

# MINUTES

DEVELOPMENT CONTROL  
COMMITTEE  
TUESDAY, 16 JULY 2013



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## COMMITTEE MEMBERS PRESENT

Councillor Mark Ashberry  
Councillor Michael Cook  
Councillor David Higgs  
Councillor Reginald Howard  
Councillor Vic Kerr  
Councillor Michael King  
Councillor Charmaine Morgan  
Councillor Alan Parkin

Councillor Helen Powell  
Councillor Jacky Smith (Vice-Chairman)  
Councillor Judy Stevens  
Councillor Adam Stokes  
Councillor Brenda A Sumner  
Councillor Martin Wilkins (Chairman)  
Councillor Rosemary H Woolley

## OFFICERS

Head of Development Services (Mark Williets)  
Development Management Service Manager (Pat Reid)  
Area Planning Officers (Phil Moore, Nigel Bryan and Paul Milne).  
Environmental Protection Team Leader (Pete Rogers)  
Systems Support Officer (Gavin Hutchinson)  
Committee Support Officer (Malcolm Hall)  
Solicitor (Paul Rushworth)

## OTHER MEMBERS

Councillor Harrish Bisnauthsing  
Councillor Kelham Cooke

*(In accordance with Council Procedure Rule 16.5, Councillor Bisnauthsing spoke in connection with application S13/0702 (NB1)).*

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## 140. MEMBERSHIP

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

**141. APOLOGIES**

Apologies for absence were received from Councillor Mrs Kaberry-Brown.

**142. DISCLOSURE OF INTERESTS**

Councillor Morgan advised that she had been appointed as a Governor on the West Grantham Academy, the applicants in S13/1205 (PJM1).

**143. MINUTES OF MEETING HELD ON 25 JUNE 2013**

The minutes of the meeting held on 25<sup>th</sup> June 2013 were accepted as a correct record of decisions taken.

**144. PLANNING MATTERS**

*Decision:-*

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

PWM1

Application ref: S13/1034/OUT  
Description: Residential development (4 dwellings)  
Location: Land to the rear of, 13, Church Street, Long Bennington  
Decision: Approved

Noting comments made during the public speaking session from:-

Rick Jones – objecting  
Sarah Hewardine-Miller – objecting  
Michael Manley – objecting  
Mike Sibthorp – agent

together with no objection from the Community Archaeologist, Highway Authority, Anglian Water and the SKDC Arboriculturalist, comments from the SKDC Projects Officer (Drainage), Upper Witham Internal Drainage Board and the Parish Council, and a number of representations from nearby residents; late information report circulated to Members before the meeting, including a further letter of objection from a member of the public and a representation from the

Ward Councillor, report of site inspection and comments made by Members at the meeting.

It was proposed that the application be approved, subject to a small amendment to proposed condition 4, and the reason, to include a requirement for details of both surface and foul water to be submitted. The proposition was seconded.

The proposition was put to the vote and agreed, 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 or two years from the approval of the last of the reserved matters, whichever is the later.
2. Details of the reserved matters set out below shall be submitted to the Local Planning Authority for approval within three years from the date of this permission:
  - (a) appearance;
  - (b) landscaping.

Approval of all reserved matters shall be obtained from the Local Planning Authority in writing before any development is commenced.

3. When application is made for approval of the 'reserved matters', that application shall show details of arrangements to enable a motor vehicle to turn within the site so that it can enter and leave the highway in forward gear.
4. When application is made for approval of the 'reserved matters', that application shall show details of a surface and foul water drainage scheme (based on sustainable drainage principles). The approved drainage works shall be completed in accordance with the details and timetable agreed to the satisfaction of the Local Planning Authority.
5. When application is made for approval of the 'reserved matters', that application shall include a tree protection plan and method statement showing how the trees and hedges would be protected during construction. Development shall be carried out in accordance with the agreed details
6. A no dig construction method shall be used for any parts of the proposed buildings and private drive which fall within the root protection areas of any trees on or adjacent to the site (as identified in the details required

by condition 5), details of which shall be submitted to and agreed in writing by the Local Planning Authority before any development is commenced. The development shall proceed in accordance with the approved details.

7. The development hereby permitted shall be carried out in accordance with the following list of approved plans submitted as part of the application: MSP.979/002 received 17 April 2013.

Note(s) to Applicant

1. Prior to the commencement of any access works within the public highway, you should contact the Divisional Highways Manager on 01522 782070 for application specification and construction information.
2. This road is a private road and will not be adopted as a highway maintainable at the public expense (under the Highways Act 1980) and as such the liability for maintenance lies with the frontagers.
3. The landscaping details to be submitted with a 'reserved matters' application shall include retention of the existing trees and hedgerows on the site as well as new planting.
4. 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.

NB1

Application ref: S13/0702/MJNF

Description: Variation of conditions 6 & 8 of permission S10/0682 (to allow wider public access to the sports hall and students to use the car park)

Location: Land R/o Existing Sports Hall, Conduit Road, Stamford

Decision: Approved

Noting comments made during the public speaking session from:-

Councillor Harrish Bisnauthsing – local Member  
Geoff Woodcock – objecting  
Guy Bell – objecting (statement read by Geoff Woodcock)  
Chris Finch – applicants

together with an objection from the Highway Authority, comments from the Heritage Trust of Lincolnshire and no objection from Stamford Town Council, together with submissions in support and objecting from local residents and submissions in support from then applicants; late information report circulated to Members before the meeting, including comments from the applicants and

officer comment thereon, report of site inspection and comments made by Members at the meeting.

Following comments from Members, the Development Management Service Manager confirmed that there was currently no residents' parking scheme in operation in Conduit Road.

It was then proposed and seconded that the application be approved, subject to a condition limiting the permission to a trial period of 12 months.

The Chairman then read a suggested proposition to include the condition mentioned above. The proposer and seconder indicated their agreement.

Following further comments from Members in relation to the operation of the proposed Management Plan, the Chairman then amended the proposition and read it to the Committee. The proposer and seconder again indicated their agreement. Members made further comments in relation to the drawing up and review of the plan and the highway implications if the application was to be approved against the Highway Authority's recommendation.

The Chairman then adjourned the meeting to enable the final proposition to be formulated.

*(The meeting adjourned from 2.58pm to 3.22pm).*

On the resumption of the meeting, the Head of Development Services read the suggested proposition, as follows:-

“That the committee is minded to delegate approval of the application to officers in consultation with the Chairman and Vice-Chairman to settle conditions requiring the prior submission of a management plan before the temporary 12 month trial use commences.

The management plan shall include provisions for membership of the sports hall to be limited to no more than 300 members, identify the use of the existing school car parking for members, the provisions for enforcement and monitoring, the publication of the enforcement and monitoring protocol including the identification of a designated officer responsible for monitoring car parking, confirmation of hours of opening and require the submission of a monitoring report to the Local Authority detailing alleged breaches, investigations and actions taken. Should at any time the applicant be unable to demonstrate compliance then the use shall cease.

The management plan shall be reported to the Development Control Committee for decision.”

In response to comments from Members, the Chairman confirmed that a fresh application would be required to discharge the conditions. The Head of

Development Services confirmed that the usual process of consultation would be followed.

The proposer and seconder of the original proposition indicated their agreement, and on being put to the vote the application was approved as indicated above.

NB2

Application ref: S13/0942/FULL  
Description: Erection of 4 dwellings  
Location: R/O 13, Eastgate, Deeping St. James, Peterborough  
Decision: Approved, subject to the completion of a Section 106 agreement

Noting no objection from the Highway Authority or Planning Policy and comments from the Parish Council, Communities Leisure Officer, Education Authority, Drainage Project Officer, Heritage Lincolnshire and Partnership Leisure Officer, together with no objections from nearby residents and a note of the proposed Section 106 agreement Heads of Terms, report of site inspection and comments made by Members at the meeting.

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

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, and subject also to the conditions and notes set out in the 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.

NB3

Application ref: S13/1105/FULL

Description:               Erection of replacement dwelling (including demolition of existing amendments to decision S13/0426)

Location:                 2, The Lane, West Deeping, Peterborough, Lincolnshire

Decision:                 Approved

Noting comments made during the public speaking session from:-

Mr P Bragg - objecting  
Mrs Lightbeown – objecting

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

It was proposed and seconded that the application be approved.

A proposition that any approval include landscaping on the northern boundary of the site to protect the privacy of the properties on the opposite side of the road was lost.

The proposition to approve was then put to the vote and agreed, subject to the summary of reasons set out by the Case Officer in the circulated report, and subject to the following conditions:-

1. The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.
2. No development shall take place 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.
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 extension, enlargement or other alteration of the building(s) shall be carried out without Planning Permission obtained from the Local Planning Authority.
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.

5. Before the first occupation of the dwelling hereby permitted, the first floor side window(s) in the left flank shall be fitted with obscure glazing (to a minimum obscurity of Pilkington Level 3 or equivalent) and if any part of the window(s) is less than 1.7m above the floor of the room in which it is installed, it shall be non opening. The window(s) shall be retained as such thereafter.
6. The development hereby permitted shall be carried out in accordance with the following list of approved plans submitted as part of the application:

2218 001 rev B  
2218 002 rev B  
2218 003 rev B  
2218 004 rev A

NB4

Application ref: S13/1206/CAC

Description: Demolition of bungalow

Location: 2, The Lane, West Deeping, Peterborough, Lincolnshire

Decision: Approved

Noting no objection from the Conservation Officer or Lincolnshire Heritage and letters of objection from nearby residents, report of site inspection and comments made by Members at the meeting.

It was proposed, seconded and agreed that the application be 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 works hereby permitted shall be commenced before the expiration of three years from the date of this consent.
2. The development hereby permitted shall be carried out in accordance with the following list of approved plans submitted as part of the application:

2218 E001

PJM1

Application ref: S13/1205/FULL

Description: Ground works to create a mountain bike track including jumps and raised platform

Location: The West Grantham Academy St Hughs, The Avenue, Grantham

Decision: Approved

Noting comments made during the public speaking session from:-

Sarah Perry – applicants

together with no objection from the Highway Authority, Environmental Protection or Heritage Lincolnshire and an objection from a neighbouring resident, report of site inspection and comments made by Members at the meeting.

During questions to the Case Officer, it was suggested that a condition be imposed to restrict the use to non-powered vehicles/cycles only. The Case Officer indicated that such a condition could reasonably be imposed.

Further discussion took place in relation to a possible extension of the hours of operation to provide a general benefit to pupils for longer than the requested school hours. The Development Management Service Manager reminded Members that they could only deal with the application as submitted, which was for a use during school hours, and that consultation had taken place on this basis.

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

1. The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.
2. The development hereby approved shall be used by pupils of The West Grantham Academy St. Hughs School only and shall not be used by or made available to general members of the public.
3. The development hereby approved shall only be used during school opening hours
4. The development hereby permitted shall be carried out in accordance with the following list of approved plans submitted as part of the application:

Drawing Number W127-07 received on 7th May 2013  
Drawing Number W127-05 Rev C received on 26th June 2013

5. The use hereby approved shall be restricted to non-powered vehicles/cycles only.

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.

PL1

Application ref: S13/1370/ADV

Description: Installation of 3 non-illuminated crests

Location: Bourne Corn Exchange, Abbey Road, Bourne

Decision: Approved

*(A Member queried whether or not she had any interest, as a Member of Bourne Town Council. The Solicitor advised that there was no interest).*

Noting no objection from Bourne Town Council or the Conservation Officer, 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 condition:-

This consent shall expire 5 years from the date of this notice.

RV1

Application ref: S13/0925/HSB

Description: New access and footpath for disable access

Location: 38, East End, Langtoft, Peterborough, Lincolnshire

Decision: Approved

Noting no objection from the Highway Authority or Conservation Officer,

together with 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 condition:-

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.

Note(s) to Applicant

1. Prior to the submission of details of any access works within the public highway you must contact the Divisional Highways Manager on 01522 782070 for application, specification and construction information.

*(4.36pm – Councillor King left the meeting).*

**145. 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 2<sup>nd</sup> July 2013 was also submitted, together with a schedule showing planning applications performance as at April/May 2013.

**146. SITE VISITS/TRAINING**

The Chairman advised Members that, contrary to an email he had sent, there would not be any site visits on the Wednesday before the next meeting. The training session previously notified for that day would, however, continue although the timing would be put back to 4.30pm rather than 4pm, to allow Members undertaking Licensing Committee training on that day to attend. A confirming email would be sent to Members.

**147. CLOSE OF MEETING**

The meeting closed at 4.41pm

