

MINUTES

DEVELOPMENT MANAGEMENT COMMITTEE

TUESDAY, 15 JANUARY 2019



SOUTH
KESTEVEN
DISTRICT
COUNCIL

COMMITTEE MEMBERS PRESENT

Councillor Ashley Baxter
Councillor Phil Dilks
Councillor Mike Exton
Councillor Mrs Rosemary Kaberry-Brown
Councillor Michael King
Councillor Jacky Smith
Councillor Judy Stevens

Councillor Adam Stokes
Councillor Ian Stokes (Vice-Chairman)
Councillor Brian Sumner
Councillor Rosemary Trollope-Bellew
Councillor Martin Wilkins (Chairman)
Councillor Paul Wood

OFFICERS

Head of Development Management (Sylvia Bland)
Principal Planning Officer (Phil Moore)
Assistant Planning Officer (Craig Dickinson)
Legal Adviser (Colin Meadowcroft)
Principal Democracy Officer (Jo Toomey)

47. 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 Brenda Sumner.

48. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Reid and Judy Smith.

49. DISCLOSURE OF INTERESTS

No interests were disclosed.

50. MINUTES OF THE MEETING HELD ON 11 DECEMBER 2018

The minutes of the meeting held on 11 December 2018 were agreed as a correct record subject to the following addition.

One Member asked when the Committee would receive an update on a planning application that was submitted in respect of Easton Cold Store. Members were advised that the Committee would not receive an update because the matter had been determined.

51. PLANNING MATTERS

(a) Application ref: S18/0937

Description: Reserved matters application for 174 dwellings and associated infrastructure pursuant to SK94/0125/12

Location: Elsea Park - Zone 9, Land east of A151, Raymond Mays Way, Bourne

Decision:

To grant the application subject to conditions.

As the application was part-heard and Councillors Jacky Smith and Wilkins had not been present when it had been considered previously, they did not participate in discussion or vote on the application.

Noting:

- Reasons for refusal submitted by those Members who voted to support the Committee's decision that it was minded to refuse the application with officer comment thereon
- Comments 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 including additional comments relating to the ongoing maintenance of the watercourse to the south of Harvey Close
- No comments from Natural England
- Comments from SKDC Street Scene
- Concerns raised by the Elsea Park Community Trust
- An objection and concerns raised by Bourne Town Council
- No objection from Lincolnshire County Council Highways and SUDS Support
- 9 representations received as a result of public consultation together with additional letters submitted by residents of Harvey Close and officer comment thereon
- Provisions within the National Planning Policy Framework and the South Kesteven Core Strategy and supplementary planning documents
- A meeting held between planning officers, local Councillors and local residents, which was held in Bourne on Friday 11 January 2019
- Site visit observations
- Comments made by Members at the meeting

- The additional information report from the meetings held on 13 November and 11 December 2018
- Comments made during the public speaking session on 13 November 2018
- Comments made by Members on 13 November and 11 December 2018 when the application was previously considered
- Additional information received on surface water drainage following consideration by Committee on 13 November 2018
- Proposed changes to the scheme to address the Committee's concerns regarding design

After the meeting of the Committee on 11 December 2018 at which members decided that they were minded to refuse the application, they were required to submit, within five working days, their reasons for refusal to the Head of Growth. These were listed in the case officer's report together with officer comment thereon. Officers did not consider the reasons that were put forward were sufficient to warrant refusal. The officer recommendation remained to approve the application.

It was proposed and seconded that the application be approved for the reasons listed in the case officer's report and subject to the conditions and notes on pages 23 to 27 of the case officer's report (as amended by the additional items paper issued in respect of the Committee held on 11 December 2018).

As, at the previous meeting, the Committee had been minded to refuse the application, the Council's Constitution required that any vote at the subsequent meeting at which the application was considered should be a recorded vote:

For: Councillors Exton, King, A Stokes, I Stokes and Trollope-Bellew

Against: Councillors Baxter and Wood

Abstain: Councillors Dilks, Kaberry-Brown, Stevens and Brian Sumner

With five votes to two and four abstentions, the proposition was carried and the application was approved subject to the following conditions:

Approved Plans

- 1 The development hereby permitted shall be carried out in accordance with the following list of approved plans:
 - i. Site Location Plan Drawing No. APP206-04 received 27 September 2018
 - ii. Planning Layout Drawing No. APP206-01 Rev E received 22 November 2018
 - iii. Materials Dispersion Layout Drawing No. APP206-07 Rev C received 22 November 2018
 - iv. Residential landscaping details Drawing Nos. 18-017-03 Rev C, 18-017-04 Rev C, 18-017-05 Rev C received 6 December 2018

- v. Pond landscaping details Drawing Nos. 18-017-10 and 18-017-11 received 23 October 2018
- vi. Tree Survey and Constraints Plan Drawing Nos. 18-017-02 received 27th September 2018 and 18-017-12, 18-017-13 received 23rd October 2018
- vii. Proposed Finished Floor Levels Drawing No. E3714/600 Rev B received 22 November 2018
- viii. Vehicle Access for Fire Appliances Drawing No. APP206-42 Rev C received 22 November 2018
- ix. Refuse Collection Plan Drawing No. APP206-06 Rev C received 22 November 2018
- x. Proposed Surface Finishes Plan Drawing No. E3714/770 Rev E received 6 December 2018
- xi. Drainage Strategy Plan - Sheet 1 Drawing No. E3714/510 Rev B received 22 November 2018
- xii. Drainage Strategy Plan - Sheet 2 Drawing No. E3714/511 Rev B received 22 November 2018
- xiii. Floor and elevations plans Drawing Nos: 1906/Z9/PL.1, D1906/Z9/PL.6, NB51/Z9/PL.1, NB51/Z9/PL.2, NB51/Z9/PL.3, PT43/Z9/PL.1, PT43/Z9/PL.5, ND43/Z9/PL.1, ND43/Z9/PL.2, ND43/Z9/PL.3, PD49/Z9/PL.1, PD49/Z9/PL.2, PD49/Z9/PL.3, PD49/Z9/PL.4, PT42/Z9/PL.1, PT42/Z9/PL.5, PA44/Z9/PL.1, PA44/Z9/PL.2, PA44/Z9/PL.2.5, PA44/Z9/PL.3, PA44/Z9/PL.4, PB33-G/Z9/PL.1, PB33-G/Z9/PL.2, PB33-G/Z9/PL.4, PA34/Z9/PL.1, PA34/Z9/PL.2, PA34/Z9/PL.4, AA43/Z9/PL.1, AA43/Z9/PL.2, AA31/Z9/PL.1, AA31/Z9/PL.2, AA23/Z9/PL.1 and AA23/Z9/PL.2 received 22 November 2018

Unless otherwise required by another condition of this permission.

Before the Development is Commenced

2 Before the development hereby permitted is commenced, all existing trees shown to be retained on the following drawings shall have been fenced off to the limit of their branch spread in accordance with BS 5837:

- Drawing No. 18-017-02 received 27 September 2018
- Drawing No. 18-017-012 received 23 October 2018
- Drawing No. 18-017-013 received 23 October 2018

No works including:

- i. removal of earth,
- ii. storage of materials,
- iii. vehicular movements or
- iv. siting of temporary buildings

shall be permitted within these protected areas.

During Building Works

3 No development consisting of construction of the highways proposed for adoption, as well as any shared private roads/drives and foot/ cycle paths shall be commenced until full engineering, drainage, street lighting and construction details of these works have been submitted to and approved in writing by the local planning authority. The development shall be constructed in accordance with the approved details

- 4 Following the implementation of the surface water attenuation ponds, all soft landscape works shall have been carried out before the end of the first planting/seeding season in accordance with the approved soft landscaping details as shown on the following:
 - i. Drawing No. 18-017-10 received 23 October 2018
 - ii. Drawing No. 18-017-11 received 23 October 2018
- 5 The development hereby approved shall be carried out in accordance with the following approved surface and foul water drainage details:
 - Drainage Strategy Technical Note 1 ref: E3714/TN1/tjw/21112018 received 22 November 2018
 - Drainage Strategy Plan sheet 1 of 2 ref: E3714/510/B received 22 November 2018
 - Drainage Strategy Plan sheet 2 of 2 ref: E3714/511/B received 22 November 2018
- 6 The development hereby approved shall be carried out in accordance with the recommendations contained within the following reports:
 - Badger mitigation report ref: 17-1039.02 received 27th September 2018
 - Preliminary Ecological Appraisal and Confidential Badger Survey Report received 27th September 2018
 - Preliminary Ecological Appraisal ref: 17-1039.03 received 23rd October 2018
- 7 The development hereby approved shall be carried out in accordance with the recommendations contained within the following reports:
 - Phase I Site Appraisal ref: GRM/P8211/DS.1 Rev C received 22 November 2018
 - Phase II Site Appraisal ref: GRM/P8211/F.1 received 22 November 2018
- 8 Before the works to provide the drainage ponds hereby permitted are commenced, a plan indicating the heights, positions, design, materials and type of any safety fencing around the ponds and any boundary treatment to the north of the pond area shall have been submitted to and approved in writing by the Local Planning Authority.

Before the Development is Occupied

- 9 No dwelling shall be occupied until details of the timetable for and any phasing of the implementation for the drainage scheme have been submitted and approved by the Local Planning Authority. The drainage scheme shall be implemented in strict accordance with any such details as may be approved.
- 10 Before each dwelling hereby approved is occupied, all hard landscape works associated with the dwelling or its access shall be carried out in accordance with the approved hard landscaping details as shown on Drawing No. APP206-01 Rev E received 22 November 2018.

- 11 Before each dwelling hereby approved is occupied, the external elevations of that dwelling shall have been completed using only the materials stated on Drawing No. APP206-07 Rev C received 22 November 2018.
- 12 Prior to the occupation of each dwelling the works to provide the boundary treatments for that dwelling shall have been completed in accordance with the details as shown on Drawing No. APP206-01 Rev E received 22 November 2018.
- 13 Before any dwelling hereby permitted is occupied, the finished floor levels for that building shall have been constructed in accordance with the approved details shown on Drawing No. E3714/600 Rev B received 22 November 2018.
- 14 Before any part of the drainage ponds hereby permitted are brought into use, any works to provide the safety fencing around the ponds and any boundary treatment to the north of the pond area shall have been completed in accordance with the approved details.
- 15 The foot/ cycle paths as shown on the following plans shall be completed in accordance with the details approved by condition 3 of this permission before occupation of the 50th dwelling:
 - i. Drawing No. 18-017-10 received 23 October 2018
 - ii. Drawing No. 18-017-04 Rev C received 6 December 2018
 - iii. Drawing No. 18-017-05 Rev C received 6 December 2018
- 16 No dwelling shall be occupied until details of the proposed arrangements for future management and maintenance of the proposed streets and foot/ cycle paths within the development have been submitted to and approved by the Local Planning Authority. The streets shall be maintained in accordance with the agreed details.
- 17 Before each dwelling (or other development as specified) is occupied the roads and/or footways providing access to that dwelling, for the whole of its frontage, from an existing public highway, shall be constructed in accordance with the approved details, less the carriageway and footway surface courses.

The carriageway and footway surface courses shall be completed within three months from the date upon which the erection is commenced of the penultimate dwelling.

Ongoing Conditions

- 18 Within a period of five years from the first occupation of the final dwelling/unit of the development hereby permitted, any trees or plants provided as part of the approved soft landscaping scheme, die or become, in the opinion of the Local Planning Authority, seriously damaged or defective, shall be replaced in the first planting season following any such loss with a specimen of the same size and species as was approved in condition above unless otherwise agreed by the Local Planning Authority.
- 19 Following the occupation of the last dwelling, all soft landscape works shall have been carried out before the end of the first planting/seeding season in

accordance with the approved soft landscaping details as shown on the following:

- i. Drawing No. 18-017-03 Rev C received 6 December 2018
- ii. Drawing No. 18-017-04 Rev C received 6 December 2018
- iii. Drawing No. 18-017-05 Rev C received 6 December 2018

13:40 – Councillor Ian Stokes left the meeting and did not return

(b) Application ref: S18/2003

Description: Erection of single storey side and rear extensions and detached garage

Location: 21 Village Street, Frognall, Lincolnshire, PE6 8RS

Decision:

To grant the application subject to conditions.

Noting comments made during the public speaking session by:

Against Julie Farley

Together with:

- An objection from Deeping St. James Parish Council
- No objection from Lincolnshire County Council Highways and SUDS Support
- 5 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

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:

- i. Proposed elevations - dwg no. SW/11/A - received 08/10/18
- ii. Proposed ground floor plan - dwg no. SW/10A - 08/10/18

Unless otherwise required by another condition of this permission.

Before the Development is Occupied

- 3 The storage container located in the front garden shall cease to be used and be removed within 1 calendar month following the substantial completion of the approved detached garage.
- 4 Before any part of the development hereby permitted is occupied/brought into use, the external elevations shall have been completed using only the materials stated in the planning application forms unless otherwise agreed in writing by the Local Planning Authority.
- 5 Before any construction work above ground is commenced, details of the new boundary hedge planting shall have been submitted to and approved in writing by the Local Planning Authority. Details shall include:
 - i. planting plans;
 - ii. written specifications (including cultivation and other operations associated with hedge establishment);
 - iii. schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate;

Ongoing Conditions

- 6 The new section of boundary hedge shall be planted in the first planting season following the substantial completion of the approved garage, and shall be allowed to grow to a height of at least 2m. The hedge shall be retained as such thereafter unless the garage is removed.

(c) Application ref: S17/1900

Description: Residential development of up to 35 dwellings, associated

estate roads, open space and Sustainable Drainage System (outline)

Location: Old Langtoft Gravel Pit, land to the south of Stowe Road, Langtoft

Decision:

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

Noting comments made during the public speaking session by:

Applicant's Agent

Robbie Doughty

Together with:

- Comments from Heritage Lincolnshire

- Comments from the SKDC Arboricultural Consultant
- A request for a Section 106 contribution from Lincolnshire County Council Education and Cultural Services
- No objection subject to conditions from the Environment Agency
- Comments and a request for conditions from Lincolnshire Wildlife Trust
- Affordable housing provision of 35% as set out by the SKDC Affordable Housing Officer
- A request for a Section 106 contribution from NHS England
- Comments and a requested condition from Anglian Water Services
- No comments from Natural England
- Comments from the Welland and Deeping Internal Drainage Board
- Objection and comments from Langtoft Parish Council
- No objection subject to conditions from Lincolnshire County Council Highways and SUDS Support
- A requested condition from SKDC's Environmental Protection Services
- No mineral safeguarding objection from Lincolnshire County Council Minerals and Waste Planning
- Comments from Lincolnshire Fire and Rescue
- Confirmation from the applicant that it is intended that the estate roads will be adopted by Lincolnshire County Council
- 13 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

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 51 to 55 of the case officer's report subject to the omission of Condition 16 and the addition of a Condition relating to the provision of a fire hydrant and subject also to prior completion of a Section 106 agreement to secure the requirements specified in the additional items paper, which was issued on Friday 11 January 2019. 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.

52. CLOSE OF MEETING

The meeting was closed at 14:56.