



MINUTES

DEVELOPMENT CONTROL COMMITTEE

4TH OCTOBER 2005
2.00 P.M.

COMMITTEE MEMBERS PRESENT

Councillor Fines
Councillor Howard
Councillor Mrs Jalili
Councillor Kerr
Councillor Parkin (in the Chair)
Councillor Pease

Councillor Mrs Percival
Councillor N Radley
Councillor Sandall
Councillor Turner
Councillor Mrs A Williams
Councillor M G Williams

OFFICERS

Development Control Services Manager
Planning Application Case Officers (2)
Committee Support Officer
Legal Assistant

OTHER MEMBERS

Councillor Wilks

598. APOLOGIES

Apologies for absence were received from Councillors Helyar, Selby and Waterhouse.

599. DECLARATIONS OF INTEREST

There were none declared.

600. MINUTES

The minutes of the meeting held on 13th September 2005 were confirmed as a correct record of decisions taken.

601. ENFORCEMENT ACTION

1. Access rear of 28a Station Road, Morton

Decision:-

That, as it is considered that there has not been a breach of planning control and the situation does not raise highway safety concerns, it is not expedient to initiate any enforcement action regarding the access at the rear of 28a Station Road, Morton

In his detailed report PLA528, the Development Controls Services Manager set out the background to a complaint which had been received concerning the construction of an access to the rear of 28a Station Road, Morton. A gate had been erected to the rear of the property and access was gained onto the private track/road which served properties to the rear.

The original outline planning approval was given over 40 years ago but the owner of one of the properties at the rear had taken issue with a recently constructed access which had been formed to the rear of 28a Station Road. Lengthy investigations had been undertaken into the terms of the original approval and into an allegation that there had been enforcement action undertaken in the past. No record existed of any enforcement notice and the situation regarding access being gained over the private road was a private matter for both parties to resolve. It was not considered that there was any planning or highway safety concern and it was therefore recommended that enforcement action be not taken. It was proposed, seconded and agreed accordingly, as noted above.

2. Hairdressing Salon 53 Frognall

Decision:-

That authority be given for the appropriate enforcement action to be taken with regard to the unauthorised use of 53 Frognall as a hairdressing salon.

In his report the Development Control Services Manager told members that the site was a residential property located on the north side of the narrow village road which ran from east to west through the village. A complaint had been received in October 2004 concerning the movement and parking of vehicles in and around 53 Frognall, where a hairdressing salon business was being conducted. In 1996 the occupants of the property had enquired whether planning permission was required for use of their garage as a hairdressing saloon on a very restricted basis. Advice was given that no planning permission was required on the basis of the information given at the time, but the

applicant was advised that should circumstances change and the business expand, it was expected that the authority would be advised.

This had not happened but an investigation had been undertaken and it had been established that 10 to 12 clients visit per working day; staff were employed at the premises; the hours of working were not adhered to as per the letter of October 1996 and the days of operation were being exceeded and also did not accord with the letter of October 1996.

It was evident from the information gathered that there had been an intensification of the hairdressing salon use, and it was considered that the number of clients, additional days and hours of operation and employment of staff were having an impact on the street scene of this village environment, and that enforcement action would be appropriate. It was accordingly proposed, seconded and agreed that enforcement action be taken.

602. PLANNING MATTERS – STRAIGHTFORWARD LIST

Decision:-

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

SF.1

<u>Application ref:</u>	S05/1151/35
<u>Description:</u>	1.8 metre fence to side and rear (Retrospective)
<u>Location:</u>	13 Tamar Court, Grantham
<u>Decision:</u>	Approved

Subject to the following condition:

The development hereby permitted shall be begun before the expiration of five years from the date of this permission

Note(s) to Applicant:

You are advised that the application site falls within an area which requires protection from Radon. You are advised to contact the District Council's Building Control Services to ascertain the level of protection required, and whether geological assessment is necessary.

603. PLANNING MATTERS – LIST FOR DEBATE

Decision:-

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

NR.1

<u>Application ref:</u>	S05/0869/71
<u>Description:</u>	Change of use for training of off-road driving techniques
<u>Location:</u>	Gorse Lodge, Stubton
<u>Decision:</u>	Approved

Noting comments made during the public speaking session from:-

Mr Curtis – Agent for the applicant

together with report of site inspection, no objection from the Highway Authority or Community Archaeologist, comments from Environmental Health Services, Lincolnshire Fieldpaths Association, Lincolnshire County Council – Footpaths, The Ramblers Association, North Kesteven District Council, Caythorpe Parish Council, Brant Broughton and Stragglethorpe Parish Council and Hough on the Hill Parish Council, together with representations from some local residents and additional information provided by the applicant in support and further representations from local residents, Fenton Parish Meeting and Environmental Health Services, subject to the following conditions:-

1. The development hereby permitted shall be begun before the expiration of five years from the date of this permission.
2. This permission shall ensure for the benefit of the present applicant Mr R A Curtis only.
3. The use shall not operation outside the hours of 0900 to 1800 without the prior consent in writing of the local planning authority.
4. The number of vehicles operating on the site shall be limited to:
 - i) A maximum of 3 4by4 vehicles restricted to a maximum speed of 10 mph, using on road tyres, on the course and operating at any one time.
 - ii) A maximum of 2 off road buggies with four stroke engines with a maximum engine size of 150cc with automatic gearboxes restricted to a top speed of 20 mph on the course operating at any one time.

- iii) A maximum of 4 quad bikes with a maximum engine size of 90cc mechanically restricted to a maximum speed of 11 mph on the course and operating at any one time.

Unless otherwise agreed in writing by the local planning authority.

NR.2

Application ref: S05/0955/55
Description: Four dwellings
Location: Crosburn House, Main Street, Long Bennington
Decision: Minded to refuse

Noting report of site inspection, comments from the Highway Authority, no objection from the Community Archaeologist, comments from the Parish Council, representations from nearby residents and submissions in support from the applicants, together with comments from the local member.

The Committee Support Officer reminded members of the amendment to the Constitution with regard to the procedure to be adopted in respect of decisions taken against clear advice from the Development Control Services Manager. He advised members of the procedures and reminded them that the Constitution now provided for a recorded vote on the first and subsequent hearings of an application in this category.

Following a formal proposal, that the committee were minded to refuse the application, those voting for or against the proposal are recorded below:-

<u>FOR</u>	<u>AGAINST</u>	<u>ABSTAIN</u>
Councillor Fines Councillor Howard Councillor Mrs Jalili Councillor Kerr Councillor Parkin Councillor Pease Councillor Mrs Percival Councillor N Radley Councillor Turner Councillor Mrs A Williams Councillor M G Williams	Nil	Councillor Sandall

The motion was therefore carried.

The Committee Support Officer reminded members that under the terms of the afore - mentioned amendments to the Constitution, those members

supporting the decision must, within 5 days, provide to the Development Control Services Manager the planning reasons for their view and the evidence that supports it. The application would then be placed on the agenda for consideration at the next meeting.

NR.3

Application ref: S05/1043/46

Description: Dwelling

Location: Adj Milestones, Carlton Road, Hough-on-the-Hill

Decision: Approved

Noting comments made during the public speaking session from:-

Irene Lawson – Hough on the Hill Parish Council

Mr D Varley Milestones, Hough on the Hill – objecting

Mr P Groves – applicant

together with report of site inspection, comments from the Highway Authority and Parish Council, representation from nearby residents and submissions in support from the applicants together with further representations from nearby residents, subject to the following conditions:-

1. The development hereby permitted shall be begun before the expiration of five years from the date of this permission.
2. Before the development hereby permitted is commenced, final details of the materials to be used in the construction of external walls and roofs shall be submitted to and approved in writing by the District Planning Authority. Only such materials as may be agreed shall be used in the development.
3. Notwithstanding the provisions of the Town & Country Planning (General Permitted Development Order) 1995 (or any order revoking or re-enacting that order with or without modification), no windows/dormer windows (other than those expressly authorised by this permission) shall be constructed.
4. Notwithstanding the provisions of Article 3 and Schedule 2, Part 1 and Class A to D of the Town and Country Planning (General Permitted Development) Order 1995 (or any order amending or re-enacting that order with or without modification), no further extensions or additions to the dwellinghouse shall be constructed without the prior consent in writing of the local planning authority.

5. No development shall take place upon the application site until the applicant has secured the implementation of a programme of archaeological work, in accordance with a written scheme of investigation, which has been submitted by the applicant and approved by the District Planning Authority.
6. The first floor windows in the northern and southern side elevations of the development hereby permitted shall be fitted with obscure glazing. The obscure glazing shall be inserted before the dwelling is occupied and shall be permanently retained unless otherwise agreed in writing by the local planning authority.
7. The existing natural hedge along the frontage of the site shall be retained except at the point of access and shall be maintained at a height of not less 1.4 metres.
8. The arrangements shown on the approved plan 30101A for the parking/turning/loading/unloading of vehicles shall be available at all times when the premises are in use.
9. Building operation shall not be commenced on site until details of the existing and proposed ground levels within the site, the finished floor levels of the proposed building, together with the existing floor and ground levels of adjoining properties have been submitted to and approved in writing by the local planning authority.

Note(s) to Applicant

1. Prior to the commencement of any of the access works within the public highway, please contact the Divisional Highways Manager (Lincolnshire County Council) on 01522 553170 for appropriate specification and construction information.
2. You are advised that the application site falls within an area which requires protection from Radon. You are advised to contact the District Council's Building Control Services to ascertain the level of protection required, and whether geological assessment is necessary.

SU.1

Application ref: S05/1023/69

Description: Demolition of existing dwelling and building of terrace of 4 dwellings

Location: The Orchard, Foundry Road, Stamford

Decision: Approved

Noting comments made during the public speaking session from:-

Mrs J Althom on behalf of Mrs and Mrs J A Smith, Williams Cottage, Foundry Road, Stamford – objecting

together with report of site inspection, comments from the Highway Authority and Stamford Town Council together with representations from nearby residents, subject to the following conditions:-

1. The development hereby permitted shall be begun before the expiration of five years from the date of this permission.
2. Before the development hereby permitted is commenced, final details of the material to be used in the construction of external walls and roofs shall be submitted to and approved in writing by the District Planning Authority. Only such materials as may be agreed shall be used in the development.
3. Before the development is commenced, there shall be submitted to and approved by the District Planning Authority details of the means of surfacing of the unbuilt portions of the site.
4. The area shown on the plan accompanying the application reserved for the parking of vehicles shall be used or be available for vehicle parking at all times when the premises are in use.

Note(s) to Applicant

1. You are advised that the application site falls within an area which requires protection from Radon. You are advised to contact the District Council's Building Control Services to ascertain the level of protection required, and whether geological assessment is necessary.
2. Prior to the commencement of any of the access works within the public highway, please contact the Divisional Highways Manager (Lincolnshire County Council) on 01522 553170 for appropriate specification and construction information.

SU.2

Application ref: S05/1086/69

Description: Demolition of existing dwelling and erection of six houses

Location: Blackfriars House, Kings Road, Stamford

Decision: Approved

Noting comments made during the public speaking session from:-

Mr N Amies 43 Kings Road, Stamford – objecting

Mr D Nicol 1 Princes Road, Stamford – objecting

Mrs R Nicol 1 Princes Road, Stamford – objecting

Mr C Harrison Managing Director, Peterborough Homes – applicants

together with comments from the Highway Authority, an objection from Stamford Town Council, numerous representations from local residents and Stamford Civic Society and information in support from the applicants, subject to the following conditions:-

1. Before the development is commenced large scale details, including sections, shall be submitted of the windows and doors to the proposed dwellings. Only such details as may be agreed in writing shall be used in the approved development.
2. Before the development hereby permitted is commenced, large scale details shall be submitted of the banded brickwork detailing to the external walls. Only such details as may be agreed in writing shall be used in the construction of the approved dwellings.
3. Before the development is commenced, there shall be submitted to and approved by the District Planning Authority details of the means of surfacing of the unbuilt portions of the site.
4. Notwithstanding the details shown on the submitted drawings, before erection of the approved dwellings is commenced, the final details of boundary treatments to the site shall be agreed in writing with the local planning authority and only such details as may be agreed in writing shall be used to define the boundaries.
5. The footpaths at either end of the proposed terrace shall be secured using lockable gates in accordance with details to be agreed in writing with the local planning authority.
6. The arrangements shown on the approved plan 05080/SK02A dated 1st August 2005 for the parking/turning/loading/unloading of vehicles shall be available at all times when the premises are in use.
7. This consent relates to the application as amended by drawings received on 21st September 2005.
8. Notwithstanding the provisions of the Town & Country Planning (General Permitted Development Order) 1995 (or any order revoking or re-enacting that order with or without modification), no windows/dormer windows (other than those expressly authorised by this permission) shall be constructed.

SR.1

Application ref: S05/1101/17

Description: Two storey front extension and single storey extension with room in the roof

Location: Amathus, Church Street, Carlby

Decision: Approved

(3.33 pm – Councillor Pease left the meeting)
(3.35 pm – Councillor Turner left the meeting)
(3.38 pm – Councillor Pease returned to the meeting)

Noting comments made during the public speaking session from:-

Mrs Stafford 29 High Street, Carlby – objecting

Mrs P Dixon The Retreat, Church Street, Carlby – objecting

together with report of site inspection, comments from the Community Archaeologist, an objection from the Parish Council and representations from a number of nearby residents, subject to the following conditions:-

1. The development hereby permitted shall be begun before the expiration of five years from the date of this permission.
2. The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing building.
3. Before the development hereby permitted is commenced the finished floor levels of the extensions shall be agreed in writing with the local planning authority and only such levels as may be agreed in writing shall be used in the development.

Note(s) to Applicant:

You are advised that the application site falls within an area which requires protection from Radon. You are advised to contact the District Council's Building Control Services to ascertain the level of protection required, and whether geological assessment is necessary.

(The meeting adjourned from 3.50 pm to 4.08pm)

SR.2

Application ref: S05/1041/76

Description: Replacement dwelling

Location: 55, High Street, Thurlby

Decision: Deferred

Noting comments made during the public speaking session from:-

Mr Creedy 59 High Street, Thurlby.

together with comments from the Highway Authority, Community Archaeologist and Parish Council, and representations from nearby residents, Development Control Services Manager authorised to determine the application, after consultation with the Chairman and Vice Chairman, subject to the submission of an amended plan showing the replacement dwelling sited in accordance with plan "A", subject to the Parish Council being consulted on any amendment, and subject also to appropriate conditions.

604. INFORMATION RELATING TO DEVELOPMENT CONTROL AND OTHER PLANNING ACTIVITY

The Development Control Services Manager submitted his report PLA530 listing details of applications not determined within the 8 week time period. Also submitted was a list of applications dealt with under delegated powers and a list of appeals and newly submitted appeals and decisions received during September.

605. PLANNING TRAINING DAY

The Chairman reminded members that a further planning training day was being held 6th October. He urged members who had not so far replied to do so as soon as possible.

606. AGENDA PLANS

The Chairman drew the attention of members to the site plans which had been included in the agenda for each application for consideration, and hoped that they would help in consideration of the applications.

607. PLANNING PANEL

The Chairman reminded members that the Planning Panel which would meet tomorrow was on the changed rota. For information he read the names of the relevant members.

608. CLOSE OF MEETING

The meeting at closed at 4.37 pm.