

MINUTES

DEVELOPMENT CONTROL
COMMITTEE
TUESDAY, 14 MAY 2013



COMMITTEE MEMBERS PRESENT

Councillor Ashberry
Councillor Higgs
Councillor Howard
Councillor Mrs Kaberry-Brown
Councillor Vic Kerr
Councillor Parkin
Councillor Powell

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

OFFICERS

Head of Development and Growth (Mark Williets)
Development Management Service Manager (Pat Reid)
Area Planning Officer (Alan Harvey, Nigel Bryan and Paul Milne)
Systems Support Officer (Gavin Hutchinson)
Committee Support Officer (Malcolm Hall)
Solicitor (Paul Rushworth)

115. MEMBERSHIP

The Committee was notified that a notice under Regulation 13 of the Local Government (Committees and Political Groups) Regulations 1990 had been received, appointing Councillor Woolley for Councillor Cook, for this meeting only.

116. APOLOGIES

Apologies for absence were received from Councillors King and Morgan.

117. DISCLOSURE OF INTERESTS

There were none declared.

118. MINUTES OF MEETING HELD ON 23 APRIL 2013

The minutes of the meeting held on 23rd April 2013 were accepted as a correct record of decisions taken, subject to the inclusion of Councillor Mrs Judy Smith in the list of apologies.

(1.05pm – Councillors Ashberry and Mrs Kaberry-Brown entered the meeting).

119. PLANNING MATTERS

Decision:-

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

NB1

Application ref: S13/0728/FULL
Description: Replacement dwelling and new vehicular access
Location: 1A, Castlegate, Castle Bytham, Grantham, Lincolnshire
Decision: Refused

Noting comments made during the public speaking session from:-

Councillor H Bakker – Castle Bytham Parish Council
Mr Patrick Candler – objecting
Susan Blunt – objecting
Mr D Lane – objecting
Mr R Garnett – agent

together with no objection from the Principal Conservation Officer or Environment Agency, objections from the Parish Council, comments from Lincolnshire Heritage, English Heritage and the Highway Authority and a number of objections from nearby residents; late information report circulated to Members prior to the meeting including comments from the Tree Officer, English Heritage and no objection from the Highway Authority, officer comment thereon and suggested alterations to conditions from the Highway Authority, and a changed recommendation to refuse, report of site inspection and comments made by Members at the meeting.

The Case Officer advised that since the late report had been produced, English Heritage had confirmed that they had no objection to the proposal, and that consequently the suggested second reason for refusal was not now appropriate.

It was proposed and seconded that the application be refused as being against

public feeling, against Policy EN1, neither enhancing nor protecting the Conservation Area, visually intrusive, detracting from the adjoining listed building, loss of privacy, detracting from the street scene, effect on the trees on the site and the proposed scale and size of the proposed dwelling were not acceptable.

The Development Management Service Manager advised that whilst he could accept most of the reasons given, which reflected the remaining reason on page 3 of the late report, the reference to the proposed development being against public opinion was not a reason, and the loss of privacy was not sustainable. The proposer of the motion accepted the comments and withdrew these from the suggested reasons for refusal, although expressing some reservations about the loss of privacy reason.

On being put to the vote the proposal was agreed and the application refused for the following reasons:-

- 1) A number of trees, which are worthy of protection and prominent within the streetscape are proposed to be removed, allowing their removal would be harmful to the character of the streetscene and wider Conservation Area by virtue of their location height, prominence and predicated longevity. The application is therefore deemed contrary to guidance contained in policy EN1 of the South Kesteven Core Strategy; with no other material planning considerations to indicate that the application should be determined otherwise.
- 2) The proposed replacement dwelling would, by virtue of scale and mass, neither respect nor preserve the character of the Conservation Area as well be harmful to the setting of the adjacent Listed Building with it being visually intrusive within the street scene. The application is, therefore, deemed contrary to policy EN1 of the South Kesteven Core Strategy and guidance contained in the National Planning Policy Framework.

NB2

Application Ref: S13/0729/CAC

Description: Demolition of existing bungalow

Location: 1A, Castlegate, Castle Bytham, Grantham, Lincolnshire

Decision: Refused

Noting comments made during the public speaking session from:-

Mr Patrick Candler – objecting
Mr R Garnett – agent

together with no objection from the Principal Conservation Officer or Lincolnshire Heritage and a number of objections from nearby residents, report of site inspection and comments made by Members at the meeting.

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

In the absence of a scheme that would enhance the character or appearance of the Conservation Area the application for the demolition of the bungalow is considered to be unacceptable. The loss of building would not preserve the character or appearance of the Conservation Area and would be contrary to Policy EN1 of South Kesteven Core Strategy along with the guidance in the National Planning Policy Framework.

AH1

Application ref: S13/0150/MJRF

Description: Erection of 15 no.dwellings with access (off Belvoir Close), parking, landscaping and associated works

Location: Land off Belvoir Close, Stamford

Decision: Deferred

Noting comments made during the public speaking session from:-

Neil Osborne – agent

together with no objection from Planning Policy, the Highway Authority, Consultant Arboriculturalist, Lead Local Flood Authority, Property and Facilities, Anglian Water and Environment Agency, comments from Stamford Town Council, Environmental Health, LCC Children's Services, SKDC Leisure and Communities, Heritage Trust of Lincolnshire, Affordable Housing Officer, Crime Prevention Design Advisor and Natural England, together with representations from local residents and a note of the proposed Section 106 Heads of Terms; late information report circulated to Members before the meeting including information in relation to the request made by Stamford Town Council about monies from the Section 106 agreement and officer comment thereon, report of site inspection and comments made by Members at the meeting.

(2.18pm – Councillor Stokes left the meeting).

(2.20pm – Councillor Stokes returned to the meeting).

It was proposed and seconded that the application be approved subject to the conditions set out in the report.

Following comments in regard to the lack of a pavement on the access road, it was suggested that the application be only approved subject to a requirement that a footpath be provided.

The proposer and seconder agreed to include this within the proposition.

Following further discussion in relation to the footpath issue and the provision and maintenance of hedgerows, the Chairman suggested that further consideration be deferred to enable the applicants to consider the issues raised by Members and come back with amended plans. The proposer and seconded of the motion to approve then withdrew this motion.

A Member proposed that further consideration be deferred for the reasons suggested by the Chairman. Further discussion then took place, in relation to the style and content of the development and in relation to the retention of the copper beech tree at the entrance to the site.

On the suggestion of the Chairman, the meeting adjourned to enable consideration to be given to the terms of a motion to defer consideration of the application.

(The meeting adjourned from 3.20pm to 3.42pm).

On the resumption of the meeting, the Committee Support Officer read the terms of a suggested motion for deferral, as follows:-

“That application S13/0150 be deferred for consideration by the applicant to include for a footpath to the driveway and for a planting scheme to incorporate new and existing hedgerows that shall be maintained by the householders for the lifetime of the development and for the inclusion of a mature copper beech tree as a replacement for the existing.”

The above motion was proposed and seconded.

Members then discussed whether or not it would be appropriate to include a requirement to consider bungalows on the site, and it was accordingly proposed and seconded that this be added to the above motion as an amendment. On being put to the vote the amendment was agreed, and the following was added to the original proposition:-

“Consideration should also be given to the inclusion of bungalows on this site.”

The amended motion was then put to the vote and agreed, and the application was deferred for the following reason:-

“That application S13/0150 be deferred for consideration by the applicant to include for a footpath to the driveway and for a planting scheme to incorporate

new and existing hedgerows that shall be maintained by the householders for the lifetime of the development and for the inclusion of a mature copper beech tree as a replacement for the existing. Consideration should also be given to the inclusion of bungalows on this site.”

PL1

Application ref: S12/2469/FULL

Description: 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

Location: Tesco Stores Ltd, Godsey Lane, Market Deeping, Peterborough

Decision: Withdrawn

This application had been withdrawn by the applicants.

(3.50pm – Councillor Mrs Brenda Sumner left the meeting).

PJM1

Application ref: S13/0821/HSB

Description: Ground floor rear extension and installation of lift.

Location: 29, Hobart Road, Grantham, Lincolnshire

Decision: Approved

Noting no representations following consultation, and comments made by Members at the meeting.

It was proposed and seconded that the application be approved, subject to the summary of reasons set out by the Case Officer in the circulated report, and subject also to the following conditions:-

1. The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.
2. The external finishes of the development hereby permitted shall match in material, colour, style, bonding and texture those of the existing building.
3. 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: DFAMB29/03 dated 21st March 2013
Drawing Number: DFAMB29/04 dated 21st March 2013

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.

(3.54pm – Councillor Mrs Brenda Sumner returned to the meeting).

**120. NEIGHBOURING AUTHORITY CONSULTATION - SOUTH HOLLAND
APPLICATION REF. H14-0110-13 - INSTALLATION OF NINE 126 METRE
(TIP HEIGHT), WIND TURBINES, SUB-STATION AND ACCESS TRACK AT
FEN FARM, SOUTH FEN, WEST PINCHBECK**

Decision:-

The Development Control Committee of South Kesteven District Council are not in favour of the proposed development, and South Holland District Council be advised that:

1. *It is considered that the proposed wind turbines, by virtue of their height and number, would have an adverse impact upon the character and appearance of the landscape in the vicinity of the site and upon the amenities of residents of South Kesteven who live in close proximity to the site.*
2. *This would be exacerbated by the cumulative impact of the proposed development together with the Deeping St Nicholas wind farm to the south of the application site.*

The Development Management Service Manager submitted his report PLA991, which had been circulated to Members prior to the meeting, in relation to an application which had been submitted to South Holland District Council for the installation of nine 126b metre (to tip) wind turbines, sub-station and access track at Fen Farm, South Fen, West Pinchbeck. South Kesteven District Council had been consulted on the application, as a neighbouring authority, and the purpose of the report was to consider this Council's response to the consultation. Parishes and individuals within South Kesteven and bordering the site had also been consulted by South Holland.

The report described the proposed development and went on to assess the likely impact of it on South Kesteven District, bearing in mind an existing wind farm approximately 2.5 miles from the application site, and the likely cumulative impact. The Committee were reminded that a site inspection had taken place

and Members reported their views following this inspection.

It was proposed, seconded and agreed that the Development Control Committee of South Kesteven District Council are not in favour of the proposed development, for the detailed reasons set out in paragraph 1.1 on page 6 of the late report.

121. INFORMATION RELATING TO DEVELOPMENT CONTROL AND OTHER PLANNING ACTIVITY

The Development Management Service Manager submitted his report listing details of applications not determined within the eight week time period. Also submitted was a list of applications dealt with under delegated powers. A planning appeals update/summary as at 26th April 2013 was also submitted, together with a schedule showing planning applications performance between April 2012 and March 2013.

(4.05pm – Councillor Powell left the meeting).

122. GENERAL PERMITTED DEVELOPMENT ORDER

For the information of the Committee, the Development Management Service Manager outlined changes to the General Permitted Development Order, which were to come into force for a three year trial period on 30th May 2013. Current legislation removed certain types of development from planning control, principally rear extensions to residential properties, the current limits for which were 3 metres for semi-detached and 4 metres for detached properties. The new trial rules extended these limits to 6 metres and 8 metres respectively.

It was intended to send out a briefing note to Members, but if there were any issues, the advice was to refer these to the Development Management Team.

(4.12pm – Councillor Mrs Brenda Sumner left the meeting).

123. CLOSE OF MEETING

The meeting closed at 4.13pm