land off, Burghley Street, Bourne	A

Applicant	<b>Stamford Town Council</b> Town Hall, St. Marys Hill, Stamford, PE9 2DR
Agent	Robert Weighton, Robert Weighton Partnership 10, Broad Street, Stamford, Lincs, PE9 1PG
Proposal	<b>Approval of details of Conditions 3 and 4 (scheme protecting amenity) to planning permission S12/0193 for the erection of a skate park</b>
Location	<b>Stamford Skatepark, The Recreation Ground, Recreation Ground Road, Stamford</b>
App Type	Discharge of Condition(s)
Parish(es)	Stamford
Reason for Referral to Committee	The application is considered to be locally controversial
Recommendation Summary	<p><b>Discharge the condition and approve the Noise Management plan</b></p> <p>The Management Plan identifies the hours that the skatepark is due to operational (9am to 9 pm Monday to Saturday and 10 am to 5 pm Sundays and Bank Holidays) along with how use of the park outside of these hours will be restricted.</p> <p>The Management Plan also identifies the noise monitoring procedures to ensure that identified noise levels are not exceeded.</p> <p>A complaints procedure is identified along with a scheme to ensure that the Management Plan remains affective.</p> <p>It is considered that the details submitted are acceptable to ensure that the amenity of neighbouring properties is not compromised as well as provisions within the plan to ensure that it is reviewed and problems rectified.</p>

**Key Issues**

- Whether the Management Plan is explicit enough in terms of what works are required to ensure that the amenity of neighbouring properties will be respected with regard to noise that may be generated from the park.

**Technical Documents Submitted with the Application**

- Management Plan.

## **REPORT**

### **Application category**

The application is for the discharge of conditions 3 and 4 pursuant to permission S12/0193.

### **Reason for referral to committee**

The application is considered to be locally controversial and with the original application heard at the Development Control Committee.

### **The proposal**

A Management Plan has been submitted in support of the application that aims to ensure that the skate park would not detrimentally affect the amenity of any dwellings within 300m of the site, through noise that may be generated.

Conditions 3 and 4 of permission S12/0193 are drafted in full below;

3) Development shall not commence until a scheme for protecting the amenity of the occupiers of dwellings or flats within 300m of the site from the noise of the users of the skate park has been submitted and approved in writing by the local planning authority; all works that form part of the scheme for protecting the amenity of occupiers shall be completed before the skate park is opened for use and the approved shall be implemented and maintained thereafter.

Reason: To ensure that noise generated from the skatepark is not harmful to residential amenity and to comply with Core Strategy policy EN1.

4) The scheme required by condition 3 above shall, as a minimum, address:

- a. Restrictions on the hours and days of use of the skate park.
- b. Prevention of the use of the skate park outside the permitted hours of use.
- c. Measures to record, quantify and qualify the noise from the skate park to ensure that a 60dB LA<sub>max</sub>(f) shall not be exceeded more than five times in any five minute period or more than ten times in any 30 minute period measured at any point within 300 metres of the boundary of the skate park that is within a residential garden or is at the façade of any dwelling or flat
- d. The procedures and arrangements for monitoring the decibel levels referred to in c) above.
- e. Measures for receiving, considering, investigating and acting upon any complaints concerning noise from the skate park by the occupants of any dwellings or flats referred to in c. above.
- f. Measures to ensure that the scheme remains effective.

Reason: To ensure that noise generated from the skatepark is not harmful to residential amenity and to comply with Core Strategy policy EN1.

### **The application site and 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.

### **Applicant's submission**

It should be noted that an amended Management Plan (received on 25 February) has been submitted and the application is considered accordingly. Parts of the Management Plan are copied in full (they are shown in italics) and, where possible, other parts summarized. Points a-f are addressed in turn below;

a) The skate park will only be open between 9am and 9pm Monday to Saturday, and 10am to 5pm Sundays and Bank Holidays. Outside of these hours the skate park will be locked. Signage will be installed as suggested by The Royal Society for the Protection of Accidents (RoSPA)

b) To prevent use of the skate park outside identified hours it will be securely locked, as per the above paragraph. Lighting will be placed on a timer so it will only be illuminated when the skate park is open. A Park Keeper will be at the recreation ground when it is open. CCTV will supervise the park and records kept for a period of 3 months and will be available on request to the police and Local Planning Authority (LPA).

c) Noise readings will be taken from 5 points, as well as some in close proximity to the skate park to exclude erroneous noise sources. A series of tests will be undertaken in the first month, followed by a series 3 months later, the third and fourth tests will be completed at 6 month intervals. If the tests fall outside identified parameters the Town Council will seek specialist acoustic advice and if necessary restrict the opening hours as well as liaise with the LPA about whether prescribed works to reduce noise require further permission

d) The monitoring tests:

Each series of tests will include measurements taken during a weekday evening and a weekend period.

A 30 minute measurement period (in 5 minute intervals) will be taken during each site visit at each of the measurement locations A – E.

L<sub>Amax</sub>(f) shall be taken using a fast meter response in accordance with Additional Note "F", attached to the planning permission.

The following acoustic parameters will be measured

L<sub>AeqT</sub>

L<sub>A90T</sub>

L<sub>Amax</sub>(f)

A subjective appraisal of the likely noise sources being measured will be included as part of the assessment.

Testing will be carried out by a competent acoustician who is a current corporate member of the Institute of Acoustics (MIOA).

Measurements will be taken in accordance with BS7445 2003 using a Class 1 or Type 1 sound level meter.

#### The Technical Report

A Technical report will be issued on the completion of each series of tests. This will include:

- A summary of each subsequent report to enable comparisons of measurements to date to be drawn
- A table detailing all the measurements taken
- A graphical interpretation of the results to detail the LAmax(f) levels
- Photographs taken at each measurement location
- Subjective comments relating to the likely noise sources being measured
- Details of the noise monitoring equipment used
- Details of the date, times and weather conditions during the monitoring period
- An approximation, determined by observations, of numbers of people using the facility and details of the equipment being used during the monitoring period.

e) Any complaints would need to be sent direct to Stamford Town Council and will be investigated by a management team comprising the Town Clerk, Chairmen of Amenities and a member of Stamford Skatepark CIC. The full complaints procedure is drafted below and the group will meet monthly.

“Do let us know if you wish to make a comment, compliment or complaint. If you are not satisfied with an aspect of service you have received, please let us know and we will first deal with the matter informally by the Town Clerk who will aim to respond to you within 10 working days explaining a rationale for any action to be implemented.

In the event of a complaint, it must be submitted in writing initially to the Town Clerk and the matter will follow the procedure outlined below:

Stage 1 In most cases problems can be sorted out quickly. Write a letter saying what your complaint is and what you think ought to be done. All complaints will receive a response by the Town Clerk on the findings within 10 working days, with a rationale for any action implemented.

If the complainant remains unhappy with the outcome the Town Council will make every effort to engage with other appropriate bodies in respect of the type of complaint:

Financial irregularity – consult with Auditor

Criminal activity – the Police

Environmental issues – Environmental Services, South Kesteven District Council

Stage 2 Where the complainant is dissatisfied with the response, or the problem continues, you can appeal and the matter will be examined by the Mayor and the Chairman of the Amenities Committee. You will be kept informed and will be given a response within 20 days of receipt of the appeal.

Stage 3 If the complainant is still not satisfied with the result of Stage 2, you can ask for a further investigation to be carried out by an Independent Review Panel.

All documentation related to any complaint must be directed through the Town Clerk and documented in chronological order and provided to all members examining the complaint. The time frame suggested is subject to force majeure and unforeseeable circumstances such as sickness.”

f) Where security features are damaged, namely the fencing, gates, lighting and CCTV they will be fixed within 7 days and if not a temporary measure will be put in place.

### **Representations received**

Stamford Town Council support the application.

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

Lincolnshire Police believe that the procedures and actions in the document will address all requirements in relation to protecting public amenity.

Environmental Health and MAS have made suggestions on how to improve the application. Based on the amended Management Plan their primary concern is that the noise readings should be taken at not less than 125 millisecond data in LAeq and LMax to ensure that the data can be analysed.

### **Representations received as a result of publicity**

Consultation on the application has been completed twice, following the submission of the updated Management Plan. A total of 57 letters have been received. 41 support the application and 16 object.

The letters of support for the application note that;

- The skate park has been continually delayed and should be allowed to commence;
- There is an overriding need for the skate park in the town;
- It is a public park and people near it should not have purchased properties nearby if they did not like the noise;
- Many children have put in time and effort to raise money to make this park happen;
- Noise will not be problem given the noise management plan.

The letters of objection for the application note that;

- The noise level of 60db is too high and should be reduced to 55db;
- The noise readings should be taken at heights and locations different to those suggested by the Management Plan;
- The original application should have been refused permission;
- The opening hours of the skate park is too long and should be reduced;
- Supervision of the skate park by the park manager will not be adequate given other demands on them;
- Anti-social behaviour will increase;
- A behaviour code should be approved for the users of the skate park;
- The Town Council has no legal authority to deal with noise complaints or anti-social behaviour;
- Additional back ground noise levels should be undertaken;
- If damaged the skate park should be closed;

- If breaches of the Management Plan continue the skate park should be shut down and removed;
- A first aider should be available at all times;
- A contribution should be sought from users of the skate park to assist with management of it;
- Stamford Town Council are not good at responding to complaints and the proposed complaints procedure is inadequate;
- Local residents should be widely consulted on any changes to the skate park and management plan;
- Recent court cases indicate that +10db above ambient noise levels will constitute a noise nuisance.

### **Officer evaluation**

Observations on the various points of condition 4 are addressed in turn below;

- a) It is considered that the identified hours of operation for the skate park are acceptable and would ensure that the amenity of neighbouring properties would not be compromised. There is the opportunity for this to be reviewed if a problem occurs.
- b) The management plan for the prevention of use of the skatepark identifies that it will be locked outside of specified hours and inaccessible. Signage will be in place identifying the hours that it can be open and CCTV will be in operation. It would unduly onerous to have somebody on site outside of the opening hours and should it be used outside of hours or lead to anti-social behaviour this is something that would need to be referred to the police. The mitigation put forward is acceptable.
- c) The Management Plan makes reference to the target noise level (60dB L<sub>Amax</sub>(f) and identifies where readings will be undertaken and how frequently. Should identified noise levels be exceeded then advice will be sought from noise consultants to mitigate the noise and if required use of the park restricted. Readings will be undertaken in the first month of operation so any problems can, if required, be rectified swiftly.
- d) The identified noise parameters are acceptable and the noise reading machine need to be set a 'fast meter' response which would record at least 125 milliseconds, this should be made clear to the applicant and the noise monitoring procedures are otherwise acceptable.
- e) The complaints procedure for the skate park is acceptable and directed to the Town Clerk at the Town Council who will investigate and contact relevant external bodies as required.
- f) Should any of the aspects of the scheme approved within the plan cease working to ensure that amenity is not protected e.g. failings in the fence, CCTV etc, then this will be fixed within a week or temporary measures put in place. This time frame is considered to be acceptable.

It should be noted that MAS, independent noise consultants appointed by the Council to offer advice on the application, indicate that they consider it unlikely that the works proposed to mitigate the noise emanating from the site would be enough to protect the amenity of nearby properties. However, Members resolved that the application should be approved as submitted and therefore additional physical works to the scheme are not under consideration at this time and the development would need to be built in accordance with the approved drawings. Should the park operate and noise become an issue that would require further physical works then a decision as to

whether or not the identified works would require permission would need to be taken once it had been identified what works were required.

MAS have suggested that respite days may be appropriate as well as a review of the opening hours. The park will not be open on Christmas Day as there would be no one working to open it and in times of bad weather its usage will be much reduced. The management plan will also be reviewed annually thereafter to ensure it remains affective and noise is suitably controlled and managed.

**RECOMMENDATION:** that the application to be discharged and Management Plan approved

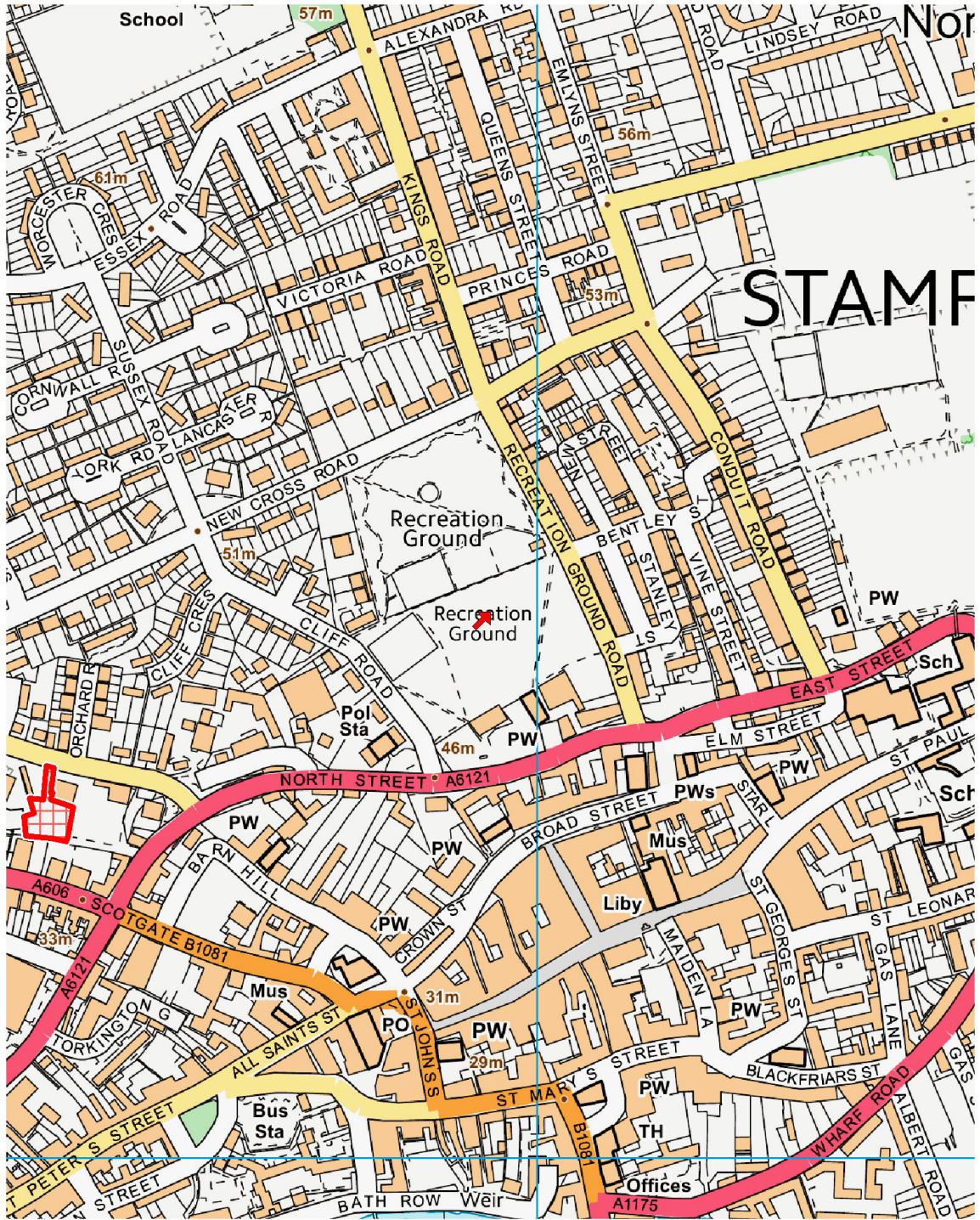
Note(s) to Applicant

1. The fast meter response, in accordance with additional note F attached to planning permission S12/0193, equates to a multi spectrum analysis at least every 125 milliseconds.

\* \* \* \* \*

## Site Location Plan

Ref	<b>S13/0221</b>
Proposal	<b>Approval of details of Conditions 3 and 4 (scheme protecting amenity) to planning permission S12/0193 for the erection of a skate park</b>
Location	<b>Stamford Skatepark, The Recreation Ground, Recreation Ground Road, Stamford</b>



Applicant	<b>Nick Sewell, New River Retail Limited</b> 37, Maddox Street, London, W15 2PP
Agent	Tamsin Cottle, Roger Tym & Partners 3, Museum Square, Leicester, LE1 6UF
<b>Proposal</b>	<b>Erection of two retail units (non food)</b>
<b>Location</b>	<b>Former R F Witt &amp; Sons and adjacent car park, Godsey Lane, Market Deeping, Peterborough, PE6 8HT</b>
App Type	Major Full (Non-residential)
Parish(es)	Market Deeping
Reason for Referral to Committee	The application is considered to be locally controversial and a major application.
Recommendation Summary	<p><b>Grant permission subject to the imposition of conditions</b></p> <p>Following amendments to the application which notably reduce the height of the buildings proposed to be erected, improve pedestrian links to the existing town centre and increase parking provision, the application is supported.</p> <p>Within Market Deeping there is capacity for additional non-food retail units, this application would address the shortfall and enhance rather than detract from the town centre.</p> <p>Following the reduction in height of the building and having regard to their location it is not considered that the buildings would have a significant detrimental impact on the amenity of neighboring properties through a dominating or overlooking impact. Furthermore, the design of the buildings is appropriate in the context and would enhance the character of the area over and above the existing.</p> <p>The increase in vehicle movements from the units would not be significant and deliveries would also be acceptable and parking provision increase. Controls over the hours of deliveries and noise generating equipment would be required.</p> <p>Trees worthy of retention will be incorporated within the landscaping scheme and possible contamination removed.</p> <p>The application is, therefore, deemed to comply with Core Strategy policies E1, E2, SP1 and EN1; emerging policy SAP8, along with guidance contained in the National Planning Policy Framework.</p>

**Key Issues**

- Whether the units would enhance or detract from the existing town centre;
- Impact on the character of the area and wider locality;
- Impact on residential amenity through a dominating impact;
- Highway safety through impacts on parking provision, vehicle movements and deliveries;
- Impact on the environment notably existing trees and possible contamination;

### **Technical Documents Submitted with the Application**

- Floor plans, elevations, site layout and tree protection plans
- Noise assessment
- Phase 1 Desk Study Environmental Assessment
- Transport Assessment
- Design and Access Statement
- Planning and Retail Statement

## **REPORT**

### **Application category**

The application is a major (non-residential).

### **Reason for referral to Committee**

With it being a major application and one of local interest.

### **The proposal**

The application is for the erection of two non-food retail units. Unit 1 would be to the north of the site and have a floor area of 743sqm, with a maximum height of 5.5m. Unit 2 would be to the south of the site and have a floor area of 929sqm, with a maximum height of 5.5m too. External materials for the buildings will primarily be timber cladding and glazing.

### **The application site and surroundings**

The application site comprises two parcels of land either side of the entrance to 'The Precinct'. Part of the site, where unit 2 would be sited, was the former R F Witt and Sons engineering firm, the building of which is now demolished and site vacant. A number of trees surround this part of the site and in particular there are a number to the frontage with Godsey Lane, which are mature and provide a relatively attractive aspect. To the south of the site are a number of residential properties including 25 and 25A Godsey Lane and properties on Dixons Lane.

The land to the north of the entrance to The Precinct is a car park. 27 and 29 Godsey Lane are adjacent to the site along with a number of properties on Thyme Avenue; the boundaries of which are marked by a mixture of planting and fencing.

### **Site history**

None.

### **Policy considerations**

Core Strategy (Adopted July 2010)

SP1 – Spatial Strategy

SP3 – Sustainable Integrated Transport

EN1 – Protection and Enhancement of the Character of the District

EN2 - Reducing the Risk of Flooding

EN3 - Renewable Energy Generation

EN4 - Sustainable Construction and Design

E1 – Employment Development

E2 – Town Centre and Retail Development

## Site Allocation and Policies - Development Plan Document (DPD)

SAP7 – Development within the defined Town Centres

SAP8 – Town Centre Opportunity Areas

### National Planning Policy Framework

- 1 – Building a strong, competitive economy
- 2 – Ensuring the vitality of town centres
- 4 - Promoting sustainable transport
- 7 – Requiring good design
- 10 – Meeting the challenge of climate change, flooding and coastal change
- 11 – Conserving and enhancing the natural environment
- 12 - Conserving and enhancing the historic environment

### East Midlands Regional Plan

- 1 – Regional Core Objectives
- 2 – Promoting Better Design
- 3 – Distribution of New Development
- 18 – Regional Priorities for the Economy
- 19 – Regional priorities for regeneration
- 20 – Regional Priorities for Employment Land
- 21 - Strategic distribution
- 22 – Regional priorities for Town Centres and retail Development
- 26 – Protecting and Enhancing the Region’s Natural and Cultural Heritage
- 27 – Regional Priorities for the Historic Environment
- 28 – Regional Priorities for Environmental and green Infrastructure
- 39 – Regional priorities for Energy Reduction and efficiency
- 45 – Regional approach to traffic growth reduction

### **Representations received**

The observations of Market Deeping Town Council are reproduced below;

“Following a public consultation meeting with the occupiers of numbers 5, 6, 7 and 8 Thyme Avenue, the Committee requests that this application is considered by the SKDC Planning Committee and is not dealt with by delegated powers. MDTC would also request that a site visit is carried out. MDTC supports the wide scale resident contention over this application as follows:

1. The Planning Committee observes that the public consultation was not widely advertised; not held in a prominent location in the town, nor was it attended by a representative from New River Retail. Residents and Cllrs found only designs on a notice board giving them no opportunity to ask questions. Some residents did not receive letters informing them of the application and MDTC did not receive its copy of the application in a timely manner and have had to request an extension to the deadline. The Planning Committee regret that it appears that proper consultation did not take place.
2. A serious objection to the proposal for Unit One, in particular the height of 7.5m, which residents feel cannot be described as single storey and are asking for this unit to either be abandoned altogether; moved to the R F Witt site with Unit Two or at very least, reduced in height by half.
3. The 3m gap at the back of Unit 1 seems unnecessary and there is great concern that this will become a waste disposal area; attract vermin, possibly antisocial behaviour and become unkempt and unsightly.
4. Godsey Lane cannot safely support an additional traffic burden.

5. The plans do not show any designated waste disposal and recycling areas. MDTC Planning Committee and Cllr Reg Howard in his capacity as an SKDC Committee member fully support residents' objections".

Peterborough City Council make no observations on the application.

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

Economic Development do not object to the application noting that it is on a brownfield site, would complement existing businesses and is likely to enhance the character of the area over and above the existing, particularly the former Witt and Sons site.

The Member of Parliament for the area, Mr John Hayes, expresses concern about the application noting that local shop keepers may suffer and reinvestment of the town centre should be a priority. In addition, the development would have a detrimental impact on local residents through a loss of light and noise.

Environmental Protection recommend that the hours at which delivery vehicles are allowed to access the units is restricted to between 7am and 8pm. The noise report did not specify what plant or equipment e.g. air-con units are to be installed, and a condition to ensure that any equipment should not exceed +5db above existing back ground noise levels is recommended. Furthermore, an intrusive report would be required to identify if there is any contamination of the land that housed the former Witt and Sons building.

The Tree Consultant has noted that the trees which contribute to the character of the area are to be retained within the scheme and, therefore, does not object to the application subject to conditions about the retention of trees identified within the report and mitigation to ensure that protection measures are in place during construction.

Planning Policy made initial observations on the application which broadly support the proposal in terms of need for the retail space and sequential assessment. However, they expressed concern about the scale of the building and pedestrian links to the existing Precinct. The observations of Planning Policy on the application as amended are reproduced below;

"Further to my memo of 20th June 2012 I note from the application file that the applicant has clarified the retail floor space proposed by the scheme, thus addressing the concern raised in my memo about how much retail floorspace was proposed.

The applicant has also submitted additional drawings showing clear pedestrian routes from the proposed units through the car park to the Co-op and the Precinct, these routes will allow shoppers the opportunity to walk safely into the town centre from the new units and will hopefully encourage increased footfall along the Precinct. This could promote combined trips to stores within the town centre, thereby improving the attractiveness of the centre as a retail destination. The NPPF suggests that when considering edge of centre proposals preference should be given to sites which are accessible and well connected to the town centre. (Paragraphs 23 – 27 apply), I consider that these changes significantly improve the connectivity of the proposed units to the town centre.

I remain satisfied therefore that there is sufficient capacity within the town centre to accommodate the scale of retail floorspace proposed, and that the applicant has addressed both national and local policy in relation to the sequential approach to the location of retail development. The amended scheme shows how the site can improve connections to the town centre through pedestrian links. This may provide the opportunity to increase footfall into the

town centre. I consider therefore that the application is also in accordance with the criteria for the development of opportunity areas on the edge of the defined town centre given in policy SAP8 of the emerging Site Allocation and Policies DPD”.

Lincolnshire County Council as Highway Authority have not objected to the application, subject to conditions.

### **Representations received as a result of publicity**

The application has been advertised in accordance with the Council Statement of Community Involvement, the closing date for representations being 06 July 2012. Further consultation was undertaken following the receipt of amended plans, notably reducing the height of the units. During both consultation periods a total of 34 representations have been received, a summary of their observations is reproduced below;

Loss of much needed parking spaces;

The road layout close to the petrol filling station looks very tight and there has been congestion here in the past;

The units are too large and will dominate the environment and result in an overbearing impact and loss of light;

Trees to the edge of the site will be lost and should be retained;

The proposed air-con units will generate an unacceptable noise level;

Express concern about possible increases in parking prices that may result;

Where will waste from the units be stored and trolleys?

The turning of HGV's and delivery vehicles is likely to be harmful to highway safety;

Vehicle movements will increase because of the proposal;

Are sustainable targets being met e.g. BREEAM, electric vehicle points etc;

A reduction in the number of parking spaces is not acceptable;

Feel that the consultation process by both the Council and developer is inadequate;

Is there a demand for the units or will they be left empty like all the others; who are the proposed end users?

The design of the buildings is out of character with the area and they are too large;

If approved additional landscaping should be considered;

The car park to be built on is used as a meeting place for many community groups;

House prices for the surrounding properties will reduce;

Delivery hours and vehicles may be a problem and should be controlled;

Construction of the units will harm the amenity of neighbouring properties;

Proposed opening hours for the stores is unacceptable;

One person supports the redevelopment of the former Witt and Sons site but does express concern should this lead to increased parking fees;

Feel that this is the right location for the retail development to stop other sites further out of time coming forward;

The design of the building is not inappropriate but building materials would need to be approved by the Council.

### **Officer evaluation**

Principle of development

The application site falls outside of the town centre of Market Deeping, as defined in the emerging Site Allocations and Policies DPD. However, the proposed buildings would be just 75m from this

boundary and amended plans have been received that improve access from the units to the town centre through a pedestrian only link to the existing precinct. A Planning and Retail Statement has been submitted in support of the application and the Councils own Retail Capacity Study identifies that there is capacity in Market Deeping for 2,300sqm of retail floorspace by 2016. There is, therefore, not considered to be any reason to object to the principle of development that would enhance existing provision within the town and Planning Policy raise no objection to the application.

## Highways

Whilst unit 1 would be sited on an existing car park the proposed re-configuration of parking spaces would actually result in an increase of parking spaces of 18. Vehicle movements on Godsey Lane as a result of the application are indicated to increase by approximately 1% during the weekday evening peak hours and between 1% and 2% on the Saturday peak. This increase in vehicle movements and parking is considered to be acceptable with the highway network capable of accommodating this increase and parking provision also acceptable. Initially the Highway Authority raised a concern about the ability of delivery vehicles to enter and leave the site in a forward gear but additional information has been submitted and identified that the scheme, as amended, will allow HGV's to access the turning area to the rear of the Co-op store with loading bays to the side of each unit along the access road to The Precinct.

## Impact on the environment and character of the area

The buildings would be 5.5m tall and have reduced in height from 7.5m as originally proposed. The siting of the buildings would appear quite deliberate and unit 1, which would be close to the properties on Thyme Avenue, would be sited at the end of the cul-de-sac. It would be visible when entering the street and from a number of the homes. However, it would be adjacent to the blank gable of 7 Thyme Avenue and forward of 10. It would not run along the boundary of the rear gardens of these properties and whilst visible from them it is considered that the reduction in height of the building has gone far enough to reduce overbearing impacts and allow the grant of planning permission. The building would be approximately 19m from the rear elevation of 27 and 29 Godsey Lane and at 5.5m tall the unit would be similar in height to the eave of a conventional two-storey dwelling.

Unit 2 would be on the site of the former Witt and Sons industrial unit. This building would have a height of 5.5m also and be set some 20m from Godsey Lane, allowing the trees to the front of the road to be retained. Unit 2 would be longer and run parallel to the boundary with properties on Dixon Road and 25/25A Godsey Lane for a distance of 45m; it would be sited 6m from this boundary. There is an element of planting along this boundary and additional conditions added to supplement this with new planting to screen the development. The majority of the building would be adjacent to parking areas for dwellings off Dixons Road although some would run alongside the rear garden of 25A Godsey Lane. However, given the reduction in height of the building, distance to property boundaries and planting proposed it is not considered that a refusal on overbearing grounds would be justified.

The primary external material for the buildings would be timber with a glazed shopfront, set within an aluminium frame. Entrance to the buildings would be from the west elevation overlooking the precinct with no access for customers from Godsey Lane. The design of the buildings is appropriate in the context and typical of such shop buildings with the Market Deeping Conservation Area some 75m away and its setting not affected.

There a number of trees that surround the site, most notably unit 2. The trees to the front of this unit are intended to be retained within the scheme and would ensure that the Godsey Lane frontage would not change significantly. Other trees toward the periphery of the site would be removed but additional landscaping is, where possible, proposed to screen the development and

reduce the visual impact of the buildings on neighbouring properties. Subject to the protection of trees to be retained, along with the approval and implementation of a landscaping scheme, it is considered that the impact on existing flora is acceptable (it is not possible to condition the submitted landscaping scheme due to changes in the parking layout).

Restrictive conditions would be required to ensure that the amenity of neighbouring properties is acceptable with regard to noise that may be generated along with further exploratory investigations for possible contamination on the former Witt and Sons site.

### **Section 106**

No section 106 legal agreement is required for this application.

### **Crime and Disorder**

The development is not considered to raise any significant issues with regard to crime and disorder. Furthermore, condition 13 of the draft decision notice specifically requires crime prevention measures to be put in place.

### **Human Rights implications**

Articles 6 and (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.

### **SUMMARY OF REASON(S) FOR APPROVAL**

The retail units fall outside of the town centre, as defined in the Site Allocations DPD, but by virtue of the relationship between the proposed units and existing town centre, where there is an identified shortfall of retail space within Market Deeping, it is considered that the development would enhance rather than detract from the viability of the town. Nor is it considered that the application would be detrimental to highway safety or parking provision with the proposal resulting in only a slight increase in vehicles movements and parking provision for the precinct increasing over and above the existing. Furthermore, the design of the buildings are appropriate in the context and would enhance the character of the area over and above the existing. Residential amenity would not be compromised through noise that would be generated nor is it considered that the development would result in a significant overbearing or overlooking impact. The application is, therefore, deemed to comply with Core Strategy policies E1, E2, SP1 and EN1; emerging policy SAP8, along with guidance contained in the National Planning Policy Framework; with no other material planning considerations to indicate that the application should be determined otherwise.

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

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

Reason: To comply with Section 91 (as amended) of the Town and Country Planning Act 1990.

2. No development shall take place until samples of the materials (including colour of render, paintwork or colourwash) to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: To ensure a satisfactory appearance to the development and in accordance with Policy EN1 of the adopted South Kesteven Core Strategy (July 2010).

3. Prior to the commencement of use of any building(s), the vehicular access to Godsey Lane shall be improved in accordance with the indicative drawing number 10407/1000 Rev K dated 06/02/13.

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

4. The arrangements shown on the approved plan 10407/1000 Rev K dated 06/02/13 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 Godsey Lane and the access road known as The Precincts and to allow vehicles to enter and leave the highway in a forward gear in the interests of highway safety.

5. No part of the development shall commence trading before the works to improve the public highway (by means of widening the existing carriageway, taking up and replacing and re-siting kerbing & footways, together with provision of an uncontrolled pedestrian crossing and all necessary lighting and ancillary works as indicatively shown on drawing 10407/1000 Revision K) have been completed.

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

6. No development approved by this permission shall be commenced until a scheme for the provision of surface and foul water drainage has been submitted to and approved in writing by the Local Planning Authority. The drainage works shall be completed in accordance with the details and timetable agreed to the satisfaction of the Local Planning Authority.

Reason: To prevent the increased risk of flooding and to prevent pollution of controlled waters by ensuring the provision of a satisfactory means of surface and foul water disposal.

7. The retail units shall not be used for the sale of food.

Reason: To comply with guidance contained in the South Kesteven Needs and Town Centre Study (March 2010).

8. The loading/unloading of delivery vehicles to the units shall only be carried out between the following times; 07:00 and 20:00 - Monday to Saturday and; 08:30 and 20:00 on Sunday and Bank Holidays.

Reason: To protect the amenity of the residents of adjacent properties, and in accordance with Policy EN1 of the South Kesteven Core Strategy.

9. Any plant or equipment to be installed on the units shall not exceed +5dba above the existing background noise levels, as identified in table 5.4 of the submitted noise assessment.

Reason: To protect the amenity of the residents of adjacent properties, and in accordance with Policy EN1 of the South Kesteven Core Strategy.

10. No works pursuant to this permission shall commence on unit 2, unless otherwise agreed in writing by the Local Planning Authority, until there have been submitted to and approved in writing by the Local Planning Authority:

- (a) A desk top study documenting all the previous and existing land uses of the site and adjacent land;
- (b) A site investigation report assessing the ground conditions of the site and incorporating chemical and gas analysis identified as appropriate by the desk top study; and
- (c) A detailed scheme for remedial works and measures to be undertaken to avoid risk from contaminants and/or gases when the site is developed and proposals for future maintenance and monitoring. Such scheme shall include nomination of a competent person to oversee the implementation of the works.

Reason: Previous activities associated with this site may have caused, or had the potential to cause, land contamination and to ensure that the proposed site investigations and remediation will not cause pollution in the interests of the amenities of the future residents and users of the development; and in accordance with Policy EN1 of the adopted South Kesteven Core Strategy (July 2010) and guidance contained in the National Planning Policy Framework.

11. The development hereby permitted shall not be occupied or brought into use until a verification report has been submitted to and approved in writing by the Local Planning Authority (pursuant to unit 2). The report shall be submitted by the agreed competent person and identify that approved remedial works have been implemented. The report shall include, unless agreed in writing:

- (a) A complete record of remediation activities, and data collected as identified in the remediation scheme, to support compliance with agreed remediation objectives;
- (b) As built drawings of the implemented scheme;
- (c) Photographs of the remediation works in progress; and
- (d) Certificates demonstrating that imported and/or material left in situ is free from contamination.

Thereafter the scheme shall be monitored and maintained in accordance with the approved remediation scheme.

Reason: Previous activities associated with this site may have caused, or had the potential to cause, land contamination and to ensure that the proposed site investigations and remediation will not cause pollution in the interests of the amenities of the future residents and users of the development; and in accordance with Policy EN1 of the adopted South Kesteven Core Strategy (July 2010) and guidance contained in the National Planning Policy Framework.

12. No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the local planning authority and these works shall be carried out as approved. These details shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate and an implementation programme.

Reason: Landscaping and tree planting make an important contribution to the development and its assimilation with its surroundings and in accordance with Policy EN1 of the adopted South Kesteven Core Strategy (July 2010).

13. All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with the programme agreed with the local planning authority.

Reason: Hard and soft landscaping and tree planting make an important contribution to the development and its assimilation with its surroundings and in accordance with Policy EN1 of the adopted South Kesteven Core Strategy (July 2010).

14. Before development is commenced on site all existing trees shown on the approved plan (tree survey with constraints plan - tree 23 shall be retained within the scheme unless the Local Planning Authority give written consent for its removal) shall be fenced off to the limit of their branch spread. No works (including removal of earth), storage of materials, vehicular movements or siting of temporary buildings shall be permitted within these protected areas.

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

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

1000 rev K  
1001 rev B - unit 1 plans and elevations  
1002 rev B - unit 2 plans and elevations  
Tree survey with constraints plan

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

#### Note(s) to Applicant

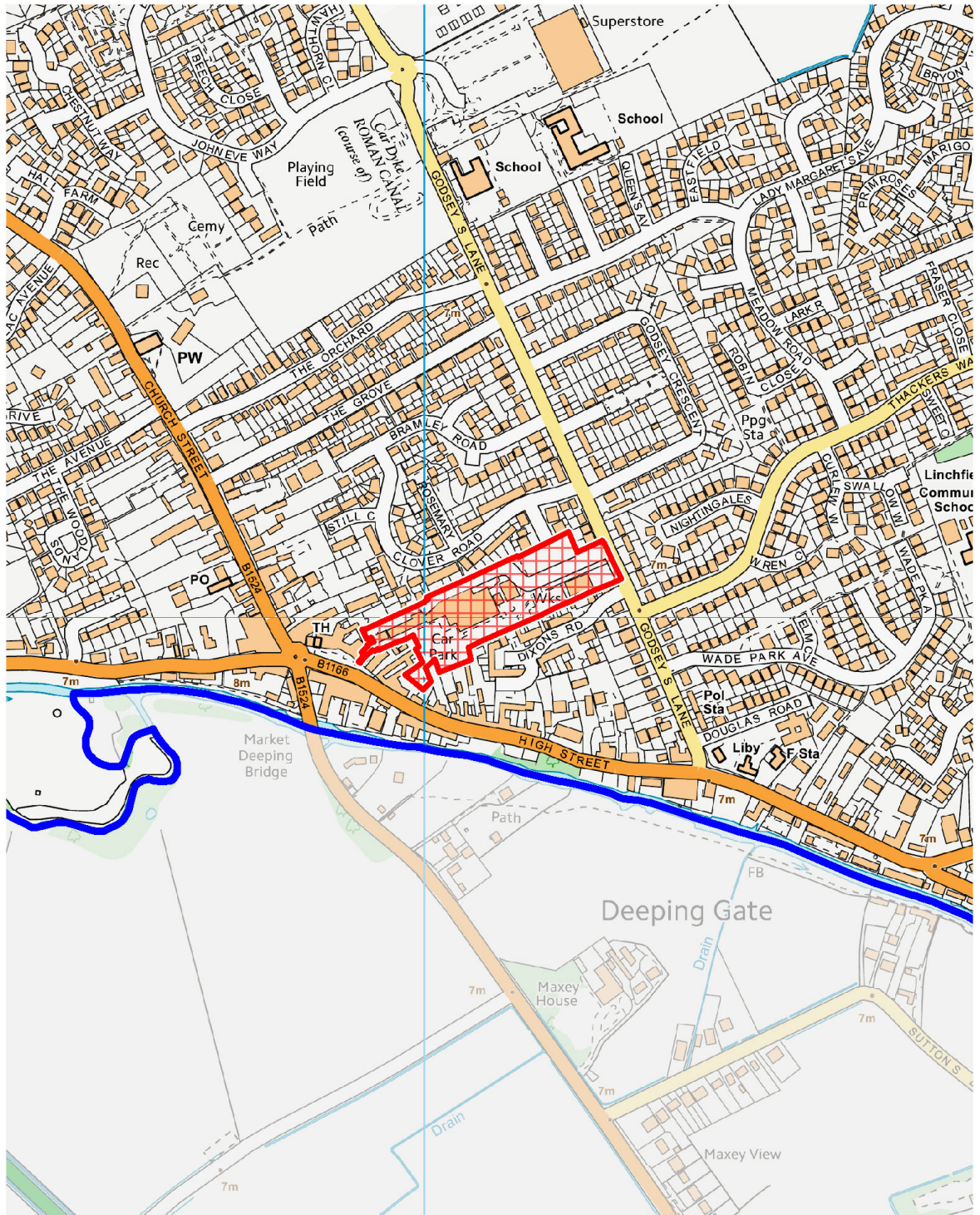
1. No works shall commence within the limit of highway until a Section 278 Agreement of the Highways Act 1980 has been entered into with the local highway authority, Lincolnshire County Council to widen The Precincts together with all necessary works and ancillary works as notified.
2. This permission does not convey any approval that may be required under the Flood and Water Management Act 2010 and you are advised that further details relating to drainage may need to be submitted on request for approval of the Lead Local Floods Authority and any amendments to the approved scheme shall subsequently be implemented before occupation of the first unit of the phase to which this permission relates.

3. Please note that the broad content of the submitted landscaping plan shown on drawing number 1001 rev B is acceptable but would need updating to reflect the amended layout plan.

\* \* \* \* \*

## Site Location Plan

Ref	<b>S12/1198</b>
Proposal	<b>Erection of two retail units (non food)</b>
Location	<b>Former R F Witt &amp; Sons and adjacent car park, Godsey Lane, Market Deeping, Peterborough, PE6 8HT</b>



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Applicant	<b>Ms Gill Noon, Great Gonerby Parish Council</b> 46, Cliffe Road, Grantham, Lincolnshire, NG31 8HS
Agent	Noel Barrowclough, Studio-G Architecture The Business Centre, Rio Drive, Collingham, NG23 7NB
<b>Proposal</b>	<b>Proposed new community building/sports pavillion and additional associated parking</b>
<b>Location</b>	<b>Great Gonerby Playing Field, Belton Lane, Great Gonerby, Grantham</b>
App Type	Full Planning Permission
Parish(es)	Great Gonerby
Reason for Referral to Committee	The application is before the Committee at the request of the Chairman of the Development Control Committee.
Recommendation Summary	Approve subject to conditions

### Key Issues

- Accordance with policy
- Impact on residential amenity
- Impact on visual amenity
- Impact on highway safety

### Technical Documents Submitted with the Application

- Site Plan
- Block Plan
- Elevational Drawings
- Floor plans
- Design and Access Statement

## **REPORT**

### **Application Category**

This application falls within the category of minor development.

### **Reason for Referral to Committee**

At the request of the Chairman and there has been local interest in the proposal.

### **The Proposal**

The application proposes the provision of new community facilities, including a main hall and separate meeting room to replace the existing Memorial Hall.

The building itself provides 404 square meters of accommodation and measures 20.6m x 21.16m. The roof level at eaves is 2.70m above ground level and the highest ridge height is 6.20m above ground level.

Sited centrally of the building are a CCTV tower and two clocks which reach an overall height of 7.95m.

The main part of the building will be constructed from concrete masonry blocks with the changing pavilion being rendered. The roof will be a metal standing seam system with a coated finish.

In addition to the main building, a changing pavilion is to be provided for the sports field. This will also have a kitchen and toilet that will be accessible from the outside providing a facility for people involved in the various sporting activities on the field.

The main hall also provides access onto a secure, external play area to the west of the building for use by the local play group.

The existing vehicular access point will be retained and an appropriately surfaced car parking area is proposed. An overspill car parking area is also available to the north of the site which also provides parking to the burial ground.

### **The application site and its surroundings**

The development site is on part of a large recreation field that is located to the Northern edge of Great Gonerby, to the south of Belton Lane. Within the grounds of the existing field are sited a football field, a MUGGA, a fenced equipped play area, a disused changing pavilion and a surfaced car park directly off the access to the site.

The playing field is bounded by the Coalville Close residential development to the east and south, Belton Lane to the North and the High Street to the West.

Access to the site is gained to the north of the site off Belton Lane.

## **Representations Received**

Gonerby Parish Council – No objections

Archaeological – no affect upon any known sites.

Lincolnshire County Council Highways – does not wish to restrict the grant of planning permission subject to conditions.

County Council Footpaths: No objection

SKDC Drainage Officer: Consideration should be given to rainwater harvesting.

Open Space Officer: Supports the proposal to provide an improved community building.

Planning Policy: The proposal meets the requirement of Policy SP2 of the Core Strategy by providing an enhanced community asset.

This replacement facility should be completed and available for use before the use and availability of the existing Memorial Hall is lost.

Sport England: No objection

Upper Witham Drainage Board: No objection subject to conditions

## **Representations as a result of publicity**

Representations have been received in relation to the proposed development. The issues raised as summarised as follows;

- Will increase anti-social behaviour to the area
- There is a parking problem in the area that this will make worse.
- Proposed parking provision will not overcome this issue
- Not clear on what the exact use of the facility is.
- May create noise and disturbance to the residents of Colville Close
- Requests a high fence around the field to protect residents from uses on the field.
- Poor visibility at access point along Belton Lane
- One Disabled Parking Space is shown as opposed to two indicated in application forms.
- Proposed building will be out of keeping with the character of the area and visually intrusive
- Belton Lane is a busy road with frequent queues of traffic
- Vehicles currently on Belton Lane force vehicles over to the opposite side of the road
- There should be no use beyond 21:30

## **Site History**

S07/1136– Erection of community hall / sports pavilion – Approved 16th May 2008

S11/0134- Community Hall / Sports Pavilion – Extension of time limit – Approved 14th March 2011

## **Policy Considerations**

South Kesteven Core Strategy

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

This is a general policy containing a list of criteria which seeks to preserve and enhance the visual quality and amenity of the built and countryside environments.

Policy SP2 – Sustainable Communities

This is a policy which outlines villages considered to be local service centres where development should be allowed subject to retaining or enhancing a community asset.

RSS 8

Policy 1 – Regional Core Objectives

Policy 2 – Promoting better design

Policy 3 – Distribution of new development

National Planning Policy Framework

Section 3 – Supporting a prosperous rural economy

Section 4 – Promoting Sustainable transport

Section 7 – Requiring good design

Section 11- Conserving and enhancing the natural environment

## **Key Issues**

Sustainability

The principle of development has already been established by the previous approvals for a Community hall / sports pavilion in the same position. The proposal would enhance the sports and recreational facilities of Great Gonerby and is in easy walking/cycling distance from the whole of the village. None of the existing play area or sports pitches will be affected by the building or associated parking areas. This is a community facility which would help to enhance the vitality and sustainability of the village and is in line with the sustainability aims of national and local policy.

Visual Impact

It is considered that the simple design to be constructed using render and blockwork and low pitched roof is in keeping with the immediate village context and relates well to the sports field and adjacent modern housing development. Planting along the frontage and eastern side will help to soften the impact on its surroundings.

Neighbouring amenity

Given that the nearest property is over 29m away from the proposed building it is considered that there would be no unacceptable adverse impact on the residential amenities of the occupiers of nearby properties. Although there is likely to be some increase in use of the field as a result of the development, and therefore noise, any noise is not likely to reach an unacceptable level and no more than can reasonably be expected at a village sports field, particularly given that the use and a building already exists. Furthermore, a pavilion has been previously approved in the same location.

A condition has been attached requiring the submission and final approval of internal sound insulation.

The positive benefits of this community facility far outweigh any potential problems of vandalism/petty crime which are matters for the owners of the building and the police to deal with. Furthermore the site is relatively well overlooked by properties to the east and south.

#### Highways

The highways authority does not object subject to conditions and it is not considered that the low level of extra traffic likely to be generated would have a detrimental impact on highway safety or the amenity of the area, particularly given that the sports pitches are already in use and a changing block already exists. The entrance to the site is within the 30mph limit. Adequate off road parking would be provided.

#### Drainage

No objection has been raised in respect to drainage in relation to this application or any of the previous permissions. A condition is attached requiring the submission of a SUDS system for final approval.

#### **Crime and Disorder Implications**

It is considered that the proposed development will not have any significant or detrimental 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.

#### **SUMMARY OF REASON(S) FOR APPROVAL**

It is considered that the proposed community building / sports pavilion will provide an enhanced community facility to the benefit of the occupiers of the village. The building is sited in a sustainable location and due to its design, size and location will not be visually intrusive or impact adversely on neighbouring properties. There has been no objection from Lincolnshire Highway Department leading the authority to conclude that the proposal will not impact adversely on highway safety. Issues relating to increase levels of traffic, parking, anti-social behaviour and noise nuisance do not outweigh the benefits of the development.

The application therefore is deemed to comply with Section 3, 4, 7 and 11 of the NPPF, policies

1,2 & 3 of RSS8 and policies SP2 & EN1 of The SK Core Strategy and should be approved (with conditions); with no other material planning considerations to indicate that the application should be determined otherwise.

In reaching the decision the council has worked with the applicant in a positive and proactive manner developing the proposal through pre-application discussions and seeking solutions to highway and design concerns. As such it is considered that the decision is in accordance with paragraphs 186 -187 of the National Planning Policy Framework.

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

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

Reason: To comply with Section 91 (as amended) of the Town and Country Planning Act 1990.

2. No development shall take place until samples of the materials (including colour of render, paintwork or colourwash) to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: To ensure a satisfactory appearance to the development and in accordance with Policy EN1 of the adopted South Kesteven Core Strategy (July 2010).

3. No development approved by this permission shall be commenced until a scheme for the provision of a SUD's surface and foul water drainage has been submitted to and approved in writing by the Local Planning Authority. The drainage works shall be completed in accordance with the details and timetable agreed to the satisfaction of the Local Planning Authority.

Reason: To prevent the increased risk of flooding and to prevent pollution of controlled waters by ensuring the provision of a satisfactory means of surface and foul water disposal.

4. No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the local planning authority and these works shall be carried out as approved. These details shall include means of enclosure; car parking layouts; other vehicle and pedestrian access and circulation areas; hard surfacing materials; minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting etc.); proposed and existing. Soft landscape works shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate; implementation programme.

Reason: Hard and soft landscaping and tree planting make an important contribution to the development and its assimilation with its surroundings and in accordance with Policy EN1 of the adopted South Kesteven Core Strategy (July 2010).

5. All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with the programme agreed with the local planning authority.

Reason: Hard and soft landscaping and tree planting make an important contribution to the development and its assimilation with its surroundings and in accordance with Policy EN1 of the adopted South Kesteven Core Strategy (July 2010).

6. The arrangements shown on the approved plan T246 A-03 Rev J dated 7th March 2013 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 Belton Lane and to allow vehicles to enter and leave the highway in a forward gear in the interests of highway safety.

7. Prior to commencement of use of the Community Centre a scheme to introduce signage informing visitors of the overspill car park at the Burial Ground is to be agreed in writing by the Planning Authority.

Reason: To ensure parking arrangements are utilised correctly thus resulting in no parking on the highway.

8. Details of any floodlighting shall be submitted to and approved in writing by the local planning authority before [the use hereby permitted commences] [and] [the building(s) is/are occupied]. The development shall be carried out in accordance with the approved details.

Reason: To enable the Local Planning Authority to retain control over this important detail in the interests of the amenities of the area and in accordance with Policy EN1 of the adopted South Kesteven Core Strategy (July 2010).

9. 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.

10. The premises shall not be used for the purposes authorised by this permission outside the hours of 07:30 to 21:30 hours.

Reason: Operation of the use outside these hours may result in unacceptable levels of noise nuisance to local residents.

11. Before the development hereby approved is commenced details which demonstrate that the building will be constructed to provide sound insulation against internally generated noise of up to LAeq5min 95 dB such that noise levels at the external west-facing elevation of no 2 Covill Close do not exceed 45 dBA shall be submitted to and approved in writing by the Local Authority.

Reason: To prevent noise nuisance and in the interests of the residential amenity of nearby

residents.

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

Drawing Number T246 - 102 Rev B dated 7th March 2013  
Drawing Number T246 - A-03 Rev J dated 7th March 2013  
Drawing Number T246 - A-01 Rev E dated 9th September 2013  
Drawing Number T246 - A-02 Rev F dated 9th September 2013

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

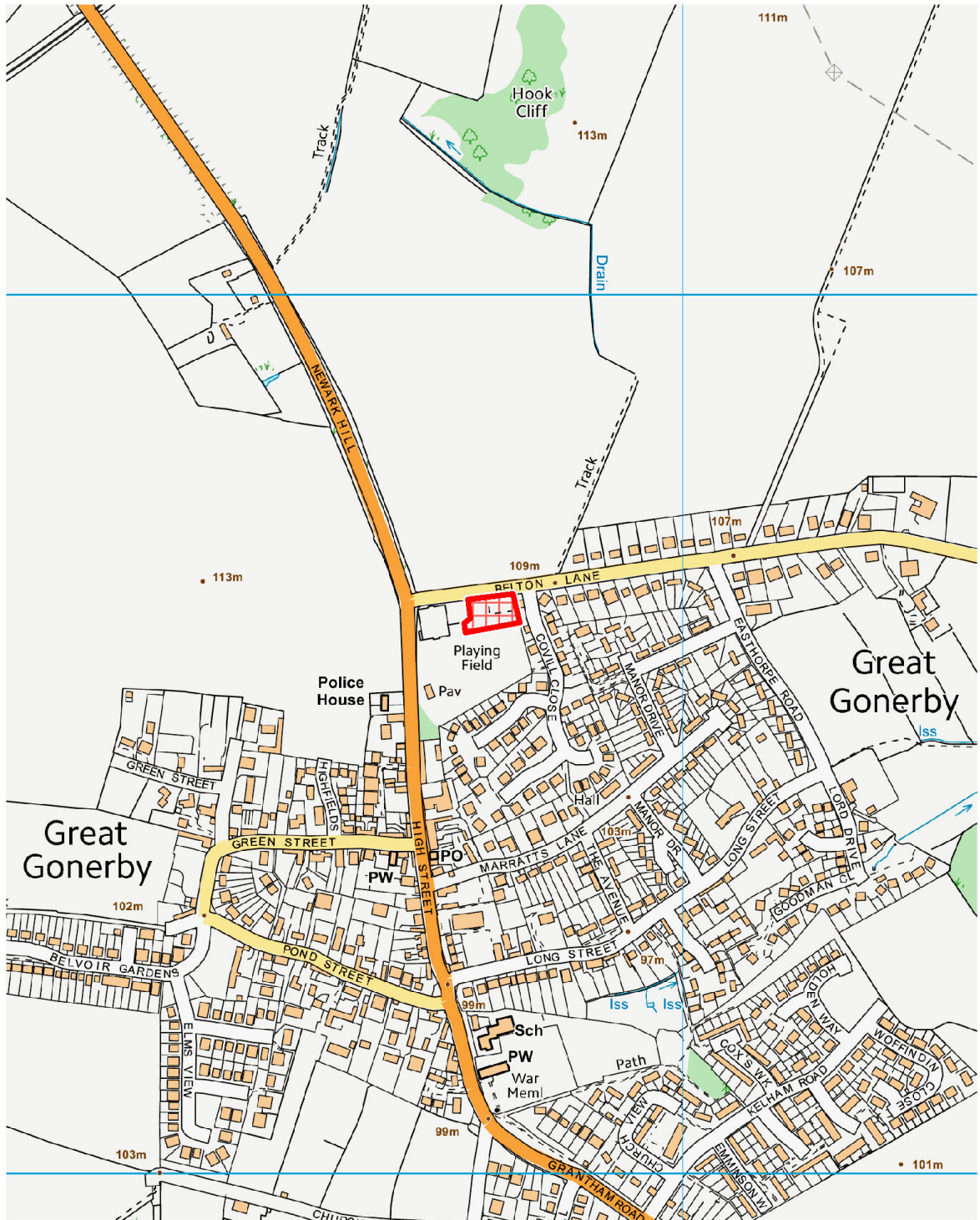
Note(s) to Applicant

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

\* \* \* \* \*

## Site Location Plan

Ref	<b>S12/2769</b>
Proposal	<b>Proposed new community building/sports pavillion and additional associated parking</b>
Location	<b>Great Gonerby Playing Field, Belton Lane, Great Gonerby, Grantham</b>



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Applicant	<b>D Pennell Burghley Estates Leisure Ltd &amp;, Burghley House Preservation Trust</b> Burghley Estate Office, 61, High Street, St. Martins, Stamford, PE9 2LQ
Agent	Mrs L Smith, LK2 Architects Ltd Studio 2, Deepdale Enterprise Park, Deepdale Lane, Nettleham, Lincolnshire, LN2 2LL
<b>Proposal</b>	<b>Development of a Football Stadium, with associated infrastructure and facilities to include multi-use training pitch. Erection of sports college building to include dual use facilities for the football stadium. Provision of car and coach parking area with additional use for car boot sales on up to 30 days in any calendar year. Creation of new means of access from Ryhall Road with associated highway alterations.</b>
<b>Location</b>	<b>Land west of, Ryhall Road, Stamford</b>
App Type	Major Full (Non-residential)
Parish(es)	Stamford
Reason for Referral to Committee	The application is considered to be locally significant and requires a Section 106 Agreement to be entered into.
Recommendation Summary	That the development be Approved subject to conditions

**Key Issues**

- Landscape/ visual intrusion
- Ecology/Wildlife
- Lighting
- Highways Safety
- Noise
- Drainage Flood Risk
- Sustainable Development

**Supporting Documents**

- Design and Access Statement
- Planning Statement
- Travel Plan
- Transport Statement
- Statement of Community involvement
- Landscape character and visual impact assessment (Update note)
- Agricultural land quality report
- Noise Assessment
- Arboricultural Survey Report
- Proposed Floodlighting Design
- Soil and Land Survey
- Ecological Survey
- Archaeological Surveys

- Flood Risk Assessment
- Sustainability Statement
- Assessment of spoil from development

## **REPORT**

### **Application Category**

This application is categorised as a 'major' application

### **Reason for Referral to Committee**

The application has been referred to the Development Control Committee as it is considered to be locally significant and requires a Section 106 Agreement to be entered into.

### **The Proposal**

The application relates to the provision of a football ground, training pitch, a sports and education building and associated access, car parking and landscaping. It is a joint scheme between Stamford Association Football Club, New College Stamford and Burghley House Preservation Trust. In addition to the previously approved football ground and associated works the application now includes a sports teaching facility to replace ageing buildings at the college's Drift Road campus. It is an application for full planning permission.

Cross sections indicate that the pitches would be cut into the landscape, with planted bunding provided in between the football pitches and existing residential development on the edge of Stamford. The pitches would be about 80 metres north of the edge of Stamford.

The application includes a football stadium and all weather training pitch. The main ground would have covered stands along parts of the northern and western sides of the pitch. The two stands would be about 31 metres and 41 metre long, with open cantilevered canopy roofs, standing 6 metres above the level of the pitch. Most of the other areas around this ground would have uncovered flat or raised stands, plus team dug outs.

The pitches would be bounded by a variety of steel and plastic fences. Both pitches and the car park would be floodlit.

The sports teaching facility would be located to the north of the football pitches. It is a two storey, 9.5 metres high, flat roofed sports hall with associated accommodation. It would be built in a mixture of brickwork, stone, blocks, timber and aluminium cladding.

The ground floor comprises a large sports hall with changing rooms, toilets, stores and a kitchen. There would also be separate changing rooms for footballers and football officials. Approximately half of the first floor is the void over the main sports hall, the remainder would be occupied by two classrooms, a fitness suite, bar and bistro and a function/directors' room.

The applicants state that the building will be a dual use facility for the football club and college. The football club would use the building at weekends and for some evening training sessions. The college would use the building on weekdays. Some evenings the sports hall would be available for local clubs, in the same way that the current college facilities are used by organisations in the town.

The new vehicular access from Ryhall Road is the same as that approved by the outline permission. It includes a right turning lane. In between the access and the sports hall would be parking for 110 cars, disabled parking, cycle parking and space for bus/coach parking. This would be bounded by planting and landscaping, incorporating two water balancing swales.

In addition to the landscaped bund to the south of the site the western and northern boundaries would be defined by a planted buffer. Most of the existing boundary planting on the eastern boundary (Ryhall Road frontage) would be retained. Trees would mostly be retained, except for a horse chestnut which would be removed to accommodate the new access.

This application has links with two other recently approved schemes in the area, S11/2283 for outline construction of affordable housing on land at Barnack Road Stamford and S11/2300 which granted outline consent for the redevelopment of Stamford AFC's existing ground on Kettering Road for residential development. The residential redevelopment of the existing ground can only be considered acceptable on policy grounds and take place when a new ground has been constructed and occupied by the football club. This element of the scheme will need to be secured via a Section 106 legal agreement.

### **The Application Site and its Surroundings**

The application site is located on the northern outskirts of Stamford, approximately 1km from the town centre. The site is located to the west of Ryhall Road on an area of agricultural land to the south of Borderville Farm. The site area measures approximately 6.5 hectares. Directly to the south of the application site lies residential development. Directly to the west of the application site lies an agricultural field with the Queen Eleanor Technical College beyond.

The topography of the site is such that the land slopes down in to a low point close to the location of the proposed new access on to Ryhall Road.

### **Relevant Site History**

S11/2288 - Outline planning permission for 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/administration space. Provision of car and coach parking area with additional use for car boot sales up to 40 days in any calendar year. Creation of new means of access from Ryhall Road with associated highways alterations - 28th December 2012

### **Policy Considerations**

National Planning Policy Framework:

Section 1: Building a strong, competitive economy,  
Section 4: Promoting sustainable transport  
Section 7: Requiring good design  
Section 8: Promoting healthy communities  
Section 10: Meeting the challenge of climate change, flooding and coastal change  
Section 11: Conserving and enhancing the natural environment  
Section 12: Conserving and enhancing the historic environment

East Midlands Regional Plan 2009

Policy 1 – Regional Core Objectives  
Policy 2 – Promoting Better Design  
Policy 3 – Distribution of New Development  
Policy 4 – Development in the Eastern Sub-area  
Policy 26 – Protection and Enhancing the Region's Natural and Cultural Heritage

Policy 27 – Regional Priorities for the Historic Environment  
Policy 29 – Priorities for Enhancing the Region’s Biodiversity  
Policy 31 – Priorities for Managing and Enhancing the Region’s Landscape  
Policy 35 – A Regional Approach to Managing Flood Risk  
Policy 41 - Regional Priorities for Culture, Sport and Recreation  
Policy 43 – Regional Transport Objectives  
Policy 44 – Sub-area Transport Objectives  
Policy 45 – Regional Approach to Traffic Growth Reduction  
Policy 46 – A Regional Approach to Behavioural Change  
Policy 48 – Regional Car Parking Standards

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

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

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

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

#### South Kesteven Core Strategy 2010

Policy SP1 – Spatial Strategy  
Policy SP3 – Sustainable Integrated Transport  
Policy SP4 – Developer Contributions  
Policy EN1 – Protection and Enhancement of the Character of the District  
Policy EN2 – Reducing the Risk of Flooding  
Policy EN4 – Sustainable Construction and Design  
Policy E1 – Employment Development

#### **Representations Received**

##### Lincolnshire County Council Highways

- Recommends conditions and requests a developer contribution of £3,500 to pay for a Traffic Regulation Order (TRO)

##### Environmental Protection

- Comments will be reported in Late Items update.

##### Stamford Town Council

- Deferred the application, to be considered at a future meeting

### Ryhall Parish Council

- Need to continue cycle route from Borderville into Stamford
- Footpath appears narrow
- Need dropped kerbs at access
- Need to control light pollution
- Construction traffic needs to be managed

### Uffington Parish Council

- Concerns about highway safety; prefer to see a roundabout

### Sport England

- The need for replacement pitches and ancillary facilities is accepted and has the potential to be of benefit of the College/Football Club and public access to a sports hall/fitness facility
- The design does not seem to take account of Sport England's design guidance and it is recommended that a condition is imposed to secure this standard of design
- Would wish to see intend use consolidated by a Community Use Agreement, which could be secured by a condition
- Note that:-
- Car boot sales should not take place on pitches and recommend a suitable condition
- Landscaping needs to be designed to avoid root/leaf damage to playing surfaces and their maintenance

### Lincolnshire Wildlife Trust

- Pleased that plan includes habitat creation; need to use native species in landscaping
- Detailed comments about construction and colonisation of water features
- Should look to reinstate green roofs which were proposed previously

### Lincolnshire Police

No further comments as all aspects for crime reduction and community safety appear to have been incorporated into the scheme

### Lincolnshire Fire & Rescue

Need to incorporate water supply for fire fighting

### Environment Agency

- Acceptable, subject to conditions relating to drainage
- Ask applicant to recycle and re-use waste rather than off-site incineration and disposal
- Contractor to prevent water pollution

### Natural England

Standard response stating that the LPA should consider the following:

- Impact upon any protected species
- Impact upon any local wildlife sites
- Opportunity to enhance biodiversity

Notes that while the proposal does not appear to impact upon any nationally designated landscape, but should where possible enhance local distinctiveness and be guided by the LPA's Landscape Character Assessment

#### Consultant Arboriculturalist

Considers that applicant's report lacks some detail regarding the condition of specific trees. More information required before trees are felled. Would prefer to see access re-sited to ensure retention of horse chestnut on road frontage.

Works should be carried out in accordance with British Standards and avoid the nesting season.

#### SKDC Landscape Consultants

Appraisal of the Landscape and Visual Impact Assessment

Precis of summary conditions

The design of the scheme appears to have followed from the assessment of impact.

The dual use building is located in a minor valley, set at a relatively low level compared with the surrounding landscape.

The proposal is likely to have some impact upon setting of Stamford, but location and design help to minimise effects on the area.

Overall facility appears to be well located in the landscape and includes sensitive mitigation as part of its design. Will be some adverse local landscape and visual effects, such as those experienced by neighbouring residents. However, wider effects are fairly restricted and with proposed mitigation, the landscape and visual effects of the proposal would be acceptable.

### **Representations as a Result of Publicity**

18 letters of objection, which can be summarised as:

- Visual intrusion
- Impact upon landscape, remote area and loss of agricultural land
- Question need for the relocation
- Better brownfield sites available in town
- Impact of noise and general disturbance, including during construction period
- Disturbance, rubbish and litter associated with Sunday car boot sales
- Disturbance from clubhouse and associated social events
- Light pollution
- Not suitable location, too far from transport links and would be better located adjacent to college
- Bund and footpath link would encourage anti-social behaviour
- Impact upon highway safety and traffic congestion
- Inadequate car parking, lead to on-street parking
- Question traffic survey and inadequate access details
- Question ancient record
- Use by college and all weather facility would lead to disturbance all week and in evenings
- Contrary to policy
- Loss of view
- Harm to drainage in the area
- Inaccurate reference to existing boundary treatment

- Lack of security at the site when operational
- Previous application did not take account of the quarry excavation to remove limestone from the site and associated transport movements which was not considered when the previous application was determined.

Ryhall Road Residents Association has asked that their objections to the previous application are taken into account. These may be summarised as:

Our objections to site ADD43 are as follows: - Your comments regarding the town council response to workshops are incorrect.

The town council did not agree that site 'ADD43 would be suitable to leisure use which may include a football ground'

This was in fact the "Strategic Development Committees" response, at a meeting held on the 6th July 2011 to discuss local development framework site allocations they stated 'we agree with recommendation that this would be suitable for leisure use and/or open space which might include a new leisure centre and new football ground. They also went on to say... "However we would suggest that any such use be located as far north-west of the site as possible to minimise the effect on this green field site, allowance should be made for a new access from Ryhall Road the Queen Eleanor School to enable future expansion of both the school and for leisure and sports facilities. Because of ongoing congestion of Green Lane and Kings Road down to Recreation Road and North Street, there should be restricted entry from these roads to this area Add43 and new entry should be from the new access road. The Strategic Development Committee acknowledges that there is much local opposition to this change of use because of (a) the potential increase in traffic which will be generated by such change and (b) the further loss of existing agricultural land"

.... Prior to that, Stamford Town Councils meeting 15th December 2010 re additional site allocations stated in relation to ADD43 land west of Ryhall Road "it was observed that the identification of land on the consultation documentation from SKDC is incorrectly identified as East of Ryhall Road. It is in fact West of Ryhall Road. The Town Council recommends that this area is retained as open space".

We do not agree with SKDC Screening Assessment that this development would not give rise to nuisance, this development by its very nature is bound to bring disturbance to local residents who have purchased homes and lived for many years next to a agricultural and peaceful setting, the sighting of a foot ball stadium and associated facilities in this location is bound to disturb the tranquil nature of the area no matter what measures are taken to mitigate the affects of this development. "The proper angle of approach to the case of nuisance is rather from the standpoint of the victim of the loss or inconvenience than from the standpoint of the one who is responsible for the nuisance"...Watt v Jamieson 1954 S.C.56, 57-58 Law of Torts.

#### Landscape

Local Development framework item 3.1.18 states "Special attention is given to sensitive spaces around the edge of the historic town of Stamford" A development of this size and scale in this location would clearly not comply with these aims

Also SEA Directive 'to provide for a high level of protection of the environment and to the integration of environmental considerations into the preparation and adoption of development plans...with a view to promoting sustainable development' EU Directive 2001/42/EC(article 1).

It you accept the international definition of the phrase 'sustainable development' – development that meets the needs of the present without compromising the ability of future generations to meet their own needs. This development will eat up agricultural land and will clearly have a detrimental effect on the area. Also your own Sustainability objectives "To maintain/enhance/protect the quality of the landscape character areas would not be met.

## PPG24 Planning and noise

States new developments involving noisy activities should if possible be sited away from noise sensitive areas. Para17 The secretary of state considers residential areas to be noise sensitive .Para 18. We note in Burghley's noise assessments that no mention has been made of noise generated for all weather training pitches, also car boot sales starting at 5am forty times per year on a Sunday morning, This is bound to cause noise in what would normally be our quiet hours (evenings and weekends) To operate economically this 1500 seat stadium will have to expand into other areas to generate income, other functions will need to take place for it to be economically viable ,it's average gate of 200 will not support a site of this size, other venues will need to take place, the car park will need to expand to take account of more seats being sold this will bring more noise and traffic. Allowing this site to be developed would have unacceptable consequences, therefore we do not agree with their conclusions that there would not be a detrimental effect on the nearest residential properties in terms of noise. It falls far short of the objectives of EN1..Items 2/7/9/10/11 and 14.

## FIFA Football Stadium Technical Recommendations

### Pre-construction decisions

Item 1.5 Environmental compatibility of stadium site states..."Proximity to existing residential areas is the most sensitive issue in the development of a new stadium and if possible this should be avoided" this has obviously not been considered.

### Sap 10 /OSS2 Protecting existing open spaces

'Natural open space will act as a carbon sink to offset air pollution. This will impact positively on climate change' any development on this site ADD43 will contravene this.

### Lighting

I note the Burghley's Estates Lighting Survey comments, 7.5 are 'subjective comments only'. Our view of the night sky at present over site ADD43 is one of total darkness and tranquillity, imagine how flood lights will alter this!

### Visual

We do not believe this site if developed would be 'minor adverse' as Burghley's visual report states. When you consider the scale of development the loss of open space and physical features also that this land is agricultural having never been developed we strongly believe its effect would be 'major adverse'

### Local issues

There is at present no bus service to this site of an evening also daytime schedules are infrequent. This would increase cross town traffic which is at present heavily constrained. Many members have told me they will resort to using cars to visit the new location or cease to support the club as they are resistant to the move, the club has been at its present location for approx 100 years, many members feel they are being 'forced out' and even if they protested, their views would not be listened to, many feel this move is a "done deal" and that Burghley Estates, which is a commercial venture, has too much influence in the running of this Market Town.

### LDF guidelines

Contrary to what Burghley Estates have quoted as being in favour of the development we believe LDF guidelines would preclude development on site ADD43, this sites selection does not support policy SP3 it would not maximise use of public transport it will cause increase in car journeys because of its location, there is also no- infra structure so support it.

SP1 is quoted in support of the application but this development will not maintain or support the town

SP2 It does not meet this criteria, this development will not protect or enhance existing community assets which are tranquil at present, and this development would comprise the quality of life for existing and future residents in this location

PPS7 Sites should reduce potential conflict between neighbouring land uses. Also 'Sustainable Development in rural areas', states that the best and most versatile agricultural land should be protected as a national resource for future generations. Considerable weight has been and is given nationally to the protection of such land which falls within grade 1, 2 and 3a.

We believe that the sustainability objectives that Burghley Estates claim to have met are purely subjective.

To summarise the site does not have the support of Stamford town Council .It does not have the support of Cllr J. Hicks LCC or Cllr Bob Sandal SKDC. Also it is in agricultural use i.e. open farm land and therefore classed as green field land it also lies outside settlement/development boundary therefore, needs to be considered in the context of 'open country side' Site lies within area formally allocated in SKDC as 'prominent area for special protection, an area of great landscape value' policy's EN3/EN4 however, now deleted and referred to PPS7 instead. Policy EN1 requires no unacceptable impact as a result of traffic. Green field sites have to be considered in context of open country side policy's in national and local plans. The broad thrust and ethos of national, regional and local level planning policy is to direct most new developments towards urban centres and away from rural areas and the open country side. We consider the landscape character of this site to be of medium/high sensitivity. It is a water Protection Zone with a major Aquifer running under the site. Also the site is in open countryside and lies close to residential properties. It appears to us that this development would be contrary to the general aims of national, regional and local planning policy especially PPS7 and local planned policy EN2.

There should not be a presumption that this development is wanted or needed, it should not be forced on people who will be most affected by it , by people who will not suffer the negative affects that this development would bring. We also feel that this planning application should be looked at in the spirit of the soon to be legislated "Localism Bill" as this is very much a local issue.

Article 8 Human Rights: "Right to Respect for Private and family Life"," May also be relevant to decisions made in planning and environmental contexts. Environmental issues noise etc may come within the scope of Article 8 because they affect a person's enjoyment of their home".

Development of this predatory planning application is just part of a money making venture and has nothing to do with altruism,...and should be seen as such and refused!"

## **Officer Evaluation**

The key issues in the determination of this application are Landscape/Visual Amenity, Lighting, Highway Safety, Noise, Ecology/Wildlife and Drainage / Flood Risk and Sustainable Development.

It is also important to note that planning permission was granted for a similar development in December 2012 (ref S11/2288). The principle of this development is a significant material consideration in the determination of the current application.

The report will first describe the main differences between the approved and current applications. The key issues will then be assessed.

The existing planning permission

The planning permission for the football stadium and associated works and uses which was granted in December 2012 (ref S11/2288) relates to an area of 5.70 hectares off Ryhall Road, Stamford. The application was in outline, with only the details of the access submitted for approval.

The current application site is a slightly different shape and extends about 40 metres further north along Ryhall Road than the approved scheme, with an area of 6.42 hectares. This is a full application, with all details submitted for approval.

Main differences between the two applications :

#### Provision of sports education building

The main difference and rationale for this application is the addition of a sports and education building in the northern part of the site. This is located on the site of the parking which was shown on the indicative outline layout. It is also partially outside the original site area. Consequently the site has been extended further north by about 40 metres and the car parking is proposed in this area, between the new building and Ryhall Road.

Football stadium/pitches - The indicative layout submitted with the outline application showed a football stadium and training pitch, cut into the landscape, respectively about 70 metres and 90 metres north of existing housing on the edge of Stamford. The full details now submitted are for a football ground with less substantial stands and an all-weather training pitch cut into the landscape and both are about 80 metres from the edge of the existing built-up area of Stamford.

The changing rooms, directors room, bar and other associated accommodation which would have been provided in the stadium building will now be incorporated in the new sports teaching building.

#### Access and parking

The access and turning lane are proposed to be identical to the previously approved scheme.

The previous indicative layout showed 112 car parking spaces and two bus/coach spaces. The current application shows 110 car parking spaces, 5 disabled spaces, parking for two buses/coaches, plus spaces for motorcycles and cycles.

#### Car Boot Sales

Reduced from 40 to 30 a year.

#### Landscape/Visual Amenity

While this site is slightly larger than the previously approved scheme the impact upon the character of the area is considered to be similar. It is also important to note that this application is supported by details which indicate that the scale and bulk of the proposed stadium building has been significantly reduced, to be replaced by a new building set in a low part of the site.

The indicative plans approved as part of the outline planning permission propose floorspace of 330 square metres in the North Stand and 1,530 square metres in the South Stand, a total of 1,860 square metres.

This accommodation would now be provided in the sports teaching building, which has a floor area of 2,343 square metres, 483 square metres more than the approved scheme.

The application site is located on the northern edge of Stamford, on agricultural land to the north west of the A6121 Ryhall Road. The most northerly extent of the current built development of Stamford lies immediately to the south of the site, and the District boundary is located to the north. Built development along the southern site boundary primarily comprises residential development. To the west of the site lies agricultural land with the Queen Eleanor School and playing fields

beyond. To the north of the site lies further agricultural land and a property known as Borderville House comprising a detached house and outbuildings.

The site comprises part of an agricultural field which falls from west to east and south to north. The topography is such that the land falls west to east from a height of approximately 60m AOD adjacent to Queen Eleanor School to 30m AOD adjacent to Ryhall Road. The site also slopes into a valley from a height of approximately 35m AOD adjacent to the existing residential development located to the south of the site down to a height of 30m AOD the land then rises to a height of approximately 37m AOD to the north of Borderville House.

The South Kesteven Landscape Character Assessment 2007 (LCA) indicates that the site is located within the 'Kesteven Uplands Character Area'. It includes a strong landscape pattern of woodland and hedgerows. It contains areas of sensitive landscape including the historic parks and areas around the edge of often picturesque villages. Away from the main transport corridors it is a relatively tranquil landscape.

Stamford Town Centre retains a strong historic character and this is protected by Conservation Area status. More modern development exists around the edge of the town, including residential and employment development. The settlement edges are varied, some providing a soft planted edge, and other areas that are more stark and regular.

Although there would be more open views towards the site from the east, such as those from the MacMillan Way, these views already contain the urban edge of Stamford, including the retail and commercial development along Ryhall Road. The stadium would therefore be seen against an urban backdrop, reducing the potential effects of the proposal.

It is considered that setting the stadium low in the landscape and the topography of the surrounding area along with the proposed landscaping scheme will all help to minimise the overall impacts of the development. There will inevitably be some adverse impact on the local landscape and visual impacts from the development it is however considered that these will be limited to those areas directly adjacent to the site and that the wider visual impacts will be fairly restricted. While areas of landscaping have been shown on the submitted plans it is recommended the standard landscaping conditions be applied to this permission to ensure that an appropriate scheme is designed, which in turn is adequately maintained in the future. Although it is accepted that any landscaping scheme will take a significant amount of time to mature it will be essential in helping to assimilate the development into the surrounding landscape.

Concern has been raised that the site was formally designated as an 'Area of Great Landscape Value' under policy EN3 of the former South Kesteven Local Plan 1995 and that this designation was not maintained as part of the Core Strategy. It is however argued by the objectors that as this area was formally designated it demonstrates the importance of the areas landscape value.

Former Planning Policy Statement (PPS) 7: Sustainable Development in Rural Areas has now been replaced by the National Planning Policy Framework. However this set out the relevant national planning policy at the time the Core Strategy was adopted. PPS7 stated at paragraph 25 that "Local landscape designations should only be maintained or, exceptionally, extended where it can be clearly shown that criteria-based planning policies cannot provide the necessary protection. LDDs should state what it is that requires extra protection, and why. When reviewing their local area-wide development plans and LDDs, planning authorities should rigorously consider the justification for retaining existing local landscape designations. They should ensure that such designations are based on a formal and robust assessment of the qualities of the landscape concerned." Former policy EN3 related to an area of land covering most of the district and as such did not conform to the requirements set out in PPS7. When preparing the Core Strategy it was

considered appropriate to replace policy EN3 with policy EN1, which is supported by the Landscape Character Assessment.

### Ecology/Wildlife

The application is accompanied by an ecological survey which indicates that the site is not of significant biodiversity interest, supporting no notable plant communities, with no rare plant or animal species recorded. The survey notes that hedgerows are a priority in the UK Biodiversity Action Plan (BAP). There are a number of hedgerows which border the site and these are to be retained as part of the development. Most of the hedgerows at the site are dominated by hawthorn and blackthorn and are not especially diverse, though they are likely to be of importance for nesting birds, invertebrates and small mammals. They could also be of value in acting as potential habitat corridors for foraging bats, birds, invertebrates and small mammals. None of the mature trees at the site supported any obvious evidence of bat roosts with no significant deadwood features on them.

Following consultation Natural England and Lincolnshire Wildlife Trust raised no objections to the proposed development. Lincolnshire Wildlife Trust (LWT) has indicated that provided the recommendations of the consultant's report are followed there should not be any significant negative impacts on protected species. LWT has indicated that they are pleased with the overall plan for the site which includes lots of native species of tree planting and shrub planting. It is considered that subject to conditions relating to landscaping and tying the application to the mitigation measures specified in the ecology report the development will not have any significant adverse impact on the local wildlife or ecology. Noted that would prefer to see green roofs, but they are not proposed as part of this detailed scheme.

Concern has been raised in relation to the loss of good quality agricultural land. The National Planning Policy Framework advises that when determining planning application "local planning authorities should take into account the economic and other benefits of the best and most versatile agricultural land. Where significant development of agricultural land is demonstrated to be necessary, local planning authorities should seek to use areas of poorer quality land in preference to that of a higher quality."

Agricultural land is graded using the Agricultural Land Classification (ALC) Grades. Grades 1, 2, and 3a are considered to be the best and most versatile agricultural land where as grades 3b, 4 and 5 are considered to be poorer quality.

A detailed survey of the application site has been undertaken and this indicates that there is a mix of Grade 3a and 3b agricultural land across the site. Grade 3a - good quality agricultural land is considered to be land capable of consistently producing moderate to high yields of a narrow range of arable crops, especially cereals, or moderate yields of a wide range of crops including cereals, grass, oilseed rape, potatoes, sugar beet and the less demanding horticultural crops. Grade 3b - moderate quality agricultural land is considered to be land capable of producing moderate yields of a narrow range of crops, principally cereals and grass or lower yields of a wider range of crops or high yields of grass which can be grazed or harvested over most of the year.

The survey undertaken by the applicants indicate that the majority of the site comprises of Grade 3b land i.e. not the best and most versatile agricultural land. Accordingly it is considered that the proposed development would not result in the significant loss of the best and most versatile agricultural land.

The Council's Consultant Arboriculturalist has raised some concern at the loss of a mature horse chestnut tree and advised that it would be desirable to retain the tree. Whilst it is not possible in

this case for the tree to be retained it is considered that the significant landscaping proposed for the development will more than mitigate the loss of this tree.

### Lighting

There will also be some impact from floodlighting of the pitches and car parking. The applicants have submitted a floodlighting design which indicates that light spillage and pollution can be minimised by the layout and design of the lighting. The impacts from the lighting can also be suitably mitigated through the imposition of conditions restricting the hours of use of the floodlights so that they are not switched on between the hours of 22:30 and 07:30 hours.

The site is currently an agricultural field located on the edge of the built form of Stamford. Any development will inevitably have some impact in terms of light spill it is, however, it is considered that if the recommended conditions are attached to any consent the potential impact from light pollution can be suitably control and will not result in any significant adverse impact upon either the residential amenities of local residents or the appearance of the site during periods of darkness.

### Highway Safety

Access to the new stadium would be via a new priority junction with right turn facilities off Ryhall Road. In this location Ryhall Road is a single carriageway, the proposed access would be located just outside the existing 30mph speed limit.

The merits of this access and the traffic which would be generated by the previous proposal have recently been assessed and considered to be acceptable. This application now includes a dual use sports teaching facility. It is necessary to consider the impact of the use of this building in addition to the approved development.

The applicant has submitted a Transport Statement and Travel Plan in support of the application.

The Transport Statement concludes that in highways terms the use of the building by the college will be complementary to and not impact on use by the football club. It records that the use by the college will not lead to a significant increase in student numbers. For most students walking between the two sites will be the main option; the sites are only 600 metres apart, with existing footpaths between Drift Road and Ryhall Road. Although it is noted that if required the college will consider running a bus to the site at the start and end of the college day. Finally it states that there is no material traffic impact as a result of these proposals and that overall it is concluded that there are no transport issues associated with these proposals.

The Travel Plan outlines how the dual use of the site will operate. The college's existing commitment to encouraging sustainable travel will be incorporated in to the use of this new facility. This includes the college:

- having its own contract bus services to supplement public services
- controlling on site parking by a strict permit regime
- having a number of cycles on site for use to travel during the day
- having appropriate facilities for people who walk or cycle to the college
- having an Environmental Officer at the college who is responsible for the Travel Plan

The use of these documents and plans can be secured through appropriate conditions.

In terms of sustainable means of transport the ground would be located within good walking distance of most of Stamford (2km). The site would also have good cycle links, with the whole of Stamford been within reasonable cycling distance (5km). There are also local bus services, but

these are limited and would only be attractive for a limited number of spectators or other users of the site.

Major activity is likely to be confined to match days (Saturday afternoon when the first team are at home) and Sundays when the car boot sale is in progress. This impact has already been assessed and considered to be acceptable. The Transport Plan considers the use of the sports hall and educational facilities away from match days.

A travel survey of college students shows that the majority (72%) use public transport or walk and only a small proportion (18%) drive, car share or are a passenger in a car, with only 11% driving to college. This is consistent with the ratio of car park permit applications to the college (250 out of 2400 students). 9% use a mixture of modes of transport.

The other additional use of the new building will be some community use. These activities will mostly be outside peak hours and outside the hours of college use. The numbers are modest. The statement notes that the management of this facility will take account of transport and the main demands of the football club and college.

Consequently, the applicant's assessment that the traffic generated by the community use will not be an issue is considered to be reasonable.

On site car parking is provided to the front of the main ground and sports teaching building with 110 spaces, 5 disabled spaces, coach parking and space for motorcycles and cycles. It is considered that traffic flows to and from the proposed stadium are not likely to be significant other than for football matches and the car boot sale. The Lincolnshire County Council – Parking Standards require typically 1 space per 15 seats for stadiums such as this case that equates to a car parking requirement of approximately 100 spaces. The highway authority (Lincolnshire County Council) has been consulted on the proposed development and has raised no objections to the proposed development subject to the inclusion of conditions relating to highway improvements and parking facilities. The highway authority has also requested a S106 contribution of £3,500 towards the administration, advertisement, consultation and implementation for the alteration of existing traffic regulation orders adjacent to the development, this will include extending the existing 30 mph speed limit to include the proposed new site access.

## Noise

A noise assessment has been submitted in support of this application. This includes:

- a site inspection and review of proposed layout
- a review of the noise assessment submitted with the previous application
- noise survey at the nearest residence properties during daytime
- assessment of noise impact from the proposed development on nearest residential properties
- recommendations for noise control measures where necessary

The assessment concludes that:

- proposed stadium would result in no significant noise impacts to nearest residents during daytime
- minor impacts might arise during use of Stadium for match day events during the evening
- recommend maximum noise levels to control PA system
- cumulative impact of new Stamford AFC Stadium when Blackstone FC Stadium also being use will be below level perceptible in normal circumstances
- no significant noise impacts from use of car park
- recommend maximum noise levels to control any use of generators at car boot sales

- not anticipated that Sports Hall would generate noise impacts to residents

The Council's consultant acoustics experts (MAS) have considered this assessment and their comments and advice will be reported in Late Items update.

#### Drainage/Flood Risk

The Environment Agency have been consulted and have raised no objections to the proposed development subject to conditions requiring foul and surface water strategies to be submitted in order to ensure that a satisfactory drainage system is installed to prevent increased risk of flooding and to protect the water quality.

#### Sustainable Development

The Core Strategy establishes the spatial strategy for new development across the district to 2026. Policy SP1 supports development which would maintain and support Stamford's role as a market town. Where other sites in the town are not available "appropriate sites on the edge.... may also be considered suitable for development".

While the existing football ground is located in the town, the principle of a new ground on this site has recently been accepted. There has been no material change in circumstances since permission was granted in December 2012.

The addition of a dual-use building, rather than the originally proposed accommodation solely for the use of the football club incorporated into the stadium, has some benefits. It is understood that neither the football club nor college could undertake such a proposal on their own. Consequently, in terms of a sequential approach a similar facility in the town, within or closer to the college is not an option.

The additional use of the site five days a week, by students, most of whom are likely to walk to the site, is welcome. This must be balanced against the increased size of the site and the possible harmful impact of the new, detached building upon the character of the landscape.

The landscape assessment notes that the building is well sited in a low part of the site, where impact is likely to be minimal. It should also note that it is no higher than the indicative height of the approved football stadium.

The application is accompanied by a Landscape Character and Visual Impact Assessment which has been assessed by the Council's consultants. They conclude that overall the facility appears to be well located in the landscape and includes sensitive mitigation as part of its design. It is noted that there will be some adverse local and visual effects, such as those experienced by neighbouring residents. However, wider effects are fairly restricted and with proposed mitigation, the landscape and visual effects of the proposal would be acceptable.

Consequently, the development would not conflict with Core Strategy Policy EN1

#### Other Issues

A number of objection letters including the one from the Ryhall Road Residents Association makes reference to the site as ADD43. This reference comes from the Council's Sites Allocation and Policies Development Plan Document – Evidence Document October 2011. This is a document which is produced as part of the Council's evidence base for assessing sites to put forward in the Sites and Policies Allocation Document. Site ADD43 was not put forward by the planning policy team for any allocation purposes. The assessment undertaken at that time did however indicate that the site may be suitable for recreational use and or open space uses, if Highway Authority Concerns could be overcome.

As the application site has not been put forward as one of the Council's preferred options within the Site Allocation and Policies DPD and the fact that the development would be in general accordance with the policies contained within the Council's adopted Core Strategy it is considered that it would not be premature for the Council to make a decision on the application at this time.

Concerns have been raised in relation to the potential impact on archaeological remains. Heritage Lincolnshire has been consulted and advised that they have no objections to the proposed development although a condition is recommended requiring a scheme of works detailing measures to mitigate the impacts of the development on archaeological remains.

Objections refer to the removal of significant quantities of limestone from the site and associated vehicle movements.

The applicants have produced an assessment of spoil from development. There will be cut and fill on the site, resulting in excess material which will not be required on the application site. This will be distributed over Burghley House Preservation Trust Farmland, without the need to transport material on the public highway. They state that there will be no vehicle movements from the site to export the earth work materials.

On this basis there is no objection to this element of the application.

Issues relating to loss of views from residential properties, loss property values and potential to extend residential gardens are not considered to be relevant material considerations in the determination of this application.

### **Section 106 Heads of Terms**

The Local Highway Authority has requested a Section 106 contribution of £3,500 towards the administration, advertisement, consultation and implementation for alterations to the existing traffic regulation orders adjacent to the development.

In addition Rutland County Council Highways has requested a contribution of £10,000 towards traffic calming in Essendine and control the dispersion of deleterious material onto the highway at the site.

The S106 Agreement shall also link the development to residential development and affordable housing developments approved under application S11/2283 and S11/2300 in order to ensure that the football stadium is constructed and operational before any development takes place on the existing football ground site on Kettering Road.

### **Crime and Disorder**

It is considered that the proposed development will not result in any significant increase in crime and disorder. The Crime Prevention Officer has recommended a condition in relation to designing out crime be attached to any consent.

### **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**

Following the outline planning permission which was recently approved it is considered that the applicants have satisfactorily proved how a similar detailed scheme could be assimilated into the landscape in this location. They have demonstrated that given the topography of the surrounding area, setting the stadium low in the landscape and the proposed landscaping scheme it is possible to accommodate the proposed development on the site and that subject to conditions it will not compromise the character and appearance of the surrounding area.

Light pollution and highway safety are also significant matters in the determination of this application but it is considered that subject to the proposed conditions being attached to this consent the potential impacts can be suitably controlled and mitigated.

Details of the noise assessment and any necessary mitigation will be addressed in the Late Items update.

Development of the site for use as a football stadium with a sports teaching building and for the use of the car parking for car boot sales is in general accordance with the guidance set out in Sections 1, 4, 7, 8, 10, 11 and 12 of the National Planning Policy Framework and in accordance with policies SP1, SP3, SP4, EN1, EN2, EN4, and E1 of the adopted South Kesteven Core Strategy 2010.

## **SUMMARY OF REASON(S) FOR APPROVAL**

This detailed application follows a recent permission to grant outline planning permission for a similar development in this location, on a slightly smaller site. The most significant difference is the addition of a sports teaching building. It is considered that, on balance, the submitted details demonstrate that given the topography of the surrounding area, setting the stadium and sports teaching building low in the landscape and the proposed landscaping scheme it is possible to accommodate the proposed development on the site and that subject to conditions it will not compromise the character and appearance of the surrounding area.

Development of the site for use as a football stadium, sports teaching building and for the use of the car parking for car boot sales is in general accordance with the guidance set out in Sections 1, 4, 7, 8, 10, 11 and 12 of the National Planning Policy Framework and in accordance with policies SP1, SP3, SP4, EN1, EN2, EN4, and E1 of the adopted South Kesteven Core Strategy 2010.

Concerns have been raised in relation to highway safety. The local highway authority has been consulted and raised no objections to the development subject to the attached conditions. Concerns were also raised in relation to the appearance of the proposed development, the potential impact on ecology and wildlife, light pollution, noise and disturbance, drainage and that the development would have a detrimental impact on residential amenity. Whilst these issues are material planning considerations it is considered that subject to the conditions attached to this permission they do not outweigh the principal policies referred to above.

In reaching the decision the Council has worked with the applicant in a positive and proactive manner by determining the application without undue delay. As such it is considered that the decision is in accordance with paras 186 -187 of the National Planning Policy Framework.

**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. Details of the proposed floodlighting shall be submitted to and approved in writing by the local planning authority before the use hereby permitted commences and the building(s) are occupied. The development shall be carried out in accordance with the approved details.

Reason: To enable the Local Planning Authority to retain control over this important detail in the interests of the amenities of the area and in accordance with Policy EN1 of the adopted South Kesteven Core Strategy (July 2010).

3. No development shall take place until:-

(i) A detailed assessment of ground conditions of the land proposed for the new football pitches as shown on drawing number SFC/2/E/20 shall be undertaken (including drainage and topography) to identify constraints which could affect playing field quality; and

(ii) Based on the results of this assessment to be carried out pursuant to (i) above of this condition, a detailed scheme to ensure that the playing fields will be provided to an acceptable quality (including appropriate pitch drainage measures) shall be submitted to and approved in writing by the local planning authority.

The works shall be carried out in accordance with the approved scheme within a timescale to be first approved in writing by the local planning authority.

Reason: To ensure that the playing field is provided to an acceptable quality and standard, in accordance with the requirements of Sport England and the National Planning Policy Framework (NPPF)

4. Prior to the commencement of the development a scheme shall be submitted to and agreed in writing by the District Planning Authority for the location of bird and bat boxes to encourage wildlife to the development. The agreed scheme shall be implemented prior to the completion of the development.

Reason: To encourage additional biodiversity within the development in accordance with policy EN1 of the adopted South Kesteven core Strategy 2010.

5. No development shall commence until a foul water strategy has been submitted to and approved in writing by the local planning authority. The development shall not be occupied until the works have been carried out in accordance with the foul water strategy so approved unless otherwise approved in writing by the local planning authority.

Reason: To prevent environmental and amenity problems arising from flooding, in accordance with policy EN1 of the adopted South Kesteven Core Strategy and the requirements of the National Planning Policy Framework (NPPF)

6. No development shall commence until a surface water strategy/flood risk assessment has been submitted to and approved in writing by the local planning authority. The development shall not be occupied until the works have been carried out in accordance with the surface

water strategy so approved unless otherwise approved in writing by the local planning authority.

Reason: To prevent environmental and amenity problems arising from flooding, in accordance with policy EN1 of the adopted South Kesteven Core Strategy and the requirements of the National Planning Policy Framework (NPPF)

7. No development shall commence until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the local planning authority. The development shall proceed in accordance with the approved surface water drainage scheme including any maintenance obligations set out therein.

Reason: To prevent the increased risk of flooding, to improve and protect water quality, improve habitat and amenity, and ensure future maintenance of these, in accordance with policy EN1 of the adopted South Kesteven Core Strategy and the requirements of the National Planning Policy Framework (NPPF)

8. The development hereby permitted shall incorporate measures to minimise the risk of crime and to meet the specific security needs of the application site and the development. Details of these measures shall be submitted to and approved in writing by the local planning authority and implemented in accordance with the approved details. The security measures must incorporate the principles and objectives of secured by design to improve community safety and crime prevention.

Reason: To ensure that the development incorporates the principles of secured by design to improve community safety and to help prevent crime in accordance with Policy EN1 of the adopted South Kesteven Core Strategy 2010.

9. No development shall take place within the application site until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted to and approved by the Local Planning Authority.

Reason: In order to provide a reasonable opportunity to record the history of the site and in accordance with Policy EN1 of the adopted South Kesteven Core Strategy (July 2010).

10. No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the local planning authority and these works shall be carried out as approved. These details shall include [proposed finished levels or contours; means of enclosure; car parking layouts; other vehicle and pedestrian access and circulation areas; hard surfacing materials; minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting etc.); proposed and existing functional services above and below ground (e.g. drainage power, communications cables, pipelines etc. indicating lines, manholes, supports etc.); retained historic landscape features and proposals for restoration, where relevant]. Soft landscape works shall include [planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate; implementation programme].

Reason: Hard and soft landscaping and tree planting make an important contribution to the development and its assimilation with its surroundings and in accordance with Policy EN1 of

the adopted South Kesteven Core Strategy (July 2010).

11. No development shall take place until details of earthworks have been submitted to and approved in writing by the local planning authority. These details shall include the proposed grading and mounding of land areas including the levels and contours to be formed, showing the relationship of proposed mounding to existing vegetation and surrounding landform. Development shall be carried out in accordance with the approved details.

Reason: To enable the Local Planning authority to retain control of these important details in the interests of the visual amenities of the area and in accordance with Policy EN1 of the adopted South Kesteven Core Strategy (July 2010).

12. A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas, shall be submitted to and approved by the local planning authority prior to the occupation of the development or any phase of the development, whichever is the sooner, for its permitted use. The landscape management plan shall be carried out as approved.

Reason: Hard and soft landscaping and tree planting make an important contribution to the development and its assimilation with its surroundings and in accordance with Policy EN1 of the adopted South Kesteven Core Strategy (July 2010).

13. Before development is commenced on site all existing trees and hedgerows to be retained as part of the development shall be fenced off to the limit of their branch spread, in accordance with a tree and hedgerow protection scheme to be agreed in writing by the local planning authority. The protection scheme shall include a detailed plan of those trees and hedgerows to be retained as part of the development. No works (including removal of earth), storage of materials, vehicular movements or siting of temporary buildings shall be permitted within these protected areas.

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

14. Before development commences on site further details relating to the vehicular access to the public highway, including materials, specification of works and construction method shall be submitted to the local planning authority for approval. The approved details shall be implemented on site before the development is first brought in to use and thereafter retained at all times.

Reason: In the interests of safety of the users of the public highway and the safety of the users of the site, in accordance with policy SP3 of the adopted South Kesteven Core Strategy and the requirements of the National Planning Policy Framework (NPPF)

15. Before the access is brought into use the land between the highway boundary and the vision splays indicated on drawing number 4309/01/30 dated 14/10/11 and in the text of the Transport Statement accompanying the application shall be lowered so that it does not exceed 0.6 metres above the level of the adjacent carriageway Ryhall Road and thereafter the visibility splay shall be kept free of obstacles exceeding 0.6 metres in height.

Reason: In the interests of safety of the users of the public highway and the safety of the users of the site, in accordance with policy SP3 of the adopted South Kesteven Core Strategy and the requirements of the National Planning Policy Framework (NPPF)

16. The areas shown for the parking/turning/manoeuvring/loading/unloading of vehicles (including motor cycles and cycles) shall be provided before the building is occupied and shall be kept permanently free for such use at all times thereafter.

Reason: To enable calling vehicles to wait clear of the carriageway of Ryhall Road and to allow vehicles to enter and leave the highway in a forward gear in the interests of highway safety, in accordance with policy SP3 of the adopted South Kesteven Core Strategy and the requirements of the National Planning Policy Framework (NPPF)

17. No development shall take place before a scheme has been agreed in writing by the Local Planning Authority for the construction of a 2 metre wide combined footway/cycleway along the frontage of the site linking the existing provision to the north at Borderville Cottages, and extending southwards to Rutland Road, together with arrangements for the disposal of surface water run-off from the highway at the frontage of the site. The agreed works shall be fully implemented before the development is occupied or in accordance with a phasing arrangement to be first agreed in writing with the Local Planning Authority.

Reason: To ensure safe access to the site and each building in the interests of amenity, convenience and safety and in accordance with the stated aims within the Transport Statement and Travel Plan to cater for all modes of travel, in accordance with policy SP3 of the adopted South Kesteven Core Strategy and the requirements of the National Planning Policy Framework (NPPF)

18. No development shall be commenced (apart from those works identified on drawing number 4309/01/30 or as specified) before the works to improve the public highway (by means of providing a ghost island right turn facility and 2m combined footway/cycleway, together with all drainage and ancillary works all in accordance with the Design Manual for Roads and Bridges TD42/95) have been certified complete 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, in accordance with policy SP3 of the adopted South Kesteven Core Strategy and the requirements of the National Planning Policy Framework (NPPF)

19. Prior to the occupation of the development hereby permitted an updated Travel Plan shall be submitted to and approved in writing by the local planning authority. Those parts of the approved Travel Plan that are identified therein as being capable of implementation after occupation shall be implemented in accordance with the timetable contained therein and shall continue to be implemented as long as any part of the development is occupied.

Reason: A Travel Plan has been conditioned to ensure that access to the site is sustainable and reduces dependency on the car, in accordance with policy SP3 of the adopted South Kesteven Core Strategy and the requirements of the National Planning Policy Framework (NPPF)

20. No works pursuant to this permission shall commence, unless otherwise agreed in writing by the Local Planning Authority, until there have been submitted to and approved in writing by the Local Planning Authority a detailed scheme for remedial works and measures to be undertaken to avoid risk from contaminants and/or gases when the site is developed and proposals for future maintenance and monitoring. Such scheme shall include nomination of a competent person to oversee the implementation of the works.

Reason: The submitted Preliminary Investigation Report undertaken by Soiltechnics indicated a potential for ground gases and to ensure that the proposed site investigations and remediation will not cause pollution in the interests of the amenities of the future

residents and users of the development; and in accordance with Policy EN1 of the adopted South Kesteven Core Strategy (July 2010) and the requirements of the National Planning Policy Framework (NPPF)

21. When details are first submitted at the reserved matters application stage they shall include an updated light spill study. The updated study shall demonstrate that the external lighting to be installed on site will be in accordance with the details contained in the Spill Lighting Study undertaken by dpa lighting consultants on 13th December 2011 and the Lighting Strategy dated 3rd June 2011, unless otherwise agreed in writing by the local planning authority. The lighting shall only be installed in accordance with the details as approved.

Reason: This is an outline application and the details submitted only provide indicative information. The Council wish to ensure that the external lighting when installed will not result in any excessive light spill in order to protect the visual amenity of the surrounding area and the residential amenities of the occupiers of adjacent dwellings in accordance with policy EN1 of the adopted South Kesteven Core Strategy 2010.

22. There shall only be a maximum of 30 Car boot sale events held at the site in any one calendar year.

Reason: To ensure that the development does not resulting in noise and disturbance to the occupiers of the adjacent residential properties and in accordance with policy EN1 of the adopted South Kesteven Core Strategy.

23. The car boot sales hereby approved shall not take place outside the hours of 06:30 to 17:00.

Reason: Operation of the use outside these hours would result in unacceptable levels of noise nuisance to local residents, in accordance with policy EN1 of the adopted South Kesteven Core Strategy and the requirements of the National Planning Policy Framework (NPPF)

24. No external generators shall be used on site, unless otherwise agreed in writing by the local planning authority.

Reason: To ensure that the development does not resulting in noise and disturbance to the occupiers of the adjacent residential properties and in accordance with policy EN1 of the adopted South Kesteven Core Strategy.

25. The floodlights for the stadium and the training pitches shall not be used between 22:30 hours and 07:30 hours.

Reason: To ensure that the development does not adversely impact on the residential amenities of the occupiers of adjacent dwellings and to minimise the visual impact of the development on this countryside location in accordance with policy EN1 of the adopted South Kesteven Core Strategy 2010.

26. No development shall take place until a scheme detailing the method and arrangements for the deposition of soil on adjacent land, in the applicants control, and the removal of sub surface material off site has been submitted to and approved in writing by the local planning authority. The scheme shall include:
- (i) details of the proposed grading and mounding of land areas including the levels and contours to be formed, showing the relationship of proposed mounding to existing vegetation and surrounding landform;

- (ii) details of any subsurface material to be removed from the site and precise details of where and how the material will be disposed of;
- (iii) details of the proposed routing arrangements for vehicles removing material from the site. The development shall be carried out in accordance with the approved details.

The development shall only be carried out in accordance with the approved details.

Reason: This is an outline application and the Council wish to ensure that the soil is disposed of in an appropriate manner in accordance with policy EN1 of the adopted South Kesteven Core Strategy 2010.

27. No development shall commence until final details of the materials to be used in the construction of external walls and roofs of all of the buildings and structures have been submitted to and agreed in writing by the Local Planning Authority. Only the agreed materials shall be used in the development.

Reason: To ensure a satisfactory appearance to the development and in accordance with Policy EN1 of the adopted South Kesteven Core Strategy (July 2010).

#### Note(s) to Applicant

1. You are advised that the application site falls within an area affected by Radon. You are asked to contact the Council's Building Control section (telephone number 01476 406187) to ascertain the level of protection required and whether a geological assessment is necessary.
2. The applicants attention is drawn to the attached letter and guidance from Sport England. The applicants attention is drawn to the attached comments of Lincolnshire Wildlife Trust that should be taken in to consideration when submitting the reserved matters details.
3. Anglian Water has assets close to or crossing this site or there are assets subject to an adoption agreement. Therefore the site layout should take this into account and accommodate those assets within either prospectively adoptable highways or public open space. If this is not practicable then the sewers will need to be diverted at the developers cost under Section 185 of the Water Industry Act 1991. or, in the case of apparatus under an adoption agreement, liaise with the owners of the apparatus. It should be noted that the diversion works should normally be completed before development can commence.
4. The applicants attention is drawn to the attached letter from the Environment Agency.
5. Prior to occupation of the development, the existing Traffic Regulation Orders are to be amended in accordance with a scheme to be agreed in writing by the local planning authority. This includes extending the existing speed limit.
6. Where a footway is constructed on private land, that land will be required to be dedicated to the Highway Authority as public highway.
7. No works shall commence on site until a Section 278 Agreement of the Highways Act 1980 has been entered into with the local highway authority Lincolnshire County Council to provide a ghost island right turn facility and 2m combined footway/cycleway together with all drainage and ancillary works.
8. In relation to condition 21 above relating to the submission of a Travel Plan, the following sections will require addressing as part of the re-submission prior to occupation:

## Section 2.

Additional information is needed in this section setting out the frequency of home games expected to be held at the proposed stadium and any other use that is expected to take place. Estimations of the number of supporters attending matches should also be included. Also expected numbers of visitors arising from any other use should be included. This information is necessary to ensure that the travel plan is read and actions in the correct context and the potential impact of the proposed development is understood.

## Section 6.

Travel information provided to both home and away supporters should include information on sustainable modes of travel before giving directions for those travelling by car to matches. In particular, given the connections, rail travel is an option that should be promoted to away supporters and to home supporters travelling to away fixtures.

## Section 8.

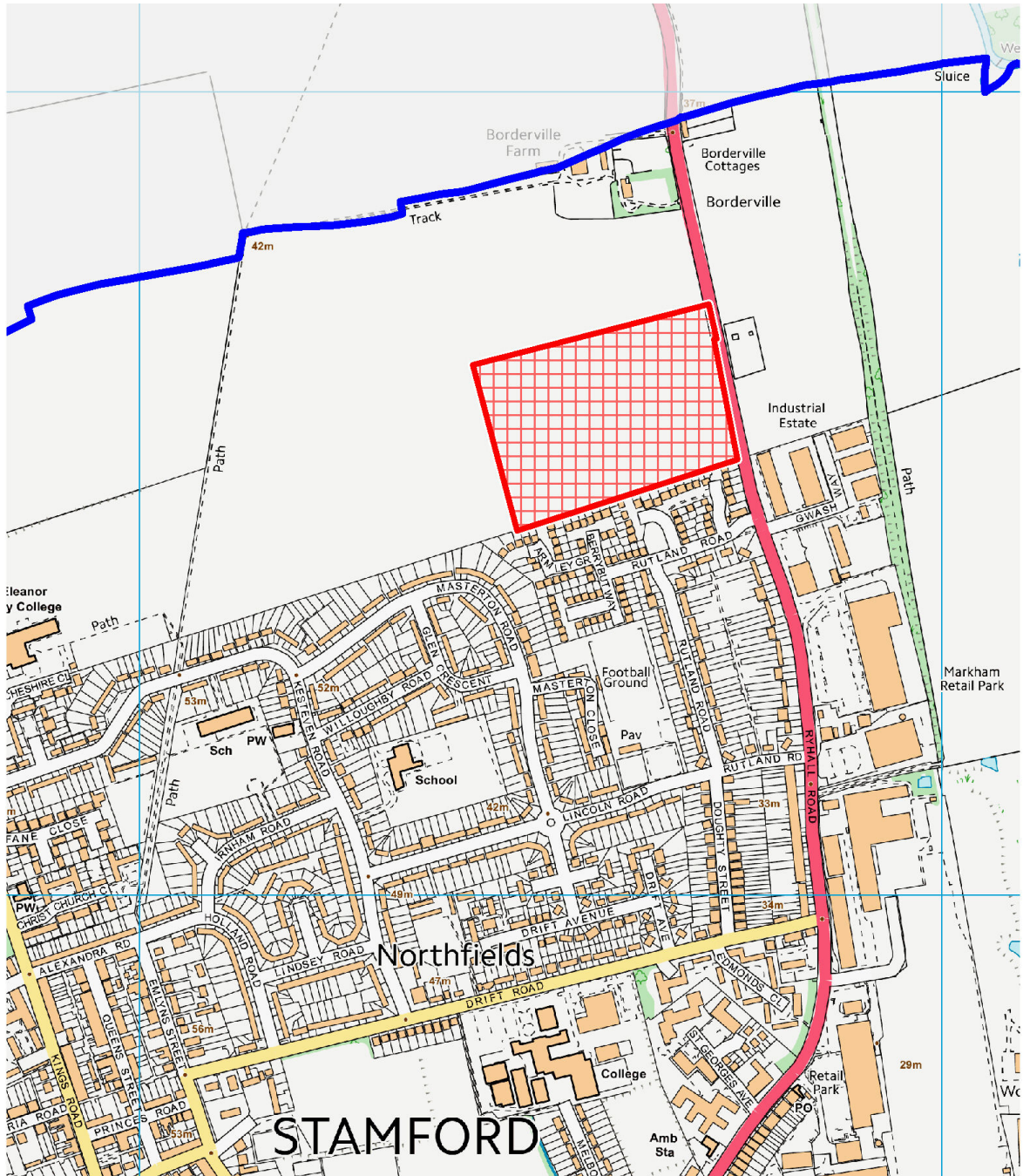
Travel to the existing ground can be used as a baseline until the first travel survey is undertaken. The Football Club and Travel Plan Coordinator will need to try to ensure that existing levels of sustainable travel are maintained following the move, and then built upon in order to meet the agreed targets.

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

\* \* \* \* \*

## Site Location Plan

Ref	<b>S13/0260</b>
Proposal	<b>Development of a Football Stadium, with associated infrastructure and facilities to include multi-use training pitch. Erection of sports college building to include dual use facilities for the football stadium. Provision of car and coach parking area with additional use for car boot sales on up to 30 days in any calendar year. Creation of new means of access from Ryhall Road with associated highway alterations.</b>
Location	<b>Land west of, Ryhall Road, Stamford</b>



Applicant	<b>Stephen Holman, Yelcon Homes Ltd</b> 1, St Mary's Court, Main Street, Hardwick, Cambs, CB23 7QS
Agent	Mr M Mann, Savills (L & P) Unex House, 132-134, Hills Road, Cambridge, CB2 8PA
<b>Proposal</b>	<b>Erection of 55 residential units (including 15 affordable units) Outline</b>
<b>Location</b>	<b>Barrack Gardens/Beacon Lane Allotments, Beacon Lane, Grantham</b>
App Type	Major Outline (Residential)
Parish(es)	Grantham
Reason for Referral to Committee	The proposed development would be the subject of developer contributions and previous applications on the site have been determined by the development control committee.
Recommendation Summary	That the development be Approved subject to condition(s)

**Key Issues**

- Highway Safety
- Residential Amenity
- Visual Amenity
- Impact on Heritage Assets
- Impact on Protected Species

**Technical Documents Submitted with the Application**

- Flood Risk Assessment
- Habitat Plan/Report
- Design and Access Statement
- Tree Survey
- Heritage Report

## **REPORT**

### **Application Category**

This application is categorised as a major planning application

### **Reasons for Referral to Committee**

The proposed development would be the subject of developer contributions and previous applications on the site have been determined by the development control committee.

### **The Proposal**

The application is in outline form with all matters reserved for subsequent approval with the exception of access. The scheme proposes 55 dwellings accessed off Beacon Lane.

There would be a mix of house types providing a range of properties from 5 bedroom detached properties to 2 bedroom terraced apartments.

Indicative street scenes have been provided throughout the site. This plan demonstrates how a mix of dwellings could be accommodated on the site including 2.5 storeys with a ridge height of approximately 9.2 metres and reduced ridge height and hipped roof dwellings adjacent to Brisson Close with a height of 7.8 metres.

The main access would be off Beacon Lane which would have a pavement on both sides. It would be designed to avoid the root protection areas of the adjacent protected trees. On entering the site it is proposed there would be a Locally Equipped Area of Play. Access beyond this would be via a shared surface of sufficient width for access by service vehicles.

The scheme has been amended as a result of issues of viability. Whilst the number of units has not reduced the number of affordable units has been reduced from 15no. to 8no. units. These units would be a mix of 2no. 4 bed two and a half storey houses, 2 no. 3 bed two and a half story houses, 2 no. two bed first floor flats and 2no. two bed specially adapted ground floor flats.

### **The application site and its surroundings**

The application site is located approximately 1km from Grantham town centre, on the former Barrack Garden Allotments. The allotments have remained vacant since the grant of outline planning permission for residential development in 2009 by the planning inspectorate.

The site would be accessed from Beacon Lane via existing allotment access between Beacon lodge and Beacon Hillside. The site is bounded to the west by playing fields along Sandon Road. The north boundary adjoins Sandon School. The eastern boundary adjoins the gardens of properties along Brisson Close and New Beacon Road.

Parking on the site would be via garages, driveways and limited on street parking on garage courts adjacent to the terraced properties.

The overall site area is approximately 2.25 hectares or 5.6 acres. 55 dwellings would result in an overall density of 24.5 dwellings per hectare.

## Relevant Site History

S08/0013 – Outline Planning permission was refused for the erection of 43 residential units including 12 affordable units on the site the reason for refusal was two fold:

“The proposed development is considered contrary to PPG17 and Policy REC7 of the saved policies of the South Kesteven Local Plan which state that allotments should not be built on unless an assessment has been undertaken which has clearly shown them to be surplus to requirements. The applicant has failed to demonstrate that the site is no longer in use and that there is no demand for the site. Whilst the applicant mentions a possible contribution towards a 'community fund' for allotments via a S106 this is not considered as the equivalent to providing alternative facilities elsewhere.

The applicant has still not overcome some of the concerns raised by the local highway authority in respect of junction capacity issues and assessment of the highway network in accordance with Lincolnshire County Council's Development Guide on Transport and New Development in Lincolnshire.

Due to the absence of a composite report and analysis of traffic data, this authority cannot adequately assess the proposals and as such highway safety and convenience may be compromised.

As such the proposal is considered to be contrary to Policy EN1 (vi) of the Saved Policies of the South Kesteven Local Plan”.

This application was the subject of a planning appeal, and was granted planning permission on 25th August 2009. In granting planning permission the inspector concluded:

“Government advice in PPS3 supports the release of the site for housing and I am satisfied that matters of visual amenity and preventing harm to trees are capable of being satisfied. The proposal would not be contrary to saved LP policy REC7 as it has been demonstrated that there is no further need for the facilities in the locality and provision is made for improving and bringing back into use facilities elsewhere. In addition, the proposal would harm highway safety and the essential requirements are part of a Unilateral Undertaking. For these reasons, and taking into account all other matters, I conclude that the appeal should be allowed”.

S09/1160 – Planning permission was refused on 17th July 2009 for the following reason:

The evidence presented at the Development Control Committee and mainly from Assets and Facilities shows that there is a need at Princess Gardens/Harrowby Lane for allotments. There is a known waiting list and no unused plots.

This allotment site is within 480 metres or 10 minutes walking distance as stated in the recent open space study and so this site must be taken to be in the locality. REC7 says that permission will not normally be granted if there is a need for allotments in the locality of the proposal.

The proposal must be contrary to the Policy REC7 on the basis that there is a known need for plots at Princess Gardens which as stated above is in the locality. The proposed development should be refused for this reason.

(It should be noted that both planning applications were refused before the appeal was decided by the planning inspectorate. The appeal decision is a material consideration in the determination of this planning application).

## **Policy Considerations**

Regional Planning Policy

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 57 Core Monitoring Indicators

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

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

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

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

Localism Act 2011

This Act gives power to the SoS to abolish/revoke in full or part the regional strategies. However, to date this route has not been taken by the SoS.

South Kesteven Core Strategy (adopted)

Policy EN1 – Protection and Enhancement of the character of the district

Policy EN4 – Sustainable Construction and Design

Policy SP1 – Spatial Strategy

Policy SP4 – Developer Contributions

Policy H1 - Residential Development

Policy H3 – Affordable Housing

## Representations Received

### Local Highway Authority

Any grant of planning permission should contain conditions in relation to highway improvements to the access on to Beacon Lane, details of parking turning and manoeuvring within the site, and estate road made up to adoptable standard.

### Technical Response to the submitted Transport Statement

#### Introduction

This Technical Response has been prepared following a request from South Kesteven and Sleaford Division to comment on a Transport Statement by Sanderson Associates dated December 2011.

#### Existing Site and Location

The site lies on the north side of Beacon Lane, approximately 1km to the east of Grantham town centre. Approximately 150m west of the site lies the signal controlled junction of Sandon Road/Beacon Lane/Stonebridge Road.

#### Proposed Development

The proposed development comprises of 55 residential units. Vehicular access to the development would be gained from Beacon Lane. Pedestrian access to the site is provided via the access road onto Beacon Lane.

A development of 65 houses has been considered in the TS. Whilst this ensures the results are robust and present a worst case scenario it is not clear why this has been done. It would be clearer if the TS and the proposal as set out in the planning application were the same.

Therefore for the sake of this assessment I will use the trip rates presented but calculate them for 55 units as per the planning application.

#### Traffic generation

Assessment Period	Trip rate per unit		Traffic Generations (65 units)		Traffic Generations (55 units)	
0800 – 0900	0.166	0.426	11	28	9	23
1700 – 1800	0.402	0.238	26	15	22	13
Daily	2.746	2.839	178	185	151	156

It is not considered that the proposed 39 trips in the AM Peak and 41 Trips in the PM Peak as presented in the TA would have an adverse impact on highway capacity. The 55 dwelling sought would generate 32 Trips in the AM Peak and 35 Trips in the PM Peak.

#### Accidents

There have been a total of 7 accidents in the vicinity of the site. There is no significant trend to these accidents.

#### Sustainable Travel

The TA states that adequate cycle provision will be provided on site; however details have not been supplied as to how this would be achieved.

Bus stops are located on Sandon Road 400m and 490m from the centre of the site. Grantham Bus station is also located approximately 1km west of the site. The site is located approx 1.5km from Grantham Rail Station.

#### Conclusion/Recommendation

Given that the proposed application would see only a slight increase in vehicle trips on the previously approved application there would be minimal impact on highway capacity.

#### Natural England

Based on the information provided, Natural England has no objection to the proposal subject to the inclusion of the following planning condition:

“Site clearance operations that involve the destruction and removal of vegetation on site shall not be undertaken during the months of March to August inclusive, except when approved by the local planning authority to ensure that breeding birds are not adversely affected.

We also welcome the ecologist’s recommendation for the provision of bird nest boxes on site”.

#### Lincolnshire Wildlife Trust

We have read the protected species report and consider that provided the consultant’s recommendations are followed, there should not be any negative impacts on protected species as a result of this development.

We strongly support the recommendations for the inclusion of enhancements within the development, such as provision of nest boxes for a variety of bird species, planting of native trees and shrubs and sowing of verges with a native wildflower mix.

We are pleased to note and strongly support the recommendations for the inclusions of enhancements within the development for bats. Roosting spaces for bats can easily be built into the design of buildings or alternatively boxes can be fitted externally to buildings or any suitable mature trees around the site.

#### Environment Agency

##### Final Comments

I refer to our previous letter of 17 May 2012 our ref: AN/2012/114194/02-L01 where we maintained our objection to the above application in the absence of an adequate flood risk assessment (FRA).

##### Environment Agency Position

I can confirm that we have received further amended drainage details in support of the application which we received on the 23 May 2012. We consider that the details in the FRA and the additional amended drainage details have been undertaken in line with the technical guidance to the National Planning Policy Framework (NPPF) and these are considered appropriate for the scale and nature of the proposed development. Accordingly, we withdraw our objection and recommend the following condition:

Condition No development shall take place until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

Reason To prevent the increased risk of flooding, both on and off site.

### Lincolnshire County Council (Children's Services)

The development would have a direct impact on local schools. In these cases both primary and secondary schools (including sixth form) are projected.

The level of contribution sought in this case equates to £355,287. This equates to the provision of 14 primary, 12 secondary and 2 sixth form places will be required as a direct consequence of this development.

### NHS Lincolnshire

The Head of Property Management has confirmed that the scheme would not prompt any significant healthcare changes to the town's needs. As such the Primary Care Trust have decided not to request any developer contributions.

### Arboricultural Consultant

#### Final Comments

To summarise:

Our consultant arboriculturalist has identified that the proposed access would be in close proximity to the protected trees in the garden of Beacon Hillside and recommends a no dig construction.

Additionally, he notes the detached buildings in the rear gardens of a number of the properties on the western edge of the application site would be in close proximity to the trees on the boundary of the site on neighbouring land. Accordingly, a construction method statement is required to ensure protection of the trees.

### Environmental Protection

Environmental Protection Services have no comments on this application.

### Police Architectural Liaison Officer

Thank you for the opportunity to comment on this application. I have studied the plans and note that a percentage of the development is intended to be allocated to affordable housing. In order to achieve a consistency of physical security thereby reducing the opportunity for criminal activity and removing the potential fear of crime throughout the development all boundary and sub divisional fencing treatment should be of the same standard. Assuming an application for Secured By Design is to be made the requirements for boundary treatments will be:

The perimeter fencing detail of the site and each plot should be of an 1800 mm robust fence or wall without footholds. The rails to any timber fence should face the properties.

Sub divisional boundaries should be secured and at the same time enable interaction between neighbours. A suitable means to achieve this will be for the first sections of the boundary starting from the building provide an 1800 mm timber privacy screen. From the privacy screen to the end of the garden provide a 1200mm timber fence topped with 600 mm of timber trellis.

If only the affordable housing element receives this treatment standard then consistency and integration as stated in paragraph 6.17 of the DAS will not be met.

### Historic Environment Officer (Heritage Trust Lincolnshire)

The planning application does not affect any known architectural sites and therefore no architectural intervention is required.

### Anglian Water

#### Foul Sewerage

The sewerage system at present has capacity for these flows.

#### Surface Water

Request a condition requiring a drainage strategy covering the following issues:

No development shall commence until a surface water strategy/flood risk assessment has been submitted to and approved in writing by the local planning authority. No dwellings shall be occupied until the works have been carried out in accordance with the surface water strategy so approved unless otherwise approved in writing.

### Planning Policy

The revised application seeks consent for 55 residential units, including 8 affordable homes, on the site of the former Beacon Lane allotments in Grantham. Planning permission was granted for 43 residential units on the site on appeal. In reaching this decision the Planning Inspector concluded that the proposal was not contrary to REC7 of the adopted local plan which sought to protect existing allotments, as it had been demonstrated that there was no further need for allotments in this locality, and that highway issues had been overcome by the applicant.

Since that appeal was considered both national and local planning policy has been updated. The South Kesteven Core Strategy was adopted in July 2010. Policies SP1 and H1 of the Core Strategy focus the majority of the districts housing growth in Grantham, particularly on appropriate sustainable sites. Policy H3 seeks to achieve up to 35% of new housing as affordable housing, and policy EN1 identifies a series of landscape, heritage, wildlife and amenity considerations against which all proposals should be assessed. This includes the protection of open space (including allotments).

In March 2012 the National Planning Policy Framework was published which introduces a presumption in favour of sustainable development, and continues the requirement for council's to ensure a continuous five year supply (plus 5% buffer) of deliverable housing land.

The Council is also preparing a Grantham Area Action Plan which will allocate land to meet requirements for housing and employment development in the town. A Preferred Approach version of this plan was published for consultation in March 2011. The plan included a policy (AT1) to protect existing allotment provision in the town as identified on the proposals map unless: it can be demonstrated that the allotments are not needed or that alternative provision is being made to replace them. The map accompanying this policy (Fig 11) does not identify the application site as an existing allotment in recognition of the extant planning permission S08/0013 for the development of the site. The Preferred Approach plan did not allocate the application site for any specific land use or development.

I conclude, therefore, that from a policy perspective the principle of development of this site has been accepted, and it has been established that the site is no longer required for allotment use, as determined by the Planning Inspector in approving S08/0013.

The proposal is for development of a sustainably located site which already makes a contribution to the five year supply of housing land, the proposal is therefore in accordance with the NPPF and Core Strategy policies SP1 and H1. Granting permission for this proposal will ensure that the site continues to count toward the five year housing land supply.

As a scheme of 55 homes it would be expected that 20 affordable homes would be provided to meet the full 35% affordable housing requirement of policy H3, however the applicant has shown that this level of affordable housing is not viable in the current market on this site. If the Council's Projects and Partnership Officer is satisfied that the affordable housing provision included within the application is sufficient and appropriate to meet the needs the application, it will also meet the requirements of policy H3. Subject to this proviso I have no policy objection to the proposal.

#### Upper Witham Internal Drainage Board

The Board has suggested a number of conditions to ensure no additional risk of flooding would occur.

(Officer comment: It is considered that this can be addressed by a single condition requiring a surface water drainage scheme based on sustainable drainage principles.)

#### Affordable Housing Officer

I can confirm that the affordable housing provision on this site for 8 units (2 x 4 bed house, 2 x 3 bed house, 2 x 2 bed ground floor adapted flat) is acceptable. This equates to an affordable housing provision of 15% on site.

I understand that the viability assessment submitted confirms that 15% affordable housing on the site is what can be achieved in order that the site remains a viable proposition.

#### Principal Conservation Officer

I refer to your memorandum dated 13th June 2012 inviting comment on the amended application for the above.

I have viewed the revised details and can advise that I have no comments to make.

I have also read the submitted Heritage Impact Assessment and agree with the conclusion that undesignated heritage assets adjacent to the site will not be adversely affected by the proposed development.

#### **Representations received as a result of Publicity**

The application has been advertised in accordance with the statement of community involvement. 22 letters of objection have been received. A summary of the main concerns are listed below:

- immediate surrounding area is characterised by detached dwellings set in spacious plots
- all surrounding plots are much bigger than the proposed plots

- the proposed terraced and semi-detached properties are not in keeping with the existing surrounding residential properties
- overdevelopment resulting in a cramped form of development
- create social and overlooking issues
- proposed development needs to consider the local vernacular
- concerns regarding the substantial increase in the number of proposed residential properties beyond the 2009 application
- the proposed dwelling will be too close and too high in relation to my bungalow
- loss of privacy
- visually intrusive and intimidating, light and noise intrusion
- noise and disturbance and exhaust fumes from parking areas situated near to the boundary of the site
- highway safety – traffic already excessive during peak times. Additional traffic will make it worse
- already significant on street parking from the college and Girls School nearby (6 schools in total nearby all attracting considerable volumes of traffic. Also the ambulance station, mental health unit and care home all attracting extra traffic
- surface water drainage problem, and my increase the flood risk to my property
- issues regarding land ownership and boundary disputes
- if new dwellings are built I would request a brick wall between my property and the new build
- should be assessed against PPS5 (replaced by NPPF)
- if this increase is accepted a further application to increase numbers may be received at later date
- no justification for the increase in numbers particularly as there are a number of housing sites in Grantham and surrounding area
- there is no reference to the townscape assessment. There are very few two and a half storey properties in the area.
- the proposed density of 24 dwellings per hectare is three times greater than the density of 8 dwellings per hectare in Townscape Area 15 and is therefore out of character with the area.
- important views identified in the townscape assessment are likely to be affected by two and a half storey development
- close proximity of the public open space on the site is likely to result in security issues. A 2.4 metre brick wall along the northern boundary is required
- the proposed layout does not reflect the mix and type of dwellings in Townscape Area 15
- noise and disturbance from the College's industrial building to the SW corner of the site approximately 2 metres from a proposed dwelling
- the access road may be detrimental to pedestrians even if well lit, it is not overlooked and is likely to encourage speeding and parking on the verges
- there may be important fruit trees on the site
- further bat surveys are required in the summer months
- concern regarding impact on protected species and other wildlife living on or passing through the site – the submitted assessments are incomplete and flawed
- concerns regarding traffic assessment – flawed. It has only been amended in a minor way since the previous submission. Additional information is required.
- loss of privacy
- dominant and oppressive
- the northern boundary will be transferred from the private to the public domain and exposed to vandalism and intruders
- noise, dust and other problems during construction that may last for more than 2 years which would be detrimental to amenity
- if approved the following conditions are requested: only single storey dwellings with 100m of our home, only two storey dwellings permitted within 100m wherever a house would have vision into our gardens
- construct 2.4m high brick wall along northern boundary
- no building within 12m of our northern boundary
- trees parallel to our northern boundary retained

- access road should be on the eastern of the site for its full length
- limits to hours of construction
- if pilling is required, silent non percussive
- construction traffic should use the new access road from the start of the works
- the upper floors to the apartments will overlook my property (Brisson Close). Leading to loss of privacy and amenity
- the development will result in loss of the historic connection with Barrack Square
- a brick wall should be constructed along the boundary adjacent to my property
- concerns regarding the increase in vehicle movements on a network that is already busy
- has consideration been given to how the increased number of vehicles are going to be able to turn right onto Beacon Lane during peak times
- the traffic already backs up to Hill Avenue most mornings, and has been queued up as far as Harrowby Lane.
- two bedroom bungalows adjacent to Brisson Close and Kintore Drive would be more appropriate/in keeping and less intrusive
- how will the new access road ensure no damage to the adjacent protected trees. An adopted road will damage the protected trees
- two storey house to the rear of our property will be more visually intrusive than a bungalow as previously indicated, and overlooking from the first floor window.
- trees in adjacent gardens close to the boundary are not included on the plans
- increase in density is not in keeping with the area/ large properties in large plots would be more in keeping with this historic part of Grantham.
- layout is unacceptable as it would result in a number of fenced alleyways which would result in social problems
- three storey properties and multiple occupancy buildings would result in an oppressive and dominant environment
- the second story flats will overlook the properties and associated garden areas on Brisson Close
- the affordable housing should be more equally distributed through the development
- Residents on Brisson Close find it difficult to access New Beacon Road during peak times. The development will produce the same problems
- the communal garden area for the apartments adjacent to Brisson Close would be likely to have detrimental impact on amenity
- if planning permission is granted a substantial wall should be constructed along the eastern boundary. This would define the boundary and protect our existing fencing were the rear access walkway is proposed
- the layout would result in small plots that would have insufficient garden for future occupiers
- would the subsequent reserved matters application further increase the number of units on the site
- existing junctions are already at capacity and have queues
- does the root protection take account of numbers and weight of vehicles
- there is likely to be further applications for additional land at a later date sharing the current access
- the development would affect important views on Grantham conservation area and other heritage assets
- the proposed two and a half storeys would not be appropriate in this location and would be highly visible from important approaches to the town
- is the proposal sustainable development
- visually intrusive, too close and would dominate my single storey property
- overlooking from upper floors
- noise disturbance from the roadway
- lack of security owing to the roadway/parking area adjacent
- it is accepted that development will be the best way to remediate the site which has become an eyesore. But the development should add value to the area and the wider townscape of Grantham. Not at the expense of any heritage fruit trees from the former allotment.
- construction traffic and mud soil deposits on the road

- existing parking on Beacon Lane already limits visibility. It should be double yellow lined.
- traffic survey failed to survey at busier times
- hours of operation and deliveries should be restricted to protect the amenity of neighbouring occupiers
- overspill from the College already causes problems despite assurances from the police that the area would be double yellow lined
- the parking already causes problems for pedestrians and damages verges
- concerns re loss of further heritage assets in Grantham
- not all the trees that were previously permitted to be removed need to be removed as part of this application
- there may be ancient fruit trees/unique species on the site. The survey needs updating
- the drainage proposal could affect the foundations of our property because of the shrinking clay subsoil. Additional water would cause the ground to heave
- concern that the proposed drainage could surcharge neighbours soakaway and prevent it operating correctly. Any drainage installation should be limited to the north side of the development to prevent this.
- density and character of the development is unsympathetic edging towards high density housing rather than family homes which Grantham needs to attract investment
- the additional traffic is an accident waiting to happen
- all existing trees of merit should remain on the site and the layout adjusted accordingly
- such a large scheme is difficult to assess in outline form and too vague to base future decisions on
- the heritage assessment does not consider the wider landscape, density, layout, landscape, statutory or local designations, ecological networks. A full heritage assessment should be submitted.
- the allotments are associated with the Barrack Square listed building and should be conserved.

### **Applicants Submission**

The applicants have submitted a substantial response to the concerns raised by members of the public. A summary can be found below:

In many respects we consider that the proposed amendments (in relation to the scheme allowed at appeal) will not have any greater impact. In fact it is considered that the scheme would have a number of benefits compared to the existing outline consent.

For example in respect of scale, height parameters were clearly set out in the original application with the submitted drawing showing many of the buildings at 3.5 storeys in height. The current drawings show a maximum height of 2.5 storeys and therefore refusing the development on the grounds of impact on the townscape would be unreasonable.

The submitted heritage assessment indicates that the proposed development would enhance the nearby heritage assets such as Beacon Hillside and Hillside when compared to the existing consent. The assessment confirms that the development will have little impact on the nearby, historical assets.

A number of letters refer to the increase in density of the development and consider that it is too high. Notwithstanding the increase in numbers, the overall density of the development is still considered to be comparatively low at fewer than 25 units per hectare. The Townscape study advises that anything below 29 dwellings per hectare is considered to be low density development.

The area is therefore characterised by what was very low density development which has now been diluted by late 20th century development with much greater footprints which has

compromised the setting of the older buildings. The newer buildings are even greater in scale than the original buildings and tend to dominate the character of the area.

Whilst the study acknowledges that this area is predominantly made up of large, single and two storey detached houses it does emphasise that this area is a transition area between the large institutional buildings which characterise area CA4 and the residential suburbs of CA7. It also acknowledges that: Later development is very much reflective of national house types and designs and has no strong architectural theme or use of materials which is distinctive.

The study seems to consider that the later developments such as at Brisson Close and Twyfords Gardens have failed to respect the character of the area and as a result changed the character of the area and introduced 'national house types' into the area.

Members of the public refer to the site providing important views from the historic core of the town to the surrounding open spaces and hills to the east from Areas CA1 and CA4. When looking east from Sandon Road (within Area CA4) across the site, the view is dominated at the moment by the trees alongside the application site and the school playing fields. These are to be retained and the view from this area will remain dominated by the trees, but glimpses of the development will be seen through the gaps in the trees.

Views west are dominated by the Grammar School and trees and hedging alongside Sandon Road. Views to the west do open up once you are past Sandon Close and you can see into the historic core of the town. However, at this point the view east is dominated by St Mary's School.

The suggestion that the designs are 'completely out of character' with the area is not substantiated by an assessment of the local area. There is a mix of styles in the vicinity but the character description for 4a refers to the form/origins being "mid-19th century" (i.e. Victorian). Some of the key buildings helping to form the character of the area are the Victorian or neo-Victorian (1950s) designs. Character Area 15 also refers to some of the surviving late 19th century buildings which it alludes to (and photographs) as being positive features. Therefore, in the interests of bolstering traditions, it is considered appropriate to make reference to these existing buildings of character rather than some of those with less interesting identity. Also, due to the somewhat 'land-locked' nature of the site, there is a need to establish a strong identity in the design of the units to help engender a strong sense of place. The adoption of the Victorian style, used in conjunction with materials which reflect the local context, is therefore considered to be appropriate and will help to ensure that the scheme has distinctiveness rather than a bland character like some of the ages of development referred to. This is one of the intentions of character-forming, and one of the reasons for the production of the Grantham Townscape Assessment.

The access road would not be a narrow, 'dark' or under-used route. It will be constructed to a standard agreed by the Highway Authority and is shown to be 5m wide with 2m footpaths. It will have clear footways and carriageway and it will be lit. It would be used by occupants of the development and will therefore have a degree of passive surveillance by those users.

A number of residents from Brisson Close have expressed concern about the relationship with the proposed dwellings and also in terms of the location of the boundary.

The eastern boundary of the site has been established for many years as detailed in the Design and Access Statement. The OS map of 1886 shows the site sub-divided into allotments on the edge of the town, connected back to Beacon Lane where the major built elements are the barracks, Beaconfield House and Hillside (now Beacon Hillside). The application site is, even at this date, clearly definable from the existing boundaries with the exception of the south-east corner where the eastern edge of the access road is not yet defined by a boundary. The eastern boundary is clearly shown as a field boundary running in a straight line from the north east corner of the site (adjacent

to Brisson Close) all the way to Beacon Lane. The topographical survey plans confirm that the line of this boundary remains the same today to the rear of the properties on New Beacon Road and also now, the properties at Brisson Close. In addition the various Land Registry Plans for the properties at Brisson Close and the allotment site all show this to be a straight line.

Since the properties were built in 2009/2010 the occupiers of Nos. 4 & 5 Brisson Close have carried out works on the land beyond their boundary fences including the removal of mature trees and in the case of No. 4 removing the rear boundary fence altogether. Disregarding the issue of who actually owns this strip of land, the removal of mature trees and hedging as well as a 2m high boundary fence, knowing that development was planned, does not seem to be the best way to safeguard your privacy/outlook if you had real concerns about such matters.

In terms of the distance to the boundary fence, this was actually stated on the drawings (by GS Developments) as 12.35m for No. 5 and 10.0m for No. 4. On site these appear to be some 0.6m less than this dimension. Whether this is due to the buildings being set out wrong or the boundary fence being wrong is debateable. Either way it would appear that the difference is not significant and you will still be looking at over 15m from the rear wall of No. 5 to the side elevation of Plot 40F. This is considered acceptable relationship to a side elevation even with the removal of the tree, which would have helped to mitigate any impact on the outlook from this property. Also it is very unlikely that before purchasing these properties the owners had not known about the proposed development on the allotment site.

## Transport

The current outline application relates to the development of 55 residential units and the site has the benefit of planning consent for 43 residential units which was granted at appeal.

The traffic and transportation issues relating to the consented development were supported by a comprehensive Transport Assessment that was based on 51 units and was therefore more robust than necessary, i.e. it was based on more units than actually applied for. At the Inquiry this assessment was found to be acceptable and the Council was found to have acted unreasonably in refusing the scheme on highway grounds and costs were awarded against the Council partly on this basis.

The Transport Assessment submitted in support of the current application considers the effect of 65 dwellings (again more than actually applied for) given the outline nature of the application and to consider a robust case for potential development on the site. This therefore equates to 14 additional dwellings with regard to the original Transport Assessment which considered 51 units or just 4 dwellings more with regard to the 55 dwellings for the current application.

The Highway Authority, Lincolnshire County Council (LCC) were consulted about the proposals prior to submission of the application and they examined the Transport Assessment and concluded that the application would see only a slight increase in vehicular trips over that previously approved and there would be no impact on highway capacity. The LCC consultation response forms part of the application documents.

Therefore in summary it is considered that the original consent in respect of highway matters was thoroughly examined at appeal based on 51 units and again the Highway Authority has examined the current proposals and has raised no objections to them.

The Transport Assessment includes details of a speed survey which was undertaken in the afternoon to ascertain the speed of traffic in free flow conditions in accordance with guidance, rather than peak hours.

Traffic capacity calculations are based on peak hour traffic flows and this aspect was considered in the original planning application and accepted at appeal.

With regard to parking on Beacon Lane (allegedly from the college) some of the letters intimate that this has been investigated by the police following complaints. The Highway Authority does have powers to investigate and impose waiting restrictions having regard to other legislation and this is not a matter with regard to the planning application.

It should be noted that the application proposals provides for adequate off street parking within the site and the proposals would have no effect on this situation.

## Conclusion

Many of the other issues raised by local residents echo those raised earlier at the Inquiry into the original application. They were considered by the Inspector not to be significant at the time of the Inquiry and we consider that the proposed changes to the development will not alter this assessment. In respect of some of these issues, for example the impact on townscape and views across, into and out of the site, the reduction in the maximum height of the development will actually result in less impact on the townscape. But residents still argue it will have a greater impact. We do not consider such arguments to be justifiable and unreasonable.

In respect of the impact on the amenities currently enjoyed by those adjacent to the site these are no worse than the existing consented scheme and in some cases the current proposals are actually an improvement.

For example, to the rear of Beacon Hillside and Hillside is proposed an area of landscaped open space. This replaces the side elevations and rear gardens of 2 No. two storey dwellings on the original scheme. The separation distances between the new properties and the old have therefore been increased significantly in this latest scheme.

Elsewhere, for example the rear elevation of the two storey flats to the rear of No 5 has been replaced by the side elevation of a two storey house. This will ensure there are no issues of overlooking/loss of privacy to No.5. Some loss of outlook will occur but this will not be significant even though the tree, which would have mitigated any such impacts, has been removed. Nevertheless additional planting along the boundaries is still proposed in accordance with the recommendations of the ecology reports. To the rear of No. 3 & 4 the back to back relationship is maintained but the actual separation distances are improved. Bearing in mind that the original application for the development of the allotment site was submitted before the application to develop Brisson Close; the occupiers of those properties were likely to have known about the proposed development of the land to the rear of these properties before actually purchasing those properties.

In respect of No. 27 New Beacon Road the proposed dwellings to the rear of this property remain two storeys as before, but the separation distances have been reduced. Nevertheless, this property has quite a deep rear garden so the back to back distances are well in excess of the usual 21m. Again the additional planting that is proposed will ensure that any potential issues of overlooking etc will be mitigated.

Lastly in respect of the introduction of the NPPF since the application was submitted, we do not consider that this will have any significant implications in respect of determining the application. If anything the publication of the NPPF provides more justification for the granting of consent with its focus on the need for Council's to optimise development on sustainable sites such as this one and advising Councils that only in case where transport issues are severe should Councils refuse application on highway grounds.

## **Officer Evaluation**

The main issues for consideration in relation to the proposed development are highway safety, residential amenity, visual amenity, impact on heritage assets and impact on protected species. An important material consideration is also the appeal decision in relation to S08/0013 granting planning permission for 43 residential units on 25 August 2009.

Unless there has been a material change in circumstances since the determination of the appeal the starting point of the assessment must be that the principle of the development is acceptable, and the main issues are whether the changes as a result of the increase in numbers make the development no longer acceptable.

### Highway Safety

The proposed development has been assessed by the local highway authority in relation to the wider impact of the development on the surrounding highway network and the internal layout and design of the scheme and access to Beacon Lane.

It is important that members have cognisance of the Inspectors reasoning and decision. It is accepted that the previous proposal was for less dwellings, 43, compared to 55 units as part of this development. However, the comments of the local highway authority indicate that the increase is not substantial to justify a refusal of planning permission on these grounds.

The inspector concluded as part of the appeal decision that a junction on to Beacon Lane can be safely positioned at the proposed location without prejudicing highway safety. Issues of visibility and the parking of cars on the verges is a matter of highway enforcement. Notwithstanding the concerns of members of the public I have no reason to disagree with the conclusion of the Inspector or the local highway authority.

### Residential Amenity

The proposed development is in outline form but is accompanied by a plan indicating how 55 residential units can be accommodated on the site. The layout of the site is designed to minimise any significant impact on the amenity of neighbouring occupiers. It is considered that there is sufficient separation distances between the proposed development and neighbouring occupiers to ensure that there would not be any significant overlooking/loss of privacy, or loss of daylight/sunlight that would justify a refusal of planning permission on these grounds.

Levels of privacy would be further enhanced by significant landscaping along the boundary of the site.

The proposed dwellings would be closest to the properties on Brisson Close. There would be a separation of approximately 17 metres between 5 Brisson Close and plot 40 and over 25 metres between 3, 4 Brisson Close and 27 New Beacon Road and plots 30-38.

It is acknowledged that the outlook from the neighbouring dwellings would change as any views over the site would be removed. I accept that these changes may not be welcomed. But to ensure that the existing occupiers would experience no adverse impact from a new development would be an unreasonable level of test for a proposed development

## Visual Amenity

The proposed scheme would include a mix of two and two and a half storey properties. Whilst the proposal would introduce built form into an area that is currently 'undeveloped' it is considered that there would not be any substantial harm to the character and appearance of the area. The site can be regarded as infill and would be substantially screened by existing and proposed landscaping.

Whilst the scheme is an increase in units from that previously approved, 43 to 55, the height of the buildings would be reduced as the extant planning permission includes 3.5 storey properties compared to 2.5 storey as part of this application. Accordingly it is reasonable to conclude that, notwithstanding the increase in density, visual impact would actually be less.

The Inspector in relation to the previous appeal did not raise any specific concerns regarding impact on the form and character of the area/visual amenity. It is considered that the additional units proposed would not result in any significant impact on the amenity of the area.

In his decision he concludes:

"Bearing in mind that this proposal is in outline, the matters of visual and residential amenity are capable of being resolved. I see no areas of conflict that cannot be resolved at the reserved matters stage".

(Pins Ref: APP/E2530/A/09/2101377).

I have no reason to come to a differing conclusion than the Inspector. As such it is considered that the visual impact of the development would not be the basis for a refusal of planning permission.

## Impact on Heritage Assets

A heritage assessment has been submitted as part of the planning application. It concludes that:

The heritage value of both Beacon Hillside and Hillside would not be affected by the proposed development.

In accordance with Paragraph 135 of the National Planning Policy Framework the effect of an application on the significance of a non-designated heritage asset should be taken into account on determining an application. In this instance, no demonstrable harm to the low/moderate heritage value of Beacon Hillside and Hillside would be caused by the proposed development. The levels of architectural and historic interest of these buildings possess would not be altered by the proposals, and the location of the proposed development achieves efficient use of this land whilst retaining the assets setting without harm.

The Principal Conservation Officer has assessed the submitted information and agrees with the conclusion. As such it is considered that heritage impact has been adequately investigated and the development would not have any significant impact on any heritage assets.

Concern has been raised in relation to the impact of the proposed development on the Barrack Square Listed building. However, it is that there is sufficient separation between the Barrack Square and the site and there are a number of trees in the rear garden of the intervening property which provides a visual screen between the site and the listed heritage asset.

This coupled with the layout of Barrack Square, which is an inward looking, courtyard arrangement, which generally turns its back on the neighbouring land, would ensure that there would be no significant harm to the listed heritage asset.

## Protected Species

Whilst the site is somewhat overgrown and has remained an inactive allotment for a period of time since the grant of planning permission at appeal on 25th August 2009 (planning ref: S08/0013) it is considered that it is unlikely that additional survey work would be required in relation to protected species.

This is confirmed by the comments of Natural England stating that their standing advice is that surveys should not be over 2-3 years old.

Lincolnshire Wildlife has confirmed that unless there have been changes to the habitats on site in the intervening period or there is more delay in determination of the application it would not expect further updates to be required.

The submitted survey indicates that there would be no detrimental impact on the natural environment. Despite having an allotment use the site is described as 'particularly poor'. No protected species have been found on the site.

In relation to bats the report indicates that the site is generally inaccessible to bats:

"Bats are inquisitive, highly mobile animals, which constantly investigate their surroundings, evaluating good feeding areas and potential roosting opportunities. Where suitable habitats such as woodland, woodland edge or sheltered pasture occurs bats will travel up to several kilometres to take advantage of a resource. To reach favoured sites bats will follow linear landscape features such as hedgerows, streams, lanes etc. The absence of such features can make an otherwise suitable site inaccessible to bats. In addition, new roosts will become established in such areas. For example the rapid colonisation of artificial bat roosts being occupied within year or two of completion of a development.

The evidence from the survey indicates that the site has no potential as a roosting place for bats. However, the boundary trees are likely to be used as a flight corridor and sheltered foraging area with the residential properties to the east and south of the site providing potential roosting place. In addition some species of bats are known to quickly colonise buildings and may do so once the development is completed. The provision of bat boxes may speed up this process.

Due to the removal of existing habitats of some value to nesting birds across the site, it is likely that the development proposals will result in the disturbance and displacement of some bird populations currently using the site".

To promote bat roosts post completion and to mitigate any impact on birds two conditions are requested:

-That site clearance/removal of vegetation on site is not undertaken during the months of March to August except when approved by the local planning authority. This would ensure that breeding birds are not adversely affected.

-That details of bat and bird box provision within the development.

## **Other Matters**

### Impact on Trees

There are a number of trees adjacent to the proposed access to the site. However the proposed access has been designed to be further from the trees than the existing access that served the allotments and can be of a no dig construction.

Similarly, the concerns regarding the impact of the outbuildings in the rear gardens of the western most properties can be addressed by specific construction techniques, e.g. block and beam construction as an alternative to more traditional methods.

## **Section 106 Heads of Terms**

The developer has submitted a development appraisal that has been assessed by external consultants. The appraisal demonstrates that the scheme would not be viable if 35% affordable housing is sought in conjunction with the other developer contributions. The scheme would however remain viable with the affordable housing contribution reduced to 8 units (15%).

If the scheme is not viable, the development will not take place and as such the scheme will not contribute towards the 5 year supply of land or affordable housing provision.

In addition to the reduce level of affordable provision (15%) the scheme would provide the following developer contributions:

Education - £355,287. This equates to the provision of 14 primary, 12 secondary and 2 sixth form places will be required as a direct consequence of this development.

Highway Improvements - £85,000 – contribution towards Passenger Transport Provision in accordance with the Transport Strategy for Grantham and for improvements to footway/cycle ways in the locale of the development site.

The Council has adopted a Supplementary Planning Guidance document in relation to Developer Contributions. This document highlights the raft of contributions that should be sought depending on the size and nature of schemes. If additional contributions are sought in accordance with this document the scheme would become unviable.

If the scheme is not viable, the development will not take place and as such the scheme will not contribute towards the 5 year supply of land or affordable housing provision.

As such it is considered appropriate to accept a reduced package of contributions (including the reduced level of affordable housing provision) in an attempt to ensure that the scheme is built out. This accords with the advice from central government that highlights the importance of ensuring Section 106 agreements do not stifle development:

In his letter of 31st march 2011 to all Chief Planning Officers Steve Quartermain, Chief Planner for Communities and Local Government endorses the coalition Governments proposals set out in the Growth Review. Annex B of that letter notes that “There is a need to ensure that existing planning permissions are built out to help deliver growth and support local economies.....Understanding the impact of planning obligations on the viability of development will be an important consideration when obligations are reviewed, particularly where they are reached in different economic circumstances. An appropriate review of obligations, which takes account of local planning priorities, could allow development to proceed on stalled schemes.”

## **Crime and Disorder**

It is considered that the development would not result in any significant adverse 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 the act will be breached.

## **SUMMARY OF REASON(S) FOR APPROVAL**

This is an outline application for the construction of 55 dwellings and associated garaging. The area of the development is approximately 2.25 hectares and is located within Grantham in reasonable proximity to the town centre.

It is considered that the additional units proposed beyond that considered previously by the planning inspectorate do not raise any new material planning considerations not previously considered.

The proposal is for development of a sustainably located site which already makes a contribution to the five year supply of housing land, the proposal is therefore in accordance with the NPPF and Core Strategy policies SP1 and H1. Granting permission for this proposal will ensure that the site continues to count toward the five year housing land supply.

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 SP1, SP3, and EN1 of the adopted Core Strategy.

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. Details of appearance, landscaping, layout and scale (hereinafter called 'the reserved matters' shall be submitted to and approved in writing by the local planning authority before any development begins and the development shall be carried out as approved.

Reason: To define the permission.

2. Application for reserved matters shall be made to the local planning authority not later than three years from the date of this permission.

Reason: To define the permission.

3. The development hereby permitted shall begin not later than two years from the date of approval of the last of the reserved matters to be approved.

Reason: to define the permission.

4. No development shall take place until a method statement regarding construction works has been submitted to and approved in writing by the local planning authority. The statement shall cover the hours of operations and work on the site, the types of machinery and equipment to be used and details how noise, vibration and dust are to be controlled using best practicable means. Development shall be carried out in accordance with the approved method statement.

Reason: In the interests of residential amenity.

5. Before each dwelling is occupied, the roads and/or footways providing access to that dwelling from the public highway shall be constructed 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 of the penultimate dwelling is commenced.

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

6. No dwelling shall be commenced before the first 60 metres of the estate road from its junction with the public highway, including visibility splays, has been completed. The visibility splays shall have an 'x' distance of 5.5 metres and a 'y' distance of 54 metres in an eastward direction and 47 metres in a westward direction.

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

7. No development shall take place until details of levels, including cross sections of the relative heights of existing and proposed ground levels of the site and adjoining development and roads, have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Reason: To ensure a satisfactory form of development.

8. A programme of removal of trees and other vegetation on site taking into account the presence of nesting birds. The details shall be submitted to and approved in writing by the local planning authority prior to the submission of reserved matters relating to layout and landscaping. Development shall be carried out in accordance with the approved details.

Reason: In the interests of minimising any significant impact on breeding/nesting birds.

9. Prior to the submission of reserved matters a scheme shall be submitted to and agreed in writing by the District Planning Authority for the type and location of bat and bird boxes to encourage wildlife development. The agreed scheme shall be implemented prior to the completion of the development.

Reason: To encourage additional biodiversity within the development.

10. Before the access is brought into use, all obstructions exceeding 0.6 metres high shall be cleared from the land between the highway boundary and the vision splays indicated on drawing number 204.005C dated 21st February 2013, and thereafter the visibility splay shall

be kept free of obstacles exceeding 0.6 metres in height.

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

11. When application is made for approval of the 'reserved matters', that application shall show details of arrangements to enable a motor vehicle to turn within the site so that it can enter and leave the highway in forward gear.

Reason: To allow vehicles to enter and leave the highway in a forward gear in the interests of highway safety.

12. When the application is made for approval of the 'reserved matters' that application shall show details of the arrangements for the parking/turning/manoeuvring/loading/unloading of vehicles within the site. These arrangements shall be provided before the building is occupied and shall be kept permanently free for such use at all times thereafter.

### 13. Retained Trees

a) No retained trees on site shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the prior written approval of the Local Planning Authority. Any topping or lopping approved shall be carried out in accordance with British Standard (Tree Work).

(b) If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species and shall be planted at such time, as may be specified in writing by the Local Planning Authority.

(c) No equipment, machinery or materials shall be brought on to the site for the purpose of the development, until a scheme showing the exact position of protective fencing to enclose all retained trees beyond the outer edge of the overhang of their branches in accordance with British Standard, has been submitted to and approved in writing by the Local Planning Authority, and; the protective fencing has been erected in accordance with the approved details. This fencing shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the prior written consent of the Local Planning Authority.

(d) A 'no dig' construction method shall be used for all parts of the access road, driveways, footways and parking areas that fall within the root protection areas of retained trees. No development shall take place until details of such a construction method have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

(e) Details of the proposed method construction of the outbuildings/garages along the western boundary of the site shall be submitted to and approved in writing by the local planning authority.

In this condition —retained tree means an existing tree which is to be retained in accordance with the approved plans and particulars; or trees that are located on land adjacent to the site and paragraphs (a) and (b) above shall have effect until the expiration of five years from the first occupation or the completion of the development, whichever is the later.

REASON: To enable the Local Planning Authority to ensure the retention of trees on the site in the interests of visual amenity.

Note(s) to Applicant

1. The proposal to discharge surface water to the 525mm surface water sewer in Beacon Lane at a rate of 5 litres per second is acceptable. However, due to maintenance issues, the use of orifice plates within the onsite system is unlikely to be accepted for adoption by Anglian Water.

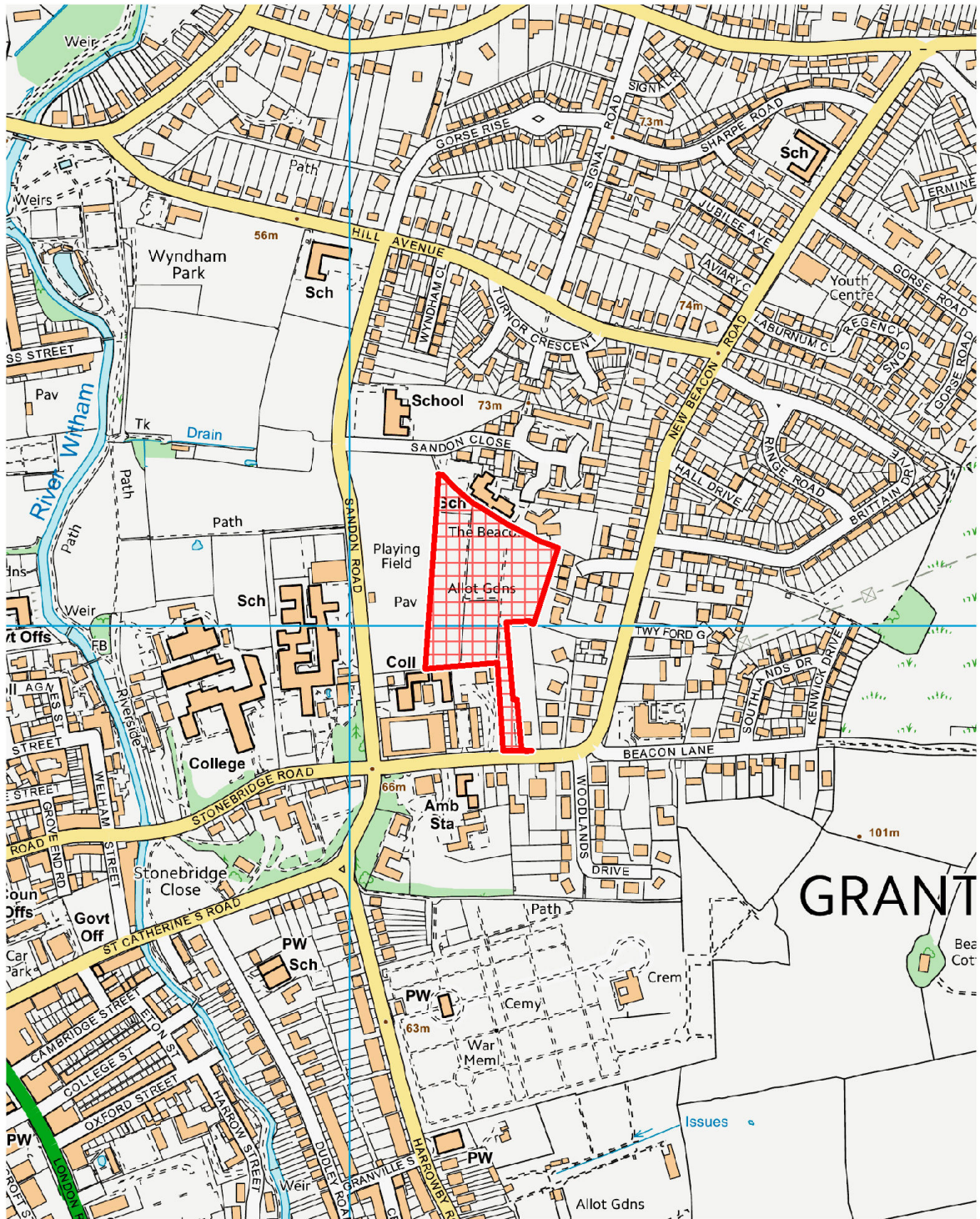
The applicant is advised to discuss the specific design of the system with our Developer Services when the submission is made under Section 104 of the Water Industry Act 1991.

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

\* \* \* \* \*

## Site Location Plan

Ref	<b>S12/0484</b>
Proposal	<b>Erection of 55 residential units (including 15 affordable units) Outline</b>
Location	<b>Barrack Gardens/Beacon Lane Allotments, Beacon Lane, Grantham</b>



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Applicant	<b>Mr Joe Ward Caythorpe Farmers, GR Ward &amp; Co</b> Mill Farm, Caythorpe Heath Lane, Caythorpe, Grantham, Lincolnshire, NG32 3EZ
Agent	Louise Theobald, Acorus Rural Property Services Old Market Office, 10, Risbygate Street, Bury St Edmunds, IP33 3AA
<b>Proposal</b>	<b>Erection of poultry broiler unit - including 8 new broiler sheds with service buildings &amp; associated stores, feed bins &amp; associated equipment and new access track.</b>
<b>Location</b>	<b>Mill Farm, Caythorpe Heath Lane, Caythorpe, Grantham, Lincolnshire, NG32 3EZ</b>
App Type	FP Environmental Impact Assessment
Parish(es)	Caythorpe Fulbeck
Reason for Referral to Committee	The application has been referred to Committee as the application is accompanied by an Environmental Statement.
Recommendation Summary	That the development be delegated to the Development Management Service Manager in consultation with the Chairman / Vice Chairman for approval subject to the signing of a legal agreement securing a HGV routing agreement and subject to the attached conditions. Where the legal agreement has not been concluded prior to the Committee meeting a period not exceeding six weeks post the date of the Committee meeting shall be set for the completion (including signing) of the agreement. In the event that the agreement has not been signed and where in the opinion of the Development Management Service Manager acting in consultation with the Chairman / Vice Chairman of the Development Control Committee, there are no extenuating circumstances which would justify a further extension of time, the related planning application shall be refused on the basis that the necessary infrastructure or community contributions essential to make what would otherwise be unacceptable development acceptable have not been forthcoming.

**Key Issues**

- Principle of Development
- Impact on Highway Safety
- Impact on the Environment and Character of the Area

**Technical Documents Submitted with the Application**

- Environmental Statement
- Environmental Assessment Non-technical Summary
- Assessment of the Odour Impact
- Additional Information
- Design and Access Statement
- Extended Phase 1 Habitat and Protected Species Survey
- Agricultural Appraisal

## **REPORT**

### **Application Category**

The application is categorised as an EIA type of application.

### **Reason for Referral to Committee**

The application has been referred to Committee as the application is accompanied by an Environmental Statement.

### **The Proposal**

The applicants currently used by the applicant for their main business – an arable farm comprising over 1,500 hectares. The proposed poultry units would help to balance their agricultural operation through having both livestock and arable operations within the business. The applicant intends to work with Moy Park Ltd who own and operate a food processing factory at Anwick near Sleaford. The applicant has stated that Moy Park Ltd are currently undertaking a large expansion programme at the Anwick site which represents a significant investment and will improve local employment whilst also providing a long term commitment to British agriculture and locally sourced produce.

The application is for the erection of eight new broiler houses built from a steel framed construction, situated in two groups of four sheds. The buildings would measure 91.4m long by 22.5 wide. Eaves and ridge heights would be 2.59m and 5.07m respectively. Each building would accommodate 43,750 broilers therefore the maximum number of birds on site will be around 350,000. Each building would be equipped with 3.20 tonne feed bins. The new buildings will be to latest industry and welfare standard representing the best available technology for poultry production including a computer controlled mechanical ventilation system. It is anticipated that the site will employ between 2-3 full time staff.

The two dwellings that were originally submitted as part of the application have been withdrawn from consideration.

The site will be managed on an all in/all out basis over 36 days. Broilers would be purchased as day old chicks. The floor will have a suitable litter spread consisting of wood shavings/straw to a depth of 20mm. Birds will be kept to 36 days old when they will be removed for processing at the local Anwick factory. After the removal of all the broilers from the site, the litter will be loaded into trailers, covered and removed from the site. It will be disposed of by spreading on fields thus utilising its fertilising and soil improvement characteristics or by sending it to one of the specialist power stations. The whole site and equipment will be power washed, disinfected and then dried out before the cycle starts again. When a 36 day growing period is used, the total cycle length including the clearing out and reinstatement period will take approximately 45 days. It is likely that there will be around 8 cycles per annum.

Within the site, a new access track would be constructed north of the existing farm buildings to the new poultry houses. There would be space around the new buildings for the parking, loading/unloading and manoeuvring of HGVs. Access to the site would be from the south/eastern side of the site via the second farm entrance at Caythorpe Heath Lane.

The application is accompanied by an Environmental Statement, Design and Access Statement, Additional Information on requirement for dwellings, Assessment of Odour Impact and Agricultural Appraisals.

## **The Application Site and its Surroundings**

The application site extends to 2.2 hectares and lies adjacent to a wide variety of specialist buildings utilised by the applicants, GR Ward & Co. The buildings include large grain and potato stores. There are two existing access points into the farm which will continue to be used when the new buildings have been constructed. The main access is to the west of the site along the main drive to an unclassified road (Pottergate Road) which in turn leads straight to the A17. The second access is to the south/east of the site along an access track to Caythorpe Heath Lane which leads to the A17 via High Dyke.

The application site lies just over 2km away from Caythorpe Court, a Grade II Registered Park, located to the south west of the site. It comprises Grade 2 and 3 agricultural land and within a nitrate vulnerable zone. The High Dyke SSSI lies to the east of the site. The surrounding area is in predominantly agricultural use.

## **Relevant Site History**

A Scoping Opinion on the type of information and issues required to be covered by an Environmental Statement was issued by the local planning authority in 2011. Previous applications include storage silos, farm and grain storage buildings and a grain/potato store extension.

## **Policy Considerations**

South Kesteven Local Plan (1995)

AG1 Agricultural Buildings

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 E1 Employment Development

National Planning Policy Framework (2012)

Core Planning Principles

Section 3 Supporting a Prosperous Rural Economy

Section 11 Conserving and enhancing the natural environment

## **Representations Received**

Fulbeck Parish Council: No objections to the application provided that odour emissions and traffic issues are satisfactorily addressed.

Caythorpe and Frieston Parish Council: Raise a number of matters to be taken into consideration in the determination of the application.

- This is a very significant development and confirmation should be obtained to show that all Parish Councils and nearby residents and businesses have been consulted.
- With 350,000 chickens on the site this has potential for major conflict with local amenity and the environment and the Council have concerns that the appropriate regulatory bodies have the capacity to control the development. They should confirm that they have.
- The local amenity and environment, particularly in terms of odours, air quality and traffic movements are already affected by the waste transfer station located between this site and Caythorpe village.
- Appendix 8 “Assessment of the Odour Impact of the Proposal...” ADAS is a flawed document and reveals that its author has either not been to the area or has failed to take note of clearly visible features. It states that Mill Farm is located to the east of RAF Cranwell (which it clearly is not). It talks of “isolated farm houses and other residences in the surrounding area.” It ignores completely the presence of the PGL site less than 1km away with its 150 staff and 700 children residential at all times as well as other businesses.
- So if it does not know it is there, how can these proposals have taken it into account? At the very least there must be reconsideration and a proper consultation with all residents and businesses. Any decision at present is clearly unsafe.
- Policy. We note the National Policy on diversification. However, local plan policy AG1 (ii) states that no adverse effects on residential properties is likely to occur by reason of noise, dust, smell or general disturbance. The parish council is not convinced that there will be no adverse effect by reason of this development.
- Has the issue of light pollution been fully considered (Policy EN1) especially in connection with the RAF Cranwell operations.
- The dispersion modelling methodology does not refer to the anticyclonic sinking of air which frequently results in air from Caythorpe Heath sinking over the Caythorpe and Frieston built up area in the evenings. This should be addressed before permission is granted with modelling based upon the centre of Caythorpe village.
- The use of litter as soil conditioner is not acceptable in terms of odour and amenity as it will have an adverse effect on the local environment for residents, businesses and tourists eg at B&B facilities at Byard’s Leap and Barnes Farm, the trailer manufacturer, copper cylinders, Cranwell Heritage Museum and users of local footpaths such as the Viking Way. The litter should be removed completely from the site.
- The parish council is not convinced that there will be no entry of dirty water from this development into the local aquifer and possible entry into the lakes recently created by PGL which are fed by springs arising from the aquifer.
- The hours of operation should be considered and limited especially during the changeover period between cycles when the catching of chickens and cleaning of buildings will create noise and disturbance around the site.
- SKDC re requested to satisfy itself that the developer’s proposals satisfy the best practicable means and industry standard for carrying out such development especially with regards to odour, hydrology, lighting, waste and highways issues and also that new additional dwelling are necessary for the management of the site.

Highways Agency: No objections.

Environment Agency: No objections to the amended plans, however, the package treatment plant for disposal of foul sewerage will require an Environmental Permit under the Environmental Permitting Regulations 2010 from the Environment Agency, unless an exemption applies.

Natural England: The site is in close proximity to High Dyke, Site of Special Scientific Interest (SSSI). However, given the scale and nature of this proposal, Natural England is satisfied that there is not likely to be an adverse effect on this site as a result of the proposal being carried out in strict accordance with the details of the application submitted. We therefore advise your authority

that the SSSI does not represent a constraint in determining the application. We would expect the LPA to assess and consider the other possible impacts resulting from the proposal on local biodiversity and geodiversity sites, local landscape character and local or national biodiversity priority habitats.

Lincolnshire County Council Highways: Require details of existing and projected vehicular movements to/from the site; widening of the carriageway of the C326 Caythorpe Heath Lane from 5.5m to 6.0m with an overlay where necessary and reconstruction (principally but not exclusively at the farm entrance and/or as identified from investigations) under a S278 agreement; and that the applicants to enter into a routing agreement so that all vehicles associated with the proposal will enter and leave to/from the east of the access to the site. A number of conditions are proposed to ensure that the highway impacts of the development will be mitigated. These include the widening of the road from the site entrance at Caythorpe Heath Lane to the High Dyke to 6m, the improvement of the access to Mill Farm, the provision of arrangements for parking/turning/manoeuvring/unloading of vehicles on site and the submission of details for surface water drainage.

SKDC Planning Policy: In summary, the broiler units proposed in order to achieve diversification of farming on the site and support the rural economy are broadly compliant with policy. The residential uses proposed alongside this, however, are not compliant with policy. The new market dwellings are not compliant with point A of policy SP1 but the broiler units would comply with points B and C of policy SP1. The proposal would not appear to have any major negative impacts on biodiversity and ecological networks within the landscape, in compliance with policy EN1, but the potential for visual intrusion upon the landscape should be taken into account. The scale of the development meets the authority's threshold trigger point for planning obligation contributions thus policy SP4 and the Planning Obligations SPD should be taken into account. The proposal appears to be in compliance with policy EN2 to reduce the risk of flooding. The two new open market dwellings, neither of which appear to be affordable local need housing or agricultural works accommodation, would comply with policies H1 or SP1. The proposals would comply with policy E1 given they would be for a rural diversification project and have an essential need for a rural location.

SKDC Environmental Health Services: The proposed development would house in excess of 350,000 birds. Under the Environmental Permitting Regulations 2010, the site will require an IPPC (Integrated Pollution, Prevention and Control) permit issued by the Environment Agency for an intensive livestock unit where more than 40,000 poultry are housed. Such a permit would implement conditions for minimising the environmental impact from intensive livestock activities including odour and noise. The applicant's attention is brought to the MAFF booklet Poultry Litter Management which the applicant/operator shall have due full consideration to in order to minimise the environmental impact of carrying out such an operation.

SKDC Agricultural Consultant Advisor: In summary, there is no agricultural support for the two additional dwellings at Mill Farm, as there are a sufficient number of dwellings on the farm which could be made available for the proposed staff, and sufficient dwellings available in the locality which are suitable and available either for the poultry staff themselves, or the lorry driver and arable farm worker who have no essential need to live at or near their place of work.

### **Representations Received as a Result of Publicity**

The occupiers of 42 properties surrounding the application site were notified of the proposal by letter. In addition, the application was publicised by way of a site and press notice. Three letters of objection have been received on the grounds of (in summary):

- Health concerns – mice and rat infestation.
- Smells – air quality should be tested
- Impact on countryside – the actual physical damage this scale of development will have on the environment and community.
- Noise and traffic pollution from the massive increase in traffic.
- Concern about highway safety as there was a very serious accident at the crossroads of Pottergate and South Heath Lane
- Lorries from the existing facility drive far too quickly and create problems for other vehicles and create severe noise pollution when they brake at the crossroads.

One letter of support has been received as the proposals would contribute to the local economy and long term employment. Only concern with extra heavy lorries and their speed on Pottergate Road. Request that extra lorries involved enter and leave Mill Farm via Byards Leap as most of GR Ward lorries already do then it would be safer.

## **Officer Evaluation**

The main issues in considering this application are: the principle of new development, impact on highway safety and impact on the environment and the character of the area.

### **Principle of New Development**

National and local policy generally supports agricultural development in the countryside. Core Strategy policy SP1 states that proposals for development in the countryside will only be considered acceptable for a specified type of development including agriculture. Paragraph 28 of the NPPF encourages local planning authorities to promote a strong rural economy by, amongst other things, promoting the development and diversification of agricultural and other land-based rural businesses. The proposed development would be located adjacent to a collection of existing farm buildings within the context of a large scale farm business. Although the proposal is for a large development, the scale of the proposal is proportionate to the size of the existing operation.

Core Strategy policy E1 supports rural diversification proposals. It is noted that this does not represent rural diversification as the proposal is agricultural in nature, however, it would help to support a sustainable rural economy. The proposal would help to ensure the continued viability of the farm business but would be linked to another rural business, Moy Park Ltd, which has a factory approximately 10km away and the production of locally sourced food.

### **Impact on Highway Safety**

There are two accesses to the site as existing. The applicant has submitted a draft planning obligation containing a routing agreement that would ensure all vehicles over 3.5 tonnes would enter and leave the site by way of the secondary access to the south of the site at Caythorpe Heath Lane and use the A17 via High Dyke. This is the preferred route suggested by the Highway Authority. The main access at Pottergate Road would continue to be used by farm vehicles. Conditions are suggested, should Members be minded to approve the application, to ensure that a) improvements are made to the site entrance at Caythorpe Heath Lane, b) that the extent of Caythorpe Heath Lane from the site entrance to High Dyke is improved and widened to 6m in width, c) details of the disposal of surface water drainage and d) arrangements for parking/turning/loading/manoeuvring within the site. Subject to these conditions and a routing agreement, there are no objections from the Highway Authority.

The volume of traffic generation is considered to be relatively low and the main periods of vehicular activity would be concentrated at eight periods during the year due to the 36 day growing cycle that will be implemented.

#### Impact on the Environment and Character of the Area

There are a number of potential environmental impacts arising from the development that have been assessed in the ES and are considered against Core Strategy policy EN1.

First, in terms of pollution and flood risk, a total containment system is proposed for the disposal of dirty water run-off including the installation of a sealed tank for collecting all dirty water from washing down. Disposal off-site will be according to recognised Codes of Practice. The site is located within Flood Risk Zone 1 which is designated land not at risk of flooding, however, the site drainage has been designed to take a 1:100 year flood event. The disposal of litter from the broiler houses will be via the use of sheeted lorries and will be used as soil conditioner for the arable land within the applicant's ownership. Poultry manure is currently used on the arable land and reduces the need for non-organic fertiliser. Its disposal is covered by recognised Codes of Practice and Nitrate Regulations.

Secondly, as the broilers will be housed in modern purpose designed buildings with high velocity fan outlets, it is not considered that there will be any adverse impacts from odour. The submitted odour assessment focused, in particular, on how the emissions from the buildings would affect the surrounding area. Odour emissions from the proposed poultry units were assessed and quantified using an emissions 'blueprint' developed by ADAS, the Met Office and the Silsoe Research Institute. The emission figures obtained were then used in atmospheric dispersion modelling in order to assess the likely impact of odour in the area around the farm, including specific residential properties nearby. The modelling predicted that the odour from the proposed poultry units would be undetectable on most occasions. It is anticipated that dust and noise emissions are likely to have a low impact given that the likely levels will be low and that the nearest residential properties are sufficient distance away. It is recognised that pests would create problems for the operation itself therefore a full pest control programme will be implemented.

Thirdly, the visual impact of the buildings is considered to be low given that the buildings are agricultural in nature and are relatively low eaves height. The site is located within the Southern Lincolnshire Edge landscape character area which is described as "... a remote and relatively simple agricultural landscape. The large rectilinear arable fields allow extensive views, limited by distant woodland or the overlapping of hedgerows. There is a sparse settlement pattern." The visibility of the existing farmstead at Mill Farm will not alter significantly through the addition of the poultry units as the farm is relatively compact in layout and contains a number of large buildings already. The landscape would still retain its sparse settlement pattern, with the poultry units forming an extension to the existing farm. Visibility of the development from key viewpoints will be mitigated by existing hedgerows. Landscaping measures, including a shelter belt of trees is proposed to screen the development from the west of the site. The impact of the buildings will also be mitigated through a sympathetic choice of external cladding and colour.

Finally, in terms of impact on ecology, it is recognised that the land to be developed is of low ecological value being in intensive agricultural use. The effect of ammonia within the nearby statutory wildlife sites is low given that emissions are deemed to be insignificant.

Overall, it is considered that the proposals would be appropriate to the character of the landscape and its natural, historic and cultural attributes and features. It would not have a detrimental impact on any designations of landscape or ecological features, the character and visual appearance of the landscape, public access to the land and will not cause noise, dust or odour pollution. It is

considered to be in compliance with Core Strategy policy EN1 and the Core Principles of the NPPF in relation to residential amenity.

Due to the size of the operation, the applicants have applied for and been approved with an Integrated Pollution, Prevention and Control licence by the Environment Agency that will provide detailed control over the operation and ensure that no polluting effects will occur. In addition, the applicant will need to comply with various MAFF Codes of Practice on certain aspects of the operation. In view of the existence of other legislation, it is not considered necessary to attach planning conditions to mitigate any impacts from the operation of the poultry units.

### **Section 106 Heads of Terms**

The application is accompanied by a draft planning obligation that would ensure any vehicles over 3.5 tonnes enter and leave the land by way of the B6403 High Dyke and to use the C326 Caythorpe Heath Lane. The obligation is a requirement of the Highway Authority in order to prevent heavy goods vehicles using roads unsuitable for this size of vehicle.

### **Crime and Disorder**

The development is not considered to raise any significant issues with regard to crime and disorder.

### **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 the Act will be breached.

### **SUMMARY OF REASONS FOR APPROVAL**

The proposed development is considered to be acceptable as part of the applicant's wider arable agricultural enterprise and extension of the existing farmstead at Mill Farm. The principle of agricultural development in the countryside is in accordance with national and local policies and would support the rural economy. The impact of the development on highway safety has been taken assessed and considered to be acceptable subject to improvements in the localised area and a routing agreement. The Environmental Statement has assessed the impact of the development on a number of considerations: water pollution, flood risk, disposal of litter, volume of traffic, access, odour, dust, noise, pests, visual impact and ecology. It concludes that there would be a low overall impact on the environment taking into account the mitigation measures proposed. The comments of nearby local residents and the Parish Council have been taken into account in the determination of the application and are considered as part of the assessment of the various impacts of the development. On balance, therefore, the various impacts of the development are not considered to be substantial and do not carry sufficient weight to warrant refusal.

The application is considered to comply with the National Planning Policy Framework Core Principles and Section 3 Supporting a Prosperous Rural Economy and Core Strategy policies SP1, EN1, EN2 and E1.

In reaching the decision the Council has worked with the applicant in a positive and proactive manner developing the proposal through discussions during the course of the application. As such,

it is considered that the decision is in accordance with paragraphs 1896-187 of the National Planning Policy Framework.

**RECOMMENDATION:**

That the development be delegated to the Development Management Service Manager in consultation with the Chairman / Vice Chairman for approval subject to the signing of a legal agreement securing a HGV routing agreement and subject to the attached conditions. Where the legal agreement has not been concluded prior to the Committee meeting a period not exceeding six weeks post the date of the Committee meeting shall be set for the completion (including signing) of the agreement. In the event that the agreement has not been signed and where in the opinion of the Development Management Service Manager acting in consultation with the Chairman / Vice Chairman of the Development Control Committee, there are no extenuating circumstances which would justify a further extension of time, the related planning application shall be refused on the basis that the necessary infrastructure or community contributions essential to make what would otherwise be unacceptable development acceptable have not been forthcoming.

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

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

Reason: To comply with Section 91 (as amended) of the Town and Country Planning Act 1990.

2. No development shall commence until final details of the materials to be used in the construction of external walls and roofs have been submitted to and agreed in writing by the Local Planning Authority. Only the agreed materials shall be used in the development.

Reason: To ensure a satisfactory appearance to the development and in accordance with Policy EN1 of the adopted South Kesteven Core Strategy (July 2010).

3. Prior to the occupation of the poultry units hereby approved, the site entrance on Caythorpe Heath Lane (C326) shall be improved in accordance with the details shown on the approved plan reference WARD-21 received on 4 January 2013.

Reason: In the interests of highway safety.

4. Prior to the commencement of development, details shall be submitted to and approved in writing by the local planning authority detailing the improvement and widening of Caythorpe Heath Lane to a width of 6m between the site entrance on Caythorpe Heath Lane (C326) and the junction with High Dyke (B6403). The proposed poultry units shall not be brought into use until the approved details have been implemented.

Reason: In the interests of highway safety.

5. No development shall take place before the detailed design of the arrangements for surface water drainage has been agreed in writing by the Local Planning Authority and no building shall be occupied before it is connected to the agreed drainage system.

Reason: To ensure that surface water run-off from the development will not adversely affect,

by reason of flooding, the safety, amenity and commerce of the occupants/residents/users of the site

6. The arrangements shown on the approved site plan referenced WARD-01G received 12 October 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 [TEXT] and to allow vehicles to enter and leave the highway in a forward gear in the interests of highway safety.

7. No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the local planning authority and these works shall be carried out as approved. These details shall include [proposed finished levels or contours; means of enclosure; car parking layouts; other vehicle and pedestrian access and circulation areas; hard surfacing materials; minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting etc.); proposed and existing functional services above and below ground (e.g. drainage power, communications cables, pipelines etc. indicating lines, manholes, supports etc.); retained historic landscape features and proposals for restoration, where relevant]. Soft landscape works shall include [planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate; implementation programme].

Reason: Hard and soft landscaping and tree planting make an important contribution to the development and its assimilation with its surroundings and in accordance with Policy EN1 of the adopted South Kesteven Core Strategy (July 2010).

8. All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with the programme agreed with the local planning authority.

Reason: Hard and soft landscaping and tree planting make an important contribution to the development and its assimilation with its surroundings and in accordance with Policy EN1 of the adopted South Kesteven Core Strategy (July 2010).

9. Notwithstanding the details submitted with the application relating to two proposed new dwellings (drawing nos WARD-04A, 05 and 11), these elements of the proposals are considered withdrawn by the applicant's agent in accordance with the email from Acorus Rural Property Services Ltd dated 12 March 2013.

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

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

Proposed Site Plan WARD-01G (omitting the proposed dwellings)  
Location Plan WARD-06C (omitting the proposed dwellings)  
Proposed New Units 303-01  
Proposed Site Plan with annotated drainage details WARD-01D

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

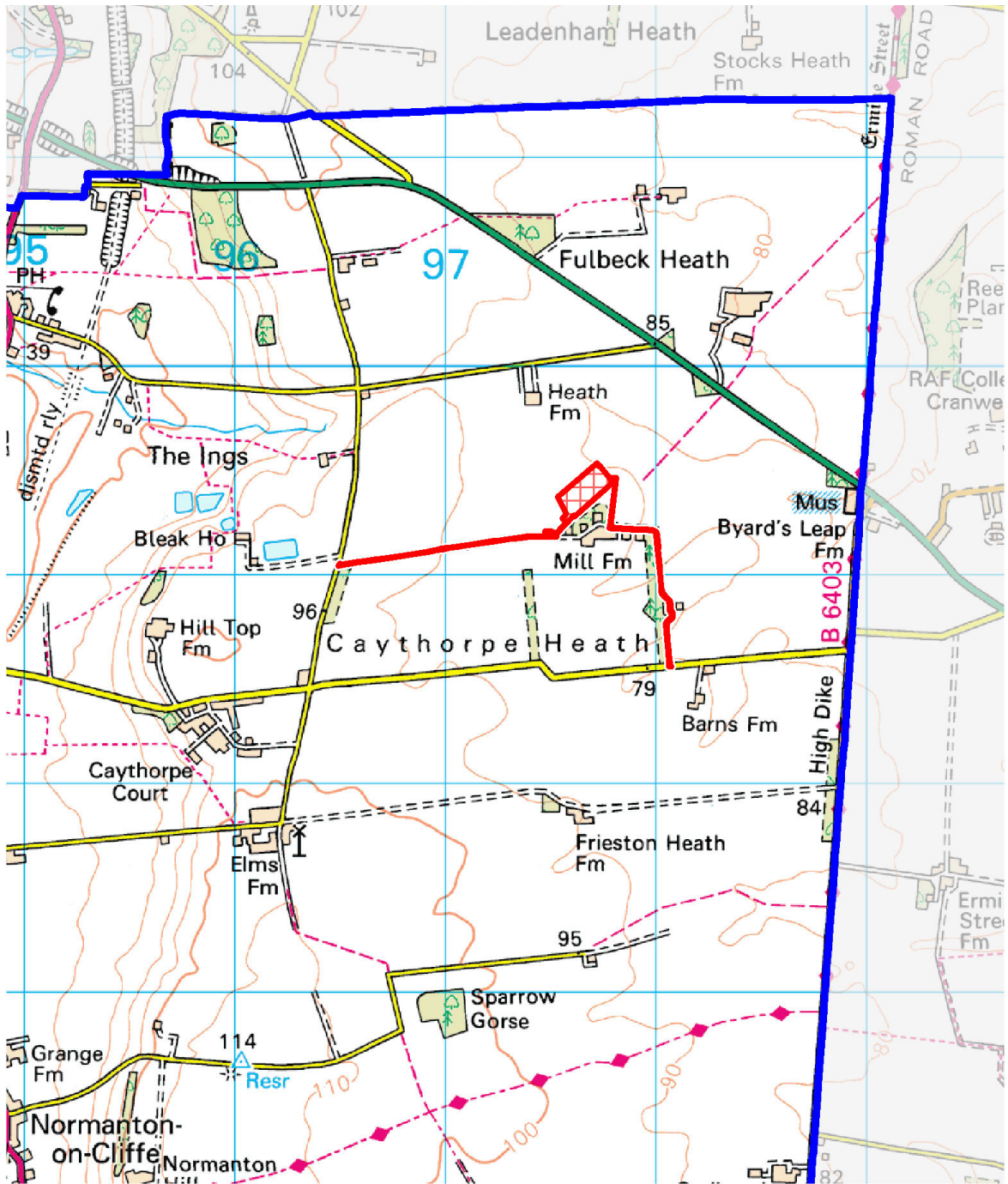
Note(s) to Applicant

1. The proposed package treatment plant for disposal of foul sewerage will require an Environmental Permit under the Environmental Permitting Regulations 2010 from the Environment Agency, unless an exemption applies. The applicant is advised to contact the Environment Agency on 08708 506 506 for further advice. Please see the attached letter.
2. The applicant's attention is drawn to the MAFF booklet 'Poultry Litter Management' (PD1739) which the applicant/operator shall have due full consideration to in order to minimise the environmental impact of carrying out such an operation.
3. No works shall commence on site until a Section 278 Agreement of Highways Act 1980 has been entered into with the local highway authority, Lincolnshire County Council to widen the highway from the site entrance in an easterly direction to the junction with High Dyke to a minimum of 6m width.
4. 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.
5. You are advised that the application site falls within an area affected by Radon. You are asked to contact the Council's Building Control section (telephone number 01476 406187) to ascertain the level of protection required and whether a geological assessment is necessary.
6. Surface water off drives, accesses and other private areas shall not discharge onto adopted highway areas. Accesses and drives that fall towards the highway shall have a drainage system at the interface to the written approval of the local planning authority.

\* \* \* \* \*

## Site Location Plan

Ref	<b>S12/2038</b>
Proposal	<b>Erection of poultry broiler unit - including 8 new broiler sheds with service buildings &amp; associated stores, feed bins &amp; associated equipment and new access track.</b>
Location	<b>Mill Farm, Caythorpe Heath Lane, Caythorpe, Grantham, Lincolnshire, NG32 3EZ</b>



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Applicant	<b>Wm Saunders Partnership LLP</b> Sheppard Lockton House, Cafferata Way, Newark, NG24 2TN
Agent	
<b>Proposal</b>	<b>Approval of Condition 8 (joinery) and 9 (sound insulation) of p/p S11/2953</b>
<b>Location</b>	<b>Land off, Burghley Street, Bourne</b>
App Type	Discharge of Condition(s)
Parish(es)	Bourne
Reason for Referral to Committee	South Kesteven District Council Application
Recommendation Summary	The submitted joinery and sound insulation details are considered acceptable in relation to conditions 8 and 9 of planning permission S11/2953

**Key Issues**

- Acceptability of the submitted joinery and sound insulation details

**Technical Documents Submitted with the Application**

- Detailed Drawings of Joinery
- Acoustic Report

## **REPORT**

### **Application Category**

This application is an application for the approval of details relating to conditions.

### **Reason for Referral to Committee**

The application has been referred to the Development Control Committee at the request of the Chairman as the application is for South Kesteven District Council.

### **The Proposal**

This is an application for discharge of conditions 8 and 9 of application S11/2953. Condition 8 requires joinery details to be submitted and approved in relation to the windows being installed in Wherry's Mill building and condition 9 relates to details of noise insulation measures to be installed in the new residential units.

Application S11/2953 relates to the Bourne Core Area redevelopment scheme which comprises of five main elements:

1. The demolition and removal of existing buildings,
2. The conversion of Wherry's Mill to apartments,
3. The development of 7 retail units with apartments above along Wherry's Lane,
4. Alterations to the car parking layout of Burghley Street car park,
5. The landscaping of an area of land to the north of the proposed development which could form Phase 2 of the development at some point in the future.

### **The Application Site and its Surroundings**

Bourne Core Area comprises an area of land between North Street and Burghley Street measuring approximately 2 hectares. The application site is a linear strip of land on an east west axis located towards the southern end of the Bourne Core Area and measures approximately 0.68 hectares.

The application site is comprised of a number of smaller sites including Herewards Freemasons Lodge, 15A Burghley Street, Freemans Cars and Commercials 17A Burghley Street and the adjacent Burghley Street car park. The site also includes the Wherry's Mill Building.

The surrounding area is characterised by strong retail frontages to North Street and West Street with many listed buildings and other buildings of architectural interest. The southern part of the site including part of the car park, Wherry's Mill and the Freemasons Lodge are also located within Bourne Conservation Area.

Burghley Street provides rear access to North Street and some of the West Street businesses. The land to the north and west of Burghley Street is predominantly residential in character, comprising a mix of terraced, semi-detached and detached properties.

A number of the buildings proposed to be demolished have now gone including the commercial buildings to the north of Wherry's Mill and the rear industrial extension to the old mill.

## **Relevant Site History**

The following site history is relevant to this particular application:

SK.12/2066/88 – In February 1989 planning permission was granted for the change of use of 14A Burghley Street to shops and offices.

SK.12/1274/89 – In September 1989 outline planning permission was granted for residential development of land to the south of Burghley Street Bourne.

SK.12/1593/89 – In January 1990 outline planning permission was granted for residential development of warehouse, Burghley Street Bourne.

SK.98/0512/12 – In October 2002 this application which was for the demolition and replacement residential development on the Wherry's Mill site was deemed to be withdrawn. The Council at the time had concerns with regards to the loss of the Mill which was considered to be a heritage asset at that time. An associated application for Conservation Area Consent for demolition of the warehouse was also deemed withdrawn (SK.98/CA/5142/12).

S99/0138/12 – In May 1999 planning permission was granted for the conversion of workshop and office to day nursery at 14 A Burghley Street Bourne.

S11/2953 – In March 2012 planning permission was granted for the redevelopment of the Bourne Core Area (Phase 1). The scheme involves the renovation of Wherry's Mill and its conversion for apartments including the demolition of the industrial extension to the old mill and the creation of a modern link to the proposed retail and residential development to the rear of the mill.

S12/1076/DC – In June 2012 approval was given for the details submitted in relation to conditions 2 and 22 (surface water drainage), 4 (materials), 5 and 6 (contamination), 11 (landscaping), 14 (method statement for construction/demolition) and 23 (method statement for protection of bats) of planning application S11/2953

## **Policy Considerations**

National Planning Policies:

- PPS1 – Delivering Sustainable Development
- PPS3 – Housing
- PPS4 – Planning for Sustainable Economic Growth
- PPS5 – Planning for the Historic Environment
- PPS9 – Biodiversity and Geological Conservation
- PPG13 – Transport
- PPG17 – Planning for Open Space, Sport and Recreation
- PPG24 – Planning and Noise
- PPS25 – Development and Flood Risk

East Midlands Regional Plan 2009:

- Policy 1 – Regional Core Objectives
- Policy 2 – Promoting Better Design
- Policy 3 – Distribution of New Development
- Policy 4 – Development in the Eastern Sub-area
- Policy 13a – Regional Housing Provision

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 Flooding  
EN3 – Renewable Energy Generation  
EN4 – Sustainable Construction and Design  
H1 – Residential Development  
H3 – Affordable Housing  
E1 – Employment Development  
E2 – Town Centre and Retail Development

Supplementary Planning Guidance:

Bourne Town Centre Redevelopment SPG revised June 2009

### **Representations Received**

Conservation Officer: No objections to amended plans

Environmental Protection: No objections to the submitted details

### **Representations as a Result of Publicity**

No comments received

### **Officer Evaluation**

This is an application for discharge of conditions 8 and 9 of application S11/2953. Condition 8 requires joinery details to be submitted and approved in writing in relation to the windows being installed in Wherry’s Mill building and condition 9 relates to details of noise insulation measures to be installed in the new residential units.

The submitted details are considered to be acceptable and both the Council’s Environmental Protection Team and Conservation Officer have raised no objections to the proposals.

### **Section 106 Heads of Terms**

Not applicable to discharge of condition applications.

### **Crime and Disorder**

The proposed landscaping details raise 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**

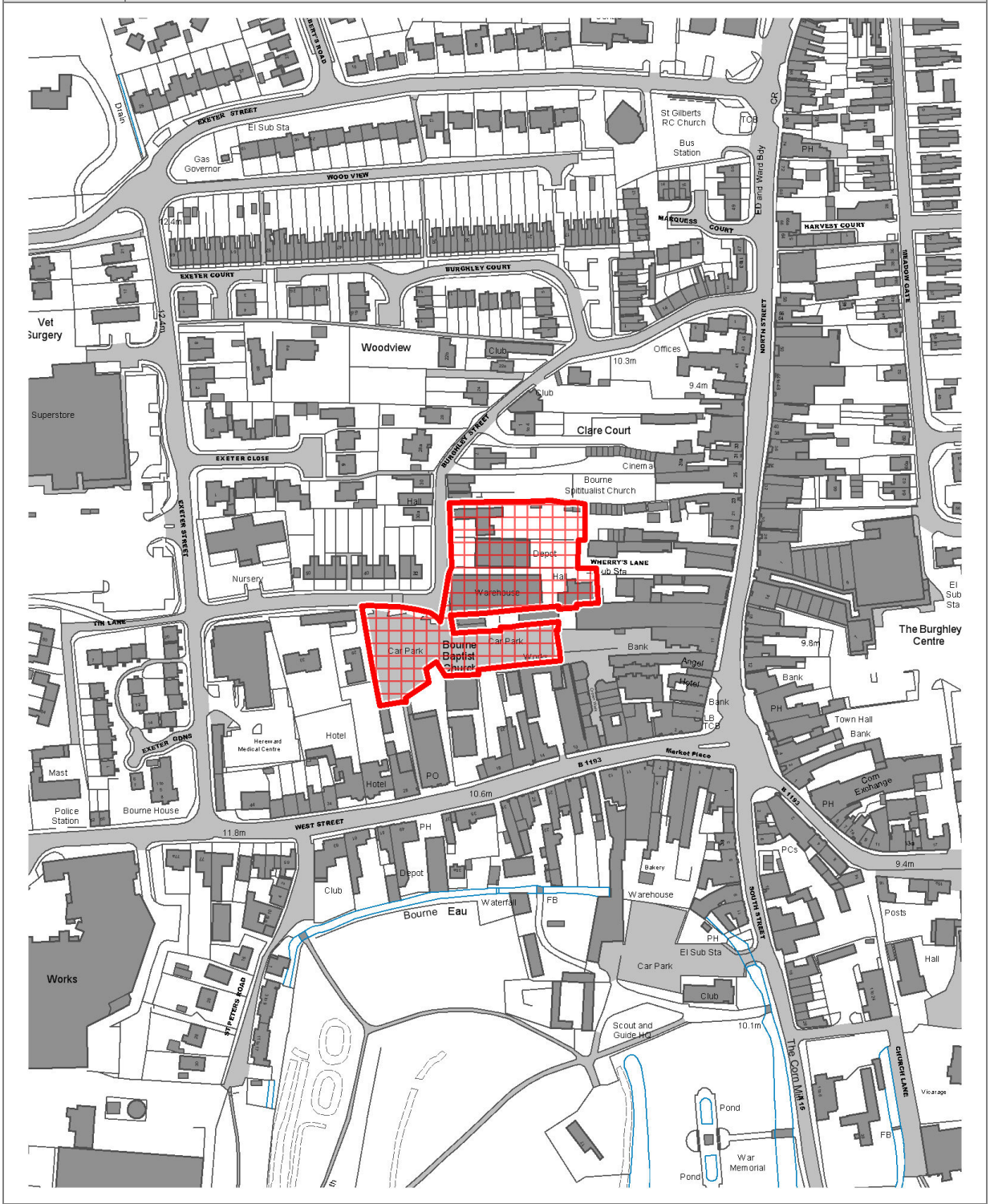
The submitted details are considered to be acceptable and comply with the requirements of conditions 8 and 9 of application S11/2953.

**RECOMMENDATION:** That the development be Approved (without conditions)

\* \* \* \* \*

## Site Location Plan

Ref	<b>S13/0224</b>
Proposal	<b>Approval of Condition 8 (joinery) and 9 (sound insulation) of p/p S11/2953</b>
Location	<b>Land off, Burghley Street, Bourne</b>



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# Agenda Item 6

## AGENDA ITEM

Report No: PLA. 982

### DEVELOPMENT CONTROL COMMITTEE

#### 26 March 2013

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#### REPORT BY DEVELOPMENT MANAGEMENT SERVICE MANAGER

#### Information relating to development control and other planning activity

##### TABLE 1                    Applications not determined within statutory period

This table, broken down into Major applications and Others, lists those applications that have not been determined within the recommended 13 week (for Majors) or 8 week (for Others) time period. These applications are listed by application number stating a brief reason for the decision not being made.

Applications outstanding (at the date the report was compiled) = 36

##### TABLE 2                    Applications dealt with under delegated powers from 18 February 2013 – 10 March 2013

This table lists those applications upon which decisions have been made under the Powers of the Council Exercisable by Officers (as adopted by the District Council on 27 October 2006).

##### TABLE 3A                    Outstanding Planning Appeals TABLE 3B                    Appeal Decisions with Summary to 11 March 2013 DOCUMENT 3C                Copy of Appeal Decisions

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

##### TABLE 4                    Planning applications performance

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

**DEVELOPMENT MANAGEMENT**

**Applications not determined within the statutory period**

Report No: PLA.982  
Date Prepared: 8 March 2013  
No of applications over 8 weeks: 37

**MAJOR APPLICATIONS**  
(13 weeks)

**S06/1151/MJNF/JJ**

Date received:  
14-Aug-2006  
No of days: 2398

**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:  
Secretary of State to respond by 31 January 2013.

**S11/2002/MJRO/KJC**

Date received:  
24-Aug-2011  
No of days: 562

**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:  
Deferred for further information in relation to Affordable housing, 5 year supply, protected species, impact on setting of the listed building and highway safety

**S12/0187/MJNF/PWM**

Date received:  
26-Jan-2012  
No of days: 407

**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:  
Drainage details submitted and agreed. To be determined March 2013.

**S12/0438/MJRF/JJ**

Date received:  
01-Mar-2012  
No of days: 372

**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:  
Consultee comments on updated viability assessment as part of claw back provision in S106 decision due end of March 2013.

**S12/0484/MJRO/KJC**

Date received:  
27-Feb-2012  
No of days: 375

**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:  
Viability report received January 2013 and being reviewed.  
Will be reported to Committee March 2013.

**S12/0864/MJRO/NB**

Date received:  
05-Apr-2012  
No of days: 337

**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:  
Deferred to Secretary of State and signing of S106

**S12/1198/MJNF/NB**

Date received:  
25-May-2012  
No of days: 287

**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:  
Reported to 26 March Committee

**S12/2348/MJNF/SB**

Date received:  
09-Nov-2012  
No of days: 119

**Blue Sky Plastic Recycling**

Erection of 2no. new industrial buildings to accommodate  
plastic recycling plant and associated storage. Development  
to also include new landscaping, car parking, access,  
weighbridge and sub station.  
South Fen Road, Bourne, PE10 0DN  
Reason for non-determination:  
S106 Agreement to be completed March 2013

**S12/2495/MJNF/JJ**

Date received:  
10-Oct-2012  
No of days: 149

**Mr A Freeman**

Application to vary Conditions 5 and 12 of application  
SK.07/1569/90 relating to wardens accommodation,  
associated with the leisure park  
Baston Fen Leisure Park, Cross Road, Baston, Peterborough,  
Lincolnshire, PE6 9PX  
Reason for non-determination:  
Subject to S106 - due end of March 2013

## ALL OTHER APPLICATIONS

(8 weeks)

### **S09/2827/FULL/JJ**

Date received:  
27-Nov-2009  
No of days: 1197

#### **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: 1197

#### **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: 1060

#### **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:  
Additional information on contamination report to be provided or application determined February 2013.

### **S10/1805/FULL/KJC**

Date received:  
13-Oct-2010  
No of days: 877

#### **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 - negotiations concluded, report to DC Committee April 2013.

### **S10/2020/FULL/JJ**

Date received:  
03-Sep-2010  
No of days: 917

#### **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:  
Heritage Enabling Development advice received January 2013. Applicants to appraise and report to DC Committee April 2013.

### **S10/2021/LB/JJ**

Date received:  
03-Sep-2010  
No of days: 917

#### **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:  
Heritage Enabling Development advice received January 2013. Applicants to appraise and report to DC Committee April 2013.

**S11/1431/FULL/PJM**

Date received:  
16-Jun-2011  
No of days: 631

**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:

Await comments from Environmental Protection on  
Contamination Report, may be withdrawn March 2013

**S11/2619/FULL/AH**

Date received:  
15-Nov-2011  
No of days: 479

**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:

Equine Behaviour Assessment now provided – to go to  
Committee 23 April 2013

**S12/1665/FULL/JJ**

Date received:  
03-Jul-2012  
No of days: 248

**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:

Noise report received, to determine March 2013.

**S12/2038/EIAFP/PWM**

Date received:  
25-Sep-2012  
No of days: 164

**Mr Joe Ward Caythorpe Farmers, GR Ward & Co**

Erection of poultry broiler unit - including 8 new broiler sheds  
with service buildings & associated stores, feed bins &  
associated equipment, farm managers dwelling, farm  
assistant managers dwelling & new access track.  
Mill Farm, Caythorpe Heath Lane, Caythorpe, Grantham,  
Lincolnshire, NG32 3EZ

Reason for non-determination:

Awaiting further clarification from Highways Authority - to go to  
Committee March 2013

**S12/2213/FULL/NB**

Date received:  
18-Sep-2012  
No of days: 171

**Mr A Copland**

Erection of 4 dwellings  
Land off, Stephens Way, Deeping St James

Reason for non-determination:

Reported to DC Committee 5 February 2013 and awaiting  
signing of S106

**S12/2411/FULL/PWM**

Date received:  
05-Dec-2012  
No of days: 93

**Yew Tree Farms**

Wind turbine (500kw, hub height 50m, height to blade tip 74m  
and rotor diameter 48m) and associated works  
Land off Green Lane, Marston, Grantham

Reason for non-determination:

Additional information provided in relation to visual  
assessment to be reported to 23 April Committee

**S12/2428/EIAFP/SP**

Date received:  
26-Sep-2012  
No of days: 163

**Simon Richardson, Keisby Estate Ltd**

Pig rearing and finishing building (unit 2) EIA development  
Land East of Keisby House, Keisby, Bourne, PE10 0RZ  
Reason for non-determination:  
To be considered by DC Committee on 19 March 2013

**S12/2429/FULL/SP**

Date received:  
26-Sep-2012  
No of days: 163

**Simon Richardson, Keisby Estate Ltd**

Pig rearing and finishing building (unit 1) EIA development  
Land East of Keisby House, Keisby, Bourne, PE10 0RZ  
Reason for non-determination:  
Awaiting Environmental Protection comments and additional  
highways comments. To be reported to DC Committee March  
2013. To be considered by DC Committee on 19<sup>th</sup> March 2013

**S12/2469/FULL/PL**

Date received:  
05-Oct-2012  
No of days: 154

**Tesco Stores Ltd**

Variation of Condition 5 (delivery hours) of p/p S09/2256 to  
0600 to 2300 hours Monday to Saturday and 0700 to 2000  
hours on Sundays  
Tesco Stores Ltd, Godsey Lane, Market Deeping,  
Peterborough, PE6 8UD  
Reason for non-determination:  
Deferred from DC Committee 20 November 2012 for additional  
information. Environmental Health monitoring to be  
undertaken by 8 Feb 2013

**S12/2702/LB/IVW**

Date received:  
06-Nov-2012  
No of days: 122

**Mrs Lillian Pople, Clerk to the Governors, Governors of  
Brownes Hospital**

Alterations to listed building (installation of hand rail to  
entrance steps)  
Brownes Hospital, Broad Street, Stamford, Lincolnshire, PE9  
1PF  
Reason for non-determination:  
Awaiting further information to support SKDC case.  
Referred to Secretary of State February 2013.

**S12/2769/FULL/PJM**

Date received:  
09-Nov-2012  
No of days: 119

**Ms Gill Noon, Great Gonerby Parish Council**

Proposed new community building/sports pavillion and  
additional associated parking  
Great Gonerby Playing Field, Belton Lane, Great Gonerby,  
Grantham  
Reason for non-determination:  
To go to Committee 26 March 2013

**S12/2839/FULL/PL**

Date received:  
05-Nov-2012  
No of days: 123

**Mrs S Waltham, Elsea Park Community Trust**

Fitness trail (5 items of adult gym equip) retrospective  
Linear Park, Bourne, PE10 0GE  
Reason for non-determination:  
Additional information requested from Health and Safety  
Executive. To be determined March 2013.

**S12/2899/ADV/LDPP**

Date received:  
09-Jan-2013  
No of days: 58

**Marion Goodman, Quck Click Loans**

1 x illuminated and 3 x non-illuminated fascia signs and 1 x illuminated hanging sign  
12, Bridge End Road, Grantham, Lincolnshire, NG31 6JQ  
Reason for non-determination:  
Await comments on amendment, to be determined March 2013

**S12/2975/OUT/SB**

Date received:  
19-Nov-2012  
No of days: 109

**Mr J Wherry, J Wherry Discretionary, Settlement of 12 March 2003**

Erection of 2 x two storey dwellings (Outline including access and layout)  
Land adjacent, 63, Willoughby Road, Bourne, Lincs  
Reason for non-determination:  
Additional noise survey requested. To be reported to 23 April 2013 Committee.

**S12/3179/HSH/RV**

Date received:  
12-Dec-2012  
No of days: 86

**Mrs Nicola Ferguson**

Single storey rear extension and additional second storey extension  
64, Tinwell Road, Stamford, Lincolnshire, PE9 2SD  
Reason for non-determination:  
Awaiting amended drawings from Applicants. Given them 10 more days

**S12/3211/FULL/PJM**

Date received:  
17-Dec-2012  
No of days: 81

**Mr John Ward**

Demolition of existing property and erection of bungalow  
Tweedsdale, Aviary Close, Grantham, Lincolnshire, NG31 9LF  
Reason for non-determination:  
Awaiting highway comments

**S12/3274/FULL/PL**

Date received:  
03-Jan-2013  
No of days: 64

**Mr & Mrs N Holmes**

Demolition of existing bungalow and erection of dwelling  
Meadow View, Froggnall, Deeping St. James, Peterborough, PE6 8RR  
Reason for non-determination:  
Highway comments received – to be determined March 2013

**S12/3277/FULL/SB**

Date received:  
07-Jan-2013  
No of days: 60

**Mrs M Avis**

Change of Use from residential dwelling (Class C3) to day centre for young adults with learning disabilities (Class D1)  
4, St Gilberts Road, Bourne, Lincolnshire, PE10 9XB  
Reason for non-determination:  
Going to Committee 19 March 2013

**S12/3282/FULL/PJM**

Date received:  
22-Jan-2013  
No of days: 45

**Mr Martin Mitchel, Benchmarq Projects Ltd**

Change of use of dwelling to form two flats  
59, Houghton Road, Grantham, Lincolnshire, NG31 6JB  
Reason for non-determination:  
Awaiting Highways comments

**S13/0041/ADV/PL**

Date received:  
07-Jan-2013  
No of days: 60

**Mr P Stokes, South Kesteven District Council**

3 Non - Illuminated crests and signage  
Bourne Corn Exchange, Abbey Road, Bourne  
Reason for non-determination:  
Deferred by Committee – awaiting amendments

**S13/0129/NMA/PWM**

Date received:  
17-Jan-2013  
No of days: 50

**Mr R Jackson, J J Homes**

non material amendment to S10/0593 (minor changes to fenestration)

Cardyke Farmhouse, Long Drove, Rippingale, Bourne, Lincolnshire, PE10 0TG

**Reason for non-determination:**

Requested amended plan to minimise impact on barn conversion

**APPLICATIONS DECIDED UNDER DELEGATED POWERS**  
**FROM 18 February – 10 March 2013**

**S11/0989/FULL**

Applicant: Janette Broadbent  
Proposal: Change of use of land (path) to domestic garden (C3)  
Location: 32, Minerva Close, Ancaster, Grantham, NG32 3LJ  
Decision: Withdrawn - 22 February 2013  
End to End time: 660

**S12/1322/LB**

Applicant: Mr Mick Lai, Hop Sing Chinese Restaurant  
Proposal: Alterations to Listed Building  
Location: 21, Westgate, Grantham, Lincolnshire, NG31 6LU  
Decision: Approved conditionally - 06 March 2013  
End to End time: 256

**S12/2183/LB**

Applicant: David Seamen  
Proposal: Demolition of porch, existing garden walls & outbuildings, installation of new floors and removal of suspended floors at first floor, repairs & minor alteration.

Location: Chestnut Farm, Village Street, Sedgebrook, Grantham, Lincolnshire, NG32 2EW  
Decision: Approved conditionally - 27 February 2013  
End to End time: 167

**S12/2267/FULL**

Applicant: Mr Andrew Scoffield  
Proposal: Wind turbine (hub height 14.97m, blade dimension 5.6m, total height to tip 17.77m)  
Location: Keepers Cottage, Westborough Road, Hougham, Grantham, Lincolnshire, NG32 2JG  
Decision: Refused - 22 February 2013  
End to End time: 163

**S12/2328/HSB**

Applicant: David Seamen  
Proposal: Demolition of porch, existing garden walls & out buildings, Installation of new floors and removal of suspended floors at first floor, repairs & minor alteration.

Location: Chestnut Farm, Village Street, Sedgebrook, Grantham, Lincolnshire, NG32 2EW  
Decision: Approved conditionally - 27 February 2013  
End to End time: 167

**S12/2606/FULL**

Applicant: Mr John Regis, North Street Developments Limited  
Proposal: Three storey apartment building with 3 no. two bedroomed flats along with associated works  
Location: Land between 3 and 7, North Street, Stamford  
Decision: Approved conditionally - 21 February 2013  
End to End time: 56

**S12/2787/FULL**

Applicant: Mr Steve Chadwick  
Proposal: Conversion and extension of outbuilding to dwelling  
Location: r/o 16, Barn Hill, Stamford, Lincolnshire, PE9 2AE  
Decision: Approved conditionally - 20 February 2013  
End to End time: 113

**S12/2788/LB**

Applicant: Mr Steve Chadwick  
Proposal: Alteration and extension to curtilage listed building  
Location: r/o 16, Barn Hill, Stamford, Lincolnshire, PE9 2AE  
Decision: Approved conditionally - 20 February 2013  
End to End time: 113

**S12/2820/LB**

Applicant: Neal Fulls, Coastguard Road Limited  
Proposal: Alteration to shop front (retrospective)  
Location: 68, High Street, Stamford, Lincolnshire, PE9 2AW  
Decision: Refused - 27 February 2013  
End to End time: 56

**S12/2833/TPO**

Applicant: Brian Coleby  
Proposal: Fell one sycamore tree (numbered 2 on the attached plan) within group of trees covered by A273 - Stamford (Windmill Way)  
Location: Windmill Lodge, Windmill Way, Stamford, Lincolnshire, PE9 2RH  
Decision: Refused by SoS - 25 February 2013  
End to End time: 116

**S12/3014/OUT**

Applicant: Mr R Harwood  
Proposal: Erection of one no. dwelling - outline application with details of access provided  
Location: 1, Bourne Road, Corby Glen, Grantham, Lincolnshire, NG33 4NR  
Decision: Approved conditionally - 22 February 2013  
End to End time: 78

**S12/3119/FULL**

Applicant: Mr Ray Childs  
Proposal: Demolition of dwelling and erection of one and a half storey dwelling  
Location: 31, Green Street, Great Gonerby, Grantham, Lincolnshire, NG31 8LE  
Decision: Approved conditionally - 05 March 2013  
End to End time: 64

**S12/3120/HSH**

Applicant: Mr Trevor Padgett  
Proposal: Erection of porch to front and conservatory to rear of dwelling  
Location: 3, St Vincents Road, Grantham, Lincolnshire, NG31 9EJ  
Decision: Approved conditionally - 05 March 2013  
End to End time: 55

**S12/3121/HSH**

Applicant: Mr Mark Baron  
Proposal: Demolish existing conservatory and replace with extension to reconfigure ground floor plan  
Location: 25, Caithness Road, Stamford, Lincolnshire, PE9 2TF  
Decision: Approved conditionally - 18 February 2013  
End to End time: 41

**S12/3149/ADV**

Applicant: Mrs Lydia Merifield  
Proposal: Erection of four advertisement boards  
Location: Malcolm Sargent Primary School, Empingham Road, Stamford, Lincolnshire, PE9 2SR  
Decision: Approved conditionally - 22 February 2013  
End to End time: 43

**S12/3219/HSH**

Applicant: Mr & Mrs Woollard  
Proposal: Two storey rear extension  
Location: 37, Park Road, Deeping St James, Peterborough, Lincolnshire, PE6 8NF  
Decision: Approved conditionally - 26 February 2013  
End to End time: 41

**S12/3222/FULL**

Applicant: Mr A Parrot, Waterside Garden Centre  
Proposal: Proposed restaurant extension  
Location: Waterside Garden Centre, King Street, Baston, Peterborough, PE6 9NY  
Decision: Approved conditionally - 18 February 2013  
End to End time: 63

**S12/3231/FULL**

Applicant: Robin Duxbury  
Proposal: Change of use of agricultural land to private manege  
Location: Glebe Farm, Little Bytham Road, Little Bytham, Grantham, Lincolnshire, NG33 4QN  
Decision: Approved conditionally - 18 February 2013  
End to End time: 45

**S12/3233/LDE**

Applicant: Mr T Barnatt, Morton & Hanthorpe Parish Council  
Proposal: Use of land for dog training purposes (Lawful Development Certificate existing)  
Location: Land off, Folkingham Road, Morton, Bourne  
Decision: Lawful Development - 26 February 2013  
End to End time: 71

**S12/3249/FULL**

Applicant: Ross Thain  
Proposal: Siting of storage container  
Location: Stamford Rugby Club, Hambleton Road, Stamford, Lincolnshire, PE9 2RZ  
Decision: Approved conditionally - 01 March 2013  
End to End time: 53

**S12/3250/DC**

Applicant: Mr David Nock, Nock & Seagrave Builders  
Proposal: Approval of details reserved by Condition 1 (boundary treatment), 3 (landscaping) and 4 (tree report) of S11/0080  
Location: Fairfield House, Main Street, Claypole, Newark, Notts, NG23 5BA  
Decision: Approved - 01 March 2013  
End to End time: 79

**S12/3253/FULL**

Applicant: Mrs Virginia Hutton  
Proposal: Change of use from A5 (hot food takeaway) to (C3) residential  
Location: 25, Manthorpe Road, Grantham, Lincolnshire, NG31 8DA  
Decision: Approved conditionally - 21 February 2013  
End to End time: 48

**S12/3263/HSB**

Applicant: Mrs N Busley  
Proposal: Convert existing garage to study and construct first floor extension above  
Location: 32, Westfield Way, Langtoft, Peterborough, PE6 9RH  
Decision: Approved conditionally - 18 February 2013  
End to End time: 41

**S12/3279/RM**

Applicant: Temple Garth Ltd  
Proposal: Erection of petrol filling station (Reserved Matters application pursuant to S12/2504)  
Location: Land At, South Road, Bourne  
Decision: Approved conditionally - 04 March 2013  
End to End time: 54

**S13/0003/HSB**

Applicant: Mr Nigel Ward  
Proposal: Single storey side and single storey rear extension  
Location: 59, Hill Avenue, Grantham, Lincolnshire, NG31 9BJ  
Decision: Approved conditionally - 21 February 2013  
End to End time: 42

**S13/0014/TPO**

Applicant: Mrs Pamela Plummer  
Proposal: Reduce height and crown lift Horse Chestnut (TP66 Allington - Area 3)  
Location: 74, Park Road, Allington, Grantham, Lincolnshire, NG32 2EB  
Decision: TC&P - Work allowed - 19 February 2013  
End to End time: 54

**S13/0019/FULL**

Applicant: Bourne Academy  
Proposal: New classroom block and changing room block  
Location: Bourne Academy, Edinburgh Crescent, Bourne, Lincolnshire, PE10 9DT  
Decision: Approved conditionally - 19 February 2013  
End to End time: 47

**S13/0020/HSH**

Applicant: Mr Edward Morton  
Proposal: Single storey extension to the rear and rebuild side porch  
Location: 13, Bourne Road, Corby Glen, Grantham, Lincolnshire, NG33 4NR  
Decision: Approved conditionally - 18 February 2013  
End to End time: 45

**S13/0035/HSH**

Applicant: Mr S Thompson  
Proposal: Detached garage and workshop  
Location: Camp Farm, Langtoft Fen, Langtoft, Peterborough, PE6 9QE  
Decision: Approved conditionally - 19 February 2013  
End to End time: 39

**S13/0047/TCA**

Applicant: Richard Clegg  
Proposal: Fell willow and oak tree  
Location: Church Farmhouse, Village Street, Braceby, Sleaford, Lincolnshire, NG34 0TA  
Decision: TC&P - Work allowed - 19 February 2013  
End to End time: 42

**S13/0051/FULL**

Applicant: Mr N Bish  
Proposal: Erection of 1 no. additional dutch barn for storage of straw  
Location: Masons Farm, Spalding Road, Bourne, NG10 0BA  
Decision: Approved conditionally - 25 February 2013  
End to End time: 38

**S13/0058/TCA**

Applicant: Mr Clapinson  
Proposal: Reduce height of sycamore to 20 foot, reduce height of cypress trees by 6 foot and trim back and reduce cherry-plum in front garden by 10-12 foot and reduce spread  
Location: 17, Cumberland Gardens, Castle Bytham, Grantham, Lincolnshire, NG33 4SQ  
Decision: TC&P - Work allowed - 18 February 2013  
End to End time: 40

**S13/0065/FULL**

Applicant: Darren Young  
Proposal: Application to vary Condition 2 of application S05/0057/56 to state no occupancy between 18 January to 31 January  
Location: The Deepings Caravan Park, Towngate East, Market Deeping, Peterborough, Lincolnshire, PE6 8LQ  
Decision: Approved conditionally - 05 March 2013  
End to End time: 55

**S13/0071/HSH**

Applicant: Mrs Kate Mark  
Proposal: Single storey rear extension  
Location: 68, Tinwell Road, Stamford, Lincolnshire, PE9 2SD  
Decision: Approved conditionally - 22 February 2013  
End to End time: 43

**S13/0073/HSH**

Applicant: Mr Ian Buckman  
Proposal: Two storey side and rear extension with single storey rear extension and erection of detached garage to the front of property  
Location: 7, Roman Bank, Stamford, Lincolnshire, PE9 2SS  
Decision: Approved conditionally - 07 March 2013  
End to End time: 50

**S13/0091/FULL**

Applicant: G E & B, Fearn  
Proposal: Erection of steel grain Silo/Dryer  
Location: Witham Mill, Valley Lane, Long Bennington, Newark, Lincolnshire, NG23 5EE  
Decision: Approved conditionally - 22 February 2013  
End to End time: 32

**S13/0093/TCA**

Applicant: Mrs Annie Hall  
Proposal: Removal of 2 no. lower branches from silver birch tree  
Location: The Coach House, North Street, Stamford, Lincolnshire, PE9 2YN  
Decision: TC&P - Work allowed - 20 February 2013  
End to End time: 37

**S13/0094/HSH**

Applicant: Mr Ian Page  
Proposal: Single storey front and side extensions to property  
Location: 7, Exeter Gardens, Stamford, Lincolnshire, PE9 2RN  
Decision: Approved conditionally - 08 March 2013  
End to End time: 45

**S13/0104/FULL**

Applicant: Mr Paul Sharman, Baxter & King  
Proposal: Variation of Condition 10 of p/p S09/0827 (occupation before highway improvements)  
Location: Land Adjacent 18, New Road, Langtoft  
Decision: Approved conditionally - 20 February 2013  
End to End time: 37

**S13/0106/DC**

Applicant: Mr Martin Stevens  
Proposal: Approval of details of condition 2 & 3 required by planning permission S12/2791  
Location: 12, High Road, Hough On The Hill, Grantham, Lincolnshire, NG32 2AZ  
Decision: Approved - 06 March 2013  
End to End time: 56

**S13/0112/HSH**

Applicant: Mr D Moss  
Proposal: Demolition of existing front porch erection of extension  
Location: Mayfield, 47, West End, Langtoft, Peterborough, Lincolnshire, PE6 9LU  
Decision: Approved conditionally - 27 February 2013  
End to End time: 41

**S13/0136/FULL**

Applicant: Mr D Young  
Proposal: Application to vary Condition 2 of application S99/0044 state no caravan occupation between 18 January to 31 January  
Location: The Deepings Caravan Park, Towngate East, Market Deeping, Peterborough, Lincolnshire, PE6 8LQ  
Decision: Approved conditionally - 05 March 2013  
End to End time: 55

**S13/0138/FULL**

Applicant: Mr D Young  
Proposal: Application to vary Condition 3 of application SK.93/0733 to state no caravan occupation between 18 January to 31 January  
Location: The Deepings Caravan Park, Towngate East, Market Deeping, Peterborough, Lincolnshire, PE6 8LQ  
Decision: Approved conditionally - 05 March 2013  
End to End time: 55

**S13/0139/FULL**

Applicant: Mr D Young  
Proposal: Application to vary Condition 4 of application SK.93/1274 to state no caravan occupation between 18 January to 31 January  
Location: The Deepings Caravan Park, Towngate East, Market Deeping, Peterborough, Lincolnshire, PE6 8LQ  
Decision: Approved conditionally - 05 March 2013  
End to End time: 55

**S13/0140/FULL**

Applicant: Mr D Young  
Proposal: Application to vary Condition 5 of application SK.95/0925 to state no caravan occupation between 18 January to 31 January  
Location: The Deepings Caravan Park, Towngate East, Market Deeping, Peterborough, Lincolnshire, PE6 8LQ  
Decision: Approved conditionally - 05 March 2013  
End to End time: 55

**S13/0142/FULL**

Applicant: Mr D Young  
Proposal: Application to vary Condition 2 of application S03/1260 to state no caravan occupation between 18 January to 31 January  
Location: The Deepings Caravan Park, Towngate East, Market Deeping, Peterborough, Lincolnshire, PE6 8LQ  
Decision: Approved conditionally - 05 March 2013  
End to End time: 55

**S13/0143/FULL**

Applicant: Mr D Young  
Proposal: Application to vary Condition 2 of application S01/1254 to state no caravan occupation between 18 January to 31 January  
Location: The Deepings Caravan Park, Towngate East, Market Deeping, Peterborough, Lincolnshire, PE6 8LQ  
Decision: Approved conditionally - 05 March 2013  
End to End time: 55

**S13/0146/HS**

Applicant: Mrs T Wood  
Proposal: Erection of conservatory to side elevation  
Location: 3, Oak Road, Stamford, Lincolnshire, PE9 2JG  
Decision: Approved conditionally - 22 February 2013  
End to End time: 32

**S13/0156/AG**

Applicant: Johnathon Sharman  
Proposal: Prior approval for erection of agricultural storage building (machinery & forage)  
Location: Gelston Grange, Gelston, Grantham, NG322AQ  
Decision: Not required - 20 February 2013  
End to End time: 34

**S13/0164/TCA**

Applicant: Barbara Taylor  
Proposal: Works to Aspen Populus (reduction in limb & branch)  
Location: 21, Low Street, Billingborough, Sleaford, Lincolnshire, NG34 0QJ  
Decision: TC&P - Work allowed - 25 February 2013  
End to End time: 35

**S13/0192/TPO**

Applicant: Mrs Carol Hatcliff, Heydour Parish Council  
Proposal: Removal of dead wood, lower branches & secondary lower branches of 2 x Sycamore trees  
Location: Lower Village Green, Green Lane, Aisby, NG32 3NF  
Decision: TC&P - Work allowed - 01 March 2013  
End to End time: 39

**S13/0255/CM**

Applicant: Planning Support, Lincolnshire County Council  
Proposal: Application to determine of new (updated) conditions to which Little Ponton Quarry, Whalebone Lane, Little Ponton, is to be subject grid reference: 492212 332765 - PL/0214/12  
Location: Little Ponton Quarry, Whalebone Lane, Little Ponton, Grantham  
Decision: No objections made - 20 February 2013  
End to End time: 23

**S13/0332/FULL**

Applicant: Mrs Boyd  
Proposal: One and a half storey rear extension to dwelling and change of use of agricultural land to domestic garden  
Location: 8, Bourne Road, Folkingham, Sleaford, Lincolnshire, NG34 0SQ  
Decision: Approved conditionally - 08 March 2013  
End to End time: 31

**S13/0456/TCA5**

Applicant:	Peter Scott, Ground Control Limited
Proposal:	Works to various trees to allow clearance from power lines
Location:	Selfordyke, Long Lane, Westborough, Newark, Lincolnshire, NG23 5HH
Decision:	TC&P - Work allowed - 26 February 2013
End to End time:	11

**PLANNING APPEALS 2011/12 (excluding Enforcements)**

**NO OF APPEALS DETERMINED (based on Decision Date) 20**  
**APPEALS OUTSTANDING AT 11 March 2013**

<p><b><u>S11/1401/LDE</u></b> LDPP  Mr Martin Foster  Lawful Development Certificate (Existing) - Use of land as residential garden  Greenfields House, 5, Greenfields Lane,  Folkingham, Sleaford, NG34 0SH</p>	<p><b>Written Evidence</b></p>	<p><u>Start Date</u>  06-Sep-2012</p> <p><u>Date of H / I</u>  N/A</p>	
<p><b><u>S11/2762/FULL</u></b> TF  Mr R Dean, Adastone Limited  Installation of portakabin for use of daytime cafe and evening security office  The Fox Inn, Great North Road, South Witham,  Grantham, Lincolnshire, NG33 5LN</p>	<p><b>Written Evidence</b></p>	<p><u>Start Date</u>  19-Oct-2012</p> <p><u>Date of H / I</u>  N/A</p>	
<p><b><u>S12/0123/HS</u></b> PL  Mr &amp; Mrs P Smith  First floor front and rear/side extension, ground floor rear extension and reinstate garage  70, Gladstone Street, Bourne, Lincolnshire, PE10 9AX</p>	<p><b>Written Representation</b></p>	<p><u>Start Date</u>  11-Jun-2012</p> <p><u>Date of H / I</u></p>	
<p><b><u>S12/1016/FULL</u></b> SP  Mr &amp; Mrs Machin  Non- Determination - 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</p>	<p><b>Written Evidence</b></p>	<p><u>Start Date</u>  19-Oct-2012</p> <p><u>Date of H / I</u>  N/A</p>	
<p><b><u>S12/1020/LB</u></b> SP  Mr &amp; Mrs Machin  Appeal against Non Determination - 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</p>	<p><b>Written Evidence</b></p>	<p><u>Start Date</u>  19-Oct-2012</p> <p><u>Date of H / I</u>  N/A</p>	

<p><b><u>S12/1135/OUT</u></b> SB Mr DJ &amp; 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</p>	<p><b>Written Evidence</b></p>	<p><u>Start Date</u> 24-Sep-2012</p> <p><b><u>Date of H / I</u></b> N/A</p>	
<p><b><u>S12/1407/FULL</u></b> AH Mrs H Dulieu 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 Caudle House, 43, High Street, Market Deeping, Peterborough, PE6 8ED</p>	<p><b>Written Evidence</b></p>	<p><u>Start Date</u> 01-Feb-2013</p> <p><b><u>Date of H / I</u></b> N/A</p>	
<p><b><u>S12/1408/LB</u></b> AH Mrs H Dulieu 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 Caudle House, 43, High Street, Market Deeping, Peterborough, PE6 8ED</p>	<p><b>Written Evidence</b></p>	<p><u>Start Date</u> 01-Feb-2013</p> <p><b><u>Date of H / I</u></b> N/A</p>	
<p><b><u>S12/1429/LB</u></b> AH Croft Commercial Developments Ltd Regularisation of works undertaken to window and door heads to provide water drips BLACK BULL, Stamford Walk, St Marys Street, Stamford, Lincolnshire, PE9 2JE</p>	<p><b>Written Evidence</b></p>	<p><u>Start Date</u> 01-Oct-2012</p> <p><b><u>Date of H / I</u></b> N/A</p>	
<p><b><u>S12/1561/CAC</u></b> NB Messrs Hartley/Munton Demolition of bungalow High Lodge, Casterton Road, Stamford, Lincolnshire, PE9 2YL</p>	<p><b>Written Evidence</b></p>	<p><u>Start Date</u> 23-Oct-2012</p> <p><b><u>Date of H / I</u></b> N/A</p>	
<p><b><u>S12/1562/FULL</u></b> NB Messrs Hartley/Munton Erection of 3 dwellings High Lodge, Casterton Road, Stamford, Lincolnshire, PE9 2YL</p>	<p><b>Written Evidence</b></p>	<p><u>Start Date</u> 23-Oct-2012</p> <p><b><u>Date of H / I</u></b> N/A</p>	
<p><b><u>S12/1584/FULL</u></b> PL Mr P Gregory Proposed on site dwelling associated with Fishery with office space to serve Fishery White House Farm Fishery, Cross Road, Baston Fen</p>	<p><b>Written Evidence</b></p>	<p><u>Start Date</u> 15-Feb-2013</p> <p><b><u>Date of H / I</u></b> N/A</p>	

<p><b><u>S12/1687/OUT</u></b> PJM Mr P Collin Erection of single storey dwelling (outline) Tree Tops, Gonerby Road, Grantham, Lincolnshire, NG31 8HU</p>	<p><b>Written Evidence</b></p>	<p><u>Start Date</u> 29-Nov-2012</p> <p><b><u>Date of H / I</u></b> N/A</p>	
<p><b><u>S12/1727/FULL</u></b> PJM Mr Gary Sharp, InterM2 Ltd 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 Oak Farm Barns, Church Street, Harlaxton, Grantham, NG32 1HB</p>	<p><b>Written Evidence</b></p>	<p><u>Start Date</u> 31-Oct-2012</p> <p><b><u>Date of H / I</u></b> N/A</p>	
<p><b><u>S12/1929/FULL</u></b> LDPP Mr P Pick Conversion and extension of barn to dwelling land to rear of 14 Ermine Street, Ancaster, Grantham, NG32 3PP</p>	<p><b>Written Evidence</b></p>	<p><u>Start Date</u> 25-Jan-2013</p> <p><b><u>Date of H / I</u></b> N/A</p>	
<p><b><u>S12/2127/OUT</u></b> AH Mr &amp; Mrs R Bontoft Erection of dwelling (outline application with details of access, layout and scale provided) Land adjacent, 29, Station Road, Castle Bytham, Grantham, Lincolnshire, NG33 4QA</p>	<p><b>Written Evidence</b></p>	<p><u>Start Date</u> 25-Jan-2013</p> <p><b><u>Date of H / I</u></b> N/A</p>	
<p><b><u>S12/2202/HR</u></b> SP Mr Richard Dring G E Dring &amp; Partners Removal of 100m of hedgerow The Farm, Costa Row, Long Bennington, Newark, Lincolnshire, NG23 5DY</p>	<p><b>Written Evidence</b></p>	<p><u>Start Date</u> 22-Oct-2012</p> <p><b><u>Date of H / I</u></b> N/A</p>	
<p><b><u>S12/2422/ADV</u></b> PJM Mr Robert Holland, Helen Flowers Erection of internally illuminated projecting sign 12, St Catherines Road, Grantham, Lincolnshire, NG31 6TS</p>	<p><b>Written Representation</b></p>	<p><u>Start Date</u> 22-Jan-2013</p> <p><b><u>Date of H / I</u></b></p>	
<p><b><u>S12/2730/FULL</u></b> PJM Mr &amp; Mrs J Clark Erection of dwelling Plot adjacent 3, Casthorpe Road, Barrowby, NG32 1DW</p>	<p><b>Written Evidence</b></p>	<p><u>Start Date</u> 25-Feb-2013</p> <p><b><u>Date of H / I</u></b> N/A</p>	
<p><b><u>S12/2920/FULL</u></b> LDPP Mr W Addison Erection of dwelling (retention of and alterations to existing unauthorised dwelling) Adj 3 High Street, Pointon, Sleaford, NG34 0LX</p>	<p><b>Public Inquiry</b></p>	<p><u>Start Date</u> 20-Feb-2013</p> <p><b><u>Date of H / I</u></b></p>	

## RECENT APPEAL DECISIONS TO 11 March 2013

**Application Ref: S12/2833/TPO RV**

**Planning Inspectorate No: APP/TPO/E2530/3032**

Appeal Type: **TPO Fast track**

Appellant:	Brian Coleby
Proposal:	Fell one sycamore tree (numbered 2 on the attached plan) within group of trees covered by A273 - Stamford (Windmill Way)
Site:	Windmill Lodge, Windmill Way, Stamford, Lincolnshire, PE9 2RH

Appeal Decision – Date:	Appeal dismissed - 25 February 2013
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### SUMMARY

An application was submitted for the felling of a Sycamore tree covered by A273 – Stamford (Windmill Way) Tree Preservation Order.

Because of the prominent position of the tree and its location within a visually important group of trees having a significant impact on the local amenity the recommendation of the Council's Tree Officer was that the application be refused.

The Inspector agreed with the above assessment and was also of the opinion that that the tree whilst of the size and location it was in could create a potential for considerable damage should it have a major failure but that it showed no signs of decay or defects that may lead to this happening. There were also possible options to reduce its weight and wind resistance and he did not consider that felling was justified simply as a precaution. He therefore dismissed the appeal.

No application for costs was made by either party.

**Application Ref: S12/1692/FULL LDPP**

**Planning Inspectorate No: APP/E2530/D/13/2189792**

Appeal Type: **Written Representation**

Appellant:	Mr & Mrs T Digan
Proposal:	Drop kerb and create parking area
Site:	67, Harrowby Road, Grantham, Lincolnshire, NG31 9ED

Appeal Decision – Date:	Appeal allowed with conditions - 04 March 2013
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### SUMMARY

The proposal involves widening the dropped kerb by 4m so that the front garden area can be used for parking more easily.

The main issue is the effect of the proposed development on highway and pedestrian safety on Harrowby Road.

The Inspector commented that whilst widening the dropped kerb would result in the loss of a parking space to the front of No 67, it would provide at least one additional space on the front garden area of the appeal site, and possibly two.

Accordingly, whilst parking space on the highway would be slightly reduced, additional space within the appeal site would lessen demand for on-street parking. Local residents who park on the road would not therefore be disadvantaged to any material extent. Moreover, the Inspector saw no evidence to show that the proposal would create on-street parking problems in the wider area as some parties contend.

**RECENT APPEAL DECISIONS TO 11 March 2013**

The Inspector considered that visibility for a driver would be reasonable in both directions, and given the relative infrequency and short duration of such manoeuvres and the low speeds involved was satisfied that the safety of pedestrians would not be materially compromised.

The wider dropped kerb would present no greater problem for pedestrians or those using pushchairs than the existing access, nor would it be an appreciably greater hazard in winter.

In summary, the Inspector considered the proposal would not materially harm highway and pedestrian safety, and would not therefore conflict with the broad objectives in the *National Planning Policy Framework* concerned with highway safety.

There has been a full Award of Costs in relation to this appeal.



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## **Appeal Decision**

Site visit made on 29 January 2013

**by Simon Pryce**

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

Decision date: **25 FEB 2013**

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**Appeal Ref: APP/TPO/E2530/3032**

**Windmill Lodge, Windmill Way, Stamford, Lincs, PE9 2RH**

- The appeal is made under regulation 19 of the Town and Country Planning (Tree Preservation) (England) Regulations 2012 against a refusal to grant consent to undertake work to a tree protected by a Tree Preservation Order.
  - The appeal is made by Mr B Coleby against the decision of South Kesteven District Council.
  - The application Ref: S12/2833/TPO, dated 1 November 2012, was refused by notice dated 12 December 2012.
  - The proposed work is the felling of one sycamore.
  - The relevant Tree Preservation Order (TPO) is the South Kesteven District Council. Stamford [Windmill Way] TPO, 1990, which was confirmed on 13 March 1990.
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### **Decision**

1. This appeal is dismissed.

### **Main Issues**

2. In my view the main issues in this appeal are:
  - 2.1 The tree's amenity value.
  - 2.2 The tree's safety and stability.
  - 2.3 The effect of the tree on living conditions nearby, including shade, leaf litter and honeydew drip.

### **Reasons**

#### ***Amenity value***

3. The tree has an asymmetrical crown, but that is normal in trees growing at the ends of rows and edges of groups and it is natural looking. The row is a major local feature and the tree is one of the larger ones. It is not quite as tall as the central ones, but accounts for a large part of the width when the row is viewed from the side, so is prominent as an individual as well as contributing significantly to the group. It is a prominent feature of the garden, but well away from the house. It is closer to the houses on the other side of Windmill Way, but the first branches start well above ground, so the effect is not as oppressive as it might otherwise be. It is readily visible as an individual and as part of the group from a significant part of Windmill Way and from the surrounding gardens, although I accept that it is not as noticeable as an individual from Empingham Road and Casterton Road. There are some other

trees in the vicinity, but it and the group as a whole make a significant and positive contribution to the character of the area. In my view there would therefore need to be compelling reasons for allowing it to be removed.

### **Safety**

4. The tree's size and location create a potential for it to cause considerable damage in the event of a major failure. The possibility of that occurring during exceptional winds cannot be dismissed entirely, but there are no signs of any decay or other defects that might create an abnormal risk. There are also options for work to lessen the tree's weight and wind resistance. While I accept that safety is a valid concern I do not consider the risk associated with this tree is sufficient to justify removing it simply as a precaution.

### **Effect on living conditions**


5. The tree is to the north of the nearest houses and the crown starts well above ground, so it will not block significant amounts of direct sunlight. I accept that it will cast a shadow in the garden of Windmill Lodge, but light levels near it will not be unreasonably low even when it is in leaf. The crown will also intercept some rainfall in the garden of Windmill Lodge and some water will be absorbed by the roots but, from my observations this does not constrain use of the garden so severely as to justify removing the tree.
6. During the growing season sycamores are often colonised by aphids which suck the sap and excrete honeydew, a sugary liquid, which is sticky and can make smooth surfaces slippery in the wet. However nearly all of the ground under the tree is the garden or road, on which this is unlikely to be a significant problem, although I accept that some of it might drift onto cars parked nearby. However it is water soluble and can be cleaned off without undue difficulty. Felling the tree would reduce the quantity but, with other sycamores growing nearby it would not eliminate the problem. I recognise that honeydew is an inconvenience, but it is seasonal and I do not consider that it is severe enough to warrant removing a tree with significant amenity value.
7. Fallen leaves can be an inconvenience and can accumulate in quantity at times. However they are a natural, seasonal phenomenon and can be cleared from paths and areas where they might cause a slip hazard without undue difficulty, although I recognise that this might need to be done regularly during the autumn. Removing the tree would reduce the quantity but, as there are several other sycamores nearby, it would not eliminate the problem and, in my view, would not be sufficient grounds for removing this tree.
8. The carriageway near the tree's base is uneven in places, but looks to have been laid to a high standard and I could see no sign that it had been damaged by roots. In that event the surface could be repaired without the need to remove the tree, so I am not persuaded that this justifies felling the tree.

### **Conclusions**

9. The tree is prominent as an individual and as part of the group and, while I accept that it is not particularly visible from the main roads, it makes a significant contribution to local amenity, so there would need to be compelling reasons for allowing it to be removed.
10. Its size and location create a potential for considerable damage in the event of a major failure, but there are no signs of any decay or other defects that might

create an abnormal risk and there are options for work to reduce weight and wind resistance, so I do not consider that felling is justified simply as a precaution. The tree will create shade and block some rainfall, but neither of these problems is severe enough to warrant removing it. Honeydew and fallen leaves can be an inconvenience, but both are seasonal phenomena that can be dealt with without undue difficulty and do not warrant removing the tree. There are no clear signs of root damage to the road and, in that event, it could be repaired without removing the tree.

11. Having given these matters careful consideration I therefore dismiss this appeal.

A handwritten signature in black ink, consisting of several loops and a long horizontal stroke at the end.

**Arboricultural Inspector**



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# Appeal Decision

Site visit made on 19 February 2013

**by Michael R Moffoot DipTP MRTPI DipMgt MICMI**

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

**Decision date: 4 March 2013**

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**Appeal Ref: APP/E2530/D/13/2189792**

**67 Harrowby Road, Grantham, Lincolnshire NG31 9ED**

- 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 & Mrs Trevor Digan against the decision of South Kesteven District Council.
  - The application was refused by notice dated 18 December 2012.
  - The development proposed is described as 'change front garden into parking area involving a drop kerb to the pathway in front of garden wall'.
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## Decision

1. The appeal is allowed and planning permission is granted to drop kerb and create parking area at 67 Harrowby Road, Grantham, Lincolnshire NG31 9ED in accordance with the terms of the application Ref S12/1692/FULL dated 4 July 2012, and 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 following approved plans: (i) site location plan and (ii) 1:50 scale site plan.

## Procedural Matter

2. The Council's decision notice describes the proposal as 'drop kerb and create parking area'. I consider that this more succinctly describes the development and I shall determine this appeal on this basis.

## Application for Costs

3. An application for costs was made by Mr & Mrs Trevor Digan against South Kesteven District Council. This application is the subject of a separate Decision.

## Main Issue

4. The main issue is the effect of the proposed development on highway and pedestrian safety on Harrowby Road.

## Reasons

5. No 67 Harrowby Road is a semi-detached, two-storey family dwelling located in a predominantly residential part of the town. Vehicular access to the property presently consists of a dropped kerb some 2.7m wide. The front boundary wall

- has been demolished, and the proposal involves widening the dropped kerb by 4m so that the front garden area can be used for parking more easily.
6. In the row of housing between Nos 41 and 87 Harrowby Road some 14 properties have dropped kerbs (some full width) and off-street parking, and one dwelling has forecourt parking although the associated kerb has not been dropped. Few properties have turning space within the site, and I understand that planning permission has been granted for a number of the accesses.
  7. There are few parking restrictions in the area and on-street parking space on Harrowby Road and surrounding streets was plentiful during my mid-afternoon site visit. Although no parking surveys have been provided, conditions would no doubt be different during the evening and at weekends when more residents would be at home and there would be greater demand for parking on the highway.
  8. However, whilst widening the dropped kerb would result in the loss of a parking space to the front of No 67, it would provide at least one additional space on the front garden area of the appeal site, and possibly two. Accordingly, whilst parking space on the highway would be slightly reduced, additional space within the appeal site would lessen demand for on-street parking. Local residents who park on the road would not therefore be disadvantaged to any material extent. Moreover, I have seen no evidence to show that the proposal would create on-street parking problems in the wider area as some parties contend.
  9. Turning within the appeal site would not be possible, and the proposal would involve vehicles either reversing into the site and exiting in a forward gear or driving in and reversing out. Either manoeuvre would involve some interruption to the free flow of traffic on Harrowby Road, but it would be little different to a vehicle manoeuvring in and out of a parking space on the street to the front of the property.
  10. I acknowledge that there would be potential for vehicles entering or leaving the site to obstruct people using the footway. However, visibility for a driver would be reasonable in both directions, and given the relative infrequency and short duration of such manoeuvres and the low speeds involved I am satisfied that the safety of pedestrians would not be materially compromised. In this respect, I note that there is no accident data in relation to vehicle movements to and from properties on Harrowby Road, and the County Council as highway authority offered no objections to the scheme. The wider dropped kerb would present no greater problem for pedestrians or those using pushchairs than the existing access, nor would it be an appreciably greater hazard in winter.
  11. In summary, the proposal would not materially harm highway and pedestrian safety, and would not therefore conflict with the broad objectives in the *National Planning Policy Framework* concerned with highway safety.

### **Other Matters**

12. I understand that the locality is being considered for conservation area status by the Council, but as far as I am aware it has not been formally designated. Moreover, I have seen no details of a proposed crossing in the vicinity of the appeal site. These matters therefore have no bearing on the planning merits of the case.

13. The front boundary wall has already been demolished, and the dropped kerb and the hardstanding within the site would not materially harm the character and appearance of the street scene. No technical evidence has been provided to show that the proposal would increase flooding, and I see no grounds to believe that it would harm biodiversity in the area.
14. There is no reason to suppose that the proposal would lead to friction between residents as a result of competition for on-street parking spaces, and I have seen no evidence to show that it would affect business operations at the church or church hall or the long term future of the buildings.
15. The issue of precedent has also been raised, and whilst I acknowledge that the Council may find it difficult to resist further similar applications this does not justify dismissal of the appeal proposal on these grounds.
16. It may be the case that the appellants could access the forecourt via the existing single dropped kerb, but an application has been made and refused and it is for me to determine the subsequent appeal. Finally, concerns regarding the Council's handling of the application at the Committee stage relate to procedural matters and do not affect my consideration of the merits of the case.

### **Conclusion**

17. For the reasons given, I conclude that the proposal is acceptable and the appeal should succeed subject to a condition listing the approved plans to facilitate minor material amendments.

*Michael R Moffoot*

Inspector

**PLANNING APPLICATIONS PERFORMANCE**

**Apr 2012 - Feb 2013**

<b>New end to end times for determining applications</b>	<b>Days</b>	<b>Target (days)</b>
Average no of days to determine Major's (small scale)	155	90
Average no. of days to determine Minor's	78.5	55
Average no. of days to determine Other's	71.4	50
Average no. of days to determine Householder's	52.5	45