



# MINUTES

DEVELOPMENT CONTROL COMMITTEE  
TUESDAY 26<sup>TH</sup> JULY 2005

2.00PM

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## COMMITTEE MEMBERS PRESENT

Councillor Chivers

Councillor Fines

Councillor Helyar

Councillor Kerr

Councillor Parkin (in the Chair)

Councillor Mrs Percival

Councillor Turner

Councillor Waterhouse

Councillor Wilks

Councillor Mrs A Williams

## OFFICERS

Development Control Services Manager

Principal Planning Officer

Planning Application Case Officer

Committee Support Officer

Legal Assistant

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## 569. MR C F BURROWS

The Chairman referred with regret to the recent death of Fred Burrows, a member of the Council since its inception in 1973 and a long serving member of the Planning/Development Control Committee. Those present stood in silent tribute.

## 570. MEMBERSHIP

The Committee was notified by the Chief Executive that he had received a notice under regulation 13 of the Local Government (Committees and Political Groups) Regulations 1990 and had appointed Councillor Wilks in place of Councillor Howard for this meeting only.

## 571. APOLOGIES

Apologies for absence were received from Councillors Mrs Jalili, Pease, Radley and M G Williams.

## **572. DECLARATIONS OF INTEREST**

The following interest was noted:-

Councillor Mrs Percival – personal and prejudicial interest in application SR.1, under the members' Code of Conduct and further under the Probity in Planning Code of Guidance to avoid the impression of pre-determination or bias towards the application in view of business connections with the applicant.

## **573. MINUTES**

The minutes of the meeting held on 5<sup>th</sup> July 2005 were confirmed as a correct record of decisions taken.

## **574. ENFORCEMENT ACTION – WILLOW FARM, BRANT ROAD, FULBECK**

*Decision: -*

*That authority be given for appropriate enforcement action to be taken to secure compliance with the requirements of the local planning authority with regard to the unauthorised development at Willow Farm, Brant Road, Fulbeck.*

In report PLA517 which had been circulated, the Development Control Services Manager advised that the above property had recently been placed on the market for sale by a local estate agent. The property was described as "a valuable freehold small holding" with partly converted barn with agricultural rest facilities.

In April 2004 a planning contravention notice had been served on the current owner in connection with suspected breaches of planning control in relation to the carrying out of a motor repairs business and the conversion and other works to use part of the agricultural building as living accommodation. The owner responded by stating that the alterations were for his application to the British Quality Farm Assured Standard scheme where there was a requirement for a rest area with washing facilities. It was clearly stated that the building was not for use as residential accommodation. Insufficient evidence being available, no further action was taken at the time.

However, during the last twelve months, further internal alterations had taken place which appeared to be beyond the needs of providing agricultural rest facilities, although there were still no mains services in the form of water and electricity. It appeared that the provision of full kitchen facilities and a furnished lounge area suggested that works undertaken were tantamount to residential conversion, and as the site was located in an area of open countryside aware from established settlements, agricultural need should be proved. No such need had been demonstrated and it was recommended that appropriate enforcement action be taken.

## 575. PLANNING MATTERS – LIST FOR DEBATE

*Decision:-*

*To determine applications, or make observations, as listed below:-*

*(2.08pm – Councillor Mrs Percival left the meeting, having declared an interest)*

### **SR.1**

Application ref: S04/0430/82

Description: Agricultural dwelling

Location: Lings Farm, Witham-on-the-Hill

Decision: Refused

Noting comments from Environmental Health Services, the Council's agricultural advisor, detailed submissions in support from the applicant, together with a response to the Council's consultant's report, further comments from the agricultural advisor and comments from the applicant's agent in response together with a letter from the applicant in support and further letters in support from nearby residents, for the following reason:-

The application proposes the erection of a dwelling adjacent to existing agricultural buildings in an open countryside location in connection with an existing agricultural business.

It is considered, on the basis of the information submitted, that there is insufficient justification on both functional and financial grounds of a further dwelling in connection with the applicants farming business. The proposed development would therefore be contrary to Policy H10 of the South Kesteven Local Plan, Policy H4 of the Lincolnshire Structure Plan (Deposit Draft April 2004) and Central Government Planning Policy set out in Annex A PPS7.

*(2.22pm - Councillor Mrs Percival returned to the meeting)*

### **SU.1**

Application ref: S04/1910/56

Description: Construction of 94 dwellings and ancillary works including open space

Location: Land to the east of Godsey Lane, Market Deeping

Decision: Refused

Noting comments made during the public speaking session from:-

Mr T Slater – on behalf of the applicants

together with comments from the Highway Authority, representations from Market Deeping Town Council, no objection from Anglian Water or the Environment Agency, comments from the Welland and Deepings Internal Drainage Board, Lincolnshire Heritage, LCC Education, the Police Architectural Liaison Officer, South West Lincolnshire Primary Care Trust and the Deepings Practice, together with representations from a number of nearby residents, including a petition, and a letter of support from the Market Deeping Community Primary School, for the following reason:-

The proposed development consists of 94 dwellings and associated infrastructure on greenfield agricultural land to the east of Godseys Lane Market Deeping. The site is adjacent to a supermarket and two primary schools and is reasonably well related to the town centre and options for alternative means of transport exist in the area. PPG3 requires a sequential approach to the provision of new residential development and prioritises the use of previously developed land before releasing greenfield sites. In the opinion of the Local Planning Authority other sequentially preferable previously developed sites exist in the district and the bringing forward of this site will be prejudicial to the planned growth of South Kesteven district as a whole. It would therefore be contrary to PPG3, Policies 2 and 3 of RSS8, Policies S1, S2, H1 and H2 of the Lincolnshire Structure Plan Proposed Changes (Feb 2005) and Policy H6 of South Kesteven Local Plan (April 1995).

It is considered that the development of this agricultural land for residential use may prejudice the proper planned growth of housing stock in the district prior to the issue of a folder of development documents for South Kesteven contrary to PPS1.

## **SU.2**

Application ref: S05/0698/56

Description: Four dwellings

Location: 18 Towngate East, Market Deeping

Decision: Refused

Noting comments made during the public speaking session from:-

Mr T Slater – on behalf of the applicant

together with no objection from the Highway Authority, comments from the Welland and Deepings Internal Drainage Board and Community Archaeologist, an objection from Market Deeping Town Council and representations from nearby residents together with submissions in support from the applicant, for the following reason:-

The proposed development would result in an unsatisfactory form of backland development with none of the properties having the benefit of any road frontage. Accordingly, the scheme would be detrimental to the form and character of the surrounding area.

The proposed access would result in a loss of residential amenity to both the occupiers of the neighbouring properties and the future occupiers of the proposed dwellings by reason of noise and disturbance associated with vehicle and pedestrian movements to and from the proposed dwellings.

Acceptance of the proposal would result in a piecemeal form of development which would prejudice a more comprehensive form of development taking in land to the west of the site which would enable a better site layout to be achieved which would be more in keeping with the existing pattern of development in the area.

As such, the proposal would be contrary to the requirements of Planning Policy Guidance Note 3: Housing (PPG3) and Policies EN1 and H6 of the adopted South Kesteven Local Plan and Supplementary Planning Guidance - Backland Development.

### **NR.1**

Application ref: S03/0627/02

Description: Doctors surgery

Location: R/o 5 Paddock Close, Ancaster

Decision: Deferred

Noting comments from the Parish Council, Highway Authority, Community Archaeologist and department of Culture, Media and Sport, together with representations from and on behalf of nearby residents, and further representations from nearby residents with regard to the amended plans, Development Control Services Manager authorised to determine the application, after consultation with the Chairman and Vice-Chairman, subject to no adverse observations from the Consultant Architect on the amended plan and subject also to appropriate conditions, including conditions regarding boundary treatment, walling and landscaping.

**NR.2**

<u>Application ref:</u>	S05/0354/55
<u>Description:</u>	Five bungalows
<u>Location:</u>	R/o Farbrooke, Main Road, Long Bennington
<u>Decision:</u>	Refused

Noting comments from the Highway Authority, representations from nearby residents, further comments from nearby residents and representations from the Parish Council, together with confirmation that the applicant wishes the application to be determined as submitted.

The Development Control Services Manager drew attention to the reasons for refusal which had been submitted by members who voted against the proposal, as required by the Constitution. He said that he had received several other comments in relation to the refusal but that these raised no new issues. In his opinion, a refusal could be supported by the relevant development plan policies, although his recommendation to approve the application as submitted remained the same. In conclusion, the Development Control Services Manager referred to correspondence from the applicants supporting their application for five bungalows and indicating that they would be likely to appeal and request costs.

The Committee Support Officer reminded members that under the terms of the Constitution, having indicated that they were minded to refuse the application, and having submitted reasons for this and having considered the comments of the Development Control Services Manager thereon, they could now proceed, if they wished, to formally refuse the application, although this must be by a recorded vote. Councillor Waterhouse and the Chairman both indicated that they would be prepared to appear for the Council at any appeal hearing/inquiry

It was formally proposed and seconded that the application be refused for reasons to include:

1. The impact of the proposal on neighbouring properties in the area.
2. The proposal is not in keeping with its surroundings.
3. The likely impact on local services and infrastructure.
4. Water drainage from the site has not been satisfactorily resolved.

Those voting for or against the proposal are recorded below:

For

Councillor Chivers  
Councillor Fines  
Councillor Kerr  
Councillor Parkin  
Councillor Mrs Percival  
Councillor Turner  
Councillor Waterhouse  
Councillor Wilks  
Councillor Mrs A Williams

Against

Councillor Helyar

The proposition was therefore carried and the application was refused for the following reasons:-

1. The development site has an extant planning permission for the erection of 2 bungalows under planning application SK.55/1288/84. The site is beyond the established road frontage development within the area and would be “backland” in character, accessed via a long, narrow driveway. It is considered that an increase in bungalow numbers from 2 to 5 would, by reason of the increased use of the access road, result in noise and disturbance to the properties alongside of that access to the detriment of the residential amenity. In addition, the proposal would create a cramped development that would be contrary to the character and appearance of the area in general. For these reasons, it is considered that the development would be contrary to policies H6 and EN1 of the South Kesteven Local Plan and adopted supplementary planning guidance on backland development.
2. Insufficient information has been submitted to establish that the proposed increase in bungalow numbers on the site will not impact on the drainage within the area and other village services/infrastructure such as the primary school, doctors surgery etc and would be contrary to the provisions of PPG25 and SKLP Policy H6.

**NU.1**

Application ref: S05/0220/35

Description: Residential development

Location: Impress Factory, Springfield Park, Grantham

Decision: Deferred

Noting comments from the Highway Authority, Community Archaeologist, Environment Agency, Environmental Health Services, Upper Witham Internal Drainage Board, East Midlands Development Agency, Lincolnshire County Council and the Economic Development Manager, together with no objection from Network Rail, representations from nearby residents, and submissions in support from the applicants, Development Control Services Manager authorised to determine the application, after consultation with the Chairman and Vice-Chairman, subject to the completion of Section 278 (Highway) and Section 106 agreements and subject also to appropriate conditions.

#### **576. INFORMATION RELATING TO DEVELOPMENT CONTROL AND OTHER ACTIVITY**

The Development Control Services Manager submitted his report PLA516 listing details of applications not determined within the eight-week time period. Also submitted was a list of applications dealt with under delegated powers and a summary of the DETR statistical returns for the period April-June 2005.

#### **577. CLOSE OF MEETING**

The meeting closed at 3.21pm.