

**Development Control Committee
7 February 2012**

Additional Information

JJ1 - S11/2953

Proposal: Demolition of all buildings on site (except mill building which is to be retained and refurbished) and redevelopment of site to create 7 retail units at ground floor level (Use Classes A1, A2, A3) 4 new apartments in refurbished mill building and 10 new build apartments at 1st/2nd floor over new retail space. Future phase 2 land to be grassed and landscaped. Alterations to adjacent Burghley Street car park

Summary of information received:

The Local Highway Authority has raised no objections subject to conditions and a S106 being entered into to require a contribution of £3,500 towards the required highway works and associated traffic regulation orders (TRO).

In addition the local highway authority has advised that the works may require a traffic order to make Wherry's Lane a "No Through" Road. This would stop drivers going from Burghley Street and accessing on to North Street. It should be noted that this would not affect the local businesses and their access from Burghley Street would be maintained.

Amended plans and a Heritage Impact Assessment have been received which seek to overcome the concerns of your officers, in particular the comments of the Conservation Officer, in respect of the design and detail of the development. The design has also been amended to reduce the overlooking of neighbouring properties.

The amendments to the drawings are:

- Protruding gables changed to parapet on front elevation
- First and second floor windows on same protruding gables narrowed into a vertical strip
- Juliet balconies changed to suit above arrangement
- First floor windows to front elevation narrowed

- Second/third floor windows in timber hoist to mill changed to doors with juliet balconies to suit more verticality required. Ground and first floor windows amended to suit
- Opaque glazing added to first floor rear windows and rear balcony areas to prevent overlooking.

Natural England have commented that they have no objection to the proposal. They note that as there is no evidence of bat droppings or other similar signs it can be assumed that a large bat roost is not present in any of the buildings. They have requested that a condition is imposed to ensure that a working design, methods statement and timetable of works are submitted to mitigate any undue adverse effects to bats.

Officer's comments on information:

The applicant has indicated that given that the requested Highways contribution of £3,500 is essential for the scheme to be undertaken they have no objections in entering into the required S106 Agreement. However, a LPA cannot enter in to a contract with itself through a Section 106 Agreement, so it is recommended that a Unilateral Undertaking should be submitted by the applicants to secure the provision of the highways works and TRO.

On this basis the Conservation Officer considers that these plans satisfactorily address the concerns raised in his original comments.

The provision of screens to balconies and obscure glazing to some windows ensures that the development has a better relationship with neighbours and is now considered to be acceptable.

Changes to recommendation:

That the application be deferred to the Chairman/Vice Chairman for approval subject to the receipt of a Unilateral Undertaking to secure the highways works and TRO and the inclusion of the following additional conditions:

19. Before the dwelling(s) and other approved buildings are occupied, the access and turning space shall be completed in accordance with the approved plan drawing number (D)201A dated 26/1/12 and retained for that use thereafter.

Reason: To ensure safe access to the site and to allow vehicles to enter and leave the highway in a forward gear in the interests of highway safety.

20. No unit of the development shall be occupied before the works to improve the public highway (by means of improvements, extending and strengthening of the existing carriageway of Wherry's Lane together with kerbing and footway provision along Burghley Street and including all necessary drainage and ancillary works and as indicatively shown on drawing number (D)201 Revision A) have been certified complete by the local planning authority.

Reason: In the interests of safety of the users of the public highway and the safety of the users of the site.

21. Before each dwelling and other approved buildings are occupied the roads and/or footways providing access to the dwellings & buildings, for the whole of its frontage, from an existing public highway, shall be constructed to a specification to enable them to be adopted as Highway Maintainable at the Public Expense.

Reason: To ensure access to the site and each dwelling/building in the interests of residential amenity, convenience and safety.

22. No development shall take place before detailed design of the arrangements for surface water drainage has been agreed in writing by the local planning authority and no building shall be occupied before it is connected to the agreed drainage system.

Reason: To ensure that surface water run-off from the development will not adversely affect, by reason of flooding, the safety, amenity and commerce of the residents of this site.

23. Before development commences a working design, methods statement and timetable of works to mitigate any undue adverse effects to bats shall be submitted to and agreed in writing by the Local Planning Authority and shall be carried out as part of the development

Reason: To safeguard any wildlife on the site

Informatives:

3. The development required works to be undertaken in the public highway and no building shall be occupied unless agreed in writing by the local planning authority before a Section 278 Agreement under the Highways Act 1980 has been entered into with the local highway authority, Lincolnshire County Council to improve Wherry's Lane and provide footways along the east side of Burghley Street together with all necessary ancillary works.

4. Where a footway is constructed on private land, that land will be required to be dedicated to the Highway Authority as public highway.

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

6. You are advised to contact Lincolnshire County Council as the local highway authority for approval of the road construction specification and programme before carrying out any works on the site.

KJC1 – S11/0967

Proposal: Retirement Accommodation for the elderly including provision of communal facilities, landscaping and car parking 49 St Catherine's Road & 1A Dudley Road, Grantham

Information Received

Applicant's response to Lincolnshire Wildlife Trust's Initial comments

In answer to your response to ecology work pertaining to the planning application for St Catherine's and Dudley Rd, Grantham:

It does not appear that the second building on site, the bungalow, was surveyed for its bat roost potential.

- The bungalow is very modern and in perfect condition, although not explicitly stated, is considered to be of negligible roost potential during the initial Phase 1 Habitat survey.

We would query whether 3 surveyors and the use of an Anabat was able to give full coverage of the larger building during the dusk and dawn surveys.

- Ideally an extra surveyor would have been used, however it was deemed that an Anabat would give a better coverage of the north eastern side of the building since it is against the adjacent property with a small alleyway – the roof in this section is more clearly seen from the surveyor position on the northern side of the building.

Additionally, the information submitted does not make it clear whether an internal inspection of the building was carried out. We would have expected a description of the accessible parts of the building, along with photos where appropriate, and a note to say if any parts of the building were not accessible for some reason.

- On the initial visit there were signs of recent forced entry with occupancy (Squatters) so the internal inspection was delayed until the second visit. However between the visits there an incidence of arson in the building and although the building was again secured, by the second visit the building had been broken into again. The route of entry for each break in was through the cellar. Consequently, due to the level of disturbance and possible health and safety risks an internal investigation was not carried out.

It does not appear that any of the trees on site have been assessed for their potential to support bats. Whilst the tree plan indicates that only seven trees will

be removed, we would recommend that all of the trees on site are surveyed with respect to their bat roost potential. If additional tree works are proposed, it will be important to know which, if any, should be avoided or whether a license from Natural England would be necessary to permit works.

- Trees were inspected during the phase 1 habitat survey which revealed no bat roost potential associated with the trees.

We support the recommendations for enhancement of the site to include provision of bird and bat boxes within the development, use of native species of tree and shrub in the landscaping scheme and creation of wildflower areas. It does not appear that these recommendations have been taken into consideration in the production of the landscaping plan. We believe that additional effort could be made to include largely native species in the planting scheme as it currently contains a large percentage of non-native species.

Appropriate native wildflower seed mixes could be used in some areas in place of amenity turf. Wildflower meadows provide nectar for a range of invertebrates, would be attractive for residents to look at and have lower maintenance requirements than amenity grassland. We would strongly support the provision of features for roosting bats and nesting birds within the development. Bat roost units could be included within the fabric of the building or bat boxes could be fitted externally to the building or on mature trees. We would recommend that bird nesting units are provided to support declining urban birds such as swifts, swallows and house sparrows.

- At the behest of the client we are able to advise on bird and bat box locations within the building plans as well as planting regimes.

Lincolnshire Wildlife Trust response

Thank you for forwarding the additional information in response to our queries. Having read the comments I am satisfied that our concerns regarding bats have been addressed. In particular, we note that no internal inspections of the building were carried out however there are obviously circumstances which would potentially make it dangerous for surveyors to enter and the level of disturbance, particularly the arson, would be likely to reduce the potential for bats to occur on the site. It is particularly useful to have these negative survey results explained in the report to give a fuller representation of the consideration that has been given to protected species issues.

Officer Comments

From the comments of Lincolnshire Wildlife Trust it is clear that the issue of bats on the site has been adequately addressed by the applicant.

Lincolnshire Wildlife's initial comments indicate a desire to promote a native species landscaping scheme which is not currently reflected in the submitted landscaping scheme. As such it is considered appropriate, notwithstanding the submitted landscaping details, that a condition requiring further landscaping details including species, numbers and location to be submitted to and approved in writing by the local planning authority is not unreasonable.

This condition could also include clarification of exactly what elements of the boundary hedges/underbrush would be removed as part of the landscaping of the site. Preference is to retain as much of the boundary screening as possible to help assimilate the development into its surroundings.

Impact on Street Scene:

There has been a recent appeal decision in relation to the redevelopment of 85, Manthorpe Road (Ref: APP/E2530/A/11/2162804). This decision has some useful commentary in relation to the impact on new development on the surrounding area.

The appeal proposal relates to the construction on 22 apartments on the former Manthorpe Lodge site and shares a number of characteristics with the application site in that it is a prominent corner location with a number of trees around the boundary of the site.

"The proposal would be a more intensive development and of greater scale compared to the detached dwellings to the north and the built-form previously on the site. However, in principle it would be acceptable to reflect the tighter urban grain and frontage development of the town centre in this area of transition. Moreover, to develop this prominent corner site with a building of some presence which does not replicate the existing scale of development to the north and west would be an acceptable approach in townscape terms. In this respect the key design principle for the Character Area 06 in the GTCA about maintaining a two storey scale is less relevant to the appeal site which is on the periphery of the suburban area. Some of the frontage trees would be lost as a result of this approach. However, sufficient landscaping would be retained to frame the new buildings and assist in softening its impact".

This indicates that the redevelopment of a site does not have to replicate its surroundings, and that a more intensive development of a greater scale may be acceptable in principle.

The key design principles for Character Area 3A of the GTCA are similar to area 06 referred to in the appeal decision in that proposals should maintain the predominant two storey scale. It is however, reasonable to adopt the same stance as that taken by the Inspector. The site is a prominent corner location and would aid the transition between the Character Area 3 and the town centre.

Alterations/Additional Conditions

Notwithstanding the submitted landscaping details prior to the commencement of any development on the site the approval of the local planning authority is required for a scheme of landscaping and tree planting for the site (indicating inter alia, the number species, heights on planting and positions of all trees). Such scheme as may be approved by the local planning authority shall be undertaken in the first planting season following the occupation of the buildings or the completion of the development, whichever is the sooner, and any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the local planning authority has given written consent to any variation.

Such landscaping details shall also include precise details of any shrubs and hedges to be removed from the boundary of the site. Details of how any retained shrubs and hedges shall be protected during the duration of the construction shall be submitted to and approved in writing by the local planning authority.

Changes to Recommendation

No changes to recommendation.

Committee Briefing Note

The applicant has requested that their committee briefing note is included in the late items report. See below.

A number of the local residents who are to speak at the development control committee have requested that a number of documents are included in this late

items paper so that they can make reference to them as part of there presentations.

Please see the committee briefing documents attached. The documents will also be included in the power point presentation. These documents were submitted in relation to the previous committee meeting in which this application was not discussed.

Committee briefing

Redevelopment of 49 St Catherine's Road and 1A Dudley Road, Grantham – with 'Retirement Living' accommodation, including communal facilities, landscaping and car parking

Recommended for approval



Ecology

Local residents have expressed concerns about potential loss of habitat. McCarthy & Stone has submitted a bat survey. Lincolnshire Wildlife and Natural England have not commented on the proposal. However, planning conditions would ensure an appropriate ecological assessment is carried out prior to commencement of any development.

Access and traffic generation

The vehicular access on St Catherine's Road would be closed to vehicles and the proposal would be served by a single access point from Dudley Road, which will conform to highway safety standards. The proposed highway arrangement is at the direct request of the Highway Authority. The Committee report confirms: *'From the additional comments from the local highway authority it is clear that it is desirable to have access of Dudley Road'.*

Retirement Living developments generate very low traffic generation and car ownership – particularly when compared to open market housing. Furthermore, the limited traffic movements arising from Retirement Living accommodation do not conflict with peak traffic times. The traffic generation for this Retirement Living scheme will be further reduced due to the site's location adjacent to the town centre.

Car parking provision

The occupiers of McCarthy & Stone Retirement Living developments tend to be in their 70s and 80s – with an

average age of 78 years. There is limited demand for residents' car parking as residents are usually looking for a change in lifestyle with local services and shops nearby. As a result many residents are either non car owners or are seeking to relinquish the burden of car ownership. McCarthy & Stone sells its apartments with parking permits, therefore potential residents know in advance of purchasing an apartment whether or not they will have a parking space. As a result, there would be no benefit to McCarthy & Stone to undersupply car parking provision as the apartments would be difficult to sell.

However, following some concern being raised by local residents during the pre-application community consultation, McCarthy & Stone increased the proposed car parking provision from 17 spaces to 19 spaces. The proposal also includes parking for mobility scooters to enable better access for residents to local facilities. There is no highway objection to the proposed level of car parking provision.

Loss of Heritage Asset

McCarthy & Stone is aware that there has been some local concern raised about the loss of St Catherine's House. McCarthy & Stone instructed an expert independent historical assessment to look at the architectural merits of the building, which was submitted during the planning application and concluded that the building did not warrant retention, which was agreed by your conservation officer. Additionally the building has now been rejected for listing by English Heritage. Furthermore, some local residents engaged are pleased that this disused site is being redeveloped with retirement accommodation.

Deliverable benefits of this proposal

- Regeneration and investment in a vacant site.
- Retirement Living accommodation for older people, fulfilling a much needed local housing need.
- Efficient re-use of a previously developed sustainable site adjacent to the town centre.
- High quality design and attractive landscaping, positively contributing to the street scene and respecting neighbouring amenity.
- Generous landscaping, new tree planting and protection of important boundary trees.
- Less traffic compared to open market schemes.
- Economic benefits, as residents of Retirement Living schemes shop locally.
- New employment opportunities, both during construction and with the day manager and ongoing maintenance of the gardens and building.

Information

If you would like further information or have any questions please contact McCarthy & Stone's freephone information line number on **0800 298 7040**.

Committee briefing

Redevelopment of 49 St Catherine's Road and 1A Dudley Road, Grantham – with 'Retirement Living' accommodation, including communal facilities, landscaping and car parking

Recommended for approval



Proposed Dudley Road Elevation

Application number: S11/0967/MJRF Committee date: Tuesday 7 February 2012

McCarthy & Stone is pleased that its proposal to provide much needed Retirement Living accommodation for older people, on a previously developed site, which is close to Grantham's town centre, is being recommended by Officers for approval, subject to completion of a Section 106 agreement.

This committee briefing provides further details regarding:

1 McCarthy & Stone's response to the committee report

McCarthy & Stone's planning application was originally scheduled to be considered by Committee on 10 January 2012. However, an application was lodged with English Heritage by a third party to consider St Catherine's House for statutory listing. As a result the application was deferred from the Committee agenda pending a response from English Heritage. English Heritage subsequently rejected the application to list the building. This briefing highlights the most salient points of the Committee report, which is recommended for approval.

2 Local support received for proposals following extensive pre-application consultation

Prior to the submission of this application McCarthy & Stone undertook extensive pre-application consultation with the local community including individual meetings with immediate residents and local groups, together with a public exhibition. Feedback received was broadly supportive towards the proposed redevelopment of the site with retirement accommodation and the proposed design and layout. Further details of the pre-application consultation and the supportive local feedback received, including from residents in Dudley Road and St Catherine's Road, are summarised in this briefing.

3 McCarthy & Stone's response to local concerns and queries

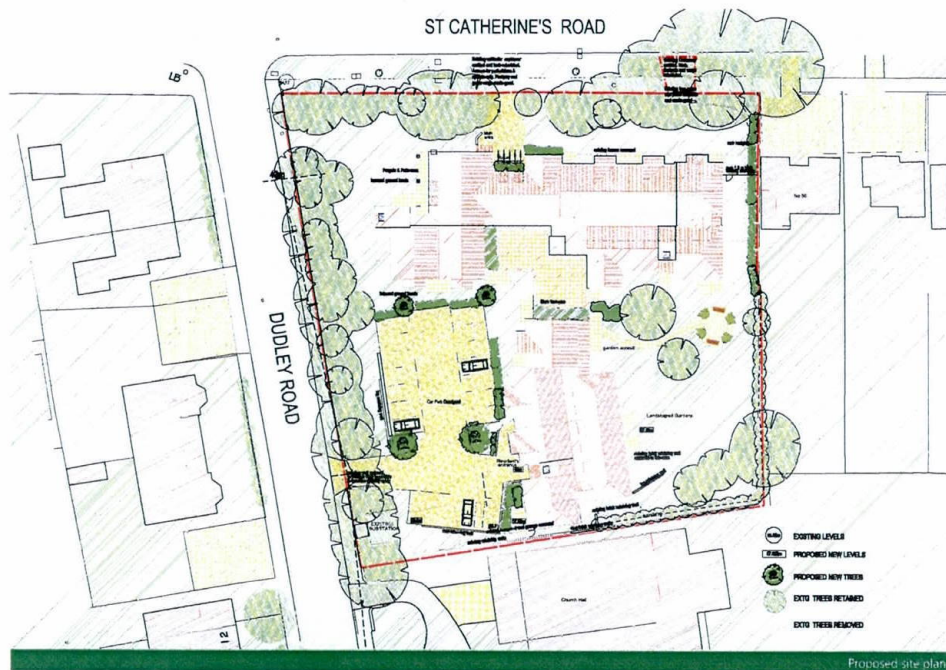
Despite receiving local support for its preliminary plans, McCarthy & Stone is aware that since its planning application has been submitted a number of local objections and concerns about the proposal have been raised, primarily from residents living in Dudley Road. See inside for further details and responses.



4 Benefits of Retirement Living accommodation

Specialist retirement accommodation for older people is a recognised national and local housing need, its provision increases local housing choice for the elderly and releases under-occupied housing stock back into the local housing chain for families. This briefing highlights the additional benefits of providing housing for older people close to local centres.

Please turn overleaf for further details regarding McCarthy & Stone's response to the local issues raised and the significant benefits offered by this proposal.



Proposed site plan

Responding to local issues, community feedback and the benefits of this proposal:

Responding to local issues, community feedback and the benefits of this proposal:

Redevelopment of the proposal site

The committee report confirms the acceptability of the proposal site for residential redevelopment: 'the site in question is a preferred and allocated site for housing development in the Grantham Area Action Plan'.

Main issues

The committee report identifies that there are four main issues for consideration regarding McCarthy & Stone's proposal:

i) Highway safety

Following detailed discussions, the scheme has been amended at the request of the Highway Authority, resulting in a single vehicle access only being situated on Dudley Road with the existing access of St Catherine's Road to be closed and used only for pedestrians and cyclists.

The Local Highway Authority has confirmed: 'It should be noted that the number of vehicular movements associated with the type of development proposed will be low'. As a result, there is no Highway objection for this proposal.

ii) Residential amenity

The proposed design has been carefully considered to ensure neighbouring amenity is respected and the design avoids undue overshadowing and overlooking. The committee report confirms:

'It is considered that separation distances would be sufficient to ensure that there would not be any significant loss of amenity'.

iii) Visual amenity

The proposed design is highly articulated ensuring the proposed building positively contributes to the street scene and the character of the local area. The high quality design, which follows the established building line for St Catherine's Road, will incorporate roof and ridge materials from St Catherine's House, together with other high quality building materials associated with the local area, including buff brick.

The retention of important and significant boundary trees, together with the provision of generous new areas of landscaped communal gardens and attractive boundary treatments would further enhance the proposal and local outlook.

The committee report confirms: *'The replacement building would form a focal point at the corner of St Catherine's Road and Dudley Road and would add interest to the character and appearance of the area'.*

iv) Impact on Heritage Assets

The Acting Principal Conservation officer states: *'It is questionable as to whether St Catherine's House is of sufficient architectural quality or historic interest for a building of this period'.*

The building has now been fully considered by English Heritage and rejected for statutory listing.

Local support received for proposals following extensive pre-application consultation

Prior to submitting this planning application, McCarthy & Stone undertook extensive pre-application consultation with the local community, including individual meetings with immediate residents, the adjacent church and school and additional contact with the nearby college and representatives of Grantham Civic Society. A public exhibition was also held in April 2011 for the wider community.

The public exhibition was attended by 51 local people and McCarthy & Stone received 22 pre-application formal responses – the overwhelming majority of which, 77%, were supportive of the proposed redevelopment – as outlined below:

Total number of responses	Outright supporters	Supporters with comments	Non committal	Objectors
22	6 (27.27%)	11 (50%)	1 (4.55%)	4 (18.18%)

Pre-application feedback received from the local community was very supportive, particularly towards:

- the redevelopment of the proposal site and the re-use of the site with housing for older people;
- the proposed design, layout and tree retention; and
- the suitability of the site's location for specialist accommodation for the elderly.

Supportive local comments received included:

'It all looks very good and as we live opposite it will be a more pleasant outlook'.

St Catherine's Road resident

'Good quality development that will enhance the area'.

Dudley Road resident

'It is sad the way it (the site) looks now, so to have it used for accommodation for older people – it will bring it back to life'.

St Catherine's Road resident.

'I think the design and layout look excellent'.

Stone Masons Court resident

'There is an ageing population and this development provides a secure central setting'.

Grantham College representative

'Good quality development will enhance the area. I like the retention of the trees'.

Dudley Road resident

Local support has also been registered for the proposal following submission of the full planning application.

McCarthy & Stone's response to local concerns and queries

During McCarthy & Stone's pre-application consultation and at the proposed committee, some local concern and comments were received, primarily regarding the adequacy of the proposed car parking provision. However, since the submission of the planning application McCarthy & Stone acknowledges that additional local concern has been raised relating to the proposed design, traffic generation and the loss of St Catherine's House.

Responding to local residents' concerns

Design and height

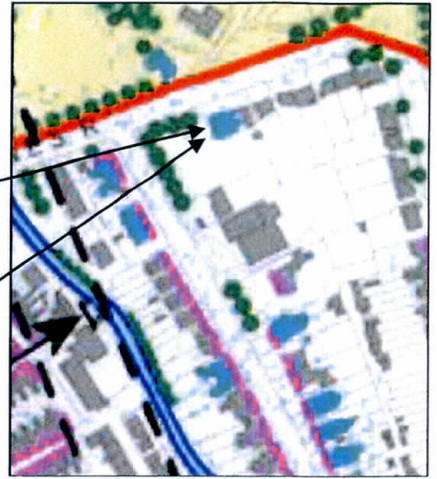
The proposed design is a high quality contemporary interpretation of the local style of Grantham featuring pitched roofs and brickwork typical of the area. The proposed development is set back behind generously landscaped areas and would only be glimpsed through the retained mature trees that exist along the St Catherine's Road and Dudley Road perimeters to the site.

The building line of the proposed development picks up on the existing frontages along St Catherine's Road, and whilst it projects forward of the building line of the properties on this side of Dudley Road, the building would still be set back 10m which your officer suggests is an acceptable distance. The scale and massing of the proposed development and its relationship with the site boundaries and levels have been considered to ensure that it respects neighbouring properties and avoids overlooking and overshadowing.

Grantham Townscape Assessment

In the **Grantham Townscape Assessment (GTA)**, which was formally approved in August 2011, there are strong statements which are against the demolition of St Catherine's House and replacing it with a large 4 storey apartment building. In the Townscape map, St Catherine's House is labelled as a 'positive contribution building', which is the second highest level in the map, just behind English Heritage Grade II.

The Townscape Assessment states: 'Unlisted heritage assets would include the cemetery chapel, cemetery wall and the cemetery itself, selective houses to the northern end of Dudley Road, townhouses to Avenue Road, and St Anne's Church, a finely detailed early 20th century Arts and Crafts inspired design on Harrowby Road.'



There are also specific recommendations for Character Area 03 in the Townscape Assessment, in which St Catherine's House sits.

- 1) **New buildings shall maintain & reinstate strong building line with wherever possible active frontages**
- 2) **Maintain the predominant two storey scale (with the exception of Avenue Road)**
- 3) **Retain identified heritage assets as they form a key part of the identity of this part of the town**
- 4) **Consider the potential for the designation of a new conservation area focused on sections of Harrowby Road, Dudley Road and the cemetery**

This proposed development is in direct contrast to the Grantham Townscape Assessment (GTA) in several ways:

- ignores the building line on Dudley Road
- is greater than 2 storeys
- does not retain a house which is a heritage asset for the area and Grantham

Why is this report being ignored? We have lost a lot of great homes in the area, Dudley House on Dudley Road, Manthorpe Lodge on Manthorpe Road, Shirley Croft on Harrowby Road. We should not add St Catherine's House on St Catherine's Road to this list. These buildings were and are all important to the historical narrative of Grantham. This building should not be demolished.

Alternate Uses

We should seek to find ways to reuse this building. St Catherine's House has been unoccupied for years, but a search for a way to re-use the building hasn't happened. It was only up for sale for a relatively short period (less than 6 months) with a deadline for offers. There was no guide price when it was on the market. Were other offers received which didn't require demolition? LCC will not give us this information. Local residents regret that this application is being steamrolled through without full consideration for other options. For example, we are in discussion with the Grantham Museum who are looking for a new annexe site. We think this would be a win/win situation for the area. There are other options to explore. Once lost, this amenity will be impossible to recreate.



Community Action!!



The **Conserving Grantham** group has been created to actively get involved in preserving the community. We have done historical research on St Catherine's House and the St Anne's ward in general. We have an application in for a new St Anne's Conservation Area. After initial meetings with South Kesteven Planning Department we are in agreement that St Catherine's House would be in this area. We have brought our efforts to the public via fliers, newspaper articles and radio interviews. We have setup a page on Facebook and a website. We have several offers of support and assistance. Everyone is very positive so far and glad to see this happening in our area

Committee Briefing: 49 St Catherine's Road and 1a Dudley Road Proposed Retirement Accommodation

McCarthy and Stone are intending to erect a 4-storey development, comprising 44 one and two bedroomed retirement apartments on the site at the corner of St Catherine's Road and Dudley Road, currently occupied by St Catherine's House and No. 1a Dudley Road in a proposed conservation area.

Residents do not want this development

40 residents living closest to the proposed development signed a petition against the development. The petition was accompanied by a detailed objection of the proposal. Only 2 residents declined to sign. That is 95% with concerns.



Residents' particular concerns

- The height of the development is too high at 4 storeys and contravenes the recommendations of the Townscape Character Assessment to maintain 2 storey scale
- The loss of another fine Victorian house grieves many local residents and contravenes the recommendations of the Townscape Character Assessment for 'unlisted heritage assets'
- Parking is inadequate and vehicle movements are adjacent to a primary school on a busy road
- Increased traffic on a corner that is a busy route for cars, pedestrians, and cyclists
- Valuable trees and hedging that benefit the ecology and street scene will be lost
- The ecological value of the site has been underestimated and the planting schedule does not follow the recommendations of the developers' own survey
- There are inaccuracies in the way the development is described in planning documents which undermines their credibility
- The loss of daylight and privacy for nearby properties' gardens

Discrepancy in Development Documents

Street Scene Depictions are Wrong: The developer attempts to show the building behind dense greenery, almost hiding the building. In their schematic, some trees are not positioned correctly, some trees are not there at all, and some trees will be half the size shown after their tree pruning plan is accomplished. According to landscape plan very few existing shrubs and hedges along the perimeter will remain; the plan is to plant 250 small shrubs. An accurate schematic of the street scene should show ground level shrubs, stumps of trees, and a looming 2-4 storey building.

Shadow Survey: The survey fails to show the impact during the 6 months of the year when sun is at its lowest. Instead it shows one day in high summer, and the other two days are identical (spring & autumn solstice). This is very misleading, and will affect the neighbours on St Catherine's Road to the east of the development.

False Statements: There has been no effort from the developers to respond positively to residents' concerns. No compromises have been made. Car parking provision has not been increased. Instead, 2 visitor parking spaces have been moved from St Catherine's Road to Dudley Road and immediately adjacent to the primary school.

Material Considerations Against This Development

Design and Visual Impact

The scale and height of the building will overwhelm the properties on Dudley Road. The new development is *too tall* (15m versus 10m).



The 'high density' intensive development with 44 apartments and 56 bedrooms is out of character with the surrounding area (Townscape Area 03)

The privacy and street scene of the site will be negatively altered. The developer's tree diagram say the perimeter limes will be heavily pruned from 13m to 7m pollards (half the building height).

One narrow line of 150yr old hedge is to be retained, and several mature trees are to be unnecessarily removed. This will make the development even more dominant, contrary to McCarthy & Stone depictions.

The 4 storey part of the building extends beyond the existing building line of Dudley Road.

New Development Over Building Line



Access, Parking, Visibility and Traffic

The proposed flats are for those aged 55 and over, so they will undoubtedly own a car. 19 spaces for residents, staff and visitors are insufficient. Residents in Dudley Road already find it hard to park at certain times of the day; the street suffers from non-resident parking. At night Dudley Road has ~10 cars parked to the terraces; during the day the number of cars rises to ~55.

Visibility and navigation are already poor due to intensive car parking on the street. There is single file access on Dudley Road at the junction with St Catherine's Road, right next to the site.

The developer's traffic surveys show their traffic is mainly during the day (90%) and with a tenfold increase in vehicle movements. This coincides

with the school run, college students parking, learner drivers practicing (it is near the driving test centre), shoppers/workers parking to avoid the pay car park, and commuters cutting through.

Alternatively, St Catherine's Road has no parked cars, long distance visibility, and easy traffic flow.

Planning History/Related Decisions

This development has been compared to the apartments on Welham St., which was advertised as 3 storeys of flats over ground floor parking, but it is actually 4 storeys of flats. Plans misrepresented the accommodation in the building; it should not therefore set a precedent. In addition that site is on the opposite side of the river, in the town centre; next to a multi-storey car park, and is on very low ground adjacent to the river. The St Catherine's development is in a residential area, on raised ground, and in a very green space.

The fate of Manthorpe Lodge is also a comparable plan. The lodge was demolished in a rush. Plans for 22 flats were rejected while the St Catherine's development with 44 flats is even denser and in a comparably sized prominent corner. Therefore these plans should be rejected.

Health and Safety

Dudley Road is busy with children on foot and on bicycles and the increase in traffic will be a dangerous addition to an already busy situation. The development driveway is within 30 feet of the driveway to a primary school. This puts small children at risk. At that age, children are not aware or concerned with cars and traffic.

Ecology

The ecological survey is incomplete as it misses several obvious trees and plants and it fails to mention the rich diversity of bird and bat life in the area. This proposal will devastate the ecology of the site, which is of key importance to globally threatened species within the immediate area.

Cumulative impact

With the amount of proposed building on nearby plots there is a strong possibility that severe habitat destruction will lead to loss of biodiversity. The demolition of St Catherine's House so close to that of Shirley Croft and Manthorpe Lodge is destroying our town's heritage and character. Let us retain these houses

KJC2 – S11/2206

Proposal: Demolition of Public House and Construction of fast food takeaway with associated restaurant.

Information Received

One letter of objection has been received from the occupier of a neighbouring property a summary of the main concerns are listed below:

- how the increased traffic flow from the junction with Harlaxton Road (the entrance and exit to the outlet will affect the safety of the junction at Trent Rod/Springfield Road at busy times.
- this is already a busy and hazardous junction and increased traffic will enhance the problems of vehicles turning right at the cross roads.

Additional Highway Comments from the Local Highway Authority

The highway authority requests that any permission given by the local planning authority shall include the conditions below:

HP19A - The arrangements shown on the approved plan 113-365-PO4D dated 15th December 2011 for the parking/turning/manoeuvring/loading/unloading of vehicles shall be available at all times when the premises are in use.

Reason: To enable calling vehicles to wait clear of the carriageway of Harlaxton Road and to allow vehicles to enter and leave the highway in a forward gear in the interests of highway safety.

HP21 - No development shall be commenced (apart from those works identified on drawing number Fig 105 Rev 01 or as specified) before the works to improve the public highway (by means of a right turn facility and all other ancillary works) have been certified complete by the local planning authority.

Reason: In the interests of safety of the users of the public highway and the safety of the users of the site.

HP24 - No development shall take place before the detailed design of the arrangements for surface water drainage has been agreed in writing by the local planning authority and no building shall be occupied before it is connected to the agreed drainage system.

Reason: To ensure that surface water run-off from the development will not adversely affect, by reason of flooding, the safety, amenity and commerce of the residents of this site.

HP27 – Notwithstanding the submitted information the development shall not be commenced until a Travel Plan has been submitted to and approved in writing by the local planning authority. Those parts of the approved Travel Plan that are identified therein as being capable of implementation after occupation shall be implemented in accordance with the timetable contained therein and shall continue to be implemented as long as any part of the development is occupied.

The travel plan shall include SMART targets.

Reason: In order that the local planning authority conforms to the requirements of PPG13 Transport, a Travel Plan has been conditioned to ensure that access to the site is sustainable and reduces dependency on the car.

Officer Comments

The local highway authority has not raised any objection to the proposed development subject to appropriate conditions including improvement works in the highway. As such it is considered that a refusal of planning permission couched in highway terms could not be substantiated.

Alterations/Additional Conditions

Four additional conditions requested by the local highway authority (see above).

In addition to the conditions above to ensure a satisfactory form of development a condition requiring the works in the highway prior to the commencement of the use is required.

The use hereby permitted shall not commence until the ghost island right turn facility along Harlaxton Road (As shown on drawing number Fig 106 Rev 01 dated 29th September 2011) together with all ancillary works as been completed.

Reason: In the interests of highway safety.

Notes to applicant:

HI00 - No works shall commence on site until a Section 278 Agreement Highways Act 1980 has been entered into with the Local Highway Authority, Lincolnshire County Council to provide a ghost island right turn facility along Harlaxton Road (As shown on drawing number Fig 106 Rev 01 dated 29th September 2011) together with all ancillary works.

HI03 - Prior to the submission of details for any access works within the public highway you must contact the Divisional Highways Manager on 01522 782070 for application, specification and construction information.

Changes to Recommendation

No change to recommendation.

PWM1 - S11/2065

Proposal: Residential development - 8 dwellings (including demolition of former hotel)

Summary of information received:

Further Representations from Members of the Public

2 x further letters of objections have been received (including one letter signed with 17 signatures from residents of St Vincent's Road). The main issues raised are summarised below:

- No objection in principle to redevelopment of site
- Overlooking/loss of privacy
- Amended plans ignore committee's original recommendation
- As the existing building closest to St Vincent's Drive is single storey, the proposed buildings should be single storey so the outlook would remain much the same

Officer comments on information received and issues raised:

The issues summarised above have been discussed in the main report. However, for the avoidance of doubt, it is proposed that a further two conditions should be attached. This is to ensure that the overall height of the buildings on plots 7 & 8 is kept to a minimum and to ensure that the first floor window on the south elevation of plot 8 is glazed to an appropriate level of obscurity to prevent intervisibility from this dwelling and the dwellings along St Vincent's Road.

Changes to recommendation:

That the conditions shown in the Committee Report be substituted by the amended schedule of conditions shown below:

Amended Schedule of Conditions

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

Reason: To comply with Section 91 (as amended) of the Town and Country Planning Act 1990.

2. No development shall commence until final details of the materials to be used in the construction of external walls and roofs have been submitted to and agreed in writing by the Local Planning Authority. Only the agreed materials shall be used in the development.

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

3. Notwithstanding the submitted plans, the half timbering of the north elevation of plot 1 and the south elevation of plot 4 shall be continued along the whole width of those elevations in accordance with details to be submitted to and approved in writing with the local planning authority prior to the commencement of development. The development shall be carried out in accordance with the approved plans.

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

4. No development shall take place until a scheme to incorporate historic features to be salvaged from the building to be demolished, into the development has been agreed in writing with the Local Planning Authority. The scheme shall include a schedule of all features to be salvaged and details of how these features will be incorporated into the development. The development shall be built in accordance with the agreed details

Reason: In order to preserve the character of the area in accordance with Policy EN1 of the adopted South Kesteven Core Strategy (July 2010).

5. Other than works necessary to widen and improve the access, the boundary wall and gates along the Harrowby Road frontage shall either be retained, or rebuilt in the exactly the same position, style, materials and dimensions as existing, before occupation of any of the dwellings.

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

6. Before the dwellings are occupied, the access and turning space shall be completed in accordance with the approved plan, drawing number RD2010:089 01 Rev A received 16 December 2011, and retained for that use thereafter.

Reason: To ensure safe access to the site and each dwelling/building in the interests of residential amenity, convenience and safety and to allow vehicles to enter and leave the highway in forward gear in the interests of highway safety.

7. Prior to any of the buildings being occupied, the private drive shall be completed in accordance with the details shown on drawing number RD2010:089 01 Rev A received 16 December 2011.

Reason: In the interests of the safety of the users of the public highway and the safety of users of the site.

8. No development approved by this permission shall be commenced until a scheme for the provision of surface water drainage works 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 water disposal and in accordance with Policy EN1 of the adopted South Kesteven Core Strategy (July 2010).

9. The trees within the site shall be protected, maintained and managed in accordance with the details set out in the submitted Tree Report, and section 5 of BS. 5837:2005 (Trees in Relation to Construction).

Reason: In order to protect and avoid damage to the existing trees in accordance with Policy EN1 of the South Kesteven Core Strategy.

10. A no dig construction method shall be used for all parts of the access road, driveways and parking areas which fall within the tree root protection areas (shown on the approved plans), details of which shall be submitted to and agreed in writing by the Local Planning Authority before any development is commenced. The development shall proceed in accordance with the approved details.

Reason: In order to protect and avoid damage to the existing trees in accordance with Policy EN1 of the South Kesteven Core Strategy.

11. No development shall take place until there has been submitted to and approved in writing by the local planning authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before [the use hereby permitted is commenced] or [before the building(s) is/are occupied] or [in accordance with a timetable agreed in writing with the local planning authority]. Development shall be carried out in accordance with the approved details.

Reason: To provide a satisfactory appearance by screening rear gardens from public view and in the interests of the privacy and amenity of the occupants of the proposed dwellings and in accordance with Policy EN1 of the adopted South Kesteven Core Strategy (July 2010).

12. Notwithstanding the submitted plans, before any development is commenced the approval of the Local Planning Authority is required to a scheme of hard and soft landscaping and tree planting for the site (indicating inter alia, the number, species, heights on planting and positions of all the trees; all hardsurfacing materials; bin storage areas; proposed ground levels; lighting etc). Such a scheme as may be approved by the local Planning Authority shall be undertaken in the first planting season following the occupation of the buildings or the completion of the development, whichever is the sooner, and any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the District Planning Authority gives written consent to any variation

Reason: Landscaping and tree planting contributes to the appearance of a development and assists in its assimilation with its surroundings. The implementation of the scheme is therefore necessary to create and maintain a pleasant environment and in accordance with Policy EN1 of the South Kesteven Core Strategy.

13. Notwithstanding the submitted plans, before the development is commenced, there shall be submitted to and approved by the District Planning Authority details of the relative heights of existing and proposed ground levels of the site and existing adjacent development. This shall include cross sections showing ground floor, eaves and ridge heights of the proposed dwellings on plots 7 & 8 in relation to number 9 St Vincent's Road and number 16 Croft Drive. Development shall be carried out in accordance with the approved plans.

Reason: In order that the development does not impose adversely upon its surroundings and in accordance with PPS1 and policy EN1 of The South Kesteven Core Strategy.

14. Before the first occupation of each dwelling hereby permitted, all windows on that dwelling shown as obscure glazed on the approved plans shall be fitted with obscure glazing (to a minimum obscurity of Pilkington Level 3 or equivalent) and shall be retained as such thereafter.

Reason: To safeguard the privacy of the occupiers of the adjacent properties and in accordance with the guidance contained in national Planning Policy Statement PPS1.

15. The development hereby permitted shall be carried out in accordance with the following list of approved plans submitted as part of the application (subject to details agreed in accordance with conditions 3 & 12) :

Drawing No. 01 Rev A - Site Layout - received 16 December 2011
Drawing No. 02 - House Type RD.1. - (Floor Plans) Plots 1 - 4 - received 24 August 2011
Drawing No. 03 - House Type RD.1. - Elevations & Specification - received 24 August 2011
Drawing No. 04 - House Type RD.2. - Plots 5 & 6 - received 24 August 2011
Drawing No. 05 Rev A - House Type RD.3. - Plots 7 & 8 - received 16 December 2011
Drawing No. 06 - Site Sections received - 24 August 2011
Drawing No. 07 - Garage Details Plots 7 & 8 - received 24 August 2011

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

Informative(s)

- A. Where private drives are proposed as part of any development, you should be aware of the requirements laid down in the Lincolnshire Design Guide for Residential Areas.
- B. Prior to the commencement of any access works within the public highway, you should contact the Divisional Highways Manager on 01522 782070 for application specification and construction information.
- C. The retaining wall adjacent to the highway at its junction with the proposed access will not be adopted by the Local Highway Authority
- D. This road is a private road and will not be adopted as a Highway Maintainable at the public Expense (under the Highways Act 1980) and as such the liability for maintenance rests with the frontagers
- E. You are advised that the application site falls within an area affected by Radon. You are asked to contact the Council's Building Control section (telephone number 01476 406187) to ascertain the level of protection required and whether a geological assessment is necessary.
- F. You are advised to inform any contractors involved in the demolition of the building of all relevant protected species legislation and in particular the protected status of bats and their roost sites. Work should proceed carefully and care should be taken to ensure that bats are not killed or injured. Should any bats be found, work should cease and the advice of Natural England sought.

PWM3 -S11/2072/LB

Proposal: Extensions and alterations to listed building including retention of two conservatories, veranda, and extension to Coach House, erection of leisure building and greenhouse within existing walled garden, replacement of Coach House doors and other associated works

Summary of information received:

Further Representations from Members of the Public:

1 x further letter from a member of the public who wishes it to be known that they applaud the investment that the applicant has put into the site and that the work that has been done so far is of a high standard.

Stone gate piers and fountain:

The application includes the erection of stone gate piers at the entrance to the courtyard and a pond and fountain within the courtyard. Since the original report was written, information has come to light showing that the stone gate piers are in fact a historic feature which until recently stood to the east of the sunken garden, forming the entrance gateway to the site from the east. The fountain was also until recently located within a small circular pond in the centre of the sunken garden to the east of the hall. These features were designed to align with the symmetrical east elevation of Caythorpe Hall forming an important element in its setting and would have been covered by the listing. Their removal or relocation requires listed building consent.

Officer comments on information received and issues raised:

The issues raised in the letter of support have been discussed in the main report.

There is no reference in the application, either in the drawings or the design and access statement, to the removal, relocation, replacement or rebuilding of the gate piers or fountain. Whilst the erection of stone gate piers to the courtyard and a fountain within the courtyard of the position, design, materials and dimensions shown are considered to be acceptable, the unjustified removal of these historic curtilage listed structures from their original locations is considered to be significantly detrimental to the character of the grade II* listed building.

Changes to recommendation:

That the reasons for refusal shown in the Committee Report be substituted by the amended reasons for shown below:

1. It is considered that a thorough understanding of the historic significance of grade II* listed Caythorpe Hall and the impact on its character has not been demonstrated and that the kitchen conservatory, veranda, replacement front doors and new opening on rear elevation of the Coach House, replacement door on main Hall courtyard elevation and removal and relocation of the gate piers and fountain, have a significantly harmful and unjustified impact on the historic character of the grade II* listed Hall, and the grade II listed Coach House, contrary to national planning policy given in policies HE6, HE7, HE9 & HE10 of PPS5 (Planning for the Historic Environment) and policies 26 & 27 of the East Midlands Regional Plan.
2. No evidence has been submitted to demonstrate that the future viability and long term preservation of this heritage asset can only be achieved by allowing the harmful elements of the proposal. It is therefore considered that the positive benefits of the wider restoration works to the Hall and grounds carried out by the applicant do not outweigh the significant and unjustified harm to the historic character of the grade II* listed Hall and the grade II listed Coach House contrary to national planning policy given in policies HE6, HE7, HE9 & HE10 of PPS5 (Planning for the Historic Environment) and policies 26 & 27 of the East Midlands Regional Plan.

NB3 – S11/1689

Additional Information

Two further letters have been received from local residents expressing concern about the application.

Environmental Health have made observations on the proposal.

Additional information has also been received from the agent.

Proposal: Erection of club house (amendments to permission S10/2619), Stamford & District Indoor Bowling Club Ltd, Exeter Gardens, Stamford, PE9 2SA

Amendments to the erection of a bridge club house that was granted permission under reference S10/2619.

Information Received

Additional letters of objection

One letter of objection is reproduced in full below, it should also be noted that the letter refers to previous verbal comments made to the Development Control Committee. These have already been made to the Committee and are not reproduced;

"This letter needs to be brought to the attention of the Development Control Committee and added to the papers for the meeting on the 7 February.

We are attaching the transcript of the verbal representations we made to the Committee on 13 December 2011. In that verbal representation we put forward a detailed measured report of the position and offered reasonable solutions to the problem which is not of our making, yet has maximum affect upon our amenity and our home living.

It is now apparent from the applicant's submission that they are not willing to put right any errors that have been made and are taking an intransigent position.

The applicant has stated that the eave height at the rear of the building should be 2.3 metres. It has been built to 3.1 metres with the windows being built commensurately higher.

Significant errors have been made in the erection of this building. Our representations to the Committee on the 13 December 2011 were very strong and very reasonable yet the applicant has made no attempt to compromise.

The applicant has made no reference to the fact that the boundary is the hedge, the fence is ours and on our land, and the building has been built too close to our boundary.

The applicant has made no reference to the 5 metre high floodlight, which also flaunts planning.

The applicant had the opportunity to cease building once we had pointed out to SKDC that the building was too high. However, they continued to build without planning permission taking a cavalier approach to planning law and regulations, and their dismissive response to the problems continues.

We have been extremely reasonable over this issue, however, with the total lack of cooperation from the applicant whose error this is we request that the Committee put the building right, according to the agreed plans, or at the very least for the windows at the rear to be bricked up”.

The second letter of objection is reproduced below;

“We refer to the above ref number in connection with Stamford Bridge Club, after reading the Planning Officer's Report, we offer our comments and observations.

We reiterate our severe objections to the overlooking windows to our property/gardens which as stated before invades our privacy. We find the comment that it would be expensive to move the windows/install fencing irrelevant. We raised our concerns early enough for any amendments to be carried out at minimal cost. It is only because construction continued that they are now in this position. We would also like to point out even though in a previous planning meeting the members requested that the lighting should not used out of hours, they still remain to be used out of hours. We ourselves have indeed reported that the lights are being used out of allowed hours and the floodlight comes on late into the night even if the club is not being used, the problem seem to remain. The permitted hours at weekends and bank holidays stated in the planning application are that the use of the premises will only be to 6.00p.m. It is continually used till 10.00 /11.00 p.m. Are we to assume that unlimited use is therefore allowed/acceptable. We have stated quite clearly that the floodlight breaks current legislation and would have expected by now for some action to have taken place. Again we have reported this fact and was met with a could not care less attitude, which is very disappointing.

The last thing we notice is that the gates and fence that were on the planning application to improve security have not been fitted and does not seem to be in the pipeline to be done.

It seems to be a case of we will build what we like, use it when we like and do what we like regardless of any planning restrictions or any consideration to the neighbours. We hope that some enforcement action will be taken otherwise what is the point of having any planning laws whatsoever, as they do not seem to be met or adhered to. Why both asking people's opinions if you do not want to listen to them. We have expressed our feelings both by letter and telephone and have been met with a disappointing response”.

Applicants comments

The applicant has identified that the light fitted to the pole has now been fixed with a timer, their full observations are below;

“Further to our letter dated 16th January 2012, we have since made some changes on site to help any lighting issues currently faced. Along with the suggestion stated in our previous letter we can confirm the following with regards to the external light in the car park.

A timer has now been fitted to this. Whereas previously this light was on permanently from 6.30pm to 10.30pm each evening, it now comes on at 6.30pm until 7.15pm, and then comes on again at 10.00pm until 10.30pm. This therefore reduces the time this light is on and assists in reducing any light from the area potentially spilling to its surroundings.

I trust the above helps this matter further and await yours and the committees responses in due course.

If you have any questions or comments please do not hesitate to contact me”.

Environmental Health

The observations of Environmental Health are reproduced below;

“Light from inside a property is not normally severe enough for us to consider taking action – it is usually external lighting. If there are any further details relating to the external lighting I am happy to take a look”.

Officer Comment on Information Received

Various comments have been made and the majority raise issues that have been previously considered.

That said, no conditions about hours of usage were attached to the original permission nor are they considered necessary on this revised proposal.

Light pollution does appear to be an area of concern; however, as noted by Environmental Health light spill from inside a building is not normally something that would be enforced against. The 5m high pole with a light on it is not shown on any plans submitted with the application and would need to be investigated separately from this application. It noted that the agent indicates a timer is now on the light with it only switching on between 6:30 – 7:15 and 10:00 – 10:30; however, without drawings showing its siting and possible light spill it is not considered possible to determine whether or the lighting pole is appropriate.

The additional information does not alter the application significantly in terms of impact or the broad principle of the development. The recommendation, therefore, remains the same.

Alterations to Conditions

None

Changes to Recommendation:

None.