

MINUTES

DEVELOPMENT MANAGEMENT COMMITTEE

TUESDAY, 1 MAY 2018



SOUTH
KESTEVEN
DISTRICT
COUNCIL

COMMITTEE MEMBERS PRESENT

Councillor Ashley Baxter
Councillor Phil Dilks
Councillor Mike Exton
Councillor Mrs Rosemary Kaberry-Brown
Councillor Robert Reid
Councillor Nick Robins
Councillor Jacky Smith
Councillor Mrs Judy Smith

Councillor Judy Stevens
Councillor Ian Stokes (Vice-Chairman)
Councillor Brian Sumner
Councillor Mrs Brenda Sumner
Councillor Rosemary Trollope-Bellew
Councillor Martin Wilkins (Chairman)
Councillor Paul Wood

OFFICERS

Service Manager, Development
Management and Implementation (Sylvia
Bland)
Principal Planning Officer (Kevin
Cartwright, Phil Moore)
Planning Officer (Phil Jordan)
Assistant Planning Officer (Miranda
Beavers)
Legal Adviser (Colin Meadowcroft)
Principal Democracy Officer (Jo Toomey)

OTHER MEMBERS

Councillor Mrs Sarah Stokes

82. MEMBERSHIP

The Committee was notified that under Regulation 13 of the Local Government (Committees and Political Groups) Regulations 1990, notice had been received appointing: Councillor Judy Smith for Councillor King and Councillor Trollope-Bellew for Councillor Adam Stokes.

83. DISCLOSURE OF INTERESTS

No interests were disclosed.

84. MINUTES OF THE MEETING HELD ON 3 APRIL 2018

The minutes of the meeting held on 3 April 2018 were agreed as a correct record.

85. PLANNING MATTERS

(a) **Application Ref:** S18/0214

Description: Change of use from residential (C3) to day nursery/pre-school (D1)

Location: 14 Swallow Hill, Thurlby, PE10 0JB

Decision:

To grant the application subject to conditions

13:10 – Councillor Jacky Smith entered the meeting

Noting comments made during the public speaking session by:

Against	Malcolm Brown Julian Foot Allan Wade
For	Tony Smith Davina Houghton Sarah Lightbown Kathryn Wanless Rachel Dimmock
Applicant's behalf	Sarah Austin

Together with:

- No objection from Environmental Protection Services
- No objection subject to a condition from Thurlby Parish Council
- No objection from Lincolnshire County Council Highways and SUDS Support
- 23 representations (15 objecting and 8 in support) received as a result of public consultation
- Provisions within the National Planning Policy Framework and the South Kesteven Core Strategy and supplementary planning documents
- Site visit observations
- The additional information report issued on 27 April 2018
- Comments made by members at the meeting

In debating the application Members were mindful of concerns raised by public speakers who spoke against the application. It was suggested that an additional condition could be added about retaining the existing hedges adjoining the driveway in perpetuity, in order to provide screening.

A number of comments were also made, both in the public speaking session and during debate, about the parking arrangements included in the proposals and the potential impact on the highway. It was noted that there were designated spaces on the site that parents could use when dropping-off and collecting children. To ensure movement through the site, Members

suggested that if the application was approved, a note should be added to the permission requiring a clearly marked one-way parking system.

It was proposed, seconded and agreed that the application be approved for the summary of reasons set out in the case officer's report and subject also to the following conditions and a note being added to the permission requiring a clearly marked one-way parking system:

Time Limit for Commencement

- 1 The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.

Approved Plans

- 2 The development hereby permitted shall be carried out in accordance with the following list of approved plans:
 - i. Site location plan (1:1250) received 5th February 2018
 - ii. Block plan (1:500) received 12th April 2018

Unless otherwise required by another condition of this permission.

Before the Development is Occupied

- 3 Before the development hereby permitted is first brought into use, the vehicle parking spaces 1 to 4 shown on the approved block plan received 12th April 2018 shall be available for staff car parking at all times that the day nursery/pre-school is in use and shall not be used by customers, parents or other visitors to the site.
4. Before the development hereby permitted is first brought into use, the vehicle parking spaces 5 to 9 shown on the approved block plan received 12th April 2018 shall be available for car parking for customers, parents or other visitors to the site at all times that the day nursery/pre-school is in use and shall not be used by staff for parking.
- 5 Before the day nursery/ pre-school hereby permitted is brought into use, the acoustic fencing shall be installed in accordance with the approved Block Plan received 12th April 2018.

The fencing shall be constructed in accordance with the following approved details:

- 1.8m in height
- Forest Garden decibel noise reduction fencing (45mm thick)

The fencing shall thereafter be retained in accordance with the approved plans and maintained in good order at all times when the day nursery/ pre-school is in operation.

Ongoing Conditions

6 The premises shall not be used for the purposes authorised by this permission other than between the following hours:

i. 08:00hrs - 18:00hrs on Mondays to Fridays (other than bank holidays);

and it shall not be operational on Saturdays, Sundays, Bank Holidays or Public Holidays unless otherwise agreed in writing by the Local Planning Authority.

7 The number of children attending the nursery shall not exceed 30 at any time unless otherwise agreed in writing with the Local Planning Authority.

8 Notwithstanding the provisions of Schedule 2, Parts 3 and 4 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking or re-enacting that Order with or without modification), the premises shall only be used for the purposes specified below and for no other purpose, including any other purpose in Class D1; of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) unless Planning Permission for a new use of the premises has been granted by the Local Planning Authority.

- Day nursery
- Pre-school

9 The existing boundary hedging to the south, east and west of the approved visitor parking areas shall be retained and maintained at a height of not less than 1.8m. In the event that all or any part of the hedge ceases to form a substantially solid screen, by reason of death, disease or otherwise, replacement hedging shall be planted in accordance with details that have first been approved in writing by the Local Planning Authority. Details of any replacement planting shall be submitted to the Local Planning Authority not later than 3 months from the date of any such failure and shall be carried out in the next planting season following the approval of the replacement planting scheme or within such other timescale as the local planning authority shall specify in writing.

(b) **Application Ref:** S18/0230

Description: Demolition of existing agricultural buildings and hardstandings and erection of 11 single storey dwellings with car parking

Location: Spittlegate Farm, Gorse Lane, Grantham, NG31 7UF

Decision:

To refuse the application

Noting comments made during the public speaking session by:

Applicant

David Goodridge

Together with:

- No objection subject to conditions from Environmental Protection Services
- Comments from the SKDC Affordable Housing Officer
- No requirement for a Section 106 contribution from NHS England
- Comments from Anglian Water Services
- Comments from Lincolnshire Fire and Rescue Services
- No objection from Lincolnshire County Council Minerals and Waste Planning
- No objection from Highways England
- No objection subject to conditions from Lincolnshire County Council Highways and SUDS Support
- No representations received as a result of public consultation
- Provisions within the National Planning Policy Framework and the South Kesteven Core Strategy and supplementary planning documents
- Site visit observations
- The additional information report issued on 27 April 2018 including an additional statement from the applicant and officer comment thereon
- Comments made by members at the meeting

During debate on the application Members gave some consideration to the location of the site and whether, given its context, it was considered to be outside the built-up area of Grantham. There was a feeling amongst Members that the site's location could be considered an infill site because of the proximity of other dwellings and existing and planned industrial and commercial development in the area.

Members also sought to understand how an extant permission for the site related to the current application.

A major concern for Members was the absence of provision for affordable housing from the application. While the applicant had indicated during the public speaking session that they would be prepared to make such provision, no intention had been specified within the application. Reference was made to an appeal decision for another site in Grantham at which the Planning Inspector had refused the appeal because neither a S106 Agreement nor a Unilateral Undertaking had been submitted.

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

- 1 The site is in open countryside beyond the built up area of Grantham. The proposed development of 11 x new dwellings does not fall within any of the categories of development allowed under the provisions of the development plan in such a location, and there are no other overriding material considerations relevant to the

specific site or the district as a whole which justify the development.

- 2 The application would result in an unsustainable form of development that is therefore contrary to National Planning Policy Framework (Paragraphs 6 -17: Achieving Sustainable Development, Section 4: Promoting sustainable transport & Section 6: Delivering a wide choice of high quality homes) and policies SP1, SP3 & H1 of The South Kesteven Core Strategy.
- 3 It is considered that by virtue of the nature of the development, and the number and type of dwellings proposed, the proposal would result in an inappropriate suburban form of development in a rural context. As such it would fail to successfully integrate with the existing historic, built and natural environment or take advantage of all the opportunities to improve the area and the way it functions. The proposal is therefore contrary to NPPF (Core Planning Principles, Section 7: Requiring good design, Section 11: Conserving and enhancing the natural environment, Section 12: Conserving and enhancing the historic environment), and Policy EN1 of the South Kesteven Core Strategy.
- 4 The proposal is described as 11 x freehold dwellings and no affordable housing is proposed in the submission. No viability assessment has been submitted with this application to demonstrate that provision of 35% affordable housing required under South Kesteven Core Strategy Policy H3 would make the development unviable. In the absence of a satisfactory unilateral undertaking or any other form of Section 106 legal agreement, the Local Planning Authority is not convinced that the infrastructure directly required for the proposed development, including provision of public open space and affordable housing, will be provided and as such the proposal would be contrary to South Kesteven Core Strategy Policies SP1, H1, SP3 and H3, South Kesteven Site Allocations and Policies DPD Policy SAP 10, and the South Kesteven Planning Obligations SPD and the NPPF (paras 203 - 206).

15:06-15:24 – the meeting adjourned

(c) **Application Ref:** S17/2137

Description: Residential development for 6 dwellings (outline)

Location: Land north of Pineview, Holywell Road, Castle Bytham, Lincolnshire, NG33 4SL

Decision:

To approve the application contrary to officer recommendations and subject to conditions

Noting comments made during the public speaking session by:

**Parish Council
Applicant's Agent**

**Councillor Vicky Dennis
Mike Sibthorp**

Together with:

- Support for the application from Castle Bytham Parish Council
- Requested conditions from Lincolnshire County Council Highways and SUDS Support
- Comments from Lincolnshire County Council Minerals and Waste Planning
- No comments from Welland and Deeping Internal Drainage Board
- 5 representations received as a result of public consultation
- Provisions within the National Planning Policy Framework and the South Kesteven Core Strategy and supplementary planning documents
- Site visit observations
- The additional information report issued on 27 April 2018
- Comments made by members at the meeting

Members debated the application paying particular attention to the recommended reason for refusal put forward by the officer, which was that the application was contrary to planning policy as it was outside the village settlement and therefore could not be justified as infill development. Discussion ensued on the definition of infill development. Based on information from the speakers about the layout of the village of Castle Bytham, the pattern of planning consents that had been granted in the area of the site (including provision for a community shop) and their observations from the site visit, there was a consensus amongst Members that the application site was within the village of Castle Bytham.

Consequently, it was proposed, seconded and agreed that the application be approved contrary to officer recommendations for the following reasons:

1. That the application site was not considered by Members to be within the open countryside and having regard to the reduced scale of the development compared with previous applications, was considered to be an infill site
2. It would provide additional housing, which was required
3. The proposal would not have an adverse impact on the form and character of the area

It was then proposed that the preparation of a schedule of conditions for the consent should be approved by the Business Manager, Development Management and Implementation in conjunction with the Chairman or Vice-Chairman of the Development Management Committee. This was seconded, and, on being put to the vote, agreed.

(d) **Application Ref:** S18/0356

Description: Demolition of existing external storage building and creation of single-storey extension to dwelling to create entrance lobby, study, utility room and shower room

Location: 15 Reedings Road, Barrowby, NG32 1AT

Decision:

To grant the application subject to conditions

Noting:

- No representations received as a result of public consultation
- Provisions within the National Planning Policy Framework and the South Kesteven Core Strategy and supplementary planning documents
- Comments made by members at the meeting

It was proposed, seconded and agreed that the application be approved for the summary of reasons set out in the case officer's report and subject also to the following conditions:

Time Limit for Commencement

- 1 The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.

Approved Plans

- 2 The development hereby permitted shall be carried out in accordance with the following list of approved plans:
 - i. Drawing No.PL 02A, Proposed Plans and Elevations, received 22 February 2018

Unless otherwise required by another condition of this permission.

Before the Development is Occupied

- 3 Before any part of the development hereby permitted is occupied/brought into use, all external finishes shall have been completed to match in material, colour, style, bonding and texture those of the existing building.

(e) **Application Ref:** S18/0390

Description: Proposed extensions and alterations to existing dwelling

Location: 2 Hawksdale Close, Grantham, NG31 8EG

Decision:

To grant the application subject to conditions

Noting:

- No objection from Lincolnshire County Council Highways and SUDS Support
- No representations received as a result of public consultation

- Provisions within the National Planning Policy Framework and the South Kesteven Core Strategy and supplementary planning documents
- Comments made by members at the meeting

It was proposed, seconded and agreed that the application be approved for the summary of reasons set out in the case officer's report and subject also to the following conditions:

Time Limit for Commencement

- 1 The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.

Approved Plans

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

i. Drawing No.PL/A1/002 rev A, Proposed Extensions and Alterations received 26 February 2018

Unless otherwise required by another condition of this permission.

Before the Development is Occupied

- 3 Before any part of the development hereby permitted is occupied/brought into use, the external elevations shall have been completed using only the materials stated in the planning application forms unless otherwise agreed in writing by the Local Planning Authority.

(f) **Application Ref:** S18/0300

Description: Erection of detached cart shed/store

Location: The Old Stables, Fen Lane, Long Bennington, NG23 5ED

Decision:

To grant the application subject to conditions

Noting:

- No comments from Long Bennington Parish Council
- No representations received as a result of public consultation
- Provisions within the National Planning Policy Framework and the South Kesteven Core Strategy and supplementary planning documents
- Comments made by members at the meeting

It was proposed, seconded and agreed that the application be approved for the summary of reasons set out in the case officer's report and subject also

to the following conditions:

Time Limit for Commencement

- 1 The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.

Approved Plans

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

RB/04 - Block Plan
RGB/01 - Plan and Elevations
Site location plan

Unless otherwise required by another condition of this permission.

Before the Development is Occupied

- 3 Before any part of the development hereby permitted is occupied/brought into use, the external surfaces shall have been completed in accordance with the details shown on the approved plans.

Ongoing Conditions

- 4 The building hereby permitted shall only be used for purposes incidental to the enjoyment of the dwellinghouse (The Old Stables) and for no other purposes including any trade, business or commercial activity.

(g) **Application Ref:** S18/0096

Description: Creation of access from classified road and creation of off road parking

Location: 92 Harrowby Lane, Grantham, NG31 9LW

Decision:

To grant the application subject to conditions

Noting:

- No objection from Lincolnshire County Council Highways and SUDS Support
- No representations received as a result of public consultation
- Provisions within the National Planning Policy Framework and the South Kesteven Core Strategy and supplementary planning documents
- Comments made by members at the meeting

It was proposed, seconded and agreed that the application be approved for

the summary of reasons set out in the case officer's report and subject also to the following conditions:

Time Limit for Commencement

- 1 The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.

Approved Plans

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

- i. Dropped Curb and Driveway Plan, 1:500, received 16 February 2018

Unless otherwise required by another condition of this permission.

Before the Development is Occupied

- 3 Before any part of the development hereby permitted is brought into use, the hard surfaces shall have been completed using only the materials stated in the planning application forms unless otherwise agreed in writing by the Local Planning Authority.

86. CLOSE OF MEETING

The meeting was closed at 16:23.