

# MINUTES

DEVELOPMENT MANAGEMENT  
COMMITTEE  
TUESDAY, 11 DECEMBER 2018



SOUTH  
KESTEVEN  
DISTRICT  
COUNCIL

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## COMMITTEE MEMBERS PRESENT

Councillor Ashley Baxter  
Councillor Phil Dilks  
Councillor Mike Exton  
Councillor Mrs Rosemary Kaberry-Brown  
Councillor Michael King  
Councillor Robert Reid  
Councillor Mrs Judy Smith

Councillor Judy Stevens  
Councillor Adam Stokes  
Councillor Ian Stokes (Vice-Chairman, in  
the Chair)  
Councillor Brian Sumner  
Councillor Rosemary Trollope-Bellew  
Councillor Paul Wood

## OFFICERS

Head of Development Management (Sylvia Bland)  
Plannings Officer (Shelly Delderfield, Phil Jordan)  
Legal Adviser (Colin Meadowcroft)  
Principal Democracy Officer (Jo Toomey)

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## 41. 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 Trollope-Bellew for Councillor Wilkins.

## 42. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Jacky Smith and Brenda Sumner.

## 43. DISCLOSURE OF INTERESTS

No interests were disclosed.

## 44. MINUTES OF THE MEETING HELD ON 13 NOVEMBER 2018

The minutes of the meeting held on 13 November 2018 were agreed as a correct record.

*13:09 – Councillors Dilks and Baxter entered the meeting*

**45. PLANNING MATTERS**

**(a) Application ref:** S18/0937

**Description:** Reserved matters application for 174 dwellings and associated infrastructure pursuant to SK94/0125/12

**Location:** Elsea Park - Zone 9, Land east of A151, Raymond Mays Way, Bourne

**Decision:**

**Minded to refuse the application contrary to officer recommendations.**

*13:14 - Councillor Adam Stokes entered the meeting*

Noting:

- Comments from the Environment Agency
- No objection from Cadent Gas Limited
- Comments from the SKDC Affordable Housing Officer
- Comments from the Welland and Deeping Internal Drainage Board including additional comments relating to the ongoing maintenance of the watercourse to the south of Harvey Close
- No comments from Natural England
- Comments from SKDC Street Scene
- Concerns raised by the Elsea Park Community Trust
- An objection and concerns raised by Bourne Town Council
- No objection from Lincolnshire County Council Highways and SUDS Support
- 9 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 giving details of updated landscaping plans
- Comments made by members at the meeting
- The additional information report from the meeting held on 13 November 2018
- Comments made during the public speaking session on 13 November 2018
- Comments made by members on 13 November 2018 when the application was first considered
- Additional information received on surface water drainage following consideration by Committee on 13 November 2018

- Proposed changes to the scheme to address the Committee's concerns regarding design

*13:33 – Councillor Stevens entered the meeting*

Several Members who spoke in favour of the proposition to approve the application commented that while the application had not been before the design panel, it was at an advanced stage and had been considered by the Council's Principal Design Officer and the design changes that had made by the applicant were noted. Other Members did not feel that the design went far enough with some concerns being expressed about how the proposals related to paragraph 124 of the National Planning Policy Framework and the recent emphasis that was increasingly being placed on high quality design.

It was proposed and seconded that the application be approved subject to conditions for the reasons listed in the case officer's report. On being put to the vote, this proposition was lost.

A proposition was made that the application be refused contrary to officer recommendations because it was considered not to be of good design, contrary to paragraph 124 of the National Planning Policy Framework. This proposition was seconded. Reference was also made to the density of the proposed development, the site layout and the way the open space and access to it had been integrated within the scheme. Members also referred to the proposal in the context of the wider Elsea Park development.

The Head of Development Management stated that she was not able to accept the reason for refusal as a defensible planning reason. As the proposition to refuse the application was contrary to officer recommendations and the Head of Development Management did not consider the proposed reasons for refusal were sufficient, the cooling off period set out in Article 9.1.9 (c) of the Council's Constitution was invoked. In accordance with the Constitution, a recorded vote was taken:

**For:** Councillors Baxter, Dilks, Kaberry-Brown, Stevens, Brian Sumner and Wood

**Against:** Councillors Exton, King, A Stokes, I Stokes and Trollope-Bellew

**Abstain:** There were no abstentions

With 6 Members voting for and 5 Members voting against the proposition with no abstentions, the Committee resolved that it was minded to refuse the application contrary to officer recommendations. Those Members who voted in favour of the proposition to refuse the application had five working days to submit their reasons for refusal to the Head of Development Management.

- (b) **Application ref:** S18/1752  
**Description:** Erection of a 4-bedroom dwelling and garage  
**Location:** 23 Main Road, Dyke, PE10 0AF

**Decision:**

**To refuse the application**

Noting comments made during the public speaking session by:

**Applicant's Agent** Meg Reeve

Together with:

- No comments from SKDC's Environmental Protection Services
- No objections from Bourne Town Council
- No objection from Lincolnshire County Council Highways and SUDS Support
- One representation 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 summarising additional material supplied by the applicant and officer comment thereon
- Comments made by members at the meeting

*15:06 – Councillor Wood left the meeting and did not return.*

Several Members expressed their support of the application and debate ensued on whether the proposal fell within the settlement of Dyke or deviated from the existing line of development. Members also discussed previous uses of the site, existing and recently removed structures, and evidence that had been submitted to prove that it was brownfield land.

It was proposed and seconded that the application be approved contrary to officer recommendations. The reasons given in support of granting the application were based on the additional information submitted that demonstrated that it was a brownfield site and the potential that the proposed development would help support local services. On being put to the vote, this was lost.

A proposition was then made and seconded to refuse the application in line with officer recommendations for the reasons given in the additional items paper, which was issued on 7 December 2018. There was an equality of votes and the Chairman used his casting vote to vote against the proposition.

Following further discussion a new proposition was made to refuse the application in line with the officer's recommendation. A request was made for

a recorded vote, in accordance with Article 9.1.9(d) of the Council's Constitution. As more than five Members indicated their support, a recorded vote was taken:

**For:** Councillors Dilks, Exton, King, Reid, A Stokes and Trollope-Bellew

**Against:** Councillors Baxter, Kaberry-Brown, Judy Smith, Stevens, I Stokes, Brian Sumer

**Abstain:** There were no abstentions

As there was an equality of votes the Chairman used his casting vote, voting for the proposition. The Committee therefore resolved to refuse the application for the following reasons:

1. The proposed development by virtue of its scale, appearance and siting, would result in the unacceptable introduction of built form to the north of the existing linear pattern of development along Main Road which is contrary to the established spatial characteristics of the area. In consequence the development, would result in harm to the character and historic pattern of development in the area which is contrary to Core Strategy Policy EN1 and the NPPF Section 12.
2. The proposal does not fall under any of the categories of development described in Core Strategy Policy SP1 that would be considered acceptable in a location such as Dyke. The proposal would therefore result in unjustified additional residential development in a village which is not considered suitable for new dwellings. As such the proposals are considered contrary to the requirements of Core Strategy Policies SP1 and H1 and the principles of sustainable development as advocated by the National Planning Policy Framework (NPPF).

15:50 to 16:12 – the meeting was adjourned

*During the adjournment, Councillor Mrs. Kaberry-Brown left the meeting and did not return*

- (c) **Application ref:** S18/1460  
**Description:** Change of use to dog agility training facility  
**Location:** Land off School Lane, Sedgebrook, Grantham, NG32 2ES

**Decision:**

**To grant the application subject to conditions**

Noting comments made during the public speaking session by:

**Sedgebrook Parish Council**      Councillor Clive Wood

## **Against**

Paul Bowley  
Debbie Holt

Together with:

- No objection from the Lincolnshire County Council Footpaths Officer
- Comments from Highways England
- An objection and comments from Sedgebrook Parish Council
- No objection subject to the addition of an informative from Lincolnshire County Council Highways and SUDS Support
- No objection and comments from SKDC's Environmental Protection Services
- 11 representations (9 letters of objection and 2 of 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
- Comments made by members at the meeting

*16:24 - As the meeting had been in progress for 3 hours, the Chairman asked for Members' consent to continue. Members agreed.*

*16:25 – Councillor Adam Stokes left the meeting and did not return.*

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:

### **Approved Plans**

- 1 The development hereby permitted shall be carried out in accordance with the following list of approved plans:
  - i. Proposed Plans (received 2 August 2018)
  - ii. Paddock Plan (received 9 October 2018)

Unless otherwise required by another condition of this permission.

### **Time Limit for Commencement**

- 2 The development hereby permitted shall cease and the land be reinstated to its original condition no later than twelve months from the date of this decision.

### **Ongoing Conditions**

- 3 The access gate from School Lane shall be opened a minimum of 20 minutes prior to each dog agility session commencing.

- 4 No more than 6 dogs shall participate in an agility session at any one time within the training area to the north of the access gate off School Lane.
- 5 No dog agility session shall be permitted other than within the following permitted times:  
  
Tuesday 10:30 – 15:00hrs and 18:00 – 20:00 hrs  
Wednesday 11:00 - 14:30hrs and 18:00 – 20:00hrs  
Thursday 14:00 - 17:00hrs  
Saturday 10:00 - 11:00hrs
- 6 A maximum of one training session where no more than six dogs are in attendance shall be permitted, per calendar month. These sessions shall either take place on a Monday or a Saturday between:  
  
09:00 – 17:00hrs
- 7 A maximum of one open day event where more than 6 dogs are in attendance shall be permitted, per calendar year. This event shall take place on a Saturday between:  
  
10:00 - 16:00hrs
- 8 No floodlighting, security lighting or other means of illumination of the site shall be provided, installed or operated.

**46. CLOSE OF MEETING**

The meeting was closed at 17:09.