

Applicant	Mr & Mrs M Favell 3, Periwinkle Way, Bourne, Bourne, Lincolnshire, PE10 0FJ
Agent	David Wells, Building Design Services 15, West Road, Pointon, Sleaford, NG34 0NA
Proposal	Erection of dwelling and garage
Location	R/O 10, West Road, Bourne
App Type	Full Planning Permission
Parish(es)	Bourne
Reason for Referral to Committee	This application has been referred to the development Control Committee as the proposed development does not accord with the Local Plan and has been advertised as such.
Recommendation Summary	<p>It is considered that by virtue of the location, scale, design and materials of the proposed one dwelling will have minimal visual impact and will be well integrated into the street scene context of the surrounding area. There would be no detrimental impact on the residential amenities of the occupiers of nearby dwellings or on highway safety.</p> <p>It is therefore considered that the proposal is in accordance with NPPF Sections 1, 7, and 11 and Policies H1, SP1 and EN1 of the South Kesteven Core Strategy. There are no material considerations that indicate otherwise, although conditions have been attached.</p>

Key Issues

- The visual impact on the surrounding area.
- The impact on the existing frontage dwelling.
- The impact on the amenities of adjacent residential occupiers.
- Any road safety or traffic issues..

Technical Documents Submitted with the Application

- Design and Access Statement.

REPORT

Application Category

This application is categorised as a minor application.

Reason for Referral to Committee

This application has been referred to the development Control Committee due to the proposal not being within the development plan.

The Proposal

The proposal is for the erection of one chalet bungalow and garage. The proposal involves development that does not accord with the provisions of the development plan and has been advertised as such. The scheme will have a visual impact on the area but in terms of the use of this vacant plot of land it will be compatible with the residential development to the west. The access to the plot has provision for turning within the plot to ensure vehicles can enter and leave the highway in a forward direction.

The application site and its surroundings

The site is to the north side of West Road and is a vacant back land development plot formerly part of the large rear garden area of the frontage dwelling 10 West Road. The site has a width of 13.5 metres and a depth of 64 metres. There is residential property surrounding the site to the south and on the opposite side of West Road. The access to the site is via a 54 metre long by 5.5 metres wide existing access and public footpath which serves Westway an existing bungalow to the rear of frontage development. The access includes a turning area to allow vehicles to enter and leave in a forward direction.

Site History

S11/0714/OUT – This was an outline application for the erection of one single storey dwelling on the same plot to the present proposal which was granted consent on the 20th June 2011. (This application is still extant)

S12/1782/PRE – This was a preliminary enquiry answered on the 24th October 2012 about the possibility of dormer windows in the north elevation of the proposal. The outline application had conditioned that the dwelling be single storey only with no windows in the roof space. This was to protect property around the site from overlooking issues. Having seen the revised design with a dormer window in the rear facing north slope of the proposal it was felt on balance that as the window overlooked the rear garden space of the proposal and was some 28 metres from the rear boundary this might be acceptable but would require a full application as a reserved matters submission could not fully comply with the original outline approval. The current proposal has been submitted in line with the preliminary enquiry.

Planning Considerations

National Policy

NPPF Section 1 – Delivering Sustainable Development.

NPPF Section 7 – Requiring Good Design.

NPPF Section 11 – Conserving and Enhancing the Natural Environment.

South Kesteven Core Strategy

Policy SP1 - Spatial Strategy.

Policy H1 - Residential Development. This policy states at the present time that development in Bourne should be restricted to that already committed via planning approval at the date of adoption of the Core Strategy (05.07.10). This policy is subject to some discretion where the development only relates to minor infill plots of one or two dwellings which would not affect the overall strategy for the area but each has to be treated on its own individual merits and subject to justification for departure from the Development Plan.

Policy EN1- Protection and Enhancement of the Character of the District. This is a general policy containing a list of criteria which seeks to preserve and enhance the visual quality and amenity of the built and countryside environments and criteria 2, 4, 5, 10 and 11 refer in this case relating to, local distinctiveness and sense of place, the layout and scale of buildings, the quality and character of the built fabric, visual intrusion and noise and light pollution..

Representations Received

Archaeology – No known affect.

Lincolnshire County Council Highways Division - Does not wish to restrict the grant of permission subject to standard conditions being imposed...

Town Council – No objections,

LCC Footpaths Officer – Public footpath No 10 should not be affected but its existing width must be maintained and must not be obstructed at any time.

Property Development – Request W&D IDB need notifying regarding culverting of dyke drain. Details of soakaway also required.

Town Council – No objections.

Representations as a result of publicity

The application has been advertised in accordance with the adopted Statement of Community Involvement to which one response has been received objecting to the north facing roof lights, the hedge be reinstated and the filled in drain also be reinstated.

Officer Evaluation

With regard to the impact on the character of the area the development of the site in principle is acceptable as Bourne is identified as a main town. Chalet bungalow style development would be in keeping with the character of the existing residential development in the surrounding area which is a mixture of two and single storey development. The street scene is not affected or compromised by the development as it is set back behind road frontage property so the appearance of the area is maintained. The impact on the amenities of neighbouring residential occupiers is safeguarded in terms of overlooking, overshadowing or overbearing as the dwelling is single storey with roof lights in the roof space on the north elevation facing down the reasonable sized rear garden space, one small obscure glazed roof light in the south elevation and one in the east elevation to give the kitchen additional light at high level. With regard to the departure from the Development Plan it is felt that taking into account the location of the site and the minor nature of the development (ie; only one dwelling) the individual merits of this application will not have any major impact on the ethos and requirements of the Development Plan. The removed hedge is being replaced by a closed boarded fence and the filled in drain replaced with a new one to required standards. In relation to road safety and traffic movements the Lincolnshire County Council Highways Division have indicated that subject to conditions being imposed they have no objections subject to conditions being imposed.

Crime and Disorder Implications

It is considered that the proposed development will not have any significant or detrimental 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.

SUMMARY OF REASON(S) FOR APPROVAL

It is considered that by virtue of the location, scale, design and materials to the proposed one dwelling will have minimal visual impact and will be well integrated into the street scene context of the surrounding area. There would be no detrimental impact on the residential amenities of the occupiers of nearby dwellings or on highway safety.

It is therefore considered that the proposal is in accordance with NPPF Sections 1, 7 and 11 and Policies H1, E1 and EN1 of the South Kesteven Core Strategy. There are no material considerations that indicate otherwise, although conditions have been attached.

Recommendation: That subject to no adverse comments being received before the expiry of the press notice on the 23rd November 2012 the Development Services Manager be given approval to release the decision notice which will be subject to the following conditions:-

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. Before the dwelling is occupied, the access and turning space shall be completed in accordance with the approved plan, drawing number 2711/1 dated July 2012, and retained for that use thereafter.

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

3. This permission relates solely to the application as amended by applicant's agents letter and drawing ref no: 2711/1A received on 16th October 2012.

Reason: The earlier submitted drawings were unacceptable because drainage and soakaway details had not been submitted.

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

Drawing Ref No: 2711/1A Existing and Proposed Site Plans received on the 16th October 2012.

Drawing Ref No: 2711/2 Proposed Plans and Elevations.

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

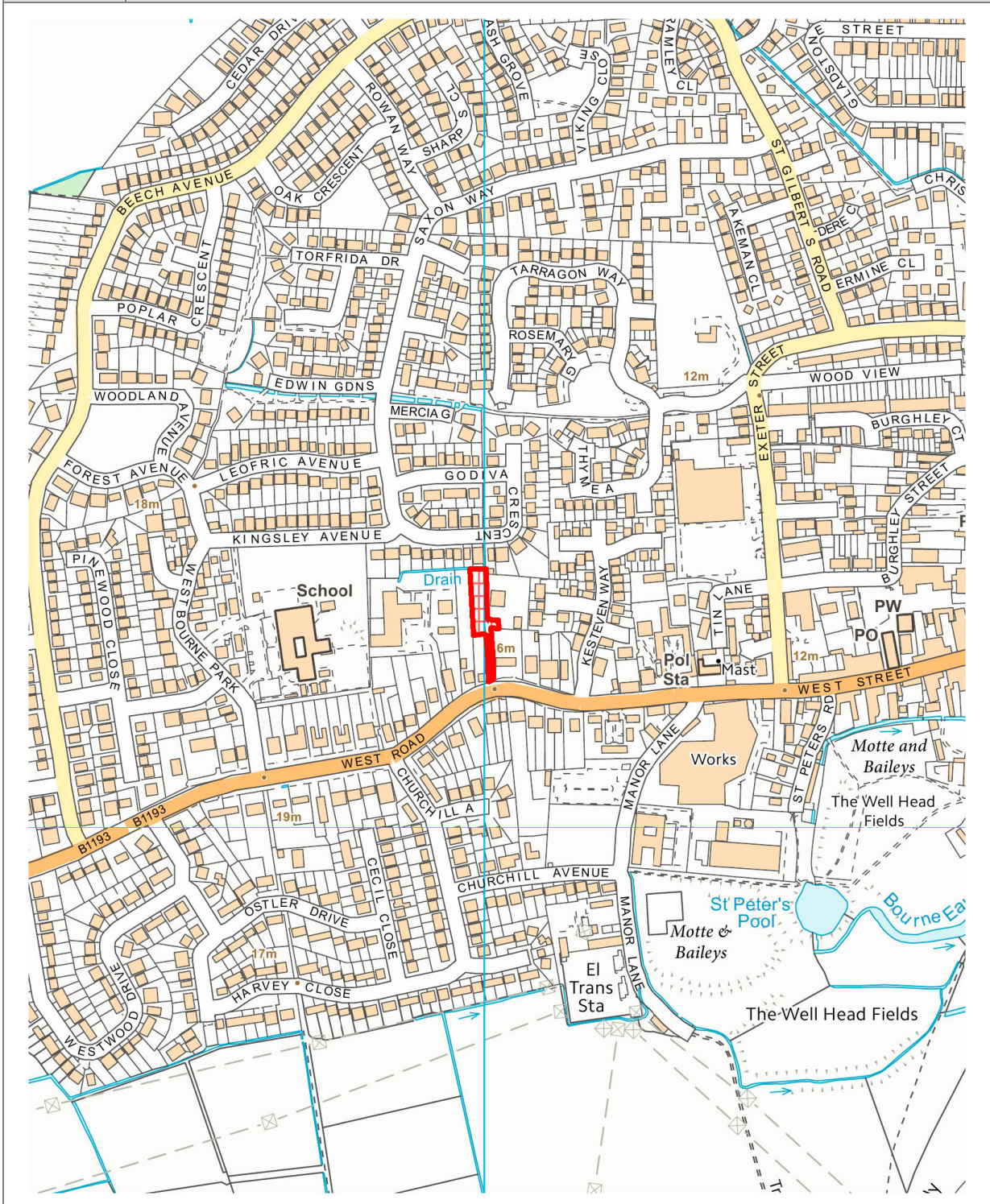
Note(s) to Applicant

1. Surface water off drives and private areas shall not discharge onto the public highway. Drives falling towards the highway shall have channels installed at the interface and be connected to an approved system.
2. This road is a private road and will not be adopted as a Highway Maintainable at Public Expense (under the Highways Act 1980) and as such the liability for maintenance rests with the frontagers.
3. 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.

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Site Location Plan

Ref	S12/2212
Proposal	Erection of dwelling and garage
Location	R/O 10, West Road, Bourne



Applicant	Mr C Dunmore 1, Estella Way, Spalding, PE11 1HS
Agent	Mark Abell, PW Architects Firdale Stables, High Street, Morcott, Rutland, LE15 9DN
Proposal	Erection of 3 detached dwellings, following demolition of Casterton House
Location	Casterton House Rest Home, Casterton Road, Stamford, Lincolnshire, PE9 2UA
App Type	Full Planning Permission
Parish(es)	Stamford
Reason for Referral to Committee	The application is of local interest and at the request of the Local Ward Member.
Recommendation Summary	<p>The application site comprises a large parcel of land to the rear of 49 and 51 Casterton Road and on the land is a large property occupied as a rest home. Whilst it would be preferable to retain this property there is no means by which the Authority could protect it; therefore, the principle of a replacement structure is supported.</p> <p>However, the addition of two residential units would be out of character with the area through increasing the tandem and backland form of development. This view is consistent with a previous refusal on site (ref; S11/1391/OUT).</p> <p>It is not considered that the building to replace Casterton House would be detrimental to residential amenity, taking into account the scale of the existing structure, through a dominating or overlooking impact. However, plot 3 would be sited extremely close to the boundary with properties on Vence Close and is recommended for refusal on this ground.</p> <p>For clarification, it is not considered that the development would be harmful to highway safety or trees on site.</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 policy EN1 of the South Kesteven Core Strategy and guidance contained in the National Planning Policy Framework through the tandem and backland form of development as well as the overbearing resulting from plot 3.</p>

Key Issues

- Principle of the development.
- Planning history associated with the site.
- Impact on the character of the area and residential amenity

Technical Documents Submitted with the Application

- Location plan.
- Elevation and floor plan drawings.
- Design and Access Statement
- Tree survey

REPORT

Application Category

This application is categorised as a minor application

Reason for Referral to Committee

The application is considered to be locally controversial and at the request of a Local Councillor.

The Proposal

The application is for the erection of 3 large detached dwellings, following the demolition of Casterton House. Vehicular access to the site would be between 49 and 51 Casterton Road, the current access point to the site.

It is a full application and the width of the access is proposed to increase to 5.25m for the first 10m with the remainder 3.5m wide. Electric gates and piers are proposed across the drive but would set be some 33m from Casterton Road. All of the dwellings to be erected would be substantial in scale and have a ridge height in excess of 10m. Plots 1 and 2 would be identical except that one would have a detached double garage whilst the other would have a treble. Plot 3 would be individual in design and all dwellings would have accommodation in the roof space.

The Application Site and its Surroundings

The application site is a large parcel of land with a number of mature trees around the periphery, as well as some smaller specimens within it. The land rises up gradually from Casterton Road when heading into the application site. To the west of the application site are 4 detached properties that front Vence Close. East and west of the site is what appears an area of grass associated with a scout group.

Relevant Site History

SK.1164/83/2261 – An application for the erection of two dwellings was refused on highway safety grounds and due to the development having an adverse impact on the frontage houses at Casterton House in November 1983.

S11/1391/OUT – The application was refused permission at the Development Control Committee of September 2011 for the following three reasons. The application did differ from that currently under consideration with it being in outline form and Casterton House was also proposed to be retained.

1. The development in this part of Stamford is characterised by a mix of one and two storey dwellings fronting onto the surrounding roads. It is considered that the proposed development is at odds with the prevailing character and would represent an unacceptable form of backland development. Whilst the development is relatively well screened by the existing trees and landscaping it is considered that the development would also compromise the setting of Casterton House. Although Casterton House is not a listed building it is considered to be a significant local heritage asset. Acceptance of the proposed development would therefore be contrary to the requirements of Planning Policy Statement 1 and Policy EN1 of the South Kesteven District Council Core Strategy.

2. The site boundary is surrounded by trees some of which are the subject of a Tree Preservation Order. The site also has a number of fruit trees on it. The Council's Consultant Arboriculturalist has not raised any objections to the proposed development subject to the tree protection measures being implemented. He has however indicated that the development would appear to be cramped in view of the surrounding tree cover. It is considered that if all of the trees proposed to be retained are kept the proposed dwellings would have very limited usable outside space. Furthermore the dwellings would be significantly overshadowed and over dominated by the surrounding tree cover all of which would be detrimental to the future residential amenities of any potential occupiers of the dwellings and removal of the trees would only result in further adverse impact on the character and appearance of the area and the setting of Casterton House. Acceptance of the proposed development would therefore be contrary to the requirements of Planning Policy Statement 1 and Policy EN1 of the South Kesteven District Council Core Strategy.

3. The proposed passing bay on the access road would be located directly adjacent to the side wall of 51 Casterton Road. It is considered that this would result in an unacceptable increase in noise and disturbance to the occupiers of 51 Casterton Road contrary to the requirements of Policy EN1 of the South Kesteven District Council Core Strategy.

Policy Considerations

National Planning Policy Framework

- 1 - Building a strong, competitive economy
- 6 – Delivering a wide choice of high quality homes
- 7 – Requiring good design
- 11 – Conserving and enhancing the natural environment

East Midlands Regional Plan 2009:

- Policy 1 - Regional Core Objectives
- Policy 2 - Promoting Better Design

South Kesteven Core Strategy 2010:

- Policy SP1 - Spatial Strategy
- Policy SP3 - Sustainable Integrated Transport
- Policy EN1 - Protection and Enhancement of the Character of the District
- Policy H1 - Residential Development

Representations Received

The Local Highway Authority raise no objection to the application following the submission of amended plans widening the access to Casterton Road.

The Consultant Arboriculturalist notes that a number of trees are to be lost but many are not visible from the Casterton Road frontage. Trees around the periphery of the site are to be retained and a condition would be required to ensure that they are protected during construction. Also notes that trees on an adjacent site could hinder the development but this would be something for the developer to consider.

Stamford Town Council raises grave concern over the loss of Casterton House which is a long standing building and part of the historic fabric of Stamford. The demolition of this building will erode further the history of the town

The Principal Conservation Officer notes that it is regrettable to lose Casterton House, particularly when the building to replace it is inferior; however, the building is outside the Conservation Area and does not meet the criteria for Listing. Therefore, does not feel that the building could be retained but would want to see a photographic record and floor plans of the dwelling prior to its demolition.

Heritage Lincolnshire notes that the development would not affect any known sites of archaeological interest.

The internal Land Drainage Officer requests that details of surface water drainage should be submitted to and approved in writing by the Local Planning Authority and should be based around sustainable urban drainage systems.

Representations as a Result of Publicity

The development has been advertised in accordance with the Council's Statement of Community Involvement with the closing date for representations being the 31 August. At the time of writing a total of 6 letters of objection have been received. The points raised can be summarised as follows:

1. Concerns about additional traffic using access to Casterton House and highway safety issues including pedestrian safety concerns.
2. Similar applications were refused under application numbers SK1164/83/2261 and S11/1391/OUT.
3. Removal of trees would have an adverse impact on the local wildlife.
4. Concerns about the proximity of the drive and increase in noise form the number of vehicles likely to access the development.
5. Concerns about increased noise and disturbance.
6. Concerns about local drainage issues.
7. Concerns about overlooking and loss of privacy.
8. Concerns that the proposed dwellings will be dominant and oppressive.
9. Proposals are out of keeping with surroundings.
10. Concerns about impact on TPO trees.
11. Contrary to core strategy policies.
12. Casterton House is a building that makes a great contribution to the character of the area and should be retained.

Officer Evaluation

The application is for the erection of 3 dwellings following the demolition of Casterton House. As noted by the Conservation Officer, the building falls outside the Conservation Area and does not meet the criteria to be worthy of Listing. As a result there is no requirement for the applicant to apply for permission to have the building demolished save for 'prior approval'. Under the prior approval process the Local Planning Authority can only control the means of demolition and not make a judgement about whether or not the building is worthy of retention. Therefore despite strong reservations expressed about the loss of the building it is not protected and there is not considered to be any means by which it could be protected.

The dwelling to replace Casterton House (plot 2) would have a lower ridge height than the existing, despite having a ridge height of over 10m. Whilst the property would be sited closer to properties on Vence Close than Casterton House it would have a lower ridge height so a recommendation of refusal on the grounds of an overbearing impact is not considered to be justified. No windows are proposed in the side elevation closest to Vence Close at the upper levels, except for a frosted window to an en-suite at a second floor. Therefore it is considered that whilst plot 2 may appear large in the locality there is a need to consider the property that is in situ and, as a result, residential amenity would not be compromised through a dominating or overlooking impact. In terms of design the dwelling would be relatively contemporary with a large glazing section in the centre of the front elevation as well as conventional window layout either side of this focal point. Materials would be brick with stone surrounds for the windows as well as an element of cedar boarding on secondary elevations. Given the type of dwellings that surround the application site it is not considered the dwelling be out of character with the area.

However, with regard to the additional plots (1 and 3) there has been a previous refusal on the site because it would respect the character of the area and result in a tandem and backland form of development that would be at odds with the character of the area. There has been no change in policy that would now indicate this aspect of the application is acceptable. Furthermore, the scale of these properties, which would not be a replacement of an existing structure, is a concern and something smaller in height would reduce overbearing concerns with particular regard to plot 3 which would, at its closest point, be just 1m from the adjacent boundary. Plot 3 is, therefore, considered to have a significant overbearing impact that would justify a refusal of permission.

It should be noted that the second reason for refusal attached to application S11/1391/OUT was on the grounds of small garden areas being retained for the dwellings and loss of trees. However, the siting of the dwellings have altered and now have larger gardens and would be sited further from protected trees close the boundary with 51 Casterton Road. Therefore it is considered that the amended application has overcome reason for refusal 2 attached to application S11/1391/OUT.

Furthermore, reason for refusal 3 of application S11/1391/OUT was because of the detrimental impact that a passing bay would have on the amenity 51 Casterton Road through noise that would be generated. On this application there is no passing bay but the access is widened close to Casterton Road to allow vehicles to pass one another. The wider access would be further away 51 Casterton Road than the originally proposed passing bay and given this change, and existing use of Casterton House, it is not felt that a refusal on the grounds of noise disturbance would be justified.

Concern has been raised about a drain that runs through the site but this would be a civil legal matter. Furthermore, it is not considered that the development would, subject to conditions, be harmful to the trees that surround the site. Due to the increase in width of the access nor is it considered that the development would be detrimental to highway safety.

In view of the above it is considered that the revised application has overcome two of the reasons for refusal attached to application S11/1391/OUT; however, it has not overcome the fundamental objection of tandem and backland development that would be out of character with the area. Furthermore, the relationship between plot 3 and dwellings on Vence Close is such that it would result in a significant overbearing impact that would be detrimental to residential amenity.

Section 106 Heads of Terms

No requirements

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.

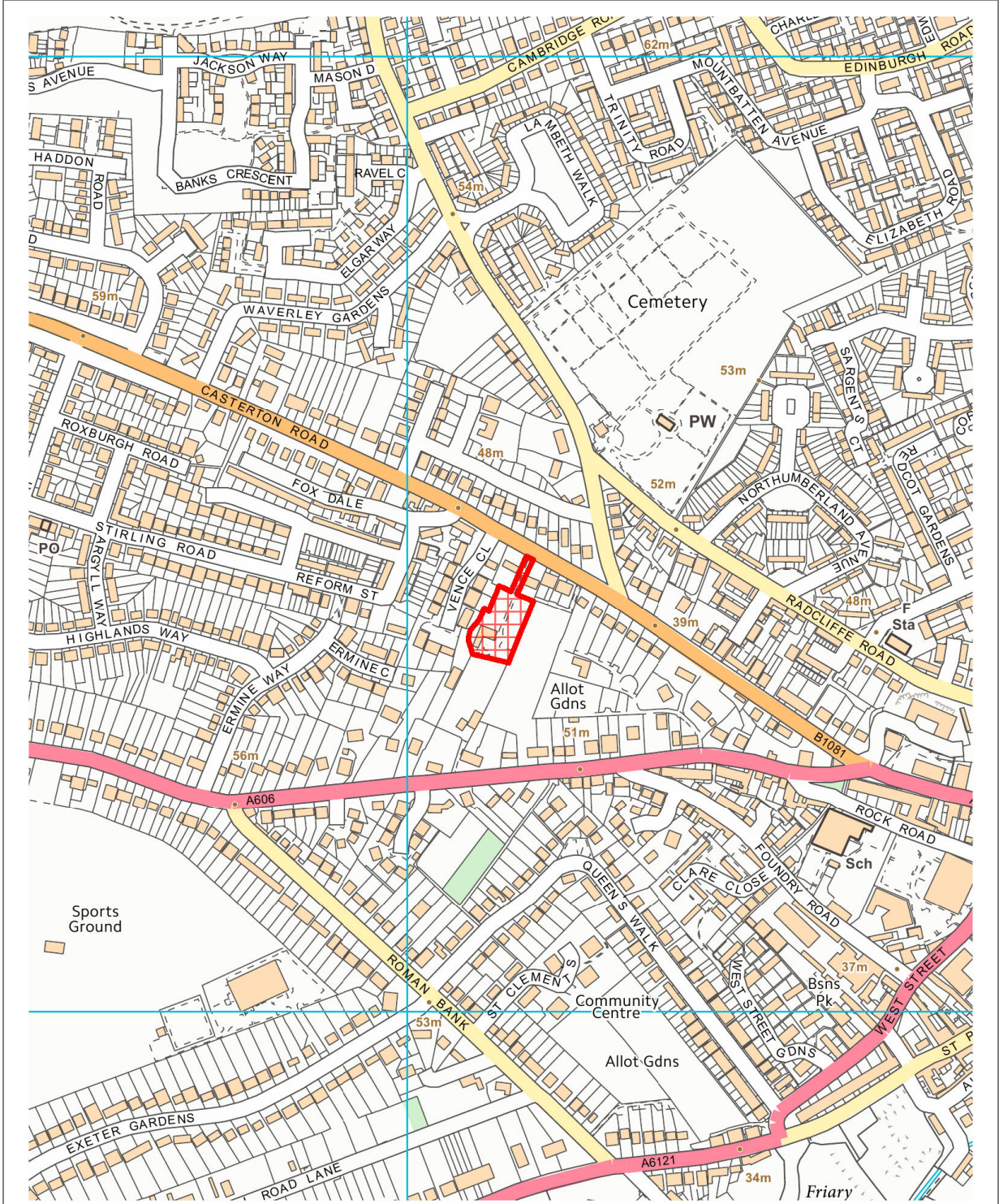
RECOMMENDATION: That the development be Refused for the following reason(s)

1. The development in this part of Stamford is characterised by a mix of one and two storey dwellings fronting onto the surrounding roads. It is considered that the proposed development is at odds with the prevailing character and would represent an unacceptable form of backland development. The application is therefore deemed contrary to the requirements of Policy EN1 of the South Kesteven District Council Core Strategy along with guidance contained in the National Planning Policy Framework.
2. The scale and location of plot 3 in relation to properties on Vence Close would result in a significant overbearing impact that would be detrimental to the amenity of the occupiers of these properties. The application is, therefore, deemed contrary to one of the core principles set out in paragraph 17 of the National Planning Policy Framework in relation to always seeking to secure a good standard of amenity for all existing and future occupants of land and buildings.

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Site Location Plan

Ref	S12/1852
Proposal	Erection of 3 detached dwellings, following demolition of Casterton House
Location	Casterton House Rest Home, Casterton Road, Stamford, Lincolnshire, PE9 2UA



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Applicant	Andrew Wood The Old Rectory, Carlby Road, Greatford, Stamford, Lincolnshire, PE9 4PR
Agent	Peter Wilmot, Peter Wilmot Architects Firdale Stables, High Street, Morcott, Rutland, LE15 9DN
Proposal	Erection of replacement timber storage buildings, new access gates and piers
Location	The Old Rectory, Carlby Road, Greatford, Stamford, Lincolnshire, PE9 4PR
App Type	Full Planning Permission
Parish(es)	Greatford
Reason for Referral to Committee	The application is of local interest and at the request of the Local Ward Member.
Recommendation Summary	<p>The principle of replacing existing structures, which are falling into disrepair, is supported. In terms of design the structures are appropriate and would respect the character of the Conservation Area.</p> <p>It is not considered that residential amenity would be compromised through an overlooking and overbearing impact. Control of the buildings to ensure that a commercial use is not undertaken is; however, required.</p> <p>The impact on the environment would be minimal given that trees in the area would not be compromised.</p> <p>The boundary treatment to Carlby Road is appropriate.</p> <p>In view of the above it is recommended that the application be granted permission with the development deemed to comply with policy EN1 of the South Kesteven Core Strategy and guidance contained in the National Planning Policy Framework.</p>

Key Issues

- Principle of the development in this location
- Impact on the character of the Conservation Area.
- Impact on the openness of the countryside.
- Residential amenity e.g. overlooking and overbearing impacts, noise.
- Use of the buildings.
- Planning history of the site.

Technical Documents Submitted with the Application

- Location plan.
- Elevation and floor plan drawings.
- Tree survey
- Protected species survey
- Design and Access Statement.

REPORT

Application category

The application is categorised as an other application

Reason for referral to Committee

At the request of the Local Ward Member and with other applications on this site also determined at the Development Control Committee.

The Proposal

The application is for the erection of replacement timber storage buildings on land to the south of The Old Rectory. They are proposed to be in 3 blocks in a courtyard shape. The floor area of the buildings would be some 299m²; two of the three buildings would have a ridge height of 4.75m whilst the westernmost structure, closest to Julyas House, would be 4.25m tall. The buildings are proposed to be constructed of timber under concrete tile.

New access gates and associated walls are also proposed at the entrance to the site on Carlby Road. The wall height to the street frontage has reduced to be 1m high increasing to 2m some 5m back from the footpath edge. The gates to the drive would be over 10m back from Carlby Road and constructed of solid timber. The walls would be constructed of limestone rubble with ashlar piers.

The application site and its surroundings

The Old Rectory is a Grade II Listed Building with the primary access point to the property off Carlby Road, north of the access point where the boundary walls and gates are proposed under this application.

Where the buildings are proposed to be sited is in a small copse, with a dyke running through it. There are currently a number of timber buildings in the locality which are in a poor state of repair and have consent to be removed under Conservation Area Consent S11/1384.

Relevant Site History

Planning application S10/1876 for the 'erection of classic car unit for car storage unit domestic use' was refused permission at the Development Control in April 2011. It was refused permission for the following reasons;

1. In the opinion of the local planning authority the size and scale of the proposed building, which is to house 36 vehicles for the occupiers of the dwelling known as 'The Rectory', is considered to be of excessive size and scale more akin to a commercial structure rather than being of domestic proportions and its use is likely to be beyond that which could be considered to be ancillary to the enjoyment of the occupiers of the main dwellinghouse.

2. The allowance of a building of this size and scale is likely to have a detrimental visual impact on both the setting of the listed building and this part of the Greatford Conservation Area.

Application S11/0979/Full, for a 'new drive to residential property' was granted permission in February 2012.

Application S11/1384/CON, for the 'Demolition of timber buildings in Conservation Area' was granted consent in February 2012.

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

SKDC Core Strategy

EN1- Protection and Enhancement of the Character of the District

Representations received

Heritage Lincolnshire notes that there are no archaeological features of interest that would be affected by the proposed development.

The observation of Greatford Parish Council is reproduced below;

"The Parish Council is pleased that the application has been changed to modify the boundary wall in the vicinity of the proposed new entrance and also pleased that it has been acknowledged that the height of one of the proposed storage buildings was too great and that the buildings should not be used for a great many motor vehicles. The Parish Council does have however some residual concerns and requests that the Planning Authority does not approve the application unless conditions are set in relation to the following points:

The height of the building nearest the boundary with Julyas House should be no more than 3.8 metres – in line with the decision on application number S12/0945 – to avoid the new building having an unacceptable impact on the neighbouring property and to avoid an apparently arbitrary variation in heights permitted for buildings adjacent neighbours' boundaries.

A limit should be set on the number of cars to be stored in the new buildings to reduce the risk of the buildings being used to store such a number of vehicles that there might be unacceptable noise to neighbouring properties, and to avoid the risk that the use of the proposed new buildings would be "likely to be beyond that which could be considered to be ancillary to the enjoyment of the occupiers of the main dwelling house" (in line with the reason for the refusal of application S10/1876).

□ Notwithstanding the extent of the grounds of The Old Rectory, since the footprint of the proposed new storage buildings and their gravel forecourt is much larger than that of a typical house in the area, this must be regarded as a very large development within the Greatford Conservation Area, and accordingly future generally permitted development rights on this site should be removed. The Parish Council would also ask the Planning Authority to satisfy itself that the use of timber storage buildings to motor vehicles in a wooded location does not present an unacceptable fire hazard close to neighbouring properties.

The Parish Council does not consider the amended proposal for the wall adjacent the pavement along Carlby Road to be unacceptable.

Should the Planning Officers be minded to approve this application without the conditions requested above, the Parish Council requests that the case be referred to the Development Control Committee (having particular regard to the past history of this site), so that the Parish Council (along with concerned residents) can express the concerns orally to the Committee”.

Natural England note it is not an application that they would normally be consulted on but ask that consideration be had to protected species, Local Wildlife Sites and Biodiversity Enhancement.

The Environment Agency raises no objection to the application.

Lincolnshire Wildlife Trust make no observations on the application.

The Consultant Arboriculturalist does not object to the application subject to imposition of pertinent conditions attached to consent S11/0979.

Representations as a result of publicity

The application has been advertised in accordance with the Council’s statement of Community Involvement, with the closing date for representations being 10 August 2012. It should be noted that additional consultation was undertaken following the submission of amended plans and the second consultation period expired on the 24 September.

On the initial consultation a total of 5 letters of objection were received. On the second round of consultation, following receipt of amended plans, a further 5 letters of objection were received. A summary of their objections is reproduced below;

- The heights of the buildings are too large and out of character with the area, as well as resulting in an overbearing impact;
- What is the intended use of the buildings given the planning history to the site?
- Use of the buildings could generate noise complaints;
- Security could be compromised as well as creating a fire hazard;
- The gates and walls proposed are out of character with the green boundary frontage to Carlby Road.

Officer evaluation

Amended plans have been received which reduce the height of one of the three storage buildings as well as alter the height of the boundary wall to the Carlby Road frontage, the application is considered accordingly.

The replacement buildings would not be unduly prominent in the landscape being well screened from public vantage points by existing vegetation. Furthermore, despite concerns raised it is not considered that the buildings would have a detrimental impact on residential amenity through a

dominating or overlooking impact. The building proposed to be sited nearest to a residential property, Julyas House, would be 2.8m from this boundary and the property has a rear garden over 20m in depth. Existing boundary treatments would also help to screen the development from neighbouring properties.

In terms of design the structures would be simple in form and scale; however, two of the three structures would have an appearance that is similar to a typical garage. The agent contests that the applicant intends to house four domestic vehicles in the buildings within the remainder for generic storage and stabling. It is indicated by the agent that the buildings currently house four domestic vehicles and a previous owner used the site for the same.

Given that the buildings would not be detrimental to residential amenity and that permission has been granted for a drive to the south of the storage buildings the main area of concern is considered to be that the buildings are not used for commercial purposes. An element of vehicle storage may be acceptable although it has been indicated that the primary use of the buildings will be for storage of timber, ride on mowers and stabling. Therefore in terms of conditions to restrict the use of the buildings it is only considered necessary to restrict the operation of a commercial enterprise.

Concern has been expressed about noise from use of the buildings and potential fire risk but these are not considered to be overriding issues or factors that would justify a refusal of permission.

Amendments have been made to the entrance wall to the Carlby Road frontage and the reduction in height of the wall is supported in that it would not be as prominent and walls up to 1m in height are generally exempt from planning permission, although the pillars are above this height. The alterations are considered acceptable to overcome concerns about the scale and massing of the access gates and piers.

Section 106 Heads of Terms

No Section 106 is required for this application.

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.

SUMMARY OF REASON(S) FOR APPROVAL

The erection of the structures is supported in that they would not be detrimental to residential amenity through a dominating or overlooking impact. Furthermore, the design of the structures is appropriate and would respect the character of the rural location and wider Conservation Area. Boundary treatments to Carlby Road would also be appropriate in the context.

The application is, therefore, deemed to comply with Core Strategy policy EN1 along with guidance contained in the National Planning Policy Framework; with no other material planning considerations to indicate that the application should be determined otherwise.

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. No development shall take place until samples of the materials (including colour of render, paintwork or colourwash) to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

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

3. The buildings shall not be used for any commercial enterprise.

Reason: To ensure that the use of the buildings is controlled and the amenity of neighbouring properties is not compromised and to comply with Core Strategy policy EN1.

4. Before development is commenced on site all existing trees shown on the approved plan shall be fenced off to the limit of their branch spread. No works (including removal of earth), storage of materials, vehicular movements or siting of temporary buildings shall be permitted within these protected areas.

Reason: To prevent unnecessary damage to existing trees and in accordance with Policy EN1 of the adopted South Kesteven Core Strategy (July 2010).

5. The development hereby permitted shall be carried out in accordance with the following list of approved plans submitted as part of the application:
2011/08 05c
2011/08 06d

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

* * * * *

Site Location Plan

Ref	S12/1487
Proposal	Erection of replacement timber storage buildings, new access gates and piers
Location	The Old Rectory, Carlby Road, Greatford, Stamford, Lincolnshire, PE9 4PR



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Applicant	Mr B Mossman Manor House Farm, Lound, Bourne, PE10 0LJ
Agent	Mike Sibthorp Planning Logan House, Lime Grove, Grantham, NG319JD
Proposal	Replacement dwelling
Location	Manor House Farm and Manor Lodge, Lound, Bourne, PE10 0LJ
App Type	Full Planning Permission
Parish(es)	Toft with Lound & Manthorpe
Reason for Referral to Committee	The application is of local interest and at the request of the Local Ward Member.
Recommendation Summary	<p>The principle of a replacement dwelling is supported; however, it is the location of the replacement dwelling that is in-appropriate being to the north of the northernmost property in Lound. This location would be detrimental to the setting of the adjacent Listed Building as well as not respect the historical character and layout of the Hamlet. Furthermore, the isolated nature of the site would erode the openness of the countryside.</p> <p>The exceptional circumstance surrounding the application can be a material planning consideration but is not considered to be the overriding issue given highlighted concerns and that other locations are available.</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 policy EN1 of the South Kesteven Core Strategy and guidance contained in the National Planning Policy Framework.</p>

Key Issues

- Principle of the development.
- Weight to be given to the exceptional circumstances surrounding the application.
- Whether the location of the replacement dwelling is acceptable taking into account layout, form and historical context, along with the impact on the setting of the adjacent Listed Building.
- Impact on the openness of the countryside.

Technical Documents Submitted with the Application

- Location plan.
- Elevation and floor plan drawings.
- Design and Access Statement, which aims to justify the development

REPORT

The Proposal

The application is for the erection of a dwelling to replace an existing property within the isolated hamlet of Lound.

The application site and its surroundings

Manor Lodge is a dwelling that was granted permission in 1981 and is adjacent to the Listed Manor House Farm and its associated range of barns. Permission has been granted for a long sweeping drive to access Manor House Farm and this is some 150m north of the last building of the Hamlet when heading north.

The dwelling to be demolished is a modest bungalow and is sited between Sunnyside Cottage and Manor House Farm. The property is currently vacant and boarded up and has been so since a murder took place at the property in October 2009.

Relevant History

There is no pertinent planning history attached to the site.

Policy considerations

National Planning Policy Framework

Section 1: Building a strong, competitive economy
Section 3: Supporting a prosperous rural 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

South Kesteven Core Strategy 2010

Policy SP1 – Spatial Strategy
Policy EN1 – Protection and Enhancement of the Character of the District

Representations received

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

Lincolnshire County Council, as Highway Authority, does not object to the application subject to the imposition of pertinent conditions.

Planning Policy does not, in principle, object to the application noting that the principle of replacement dwellings are supported provided they are on a 'like for like basis', and having regard to requirements of policies SP1 and EN1 of the South Kesteven Core Strategy.

The Parish Council fully support the application noting the horrific circumstances that occurred at the site with it offering an opportunity for the applicant and local residents to move forward. Without a replacement structure the existing dwelling is likely to fall into disrepair and be extremely hard to let or sell.

The Principal Conservation Officer has strong reservations about the application and his observations are drafted below;

"Manor House Farmhouse dates in part from the early C17 and was the subject of alteration in the 19th and 20th century. It is constructed of coursed limestone rubble with ashlar quoins and dressings and has a Collyweston slate roof.

I am very concerned about the proposal to locate a dwelling, regardless of whether it is a replacement or not, in the location proposed.

Lound is a small hamlet with the majority of buildings concentrated around the cross roads to the south of Manor House Farm. Manor House Farm and its associated outbuildings are currently, and have been historically, the last buildings at the northern end of the hamlet.

As one approaches the hamlet from the north the first glimpse of the settlement one sees is the traditional stone and pantile farm buildings and the linking walls of the Manor Farm group on gently rising land. They dominate the attractive scene and have done so since they were erected in the C17. In my opinion to introduce a building, of whatever scale, beyond the rear wall of the existing barns that currently define the northern limits of the built form of the settlement would have very negative impact on the setting of the settlement and the attractive established group of buildings traditional buildings of Manor Farm House and its associated traditional agricultural buildings. It would effectively be a dwelling in the open countryside for which there is no overriding justification.

The Agent suggests the proposed dwelling could be considered as a 'Gate Lodge' to Manor Farm House. This is a misguided suggestion because a dwelling such as Manor House farmhouse is not of a status to have warrant a lodge. Such buildings are associated with higher status houses, such as country houses (e.g. Belton House, Uffington Hall, Burghley House, Syston Hall) and Victorian mansions (e.g. St. Catherine's House, Arnoldfield House).

I also note that the Agent claims that there are psychological reasons for demolition of the existing dwelling, Manor Lodge, there having been a murder committed in the property. Whilst I do not wish to appear unsympathetic to the psychological problems the incident in the existing dwelling has caused the occupiers of Manor Farm House, I can cite several examples elsewhere in the District where murders have been committed without the dwelling having to subsequently be demolished.

I would advise that the proposal in its present form would represent an unwarranted introduction of a dwelling beyond the established confines of the settlement and have an adverse impact on the setting of not only the hamlet generally but the heritage asset of Manor Farm House and its associated traditional agricultural buildings in particular. It would not enhance local distinctiveness and should in my opinion be strongly resisted.

I would state that I would have no objection to a dwelling, to the design proposed, being erected on the site of or close to that of the existing dwelling that it is sought to replace". Additional comments have also been received from the Conservation Officer which re-affirms the above stance.

Representations as a result of publicity

The application has been advertised in accordance with the Council's Statement of Community Involvement with the closing date for representations being the 28 August.

A petition has been signed by 20 residents of Lound indicating their support for the application.

Officer evaluation

The principle of a replacement dwelling is supported. However, the location of the proposed replacement dwelling is not considered to be acceptable with it being to the north of the northern most property of Lound, Manor House Farm, a Listed Building.

It has been indicated to the applicant that a location to the rear of the existing bungalow or on a similar footprint may be acceptable; however, the applicant feels that the location as proposed is acceptable and would allow for greater closure with regard to the murder at the property.

Information submitted in support of the application also indicates that the location of the replacement dwelling could act as a gate house to Manor House Farm. However, this view is not shared with the Farm not being the type of property to have historically had a gate house. Extending the built form of the Hamlet north is also not encouraged with the Listed farm house being the first property when entering the village, reflecting its rural and historical character. Allowing a replacement dwelling in this location would be at odds with this character and erode the openness of the area.

Whilst there is sympathy with the desire to replace the dwelling given the events which have occurred within it this is not, in its own right, considered enough to justify the location proposed. This is particularly pertinent given that there are alternative locations within the locality which will have the desired result of a replacement dwelling without being harmful to the character of the area.

Section 106 Heads of Terms

No Section 106 is required for this application.

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

The application should be refused permission as the location of the replacement dwelling is inappropriate and would be harmful to the character of the area.

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

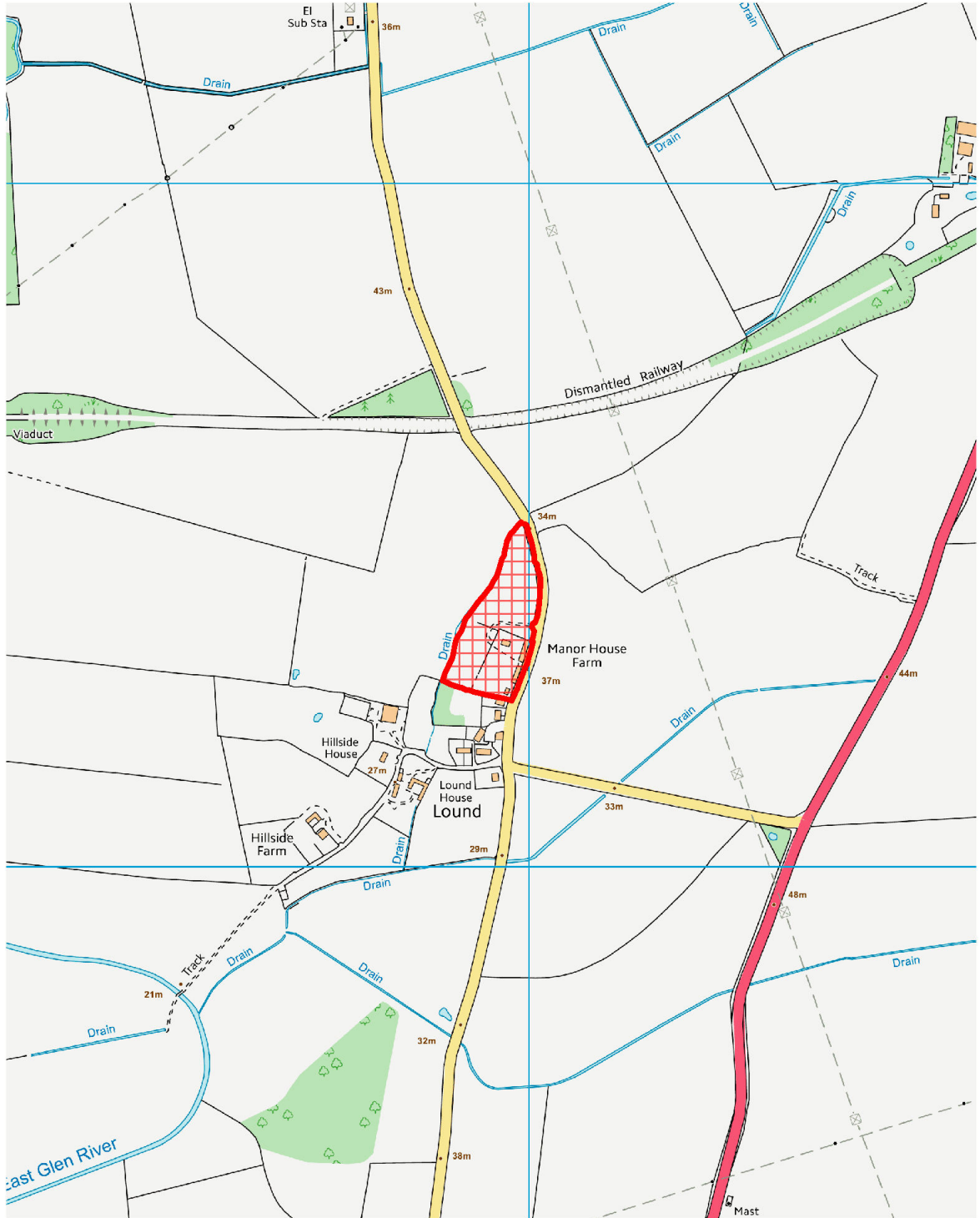
The location of the replacement dwelling, some 200m north of the property to be replaced, would be located in open countryside and beyond the last dwelling within the hamlet of Lound. Extending the built form of Lound would not respect the established rural and historic character of the area as well as detrimentally affect the setting of the Listed Manor House Farm. Furthermore, the siting of the dwelling would erode the openness of the countryside. Nor is it considered that the exceptional circumstances surrounding the application would justify the location of the replacement dwelling, particularly when alternative locations are available.

The application is, therefore, deemed contrary to policy EN1 of the South Kesteven Core Strategy and guidance contained in the National Planning Policy Framework, which indicates that development should respect historic character, sense of place and local distinctiveness.

* * *

Site Location Plan

Ref	S12/1811
Proposal	Replacement dwelling
Location	Manor House Farm and Manor Lodge, Lound, Bourne, PE10 0LJ



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Applicant	. Tesco Stores Ltd C/o Agent
Agent	Jessica Sparkes, G L Hearn 20, Soho Square, London, W1D 3QW
Proposal	Variation of Condition 5 (delivery hours) of p/p S09/2256 to 0600 to 2300 hours Monday to Saturday and 0700 to 2000 hours on Sundays
Location	Tesco Stores Ltd, Godsey Lane, Market Deeping, Peterborough, PE6 8UD
App Type	Full Planning Permission
Parish(es)	Market Deeping
Reason for Referral to Committee	The application has been referred to the Development Control Committee at the request of the Development Management Service Manager.
Recommendation Summary	<p>The proposal seeks to amend the hours of delivery for the Tesco supermarket from 0630 hours – 2300 hours (Monday – Saturday) and 0830 – 1630 (Sunday) to 0600 hours – 2300 hours (Monday – Saturday) and 0700 – 2000 (Sunday)</p> <p>It is considered that the proposed new delivery hours will not have a significant adverse impact on the private amenities, by way of noise and disturbance, of occupiers of nearby residential dwellings.</p> <p>It is therefore considered that the proposal is in accordance with National Planning Policy Framework and policies EN1 of the South Kesteven Core Strategy (2010).</p>

Key Issues

- Noise

Technical Documents Submitted with the Application

- Noise Assessment

REPORT

Application Category

This application is categorised as a full application.

Reason for Referral to Committee

The application has been referred to the Development Control Committee at the request of the Development Management Service Manager.

The Proposal

This is an application under section 73 of the Town and Country Planning Act 1990 to vary condition 5 of planning permission S09/2256 which states:

“Deliveries to and from the store shall not take place outside the hours of 06:30 to 22:30 Monday to Saturday and 08:30 to 16:30 Sundays

Reason – In the interests of the residential amenities of adjoining residents.”

Proposed condition is:

“Deliveries to and from the store shall not take place outside the hours of 06:00 to 23:00 Monday to Saturday and 07:00 to 20:00 Sundays.”

The application site and its surroundings

The application site is located on the east side of Godsey Lane opposite the junction with John Eve Way. To the south is Market Deeping Community and William Hildyard Church of England Primary Schools, to the east agricultural fields and to the north residential dwellings on Princess Grove and Jubilee Drive.

The store is located at the eastern end of the site with car parking to the front with access to the delivery yard to the north side of the site, shared with car parking access.

Site History

In 1996 planning permission was granted for the erection of a food retail store with car parking.

In July 2010 planning permission S09/2256 was granted to vary the opening hours of SK.96/1016 to 06:00 to 22:00 hours Monday to Saturday and 10:00 to 16:00 on Sundays.

Representations received

Market Deeping Town Council – at the time of compiling the committee agenda no comments had been received, any comments received will be included in the late papers or reported verbally.

Environmental Protection - Following a site visit and review of the documents submitted with the application, particularly the acoustic report Environmental Protection would like to make the following comments and recommendations.

Tesco Stores shall take every precaution not to cause undue noise from its delivery operations to materially affect the amenity of the adjacent residential properties.

Given the proximity of residential properties to the delivery area at the Market Deeping site I would recommend that if approval is given for the extension to delivery times it is for a limited time period in order to monitor and evaluate any potential impacts from the proposed activity

Representation as a result of publicity

At the time of compiling the committee agenda four responses had been received and the points raised are summarised below. The consultation period had yet to expire so any further responses will be included within the late papers or reported verbally.

Current delivery time is early enough.

Sunday is a day of rest so don't agree with the Sunday hours.

Loud engine noises, shouting in the yard and wheeling of trolleys will keep us awake at night and wake us up early in the morning.

Have already had to complain about the noise.

Tesco has never adhered to the current delivery times.

Already have vehicles arriving and departing after the stated times.

Policy considerations

Paragraph 123 of the National Planning Policy Framework states that:

Planning policies and decisions should aim to:

Avoid noise from giving rise to significant adverse impacts on health and quality of life as a result of new development.

Mitigate and reduce to a minimum other adverse impacts on health and quality of life arising from noise from new development, including through the use of conditions.

Recognise that development will often create some noise and existing businesses wanting to develop in continuance of their business should not have any unreasonable restrictions put on them because of changes in nearby land uses since they were established.

Policy EN1: Protection and Enhancement of the Environment.

This policy seeks generally to protect the visual quality and amenity of the built and countryside environments. The policy lists seven points which development proposals should comply with, point seven states:

Avoid pollution of their surroundings by noise, toxic or offensive odour by release of waste products.

Key Issues

The main key issues to be considered in the determination of this application can be summarised as follows:

Impact on residential amenity – does the development impact on the residential amenity of the occupiers of nearby properties and does the development result in any potential noise and disturbance issues?

Evaluation

Noise and disturbance

The application seeks permission to extend the delivery hours by an additional half an hour at the start and end of the currently permitted hours from Monday to Saturday and by an extra hour and a half in the morning and three and a half hours in the evening on a Sunday.

In support of the proposal Tesco's have submitted the following:

With regard to justification for the extended delivery hours, the store currently has three deliveries a day, with two extra deliveries on a Thursday and Friday to stock for the weekend.

Whilst we are aware that the acoustic report is unable to support unrestricted deliveries as a result of the proximity of surrounding residential properties, although mindful of the facts the properties were constructed after the store itself, we therefore seek to extend the delivery times to permit a slightly more flexible delivery regime without detriment to surrounding dwellings.

It is therefore important to reiterate that proposed extension to the delivery hours is consistent with the acoustic report and as such will not have a detrimental impact on the amenity of adjacent dwellings.

Having regard to the increase in the delivery times, as detailed above and the relationship between the store, the car parking area and the residential dwellings to the north and the comments from the Environmental Protection section it is recommended that a temporary consent is granted for a period of two years so that the change can be monitored and evaluated to assess any impact on the surrounding development.

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.

SUMMARY OF REASON(S) FOR APPROVAL

The proposal seeks to amend the hours of delivery for the Tesco supermarket from 0630 hours – 2300 hours (Monday – Saturday) and 0830 – 1630 (Sunday) to 0600 hours – 2300 hours (Monday – Saturday) and 0700 – 2000 (Sunday)

In the opinion of the local planning authority it is considered that the proposed new delivery hours will not have a significant adverse impact on the private amenities, by way of noise and disturbance, of occupiers of nearby residential dwellings.

It is therefore considered that the proposal is in accordance with National Planning Policy Framework and policies EN1 of the South Kesteven Core Strategy (2010).

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

1. The use hereby permitted shall be discontinued and the store shall revert back to the opening hours approved under application S09/2256 on or before 20 November 2014.

Reason: The Council wish to monitor the extended opening hours for a two year period in order to assess potential impact on the residential amenity of the occupiers of adjacent properties.

2. The opening hours of the store shall be restricted to 0600 hours to 2200 hours, Mondays to Saturdays, and 1000 hours to 1600 hours on Sundays.

Reason: In the interests of the residential amenities of adjoining residents

3. The existing parking areas within the site provided for store customers, and for vehicles expected to call at Market Deeping County Primary School and the William Hildyard Church of England School, shall be made available at all times

In the interests of the safety and convenience of all traffic, vehicular and pedestrian.

4. Cumulative noise emissions from all fixed plant installations shall not exceed 40dB(A) between 0700 and 2100 hours, and 30dB(A) between 2100 hours and 0700 hours on any day, when measured at a distance of 1m from the façade of the nearest residential dwelling.

Reason: In the interests of the residential amenities of adjoining residents

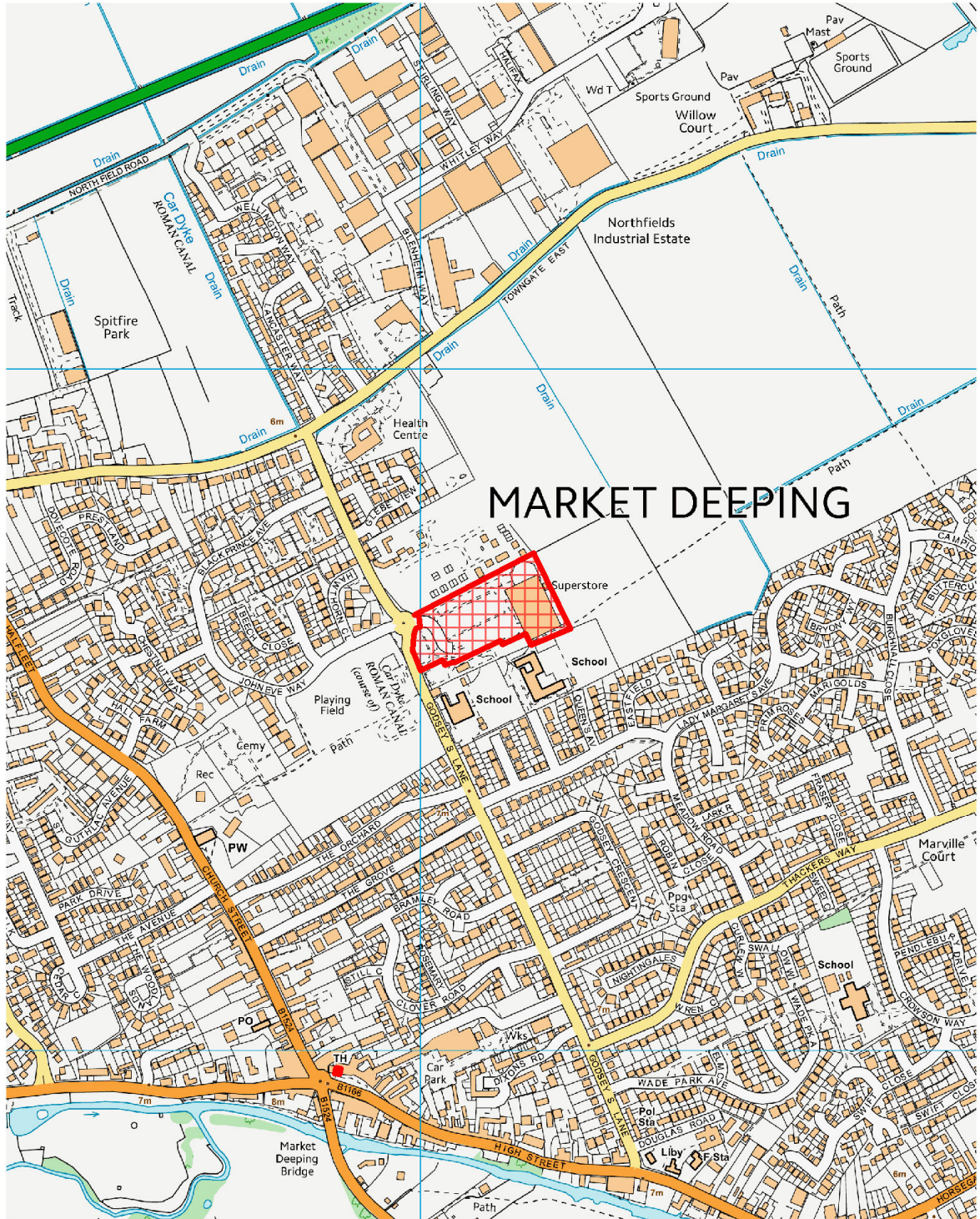
5. Deliveries to and from the store shall not take place outside the hours of 0600 to 2300, Monday to Saturday and 0700 to 2000 Sundays.

Reason: In the interests of the residential amenities of adjoining residents

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Site Location Plan

Ref	S12/2469
Proposal	Variation of Condition 5 (delivery hours) of p/p S09/2256 to 0600 to 2300 hours Monday to Saturday and 0700 to 2000 hours on Sundays
Location	Tesco Stores Ltd, Godsey Lane, Market Deeping, Peterborough, PE6 8UD



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Applicant	Tesco Stores Ltd C/o Agent
Agent	Jessica Sparkes, G L Hearn 20, Soho Square, London, W1D 3QW
Proposal	Variation of Condition 2 (opening hours) of p/p S09/2256 to 0600 hours to 0000 (midnight) Monday to Saturday
Location	Tesco Stores Ltd, Godsey Lane, Market Deeping, Peterborough, PE6 8UD
App Type	Full Planning Permission
Parish(es)	Market Deeping
Reason for Referral to Committee	The application has been referred to the Development Control Committee at the request of the Development Management Service Manager.
Recommendation Summary	<p>The proposal seeks to amend the hours of opening for the Tesco supermarket from 0600 hours – 2200 hours (Monday – Saturday) and 1000 – 1600 (Sunday) to 0600 hours – 0000 hours (Monday – Saturday) and 1000 – 1600 (Sunday)</p> <p>It is considered that the proposed new opening hours will not adversely impact the private amenities, by way of noise and disturbance, of occupiers of nearby residential dwellings.</p> <p>It is therefore considered that the proposal is in accordance with National Planning Policy Framework and policies EN1 of the South Kesteven Core Strategy (2010).</p>

Key Issues

- Noise

Technical Documents Submitted with the Application

- Noise Assessment

REPORT

Application Category

This application is categorised as a full application.

Reason for Referral to Committee

The application has been referred to the Development Control Committee at the request of the Development Management Service Manager.

The Proposal

This is an application under section 73 of the Town and Country Planning Act 1990 to vary condition 2 of planning permission S09/2256 which states:

“The opening hours of the store shall be restricted to 06:00 hours to 22:00 hours Monday to Saturday and 10:00 to 16:00 hours on Sundays.

Reason – In the interests of the residential amenities of adjoining residents.”

Proposed condition is:

“The opening hours of the store shall be restricted to 06:00 hours to 00:00 (midnight) hours Monday to Saturday and 10:00 to 16:00 hours on Sundays.”

The application site and its surroundings

The application site is located on the east side of Godsey Lane opposite the junction with John Eve Way. To the south is Market Deeping Community and William Hildyard Church of England Primary Schools, to the east agricultural fields and to the north residential dwellings on Princess Grove and Jubilee Drive.

The store is located at the eastern end of the site with car parking to the front with access to the delivery yard to the north side of the site, shared with car parking access.

Site History

In 1996 planning permission was granted for the erection of a food retail store with car parking. In July 2010 planning permission S09/2256 was granted to vary the opening hours of SK.96/1016 to 06:00 to 22:00 hours Monday to Saturday and 10:00 to 16:00 on Sundays.

Representations received

Market Deeping Town Council – at the time of compiling the committee agenda no comments had been received, any comments received will be included in the late papers or reported verbally.

Environmental Protection - Environmental Protection have reviewed the documents submitted with the application and have also undertaken a site visit. The northern boundary to the car park of the

store is surrounded by a line of residential properties. The use of the car park by customers arriving and leaving the store could have an impact upon the amenity of those residential properties during the night, but actual controls on members of the public would be impossible. If approval is given I would recommend that it is for a temporary period of time during which any impact of the extended hours can be monitored and evaluated prior to the planning authority either granting or refusing a more permanent application from the developer in the future.

Representation as a result of publicity

At the time of compiling the committee agenda three responses had been received and the points raised are summarised below. The consultation period had yet to expire so any further responses will be included within the late papers or reported verbally.

Lorries arrive before 7am now so they will be turning up at 5am and sit there with their engines running.

Do not feel that Market Deeping is big enough to warrant these long hours, 7am to 10pm is long enough.

Supermarket is in the middle of housing.

Increasing the opening hours will make the noise issue worse.

We have complained to Tesco's and the Council on several occasions about the noise.

Policy considerations

Paragraph 123 of the National Planning Policy Framework states that:

Planning policies and decisions should aim to:

Avoid noise from giving rise to significant adverse impacts on health and quality of life as a result of new development.

Mitigate and reduce to a minimum other adverse impacts on health and quality of life arising from noise from new development, including through the use of conditions.

Recognise that development will often create some noise and existing businesses wanting to develop in continuance of their business should not have any unreasonable restrictions put on them because of changes in nearby land uses since they were established.

Policy EN1: Protection and Enhancement of the Environment

This policy seeks generally to protect the visual quality and amenity of the built and countryside environments. The policy lists seven points which development proposals should comply with, point seven states:

Avoid pollution of their surroundings by noise, toxic or offensive odour by release of waste products.

Key Issues

The main key issues to be considered in the determination of this application can be summarised as follows:

Impact on residential amenity – does the development impact on the residential amenity of the occupiers of nearby properties and does the development result in any potential noise and disturbance issues?

Evaluation

Noise and disturbance

This application seeks consent to extend the store opening time by an additional two hours in the evenings Monday to Saturday.

Having regard to the limited increase in the opening time, up to midnight Monday to Saturday and the relationship between the store, the car parking area and the residential dwellings to the north and the comments from the Environmental Protection section it is recommended that a temporary consent is granted for a period of two years so that the change can be monitored and evaluated to assess any impact on the surrounding development.

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.

SUMMARY OF REASON(S) FOR APPROVAL

The proposal seeks to amend the hours of opening for the Tesco supermarket from 0600 hours – 2200 hours (Monday – Saturday) and 1000 – 1600 (Sunday) to 0600 hours – 0000 hours (Monday – Saturday) and 1000 – 1600 (Sunday)

In the opinion of the local planning authority it is considered that the proposed new opening hours will not adversely impact the private amenities, by way of noise and disturbance, of occupiers of nearby residential dwellings.

It is therefore considered that the proposal is in accordance with National Planning Policy Framework and policies EN1 of the South Kesteven Core Strategy (2010).

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

1. The use hereby permitted shall be discontinued and the store shall revert back to the opening hours approved under application S09/2256 on or before 20 November 2014.

Reason: The Council wish to monitor the extended opening hours for a two year period in

order to assess potential impact on the residential amenity of the occupiers of adjacent properties.

2. The opening hours of the store shall be restricted to 0600 hours to 0000 hours, Mondays to Saturdays, and 1000 hours to 1600 hours on Sundays.

Reason: In the interests of the residential amenities of adjoining residents

3. The existing parking areas within the site provided for store customers, and for vehicles expected to call at Market Deeping County Primary School and the William Hildyard Church of England School, shall be made available at all times

In the interests of the safety and convenience of all traffic, vehicular and pedestrian.

4. Cumulative noise emissions from all fixed plant installations shall not exceed 40dB(A) between 0700 and 2100 hours, and 30dB(A) between 2100 hours and 0700 hours on any day, when measured at a distance of 1m from the façade of the nearest residential dwelling.

Reason: In the interests of the residential amenities of adjoining residents

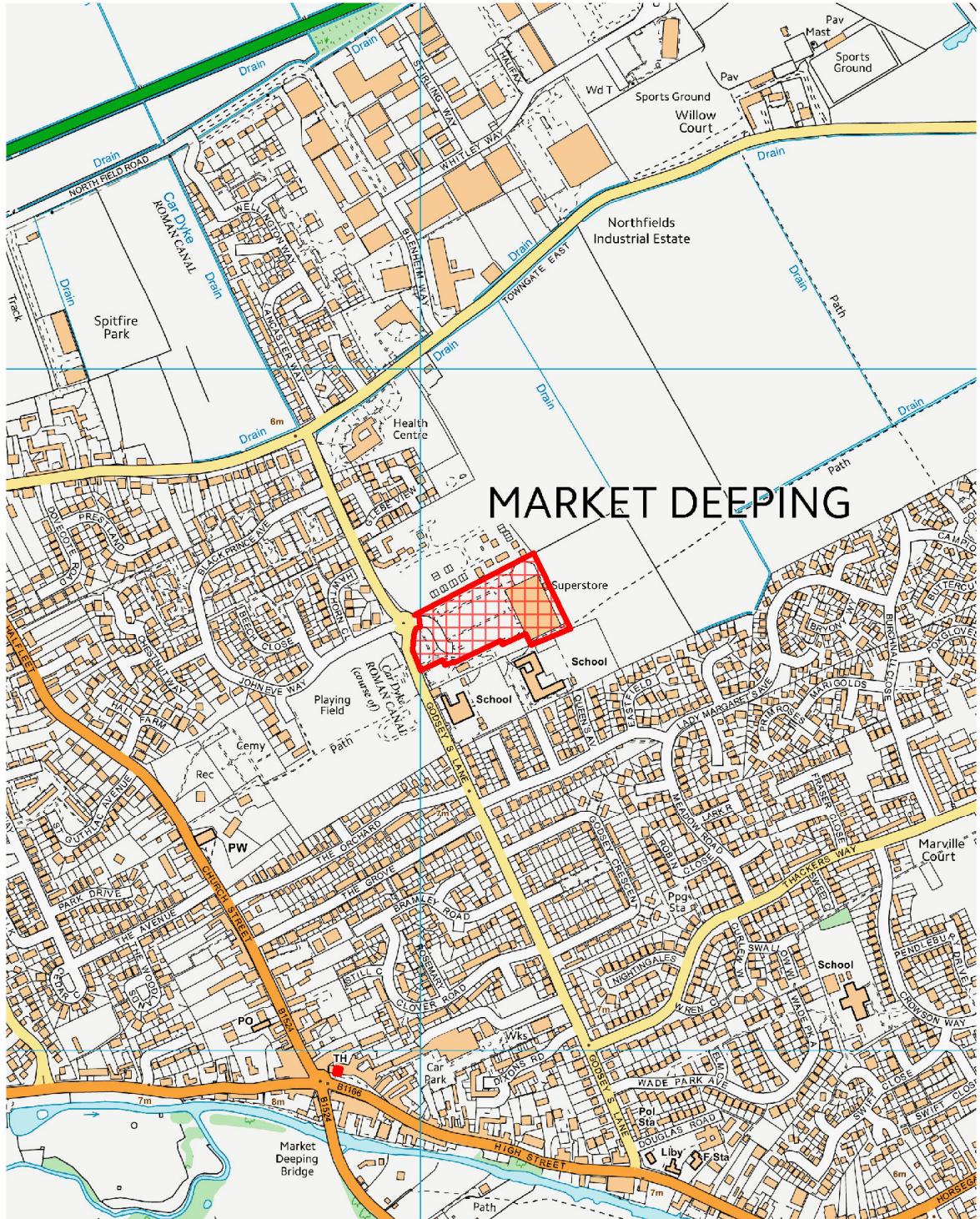
5. Deliveries to and from the store shall not take place outside the hours of 0630 to 2230, Monday to Saturday and 0830 to 1630 Sundays.

Reason: In the interests of the residential amenities of adjoining residents

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Site Location Plan

Ref	S12/2472
Proposal	Variation of Condition 2 (opening hours) of p/p S09/2256 to 0600 hours to 0000 (midnight) Monday to Saturday
Location	Tesco Stores Ltd, Godsey Lane, Market Deeping, Peterborough, PE6 8UD



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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
Reason for Referral to Committee	The application has been referred to Committee following request by the Chairman as a proposal generating local interest.
Recommendation Summary	Approval subject to conditions.

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 National 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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Applicant	Mr A Garner, South Kesteven District Council Council Offices, St Peter's Hill, Grantham, Lincolnshire, NG316PZ
Agent	
Proposal	Single storey rear extension
Location	39, Wood View, Bourne, Lincolnshire, PE10 9NL
App Type	Householder Development
Parish(es)	Bourne
Reason for Referral to Committee	This application has been referred to the Development Control Committee as the applicant is SKDC.
Recommendation Summary	<p>It is considered that, due to the location, mass and height of the proposed extension there will be no detrimental impact on the character and appearance of the street scene or the wider area. Furthermore due to the relationship with adjacent dwellings the proposed works will have no adverse effect upon the residential amenities of these properties in terms of loss of light or privacy.</p> <p>Accordingly, the proposal is considered to conform to Policy EN1 the South Kesteven Core Strategy.</p>

Key Issues

- Residential amenity
- Visual amenity

Technical Documents Submitted with the Application

- Proposed layout plans
- Specification of works

REPORT

Application Category

This application is categorised as a minor application.

Reason for Referral to Committee

This application has been referred to the Development Control Committee as the applicant is SKDC.

The Proposal

This is a full application for a replacement single storey rear extension.

The application site and its surroundings

The application site is located on the south side of Wood View a street to the north west of Bourne town centre. The property is a mid terrace house that has its front door facing Burghley Court to the south with Wood View providing vehicular access and off road car parking to the rear.

At the rear of the property there is an existing single storey, mono pitch roofed extension subject of this application and to the north of this a detached outbuilding. Both properties to either side have a similar arrangement with single storey extensions of different lengths and roof styles.

Relevant Planning History

None.

Representations Received

Bourne Town Council – No objections.

Representations as a result of publicity

The application has been advertised in accordance with the adopted Statement of Community Involvement. At the time of writing this report the consultation period had not expired. Any responses received will be reported at the meeting.

Planning Considerations

National Policy

NPPF – section 7, Requiring good design.

South Kesteven Core Strategy

Policy EN1 – Protection and Enhancement of the Character of the District. This is a general policy containing a list of criteria which seeks to preserve and enhance the visual quality and amenity of the built and countryside environments.

Key Issues

The key issues to be considered as part of the determination of this application relate to the following:

Impact on site and surroundings.

Officer Evaluation

The proposed works will have no detrimental affect upon the overall appearance of the dwelling itself or on the surrounding area being obscured from public view by the outbuilding to the north. Having regard to the nature of the proposed extension and extensions on adjacent properties the proposed works will have no detrimental affect upon the residential amenities of the adjacent properties.

Crime and Disorder Implications

It is considered that the proposed development will not have any significant or detrimental 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.

SUMMARY OF REASON(S) FOR APPROVAL

It is considered that, due to the location, mass and height of the proposed extension there will be no detrimental impact on the character and appearance of the street scene or the wider area. Furthermore due to the relationship with adjacent dwellings the proposed works will have no adverse effect upon the residential amenities of these properties in terms of loss of light or privacy.

Accordingly, the proposal is considered to conform to Policy EN1 the South Kesteven Core Strategy.

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 be built in accordance with the materials detailed on the submitted application forms unless otherwise agreed in writing by the local planning authority.

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

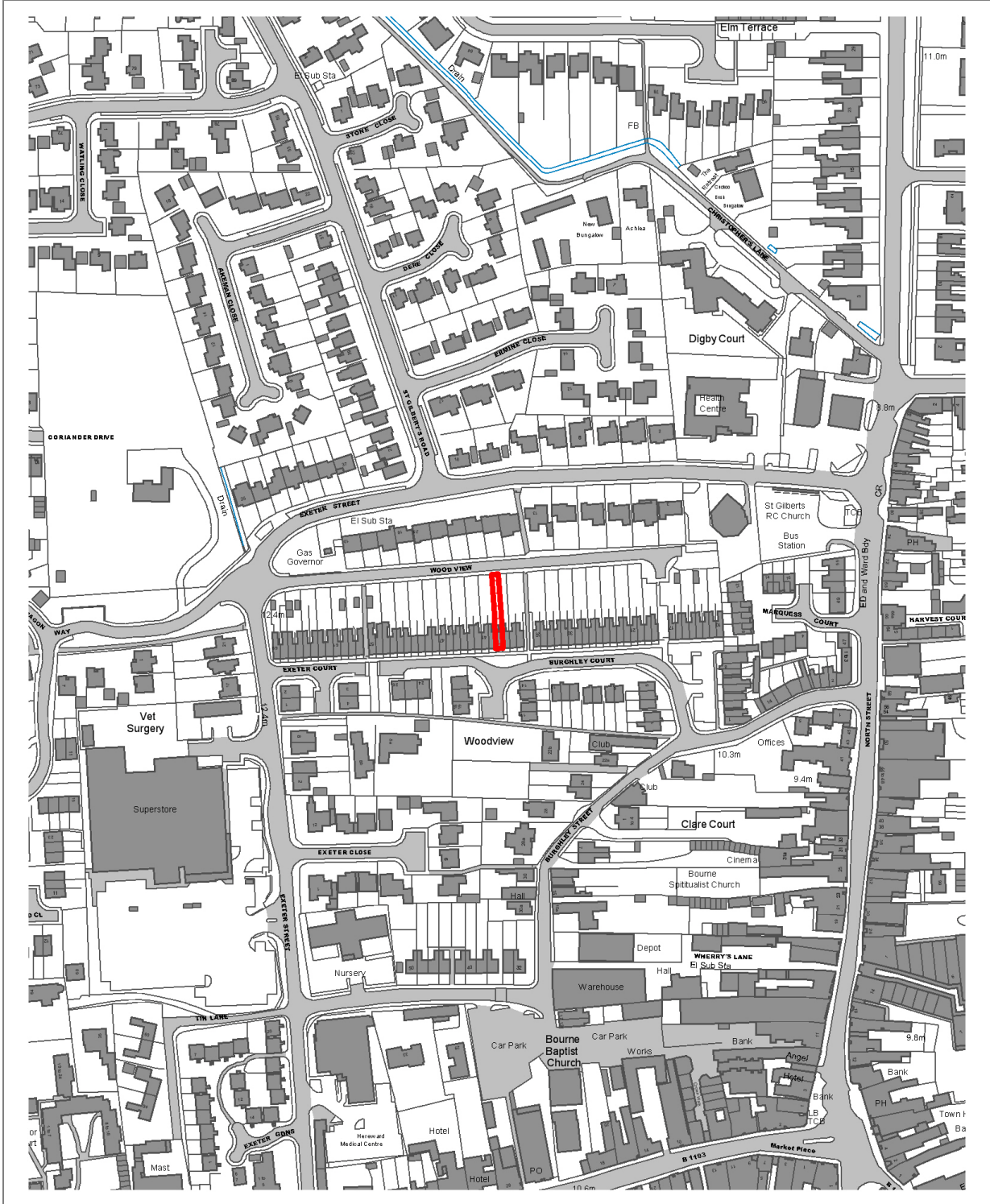
3. The development hereby permitted shall be carried out in accordance with the following list of approved plans submitted as part of the application: HGE1101-01

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

* * * * *

Site Location Plan

Ref	S12/2503
Proposal	Single storey rear extension
Location	39, Wood View, Bourne, Lincolnshire, PE10 9NL



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