

REPORT TO DEVELOPMENT CONTROL COMMITTEE

REPORT OF: Pat Reid Development Management Service Manager

REPORT NO: PLA 939

DATE: 24th July 2012

TITLE:	S12/0806 – Section 73 of the Town and Country Planning Act to Vary Condition 20 of planning permission S11/1501 to allow a material amendment to Care Home.	
KEY DECISION OR POLICY FRAMEWORK PROPOSAL:	N/A	
PORTFOLIO HOLDER: NAME AND DESIGNATION:	Councillor Mrs Frances Cartwright Grow the Economy and Economic Development	
CONTACT OFFICER:	Kevin Cartwright	
INITIAL IMPACT ANALYSIS: Equality and Diversity	Carried out and Referred to in paragraph (7) below Not applicable	Full impact assessment Required: Not applicable
FREEDOM OF INFORMATION ACT:	This report is publicly available via the Your Council and Democracy link on the Council's website: www.southkesteven.gov.uk	
BACKGROUND PAPERS	N/A	

1. RECOMMENDATIONS

That determination of the planning application be delegated to the Development Management Service Manager in consultation with the Chairman and Vice Chairman of the Development Control Committee to approve the planning application subject to the completion of the agreement.

2. PURPOSE OF THE REPORT

To make members aware of need for a revised legal agreement in relation to the new planning permission.

3. DETAILS OF REPORT

On 2 March 2012 planning permission was granted for a 64 bed nursing and dementia home and 72no. extra care apartments with associated car parking and landscaping.

Following a grant of planning permission a number of required changes have been identified by the applicant. The alterations proposed take the form of several minor elements which have the effect of increasing the total gross internal area by approximately 1.5%. the most significant alteration is the 'opening up' of the courtyard on the northern elevation, whilst the central kitchen area and end of wing balconies are being extended slightly.

The applicant has stated:

"The overall impact of the alterations as viewed from local residents will be minimal, particularly as no changes to the extra care premises are proposed. The only noticeable change would be an improved view from the allotments, of the building's northern elevation being broken up by views of the central garden".

The alterations result in two additional beds, giving a total of 32 when compared to the previous planning permission that provided 30 units.

The application site and its surroundings

The application site and surroundings

The application site lies to the south west of Grantham town centre and is bounded by Springfield Road to the south, and residential properties off Huntingtower Road to the east. To the north of the site are allotments and a commercial operation that has an area of external storage. The overall site area is approximately 1.7 hectares.

The applicant has indicated that the land since at least 1945 and up until 2003/4 was in allotment use. Prior to 2003/4 the land was rented by the Buckminster Trust Estate to the Huntingtower Road Allotments Association (HRAA). The land was held by the HRAA under a lease dated July 1960. The total land leased in 1960 was 5.1 hectares.

In 2003 the HRAA approached Buckminster Estates wishing to surrender part of their leased area. The HRAA was unable to find people wishing to cultivate the entire 5.1 hectares. The lease surrender formally took place in October 2004.

Since 2003/4 the site has remained vacant and is now very overgrown.

Relevant Site History

The site has no specific planning history relevant to the determination of this planning application. However, members should be aware of a recent appeal decision in relation to an allotment site elsewhere in Grantham.

APP/E2530/A/09/2101377 – Beacon Lane Allotments – 43 Residential Units and 12 affordable units – Granted Outline Planning Permission at appeal – 25 August 2009.

The Inspector commented that the studies presented at the Inquiry all identified that Grantham has a considerable area of land in use as allotments, with provision far in excess of the recommended minimum standard recommended in the Open Space Study. He went on to say:

The assessment of allotment usage submitted by the appellant bears out my own assessment of the use of various allotment sites within Grantham, with a small number that are well managed and actively used and others that are part abandoned, unused or barely used. Fly tipping and use for commercial storage in buildings also occurs on some sites and evidence given at the Inquiry indicates that local trades people look for such sites to act as a base and store area.

S11/1501 – 64 bed residential nursing home and Dementia home and 72no. extra care apartments with associated car parking and landscaping. Granted planning permission on 2 March 2012.

Section 106 Heads of Terms

The previous planning application s11/1501 was the subject of a Section 106 agreement securing developer contribution of £25,875 for the provision of Bus Service Contribution payable to LCC. 40% payable on completion of Care Home and 60% payable on completion of Extra Care Flat Units.

A legal agreement if required to ensure these contributions are received in relation to the revised scheme. At the time of drafting this report the agreement has not yet been finalised.

Conclusion

As per the submitted plans there is considerable separation distances between the development and the nearest residential properties, with the existing residential properties being screened by the extra care premises. As such it is considered that the alterations would not result in any significant impact on the amenity of neighbouring occupiers beyond that assessed by the initial planning application.

The local highway authority raises no objection to the development.

The Environment Agency has no objection to the changes to condition 20.

Archaeology – the application does not affect any known archaeological sites.

It is considered that the proposals comply with National and Local Planning Policy and it is recommended that planning permission be granted subject to the completion of the legal agreement securing the developer contributions.

4. OTHER OPTIONS CONSIDERED

None

5. RESOURCE IMPLICATIONS

No significant impact on resources

6. RISK AND MITIGATION

Risk has been considered as part of this report and any specific high risks are included in the table below:

Category Risk	Action / Controls
2	Legal agreement amended to maximise receipt of developer contributions for local community and/or mitigate impact of the development

7. ISSUES ARISING FROM IMPACT ANALYSIS

Relevant impact addressed in Section 3.

8. CRIME AND DISORDER IMPLICATIONS

It is considered that the development would not result in any significant adverse crime and disorder implications.

9. COMMENTS OF FINANCIAL SERVICES

There are no specific financial implications associated with this report but It is important to ensure any contributions due from the developer are collected

10. COMMENTS OF LEGAL AND DEMOCRATIC SERVICES

The current application details amendments to planning permission S11/1501. It will be necessary to enter into a S106 agreement to ensure that the obligations contained in the S106 Agreement attached to the original planning permission remain in full force and effect in respect of the current application.

11. COMMENTS OF OTHER RELEVANT SERVICES

12. APPENDICES:

Planning submission can be viewed via the following link:

<http://www.southkesteven.gov.uk/index.aspx?articleid=2230&ApplicationNumber=S12/0806>

