

Applicant	Mrs Helen Broadhurst - David Wilson Homes and, Trustees of the Buckminster NO.3A Trust Wilson House, 2, Orchard Place, Nottingham Business Park, Nottingham, Notts, NG8 6PX
Agent	Mrs Helen Broadhurst, David Wilson Homes North Midlands Wilson House, 2, Orchard Place, Nottingham Business Park, Nottingham, Notts, NG8 6PX
Proposal	Construction of 99 no. dwellings (including 13 no. affordable dwellings) and associated garaging
Location	Poplar Farm, Barrowby Road, Grantham, NG31 8AF
App Type	Major RM (Residential)
Parish(es)	Grantham
Reason for Referral to Committee	Likely to Cause Wider Concern
Recommendation Summary	<p>This is a reserved matters application for the construction of 99 dwellings, garaging and associated infrastructure pursuant to outline planning permission S08/1231. The area of the development is approximately 3 hectares and is located within Parcel D (phase 1) as set out by the approved phasing plan that forms part of the outline planning permission.</p> <p>The development site is located within the Northwest Quadrant Urban Extension site.</p> <p>As such the proposal is considered to accord with national guidance contained in the National Planning Policy Framework Section 6 Delivering a wide choice of quality homes, Section 7 Requiring good design and Section 11 Conserving and enhancing the natural environment. Policy H2A, H3, SP1, SP3, and EN1 of the adopted Core Strategy and draft Grantham Area Action Plan (GAAP) policy NWQ1.</p> <p>Whilst concerns have been raised in relation to highway safety, residential amenity, visual amenity and drainage they are not considered to outweigh the policies referred to above.</p>

Key Issues

- Compliance with Outline Planning Permission
- Highway Safety
- Residential Amenity
- Visual Amenity

Technical Documents Submitted with the Application

- Building for Life Assessment
- Street Scene Plan
- Water Vole Mitigation Strategy
- Reptile Survey Report
- Great Crested Newt Survey
- Badger Survey Report

REPORT

Application Category

This application is categorised as a major application

Reasons for Referral to Committee

Likely to cause wider concern.

The Proposal

The application is the submission of reserved matters pursuant to the grant of outline planning permission (Planning Ref: S08/1231).

The outline planning permission granted a mixed use urban extension comprising up to 1800 dwellings, community facilities, associated open space, new road and associated bridge over the railway.

This application provides the detail of 99 dwellings.

The number of affordable units was originally proposed to be 15 shared ownership properties. This has been amended to 13 units of which nine would be shared ownership and 4 would be rented. This is to more readily reflect the identified need for affordable units in Grantham.

In accordance with the design code element of the master plan approved as part of the outline planning permission the scheme proposes a mix of properties up to two and half storeys.

The application site and its surroundings

The application site forms part of the larger 68 hectares site which extends from the roundabout adjacent to Asda to the field immediately to the west of the Muddle Go Nowhere public house.

The area of the development is approximately 3.2 hectares and is located within Parcel H (phase 1) as set out by the approved phasing plan that forms part of the outline planning permission. The overall density for the development would be 32 dwellings per hectare.

Relevant Site History

SK35/0253/88: Outline – residential development, neighbourhood centre, health and education facilities, public open space, roads and other facilities. Approved 12/3/1990.

SK35/0777/88: Outline – residential. Approved 12/3/1990.

SK0986/90: Reserved Matters – residential. Approved 20/11/1990

SK94/0347: Outline – development without complying with Condition 1 of SK35/0777/88. Approved 10/5/1994.

S99/1248: Outline – Residential development. Withdrawn 26/6/2003.

S02/0154: Outline – Residential, Local centre, School, POS, Roads and Bridge. Withdrawn 15/10/2007.

S08/1231 – Outline Planning Permission was granted for the A mixed use urban extension comprising up to 1800 dwellings, community facilities, (including a primary school, community centre, retail use classes A1, A2, A3 & A5, doctor's surgery and elderly person's accommodation) and associated open space (including new playing fields, facilities and changing rooms, children's play areas, informal networks of open space and allotments) and a new road and a new road bridge to complete the Pennine Way Link on 23 June 2011.

This application before you is a submission of reserved matters pursuant to the outline planning permission.

S11/1667 - Approval of details required by Conditions 3 (master plan/design code), 4 (school, community facilities'), 5 (phasing plan) & 10 (landscaping) of S08/1231 – was granted approval on 18th November 2011.

S12/1468 – Reserved matters application for the construction of 99 dwellings (including 15 no. affordable dwellings and associated garaging) – current application.

S12/1502 – Approval of details required by conditions 11-landscaping, 17-Strategic Surface Water Regulation System and 33-Overland Flows of planning permission S08/1231 – current application.

S12/1503 – Approval of details reserved by conditions 6 & 13 (Programme of Development), 20 (Protected Species Activity) & 35 (Archaeological Statement) of S08/1231 – current application.

S12/1331- Reserved matters application for 105 dwellings. Current planning application at the time of drafting this report.

Policy Considerations

National Planning Policy Framework

Section 6 – Delivering a wide choice of high quality homes

Section 7 – Requiring good design

Section 11 – Conserving and Enhancing the natural environment

South Kesteven Core Strategy

Policy SP1 – Sustainable Communities

Policy H2A – North West Quadrant

Policy EN1 – Protection and Enhancement of the Character of the District

Policy EN4 – Sustainable Construction and Design

Draft Grantham Area Action Plan

Policy NWQ1 – North West Quadrant

Regional Spatial Strategy

Policy 2: Promoting better Design

Policy13: Regional Housing Provision

Policy 14: Regional Priorities for Affordable Housing

Policy 29: Priorities for Enhancing the Region's Biodiversity

Policy 42: A Regional Approach to Water Resources and Water Quality

Policy 35: A Regional Approach to managing Flood Risk

Policy 37: Regional Priorities for Waste Management
Policy 38: Regional priorities for Energy Reduction and Efficiency
Policy 44: A regional Approach to Traffic Growth Reduction
Policy 45: A Regional Approach to Behavioural Change
Policy 47: Regional Car Parking Standards

Representations Received

Partnerships Project Officer

Initial Comments

I would respond to the affordable housing requirements as follows:-

The S.106 requires that from the first 246 residential units on the site 54 (22%) affordable units will be provided. The above proposal seeks permission to develop 99 residential units of which 15 (15%) are proposed as affordable housing units. There is provision within a previous application for 105 residential units to provide 15 affordable units on another site (therefore total would be 30 units affordable housing provision on two sites of a total of 204 units). This would leave a requirement for 24 affordable units from the remaining 42 residential units.

The proposals does not specify the tenure of the affordable units. The requirements are that the tenure of the affordable units should be 60% rented and 40% shared ownership. The previous application provided all 15 affordable units as shared ownership. This leaves a maximum of 7 units could be provided as shared ownership with the remaining units all as rented.

The proposal provides 8 x two bedroom houses and 7 x three bedroom houses on two locations on the edge of the proposed development.

The developer will also need to have regard and liaise with the Council and Registered Provider (housing association) on the following:-

- The proposed tenure of the affordable housing to be agreed in writing between the council and the registered housing provider as a minimum 60% should be provided as rented. (RP).
- The affordable housing to be made available to one of the Council's preferred registered housing provider (RHP) partners and choice of partner to be agreed in writing with the council. The RP will be required to enter into nomination agreements with the council for both the social rented and any shared ownership accommodation.
- The design requirements should ensure the creation of mixed, integrated communities and particularly that the affordable housing should not be distinguishable from the market housing on the site in terms of build quality, materials, details, level of amenity space and privacy
- All social rented and shared ownership housing must be built to meet relevant Home and Communities Agency (HCA) standards and to meet the appropriate level of Code for Sustainable Homes pertaining at the commencement of the development unless otherwise agreed in writing with the Council.
- The consideration of the affordable housing units to be offered for sale to a RHP shall be market value of the affordable housing units to be transferred but making due allowance for its restricted use for the provision of affordable housing units. (Please note as this is a planning gain site there will be no HCA grant funding for the affordable housing units).

Final Comments

With reference to the above I can confirm that the proposed changes of tenure as outlined below are acceptable for the first stages of development on the Poplar Farm site. The Council has been co-operating with the developers and have been flexible in agreeing this level of affordable housing and tenure in order to assist with the commencement of the first phases of this development. The proposals are as follows:-

Bellway Homes 13 affordable housing units of which 10 will be shared ownership and 3 x 3 bedroom properties for rent,

David Wilson Homes 13 affordable housing units of which 9 will be shared ownership and 4 properties for rent.

This will provide 26 of the 54 affordable housing units required by the S.106 on the completion of 246 units on Poplar Farm.

Public Rights of Way Officer

I have no comments to make regarding this application.

Crime Prevention Design Advisor

With reference to your recent correspondence I have studied the said plans and would request that due regard be given to the following points in the interest of crime reduction and community safety.

Boundary

All rear gardens should be secured with a robust fence or wall without footholds, to a minimum height of 1800mm. The rails to the timber fence should face the garden.

Rear Access Footpaths

Any footpath serving the rear of a maximum of two dwellings should be gated within 300 mm of the face of the dwelling. This would reduce access and reduce the opportunity of criminal activity.

Lighting

Before this development is brought into use it should be provided with lighting in accordance with details to be submitted to and approved in writing by the local planning authority.

Landscaping

Any landscaping should be kept to a maximum growth height of 1 metre. Whilst any tree should be pruned to a minimum height of 2 metres, thereby maintaining a clear field of vision around the development. Trees when fully grown should not mask any lighting columns or become climbing aids.

Highways Agency

Offers no objection.

Planning Policy

The application site which is designated under Core Strategy Policy H2A.

Policy H2A states that the detailed site boundaries and broad distribution of land uses are to be defined through the Grantham Area Action Plan (GAAP). The information submitted is broadly in compliance with the information contained in the Submission Draft GAAP Policy NWQ1 and is therefore compliant with this policy area.

Overall the information submitted is broadly compliant with policy.

Lincolnshire Wildlife Trust

We strongly support the proposed habitat enhancements within the wider development site, through creation of the central landscape strip to provide foraging habitat for badgers, waterbodies which should benefit reptiles and amphibians, and enhancement of the Running Furrows drain for water voles. We would recommend that the soft landscaping plan includes a majority of native species of trees and shrubs, preferably of local provenance. These will have greater benefits for biodiversity, have lower maintenance requirements and will help the development to blend in better with the wider countryside.

We would also recommend that consideration is given to the provision of bat roosting and bird nesting features within the development. Where possible these should include permanent bat roost units or access tiles built into suitable buildings or swift boxes built under the eaves. Nesting features could also be included for other declining birds such as swallow and house sparrow. Recommended levels of roost and nest provision can be found in 'Biodiversity for Low and Zero Carbon Buildings: A Technical Guide for New Build', Dr Carol Williams, 2010, RIBA Publishing.

Please note that the Lincolnshire Wildlife Trust has adopted a new strategic approach to the way in which we engage with the planning system. Your Authority was informed of this change in approach in a letter dated 1 June 2012 to Mark Williets, Head of Development and Growth. We hope that you and your colleagues have been informed of this change. If not, a copy of a statement defining the Trust's position is attached for your information.

In line with the attached statement, we will continue to provide comments on applications which may have impacts on statutory or non-statutory designated sites (including Sites of Nature Conservation Importance (SNCl)s and Local Wildlife Sites (LWSs)) and un-designated sites which meet the LWS criteria, those which may have implications for the Trust's Living Landscape areas, or developments which may be able to contribute positively to biodiversity.

Great Gonerby Parish Council

Great Gonerby parish Council wish to make the following objections:

Council object to any further large scale development on this site as it will place further traffic pressure and congestion on Barrowby Road "Asda" roundabout, inner relief road and Wharf Road causing congestion for rural villages such as Great Gonerby using Grantham as a shopping and social centre. The Pennine Way link road and bridge would afford some relief at the "Asda" roundabout and must be done first, giving consideration to the effect this will have on the B1174/Belton lane Great Gonerby junction which will need major improvements to cope with the extra traffic. Consideration should also be given to a railway platform with waiting room and car parking when building progresses nearer to the railway line.

Natural England

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

Protected species

It is noted that a survey for European Protected Species (great crested newts) has been undertaken in support of this proposal. Natural England does not object to the proposed development. On the basis of the information available to us, our advice is that the proposed development would be unlikely to affect a European Protected Species.

We also note that surveys have been undertaken for badger, water vole and reptiles; all have been recorded on site. Provided that the mitigation measures proposed by FPCR in each of the separate survey reports are carried out, Natural England is satisfied that there will be no adverse impact upon these species as a result of the development.

However, one point of clarification that we wish your authority to consider is the retention of condition 20 with the overall outline planning permission (S08/1231). This current application is seeking to approve reserved matters on parcel D of the granted outline site as well as discharge a number of planning conditions (including condition 20). Should your authority discharge condition 20 as part of this application, we would be concerned about the driver for ensuring that protected species surveys are undertaken prior to the development of each land parcel. For example, badgers have already expanded their range across the site since 2008 – this illustrates the need for up to date survey work to inform up to date mitigation (which could include EPS licenses) on each land parcel.

We therefore advise that outside of our wider non-objection to the development within parcel D, your authority does not discharge condition 20 until the final land parcel has been developed (which could be a number of years away).

Natural England Standing Advice is available on our website to help local planning authorities better understand the impact of development on protected or BAP species should they be identified as an issue for particular developments. This also sets out, when, following receipt of survey information, the authority should undertake further consultation with Natural England.

Local landscape

Natural England does not hold information on local landscape character; however the impact of this proposal on local landscape character (if any) is a material consideration when determining this application. Your authority should therefore ensure that it has had regard to any local landscape character assessment as may be appropriate, and assessed the impacts of this development (if any) as part of the determination process.

Biodiversity enhancements

This application may provide opportunities to incorporate features into the design which are beneficial to wildlife, such as the incorporation of roosting opportunities for bats or the installation of bird nest boxes. The authority should consider securing measures to enhance the biodiversity of the site from the applicant, if it is minded to grant permission for this application. This is in accordance with Paragraph 118 of the NPPF. Additionally, we would draw your attention to Section 40 of the Natural Environment and Rural Communities Act (2006) which states that 'Every public

authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity'. Section 40(3) of the same Act also states that 'conserving biodiversity includes, in relation to a living organism or type of habitat, restoring or enhancing a population or habitat'.

Biodiversity 2020: A strategy for England's wildlife and ecosystem services and Making Space for Nature (2010) also provide strong drivers for the inclusion of biodiversity enhancements through the planning process.

Anglian Water Services

It is understood that this application relates to a part of the wider development site. The reserved matters for which consent is being sought includes the SUDS feature to serve the first two phases of housing on plots D and H (west).

We have previously commented on the discharge of conditions for S12/1502, relating to S12/1231 in which we noted that surface water is to be disposed of in accordance with rates stipulated by the Internal Drainage Board and The Environment Agency. This aspect is outside Anglian Waters jurisdiction and therefore we will have no comments to make as to whether the discharge of these conditions is appropriate, the views of the IDB and the EA will be required in this instance.

In addition, in our previous response we noted that the drainage strategy for the site has been agreed and the submissions have been received from the developers under section 104 of the Water Industry Act 1991. However this process is still in its infancy and therefore it is recommended that condition 17, relating to the foul and surface water drainage strategy for the whole site, remains in place.

Conservation Officer

No observations

Network Rail

With reference to the protection of the railway, Network Rail has no objection in principle to the development, but below are some requirements which must be met. Whilst we recognise the development is some distance from the railway there are two key areas that are still of interest to us.

As part of the S106 Agreement for this site the landowners have an obligation on them to use reasonable endeavours to negotiate with Network Rail for the bridge easement they require. Network Rail has been actively trying to reach such agreement so that the landowners can fulfil their s106 obligations but to date no agreement is forthcoming. However, negotiations continue.

Drainage

We assume that a comprehensive drainage strategy will evolve as part of the overall development. In the absence of further information the following must apply.

All surface and foul water arising from the proposed works must be collected and diverted away from Network Rail property. In the absence of detailed plans all soakaways must be located so as to discharge away from the railway infrastructure. The following points need to be addressed:

1. There should be no increase to average or peak flows of surface water run off leading towards Network Rail assets, including earthworks, bridges and culverts.

2. All surface water run off and sewage effluent should be handled in accordance with Local Council and Water Company regulations.
3. Attenuation should be included as necessary to protect the existing surface water drainage systems from any increase in average or peak loadings due to normal and extreme rainfall events.

Network Rail is required to recover all reasonable costs associated with facilitating these works.

I would advise that in particular the drainage should be the subject of a condition, the reasons for which can include the safety, operational needs and integrity of the railway. For the other matters we would be pleased if an informative could be attached to the decision notice.

I trust full cognisance will be taken in respect of these comments. If you have any further queries or require clarification of any aspects, please do not hesitate to contact myself I would also be grateful if you could inform me of the outcome of this application, forwarding a copy of the Decision Notice to me in due course.

Senior Historic Environment Officer (Archaeology)

This application doesn't affect the area of archaeological interest therefore no archaeological work required for this application.

Upper Witham IDB

It is noted that the application does not include any drainage details, however the Board is aware that this site has been allowed for in the drainage scheme designed by JMP on behalf of the land owners.

All drainage routes through the Site should be maintained both during the works on Site and after completion of the works. Provisions should be made to ensure that upstream and downstream riparian owners and those areas that are presently served by any drainage routes passing through or adjacent to the Site are not adversely affected by the development.

Drainage routes shall include all methods by which water may be transferred through the Site and shall include such systems as "ridge and furrow" and "overland flows". The effect of raising Site levels on adjacent property must be carefully considered and measures taken to negate influences must be approved by the Local Planning Authority.

Reason: To prevent an increase in the risk of flooding and/or waterlogging on adjacent property.

The Board's comments have been made following receipt of information through the planning process. The Board would wish to be re-consulted should the details of the application change, more details become available and/or when future applications are submitted for this site.

Arboricultural Consultant

No tree survey appears to be available to accompany this application. If you feel that significant trees, shrubs and hedgerows are growing inside or just adjacent to the site boundaries then a tree survey should be provided to meet the requirements of Section 197 of the Town and Country Planning Act 1990.

(Officer comment: there are no trees hedges affected by this proposal).

Representations as a result of Publicity

The application has been advertised in accordance with the adopted statement of community involvement. 9 letters of objection have been received. A summary of their main concerns are listed below:

- highway disruption from construction traffic particularly at the roundabout as this is the only access to our homes
- concern if a rat run is created. Dangerous for children
- impact on resources. 99 families will require medical, education and retail and leisure provision
- road network is already at capacity
- will emergency service be able to access the site
- utilities are already at capacity
- is there a need for the additional homes?
- the link road to Gonerby should be completed in conjunction with any new homes
- increased air pollution from increased traffic
- impact on house values (not a material consideration)
- Grantham needs more economic/employment before any additional housing
- occupiers will have to travel elsewhere for services
- should develop existing brownfield sites ahead of greenfield which would also enhance the appearance of parts of Grantham
- will produce a dominant and oppressive environment for existing residents currently living in close proximity
- streets do not appear to be pedestrian and cycle friendly
- if the cycle pedestrian route is taken through the allotments there will be a loss of privacy for the allotment holders, increase in litter nuisance, noise, theft and damage to crops, flora and wildlife
- there is an effective cycle route along Barrowby Road to the town
- providing a safe network of footpaths, cycleways through the wider development to the town centre must be given higher priority as these phases of development are staged and commence
- the road link and bridge should be constructed now to avoid the same situation as the previously occurred with the developer building 345 homes then declaring bankruptcy and not constructing the bridge.
- SKDC has a duty to protect the open space
- the site floods on a regular basis
- there are no homeless people requiring 4 bedroom executive homes
- there is no housing shortage – there are a number of homes for sale on the Barrowby Lodge Estate. The homes are not required and the development is totally unnecessary
- the best views in Grantham will be lost (right to a view is not a material consideration)

Comments from managers nearby company

- the noisier activities at our company will be likely to result in noise and disturbance to the future occupiers
- it is inappropriate to have residential dwellings in close proximity to a large production facility where families could be exposed to risk of accident
- despite our best endeavours we would also raise the issue of our site creating a potential nuisance in terms of noise/traffic/machinery/process emissions, water vapour from condensers and smells to future occupiers
- our company is a large employer, by allowing the proposed development it may be placing those jobs at considerable risk.

Applicants Submission

Fit with the Section 106 Agreement

The overall Section 106 package was concluded after a long negotiation between land owners. SKDC officer and SKDC's consultants CGMS and NBS. With regard to affordable homes on the site the following was agreed as the basis for the Section 106 agreement:

Affordable Housing

Affordable Housing to be provided	54 for the first 300 units
Affordable Housing to be provided	60 for 301-600 units
Affordable housing to be provided	288 for 601-1,800 units

i.e. a total of 402 units phased throughout the development at an average rate of 22.33% but stepping up over the course of the development.

Following the resolution to grant consent the section 106 was drafted and signed. With regard to affordable housing the relevant clauses are:

More than 246 (two hundred and forty six) Dwellings before EITHER the transfer to a Registered Social Landlord agreed by the Council or to the Council of Affordable Housing Land for the provision of 54 (Fifty Four) Affordable Housing Units OR entering into a Contract with the Council or a Registered Social Landlord agreed by the Council for the construction of 54 Affordable Housing Units on the Affordable Housing Land PROVIDED THAT if at any time after the Certification of 235 Dwellings the Owners having used reasonable endeavours to find a Registered Social Landlord willing to accept an offer in accordance with paragraph I of Part I of this Schedule for transfer of 54 Affordable Housing Units or Affordable Housing Land therefore, have found no Registered Social Landlord so willing for all or part thereof the Owners shall offer in writing to transfer to the Council in accordance with sub paragraphs 1.2 and 1.3 of this part of this Schedule the Affordable Housing Units or the Affordable Housing Land for which no Registered Social Landlord so willing has been found and, if the offer has not been accepted in writing by the Council within two calendar months of the offer the Owners' obligation in this paragraph shall be deemed to have been fully discharged.

The Section 106 requires in the Third schedule, Part 1, clause 3 that: "The Affordable Housing Scheme is to be agreed in writing with the Council in terms of the location, tenure, size, type and mix to meet local housing need and neither party is to withhold consent unreasonably"

(Officer Comments: It would have been clearer if the Section 106 stated that 'The owner shall not permit the Certification more than 246 market dwellings before either the transfer of 54 affordable housing units. Nevertheless it is clear that the intention of both parties was that of the first 300 units 54 (18%) should be affordable split 60/40 rented I shared ownership, (32 and 22).)

The proposed for the first 204 units is therefore a total of 26 affordable units leaving 28 to be delivered within the next phase at Poplar Farm of 96 units. This ratio of 28 units within the next 96 will result in a good mix of private and social housing. The current affordable housing proposals are therefore fully compliant with the letter of the Section 106 agreement as the trigger levels are all met.

The rationale for the current proposals

The whole subject of central government encouraging employment and economic growth through new house building is very topical at the moment. The Government's announcements encourage and require local authorities to work with land owners and developers to ensure that schemes are viable and that new housing can commence as soon as possible.

The current housing and mortgage market difficulties are not conducive to investing in the new large housing projects. Low house prices and low rates of sale mean starting large new developments can be difficult. Nevertheless these first two phases of development at Poplar Farm will be the first major new housing schemes to start in Grantham in the last four years.

Having obtained outline planning permission, the land owner is selling the site on a phased basis and this parcel represents one such phase. Our intention is to complete the purchase following the receipt of reserved matters approval. Discussions with the landowner reveal a desire to kick-start the overall development by reducing the initial infrastructure burden and seek a reasonable financial return. The offer of 4 social rented units and the reduction of affordable units in this phase to 13 is seen to be reasonable solution.

Like any large new housing scheme the costs of opening up the site for development are significant: high upfront costs of providing utilities and drainage for the first phases, over 11 hectares of open space to be provided etc. These costs amount to some £3.5m the infrastructure provided will also serve the later phases of development making the next phases easier to bring forward. Again the slight reduction in affordable housing within this phase is seen as a good compromise.

In conclusion:

It is our opinion that our current affordable housing proposals are compliant with the Section 106 agreement.

The project will 'kick start' a major housing development for Grantham providing benefits of affordable housing, public open space and other contributions in line with the S106 agreement. Also new jobs will be created in the locality by the construction works and the New Homes Bonus of several hundred thousand pounds will be received by SKDC.

And given central government's recently announced major housing and planning package, requiring local authorities and developers to work together to get new housing started, the project is ideally situated to response to this.

(Officer comment: the reference to 204 units relates to this application for 99 units and planning application S12/1331 – for 105 units).

Officer Evaluation

The main issues for consideration in relation to this application are compliance with the outline planning permission, compliance with policy, highway safety, residential amenity, visual amenity and drainage.

Compliance with Outline Planning Permission (S08/1231)

The principle of development of the site is established by the grant of outline planning permission S08/1231. This submission of reserved matters has been assessed and is considered to accord with the outline planning permission, design and access statement and the associated approved design code.

The scheme would adopt the principle of connected grid of streets and blocks to promote pedestrian permeability. The shape of the application limits the ability to achieve a complete grid pattern. Nonetheless the road hierarchy and footpaths would ensure good movement within the site.

Highway Safety

It is accepted that there are surrounding road network capacity issues. However, this matter was considered as part of the grant of outline planning permission. It was accepted that in order for the development as a whole to function there is a need for a highway link over the railway. The overall delivery of the link road is controlled via the Section 106 agreement associated with outline planning permission S08/1231, and a planning condition of that permission requires the railway bridge to be completed before 751 dwellings are certified complete.

Whilst the development would clearly generate additional trips which will feed into the existing network, it is considered that any burden that the proposed development would place on the existing network would not be so severe as to present any specific issues in relation to highway safety and is acceptable until such time as the link road is completed. The local highway authority has not raised any concern in relation to highway safety, capacity or parking provision.

Residential Amenity

The nearest existing residential properties to the proposed development are those currently on Barrowby Road. They would be separated from the application site by Barrowby Road. It is considered that there would be sufficient separation distances between the existing properties and the proposed development to ensure that there would not be any significant loss of amenity via overlooking/loss of privacy or overshadowing. The separation distance between the boundary of the proposed development and the existing residential properties is approximately 31 metres at the closest point.

The existing public house would be approximately 16 metres from the nearest proposed dwellings. It is considered that this separation distance is sufficient to ensure that the future occupiers of the property would not experience any significant noise and disturbance from the operation of the public house.

Visual Amenity

An assessment of the visual impact of this development (which is part of the wider site encompassed by outline planning permission S08/1231) was considered at the outline stage. This included both impact on the landscape and surrounding area and heritage assets.

The layout of the site is driven by the need to promote free movement around the site and between the development blocks within the site. Each block would be surrounded by a circulation road/private drive allowing movement to the next. There would be a mix of house types up to two and a half storeys with feature buildings at corner locations.

It is considered that the layout and design of the development would be in keeping with the character and appearance of the area and can be seen as a logical extension and infilling around existing public house and a logical extension to the existing residential development off Balmoral Drive and Barrowby Road.

Drainage

The strategic drainage for the site and the wider area would be provided via a series of balancing lagoons within the adjacent landscape corridor which runs adjacent to the site to the north and beyond to serve the future phases.

The drainage scheme is the subject of a separate planning application (S12/1502).

Whilst it is noted that the requests for additional drainage conditions have been made, it is unreasonable to attach further drainage conditions as part of this reserved matters application as drainage matters are already controlled by the requirements of the outline permission.

Other Matters

Current Government Advice

Developer contributions, in particular affordable housing, are a very topical area. A recent Ministerial Statement, on 3rd July announced additional measures to support the delivery of sustainable development. The measures include the ability to renegotiate non-viable S106 agreements.

Of relevance to the determination of this reserved matters application is the commentary of Rt Hon Eric Pickles MP in relation to "Reducing the cumulative burden of red tape".

He states:

"It is vital that the affordable housing element of Section 106 agreements is negotiated during different economic conditions is not allowed to undermine the viability of sites and prevent the construction of new housing. This results in no development, no regeneration and no community benefits at all when agreements are no longer economically viable.

The Government estimates that up to 75,000 new homes are currently stalled due to site viability. S106 is an important tool to provide affordable housing and we welcome the flexible approach that many councils have taken to renegotiating these agreements where necessary".

Whilst the level of affordable housing provision proposed does not comply with the requirements of the S106 pro rata. It must be remembered that this is only part of the initial phase. The requirements of the S106 agreement can still be fulfilled by the later reserved matters submissions.

In relation to affordable housing the S106 requires:

54 affordable units shall be provided before completion of 246 units.

This scheme provides 13 affordable units of the 99 dwellings proposed.

Taking into consideration the current economic climate, the comments from the developer, the commentary from Rt Hon Eric Pickles and the fact that the future phases of the development will permit the remaining balance of affordable units to be provided it is considered that the affordable housing provision is acceptable.

Section 106 Heads of Terms

The application is a submission of reserved matters pursuant to outline planning permission S08/1231. There is a legal agreement that accompanies the outline planning permission which secures a comprehensive package of developer contributions which include open space, education, primary care, sports pitches, highway improvements, allotments and affordable housing.

Further developer contributions cannot be sought at reserved matters stage.

Crime and Disorder Implications

The development raises no significant crime and disorder implications

Human Rights Implications

Articles 6 (Right to fair decision making) and Article 8 (Right to private family life and home) of the Human Rights Act have been taken into account in making this recommendation.

It is considered that no relevant Article of that act will be breached.

Recommendation

That the development be approved subject to condition(s)

SUMMARY OF REASON(S) FOR APPROVAL

This is a reserved matters application for the construction of 99 dwellings, garaging and associated infrastructure pursuant to outline planning permission S08/1231. The area of the development is approximately 3 hectares and is located within Parcel D (phase 1) as set out by the approved phasing plan that forms part of the outline planning permission.

The development site is located within the Northwest Quadrant Urban Extension site.

As such the proposal is considered to accord with national guidance contained in the National Planning Policy Framework Section 6 Delivering a wide choice of quality homes, Section 7 Requiring good design and Section 11 Conserving and enhancing the natural environment. Policy H2A, H3, SP1, SP3, and EN1 of the adopted Core Strategy and draft Grantham Area Action Plan (GAAP) policy NWQ1.

Whilst concerns have been raised in relation to highway safety, residential amenity, visual amenity and drainage they are not considered to outweigh the policies referred to above.

RECOMMENDATION: That the development be Approved subject to condition(s)

1. The development hereby permitted shall be carried out in accordance with the approved materials schedule Drwg No. H5523/102 received by the local planning authority on 13th June 2012.

Reason: In the interests of visual amenity and to ensure a satisfactory form of development.

2. all soft landscaping works shall be carried out in accordance with the approved landscaping plans: Bir.4033_01, Bir.4033_02 and Bir.4033_03.

Reason: In the interests of visual amenity and to ensure a satisfactory form of development.

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

House type plans and elevations - P206, P382, P341, P332, T322, H404, H433, H455, H408, H469, H421, H426 and H500. Garage Plans Single garage GH1A, Double Garage GH2A and Double Garage GH2C. Boundary Treatment Details - Brick Wall - Drwg No. SD14-

014 and Close Boarded Fence Drg No. SD14-015.

Location Plan Drg No. H5523:02, Planning Layout Drg No. H5523/101 Rev E and Streetscenes Drg No. H5523/05.

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

4. The finish floor levels of the development hereby permitted shall be in accordance with the approved Domestic Drainage Layout Plan Drg No. JN 1242-NWK-011.

Reason: In the interests of visual amenity and to ensure a satisfactory form of development.

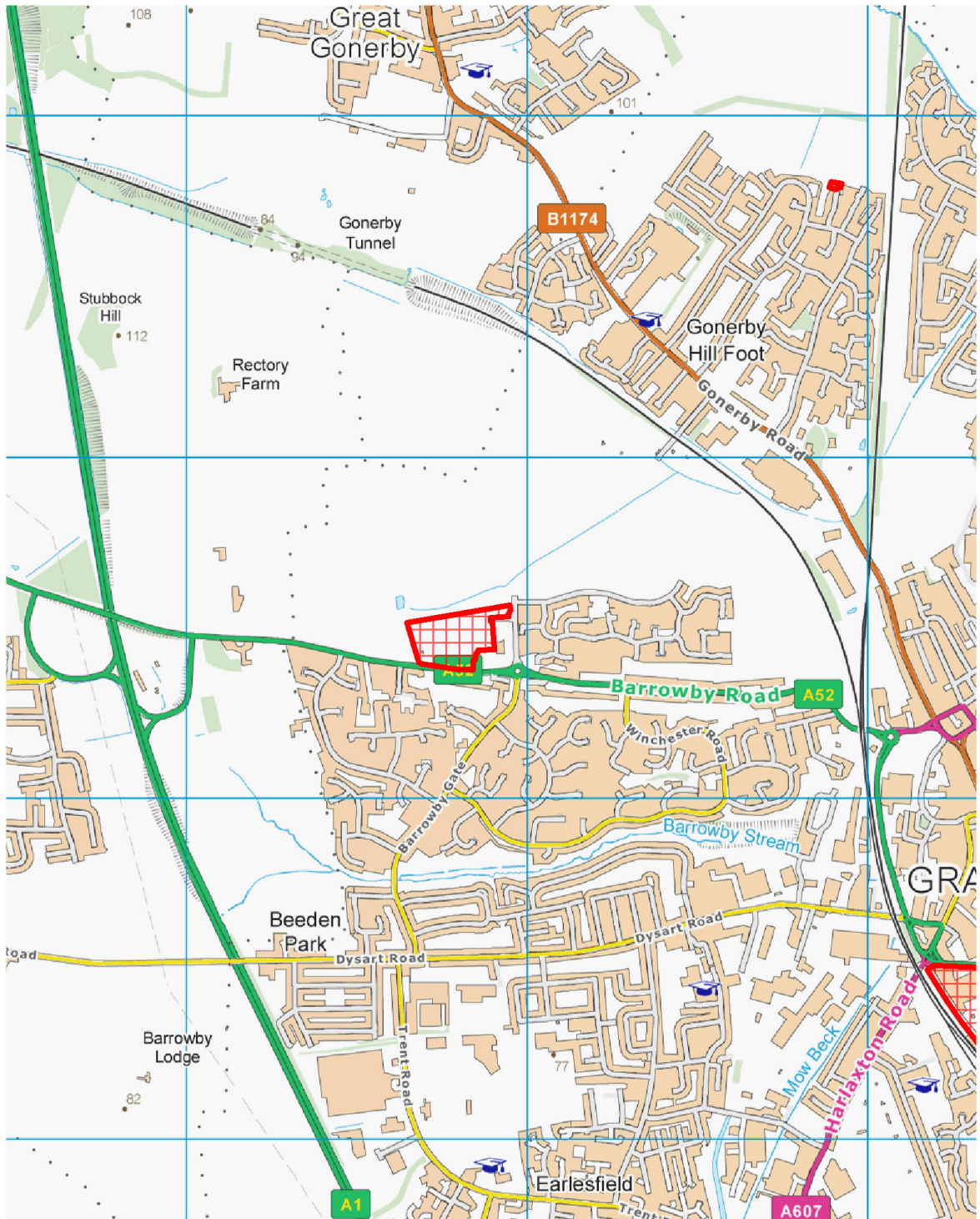
5. Prior to the commencement of the development a scheme shall be submitted to and agreed in writing by the District Planning Authority for the location of bat and bird boxes to encourage wildlfie development. The agreed scheme shall be implemented prior to the completion of the development.

Reason: To encourage additional biodiversity within the development.

* * * * *

Site Location Plan

Ref	S12/1468
Proposal	Construction of 99 no. dwellings (including 13 no. affordable dwellings) and associated garaging
Location	Poplar Farm, Barrowby Road, Grantham, NG31 8AF



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Applicant	Mr Paul Wheatley, Lincolnshire County Council City Hall, Beaumont Fee, Lincoln, LN1 1DF
Agent	Mr Nick Greenwood, Mouchel Mouchel, Mill House, Brayford Wharf North, Lincoln, LN1 1YT
Proposal	Business Incubation Centre, Plot 6, Approval of Reserved Matters Pursuant of Outline Planning Permission
Location	Grantham Station Approach, between Grantham Railway Station and Wharf Road, Grantham
App Type	Major RM (Non-residential)
Parish(es)	Grantham
Reason for Referral to Committee	The application has been referred to the Development Control Committee because the application relates to a major project that is likely to cause wider concern.
Recommendation Summary	<p>The proposal is considered to be an acceptable form of development that would represent an important opportunity to regenerate the Station Approach area of Grantham and show commitment towards Grantham's Growth Point Status. The proposal is considered to accord with the thrust of national policy contained in the NPPF Building a strong, competitive economy, Ensuring the vitality of town centres, Promoting sustainable transport, Requiring Good Design, Meeting the challenge of climate change, flooding and coastal change, Conserving and enhancing the natural environment, Conserving and enhancing the historic environment, Regional Guidance contained in Policy 1 - Regional Core Objectives, Policy 2 - Promoting Better Design, Policy 3 - Distribution of New Development, Policy 4 - Development in the Eastern Sub area, Policy 13a - Regional Housing provision, Policy 14 - Regional Priorities for affordable housing, Policy 18 - Regional Priorities for the economy, Policy 22 - Regional Priorities for Town Centres and Retail Development, Policy 26 - Protecting and Enhancing the Region's Natural and Cultural Heritage, Policy 27 - Regional Priorities for the Historic Environment, Policy 32 - A Regional Approach to Water Resources and Water Quality, Policy 35 - A Regional Approach to Managing Flood Risk, Policy 48 - Regional Car Parking Standards and local guidance contained in policies SP1 - Spatial Strategy, SP3 - Sustainable Integrated Transport, SP4 - Developer Contributions, EN1 - Protection and Enhancement of the Character of the District, EN2 - Reducing the Risk of Flood Risk, EN4 - Sustainable Construction and Design, H1 - Residential Development H3 - Affordable Housing, E1 - Employment Development, E2 - Town Centre and Retail Development, the Station Approach Development Brief - Adopted October 2010, and the emerging Grantham Area Action Plan.</p> <p>The proposed building is considered to accord with outline planning permission S12/1720. It is considered that the building would be a focal point and provide an active frontage along Wharf Road and would not have any significant detrimental effect on the character and appearance of the street scene or surrounding area as a whole.</p>

	<p>The separation distances and disposition of buildings is such that the amenities of neighbouring occupiers would not be significantly affected.</p> <p>As such it is considered that there are no material planning considerations that would outweigh the policies referred to above to justify a refusal of planning permission.</p>
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Key Issues

- Compliance with Outline Planning
- Visual amenity/Impact on street scene
- Impact on the Occupiers of Neighbouring Properties

Technical Documents Submitted with the Application

- Design and Access Statement

REPORT

Application Category

This application is categorised as a major development.

Reason for Referral to Committee

The application has been referred to the Development Control Committee because the application relates to a major project that is likely to cause wider concern.

The Proposal

This application is a reserved matters application pursuant to the outline planning permission (S12/1720) granted on 3rd September 2012. It proposes the construction of a BIC (Business Incubation Centre) to provide accommodation/space for existing and new start up businesses.

The proposal would have a footprint of 842 m² and give a total gross floor area of 3,228m² over four floors. The building would have a dog leg form enclosing a courtyard to the rear. Access to this courtyard will be via a new road of Grantley Street. The proposal would have two entrances one off Wharf Road and one from the courtyard to the rear.

The development accords with the scale parameters established by the outline planning permission which limits the building height to 16m.

The appearance of the building is designed to reflect the experiments of Sir Isaac Newton. The submitted Design and Access Statement states:

“The concept of the building has been developed through visual investigation into the experiments carried out by Sir Isaac Newton with the refraction of light, through the use of prisms. The central ‘prism’ forms a full height atria at the heart of the building with the ‘rays of light radiating from this prism forming the lines of the internal circulation spaces and high level glazing. Entrances are created by the rays on the opposite sides of the building, one to Wharf Road, the other from the courtyard formed by this proposal and a subsequent development on the adjacent site. The rays also form visual cues to the location of the vertical circulation within the building, which project beyond the main envelope, allowing the staircases to be naturally lit. The light ‘rays’ as well as providing form, also allude to their secondary purpose, that of function; allowing natural light to penetrate into the centre of the building.

The ground floor of the building incorporates reception and conferencing facilities, business support, accommodation and the smaller ‘incubation’ units. Also included on the ground floor of the proposal are the showering /changing facilities with lockers and drying room to satisfy both client and BREEAM requirements. The subsequent three floors consist of varying sizes of office units, storage, kitchenettes and toilettes facilities, along with circulation and ‘break out’ spaces. The design has also been developed to ensure that security can be maintained on all floors, with access being restricted to the circulation spaces without a key code.

The internal arrangements of the building however, is intended to be flexible, with stud walls allowing the building owners to adapt and change the layout as the users requirements change.

The elevations have also been designed with this in mind, specific windows have larger central mullions with solid panels allow for the future partition of the more substantial office units.

The ground floor, external envelope of the proposal is to be constructed using a Forticrete coloured cast stone block, providing both a durable finish and also a visual reference to the vernacular use of stone. The further three floors will be clad using the Rockpanel Rain Screen cladding system, creating a contemporary and visually striking contrast to the more traditional block work on the ground floor. A coloured panel will also be used to highlight the more important architectural features such as the bay windows on the north, north east and south elevations, creating dynamic and eye catching facades to the more important aspects of the building.

It also proposes that the ends of the 'rays' be fabricated using precast concrete panels to form four monolithic elements, rising from the ground to support the clerestory windows on the top floor. These panels also form the proposed location for the buildings name signage to the north and south, which would highlight the proposals two main entrances.

In summary, the overall concept of the building is based on a local iconic figure and his experiments with light, the design also incorporates the maximum use of natural light (and ventilation) with its internal spaces. The form itself is iconic, and sets the standard for the further developments on the Station Approach site, a landmark building for a landmark project. The materials proposed for the development incorporate reference to traditional stone, but also utilise modern cladding materials to generate striking elevations with considered use of pastel colours as suggested within the 'Grantham Townscape Character Area 03'".

The application site and surroundings

The application site is roughly triangular and is approximately 3 hectares. It has a mix of current uses that include a small element of residential, tyre fitting business, building suppliers and car parking associated with the railway.

The northern portion of the site contains a number of linear buildings that align with the street pattern to the east. To the north west of the application site adjacent to the junction with Wharf Road are the listed Railway Cottages. The listed buildings are not within application site.

The site is bounded by differing uses. To the north is a mix of residential and town centre uses, to the west is the railway, and to the east is residential and to the south is car parking.

The application is predominantly flat from west to east. The south of the application site is approximately 7 metres higher than the frontage of the site adjacent to Wharf Road.

This application relates to the north eastern part of the site adjacent to the junction of Wharf Road and Grantley Street.

Relevant Site History

The site has been the subject of a number of planning applications. However none are specifically relevant to this current planning application.

92/0674 – Change of use of part of site to a skating rink – granted on 4 August 1992

94/0100 – Alteration of time limit condition of planning permission 92/0674 – granted on 29 March 1994.

96/0563 – County Matter application – Storage of spoil. Refused on 16 July 1996.

S99/0910 – Change of use to car park of former shoe factory Granted 7 December 1999.

S01/1415 – Security fencing – Tanvic Tyres – Granted 7 January 2002.

S01/1459 – Change of use of part of site from D2 to B1 and B2 uses – Application withdrawn. No further action as the requested transport statement was not received.

S01/1489 – Change of use application of part of site from D2 to B8 – Application withdrawn. No further action as the requested transport statement was not received.

S02/0887 – Security fence – Tanvic Tyres – granted 5 August 2002.

S02/1084 – Security fence to former shoe factory – granted 30 September 2002.

S10/0816 – Screening opinion Requested EIA required – 13 May 2010. This relates to the redevelopment of three sites including the subject of this planning application (S11/2511).

S11/2511 – Outline Planning Permission was granted for the construction of the mixed use development – 9th March 2012.

S12/1720/EIASC - Screening opinion was issued on 12th July 2012 confirming that an environmental impact assessment should accompany the Section 73 (S12/1720).

S12/1720 - Section 73 Application to vary Conditions 4, 26, 30 & 50 of S11/2511 was granted on 3rd September 2012.

Policy Considerations

National Guidance

NPPF

Building a strong, competitive economy

Ensuring the vitality of town centres

Promoting sustainable transport

Requiring Good Design

Meeting the challenge of climate change, flooding and coastal change

Conserving and enhancing the natural environment

Conserving and enhancing the historic environment

East Midlands Regional Plan

Policy 1 – Regional Core Objectives

Policy 2 – Promoting Better Design

Policy 3 – Distribution of New Development
Policy 4 – Development in the Eastern Sub area
Policy 13a – Regional Housing provision
Policy 14 – Regional Priorities for affordable housing
Policy 18 – Regional Priorities for the economy
Policy 22 – Regional Priorities for Town Centres and Retail Development
Policy 26 – Protecting and Enhancing the Region’s Natural and Cultural Heritage
Policy 27 – Regional Priorities for the Historic Environment
Policy 32 – A Regional Approach to Water Resources and Water Quality
Policy 35 – A Regional Approach to Managing Flood Risk
Policy 48 – Regional Car Parking Standards

South Kesteven Core Strategy

SP1 – Spatial Strategy
SP3 – Sustainable Integrated Transport
SP4 – Developer Contributions
EN1 – Protection and Enhancement of the Character of the District
EN2 – Reducing the Risk of Flood Risk
EN4 – Sustainable Construction and Design
H1 – Residential Development
H3 – Affordable Housing
E1 – Employment Development
E2 – Town Centre and Retail Development

Station Approach Development Brief – Adopted October 2010

Its principles and aims which it seeks to achieve are:

- a) a clear connection between the station and the town centre
- b) a distinctive arrival point for Grantham by creating a station square
- c) An engaging route through a series of urban spaces that encourage people to visit the town centre
- d) a versatile character area with a sustainable mix of employment and residential uses
- e) appropriate scale and massing of development that respects the listed buildings and adjacent residential area
- f) reduced provision of car parking to minimum standards and
- g) creating a public transport interchange with bus services extended to the railway station.

Grantham Area Action Plan – emerging

The Grantham Area Action Plan was submitted to the Secretary of State on 19th December 2011 and the Site Allocation and Policies on the 31st January 2012 in line with Regulation 30 of the Town and Country Planning (Local Development) (England) (Amendment) Regulations.

The role of an Inspector acting on behalf of the SoS is to consider whether a document is legally compliant i.e. meets the requirements of the Planning and Compulsory Purchase Act 2004 and associated regulations and satisfies the criteria for soundness i.e. whether it is justified, effective and consistent with national policy.

Policy MOV1 – Movement and Accessibility
Policy RT1 – Improving Town Centre Retail Offer
Policy SA1 – Station Approach
Policy OSS1 – Open Space Provision

Policy HS1 – New Housing Development
Policy EM2 – New Employment Allocations
Policy HE1 – Townscape Character

Representations Received

Highways Agency

The proposed development is not expected to have a material impact on the closest strategic route, the A52. Therefore the Highways Agency has no objections to the proposal.

Senior Highways Officer - Footpaths

I have no comments to make regarding this application. I enclose an extract from the working copy of the Definitive Public Rights of Way Map for your information.

Whilst the showing of a path on a Definitive Map is conclusive evidence as to its existence and status, the reverse is not necessarily true. However, anyone claiming a path not shown on the Map to be a Public Right of Way must prove his claim by submitting sufficient suitable evidence of the path's free and uninterrupted use by the public for at least 20 years before it can be considered for inclusion on the Map. Alternatively, some sort of documentary evidence (such as a Parish Enclosure Award) that the path had been dedicated as a right of way would suffice. However, we are not aware in this office of any such evidence.

Comments:

In the absence of further information, it is expected that the definitive line and customary width of the path will not be affected by any proposed development.

During any works allowed by this proposal, users of the Public Right of Way should not be inconvenienced or exposed to hazard by any such works.

Should there be any doubt about being able to comply with these conditions, please advise the applicant to contact Mike Plant before starting any work.

Lincolnshire Police Crime Prevention Design Advisor

After studying the plans I can state that I have no comments to make.

Consultant Arboriculturist

It appears that there are no arboricultural issues relating to the above application. I have therefore no further comments.

Economic Development and Investment Section

Economic Development have been a major partner in the delivery of this project and wholeheartedly support the application.

Environmental Protection

Environmental Protection have reviewed the documents for the above application and have no comments to make.

Planning Policy

The Station Approach site is identified in the Grantham Area Action Plan (GAAP) under Policy SA1 as a location for a mixed use development including commercial and employment floorspace. The GAAP is currently at an advanced stage of preparation (the examination hearing sessions will commence on the 2nd October) and can, therefore, be given significant weight in decisions and an outline planning permission, in accordance with Policy SA1 has been approved.

Policy SA1 sets out a number of criteria that development proposals should seek to address. Those relevant to this reserved matters application include:

- A creative and positive streetscape that demonstrates a strong building line with active frontages along Wharf Road
- High design quality and architecture

In respect of the latter it is noted that the use of colour in the materials palette has sought to reflect the recommendations of the Grantham Townscape Character Assessment for this particular character area.

Subject to an assessment of the building's design being considered to satisfactorily address the above points, the proposal for the BIC is fully in accordance with the planning policies for Station Approach.

Open Space Officer

No comments for open space and play, as this is not part of the residential aspect of the application.

Local Highway Authority

Further to receipt of details pertaining to this application and following discussions I am aware of conditions applied to the outline planning permission require the applicant to provide details of any proposed works within the limits of the public highway to be approved, and appropriate agreements entered into before works can commence on site.

In the case of this proposal, the local highway authority notes that the red outline takes in the Grantley Street/Wharf Road junction as part of frontage footway on the Wharf Road.

It should be reiterated that further details including layout plans with the proposed specifications relating to works to improve the public highway by means of a reconfiguration of the junction Wharf Road/Grantley Street, widening of Grantley Street works (including Traffic Regulation Orders) will be required to be submitted for the approval of the local planning authority.

I would suggest that it is in the interest of the applicant to submit this detail at the earliest opportunity in order for the proposed highway works to be approved and Agreements be entered into. The timescales for this may be critical to obtaining road space bookings on the highway network which could delay commencement of the building works.

Any other comments will be reported in the late items paper or verbally at committee.

Representations as a result of Publicity

The application has been advertised in accordance with the adopted statement of community involvement. The deadline for responses is 13th October 2012.

At the time of drafting this report no comments have been received. Any comments will be reported in the late items report or verbally at committee.

Officer Evaluation

The main issues for consideration in relation to this application are compliance with the outline planning permission, visual amenity/impact on street scene and impact on the occupiers of neighbouring properties.

Compliance with outline planning permission

The proposed development accords with the footprint and building heights plans approved by the outline planning permission S12/1720.

It is considered that the proposal would comply with the approved design and access statement that accompanied outline planning permission in that the building would be a landmark building and a prominent location within the site. It would provide an active frontage along Wharf Road and Grantley Street. As such it is considered that the proposal would not have any demonstrable harm on the character and appearance of the area or detrimental impact on the street scene.

Visual amenity/impact on street scene

The proposed building would be a landmark building in a prominent location on one of the main routes through the town. Its four storey height, contemporary design and L shaped layout would follow the existing building line and would be a logical extension to the form and layout of the existing properties in the area and would not have any detrimental impact on the character and appearance of the area. It is considered that the building would be an improvement over the existing commercial buildings on the site.

Residential Amenity

The nearest existing residential properties to the development site on Grantley Street would have built form approximately 10 metres away at the closest point. This is a residential flat development of 6 flats and one bedsit. There are a number of windows facing the proposed development which serve a mix of rooms including bedrooms, bathrooms, lounge/kitchen, and a stairwell.

Whilst the Grantley Street elevation as proposed would contain a large number of windows it is considered that the separation distance and the disposition of the buildings would ensure that there would not be any significant overlooking/loss of privacy.

Other matters

As this application is a reserved matters submission there is a requirement for the developers to comply with the requirements of the numerous conditions of the outline planning permission S12/1720. These include matters relating to highway improvements, contamination, noise and drainage. As such the applicant would not be in a position to start construction on site until details relating to the relevant pre-commencement conditions on the outline have been submitted to and approved by the local planning authority.

Section 106 Heads of Terms

This application is a reserved matters application pursuant to outline planning permission S12/1720. There is no legal agreement with that planning permission as the scheme was not viable if developer contributions are sought.

Developer contributions cannot be sought at reserved matters stage.

Crime and Disorder

It is considered that the proposed development would not raise any significant crime and disorder implications.

Human Rights Implications

Article 6 (Right to fair decision making) and Article 8 (Right to private family life and home) of the Human Rights Act have been taken into account in making this recommendation.

It is considered that no relevant Article of that act would be breached.

Recommendation: That the development be approved subject to condition(s)

SUMMARY OF REASON(S) FOR APPROVAL

The proposal is considered to be an acceptable form of development that would represent an important opportunity to regenerate the Station Approach area of Grantham and show commitment towards Grantham's Growth Point Status. The proposal is considered to accord with the thrust of national policy contained in the NPPF Building a strong, competitive economy, Ensuring the vitality of town centres,

Promoting sustainable transport, Requiring Good Design, Meeting the challenge of climate change, flooding and coastal change, Conserving and enhancing the natural environment, Conserving and enhancing the historic environment, Regional Guidance contained in Policy 1 - Regional Core Objectives, Policy 2 - Promoting Better Design, Policy 3 - Distribution of New Development, Policy 4 - Development in the Eastern Sub area, Policy 13a - Regional Housing provision, Policy 14 - Regional Priorities for affordable housing, Policy 18 - Regional Priorities for the economy, Policy 22 - Regional Priorities for Town Centres and Retail Development, Policy 26 - Protecting and Enhancing the Region's Natural and Cultural Heritage, Policy 27 - Regional Priorities for the Historic Environment, Policy 32 - A Regional Approach to Water Resources and Water Quality, Policy 35 - A Regional Approach to Managing Flood Risk, Policy 48 - Regional Car Parking Standards and local guidance contained in policies SP1 - Spatial Strategy, SP3 - Sustainable Integrated Transport, SP4 - Developer Contributions, EN1 - Protection and Enhancement of the Character of the District, EN2 - Reducing the Risk of Flood Risk, EN4 - Sustainable Construction and Design, H1 - Residential Development H3 - Affordable Housing, E1 - Employment Development, E2 - Town Centre and Retail Development, the Station Approach Development Brief - Adopted October 2010, and the emerging Grantham Area Action Plan.

The proposed building is considered to accord with outline planning permission S12/1720. It is considered that the building would be a focal point and provide an active frontage along Wharf

Road and would not have any significant detrimental effect on the character and appearance of the street scene or surrounding area as a whole.

The separation distances and disposition of buildings is such that the amenities of neighbouring occupiers would not be significantly affected.

As such it is considered that there are no material planning considerations that would outweigh the policies referred to above to justify a refusal of planning permission.

RECOMMENDATION: That the development be Approved subject to condition(s)

1. This permission shall be read in conjunction with the list of approved plans:

Ground Floor Plan Drwg No. C.05.1 RevB, First Floor Plan C05.2 RevB, Second Floor Plan C.05.3 RevB, Third Floor Plan C.05.4 RevB.

North and East Elevations Drwg No. C.12.1 RevA, South and West Elevations Drwg No. C.12.2 RevA.

Landscaping Plan Drwg No. C.15.1.

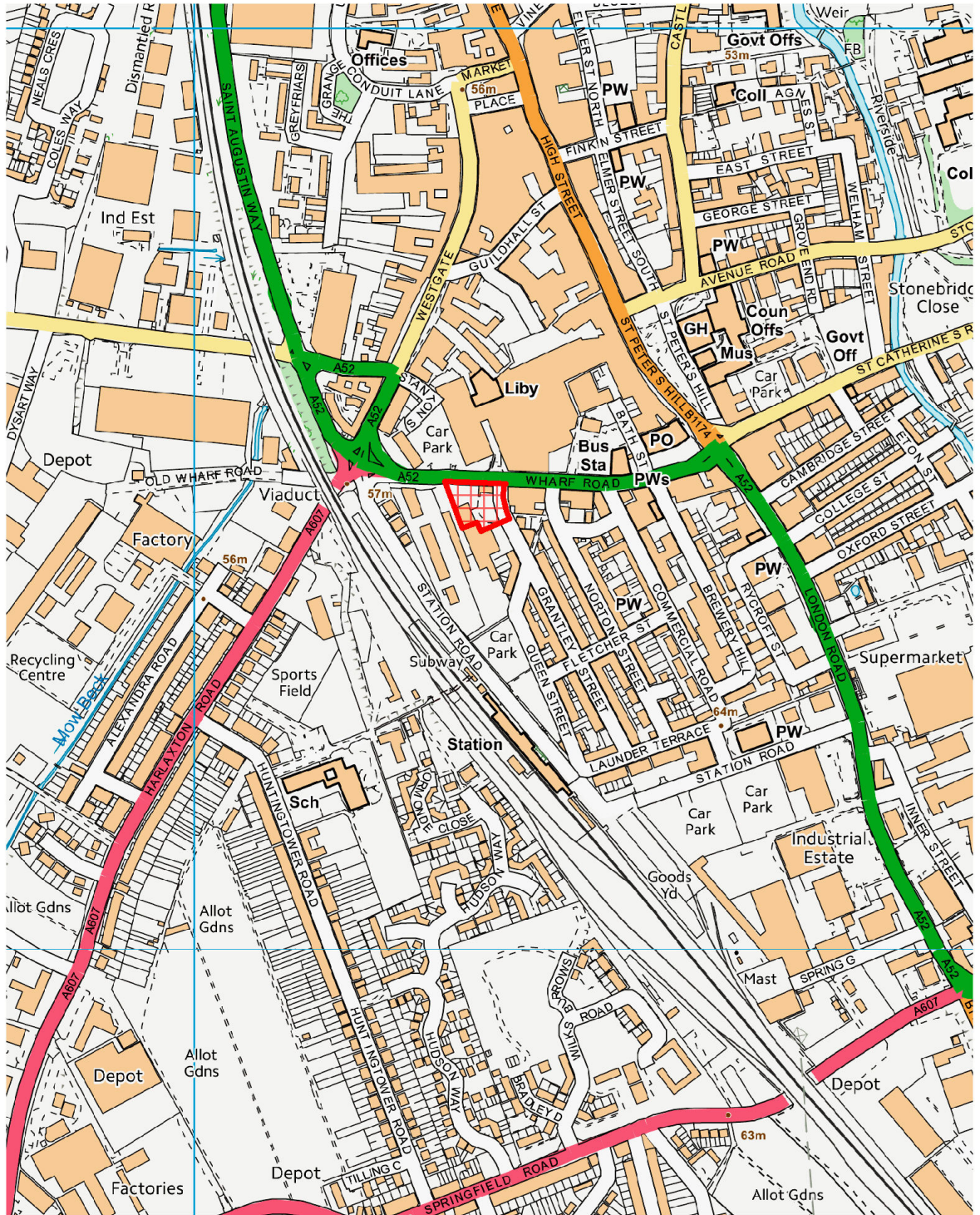
Location and Site Plan Drwg No. C.01.

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

* * * * *

Site Location Plan

Ref	S12/2249
Proposal	Business Incubation Centre, Plot 6, Approval of Reserved Matters Pursuant of Outline Planning Permission
Location	Grantham Station Approach, between Grantham Railway Station and Wharf Road, Grantham



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Applicant	Stamford Town Council Town Hall, St. Marys Hill, Stamford, PE9 2DR
Agent	Robert Weighton, Robert Weighton Partnership 10, Broad Street, Stamford, Lincs, PE9 1PG
Proposal	Construction of skatepark
Location	Stamford Skatepark, Recreation Ground, Recreation Ground Road, Stamford
App Type	Full Planning Permission
Parish(es)	Stamford
Reason for Referral to Committee	The application is considered to be locally controversial and one that Members should determine
Recommendation Summary	<p>The principle of development is supported in that it would enhance recreational facilities for the town but this would have to be considered against three, but not exclusively, key issues.</p> <p>Firstly, the visual impact of the development is considered to be acceptable in that the skatepark would be sunk a distance of 0.5m below the existing ground level and enclosed within fencing, which would not be out of place within the context. A small element of bunding would also be created but it is not considered that there would be a detrimental impact on the character of the area from the proposed skatepark.</p> <p>Secondly, noise generated from the park would be detrimental to the amenity of nearby residential properties, in particular through impact noise from the skateboards landing on/striking the ramps. Mitigation has been put forward as part of the application to try and overcome these concerns but the noise generated would still be unacceptable.</p> <p>Thirdly, controls over the use are considered to be acceptable in that the skatepark would be enclosed within a fence and hours of usage could be controlled. Four lighting poles currently surround the site and CCTV would be installed. It is, therefore, considered that controls over the site would be acceptable to ensure that the park could be suitably managed. However, this would not override the aforementioned concern about noise generation.</p> <p>In view of the above it is recommended that the application be refused permission on the grounds of the application being contrary to criterion 11 of policy EN1 of the South Kesteven Core Strategy.</p>

Key Issues

- Impact on the character of the Recreation Ground and surrounding area from the skatepark, associated earthworks and fencing
- Noise that is likely to be generated from the use in particular impacts of skateboards on the ramps and how this would impact on the amenity of nearby properties
- How use of the park would be controlled, supervised and managed to ensure that it would not lead to anti-social behavior

Technical Documents Submitted with the Application

- Noise report
- Sections through showing the relative heights of the development
- A layout of the skatepark and earthworks associated with it
- Elevations of the skatepark

REPORT

The proposal

The application is for the erection of a skatepark on the Recreation Ground within Stamford; it would sit approximately 0.5m lower than an area of hardstanding currently in situ, which was home to a former skatepark. An element of earth bunding and fencing would be created around the periphery of the site along with the ramps, berms and jumps within it. A previous skatepark on site was constructed of timber whilst the proposed would primarily be constructed of concrete with steel coping on the edge of jumps/boxes etc.

The application site and its surroundings

The application site is toward the centre of the Recreation Ground and is surrounded by a 1m high fence. Four lighting poles, similar in appearance and scale to conventional street lights, are around the periphery of the proposed skatepark. To the west of the application site are two tennis courts and a basketball court; a 2m tall wire mesh fence surrounds all of them with an additional fence around the basketball court.

There is a gradual change of levels across the Recreation Ground with the land rising toward New Cross Road. To the north of the application site is a line of conifers and fencing that surround 3 grass tennis courts and a bowling green. Beyond this is a Listed band stand.

The nearest dwelling to the site is 2 Gibson Cottage, approximately 33m away. Others that are in close proximity include Laburnam Villas, the nearest of which is approximately 35m, and Chapel Court, some 65m to the south.

Relevant site history

S01/0946 – ‘Provision of skateboard/BMX facility and ancillary equipment’, Approved in January 2002

Policy considerations

National Planning Policy Framework

Section 1: Building a strong, competitive economy

Section 7: Requiring good design

Section 11: Conserving and enhancing the natural environment

Section 12: Conserving and enhancing the historic environment

East Midlands Regional Plan

Policy 1 – Regional Core Objectives

Policy 2 – Promoting Better Design

Policy 26 – Protecting and Enhancing the Region’s Natural and Cultural Heritage

Policy 27 – Regional Priorities for the Historic Environment

Policy 41 - Regional Priorities for Culture, Sport and Recreation

South Kesteven Core Strategy 2010

Policy SP1 – Spatial Strategy
Policy EN1 – Protection and Enhancement of the Character of the District
Policy EN2 - Reducing the Risk of Flooding
Policy EN4 – Sustainable Construction and Design

Representations received

Stamford Town Council have not commented on the application with the skatepark proposed to be on the Recreation Ground within their control.

Lincolnshire Heritage note that the application would not affect any known archaeological sites of interest.

Sport England make no observation on the application.

Environmental Health object to the application on the grounds that the skatepark would be detrimental to amenity of neighbouring properties through noise that would be generated

Lincolnshire Police support the installation of 2 CCTV cameras in the interests of community safety as well as reducing the fear of crime for park users and local residents. Also believe that the skatepark will act as a diversity facility for the local youth and a focal point for neighbourhood police engagement.

Lincolnshire County Council, as Highway Authority, does not wish to restrict the grant of planning permission.

Representations as a result of publicity

The application has been advertised in accordance with the adopted Statement of Community Involvement. Initial representations on the application needed to be received by the 15 April. However, amended plans and an updated noise report have been received and further consultation undertaken.

A total of 42 letters of objection have been received and a summary of their observations is drafted below;

The visual impact of the development is out of character with the Recreation Ground and would be harmful to the character of the area;

The skatepark would be detrimental to the setting of the adjacent Conservation Area and Listed band stand;

Similar skateparks, including in Milton Keynes, have been closed because of noise concerns;

The previous skatepark on site was excessively noisy and hard to manage and the new one will be no different;

Management of the site and hours of operation could not be controlled with users jumping over fencing;

Older residents will be intimidated by its users and deterred from using the park;

Vehicle movements and parking problems will increase from older users of the site;

Anti-social behaviour will increase generally e.g. drinking, vandalism, smoking etc;

The noise report submitted in support of the application is inaccurate;

Other less controversial sites should be considered ahead of this one.

A total of 226 letters of support have been received in support of the application

The old skatepark was a resounding success and this one will be too;
There is nowhere else in the locality for young people to socialise;
Many local teenagers have worked long and hard to raise money for the skatepark and they should be applauded for their efforts;
It will improve relations between youths and the local police;
Grant funding will be lost if permission is not forthcoming;
This is the best location for the park where the majority of local residents can use it;
Sporting provision in the town, particularly for teenagers, is poor and the skatepark will fill a void.

Officer evaluation

There are considered to be three key issues with the application and they are covered in turn below. It should be noted that amended plans and a noise report have been received and the application is considered accordingly. The key changes from those originally submitted are that the skatepark will be set 0.5m lower than the existing ground level and extracted material used as bunding; fencing will surround the skatepark; an updated noise report has also been submitted in support of the application given previous concerns highlighted by Statutory Consultees.

Visual impact

The skatepark would be set lower than the existing ground level and earth removed will be utilised in the form of modest bunding to the northwest and southeast of the site. Furthermore, fencing around the site would be 2m tall and surround the park; materials proposed include mesh fencing similar to the adjacent tennis courts, Perspex panels and 'quietstone', a noise absorptive material that is solid in appearance.

Visual impacts of the ramps and jumps would be limited given that they would be 0.5m lower than the existing ground level. Within the park there is a wide range of fencing surrounding existing recreational facilities including the tennis and basketball courts. The materials proposed to surround the park are identified above and would include mesh fencing, which is used elsewhere in the park. Additional screening including Perspex panels and a more solid quietstone would also be installed but given existing fencing within the park, and subject to approval of final materials, there is not considered to be any reason to object to the application on the visual impact of the development. Earth bunds around the site would also not be unduly prominent given change of levels that occur within the park; a maximum of 1m for the earth bunds is proposed. Glazing/Perspex would also allow views into the site for security purposes and deter unsociable behaviour. Subject to suitable controls over the need to approve materials the skatepark is not considered to be out of character with the area and would enhance the services on offer to local residents.

Noise impacts

Skateparks can generate noise through, in particular, the banging/impact of skate boards, as well as its users. A noise report has been submitted in support of the application indicating that the development would be acceptable whilst a report from a third party indicates that the development would generate an unacceptable noise impact. Both reports were submitted by Acoustic Engineers and highlight the difficulty in quantifying whether the use would be a noise nuisance as there is no national standard that can be utilised, rather predictive modelling assessed against known background noise levels. However, an independent noise assessment has been sought by the Council to review the information submitted and this concluded that the application as submitted would generate an unacceptable level of noise that would be detrimental to the amenity of nearby

properties. This is in spite of the bunding and fencing around the site and in particular the aforementioned impact noise of the skateboards and scooters landing on concrete ramps.

In view of the above it is considered that the application should be refused permission on the grounds that it would be harmful to residential through noise that would be generated.

Management of the skatepark

Numerous concerns have been raised by local residents about how use of the skatepark would be controlled and monitored. Amended plans have been received and it would now be enclosed within a fence which could be locked and controlled by the site owner, Stamford Town Council. Hours that may be acceptable would be no greater than 9am to 9pm Monday to Saturday and 10am to 5pm on Sundays and bank holidays. Lighting around the site is also in situ from the previous skatepark and is acceptable. Two additional poles, 4m tall, would be erected to allow CCTV to operate and this is welcomed adding controls and vigilance over users of the site.

Therefore in terms of managing the site and possible increase in anti-social behaviour, or otherwise, it is not considered that this would justify a refusal of permission with suitable conditions allowing appropriate controls to ensure that, most importantly, hours of operation could be controlled. It should also be noted Lincolnshire Police believe it could become a centre for community engagement.

Other considerations

It is not considered that the application would be harmful to highway safety or the setting of the adjacent Conservation Area or nearby Listed Buildings. Other examples of skateparks that operate successfully have been highlighted by supporters of the application. Likewise, objectors to the application have highlighted examples of skateparks that have shut down because of noise and anti-social behaviour. However, each application needs to be judged on its merits and these would not affect the outcome of this application.

Section 106 Heads of Terms

Given that the application is for the erection of three dwellings there is no requirement for financial contributions.

Crime and Disorder

The proposed development does not raise any significant crime and disorder implications for the local area.

Human Right Implications

Articles 6 (Right to fair decision making) and Article 8 (Right to private family life and home) of the Human Rights Act have been taken into account in making this recommendation.

It is considered that no relevant Article of that act will be breached.

Conclusion

Whilst the principle of development - which would enhance sporting facilities within the Town - is supported, this should not be at the expense of residential amenity through noise that may be generated from the skatepark. Therefore, whilst the skatepark is considered to be acceptable in two of three key areas the application is not supported on the grounds that noise generated would be harmful to the amenity of neighbouring properties.

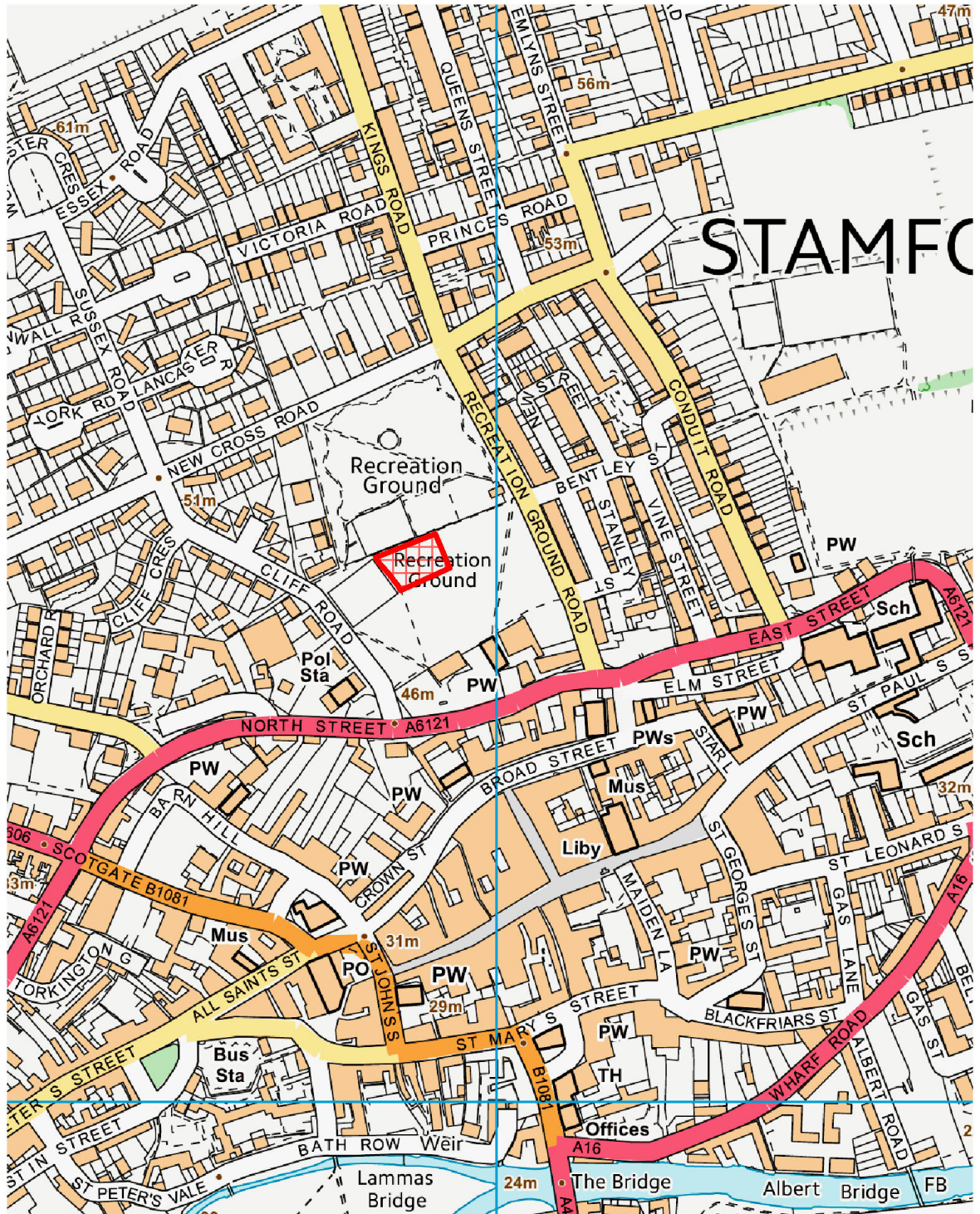
RECOMMENDATION: That the development be Refused for the following reason(s)

1. The proposed skatepark would have a detrimental impact upon the amenity of neighbouring properties through noise that would be generated from it, and this could not be controlled through conditions and in spite of mitigation measures put forward. Therefore, whilst the principle of development is supported the application is refused on the grounds of being detrimental to residential amenity through noise that would be generated from it, and in accordance with criterion 11 of policy EN1 of the South Kesteven Core Strategy; with no other material planning considerations to indicate that the application should be determined otherwise.

* * * * *

Site Location Plan

Ref	S12/0193
Proposal	Construction of skatepark
Location	Stamford Skatepark, Recreation Ground, Recreation Ground Road, Stamford



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Applicant	Mears Motors Ltd By Email Only
Agent	PDG Architects Toll Bar House, Shrewsbury Avenue, Peterborough, PE2 7BX
Proposal	Reserved matters application for demolition of commercial garage and erection of 14 dwellings (S09/0420)
Location	Mears Motors, Main Road, Thurlby, Bourne, PE100DZ
App Type	Major RM (Residential)
Parish(es)	Thurlby
Reason for Referral to Committee	The application has been referred to the Development Control Committee as the application is a major application and the outline application has previously been debated.
Recommendation Summary	<p>The proposed development involves the demolition of an existing former commercial garage and the erection of 14 dwellings and associated infrastructure. The proposed dwellings comprise a mixture of full two storey dwellings and storey and half dwellings with rooms in the roof space.</p> <p>Concern has been raised with regard to the design of the proposed dwellings not being in scale and character with other developments in the area. The application site is located within the Fen Margin Character Area within the adopted Landscape Character Assessment. Within this part of the District there is a varied mix of building ages and styles and materials. Red brick with clay or concrete tile is the dominant building material, but buff brick and render is also common. There are also a limited number of stone buildings. It is considered that the proposed dwellings would not appear out of scale and character with other developments within the surrounding area.</p> <p>Concern has been raised with regard to the site layout and in particular the fact that the buildings fronting on to Bourne Road (A15) are not within the notional building line taken from adjacent properties to the north and south of the site. The proposed dwellings will be set forward of the adjacent properties to the north and south of the site. It is however considered that the existing properties fronting on to Bourne Road are set back to varying degrees with some properties being set back approximately 6-10m and others set back in excess of 25m. The proposed dwellings will be set back approximately 4m from the site frontage in a similar position to the existing front elevation of the existing garage showroom. It is considered that on balance the proposed layout will not appear significantly at odds with the frontages of other adjacent developments.</p> <p>Concerns have been raised in relation to overlooking and loss of privacy. The proposed dwellings will all have rear gardens measuring a minimum of 10m deep. The properties on Woodside East would be approximately 28m from the rear elevations of the proposed dwellings on plots 11 and 12. Given the size of the rear gardens and the proposed separation distances to adjacent properties it is considered that there would be no</p>

	<p>significant overlooking or loss of privacy. Concerns have also been raised in relation to highway safety. The local highway authority Lincolnshire County Council has been consulted and has raised no objections to the proposed access and parking arrangements subject to the imposition of conditions on any consent. It is therefore considered that the proposed access arrangements are acceptable and that the development will not have an adverse impact on highway safety.</p> <p>The proposed development complies with the requirements of the National Planning Policy Framework, Policies 1, 2, 3 and 13a of the East Midlands Regional Strategy (RSS8) and Policies SP1, SP2, SP3, EN1, EN2 and H1 of the adopted South Kesteven Core Strategy 2010 and it is considered that the other material considerations outlined above do not in this instance outweigh the requirements of these policies.</p>
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Key Issues

- Highway safety
- Residential Amenity
- Visual amenity
- Layout and design
- Drainage

Technical Documents Submitted with the Application

- Amended house type A
- Amended house type B
- Amended house type C
- Amended house type D
- Application form
- Design and access statement
- Detached garage plan
- Document issue sheet
- Drainage areas plan
- Drainage layout plan
- Existing roof plan
- Existing site plan
- Hard landscaping plan
- House type A
- House type B
- House type C
- House type D
- Landscaping plan
- Location plan
- Permeable pavement calculations
- Proposed external works and landscaping
- Proposed roof plan
- Proposed site plan
- Road and sewer sections - sheet 1
- Site layout plan

REPORT

Application Category

This application is categorised as a 'major' application.

Reason for Referral to Committee

This application has been reported to the Development Control Committee as it is a major application and the outline application has previously been referred to the Committee.

The Proposal

This is a reserved matters application for the demolition of an existing former commercial garage and the erection of 14 dwellings and associated infrastructure. The proposed dwellings comprise a mixture of full two storey dwellings and storey and half dwellings with rooms in the roof space.

The Application Site and its Surroundings

The application site is approximately 0.421 hectares in size and is located on the western side of the A15 close to the villages of Northorpe and Thurlby. The application site comprises a former car sales showroom and associated hardstandings.

The application site is bordered by residential development to the north, south and west. Hard surfaced areas currently cover half of the site with the remaining areas being gravelled and grassed. The site frontage to Bourne Road (A15) is approximately 59m and is delineated by a low level brick wall and steel access gates.

Relevant Site History

S05/0751 – An application for residential development was approved on 22 February 2006.

S09/0420 – Outline planning permission was granted for the demolition of the existing garage and erection of 14 dwellings On 6 July 2009.

Policy Considerations

National Planning Policy Framework:

- Section 1: Building a strong, competitive economy
- Section 4: Promoting sustainable transport
- Section 6: Delivering a wide choice of high quality homes
- Section 7: Requiring good design
- Section 8: Promoting healthy communities
- Section 11: Conserving and enhancing the natural environment

East Midlands Regional Plan 2009 (RSS8):

Policy 1: Regional Core Objectives
Policy 2: Promoting Better Design
Policy 3: Distribution of New Development
Policy 13a: Regional Housing Provision

South Kesteven Core Strategy 2010:

SP1: Spatial Strategy
SP2: Sustainable Communities
SP3: Sustainable Integrated Transport
EN1: Protection and Enhancement of the Character of the District
EN2: Reducing the Risk of Flooding
H1: Residential Development

Representations Received

Highway Authority: raise no objections subject to conditions requiring an appropriate new access to be provided on to the A15, space for off-street parking and turning and details of surface water drainage to be provided prior to any development commencing on site.

SKDC Drainage Officer: The proposed surface water drainage appears to be acceptable. Lincolnshire County Council and the IDB should however also be consulted on the application.

Welland and Deeping IDB: No comments received.

Lincolnshire County Council (Lead Local Flood Authority (LCC)): Final comments waited

Thurlby Parish Council: The plan is for 14 dwellings and in the design statement it is anticipated that there will be at minimum of an extra 28 cars that will have to access onto the A15. The present speed limit on this road is the national speed limit of 60 mph. We believe the access onto this road is incompatible with the present speed limit and that this should be reduced to 40 mph before the development had begun.

It is anticipated that Sec 106 money will be received and we would urge that any money obtained is used to provide a pedestrian crossing close to the bus stops. Likewise we understand that recreational facilities should be provided but that this plan makes no reference to any area being set aside. Again any Sec 106 money should be used to provide a play area within the village other than Lawrance Park.

Representations as a Result of Publicity

The application has been advertised in accordance with the Council's Statement of Community Involvement and 5 letters of objection have been received. The comments made can be summarised as follows:

- Concerns relating to highway safety and increased vehicle movements on a dangerous section of the A15,
- Overlooking / loss of privacy,
- Too many dwellings proposed / density concerns,
- Proposals will appear out of scale and character with the surrounding developments in the area,
- Noise pollution from the construction and occupation of the properties,

- Concerns relating to the design of the proposed properties,
- Concerns about the usability of the dwellings and the internal circulation space,
- Poor design which does not resemble the local vernacular,
- Concerns that the site layout will have a significant visual impact on the site frontage due to properties being forward of the existing notional building line,
- As designed you would be confronted by two significant blank gables whether approaching from Bourne or Baston and turning into the development,
- Turning into the development you would be confronted by a double garage, this is not considered to be a suitable stop end.

Officer Evaluation

This is a reserved matters application for the demolition of an existing former commercial garage and the erection of 14 dwellings and associated infrastructure. The proposed dwellings comprise a mixture of full two storey dwellings and storey and half dwellings with rooms in the roof space.

A single access point is proposed off Bourne Road (A15) leading to a 5m wide access road serving all of the proposed dwellings. It is proposed to create frontage development on to Bourne Road comprising three pairs of semi-detached two storey dwellings. No parking will be visible from Bourne Road as the parking is located to the rear of the plots served off the new access road. Plots 1-6 have two parking spaces (a single space and then a single garage space).

The new access road enters into the centre of the site and passes north with a return hammer head providing turning areas for vehicles and providing access to the remaining eight dwellings, plots 7 - 14. These dwellings are arranged in four semi-detached blocks each comprising two dwellings. The dwellings are single storey in appearance with rooms in the roof space.

Concern has been raised with regard to the design of the proposed dwellings not being in scale and character with other developments in the area. The application site is located within the Fen Margin Character Area within the adopted Landscape Character Assessment. Within this part of the District there is a varied mix of building ages and styles and materials. Red brick with clay or concrete tile is the dominant building material, but buff brick and render is also common. There are also a limited number of stone buildings. It is considered that the proposed dwellings would not appear out of scale and character with other developments within the surrounding area.

Concern has been raised with regard to the site layout and in particular the fact that the buildings fronting on to Bourne Road (A15) are not within the notional building line taken from adjacent properties to the north and south of the site. The proposed dwellings will be set forward of the adjacent properties to the north and south of the site. It is however considered that the existing properties fronting on to Bourne Road are set back to varying degrees with some properties being set back approximately 6-10m and others set back in excess of 25m. The proposed dwellings will be set back approximately 4m from the site frontage in a similar position to the existing front elevation of the existing garage showroom. It is considered that on balance the proposed layout will not appear significantly at odds with the frontages of other adjacent developments.

Concerns have been raised in relation to overlooking and loss of privacy. The proposed dwellings will all have rear gardens measuring a minimum of 10m deep. The properties on Woodside East would be approximately 28m from the rear elevations of the proposed dwellings on plots 11 and 12. Given the size of the rear gardens and the proposed separation distances to adjacent properties it is considered that there would be no significant overlooking or loss of privacy.

Concerns have also been raised in relation to highway safety. The local highway authority Lincolnshire County Council has been consulted and has raised no objections to the proposed

access and parking arrangements subject to the imposition of conditions on any consent. It is therefore considered that the proposed access arrangements are acceptable and that the development will not have an adverse impact on highway safety.

Section 106 Heads of Terms

The Section 106 contributions were assessed under outline application S09/0420. The following contributions were required:

- A financial contribution towards education facilities
- A contribution of £904 per dwelling towards the Primary Care Trust facilities in the locality.

The Parish Council has requested contributions towards providing a pedestrian crossing and public open space. As this is a reserved matters application it is not possible to request additional contributions at this time. Such requests need to be made at the outline application stage.

Crime and Disorder

The proposed development raises no significant crime and disorder implications.

Human Rights Implications

Articles 6 (Right to fair decision making) and Article 8 (Right to private family life and home) of the Human Rights Act have been taken into account in making this recommendation.

It is considered that no relevant Article of that act will be breached.

Conclusion

The proposed development complies with the requirements of the National Planning Policy Framework, Policies 1, 2, 3 and 13a of the East Midlands Regional Strategy (RSS8) and Policies SP1, SP2, SP3, EN1, EN2 and H1 of the adopted South Kesteven Core Strategy 2010 and it is considered that the other material considerations outlined above do not in this instance outweigh the requirements of these policies.

SUMMARY OF REASON(S) FOR APPROVAL

The proposed development involves the demolition of an existing former commercial garage and the erection of 14 dwellings and associated infrastructure. The proposed dwellings comprise a mixture of full two storey dwellings and storey and half dwellings with rooms in the roof space.

Concern has been raised with regard to the design of the proposed dwellings not being in scale and character with other developments in the area. The application site is located within the Fen Margin Character Area within the adopted Landscape Character Assessment. Within this part of the District there is a varied mix of building ages and styles and materials. Red brick with clay or concrete tile is the dominant building material, but buff brick and render is also common. There are also a limited number of stone buildings. It is considered that the proposed dwellings would not appear out of scale and character with other developments within the surrounding area.

Concern has been raised with regard to the site layout and in particular the fact that the buildings fronting on to Bourne Road (A15) are not within the notional building line taken from adjacent properties to the north and south of the site. The proposed dwellings will be set forward of the adjacent properties to the north and south of the site. It is however considered that the existing properties fronting on to Bourne Road are set back to varying degrees with some properties being set back approximately 6-10m and others set back in excess of 25m. The proposed dwellings will be set back approximately 4m from the site frontage in a similar position to the existing front elevation of the existing garage showroom. It is considered that on balance the proposed layout will not appear significantly at odds with the frontages of other adjacent developments.

Concerns have been raised in relation to overlooking and loss of privacy. The proposed dwellings will all have rear gardens measuring a minimum of 10m deep. The properties on Woodside East would be approximately 28m from the rear elevations of the proposed dwellings on plots 11 and 12. Given the size of the rear gardens and the proposed separation distances to adjacent properties it is considered that there would be no significant overlooking or loss of privacy.

Concerns have also been raised in relation to highway safety. The local highway authority Lincolnshire County Council has been consulted and has raised no objections to the proposed access and parking arrangements subject to the imposition of conditions on any consent. It is therefore considered that the proposed access arrangements are acceptable and that the development will not have an adverse impact on highway safety.

The proposed development complies with the requirements of the National Planning Policy Framework, Policies 1, 2, 3 and 13a of the East Midlands Regional Strategy (RSS8) and Policies SP1, SP2, SP3, EN1, EN2 and H1 of the adopted South Kesteven Core Strategy 2010 and it is considered that the other material considerations outlined above do not in this instance outweigh the requirements of these policies.

RECOMMENDATION: That the development be Approved subject to condition(s)

1. The vehicular access shall incorporate 10 metres radii tangential to the nearside edge of the carriageway of Bourne Road and the minimum width of the access shall be 5.0 metres.

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

2. Before the dwellings are occupied, the access and turning space shall be completed in accordance with the approved plan, drawing number 0659-101-A dated 21st June 2012, and retained for that use thereafter.

Reason: To ensure safe access to the site and each dwelling 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.

3. The arrangements shown on the approved plan 8659-101 A dated 21st June 2012 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 Main Road and to allow vehicles to enter and leave the highway in a forward gear in the interests of highway safety.

4. Before each dwelling is occupied, the roads and/or footways providing access to that dwelling, for the whole of its frontage, from an existing public highway, shall be constructed

to a *specification to enable them to be adopted as highways maintainable at the public expense, less the carriageway and footway surface courses.

The carriageway and footway surface courses shall be completed within three months from the date upon which the erection is commenced of the penultimate dwelling.

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

5. Before any dwelling is commenced, all of that part of the estate road and associated footways that forms the junction with the main road and which will be constructed within the limits of the existing highway, shall be laid out and constructed to finished surface levels in accordance with details to be submitted to and approved 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.

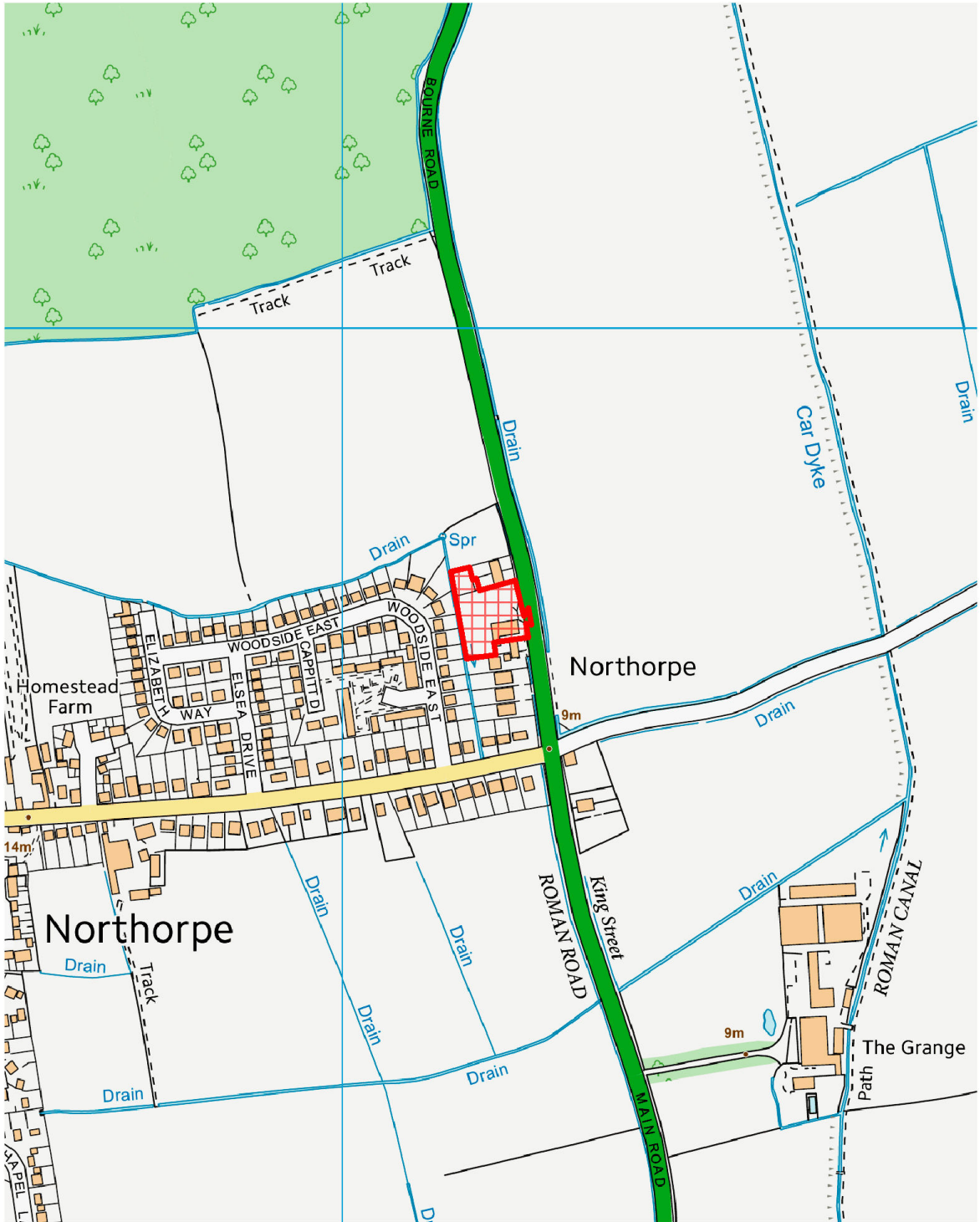
Note(s) to Applicant

1. This site is within 50m of a Land Contamination Concern. Please contact Environmental Protection Services on 01476 406300 for further information.
2. 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.
3. 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 site.

* * * * *

Site Location Plan

Ref	S12/1483
Proposal	Reserved matters application for demolition of commercial garage and erection of 14 dwellings (S09/0420)
Location	Mears Motors, Main Road, Thurlby, Bourne, PE100DZ



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Applicant	Mr & Mrs T Digan 67, Harrowby Road, Grantham, Lincolnshire, NG31 9ED
Agent	
Proposal	Drop kerb and create parking area
Location	67, Harrowby Road, Grantham, Lincolnshire, NG31 9ED
App Type	Full Planning Permission
Parish(es)	Grantham
Reason for Referral to Committee	The application is considered to be locally controversial
Recommendation Summary	That the development be approved subject to conditions

Key Issues

- Loss of Off Road Parking
- Impact on potential Conservation status

Technical Documents Submitted with the Application

- Proposed Layout Plan

REPORT

Application Category

This application is categorised as a full application.

Reason for Referral to Committee

The application is considered to be locally controversial.

The Proposal

The application is a full application to drop kerb and creating parking area to the front of 67 Harrowby Road, Grantham

The Application Site and its Surroundings

The application site is located in a residential area of Harrowby Road, 67 Harrowby Road is a semi detached dwelling with a standard sized front garden. The property has an existing driveway and dropped kerb. A number of the surrounding properties have an element of off-road parking including the neighbouring dwelling.

Relevant Site History

S12/0596 single storey side and rear extensions to dwelling approved 26 April 2012.

Policy Considerations

National Policy

NPPF – Section 7 Requiring good design.

South Kesteven Core Strategy

EN1 – Protection and Enhance of the Character of the District.

Representations Received

Lincolnshire County Council Highways – Does not wish to restrict the grant of permission.

Archaeological – no affect upon any known site.

Representations as a Result of Publicity

The application has been advertised in accordance with the Council's Statement of Community Involvement and 6 letters of objection have been received. The comments made are summarised below.

1. Loss of Off Road Parking
2. Impact on potential conservation status

Officer Evaluation

This proposal is for a dropped kerb and creation of parking area on Harrowby road, the application site is a brick built semi detached dwelling, the application site already benefits from off road parking to the side of the dwelling and a shorter dropped kerb to the front of this existing driveway. The existing drop kerb is approximately 2.7 metres in width, this is proposed to be extended by 4 metres taking the dropped kerb to approximately 6.7 metres in width to the front of the dwelling.

As part of the proposal the front dwarf wall would be removed, issue has been raised in reference this having a negative impact on the potential conservation area status, as the Conservation Area has not yet been designated this application can only be determined on visual amenity and highway safety.

It is considered that the visual impact of the development would be acceptable within the street scene and similar vehicular accesses and parking in front gardens exist in the vicinity of the application site.

The Local Highway Authority was consulted on the application and do not wish to restrict the grant of permission, they considered that the proposed development would not be determined to highway safety or traffic capacity.

Crime and Disorder

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

Human Right Implications

Articles 6 (Right to fair decision making) and Article 8 (Right to private family life and home) of the Human Rights Act have been taken into account in making this recommendation.

It is considered that no relevant Article of that act will be breached.

Conclusion

The proposals do not introduce any unacceptable highway safety issues and is not detrimental to neighbouring occupiers' residential amenities or the character of the area and complies with Policy EN1 (Protection and Enhancement of the Character of the District) of the adopted South Kesteven Core Strategy and Section 7 of the National Planning Policy Framework requiring Good Design.

Recommendation

That the development be approved subject to condition(s)

RECOMMENDATION: That the development be Approved subject to condition(s)

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. The development hereby permitted shall be carried out in accordance with the following list of approved plans submitted as part of the application:

Existing and proposed layout received 11 July 2012.

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

3. The development shall be built in accordance with the materials detailed on the submitted application forms unless otherwise agreed in writig by the local planning authority.

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

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Site Location Plan

Ref	S12/1692
Proposal	Drop kerb and create parking area
Location	67, Harrowby Road, Grantham, Lincolnshire, NG31 9ED



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Applicant	Simon Daws Copley Farm, Doddington Lane, Claypole, Newark, Lincolnshire, NG23 5AT
Agent	Windcrop Limited The Granary, Honingham Thorpe, Colton, Norwich, Norfolk, NR9 5BZ
Proposal	3 x 15 meter high wind turbines
Location	Copley Farm, Doddington Lane, Claypole, Newark, Lincolnshire, NG23 5AT
App Type	Full Planning Permission
<u>Parish(es)</u>	Claypole Westborough & Dry Doddington

Key Issues

- Accordance with policy
- Landscape Impact
- Cumulative Impact
- Visual Amenity
- Heritage Impact.
- Noise and Amenity Issues.
- Wildlife and Biodiversity

Technical Documents Submitted with the Application

- Design and Access Statement
- Flood Risk Assessment
- Planning Distance Calculations
- Magic Check Report
- Magic Map

REPORT

Application Category

The application is categorised as an 'MINOR' type of application

Reason for Referral to Committee

The application has been referred to Committee following request by the Chairman as a proposal generating local interest.

The Proposal

The proposal is to install three 15 metre (hub height) wind turbines which are required to provide Copley Farm with a renewable and efficient energy supply. With a rotor diameter of 5.6 metres, the maximum height would be 20.6 metres.

The application site and its surroundings

Copley Farm is a mixed arable and livestock holding covering some 130 hectares, located between and to the east of the road connecting the settlements of Claypole and Dry Doddington. The first turbine is to be located some 75 metres to the south of the farm yard in a grazing field for cattle, the second turbine will be 20 metres further south, and the third another 20 metres to the south of the second turbine. The turbines will be located in a field some 90 metres to the east of Doddington Lane, with some screening from the road by mature hedging running along its length.

Site History

There is an extensive planning history for Copley Farm. Since 1996 various applications have been submitted for farm buildings, dwellings, stabling industrial, material storage and extensions. There is currently a pending application for a temporary agricultural worker dwelling near the farm yard (S11/3144).

Policy Considerations

National Policy Statements

EN1: Overarching national policy and statement for energy.

EN3: Renewable energy infrastructure.

National Planning Policy Framework

Section 10: Meeting the challenge of climate change, flooding and coastal change.

Section 11: Conserving and enhancing the natural environment.

Section 12: Conserving and enhancing the historic environment.

East Midlands Regional Policy

Policy 1: Regional Core Objectives.

Policy 26: Protecting and enhancing the region's natural and cultural heritage.

Policy 27: Regional priorities for the historic environment.

Policy 31: Priorities for the management and enhancement of the region's landscape.

Policy 40: Regional priorities for low carbon energy generation.

South Kesteven Core Strategy 2010

Policy SP1 - Spatial Strategy.

Policy EN1 - Protection and Enhancement.

Policy EN3 - Renewable Energy Generation.

Other Relevant Documents

South Kesteven Landscape Character Assessment (January 2007)

Companion Guide to PPS22 (Planning for Renewable Energy). NB. Although PPS22 itself has been superseded by the NPPF, the companion guide remains in force.

Emerging South Kesteven Supplementary Planning Document (SPD) on Wind Energy

Representations Received

The National Air Traffic System (NATS) has stated that the proposal does not conflict with its safeguarding criteria and therefore has no objections.

The Ministry of Defence (MOD) has no objections. The principal safeguarding concern of the MOD with respect to the development relates to their potential to create a physical obstruction to air traffic movements and cause interference to Air Traffic Control and Air Defence radar installations.

Lincolnshire Wildlife Trust has no comments.

The Environment Agency has no objection but it advises that any electrical components are above the predicted flood level for resilience.

The District Archaeologist has stated that the application does not affect any known archaeological sites and therefore no archaeological intervention is required.

Natural England's advice is that the proposal is unlikely to affect the population of any European Protected Species and it does not appear to be located within, or within the setting of, any nationally designated landscape.

The Principal Conservation Officer requires the Design and Access Statement to sufficiently address the impact of the proposals on listed buildings or monuments that are included within the settlements of Claypole, Dry Doddington and Stubton. Of particular concern is the impact of the proposals on the Grade 1 St. Peters Church, Claypole, and the Grade 11* Church of St. James in Dry Doddington.

Claypole Parish Council has expressed concern about the application, and requested more information on impacts relating to noise, vibration, flicker, environment and precedence.

Dry Doddington Parish Council supports this application and small scale (size and number) wind farm.

The Environmental Health Officer requires more information in relation to noise impact.

Anglian Water has no concerns from a groundwater perspective.

Representations as a result of publicity

The application has been advertised in accordance with the adopted Statement of Community Involvement. Representations have been received from a resident of Claypole who objects to the proposal on the grounds of cumulative visual impact (reference is made to the 5 turbines proposed near Templemans Barn), and that economic considerations should not influence a decision.

Officer Evaluation

KEY ISSUES

Government planning policy (through the NPPF, read in conjunction with National Policy Statements EN-1 & EN-3) encourages renewable energy development, including wind energy. Paragraph 98 of the NPPF states that:

When determining planning applications, local planning authorities should not require applicants for energy development to demonstrate the overall need for renewable or low carbon energy and also recognise that even small-scale projects provide a valuable contribution to cutting greenhouse gas emissions; and approve the application if its impacts are (or can be made) acceptable.

On that basis, members should be aware that the need for renewable energy should be balanced against the potential environmental impact.

Taking the above into account, the key issues that need to be considered are:

- The Government Position on Renewable Energy
- Landscape and Visual Impact (including cumulative impact)
- Impact on the Setting of Heritage Assets
- Noise, Disturbance and Amenity Issues
- Impact on Wildlife and Biodiversity

GOVERNMENT POSITION ON RENEWABLE ENERGY

National planning policy given in the Nation Planning Policy Framework (NPPF) read in conjunction with National Policy Statements EN1 - Overarching National Policy Statement for Energy & EN3 –

Renewable Energy Infrastructure promotes the development of renewable energy resources and stresses the need to reduce carbon dioxide emissions which are considered to be contributing to climate change.

Paragraph 97 of the NPPF states:

To help increase the use and supply of renewable and low carbon energy, local planning authorities should recognise the responsibility on all communities to contribute to energy generation from renewable or low carbon sources.

The applicant (including his farm business) would benefit from reduced energy costs, and any excess would be returned to the national grid. The government's view is that the wider positive benefits of small scale schemes such as this are through a reduction in demand for energy that would otherwise be produced from fossil fuel sources. The government, through the NPPF considers that this represents a benefit to society as a whole and an indirect benefit, (albeit smallscale) to the local community. Although it may be a relatively modest contribution, the NPPF is supportive of small scale schemes stating in paragraph 98 that:

When determining planning applications, local planning authorities should not require applicants for energy development to demonstrate the overall need for renewable or low carbon energy and also recognise that even small-scale projects provide a valuable contribution to cutting greenhouse gas emissions; and approve the application if its impacts are (or can be made) acceptable.

The Development Plan i.e. The East Midlands Regional Plan (RSS8) and The South Kesteven Core Strategy sets out policies on wind energy at the regional and local level and is fully in accordance with national policy (NPPF) in its approach to wind energy development. RSS8 states that consideration should be given to the contribution of wind generation projects to regional renewable targets and national and international objectives on climate change. The South Kesteven Core Strategy (policy EN3) is generally supportive of renewable energy schemes as long as they accord with other core strategy policies which in this case will mean policy EN1 relating to the impact on the surrounding environment.

LANDSCAPE IMPACT

The general thrust of policy is to restrict development in the open countryside. However there are some exceptions to this general rule including rural diversification projects and development which requires a location away from built up areas. Wind turbines are one type of development that require such a location.

Wind turbines are tall structures which by their nature, stand out to some degree and cannot be easily hidden or disguised in any landscape. The key issue here is not whether they would be visible, but the degree to which the proposed development would have an impact on quality and character of the landscape.

Core Strategy policy EN1 requires development to be assessed against a number of criteria. The South Kesteven Landscape Character Assessment (LCA) has been used to inform this policy and identifies the general characteristics of seven landscape areas, each of which displays distinct characteristics of topography, agricultural usage, field systems and settlement patterns as well as historic building styles.

Although the LCA not itself a policy is an important tool in describing the character of different landscapes within the district and assessing their sensitivity to different types of development. The LCA divides the district into areas with a distinctive landscape character. The site lies within "The

Trent and Belvoir Vales” which is characterised by flat or very gently undulating topography. It can be best described as basin shaped with a flat middle with gently rising ground to its sides where the settlements are situated. The villages with their church towers and spires are noticeable in the views across the landscape and provide character.

In terms of landscape sensitivity, there are considered to be few landscape features of intrinsic sensitivity in the Trent and Belvoir Vale. However with respect to wind energy proposals whilst there are few features of intrinsic landscape sensitivity, the open visual character of the landscape is acknowledged to ensure extensive visibility. For this reason and to avoid dominance of the landscape through cumulative impact it is considered desirable for wind energy proposals in this area to be located close to existing man-made structures such as modern farm buildings, power lines and the A1.

The immediate landscape around the application site in which the turbines would be visible is relatively flat with long uninterrupted views and wide horizons. The site is located between the settlements of Claypole to its north, and Dry Doddington to the south, there are few landscape features of intrinsic sensitivity. This part of the Vale is therefore considered to be of low sensitivity to the type of development proposed.

When viewed from the road connecting the settlements of Claypole and Dry Doddington the turbines will be screened behind a high hedge. Within the Vale, the turbines would appear as isolated features within a wide and fairly featureless landscape of intensively cultivated arable farmland dotted with trees and farmsteads. When viewed from the north, this landscape is framed by the higher ground of the escarpments surrounding Grantham and the turbines would be seen against this backdrop. The turbine would be visible from the higher ground to the east and south but the distances involved and the relatively small scale of the structures proposed would mean that they would appear as low key features in the landscape.

As with all wind energy proposals, the turbines will have an impact on the landscape to some degree. However, taking into account the modest height of the turbines and expansive nature of the landscape, it is considered that the turbines would not be unduly prominent to such an extent as to dominate the landscape. For this reason it is felt that the immediate and wider landscape would not be unduly harmed.

CUMULATIVE IMPACT

National policy states that the cumulative impact of wind energy developments in the area should be taken into account.

Other turbines in the area include one (50 metre hub height) approved last April at Frinkley Farm (Hougham) S10/1759, another (24.6 metre hub height) at Pasture Farm, Allington (S12/0580) and others installed and under consideration south of Newark. The cumulative impact of the proposal set against these turbines would not be such as to warrant refusal, as it is unlikely the turbines proposed will be set in the same view with existing turbines except perhaps from some extremely long and elevated distance.

VISUAL AMENITY OF NEAREST RECEPTORS

There is no statutory minimum distance that turbines have to be sited from dwellings so each case has to be assessed according to its individual circumstances. The closest property to the site includes the applicant’s dwelling at 389m and another dwelling around 660m to the west. The turbines would be apparent in the landscape when viewed from these distances and would impact to some degree on the outlook from some of these dwellings and their domestic curtilages. However, most of these dwellings are separated from the site by modern farm buildings and other

structures. It is considered that the relatively small scale of the turbine combined with the separation distances and individual circumstance of each dwelling ensures that they would not result in an unacceptable dominance of outlook or undermine the living conditions of the occupants from visual harm.

Furthermore, wind turbines, whether large or small scale, are by their nature slender structures which do not block out the sunlight to any great degree or cast shadows over large areas and apart from the immediate area at the base, and are unlikely to result in a dominant and oppressive environment. Taking the above into account it is not considered that the turbines would cause unacceptable harm to the visual amenity of the occupiers of the nearest properties.

HERITAGE IMPACT

The proposed turbines would not be located close to any heritage assets. The main impacts are considered to be on the Church of St. Peter (Grade 1), and St. James Church (Grade II*) in Dry Doddington, both some 1.2 km away.

It is considered that any heritage assets are out of view or too far away to be significantly affected by the turbines and most will not be affected at all. There is no statutory definition of the extent of a heritage asset's setting. This will depend on the type and scale of the asset as well as the context. In respect of the listed buildings within the villages mentioned, the setting can be reasonably described as their immediate village context. The turbine may be visible as very distant features to some extent within the settings of these buildings and from some viewpoints the heritage assets and turbine would be visible together. However, the impact is considered to be minimal. I

It is considered that the turbines would result in some very limited impact on the setting of a number of heritage assets, which is not considered to be sufficient to resist the development.

NOISE & AMENITY ISSUES

The NPPF read in conjunction with National Policy Statement EN-3 is very clear that noise from wind energy development should be assessed using a 1997 report prepared for The Department of Trade and Industry, "ETSU-R-97: The assessment and rating of noise from windfarms". This position has been consistently backed up by appeal decisions including those at Thackson's Well and Palmer's Hollow (Melton Borough).

The Council's Environmental Protection officers have been asked to assess the noise level using the ETSU-R-97 guidance. They have concluded that the noise levels from the turbines specified and in the location provided, and in relation to the nearest residential properties would fall within the limitations required by the ETSU-R-97 guidance and would therefore be within acceptable limits. For the avoidance of doubt, and in accordance with the ETSU-R-97 guidance, it is recommended that a condition be attached to ensure that the noise is kept within these limits.

Shadow flicker effects have only been proven to occur within 10 rotor diameters of a turbine. In this case, with a rotor diameter of 20m, that would mean there would be no shadow flicker beyond 200m. It also states that shadow flicker only occurs inside buildings through narrow window openings during very limited periods throughout the year. As the nearest residential property is approximately 390m away, there would be no detrimental impact on domestic properties from shadow flicker.

Taking the above into account it is considered that the proposal would not be detrimental to the residential amenities of the occupiers of nearby properties through noise and disturbance.

WILDLIFE & BIODIVERSITY

The applicant has submitted a desktop bird survey indicating that the impact on birds would be minimal and that no further survey work is required. The survey is in accordance with Natural England's standing advice and Lincolnshire Wildlife Trust have confirmed that they have no comments.

In respect of bats, the turbines would be located >50m from hedgerows and linear features where bats are likely to commute, forage and roost, in accordance with Natural England's guidance. Whilst there may be bat populations in nearby churches and other buildings as well as local trees/hedges, research and guidance from Natural England shows that bats generally do not stray far from such features.

Taking the above into account, it is considered that the proposal would not have an unacceptable detrimental impact on wildlife and biodiversity.

AIR TRAFFIC & RADAR

NATS and MOD have raised no safeguarding objection to the proposal.

HIGHWAY ISSUES

The County Highways Authority to follow.

OTHER MATTERS

Lincolnshire County Council has recently issued a Position Statement on wind turbines. It should be noted, for the avoidance of doubt, that this does not form part of planning policy, nor are LCC a statutory consultee for this type of application. Their statement is merely an indication of the position that they will take if they are consulted on wind energy proposals so carries little or no weight.

South Kesteven District Council is currently in the process of preparing a supplementary planning document (SPD) on wind energy. As the document is in draft form it can only be given very limited weight and in any case would not fundamentally alter the assessment of this proposal.

Crime and Disorder Implications

The site appears to raise no concerns relating to crime and disorder.

Human Rights Implications

It should be noted that Article 6 (Right to fair decision making) and Article 8 (Right to private family life and home) will be taken into account in determining this application

It is considered that no other relevant Article will be breached.

Conclusion

This application has been assessed across a number of material issues and due regard and weight has been given to all the relevant policies, consultee responses, and relevant comments made by other parties.

It has been recognised in this assessment that this proposal would have a degree of impact on the landscape character of the immediate and wider area as well as the settings of nearby heritage assets. However in this case, on balance the various impacts are not considered to be substantial and therefore do not carry sufficient weight to warrant refusal.

In the circumstances, it is considered that the proposal should be approved in accordance with paragraph 98 of the NPPF.

SUMMARY OF REASON(S) FOR APPROVAL

It is considered that the proposed wind turbines would provide a source of renewable energy, contributing to a reduction in the use of fossil fuels, in line with national policy. The design, location and relatively small scale are considered to be appropriate. It is considered that the proposal would be sufficiently well separated from the nearest dwellings to ensure residential amenities are protected. Although it is acknowledged that there would be some impact on the landscape character and the setting of heritage assets, on balance, the various impacts are not considered to be substantial and therefore do not outweigh the need for renewable energy as set out in national policy.

For the reasons outlined above, it is considered that the proposal is in accordance with The National Policy Statements - Overarching National Policy Statement for Energy (EN-1) & National Policy Statement for Renewable Energy Infrastructure (EN-3), The National Planning Policy Framework (Section 3 Supporting a prosperous rural economy, Section 12 Conserving and enhancing the historic environment, Section 11 Conserving and enhancing the natural environment, Section 10 Meeting the challenge of climate change and flooding, Section 7 Requiring good design) policies 1, 26, 27, 31 & 40 of The East Midlands Regional Plan and policies SP1, EN1 and EN3 of the South Kesteven Core Strategy and that there are no material considerations that indicate otherwise, although conditions have been attached.

RECOMMENDATION: That the development be Approved subject to condition(s)

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. The development shall not commence until details of the method and route of delivery of components (including a risk assessment and method statement) have been submitted to, and approved in writing by, the local planning authority. The development shall be carried out in accordance with the approved details.

Reason: In the interests of highway safety.

3. The development shall not commence until details of the external finish and colour of the proposed turbine have been submitted to, and approved in writing by, the local planning

authority. The development shall be carried out in accordance with the approved details, and there shall be no subsequent change to the finish or colour of the turbine without the local planning authority's prior approval in writing.

Reason: To minimise the impact on the landscape in accordance with the National Policy Framework and Policy EN1 of the South Kesteven Core Strategy.

4. In the event that the wind turbine is no longer used for the generation of electricity, it shall be removed as soon as practicably possible, and the land restored to its original condition.

Reason: In the interests of the visual amenities of the area and in accordance with Policy EN1 of the South Kesteven Core Strategy.

5. The noise level from the wind turbines, when measured in accordance with the requirements of ETSU-R-97, shall not exceed an LA90, 10min of 35dB(A) up to wind speeds of 10m/s at 10m height, measured at the curtilage of any lawfully existing dwelling. Within 21 days of a request from the local authority, and following the receipt of a complaint, the wind turbine operator, shall at their own expense employ a suitably qualified and competent person to undertake an assessment of noise from the turbines in accordance with the requirements of ETSU-R-97 and supply a copy of the report to the local authority.

Reason: In order to protect the occupiers of nearby dwellings from unacceptable noise and disturbance.

6. Before the development is commenced, the developer shall provide written confirmation to the MOD (Defence Infrastructure Organisation) of the date of the start of construction and the maximum height of any construction equipment to be used. When the development is completed, the developer shall provide written confirmation to the MOD (Defence Infrastructure Organisation) of the date of completion, and the exact height and latitude and longitude of the position of the turbines, no more than 14 days after this date. The development approved by this permission shall be carried out in accordance with these details.

Reason: In order that this information can be plotted on MOD flying charts to ensure that military aircraft avoid the area.

7. The development hereby permitted shall be carried out in accordance with the following list of approved plans submitted as part of the application:

1. 1:10000 Area Plan.
2. Drawing ATC10070-1000*
3. 1:2500 Site Location Plan.
4. Distance calculations for Planning Applications.
5. Biodiversity Checklist.
6. Flood Risk Assessment Report.
7. 1:500 Block Plan.
8. Design and Access Statement.

All received on 10 August 2012

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

* * * * *

Site Location Plan

Ref	S12/2016
Proposal	3 x 15 meter high wind turbines
Location	Copley Farm, Doddington Lane, Claypole, Newark, Lincolnshire, NG23 5AT



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