

# MINUTES

## DEVELOPMENT MANAGEMENT COMMITTEE

### TUESDAY, 13 NOVEMBER 2018



SOUTH  
KESTEVEN  
DISTRICT  
COUNCIL

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#### COMMITTEE MEMBERS PRESENT

Councillor Ashley Baxter	Councillor Adam Stokes
Councillor Phil Dilks	Councillor Ian Stokes (Vice-Chairman)
Councillor Mike Exton	Councillor Brian Sumner
Councillor Mrs Rosemary Kaberry-Brown	Councillor Mrs Brenda Sumner
Councillor Michael King	Councillor Rosemary Trollope-Bellew
Councillor Jacky Smith	Councillor Martin Wilkins (Chairman)
Councillor Judy Stevens	Councillor Paul Wood

#### OFFICERS

Head of Development Management (Sylvia Bland)  
Principal Planning Officer (Kevin Cartwright, Mike Gildersleaves, Phil Moore)  
Planning Officer (Phil Jordan)  
Legal Adviser (Colin Meadowcroft)  
Principal Democracy Officer (Jo Toomey)

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#### 35. MEMBERSHIP

The Committee was notified that under Regulation 13 of the Local Government (Committees and Political Groups) Regulations 1990, notice had been received appointing: Councillor Trollope-Bellew for Councillor Reid.

#### 36. APOLOGIES FOR ABSENCE

An apology for absence was received from Councillor Mrs. Judy Smith.

#### 37. DISCLOSURE OF INTERESTS

During the course of the meeting Councillors Adam Stokes and Trollope-Bellew declared a non-pecuniary interest in application S18/0093 as the applicant was Lincolnshire County Council of which they were both elected Members. They did not consider their interest so significant as to affect their ability to consider and determine the application with an open mind.

## **38. MINUTES OF THE MEETING HELD ON 16 OCTOBER 2018**

The minutes of the meeting held on 16 October 2018 were agreed as a correct record.

*13:08 – Councillor Stevens entered the meeting*

## **39. PLANNING MATTERS**

### **(a) Application ref: S17/2110**

**Description:** Part demolition of an existing barn and the erection of 6 nos. two storey dwellings with associated access, parking and landscaping  
**Location:** Land to the rear of The Royal Oak, 74 Main Road, Long Bennington, Lincolnshire, NG23 5DJ

This application was withdrawn from the agenda.

### **(b) Application ref: S18/0937**

**Description:** Reserved matters application for 174 dwellings and associated infrastructure pursuant to SK94/0125/12 Elsea Park - Zone 9  
**Location:** Land east of A151, Raymond Mays Way, Bourne

**Decision:**

**To defer the application**

Noting comments made during the public speaking session by:

<b>Against</b>	Mark Raven
	Gillian Pennycook
<b>Applicant's Agent</b>	Caroline Chave

Together with:

- No comment from the Environment Agency
- No objection from Cadent Gas Limited
- Comments from the SKDC Affordable Housing Officer
- Comments from the Welland and Deeping Internal Drainage Board
- No comments from Natural England
- Comments from SKDC Street Scene
- Comments from Elsea Park Community Trust
- An objection and comments from Bourne Town Council
- Comments from Lincolnshire County Council Highways and SUDS Support
- 8 representations received as a result of public consultation

- Provisions within the National Planning Policy Framework and the South Kesteven Core Strategy and supplementary planning documents
- Site visit observations
- The additional information report giving details of further representations received from neighbours and officer comments thereon
- Comments made by members at the meeting

In discussing the application, Members referred to the original 2001 Masterplan for the Elsea Park development. Concerns were expressed about the proposed layout and Members indicated a preference for the original indicative Masterplan. In addition to comments that were made about the single road access to the site, Members remarked about foot and cycleway linkages across the site and safe routes for children to access designated play areas.

Some Members mentioned the design and appearance of the proposed dwellings; the design of the buildings at the gateway of the site was noted and a suggestion made that design across the site, should be reviewed with a view to securing improvements. Members also spoke about the proposed housing mix for the development and a desire to see lifetime homes being built.

The Committee noted the concerns of local residents regarding drainage issues and wanted to ensure that drainage arrangements would be sufficient to accommodate this phase of the development together with those zones for which applications were yet to be received. While the response from the Environment Agency stated that they wished to make no comments in respect of the application, Members felt it would be more helpful to have a positive response stating that it had no objection.

It was proposed and seconded that the application be deferred to allow further discussion regarding improving design by referring the application to the design panel and to review the layout. The proposition also incorporated following up with the Environment Agency and working with the Welland and Deeping Internal Drainage Board to consider the drainage implications of this and future phases of the development.

On being put to the vote, the application was deferred.

*15:13-15:32 – the meeting adjourned*

**(c) Application ref: S18/0093**

**Description:** Construction of 49 dwellings, construction of new vehicular access - outline application with the matter of access included for consideration

**Location:** Land east of Low Road, Barrowby

**Decision:**

**To grant the application subject to conditions and completion of a Section 106 Agreement**

Noting comments made during the public speaking session by:

**Parish Council  
Applicant's Agent**

Councillor Tim Lees  
Lynette Swinburne

Together with:

- No objection subject to conditions from Lincolnshire County Council Highways and SUDS Support
- A request for a financial contribution from Lincolnshire County Council Education and Cultural Services
- No objection from the National Grid
- A request for a condition from SKDC's Environmental Protection Services
- No objection from Highways England
- Comments made by Barrowby Parish Council
- Comments and request for a condition from Heritage Lincolnshire
- No request for contributions from NHS England
- A request for a condition from Anglian Water Services
- Comments from the Environment Agency
- Comments from Lincolnshire Fire and Rescue Services
- A representation from Persimmon Homes
- 18 representations received as a result of public consultation
- Provisions within the National Planning Policy Framework and the South Kesteven Core Strategy and supplementary planning documents
- Site visit observations
- Comments made by members at the meeting

*15:55 – Councillors Dilks and Wood left the meeting and did not return.*

*16:02 – Councillors Exton and Kaberry-Brown left the meeting and did not return.*

*16:10 – As the meeting had been in progress for 3 hours, the Chairman asked for Members' consent to continue. Members agreed.*

During debate Members referred to pieces of land that abutted the site and future connectivity as those other parcels of land were developed. The additional items paper issued on 9 November 2018 proposed two amended conditions to ensure connectivity. Some concern was expressed by Members as the trigger for the proposed connectivity conditions was "prior to the

*occupation of the twenty-fifth dwelling". Consequently it was suggested that the conditions be re-worded to ensure that links would be built:*

5. *Notwithstanding the submitted Indicative Master Plan drawing number: LNBU 390793-03D, none of the dwellings hereby permitted shall be occupied until pedestrian, vehicle and bicycle connectivity is provided from the development site to the land immediately abutting the east of the site in accordance with details to have been submitted to and approved in writing by the Local Planning Authority.*
6. *Notwithstanding the submitted Indicative Master Plan drawing number: LNBU 390793-03D, none of the dwellings hereby permitted shall be occupied until pedestrian and bicycle connectivity is provided from the development site to Thorold Road to the north of the site in accordance with details to have been submitted to and approved in writing by the Local Planning Authority.*

It was proposed, seconded and agreed that the application be approved for the reasons set out in the case officer's report and subject to the conditions set out on pages 44 to 46 of the case officer's report subject to the amendments noted above, and subject to prior completion of a Section 106 agreement to secure the requirements specified in paragraph 10. Provided that if the Section 106 Agreement has not been completed within 6 weeks of the date of this meeting and the Head of Development Management, after consultation with the Chairman or Vice Chairman of the Development Management Committee, considers there are no extenuating circumstances which would justify an extension (or further extension) of time, the Head of Development Management be authorised to refuse the application on the basis that the necessary infrastructure or community contributions essential to make the development acceptable have not been forthcoming.

*16:40 – Councillor Trollope-Bellew left the meeting and did not return*

**(d) Application ref: S18/1408**

**Description:** Hybrid planning application (part full and part outline application) for a residential development comprising: full application for demolition of existing farmhouse and conversion of redundant barns to 4 x dwellings, and outline application for 17 x new build dwellings for over 55s including provision of affordable units

**Location:** Spittlegate Farm, Gorse Lane, Grantham, NG31 7UF

**Decision:**

**To grant the application subject to conditions and a Section 106 Agreement**

Noting comments made during the public speaking session by:

**Applicant**

David Goodridge

Together with:

- No objection subject to conditions from Lincolnshire County Council Highways and SUDS Support
- Comments from the SKDC Affordable Housing Officer
- A request for conditions from SKDC's Environmental Protection Services
- No requirement for a contribution from Lincolnshire County Council Education and Cultural Services
- Comments from Lincolnshire County Council Minerals and Waste Planning
- No comments from Natural England
- A request for a contribution from NHS England
- Comments from Anglian Water Services
- No representations received as a result of public consultation
- Provisions within the National Planning Policy Framework and the South Kesteven Core Strategy and supplementary planning documents
- Comments made by members at the meeting

Members were advised of an additional condition that was being recommended, which would restrict occupation of the new build dwellings to over-55s:

*"Other than any warden's accommodation, the newbuild 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."*

It was proposed, seconded and agreed that the application be approved for the reasons set out in the case officer's report and subject to the conditions set out on pages 60 to 67 of the case officer's report, together with the additional condition noted above, and subject to prior completion of a Section 106 agreement to secure the requirements specified in paragraph 8. Provided that if the Section 106 Agreement has not been completed within 6 weeks of the date of this meeting and the Head of Development Management, after consultation with the Chairman or Vice Chairman of the Development Management Committee, considers there are no extenuating circumstances which would justify an extension (or further extension) of time, the Head of Development Management be authorised to refuse the application on the

basis that the necessary infrastructure or community contributions essential to make the development acceptable have not been forthcoming.

*16:59 – Councillor Jacky Smith left the meeting and did not return*

**(e) Application ref: S18/0455**

**Description:** Mixed use development comprising: petrol filling station (sui generis) with associated convenience retail unit (A1); drive through coffee shop unit (A3); a builder's merchant with associated yard and store (sui generis); 2 no. A3/A5 units; 1 no. office premises (B1); a replacement dispatch building (B8); access from Trent Road and Harlaxton Road with associated highway works; and associated car parking and landscaping works, including revised car park layout for Grantham Engineering

**Location:** Land adjacent to Trent Road and Harlaxton Road

**Decision:**

**To grant the application subject to conditions**

Noting comments made during the public speaking session by:

**Against  
Applicant's Agent**

Michael Birch  
Phil Srafton

Together with:

- Support from Invest SK
- No objection and comments, plus a request for conditions from Lincolnshire County Council Highways and SUDS Support
- No objection from Natural England
- No comments from SKDC's Environmental Protection Services
- No objections and comments from the SKDC Arboricultural Consultant
- Comments from the Environment Agency
- No objection from Anglian Water Services subject to conditions
- Comments from SKDC's Street Scene team
- No comments returned from Lincolnshire Fire and Rescue
- No objections and request for a condition from the Upper Witham Internal Drainage Board
- 3 representations received as a result of public consultation
- Provisions within the National Planning Policy Framework and the South Kesteven Core Strategy and supplementary planning documents
- Site visit observations
- Comments made by members at the meeting

*17:33 – Councillor Stevens left the meeting and did not return*

It was proposed, seconded and agreed that the application be approved for the summary of reasons set out in the case officer's report and subject also to the following conditions:

### **Time Limit for Commencement**

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

### **Approved Plans**

- 2 The development hereby permitted shall be carried out in accordance with the following list of approved plans and reports:

Plans and drawings:

- 1 JH1277 - 101N - Proposed Site layout
- 2 JH1277 - 102E - Proposed Landscaping plan
- 3 JH1277 - 103F - Site Roofplan
- 4 JH1277 - 105 - Proposed site sections
- 5 JH1277 - 200A - Drive through coffee shop proposal
- 6 JH1277 - 201A - Drive through coffee shop proposal
- 7 JH1277 - 300D - Building merchant proposal
- 8 JH1277 - 301D - Building merchant proposal
- 9 JH1277 - 400 - Food Unit 1 proposal
- 10 JH1277 - 401 - Food Unit 1 proposal
- 11 JH1277 - 402A - Office Unit 2 proposal
- 12 JH1277 - 403A - Office Unit 2 proposal
- 13 JH1277 - 404 - Food Unit 3 proposal
- 14 JH1277 - 405 - Food Unit 3 proposal
- 15 JH1277 - 500 - Petrol filling station & shop proposal
- 16 JH1277 - 501 - Petrol filling station & shop proposal
- 17 JH1277 - 502 - Petrol filling station & shop proposal
- 18 JH1277 - 503 - Substation proposal
- 19 JH1277 - 504A - Petrol filling station layout plan
- 20 JH1277 - 505 - Elevations of fuel tank
- 21 JH1277 - 600 - Dispatch building
- 22 JH1277 - LP5 - Location plan

Reports:

Integrated Planning Statement, Ref. 2274, Final - February 2018 -  
Globe Consultants Limited  
Transport Assessment, Ref. TCL/875 - November 2017 - Turvey  
Consultancy Limited  
Desk Based Report, Final Issue - 24 October 2017 - Intersoil Limited  
Sequential Test Report, Ref. 2274, v1 - May 2018 - Globe Consultants  
Limited

Tree Protection and Landscape Mitigation, Ref. 1298/0417/03 v2 - 6 July 2018 - C.B.E.Consulting  
BS5837:2012 Tree Survey, Ref. P1298/0417/02 v4 - 31 May 2018 - C.B.E. Consulting  
Surface Water Drainage Solution, Ref. 4844-SW-01 - 3 October 2081 - Siddle Grimley Hage Limited  
Flood Risk Assessment, Ref. TDi 309 Rev B - 9 January 2018 - TD Infrastructure Limited  
Preliminary Risk Assessment (PRA) and Contaminated Land Report, Ref 17-1582.02 - Jul 2018 – Delta Simons

Unless otherwise required by or varied by another condition of this permission.

### **During Building Works**

- 3 With the exception of the Builders Merchants building which must be finished in accordance with the details and materials shown on the approved plans (JH1277 - 300C & JH1277 - 301C), no above ground construction of any building/structure/tank, shall take place until the materials proposed to be used for the external surfaces of the building/structure/tank to be erected/installed, along with any hard-surfacing within the plot of that building/structure/tank, have been submitted to and approved in writing by the Local Planning Authority. Thereafter the building must only be constructed in accordance with those details unless otherwise agreed in writing by the local planning authority.
- 4 In accordance with the details provided on drawing JH1277 - 505 (Elevations of fuel tank) there shall be no below ground storage of fuels or other liquids associated with the Petrol Filling Station at any time.
- 5 No building or installation of foul drainage infrastructure associated with the buildings, shall be constructed/installed, until a foul water strategy has been submitted to and approved in writing by the Local Planning Authority. No building shall be occupied until all relevant foul water works serving that building have been installed/completed in full.
- 6 Prior to the first use of any of the Food units (class A3) and/or Office unit (class B1) fronting Harlaxton Road, the landscaping must be undertaken and all planting completed in accordance with the agreed details as set out in the Tree Protection and Landscape Mitigation report (Ref. 1298/0417/03 v2 report) in particular the "Landscape Mitigation" section of the aforementioned report, and read in conjunction with the approved plans.

Thereafter the planting must be maintained in accordance with the "Aftercare Management" measures specified in the aforementioned report.

- 7 Prior to the first use of the Petrol Filling Station, a detailed landscaping and boundary plan for the Petrol Filling Station site (in particular its frontages onto Harlaxton Road and Trent Road) must be submitted to the Local Planning Authority for agreement in writing. The details shall include details of the proposed boundary treatment(s) and positions, along with details of planting and any other screening. Thereafter the boundaries and landscaping of the Petrol Filling Station site must be undertaken and completed in accordance with the agreed details before the Petrol Filling Station is brought into use.

### **Before the Development is Occupied**

- 8 Prior to the first use of either the petrol filling station, or any of the Food units (class A3) fronting Harlaxton Road, an overall refuse strategy for the site shall be submitted to the Local Planning Authority for agreement in writing.

The strategy shall include:

Details of the location and size of refuse receptacles and collection facilities

Measures to be undertaken to provide for the collection of waste within the site as a whole

Measures to be undertaken within the immediate vicinity (area to be defined in the strategy) to provide collection of waste which may be created as a result of the development and to prevent litter nuisance.

Measures to be put in place to ensure that the operators of each of the independent units (such as the food units or petrol filling station) adhere to the requirements of the overall strategy.

The agreed strategy (including any physical measures to be installed) must be implemented from the first use of either the petrol filling station, or any of the food units (whichever occurs first) and the site must thereafter be operated in accordance with the agreed measures.

- 9 Prior to first use of the Petrol Filling Station, and/or Drive-Through Coffee shop - Mixed-use (class A1 and A3), and/or any of the Food units (class A3), and/or Office unit (class B1) alongside Harlaxton Road, the highway improvement works, access routes and parking arrangements must be fully completed in accordance with the details shown on drawing number JH1277-101N and shall be fully completed as may be confirmed in writing by the Local Planning Authority. and parking arrangements shall be fully constructed and shall fully completed as may be confirmed in writing by the Local Planning Authority. The access and parking arrangements must thereafter be retained and available at all times when any of the buildings identified by this condition are open or available for use.
- 10 Prior to the first use of the Builders Merchants, the access and parking arrangements to serve it from Trent Road must have been fully completed in accordance with the details shown on drawing number JH1277-101N

and shall be fully completed as may be confirmed in writing by the Local Planning Authority. The access and parking arrangements for the Builders Merchants must thereafter be retained and available at all times when the building identified by this condition is open or available for use.

### **Ongoing Conditions**

- 11 Notwithstanding the provisions of Parts 3 and 4 in Schedule 2 of the Town & Country Planning (General Permitted Development Order) 2015 (as amended), the buildings as identified on the approved plans shall only be used for the following purposes unless express planning permission is granted by the Local Planning Authority for any other use:

Food units - class A3 (Restaurant/Café) with ancillary A5 use  
Drive-Through Coffee shop - Mixed-use (A1 and A3)  
Builders Merchant - Sui Generis  
Office unit - class B1 (Office)  
Dispatch Building - class B8  
Petrol filling station - Sui Generis with ancillary A1 use

The references above (eg class A3) are in relation to the relevant use classes as defined within the Town and Country Planning (Use Classes Order) 1987 as amended.

### **40. CLOSE OF MEETING**

The meeting was closed at 17:35.