

MINUTES

DEVELOPMENT CONTROL
COMMITTEE
TUESDAY, 24 JULY 2012



COMMITTEE MEMBERS PRESENT

Councillor Ashberry
Councillor Cook
Councillor Howard
Councillor Mrs Kaberry-Brown
Councillor Vic Kerr
Councillor King
Councillor Morgan
Councillor Parkin

Councillor Powell
Councillor Mrs Judy Smith
Councillor Jacky Smith
Councillor Judy Stevens
Councillor Adam Stokes
Councillor Mrs Brenda Sumner
Councillor Wilkins (Chairman)
Councillor Woolley

OFFICERS

Head of Development and Growth (Mark Williets)
Principal Planning Officer (Justin Johnson)
Area Planning Officers (Louise Parker and Peter Lifford)
Committee Support Officer (Malcolm Hall)
Solicitor (Paul Rushworth)

15. MEMBERSHIP

The Committee was notified that a notice under Regulation 13 of the Local Government (Committees and Political Groups) Regulations 1990, had been received, appointing Councillor Woolley in place of Councillor Higgs, for this meeting only.

16. DISCLOSURE OF INTERESTS

The Solicitor reminded Members of the new Code of Conduct, and the requirement to disclose interests in accordance with the Code.

Councillor Powell disclosed an interest in application PL1, as one of the objectors to the application was a business customer of hers.

Councillor Vic Kerr disclosed a Disclosable Pecuniary Interest in application PL2, as he had carried out farm contracting work for the applicant.

17. MINUTES OF MEETING HELD ON 26TH JUNE 2012

The Chairman drew the attention of Members to the minute in relation to application JJ1, on page 4 of the minutes, and in particular to the amendment to the first paragraph of condition 23, which had been agreed. This paragraph was included in the minute, but it was considered that the whole of amended condition 23 should be included, for the sake of clarity and completeness, although no amendment had been made except for the first paragraph. The full condition, as amended, would read:

“Prior to commencement of the development, an updated ecological appraisal reflecting seasonal variations and an assessment of the site for the presence of breeding birds shall be submitted to the Local Planning Authority. The assessment shall include:

1. A survey of the site to recognised standards;
2. Details of Any necessary mitigation; and
3. A timetable for implementation of any necessary mitigation.

Development shall not commence until the assessment has been approved in writing by the Local Planning Authority and there shall be no development during the bird breeding season (March to August inclusive) unless satisfactory mitigation measures have been approved in writing by the Local Planning Authority.”

The minutes of the meeting held on 26th June, as amended above, were approved as a correct record of decisions taken.

18. PLANNING MATTERS

Decision:-

To determine applications, or make observations, as listed below:-

KJC1

Application ref: S11/2002/MJRO

Description: Outline planning permission for residential development and the formation of new vehicular access Land Off Main Road, Long Bennington

Location: Land Off Main Road, Long Bennington

Decision : Deferred

Pending an assessment of information received.

JJ1

Application ref: S12/0438/MJRF

Description: Demolition of existing retail warehouse building and erection of 11 dwellings

Location: 2A, Radcliffe Road, Stamford, Lincs

Decision: Deferred

Noting comments made during the public speaking session from:-

Malcolm Howdle – objecting

Mike Sibthorp – agent

together with comments from the Community Leisure Officer, Heritage Lincolnshire, Partnerships Project Officer (Affordable Housing), Crime Prevention Design Advisor, Environmental Protection Officer and Property Services (Drainage), an objection from Stamford Town Council, no objection from Planning Policy or the Environment Agency and objections from and on behalf of nearby residents and a note of the proposed Section 106 Heads of Terms; late information report circulated to Members present at the meeting, including a note of an additional letter of objection, no objection from the Highway Authority, officer comment thereon and suggested amended conditions, report of site inspection and comments made by Members at the meeting.

It was proposed and seconded that the application be approved subject to the conditions in the main and late reports.

Following further discussion, and advice from the Head of Development and Growth, the proposition was withdrawn and it was proposed and seconded that:-

“The application be deferred in order to look again with the applicant at the height and design of the protective wall and the ridge line and general layout of the development, and to look in detail at the financial appraisal and S106 contributions. “

On being put to the vote the proposition was agreed.

(Following reference by a Member earlier in the meeting about the effect on the health of residents living in developments similar to that proposed, the Chairman suggested that this be addressed by means of a presentation by the NHS at a future meeting).

PL1

Application ref: S12/0209/HSB
Description: Single storey rear extension and retention of garage as built
Location: 29, Drummond Road, Bourne, Lincolnshire, PE10 9JF
Decision: Approved

Noting no objection from Bourne Town Council, and comments from the Highway Authority and Archaeological, no objection from the Highway Authority, representations from nearby residents; late information report circulated to Members present at the meeting, including reference to a letter from the applicant and officer comment thereon, and the letter from the applicant circulated to Members present at the meeting, together with comments made by Members at the meeting.

It was proposed, seconded and agreed that the application be approved, subject to the summary of reasons set out by the Case Officer in the circulated report, and subject also to the following conditions:-

1. The changes to the garage as shown on drawing 2012-343-PC received on 2 July 2012 shall be carried out within three months from the date of this permission.
2. The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.
3. The development shall be built in accordance with the materials detailed on the submitted application forms unless otherwise agreed in writing by the local planning authority.
4. This permission relates solely to the application as amended by drawings no. 2012-343-PC received on 28 March 2012 and 2 July 2012.

Note(s) to Applicant

1. This site is within 50m of a Land Contamination Concern. Please contact Environmental Protection Services on 01476 406300 for further information.

(The meeting adjourned from 2.56pm to 3.16pm).

(3.17pm – Councillor Vic Kerr left the meeting, having declared an interest).

PL2

Application ref: S12/0213/FULL
Description: Erection of livestock building
Location: Odd House Farm, Holme Lane, Claypole, Newark, NG23 5AP
Decision: Approved

Noting comments made during the public speaking session from:-

Stuart Gillespie – objecting (statement read)
Dale Peakall – objecting
Ben Wills – agent

together with no objection from the Parish Council, comments from Archaeological, no objection from the Highway Authority or Environmental Protection and representations from nearby residents; late information report circulated to Members present at the meeting, including reference to letters from two neighbouring residents and officer comment thereon and comments made by Members at the meeting.

It was proposed, seconded and agreed that the application be approved, subject to the summary of reasons set out by the Case Officer in the circulated report, and subject to the following conditions:-

1. The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.
2. The livestock operation shall be carried out in accordance with the details and procedures set out in the supporting documents submitted with the application received on 24 February and 14 May 2012.
3. If fresh food is to be used to feed the livestock details of what is to be used and where it is to be stored shall be submitted in writing to and approved by the local planning authority.

(4.05pm – Councillor Vic Kerr returned to the meeting).

AH1

Application ref: S12/0927/FULL

Description: Proposed replacement dwelling and detached garage (revised scheme) along with air source heat pumps

Location: 1 Main Road, Uffington, Lincolnshire, PE9 4SN

Decision: Approved

Noting comments from the Parish Council, no objection from the Highway Authority and comments from the Heritage Trust of Lincolnshire and Environmental Protection and comments made by Members at the meeting.

Notwithstanding the details shown on the approved plans, the render to the main welling shall have a RAL 1013 paint finish.

Reason: In the interests of the visual amenities of the locality and to ensure a satisfactory development and in accordance with Policy EN1 of the adopted South Kesteven Core Strategy (July 2010).

It was proposed, seconded and agreed that the application be approved, subject to the summary of reasons set out by the Case Officer in the circulated report, subject to the amendment to condition 3 noted above, and subject to the following conditions:-

1. The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.
2. Unless otherwise required by another condition of this permission, the development shall be undertaken in strict accordance with the details shown on the following approved drawing numbers :-

2634-1A

2634-2C

2634-3D

2634-4B

2634-5C

2634-6B

Location Plan (Scale 1:1250) received on 14 April 2012

3. Notwithstanding the details shown on the approved plans, the render to the main dwelling shall have a Oyster White paint finish.
4. Before the dwelling is first occupied the access and vehicular turning area shall be completed in accordance with the approved plan number 2634/2C dated 2 May 2012 and retained for that use thereafter.
5. The tree and hedge planting as proposed in the tree report of Michael J Sumner received on the 17 April 2012 shall be implemented within the first available planting season .

Note(s) to Applicant

1. 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.

LDPP1

Application ref: S12/1436/OUT

Description: Demolition of existing dwelling and erection of 3 no. Dwellings

Location: Land adjacent to The Laurels, Bottom Street, Allington, Grantham, NG32 2DT

Decision: Refused

Noting comments made during the public speaking session from:-

Helen Taylor – Chairman of Allington Parish Council – objecting

(As the meeting had lasted for three hours, in accordance with Council Procedure Rule 9, the Committee voted for the meeting to continue).

Matt Hubbard – Agent

together with an objection from Planning Policy, comments from the Highway Authority, Archaeological, Property and Facilities and Environmental Health, together with representations from nearby residents; late information report circulated to Members present at the meeting, including a further 8 letters of objection and a suggested amended reason for refusal, and comments made by Members at the meeting.

It was proposed, seconded and agreed that the application be refused for the following reason:-

This is an outline application for the erection of 3 dwellings in a less sustainable location and the proposal would be contrary to Policy SP1 of the adopted South Kesteven Core Strategy 2010 which states that development will be concentrated to the four main towns and villages identified as Local Service centres, in all other villages and the countryside development will be restricted

As such the proposal, will introduce two additional dwellings in an unsustainable location whereby future occupiers of the site would be reliant on the use of the motor vehicle to meet their everyday needs.

LDPP2

Application ref: S12/1610/HSB

Description: Conservatory to rear

Location: 106, Kedleston Road, Grantham, Lincolnshire, NG31 7FH

Decision: Approved

Noting no objection from the Highway Authority, and comments from Archaeological, together with comments made by Members at the meeting.

It was proposed, seconded and agreed that the application be approved, subject to the summary of reasons set out by the Case Officer in the circulated report, and subject also to the following conditions:-

1. The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.
2. The development shall be built in accordance with the materials detailed on the submitted application forms unless otherwise agreed in writing by the local planning authority.
3. The development hereby permitted shall be carried out in accordance with the following list of approved plans submitted as part of the application:

Project number 12/1180/1 date stamped 28-06-2012

Note(s) to Applicant

1. 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.

(4.44pm – Councillor Adam Stokes left the meeting).

19. SECTION 106 AGREEMENT

S12/0510 – DEMOLITION OF EXISTING BUILDING AND CONSTRUCTION OF NEW APARTMENTS (EXTENSION OF TIMEFRAME) S08/0892, FORMER GRANTHAM TYRE AND AUTO, RYCROFT STREET, GRANTHAM

Decision:-

That further consideration be deferred to enable the Conservation Officer and other appropriate bodies to consider whether the property is a local heritage asset, and to report accordingly.

The Committee considered report PLA937 from the Development Management Service Manager, which was presented by the Head of Development and Growth.

The report was submitted to advise Members of the need for a revised legal agreement in relation to an application which had been submitted to extend the life of a previous planning application for the demolition of an old malt house building on Rycroft Street, Grantham, and its replacement with 38 apartments. The layout and scale of the proposal had been determined at outline stage. Members were advised of the detail of the site and its surroundings and the history of applications. The original application had been granted on appeal, with the Inspector's relevant comments noted in full in the report.

Developer contributions had been required and there was a need to complete an appropriate Section 106 agreement to accompany the application. It was not considered that there had been a significant change in circumstances since the previous application. An objection had been submitted by the nearby Dental Practice who was concerned that the Inspector's comments in relation to car parking, which had been the major part of their previous objection, were no longer relevant. It was, however, considered that the proposal complied with all relevant policies.

Members queried whether an assessment had been made of the site's industrial heritage, and it was proposed and seconded that consideration be deferred to enable the Conservation Officer and other appropriate bodies to consider whether the site and buildings was a heritage asset and to report accordingly. On being put to the vote the proposal was agreed.

(5pm – Councillors Ashberry and Mrs Brenda Sumner left the meeting).

S12/0613 – ERECTION OF 18 AFFORDABLE DWELLINGS, HIGHFIELD MEWS, GREAT GONERBY

Decision:-

That the approval of revised application S12/0613 be delegated to the Development Management Service Manager, after consultation with the Chairman and Vice-Chairman of the Committee, and subject to completion of an appropriate Section 106 agreement.

The Committee considered report PLA938 from the Development Management Service Manager, which was presented by the Head of Development and Growth, in relation to a revised application for the development of 18 affordable dwellings at Highfield Mews, Great Gonerby. The original application had been approved in August 2011, and the current application sought to make a number of changes to the types of dwellings, which were listed in the report. The road

layout and open space provision remained the same.

The report detailed the application site and surroundings and detailed the planning history of the site, as well as the Section 106 Heads of Terms and details of other consultations which had been undertaken and comments received. It was recommended that permission be granted, as the proposals complied with national and local planning policy.

It was accordingly proposed, seconded and agreed that the revised application be approved, subject to the completion of a Section 106 agreement, and that authority be delegated to the Development Management Service Manager, in consultation with the Chairman and Vice-Chairman.

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, SPRINGFIELD ROAD, GRANTHAM

Decision:-

That the determination of S12/0806 be delegated to the Development Management Service Manager, after consultation with the Chairman and Vice-Chairman of the Committee, subject to completion of an appropriate Section 106 agreement.

The Head of Development and Growth presented report PLA939 from the Development Management Service Manager. He reminded Members that in March 2012, permission had been granted for a nursing and care home on land at Springfield Road, Grantham. The applicants had since requested certain minor alterations, which would have minimal effect on the site and its surroundings.

Details of the site and its history were set out in the report, as were details of the Section 106 Heads of Terms. It was considered that the proposals complied with national and local planning policies and that permission could be granted subject to the completion of an appropriate Section 106 agreement to secure developer contributions.

It was accordingly proposed, seconded and agreed that the revised application be approved, subject to the completion of a Section 106 agreement, and that authority be delegated to the Development Management Service Manager, in consultation with the Chairman and Vice-Chairman.

20. INFORMATION RELATING TO DEVELOPMENT CONTROL AND OTHER PLANNING ACTIVITY

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The Development Management Service Manager submitted his report PLA936 listing details of applications not determined within the eight week time period. Also submitted was a list of applications dealt with under delegated powers. A planning appeals update/summary as at 6th July 2012 and copies of appeal decisions was also submitted, together with a table showing planning applications performance as at June 2012.

The Head of Development and Growth answered queries from Members, some of whom were concerned at the number of applications in Table 1 (Applications not determined within the statutory period), which had been there for a significant period of time. Members were of the opinion that these should be weeded out and that consideration should be given to refusal, if an applicant had not complied with Committee requests. The Head of Development and Growth said that this list was under constant review via an action plan and it was intended to bring the applications forward for decision over a period of time.

21. CLOSE OF MEETING

The meeting closed at 5.27pm.