

MINUTES

DEVELOPMENT CONTROL
COMMITTEE
TUESDAY, 24 SEPTEMBER 2013



COMMITTEE MEMBERS PRESENT

Councillor Mark Ashberry	Councillor Helen Powell
Councillor Michael Cook	Councillor Mrs Judy Smith
Councillor David Higgs	Councillor Judy Stevens
Councillor Reginald Howard	Councillor Adam Stokes
Councillor Mrs Rosemary Kaberry-Brown	Councillor Mrs Brenda Sumner
Councillor Vic Kerr	Councillor Martin Wilkins (Chairman)
Councillor Michael King	Councillor Rosemary H Woolley
Councillor Charmaine Morgan	Councillor Debbie Wren
Councillor Alan Parkin	

OFFICERS

Development Management Service Manager (Pat Reid)
Area Planning Officers (Phil Moore, Satu Pardivalla)
Systems Support Officer (Gavin Hutchinson)
Committee Support Officer (Malcolm Hall)
Solicitor (Paul Rushworth)

170. 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 Jacky Smith for this meeting only.

171. DISCLOSURE OF INTERESTS

There were none declared.

172. MINUTES OF MEETING HELD ON 27 AUGUST 2013

The minutes of the meeting held on 27th August 2013 were accepted as a correct record of decisions taken.

173. PLANNING MATTERS

Decision:-

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

(1.03pm – Councillor Wren entered the meeting).

JJ1

Application ref: S13/1824/MJNF

Description: Application under Section 73 to vary the wording to conditions 27 and 30 of application S13/0260 to amend requirements relating to the timing of access improvements

Location: Land west of Ryhall Road, Stamford

Decision: Deferred

Noting comments made during the public speaking session from:-

Egerton Gilman (Voice of Stamford) – objecting

together with no objection from the Highway Authority, comments from Heritage Lincolnshire (Archaeology) and objections from local residents and the Voice of Stamford, a note of the Section 106 Heads of Terms, late information report circulated to Members before the meeting including (in full) comments from the Voice of Stamford and officer comment thereon, and comments made by Members at the meeting.

During the discussion following the introduction, the Chairman reminded Members that planning permission had been given for the development, and that the application now before the meeting was for a temporary construction access only.

It was proposed and seconded that the application be refused on grounds of highway safety.

The Chairman reminded Members that the recommendation was to approve and the proposal was, therefore, against the recommendation. He confirmed that the Development Management Service Manager could not support a refusal for the reason given.

Members were reminded of the provisions set out in the Constitution relating to the procedure to be followed. If the proposition was carried, any Member voting for it would be required to submit the detailed reasons for refusal to the

Development Management Service Manager within 5 working days. The vote today, and any subsequent vote, would be recorded, and on this first vote Members would be voting that they were minded to refuse.

A recorded vote was then taken as follows:-

For	Against
Councillor Ashberry	Councillor Cook
Councillor Mrs Kaberry-Brown	Councillor Higgs
Councillor Morgan	Councillor Howard
Councillor Powell	Councillor Vic Kerr
Councillor Stevens	Councillor King
Councillor Woolley	Councillor Parkin
Councillor Wren	Councillor Mrs Judy Smith
	Councillor Adam Stokes
	Councillor Mrs Sumner
	Councillor Wilkins

The proposition was lost.

It was then proposed and seconded that further consideration be deferred for a site inspection, and for all parties to look at the issues raised in regard to access and road safety.

On being put to the vote, the proposition was carried, and the application deferred for a site visit and for all parties to discuss relevant highway issues, including volume of traffic using the access and present and as proposed, and details of speed limits on Ryhall Road.

NB1

Application ref: S13/1712/FULL

Description: Replacement dwelling (amendments to application S13/0728)

Location: 1A, Castlegate, Castle Bytham, Grantham

Decision: Minded to refuse

Noting no objection from the Principal Conservation Officer, Environment Agency or Highway Authority, comments from the Tree Officer, Lincolnshire Heritage and English Heritage, an objection from the Parish Council and a number of objections from nearby residents; late information report circulated to Members before the meeting, including additional letters from local residents (one in support and four objecting) and no objection from the Highway Authority in regard to the amended plan, and officer comment thereon, together with a suggested amended condition 13, and comments made by Members at the

meeting.

It was proposed and seconded that the application be refused on grounds of its overbearing appearance and being out of character in the area in relation to the Grade 2 listed building adjoining.

The Chairman reminded Members that the recommendation was to approve and the proposal was, therefore, against the recommendation. He confirmed that the Development Management Service Manager could not support a refusal for the reasons given.

Members were reminded of the provisions set out in the Constitution relating to the procedure to be followed. If the proposition was carried, any Member voting for it would be required to submit the detailed reasons for refusal to the Development Management Service Manager within 5 working days. The vote today, and any subsequent vote, would be recorded, and on this first vote Members would be voting that they were minded to refuse.

(2.05pm – Councillor Higgs left the meeting).

(2.08pm – Councillor Higgs returned to the meeting).

A recorded vote was then taken as follows:-

For	Against	Abstain
Councillor Ashberry Councillor Cook Councillor Howard Councillor Mrs Kaberry- Brown Councillor Vic Kerr Councillor King Councillor Morgan Councillor Mrs Judy Smith Councillor Stevens Councillor Mrs Sumner Councillor Wilkins Councillor Wren	Councillor Parkin Councillor A Stokes	Councillor Woolley

The proposition was carried.

Members were reminded that those who supported the motion were required to submit the planning reasons for their view to the Development Management Service Manager within 5 working days.

A Member said that although referred to in the report, there was no detail of the English Heritage comments, and she asked if these could be made available to Members. It was agreed that the Development Management Service Manager would email the comments to Members after the meeting.

SP1

Application ref: S13/1872/HSB

Description: Provide pitched roof over single storey side extension and build rear extension

Location: Glebe Farm, Casthorpe Road, Denton, Grantham

Decision: Approved, if no adverse observations by the advertisement closing date

Noting no objection from the Principal Conservation Officer and comments made by Members at the meeting.

It was proposed and seconded that the application be approved.

A Member suggested that there was insufficient information in regard to the specification for works required, and for the avoidance of doubt suggested that condition 2 be amended to require these details to be submitted to the Conservation Officer of the Local Authority. This amendment was accepted by the proposer and seconder of the motion to approve.

The proposition as amended was put to the vote and agreed, with authority delegated to the Development Management Service Manager in consultation with the Chairman and Vice-Chairman, subject to no adverse observations by the advertisement closing date.

SP2

Application ref: S13/1873/LB

Description: Provide pitched roof over single storey side extension, build rear extension, replace windows and internal alterations

Location: Glebe Farm, Casthorpe Road, Denton, Grantham

Decision: Approved, if no adverse observations by the advertisement closing date

Noting no objection from the Principal Conservation Officer and comments made by Members at the meeting.

It was proposed and seconded that the application be approved.

A Member suggested that there was insufficient information in regard to the specification for works required, and for the avoidance of doubt suggested that condition 2 be amended to require these details to be submitted to the Conservation Officer of the Local Authority. This amendment was accepted by the proposer and seconder of the motion to approve.

The proposition as amended was put to the vote and agreed, with authority delegated to the Development Management Service Manager in consultation with the Chairman and Vice-Chairman, subject to no adverse observations by the Advertisement closing date.

IVW1

Application ref: S13/2136/LB

Description: Alteration of listed building

Location: 99, West Street, Bourne

Decision: Approved for referral to the Secretary of State with a recommendation that listed building consent be granted

Noting no objection from Bourne Town Council and comments from the Archaeological Advisor, together with comments made by Members at the meeting.

It was proposed and seconded and agreed that the application be approved for referral to the Secretary of State with a recommendation that listed building consent be granted.

174. NEIGHBOURING AUTHORITY CONSULTATION ON PLANNING APPLICATION (NEWARK AND SHERWOOD REF: 13/00889/FULM), THE CONSTRUCTION AND OPERATION OF A WIND FARM CONSISTING OF FOUR 139 METRE HIGH TO BLADE TIP WIND TURBINES, AN 80 METRE ANEMOMETRY MAST AND ASSOCIATED INFRASTRUCTURE FOR A PERIOD OF 27 YEARS, FIELD REFERENCE 8884, COTHAM ROAD, HAWTON, NOTTS

Decision:-

That the Chairman and Vice-Chairman and Development Management Service Manager be authorised to formulate and agree the Committee's views on the application for submission to Newark and Sherwood District Council, noting the views now expressed by the Committee.

Members had before them report PLA1011 from the Development Management Service Manager on a neighbouring authority consultation from Newark and Sherwood District Council. The consultation had been considered at the last meeting and deferred to enable a detailed considered response tested against the SKDC Wind Energy SPD. Newark and Sherwood District Council had been asked to allow sufficient time, suggested at 6 weeks, for this response.

The Case Officer presented an updated report, advising Members that the Case Officer at Newark and Sherwood had confirmed that the earliest committee date for consideration of the application would be early November. However, a firm assurance could not be given, and the application could be refused under delegated powers if an adjoining wind farm, currently at appeal, was dismissed. No extra time would be given for the South Kesteven response. The nearest parishes within South Kesteven, Claypole, Long Bennington and Westborough and Dry Doddington had not been consulted by Newark and Sherwood.

All documents connected to the application were available on the Newark and Sherwood website, some 175 in total, and the Case Officer showed several plans of the location, at different scales, of the proposed turbines and of the proximity of nearby villages, heritage assets and other schemes within the area. Photo-montages from various viewpoints were also shown.

The Committee had requested that the SPD be used as a tool to identify any areas where the application was lacking information, or where it would be clearly contrary to the SPD. It had not been possible to assess this information to the same degree as with an application in South Kesteven. However, in accordance with committee instructions officers had carried out the exercise and found the application to be deficient in a number of areas which it was considered should be pointed out as far as South Kesteven was concerned, and he then detailed these for the information of Members, as landscape/visual assessment, residential visual amenity, cumulative impact assessment, ecology, historic environment and noise.

In addition, and although not previously stated, there was a need to take into account the Thacksons Well and Palmer's Hollow appeal decisions, which would have a significant bearing on the acceptability of commercial scale wind farms in this area. In summarising, the Case Officer said that the proposal would have a significant impact on South Kesteven, and that the level of information provided was inadequate for the impact on South Kesteven to be properly assessed. On that basis the application in its current form should be refused or Newark and Sherwood should require this information to be submitted by the applicant and South Kesteven to be re-consulted.

A lengthy discussion took place, during which Members considered that the response suggested in the report was not adequate, and that there was a need to formulate and submit a response without delay, otherwise there was the danger that Newark and Sherwood would ignore any comments that the

Council wished to make. The Chairman suggested that, bearing the committee's views in regard to the need for a speedy response in mind, he and the Vice-Chairman be authorised to submit a response on behalf of the committee, bearing in mind the comments made by Members. During the ensuing discussion, this approach was supported by Members, who stressed the need for a robust and forceful response in the key areas.

It was then proposed and seconded that the Chairman and Vice-Chairman and Development Management Service Manager be authorised to formulate and agree the committee's views on the application for submission to Newark and Sherwood, noting the views now expressed by the committee. On being put to the vote, the proposition was agreed.

(The meeting adjourned from 3.10pm to 3.35pm).

175. NEIGHBOURING AUTHORITY CONSULTATION ON PLANNING APPLICATION (SOUTH HOLLAND REF H03-0776-13) INSTALLATION OF 1 ENDURANCE 50KW WIND TURBINE WITH OVERALL TIP HEIGHT OF 46.3M INCLUDING AN ELECTRICAL KIOSK AND ASSOCIATED TEMPORARY INFRASTRUCTURE. LITTLE DUKE FARM, MAIN ROAD, DEEPING ST NICHOLAS, SPALDING

Decision:-

That the Chairman and Vice-Chairman and Development Management Service Manager be authorised to formulate and agree the Committee's views on the application for submission to South Holland District Council, noting the views now expressed by the Committee.

Members had before them report PLA 1014 from the Development Management Service Manager, following a notification by South Holland District Council of an application for a single 46.3m (to tip) wind turbine at Little Duke Farm, Main Road, Deeping St Nicholas. This site was near the South Kesteven boundary, in open countryside approximately 3.9km north east of Market Deeping and 4.5km east of Langtoft.

The committee were shown several plans of the location of the proposed turbine, including references to the nearest settlements and other wind turbines in the area. A discussion then ensued on the section of the report listing the likely impact of the development and it was considered that this was not sufficiently detailed. Members also pointed out the proximity of Sites of Special Scientific Interest in the area, as well as a number of areas of water, used by migrating birds, which could be affected if the development was to proceed. A Member referred to a tick-list, produced by a local resident, and based on the points listed in the Council's SPD on wind energy, and which could be used to aid the response. As with the last application, it was considered that a quick response was vital to ensure that the Council's views arrived in time to be taken into account. The Chairman suggested that while the tick-list would be useful

to 'score' the application, it would not be possible to require another authority to use South Kesteven information. He suggested that it could be sent to other authorities as a tool to find out what information they had available.

Following further discussion, it was proposed and seconded that the application be dealt with as for the Newark and Sherwood application, with the extra requirement of an eco survey, bearing in mind the proximity of Baston Lakes and other areas of water used by birds. It was also suggested that the neighbouring parishes within South Kesteven should be consulted.

(4.18pm – Councillor Cook left the meeting).

On being put to the vote, the proposition was agreed.

(4.25pm – as the meeting had lasted for three hours, in accordance with Council Procedure Rule 9, the Committee voted for the meeting to continue).

176. NEIGHBOURING AUTHORITY CONSULTATION ON PLANNING APPLICATION (RUTLAND COUNTY COUNCIL REF: 2013/0516/FUL), ERECTION OF 1 NO. 51.2M (HUB) HIGH, 65.7M (TIP) HIGH WIND TURBINE PLUS ANCILLARY EQUIPMENT, LAND TO THE WEST OF GREAT NORTH ROAD, STRETTON

Decision:-

That the Chairman and Vice-Chairman and Development Management Service Manager be authorised to formulate and agree the Committee's views on the application for submission to Rutland County Council, noting the views now expressed by the Committee.

Members had before them report PLA1009 from the Development Management Service Manager on a neighbouring authority consultation from Rutland County Council. The consultation had been considered at the last meeting and deferred to enable a detailed considered response tested against the SKDC Wind Energy SPD, and for confirmation of the views of South Witham and Castle Bytham Parish Councils. Rutland County Council had been asked to allow an extension of time to enable the Committee's comments to be submitted after this meeting.

The Committee were shown plans of the location of the turbine, related to the South Kesteven boundary, and showing distances to the nearest settlements within the District. As mentioned at the last meeting, the two neighbouring Parish Councils within the District had been consulted, and it was confirmed that South Witham had no objections, and Castle Bytham had made no comments.

After a discussion, it was proposed and seconded that the application be dealt with as for the previous two applications at Newark and Sherwood and South

Holland. On being put to the vote the proposition was agreed.

The Development Management Service Manager was asked to email the location maps of all three sites to Members.

177. 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 and a list of outstanding planning appeals, together with a schedule showing planning applications performance as at April/August 2013.

178. CLOSE OF MEETING

The meeting closed at 4.38pm