

**Development Control Committee**  
**4 June 2013**

**Additional Information**

NB1 - S13/0751

A further 9 letters of representation have been received following consultation on the amended plans.

**Proposal**

Erection of dwelling

**Information Received**

All 9 letters object to the application as amended and note that it is no better, if not worse, than the scheme as originally proposed. They conclude that the dwelling is too high and out of character with the area given that it would have accommodation in the roof space; the design of the property is poor and does not relate well to the dwellings that surround it; it would result in development on a Greenfield site; mature trees in the rear garden would be needlessly removed; the planning history indicates that future development of the site should be resisted; too much weight has been added to an approval on a site at Casterton Road and this site is very different; the application is contrary to Core Strategy policies EN1 & EN4, and guidance contained in the National Planning Policy Framework; the chimney is a hazard; highway safety would be compromised and residential amenity harmed through a dominating and overlooking impact.

**Officer Comment on Information Received**

The observations reiterate similar concerns to the scheme as originally proposed. The majority of points raised are salient to the application e.g. impact on the character of the area, whilst others are not e.g. the chimney is a hazard.

However, the recommendation is still that the application be refused permission for the reason outlined in the original committee report.

**Alterations to Conditions**

None

**Changes to Recommendation:**

None.

KJC1 - S10/1805

**Proposal** Residential development for the creation of nine flats including demolition of the existing building.

**Information Received**

The applicants have submitted a development appraisal which is currently being assessed. Any comments will be reported to committee.

**Officer Comment**

There are ongoing discussions in relation to the impact of the proposed development on the adjacent residential property. A daylight/sunlight assessment will be undertaken in relation to the window of 20, Swinegate to establish whether or not there would be any significant impact on the amenity of the neighbouring occupiers to justify an amendment of the scheme. The results of the assessment will be reported to committee.

**Alterations/Additional Conditions**

None.

**Changes to Recommendation**

No changes to recommendation.

KJC1 - S12/0484

**Proposal** Barrack Gardens/Beacon Lane Allotments, Beacon Lane, Grantham

Residential Development

### **Information Received**

1no. letters of objection have been received that are not included in the main report. I have taken the comments in full as they are difficult to condense further:

“I would ask the Committee to consider the following points when making their decision, particularly in relation to conditions to be attached to any outline consent. I present them in the order they appear in the addendum.

#### A Transport Statement (TS)

The present application relies on the 2006 traffic survey which informed the TS for the existing outline consent on the site. This was taken at a sub-peak time (early afternoon in school holidays) and does not reflect changes in traffic levels over the past seven years. I believe that the Committee would be justified in attaching a condition to require a further survey and TS before an application for detailed consent could be considered.

According to LCC Highways that TS was based on 51 units even though the application was for 43 units, while the TS submitted with the present application is based on 65 units even though the application is for 55. They calculated trip rates for both levels of development (see 'Representations Received'), no doubt using standard multipliers, and suggest that 55 units would generate 307 movements daily, including 32 in the morning peak and 35 in the evening peak. It should be noted that the indicative plan submitted with the application shows 70 garages and allocated parking spaces – this excludes hard-standing in front of garages, etc., which almost doubles this figure, and that is without considering on-road parking on the development.

LCC Highways's assessment of movements generated by 65 units is 363 per day including 39 in the morning peak and 41 in the evening peak. Regarding why the TS is for 65 units the Response says “*Whilst this ensures the results are robust and present a worst case scenario it is not clear why this has been done. It would be clearer if the TS and the proposal as set out in the planning application were the same*”. The Committee should be aware that there is an additional parcel of undeveloped land adjacent to the proposed access road. This was

formerly part of the garden of Beacon Lodge but has been separated from it and cannot now be accessed from Beacon Lane. It may be that the overstatement of units in the successive TS's is designed to forestall any debate about additional traffic levels on the proposed access road from delaying or preventing development if an application to build additional units on this land is made at a later date.

The Highways Authority's input to the addendum makes some interesting points about sustainable development, particularly in respect of the site's proximity to the town centre and the accessibility of local bus stops. The Committee may wish to consider whether the indicative provision for 70+ cars is excessive for a development in this location, and whether to indicate that it should be revised downwards in any detailed consent application.

**B Impact on the Conservation Area**

I note that the Principal Conservation Officer's comments relate entirely to the impact of the proposal on the St Anne's Conservation Area and on buildings within it identified as being local importance in the Grantham Townscape Character Assessment. They do not address the potential impact on Town Centre Conservation Areas or the wider townscape of an inappropriately designed development with excessive building heights which would over-bear on them and destroy existing sight lines from the urban centre to the green fringe.

**C Density**

The applicant's argument in support of the proposed density is based on the effect of existing infill development in former gardens behind the original low density detached houses on Beacon Lane and New Beacon Road. However, neither the indicative layout nor the indicative designs for two and two-and-a-half storey units submitted with the application acknowledges that the existing infill along the eastern boundary of the site is entirely of single storey units, and at lower densities than the proposal. For example, the proposal can be compared with the most recent adjacent infill development of six bungalows behind three original houses to create Brisson Close:

Site	Units	Units per Hectare	Bedrooms	Garages/Parking Spaces*
Brisson Close	6	18	19	6
Barrack Gardens	55	24.5	207	70

\* Excludes hard standings in front of garages

The claimed density for the proposal is no doubt calculated in line with policy standards, but it includes the undeveloped area of public space at the entrance to the development. In effect, this area is treated as shared between the units while

the individual plots would actually be much smaller than those on adjacent infill developments. The nearest comparator to give a sense of the real density of the built area of the proposal would be Sandon Close, since the indicative layout drawing shows five or six 4-bedroomed houses and garages on the same frontage (and on no bigger plots overall) as six 2-bedroomed bungalows on this sheltered housing development.

For these reasons, I would ask the Committee to indicate that while giving consent in principle to a 55 unit development, the indicative layout and design drawings submitted with the outline application are not acceptable and would need to be revised for a detailed consent application.

#### D Ecology

I understand from Lincolnshire Wildlife Trust that while they were contacted by the case officer about this application last year and by Councillor Morgan before the 23 April meeting they have not been approached for any further comments on the ecological value of the site. In any case, no-one can carry out survey work to provide information on protected species at the site without the consent of the applicant to access the land.

The comments made to me by the person I spoke to at LWT were that they would expect an ecological survey to be valid for about two years, as well as that any consent should be subject to a condition preventing site clearance work during the nesting season. Given that the application seeks to rely on a survey carried out in February 2010, the Committee may feel that any outline consent should require a further survey before a detailed application could be considered.

To summarise, the signals are that the Committee will be steered to agree the current outline planning application, but I would ask them to decide that any outline consent to the 55 unit development should be subject to conditions with regard to revisions to the indicative layout and design proposals and to the provision of new traffic and ecological surveys to support any application for detailed consent for the development.

My personal interests are as stated before, that the final layout should not include a stub road immediately to the rear of my property, and that all units on the eastern edge of the site should be designed to respect the nature and scale of the existing single storey homes across the boundary”.

#### Applicants Submission

The applicant has provided a letter with colour extracts which are included in this late items paper as appendix A.

### **Officer Comment**

As a further two year period could pass before the submission of reserved matters it is considered reasonable to require further protected species survey work at the time a reserved matters application is submitted. This can be secured by an appropriately worded condition.

The other matters raised are considered in the main report and/or the addendum.

### **Alterations/Additional Conditions**

Prior to the commencement of any development, an update of the Ecological Appraisal and Protected Species Report (Dated June 2010 and revised January 2012) shall be carried out (including the resurvey of the site) by an appropriately qualified ecologist. The report shall be submitted and approved by the LPA. The report shall include appropriate mitigation measures in the event any protected species are found on site.

The development shall be carried out in accordance with the approved mitigation measures.

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

### **Changes to Recommendation**

No change to recommendation.

## **APPENDIX A**

## AH1 – S13/0232

As a point of clarification members are advised that notwithstanding the description of the development contained on the Agenda report, the scheme no longer includes a proposal for a smoking shelter on the open courtyard area.

**Proposal** Change of use of the (former) Stamford Mercury Offices at No. 7 Sheep Market, Stamford from offices (B1) to a public house (A4) with associated alterations

### **Information Received**

As set out in the officer report to the Committee the applicants removed the smoking shelter element from the scheme in the light of the objections raised by officers in relation to the negative impact on heritage assets and having regard to the comments of the Council's Environmental Protection Officer in respect of the proximity of the structure to the first floor side windows to the flat accommodation at No. 5 Castle Street.

### **Officer Comment**

This point of clarification does not raise any further issues over and above those already set out in the Committee report.

### **Alterations to Conditions**

Not Applicable

### **Changes to Recommendation**

No Change

## PWM 1 – S12/3241

**Proposal:** Erection of 4 poultry units, 2 control rooms, office and general purpose building, feed bins, hardstanding, gas tanks and electric substation. Upgrade/extension of access road to allow access from Newark Hill.

### **Summary of information received:**

#### Further Representations from Members of the Public

23 x further letters of objection have been received, many of which are copies of representations that had been received earlier in the process. The majority of the issues raised have been discussed in the main report.

One objector has raised concerns about the authenticity of the speed readings claiming that the measuring equipment had not been seen in the place indicated and on the dates specified, speculating that the consultant who did the work may have mistakenly used readings from another site.

#### Further Representation from Foston Parish Council

Foston PC also raised similar concerns stating that they had asked villagers if they could recall the equipment being in place and that the response was negative.

#### Applicant's Response to Speed Readings Claims

The applicant's agent has been asked for clarification on the speed reading survey and in particular whether they could supply any evidence that it actually took place in the light of the concerns raised from objectors and the PC. The agent has confirmed that they have no reason to believe that the consultants they employed did not carry out the work they were commissioned to do. They have also offered to supply the raw data from the equipment as evidence if there continues to be doubt.

#### Highways Authority

At the time of writing the main report, the Highways Authority had not given final comments on the application but had stated that they were likely to support the application subject to conditions requiring submission of further details regarding specification for the access track and improvement of the junction with Newark Hill and the point where vehicles would cross the existing highway of Fallow Lane, as well as a routing

agreement backed up by a S106 to ensure compliance. The report and recommendation were made on that basis. The Highways Authority have been asked to take into account in their final comments, the concerns raised by the objector and Foston PC and confirm whether they would consider that there is sufficient evidence that the readings did take place and that the company are reputable?

The highways authority's comments are as follows:

"The local highway authority has been informed that it is disputed that a traffic and speed survey was undertaken between 17th and 23rd April 2013 in response to its request.

*Upon receipt of the traffic data, there was no reason to dispute the assertion by the Applicants Consultants that the survey had taken place on the dates specified in writing.*

*Based purely on the data provided, the local highway authority would not object to the proposed development as a suitable haul and access arrangement with appropriate visibilities could be provided.*

*This authority has suggested that further questions be put to the Applicants Consultant for verification to enable it to make an informed response based on accurate data.*

*If however, Committee are minded to approve this application based on the information before it, the local highway authority requests the following Conditions apply:" (see conditions below).*

#### **Officer comments on information received and issues raised:**

It is considered that other than objectors not being aware of the equipment on the dates specified, there is no reason to believe that the speed readings were not taken on the specified dates or that the company that carried out the survey are not reputable and that the evidence presented should be accepted in good faith. Furthermore, although the amount of traffic is slightly different, the general pattern of the April 2013 readings clearly corresponds with the Sept 2012 readings on the graph shown in the applicants transport report submitted on 02 May 2013. If Members require further clarification, the applicant is happy to supply raw data from the equipment which the highways authority would consider to be sufficient evidence. There is sufficient time for this data to be submitted and assessed before determination as the application would not be determined until the S106 agreement is signed.

The Highway Authority have confirmed that they are satisfied that the visibility splays are acceptable and that proposal would not be detrimental to highway safety or traffic capacity subject to the following additional condition(s):

HP11A - Before development commences on site further details relating to the vehicular access to the public highway, including materials, visibility, specification of works and construction method shall be submitted to the Local Planning Authority for approval. The approved details shall be implemented on site before the development is first brought in to use and thereafter retained at all times.  
Reason: In the interests of safety of the users of the public highway and the safety of the users of the site.

HP19A - The arrangements shown on the approved plan PA 263 BP Rev A dated 04/01/13 for the parking/turning/manoeuvring/loading/unloading of vehicles shall be available at all times when the premises are in use.  
Reason: To enable calling vehicles to wait clear of the carriageway of Fallow Lane and to allow vehicles to enter and leave the highway in a forward gear in the interests of highway safety.

HP21 - No part of the development shall be brought into use before the works to improve the public highway (by means of a vehicular crossing point over Fallow Lane to local highway standards and specification together with all necessary ancillary works between the site and proposed haulage route) have been certified complete by the local planning authority.  
Note: Plans attached to the Application package indicate the location of the crossing point.  
Reason: In the interests of safety of the users of the public highway and the safety of the users of the site.

HP24 - No development shall take place before the detailed design of the arrangements for surface water drainage has been agreed in writing by the local planning authority and no building shall be occupied before it is connected to the agreed drainage system.  
Reason: To ensure that surface water run-off from the development will not adversely affect, by reason of flooding, the safety, amenity and commerce of the residents of this site.

#### INFORMATIVES:

HI03 - 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.

HI00 - No works shall commence within the public highway until a Section 278 Agreement of Highways Act 1980 has been entered into with the local highway authority, Lincolnshire County Council to provide a road crossing on Fallow Lane between the site and proposed haulage route together with all necessary ancillary works.

NOTE TO PLANNER:

HI00 - A routing arrangement is requested under the terms of a S106 Agreement to ensure that HGV's associated with the enterprise use the proposed designated route and avoid using roads through Foston village

**Changes to recommendation:** As per report but subject to the following amended conditions.

## PL1 – S13/0091

Three additional consultation responses have been received from the Highway Authority, Tree Officer and English Heritage.

**Proposal** Removal of Condition 1 of Planning Permission S12/2310 to Allow 24 Hour Deliveries.

### **Information Received**

#### Response from Bourne Town Council

Bourne Town Council objects to this proposal. The condition was imposed to protect the amenity of the residents of adjacent properties and BTC can see no reason for its removal.

#### Representation as a result of publicity

4 additional responses received and the points raised can be summarized as follows:

Object to the removal of the condition.

Noise from activities when people are asleep.

Already have disturbance from this kind of 24 hour operators such as Bourne Cleaning.

Sure that noise from Tesco with the prevailing wind will add to the misery.

Do not like the aggressive nature and power that supermarkets seem to have.

To give consent will set a precedent for other large stores that may come to Bourne.

Bourne is only small and doesn't need a 24h supermarket.

Increase in noise and traffic passing my house which has been impacted by the traffic lights at the junction.

Increase in traffic at night with related increase in noise.

#### Officer Comments on Information Received

The points raised are noted, whilst the temporary permission has been in place the Council has received no complaints regarding activities at the Tesco store relating to deliveries. On precedent, each application would be considered on merit and its location within Bourne. The Tesco store already has consent to open 24 hours they currently choose not to open.

**Alterations to Conditions**

None.

**Changes to Recommendation:**

No changes to the recommendation contained in the main report.

LDPP1 - S13/0980

**Proposal** Proposed terrace to rear of dwelling and erection of single storey double garage

**Information Received**

Objections received through public consultation period.

No representations have been received to this application during the public consultation period.

Comments received from Conservation Officer

The application property is a Victorian, red brick, mid-terrace dwelling house located on the western side of Harrowby Road and facing onto the southern part of the cemetery. To the rear is a narrow track that provides vehicular access to numerous properties that front both Harrowby Road and Dudley Road.

The property lies within the recently designated St. Anne's Conservation Area.

The proposal involves the erection of a garage where there is at present a concrete hard standing accessed off the track at the rear and the construction of a raised terrace immediately against the projecting rear wing of the house. There are already patio doors in the rear wall that would afford access onto the proposed terrace.

The garage would be to the full width of the plot and be constructed of a block work to the side walls and brick facings to both the front and rear. It would have a flat roof and an up-and-over door to the principal opening.

The raised terrace would be constructed of timber.

There are numerous other properties with similar garages in the vicinity. The terrace will be largely unseen apart from by the immediate neighbours.

The overall character and appearance of the Conservation Area will not be harmed by the proposed development and I would not wish, therefore, to raise objection to the proposals but I would suggest that a condition be imposed requiring that the facing bricks for the garage match those of the house, both in colour and texture.

### **Changes to Recommendation**

No changes to the recommendation contained in the main report, however the following condition has been added:-

The external finishes of the garage hereby permitted shall match in colour and texture to those of the dwelling house

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

PJM1 – S13/1092

**Proposal** Single Storey side extension.

**Information Received**

When writing the report the public consultation period had not expired. One letter of representation has been received raising the following points:

- The plans involve the removal of our boundary fence and creation of a party wall.
- We have not given permission for wall or foundations to encroach on our land.
- Wrong certificate has been submitted if wall and foundations extend onto our land.

**Officer Comment**

The agent has confirmed that no part of the proposal will cross over onto neighbouring land so the correct certificate (Certificate A) has been submitted. Any permission to remove a neighbouring fence to carry out the works is a private matter between the occupiers of the respective dwellings.

**Alterations to Conditions**

No additional conditions required as a result of the neighbour representation.

**Changes to Recommendation:**

No change to the recommendation. Approval of Planning Permission subject to conditions stated in the main committee report.

**Agenda Number: PLA 994**

**Application Number: S13/0260**

**Proposal:** Development of a Football Stadium, with associated infrastructure and facilities to include multi-use training pitch. Erection of Sports College building to include dual use facilities for the football stadium. Provision of car and coach parking area with additional use for car boot sales on up to 30 days in any calendar year. Creation of new means of access from Ryhall Road with associated highway alterations.

**Summary of information received:**

Anglian Water: No comments on the amendments.

Uffington Parish Council: Are still very concerned over this access to the football field the plans supplied show the depression in the road of 2 metres and even though on a 90 metre splay we still consider it is not safe. When your council were looking for a recycling site for LCC they insisted on a roundabout it is considered that the football field with all its ancillary uses along with New College Stamford daily use this will be far busier than any recycling site. We all know that this is quite a high speed road and the opinion expressed that a mini roundabout which would act as a speed reducer would be better than just the use of a ghost lane system.

Lincolnshire County Council (Highways): The local highway authority has advised that the amended plans are acceptable subject to the applicant entering into a Section 278 agreement under the Highways Act. They have advised that the drawings should be read in conjunction with a proposed speed reduction measure and as such visibility splays shown are in accordance with the requirements of the Design Manual for Roads and Bridges but are also in excess of those as outlined in the national guidance Manual for Streets. The Highway Authority has also advised that the road scheme will be subject to engineering design and safety audits before approval for construction under the terms of the Section 278 Agreement.

Voice of Stamford have made the following comments:

“You advise that the highway access onto the Ryhall Road will remain in the same position as shown of the plans shown to the Committee on 26th March 2013.

What I am unable to ascertain from the newly submitted plans are the elevations.

If it is the case that the Ryhall Road is merely being widened to accommodate a right-turning lane in the centre of the carriageway, then this does not change my objections to the access being dangerous because of the visibility issues.

I made my views clear enough to officers prior to the Committee meeting of 26th March, but for the avoidance of doubt this was:

1. By means of an e-mailed letter from my planning solicitors Birketts, and
2. by sending in to officers my Slideshow, and
3. to officers and also elected members by speaking on 26th March as the following transcription *in italics* demonstrates:

*My subject is Highway Safety, a key issue in P31, the Elephant in the room*

*You are not told of the RTA in the dip on 18<sup>th</sup> July 2004 involving 4 vehicles and 1 fatality.*

*You are not told of a less severe head on collision in the dip on 23 October 2005 involving 2 vehicles and 2 casualties.*

*The Officer refers you to last Summer's outline decision last in July. This is not relevant to this completely new application. You must consider this new application on its own material planning considerations including highway safety. It is your call, not Lincs Highway's.*

*I wrote drawing The Applicant's attention to the highway safety issues last July. The slideshow I am going to show, and other highway safety material went to Mr Ian Yates last September, there was some correspondence. The Slideshow and other material went to Mr Pat Reid on 4<sup>th</sup> March. But your written Officer Report and his verbal report contain nothing.*

*This completely new application S13/0260 demonstrates a considerable highway user, both from the Stadium use and from daily College use. But your Officer Report does not evaluate the highway safety issues at all for vehicles, nor for young people on foot.*

*Why did the RTA's occur?*

*Slideshow - Picture 1 please. These pics are taken just beyond the 30 speed limit ends" sign as you leave Stamford heading to Ryhall. They are taken at driver's eye level. Observe the incoming white car, and behind it the incoming red car.*

*Next – Picture 2 – The white car has disappeared, leaving the red car visible. There are 3 vehicles now hidden in the dip.*

***I think I was stopped by the Chairman at this point. The Chairman let me end by saying the application should be refused and I invite questions or some such. I was going to continue to say:***

*Next – Picture 3 – on the left an outgoing red car is appearing from the dip. On the right a white van previously hidden is appearing. The incoming white car is still not visible.*

*Next – Picture 4 – on the left the outgoing red can be seen. On the right the white van is clearly visible. Behind it the incoming white car starts to re-appear. The incoming red car has disappeared.*

*Next – Picture 5 – on the right the red car has not appeared*

*Next – Picture 6 – on the right the red can has re-appeared.*

*In that Sequence of Pictures, 3 vehicles were completely hidden in the dip at the same time. This Application should be refused.*

I now repeat all my old and new objections to S13/0260 as set out above, and as shown in the Slideshow you already have.

In my view, the unseemly haste which has been apparent from the start of your consideration of this application has already brought your Council into disrepute.

If your Council proceeds to issue a consent notice without dealing with each and every of my issues, then they look forward to an application for Judicial Review of the decision.”

Two additional letters of objection have also been received from local residents.  
The comments are summarised below:

- More lighting pollution
- More noise
- Students wandering around the back of our properties
- More traffic on an already busy road
- Late night noise as the planning is until midnight for entertainment
- We have already put our complaints to you on numerous occasions but as this has been passed before the council obviously don't take a lot of notice.
- We have already got a football club 100meters to the front of our properties and one over to our left at the back from Queen Eleanor School

- which we can hear loud and clear, so with another to the back of us again less than 100meters it will be a noisy place to live.
- We are also concerned about the way the students will be going from the college to the field as the quickest way is through our estate, but at the consultation night they assured us that the students would use a footpath which is twice as far, so you are not telling us that teenagers would use the longest route!
  - There is land in Stamford, nearer the A1 which would be far more suitable for a football ground and now that the team have been promoted this will bring more people to home matches causing more traffic through Stamford, a town already congested at weekends.
  - We think Burghley Estates are only in this for the monetary gain from the houses they will build on the football ground.
  - the road will now destroy mature trees including a beautiful and old chestnut tree at the proposed entrance.
  - wildlife including nesting skylarks, lapwings, hedgerow birds and mammals that are abundant at present and habituate the area every year
  - increase in traffic crossing the road, cycle-path and footpath to enter the site every day and evening time will be a clear problem / hazard for cyclists and pedestrians on the existing Ryhall Road pathway, the recently developed Stamford to Ryhall cycle-path
  - the proposed new entrance will be in a blind dip in the road with traffic speeding up as they leave Stamford. It is our experience that motorists speed and prepare to overtake in both directions on this stretch of road.
  - The project is I believe contrary to national planning Policy in terms of not using greenfield sites or agricultural land when there are existing brown field alternatives
  - There are already a range of sports facilities in the adjacent area including fitness suites at Stamford Leisure Pool and on the Gwash Way industrial estate (just across the road from the proposed development; an existing football stadium – which could be shared with the right agreement in place.
  - The use of tax payers money to fund an educational project that will not suit or meet local employment or community needs is futile and misguided at this time especially when there are alternative sports sharing options with New College Stamford and Queen Eleanor School who have a shared 6<sup>th</sup> form provision already.

Officer's comments on information:

As explained in the main committee agenda the proposed amendments relate to the wording of two conditions concerning the access arrangements. The amendments are sought to clarify the access arrangements and to ensure that the technical highway drawings match the architectural layout plans which were considered by the Committee on the 26<sup>th</sup> March 2013. The highway authority has been consulted and raised no objections to the minor amendments.

The other issues raised in the objections were all debated at the meeting of the Committee on the 26<sup>th</sup> March 2013.

**Changes to recommendation:**

None

JJ1 **S13/1399/DC**

Target Decision Date: 25-Jul-2013  
Committee Date: 04-Jun-2013

Applicant	<b>Mr S Willows, Wm Saunders Partnership</b> Sheppard Lockton House, Cafferata Way, Newark, NG24 2TN
Agent	
Proposal	<b>Approval of details relating to Condition 4 of application S11/2953</b>
Location	<b>Land off, Burghley Street, Bourne</b>
App Type	Discharge of Condition(s)
Parish(es)	Bourne
Reason Referral Committee	for to The application has been referred to the Development Control Committee at the request of the Chairman as the application is for South Kesteven District Council.
Recommendation Summary	That the development be Approved (without conditions

## REPORT

### Application Category

This application is an application for the approval of details relating to conditions.

### Reason for Referral to Committee

The application has been referred to the Development Control Committee at the request of the Chairman as the application is for South Kesteven District Council.

### The Proposal

The proposed discharge of condition seeks approval of the use of aluminium flashing capping to the parapeted gables of the building instead of the previously proposed stone capping. This will match the capping to the second floor balconies which cloak the brickwork and timber framing, and provide fixing for the handrails to the perimeter of the balconies.

## **The Application Site and its Surroundings**

Bourne Core Area comprises an area of land between North Street and Burghley Street measuring approximately 2 hectares. The application site is a linear strip of land on an east west axis located towards the southern end of the Bourne Core Area and measures approximately 0.68 hectares.

The application site is comprised of a number of smaller sites including Herewards Freemasons Lodge, 15A Burghley Street, Freemans Cars and Commercials 17A Burghley Street and the adjacent Burghley Street car park. The site also includes the Wherry's Mill Building.

The surrounding area is characterised by strong retail frontages to North Street and West Street with many listed buildings and other buildings of architectural interest. The southern part of the site including part of the car park, Wherry's Mill and the Freemasons Lodge are also located within Bourne Conservation Area.

Burghley Street provides rear access to North Street and some of the West Street businesses. The land to the north and west of Burghley Street is predominantly residential in character, comprising a mix of terraced, semi-detached and detached properties.

A number of the buildings proposed to be demolished have now gone including the commercial buildings to the north of Wherry's Mill and the rear industrial extension to the old mill.

## **Relevant Site History**

The following site history is relevant to this particular application:

SK.12/2066/88 – In February 1989 planning permission was granted for the change of use of 14A Burghley Street to shops and offices.

SK.12/1274/89 – In September 1989 outline planning permission was granted for residential development of land to the south of Burghley Street Bourne.

SK.12/1593/89 – In January 1990 outline planning permission was granted for residential development of warehouse, Burghley Street Bourne.

SK.98/0512/12 – In October 2002 this application which was for the demolition and replacement residential development on the Wherry's Mill site was deemed to be withdrawn. The Council at the time had concerns with regards to the loss of the Mill which was considered to be a heritage asset at that time. An

associated application for Conservation Area Consent for demolition of the warehouse was also deemed withdrawn (SK.98/CA/5142/12).

S99/0138/12 – In May 1999 planning permission was granted for the conversion of workshop and office to day nursery at 14 A Burghley Street Bourne.

S11/2953 – In March 2012 planning permission was granted for the redevelopment of the Bourne Core Area (Phase 1). The scheme involves the renovation of Wherry's Mill and its conversion for apartments including the demolition of the industrial extension to the old mill and the creation of a modern link to the proposed retail and residential development to the rear of the mill.

S12/1076/DC – In June 2012 approval was given for the details submitted in relation to conditions 2 and 22 (surface water drainage), 4 (materials), 5 and 6 (contamination), 11 (landscaping), 14 (method statement for construction/demolition) and 23 (method statement for protection of bats) of planning application S11/2953

S13/0224 – In March 2013 approval was given for the details submitted in relation to conditions 8 (joinery) and 9 (sound insulation) of planning application S11/2953.

## **Policy Considerations**

National Planning Policy Framework

South Kesteven Core Strategy Policies:

SP1 – Spatial Strategy

SP3 – Sustainable Integrated Transport

SP4 – Developer Contributions

EN1 – Protection and Enhancement of the Character of the District

EN2 – Reducing the Risk of Flooding

EN3 – Renewable Energy Generation

EN4 – Sustainable Construction and Design

H1 – Residential Development

H3 – Affordable Housing

E1 – Employment Development

E2 – Town Centre and Retail Development

Supplementary Planning Guidance:

Bourne Town Centre Redevelopment SPG revised June 2009

## **Representations Received**

Conservation Officer: No objections to amended plans

## **Representations as a Result of Publicity**

No public consultation required or undertaken.

## **Officer Evaluation**

The proposed discharge of condition seeks approval of the use of aluminium flashing capping to the parapeted gables of the building instead of the previously proposed stone capping. This will match the capping to the second floor balconies which cloak the brickwork and timber framing, and provide fixing for the handrails to the perimeter of the balconies.

The proposed change is required due to the change from a full masonry construction of the buildings to a timber frame solution with brickwork externally. The developer has advised that the fixing of the stone coping becomes an issue with support from brick and timber frame and the potential for differential movement can become an issue.

The Council's Conservation Officer has raised no objections to the proposed change and it is considered that the finish will match other parts of the proposed buildings and would still preserve and enhance the character and appearance of the Conservation Area.

## **Section 106 Heads of Terms**

Not applicable to discharge of condition applications.

## **Crime and Disorder**

The proposed details raise no significant crime and disorder implications.

## **Human Rights Implications**

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

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

**Conclusion**

The submitted details are considered to be acceptable and comply with the requirements of condition 4 of application S11/2953.

**RECOMMENDATION:** That the development be Approved (without conditions)

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