

MINUTES

DEVELOPMENT CONTROL
COMMITTEE
TUESDAY, 18 SEPTEMBER 2012



COMMITTEE MEMBERS PRESENT

Councillor Bob Adams	Councillor Charmaine Morgan
Councillor Mark Ashberry	Councillor Alan Parkin (Vice-Chairman)
Councillor Michael Cook	Councillor Helen Powell
Councillor Paul Cosham	Councillor Mrs Judy Smith
Councillor Reginald Howard	Councillor Judy Stevens
Councillor Mrs Rosemary Kaberry-Brown	Councillor Brenda A Sumner
Councillor Vic Kerr	Councillor Martin Wilkins (Chairman)
Councillor Michael King	Councillor Debbie Wren

OFFICERS

Head of Development and Growth (Mark Williets)
Development Management Service Manager (Pat Reid)
Principal Planning Officers (Kevin Cartwright and Justin Johnson)
Area Planning Officer (Nigel Bryan)
Systems Support Officer (Gavin Hutchinson)
Committee Support Officer (Malcolm Hall)
Legal and Democratic Service Manager (John Armstrong)

31. MEMBERSHIP

The Committee was notified that notices under Regulation 13 of the Local Government (Committees and Political Groups) Regulations 1990 had been received, appointing Councillor Adams for Councillor Higgs and Councillor Cosham for Councillor Adam Stokes, for this meeting only.

32. APOLOGIES

Apologies for absence were received from Councillor Jacky Smith.

33. DISCLOSURE OF INTERESTS

There were none declared.

34. MINUTES OF MEETING HELD ON 21 AUGUST 2012

The minutes of the meeting held on 18th September 2012 were accepted as a correct record of decisions taken.

(As the electronic voting system was inoperative, the voting on this minute was by a show of hands).

(The electronic voting system was in operation for all subsequent votes).

The committee recording system was out of action, and pending repairs the Chairman asked the Committee Support Officer to give information on the arrangements for the site visits to be held on 26th September. The Committee also dealt with agenda item 6, as follows:-

35. INFORMATION RELATING TO DEVELOPMENT CONTROL AND OTHER PLANNING ACTIVITY

The Development Management Service Manager submitted his report PLA946 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 31st August 2012 and copies of appeals decisions was also submitted, together with a table showing planning applications performance as at August 2012.

A Member drew attention to the backlog in the number of applications not determined, and said that action should be taken to reduce the number on the list. He suggested that the officers should look at the lists thoroughly and give applicants a deadline for the provision of outstanding information, and possibly bring some forward to a special meeting of the Committee for decisions to be made. The Development Management Service Manager said that, together with the Head of Development and Growth, he was preparing a programme for action on the lines suggested.

(Recording system in operation from part way through this minute).

36. PLANNING MATTERS

Decision:-

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

NB1

Application ref: S12/1562/FULL
Description: Erection of 3 dwellings
Location: High Lodge, Casterton Road, Stamford, Lincolnshire. PE9 2YL
Decision: Refused

Noting comments made during the public speaking session from:-

Judith Mackie - objecting on behalf of local residents

together with no objection from the Highway Authority and comments from the Consultant Tree Officer, Principal Conservation Officer, Environmental Protection and Lincolnshire Police, objections from Stamford Town Council in regard to the original and amended plans, a number of objections from nearby residents, and comments made by Members at the meeting.

(1.38pm – Councillor Wren entered the meeting).

It was proposed and seconded that the application be refused as being in contravention of Policy EN1, overdevelopment, not in keeping with the Conservation Area and also for ecological reasons, noting the presence of bats and other forms of wildlife.

The Chairman asked that the proposition be written down and submitted. This was done, and after further discussion the Chairman read a suggested reason for refusal based on that submitted by the proposer. The proposer indicated her acceptance of the varied proposition, as follows:

The application contravenes Policy EN1, in regard to the protection and enhancement of the character of the area, and because of the harm to the Conservation Area.

The Development Management Service Manager commented on the reasons which had been given, and said that some of those mentioned could not be supported by evidence, nevertheless he indicated that he considered that the Committee could make a decision without further deferral based on the reason read to the Committee. Members suggested that there should be additional reasons added to those already given to make the Council's case as strong as possible, but the Chairman pointed out that if there were reasons that could not be supported by evidence, and the officers would not be happy to defend them at any appeal, then the Council's case would be weakened.

The Chairman then read the reason for refusal to the Committee, and the proposal was then put to the vote. It was agreed that the application be refused for the following reason:-

The application contravenes Policy EN1, in regard to the protection and enhancement of the character of the area, and because of the harm to the Conservation Area.

NB2

Application ref: S12/1561/CAC

Description: Demolition of bungalow

Location: High Lodge, Casterton Road, Stamford, Lincolnshire, PE9 2YL

Decision: Refused

Noting comments made during the public speaking session from:-

Judith Mackie - objecting on behalf of local residents

together with no objection from the Highway Authority and comments from the Consultant Tree Officer, Principal Conservation Officer, Environmental Protection and Lincolnshire Police, objections from Stamford Town Council in regard to the original and amended plans, a number of objections from nearby residents, and comments made by Members at the meeting.

It was proposed and seconded that the application be refused for the same reason as application NB1. On being put to the vote, it was agreed that the application be refused for the following reason:-

The application contravenes Policy EN1, in regard to the protection and enhancement of the character of the area, and because of the harm to the Conservation Area.

(2.22pm – Councillor Adams left the meeting).

(2.25pm – Councillor Adams returned to the meeting).

KJC1

Application ref: S12/1331/MJRR

Description: Approval of reserved matters for residential development of 105 dwellings and associated garaging and infrastructure pursuant to outline Planning Permission S08/1231

Location: Poplar Farm, Barrowby Road, Grantham NG31 8AF

Decision: Deferred

Noting comments made during then public speaking session from:-

Susan Browne – objecting

together with comments from LCC Footpaths, Planning Policy, Partnerships and Projects Officer (Affordable Housing), Police Architectural Liaison Officer, Upper Witham Internal Drainage Board, Network Rail, Senior Historic Environment Officer and Lincolnshire Wildlife Trust, no objection from the Highway Agency or Great Gonerby Parish Council, comments from Barrowby Parish Council and a number of representations from nearby residents; late information report circulated to Members present at the meeting including comments from the Highway Authority, submissions from the applicants in regard to the Section 106 agreement requirements, officer comment thereon and comments from the Partnerships and Projects Officer (Affordable Housing), 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 report.

It was proposed, as an amendment, that further consideration be deferred to enable a re-design of the proposal, particularly in relation to the location of parking, garages, and front gardens of properties facing Balmoral Drive. However, the Chairman said that this could not be considered as it would negate the proposal already made, and it was not possible to consider two proposals at the same time.

(3pm – Councillor King left the meeting).

(3.27pm – Councillor Mrs Brenda Sumner left the meeting).

(3.28pm – Councillor King returned to the meeting).

The proposition was then put to the vote and lost.

It was then proposed and seconded that further consideration be deferred for further information on adoption of the estate roads, and for clarification of other issues raised during the discussion.

The Chairman suggested that the break be now taken, which would enable the proposer and seconder to write the new proposition down.

(The meeting adjourned from 3.40pm to 4pm).

(Councillor Parkin did not return to the meeting on its resumption).

(4.03pm – Councillor Ashberry returned to the meeting).

The proposer of the new proposition then read the proposal to the meeting. Further discussion then took place, during which the Development Management Service Manager and Chairman commented on the proposition and on suggested variations.

The proposition was then read again to the Committee, following which it was put to the vote. It was agreed:-

That the application be deferred for further information regarding the adoption of all roads and adequacy of parking arrangements, And for the developer to consider increasing the distance from the edge of Balmoral Drive to the front of the houses to allow additional parking.

Following a suggestion that the land in the area might be contaminated, the Chairman said that a condition could be included on any eventual approval requiring a survey and action to cover remedial works.

(4.10pm – Councillors Cook, Cosham and Adams left the meeting).

JJ1

Application ref: S12/0438/MJRF

Description: Demolition of existing retail warehouse building and erection of 10 dwellings

Location: 2A, Radcliffe Road, Stamford, Lincs

Decision: Approved subject to a Section 106 agreement and to no adverse observations from the Highway Authority

Prior to discussion taking place on this application, the Chairman gave advice in relation to speaking and voting for benefit of Members (Councillors Adams, Cosham and Wren), who had not been present at the meeting on 24th July 2012.

Noting comments from the Community Leisure Officer, objection from Stamford Town Council to the original and amended plans, comments from Planning Policy, Heritage Lincolnshire, Partnerships and Projects Officer (Affordable Housing), Crime Prevention Design Advisor and Environmental Protection, Property Services (Drainage), no objection from the Environment Agency, representations from nearby residents and objections from an agent on behalf of nearby residents, and a note of the Section 106 Heads of Terms; late information report circulated to Members present at the meeting including further comments from the Community Leisure Officer, Environmental Protection Officer, Police Crime Prevention Design Advisor and the Environment Agency, continued objections from Stamford Town Council in regard to the amended plans, additional letters from local residents and officer comment thereon,

including additional and amended conditions, together with comments made by Members at the meeting.

Several Members congratulated the officers and applicant on achieving an acceptable solution to the issues which had been raised at the previous meeting.

In response to queries from Members, the Case Officer said that whilst the Highway Authority had given an indication that there would be no objection raised to the amended plans, this had not been received in writing. It was agreed that final approval should be made subject to the Highway Authority confirming that they have no adverse observations.

During discussion on the suggested amended condition number 9, included in the late report, it was agreed that the words “or in accordance with a timetable agreed in writing with the local planning authority” in the second sentence be deleted, and the word “maintained” in the last sentence be deleted and replaced by “retained”.

It was then proposed and seconded that the application be approved, subject to the completion of a Section 106 agreement to secure developer contributions, to no adverse observations from the Highway Authority, and to the conditions and notes in the main and late reports, specifically condition 9 as amended above and to the amendment of plan number 1674-08D to 1674-08E in condition 12.

The proposal was then put to the vote and it was agreed that the application be approved, with authority delegated to the Development Management Service Manager, in consultation with the Chairman and Vice-Chairman, subject to the summary of reasons set out in the Case Officer’s circulated report, and subject to the completion of a Section 106 agreement to secure developer contributions, to no adverse observations from the Highway Authority, and subject to the conditions and notes in the main report, to include the amendments to conditions 9 and 12 as noted above and to include Conditions 16 & 17 as stated in the Late Report papers. In this case, as the agreement has not been concluded prior to the Committee, a period not exceeding 6 weeks post the date of the Committee shall be set for the completion (including signing) of the agreement. In the event that the agreement has not been concluded within the 6 week period, and where in the opinion of the Development Management Service Manager acting in consultation with the Chairman/Vice-Chairman of the Committee there are no extenuating circumstances which would justify a further extension of time, the related planning application shall be refused on the basis that the necessary infrastructure or community contributions essential to make what would otherwise be unacceptable development acceptable have not been forthcoming.

37. CLOSE OF MEETING

The meeting closed at 4.45pm