

AGENDA



For a meeting of the
DEVELOPMENT CONTROL COMMITTEE
to be held on
TUESDAY, 25 JUNE 2013
at
1.00 PM
* PLEASE NOTE TIME OF MEETING *
(THE LATE REPORT WILL BE EMAILED TO MEMBERS ON THE FRIDAY BEFORE THE MEETING)
in the
COUNCIL CHAMBER, COUNCIL OFFICES, ST PETERS HILL, GRANTHAM
Beverly Agass, Chief Executive

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

**(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 4TH JUNE 2013

(Enclosure)

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 is as shown on the index attached to this agenda, however, 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. PLA997 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 2013/14 meetings are:

Meeting Date	Notification Deadline
Tuesday 14 May, 1pm	Monday 13 May 2013, 1pm
Tuesday 4 June 2013, 1pm	Monday 3 June 2013, 1pm
Tuesday 25 June 2013, 1pm	Monday 24 June 2013, 1pm
Tuesday 16 July 2013, 1pm	Monday 15 July 2013, 1pm
Tuesday 6 August, 1pm	Monday 5 August 2013, 1pm
Tuesday 27 August 2013, 1pm	Friday 23 August 2013, 1pm Early due to Bank Holiday
Tuesday 17 September 2013, 1pm	Monday 16 September 2013, 1pm
Tuesday 8 October 2013, 1pm	Monday 7 October 2013, 1pm
Tuesday 29 October, 1pm	Monday 28 October 2013, 1pm
Tuesday 19 November 2013, 1pm	Monday 18 November 2013, 1pm
Tuesday 10 December 2013, 1pm	Monday 9 December 2013, 1pm
Tuesday 31 December 2013, 1pm	Monday 30 December 2013, 1pm
Tuesday 21 January 2014, 1pm	Monday 20 January 2014, 1pm
Tuesday 11 February 2014, 1pm	Monday 10 February 2014, 1pm
Tuesday 4 March 2014, 1pm	Monday 3 March 2014, 1pm
Tuesday 25 March 2014, 1pm	Monday 24 March 2014, 1pm
Tuesday 15 April 2014, 1pm	Monday 14 April 2014, 1pm

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

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

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

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

ORDER OF PROCEEDINGS

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

MINUTES

DEVELOPMENT CONTROL
COMMITTEE
TUESDAY, 4 JUNE 2013



COMMITTEE MEMBERS PRESENT

Councillor Ashberry
Councillor Cook
Councillor Cosham
Councillor Higgs
Councillor Vic Kerr
Councillor King
Councillor Morgan

Councillor Powell
Councillor Bob Sandall
Councillor Mrs Judy Smith
Councillor Jacky Smith (in the Chair)
Councillor Stevens
Councillor Adam Stokes
Councillor Mrs Brenda Sumner

OFFICERS

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

124. MEMBERSHIP

The Committee was notified that notices under Regulation 13 of the Local Government (Committees and Political Groups) Regulations 1990 had been received, appointing Councillor Bob Sandall for Councillor Howard and Councillor Cosham for Councillor Wilkins, for this meeting only.

125. APOLOGIES

Apologies for absence were received from Councillor Parkin.

126. DISCLOSURE OF INTERESTS

Councillor Mrs Brenda Sumner disclosed an interest in application S13/0751 (NB1), as owner of a property in Ermine Close, adjoining the site.

127. MINUTES OF MEETING HELD ON 14 MAY 2013

The minutes of the meeting held on 14th May 2013 were accepted as a correct record of decisions taken.

128. PLANNING MATTERS

Decision:-

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

NB1

Application ref: S13/0751/FULL

Description: Erection of dwelling

Location: Westfield House, 39A, Empingham Road, Stamford,
Lincolnshire

(1.12pm – Councillor Mrs Brenda Sumner left the meeting, having declared an interest).

(1.13pm – Councillors Vic Kerr and Morgan entered the meeting).

Decision: Refused

Noting comments made during the public speaking session from:-

Dave Curry – objecting
Susan Bishop – objecting
David Allen – objecting
Janet Wilson – objecting
Mrs E Treanor – applicant

together with comments from Heritage Lincolnshire, no objection from the Highway Authority, an objection from Stamford Town Council and objections from nearby residents; late information report circulated to Members prior to the meeting including 9 further letters of objection from local residents and officer comment thereon, report of site inspection and comments made by Members at the meeting.

(1.38pm – Councillor Powell entered the meeting).

It was proposed and seconded that the application be refused for the reason set out in the report.

Before the vote was taken a Member queried whether she was able to vote, as she had arrived late at the meeting. The Solicitor advised that as the Member had not heard all the officer presentation, she should not vote.

On being put to the vote, the proposition was agreed, and the application was refused for the following reason:-

The proposed dwelling, by virtue of its scale, mass, siting and design would result in a cramped form of development causing demonstrable harm to the character of the area and having an over-dominating visual impact upon the amenities of nearby residents. The application is, therefore, deemed contrary to Core Strategy policy EN1 and guidance contained in the National Planning Policy Framework (paragraph 17); with no other material planning considerations to indicate that the application should be determined otherwise.

KJC1

Application ref: S10/1805/FULL

Description: Residential Development for the creation of nine flats
including
demolition of the existing building

Location: 20b, Swinegate, Grantham

Decision: Deferred

Application deferred pending an assessment of the submitted development appraisal.

(1.43pm – Councillor Mrs Brenda Sumner returned to the meeting).

KJC2

Application ref: S12/0484/MJRO

Description: Erection of 55 residential units (including 8 affordable units)
Outline

Location: Barrack Gardens/Beacon Lane Allotments, Beacon Lane,
Grantham

Decision: Approved, subject to the completion of a Section 106
agreement

Noting an addendum to the report including responses and comments in

relation to matters raised at the previous meeting from the highway authority and officer comment thereon, from the Conservation Officer in response to the impact on the Conservation Area, and officer comment in regard to the density and ecology; together with comments from the Highway Authority, no objection from Natural England, Lincolnshire Wildlife Trust or Planning Policy, comments from Lincolnshire Wildlife Trust, Environment Agency, LCC Children's Services, NHS Lincolnshire, Arboricultural Consultant, Environmental Protection, Police Architectural Liaison Officer, Heritage Trust Lincolnshire, Anglian Water, Upper Witham Internal Drainage Board, Affordable Housing Officer, Principal Conservation Officer and Grantham Civic Society and a number of letters of objection from nearby residents, together with a lengthy response from the applicants to matters raised by Members; late information report circulated to all Members before the meeting, including, in full, a letter from a nearby resident, and a letter and colour plans, drawings and photographs from the applicants' agents, officer comment thereon and a suggested amended condition; ecology report circulated to Members prior to the meeting by Councillor Morgan, and comments made by Members at the meeting.

A Member suggested that consideration be deferred to enable consideration of the ecology report, which had only been circulated shortly before the meeting. The Development Management Service Manager clarified the information submitted, and referred to the report attached to the agenda. This was a full ecological report which had been accepted by the statutory consultees. The very late report now before Members was not based on a site survey. There was a suggested condition in the late report which, if accepted, would require the production of an updated report prior to the commencement of development. In his opinion, there was no reason to defer.

It was proposed and seconded that the application be approved.

In referring to comments made earlier regarding the viability of the scheme, a Member proposed an amendment to include an overage agreement, within the Section 106 agreement, as follows:-

"To cater for any possible uplift in housing values, it is proposed to include an overage agreement on the basis of, say, 60% of any uplift for the developer and 40% to the Council as an additional affordable housing contribution (or similar to be negotiated)".

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

Following comments from Members in relation to the design and adoption of the roads on the site, it was agreed to include an additional condition requiring the developer to submit details requiring the makeup and construction of roads on the site.

The Chairman reminded Members that the proposition to approve would be subject to the completion of a Section 106 agreement in the usual style, to

include the Heads of Terms listed on pages 37/38 of the report, and the amendment regarding the overage agreement as noted above, to the conditions listed in the main report on pages 38 to 41, and the additional condition on page 7 of the late report and the condition regarding the makeup and construction of roads on the site, as mentioned in the preceding paragraph.

The proposal was then put to the vote and it was agreed that the application be approved, with authority delegated to the Development Management Service Manager in consultation with the Chairman and Vice-Chairman, subject to the summary of reasons set out in the Case Officer's report, to the signing of a legal agreement to secure developer contributions, including an overage agreement, and subject also to the conditions and notes set out in the report, and as added in the late report, and also in relation to the makeup and construction of roads on the site. Where the legal agreement has not been completed prior to the committee meeting a period of 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 and Vice-Chairman of the committee there are no extenuating circumstances which would justify a further extension of time, the related planning application shall be refused on the basis that the necessary infrastructure or community contributions essential to make what would otherwise be unacceptable development acceptable have not been forthcoming.

AH1

Application ref: S13/0232/FULL

Description: Change of use from office (Class B1) use to public house (Class A4) use including external alterations and associated works along with the provision of an outside seating area and detached smoking shelter

Location: Mercury House, 7, Sheep Market, Stamford, Lincolnshire

Decision Approved

Noting comments made during the public speaking session from:-

Julian Sutton – agent

together with comments from the applicant's agent confirming the omission of the smoking shelter from the proposal and submitting further supporting information, no objection from Stamford Town Council, the Highway Authority, Stamford Civic Society, Heritage Trust of Lincolnshire, or the Conservation

Officer in relation to the proposal as amended, comments from Environmental Protection and a number of letters of objection from local residents; late information report circulated to Members prior to the meeting in relation to the removal of the smoking shelter and officer comment thereon; report of site inspection and comments made by Members at the meeting.

(2.55pm – Councillor Higgs left the meeting).

(2.58pm – Councillor Higgs returned to the meeting).

It was proposed and seconded that the application be approved, subject to the conditions in the report on pages 57 to 59.

As an amendment, it was proposed and seconded that a condition be added to ensure that loose outside seating in the beer garden area be brought inside when not in use. The Solicitor reminded Members that conditions should be relevant to planning, and a planning reason should be stated. The Case Officer suggested that the aim of removing furniture could be achieved by a note to the applicant, requiring a physical barrier after closing hours. It was proposed and seconded that such a condition be imposed.

The proposer of the amendment then withdrew her proposition and the proposer and seconder of the original motion agreed to include the additional condition within their proposal.

The Head of Development and Growth outlined the proposal on which Members would be voting, and advised that the aim of the addition condition regarding a physical barrier after closing hours could be achieved by an amendment to condition 5.

The proposition as amended was then put to the vote and agreed, and the application was therefore approved subject to the following conditions:-

1. The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.
2. Unless otherwise required by another condition of this permission the development hereby permitted shall be carried out in accordance with the following list of approved plans submitted as part of the application:

Drawing No. 7027-001-A

Drawing No. 7027-110-B

Drawing No. 7027-111-B

Drawing No. 7027-112

Drawing No. 7027-201-D

Drawing No. 7027-202-C

Drawing No. 7027-203-C

3. No development shall commence on the site until drawings showing full details (including cross-sections and external finishes) of the proposed new and replacement window units, the proposed new and replacement external door units and the proposed new atrium at a scale of 1:1/1:2/1:10/1:20 (or another scale first agreed in writing by the Local Planning Authority) have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in strict accordance with the agreed details.
4. No development shall commence on the site until samples of all new external materials and external finishes to the premises (including to all external services such as vents/flues) and samples of the proposed paving stones/slabs to be used to the open courtyard area have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in strict accordance with the agreed details.
5. No development shall commence on the site until details of the siting and appearance of the proposed outdoor furniture and associated structures to be located within the open seating area/beer garden have been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of a moveable/removable barrier to be erected across the full width of the Sheep Market frontage of the open seating area/beer garden when the premises are closed to customers. The development shall be implemented in accordance with the agreed details and the approved moveable/removable barrier shall be erected and retained in situ in the agreed position on the open seating area/beer garden at all times when the premises are closed to customers.
6. No development shall commence on the site until the building has been modified to provide sound insulation/attenuation against internally generated noise in accordance with a scheme which shall have been submitted to and approved in writing by the Local Planning Authority. The approved sound insulation/attenuation scheme shall be installed before the premises are first brought into use as a public house and shall thereafter be retained in situ at all times.
7. Notwithstanding the details shown on the approved drawings no flues, extract grills, air condition systems or any other means of ventilation/extraction shall be installed to the premises and operated until details of equipment for the suppression of fumes, odours and/or dust including details of the noise attenuation together with a maintenance schedule for the future operation of that equipment have been submitted

to and approved in writing by the Local Planning Authority. The approved scheme(s) shall be installed in accordance with the approved details and brought into operation before the premises are first brought into use as a public house. The approved scheme(s) shall thereafter be maintained in accordance with the approved maintenance scheme and retained in use at all times during the hours of operation of the premises.

8. There shall be no live or recorded music played on the premises including the outside seating area/beer garden area unless otherwise agreed in writing by the Local Planning Authority.
9. No development shall commence on the site until details of a scheme for the means of the collection of litter to the open seating area/beer garden have been submitted to and approved by the Local Planning Authority. Upon the first commencement of the public house use the scheme shall be implemented in strict accordance with the agreed details and shall thereafter be retained at all times.
10. All fire exit doors as notated on the approved drawings shall be retained in a closed position at all times unless they are in use for the purposes of providing a means of escape in the case of an emergency/emergency fire drill.
11. No customers shall be on the public house premises including the outside seating area/beer garden area outside the hours of 0800 hours to 2330 hours Monday to Saturday and 0800 hours to 2300 hours on Sundays.
12. There shall be no deliveries to the premises outside the hours of 0800 hours to 18.00 hours Monday to Sunday.
13. Notwithstanding the details shown on the submitted plans no part of any solar panel or its associated fixings/equipment shall exceed the height of any part of the parapet to the main entrance of the public house premises facing onto Sheep Market.
14. The window unit(s) to the southern elevation of the premises shall have obscure glazing to level 4 standard along with fixed lights (i.e. non-opening window units) at all times.

(The meeting adjourned from 3.38pm to 4pm).

(Councillor Ashberry was not present on the resumption of the meeting).

(4.02pm – Councillor Ashberry returned to the meeting).

PWM1

Application ref: S12/3241/EIAFP

Description: Erection of 4 poultry units, 2 control rooms, office and general purpose building, feed bins, hardstanding, gas tanks and electric substation. Upgrade/extension of access road to allow access from Newark Hill

Location: Land off Fallow Lane, Foston

Decision: Approved, subject to the completion of a Section 106 agreement

Noting comments made during the public speaking session from:-

	John Munro – objecting
	Christina Lees – objecting on behalf of Foston Conservation
Group	Bob Harrison – objecting
	Tracey Gardner – objecting on behalf of Foston Parish Council
	Robert Edwards – applicants’ agent

together with no objection from the Highways Agency, Natural England, Environment Agency or Upper Witham Internal Drainage Board, comments from the Highway Authority, LCC Footpaths Officer, Anglian Water and Environmental Protection, and objections from Foston, Marston and Long Bennington Parish Councils, together with a number of objections and four letters in support from local residents, together with a note of the Section 106 agreement Heads of Terms; late information report circulated to Members prior to the meeting including a reference to a further 23 letters of objection, further representations from Foston Parish Council, applicant’s response to speed reading claims, no objection from the Highway Authority, subject to conditions, and officer comment on all the issues raised; amended schedule of conditions circulated to Members at the meeting; report from the Case Officer of 9 further objections since the late report, report of site inspection and comments made by Members at the meeting.

(5pm – Councillor Bob Sandall left the meeting).

It was proposed and seconded that the application be approved, subject to the amended schedule of conditions circulated, but subject also to an addition to condition 3, as follows:-

“In particular the scheme will include measures to protect, reinforce and maintain the existing hedge which separates the Viking Way long distance footpath from the new haul road”;

and to an addition to the reason for condition 8, after the words “public

highway” as follows:-

“and of the Viking Way long distance footpath”.

The above amendments were submitted in writing.

(5.25pm – Councillor Higgs left the meeting).

(5.27pm - Councillor Higgs returned to the meeting).

A Member suggested that measures were needed to prevent lorries turning left from the Newark Hill end of the haul road, through Foston village, in an attempt to shorten the journey to the A1 south, and that possibly a weight restriction would achieve this aim.

The Head of Development and Growth advised that this could be included with the proposed Section 106 agreement, and this was accepted by the proposer and seconder of the motion to approve.

The proposal was then put to the vote and it was agreed that the application be approved, with authority delegated to the Development Management Service Manager in consultation with the Chairman and Vice-Chairman subject to the summary of reasons set out in the Case Officer’s report, to the signing of a legal agreement to secure an HGV routing agreement and a weight restriction in Foston village as noted above, and subject also to the conditions as circulated, and as amended above. Where the legal agreement has not been completed prior to the committee meeting a period of 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 and Vice-Chairman of the committee there are no extenuating circumstances which would justify a further extension of time, the related planning application shall be refused on the basis that the necessary infrastructure or community contributions essential to make what would otherwise be unacceptable development acceptable have not been forthcoming.

(5.46 pm – Councillor Cook left the meeting).

PL1

Application ref: S13/0991/MJNF

Description: Removal of condition 1 of p/p S12/2310 to allow 24 hour deliveries

Location: Tesco Store, Cherry Holt Road, Bourne, Lincolnshire

Decision: Approved

Noting comments made during the public speaking session from:-

Rachel Wilbraham – agent

together with no objection from Environmental Protection or the Highway Authority and objections from nearby residents; late information report circulated to Members prior to the meeting including an objection from Bourne Town Council and four further responses from local residents, together with officer comment thereon, and comments made by Members at the meeting.

Members commented on the potential noise nuisance from activities outside, specifically cages and pump trucks, but the Development Management Service Manager pointed out that this was already covered within the yard management plan.

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

1. The arrangements shown on the approved plan 6514/P02 Rev C received 14 January 2010 for the parking/turning/manoeuvring/loading/unloading of vehicles shall be available at all times when the premises are in use.
2. The development shall operate in accordance with the Travel Plan submitted to and approved in writing by the local planning authority on 12 January 2011 under planning permission S10/2544. An annual staff survey shall be analysed and submitted to the local planning authority that will provide details of the implementation of the Travel Plan. The occupier shall ensure that travel arrangements are fulfilled in accordance with the Travel Plan, unless the local planning authority stipulates approval to any variation.
3. Within seven days of the new access being brought into use, the existing access onto the A151 Cherry Holt Road shall be permanently closed in accordance with a scheme to be agreed in writing by the local planning authority.
4. Prior to occupation of the hereto permitted development being brought into use, the works to improve the public highway indicatively identified on drawing 6512/P02 Rev C 14 January 2010 (by means of widening with a Ghost Island Right Turn Lane on Cherry Holt Road together with all ancillary works) shall be completed to the satisfaction of the local planning authority.
5. The surface water drainage scheme shall be implemented in

accordance with the details approved on 23 September 2010 under planning permission S10/1761.

6. The development hereby approved shall be carried out in strict accordance with the amended lighting plan LS182 11/1 dated 10 March 2010.
7. The acoustic fence/wall as agreed on 23 September 2010 under planning permission S10/1761 shall be maintained in perpetuity.
8. The development shall be carried out on accordance with the servicing management plan as agreed under planning permission S12/3255 to ensure that nearby residential areas are protected from noise related to the delivery movements.
9. The development hereby approved shall only be carried out in strict accordance with the conclusions and recommendations of the Contaminated Land Report submitted by Delta Simons reference 09-3121.03 received on 13 January 2010 and in accordance with the approved ground gas remediation scheme details agreed on 23 September 2010 under planning permission S10/1761.
10. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted, and obtained written approval from the local planning authority for, an amendment to the remediation strategy detailing how this unsuspected contamination shall be dealt with.
11. The development shall be constructed to accord with the finished floor levels indicated on plan ref. 6514/P06 received 14 January 2010.
12. The development shall be constructed from the materials indicated on drawing number 6514/P03 Rev C unless otherwise agreed in writing by the local planning authority.
13. No more than 2,814 sq.m. of floor area shall be used for direct retail sales.
14. There shall be no variation of the internal subdivision of the retail units without prior written approval from the district planning authority.
15. No more than 2,129 square metres of the net sales floorspace shall be used for the sale of convenience shopping goods including everyday essentials including food, drinks, newspapers, magazines and

confectionary. The remaining 684 square metres of net sales floorspace shall only be used for the sale of comparison shopping goods including clothing, electrical goods, books, toys, entertainment media, kitchenware and hardware.

(6.15pm – Councillor Cosham left the meeting).

LDPP1

Application ref: S13/0980/HSB

Description: Proposed terrace to rear of dwelling and erection of single storey double garage

Location: 106, Harrowby Road, Grantham, Lincolnshire

Decision: Approved

Noting the late information report circulated to Members prior to the meeting, including comments from the Conservation Officer and a suggested additional condition, and comments made by Members at the meeting.

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

1. The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.
2. The development hereby permitted shall be carried out in accordance with the following list of approved plans submitted as part of the application:

Design and Access Statement received 16-4-2013
Drawing Number 004 Proposed garage and terrace received 16-4-2013
Drawing Number 002 Dimensioned Block Plan received 16-4-2013

3. The external finishes of the garage hereby permitted shall match in colour and texture those of the dwelling house.

PJM1

Application ref: S13/1092/HSB

Description: Single storey side extension

Location: 7, Applewood Drive, Grantham, Lincolnshire

Decision: Approved

Noting late information report circulated to Members prior to the meeting, including one representation from a local resident and officer comment thereon, comments made by Members at the meeting, and a suggested amendment to condition 3 from the Case Officer.

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

1. The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.
2. The 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 Sheet Number 1 dated 3rd June 2013

Drawing Sheet Number 2 dated 3rd June 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.

129. S13/0260 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 HIGHWAYS ALTERATIONS. ON LAND WEST OF RYHALL ROAD, STAMFORD.

Decision:-

That the application be approved subject to the minor amendments to conditions 27 and 30 referred to in the circulated report, that are required to update both the architectural site layout drawings and the technical highway drawings, and that authority be delegated to the Development Management

Service Manager in consultation with the Chairman and Vice-Chairman subject to the signing of a legal agreement to secure the necessary highways contributions and subject also to the conditions and notes set out in the report circulated at the meeting on the 26 March 2013 with the amended highways conditions (conditions 27 & 30) set out in this report.

Where the legal agreement has not been completed prior to the committee meeting a period of 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 and Vice-Chairman of the committee there are no extenuating circumstances which would justify a further extension of time, the related planning application shall be refused on the basis that the necessary infrastructure or community contributions essential to make what would otherwise be unacceptable development acceptable have not been forthcoming.

The Development Management Service Manager submitted his report PLA994, which had been circulated to Members, in relation to an application for a football stadium and associated facilities at Ryhall Road, Stamford. At the committee's meeting in March 2013, it had been resolved that permission be granted subject to a section 106 agreement, which had not yet been completed. Since that date the applicant had submitted updated access plans to clarify the relationship between the technical highway specifications and architectural drawings.

The amendments were considered acceptable by the Highway Authority as they did not significantly amend the access arrangements, but more accurately tied in the highways technical drawings with the architectural layout plans. The proposed changes required conditions 27 and 30 to be slightly amended to refer to the new plan numbers to address the timing of the implementation of the access works. Details of the original and amended conditions 27 and 30 were set out in full in the report.

Members also had before them the late information report, circulated prior to the meeting, including observations from Uffington Parish Council, no objection from the Highway Authority, lengthy comments from Voice of Stamford additional letters of objection from local residents and officer comment on the information circulated.

It was proposed, seconded and agreed that the application be approved in accordance with the recommendation in paragraph 1 of the report.

(6.30pm - Councillor Stevens left the meeting).

130. 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 17th May 2013 was also submitted, together with a schedule showing planning applications performance as at April 2013.

131. PLANNING MATTERS

Decision:-

To determine the following application as listed below:-

JJ1

Application ref: S13/1399/DC

Description: Approval of details relating to condition 4 of application S11/2953

Location: Land off Burghley Street, Bourne

Decision: Approved

Noting the details of the application in the late report, circulated to Members prior to the meeting, and no objection from the Conservation Officer, together with comments made by Members at the meeting.

It was proposed, seconded and agreed that the application be approved, without conditions.

132. CLOSE OF MEETNG

The meeting closed at 6.40pm

Agenda Item 5

COMMITTEE: 25 June 2013

	NO	PAGE	PROPOSAL AND LOCATION	REC
NB1	S13/0681	1	Change of Use to Motorcycle dirt track, retention of portacabins and earthworks Warren Farm, Main Street, Witham on the Hill, Bourne, PE10 0JN	R
NB2	S13/0369	13	Erection of 39 no. bedroom care home facility (Class C2 Use) Holland House Nursing Home, 35 Church Street, Market Deeping, PE6 8AN	AC
NB3	S13/0361	23	Demolition of Conservatory and increase height of boundary wall to 2.5m Holland House Nursing Home, 35 Church Street, Market Deeping, PE6 8AN	AC
SB1	S13/1124	29	Development of 49 dwellings for occupiers aged 55 and over, community hall, vehicular access Land off, Chesham Drive, Baston	AC
AH1	S13/0150	48	Erect 15 no. dwellings with access (off Belvoir Close), parking, landscaping and associated works Land off, Belvoir Close, Stamford	AC
AH2	S13/1332	67	Erection of single storey side extension 10 Glen Crescent, Stamford, PE9 1SW	AC

Applicant	Mr C Thompson Lings Farm, Main Street, Witham On The Hill, Bourne, Lincolnshire, PE10 0JN
Agent	Mr C Toulson, Plan A Designworks Datum House, 3, Commerce Road, Lynch Wood, Peterborough, PE2 6LR
Proposal	Change of Use to motorcycle dirt track, retention of portacabins and earthworks. Use for 24 events during a 12 month period (retrospective) (amendments to application S12/1350)
Location	Warren Farm, Main Street, Witham On The Hill, Bourne, PE10 0JN
App Type	Major Full (Non-residential)
Parish(es)	Careby, Aunby & Holywell
Reason for Referral to Committee	The application is considered to be locally controversial and with a previous application on the site determined at the Development Control Committee.
Recommendation Summary	<p>Refuse permission</p> <p>The application is a re-submission of S12/1350 where the application was refused permission; there were 3 reasons for refusal, 2 relating to highway concerns and the third a noise issue.</p> <p>The application as submitted addresses, subject to conditions, the highway concern through utilising an alternate access point further along Main Street. However, there has been no change to the application through noise that would be generated.</p> <p>The key area of concern is the fact that it is an isolated site and whilst the noise generated is unlikely to constitute a statutory noise nuisance to local residents it would harm the tranquility of the area, particularly given that Stantons Nature Reserve is adjacent to the site, and therefore the application would be contrary to policy EN1 of the South Kesteven Core Strategy.</p>

Key Issues

- Planning history attached to the site.
- Access to the site and vehicle movements associated with the development, including highway safety.
- Impact of development on residential amenity and the adjacent Nature Reserve through noise that may be generated.
- Whether the principle of the development should be supported in this location.
- Environmental considerations including possible pollution and loss of agricultural land.

Technical Documents

- Application Forms
- Site Location Plan
- Environmental Noise Assessment
- Proposed Site Plan

REPORT

The proposal

The application is for the retention of earthworks on the site to create a motorcross track along with the continued use of the land for the same purposes. In addition, a portacabin is on site and also considered as part of this proposal.

The application site and its surroundings

The application site is a former agricultural field to the south of Stanton's Pit Nature reserve. It should also be noted that the site actually falls within the Parish of Careby, Aunby and Holywell, not Witham on the Hill.

Vehicular access to the site is from Main Street Witham on the Hill, a C classified road. Previously the site was to be accessed from the same point as the Nature Reserve; however, following the refusal of application S12/1350 it is proposed to access the site from an entrance some 250m further west. The access is to a weighbridge and currently has permission to be utilised as the entrance point to an extant mineral permission under reference S.16 & 52/1404/88. The access track, in terms of maintenance, is typical of a farm track and primarily compacted earth mixed with hardcore.

In terms of physical alterations to the land the main impacts are through the earthworks to create jumps and other physical features e.g. a portacabin. The majority of the course is marked by wooden or metal posts stuck into the ground with rope between. A small area of hardstanding has been laid where drainage is poor and holes dug to assist with the same.

To the immediate north of the application site is a large mound of earth approximately 9m tall. It is understood that this was created when the land was a gravel pit and this has now been converted into the Stanton's Pit Nature Reserve, which includes a bird hide and small area for parking. To the immediate south and west the land is relatively open and some 200m to the east a wood.

The nearest dwellings to the site are approximately 300m away and include West and Oak Tree Farm; along with dwellings that were barns formerly associated with these farmsteads. The nearest property within Careby is some 600m away from the application site.

Site History

Application S12/1350 was refused permission at the Development Control Committee of 02 October for the reasons outlined below;

- 1. The proposal if permitted is likely to result in an increase in the number of private vehicles entering, leaving, waiting and turning right on the Main Road where visibility afforded to following or oncoming traffic and for drivers of vehicles entering the highway is below the national recommended distance. The consequent danger to highway safety and interruption that will be caused to other road users cannot be justified.*
- 2. Visibility to the west from the proposed point of access to Main Road is substantially below requirements as indicated both on the drawings submitted and from observations on site due to the geometry of the road and presence of mature hedge and tree lines. It is considered that vehicles emerging from the access will be in conflict with traffic travelling west-east due to the*

lack of forward visibility, on Main Road and visibility from the point of egress on the minor road contrary to the interests of highway safety.

- 3. The range of noise levels from this site would have an adverse impact upon the remoteness and tranquillity of this area, particularly the quiet enjoyment of the adjacent nature reserve, contrary to Policy EN1 of the South Kesteven Core Strategy.*

With the exception of the aforementioned planning application there is no formal planning history to the site which indicates that the land has been used for similar purposes in the past.

The applicants contest that the site has been used prior to their own involvement by another motorcross group but the Council has no evidence to substantiate whether or not this is the case. Furthermore, given the retrospective nature of the application it is unclear what earthworks were carried out by the applicant and those that are natural features. That said, from an aerial photograph dating to 2006 there does not appear to have been any earth works on the site with it being a flat agricultural field.

Policy Considerations

National Planning Policy Framework

Section 1: Delivering sustainable development
Section 3: Supporting a Prosperous rural economy
Section 4: Promoting sustainable transport
Section 11: Conserving and enhancing the natural environment

South Kesteven Core Strategy 2010

SP1 – Spatial Strategy
EN1 – Protection and Enhancement of the Character of the District
EN2 – Reducing the Risk of Flooding
E1 – Employment Development

SAP4 – Business Development in the Countryside (including Rural Diversification Scheme)

Representations received

Environment Agency (EA): observations will be reported to Members in the late items paper.

Lincolnshire County Council: as Highway Authority, note that the access point has altered to that considered under application S12/1350. They do not object to the application subject to the visibility splay being in place when the site is in use and there being no conflict with vehicle movements associated with extant mineral permission S.16 & 52/1404/88. The full observations of the Highway Authority are reproduced below;

“In consideration of this Application, it must be stated that insofar as access is concerned, the visibilities indicated are to the latest guidance as contained in 'Manual for Streets' (MfS).

It is apparent from recent Appeals that the Planning Inspectorate expects local authorities to have adopted the guidance in MfS and apply the Stopping Sight Distance values and thence visibility splays set out within it.

It has been reported that whilst the landfill is currently closed it does have an extant permission with sufficient void space to receive a significant amount of inert waste.

The proposed access is an existing access used in connection with minerals extraction/ landfill in the past and with the extant permission and therefore its use is established.

As the Applicant has demonstrated visibility to MfS can be achieved, use of the access would be difficult to refuse on its geometry alone or indeed on safety grounds connected with limits to visibility.

The Quarry/Landfill use was restricted to 0700 to 1800 Monday to Friday; 0700 to 1300 Saturday with no operations permitted on Sundays or Bank Holidays.

The approach roads via either Little Bytham or Witham on the Hill are classified highways and are capable of taking a reasonable amount of additional traffic.

The number of parking spaces available and to be provided would appear relatively modest. No motorcycle parking is indicated as either existing or proposed. No indication of projected numbers of attendees or spectators is included in the submitted detail.

The access road could facilitate parking by bikers along its length but this would be detrimental should the landfill operations recommence.

The issues that need to be considered are the potential sharing of the access by both the landfill operator in conjunction with the use proposed by the Applicant and the increased number of movements along a road where accidents have occurred in the past and its tortuous alignment particularly through Little Bytham and Witham on the Hill.

The quarry/landfill permissions granted and extant indicates that the local highway authority was satisfied that the A6121 was and is capable of accommodating HGV traffic albeit that these movements have ceased (however temporarily).

There will however be a noticeable increase in movements by cars, vans (+trailers) and motor bikers in the locale of indeterminate number on Saturdays, Sundays and Bank Holidays and should landfill operations recommence, the potential conflicts will be confined to the Saturdays as permission is sought only for that day.

The Applicant has demonstrated that the access can accommodate the required visibilities in excess of MfS requirements.

Additional traffic can be accommodated on the existing highway network.

The manner of driving and any controls or enforcement would be a matter for the Police.

It is suggested that further information could be pursued in order to determine the likely attendance at the events.

Should Committee or delegated officers be minded to permit this application It is recommended:

That events be strictly limited to the days and times as stated on the Application and there be no variation without the express permission of your Authority.

It is recommended that no parking of any vehicle be permitted on the haul route/"access road" and parking be confined to the dedicated parking area only.

The access and its visibility be Conditioned accordingly in accord with the minimum visibility dimensions indicatively shown on drawing number 1094-02 Rev H

That provision be made for re-visiting the Conditions should landfill operations be proposed to recommence.”

Natural England: note that the application is a re-submission of a previous proposal and re-iterate their previous comments; they note that it does not appear to affect any statutorily protected sites or landscapes, or have a significant impact on the conservation of soils, nor is the proposal EIA development. However, the organisation would still expect the Local Planning Authority to consider protected species, local wildlife sites and biodiversity enhancements.

Environmental Protection: note that the noise report concludes only bikes fitted with silencers are permissible for the track and there would be a need to comply with the ‘code of practice from organised off road motorcycle sport 1994’. It has also been indicated in the noise report that an additional bund is proposed and details of this should be sought. Also, the noise report is the same as previously submitted and there is therefore no reason to come to a different conclusion to that previously reached.

Planning Policy: note that policy SP1 of the Core Strategy would generally restrict development in open countryside, save for certain exceptions, including rural diversification projects. There would also be a need to consider policy EN1 which identifies that, inter alia, development should be assessed in relation to remoteness and tranquillity; noise and light pollution and the condition of the landscape.

Lincolnshire Wildlife Trust (LWT): raise concern about the application and question whether or not the use is appropriate given the adjacent nature reserve which should be quiet for the enjoyment of users. However, they do note that having been on site whilst an event was underway there was limited disturbance to birds. The observations of LWT are reproduced below;

“Thank you for consulting the Lincolnshire Wildlife Trust on the above application which is adjacent to Stanton’s Pit nature reserve, Local Wildlife Site (LWS) and Local Geological Site (LGS). We have read the information submitted with this application and our comments remain largely the same as those submitted on 23 July 2012 in relation to application S12/1350.

We believe that the proposed (and indeed the existing) use of the site in question is at odds with the established nature reserve and may dissuade legitimate visitors from visiting a site which is managed for wildlife and the quiet enjoyment of nature. We feel that a more appropriate location should have been sought.

We note the conclusions of the environmental noise assessment; however we have some remaining concern that the noisy motorcycles may disturb birds using the nature reserve. Experience during one of the motorcycle events suggests that some birds may not be affected, however we do not know if this result was typical or how any effects may change throughout the year, with different bird assemblages and varying levels of vegetation cover.

There have been issues with vandalism on the nature reserve which has been attributed to people attempting to gain unauthorised access to the motorcycle track. We are grateful for the owners’ assistance in this matter, however we are concerned that further damage to our property may occur with the continued usage of the track.

We are aware that even should this application be refused, usage of the site on a more limited basis for motorcycle sports can legally continue. We are pleased therefore that the owners

have demonstrated they would be willing to listen to our concerns and work together as neighbours. Whatever the outcome of this planning application, we would welcome discussion regarding the sites. The overriding concern of the Trust remains that a motorcycle track in this location is inappropriate and is likely to result in additional work and expense for the Trust, as well as spoiling visitors' enjoyment of the nature reserve".

Witham on the Hill Parish Council: observations will be reported in the late items paper.

Careby, Holywell and Aunby Parish meeting: object to the application and a summary of their objection is reproduced below;

"SKDC's Development Control Committee rejected an almost identical application for the same facility in the same location by the same applicant in October 2012. Grounds for rejection included noise levels being contrary to Policy EN1 of the South Kesteven Core Strategy. No relevant material changes have been made to the proposals, nor further supporting information submitted to suggest that the Council should reach a different conclusion in respect of application S13/0681.

Policy - the application runs contrary to Core Strategy and SKDC policies in 6 key areas:

- o Rural Tranquillity & Landscape (Policy EN1 and SAP4)*
- o Scale (Policy SAP4)*
- o Employment (Policy SP1 & SAP4)*
- o Noise (Policy EN1 and SAP4)*
- o Highways (Policy SAP3)*
- o Unbudgeted costs to Public Authorities*

Noise – at a level likely to cause statutory nuisance

Need – there is no demonstrated "need" for the proposed development

Location – the site is situated in an elevated position which exacerbates issues associated with noise and disturbance to the local communities.

Degradation of wildlife habitat - Stanton's Pit Nature Reserve adjoins the proposed circuit.

Highways danger – the proposed entrance is on a minor road with a record of accidents.

Traffic nuisance – traffic volumes will have a significant detrimental impact on surrounding villages

No local benefits (zero incremental employment)

Damage to established local businesses

The application is not sufficiently defined - insufficient detail/errors in the application documents to define an enforceable permission.

Enforcement will become a financial burden for SKDC and LCC and the costs of monitoring, policing and enforcing will cause cutbacks in more important public services".

Little Bytham Parish Council: object to the application. They feel that the development would detrimentally affect the adjacent nature reserve; the noise generated from the use is excessive and detrimental to residential amenity, as well as highway safety being compromised.

Clipsham Parish Meeting: note that the noise can be heard as far away as 10 miles and that the number of events is excessive. Stanton's Nature Reserve will be negatively affected and the bank to the north of the site does not protect the amenity of villages in other directions. They question the impartiality of the noise report as well as note that the number of vehicle movements is likely to be excessive. Request that if permission is granted an independent noise assessment should be undertaken; the number of events restricted to not more than 2 as well as some form of routing agreement and marshalling of vehicles.

Heritage Lincolnshire: note that no archaeological sites of interest would be affected by the development.

Representations received as a result of publicity

The application has been advertised in accordance with the Council's Statement of Community Involvement with the closing date for representations being the 26 April 2013.

At the time of writing 111 letters of objection have been received. A summary of the concerns raised are drafted below;

- The retrospective nature of the application gives cause for concern about future management of the site through possible expansions in the number of events;
- Noise from the motor bikes is harmful to the amenity of neighbouring properties and could possibly lead to mental health problems as well as ruin the quiet enjoyment of the rural environment;
- The submitted noise report is sub-standard and does not specify the weather conditions on the day the survey was undertaken nor is a 'worst case' scenario considered;
- No measurements were taken from properties in either Careby or Witham on the Hill, where it is possible to hear the bikes;
- Pollution from the bikes into neighbouring water courses;
- Negative impacts on the adjacent Nature reserve and wildlife through noise generated by the bikes which would also deter visitors;
- Harmful to the economy through a reduced number of bookings for nearby Bed and Breakfasts;
- Sunday is a day of rest and it should be respected, local Church services may be detrimentally affected ;
- The access point to the main road is substandard and a hot spot for accidents, the use would exacerbate existing problems;
- The alternate access proposed is no better than the previous one as well as conflicting with vehicles associated with an extant mineral planning permission;
- Re-fuelling is occurring on-site and any waste will pollute the land and/or watercourse;
- What constitutes an 'event', how many days will the site be used in a calendar year;
- Jet-washing of vehicles is occurring and this will cause pollution from the run-off;
- The Design and Access statement is misleading
- Dust generated from the site is excessive;
- A long section of hedgerow would need to be removed to provide appropriate visibility and this would be harmful to the natural environment and character of the area;
- The number of people using the site is over and above what the applicants have stated with up to 100 people being on site;
- The application is contrary to Core Strategy policy EN1 along with policies SAP3 and SAP4 of the Site Allocation and Policies DPD. Guidance in the NPPF also aims to restrict noise generating uses;
- Valuable agricultural land will be taken out of food production;
- Alternative sites are readily available and there is no demand for the use;
- The strength of local feeling could lead to public disorder.

A further 78 letters of support have been received and a summary of their comments are drafted below;

- This is a valuable resource to local residents with there being no other such facility in the locality;

- It is a facility that is good for socialising with other likeminded people and gives young people something to do;
- The site is well run, safe and a good family day out;
- Local business will benefit from the spin-offs of this commercial use;
- Noise can be adequately controlled and would not affect neighbouring residents unduly with the number of events not excessive;
- It is a great day out for all the family;
- A misleading letter has been circulated to local residents asking them to object to the application which as lead to an increased number of objection letters.

A petition with over 300 signatures has been submitted indicating that they support the application.

Officer evaluation

The application is made retrospectively with the use of the land for motorcross purposes being brought to the attention of the Council in November 2011. Up until application S12/1350 was determined the site continued to be used for the purposes of motorcross. Since the refusal of the application the site has not been open to the public although it is understood that it has been used intermittently by the applicant and his immediate family.

The amended application has been re-submitted to primarily overcome the highway reason for refusals attached to decision notice S12/1350, with a new access point proposed.

The application is two-fold in that there is operational development on site, including the earthworks, along with a material change of use of land from agriculture to its use as motorcycle dirt track. It should be noted that the applicants contest that the site has been used for such purposes in the past; however, there is, in planning terms, no lawful use of the land for motorcross. It is possible that the site could be used for motorcycle practice for a period not exceeding 14 days in one calendar year without the need to apply for planning permission, provided the land is primarily used for agricultural purposes for the remainder of the year. Regardless, the earthworks to create the track require permission in their own right and this application is for the use of the site for a period of 24 days in a calendar year, over and above the permitted 14.

Highways

As noted previously, the access point under consideration in this application is different to that under application S12/1350. It would still be accessed off a C Classified road; however, it would utilise an alternate access point some 250m further west along Main Street. Under the Manual for Streets (MfS) guidance a visibility splay of 2.5m by 123m would be required. As indicated on the submitted drawings, this can be achieved although some of hedgerow, particularly to the right hand side when exiting the site, would need to be cut back.

It is indicated on the application form that parking for 50 vehicles, including 20 light goods vehicles would be provided. Given that the existing access has an extant permission for HGV's associated with a mineral use it is considered that the access is appropriate for likely vehicle movements and that it would, subject to conditions, not be harmful to highway. However, this is subject to there being no conflict between the vehicle movements associated with the extant mineral permission, which is restricted to 07:00 – 13:00 on Saturdays, and the motor cross traffic, something that could be controlled by condition.

Therefore based on the information supplied it is considered that the revised access point is acceptable and has overcome reasons for refusal 1 and 2 of application S12/1350.

Noise

It is noted in the submitted noise report that an initial survey of the site undertaken in February 2012 found the bikes to be a noise nuisance and this was through a small number of individual bikes. A subsequent test was undertaken with greater controls on the bikes and only those with adequate silencers were allowed to take part; this is in accordance with the Code of Practice on Noise from Organised Off-road Motorcycle Sport. With greater controls the noise nuisance to the nearest dwellings, where measurements were taken, did not form a statutory nuisance. The nearest dwellings being those on the opposite side of the road to the Nature reserve. Therefore in terms of management there would be a need to ensure that the Code of Practice is adhered to ensure that residential amenity would not be compromised through noise that would be generated. Surveys indicate that the noise level generated when the track is in use, from the nearest dwelling, is the same as the background noise and adding a +5db for a 'character' noise still indicates that any impacts would be within tolerance levels.

There is a nature reserve adjacent to the site with a bird hide and associated parking. No guidance is available as to what would constitute a noise nuisance to such a site. The noise report indicates that the use did not impact on wild birds with a number on the water when an event was taking place. Lincolnshire Wildlife Trust have expressed concern about the use and how it may deter visitors when an event is taking place but having visited the site when an event was underway there did not appear to then to be a negative impacts on the birds.

In addition, the noise report concludes that an additional bank to block views of the site from the nearest dwellings would be beneficial.

It should be noted that no noise readings have been taken from properties within the village of Careby rather they have been taken from the properties nearest the site on Main Road. The property nearest to the site accessed off Main Street, Careby is some 600m away. Given that this is twice the distance from the nearest properties on Main Road Witham on the Hill the noise report is considered acceptable to determine the likely impacts on the properties most likely to be affected by the development.

While the noise from the site may not be a statutory nuisance and could probably be controlled in accordance with the recognised Code of Practice, there are still concerns about the adverse impact of the use upon this quiet rural location.

The evidence submitted to-date suggests that the use could be managed to tolerable levels. However, policy EN1 specifically states that the remoteness and tranquillity of rural sites must be taken into account in the consideration of planning applications.

The nature of their use, particularly the range and modulation of noise levels and the proposed daily duration of the activities, is likely to have a significant impact upon this remote, tranquil area. In particular the quiet enjoyment of the adjacent Nature Reserve will be adversely affected by the use, contrary to Policy EN1.

Principle of development

Development should normally be concentrated close to the main urban areas of the District; however, as identified in policy SP1 of the Core Strategy, exceptions can be made for rural diversification projects. Policy SAP4 of Site Allocation and Policies DPD expands on Business Development in the Countryside and identifies that sport and recreation uses are acceptable, subject to certain criteria. This includes the need for a rural location, impact on the character of the area, residential amenity and the local economy. The application constitutes a rural diversification project. It is accepted that a location closer to a Local Service Centre would reduce the need to

travel but this would have to be assessed against the nature of the development which would be best located away from urban areas. Given the use it is unrealistic for users to utilise public transport to access the site with the nearest bus stop in the neighbouring villages of Witham on the Hill and Little Bytham.

Policy EN1 of the Core Strategy identifies the need to consider the impact on 14 criteria including, inter alia, the condition of the landscape, remoteness and tranquillity, visual intrusion and noise and light pollution. The visual impact from the development would be limited as views of the site are restricted by the earth bund to the north which acts as a visual barrier. Physical alterations to the site are also limited to the creation of bunds for the track and siting of a portacabin. The physical impact from the development is therefore limited and not in conflict with policy EN1. However, the impact from noise in relation to Policy EN1 is addressed above.

Policy E1 (Employment Development) of the Core Strategy identifies that rural diversification projects which require a rural location will be supported subject to them supporting or generating a sustainable rural economy. It is noted that the site is proposed to be used for a period of 24 events and whilst there would be some economic benefits from the site it is likely that these would be sporadic in nature given the temporary use of the site and limited to part time employment or even volunteering e.g. marshals.

There is, therefore, a policy objection to the proposal because of the likely impact from noise upon this quiet tranquil area.

Other considerations

It is accepted that farmland would be taken out of production as a result of the application; however, it is not felt that this one issue would justify a refusal of permission although could add weight to a refusal should members feel that the location of the development is inappropriate. In addition, attention has been drawn to the refusal of permission for a golf course (ref; S10/2296) and subsequent dismissal of appeal for a site some 800M away, to the west of Witham on the Hill. It is noted that there are parallels between the two applications in terms of sustainability but given that the proposed use is one that would be best located away from major urban areas an isolated location is actually sought after. The National Planning Policy Framework has also superseded Planning Policy Guidance notes and there is no requirement to look at sequentially preferable sites.

It has been indicated that re-fuelling will not take place on site and this could be controlled if necessary. With the site formerly being an agricultural field there is unlikely to be any negative impacts on local wildlife and birds on the adjacent nature reserve appear unaffected.

Conclusion

In view of the above the amended application has addressed two of the reasons for refusal attached to application S12/1350, through utilising a new access point. However, there is still a need to consider what impact the use would have on the tranquillity of the area, as required by Core strategy policy EN1, and this reason for refusal would still remain and, as a result, the application is recommended for refusal.

Section 106 Heads of Terms

Given the proposed use there is no requirement for a section 106 Legal Agreement.

Crime and Disorder

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

Human Right Implications

Articles 6 (Right to fair decision making) and Article 8 (Right to private family life and home) of the Human Rights Act have been taken into account in making this recommendation.

It is considered that no relevant Article of that act will be breached.

SUMMARY OF REASON(S) FOR REFUSAL

The application in terms of broad sustainable and noise considerations is finely balanced. However, the impact of the use upon this quiet, tranquil area would be contrary to Policy EN1 and is considered to be enough to justify a refusal of planning permission.

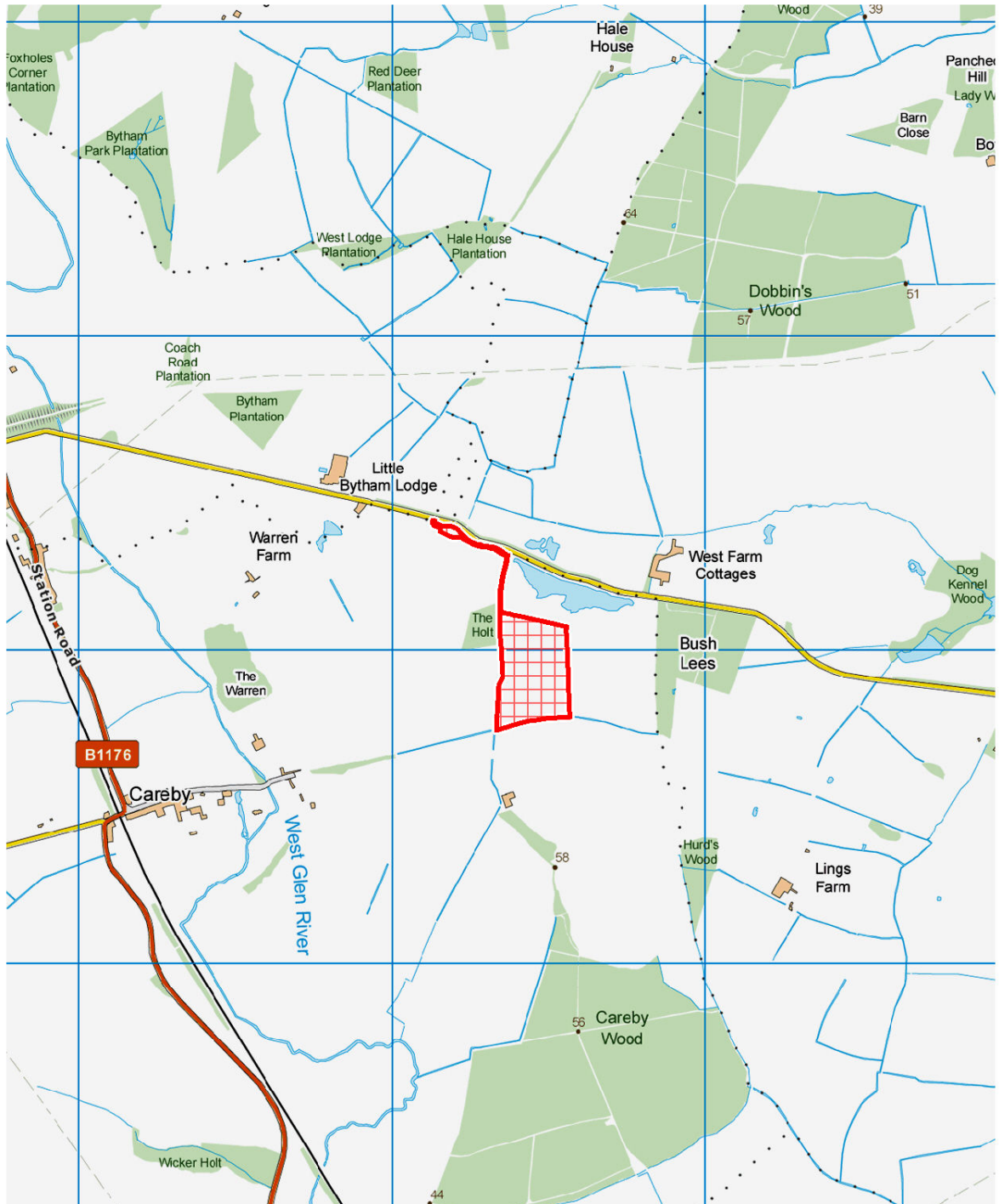
RECOMMENDATION: That the development be Refused for the following reason(s)

1. The range of noise levels from this site would have an adverse impact upon the remoteness and tranquillity of this area, particularly the quiet enjoyment of the adjacent nature reserve, contrary to Policy EN1 of the South Kesteven Core Strategy.

* * * * *

Site Location Plan

Ref	S13/0681
Proposal	Change of Use to motorcycle dirt track, retention of portacabins and earthworks. Use for 24 events during a 12 month period (retrospective) (amendments to application S12/1350)
Location	Warren Farm, Main Street, Witham On The Hill, Bourne, PE10 0JN



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Applicant	Mr A Kachra, Country Court Care Broadgate House, 72, Church Street, Deeping St James, Peterborough, Lincolnshire, PE6 8HD
Agent	Matt Hubbard, Antony Aspbury Associates Limited 20, Park Lane Business Centre, Park Lane, Basford, Nottingham, NG6 0DW
Proposal	Erection of 39 no. bedroom care home facility (Class C2 Use)
Location	Holland House Nursing Home, 35, Church Street, Market Deeping, Peterborough, Lincolnshire, PE6 8AN
App Type	Major Full (Non-residential)
Parish(es)	Market Deeping
Reason for Referral to Committee	The application is considered to be locally controversial.
Recommendation Summary	<p>Grant permission subject to the imposition of conditions</p> <p>The principle of the development is supported in this location with it being within of the Districts four most sustainable settlements and permission having been granted for a similar, if smaller, form of development in the past.</p> <p>Amendments have been made to the scheme which reduce the level of accommodation proposed, increase the number of parking spaces as well as alter the elevation treatments. The building has now been visually 'broken up', which differs in form, scale and materials and is modelled and detailed in a recognisable local traditional manner. It is considered that the building respects the character and setting of the Conservation Area and adjacent Listed Buildings.</p> <p>Alterations made would also reduce the mass of the building and no first floor windows, save for those at a high level, would be orientated toward neighbouring properties. It is therefore not considered that the development would significantly detrimentally affect the amenity of neighbouring properties.</p> <p>A number of trees would be affected but none are of particular merit or prominence within the Conservation Area. Vehicle movements would increase as a result of the proposal but parking provision would be adequate and whilst the access point is narrow the verge is wide enough to allow a vehicle to wait off the carriageway when another vehicle may be exiting/entering.</p> <p>The development as amended is considered to respect the character of the Conservation Area and adjacent Listed Buildings without having a detrimental impact on residential amenity through a dominating or overlooking impact; nor would highway safety be compromised.</p>

Key Issues

- Principle of the development in this location

- Impact on the historic character of the area including the Conservation Area and nearby Listed Buildings
- Impact on residential amenity through a dominating and overlooking impact
- Trees in the locality
- Highway considerations

Technical Documents Submitted with the Application

- Design and Access Statement
- Elevation drawings
- Floor plans
- Flood Risk Assessment
- Heritage Impact Assessment
- Transport Assessment

REPORT

Application category

The application is a major.

Reason for referral to committee

The application is considered to be of wider local interest.

The proposal

The application is for the erection of a detached building that would house a total of 39 bedrooms associated with Holland House, an existing elderly persons residence. The building would be horseshoe shaped and primarily appear as a two-storey building but from within the application site it would be possible to view the basement rooms and at certain aspects it would appear three-storey with a sunken courtyard to the front of the building.

The application site and surroundings

Holland House to the front of the site is a Grade II Listed Building and has within its curtilage a detached two-storey outbuilding. Vehicular access to the site is from Church Street through a drive located between Holland House and 37 Church Street, which is also Grade II Listed.

To the rear of the site is an existing parking area, but most of the site is an undeveloped, principally lawned, garden. The western boundary of the site is marked by a stone and brick wall approximately 2.5m high and the facing wall of 43 Church Street. A wall of a similar height was in situ to the south of the site adjacent to 53 Church Street, although this has largely been removed and it is proposed to rebuild this (see application S13/0361 elsewhere on the Agenda). 1.8m high boarded fencing marks the boundary to the east adjacent to Still Close. A 2m high brick wall marks the boundary with 31/33 Church Street.

On the site are a number of trees although the majority are to the periphery rather than the centre of the site. There are also two distinct groups of trees close to north east of the site which have a mixture of species including yew, sycamore, birch and Hazel.

The entire application site falls within Market Deeping Conservation Area. Buildings to the west of the site primarily have a frontage to Church Street and are typically constructed of stone; they make valuable contributions to the historic character of the area. To the immediate south of the site is 53 Church Street, a modern property which has undergone recent renovation. Permission has also been granted for the erection of a dwelling to the south of the application site under reference S11/2177. To the east of the site is Still Close, a cul-de-sac development of 1970's properties.

Planning History

The following planning history is for the Listed Building of Holland House, the adjacent outbuilding as well as applications for development within the property curtilage. The most pertinent applications to this proposal are S01/0890 and S04/1455, which were for the erection of detached

buildings in a similar location to that under consideration in this application. It should be noted that neither of the permissions were implemented and both have, as a result, lapsed.

95/LB/4580 - The conversion of, and alterations to, the outbuilding in order to provide residential accommodation. Approved on 18th April 1995.

95/LB/4635 – The provision of an entrance porch. Approved on 12th March 1996.

S01/LB/5716 & S01/0890 – The extension to an outbuilding within the curtilage of a listed building and a 24-bedroom extension to the residential care home. Approved on 12th February 2002.

S04/1455 – The erection of 14 sheltered housing units. Approved on 14th November 2006.

S08/LB/6980 – Internal Alterations to Listed Building. Withdrawn on 2nd July 2008.

S08/LB/7017 – Internal demolition and alterations to listed building. Approved on 22nd September 2008.

S08/LB/7056 & S08/1094 - Alteration to listed building (roof pitch) and erection of conservatory. Refused on 11th October 2008.

S13/0361/LB – A Listed Building application for the ‘demolition of conservatory and increase height of boundary wall to 2.5m’ is due for determination at the same Development Control Committee.

Policy Considerations

National Planning Policy Framework

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

South Kesteven Core Strategy 2010

Policy SP1 – Spatial Strategy
Policy E1 – Employment development
Policy EN1 – Protection and Enhancement of the Character of the District
Policy EN2 - Reducing the Risk of Flooding
Policy EN4 – Sustainable Construction and Design
Policy H1 – Residential Development

Representations received

The observations of the Consultant Architect are reproduced below;

“I am in receipt of amended details in respect of the above proposal which involves the erection of a 39 Bedroom Care Home Facility within the grounds to the rear of Holland House.

In my opinion, the amended scheme is a substantial improvement on previous designs not least in that the building has now been broken up into various elements differing in form, scale and materials and modelled and detailed in a recognisable local traditional manner - whereas it was previously uncomfortably monolithic and contrived architecturally and visually. The current proposal is also, in my opinion, an improvement in the context of the setting, on previously approved schemes. I can therefore see no further objections to the scheme as now proposed”.

Market Deeping Town Council (MDTC) - has grave concerns about the access and do not accept that it will not cause traffic problems due to the size and density of the development. MDTC request that the application goes before the Development Control Committee and that a site visit is undertaken. On the amended plans MDTC maintain their original objection.

Peterborough City - as an adjacent authority, make no observations on the application.

Environmental Protection - do not object to the application but request that conditions be added to control the hours at which building work can be undertaken.

Heritage Lincolnshire - note that development would not affect any known archaeological sites of interest.

Property Development at South Kesteven District Council - request that appropriate details are approved for surface water disposal.

English Heritage - note that the application should be determined in accordance with national and local policy guidance, and on the basis of your specialist conservation advice.

Lincolnshire County Council, Highway Authority - does not object to the application subject to the imposition of conditions. They also note that in coming to their conclusion there have been previous permission on the site; the parking provision accords in excess of maximum standards and whilst there is a pinch point at the entrance, there is enough standing room for a vehicle to wait off the carriageway of Church Street should the driver encounter an exiting vehicle; turning is available for all vehicles that park within the grounds. A check against recorded accident data suggests that there has not been a recognised problem in the immediate locale of the site entrance albeit current movements are less than will be the case should permission be granted. Furthermore, peak hour movements will be modest.

Consultant Tree Officer - observations will be reported in the late items paper

The Environment Agency - does not object to the application subject to conditions.

Representations received as a result of publicity

The application has been advertised in accordance with the Council's Statement of Community Involvement with the closing date for representations being 29 March 2013. However, as a result of amended plans being received a further consultation period was undertaken with the closing date for representations being the 29 May 2013.

As a result of consultation a total of 7 letters of objection were received. A summary of their observations is reproduced below;

The scale, design and mass of the building is in-appropriate and should be much reduced;
Residential amenity would be compromised through a dominating and overlooking impact;
Mature trees would be impacted by the development and should be retained;

Parking provision is inadequate for the number of vehicles that are likely to utilise the site;
Vehicular access to the site is poor and the increase in vehicle movements will be harmful to highway safety;
It would result in a tandem and backland form of development;
The Transport Statement is not up to standard and fails to address parking issues adequately as well as illegal parking that regularly occurs opposite the site;
Residential amenity will be compromised through the increased use and noise from the site;
There is inadequate capacity within the foul water network for a development of this scale;
The design of the building is in-appropriate being at odds with the character of the Conservation Area and affecting the setting of adjacent Listed Buildings;
The basement area is a particular concern and out of character with the area and removing the earth will be a substantial operation in its own right;
The amount of earthworks may undermine adjacent properties;
The development is contrary to Core Strategy policy and guidance contained within the NPPF.

Officer evaluation

It should be noted that amended plans were received on 10 May and they reduce the number of rooms from 46 to 39; the scale of the building has also reduced. The application is considered on the basis of the amended plans and description.

The principle of such a development is supported with permission having been granted for a similar form of development in November 2006; historical evidence also suggests that there have been outbuildings in this locality in the past. Furthermore, there are likely to be economic benefits from the scheme through employment that would be generated, as well as short term building works.

Changes made to the application primarily look to reduce the criticism of its initial monolithic form with the building it now broken up in terms of form, eave and ridge height. Despite the use of the building being as one functional space there are distinct aspects to it giving the appearance of smaller blocks of development. In particular the northwest elevation overlooking the car parking area is set back behind the detached outbuilding and would have a traditional cottage appearance. It is accepted that the basement aspect is unusual and would, at certain vantage, points appear as a three storey building; however, with one of the storeys being in the basement views of it would be severely restricted. Therefore in terms of design it is considered that the building has been detailed so as to create an individual streetscene, rather than a monolithic form of building, that enhances the character of the Conservation Area and does not harm the setting of adjacent Listed Buildings. Appropriate building materials would however need to be approved. Whilst accepting the building would be larger than previously approved it has been designed in a manner sympathetic to its setting.

Residential amenity

Viewed from the exterior of the site the vast majority of the building would appear either single or two-storey, although from the car park, having a basement, it would appear three-storey. However, the rear aspect along the boundary with 53 Church Street would be two-storey with what would appear a single storey rear extension to it. The single storey aspect would be approximately 4m from this boundary with the two-storey element some 9.4m. No first floor windows would be in the rear elevation and a boundary wall is proposed to be erected between the two sites to help screen the development. Furthermore, a similar design and scale of development was approved along this elevation under permission S04/1455. Therefore, the proposal would not be harmful to the amenity of 53 Church Street, through a dominating or overlooking impact, subject to conditions restricting new window and/or rooflights being inserted.

Originally first floor windows were proposed to be in the elevation orientated toward Still Close; however, all first floor windows have now been removed from this elevation, save for 2 rooflights. The main mass of the building would be to the front or adjacent to the gable of 7 Still Close and the amenity of properties on this street would not be unduly affected.

The impact on the amenity of 45 Church Street is also likely not to be significant with the property having no windows in the side elevation and the boundary wall being some 2.5m high. It is noticeable that all first floor windows would be orientated toward the internal courtyard and not neighbouring properties, except for rooflights that would be above the natural eye level.

Highways

A Transport Assessment has been submitted in support of the application and notes that based on the original 46 bedroom unit there would be a requirement for 19 spaces. However, following initial concerns expressed from the Highway Authority about parking provision the number of rooms proposed has reduced to 39 and parking spaces increased by 4 to 23. Having regard to the planning history associated with the site and aforementioned changes to the application that the parking provision is adequate. It is accepted that the access point between Holland House and 39 Church Street is narrow at 4m but the verge to the front is over 6m wide and visibility along Church Street is good. Vehicle movements through the entrance will undoubtedly increase but having regard to the planning history of the site, parking provision and access arrangements; it is not considered that highway safety would be compromised. The speed limit along Church Street is 30mph. Lincolnshire County Council, as Highway Authority, does not object to the application and note that this is not an area with a recognised accident problem.

Other considerations

A number of trees would need to be removed to facilitate the erection of the building; however, a number toward the periphery of the site are to be retained and would form part of the proposed landscaping scheme. None of the trees to be removed are particularly prominent within the landscape of the Conservation Area that there would not be any significant harm to the environment if suitable replacements are planted. Conditions have been added about the disposal of foul and surface water and there is no concern about the proposal in this regard.

Section 106 Heads of Terms

A section 106 is not required for this application.

Crime and Disorder

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

Human Right Implications

Articles 6 (Right to fair decision making) and Article 8 (Right to private family life and home) of the Human Rights Act have been taken into account in making this recommendation.

No relevant Article of that act will be breached.

SUMMARY OF REASON(S) FOR APPROVAL

The application as amended has reduced in overall scale as well as the elevation treatments altered quite significantly. The appearance of the built form is now reflective of more a traditional streetscene with varying roof and eave heights creating a visual diversity which is considered to respect the character of the wider Conservation Area and setting of the adjacent Listed Building. By virtue of scale, siting and orientation of windows it is not considered that residential amenity would be compromised through a dominating or overlooking impact. Nor would trees worthy of protection be compromised. Furthermore, having regard to the planning history (ref; S04/1455) of the site which indicates broad support for development within this area. The application is, therefore, deemed to comply with Core Strategy policies EN1, SP1 , E1 and H1, along with guidance contained in the National Planning Policy Framework; with no other material planning considerations to indicate that the application should be determined otherwise.

In reaching the decision the Council has worked with the applicant and local residents in a positive and proactive manner through appropriate consultation and by determining the application without undue delay. 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 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. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking or re-enacting that Order with or without modification), no window, dormer window or rooflight other than those expressly authorised by this permission shall be constructed without planning permission having first been obtained from the Local Planning Authority.

Reason: To safeguard the amenities of the occupiers of nearby properties.

5. The arrangements shown on the approved plan 0141/(10)002 REv A03 dated 08 May 2013 for the parking/turning 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 Church Street and to allow vehicles to enter and leave the highway in a forward gear in the interests of highway safety.

6. 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 hard surfacing materials, planting plans with 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.

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).

7. 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).

8. Construction work shall only be carried out between the hours of 07:30 and 18:00 Monday to Friday and 09:00 to 13:00 on a Saturday. No construction shall be carried out on Sundays or Public Holidays.

Reason: To minimise the potential noise on the surrounding area and to comply with Core Strategy policy EN1.

9. Only timber doors and windows shall be used in the external elevations of the building.

Reason: To ensure that the setting of the Conservation Area and adjacent Listed Building are respected and comply with guidance contained in the NPPF.

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

(10)002 rev A03
(20)001 rev A03
(20)002 rev A03
(20)003 rev A03
(21)001 rev A03
(21)002 rev A03

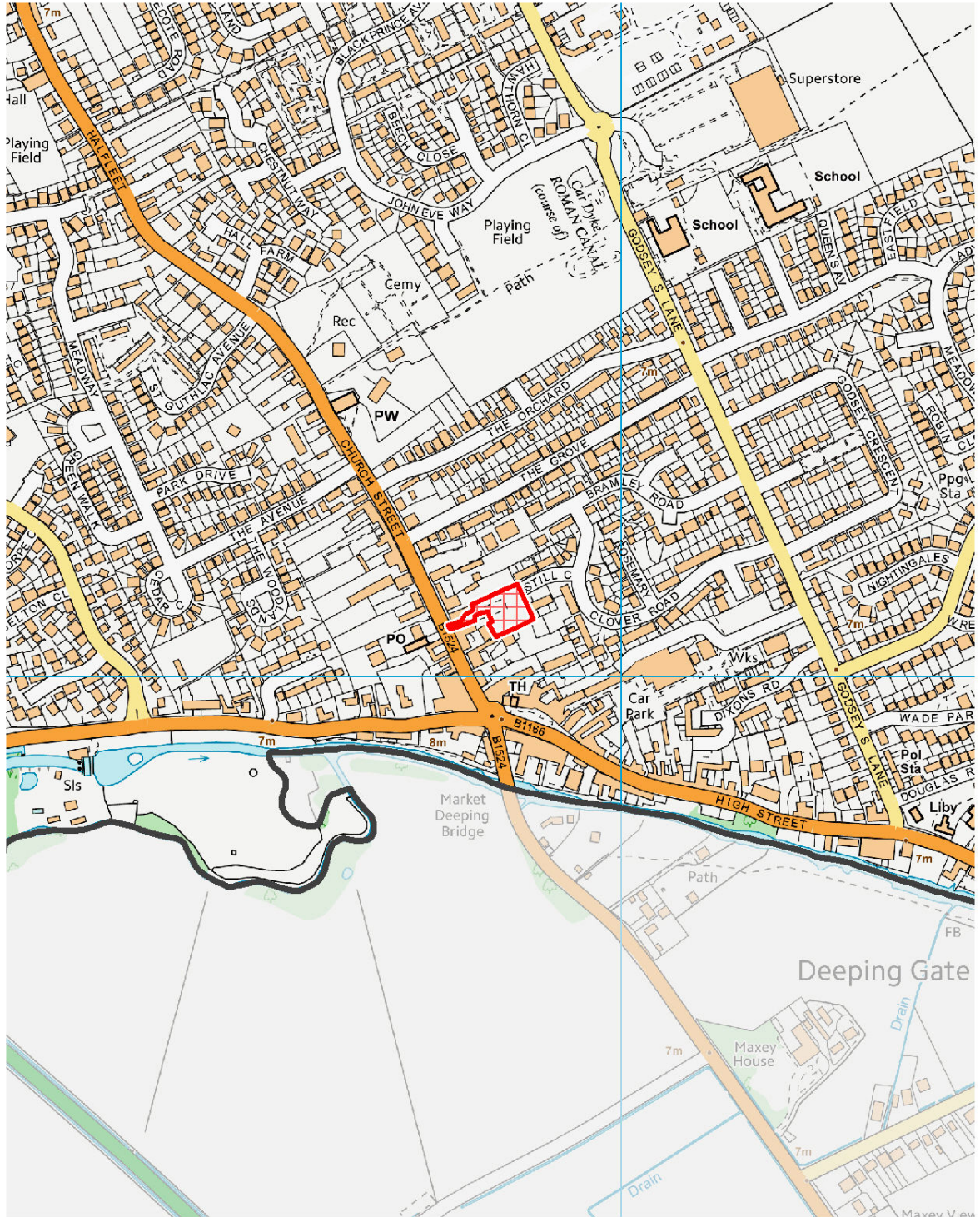
Reason: To define the permission and for the avoidance of doubt.

Note(s) to Applicant

1. Construction shall include mobile and fixed plant/machinery, e.g. generators, radios and the delivery of construction materials.

Site Location Plan

Ref	S13/0369
Proposal	Erection of 39 no. bedroom care home facility (Class C2 Use)
Location	Holland House Nursing Home, 35, Church Street, Market Deeping, Peterborough, Lincolnshire, PE6 8AN



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Applicant	Mr A Kachra, Country Court Care Broadgate House, 72, Church Street, Deeping St James, Peterborough, Lincolnshire, PE6 8HD
Agent	Matt Hubbard, Antony Aspbury Associates Limited 20, Park Lane Business Centre, Park Lane, Basford, Nottingham, NG6 0DW
Proposal	Demolition of conservatory and increase height of boundary wall to 2.5m
Location	Holland House Nursing Home, 35, Church Street, Market Deeping, Peterborough, Lincolnshire, PE6 8AN
App Type	Listed Building Consent
Parish(es)	Market Deeping
Reason for Referral to Committee	The application is considered to be locally controversial.
Recommendation Summary	<p>Grant consent subject to the imposition of conditions</p> <p>The proposed conservatory is a modern addition that makes no contribution to the character of the Listed Building and its removal is supported and would, subject to conditions; result in an enhancement on the existing by returning the building to how it would have looked.</p> <p>Furthermore, the erection of the boundary wall would return this part of the site to how it would have appeared before the wall fell into disrepair/was removed.</p> <p>The proposed works are therefore considered to be acceptable and would result in an enhancement on the character of the Listed Building and wider Conservation Area.</p>

Key Issues

- Impact on the historic features of interest of the Listed Building and wider Conservation Area

Technical Documents Submitted with the Application

- Design and Access Statement
- Elevation drawings
- Floor plans - proposed and existing
- Heritage Impact Assessment

REPORT

Application category

The application is a minor.

Reason for referral to committee

The application is linked to application S3/0369, which is to be determined at the same Development Control Committee meeting.

The proposal

The application is for the demolition of a conservatory on the end elevation of a curtilage listed building along with the erection of a wall 2.5m tall.

The application site and surroundings

Holland House to the front of the site is a Grade II Listed Building and has within its curtilage a detached two-storey outbuilding. Vehicular access to the site is from Church Street through a drive located between Holland House and 37 Church Street, which is also Grade II Listed.

To the rear of the site is an existing parking area but most of the site is an undeveloped principally lawned, garden. The western boundary of the site is marked by a stone and brick wall approximately 2.5m high and the facing wall of 43 Church Street. A wall of a similar height was in situ to the south of the site adjacent to 53 Church Street, although this has largely been removed and it is proposed to rebuild this, (see S13/0369 elsewhere on this Agenda). 1.80m high boarded fencing marks the boundary to the east adjacent to Still Close. A 2m high brick wall marks the boundary with 31/33 Church Street.

The entire application site falls within Market Deeping Conservation Area. Buildings to the west of the site primarily have a frontage to Church Street and are typically constructed of stone; they make valuable contributions to the historic character of the area. To the immediate south of the site is 53 Church Street, a modern property which has undergone recent renovation. Permission has also been granted for the erection of a dwelling to the south of the application site under reference S11/2177. To the east of the site is Still Close, a cul-de-sac development of 1970's properties.

Planning History

The following planning history is for the Listed Building of Holland House, the adjacent outbuilding as well as applications for development within the property curtilage.

95/LB/4580 - The conversion of, and alterations to, the outbuilding in order to provide residential accommodation. Approved on 18th April 1995.

95/LB/4635 – The provision of an entrance porch. Approved on 12th March 1996.

S01/LB/5716 & S01/0890 – The extension to an outbuilding within the curtilage of a listed building and a 24-bedroom extension to the residential care home. Approved on 12th February 2002.

S04/1455 – The erection of 14 sheltered housing units. Approved on 14th November 2006.

S08/LB/6980 – Internal Alterations to Listed Building. Withdrawn on 2nd July 2008.

S08/LB/7017 – Internal demolition and alterations to listed building. Approved on 22nd September 2008.

S08/LB/7056 & S08/1094 - Alteration to listed building (roof pitch) and erection of conservatory. Refused on 11th October 2008.

S13/0369 – for the erection of 39 bedroom elderly persons residence is due for determination at the same Development Control Committee

Policy Considerations

National Planning Policy Framework

Section 1: Delivering sustainable development

Section 7: Requiring good design

Section 12: Conserving and enhancing the historic environment

South Kesteven Core Strategy 2010

Policy E1 – Employment development

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

Representations received

The Consultant Architect - welcomes the removal of the conservatory, subject to the stone detail/finish being made 'good'. Supports the erection of the wall to its former height subject to the materials being appropriate and a coping detail being approved.

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

English Heritage - make no observation on the application.

Peterborough City Council - make no observations on the application

Market Deeping Town Council -note that this application is connected to S13/0369 and request that it be considered at the Development Control Committee too.

Representations received as a result of publicity

The application has been advertised in accordance with the Council's Statement of Community Involvement with the closing date for representations being the 29th March 2013.

Two letters of objection have been received and makes limited comment on the application with regard to the physical impact on the Listed Building; however, observations are made on how the setting of the Conservation Area and Listed Building would be compromised.

Officer evaluation

The conservatory on the east elevation of the two-storey out building is a relatively recent addition and constructed of UPVC with a dwarf wall. It is not an original structure and its removal would enhance the character of the stone building it is attached to, subject to the detail of the window/door in the opening being appropriate.

Increasing the height of the boundary wall along the southern boundary would also be acceptable subject to it being constructed of appropriate material. A wall of similar height and form used to run along this boundary, the remnants of which is still in situ. Replacing the wall would both enhance the character of the area as well as have benefits in terms of protecting the amenity of future occupiers of the building and 53 Church Street. However, appropriate materials would need to be approved, along with a coping detail.

The works proposed, which would return the building and boundary wall to how it used to be are, therefore, supported.

Section 106 Heads of Terms

A section 106 is not required for this application.

Crime and Disorder

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

Human Right Implications

Articles 6 (Right to fair decision making) and Article 8 (Right to private family life and home) of the Human Rights Act have been taken into account in making this recommendation.

It is considered that no relevant Article of that act will be breached.

SUMMARY OF REASON(S) FOR APPROVAL

The proposed works would return the wall and building to how it used to be and not have a detrimental impact on the character of the Listed Building or features of interest. The application is therefore deemed to comply with Core Strategy policy EN1 and guidance contained in the National Planning Policy Framework (chapter 12); 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 by determining the application without undue delay. 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 works hereby permitted shall be commenced before the expiration of three years from the date of this consent.

Reason: To comply with Sections 18 (as amended) and 74 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

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. The stone work where the conservatory has been removed shall be made good with appropriate repair and mortar detail, a method statement detailing the works to be completed shall be submitted to and approved in writing by the Local Planning Authority. The details as approved shall be implemented.

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

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

(21)005 rev A00
(21)006 rev A00

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

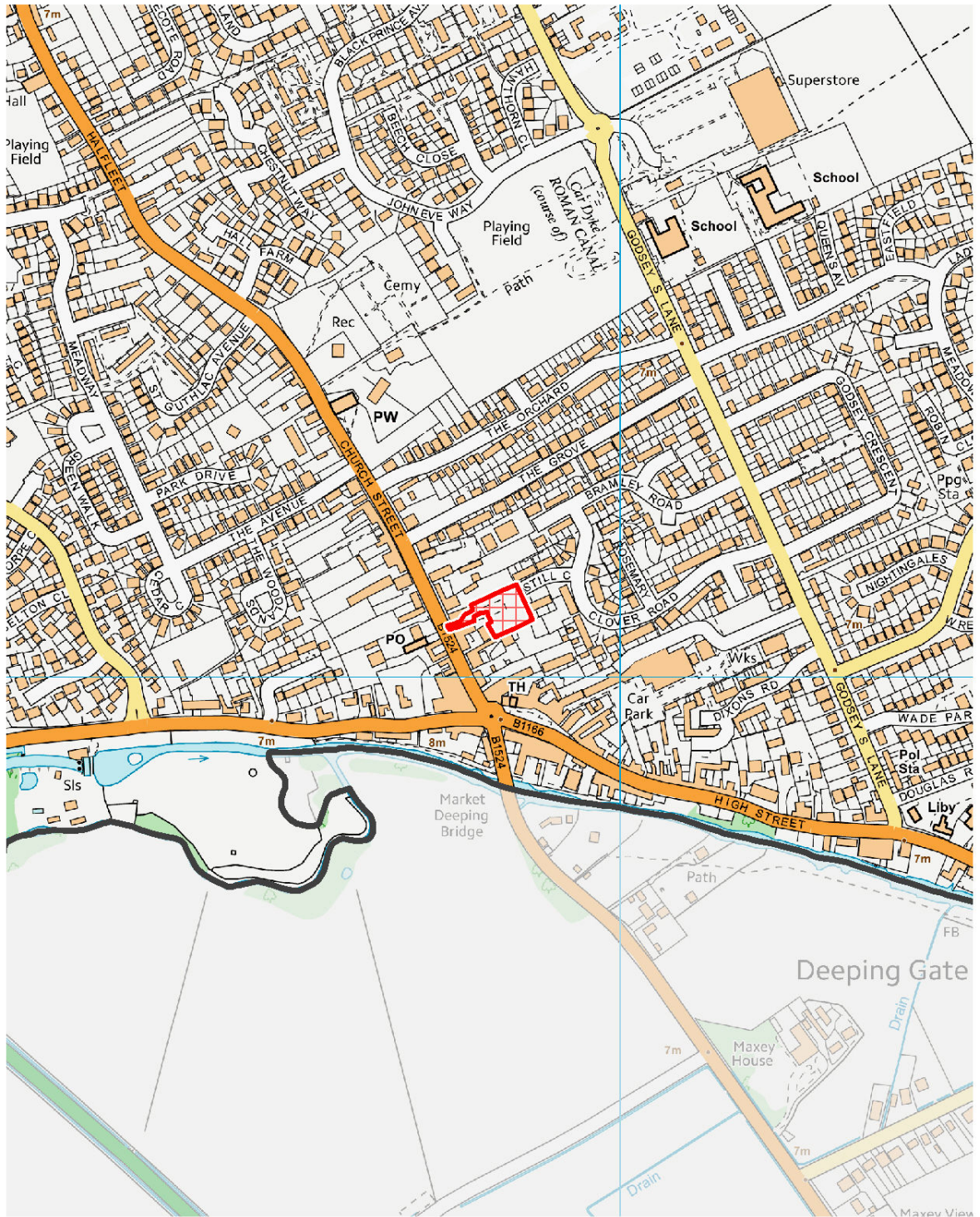
Note(s) to Applicant

1. Please note that this grant of Listed Building Consent does not override civil legal matters with regard to development on or over a boundary or the Party Wall etc Act.
2. * The wall shall have a coping detail that will also be submitted and approved in writing.

* * * * *

Site Location Plan

Ref	S13/0361
Proposal	Demolition of conservatory and increase height of boundary wall to 2.5m
Location	Holland House Nursing Home, 35, Church Street, Market Deeping, Peterborough, Lincolnshire, PE6 8AN



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Applicant	Alison Lea, Larkfleet Limited Larkfleet House, Falcon Way, Bourne, Lincolnshire, PE10 0FF
Agent	
Proposal	Development of 49 dwellings for occupiers aged 55 and over, communal hall, vehicular access, amenity open space, landscaping, allotments and associated works.
Location	Land Off, Chesham Drive, Baston
App Type	Major Full (Residential)
Parish(es)	Baston
Reason for Referral to Committee	The application is a major type application that is referred to the Development Control Committee as it is accompanied by a Section 106 agreement.
Recommendation Summary	<p>The proposed development would be located on greenfield land outside the built-up part of a Local Service Centre. It is located within a sustainable settlement. The previous application was refused on the grounds that it did not comply with Core Strategy policy SP1 and H1 and emerging SAP policy H1. Given that the Council does not currently have a five-year housing land supply, the NPPF advises that the adopted policies of the Core Strategy cannot be considered to be up-to-date, and hence, are of restricted weight. The policies of the SAP can only be given limited weight as it is still under preparation. In such circumstances, the NPPF advises that planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole. The impacts of the proposals on other issues are either not considered to be adverse or would be adequately mitigated.</p> <p>The Flood Risk Assessment submitted with the application is considered to be acceptable. The application is considered to be compliant with Core Strategy policy EN2.</p> <p>The proposal would provide 35% affordable housing on-site and would comply with Core Strategy policy H3. The proposal would retain a public right of way running through the site. The proposal, based on a residential development restricted to the over 55s, would not have an adverse impact on highway safety and would provide a satisfactory amount of car parking on-site. The application would not have an adverse impact on any nature conservation interests or landscape designations. The design, scale and layout of the development are considered to be satisfactory. The proposal would comply with Core Strategy policy EN1.</p> <p>The application will provide the full range of mitigation measures necessary to ensure the development would not have an adverse impact on the infrastructure of the local community by way of the provision of on-site public open space and a commuted sum contribution to traffic calming, fire hydrants, waste wheelie bins and community facilities. The proposal will comply with the provisions of the Planning Obligations SPD and Core Strategy policy SP4.</p>

	<p>Overall, the application is considered to be in compliance with the relevant policies of the development plan and with the provisions of the NPPF.</p> <p>In reaching the decision the Council has worked with the applicant in a positive and proactive manner developing the proposal through pre-application discussions. As such, it is considered that the decision is in accordance with paragraphs 186 -187 of the National Planning Policy Framework.</p>
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Key Issues

- Compliance with the Development Plan
- Flood Risk
- Visual Amenity and Landscaping
- Design and Layout
- Highway Safety
- Archaeology
- Planning Obligation

Technical Documents Submitted with the Application

- Flood Risk Assessment and Drainage Strategy
- Archaeological Evaluation
- Transport Assessment
- Planning Statement
- Geophysical Survey
- Landscape and Visual Impact Assessment
- Ecological Scoping Survey
- Design and Access Statement
- Plot Materials Schedule
- Sustainability Statement

REPORT

Application Category

The application is a major.

The Proposal

The application is for the erection of 49 dwellings for occupation by residents aged 55 years and above. This number would include 17 affordable dwellings. The dwellings would be a mix of 1-3 bed properties and would be either single or two storey in height. The development would include a communal building for use by occupiers and visitors, 0.256 hectares of public open space and 0.1273 hectares of land for allotments. A landscape buffer would be provided along the southern boundary of the site. Vehicular access to the site would be from Chesham Drive, however, an emergency access would be provided at the south-west corner of the site leading to the lay-by at the A15. The secondary access point is being considered for use by construction traffic. Additional pedestrian access is also available at the north-east and south-east corners of the site from the public footpath that crosses the site.

The Application Site and its Surroundings

The application site comprises 2.74 hectares of largely flat agricultural land on the southern edge of Baston. It is accessed through an existing residential estate via Aveland Way and Chesham Drive. Access to the A15 would be via the junction at Main Street, the principle road into the settlement. The site is bounded to the south by a hedgerow, to the west by mature trees adjoining the playing fields of Kirkstone House School, to the north by residential properties and to the east by the public right of way.

Baston is designated as a Local Service Centre under Core Strategy Policy SP2. Baston is a typical fenland village which has developed in a linear fashion eastwards into the open countryside. Most of the village, and all of the facilities, lies to the east of the main A15 Bourne to Peterborough road.

Relevant Site History

In 2011, the Council screened the proposal under the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 and concluded that an Environmental Impact Assessment would not be required as the development would not be likely to have significant effects on the environment by virtue of physical characteristics of the land, scale of development and its location. There are no material changes in circumstances that warrant a different conclusion on the significance of the environmental impacts of the proposals.

An almost identical application was submitted in 2012 (ref: s12/1755) and was refused planning permission on three grounds: conflict with planning policy on housing provision in the emerging Site Allocations and Policies DPD, absence of a Flood Risk Assessment and lack of a Planning Obligation containing provisions to mitigate the impact of the proposed development. An appeal against the refusal has been made and is scheduled to be heard by way of an informal hearing in August.

As set out later in this report, since the decision to refuse to grant planning permission was made in October 2012, there have been material changes in circumstances relevant to this site and the proposed development.

Policy Considerations

National Planning Policy Framework

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

South Kesteven Core Strategy 2010

Policy SP1 Spatial Strategy
Policy SP2 Sustainable Communities
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 H1 Residential Development
Policy H3 Affordable Housing

Representations Received

Baston Parish Council:

Objects to the application on the grounds of

- Against South Kesteven District Council's Site Allocation and Policies Development Plan Document;
- There is a Housing Needs Survey being undertaken by Community Lincs on behalf of the Parish Council but no results are available at this present time. It is unknown if Baston requires any extra affordable / social houses for people of that age group who live or who have a close family connection with the village;
- The Parish Council has notified SKDC of their intention to develop a Neighbourhood Development Plan which would identify the local requirements;
- No Doctors practice available within the village – part-time or full-time;
- Little employment within the parish which would therefore require residents to use their own transport;
- Great concerns about the increase in traffic at the junction of Aveland Way onto Main street and the A15 crossroads junction;
- Great concerns about the proposed use of emergency exit / entrance onto the south bound layby which is used as a stopping point for HGVs etc;
- Access onto the A15 from the south bound layby has poor visibility and no speed control;
- Concerns about water issues and its effects on Baston Fen Nature Reserve which is SSSI;
- Larkfleet were informed at meetings with the Parish Council that they did not want the proposed community area as this will discourage new residents from joining in village activities and using The Barn (village hall). New residents will not integrate into the

community and the village hall will lose the friendly village atmosphere which people have worked hard to keep;

- This development is totally unsuitable for a rural location.

If the Committee is mindful to approve the development then the Parish Council would require that Larkfleet make a financial contribution to the Parish Council so that they can undertake improvements/refurbishment works to the Barn on behalf of BPFMC (Brudenell Playing Fields Management Committee) or other projects within the parish. This should be placed on a s106 Agreement (CIL) as a condition of planning approval and include the following:

1. Tarmac drive and car park to make it easier for disabled access to The Barn;
2. New kitchen and associated appliances;
3. New toilets / showers;
4. New heating system;
5. Insulation;
6. Broadband access;
7. Decorating;
8. Speed calming measures along Main Street.

Environment Agency:

No objections subject to a condition requiring the submission of a detail drainage scheme.

Natural England:

From the information provided within this application, it does not appear to fall within the scope of the consultations that Natural England would routinely comment on. The lack of specific comment from Natural England should not be interpreted as a statement that there are no impacts on the natural environment, but only that the application is not likely to result in significant impacts on statutory designated sites, landscapes or species. It is for the local authority to determine whether or not this application is consistent with national or local policies on biodiversity and landscape and other bodies and individuals may be able to help the Local Planning Authority to fully take account of the environmental value of this site in the decision making process. LPAs should seek the views of their own ecologists when determining the environmental impacts of this development.

Anglian Water:

The sewerage system at present has available capacity for foul sewage. The foul water strategy should be in accordance with the Flood Risk Assessment and Drainage Strategy document.

Lincolnshire Fire and Rescue:

One new fire hydrant will be required to cover fire-fighting water provision requirements within this development. The amount required to install the hydrant will be a net cost of £868.52.

Wellings & Deepings Internal Drainage Board:

No comments received.

Lincolnshire Wildlife Trust:

We note that the site layout has changed; however, our comments remain the same as those submitted on 7 August 2012 in response to the previous application.

In summary LWT conclude that they are satisfied that providing the recommendations are followed, there should not be any significant negative impacts on protected species as a result of the proposed works. We strongly support the recommendation to provide a range of bird boxes within the development. We would recommend that features are included for declining urban birds such as house sparrow, swift and swallow where appropriate. We would also recommend that consideration is given to the inclusion of features for bats within the development, such as bat

bricks or access tiles within buildings on site or bat boxes fitted externally to buildings or trees on site. We are pleased to note the provision of open space through there is no indication in this application as to how this area will be managed. The Trust would strongly support the creation of species rich native grassland habitats on site which would contribute towards UK and Lincolnshire Biodiversity Action Plan targets for the creation of lowland meadows and would provide accessible natural greenspace for local residents. We support the inclusion of allotments on site. Allotments are a Lincolnshire BAP habitat in recognition of their importance for biodiversity when managed with wildlife in mind. The Trust would recommend the retention of existing trees and hedges on site wherever possible.

Heritage Trust of Lincolnshire:

The archaeological evaluation identified remains dating from the Iron Age / Roman period and medieval period. In particular, a possible barrow has been identified. No objections providing the applicant can demonstrate that remains can be preserved in-situ and where they may not, have a suitable mitigation strategy in place. However, given the depth of topsoil present across the site, it is assumed that this is not possible and therefore it is likely that area excavation will be required in order to fully understand and record remains present. A plan indicating areas of interest based on an assumption that the area of proposed allotments and public open space will not be topsoil stripped.

Lincolnshire Police:

No comments received.

NHS Property Services:

No objections or requirement for contribution to healthcare services.

Lincolnshire County Council (Drainage):

No objections subject to conditions relating to the submission of a detailed surface water drainage scheme and a management plan for the SUDS system.

Lincolnshire County Council (Highways):

No objections. Request that any permission given by the local planning authority includes a number of conditions relating to the provision of the emergency link together with a footway / cycleway scheme; provision of roads and footways; detailed design of surface water drainage; provision of first 40m of estate road; and a planning contribution of £7,000 towards traffic calming measures in Baston.

Lincolnshire County Council (Rights of Way):

In the absence of further information, it is expected that the definitive line and customary width of the path will not be affected by any proposed development. During any works allowed by this proposal, users of the Public Right of Way should not be inconvenienced or exposed to hazard by any such works.

Lincolnshire County Council (Minerals and Waste):

The site is located 300m from the boundary of an extant (but currently inactive) mineral permission to extract (completed) and importation of inert waste to achieve a landform back to original levels for agriculture (ref: s7/1310/89). At the most recent site visit CEMEX confirmed that they are in negotiation with the owner (Gibbons) to hand the site back restored to a slightly lower level in the near future.

Lincolnshire County Council (Education):

No request for any contribution towards education as over 55s development.

SKDC Senior Planning Policy Officer:

In summary, Core Strategy policy SP1 allows for development in Local Service Centres. It gives preference to brownfield sites within the built-up part of settlements and sites allocated in the emerging Site Allocation and Policies DPD. The policy is also explicit that suitable sites are those which do not compromise the nature and character of the village. Core Strategy Policy H1 allows for a modest level of development within the Local Service Centre to enable them to continue to function as sustainable local centres. Development is limited to identified allocated sites and infill / redevelopment sites within the built-up areas of the settlements. Policy SAP H1 allows for development on suitable brownfield redevelopment sites and small infill sites within the built-up part of Local Service Centres, provided that (among other criteria) it will not have a detrimental impact upon the quality of life of adjacent residents and properties and will not compromise the nature and character of the settlement. The current position with regard to the housing land supply is that there is a 4.8 year supply which will increase to 5.1 years (or 4.8 years when taken against the requirement plus a buffer of 5%) following the approval of the Empingham Road, Stamford site. A presumption in favour of sustainable development is a central tenet of the NPPF. The application site is on the edge of a village which is identified as a sustainable settlement. The application should also be assessed against the criteria in Core Strategy policy EN1 to allow for the impact of development on the surrounding area to be considered.

SKDC Partnership Project Officer:

The application shows that provision has been made to provide 17 affordable housing units on the site in line with the Council's requirement for 35% affordable housing. The location, size and tenure of the affordable housing units is to be agreed in writing with the Council in line with the stated requirements. A Housing Needs Survey for Baston has been carried out based on the need for affordable housing in the village. It identified 30 cases for affordable housing of which 10 of these cases are aged 50 years and over and need a one or two bedroom bungalow or flat.

SKDC Community Leisure Officer:

In terms of the on-site provision of green spaces, my view is that the excess amount of allotment provision outweighs the shortfall in informal/ natural green space. To my knowledge the village is well equipped in terms of outdoor sports space, and I am aware the tennis courts have recently been refurbished. Therefore, I do not think this development will have enough of an impact on these facilities to warrant a request towards off-site sports space. It could be that the Parish Council have a different view, in which case I would be happy to look at any proposals. We would not normally make any request towards parks and recreation grounds as generally this type of green space is covered by other requirements such as play facilities and informal open space. In this case my view is the developer has provided a reasonable amount of green space on-site, as per first paragraph. Also, any off-site payment would need to be justified as increasing the amount of capacity of any existing park and recreation ground. Deeping Leisure Centre and Bourne Leisure Centre are both within close proximity of the development and have capacity and therefore the sports facilities: synthetic turf pitches, swimming pools and sports halls described in the SPD are well catered for.

A commuted sum towards the village community centre could be of benefit, but we would need to justify how this would be used to increase capacity. Privately managed open space is our preference, as this removes any concerns about long term maintenance responsibilities. In terms of the community centre a contribution of £22,981.00 is the amount to ask for based on figure of £245 per person in the SPD.

Representations Received as a Result of Publicity

The application has been publicised in accordance with the Council's Statement of Community Involvement and 21 letters have been received. The issues raised are summarised as follows:

- Not in compliance with planning policy
- Development on greenfield site
- Over 55s housing not needed in Baston
- Over 55s restriction unworkable
- Additional traffic generation and congestion
- Highway safety problems
- Construction traffic unacceptable from Aveland Way
- Detrimental visual impact
- Design not in keeping with estate
- Loss of privacy
- Increase in noise
- Village infrastructure at capacity
- Primary school at capacity
- No need for community hall on-site
- Dwellings too small
- Allotments unsightly
- Drainage / sewerage / flooding problems
- Impact on garden and field birds
- Better sites in other villages
- No different from s12/1755

Officer Evaluation

Compliance with the Development Plan

The application relates to a greenfield site that is currently in agricultural use, located on the southern side of Baston, outside the built-up part of the settlement. Core Strategy policy SP1 states that in Local Service Centres, preference will be given to brownfield sites within the built-up part of settlements and sites allocated in the Site Specific Allocations and Policies DPD. Core Strategy policy H1 plans for a modest level of development within the Local Service Centres to enable them to continue to function as sustainable local centres. Paragraph 5.1.11 of the Reasoned Justification states that in these locations, development will be limited to identified allocated sites and infill/redevelopment sites within the built-up areas of the settlements. The application site is neither a brownfield site within the built-up part of Baston nor an allocated site.

The site which is the subject of this planning application cannot be regarded as either a brownfield or an infill site, and is not an allocated site. Core Strategy policy SP1 does not preclude development on greenfield sites: it merely gives preference to previously developed, or brownfield sites.

Emerging policy SAP H1 in the Site Allocations and Policies allows for development on suitable brownfield redevelopment sites and small infill sites within the built-up part of Local Service Centres, provided that (among other criteria) it will not have a detrimental impact upon the quality of life of adjacent residents and properties and will not compromise the nature and character of the settlement.

The site was not included as an allocation in the Site Allocations and Policies DPD, which is currently at Examination stage. Following representations against its non-inclusion, the site was the subject of a discussion at the Hearing sessions in November 2012. However, the Site Allocations and Policies DPD Examination has been suspended for a short time whilst additional Sustainability Appraisal work is carried out. A programme of work to review and retest the Sustainability Appraisal has been set out which will result in public consultation on the revised

Sustainability Appraisal and any Main Modifications arising, expected to commence mid-late June 2013. This will re-open the Examination stage.

In preparing the annual Five-Year Housing Land Supply paper for the period 2012-2017, an allowance was made for the development of additional housing on a number of sites allocated in the Grantham Area Action Plan. The withdrawal of the Grantham Area Action Plan means that less certainty can be given to the allocation in that plan coming forward in the five-year period: as a result the Council has revisited the five-year land supply position. The removal of those allocations in the Grantham Area Action Plan which were considered likely to be developed in the five-year period 2012-2017 results in a reduction of deliverable supply from 5.2 years supply, down to 4.8 years supply. The Council has resolved to approve an application for Empingham Road, Stamford and this is expected to contribute 180 dwellings within the five-year period [assuming that construction commences in 2014 and a build-rate of 45 per annum]. This will increase the five-year land supply to 5.1 years [or 4.8 years when taken against the requirement plus a buffer of 5%]. Nonetheless the Council, at present, cannot demonstrate a five-year housing land supply.

A presumption in favour of sustainable development is a central tenet of the NPPF (paragraph 14). The application is on the edge of a village which has been identified as a sustainable settlement. As the Council cannot currently demonstrate a five-year housing land supply, guidance in the NPPF advises that the relevant policies for the supply of housing should not be considered up-to-date (paragraph 49).

The application therefore falls to be considered against the provisions of the NPPF taken as a whole, with the local plan afforded much more limited weight.

The position is summed up in recent case law *Cheshire East Borough Council vs Secretary of State for Communities and Local Government and Others* handed down by Higginbotham J on 20 March 2013, where he set out:

“16. Consequently, if a local planning authority cannot demonstrate a five year supply of housing land, then (i) relevant housing policies are to be considered as out of date, and hence at best of restricted weight; and (ii) there is a presumption of granting permission unless the adverse impacts of granting permission significantly and demonstrably outweigh the benefits, or other NPPF policies indicate that development should be restricted in any event. The presumption is, again, not irrebuttable: it may be rebutted by other material considerations.”

There has therefore been a material change in planning policy circumstances relating to the supply of housing in the District since the determination of the previous application in October 2012, when a policy objection on housing land supply could be sustained in relation to this site. Now we are in a reverse situation. This is a result of the provisions of the NPPF in relation to housing land supply coming in to full effect in March 2013, the withdrawal of the Grantham Action Area Plan in January 2013 and the current a five-year housing land supply position.

With a supportive policy position, the second part of the NPPF guidance (paragraph 14) needs to be assessed, that is whether there are adverse impacts that demonstrably outweigh the benefits of the proposal. The environmental and other impacts of the proposals are discussed below.

Flood Risk

The application site is located within Flood Risk Zone 1, within which residential development is considered to be acceptable. In the case of a development of this size, according to the technical guidance to the NPPF, the potential to increase flood risk elsewhere through the addition of hard surfaces and the effect of the new development on surface water run-off should be incorporated

into a Flood Risk Assessment. Unlike the previous application, a Flood Risk Assessment and Drainage Strategy has been submitted with the application that is to be acceptable by the Environment Agency. The application is in compliance with Core Strategy policy EN2.

Visual Amenity and Landscape

The South Kesteven Landscape and Character Assessment (2007) locates the site within The Fens Character Area. The character of the Fens is determined by the level low terrain with large man-made rectangular fields divided by drainage ditches with virtually no trees or woodland. It is an open landscape with sparse settlement. There is little to dictate the form of those settlements that existing. It advises that "Any new development around the settlement should carefully consider the settlement edge. In some places it may be appropriate to have properties looking out over the countryside and in others to have areas of planting. Back fences backing onto open countryside would not be appropriate." The landscape sensitivity to new residential provisions would be low or medium and at the edge of the existing settlements.

The application is accompanied by a Landscape and Visual Impact Assessment. It states that the site has no landscape designation and is not protected; it is judged to be of low landscape sensitivity, comprising arable land and largely devoid of landscape features; clear views of the development would be largely restricted to localised views from the southern edge of Baston; new housing would be observed as an extension to the properties on Chesham Drive especially as most dwellings would be single storey in height; development would be visually contained from the west by the retained existing hedgerow to Kirkstone School; new tree and hedgerow planting around the site perimeter will soften and filter views of the built form, as well as providing local landscape enhancement in the long term. The report finds that the magnitude of landscape change on the site and its immediate landscape is judged to be medium adverse, as a result of the change from arable to built development, but would reduce in the long term.

The proposals would result in an encroachment into the countryside to the south of Baston and would change the character of the immediate area around the site which can be viewed from the Baston-Langtoft footpath, from residential properties at Chesham Drive and to a limited extent from the A15 lay-by. However, the impact on the landscape of the area (having regard to the proposed landscape mitigation measures) would not be significantly detrimental on its own account. The proposal would comply with Core Strategy policy EN1 and Section 11 of the NPPF in respect of landscape matters.

Design and Layout

The proposed layout comprises a number of formal landscaped squares and frontage development with private courtyards contained within perimeter blocks. A range of detached, semi-detached and terraced properties are proposed throughout the site. There would be 7 two storey dwellings, located to the western part of the site, with the remainder being single storey. The dwellings would be of traditional construction in brick with tiled roofs and chimneys. A limited palette of material is envisaged comprising red and/or buff facing brick, white painted render and red and/or grey roof tiles. Car parking would be provided to the front of each property on the basis of one space per dwelling. The garden areas would be a mix of private and communal areas.

The layout includes provision for a communal facility that would provide a communal lounge and coffee area, a kitchen, consulting room, toilet facilities and a waiting area. It is intended that the facility would be used by residents of the development and visitors. Some residents have written with concerns that the facility would take demand from The Barn community centre, however, it should be noted that the communal facility will have external dimensions of 9.5m by 9.5m which is reasonably small in size.

The design and layout of the residential development is acceptable and provides an estate with a reasonable degree of separation to provide space around the dwellings and opportunities for landscaping. The proposal would comply with Core Strategy policy EN1 and Section 11 of the NPPF in respect of achieving good quality built and landscape design.

Highway Safety

Vehicular access to the site is proposed via Chesham Drive and the connecting roads in the Aveland estate. An emergency access would be provided to the lay-by on the A15 from the south-west corner of the site. During the construction phase, it would be used by construction traffic rather than the residential streets through the village and Aveland estate. The emergency access would also provide a pedestrian and cycle route to the bus stops on Deeping Road. The application proposes a 2m wide footpath link along the lay-by. The existing public right of way, connecting Baston and Langtoft, would be retained and set within the area of public open space. In respect of concerns raised by local residents over cumulative traffic generation from this development with the nearby household waste recycling facility; the Highway Authority have confirmed that HGVs from the waste recycling facility are routed away from the Main Street in Baston.

The Highway Authority has confirmed that do not have any objections to the application.

Archaeology

An archaeological evaluation was carried out in September 2012 which concluded that the site lay in an area of known remains of prehistoric to medieval date. The evaluation confirmed the presence of a circular ditch in the southeast part of the site but it remains uncertain whether this is a Bronze Age barrow ditch. Two probably early Roman field boundary ditches were revealed. An east-west ditch of Late Saxon date was probably the southern boundary of the settlement of that date previously excavated to the north. A probable late medieval boundary ditch was also revealed. Artefacts retrieved included pottery of Late Iron Age, Early Roman, Late Saxon and late medieval date along with animal bone. The Council's archaeological advisor is satisfied with the evaluation work and recommends that a condition be attached to ensure that the remains can be preserved in-situ or that a suitable mitigation strategy is put in place.

Other Material Considerations

The majority of the issues raised by local residents have been addressed in the main body of the report above. Some residents have raised concerns that the proposed communal facility will be used in preference to The Barn which will prevent residents from the estate from integrating into the village and, if it is available for public hire, would be in direct competition with The Barn and could result in a loss of revenue for the existing community facility. The applicant has stated that the communal facility would be for use by occupiers and visitors to the development – not for public use. It would be much smaller in size than The Barn, or a standard village hall, and is considered to be proportionate to the size of the development to provide limited communal facilities comprising a lounge, consulting room, kitchen and toilets.

The application is made on the basis of over-55s residential accommodation. Some residents have raised concerns over how this would be controlled. It is intended that the affordable housing would be controlled via a planning condition that would ensure the properties are occupied by those aged over 55 years or living as part of a single household with those who are over 55 years. A similar condition has been attached to Larkfleet's over 55s development currently under construction at The Croft in Bourne (s09/1699).

Section 106 Heads of Terms

The Planning Obligations SPD requires the following contributions:

- Affordable housing – requirement for 35% of the total number of proposed dwellings. The development would meet the affordable housing requirement.
- Informal/natural greenspace – requirement for 0.188 hectares of on-site open space. The development would exceed the informal greenspace requirement.
- Outdoor sports space – requirement for 0.094 hectares of on-site sport space. The village is well equipped with outdoor sports space at The Barn and as the existing tennis courts have recently been refurbished, no further contribution is required.
- Allotments – requirement for 0.018 hectares of allotment. The amount provided as part of the development would exceed the SPD requirement. It would be for use by the residents of the development.
- Parks and recreation grounds – an off-site commuted sum contribution is required. None is to be provided, however, given that there is adequate informal open space within the development.
- Highways and transportation – contribution of £7000 towards traffic calming measures.
- Community centres and village halls – requirement of £22,981 for commuted sum to improve the facilities of the existing community centre known as The Barn.
- Sports facilities – requirement will depend on existing sport facility capacity. Deeping Leisure Centre and Bourne Leisure Centre are both within close proximity of the development and have adequate capacity.
- Healthcare – a contribution is required assuming that there is no spare capacity in the healthcare catchment. The NHS have confirmed, as per the previous application, that there is no local need which would generate a contribution.
- Fire and rescue – a financial contribution of £868.52 is required towards the provision of one fire hydrant.
- Lifetime homes – proposal is for over 55s therefore standards will be met.
- Flooding, drainage and watercourse management – provision for preventing flood risk and for drainage are set out in the Flood Risk Assessment and Drainage Strategy.
- Waste and recycling – a financial contribution of £1,274 is required towards the provision of silver recycling bins.

Following negotiation during the assessment of the proposals, the applicant has agreed to meet the requirements of the Planning Obligations SPD. The applicant has proposed the following draft head of terms for a planning obligation:

- The provision of affordable housing comprising 17 residential units to meet the requirement for 35% of the total number of proposed dwellings.
- The provision of Amenity Open Space comprising 0.256 hectares provided on-site.
- A financial contribution of £868.52 towards a fire hydrant.
- A financial contribution of £1,274 towards the provision of wheelie bins for each dwelling.
- A financial contribution of £22,981 to be provided towards the improvement of the existing village community facilities, known as The Barn.
- A financial contribution of £7,000 towards traffic calming measures in Baston.

The proposals are considered to be in compliance with Core Strategy policy SP4.

Crime and Disorder

The proposed development raises no significant crime and disorder implications.

Human Rights Implications

Articles 6 (Right to fair decision making) and Article 8 (Right to private family life and home) of the Human Rights Act have been taken into account in making this recommendation. No relevant Article of that Act will be breached.

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 developer contribution 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.

SUMMARY OF REASON(S) FOR APPROVAL

The proposed development would be located on greenfield land outside the built-up part of a Local Service Centre. It is located within a sustainable settlement. The previous application was refused on the grounds that it did not comply with Core Strategy policy SP1 and H1 and emerging SAP policy H1. Given that the Council does not currently have a five-year housing land supply, the NPPF advises that the adopted policies of the Core Strategy cannot be considered to be up-to-date, and hence, are of restricted weight. The policies of the SAP can only be given limited weight as it is still under preparation. In such circumstances, the NPPF advises that planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole. The impacts of the proposals on other issues are either not considered to be adverse or would be adequately mitigated.

The Flood Risk Assessment submitted with the application is considered to be acceptable. The application is considered to be compliant with Core Strategy policy EN2.

The proposal would provide 35% affordable housing on-site and would comply with Core Strategy policy H3. The proposal would retain a public right of way running through the site. The proposal, based on a residential development restricted to the over 55s, would not have an adverse impact on highway safety and would provide a satisfactory amount of car parking on-site. The application would not have an adverse impact on any nature conservation interests or landscape designations. The design, scale and layout of the development are considered to be satisfactory. The proposal would comply with Core Strategy policy EN1.

The application will provide the full range of mitigation measures necessary to ensure the development would not have an adverse impact on the infrastructure of the local community by way of the provision of on-site public open space and a commuted sum contribution to traffic calming, fire hydrants, waste wheelie bins and community facilities. The proposal will comply with the provisions of the Planning Obligations SPD and Core Strategy policy SP4.

Overall, the application is considered to be in compliance with the relevant policies of the development plan and with the provisions of the NPPF.

In reaching the decision the Council has worked with the applicant in a positive and proactive manner developing the proposal through pre-application discussions. 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. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking or re-enacting that Order with or without modification), no extension, enlargement or other alteration of the building(s) shall be carried out without Planning Permission obtained from the Local Planning Authority.

Reason: The Local Planning Authority considers that further development could cause detriment to the amenities of the occupiers of nearby properties or to the character of the area, and for this reason would wish to control any future development, and in accordance with Policy EN1 of the adopted South Kesteven Core Strategy (July 2010).

3. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking or re-enacting that Order with or without modification), no window, dormer window or rooflight other than those expressly authorised by this permission shall be constructed without planning permission having first been obtained from the Local Planning Authority.

Reason: To safeguard the amenities of the occupiers of nearby properties.

4. 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).

5. 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).

6. No development shall take place until full details of planting and landscaping (including planting plans; written specifications; schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate; implementation programme) have been submitted to and approved in writing by the local planning authority. All planting, seeding or

turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the District Planning Authority gives written consent to any variation.

Reason: Landscaping and tree planting contributes to the appearance of a development and assists in its assimilation with its surroundings. The implementation of the scheme is therefore necessary to create and maintain a pleasant environment and in accordance with Policy EN1 of the South Kesteven Core Strategy.

7. 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).

8. No development shall take place until a plan indicating the positions, design, materials and type of any boundary treatment to be erected has been submitted to and agreed in writing by the local planning authority. The boundary treatment shall be carried out in accordance with the approved details and shall be completed before the buildings are occupied or in accordance with a timetable to be agreed in writing with the local planning authority.

Reason: To provide a satisfactory appearance by screening rear gardens from public view and in the interests of the privacy and amenity of the occupants of the proposed dwellings.

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

Site Location Plan A.42.378
Footpath Link Details SK-02 received 25/04/13
Proposed Layout SK-05 RevD received 20/05/13
Street Scenes Scene B
Topographical Survey 171111/01A
H49 Bungalow Design Sheet H49/DS
H59 Bungalow Design Sheet H59/DS revA
H60 Bungalow Design Sheet H60/DS revA
H62 Bungalow Design Sheet H69/DS revA
House Type H103 Design Sheet H103/DS revC
House Type H104 Design Sheet H104/DS revA
Communal Hall Design Sheet BAS/COM
Drainage Strategy 11389/SK/2006 revF received on 20/05/2013

Flood Risk assessment and Drainage Strategy (BSP Consulting, 17/05/12)
Design and Access Statement (Bidwells, July 2012)
Archaeological Evaluation on Land at Chesham Drive, Baston (APS, September 2012)
Plot Materials Schedule

Reason: To define the permission.

10. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development Order) 1995 (or any order revoking and re-enacting that Order with or without modifications), no gates, fences or walls shall be erected (other than those expressly authorised by this permission).

Reason: To ensure that the development maintains its open character and appearance.

11. No buildings shall be occupied until the first 40m of estate road from its junction with the public highway, including visibility splays, as shown on drawing no. SK-05 Rev G (received 20/05/2013) has been completed.

Reason: In the interests of safety of the users of the public highway and the safety of the users of the site and to enable calling vehicles to wait clear of the carriageway of Chesham Drive.

12. The arrangements shown on the approved drawing no. SK-05 Rev G (received 20/05/2013) for the parking of vehicles shall be available at all times when the buildings are in use.

Reason: To enable calling vehicles to wait clear of the carriageway of Chesham Drive and estate road carriageways in the interests of highway safety.

13. No dwellings shall be occupied until the provision of an emergency link and footway / cycleway shown on drawing no. SK-02 (dated 25/04/2013) together with necessary ancillary works has been constructed.

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

14. No development shall take place until a detailed 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 drainage scheme should demonstrate the surface water run-off generated up to and including the 1.0% annual probability even with the inclusion of climate change will not exceed the run-off from the undeveloped site following the corresponding rainfall event. It shall include the overall layout and extent of the impermeable / permeable areas and soakaways including details of soakaway dimensions, location, layout and details of permeable paving materials. Overland flow routes through the proposed development should also be included at the detailed design stage. 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 in accordance with Policy EN2 of the adopted South Kesteven Core Strategy (July 2010).

15. No development shall take place until a management plan (including a SUDS overview) and a management statement (including how the SUDS will perform and develop over time, specification of works, maintenance schedule and details of responsibility for the management and maintenance of each element of the SUDS scheme) for the proposed sustainable urban drainage system (SUDS), pursuant to the details shown in the Flood Risk Assessment prepared by BSP Consulting (ref: 11389/FRA&DS/RevF dated 17/05/2013) and Drainage Strategy (ref 11389/SK/2006 revF), has been submitted to and agreed in writing by the local planning authority. Only the approved SUDS shall be implemented and retained thereafter.

Reason: To prevent the increased risk of flooding in accordance with Policy EN2 of the South Kesteven Core Strategy.

16. No building works which comprise the erection of a building required to be served by water services shall be undertaken in connection with any phase of the development hereby permitted until full details of a scheme including phasing, for the provision of mains foul sewage infrastructure on and off site has been submitted to and approved in writing by the local planning authority. No dwelling shall be occupied until the works have been carried out in accordance with the approved scheme.

Reason: To prevent flooding, pollution and detriment to public amenity through provision of suitable water infrastructure.

17. A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas (including public open space and buffer strip to southern boundary) - other than small, privately owned, domestic gardens - 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. The proposed public open space is required to provide informal space for the benefit of the future occupiers of the development. The buffer strip to the southern boundary is required to mitigate the visual impact of the development.

18. The dwellings hereby permitted shall be used for the purposes of retirement accommodation only. Occupiers shall be:
 - i) persons of 55 years or over;
 - ii) other persons who are living as part of a single household with a person or persons aged 55 years or over;
 - iii) persons who were living as part of a single household with a person or persons aged 55 years or over who have since died.

Reason: An assessment of the development with regard to traffic generation impacts was based on the development being for over-55s only. A development for general housing would result in additional traffic generation which would be detrimental to highway safety and the National Planning Policy Framework.

Note(s) to Applicant

1. Where private drives are proposed as part of any development, you should be aware of the requirements laid down in the Lincolnshire Design Guide for Residential Areas.
2. Prior to the submission of details for any access works within the public highway you must contact the Divisional Highways Manager on 01522 782070 for application, specification and construction information.
3. 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 Flood Authority and any amendments to the approved scheme shall subsequently be implemented before occupation of the first unit to which this permission relates.
4. The provision of a footway link, together with all necessary ancillary works between the emergency link and the existing footway provision at the junction of the A15/Main Street

(shown on drawing no. SK-02 received on 12 July 2012), is proposed as part of the application. Such works are required to be carried out under a Section 278 Agreement (Highways Act 1980) and are to be funded by the applicant.

5. Only clean, uncontaminated surface water may be discharged to any soakaway, watercourse or surface water sewer. All surface water from roofs shall be piped direct to an approved surface water system using sealed downpipes. Open gullies should not be used. Surface water from roads and impermeable vehicle parking areas shall be discharged via trapped gullies.
6. Should this proposal be granted planning permission, then in accordance with the waste hierarchy, we would wish the applicant to consider reduction, reuse and recovery of waste in preference to offsite incineration and disposal to landfill during site construction.

If any controlled waste is to be removed off site, then the site operator must ensure a registered waste carrier is used to convey the waste material off site to a suitably authorised facility. The Duty of Care regulations for dealing with waste materials are applicable for any off-site movements of wastes. The developer as waste producer therefore has a duty of care to ensure all materials removed go to an appropriate licensed disposal site and all relevant documentation is completed and kept in line with regulations.

Applicants should be aware that if any controlled waste is to be used on the site the operator will need to obtain the appropriate authorisation from us.

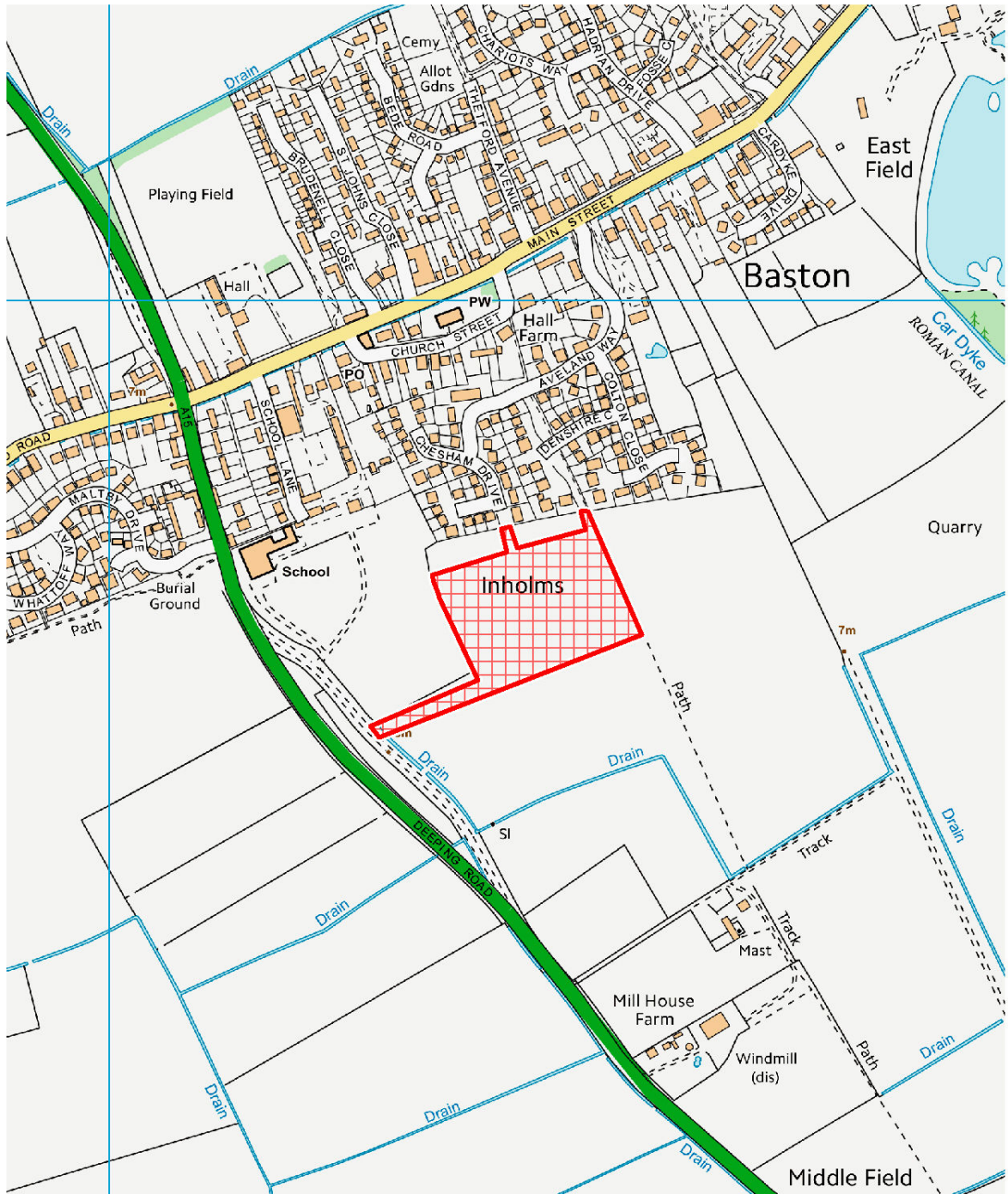
Further guidance is available on our website at <http://www.environment-agency.gov.uk/subjects/waste>.

7. Further to condition 17, please see the attached plan indicating the areas of interest for further archaeological investigation. The Council's archaeological advisor has made these comments based on an assumption that the areas of POS and allotments will not be topsoil stripped, unless the developer can demonstrate that the remains can be preserved in-situ.

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Site Location Plan

Ref	S13/1124
Proposal	Development of 49 dwellings for occupiers aged 55 and over, communal hall, vehicular access, amenity open space, landscaping, allotments and associated works.
Location	Land Off, Chesham Drive, Baston



Applicant	Barry Maynard, Linden Homes c/o agent
Agent	Ms Jennifer Thomas, DLP Planning Limited 4, Abbey Court, Fraser Road, Priory Business Park, Bedford, MK44 3WH
Proposal	Erection of 15 no.dwellings with access (off Belvoir Close), parking, landscaping and associated works
Location	land off Belvoir Close, Stamford
App Type	Major Full (Residential)
Parish(es)	Stamford
Reason for Referral to Committee	This application has been referred to Committee because the scheme is a major development and one of local interest that would need to be determined by Members, as well as necessitating a Section 106 Legal Agreement.
Recommendation Summary	<p>The application site is allocated for residential development in Policy STM1b of the emerging Site Allocations and Policies Development Plan Document and is proposed for delivery within the first phase of the plan period of 2011-2016. As such it is considered that the proposed development would in principle be in line with the aims of Policies SP1 and H1 of the adopted South Kesteven Core Strategy (2010). The levels of provision of affordable housing proposed on the site, along with the commuted sum contributions proposed towards education and informal/natural green space and equipped children’s play space, would be compliant with Policies H3 and SP4 of the South Kesteven Core Strategy (2010). The residential development scheme also provides for sustainable construction and design measures to the proposed dwellings in line with Policy EN4 of the Core Strategy.</p> <p>The development would not be detrimental to highway safety or be significantly detrimental to the natural and water environment, heritage assets or archaeological interests.</p> <p>The proposed development by reason of its scale and design would be in keeping with the character of the locality and would not have sufficiently overbearing, overshadowing or overlooking impacts on adjoining properties to warrant a refusal of planning permission. It is considered that the levels of traffic likely to be generated by the proposed development would not give rise to levels of noise and disturbance that would be significantly detrimental to the residential amenities of existing surrounding dwellings. Furthermore, the use of the existing highways by vehicular traffic in the proximity of the application site would not give rise to levels of noise and disturbance that would be significantly detrimental to the amenities of future residents on the development site. It is therefore considered that the proposal is also in accordance with national planning guidance contained in the National Planning Policy Framework and Policy EN1 of the adopted South Kesteven Core Strategy (2010).</p>

Key Issues

- Planning policy implications (including affordable housing provision)
- Highway safety implications
- Impacts on residential amenity and visual amenities

- Water/drainage/land contamination issues
- Impacts on the natural and historic environments.

Technical Documents

- Application Forms
- Site Location Plan
- Site Layout Plans
- Dwelling and Garage Designs and Streetscene Drawings
- Design and Access Statement
- Planning Statement
- Transport Statement
- Habitat survey and Protected Species Assessment and Reptile Survey
- Tree Survey/Assessment/Method statement
- Contaminated Land Investigations (Phase I and Phase II)
- Additional Arboricultural Report and Correspondence from applicants seeking to address the deferral reasons of the Committee.

REPORT

Application Category

This application is categorised as a 'major' application.

Reason for Referral to Committee

This application has been referred to Committee because the scheme is a major development and one of local interest that would need to be determined by Members, as well as necessitating a Section 106 Legal Agreement.

The Proposal

This application for full planning permission in respect of the erection of 15 No. two storey dwellings served by a private drive off Belvoir Close, Stamford was previously reported to the Development Control Committee at its meeting of 14 May 2013. Members will recall that the Committee resolved that the application "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."

Further to this deferral officers have undertaken further meetings/discussions with the applicants resulting in the submission of an amended scheme, and a supporting additional arboricultural report, in relation to which the applicants point out that :-

- They have provided a footpath along the frontage of Plots Nos. 1-9 and have incorporated a footpath to link Plots Nos. 10 - 14 to a crossing point in front of plot 15.
- They agree to plant a replacement beech tree - the best location being to the front of Plot 15.
- In order to assist with mitigation of the impact on the bungalows (on Belvoir Close), the applicants commissioned an additional report from their arboriculturalist to look at retaining some of the trees as screening. It is believed that this report demonstrates a good level of screening through retention, plus the applicants propose to erect a new 2 metre high fence with some trellising on top with some climbing planting creating excellent low level screening (to the bungalows on Belvoir Close).
- Additionally, the revisions provide for moving the proposed dwellings on Plot Nos. 10 - 14 one metre further away from the existing bungalows on Belvoir Close.
- With regards to the hedges on the southern and western boundaries it was always the applicant's intention to retain and supplement these hedgerows. The new arboricultural report suggests a management process on how to get the best from these rather poor, unmaintained areas.
- It is proposed to erect a 1.8m close boarded fence inside the hedge on the southern boundary so that the hedge can easily be maintained.

- The applicants point out that a management company is proposed to be set up where the residents themselves are the company, which is a proper legal company which all purchasers must be part of when they purchase the property - and this extends to any successors in title. There is a managing agent who fulfils the obligations of the company so the company cannot disappear. The developers have used this successfully over many years and it leads to better maintenance as residents are paying and have direct control over the managing agent.

This revised application scheme still proposes a development which has a cul-de-sac arrangement with a turning head, although as noted above footpaths are now proposed to be provided alongside the driveway rather than the originally proposed shared vehicular/pedestrian surface arrangement. The dwellings are proposed to incorporate sustainable construction and design measures and are each provided with a minimum of two No. parking/garage spaces.

The scheme also still comprises 10 No. detached dwellings, 2 No. semi-detached and 3 No. terraced properties. The detached properties are of four bedrooms and the semi-detached/terrace dwellings, which are allocated for affordable housing, are of three bedrooms.

In response to the Committee's request that consideration should also be given to the inclusion of bungalows on this site, the applicant's Land Director comments as follows :-

"We have considered the inclusion of bungalows on the site. However, bungalows are incredibly land hungry and disproportionately expensive to purchase in comparison with similar sized houses (which raises affordability issues that I would anticipate Member's are well aware of and I do not believe I need to recite here). For example a 2 bed 2 storey house will sit on a plot of some 107 square metres whilst a 2 bed bungalow sits on a plot of 300m². On a very compact site with low numbers of plots, such as this site off Belvoir Close, Stamford, it is uneconomic and unproductive to incorporate bungalows as it does not provide best use of the scarce resource that this land provides.

Had this proposal been a scheme for, say, 50 to 70 plots then the economic impact and impact on land take would be mitigated by the other plots. On a development of only 15 plots such land take has a significantly detrimental impact upon the viability of the development but more importantly is not best use of a scarce land resource which, as a consequence, will require more plots to be found elsewhere in the town to off-set the provision of bungalows and loss of overall unit numbers at Belvoir Close.

Member's should be assured that to address any impact of the scheme upon the existing Belvoir Close properties we have incorporated an enhanced boundary treatment and additional landscaping as well as moving the proposed dwellings further away from the existing Belvoir Close properties giving increased space between the homes.

For the above reasons we believe the revisions to the scheme are significant, beneficial and most importantly incorporate Member's wishes. We trust the committee agree and can now vote to approve the development."

The application as originally submitted was accompanied by a Design and Access Statement, a planning statement, a transport statement, a habitat survey and protected species assessment, a reptile survey, a tree survey/assessment/method statement and Phase I and Phase II contaminated land investigations. As noted above this has recently been supplemented by the additional arboricultural report.

In draft heads of terms for a unilateral Section 106 document, the developers indicated that it is anticipated that provision will be required inter alia for 5 No. affordable housing units at the site

along with commuted sums for education and off-site green space and equipped children's play space facilities. Subsequently, in response to a request from Stamford Town Council that any Section 106 commuted sums (in relation to leisure provision) be directed towards the skate park facility on the Recreation Ground, the applicants have indicated that they would have no objection to such a specific provision of funds.

The Application Site and its Surroundings

The application site, which occupies an area of 0.48 hectares, is located off the western side of Belvoir Close, Stamford some 40 metres to the north of the Belvoir Close/Casterton Road (B1081) junction. The southern boundary of the site is adjoined by The Old Great North Road/Casterton Road (B1081) and the eastern boundary is adjoined by the relatively short rear garden areas to Nos. 1-4 Belvoir Close (consec) which are at a lower level than the application site. To the north of the site is a smallholding; the access track to which runs along the western boundary of the site. This access track also forms the administrative boundary with Rutland County Council. The vehicular access to serve the site is proposed from Belvoir Close; to the south of No. 1 Belvoir Close.

The application site, which has a slight slope northwards away from The Old Great North Road/Casterton Road (B1081), is largely covered by semi-mature trees with areas of scrub/clearing. There are hawthorn hedges to the southern and western side boundaries of the site and the east boundary of the site is a mix of fencing with some mature trees. There is open countryside to the west of the site.

Site history

None

Policy Considerations

National Planning Policy Framework.

- 1- Building a strong, competitive economy
- 4 - Promoting sustainable transport
- 6 - Delivering a wide choice of high quality homes
- 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 Spatial Strategy

On 12 April 2013, the Order to revoke the Regional Strategy for the East Midlands came into force and as such the Development Plan for the District of South Kesteven now comprises the Local Plan (Core Strategy and when adopted the Site Allocation and Policies and Grantham Area Action Plan DPDs), and where they have been prepared, neighbourhood plans.

South Kesteven Core Strategy

- Policy SP1 - Spatial Strategy
- Policy SP4 - Developer Contributions
- Policy EN1 - Protection and Enhancement of the character of the District.

Policy EN4 - Sustainable Construction and Design
Policy H1 - Residential Development
Policy H3 - Affordable Housing

Site Allocation and Policies Development Plan Document

STM1 - Housing Allocations in Stamford

Representations Received

District Council's Planning Policy commented upon receipt of the application (in February 2013) that:-

"This site was included in the Site Allocation and Policies Development Policy Document as allocation STM1b for residential development. The site is proposed for delivery within the first phase of the plan period [2011-2016].

The Site Allocation and Policies Development Policy Document is in the examination stage: Hearings have been held during November 2012. No objections to the inclusion of the site were made, and the site was not discussed during the hearing sessions. There is, therefore, no objection to the principle of residential development on this site."

Planning Policy have subsequently commented that the Examination (into the DPD) has been suspended temporarily to enable further work to be done, however, it is confirmed that in all other respects the original comments still stand.

Stamford Town Council request that the determination of the application is deferred to the Development Control Committee and that a site visit is undertaken as part of that process. Stamford Town Council also request that any Section 106 funds are directed towards the Skate park facility in the Recreation Ground.

Rutland County Council - no representations received in response to the formal consultation.

Lincolnshire County Council Highways raised no objections in principle to the shared private access arrangements as originally proposed by the applicants. The County Highway Authority has also subsequently raised no objections to the revised scheme incorporating footpaths subject to conditions.

Environmental Health Division comment that the development has been subject to a Phase I and Phase II contaminated land investigation and that the results of the investigation has shown no contamination issues.

Lincolnshire County Council Children's Services seek a commuted sum of £56,536; equating to four No. primary school places and four No. secondary school places.

District Council's Leisure and Communities comment in the absence of proposed on site provision that commuted sum contributions of £19,496 and £11,025 are required for informal/natural green space and equipped children's play space respectively.

Heritage Trust of Lincolnshire comments that the application does not affect any known archaeological sites and therefore no archaeological intervention is required.

Lincolnshire Fire and Rescue have no observations.

NHS Lincolnshire Primary has no observations

District Council's Affordable Housing Officer confirms that the provision of five No. affordable housing units on the site (35%) is in line with the Council's current overall requirements and also points out that a minimum of three of the affordable housing units should be rented accommodation.

Council's Consultant Arboriculturist raises no objections subject to the trees shown to be retained on the submitted drawings receiving protection during the development.

The Lead Local Flood Authority raises no objections in principle subject to any grant of planning permission securing a detailed design and management plan in respect of the proposed surface water systems and the permeable pavement SUDS proposal.

District Council's Property and Facilities has no objections in principle in respect of drainage matters.

Anglian Water raises no objections given that the foul drainage from this development is in the catchment of Stamford Sewerage Treatment Works which has available capacity at present.

Crime Prevention Design Advisor requests that due regard be given to lighting, landscaping and perimeter boundary treatments in the interest of crime reduction and community safety.

The Environment Agency has no objections in principle

Lincolnshire Wildlife Trust - no representations received in response to the formal consultation.

Natural England comment that the application site is in close proximity to the Tolethorpe Road Verges and Great Casterton Road Banks Sites of Special Scientific Interest (SSSI). Natural England advises, however, that given the nature and scale of this proposal that it is satisfied that there is not likely to be an adverse effect on these sites as a result of the proposal being carried out in strict accordance with the details of the application as submitted. Natural England therefore advises that these SSSI's do not represent a constraint in determining this application. Natural England indicates that it would also expect the Local Planning Authority to assess and consider the other possible impacts resulting from this proposal on protected species, local wildlife sites and local landscapes as well as the provision of opportunities to provide biodiversity enhancements.

Representations as a Result of Publicity

Seven letters of representation were received from local residents in relation to the application as originally submitted raising the following objections/concerns to the proposed development summarised below :-

- There will be overlooking from the new dwellings on the proposed development towards the existing bungalows at Nos. 2 and 3 Belvoir Close and their garden areas with a resultant loss of privacy to residents as there is not a high enough boundary treatment.
- The submitted plans show that electricity housing is proposed to be placed adjacent to the garden area of No. 3 Belvoir Close. This is a concern as the residents have two young grandchildren.

- Belvoir Close was always a quiet area and its character has changed over the last few years as hundreds of houses have been built. The thought that there might now be buildings and traffic just beyond the garden fence is greatly upsetting to the existing residents.
- The proposed access road to serve the development is situated close to the junction of Belvoir Close and The Old Great North Road/Casterton Road (B1081). This will increase the likelihood of accidents given the increase in traffic levels, particularly at peak times, and the speed of traffic in the locality. It is considered that a detailed survey of the current traffic patterns in this location be carried out before any decision to take the roadway out at the planned location is agreed.
- It is considered that insufficient off-street car parking/garaging facilities will be provided to serve the proposed dwellings which will lead to a repeat of the on road parking that can be seen on Belvoir Close, Laughton Drive and Ross Drive. It is pointed out that at times the levels of parking on Belvoir Close can get to the point where the roads become impassable by larger vehicles.
- There will be a loss of mature trees on the site, which in the spring and summer are full of nesting birds and a haven for wildlife in the winter. The existing woods are also used by bats, which are a protected species.
- It is pointed out that pre-emptive land clearing works have commenced, including the use of bonfires, which local residents find upsetting given no decision has been made on the application yet.

Further to the preparation of the officer report for the Committee of 14 May 2013, a further letter of representation were received from the residents of a property on Belvoir Close indicating that they were unable to attend the Committee meeting due to work commitments, but hoped that their objections are taken into consideration although they cannot be there at the Committee to voice their concerns. The residents pointed out that they are not against "progress" and do not object for the sake of objecting but the plans as they stand do not take into account the privacy of those who have lived in the bungalows in Belvoir Close for many years and consider that leaving some of the trees in situ and turning the orientation of the planned houses so they do not overlook their bedrooms and gardens is not a great deal to ask. The contents of this correspondence was reported verbally by officers to the Committee of 14 May 2013.

Officer Evaluation

The main issues for consideration in relation to the proposed development are the planning policy implications (including affordable housing provision), highway safety implications, impacts on residential amenity and visual amenities, water/drainage/land contamination issues and the impacts on the natural and historic environments.

Planning Policy Implications

The overarching locational policies for new development within the Core Strategy relevant to this proposal are Policy SP1 (Spatial Strategy) and Policy H1 (Residential Development). Policy SP1 identifies that new development which helps to maintain and support the role of Stamford as a market town will be allowed. Priority will be given to sustainable sites within the built up part of the town where development would not compromise the nature and character of the town and sites which are allocated in the Site Allocations and Policies Development Policy Document (DPD).

Policy H1 identifies that within Stamford there is a need for 1140 new homes for the plan period, up to 2026.

To supplement these Core Strategy policies the emerging Site Allocations and Policies DPD has been produced and this site was included as part of allocation STM1b for residential development. The site is proposed for delivery within the first phase of the plan period; namely 2011-2016.

The Site Allocation and Policies DPD was progressed to the examination stage and hearings were held during November 2012 at which no objections to the inclusion of the site were made, and the site was not discussed during the hearing sessions. Therefore, whilst it is recognised that the adoption of Site Allocation and Policies DPD has subsequently been delayed, it is considered that the development of this site would in principle be in line with the overarching aims of the locational policies for new development in the South Kesteven Core Strategy.

The proposal includes the provision of 5 No. affordable housing units on the site in accordance with the requirements of Policy H3 of the Core Strategy (35%) and these will be secured via a Section 106 Unilateral Agreement. The breakdown of tenure will also be dealt with in that Agreement, although the District Council's Affordable Housing Officer points out that a minimum of three of the affordable housing units should be rented accommodation.

The scheme provides for sustainable construction and design measures to the proposed dwellings in line with Policy EN4 of the Core Strategy.

Highway Safety Implications

It is noted that local residents raise objections/concerns given that the proposed access road is situated close to the junction of Belvoir Close and The Old Great North Road/Casterton Road (B1081) on the basis that there will be an increase in the likelihood of accidents given the increase in traffic levels, particularly at peak times, and the speed of traffic in the locality. It is also considered by local residents that insufficient off-street car parking/garaging facilities will be provided to serve the proposed dwellings which will lead to an increase in on-street car parking on surrounding roads. However, and having regard to the detailed Transport Statement submissions of the applicants which was prepared following substantive pre-application negotiations, the County Highway Authority raises no objections in principle to the scheme.

With the provision of the revised plans showing the proposed footpaths alongside the private driveway, the County Highway Authority have confirmed that they still have no objections to the scheme subject to conditions.

Water/Drainage/Land Contamination Issues

The Lead Local Flood Authority raises no objections in principle subject to any grant of planning permission securing a detailed design and management plan in respect of the proposed surface water systems and the permeable pavement SUDS proposal. Similarly, the Environment Agency and the District Council's Property and Facilities have no objections.

Foul water will be connected to the mains sewer and Anglian Water confirm that there is adequate capacity and raises no objection to the application. The application site does not fall within any flood zone.

The Environmental Health Division note that the development has been subject to Phase I and Phase II contaminated land investigations and that the results of the investigations has shown no contamination issues.

Impacts on Visual and Residential Amenities

The proposed residential dwellings are two storey in height and comprise a mix of detached, semi-detached and terraced properties set out in a cul-de-sac arrangement. With regard to existing surrounding development, whilst the adjacent dwellings to the eastern boundary are bungalows, other existing development along and off Belvoir Close is of two storey construction. It is therefore considered that the proposed development will be in keeping with the character of the predominantly modern residential development in the locality. With regard to the wider landscape, the views towards the site from the open countryside and from the Old Great North Road/Casterton Road will be partially screened by the hedges which are proposed to be retained to the western and southern boundaries respectively.

In terms of the long term maintenance of these hedgerows to the western and southern boundaries the applicants advise that it is also proposed to erect a 1.8m close boarded fence inside the hedge on the southern boundary so that the hedge can easily be maintained and that a management company will be established where the residents themselves are the company, which is a proper legal company which all purchasers must be party to when they purchase the property - and this extends to any successors in title. The developers point out that they have used this successfully over many years and that it leads to better maintenance as residents are paying and have direct control over the managing agent appointed to run the scheme. It is considered that these measures can be secured by condition(s) and that any such condition(s) should also require that the hedgerows to the western and southern boundaries be maintained to a minimum height of 2 metres above ground level at all times.

With regard to impacts on existing residential amenities, in relation to the original development scheme that was reported to the Committee on 14 May 2013 officers commented as follows :-

"It is noted that objections are raised by local residents on the grounds that there will be overlooking from the new dwellings on the proposed development towards the existing bungalows on Belvoir Close and their garden areas with a resultant loss of privacy to the residents concerned. Insofar as the bungalows that adjoin the eastern boundary of the site are concerned, these properties (Nos. 1-4 Belvoir Close consec.) are situated at a lower level and have relatively short garden areas; the property at No. 1 has the shortest garden with a depth of between 3.5-7.5 metres. In respect of the application proposals, however, the dwellings which adjoin the eastern boundary will have rear gardens with a depth of between 11.5-12 metres. This rear garden area provision to the proposed dwellings would mean that there would be a minimum separation distance of approximately 16.5 metres between No. 1 Belvoir Close and the proposed dwelling on Plot 15 and at least some 18 metres between Nos. 2 and 3 Belvoir Close and the proposed dwellings on Plots 10-14. It is acknowledged that the outlook from the existing neighbouring dwellings would change as a result of the development, however, in the light of the separation distances involved, and having regard to the orientation of the properties concerned, it is considered that the proposed dwellings on Plots 10-15 would not have a sufficiently overbearing, overshadowing or overlooking impact on the adjoining properties on Belvoir Close to warrant a refusal of planning permission. It is nevertheless recommended that a condition withdrawing permitted development rights be attached to any grant of planning permission to control the impact of any future extensions and alterations to the properties on Plots 10-15. It is also considered that mitigation of any potential loss of privacy to rear garden areas can be addressed in relation to the provision of boundary treatments under the discharge of conditions procedure. The other proposed dwellings within the application site would have no impact on existing residential amenities."

With regard to the revised proposals submitted in response to the Committee deferral, it is noted that the amendments move the proposed dwellings on Plot Nos. 10 - 14 one metre further away from the existing bungalows on Belvoir Close, provide for the retention of trees to the eastern

boundary as screening and propose to erect a new 2m fence with some trellising on top with some climbing planting to the (eastern) boundary with the bungalows on Belvoir Close. Members are advised that the revised provisions can all be secured by condition(s) and that officers remain of the opinion that the scheme would have an acceptable relationship with the adjoining properties. As such, it is also considered that the introduction of bungalows would not be necessary in this instance.

It is also considered that the use of the shared access road to serve the proposed scheme would not give rise to levels of noise and activity that would be likely to be detrimental to the residential amenities of the adjoining and nearby dwellings. Similarly, it is considered that the existing traffic along Casterton Road/The Old Great North Road (B1081) will not give rise to any detrimental impacts in terms of noise and disturbance on the future residents of the dwellings on the proposed development site.

It is also noted a local resident comments that the submitted plans show that electricity housing is proposed to be placed adjacent to the garden area of No. 3 Belvoir Close and that this is a concern as the residents have two young grandchildren. It is considered that such concerns could be successfully addressed by securing adequate boundary treatments by condition.

Impacts on the Natural and Historic Environment

The application site is in close proximity to the Toilethorpe Road Verges and Great Casterton Road Banks Sites of Special Scientific Interest (SSSI). Natural England advise, however, that given the nature and scale of the development proposal that it is satisfied that there is not likely to be an adverse effect on these sites as a result of the proposal being carried out in strict accordance with the details of the application as submitted.

Natural England also indicates that it would also expect the Local Planning Authority to assess and consider the other possible impacts resulting from this proposal on protected species, local wildlife sites and local landscapes as well as the provision of opportunities to provide biodiversity enhancements. It is also recognised that objections/concerns are raised by local residents in relation to the loss of trees and the resultant loss of habitat for birds and bats.

Having regard to the existing natural environment of the site, the applicant's submission was accompanied by a habitat survey and protected species assessment and it is considered that these documents have satisfactorily demonstrated that the development of the site would not impact upon the Candidate Local Wildlife Site to the north of the application site. A detailed reptile survey of August/September 2012 also concluded that there were no protected reptile species on the site. With regard to the proposed removal of most of the trees from the site to facilitate the development, the Council's Consultant Arboriculturist raises no objections subject to the trees shown to be retained on the submitted drawings receiving protection during the development.

With regard to the loss of the mature beech tree to provide the driveway access into the site off Belvoir Close, the applicants have agreed to plant a replacement beech tree; commenting that the best location would be at the front of the dwelling on Plot 15. This planting can be secured by a condition.

In relation to the presence of bats, the applicant's submitted habitat survey and protected species assessment concluded that the site did not provide a suitable habitat for bats. It is recognised that these findings are contradicted by a local resident in their submissions, however, it is considered that any potential impacts on roosting bats in the locality could be successfully mitigated by a condition of any planning permission requiring the provision of bat boxes/roosts. Indeed, the provision of three No. bat boxes/roosts was recommended by the applicants' ecologists in their submissions as was the provision of 3 No. bird boxes, along with controls on vegetation clearance.

These mitigation measures, which will also be secured by conditions, are - along with the landscape planting to be secured as part of the scheme and the retention of the hedgerows to the southern and western boundaries - considered to represent the necessary opportunities to provide biodiversity enhancements as part of the scheme.

The proposed residential scheme will have no impact on the setting of any heritage assets and the Heritage Trust of Lincolnshire advises that the application scheme does not affect any known archaeological sites and therefore no archaeological intervention is required.

Section 106 Heads of Terms

The following have been sought in light of the consultation responses and have been agreed in principle by the applicants :-

The provision of 5 No. Affordable Housing Units on the application site.

A commuted sum contribution of £56,536 in relation to primary and secondary school places.

Commuted sum contributions of £19,496 and £11,025 in relation to informal/natural green space and equipped children's play space provision respectively.

Members are advised that due consideration has been given to the request made by Stamford Town Council - and supported by the applicants - that the commuted sums of the Section 106 Agreement in relation to leisure provision be directed towards the skate park facility in the town. It is, however, considered that there ought not to be a specific allocation for monies to be specifically directed into the Skate Park fund. Rather it is considered that the Section 106 Agreement should provide for the monies to be used for the provision of play equipment more generally in the locality.

The scheme would thus be compliant with Policy SP4 of the South Kesteven Core Strategy (2010).

Crime and Disorder

It is considered that the proposals would not result in any 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

Accordingly, having due regard to all the relevant planning considerations set out in this report this application is recommended for approval.

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

SUMMARY OF REASON(S) FOR APPROVAL

The proposed development would in principle be in line with the aims of Policies SP1 and H1 of the adopted South Kesteven Core Strategy (2010) and Policy STM1b ('Housing Locations in Stamford') of the Site Allocations and Policies Development Plan Document Submission (Incorporating Modifications) (June 2012). The levels of provision of affordable housing proposed on the site, along with the commuted sum contributions proposed towards education and informal/natural green space and equipped children's play space, would be compliant with Policies H3 and SP4 of the South Kesteven Core Strategy (2010). The residential development scheme also provides for sustainable construction and design measures to the proposed dwellings in line with Policy EN4 of the Core Strategy.

The proposed development by reason of its scale and design would be in keeping with the character of the locality and would not have a sufficiently overbearing, overshadowing or overlooking impact on adjoining properties to warrant a refusal of planning permission. The development would not be detrimental to highway safety or be significantly detrimental to the natural and water environment, heritage assets or archaeological interests. It is considered that the levels of traffic likely to be generated by the proposed development would not give rise to levels of noise and disturbance that would be significantly detrimental to the residential amenities of existing surrounding properties. Furthermore, the use of the existing highways by vehicular traffic in the proximity of the application site would not give rise to levels of noise and disturbance that would be significantly detrimental to the residential amenities of future residents on the development site. It is therefore considered that the proposal is also in accordance with national planning guidance contained in the National Planning Policy Framework and Policy EN1 of the adopted South Kesteven Core Strategy (2010) and that there are no material considerations which indicate otherwise although conditions have been attached.

In reaching this decision the Local Planning Authority has worked with the applicants at the pre-application stage in relation to addressing issues in respect of impacts on highway safety and visual and residential amenities. 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. Unless otherwise required by another condition of this permission the development hereby permitted shall be carried out in accordance with the following list of approved plans submitted as part of the application:

Drawing No. LI13-1 (Site Location Plan)
Drawing No. 1132-LA1
Drawing No. 1132-004 Rev C
Drawing No. 1132/GAR/01
Drawing No. 8673-124
Drawing No. BVR-Topo 03B
Drawing No. 2071.TPP. Rev A
Sawston Planning 02 Planning Opp Rev B
Sawston Planning 01 Planning AS Hand Rev B
Polebrook Planning 02 Planning Opp Rev B
Helpston Planning 01/Plot 15 Rev A
Helpston Planning 01 Planning AS Hand Rev A
Casterton Planning 01 Planning AS Hand Rev B
Deeping Planning 01 Planning AS Hand Rev C
House Type AF3B-P01 AS Hand
House Type AF3B-P02 Opp Hand

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

3. No development shall commence on the site until a schedule of materials to be used to the external elevations of the proposed development are submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken in accordance with the approved details.

Reason: In the interests of the visual amenities of the locality and in accordance with Policy EN1 of the South Kesteven Core Strategy (2010).

4. Notwithstanding the details shown on the submitted plans no development shall be commenced on the site until details of a hard and soft landscape scheme, together with a programme of implementation and a long term landscape management plan, have been submitted to and approved in writing by the Local Planning Authority. The landscape scheme shall include provision of a replacement beech tree on the development site and the long term landscape management plan shall provide for the retention of the trees within the garden areas of the properties on Plots 10-15 inc. as shown on Drawing No. 2071.TPP.Rev A; shall provide for the retention and maintenance of the hedgerows to the western and southern boundaries of the site at a minimum height of 2 metres above ground level at all times; shall identify all other trees and hedgerows to be retained; and shall contain provision for the replacement of any trees, shrubs or hedgerows that die, are removed or become seriously damaged or diseased. The hard and soft landscape scheme shall be implemented in accordance with the approved details and the approved programme of implementation and upon the completion of the approved hard and soft landscape scheme the landscaping shall thereafter be managed/maintained in accordance with the agreed long term management plan unless the local planning authority gives written approval to any variation.

Reason: In the interests of the visual amenities of the locality.

5. No development shall commence on the site until details of a scheme for the protection of the trees or hedgerows to be retained as part of the development during the building works

are submitted to and approved in writing by the Local Planning Authority. The protection scheme shall be undertaken in accordance with the approved details and shall be retained in situ until the development is completed.

Reason: In the interests of the visual amenities of the locality and in accordance with Policy EN1 of the South Kesteven Core Strategy (2010); having due regard to the requirements of the BS5837 (2012) guidelines.

6. Notwithstanding the details shown on the submitted plans no development shall commence on the site until a plan(s) indicating the positions, design, materials (including finishes) and type of boundary treatments (including plot boundaries) to be erected, together with a programme of implementation, have been submitted to and approved in writing by the Local Planning Authority. The boundary treatment scheme shall include provision of a 1.8 metre high close boarded fence to the north of the retained hedgerow on the southern boundary and shall provide for a 2.0 metre high close boarded fence with a trellis above to give a minimum height of 2.5 metres above ground level along the eastern (rear) boundaries of Plots 10-15. The scheme shall be implemented in strict accordance with the agreed details and shall thereafter be retained in situ at all times unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of the residential and visual amenities of the locality and in accordance with Policy EN1 of the adopted South Kesteven Core Strategy (July 2010).

7. No development shall commence on the site until a programme of works (including a timetable for those works) for the agreed removal of trees and other vegetation on the site taking into account the presence of nesting birds is submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken in accordance with the approved details.

Reason: In the interests of the visual amenities of the locality and in accordance with Policy EN1 of the South Kesteven Core Strategy (2010).

8. No development shall commence on the site until details of the type and location of the 3 No. bat boxes/roosts and the 3 No. bird boxes to be provided within the development site are submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken in accordance with the approved details.

Reason: In the interests of enhancing the biodiversity of the area and in accordance with Policy EN1 of the South Kesteven Core Strategy (2010).

9. No development shall commence on the site before the detailed design of the arrangements for foul water drainage have been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in strict accordance with the agreed details prior to the dwelling being first occupied.

Reason: To ensure satisfactory foul water drainage provision.

10. No development shall commence on the site until details of the design, specifications, calculations and levels of all surface water systems and the permeable pavement Sustainable Urban Drainage Scheme (SUDS) proposal, along with a Management Plan, are submitted to and approved in writing by the Local Planning Authority. The Management Plan shall include the following details :-

- (i) A overview of the SUDS proposal

- (ii) A Management statement to describe the SUDS scheme and set out the management aims for the site. The statement should consider how the SUDS will perform and develop over time anticipating and additional maintenance tasks to ensure the system continues to perform as designed.
- (iii) A specification that describes how SUDS will be constructed and the materials to be used.
- (iv) A maintenance schedule describing the nature of the work to be undertaken and when that work is to be undertaken using frequency and performance requirements were appropriate.
- (v) Details of the responsibility for the management and maintenance of each element of the SUDS scheme to be detailed.

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 residents of this site.

11. No development shall commence on the site until details of the street lighting to be provided on the development site are submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken in accordance with the approved details.

Reason: In the interests of residential amenities of the locality and in accordance with Policy EN1 of the South Kesteven Core Strategy (2010).

12. The construction and surfacing of the private driveway and associated footpaths as shown on Drawing No. 1132-004 Rev C shall be undertaken in accordance with a phased programme of works to be first agreed in writing with the Local Planning Authority prior to the commencement of works on the site. The construction and surfacing works shall be undertaken on the site in accordance with the agreed phasing programme.

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

13. The vehicular access onto Belvoir Close shall incorporate 6 metres radii tangential to the nearside edge of the carriageway of Belvoir Close and the minimum width of the vehicular access shall be 5.0 metres.

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

14. No dwelling shall be first occupied until such time as the visibility splays to the new shared access road from its junction with the public highway on Belvoir Close have been completed. The visibility splays shall have an 'x' distance of 2.4 metres and a 'y' distance of 43 metres in an north-eastward direction and 39 metres in a south-westward direction.

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

15. Before the vehicular access onto Belvoir Close is first brought into use all obstructions exceeding 0.6 metres high shall be cleared from the land between the highway boundary and the visibility splays indicated on Drawing No. 1132-004 Rev C and thereafter the visibility splays shall be kept free of obstacles exceeding 0.6 metres in height 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.

16. The approved arrangements for the turning/manoeuvring of vehicles as shown on Drawing No. 1132-004 Rev C shall be provided before any dwelling is first occupied and shall thereafter be retained as being available for the turning/manoeuvring of vehicles at all times.

Reason: In the interests of highway safety.

17. The approved parking and garaging facilities to each dwelling shown on Drawing No. 1132-004 Rev C shall be provided before the relevant dwelling is first occupied and shall thereafter be retained as being available for the parking of vehicles at all times.

Reason: In the interests of highway safety and to ensure adequate off-street car parking are retained to dwellings.

18. No development shall take place on the site 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. The development shall be carried out in accordance with the approved method statement.

Reason: In the interests of residential amenity.

19. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking or re-enacting that Order with or without modification), no extension, enlargement or other alteration of any of the dwellings on Plots 10-15 inclusive as shown on Drawing No. 1132-004 Rev C shall be carried out without Planning Permission having been first obtained from the Local Planning Authority.

Reason: The Local Planning Authority considers that further development could potentially cause detriment to the amenities of the occupiers of nearby properties, and for this reason would wish to control any future development and in accordance with Policy EN1 of the adopted South Kesteven Core Strategy (July 2010).

Note(s) to Applicant

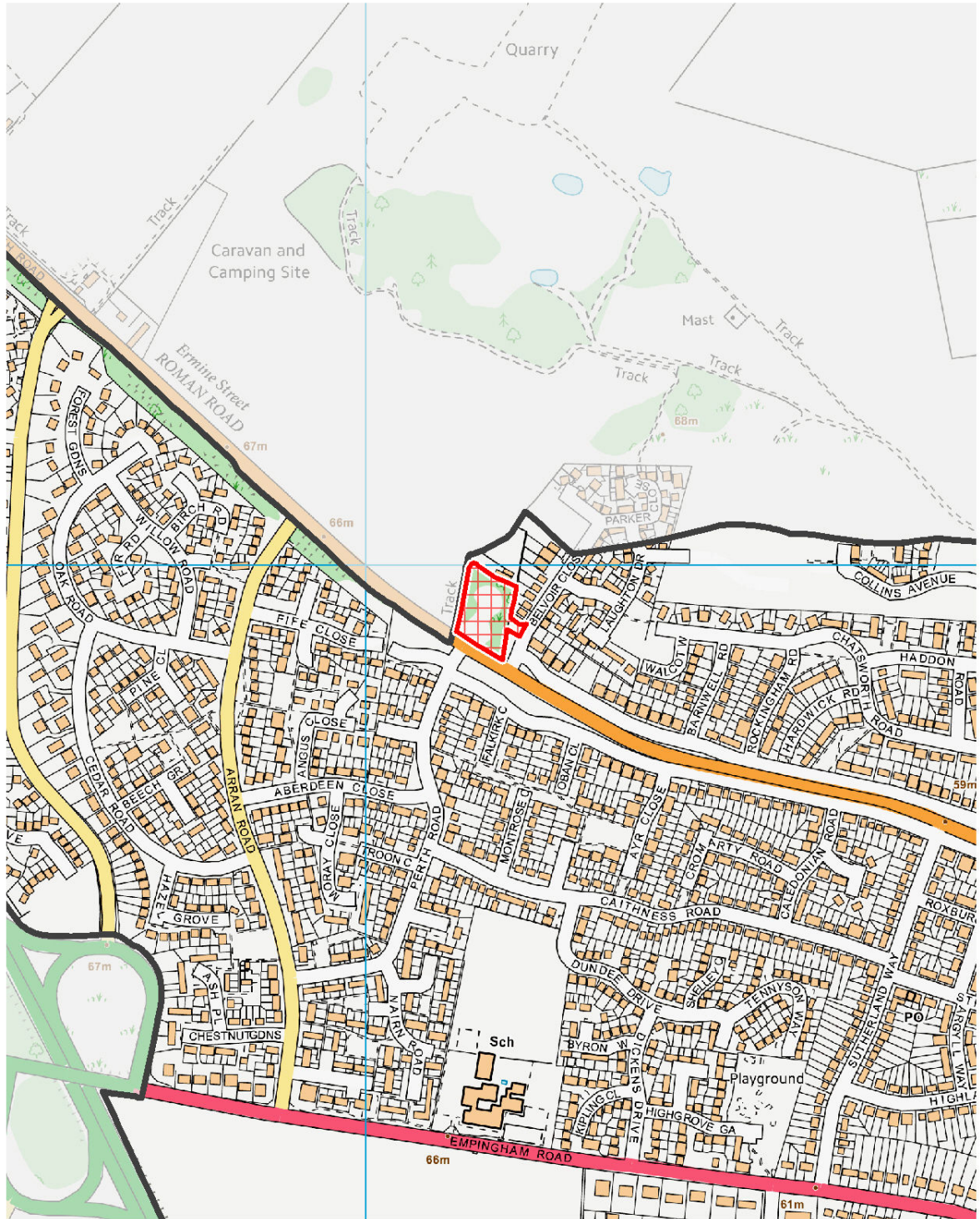
1. You are advised that the application site falls within an area affected by Radon. You are asked to contact the Council's Building Control section (telephone number 01476 406187) to ascertain the level of protection required and whether a geological assessment is necessary.
2. Your attention is drawn to the attached comments of the Crime Prevention Design Advisor in relation to the provision of lighting, landscaping and perimeter boundary treatments.
3. Anglian Water advises that any developer that wishes to connect to Anglian Water sewerage network should serve notice under Section 106 of the Water Industry Act 1991. Anglian Water will then advise of the most suitable point of connection.
4. The County Highway Authority advise that where private drives are proposed as part of any development you should be aware of the requirements laid down in the Lincolnshire Design Guide for Residential Areas.
5. The County Highway Authority advise that 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.
6. The County Highway Authority advises that beyond the limits of the junction radii the road will remain privately owned.
7. Your attention is drawn to the attached informative comments of the Environment Agency in relation to the proximity of the site to a former landfill site.

8. The County Highway Authority advises that the access should be undertaken under a Section 184 Agreement with the local highways authority and the footway construction to full specification.

* * * * *

Site Location Plan

Ref	S13/0150
Proposal	Erection of 15 no. dwellings with access (off Belvoir Close), parking, landscaping and associated works
Location	land off Belvoir Close, Stamford



Applicant	Mark Blackwell, South Kesteven District Council Council Offices, St Peters Hill, Grantham, Lincs, NG31 6PZ
Agent	
Proposal	Erection of single storey side extension
Location	10, Glen Crescent, Stamford, Lincolnshire, PE9 1SW
App Type	Householder Development
Parish(es)	Stamford
Reason for Referral to Committee	This application has been referred to Committee as the applicant is the District Council.
Recommendation Summary	The proposed single storey side extension would have no significant adverse overbearing, overshadowing or overlooking impacts on the adjoining properties and would be in keeping with the character of the application dwelling and the wider streetscape. The proposed development is therefore in accordance with national and local policies as set out in the National Planning Policy Framework and Policy EN1 of the South Kesteven Core Strategy.

Key Issues

- Impact on Residential Amenity
- Impact on Visual Amenities

Technical Documents

- Application Form
- Site Location Plan
- Existing and Proposed site layout plans
- Existing and Proposed elevation and floor plan drawings

REPORT

Application Category

This application is categorised as other application.

Reason for Referral to Committee

This application has been referred to Committee as the applicant is the District Council.

The Proposal

This is an application for full planning permission in relation to an amended scheme for the proposed erection of a single storey flat roofed extension to the property. The revised scheme provides for an extension with a reduced depth - 6.7 metres - and as such its rear wall will now align with the rear wall of the principal dwelling. The proposed extension has a width of some 3.3 metres and a height of 2.75 metres above ground level. Facing materials are specified to match the existing.

The Application Site and its Surroundings

The application property at No. 10 Glen Crescent, Stamford is (along with No. 12) one of a pair of two storey semi-detached dwellings located adjacent to a garage court area close to the junction of Glen Crescent with Willoughby Road. The common boundary between Nos. 10 and 12 Glen Crescent is defined by a mature hedgerow approximately 1.8 metres in height. The site is adjoined to the west by the rear garden areas of dwellings fronting onto Willoughby Road.

The application property has an existing small flat roofed single storey extension to its southern side elevation.

Relevant Planning History

Full planning permission was approved by the Committee at its meeting of 18 December 2012 for the proposed erection of a single storey flat roofed extension to the southern side/rear elevations of the property. The approved scheme showed that the proposed extension would have a maximum width of some 5.05 metres and would project some 3.3 metres beyond the existing rear wall of the dwelling. The extension, with a height of 2.75 metres above ground level, was proposed to be located a minimum distance of 3.2 metres from the common boundary with No. 12 Glen Crescent. Facing materials were specified to match the existing.

Policy Considerations

National Planning Policy Framework.

Achieving sustainable development
Section 6: Delivering a wide choice of high quality homes
Section 7: Requiring good design

South Kesteven Core Strategy 2010

Policy EN1 - Protection and Enhancement of the character of the District.

Representations Received

Stamford Town Council - no representations received to date.

Heritage Trust of Lincolnshire - comments that the application does not affect any known archaeological sites and therefore no archaeological intervention is required.

Representations as a Result of Publicity

No representations received to date.

Officer Evaluation

The proposed scheme will not lead to any loss of off-street parking facilities and therefore the key issues in relation to this proposal are the impacts on residential and visual amenities.

The Impact on Residential Amenities

Given that the proposed extension will not extend behind the existing rear wall of the host dwelling the proposed development would have no significant adverse overbearing, overshadowing or overlooking impacts on the residential amenities of the occupiers of the attached property at No. 12 Glen Crescent. The separation distances between the proposed extension and the adjoining properties fronting onto Willoughby Road will also ensure that there will be no significant physical or overlooking impacts on other properties.

The Impact on Visual Amenities

The design, scale and materials of the proposed development is in keeping with the character of the host building and the wider streetscape.

Section 106 Heads of Terms

Not applicable

Crime and Disorder

No 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 FOR APPROVAL

The proposed development would have no significant adverse overbearing, overshadowing or overlooking impacts on the residential amenities of the occupiers of the adjoining properties. By virtue of its design, scale and materials to be used, the proposed development would be in keeping with the character of the application dwelling and the wider streetscape.

The proposal accords with the National Planning Policy Framework and Policy EN1 of the South Kesteven Core Strategy and that there are no material considerations which indicate otherwise although conditions have been attached.

The scheme as submitted was considered to be appropriate in terms of its residential and visual amenity impacts and therefore there was no necessity for the Local Planning Authority to seek amendments to the scheme. Nonetheless the Local Planning Authority has worked in a positive and proactive manner to enable a decision to be issued in a timely fashion. As such 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. The development shall be undertaken in strict accordance with the details shown on the following approved drawing numbers :-

Location Plan (Scale 1:1250) received on 20 May 2013
Proposed Layout Plan (Scale 1:500) received on 20 May 2013
Existing Layouts (Scale 1:50) received on 20 May 2013 (Drawing No. DFA/MB10/01)
Proposed Layouts (Scale 1:50) received on 20 May 2013 (Drawing No. DFA/MB10/02)

Reason: For the avoidance of doubt; to ensure a satisfactory development.

3. The external finishes of the development hereby permitted shall match in material, colour, style, bonding and texture those of the existing building.

Reason: To ensure a satisfactory appearance to the development 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).

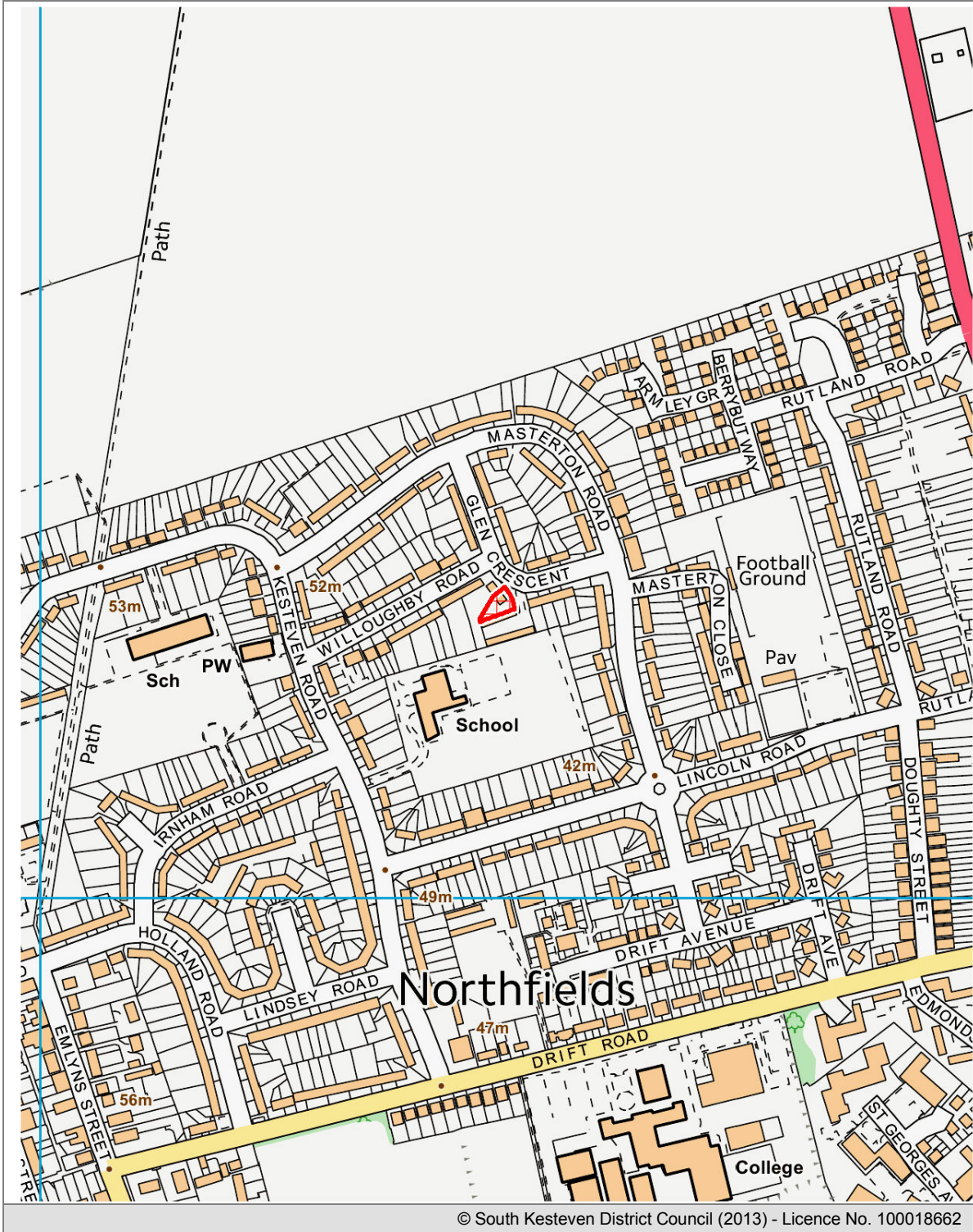
Note(s) to Applicant

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	S13/1332
Proposal	Erection of single storey side extension
Location	10, Glen Crescent, Stamford, Lincolnshire, PE9 1SW



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DEVELOPMENT MANAGEMENT

Applications not determined within the statutory period

Report No: PLA.997
 Date Prepared: 10 June 2013
 No of applications over 8 weeks: 25

MAJOR APPLICATIONS (13 weeks)

S11/2002/MJRO/KJC

Date received:
 24-Aug-2011
 No of days: 656

Andrew Rogers, JGP Properties Ltd

Outline planning permission for residential development and the formation of new vehicular access
 Land Off Main Road, Long Bennington
Reason for non-determination:
 Awaiting signing of S106, due end June 2013

S12/0484/MJRO/KJC

Date received:
 27-Feb-2012
 No of days: 469

Stephen Holman, Yelcon Homes Ltd

Erection of 55 residential units (including 8 affordable units)
 Outline
 Barrack Gardens/Beacon Lane Allotments, Beacon Lane, Grantham
Reason for non-determination:
 Awaiting signing of S106 including overage clause.

S12/2348/MJNF/SB

Date received:
 09-Nov-2012
 No of days: 213

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 - awaiting highways to amend plan.

S12/2495/MJNF/JJ

Date received:
 10-Oct-2012
 No of days: 243

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

S13/0150/MJRF/AH

Date received:
 11-Feb-2013
 No of days: 119

Barry Maynard, Linden Homes

Erection of 15 no. dwellings with access (off Belvoir Close), parking, landscaping and associated works
 land off Belvoir Close, Stamford
Reason for non-determination:
 Deferred by Committee – application on agenda for 25 June 2013 Committee.

S13/0369/MJNF/NB

Date received:
21-Feb-2013
No of days: 109

Mr A Kachra, Country Court Care

Erection of 39 no. bedroom care home facility (Class C2 Use)
Holland House Nursing Home, 35, Church Street, Market
Deeping, Peterborough, Lincolnshire, PE6 8AN
Reason for non-determination:
Due to be determined at the 25 June 2013 Committee.

S13/0605/MJRR/JJ

Date received:
28-Feb-2013
No of days: 102

Allison Homes Eastern Ltd

Minor material amendment to reserved matters application
S07/1706 (variation of conditions 1 and 4 to change elevation
treatment of apartments 36-41, 42-54 and 55-60)
Zones 1 and 2, Elsea Park, Bourne, PE10 0QT
Reason for non-determination:
To be determined by 21 June 2013

S13/0681/MJNF/NB

Date received:
08-Mar-2013
No of days: 94

Mr C Thompson

Change of Use to motorcycle dirt track, retention of
portacabins and earthworks. Use for 24 events during a 12
month period (retrospective) (amendments to application
S12/1350)
Warren Farm, Main Street, Witham On The Hill, Bourne, PE10
0JN
Reason for non-determination:
Due to be determined at the 25 June 2013 Committee.

ALL OTHER APPLICATIONS**(8 weeks)****S10/1805/FULL/KJC**

Date received:
13-Oct-2010
No of days: 971

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:
Awaiting additional viability information. Aim to report to
Development Control Committee 16 July 2013.

S10/2020/FULL/JJ

Date received:
03-Sep-2010
No of days: 1011

Mr C Riddle

Extension to existing dwelling, change of use and extension to
existing barns to form dwelling and erection of 3 dwellings
47, East End, Langtoft, Peterborough, Lincolnshire, PE6 9LP
Reason for non-determination:
Heritage Enabling Development advice received January
2013. Awaiting comments from applicant on development
costings.

S10/2021/LB/JJ

Date received:
03-Sep-2010
No of days: 1011

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. Awaiting comments from applicant on development
costings.

S12/2038/EIAFP/PWM

Date received:
25-Sep-2012
No of days: 258

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 and new access track.
Mill Farm, Caythorpe Heath Lane, Caythorpe, Grantham, Lincolnshire, NG32 3EZ
Reason for non-determination:
Awaiting signing of S106 Agreement.

S12/2702/LB/IVW

Date received:
06-Nov-2012
No of days: 216

Mrs Lillian Popple, 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 English Heritage response to amendments. Then refer to Secretary of State.

S12/2957/FULL/NB

Date received:
17-Jan-2013
No of days: 144

Mr D Ivtsan
Extension to equine building
Spa House, Spa Road, Braceborough, Stamford, Lincolnshire, PE9 4NS
Reason for non-determination:
Waiting on response from the Environment Agency on Flood Risk Assessment. Determine by 30 June 2013.

S12/3187/LB/LDPP

Date received:
11-Jan-2013
No of days: 150

Mr T Lepley (Property Development), South Kesteven District Council
Installation of DDA compliant handrails to steps outside Arts Centre
Guildhall Arts Centre, St Peters Hill, Grantham, Lincolnshire, NG31 6PY
Reason for non-determination:
Awaiting response from Secretary of State

S12/3209/FULL/LDPP

Date received:
17-Jan-2013
No of days: 144

Mr Colin Tebb, Chesterton Humberts
Change of use of first and second floors from office to residential use C3 (2no. units)
14, Finkin Street, Grantham, Lincolnshire, NG31 6QZ
Reason for non-determination:
Awaiting access to property to assess noise impact.

S12/3241/EIAFP/PWM

Date received:
04-Jan-2013
No of days: 157

Mr Tim & Roger Marris, Marris Foston Ltd
Erection of 4 poultry units, 2 control rooms, office and general purpose building, feed bins, hardstanding, gas tanks and electric substation. Upgrade/extension of access road to allow access from Newark Hill.
Land off Fallow Lane, Foston
Reason for non-determination:
Awaiting signing S106

S13/0361/LB/NB

Date received:
27-Feb-2013
No of days: 103

Mr A Kachra, Country Court Care
Demolition of conservatory and increase height of boundary wall to 2.5m
Holland House Nursing Home, 35, Church Street, Market Deeping, Peterborough, Lincolnshire, PE6 8AN
Reason for non-determination:
On Agenda of 25 June Committee.

S13/0690/LB/NB

Date received:
11-Mar-2013
No of days: 91

Mr Steve Chadwick

Alteration and extension to curtilage listed building
(amendments to Listed Building Consent S12/2788)
r/o 16, Barn Hill, Stamford, Lincolnshire, PE9 2AE
Reason for non-determination:
Referred to Sos to decide whether to call-in.

S13/0760/FULL/PJM

Date received:
20-Mar-2013
No of days: 82

Mr R Pearce

Erection of two semi-detached dwellings
Land adjacent to former Odd House Public House, Fletcher
Street, Grantham, Lincolnshire, NG31 6BP
Reason for non-determination:
Awaiting consultation period to expire end June 2013

S13/0767/HS/HDPP

Date received:
08-Apr-2013
No of days: 63

Mr & Mrs Simon Stuart

Proposed first floor extension and insertion of rooflights
Hillside, 19, Beacon Lane, Grantham, Lincolnshire, NG31
9DQ
Reason for non-determination:
Awaiting additional plans.

S13/0777/RM/JJ

Date received:
18-Mar-2013
No of days: 84

Allison Homes Eastern Ltd

Reserved Matters application for residential development
Plots 64-65 Zone 1 Elsea Park (revised house types)
Plots 64 and 65, Area 2, Zone 1, Bourne, PE10 0QT
Reason for non-determination:
Approve by 21 June 2013.

S13/0822/OUT/PWM

Date received:
25-Mar-2013
No of days: 77

Mr D Balderson, Manthorpe Construction Ltd

Erection of two dwellings (outline)
Dovecote Meadows, Aslackby
Reason for non-determination:
Invalidation error delayed registration determine by 6 July
2013

S13/0880/RM/JJ

Date received:
02-Apr-2013
No of days: 69

Allison Homes Eastern Ltd

Application for Reserved Matters relating to Plots 25-32 and
Plot 36 of Zone 3 Elsea Park
Zone 3, Elsea Park, Bourne
Reason for non-determination:
Determine by 21 June 2012.

S13/0948/HS/SP

Date received:
10-Apr-2013
No of days: 61

Louise Cooper

Two storey rear extension to dwelling.
7, Station Road, Billingborough, Sleaford, Lincolnshire, NG34
0NR
Reason for non-determination:
Awaiting completion of unilateral undertaking

**APPLICATIONS DECIDED UNDER DELEGATED POWERS
FROM 20 MAY – 7 JUNE 2013****S12/1584/FULL**

Applicant: Mr P Gregory
Proposal: Proposed on site dwelling associated with Fishery with office space to serve Fishery
Location: White House Farm Fishery, Cross Road, Baston Fen
Decision: Refused by SoS - 04 June 2013
End to End time: 315

S12/2524/FULL

Applicant: Mr James Pallash
Proposal: Erection of open fronted covered terrace/seating area and installation of 16 no. solar panels with associated works
Location: The Green Man, 29, Scotgate, Stamford, Lincolnshire, PE9 2YQ
Decision: Refused - 28 May 2013
End to End time: 54

S12/2525/LB

Applicant: Mr James Pallash
Proposal: Erection of open fronted covered terrace/seating area and installation of 16 no. solar panels with associated works
Location: The Green Man, 29, Scotgate, Stamford, Lincolnshire, PE9 2YQ
Decision: Refused - 28 May 2013
End to End time: 54

S12/2619/DC

Applicant: Bourne Services Group Ltd
Proposal: Application for approval of details relating to Condition 1 (time limit), 2 (materials), 3 (drainage), 4 (contamination), 5 (drainage), 6 (access arrangements), 7 (drainage), 8 (travel plan), 9 (bird breeding season), 10 (bird and bat boxes), 11 (approved plans) and 12 (tree protection) of application S12/1241
Location: Bourne Services Group Ltd, Cherry Holt Road, Bourne, Lincolnshire, PE10 9LA
Decision: Approved - 29 May 2013
End to End time: 226

S12/2818/DC

Applicant: Mr C Wright
Proposal: Approval of details reserved by Conditions 1 (Elevations & Sections), 5 (Noise mitigation) & 6 (Acoustic fencing) of S07/0352
Location: Land adjacent Downtown, Gonerby Moor
Decision: Approved - 21 May 2013
End to End time: 64

S13/0141/HSB

Applicant: Mr Paul Branch
Proposal: Erection of ground floor and first floor extensions to property and associated alterations
Location: 8, Caledonian Road, Stamford, Lincolnshire, PE9 2TG
Decision: Refused by SoS - 28 May 2013
End to End time: 126

S13/0312/LB

Applicant: Mr John D & Mrs I L Regis
Proposal: External and internal alterations in relation to conversion of first floor accommodation into 2 no. one bedroom flats
Location: Castle House, 5, Castle Street, Stamford, Lincolnshire, PE9 2RA
Decision: Approved conditionally - 21 May 2013
End to End time: 62

S13/0313/FULL

Applicant: Mr A Beale
Proposal: Change of use of paddock for the siting of a chalet for holiday let purposes
Location: Gonerby Grange Farm, Gadds Lane, Belton, Grantham, Lincolnshire, NG32 2NX
Decision: Refused - 28 May 2013
End to End time: 116

S13/0343/FULL

Applicant: Mr T Bridle
Proposal: Installation of one external boiler with flue and two external power storage units.
Location: Autocraft Drivetrain Solutions, Syston Lane, Belton, Grantham, NG32 2LY
Decision: Approved conditionally - 28 May 2013
End to End time: 53

S13/0350/FULL

Applicant: Mr Jonathan Grew
Proposal: Widen vehicular access off a classified road
Location: 11, East Street, Rippingale, Bourne, Lincolnshire, PE10 0SS
Decision: Approved conditionally - 24 May 2013
End to End time: 50

S13/0384/LB

Applicant: David Wright
Proposal: Internal alterations including removal of existing walls, floor finishes, existing staircase and insertion of new staircase along with repainting of front elevation and display of replacement non-illuminated fascia sign and hanging sign
Location: 7, High Street, Stamford, Lincolnshire, PE9 2AL
Decision: Approved conditionally - 31 May 2013
End to End time: 51

S13/0425/FULL

Applicant: Ged Smith, GCS Building Services Limited
Proposal: Erection of two dwellings (amendments to permission S11/0074)
Location: Land adjacent, Ryhall House, Ryhall Road, Stamford, Lincolnshire, PE9 1UF
Decision: Approved conditionally - 03 June 2013
End to End time: 46

S13/0516/HSH

Applicant: Mr John Ferguson, Space Design & Extend Services
Proposal: Proposed first floor extension to side, with car port below, two storey extension to rear and erection of porch and access ramp to front
Location: 133, Fifth Avenue, Grantham, Lincolnshire, NG31 9TH
Decision: Approved conditionally - 21 May 2013
End to End time: 78

S13/0534/HSH

Applicant: Mr Phillip White
Proposal: Single storey extension to rear of dwelling
Location: 4, Longcliffe Road, Grantham, Lincolnshire, NG31 8DX
Decision: Approved conditionally - 23 May 2013
End to End time: 38

S13/0552/FULL

Applicant: Mr & Mrs A Arden
Proposal: Conversion of farm outbuildings to create single dwelling
Location: Barns adj Manor Farm, 21, Hough Road, Frieston, NG32 3BY
Decision: Approved conditionally - 24 May 2013
End to End time: 77

S13/0570/FULL

Applicant: Mr N O'Bryan-Tear
Proposal: Front extensions to day nursery
Location: The Arc Nursery, Foundry Road, Stamford, Lincolnshire, PE9 2PY
Decision: Approved conditionally - 28 May 2013
End to End time: 83

S13/0652/CAC

Applicant: Mr & Mrs G M Sharp
Proposal: Demolition of existing dwelling/out buildings and proposed detached chalet bungalow with integral garage
Location: The Old Barn, Main Street, Allington, Grantham, NG32 2DN
Decision: Approved conditionally - 07 June 2013
End to End time: 94

S13/0670/HSH

Applicant: Mr & Mrs J Clark
Proposal: Erection of attached garage with store room above
Location: Sunberry House, Mill Row, Barrowby, Grantham, Lincolnshire, NG32 1DT
Decision: Approved conditionally - 21 May 2013
End to End time: 63

S13/0684/DC

Applicant: TJ & KG Allen
Proposal: Approval of details of Conditions 3 (fresh food) required by S12/0213
Location: Odd House Farm, Holme Lane, Claypole, Newark, NG235AP
Decision: Approved - 23 May 2013
End to End time: 63

S13/0691/HSH

Applicant: Belinda Fraser
Proposal: Two storey side extension to existing dwelling and formation of new vehicular access
Location: 2, Doughty Street, Stamford, Lincolnshire, PE9 1UT
Decision: Approved conditionally - 06 June 2013
End to End time: 87

S13/0695/FULL

Applicant: Matt Weston, Combico UK
Proposal: Change of Use from taxi office to health/gym club
Location: 112/114, Church Street, Market Deeping, Peterborough
Decision: Approved conditionally - 20 May 2013
End to End time: 70

S13/0738/FULL

Applicant: Carole Barker
Proposal: Hybrid planning application for part Full and part Outline Consent for a Residential Development (5 x dwellings) comprising: Full application for the retention of 1 x dwelling and access road. Outline application for 4 x dwellings (amended version of previously approved S12/2138)
Location: 4, Ash Gardens, Ancaster, Grantham, Lincolnshire, NG32 3AF
Decision: Approved conditionally - 29 May 2013
End to End time: 64

S13/0753/FULL

Applicant: Mr S Winfield Engineering Ltd
Proposal: Erection of industrial unit and provision of associated parking.
Location: Winfield Engineering, Alma Park Road, Grantham, Lincolnshire, NG31 9SE
Decision: Approved conditionally - 28 May 2013
End to End time: 56

S13/0756/HSH

Applicant: Mr & Mrs S Rowley
Proposal: Two storey side extension with single storey front projection.
Location: The Chestnuts, Main Street, Careby, Stamford, Lincolnshire, PE9 4EA
Decision: Approved conditionally - 28 May 2013
End to End time: 55

S13/0781/FULL

Applicant: Mr S Burn, Wild Heart Enterprises Ltd
Proposal: Change of use from retail (A1) to cafe (A3)
Location: UNIT 3, Angel Precinct, North Street, Bourne, Lincolnshire, PE10 9AE
Decision: Approved conditionally - 23 May 2013
End to End time: 56

S13/0786/FULL

Applicant: Mrs Sally Todd, UK Hair & Holistics
Proposal: Change of use of ground floor from offices to use for beauty treatments in relation to expansion of existing business.
Location: Trading Standards Service, The Old Malthouse, Commercial Road, Grantham, Lincolnshire, NG31 6DE
Decision: Approved conditionally - 28 May 2013
End to End time: 56

S13/0788/ADV

Applicant: Scottish and Newcastle
Proposal: Display of various illuminated and non illuminated signs to Public House (including fascia signs, hanging signs and free standing signs)
Location: Gregory Arms, Grantham Road, Harlaxton, Grantham, Lincolnshire, NG32 1AD
Decision: Withdrawn - 06 June 2013
End to End time: 77

S13/0789/MJNF

Applicant: Gladman Homes Ltd
Proposal: Section 73 application for the Variation of Condition 1 of S10/0122
Location: Land Adjacent Downtown, Gonerby Moor, Grantham, Lincs
Decision: Approved conditionally - 24 May 2013
End to End time: 67

S13/0810/HSB

Applicant: Mr J Czarnotta
Proposal: Installation of replacement below ground swimming pool with associated plant room and enclosure following removal of existing above ground swimming pool
Location: Greatford Hall, Belmesthorpe Road, Greatford, Stamford, Lincolnshire, PE9 4QA
Decision: Approved conditionally - 28 May 2013
End to End time: 55

S13/0812/LB

Applicant: Mr J Czarnotta
Proposal: Installation of replacement below ground swimming pool with associated plant room and enclosure following removal of existing above ground swimming pool
Location: Greatford Hall, Belmesthorpe Road, Greatford, Stamford, Lincolnshire, PE9 4QA
Decision: Approved conditionally - 28 May 2013
End to End time: 55

S13/0813/HSH

Applicant: Mr Richard Harwood
Proposal: Single storey rear extension and alterations to existing dwelling following removal of existing rear extension
Location: 1, Bourne Road, Corby Glen, Grantham, Lincolnshire, NG33 4NR
Decision: Approved conditionally - 07 June 2013
End to End time: 53

S13/0819/HSH

Applicant: Mr Alan Harvey
Proposal: Single storey front porch
Location: The Mill House, 41, Glen Road, Castle Bytham, Grantham, Lincolnshire, NG33 4RJ
Decision: Approved conditionally - 22 May 2013
End to End time: 44

S13/0824/HSH

Applicant: Mr Dale Marratt & Natalie Beaumont
Proposal: Two storey front and side extension
Location: 109, Kenilworth Road, Grantham, Lincolnshire, NG31 9UN
Decision: Approved conditionally - 21 May 2013
End to End time: 60

S13/0829/HSH

Applicant: Mr A Yafai & Mrs D Billard
Proposal: First floor extension
Location: 22, Long Street, Great Gonerby, Grantham, Lincolnshire, NG31 8LN
Decision: Approved conditionally - 20 May 2013
End to End time: 59

S13/0835/HSH

Applicant: Mr A Higgins
Proposal: Single storey rear extension
Location: 19, Rutland Road, Stamford, Lincolnshire, PE9 1UP
Decision: Approved conditionally - 23 May 2013
End to End time: 45

S13/0839/HSH

Applicant: Mr J Partridge & Ms K Marshall
Proposal: First floor side extension and alterations to existing property
Location: 21, Church Street, South Witham, Grantham, Lincolnshire, NG33 5PJ
Decision: Approved conditionally - 21 May 2013
End to End time: 56

S13/0849/DC

Applicant: Mr Ray Childs
Proposal: Approval of details reserved by Condition 3 (Surface Water) of S12/3119
Location: 31, Green Street, Great Gonerby, Grantham, Lincolnshire, NG31 8LE
Decision: Approved - 30 May 2013
End to End time: 64

S13/0882/OUT

Applicant: Mr R Hadfield
Proposal: Renewal of outline planning permission for single storey dwelling
Location: 37, Meadowgate, Bourne, Lincolnshire, PE10 9EY
Decision: Approved conditionally - 03 June 2013
End to End time: 47

S13/0886/FULL

Applicant: Dr M Saleem
Proposal: Raising in height of first floor and external alterations to building, erection of replacement single storey extension and change of use to Class D1 use along with associated demolition works to rear
Location: 35/36, Broad Street, Stamford, Lincolnshire, PE9 1PJ
Decision: Approved conditionally - 04 June 2013
End to End time: 47

S13/0890/HSH

Applicant: Mr P Wallace
Proposal: Installation of 16 voltaic solar panels
Location: 23, Church Street, Thurlby, Bourne, Lincolnshire, PE10 0EH
Decision: Approved conditionally - 22 May 2013
End to End time: 50

S13/0897/LB

Applicant: Mr Peter, Norton
Proposal: Listed building consent for single storey garage extension.
Location: 9, North Parade, Grantham, Lincolnshire, NG31 8AT
Decision: Approved conditionally - 21 May 2013
End to End time: 49

S13/0898/HSH

Applicant: Mr Peter, Norton
Proposal: Single storey extension to garage
Location: 9, North Parade, Grantham, Lincolnshire, NG31 8AT
Decision: Approved conditionally - 03 June 2013
End to End time: 39

S13/0901/HSH

Applicant: Mr & Mrs P Price
Proposal: Erection of single storey extension to rear elevation
Location: 49, Cedar Road, Stamford, Lincolnshire, PE9 2JJ
Decision: Approved conditionally - 28 May 2013
End to End time: 55

S13/0902/HSH

Applicant: Mr P Sagar
Proposal: Single storey rear extension.
Location: Avoca House, Main Road, Tallington, Stamford, Lincolnshire, PE9 4RP
Decision: Approved conditionally - 30 May 2013
End to End time: 56

S13/0905/LB

Applicant: Scottish and Newcastle
Proposal: Signage and external lighting to a listed building
Location: Gregory Arms, Grantham Road, Harlaxton, Grantham,
Lincolnshire, NG32 1AD
Decision: Withdrawn - 06 June 2013
End to End time: 50

S13/0906/FULL

Applicant: Mr M Richardson
Proposal: Canopy to front, pergola to side and internal works
Location: The Spinning Wheel, 4, Church Street, Baston,
Peterborough, Lincolnshire, PE6 9PE
Decision: Approved conditionally - 22 May 2013
End to End time: 49

S13/0908/HSB

Applicant: J R Pepper
Proposal: Proposed single storey front extension to garage.
Location: 22, Hillside Drive, Grantham, Lincolnshire, NG31 7EZ
Decision: Approved conditionally - 21 May 2013
End to End time: 47

S13/0918/FULL

Applicant: Mr R Penman, Moy Park Ltd
Proposal: Extension of factory and construction of raised condenser
platform
Location: Moy Park, Gonerby Road, Grantham, NG31 8HX
Decision: Approved conditionally - 28 May 2013
End to End time: 50

S13/0919/DC

Applicant: Mr Justin Welham, Bellway Homes East Midlands
Proposal: Approval of details reserved by condition 16 (materials) of
S08/1231
Location: Poplar Farm, Barrowby Road, Grantham, NG31 8AF
Decision: Approved - 28 May 2013
End to End time: 46

S13/0920/HSB

Applicant: Mr & Mrs P Styan
Proposal: Erection of conservatory extension to rear elevation
Location: 14, High Street, Castle Bytham, Grantham, Lincolnshire,
NG33 4RZ
Decision: Approved conditionally - 22 May 2013
End to End time: 48

S13/0921/HSB

Applicant: Mr Martin Nicoll
Proposal: Extension to bungalow to form additional storey and single
storey rear extension
Location: Glebe Cottage, Rectory Lane, Barrowby
Decision: Approved conditionally - 31 May 2013
End to End time: 50

S13/0924/HSB

Applicant: Mr & Mrs S Rudkin
Proposal: Two storey front extension.
Location: 35, St Gilberts Road, Bourne, Lincolnshire, PE10 9XD
Decision: Approved conditionally - 22 May 2013
End to End time: 44

S13/0935/LB

Applicant: Mr Robert Hewitt, Swinton Group LTD
Proposal: Listed Building Application for installation of partition to first floor kitchen area
Location: 65, High Street, Grantham, Lincolnshire, NG31 6NN
Decision: Approved conditionally - 30 May 2013
End to End time: 51

S13/0937/FULL

Applicant: Autumn Park LTD
Proposal: Change of use from A3/A5 (Cafe/Hot Food Takeaway) to B1 (Offices)
Location: Autumn Park Business Centre, Autumn Park Dysart Road, Grantham, Lincolnshire, NG31 7EU
Decision: Approved conditionally - 28 May 2013
End to End time: 50

S13/0940/HSB

Applicant: Mr Mick Topham
Proposal: Single storey rear extension.
Location: 42, Wentworth Drive, Grantham, NG319QQ
Decision: Approved conditionally - 05 June 2013
End to End time: 56

S13/0946/HSB

Applicant: Mr Tim Gadsby
Proposal: Two storey side and rear extension to dwelling with detached garage
Location: 16, The Drift, Barrowby, Grantham, Lincolnshire, NG32 1DQ
Decision: Approved conditionally - 29 May 2013
End to End time: 44

S13/0956/HSB

Applicant: Mr Graham Boyle
Proposal: First floor side and front extension; pitch roof over flat roof rear aspect and re-siting 1.8m high boundary wall
Location: 157, Casterton Road, Stamford, Lincolnshire, PE9 2XZ
Decision: Approved conditionally - 29 May 2013
End to End time: 43

S13/0974/DC

Applicant: Jessica Seamen
Proposal: Approval of details reserved by condition 4 (internal render) of S12/2328
Location: Chestnut Farm, Village Street, Sedgebrook, Grantham, Lincolnshire, NG32 2EW
Decision: Approved - 04 June 2013
End to End time: 27

S13/0996/LB

Applicant: Dr M Saleem, Stamford Dental Care
Proposal: Raising of height of first floor with alteration to roof abutment to no. 34 Broad Street along with demolition of outbuilding abutting rear of no. 3 Ironmonger Street and associated works

Location: 35/36, Broad Street, Stamford, Lincolnshire, PE9 1PJ
Decision: Approved conditionally - 04 June 2013
End to End time: 54

S13/1010/DEM

Applicant: Mr B Hanson
Proposal: Demolition of buildings
Location: The Fen, Baston, Peterborough, PE6 9QA
Decision: Approved - 04 June 2013
End to End time: 34

S13/1011/HSB

Applicant: Mr Roderick Campbell
Proposal: Erection of first floor extension (revised scheme)
Location: The Old Forge, Main Street, Greatford, Stamford, Lincolnshire, PE9 4QA

Decision: Approved conditionally - 07 June 2013
End to End time: 53

S13/1012/ADV

Applicant: Mr Chris Hall, Saul Construction
Proposal: Installation of 2 internally illuminated flex-face signs
Location: YESSS Electrical, Grantham Trade Park, Harlaxton Road, Grantham, Lincolnshire, NG31 7SA

Decision: Approved conditionally - 30 May 2013
End to End time: 35

S13/1014/DC

Applicant: Miss Nasrin Hussain, Bovis Homes Ltd
Proposal: Approval of details reserved by Condition 6 (Materials) of S07/0588

Location: Impress Canning Works, Springfield Road, Grantham
Decision: Approved - 28 May 2013
End to End time: 43

S13/1017/DC

Applicant: Mr C, Sharpe
Proposal: Approval of details reserved by condition 2 (Materials) of S13/0346

Location: Orchard Farm, 27, Back Lane, Claypole, Newark, Lincolnshire, NG23 5AA
Decision: Approved - 07 June 2013
End to End time: 45

S13/1032/FULL

Applicant: Southfields Business Park Ltd
Proposal: Erection of temporary electric generating equipment test rig for 3 years

Location: Land at, Southfields Business Park, Bourne, PE10 0FF
Decision: Approved conditionally - 30 May 2013
End to End time: 35

S13/1036/TCA

Applicant: Kent Blyth
Proposal: Removal of 1 x Holly and 1 x Leylandii
Location: Beechers, Lower Road, Hough On The Hill, Grantham,
Lincolnshire, NG32 2BB
Decision: TC&P - Work allowed - 06 June 2013
End to End time: 43

S13/1074/HSB

Applicant: Mr W Jennings
Proposal: Erection of summerhouse
Location: 34, Cedar Road, Stamford, Lincolnshire, PE9 2JJ
Decision: Approved conditionally - 21 May 2013
End to End time: 32

S13/1077/HSB

Applicant: Mr & Mrs T Burgess
Proposal: Two storey and single storey rear extensions and first floor
side extension above garage (revised scheme)
Location: 11, School Lane, Uffington, Stamford, Lincolnshire, PE9
4SU
Decision: Approved conditionally - 04 June 2013
End to End time: 43

S13/1106/LB

Applicant: Mr Ivan Burch
Proposal: Replacement of rear windows with UPVC windows
Location: 95, Westgate, Grantham, Lincolnshire, NG31 6LE
Decision: Refused - 05 June 2013
End to End time: 49

S13/1117/NMA

Applicant: Mr W McKee
Proposal: Non material amendments to S12/2896 (Changes to
fenestration)
Location: Claypole C Of E Primary School, School Lane, Claypole,
Newark, NG235BQ
Decision: Approved - 28 May 2013
End to End time: 36

S13/1148/TCA

Applicant: Ralph Harris
Proposal: Reduction in height of 2 no. Leylandii trees
Location: The Manor House, 15, High Street, Castle Bytham,
Grantham, Lincolnshire, NG33 4RZ
Decision: TC&P - Work allowed - 04 June 2013
End to End time: 34

S13/1156/DC

Applicant: Ms Tracie Swift
Proposal: Approved of details reserved by Condition 2 (window
materials) S08/0790
Location: Trale End Barn, Holme Lane, Claypole, Newark,
Nottinghamshire, NG23 5AP
Decision: Approved - 06 June 2013
End to End time: 36

S13/1159/FULL

Applicant: Mr Daniel Garner, MKR Ltd
Proposal: Change of use of land from agriculture to B2/B8 use
Location: Warren Farm, Gorse Lane, Harlaxton, Grantham,
Lincolnshire, NG32 1AP
Decision: Withdrawn - 22 May 2013
End to End time: 5

S13/1312/CDC

Applicant: Lincolnshire County Council
Proposal: Retrospective application to retain existing mobile for 3
years (PL/0086/13)
Location: Stamford St Gilberts Church Of England School, Foundry
Road, Stamford, PE9 2PP
Decision: No objections made - 07 June 2013
End to End time: 22

S13/1327/AAC

Applicant: Planning Services, North Kesteven District Council
Proposal: COU of agricultural Land and Erection of New Storage
Building
Location: Horse shoe Barn, The Hollow, Ancaster, Grantham, NG32
3RQ
Decision: No objections made - 06 June 2013
End to End time: 20

PLANNING APPEALS 2011-2013 (excluding Enforcements)**NO OF APPEALS DETERMINED (based on Decision Date) 16**
APPEALS OUTSTANDING AT 7 JUNE 2013

<p><u>S11/1401/LDE</u> LDPP Mr Martin Foster Lawful Development Certificate (Existing) - Use of land as residential garden Greenfields House, 5, Greenfields Lane, Folkingham, Sleaford, NG34 0SH</p>	<p>Written Evidence</p>	<p><u>Start Date</u> 06-Sep-2012</p> <p><u>Date of H / I</u> N/A</p>	
<p><u>S12/0123/HSH</u> PL Mr & Mrs P Smith First floor front and rear/side extension, ground floor rear extension and reinstate garage 70, Gladstone Street, Bourne, Lincolnshire, PE10 9AX</p>	<p>Written Representation</p>	<p><u>Start Date</u> 11-Jun-2012</p> <p><u>Date of H / I</u></p>	
<p><u>S12/1135/OUT</u> SB Mr DJ & FE Creasey Erection of single storey dwelling (outline including access, layout and scale only) land to south of, 39, Stainfield Road, Hanthorpe, Bourne, Lincolnshire, PE10 0RE</p>	<p>Written Evidence</p>	<p><u>Start Date</u> 24-Sep-2012</p> <p><u>Date of H / I</u> N/A</p>	
<p><u>S12/1407/FULL</u> 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>Written Evidence</p>	<p><u>Start Date</u> 01-Feb-2013</p> <p><u>Date of H / I</u> N/A</p>	
<p><u>S12/1408/LB</u> 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>Written Evidence</p>	<p><u>Start Date</u> 01-Feb-2013</p> <p><u>Date of H / I</u> N/A</p>	

<p><u>S12/1665/FULL</u> JJ D Pennell, 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</p>	<p>Informal Hearing</p>	<p><u>Start Date</u> 20-May-2013</p> <p><u>Date of H / I</u></p>	
<p><u>S12/1727/FULL</u> 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>Written Evidence</p>	<p><u>Start Date</u> 31-Oct-2012</p> <p><u>Date of H / I</u> N/A</p>	
<p><u>S12/1755/MJRF</u> SB Larkfleet Limited Development of 49 dwellings for occupiers aged 55 and over, communal hall, vehicular access, amenity open space, landscaping, allotments and associated works. Land Off, Chesham Drive, Baston</p>	<p>Informal Hearing</p>	<p><u>Start Date</u> 08-Apr-2013</p> <p><u>Date of H / I</u></p>	
<p><u>S12/1852/FULL</u> NB Mr C Dunmore Erection of 3 detached dwellings, following demolition of Casterton House Casterton House Rest Home, Casterton Road, Stamford, Lincolnshire, PE9 2UA</p>	<p>Written Evidence</p>	<p><u>Start Date</u> 13-May-2013</p> <p><u>Date of H / I</u> N/A</p>	
<p><u>S12/1986/FULL</u> NB Mr C Smith Erection of bungalow and outbuilding The Paddock, Swinstead Road, Corby Glen, Grantham, NG33 4NU</p>	<p>Written Evidence</p>	<p><u>Start Date</u> 04-Apr-2013</p> <p><u>Date of H / I</u> N/A</p>	
<p><u>S12/2202/HR</u> SP Mr Richard Dring G E Dring & Partners Removal of 100m of hedgerow The Farm, Costa Row, Long Bennington, Newark, Lincolnshire, NG23 5DY</p>	<p>Written Evidence</p>	<p><u>Start Date</u> 22-Oct-2012</p> <p><u>Date of H / I</u> N/A</p>	
<p><u>S12/2422/ADV</u> PJM Mr Robert Holland, Helen Flowers Erection of internally illuminated projecting sign 12, St Catherines Road, Grantham, Lincolnshire, NG31 6TS</p>	<p>Written Representation</p>	<p><u>Start Date</u> 22-Jan-2013</p> <p><u>Date of H / I</u></p>	

<p><u>S12/2730/FULL</u> PJM Mr & Mrs J Clark Erection of dwelling Plot adjacent 3, Casthorpe Road, Barrowby, NG32 1DW</p>	<p>Written Evidence</p>	<p><u>Start Date</u> 25-Feb-2013</p> <p><u>Date of H / I</u> N/A</p>	
<p><u>S12/2920/FULL</u> 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>Public Inquiry</p>	<p><u>Start Date</u> 20-Feb-2013</p> <p><u>Date of H / I</u> 20-Aug-2013</p>	
<p><u>S12/3003/OUT</u> PL Mr F Sandall Residential development (outline) Land off, Eastgate, Bourne</p>	<p>Written Evidence</p>	<p><u>Start Date</u> 17-May-2013</p> <p><u>Date of H / I</u> N/A</p>	
<p><u>S12/3212/FULL</u> SP Miss Rachel, Coulson Four bedroom bungalow Land to the rear of, 33, Main Street, Claypole, NG23 5BA</p>	<p>Written Evidence</p>	<p><u>Start Date</u> 02-May-2013</p> <p><u>Date of H / I</u> N/A</p>	

RECENT APPEAL DECISIONS TO 7 JUNE 2013**Application Ref: S12/1561/CAC NB****Planning Inspectorate No: APP/E2530/E/12/2184165/NWF**Appeal Type: **Written Evidence**

Appellant:	Messrs Hartley/Munton
Proposal:	Demolition of bungalow
Site:	High Lodge, Casterton Road, Stamford, Lincolnshire, PE9 2YL

Appeal Decision – Date:	Appeal allowed with conditions - 21 May 2013
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SUMMARY

The Inspector noted that the bungalow does not make a significant contribution to the character of the Conservation Area; rather it has a neutral effect on its setting. Furthermore, the scheme to replace the bungalow would be an enhancement on the existing bungalow (albeit to a modest degree) and, therefore, did not object to its demolition subject to a contract being signed for the erection of the 3 dwellings to ensure that there would not be a gap within the streetscene.

Application Ref: S12/1562/FULL NB**Planning Inspectorate No: APP/E2530/A/12/2184162**Appeal Type: **Written Evidence**

Appellant:	Messrs Hartley/Munton
Proposal:	Erection of 3 dwellings
Site:	High Lodge, Casterton Road, Stamford, Lincolnshire, PE9 2YL

Appeal Decision – Date:	Appeal allowed with conditions - 21 May 2013
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SUMMARY

The Inspector considered there to be two key issues with the appeal. Firstly, the impact that the development would have on the character and appearance of the Conservation Area; secondly, the impact on residential amenity through a dominating or overlooking impact.

On the first issue the Inspector considered that the replacement dwellings would be more akin to the properties that surround it being two-storey (with accommodation in the roof space) and drawing on the character of the adjacent nineteenth century buildings. The proposal would, as a result, be an enhancement (albeit to a modest degree) on the character of the area.

On the second issue the Inspector noted that the dwellings would be cut into the earth bank and whilst undoubtedly larger than the existing bungalow the resultant impact from the dwellings would not over dominant. Furthermore, fenestration would be orientated toward the rear garden and, combined with appropriate boundary treatment, along with the flat roof not being used as a balcony, any impacts would not cause unacceptable harm to the residential amenities of neighbouring properties.

RECENT APPEAL DECISIONS TO 7 JUNE 2013

Application Ref: S12/1584/FULL PL
Planning Inspectorate No: APP/E2530/A/13/2192590/NWF

Appeal Type: **Written Evidence**

Appellant:	Mr P Gregory
Proposal:	Proposed on site dwelling associated with Fishery with office space to serve Fishery
Site:	White House Farm Fishery, Cross Road, Baston Fen

Appeal Decision – Date:	Appeal dismissed - 04 June 2013
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SUMMARY

The application was refused under delegated powers on 3 October 2012 on the following grounds:

The proposed dwelling would be located in open countryside where the principle of residential development is not normally supported, save for certain exceptions. The scheme as submitted does not meet any identified exceptions with the proposal deemed contrary to Core Strategy policies SP1, SP2 and H1, with no other material planning considerations to indicate that the application should be determined otherwise.

In dismissing the appeal the Inspector upheld the Council's refusal reason agreeing that there were no exceptions that would support the provision of a new residential dwelling in this location, considering that its provision would only be for the convenience of the applicant and not outweighing any National or Local planning policies.

Application Ref: S12/2127/OL AH
Planning Inspectorate No: APP/E2530/A/13/2190767/NWF

Appeal Type: **Written Evidence**

Appellant:	Mr & Mrs R Bontoft
Proposal:	Erection of dwelling (outline application with details of access, layout and scale provided)
Site:	Land adjacent, 29, Station Road, Castle Bytham, Grantham, Lincolnshire, NG33 4QA

Appeal Decision – Date:	Appeal allowed with conditions – 16 May 2013
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SUMMARY

This application for outline planning permission was determined under delegated powers and related to the proposed erection of a one and half storey dwelling on the side garden area to No. 29 Station Road, Castle Bytham. The application was refused for the following reason :-

“The proposed development would detract to an unacceptable extent from the amenities, appearance and general character of the locality by consolidating sporadic development along Station Road and intruding into open countryside which would result in material harm to the form and character of Castle Bytham and the surrounding area. It is therefore considered that the proposed development would be contrary to Policies SP1 and EN1 of the South Kesteven Core Strategy and Policy SAPH1: ‘Other Housing Development’ of the Site Allocations and Policies Development Plan Document Submission (Incorporating Modifications) (June 2012).”

The site had twice previously been the subject for proposals for the erection of a new detached dwelling; in 1992 and in 1997. Both applications were refused planning permission on similar grounds to the most recent application; with the 1992 application being the subject of an appeal that was dismissed.

RECENT APPEAL DECISIONS TO 7 JUNE 2013

In allowing the appeal the Inspector commented that there had been material changes in circumstances since the previous refusals and the inspectors appeal decision of 1992. Specifically, with the adoption of the South Kesteven Core Strategy and the identification of Castle Bytham as a Local Service Centre, this meant that in principle the scheme represented sustainable development in line with the governments guidance set out in the National Planning Policy Framework. Furthermore, the Inspector was also mindful of the amount of development that has been built and approved in recent years along Station Road and considered that the scheme would be in keeping with the general character of the locality given that it related well visually to the existing dwelling at No. 29 Station Road.

Application Ref: S12/2951/HSH SB

Planning Inspectorate No: APP/E2530/D/13/2194871

Appeal Type: **Written Representation**

Appellant:	Mr & Mrs N Steen
Proposal:	Erection of garage/annex building
Site:	28, Towngate West, Market Deeping, Peterborough, Lincolnshire, PE6 8DG

Appeal Decision – Date:	Appeal dismissed - 24 May 2013
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SUMMARY

A householder application was submitted for the erection of a triple garage and annex accommodation within the front garden of 28 Towngate West. The property, Towngate House, is a Grade II Listed Building.

The Inspector found that the location, size and scale of the proposed building would have significantly detract from the setting of the listed building. He agreed with the Council that the size of the building was more akin to a new dwelling than ancillary accommodation. The building would be located very close to Towngate House, it would not be screened by existing landscaping and would intrude upon the openness of the front garden area. The Inspector dismissed the appeal this ground.

Although the Inspector recognised that there are several mature trees in the grounds of the listed building, and that a mature Horse Chestnut closest to the building is a good specimen, he did not agree that the proximity of the tree to the building would lead to pressure to prune or remove the tree in the future. He did not agree the development would be a risk to the tree.

Application Ref: S13/0141/HSH AH

Planning Inspectorate No: APP/E2530/D/13/2196087

Appeal Type: **Written Evidence**

Appellant:	Mr Paul Branch
Proposal:	Erection of ground floor and first floor extensions to property and associated alterations
Site:	8, Caledonian Road, Stamford, Lincolnshire, PE9 2TG

Appeal Decision – Date:	Appeal dismissed - 28 May 2013
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SUMMARY

This application was determined under delegated powers and related to the proposed erection of a two storey/first floor extension to the northern side elevation of the dwelling at No. 8 Caledonian Road, Stamford. The application was refused on the grounds that the proposal development by reason of its design, composition and its visual prominence in the streetscape - having regard to its relationship with the host dwelling at No. 8 Caledonian Road and the other similar properties at Nos. 4 and 6 Caledonian Road - would appear visually discordant with the character of the locality to the detriment of the visual amenities of the area.

RECENT APPEAL DECISIONS TO 7 JUNE 2013

In dismissing the appeal the Inspector commented that the overall size and mass of the development is unacceptable because it would result in the closure of the gap at first-floor level between the appeal property and No. 6 (Caledonian Road). The Inspector considered that this gap is an important feature of the streetscene and its infilling would have an unacceptably harmful effect on the character and appearance of the streetscene. The Inspector therefore agreed that the proposed development would be contrary to Policy EN1 of the South Kesteven Core Strategy (2010).

PLANNING APPLICATIONS PERFORMANCE

Apr 2013

New end to end times for determining applications	Days	Target (days)
Average no of days to determine Major's (small scale)	400	90
Average no. of days to determine Minor's	84.9	55
Average no. of days to determine Other's	71.6	50
Average no. of days to determine Householder's	50.8	45