

# Development Management Committee



SOUTH  
KESTEVEN  
DISTRICT  
COUNCIL



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Tuesday, 23 April 2019 at 1.00 pm  
Ballroom - Guildhall Arts Centre, St. Peter's Hill,  
Grantham. NG31 6PZ

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**Committee Members:** Councillor Martin Wilkins (Chairman)  
Councillor Ian Stokes (Vice-Chairman)

Councillor Ashley Baxter, Councillor Phil Dilks, Councillor Mike Exton, Councillor Mrs Rosemary Kaberry-Brown, Councillor Michael King, Councillor Robert Reid, Councillor Jacky Smith, Councillor Mrs Judy Smith, Councillor Judy Stevens, Councillor Adam Stokes, Councillor Brian Sumner, Councillor Mrs Brenda Sumner and Councillor Paul Wood

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## Agenda

**1. Membership**

The Committee to be notified of any substitute members

**2. Apologies for absence**

**3. Disclosure of interests**

Members are asked to disclose any interests in matters for consideration at the meeting

**4. Minutes of the meeting held on 2 April 2019**

(Pages 5 - 14)

**5. Planning matters**

To consider applications received for the grant of planning permission – reports prepared by the Case Officer.

*The anticipated order of consideration is as shown on the agenda, but this may be subject to change, at the discretion of the Chairman of the Committee.*

**a) Application S19/0130** (Pages 15 - 24)

**Proposal:** Change of use of land from agricultural to burial site

**Location:** Land at Folkingham Farm, unclassified country road (extending from Aveland Way), Aslackby, Sleaford

**Case Officer:** Phil Jordan

**Recommendation:** To approve the application subject to conditions

**b) Application S19/0256** (Pages 25 - 33)

**Proposal:** Outline application for the demolition of existing dwelling and erection of 4 dwellings

**Location:** 21 Broadgate Lane, Deeping St. James, PE6 8NW

**Case Officer:** Phil Jordan

**Recommendation:** To approve the application subject to conditions

**c) Application S19/0145** (Pages 35 - 41)

**Proposal:** Approval of details reserved by conditions 1 (surface and foul water drainage) and 2 (site layout plan) of S16/2065

**Location:** The Whistle Stop, Main Road, Tallington, Lincolnshire, PE9 4RN

**Case Officer:** Abiola Labisi

**Recommendation:** That the details submitted in compliance with conditions 1 and 2 are considered acceptable

**d) Application S19/0372** (Pages 43 - 53)

**Proposal:** Extensions and alterations to dwelling and erection of detached garage with attic space

**Location:** 2 Kingscliffe Road, Grantham, NG31 8ET

**Case Officer:** Craig Dickinson

**Recommendation:** To approve the application subject to conditions

**6. 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 2018/19 meetings are:

<b>Meeting Date</b>	<b>Notification Deadline</b>
Tuesday 23 April 2019, 1pm	Thursday 18 April 2019, 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.

Committee members may only ask questions of the applicant, the applicant's agent or technical experts speaking for or against an application.

The Chairman and Vice-Chairman of the Committee may ask questions of members of the public but only to verify the source of any material facts stated by a public 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

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# Minutes

Development Management  
Committee

Tuesday, 2 April 2019



SOUTH  
KESTEVEN  
DISTRICT  
COUNCIL

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## 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 Martin Wilkins (Chairman)

## Officers

Head of Development Management (Sylvia Bland)

Principal Planning Officer (Phil Moore)

Planning Officer (Peter Lifford)

Legal Adviser (Colin Meadowcroft)

Principal Democracy Officer (Jo Toomey)

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## 71. Apologies for absence

Apologies for absence were received from Councillors Reid, Judy Smith, Brenda Sumner, Brian Sumner and Wood.

## 72. Disclosure of interests

No interests were disclosed.

## 73. Minutes of the meeting held on 5 March 2019

The minutes of the meeting held on 5 March 2019 were agreed as a correct record.

## 74. Planning matters

### (a) Application S18/1858

**Proposal:** Construction of 46 dwellings, including vehicular access, pedestrian and cycle links, public open space, car parking, landscaping, drainage and associated works

**Location:** Land off Easthorpe Road, Great Gonerby, Grantham, NG31 8LZ

**Decision:** To refuse the application contrary to officer recommendations

*Councillor Ian Stokes spoke against the application and consequently did not participate in debate or vote on the application.*

Noting comments made during the public speaking session by:

<b>District Councillor</b>	Councillor Ian Stokes
<b>Against</b>	Ann Donovan
	Elizabeth Newton (statement read by Councillor Ian Stokes)
<b>Applicant/Applicant's Agent</b>	David Stutting

Together with:

- No comments from Historic England
- No objection in principle and comments from the SKDC Arboricultural Consultant
- Comments from the National Trust
- Comments of the SKDC Historic Buildings Adviser (SKDC)
- Comments from the Lincolnshire County Council Footpaths Officer
- Comments from the SKDC Affordable Housing Officer
- Comments from NHS England and request for a Section 106 contribution
- Comments from Anglian Water Services
- Comments from Lincolnshire County Council Education and Cultural Services and request for a Section 106 contribution
- No comments from the Environment Agency
- Comments from Heritage Lincolnshire
- No comments from Natural England
- No representation from Great Gonerby Parish Council
- No objection from Lincolnshire County Council Highways and SUDS Support subject to conditions
- No comment from the Gardens Trust
- Viability information submitted by the applicant and independently assessed by the Council's viability consultants
- 17 representations received as a result of public consultation
- A petition signed by 153 local residents objecting to the proposed development
- 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 noted the measures that were included to protect existing trees along the boundary of the site and the maintenance of the hedgerow. The Committee also noted the measures that were proposed in respect of two public rights of way that ran along the site's boundary to ensure that they were still available and pleasant to walk.

Discussion ensued on the impact of the proposal on nearby heritage assets and the measures that were proposed to mitigate that impact.

In discussing the applications members expressed particular concern about the impact of the proposed two-storey dwellings on the existing bungalows situated on the opposite side of Easthorpe Road. Committee members felt that the position of the two-storey dwellings was not congruent with the existing street scene and contrary to the character of the area.

Members considered the proposed terms for the Section 106 Agreement, which would see 100% affordable housing delivered through the development. The Committee noted the contents of the viability assessment submitted by the applicant and independently appraised by the Council's appointed consultant, which concluded that the development would create a deficit if, in addition to the affordable housing, contributions were made to education and health services. While members acknowledged the need for affordable housing, they raised concerns about the impact of the additional residents on local education and health services.

It was proposed and seconded that the application be approved for the reasons set out in the case officer's report and subject to completion of a Section 106 Agreement and conditions including an additional clause in respect of condition 5 requiring the landscaping and maintenance of shrubs and trees, and the replacement of any that did not thrive, for a period of five years. On being put to the vote, the proposition was lost.

A new proposition was made that the application be refused contrary to officer recommendations because the benefits of the affordable housing did not outweigh the lack of developer contributions for health and education, contrary to policy SP4 of the Core Strategy, and because the proposed design was not in-keeping with the country lane character of Easthorpe Road, contrary to policy EN1 of the Core Strategy, in particular the juxtaposition of the proposed two-storey housing to the existing bungalows on Easthorpe Road.

The proposal was seconded and the Head of Development Management confirmed that the reasons for refusal were acceptable, permitting the Committee to make a decision outright without invoking the cooling-off period set out in the Council's Constitution. On being put to the vote, the proposition to refuse the application contrary to officer recommendations was carried.

**(b) Application S18/1207**

**Proposal:** Erection of 5 detached houses

**Location:** Land off Kettering Road, Stamford, PE9 2JS

**Decision:** To approve the application subject to conditions and completion of a Section 106 Agreement

*15:28-15:47 – the meeting adjourned*

Noting comments made during the public speaking session by:

<b>Against</b>	John Smith Adrian Morrell
<b>Applicant</b>	John Dadge

Together with:

- An objection from Peterborough City Council
- Comments from the SKDC Affordable Housing Officer
- No comments from Anglian Water Services
- No objection and comments from Historic England
- Comments from Heritage Lincolnshire
- A recommended condition by Environmental Protection Services
- Opposition to the development and comments from Stamford Civic Society
- No objection from Highways England
- No objection from Lincolnshire County Council Highways and SUDS Support subject to a condition
- Comments from the Lincolnshire County Council Footpaths Officer
- Standing advice from Natural England
- No comment from the Gardens Trust
- No objections from Lincolnshire County Council Minerals and Waste Planning
- No objection from Stamford Town Council subject to any affordable housing contribution being used in Stamford
- A letter from Councillor David Taylor, one of the District Councillors for the Ward in which the development was proposed
- Viability information submitted by the applicant and independently assessed by the Council's viability consultants
- 28 representations (2 in support and 26 in objection) 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



*16:06 – Councillor Adam Stokes left the meeting*

*16:10 – Councillor Adam Stokes returned to the meeting*

In discussing the application, Committee members recognised that there was a need for affordable housing in Stamford and felt that the use of the commuted sum should be restricted to Stamford, and only if that was not possible should the funding be cascaded to other parts of the district. Whilst Members were mindful that a similar cascade provision was included within any Section 106 Agreement where the applicant was required to provide a commuted sum, the Committee wanted to clearly express its wishes that the affordable housing be provided in Stamford.

*16:19 - As the meeting had been in progress for 3 hours, the Chairman asked for Members' consent to continue. Members agreed*

*16:20 – Councillor Adam Stokes left 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 77 to 79 of the case officer's report and subject to completion of a Section 106 Agreement to secure the requirements specified in section 9 of the report, with the addition of an overage clause requiring a 50:50 split of any increase in the selling price of each house over that included in the viability assessment dated 5 October 2018 and the addition of a specific requirement for the commuted sum for affordable housing being used in Stamford and only where that was not possible should the funding be cascaded for affordable housing to be built in other parts of the district. Where the Section 106 obligation has not been concluded prior to the Committee, a period not exceeding twelve weeks after the date of the Committee shall be set for the completion of that obligation.

In the event that the agreement has not been concluded within the twelve-week period and where, in the opinion of the Head of Development Management, there are not extenuating circumstances that would justify a further extension of time, the related planning application shall be refused planning permission for the appropriate reasons on the basis that the necessary criteria essential to make what would otherwise be unacceptable development acceptable have not been forthcoming.

*16:30 – Councillor Ian Stokes left the meeting and did not return. Councillor Dilks left the meeting*

*16:32 – Councillor Adam Stokes returned to the meeting*

**(c) Application S19/0005**

**Proposal:** Erection of dwelling

**Location:** 2 Drummond Road, Bourne, Lincolnshire, PE10 9JF

**Decision:** To approve the application subject to conditions

Noting comments made during the public speaking session by:

**Against  
Applicant's Agent**

Lesley Dray  
Stuart le Sage

Together with:

- No comments from Welland and Deeping Internal Drainage Board
- No objection and an informative from Lincolnshire County Council Highways and SUDS Support
- No comments from SKDC's Environmental Protection Services
- Comments and no objection from the SKDC Historic Buildings Adviser
- No comments from the Lincolnshire County Council footpath officer
- 2 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. Location and Block Plan, 1975-01, received 31 December 2018
- ii. Proposed Floor Plan, 1975-02 Rev A, received 31 December 2018
- iii. Proposed Elevations, 1975-03, received 31 December 2018

Unless otherwise required by another condition of this permission.

#### **Before the Development is Commenced**

- 3 Before the development hereby permitted is commenced, plans showing the existing and proposed land and floor levels of the development including [site sections, spot heights, contours and the finished floor

levels of all buildings] with reference to [neighbouring properties/an off site datum point] shall have been submitted to and approved in writing by the Local Planning Authority.

- 4 Before the development hereby permitted is commenced, a scheme for the treatment of surface and foul water drainage shall have been submitted to and approved in writing by the Local Planning Authority.

### **During Building Works**

- 5 Before any part of the development hereby permitted is occupied/brought into use, the works to provide the surface and foul water drainage shall have been completed in accordance with the approved details.
- 6 Before any dwelling hereby permitted is occupied/ brought into use, the finished floor levels for that building shall have been constructed in accordance with the approved land levels details.
- 7 Before any part of the development hereby permitted is occupied/brought into use, the works to provide the boundary treatments as shown on plan reference 1975/02 Rev A, shall have been completed.
- 8 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.

### **Ongoing Conditions**

- 9 Notwithstanding the provisions of Schedule 2, Part 1, Class E of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking or re-enacting that Order with or without modification), no building, enclosure, swimming or other pool or container used for domestic heating purposes shall be constructed within the curtilage of the bungalow without Planning Permission first having been granted by the Local Planning Authority.
- 10 Notwithstanding the provisions of Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking or re-enacting that Order with or without modification), no enlargement, improvement or other alteration to the bungalow other than those expressly authorised by this permission shall be carried out without Planning Permission first having been granted by the Local Planning Authority.

As applications S18/0234 and S19/0094 related to the same site, the Chairman stated that the applications would be considered together but voted on separately.

**(d) Application S18/2378**

**Proposal:** Amendment to S18/0234, single storey side extension and garage to family room

**Location:** 1 Harrowby Mill Lane, Grantham, Lincolnshire, NG31 9EP

**Decision:** To approve the application subject to conditions

*17:09 – Councillor Dilks returned to the meeting*

Noting comments made during the public speaking session by:

<b>Against</b>	Kevin Bohea
<b>Applicant</b>	David Balderson

Together with:

- No objection from Lincolnshire County Council Highways and SUDS Support
- No objection from the SKDC Historic Buildings Adviser
- 4 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 condition:

**Approved Plans**

1. The development hereby permitted shall be carried out in accordance with the following list of approved plans:
  - i. RD2017:020-01 Rev B received 20 December 2018
  - ii. Ground and first floor plan received 24 December 2018
  - iii. Block and location plan received 25 February 2019

Unless otherwise required by another condition of this permission.

**(e) Application S19/0094**

**Proposal:** Erection of detached garage

**Location:** 1 Harrowby Mill Lane, Grantham, Lincolnshire, NG31 9EP

**Decision:** To refuse the application contrary to officer recommendations

Noting comments made during the public speaking session by:

**Against  
Applicant**

Kevin Bohea  
David Balderson

Together with:

- Comments from the SKDC Historic Buildings Adviser
- No objection from Lincolnshire County Council Highways and SUDS Support
- No comments from the Environment Agency
- Comments from the Lincolnshire County Council Footpaths Officer
- 4 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

Members of the Committee debated the application; in so doing, consideration was given to the height of the proposed development, its context in relationship to the Grade II Listed Harrowby Mill and other neighbouring properties, and the previous planning history for the site. Members considered the scale was overbearing and would have a detrimental impact on the setting of the Listed Building and neighbouring properties. They also considered that the proximity of the proposed garage structure was too close to Harrowby Mill.

It was proposed that the application be refused contrary to officer recommendations by virtue of its scale, siting and design and because it constituted over-development and was overbearing in its relationship to the setting of the Grade II Listed Harrowby Mill and other neighbouring dwellings.

The proposal was seconded and the Head of Development Management confirmed that the reasons for refusal were acceptable, permitting the Committee to make a decision outright without invoking the cooling-off period set out in the Council's Constitution. On being put to the vote, the proposition to refuse the application contrary to officer recommendations was carried.

### **Exclusion of the press and public**

It was proposed, seconded and agreed that the press and public be excluded from the meeting during the following item of business because of the likelihood that information that was exempt under paragraph 5 of Schedule 12A of the Local Government Act 1972 (as amended) would be disclosed to them.

*17:33 – the press and public were excluded from the meeting*

**75. Any other business, which the Chairman, by reason of special circumstances, decides is urgent**

The Committee considered the report of the Head of Development Management, which was circulated on 2 April 2019, and related to an urgent item of business regarding an application to the High Court for the Judicial Review of a decision of the Committee. The Head of Development Management provided some contextual information and summarised the contents of the report, which included advice from a specialist planning barrister.

It was proposed, seconded and **AGREED**:

That the advice of counsel be accepted and the interim Head of Legal and the Head of Development Management, in consultation with the Chairman and Vice-Chairman of the Committee, be authorised to resolve any related, consequential issues arising from the proceedings and that the outcome be reported back to a future meeting of the Committee.

**76. Close of meeting**

The meeting was closed at 17:56.



**SOUTH  
KESTEVEN  
DISTRICT  
COUNCIL**

## Development Management Committee

23 April 2019



### S19/0130

**Proposal:** Change of Use of land from agricultural to burial site  
**Location:** Land at Folkingham Farm, Unclassified County Road, (Extending From Aveland Way,) Aslackby, Sleaford  
**Applicant:** Mr G Atkinson, Folkingham Farms, High Park Farm, Aslackby, SLEAFORD NG34 0HP  
**Agent:** Mr Oliver Grundy, JHG Planning Consultancy Ltd, Orchard House, Main Road, Welbourn, Lincoln  
**Application type:** Full Planning Permission

#### Reason for referral to committee:

The application has been called in by Cllr Dr Peter Moseley on the grounds of remote location, environmental impact and access.

#### Key Issues:

Principle of the use  
 Impact of the use on the character of the area and local landscape  
 Highway issues  
 Ecological and wildlife considerations

#### Report Author

Phil Jordan, Development Management Planner



01476 406074

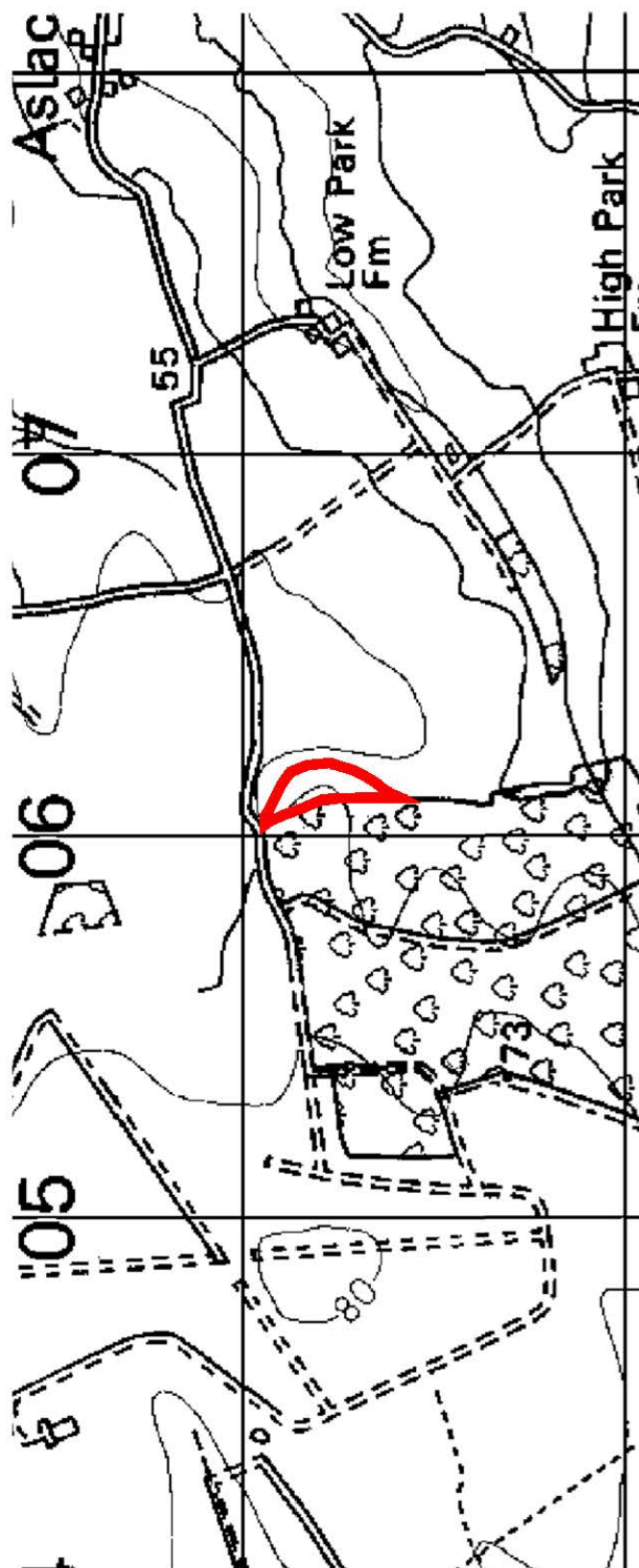


p.jordan@southkesteven.gov.uk

Corporate Priority:	Decision type:	Wards:
Growth	Regulatory	Aveland
<b>Reviewed by:</b>	Sylvia Bland, Head of Development Management	9 April 2019
<b>Recommendation (s) to the decision maker (s)</b>		

Recommended decision:

That the application is Approved Conditionally



Key

Application  
Boundary



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## **1 Description of Site**

- 1.1 The application site comprises a 2 ha agricultural field located 2km to the west of Aslackby. Immediately to the west of the site is Temple Wood with agricultural land surrounding the rest of the field. The site is accessed via an unclassified road that extends westwards from Aveland Way and terminates at a former airfield 0.6km further to the west.

## **2 Description of Proposal**

- 2.1 The application proposes changing the use of the land to establish a green burial site comprising 400 plots. This type of burial avoids chemical embalming and the use of tombs and headstones. The application proposes significant planting of native species trees along the eastern boundary of the site. An informal car park of 550 sqm that would accommodate 13 spaces would be created with rolled planings as part of the proposal. The existing access would also be improved using the same material as the car park and the existing metal gate changed with a traditional timber replacement.
- 2.2 A management plan was submitted as part of the proposal to clarify some of the key concerns raised following the consultation process.

## **3 Relevant History**

- 3.1 No relevant planning history

## **4 Policy Considerations**

- 4.1 **South Kesteven District Council Core Strategy**  
Policy SP1 - Spatial Strategy  
Policy EN1 - Protection and Enhancement
- 4.2 **Site Allocation and Policies Development Plan Document**  
Policy SAP4 - Business development in countryside
- 4.3 **National Planning Policy Framework (NPPF)**  
Section 9 - Promoting sustainable transport  
Section 12 - Achieving well-designed places

## **5 SKDC Corporate Priorities**

- 5.1 Growth – a growing population and a growing economy creates jobs, secures infrastructure and attracts investment.

## **6 Representations Received**

### **6.1 Arboricultural Consultant (SKDC)**

6.1.1 No Comment Received.

### **6.2 Environment Agency**

6.2.1 Having reviewed the documents in particular with regard to risk to groundwater, the Environment Agency has no objection to the proposed development as submitted.

### **6.3 Environmental Protection Services (SKDC)**

6.3.1 No comments to make.

### **6.4 Heritage Lincolnshire**

6.4.1 The proposed site lies adjacent to an area of woodland subject of previous archaeological survey. No archaeological sites are known in the immediate vicinity and there are no archaeological comments to make in this instance.

### **6.5 Lincolnshire Wildlife Trust**

6.5.1 No Comment Received.

### **6.6 Parish Council**

- Publicity of application
- Security of parking area
- Suitability of access road
- Potential for contamination of water course
- Suitability of ground soils for burials

### **6.7 LCC Highways & SuDS Support**

6.7.1 Having given due regard to the appropriate local and national planning policy guidance (in particular the National Planning Policy Framework), Lincolnshire County Council (as Highway Authority and Lead Local Flood Authority) has concluded that the residual cumulative transportation impacts of the proposed development would not be severe and accordingly, does not wish to object to this planning application.

### **6.8 Black Sluice Internal Drainage Board**

6.8.1 No objection. Note added to applicants regarding the consent requirements should they wish to carry out any works in the watercourse to the east in future.

## **7 Representations as a Result of Publicity**

7.1 This application has been advertised in accordance with the Council's statement of community involvement and 4 letters of representation have been received. The points raised can be summarised as follows:

1. Increased traffic through village
2. Impact on ecology
3. Suitability of access road
4. Conflict with existing traffic

5. How/ who will maintain the site?
6. Possibility of travellers using the car parking area
7. How many burials will there be a year?
8. How many visitors will there be? What times will the site be open?
9. Potential for buildings on the site

7.2 Concern has been raised in relation to how the application was advertised. A site notice was placed near to the site and a letter sent to the local Parish Council in accordance with statutory legislation and the Council's statement of community involvement. There were no neighbour letters sent in this instance as there are no residential properties that directly border the site. In respect of comments that an additional site notice could have been placed within the village; one of the reasons for consulting with the Parish Council is to seek their views as the representative organisation for the local community.

## **8 Evaluation**

### **8.1 Principle of the Use**

8.1.1 Core Strategy Policy SP1 allows for development in the countryside in certain circumstances including rural diversification projects. Further detail on the requirements for rural diversification schemes is set out in Site Allocation and Policies Development Plan Document SAP4 which states that proposals must demonstrate they meet all of the following criteria:

- be of a scale appropriate to the rural location;
- be for a use(s) which is(are) appropriate or necessary in a rural location;
- provide local employment opportunities which make a positive contribution to supporting the rural economy;
- the use / development respects the character and appearance of the local landscape, having particular regard to the Landscape Character Assessment;
- will not negatively impact on existing neighbouring uses through noise, traffic, light and pollution impacts;
- avoids harm to areas, features or species which are protected because they are important for wildlife, biodiversity, natural, cultural or historic assets, including their wider settings.

8.1.2 The application proposes changing the use of a 2ha agricultural field to a green burial site for 400 plots. The management plan estimates that there would be less than one burial per week on average. This would generate relatively low levels of activity and is considered to be of an appropriate scale for the location.

8.1.3 It is possible that a green burial site could be located closer to or within the built up part of settlements. However, the natural countryside location and associated rural tranquillity as proposed by this application is a desirable characteristic of this type of burial. Therefore, the proposed use is considered to be appropriate for this rural location.

8.1.4 The proposal would help to diversify an existing agricultural business and in this respect would make a positive contribution to the rural economy. The applicant has stated that the

use of this field for green burials is anticipated to generate more income than the existing arable agricultural use of the field. As such, this would help ensure the long term financial viability of the farm business. The proposal is therefore acceptable in principle, subject to further consideration of the landscape, highway and ecology impacts required by Policy SAP4 which are discussed in more detail below.

## **8.2 Impact of the use on the character of the area and local landscape**

- 8.2.1 Core Strategy Policy EN1 requires development to be appropriate for its context. Further, para 127 of the NPPF provides that planning policies and decisions should ensure that developments are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change. The need for development to respect the local character is also required by Policy SAP4.
- 8.2.2 The site is located within the Kesteven Uplands character area which is noted for its agricultural landscape and high proportion of historic woodland. The proposed development involves the creation of a relatively small car park area and improved access. The graves would be marked with a small horizontal memorial stone at ground level. The application also proposes a significant level of planting of native species trees along the currently open eastern boundary of the site. Although concern has been raised regarding the potential for buildings ancillary to the use as a green burial site, none are proposed as part of this application. If any buildings were required in future, they would be subject to further consideration by the LPA as there are no permitted development rights for such buildings within the sui generis use class.
- 8.2.3 The applicant has confirmed the site would be managed and maintained through existing arrangements within the farm. Maintenance requirements are expected to be relatively low level, mainly involving mowing the wildflower meadow.
- 8.2.4 Therefore, it is considered that the proposal is appropriate for the context and the additional tree planting would suitably mitigate any detrimental impacts through the creation of the car park area. In this respect the proposal is considered to accord with Local Development Plan Policies EN1, SAP4 and the NPPF (section 12). Permitted development rights for new fences have been removed as it is considered that certain types of new fencing could be inappropriate for the context and would require further consideration by the LPA.

## **8.3 Impact on the neighbouring properties**

- 8.3.1 There is no lighting proposed by the application and the nearest residential properties are sufficient distance that there will be no direct noise disturbance impacts. Any indirect impacts through additional traffic are discussed in the highway section below. The EA have confirmed they have no objection in relation to the risk of pollution to groundwater and sufficient detail has been submitted to demonstrate the ground conditions are suitable for burials.

## **8.4 Highway issues**

- 8.4.1 Various concerns have been raised in relation to the potential for increased traffic and the suitability of the existing access road to the site. The existing road is predominantly used by agricultural traffic in connection with the applicant's farm and as such they have a degree of control over this activity. The applicant has stated in the management plan that the anticipated number of funerals would be less than one per week. The gates to the site would be open between 8am and 6pm on weekdays and weekends, however, visitors to the site are expected to be relatively infrequent. Based on this information, the Highway Authority have no objection to the proposal on highway grounds. The provision of a small parking area to accommodate 13 parking spaces is considered to be appropriate for the scale of the proposal as burials normally attract less attendees than the funeral service. The details in the management plan have been included as a condition of the permission.
- 8.4.2 Taking into account above, the proposal is not considered to result in any unacceptable highway safety impacts, or severe residual cumulative impacts on the road network or neighbouring uses and therefore should not be refused on highway grounds in accordance with the NPPF (section 9). In this respect the proposal is also considered to meet point 5 of the criteria required by Policy SAP4.

## **8.5 Ecological and wildlife considerations**

- 8.5.1 Some concern has been raised in relation to the potential impact of the proposal on local wildlife and protected species. The current position is that the agricultural use of the land could be ploughed or used for crop growing. Discussions with Lincolnshire Wildlife Trust have confirmed the site is likely to have a relatively low ecological value on this basis. The proposal would result in additional planting and effectively create a wild meadow type clearing surrounded by trees. The number of burials would be low and therefore there would be relatively minor physical development of the site. Therefore, it is considered the proposal would significantly improve the baseline conditions and biodiversity within the site and meets point 6 of the criteria required by Policy SAP4.
- 8.5.2 Graves are required to be a sufficient depth as required by the management plan so as not be at risk of excavation from local wildlife.

## **9 Crime and Disorder**

- 9.1 It is considered that the proposal would not result in any significant crime and disorder implications. The applicant has confirmed the site would be locked between 6pm and 8am and location of the site within the farm holding and on-going maintenance would ensure the site would benefit from a reasonable level of surveillance when the site is open.

## **10 Human Rights Implications**

- 10.1 Articles 6 (Rights 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.
- 10.2 It is considered that no relevant Article of that act will be breached.

## 11 Conclusion

- 11.1 The principle of the use is acceptable and would not result in any unacceptable impacts on the highway network, ecology or the existing landscape character and is in accordance with Core Strategy Policies SP1 and EN1, SAP DPD Policy SAP4 and the NPPF (sections 9 and 12).

**RECOMMENDATION:** that the development is Approved/Allowed subject 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.

Reason: In order that the development is commenced in a timely manner, as set out in Section 91 of the Town and Country Planning Act 1990 (as amended).

### Approved Plans

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

i. Drawing No. F2891 - 01A received 22 January 2019

Unless otherwise required by another condition of this permission.

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

### Before the Development is Occupied

- 3 Before any part of the development hereby permitted is brought into use, the parking and turning area shall have been constructed in accordance with the approved details on Drawing No. F2891 - 01A received 22 January 2019 and shall be retained as such and for no other purpose thereafter.

Reason: To allow vehicle to park and turn within the site and leave in forward gear and to reduce any additional on street parking in the interests of highway safety.

- 4 Before the end of the first planting/seeding season following the first use of any part of the development hereby permitted, all soft landscape works shall have been carried out in accordance with the approved soft landscaping details on Drawing No. F2891 - 01A received 22 January 2019.

Reason: 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).

## Ongoing Conditions

- 5 Notwithstanding the provisions of Schedule 2, Part 2, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking or re-enacting that Order with or without modification), no gate, fence, wall or other means of enclosure shall be constructed within or on the boundary of the curtilage of the site without Planning Permission first having been granted by the Local Planning Authority.

Reason: The Local Planning Authority considers that further development could cause detriment 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).

- 6 The green burial site, hereby permitted, must be operated in strict accordance with the details in the site management plan dated 5 April 2019 from JHG Planning Consultancy Ltd.

Reason: To ensure the site is managed in a satisfactory manner and to protect the character of the area and the amenity of neighbouring residents.

- 7 Within a period of five years from the first use 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.

Reason: To ensure the provision, establishment and maintenance of a reasonable standard of landscape in accordance with the approved designs.

## Standard Note(s) to Applicant:

- 1 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 paras 38 of the National Planning Policy Framework.
- 2 There is an open watercourse on the east boundary of the land concerned. If the applicant, or any successors to the land, require to place any new, or replace any existing, structures within this watercourse, then under Section 23 of the Land Drainage Act 1991, the prior written consent of the Board is required. This is a mandatory requirement.

If the applicant requires further information, they should contact the Black Sluice Drainage Board's office.

**Financial Implications reviewed by: Not applicable**

**Legal Implications reviewed by: Not applicable**





**SOUTH  
KESTEVEN  
DISTRICT  
COUNCIL**

## Development Management Committee

23 April 2019



## S19/0256

**Proposal:** Outline application for the demolition of existing dwelling and erection of four dwellings

**Location:** 21 Broadgate Lane Deeping St James PE6 8NW

**Applicant:** Mrs L Griffiths 104A Lincoln Road Deeping Gate Peterborough

**Agent:** Mr J Wilson Remway Design Ltd Treetops The Raceground Spalding  
Lincolnshire

**Application type:** Outline Planning Permission

### Reason for referral to committee:

The application has been called in by Cllr Judy Stevens on the grounds of overdevelopment of the site.

### Key Issues:

Impact of the character of the area  
Impact on residential amenity  
Highway impacts

### Report Author

Phil Jordan, Development Management Planner



01476 406074



p.jordan@southkesteven.gov.uk

**Corporate Priority:**

**Growth**

**Decision type:**

**Regulatory**

**Wards:**

**Deeping St James**

**Reviewed by:**

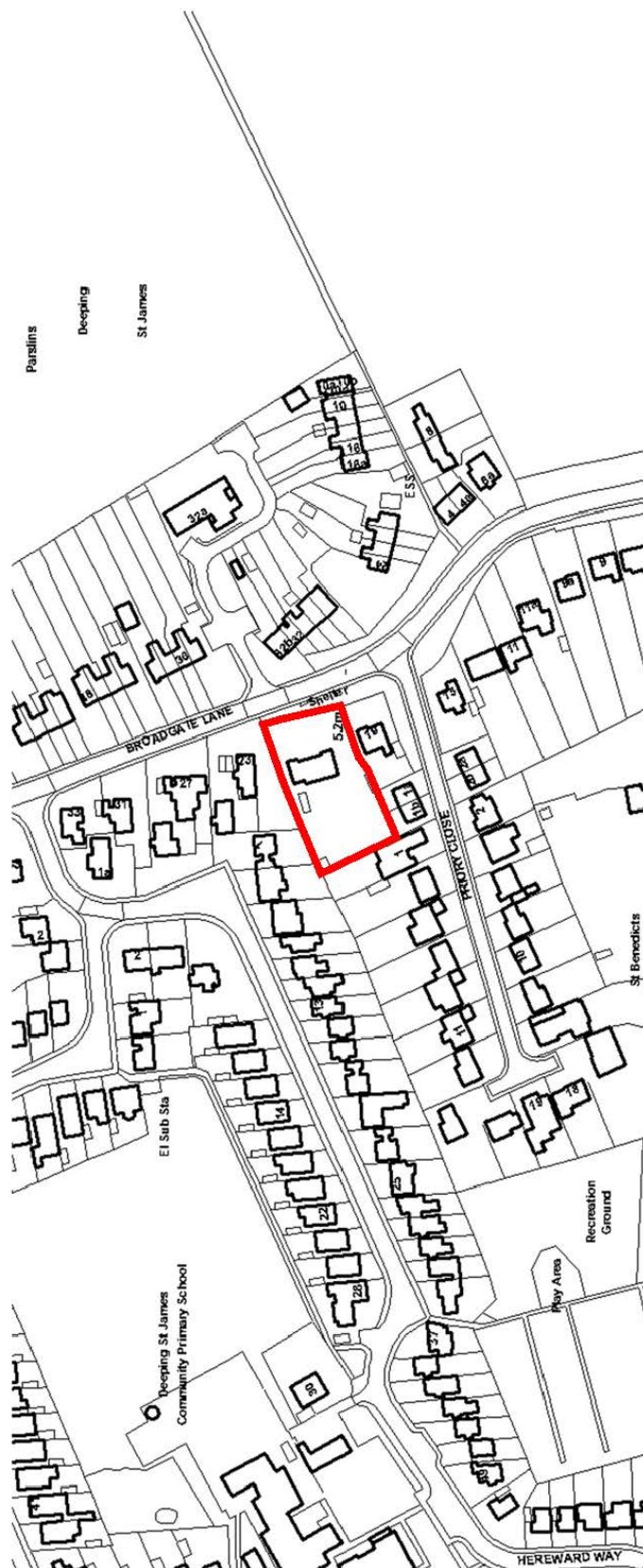
Sylvia Bland, Head of Development Management

9 April 2019

### Recommendation (s) to the decision maker (s)

Recommended decision

That the application is Approved Conditionally



Key



Application  
Boundary



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## **1 Description of Site**

- 1.1 The application site is located on the west side of Broadgate Lane in between the junctions to Hereward Way (to the north) and Priory Close (to the south). The site is located in a largely residential part of Deeping St James. The prevailing form of development to the west of Broadgate Lane is typified by bungalows of a variety of designs set within modest gardens. To the north-west of the site are chalet style bungalows along Hereward Way. The housing on the opposite side of Broadgate Lane is notably different, with small terraces of two-storey local authority and ex-local authority housing set back from the road built with red brick and slate roofs. The site is currently occupied by a detached bungalow of limited architectural merit set within a relatively large garden. The overall plot size is approximately 29m x 50m.

## **2 Description of Proposal**

- 2.1 The application seeks outline consent for the demolition of the existing dwelling and the erection of four replacement dwellings with all matters reserved. It is noted that an indicative block plan has been submitted as part of the application. Amended, indicative block plans were submitted as during the life of the application and subsequently withdrawn.
- 2.2 The original application requested details of access be determine, but the applicant has subsequently confirmed they wished all matters to be reserved for later consideration.

## **3 Relevant History**

- 3.1 No relevant planning history

## **4 Policy Considerations**

- 4.1 **South Kesteven District Council Core Strategy**  
Policy EN1 - Protection and Enhancement  
Policy H1 - Residential Development  
Policy SP1 - Spatial Strategy
- 4.2 **Site Allocation and Policies Development Plan Document**  
Policy SAPH1 - Other housing development
- 4.3 **National Planning Policy Framework (NPPF)**  
Section 9 - Promoting sustainable transport  
Section 11 - Making effective use of land  
Section 12 - Achieving well-designed places

## **5 SKDC Corporate Priorities**

- 5.1 Growth – a growing population and a growing economy creates jobs, secures infrastructure and attracts investment.

## **6 Representations Received**

### **6.1 Arboricultural Consultant (SKDC)**

- 6.1.1 No Comment Received

### **6.2 Heritage Lincolnshire**

- 6.2.1 The site offers a potential for archaeological remains to be present based on the extent and type of remains previously recorded in the vicinity. Insufficient information is available at present with which to make any reliable observation regarding the impact of this development upon any archaeological remains.

- 6.2.2 Therefore, it is recommended that the developer should be required to commission a Scheme of Archaeological Work, in the form of an archaeological evaluation to determine the presence, character and date of any archaeological deposits present at the site. This evaluation should initially consist of trial trenching.

### **6.3 Parish Council**

- 6.3.1 The construction of 4 dwellings on this small site would be an overdevelopment. Car parking for 4 dwellings could force problems on this cramped site and lead to unwanted on street parking close to the bus shelter. Additionally, the 2 dwellings proposed to be built at the rear of the site could cause overlooking issues with properties in Hereward Way/ Priory Close.

### **6.4 LCC Highways & SuDS Support**

- 6.4.1 The principle of development and location of access is acceptable. As this is an outline application with some matters reserved, layout has not been considered.
- 6.4.2 The requirements for turning, parking and layout are detailed within the Lincolnshire County Council Design Approach and Development Road Specification. Garages should only be considered as parking provision where they are of size that will accommodate both a car and some general storage.
- 6.4.3 The access and private driveway are required to meet minimum widths in accordance with Manual for Streets. The first 10 metres of the proposed private drive is required to be 4.1 metres wide and 3.7 metres thereafter. Sufficient turning should be provided within the private driveway for emergency/delivery vehicles. This should be demonstrated in the form of a swept path analysis.

### **6.5 Minerals and Waste Planning (LCC)**

- 6.5.1 No Comment Received.

## **7 Representations as a Result of Publicity**

7.1 This application has been advertised in accordance with the Council's Statement of Community Involvement and 7 letters of representation have been received. The points raised can be summarised as follows:

1. Increased traffic
2. Increased on-street parking
3. Not in keeping with surrounding character
4. Overdevelopment of the site
5. Properties forward of the building line
6. Highway safety
7. Flood risk
8. Loss of privacy
9. Overlooking
10. Noise - along driveway
11. Loss of light
12. Loss of existing dwellings
13. Overbearing impacts
14. Potential covenants on Priory Land

## **8 Evaluation**

### **8.1 Principle of the use**

- 8.1.1 The principle of new residential development in Deeping St James at a modest level is supported by Core Strategy Policies SP1 and H1. Further guidance on the suitability of infill sites is provided through Site Allocation and Policies DPD Policy SAPH1 which states:
- 8.1.2 Planning permission will only be granted for small infill sites within the built up part of the settlement provided that the development:
- i) can be satisfactorily accommodated by:
    - the existing local highway network;
    - the waste water treatment and sewerage network and;
    - the local education and health provision.
  - ii) will not have a detrimental impact upon the quality of life of adjacent residents and properties.
  - iii) will not compromise the nature and character of the settlement.
  - iv) is in accordance with the criteria of Policies EN1, EN2, and EN4 of the Core Strategy.
- 8.1.3 Similarly, the NPPF (section 11) promotes higher densities and the effective use of land for new homes provided well designed, attractive places can be achieved and the prevailing character of an area is maintained.
- 8.1.4 The site is within the built up part of Deeping St James and seeks to replace an existing bungalow with four new dwellings. This would represent effective use of land within a

sustainable settlement for new housing and is acceptable in principle, subject to further consideration of criteria set out by Policy SAPH1 which are discussed in more detail below.

## **8.2 Impact of the use on the character of the area**

- 8.2.1 Core Strategy Policy EN1 requires development to be appropriate for its context and is one of criteria required by Policy SAPH1. Further, para 127 of the NPPF provides that planning policies and decisions should ensure that developments are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change.
- 8.2.2 The existing bungalow is of limited architectural merit and it is considered that any replacement dwellings could be suitably designed to respect or enhance the existing streetscene.
- 8.2.3 Concern has been raised regarding the impact of siting four new dwellings within the site and that this would constitute overdevelopment of the site. The detailed design, including scale, layout, appearance and landscaping, of the dwellings are reserved matters and would require further consideration from the Local Planning Authority before any construction takes place. Although only indicative, it is considered that the applicant has demonstrated that four suitably designed dwellings could be developed at this location without any significant harm to the character of the area in accordance with Core Strategy Policy EN1. It is noted that the immediate surrounding context is single storey dwellings and this will be a key consideration when any subsequent full or reserved matters applications is submitted.

## **8.3 Impact on the neighbouring properties**

- 8.3.1 Para 127 of the NPPF states planning decisions should create places with a high standard of amenity for existing and future users. Neighbours have raised concerns based on the indicative block plan in terms of the potential impacts on their residential amenity. However, detailed matters of appearance, scale and layout would be considered through a future application and there is no fundamental reason why the site and of each dwelling cannot be suitably designed to ensure there would be no unacceptable impacts on the amenities of the occupiers of the existing or proposed dwellings in accordance with the requirements of the NPPF (section 12).

## **8.4 Highway issues**

- 8.4.1 Para 109 of the NPPF states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

The Highway Authority have not objected to the proposal (based on the indicative block plan) which is considered to sufficiently demonstrate that the site could accommodate suitable parking and turning facilities for four dwellings. However, as above these matters would be subject further consideration at the reserved matters stage of the application.

## **9 Section 106 Heads of Terms**

- 9.1 Not applicable due to the size of the site and number of dwellings proposed.

## **10 Crime and Disorder**

- 10.1 It is considered that the proposal would not result in any significant crime and disorder implications

## **11 Human Rights Implications**

- 11.1 Articles 6 (Rights 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.
- 11.2 It is considered that no relevant Article of that act will be breached.

## **12 Conclusion**

- 12.1 It is considered that the applicant has demonstrated that the site could accommodate four suitably designed dwellings without leading to any unacceptable impacts on the character of the area or highway safety, whilst ensuring a good standard of amenity for occupiers of neighbouring properties and the future occupiers of the proposed dwellings. Therefore the proposal would be in accordance with Core Strategy Policies EN1, SP1 and H1, SAP DPD Policy SAPH1 and the NPPF (sections 9, 11 and 12).

**RECOMMENDATION:** that the development is Approved/Allowed subject 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 or two years from the approval of the last of the reserved matters, whichever is the latter.

Reason: In order that the development is commenced in a timely manner, as set out in Section 92 of the Town and Country Planning Act 1990 (as amended).

- 2 When the reserved matters application is made plans showing the existing and proposed land levels of the site including site sections, spot heights, contours and the finished floor level of all proposed buildings with reference to neighbouring properties or an off-site datum point have been submitted to and approved in writing by the Local Planning Authority.

Reason: 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).

- 3 Details of the reserved matters set out below shall have been submitted to the Local Planning Authority for approval within three years from the date of this permission:
- i. layout;
  - ii. scale
  - iii. appearance
  - iv. access
  - v. landscaping

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

Reason: To enable the Local Planning Authority to control the development in detail and in order that the development is commenced in a timely manner, as set out in Section 92 of the Town and Country Planning Act 1990 (as amended).

### **Approved Plans**

- 4 The development hereby permitted shall be carried out in accordance with the following list of approved plans:
- i. Site location plan drawing no. 2972/01 received xxx

Unless otherwise required by another condition of this permission.

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

### **Prior to Commencement of Development**

- 5 Before the development hereby permitted is commenced, a written scheme of archaeological investigation shall have been submitted to and approved in writing 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) and Paragraph 199 of the NPPF.

- 6 The archaeological investigations shall also have been completed in accordance with the approved details before development commences.

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) and Paragraph 199 of the NPPF.

### **During Building Works**



- 7 Before construction of any building hereby permitted is commenced, the land on which that building is situated shall have been graded in accordance with the approved land levels details.

Reason: 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).

**Before the Development is Occupied**

- 8 Before any dwelling hereby permitted is occupied, the finished floor levels for that building shall have been constructed in accordance with the approved land levels details.

Reason: 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).

**Standard Note(s) to Applicant:**

- 1 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 paras 38 of the National Planning Policy Framework.
- 2 The permitted development requires the formation of a new/amended vehicular access. Applicants should note the provisions of Section 184 of the Highways Act 1980. The works should be constructed to the satisfaction of the Highway Authority in accordance with the Authority's specification that is current at the time of construction. For further information, please telephone 01522 782070.
- 3 Please contact the Lincolnshire County Council Streetworks and Permitting Team on 01522 782070 to discuss any proposed statutory utility connections and any other works which will be required within the public highway in association with the development permitted under this Consent. This will enable Lincolnshire County Council to assist in the coordination and timings of these works.

**Financial Implications reviewed by: Not applicable**

**Legal Implications reviewed by: Not applicable**

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**SOUTH  
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## Development Management Committee

23 April 2019



## S19/0145

**Proposal:** Approval of details reserved by Conditions 1 (surface and foul water drainage) and 2 (Site Layout Plan) of S16/2065  
**Location:** The Whistle Stop, Main Road, Tallington, Lincolnshire, PE9 4RN  
**Applicant:** Mr L Smith, Lincolnshire Parks Limited, c/o Agent  
**Agent:** Mr Mike Sibthorp, Mike Sibthorp Planning, Logan House, Lime Grove, Grantham, NG31 9JD  
**Application type:** Discharge of Conditions (Planning)

### Reason for referral to committee:

Cllr Rosemary Trollope-Bellew has requested the application be considered by Committee due to concerns over occupancy.

### Key Issues:

Foul and surface water drainage  
 Persons living on site

### Report Author

Abiola Labisi, Development Management Planner



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a.labisi@southkesteven.gov.uk

**Corporate Priority:**

**Growth**

**Decision type:**

**Regulatory**

**Wards:**

**Casewick**

**Reviewed by:**

Sylvia Bland, Head of Development Management

8 April 2019

### Recommendation (s) to the decision maker (s)

Recommended decision:

That the details submitted in compliance with Conditions 1 and 2 are considered acceptable



## **1 Description of site and background to the application**

- 1.1 The roughly trapezoidal shaped site is located outside the main built up part of Tallington, along the Stamford - Deeping Road. The site is adjoined to the west by the main London rail line and to the front of the site is The Whistle Stop, a two storey building trading as a public house.
- 1.2 Permission was originally granted on 21 November 1995 for the use of the site as a touring caravan site under planning ref. SK.95/0789/75/32. Other than the requirement that the site be used as a touring caravan site only, the permission did not specify the maximum number of caravans to be placed on site. Also, the permission did not restrict the occupation of the site to holiday use only.
- 1.3 On the 7 July 2015, planning permission was granted under S15/0737 for variation of Condition 4 of SK.95/0789/75/32 allowing ten static holiday caravans to be installed on site, subject to conditions. Condition 3 of the permission states that the caravans shall not be occupied as a person's sole or main place of residence while Condition 6 states that the site shall be used as a static holiday caravan site for 10 units only.
- 1.4 Subsequently, an application was made under S16/0724 for the variation of Conditions 2 (holiday use only), 3 (non-use as main place of residence) and 6 (use of site as static holiday caravan site for 10 units only) of S15/0737 to allow for the use of 5 of the approved static caravans as main residential accommodation. The application was refused by the Planning Authority and dismissed on appeal by the Planning Inspectorate on 24 February 2017. The reason for refusal relates to proposal being likely to lead to the establishment of permanent dwellings in a location where such development would not normally be considered.
- 1.5 In response to the dismissal of the appeal, the applicant submitted that there were people living on the site as their main residence and that by implementing permission S15/0737, such people would have to vacate the site. To clarify the current planning status of the site, an application (S16/2822) for a Certificate of Lawful Use for proposed use of approved caravan site by touring caravans without restriction on the layout of the site or the number of caravans or the occupancy of the caravans to enable year round full residential occupancy of the caravans was made and approved on 17 February 2017.
- 1.6 Another application was made under S16/2065 for variation of Conditions 2 (purpose of occupation) and 3 (non-residential use) of S15/0737 to allow up to five static caravans to be occupied as main places of residence. Based on the Certificate of Lawful Use which confirmed that people could actually live on site as their main residence (albeit in touring caravans), the Planning Committee approved the application on 16 November 2017, subject to conditions.

## **2 Description of current application**

- 2.1 The current application is for approval of details reserved by Conditions 1 and 2 of S16/2065 under which permission was granted for variation of Conditions 2 (purpose of

occupation) and 3 (non-residential use) of S15/0737 to allow up to five static caravans to be occupied as main places of residence.

2.2 Condition 1 of S16/2065 relates to surface and foul water drainage and states:

*'None of the caravans approved by this permission shall be occupied until a scheme for the provision of surface and foul water drainage connections to each unit 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.'*

2.3 Condition 2 of S16/2065 relates to a site layout plan and states:

*'Prior to the occupation of any of the static caravans hereby approved, and in any case within three months from the date of this permission, a suitably scaled Site Layout Plan shall be submitted to the Local Planning Authority for written approval. The plan shall indicate the position of the ten static caravans on the site with the ones to be occupied as places of sole or main residence in accordance with Condition 5 below clearly indicated. The name of the occupier of each of the caravans to be used as sole or main residence shall be indicated on the relevant pitch. The development shall be implemented in accordance with the approved Site Layout Plan'*

*Reason: In order to define the permission.'*

### **3 Relevant History**

<b>Reference</b>	<b>Proposal</b>	<b>Decision</b>	<b>Date</b>
S16/2065	Section 73 application for variation of Conditions 2 (purpose of occupation) and 3 (non-residential use) of S15/0737 to allow up to five static caravans to be occupied as main places of residence.	Approved Conditionally	15/11/2017

### **4 Representations as a Result of Publicity**

4.1 This application relates to approval of details reserved by conditions and no public consultation exercise is required to be undertaken for this type of application.

### **5 Evaluation**

5.1 In relation to Condition 1 of S16/2065, the applicant has submitted a drainage proposal which shows that surface water would discharge into soakaways. A total of 10 no.

soakaways would be provided on site for the purpose of surface water drainage. The Council's Building Control Service has confirmed that the proposal is acceptable in that location as the site's underlying soil formation and geology is such that supports the use of soakaways for surface water drainage.

- 5.2 In relation to foul water drainage, the applicant has provided that foul water would discharge into the existing mains sewer along the main road. A foul water pipe would be installed to run centrally through the site from the southern end to the main road with a total of 10 foul water chambers connecting to the central pipework. This element of the application has also been reviewed by the Building Control Service and they have confirmed that the proposed foul water drainage scheme is acceptable in principle.
- 5.3 In relation to Condition 2 of S16/2065 which requires the submission of a site layout plan showing the position of the ten static caravans on the site as well as an indication of the ones to be occupied as main places of residence and the names of the occupiers of these main residences, the applicant has submitted Drawing No. MSP.1595/001 showing the location of the ten caravans on site. The plan shows the caravans would be sited in two rows with a central access drive running through the site.
- 5.4 The plan also shows those caravans that would be occupied as main places of residence as well as the names of the occupiers of those caravans. This condition was attached to ensure that those people resident on the site would not become homeless.
- 5.5 Having regard to the shape and size of the site, it is considered that the proposed layout and location of the caravans is acceptable as this follows the shape of the site and the number of caravans would ensure that any potential visual impact is minimal. In addition, the persons named on the Decision Notice as occupiers of the caravans to be occupied as main dwellings are those named on the site layout plan. If the identified persons do not occupy the caravans then, in line with Condition 6, the caravans must be occupied for holiday purposes only; not for use as a main residence by a new occupant not named on the decision notice. Conditions 4 and 7 provide additional control over the overall use of site for either holiday use or main residential use.

## **6 Crime and Disorder**

- 6.1 It is considered that the proposal would not result in any significant crime and disorder implications.

## **7 Human Rights Implications**

- 7.1 Articles 6 (Rights 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.
- 7.2 It is considered that no relevant Article of that act will be breached.

## **8 Conclusion**

- 8.1 It is considered that the proposed surface and foul water drainage scheme is satisfactory as the scheme would prevent the increased risk of flooding and prevent pollution of controlled waters in accordance with the reason for Condition 1 of S16/2065. Similarly, it is considered that the details shown on Drawing No. MSP.1595/001 (Block Plan) in relation to Condition 2 are acceptable as the plan shows the position of each of the caravans on the site, specifies which of the caravans would be occupied as main places of residence as well as the names of the occupiers of those caravans. The details provided are considered to satisfy the requirements of Condition 2.
- 8.2 Having regard to the foregoing, it is recommended that the details be approved and the development implemented in accordance with the approved details.
- 8.3 RECOMMENDATION: that the details submitted in compliance with Conditions 1 and 2 are considered acceptable.

### **Standard Note(s) to Applicant:**

- 1 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 paras 38 of the National Planning Policy Framework.

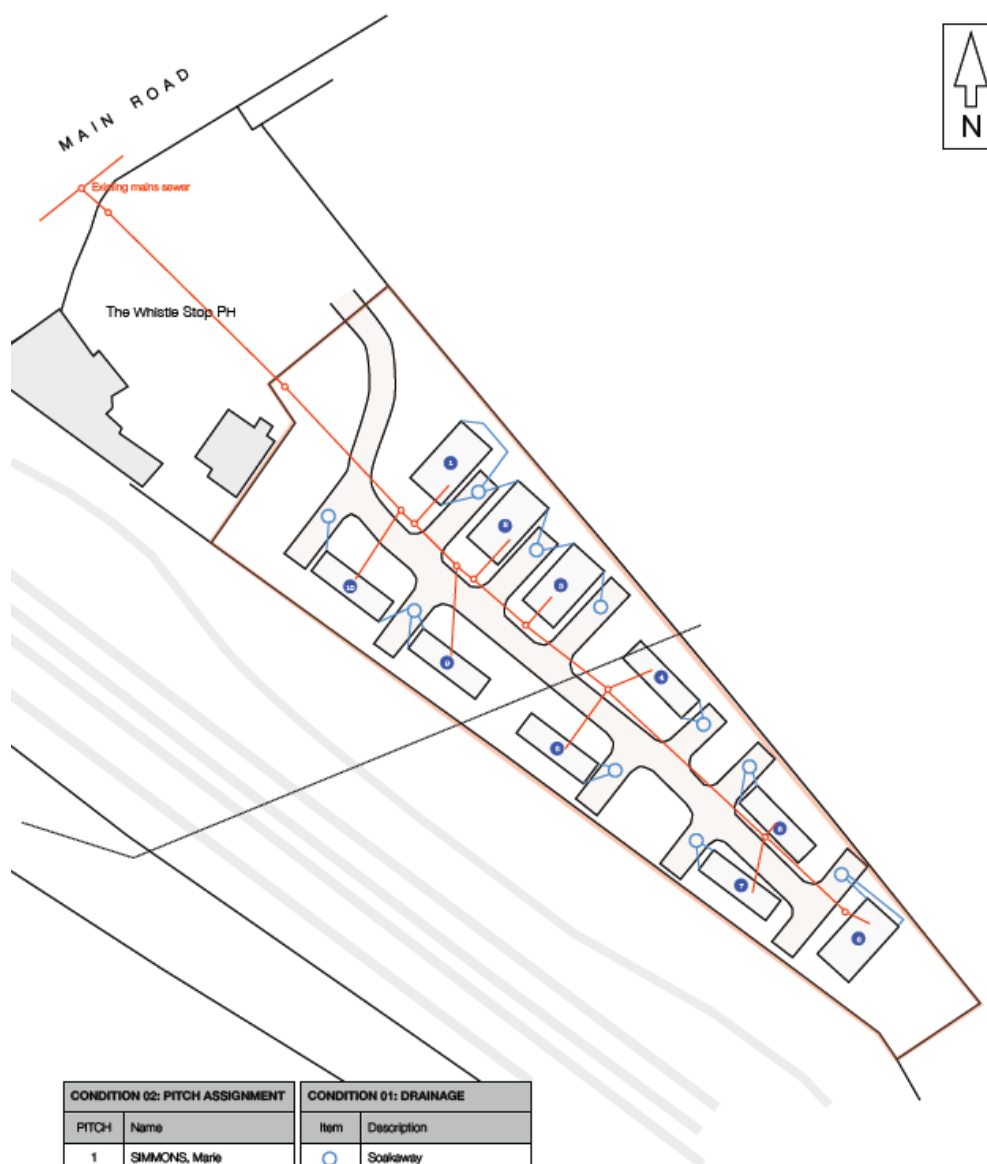
**Financial Implications reviewed by: Not applicable**

**Legal Implications reviewed by: Not applicable**



S19- 0145 – Whistle Stop, Tallington.

# BLOCK PLAN



CONDITION 02: PITCH ASSIGNMENT		CONDITION 01: DRAINAGE	
PITCH	Name	Item	Description
1	SIMMONS, Marie	○	Soakaway
3	KAMINSKI, Alan	—	Surface water pipework
6	BRACE, David	○	Foul water chambers
9	CRUMP, Derrick	—	Foul water pipework
10	BRYERS, Kathleen		

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**SOUTH  
KESTEVEN  
DISTRICT  
COUNCIL**

## Development Management Committee

23 April 2019



### S19/0372

**Proposal:** Extensions and alterations to dwelling and erection of detached garage with attic space  
**Location:** 2 Kingscliffe Road, Grantham, NG31 8ET  
**Applicant:** Mr & Mrs L Page, 2 Kingscliffe Road, Grantham, NG31 8ET  
**Agent:** Mr Bruce Watt, Hilltop, Hill Top, Harrowby Lane, Harrowby, Grantham NG31 9HB  
**Application type:** Householder

**Reason for referral to committee:**  
 The applicant is an officer of the Council.

#### Key Issues:

Impact on the character of the area  
 Impact on residential amenity  
 Highway impacts  
 Drainage impacts

#### Report Author

Craig Dickinson, Assistant Planning Officer



01476 406485

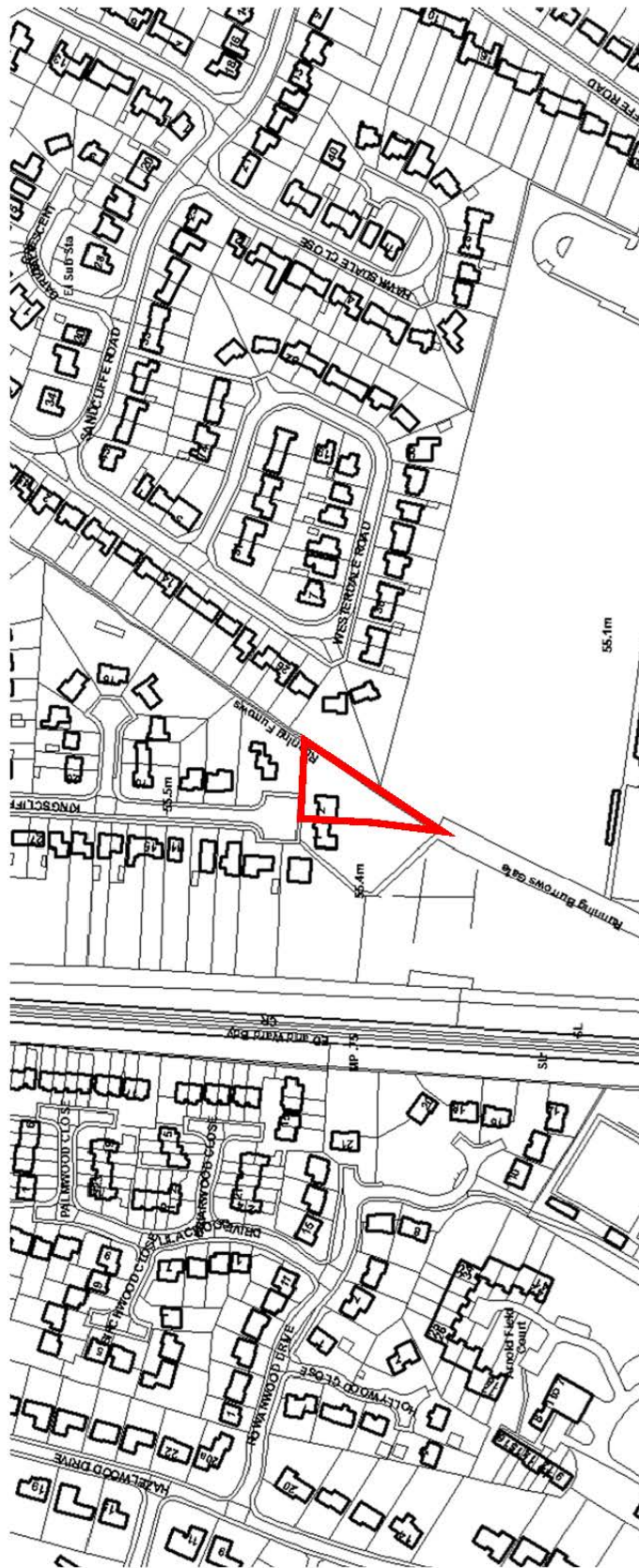


c.dickinson@southkesteven.gov.uk

Corporate Priority:	Decision type:	Wards:
Growth	Regulatory	Grantham St Wulfram's
<b>Reviewed by:</b>	Sylvia Bland, Head of Development Management	9 April 2019

#### Recommendation (s) to the decision maker (s)

Recommended decision  
 That the application is Approved Conditionally



Key

Application  
Boundary



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## **1 Description of site**

- 1.1 The site is a two-storey detached dwelling house situated within a triangular shaped plot. It is located at the end of a cul-de-sac on Kingscliffe Road.

## **2 Description of proposal**

- 2.1 The proposal relates to the erection of a single storey front extension, a single storey rear extension, two storey side extension, partial external render and the erection of a detached garage with a room above.

## **3 Relevant History**

- 3.1 No relevant planning history

## **4 Policy Considerations**

- 4.1 **South Kesteven District Council Core Strategy**  
Policy EN1 - Protection and Enhancement

- 4.2 **National Planning Policy Framework (NPPF)**  
Section 12 - Achieving well-designed places  
Section 9 - Promoting sustainable transport

## **5 SKDC Corporate Priorities**

- 5.1 Growth - a growing population and a growing economy creates jobs, secures infrastructure and attracts investment.

## **6 Representations Received**

- 6.1 **LCC Highways & SuDS Support**  
6.1.1 No objections.

## **7 Representations as a Result of Publicity**

- 7.1 This application has been advertised in accordance with the Council's Statement of Community Involvement and one letter of representation has been received. The points raised are as follows:
- Loss of light to 1 Kingscliffe Road
  - Wind-tunnelling to 1 Kingscliffe Road

## **8 Evaluation**

### **8.1 Impact on the character and appearance of the area**

- 8.1.1 The proposed rear extension would be obscured from view by the main house and would therefore have no unacceptable impact on the character of the area.
- 8.1.2 The proposed front extension would project forward towards the road, finished in white render. While this would be a departure from the material palette in the immediate vicinity, it is noted that render has been used on some dwellings throughout the estate, so it would not differ in such a way as to be incongruous. Given the site's remote location at the end of a cul-de-sac, the extensions and alterations to the house would not be unduly prominent within the streetscene.
- 8.1.3 The proposed two storey side extension would project eastwards towards the Running Furrows Watercourse. It would match the ridge height of the existing dwelling, with the side of the roof facing the road frontage and the gable-end facing east. It would extend the dwelling's total width by 2.25m. Considering the site's location at the end of a cul-de-sac it would not have an unacceptable visual impact on the character of the surrounding area.
- 8.1.4 The proposed detached garage would be set 45 degrees to the front elevation of the dwelling, and as above, due to the site's cul-de-sac location, would have limited visibility in the wider streetscene. While the proposed garage would be relatively large, considering the large size of the plots and the height of the surrounding dwellinghouses, it would not be unduly prominent due to its size.
- 8.1.5 By virtue of the design, scale and materials to be used, the proposal would be in keeping with the host dwelling, streetscene and surrounding context in accordance with the NPPF Section 12, and Policy EN1 of the South Kesteven Core Strategy.

### **8.2 Impact on the neighbours' residential amenities**

- 8.2.1 Notwithstanding the received objection, it is considered that the proposed front extension would not cause any undue impact to neighbours (including loss of light) by virtue of its small scale, projecting 1.7m and its single storey nature.
- 8.2.2 The proposed rear extension would not be unduly bulky as it would have a flat roof, and it is noted that a similarly sized extension up to 4m from the rear of the house could be built without the need for express planning permission. The proposed extension would project 4.9m from the rear elevation. It would be sited approximately 0.7m from the side boundary of the neighbouring property at 1 Kingscliffe Road. The rear elevation of the neighbouring property is set back approximately 3.5m from the rear elevation of the application property. It was noted from the site visit that the part of 1 Kingscliffe Road closest to the boundary is a side garage, and whilst the total rear projection would be approximately 8.5m from the rear wall of 1 Kingscliffe Road, it would be well separated from that property's primary windows and amenity spaces. As the extension would be single storey at 3.1m in height with a flat roof, it is not considered to cause unacceptable over massing or overshadowing to the neighbouring property.

- 8.2.3 The proposed two storey side extension would project towards the Running Furrows to the East, and would be more than 19m from the side wall of 4 Kingscliffe Road to the North. It also would be partly screened from 4 Kingscliffe by the boundary hedges and trees, however if these were to be removed, it is considered that the separation distance mitigates potential overlooking and overshadowing to 4 Kingscliffe so far as to cause no unacceptable impact.
- 8.2.4 The proposed garage would be set in 2.8m from the front boundary, approximately 15m from the side elevation of the neighbour at 4 Kingscliffe Road to the north. Taking into account these substantial separation distances, the proposed garage would not cause unacceptable harm to neighbours' residential amenities.
- 8.2.5 With regard to the wind-tunnelling element of the neighbour objection, it is not anticipated that the proposal could redirect wind in such a way as result in an environment detrimental to the residential amenities of neighbours.
- 8.2.6 It is considered that there would be no unacceptable adverse impact on the residential amenities of the occupiers of adjacent properties in accordance with the NPPF Section 12, and Policy EN1 of the South Kesteven Core Strategy.

### **8.3 Highway issues**

- 8.3.1 Lincolnshire County Council Highways were consulted as part of this application and have not objected to the proposal.
- 8.3.2 The proposal would result in adequate access, parking and turning facilities and would not have an unacceptable adverse impact on highway safety in accordance with the NPPF Section 9

### **8.4 Drainage Issues**

- 8.4.1 The site is in proximity to the Running Furrows watercourse and comments were received from Witham & Humber Internal Drainage Board objecting to the garage's proximity as it could hinder maintenance of the watercourse. Following discussion with the agent, the scheme was amended so that the garage was reduced to no longer within the 6m easement area, and the objection from the Drainage Board was retracted.

## **9 Crime and Disorder**

- 9.1 It is considered that the proposal would not result in any significant crime and disorder implications.

## **10 Human Rights Implications**

- 10.1 Articles 6 (Rights 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.

## 11 Conclusion

- 11.1 Taking the above into account, it is considered that the proposal is appropriate for its context and is in accordance with the NPPF (Sections 9 and 12) and Policy EN1 of the South Kesteven Core Strategy. There are no material considerations that indicate otherwise although conditions have been attached.
- 11.2 **RECOMMENDATION:** that the development is Approved/Allowed subject 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.

Reason: In order that the development is commenced in a timely manner, as set out in Section 91 of the Town and Country Planning Act 1990 (as amended).

### Approved Plans

- 2 The development hereby permitted shall be carried out in accordance with the following list of approved plans:
- i. Amended existing floor plans, existing elevations and block plans - received 01/04/19
  - ii. Amended proposed elevations, roof plans and perspectives - received 01/04/19
  - iii. Amended proposed floor plans and perspectives - received 01/04/19
  - iv. Amended proposed first floor plans and section - received 01/04/19

Unless otherwise required by another condition of this permission.

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

### Before the Development is Occupied

- 3 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, and on the emails received on 03/04/19 unless otherwise agreed in writing by the Local Planning Authority.

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

### Standard Note(s) to Applicant:

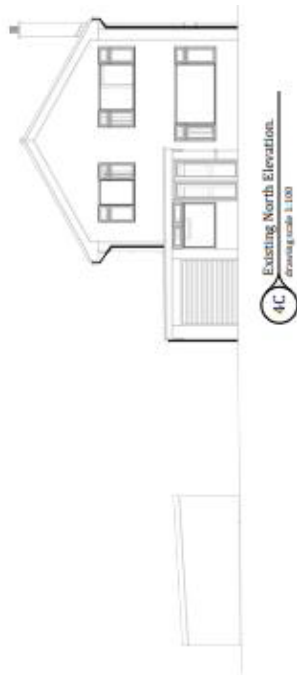
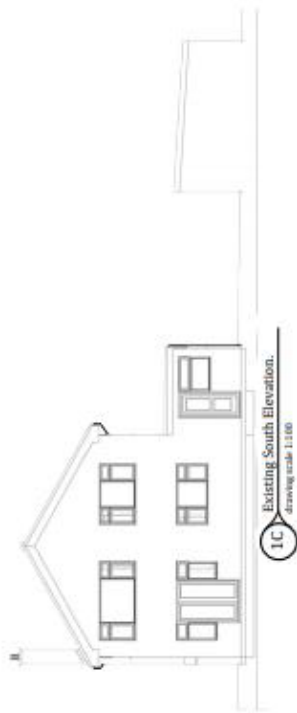
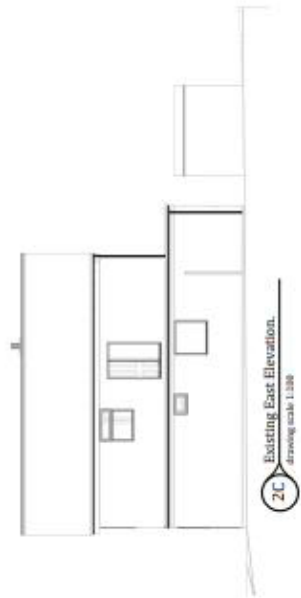
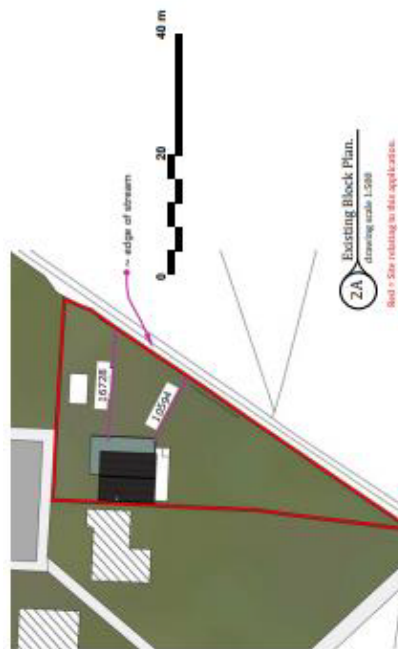
- 1 In reaching the decision the Council has worked with the applicant in a positive and proactive manner by determining the application without undue delay. As such it is

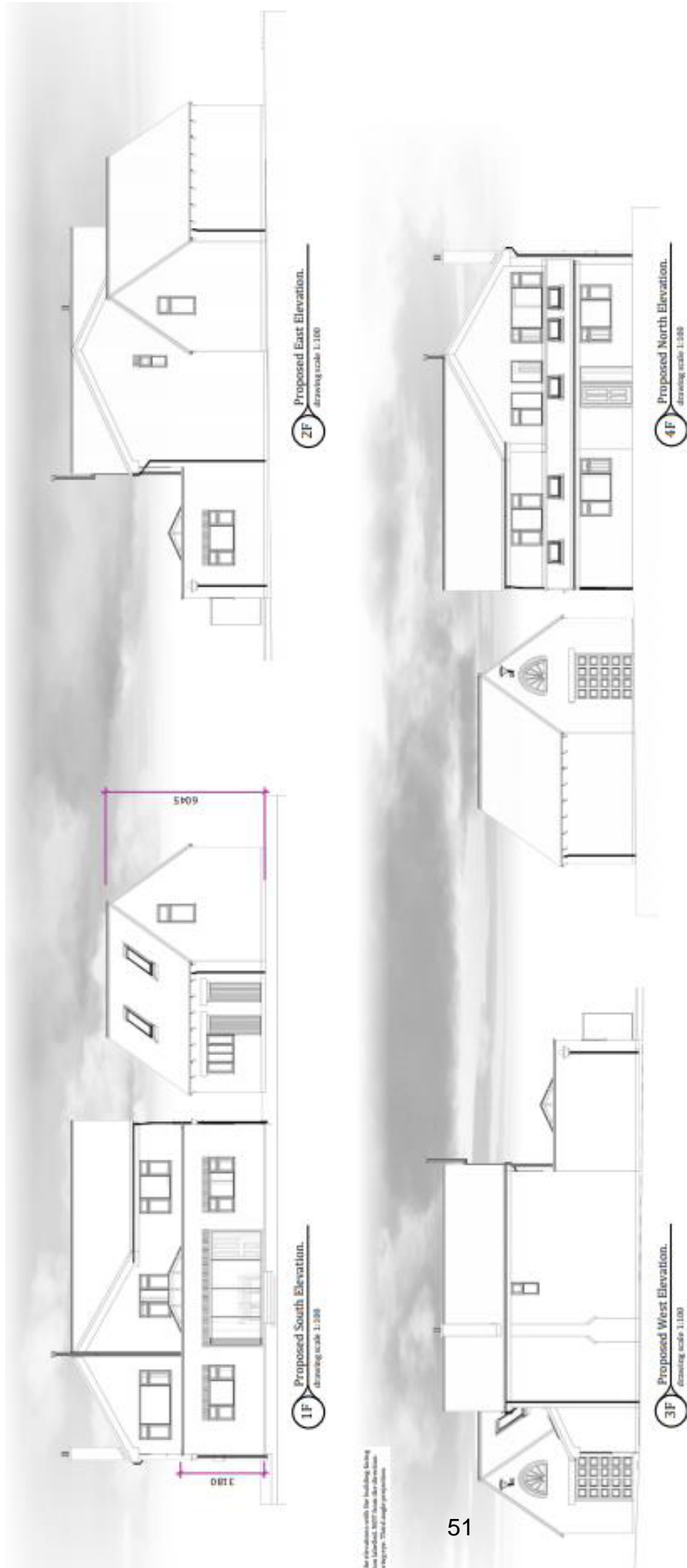


considered that the decision is in accordance with paras 38 of the National Planning Policy Framework.

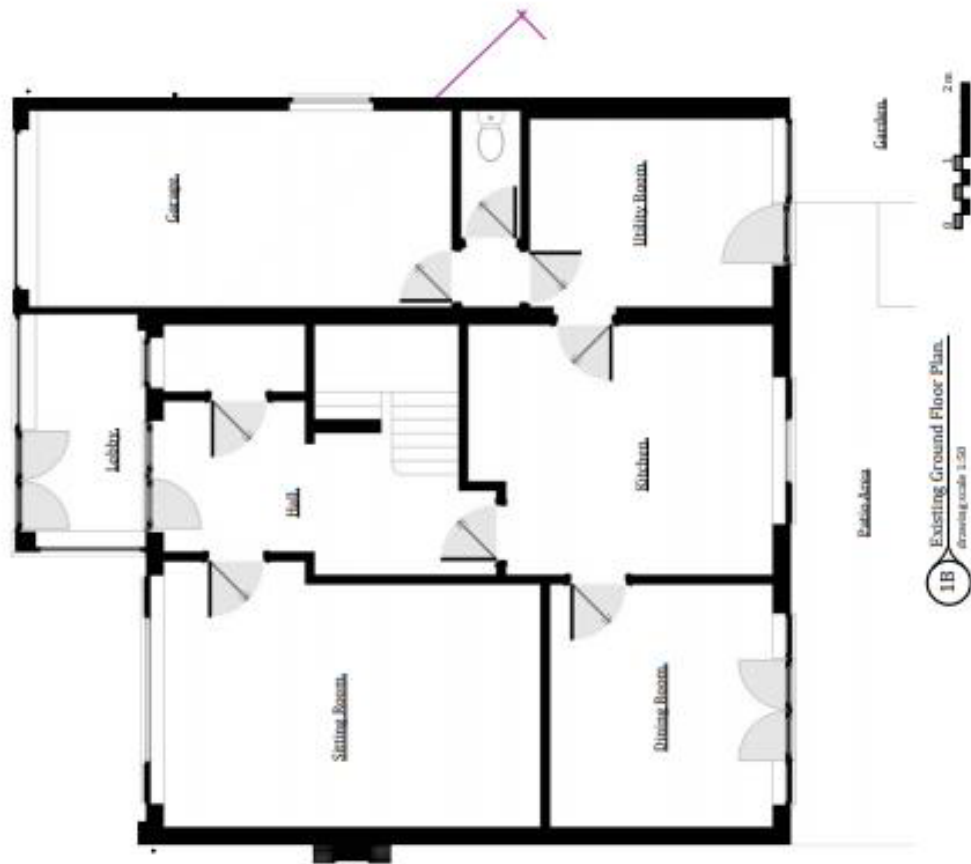
**Financial Implications reviewed by: Not applicable**

**Legal Implications reviewed by: Not applicable**





For information only. The building is being  
 demolished. NOT to be used for any other  
 purpose. This is a preliminary drawing.





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