

**AGENDA ITEM**

Applicant	Mr & Mrs J Hurst 135, Barrowby Road, Grantham, NG318AE
Agent	Mr A J Mears 22, Gloucester Road, Grantham, Lincs, NG31 8RJ
Proposal	<b>First floor extension to dwelling</b>
Location	<b>135, Barrowby Road, Grantham</b>
App Type	<b>Full Planning Permission</b>

**RECOMMENDATION:** That the development be Approved subject to condition(s)

1. The development hereby permitted shall be begun before the expiration of three 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. Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995 (or any other revoking or re-enacting that Order, no windows, doors or other openings shall be inserted into the eastern side elevation of the development hereby permitted without the prior consent in writing of the local planning authority.

The reason(s) for the condition(s) is/are:

1. Required to be imposed pursuant to section 91 of the Town and Country Planning Act 1990.
2. These details have not been submitted and the District Planning Authority wish to ensure that the colour and type of materials to be used harmonise with the surrounding development in the interests of visual amenity and in accordance with Policies EN1 and H6 of the South Kesteven Local Plan.
3. To protect the amenities of adjacent occupiers.

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. This permission shall not be construed as granting rights to development on, under or over land not in the control of the applicant.
3. The attached planning permission is for development which will involve building up to, or close to, the boundary of the site. Your attention is drawn to the fact that, if you should need access to neighbouring land in another ownership in order to facilitate the construction of the building and its future maintenance, you are advised to obtain permission from the owner of such land for such access before work is commenced.

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**SF.2**     **S05/1392/12**

Registration Date: 19-Oct-2005

Applicant	South Kesteven District Council C/o Agent
Agent	Duncan Lucas, SKDC Tenancy Services Council Offices, St Peter's Hill, Grantham, NG31 6PZ
<b>Proposal</b>	<b>Construction of communal off-road parking facility</b>
<b>Location</b>	<b>In front of 31-35 St. Pauls Gardens, Bourne</b>
App Type	<b>Full Planning Permission</b>

**RECOMMENDATION:** That the development be Approved subject to condition(s)

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

The reason(s) for the condition(s) is/are:

1. Required to be imposed pursuant to section 91 of the Town and Country Planning Act 1990.

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**SF.3**     **S05/1438/12, 76**

Registration Date: 26-Oct-2005

Applicant	Henry Davidson Developments Ltd C/o Agent
Agent	Marcus Lambert, PPML Consulting Limited Kinetic Centre, Theobald Street, Elstree, Herts, WD6 4PJ
<b>Proposal</b>	<b>Link road and access</b>
<b>Location</b>	<b>Pt OS 2173, South Road (A15), Bourne</b>
App Type	<b>Reserved Matters</b>

**RECOMMENDATION:** That the development be Approved subject to the following condition(s) and any further conditions attached at Committee:

1. 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.

The reason(s) for the condition(s) is/are:

1. To ensure that satisfactory provision is made for the evaluation, investigation, preservation (in situ where necessary) and recording of any possible archaeological remains on the site and in accordance with Policy R4 of the South Kesteven Local Plan.

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## AGENDA ITEM

Development Control Committee  
6 December 2005

SU.1 **S03/1669/69**

Registration Date: 15-Dec-2003

Applicant	<b>Maiden Properties Limited</b> 8, Sheep Market, Stamford, PE9 2QZ
Agent	Wilson & Heath Architects 112, Queens Walk, Stamford, Lincs, PE9 2QE
Proposal	<b>Erection of an hotel</b>
Location	<b>Former Welland Motor Factors Site, North Street, Stamford</b>

<b><u>Site Details</u></b> <b>Parish(es)</b>	<b>Stamford</b> Conservation Area 1000 sq.m. plus in Conservation Area A Class Road Demolition of any building - BR1 Radon Area - Protection required Listed Building (Grade II) Area of special control for adverts C9 Area Conservation Policy S1 Town Centre Shopping Area Airfield Zone - No consultation required Drainage - Welland and Nene
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### **REPORT**

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

The application site is located on the south side of North Street, directly opposite the public car park.

It comprises two workshop buildings either side of a forecourt with two vehicular access points off North Street.

Although currently vacant and unused it was last occupied by a motor factors business.

To the west is the Grade II\* listed Browne's Hospital. To the south, facing onto Broad Street, is the Lincolnshire Poacher public house and to the east Nags Head Passage, a narrow pedestrian thoroughfare that connects North Street and Broad Street.

#### **Site History**

The site has been the subject of several applications for development since it came into the current owners possession.

In January 2001 planning permission was granted (S00/1235/69) for a change of use to Class A1 (Retail), A2 (Financial and Professional Services), A3 (Food and Drink), C3 (Residential) and retention of the existing B1 (Business) use.

In November 2001 permission was granted (S01/0762/69) for the erection of a tyre and exhaust fitting centre whilst retaining and converting an existing building.

In November 2002 planning permission was granted (S02/0762/69) for the entire redevelopment of the site for a tyre and exhaust centre.

Consent for the demolition of the existing buildings on the site was granted in November 2002 under application ref LB/5860 and remains valid until November 2007.

## **The Proposal**

The proposal involves the demolition of the existing buildings on the site and replace them with a 38 bedroom hotel.

The submitted drawings show the hotel to be constructed of natural limestone and Bradstone Cotswold artificial slates.

It would be three storey and built right up to the back edge of the footpath. There would be two 3-storey wings off either end of the frontage element, creating an enclosed courtyard to the rear.

The overall height of the front elevation would be 10.5m, which due to the rising ground levels, would be more or less in-line with the rear of the Browne's Hospital to the west. However, due to the fall in levels to the east, the building would at one point be approximately 12m high to the ridge alongside the Nags Head Passage, reinforcing significantly the sense of enclosure to this narrow pedestrian thoroughfare.

There would be no on-site parking, which is not a concern to the Highway Authority who have taken into account the fact that there is a public car park opposite.

In addition to the bedroom accommodation a small conference room is proposed.

## **Policy Considerations**

### **Central Government Planning Policy Guidance**

PPG13 – Transport.

PPG15 – Planning and the Historic Environment:

Section 72 of the Act requires that special attention shall be paid in the exercise of planning functions to the desirability of preserving or enhancing the character or appearance of a conservation area.

Many conservation areas include gap sites, or buildings that make no positive contribution to, or indeed detract from, the character or appearance of the area; their replacement should be a stimulus to imaginative, high quality design, and seen as an opportunity to enhance the area. What is important is not that new buildings should directly imitate earlier style, but that they should be designed with respect for their context, as part of a larger whole which has a well-established character and appearance of its own.

PPG21 – Tourism:

“Whatever the type of hotel or its location, it should:

- fit well with its surroundings, having regard to its siting, scale, design, materials and landscaping; and
- be in harmony with the local environment (taking into account noise, traffic and parking in the vicinity).

PPS1 – Delivering Sustainable Development.

RSS8 – Regional Spatial Strategy for the East Midlands.

Lincolnshire Structure Plan

Policy BE3:

**PROVISION WILL BE MADE TO ENSURE THAT THE CHARACTER AND APPEARANCE OF THE HISTORIC BUILT ENVIRONMENT IS PROTECTED AND/OR ENHANCED.**

Policy E5:

**TOURISM DEVELOPMENT SHOULD BE LOCATED IN EXISTING SETTLEMENTS IN LINE WITH THE OVERALL SPATIAL STRATEGY AND SHOULD BE OF A SUITABLE SCALE AND FORM TO COMPLEMENT THEIR LOCALITY.**

**OUTSIDE THESE URBAN AREAS, TOURISM DEVELOPMENT SHOULD BE ENCOURAGED WHERE IT ASSISTS FARM DIVERSIFICATION OR THE RETENTION OF BUILDINGS CONTRIBUTING TO THE CHARACTER OF THE COUNTRYSIDE.**

**SUCH TOURISM DEVELOPMENT WILL BE CONSIDERED FAVOURABLY PARTICULARLY WHERE IT WILL ASSIST IN THE ECONOMIC AND PHYSICAL REGENERATION OF AN AREA AND THE DEVELOPMENT WOULD BENEFIT THE LOCAL COMMUNITY.**

Policy S1 – Promoting Sustainable Development.

Policy S2 – Location of Development.

South Kesteven Local Plan

Policy C9:

**APPLICATIONS FOR PLANNING PERMISSION FOR DEVELOPMENT WILL BE CONSIDERED HAVING REGARD TO:**

- i) **THE EFFECT OF THE PROPOSAL ON THE CHARACTER AND APPEARANCE OF THE AREA;**
- ii) **THE APPROPRIATENESS OF THE PROPOSAL IN TERMS OF DESIGN, SCALE AND MATERIALS; AND**
- iii) **THE IMPACT OF ANY NEW USE ON THE AREA.**

## **Statutory Consultations**

Historic Buildings Advisor (comments on original submission):

“I am in receipt of details to the above, which show the erection of a large three storey building on the site forma hotel.

Although I can see no reason to object to the principle of the development not least as it will serve to improve the appearance of this currently run down site, I would draw attention to the rather disappointing treatment of the principal north facing elevation to the building along the North Street frontage, in respect of modelling, articulation of elements and features, and style. This very prominently displayed elevation will have a major impact on the street scene in the vicinity and, in my opinion, warrants an architectural statement of discernible quality and appeal, which the submitted scheme lacks. I would suggest that a more considered design s called for here, perhaps with scope for a contemporary approach.”

Comments on first revision:

“I am in receipt of further amended details to the above (Drawing No. A3 Revision 1) together with a letter from the applicants architect dated 12 December 2004 and would advise that the minor amendments made, clearly without conviction, to the detailing of windows to the principal street facing north elevation to the building fail to address the major issue here with that, in my opinion, the design of the building façade facing North Street in particular is unimaginative, disappointing visually and architecturally, and that I am therefore unable to advise that it will be appropriate in this key sensitive location.

I remain of the view that the building design here should make a bold and distinctive architectural statement, still unfortunately lacking at present, and that a fundamental reconsideration of the design concept is required.”

Comments on latest revision:

“I am in receipt of further amended details to the above (Drawing No. 5) together with a letter from the Applicants' Architect of 7 September 2005. the amended scheme shows various further changes to the treatment of the principal street facing elevation to the proposed building including the introduction of reconstituted stone mullioned windows, the re-introduction of a hipped roof over the central entrance bay with a clock tower feature to the roof, and the removal of the ashlar string courses previously proposed.

The changes to the previous scheme as described are, in my opinion, of minor significance in the context and I remain of the view that the design of the building (the element facing North Street in particular) is disappointing and mediocre both visually and architecturally and will not be appropriate in this prominent and sensitive location.

Rather than (unconvincingly) tinkering with details, as the Architect has continued to do since the original scheme was criticised, I would advise that a fundamental reconsideration of the design concept is required in order to produce a building of readily discernible quality that will make a positive (and erudite) contribution to the townscape in the vicinity and enhance Conservation Area character and appearance. The poor modelled and articulated currently proposed scheme, in my opinion, sadly represents a missed opportunity in this respect.”

Local Highway Authority: If permitted requests standard condition B7 and the following condition:

There shall be no means of vehicular access or drop off/pick up to the permitted buildings from North Street.

Community Archaeologist: If permitted, requests standard condition W7.

Environment Agency: No objection.

Stamford Town Council:

“We are concerned about this development for a number of reasons. Firstly, the lack of information with regard to the height in context to the surrounding properties. We understand that surrounding properties have cellars that are adjacent or underneath these buildings and are concerned about the effect on these properties. We are concerned about the effect on the passage to the side of the Lincolnshire Poacher, there should be no openings into this wall. We would like more information about the use of space within the hotel – the number of rooms, provision of restaurant, bar etc. We would like more elevations. We have concerns about the impact of the drainage in the area from both the residential waste and restaurant’s waste.

### **Representations as a result of publicity**

The application has been advertised in accordance with statutory requirements, the closing date for representations being 30 January 2004.

No representations have been received from members of the public as a result of the publicity.

Stamford Civic Society, however, have commented as follows.

Comments on original submission:

“I refer to the submission in respect of the above site for demolition of the existing buildings and the erection of an hotel. This was on the grounds of:-

- a) Inappropriate function within the historic conservation area, should be on an industrial/outer retail area.
- b) The buildings inset into the former town walls should respect that ambience.
- c) Traffic would go in and out of the site at a dangerous part of North Street.
- d) A tyre warehouse should not be permitted next to one of the first Medieval almshouses in England.
- e) Problems of access for the maintenance of the adjacent buildings of Browne’s Hospital.

With respect to the new application:

1. We are pleased to note that this application is to replace the previous one which we thought inappropriate.
2. We note that there will be no on-site parking, we commented on the previous application that there should be no vehicles going in or out of the site because of its position on North Street. If approved, the management of the hotel will need to

ensure their customers do not unload along the North Street frontage but park their vehicles first.

3. We note that the proposed height of the building will equate to the nearby Antiques Warehouse and the back of the buildings in Broad Street.
4. We believe the problem of access to an inaccessible part of the roof of some of the Browne's Hospital buildings can be resolved following discussions between the parties.
5. We have no comments on the design but we do welcome the clock on the frontage."

Comments on revised elevational treatment:

"I refer to your letter of 25 January in response to mine of 22 January. We have now had the opportunity to look into the history of this application which has now been considered by our Executive Committee including our architectural advisers.

As you will know, the Society is greatly concerned about the unreasonable delays over the planning process for this project. The Society fully supported the concept of hotel development on this site as indeed have the Governors of Browne's Hospital.

The key issues here seem to us to be:

1. There would appear to be a fixed view as to what is the appropriate design for this site regardless of function. The idea of a variety of windows for a hotel seems to us misguided and leads to French windows and balconies facing North Street – its traffic and unsightly views.
2. We have commented on other recent applications that there is no architectural coherence in the advice being given to your Committee in respect of new buildings in central Stamford. Stamford is an eclectic mixture of styles linked only by common building materials. It would appear that there is a desire to have fenestration for this application matching features with the rear of the adjacent Victorian parts of Browne's Hospital. How every odd when one looks at the buildings either side of the Hospital on its Broad Street frontage.
3. This is not the right site in our view for a building to make a bold architectural statement. It is a sheltered, recessed site resulting in a building viewed only briefly from its own frontage. North Street is (and will remain) dominated on the side of the road by rear walls and adapted coach houses. One piece of bold architecture would therefore stand out as wholly incongruous. The Society is conscious of a new house under construction elsewhere in the town where this is only too apparent and it fails to blend with the adjacent street scene.
4. The unfortunate consequence is leading to a building of assorted features of our architectural heritage with no consistency. We can see no benefit in a demand for more variety of windows, balconies and other "hang-ons".
5. The Society reiterates its dismay at the length of time taken to consider this particular application, the advice proffered which we believe is misguided and the danger of producing a fussy façade with no integrity. Can we please keep the design simple and add no more butts and pieces to the façade. This scheme is in grave danger of ending up a "Pick and Mix" architecture.

6. We would specifically request the Society's concerns are related to your members and, in particular, our concern at the lack of any coherent guidance being provided by your Authority to prospective developers in the central area of Stamford."

### **Planning Panel Comments**

Development Control Services Manager to determine subject to amendments.

Acceptable amendments not forthcoming, therefore referred to Committee.

### **Applicants Submissions**

The applicants agent has submitted the following in support of the latest revisions to the front elevation:

"Further to our several recent discussions with Mr Wright, while we stand by all the points raised in our letters dated 12 December 2004 and 9 February 2005, it is evident that we have yet to provide a scheme for the main road elevation, which is acceptable to the planning authority.

Clearly this application, which was submitted on 3 December 2003 (approaching 2 years ago), needs to be determined and while we have a clear way forward to appeal to achieve this end, we would much prefer to reach agreement with you – to move the project forward. In that spirit therefore, we have discussed all the points raised in your various letters again with our Client, Maiden Properties Ltd.

Following that discussion, we wish to submit our final proposal for this contentious part of the scheme, which is illustrated on our new drawing No. 5 (enclosed) and in that regard, we draw your attention to the following points:

1. We have illustrated the variation in the fenestration as requested.
2. We have introduced mullioned windows throughout the elevation, with label mouldings on the fenestration to the principal floors.
3. We have re-introduced the hipped roof to the entrance projection, to bring back harmony to the elevation as a whole.
4. All ashlar work (mullioned windows, mouldings, quoins and ashlar to the front entrance area), is to be in reconstructed stone. The remainder will be in coursed natural stone or sand/cement rendering – as indicated.
5. We have reinstated the clock tower feature to the front entrance roof.
6. We have removed the ashlar string courses which, with the window treatment introduced, created a fussy appearance.
7. All other features remain as per our previous scheme.

As with the house recently constructed at Nos. 12/13 St Peter's Street, the elevation would be subject to fine detailing prior to construction- to ensure all the elements are in harmony and we hope that this latest scheme will now satisfy your requirements.

Finally, we are instructed to ask you, to put this scheme to your committee (hopefully with a favourable recommendation) – for consideration and approval.”

## **Conclusions**

As is obvious from the date of registration, this application has, for various reasons, been awaiting a decision for some time.

As the Historic Buildings Advisor point out in his original comments, this is a very prominent site in the Stamford Conservation Area and redevelopment on the scale proposed will have a very significant impact on the street scene. For this reason the authority need to ensure that the principal street facing elevation provides the necessary enhancement to the appearance of this part of the Conservation Area.

Unfortunately, neither the Historic Buildings Advisor nor your Officers are satisfied, despite several revisions, that the design would result in the opportunity for enhancement the site affords.

The developments previously approved on the site in connection with its current authorised use involved a much smaller scale building set well back into the site and a new stone wall, of varying height along the frontage.

**RECOMMENDATION:** That the development be Refused for the following reason(s)

1. It is considered that the design of the proposed development for this important site on the northern edge of Stamford Conservation Area and adjacent to the Grade II\* listed Browne's Hospital, particularly the treatment of the front elevation of the hotel, lacks both the visual and architectural quality to provide the enhancement to the appearance of the area which a site of this prominence warrants.

The proposal is considered, therefore, to be contrary to Central Government Planning Policy Guidance contained in PPG15 (Planning and the Historic Environment), PPG21 (Tourism), Policy BE3 of the Lincolnshire Structure Plan (Deposit Draft - April 2004) and Policy C9 of the South Kesteven Local Plan.

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Applicant	<b>Mr M Farooq C/o Agent</b>
Agent	Mr N P Branston MRICS 400, Eastfield Road, Peterborough, PE1 4RE
Proposal	<b>Demolition and rebuild workshop, flue stack and change of use to Restaurant (A3)</b>
Location	<b>23, Bridge Street, Deeping St. James</b>

<b><u>Site Details</u></b> <b>Parish(es)</b>	<b>Deeping St James</b> Conservation Area Adj authority - Peterborough City - AA7 Demolition of any building - BR1 Radon Area - Protection required Area of special control for adverts C9 Area Conservation Policy Drainage - Welland and Nene EA: Flood Risk Zone 2/3 (new bld only)
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## **REPORT**

### **Introduction**

Councillor Ray Auger has requested that this application be referred to the Development Control Committee for the following reason(s):

“The site formerly Manor Tyres has limited onsite parking, and the surrounding properties do not have ‘off highway’ parking, congestion and narrowing off the highway is very much a problem in this area.

Due to lack of parking facilities in this area, I do not believe that this application should be granted. (Note proximity of the junction of New Road to the site)”

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

The site is located on the south side of Bridge Street Deeping St James and is currently used as a dwelling, motor spares shop and tyre filling workshop (Bridge Street Autoparts). The main part of the building is two storey and fronts directly onto Bridge Street. The property is of brick construction with roman roof tiles. To the rear of the property there is a workshop, which is linked to the main building. The workshop has primarily brick walls although the south and west elevation do contain an element of stone. The roof of the workshop appears to be corrugated asbestos.

### **Site History**

The most recent application on the site was for a change of use to residential development (application reference S04/1593). The application was withdrawn due to the need for a flood risk assessment to be undertaken.

There have been no other recent applications, which are material to the determination of this application.

## **The Proposal**

This is a change of use application to convert the existing shop and dwelling into a restaurant. The application seeks approval for the demolition of the rear part of the building currently used as the tyre-filling workshop. The workshop would be replaced with an extension of a similar size in order to provide the main seating area for the restaurant. The applicant has indicated that the proposed hours of use would be between 09:00hrs and 19:00hrs. Eight off-street parking spaces will be provided.

## **Policy Considerations**

### South Kesteven Local Plan

Policy E5 – Small Businesses

Policy EN1 – Protection and Enhancement of the Environment

Policy C9 – Buildings in Conservation Areas

## **Statutory Consultations**

Parish Council: Objects on the grounds that volume of traffic would be increased with car parking provision inadequate for an already congested street.

Peterborough City Council: No comments.

Environmental Health: No objections subject to conditions requiring extraction equipment and hours of use restricted to between 09:00hrs and 23:00hrs.

Welland & Deepings Internal Drainage Board: The Board's Services should not be affected but as the site lies adjacent to the River Welland the Environment Agency's comments must be sought.

Environment Agency: Objects to the application subject to the submission of an amended Flood Risk Assessment.

Community Archaeologist: The proposed development does not affect any known archaeological sites.

Local Highway Authority: No objections subject to off-street parking and turning space being provided.

Consultant Architect: No objections to the proposed demolition. Recommends amendments to proposed scheme.

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

The application has been advertised in accordance with established procedures and representations have been received from interested parties and a petition has also been submitted containing 71 signatures.

The Following issues have been raised:

- a) Highway safety and parking,
- b) Concerns that the restaurant will have a "take-away",

- c) Litter,
- d) Smells and cooking odours,
- e) Concerns that any adverts on the building would impact on residential especially if illuminated,
- f) No need for another food outlet in the area,
- g) Impact on the Conservation Area,
- h) Concerns about late night opening hours,
- i) Noise and disturbance,
- j) More appropriate sites in the area,
- k) Any additional lighting would be unacceptably intrusive.

### **Applicants Submissions**

None.

### **Conclusions**

Concerns have been raised about the property been used as a take-away. The application seeks approval for use as a restaurant (Use Class A3). The premises will not be used as a take-away. If the applicant wishes to have a take-away in the future a fresh application would be required and the issues surrounding such a use would then be considered. As this application relates to the use of the property as a restaurant only it is not considered that there would be any increase in litter in the surrounding area.

The proposed scheme has been amended in accordance with the advice from the Council's Consultant Architect. The proposed scheme will not have a detrimental impact on the character of the Conservation Area. No additional lighting has been proposed and any used in the signage would be controlled under the Advertisement Regulations.

Concerns have been raised with regards to noise and disturbance. The Council's Environmental Health Department have raised no objections to the proposal but have recommended conditions to ensure that the premises are not in use after 23:00hrs. With regards to concerns about cooking smells it is proposed to attach a condition requiring precise details of the proposed extraction equipment to be submitted and agreed in writing by the local planning authority, in order to ensure that the equipment effectively removes all odours. The flue will be screened in a brick chimney in order to ensure that it does not have a detrimental impact on the visual amenity of the Conservation Area.

A significant number of the objections related to concerns about increased traffic and highway safety issues, in particular the existing problem of on-street parking. The Highway Authority has raised no objections to the proposed scheme subject to the parking and manoeuvring space shown on the submitted plans been maintained. The existing property is currently used as a shop, tyre-filling workshop and dwelling. It is considered that the existing use of the property could potentially generate the same if not more traffic than that of the proposed restaurant use. It is therefore recommended that highway safety issues should not be considered as a reason for refusal.

If on street parking in this area is such a problem the County Council could consider putting in double yellow lines. This is a matter for the County Council and not something that can be controlled by way of a condition on this application.

Issues relating to there been no need for another food outlet in the area are not a material planning considerations and cannot therefore be considered in the determination of this application.

The proposed development complies with the policies of the Development Plan and is accordingly recommended for approval subject to the submission of additional Flood Risk information acceptable to the Environment Agency.

**RECOMMENDATION:** That the development be Approved subject to condition(s)

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
2. The arrangements shown on the approved plan \*\*\* dated \*\*\* for the parking/turning/loading/unloading of vehicles shall be available at all times when the premises are in use.
3. Before the use is commenced, equipment shall be installed as will suppress the emission of fumes or smell and obviate odours from frying or other cooking processes. No development shall take place until details of the equipment have been submitted to and approved by the District Planning Authority.
4. The premises shall be used as a restaurant Class A3 of the Town and Country Planning Act (Use Classes) (amendment) (England) Order 2005.
5. The premises shall not be used for business purposes outside the hours of 9am to 11pm without the prior written consent of the local planning authority.
6. This consent relates to the application as amended by drawing no. 25.089/2A received on 3 November 2005.
7. 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.
8. Development shall proceed fully in accordance with the approved Flood Risk Assessment, and the applicant shall confirm completion of the approved scheme in writing within one month thereafter.
9. The building shall not be demolished before a contract for the carrying out of works of redevelopment of the site has been made, and planning permission has been granted for the redevelopment for which the contract provides.
10. Large scale details of all external joinery, to a scale of not less than 1:20, to include cross sections to show cills, lintols, etc., shall be submitted to and approved in writing by the District Planning Authority prior to the commencement of the development.

The reason(s) for the condition(s) is/are:

1. Required to be imposed pursuant to section 91 of the Town and Country Planning Act 1990.
2. To allow vehicles to enter and leave the highway in a forward gear in the interests of highway safety, and in accordance with Policy/ies E5 and EN1 of the South Kesteven Local Plan.
3. In order to protect the occupiers of nearby properties from the smells of food preparation and in accordance with Policy/ies E5 and EN1 of the South Kesteven Local Plan.
4. For the avoidance of doubt.
5. To ensure the proposed development does not have a detrimental impact on the residential amenity of adjacent properties.

6. For the avoidance of doubt.
7. These details have not been submitted and the District Planning Authority wish to ensure that the colour and type of materials to be used harmonise with the surrounding development in the interests of visual amenity and in accordance with Policies of the South Kesteven Local Plan.
8. To reduce the risk of flooding.
9. To ensure that demolition only commences immediately prior to the commencement of an approved redevelopment scheme so that visual injury does not result and in accordance with Policies of the South Kesteven Local Plan.
10. No such details have been submitted and the district planning authority wish to be in a position to ensure that the proposed details are sympathetic to the (listed building) (property) and in accordance with Policies of the South Kesteven Local Plan.

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.

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Applicant	<b>Mr M Farooq</b> C/o Agent
Agent	Mr N P Branston MRICS 400, Eastfield Road, Peterborough, PE1 4RE
<b>Proposal</b>	<b>Demolition of rear workshop in Conservation Area</b>
<b>Location</b>	<b>23, Bridge Street, Deeping St. James</b>

<b><u>Site Details</u></b> <b>Parish(es)</b>	<b>Deeping St James</b> Conservation Area Adj authority - Peterborough City - AA7 Demolition of any building - BR1 Radon Area - Protection required Area of special control for adverts C9 Area Conservation Policy Drainage - Welland and Nene EA: Flood Risk Zone 2/3 (new bld only)
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## **REPORT**

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

The site is located on the south side of Bridge Street Deeping St James and is currently used as a dwelling, motor spares shop and tyre filling workshop (Bridge Street Autoparts). The main part of the building is two storey and fronts directly onto Bridge Street. The property is of brick construction with roman roof tiles. To the rear of the property there is a workshop, which is linked to the main building. The workshop has primarily brick walls although the south and west elevation do contain an element of stone. The roof of the workshop appears to be corrugated asbestos.

### **Site History**

The most recent application on the site was for a change of use to residential development (application reference S04/1593). The application was withdrawn due to the need for a flood risk assessment to be undertaken.

Planning application S05/1348 which is also on this agenda seeks approval for the change of use of the existing property to a restaurant.

There have been no other recent applications, which are material to the determination of this application.

### **The Proposal**

This is a Conservation Area Consent application for the demolition of the rear part of the building currently used as a tyre-filling workshop. The workshop would be replaced with an extension of a similar size in order to provide the main seating area for the restaurant the subject of application S05/1348.

### **Policy Considerations**

South Kesteven Local Plan

Policy C9 – Buildings in Conservation Areas

## **Statutory Consultations**

Parish Council: Objects on the grounds that volume of traffic would be increased with car parking provision inadequate for an already congested street.

Peterborough City Council: No comments.

Consultant Architect: No objections to the proposed demolition.

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

The application has been advertised in accordance with established procedures and representations have been received from interested parties and a petition has also been submitted containing 71 signatures.

The following issues have been raised:

- a) Highway safety and parking,
- b) Concerns that the restaurant will have a "take-away",
- c) Litter,
- d) Smells and cooking odours,
- e) Concerns that any adverts on the building would impact on residential especially if illuminated,
- f) No need for another food outlet in the area,
- g) Impact on the Conservation Area,
- h) Concerns about late night opening hours,
- i) Noise and disturbance,
- j) More appropriate sites in the area,
- k) Any additional lighting would be unacceptably intrusive.

## **Applicants Submissions**

None.

## **Conclusions**

The representations made by members of the public and the Parish Council relate to the planning application and not the Conservation Area Consent application for the demolition of the rear section of the building. As such the matters are considered in the report on the planning application reference S05/1348 also contained within this agenda.

The Council's Consultant Architect has raised no objections to the proposed demolition of the building. The demolition of the building would not have a detrimental impact on the character of the Conservation Area.

The proposed development complies with the policy C9 of the adopted South Kesteven Local Plan and is accordingly recommended for approval.

**RECOMMENDATION:** That the development be Approved subject to condition(s)

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
2. The building shall not be demolished before a contract for the carrying out of works of redevelopment of the site has been made, and planning permission has been granted for the redevelopment for which the contract provides.

The reason(s) for the condition(s) is/are:

1. Required to be imposed pursuant to section 18 of the Planning (Listed Buildings & Conservation Areas) Act 1990.
2. To ensure that demolition only commences immediately prior to the commencement of an approved redevelopment scheme so that visual injury does not result and in accordance with Policy C9 of the South Kesteven Local Plan.

\* \* \* \* \*

Applicant	<b>Jane Cox 24, St. Leonards Street, Stamford, PE9 2HL</b>
Agent	
Proposal	<b>Extension to listed building (retrospective)</b>
Location	<b>24, St. Leonards Street, Stamford</b>

<b><u>Site Details</u></b> <b>Parish(es)</b>	<b>Stamford</b> Conservation Area A Class Road Radon Area - Protection required Listed Building (Grade II) Area of special control for adverts C9 Area Conservation Policy H12 CoU of residential properties Airfield Zone - No consultation required Drainage - Welland and Nene
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## **REPORT**

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

The application property is a grade II listed, stone cottage fronting the north side of St Leonard's Street some 30 metres east of the junction with Wharf Road.

It is a single storey property with accommodation in the roofspace. It is described in the Statutory List entry as being of last 17th or early 18th century origins. It is one of a group of three.

The property lies within Stamford Conservation Area.

### **Site History**

There is no history of planning or listed building consent applications on the property.

### **The Proposal**

Consent is sought, retrospectively, for a single storey extension which has recently been added to the rear of the property.

The extension measures, approximately, 4.72m x 2.39m and is described as a 'Garden Room'. It is constructed predominantly of horizontal timber boarding and covers a substantial proportion of the original rear wall of the listed building. A description of its construction and impact on the character and appearance of the original building appears under the Historic Building Advisor's comments (see below).

### **Policy Considerations**

Central Government Planning Policy Guidance

PPG15 - Planning and the Historic Environment:

Many listed buildings can sustain some degree of sensitive alteration or extension to accommodate continuing or new uses. Indeed, cumulative changes reflecting the history of use and ownership are themselves an aspect of the special interest of some buildings, and the merit of some new alterations or additions, especially where they are generated within a secure and committed long-term ownership, should not be discounted. Nevertheless, listed buildings do vary greatly in the extent to which they can accommodate change without loss of special interest.

Some listed buildings are the subject of successive applications for alteration or extension; in such cases it needs to be borne in mind that minor works of indifferent quality, which may seem individually of little importance, can cumulatively be very destructive of a building's special interest.

### Lincolnshire Structure Plan

Policy BE3 – Conservation of the Historic Built Environment:

**PROVISION WILL BE MADE TO ENSURE THAT THE CHARACTER AND APPEARANCE OF THE HISTORIC BUILT ENVIRONMENT IS PROTECTED AND/OR ENHANCED. IN PARTICULAR:**

- **LISTED BUILDINGS WILL BE PROTECTED FROM DEMOLITION, INAPPROPRIATE ALTERATION OR OTHER ADVERSE CHANGE TO THEIR CHARACTER OR SETTING;**
- **CONSERVATION AREAS AND THEIR SETTINGS WILL BE PROTECTED FROM DEVELOPMENT DAMAGING TO THEIR CHARACTER.**

### South Kesteven Local Plan

Policy C6:

**APPLICATIONS FOR ALTERATIONS OR EXTENSIONS TO A LISTED BUILDING WILL BE CONSIDERED HAVING REGARD TO THE EFFECT OF THE PROPOSAL ON THE APPEARANCE AND CHARACTER OF THE BUILDING, PARTICULARLY IN TERMS OF SCALE, DESIGN AND MATERIALS TO BE USED.**

### Statutory Consultations

Historic Buildings Advisor:

“I have inspected the single storey lean-to extension which has relatively recently been erected to adjoin the rear of the existing cottage and would advise that, in my opinion, it is inappropriate and intrusive for the following reasons:

1. The extension is too large and overbearing and dominates the rear view of the property, obliterating the view of the rear elevation to the original cottage which would have likely previously been exposed in its original form.
2. The depth of the extension is so great that the top of the lean-to roof collides with the eaves to the original cottage roof and forms a visually and architecturally contrived and uncomfortable feature.
3. The roof to the extension is shallow pitched and consequently covered in unsympathetic profiled concrete tiles.

4. The main external wall to the extension is clad externally in horizontal timber boarding, again at odds with the stonework to the original cottage.
5. Windows are of the most basic modern design and detail, whereas more sympathetic traditional detailing should be called for here.”

Stamford Civic Society: Unable to comment without proper drawings.

Town Council: Insufficient information – request original plans marked up with the relevant changes.

### **Representations as a result of publicity**

The application has been advertised in accordance with statutory requirements, the closing date for representations being 21 October 2005.

No representations have been received as a result of publicity.

### **Planning Panel Comments**

To be determined by Committee.

**RECOMMENDATION:** That the development be Refused for the following reason(s)

1. It is considered that the single storey lean-to extension to the rear of the application property constitutes, by reason of its design, size and the unsympathetic materials of which it has been constructed, an inappropriate and intrusive addition and is therefore contrary to Central Government Planning Policy Guidance contained in PPG15 (Planning and the Historic Environment), Policy BE3 of the Lincolnshire Structure Plan (Deposit Draft - April 2004) and Policy C6 of the South Kesteven Local Plan.

\* \* \* \* \*

<b>Applicant</b>	<b>Peterborough Homes Ltd</b> PO Box 125, Stamford, Lincs
<b>Agent</b>	PDG Architects Toll Bar House, Shrewsbury Avenue, Peterborough, PE2 7BX
<b>Proposal</b>	<b>Demolition of dwelling in Conservation Area</b>
<b>Location</b>	<b>Blackfriars House, Kings Road, Stamford</b>

<b><u>Site Details</u></b> <b>Parish(es)</b>	<b>Stamford</b> Conservation Area Unclassified road Demolition of any building - BR1 Radon Area - Protection required Airfield Zone - No consultation required Drainage - Welland and Nene
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**REPORT****The Site and its Surroundings**

The application building is an early 20th century detached house fronting Kings Road immediately to the south of the junction with Princes Road. It is situated on a relatively large 0.1 ha (0.25 ha) plot in an area of predominantly Edwardian/Victorian residential properties.

**Site History**

As Members will be aware, Reserved Matters approval was granted at the 4 October meeting for the demolition of the house and its replacement with a terrace of six dwellings (S05/1086/69). On the following day, 5 October, Northfields Conservation Area was designated, hence the need for this application.

The Reserved Matters approval followed the granting of Outline planning permission in 2003 (S03/0585/69) for residential development on the site. Two conditions on the outline approval, one restricting the numbers of dwellings that could be built and the other requiring retention of a brick summerhouse were both removed on appeal.

**The Proposal**

Consent is sought to demolish the dwelling to facilitate the redevelopment approved under S05/1086/69.

Consent is not required for the demolition of the summerhouse within the garden as its volume is less than 115 cubic metres. Efforts were made to have this structure listed but it was not considered by English Heritage to be of sufficient architectural or historic interest.

**Policy Considerations****National Policy**

PPG15 – Planning and the Historic Environment:

In exercising conservation area controls, local planning authorities are required to pay special attention to the desirability of preserving or enhancing the character or appearance of the area in question; and, as with listed building controls, this should be the prime consideration in determining a consent application. In the case of conservation area controls, however, account should clearly be taken of the part played in the architectural or historic interest of the area by the building for which demolition is proposed, and in particular of the wider effects of demolition on the building's surroundings and on the conservation area as a whole.

The general presumption should be in favour of retaining buildings which make a positive contribution to the character or appearance of a conservation area. The Secretary of State expects that proposals to demolish such buildings should be assessed against the same broad criteria as proposals to demolish listed buildings (paragraphs 3.16-3.19 above). In less clear-cut cases – for instance, where a building makes little or no such contribution – the local planning authority will need to have full information about what is proposed for the site after demolition. Consent for demolition should not be given unless there are acceptable and detailed plans for any redevelopment. It has been held that the decision-maker is entitled to consider the merits of any proposed development in determining whether consent should be given for the demolition of an unlisted building in a conservation area.

#### Lincolnshire Structure Plan (Deposit Draft – April 2004)

Policy BE3 – Conservation of the Historic Built Environment:

**PROVISION WILL BE MADE TO ENSURE THAT THE CHARACTER AND APPEARANCE OF THE HISTORIC BUILT ENVIRONMENT IS PROTECTED AND/OR ENHANCED. IN PARTICULAR:**

- **LISTED BUILDINGS WILL BE PROTECTED FROM DEMOLITION, INAPPROPRIATE ALTERATION OR OTHER ADVERSE CHANGE TO THEIR CHARACTER OR SETTING;**
- **CONSERVATION AREAS AND THEIR SETTINGS WILL BE PROTECTED FROM DEVELOPMENT DAMAGING TO THEIR CHARACTER.**

#### South Kesteven Local Plan

Policy C9 – Buildings in Conservation Areas:

**PROPOSALS TO DEMOLISH, OR PARTIALLY DEMOLISH, ANY BUILDING WHICH MAKES AN IMPORTANT CONTRIBUTION TO THE STREET SCENE, ENVIRONMENTAL QUALITY OR CHARACTER OF THE AREA WILL NOT NORMALLY BE PERMITTED; AND**

**APPLICATIONS FOR PLANNING PERMISSION FOR DEVELOPMENT WILL BE CONSIDERED HAVING REGARD TO:**

- i) **THE EFFECT OF THE PROPOSAL ON THE CHARACTER AND APPEARANCE OF THE AREA;**
- ii) **THE APPROPRIATENESS OF THE PROPOSAL IN TERMS OF DESIGN, SCALE AND MATERIALS; AND**
- iii) **THE IMPACT OF ANY NEW USE ON THE AREA.**

## **Statutory Consultations**

Historic Buildings Advisor: Comments awaited.

Civic Society: Comments awaited – notified 10 November 2005.

Town Council: Comments awaited – notified 10 November 2005.

## **Representations as a result of publicity**

The application has been advertised in accordance with statutory requirements, the closing date for representations being 2 December 2005.

At the time of writing, representations had been received from interested parties.

The issues raised are:

- a) Stamford has already met its domestic construction targets. (3)
- b) Having established a conservation area it is important not to change major parts of it. (1)
- c) Demolition of any building in conservation area completely against what that area was set up to achieve. (1)
- d) Blackfriars a fine example of large early 1930's villa standing in own grounds, retaining most of its original features and provides a backdrop for splendid example of Victorian decorative brickwork on end wall of adjoining terrace. (1)
- e) An imposing structure that has been part of street scene for over 70 years. Retention falls within Policy C9 of the Local Plan. (1)
- f) Redevelopment of site not supported by reasoned justification. (1)

## **Planning Panel Comments**

To be determined by Committee.

## **Conclusions**

The need for this application has only arisen due to the designation of the Northfields Conservation Area subsequent to the granting of planning permission for a terrace of six dwellings under S05/1086/69 and Members need to be mindful of that decision when considering this application.

The only relevant issue on this application is the impact on the character and appearance of the newly designated conservation area.

## **Summary of Reason(s) for Approval**

The proposal is in accordance with national and local policies as set out in Planning Policy Guidance Note PPG15 (Planning and the Historic Environment), Policy BE3 of the Lincolnshire

Structure Plan (Deposit Draft - April 2004), Policy C9 of the South Kesteven Local Plan and the Northfields Conservation Area document. The issues raised regarding character and appearance are material considerations but are not sufficient in this case to indicate against the proposal and to outweigh the policies referred to above.

**RECOMMENDATION:** That subject to the comments of the Historic Buildings Advisor and no adverse comments as a result of publicity by the 2 December 2005, the development be Approved subject to condition(s)

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

The reason(s) for the condition(s) is/are:

1. Required to be imposed pursuant to section 18 of the Planning (Listed Buildings & Conservation Areas) Act 1990.

\* \* \* \* \*

Applicant	<b>Mr T Lepley, South Kesteven District Council</b> Council Offices, St. Peters Hill, Grantham, NG31 6PZ
Agent	
<b>Proposal</b>	<b>Multi-storey car park</b>
<b>Location</b>	<b>Welham Street, Grantham</b>

<b><u>Site Details</u></b>	
<b>Parish(es)</b>	<b>Grantham</b> Unclassified road Radon Area - Protection required Airfield Zone - No consultation required Drainage - Lincs EA: Flood Risk Zone 2/3 (new bld only)

**REPORT**

**The Site and its Surroundings**

The site is located to the north of St Catherine's Road and the west of Welham Street, approximately 100m to the east of the Council Offices. Immediately to the west of the site are the Cinema and the Health Centre and to the north of the site are residential properties fronting Grove End Road and some small business premises. All but 2 of the properties on St Catherine's Road that face the site are used for commercial, business or office purposes.

Members will recall that planning permission is in place, and work has commenced on site, for the erection of residential apartments to the east of the site, on the former tyre garage site.

The site is currently used for surface level car parking (pay and display) and measures approximately 140m by 110m. Vehicular access into the site is gained directly from Welham Street, with pedestrian access points onto Grove End Road, St Catherine's Road and the private road to the rear of the Health Centre.

**Site History**

None

**The Proposal**

Outline consent is sought for the provision of a multi-storey car park on the site. Obviously the principle of a car park on this site is established by the current use. This application seeks consent, in principle, for the creation of a multi-storey car park on the site.

Only the siting, access and landscaping are asked to be considered as part of the application although some elevation details have been provided for indicative purposes. The drawings show a poor and dated potential design and, for the avoidance of doubt, will not form part of the application if an outline planning permission is forthcoming.

It is considered that, in this location of mixed uses, the provision of a multi-storey car park would be acceptable but would have to be suitably and sensitively designed in order to enhance this (current)

open area rather than impacting on the surrounding properties in terms of height, proximity and design.

The north end of the building would be close to the adjoining residential properties on Grove End Road and would have an adverse impact on those properties if this location was fixed. It is considered that, if Members are minded to approve the application, the consideration of siting is omitted at this stage.

### **Policy Considerations**

**Policy T2** – allows for the development of town centre car parks providing there is no loss of car parking or unless an alternative provision, with at least the same amount of car parking is provided elsewhere.

**Policy EN1** – allows for development proposals that (inter alia) incorporate appropriate landscaping, reflect the general character and appearance of the area through layout, siting, design and materials and development where the highway system can adequately and safely accommodate the volume and nature of traffic likely to be generated.

### **Statutory Consultations**

Local Highway Authority: Comments awaited on the updated Transport Assessment (TA).

Environment Agency: Comments awaited on the submitted Flood Risk Assessment (FRA).

Community Archaeologist: Request standard condition W8 on any approval.

### **Representations as a result of publicity**

The application has been advertised in accordance with established procedures and representations have been received from interested parties.

The following issues have been raised:

- a) Impact on deliveries to adjacent business, possible road blockages.
- b) Proximity of development to adjacent premises.
- c) Health and safety compliance during construction.
- d) Loss of parking during construction.
- e) At odds with the objectives for the LDF.
- f) No history of high-rise development on this site.
- g) Loss of existing trees.
- h) Impact on neighbouring dwelling – overlooking, loss of privacy, loss of light.
- i) Increase in levels of pollution and possible structural damage.
- j) Possible flooding due to reduced ground levels.

- k) Increase in anti-social behaviour.
- l) Highway safety.
- m) Inappropriate and unsightly design – potential eyesore.
- n) Control over hours of opening?
- o) Should be limited in height – 2 storeys.
- p) Loss of right of way.
- q) Light pollution.
- r) Provision of security cameras, litter bins etc.
- s) Loss of re-cycling facility.

### **Planning Panel Comments**

8 November 2005 – The application be determined by the Development Control Committee.

### **Applicants Submissions**

None

### **Conclusions**

It is clear that this site has a long established use as a public car park and the principle of development is therefore not in question. The tow key issues that need to be carefully considered relate to the impact on adjacent and nearby residential properties and the overall design/external appearance of the building. Members will be aware that the site immediately abuts a residential property on Grove End Road. This property is located directly north of the proposal and it is therefore necessary to carefully consider the impact on the living conditions of the occupiers of this dwelling as the proposal may well result in significant overshadowing for large parts of the day. This matter is a material planning consideration and should Members be sufficiently concerned about this issue then it is possible to impose a condition that either limits the height of the structure in this particular location or to require a degree of separation between the proposal and the dwelling.

Whilst external appearance is asked to be reserved for subsequent approval it is appropriate to consider design and this is inextricably linked to the impact on nearby residents. There is clearly an opportunity here to provide a much needed centralised car parking facility whilst at the same time providing a structure that demonstrate a high degree of architectural flair. All too often car park design is bland and are strictly functional in their appearance. Such designs have been adopted through the ages from the 1960's onwards. However, there are a number of good examples where the design of the structure has made a positive contribution the character and appearance of the area adding positively to the built form of towns and cities. It is considered that this site occupies a prominent position within Grantham and as it will function as the primary car parking destination for the town Members should ensure that the design makes a positive contribution to the area as a whole.

The proposal is in accordance with local policies as set out in Policies T2 and EN1 of the South Kesteven Local Plan. The issues relating to design, impact, landscaping, highway safety, pollution,

anti-social behaviour, flooding and height are material considerations but, subject to the conditions attached to this permission, are not sufficient in this case to indicate against the proposal and to outweigh the policies referred to above.

**RECOMMENDATION:** That subject to the omission of 'siting' from the outline proposal, and subject to no adverse comments based on the TA and FRA, the development be Approved subject to condition(s)

1. Application for approval of reserved matters must be made not later than the expiration of three years beginning with the date of this permission, and the development must be begun not later than whichever is the later of the following dates:  
(a) the expiration of five years from the date of this permission; or  
(b) the expiration of two years from the final approval of the reserved matters, or, in the case of approval on different dates, the final approval of the last such matter to be approved.
2. The following matters are reserved for subsequent approval by the District Planning Authority and no development shall be carried out until these matters have been approved, viz. detailed drawings to a scale of not less than 1/100, showing the siting, design and external appearance of the building(s) including particulars of the materials to be used for external walls and roofs and the landscaping of the site.
3. Prior to the use of the car park commencing a scheme of lighting and CCTV camera coverage shall be submitted to and approved in writing by the local planning authority. Only such scheme as may be approved shall be implemented and shall be fully operational at all times when the car park is open for public use.
4. 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.

The reason(s) for the condition(s) is/are:

1. Required to be imposed pursuant to section 92 of the Town and Country Planning Act 1990.
2. The application was submitted in outline only and in accordance with Policy/ies T2 and EN1 of the South Kesteven Local Plan.
3. To provide adequate lighting surveillance and security in the interests of crime prevention and community safety (EN1).
4. To ensure that satisfactory provision is made for the evaluation, investigation, preservation (in situ where necessary) and recording of any possible archaeological remains on the site and in accordance with Policy/ies EN1 of the South Kesteven Local Plan.

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.

\* \* \* \* \*

Applicant	<b>Vishal Properties Ltd C/o Agent</b>
Agent	Armstrong Burton Planning Milford House, 260, Lichfield Road, Sutton Coldfield, B74 2UH
Proposal	<b>Mixed use development (residential, offices, retail, nursery &amp; workshops)</b>
Location	<b>Colsterworth Industrial Estate, Colsterworth</b>

<b><u>Site Details</u></b>	
<b>Parish(es)</b>	<b>Colsterworth</b> Public footpath crosses site - FP1 Public footpath abuts site B Class Road Demolition of any building - BR1 Radon Area - Protection required Area of special control for adverts E7 Employment - rural areas EN3 Area of great landscape value Airfield Zone - No consultation required TPO affects site - TPO1 Drainage - Lincs EA: Flood Risk Zone 2/3 (new bld only)

**REPORT****The Site and its Surroundings**

The application site is the Colsterworth Industrial Estate and currently accommodates some small businesses but, in the main, comprises of redundant and derelict buildings, deposited waste and open concrete areas. The overall site measures 4.5 measures.

The site is located mid-way between Colsterworth and Woolsthorpe and is accessed from High Street, towards the very northern end of Colsterworth. A long avenue of trees borders the access track and, either side of the entrance point into the main site area, are small areas of natural woodland.

To the north of the access is a dwelling and to the south there is a parcel of land that has planning permission for the erection of 2 dwellings. To the south of the site is a small pocket of isolated dwellings that are accessed via School Lane. West of the site is the village centre/sports and social club and the associated playing field and to the north of the site are open fields.

Public footpaths run to the north, east and west of the site and, although well screened from most directions the site and existing buildings are clearly visible from Old Post Lane to the west.

**Site History**

Until recently the overall site had been the subject of several planning permissions that related to the uses or extensions of the industrial buildings. None of these permissions were relevant to the previous or current proposal other than in demonstrating that premises or businesses on the site were historically willing to expand or diversify.

Outline planning permission was sought earlier this year for a mixed development on the site to allow for residential properties, retail, offices and a children's nursery. This application was considered at the Development Control Committee on 17 May 2005 and, in the absence of any special justification, was refused for the following reason:

*The proposal seeks consent for the redevelopment of the Colsterworth Industrial Estate with a scheme for residential development, retail, offices and a nursery. The site is located to the north of an area of sporadic housing but is separate from the general built form of Colsterworth village to the south east and Woolsthorpe village to the north west. It is considered that the development of the site would create an unwarranted and incongruous satellite of development that would be contrary to the general form, character and appearance of the area. For these reasons the proposal would be contrary to Policies H6 and EN1 of the South Kesteven Local Plan, Lincolnshire Structure Plan Policy S4 and national planning guidance contained in PPG3.*

Since the refusal was issued the current applicants have been in discussions with the planning authority in order to resolve the previous concerns to allow for a re-submission application to be made. An appeal has also been lodged against the reason for refusal referred to above.

### **The Proposal**

The current application still seeks outline planning permission for the development of the site and still seeks a mix of proposals to include residential, offices retail, children's nursery and workshop units.

As part of this application the Agents have submitted substantial information in support of the application including a Planning Statement, Tree Survey, Transport Assessment and a comprehensive set of conceptual drawings to show how the development could be formed. The siting of the buildings and the means of access are asked to be taken into account at this stage.

Where previously there were concerns that the development would create a satellite of buildings that were divorced from the main body of either Colsterworth or Woolsthorpe by Colsterworth, the Agents have strived, through negotiation, to create a development that would forge links between the 2 settlements.

Defined avenues are shown within the layout to open up views of listed buildings at either end (Colsterworth church and Woolsthorpe Manor) and to strengthen opportunities to pass through the development to access either settlement. In addition better pedestrian links (not vehicular) will be made to the Sports Hall/Village Hall and playing field. Part of the woodland area to the east of the site would be used as a children's play area and remaining woodland areas would be used for recreational purposes.

The residential development would be 2 and 3-storey, utilising mews-court development, corner buildings and focal buildings to add to the visual interest of the development. There is potential for a possible sculpture within the site to serve as a focal point and to reinforce the main pedestrian route through the site.

The commercial units (incorporating all the other uses for the site) would be located between the woodland and the main dwelling areas to prevent commercial traffic passing through the residential part of the site. Part of the commercial development will front onto the central, open heart of the development giving a good opportunity for a well-designed, modern building in this location that could also act as a focal point within the development.

It is acknowledged that the site is underused, poses problems from land contamination, and is not a 'good neighbour' development in this edge of village location. The redevelopment of the site, if done correctly, will serve as a good use of the site that, rather than forming a satellite of development, will reinforce a link between the 2 settlements that currently form this 'local service centre'. In addition, as the majority of the development will not impact on adjacent properties, listed buildings or distant views, there is scope for some modern architecture, fresh designs and innovating detail to enhance the development in its setting.

Discussions are underway with the Agents concerning the provision of a Section 106 Agreement to allow for the provision of affordable housing, the provision and maintenance of the areas of public open space and the provision of public art.

## **Policy Considerations**

### National Policy

**PPS1 – Delivering Sustainable Development** – PPS1 sets out the government's broad aims and objectives on planning policy. The key thread of this policy is the principle of sustainable development, the prudent use of natural resources and social cohesion and inclusion. There are numerous definitions of sustainable development but the basic principles involve the re-use of previously developed sites, well related to the existing settlement and easily served by a range of transport choices for future occupants.

Paragraph 5 of PPS1 states that planning should facilitate and promote sustainable and inclusive patterns of urban and rural development by (inter alia) contributing to sustainable economic development, ensuring the quality and character of existing communities is enhanced, ensuring high quality development through good and inclusive design, and the efficient use of resources, ensuring that development supports existing communities and contributes to the creation of safe, sustainable, liveable and mixed communities with good access to jobs and key services for all members of the community.

Paragraph 29 of PPS1 states: "In some circumstances, a planning authority may decide in reaching a decision to give different weight to social, environmental, resource or economic considerations. Where this is the case, the reasons for doing so should be explicit and the consequences considered."

Members are reminded that there has been a previous refusal for a similar development on this site. The current application is recommended for approval, for the reasons given in the 'Proposal' section and 'Conclusion' of this report, and for these reasons it is considered that the advice offered in PPS1 has been followed.

**PPG13 – Transport.** As with PPS1 and PPG3 the main thrust of this guidance relates to the promotion of developments that are in well served sustainable locations.

**PPG3 – Housing** – With reference to creating sustainable residential environments paragraph 46 of the PPG states: 'To promote more sustainable residential environments, both within and outside existing urban areas, local planning authorities should promote:

- Development that is linked to public transport.
- Mixed use development.
- A greener residential environment.
- Greater emphasis on quality and designing places for people.
- The most efficient use of land.

But goes on in, paragraph 58, to state that local planning authorities should avoid developments that make inefficient use of land (those of less than 30 dwellings per hectare net). The most relevant part of the PPG that relates to the proposed development can be found in paragraphs 69 and 70 when reference is made to 'Rural Housing – Village Expansion and Infill' as below:

- 69. In terms of overall housing provision, only a limited amount of housing can be expected to be accommodated in expanded villages. Whilst occasionally a village could be the basis for a new settlement where, for example, the development accords with the policy of developing around major nodes in transport corridors, most proposals for additional housing will involve infill development or peripheral expansion.**
70. Villages will only be suitable locations for accommodating significant additional housing where:
- It can be demonstrated that additional housing will support local services, such as schools or shops, which could become unviable without some modest growth. This may particularly be the case where the village has been identified as a local service centre in the development plan;
  - Additional houses are needed to meet local needs, such as affordable housing, which will help secure a mixed and balanced community (see Annex B); and
  - The development can be designed sympathetically and laid out in keeping with the character of the village using such techniques as village design statements.

**PPG7 – Sustainable Development in Rural Areas** – States in paragraph 3 that, with reference to the location of development away from larger urban areas, 'planning authorities should focus most new development in or near to local service centres where employment, housing (including affordable housing), services and other facilities can be provided close together. This should help to ensure these facilities are served by public transport and provide improved opportunities for access by walking and cycling. These centres (which might be a country town, a single large village or a group of villages) should be identified in the development plan as the preferred location for such development.

**Regional Spatial Strategy for the East Midlands – RSS8.** The regional spatial strategy sets the overall housing requirement for the County.

#### Lincolnshire Structure Plan

**Lincolnshire Structure Plan Policy S4 – Rural Communities** – States that in allocating land for such development (inter alia) 'the impact of the development on the size and character of the settlement' should be assessed.

**Lincolnshire Structure Plan Policy H3 – Density of New Housing Development** – Requires new housing development in the county to meet an average of 30 dwellings per hectare in accordance with the advice given in PPG3.

**Revised deposit draft Lincolnshire Structure Plan 2005.** This plan has now been through the Examination in Public and is close to formal adoption. Once adopted it will form part of the formal development plan but due to the advanced stage it is currently at, it can be given significant weight. As with all contemporary planning documents the promotion of sustainable development is the central plank of the revised Structure Plan. The Structure Plan translates the regional strategic housing requirement into district allocations. As Members will be aware South Kesteven's

allocation has been cut to approximately 9,200, a figure which has largely been accommodated in commitments and urban capacity sites. The revised Structure Plan identifies the settlement hierarchy for the County and classifies The Deepings as a small town.

### South Kesteven Local Plan

**Policy H6 – Housing** – Allows for small groups of dwellings within villages providing they do not impact on the form, character and setting of the setting of the settlement and on the community and its local environment, and providing that it does not extend isolated groups of houses and consolidate or extend sporadic or linear development.

**Policy EN1 – Protection and Enhancement of the Environment** – In respect of buildings this policy seeks to ensure that the development reflects the general character of the area through layout, siting, design and materials.

**Policy E11 – Safeguarding Industrial Sites** – Ensures that permission will not be granted for the use of industrial sites for other purposes unless:

- There are ample suitable sites or buildings available elsewhere in the locality;
- The existing site produces unacceptable traffic or environmental problems that would be significantly alleviated by a change of use; or
- There is no demand for the existing use.

Policy E11 would appear to be satisfied by the proposal as the site is underused, in disrepair and there has been little interest in future developments on the site. The availability of suitable sites elsewhere has not been tested as part of the proposal but the Local Plan does identify other industrial sites and allocations within the Colsterworth area, primarily adjacent to the A1 to benefit from the communication links.

The previous application was not considered acceptable as it was considered that it would have created a satellite of development away from the established form of the adjacent villages that would have been contrary to the general form, character and layout of the area. It is considered that these reasons for refusal have been addressed in this proposal in light of the above policy guidance and, on that basis, the development is in accordance with the policies referred to above.

Interim Housing Policy – This Authority adopted the IHP on 6 June 2005, after the previous application was refused, and the current application has to be considered in light of this policy. As the joint settlements of Colsterworth and Woolsthorpe by Colsterworth are classed as a Local Service Centre the policy would support proposals for new residential development on sites which were previously developed.

### Statutory Consultations

Parish Council:

**“This Parish Council are very concerned at the magnitude of this proposal and detailed below are their representations:**

1. The existing services in the village are unable to cope with an increase of this size. Problems are being experienced with our already overloaded sewage system as detailed in previous correspondence.
2. The following resources would be unable to handle a substantial increase in the population:

Village School – already operating at full capacity.

Medical Services – already overloaded.

Community Policing – unable to handle existing problems due to inadequate local staffing levels.

3. Existing roads are far too narrow and already congested and would not be able to handle any increased traffic.

Problems would occur with access to existing facilities within the village roads:

i) Access to churchyard on School Lane particularly for funerals would be even more restricted.

**ii) Emergency services would have even more difficulty with increased traffic and even more on street parking when attending emergencies which could endanger the whole community.**

iii) The proposed plans for parking on and around the new proposals are totally inadequate and would lead to even more traffic congestion.

It would be appreciated if you would confirm in writing that this outline planning application will be considered by the full District Council.”

Local Highway Authority: Have requested amendments to the layout.

Community Archaeologist: No objections.

Environment Agency: Comments awaited on submitted FRA.

English Nature: Request conditions on any approval relating to breeding birds and bats.

East Midlands Development Agency (EMDA) – Recommends the refusal of the application for the following reasons:

“The need for strategically located and well serviced employment sites in the Grantham area is well documented in various policies and studies. The Lincolnshire Employment Sites and Premises Study (LESPP) highlights a shortage of good, serviced land in the south west of the county particularly in Grantham and Stamford.

LESPP notes there is a need for a second high quality business park in Lincolnshire and also that there is an unmet demand for small units in the Grantham area, which is not likely to be met by the private sector.

The Regional Employment Land Priorities Study (RELPS) emphasises the need to ensure that there is adequate supply of land of the right quantity and quality for employment development (B1, B2 and B8) in sustainable locations. RELPS states that in the Welland Sub-Regional Strategic Partnership area there will be a need to ensure that pressure for residential development of brownfield sites does not result in under provision for employment in sustainable locations.

The RES points out that there is a perceived undersupply of site provision for employment land in the south of the Eastern Sub-area. The RES is currently going through a review process. The RES Consultation Document notes as a priority action that viable and

attractive sites for employment need to be safeguarded within planning frameworks – any decisions to approve losses of such sites must demonstrate that this will not be detrimental to the overall supply and quality of employment land.

emda have received comments from the Lincolnshire Enterprise Sub Regional Strategic Partnership. The Partnership have noted that there is a major problem in South Kesteven caused by pressure from the Peterborough Growth Area. This problem should not be alleviated by allowing employment land to be used for residential and retail uses.

Therefore, emda does not support this application and recommends refusal.”

East Midlands Regional Assembly:

**“The site is allocated within the local plan for employment purposes. RSS8 Policy 22 – Regional Policies for Employment Land may assist in guiding departure procedures and decision making.**

The sites does appear to be somewhat isolated in relation to other residential parts of Colsterworth, which may be appropriate for the allocated employment uses but may not assist with community integration if developed for residential purposes. The fact that the land is to be re-used has a degree of affinity with RSS8 Policy 2 – Locational Priorities for Development.

It is noted that Colsterworth is defined as a Local Service Centre Village and has reasonable public transport services, Policy 3 – Sustainability Criteria, refers.

RSS8 Policy 34 – Regional Priorities for Strategic River Corridors is a relevant consideration in the determination of this application.

The possible inclusion of an affordable housing element may be part guided by RSS8 Pollicy 18 – Regional Priorities for Affordable Housing.

Finally, the indicative layout, with its unarticulated building blocks and heavily engineered highway layout would not seem to represent a form of development akin to the traditional form of vernacular architecture within the village; the fact that there has been substantial estate development in the 1960’s and 1970’s is appreciated. Nevertheless, Policies 31 and Policy 4 of the Regional Spatial Strategy look to new development to take account of local natural and historic character.”

The National Trust: Recommends the refusal of the application for the following reasons:

**“The following issues are of particular concern in the new proposal:**

1. The proposed boulevard linking Woolsthorpe Manor and Colsterworth Church.
2. The three storey housing proposed on the site.
3. Trees in the landscape.

**1. Proposed boulevard linking Woolsthorpe Manor and Colsterworth Church.**

**The proposed boulevard, which purports to link Woolsthorpe Manor and Colsterworth Church, would completely destroy the special historic significance of Woolsthorpe Manor and its ‘isolated rural modesty’. It is also considered that it fails**

**to respect either the setting of Woolsthorpe Manor or the landscape character of the wider area.**

## **2. Proposed three storey housing.**

The National Trust is concerned over the height of the proposed three storey dwellings and their impact in the rural landscape. Furthermore their height would have an adverse visual impact upon the setting of Woolsthorpe Manor.

## **3. Trees in the landscape.**

The National Trust is concerned about the disparity between the applicant's plans and the 3D-views in the supporting documentation; and the lack of clarity regarding the location and retention of trees. Both of these factors make it difficult to gain a true picture of the final treescape around the across the development, together with the impact of how the development then sits within the wider landscape.

In respect of these three issues it is the Trust's view that the proposals are contrary to many policies in the Development Plan, and in particular to:

- RSS – Policies 4, 27 and 31.
- Lincolnshire Structure Plan – Policies S1 NE4 and BE3.
- South Kesteven Local Plan – Policies H7, EN1, EN3, EN9 and C9.

**In conclusion the National Trust considers that application S05/1358 does not represent a suitable form of development for the site, is contrary to the Development Plan, and in particular would have a serious adverse impact upon the special landscape and historic environment features of the surrounding area. Accordingly it is requested that the application be refused."**

## **Representations as a result of publicity**

The application has been advertised in accordance with established procedures and, at the time of drafting this report, comments had been received from interested parties.

The following issues were raised:

- a) The number of dwellings is not specified – impact on services.
- b) Dense, urban style development – not in keeping with village vernacular.
- c) Link between villages is unnecessary.
- d) Increase in traffic, highway safety issues, increased on-site parking.
- e) Could be an asset if developed correctly.
- f) Overdevelopment, out of scale and character.
- g) Need for the commercial development.
- h) Loss of existing footpaths and landscaping/trees.
- i) Concern over access via School Lane.

- j) Limited public transport facilities.
- k) Drainage issues and contaminated land.

### **Planning Panel Comments**

16 November 2005 – That the application be determined by the Development Control Committee.

### **Applicants Submissions**

Various documentation was submitted as part of the planning application. Sections 5 and 6 of the submitted Planning Statement present the case for the application and are as follows:

#### **“5. Assessment of Development Proposed**

**5.1 The determination of the application is to be in accordance with the Development Plan (Regional Spatial Strategy, Lincolnshire Structure Plan and South Kesteven Local Plan) unless material considerations (such as Supplementary Planning Guidance) indicate otherwise.**

- \* Principle of development.**
- \* Layout/design/conservation issues.**
- \* Traffic impact/access.**
- \* Environmental issues.**
- \* Section 106 aspects.**

**5.3 These issues are considered in turn below.**

Principle of Development

**5.4 PPS1, PPG3 and the Development Plan envisage the provision of housing and mixed use development on previously developed land (for example Structure Plan Policy H2). The definition of previously developed land is set out in Annex C to PPG3. There can be no doubt that this site falls within the definition of previously developed land.**

**5.5 In terms of development at Colsterworth, the local authority has identified the expanded village as a local service centre. This is set out in adopted SPG. RSS Policy 6 allows appropriate development in locations such as Colsterworth, in addition to Structure Plan Policy 11 and Local Plan Policy H6. In principle therefore, Colsterworth is an appropriate location for new development.**

**5.6 In relation to the site itself, previous concerns have been expressed with regard to the location of the site and in particular the potential for housing to become a satellite form of development.**

**5.7 As set out in section 3 of this statement, significant pre-application work has been undertaken in order to fully appraise the location of the site, its relationship to shops, services and facilities in the settlement, the ability to improve those linkages and the consequence of development on the general form and pattern of Colsterworth. These aspects are further advanced in the accompanying Design Statement.**

**5.8** Given that the site adjoins existing housing and commercial facilities in the settlement, and extend up to and adjoins the village hall, sports centre and playing fields, the physical location of the site could allow for new uses without constituting a satellite form of development. This is however subject to the disposition of land uses, site layout and the potential upgrading of linkages from the site to other facilities in Colsterworth.

**5.9** The disposition of land uses, and general development form is detailed in the Design Statement as summarised later in this statement. In terms of linkages, it is important to note that existing footpaths are proposed for upgrading and policing. This includes significant improvements in the linkages to the village hall, sports centre and playing fields to allow better integration of these facilities into the historic core of Colsterworth. This is a distinct advantage of these proposals.

**5.10** A key consideration in respect of the principle of development relates to the loss of former employment uses. In this regard, it is to be noted that the site is largely disused. It has been in decline for a number of years and its size not well suited to the local employment market.

**5.11** Correspondence from Humberts Chartered Surveyors confirms these matters. This states that Humberts have been involved in marketing the site since the mid 1990's for employment purposes without success. Humberts consider the site to perform poorly compared to other industrial/commercial locations in the area. The site is considered to have come to the end of its useful life and requires wholesale refurbishment or redevelopment.

**5.12** It is noted that the committee report in respect of the earlier redevelopment proposals (reference S05/0360/22) states that Local Plan Policy E11 would appear to be satisfied by the proposal as the site is underused, in disrepair and there has been little interest in future development on the site.

**5.13** In summary therefore, the principle of development is considered acceptable given that the site constitutes previously developed land, Colsterworth in an appropriate location for new development given its sustainability credentials as confirmed in SPG, the general layout (as detailed below) and wider improvements address concerns on a satellite form of development whilst the loss of employment land is considered acceptable.

**5.14** In terms of the scale of development no specific number of houses/apartments is put forward at this stage. Access and siting is put forward for approval. Local Plan Policy H6 allows only limited housing in rural locations however PPG3 sets out minimum density requirements (paragraph 58) and emerging Structure Plan Policy H3 provides similar requirements. It is envisaged that the density will accord with these provisions.

Layout/Design/Conservation Issues

**5.15** The Design Statement prepared by Nicol Thomas Architects refers to the design quality of the development proposals.

**5.16** The Design Statement states the importance of physical linkages and visual linkages to the heart of Colsterworth. The proposed layout sets out to address this by utilising School Lane as a pedestrian route and introduction of the tree lined boulevard terminating at the School Lane entrance.

**5.17** The Design Statement goes on to state the location of the commercial area adds to the sustainability of the site and assist in linking the site with the wider village.

**5.18** In summary the Design Statement confirms how the provisions of By Design are met with regard to continuity and enclosure, quality and public realm, ease of movement, legibility and diversity.

**5.19** The proposals are influenced by historical and contextual reference. It is to be noted that the master plan identifies a tree lined boulevard providing visual linkages between the listed Woolsthorpe Manor and the church in Colsterworth. Views of both are apparent from within the site given the gradient changes across the area. The proposed tree lined boulevard will enhance these views.

**5.20** The proposals have had regard to the Lincolnshire Design Guide, adopted at Supplementary Planning Guidance, in addition to By Design.

**5.21** For these reasons the proposals are a high quality layout, paying due regard to local context and conservation aspects. The proposals are considered to accord with Development Plan Policy 1 (RSS), Policy S4 (Structure Plan) and Policies H6 and EN1 of the Local Plan and positively respond to the advice set out in the Lincolnshire Design Guide and By Design.

#### Traffic Impact/Access

**5.22** The application is accompanied by a Transport Assessment prepared by David Tucker Associates. This addresses existing traffic conditions, site accessibility, site layout and parking and appraisal and mitigation of development impact.

**5.23** In overall terms, the Transport Assessment confirms that the proposals will not compromise highway. There is no pattern of incidents or highway safety concerns. Colsterworth offers alternatives to the private car. Existing access is improved and the site layout is appropriate.

#### Environmental Issues

**5.24** At pre-application stage the extent of supporting information/surveys were scoped out with officers of the local authority.

**5.25** An Arboricultural assessment has been prepared to assess the quality of the woodland area and trees generally and assess the development impact of the submitted proposals. The report states that the trees provide visual amenity and species vary in their condition and age but would nevertheless provide a mature setting for the new buildings. New tree planting will broaden the age range of trees. The introduction of a children's play area will not adversely affect the amenity of the woodland area.

**5.26** An ecological survey has also been carried out to establish the habitat value of the site, and propose mitigation as necessary. The report notes that although the site provides some habitats, they are not rare or scarce in Lincolnshire and the UK. The only potential ecological constraints arise from nesting birds and roosting bats.

**5.27** In respect of ground contamination, an intrusive report is currently underway however the applicant is content with a condition requiring the formal submission of a site investigation report and mitigation measures. This is in accordance with the earlier application.

**5.28** Finally consideration has been given to flooding issues. It is noted that a Flood Risk Assessment was submitted in support of the previous application S05/0360/22. The environment agency concluded that conditions be attached to any planning permission in respect of flood risk and raised no objection to the principle of the site coming forward. The applicant is content to accept similar conditions in respect of these proposals.

**5.29** In overall terms therefore, there are no environmental issues on the site that would indicate that the development proposed should not come forward.

#### Section 106 Aspects

**5.30** At pre-application stage, the extent of Section 106 requirements was discussed with officers of the local authority.

**5.31** It was confirmed that potential matters to be addressed by a Section 106 agreement would relate to the provision of affordable housing, public open space and education contributions. Relevant consultees at South Kesteven District Council and Lincolnshire County Council have been consulted at pre-application stage with a view to agreeing at the earliest opportunity heads of terms for the legal agreement. Confirmation of requirements is awaited from the consultees at the time of application submission.

**5.32** In respect of affordable housing, the applicant is committed to this requirement in accordance with Local Plan Policy, PPG3 and Circular 06/98.

**5.33** In respect of public open space, the Arboricultural assessment justifies that a small clearing can be provided in the woodland area to provide a children's play facility. This was discussed at pre-application stage with planning officers of the local authority. Should this area be insufficient to meet the demands arising from the development proposed, the applicant will consider a commuted payment towards improving off site open space facilities.

**5.34** In respect of education contributions, the applicant is committed to reasonable requirement in accordance with Circular 05/05.

**5.35** It is expected that heads of terms can be agreed and an agreement prepared in advance of the application being reported to Planning Committee.

#### 6. Conclusions

**6.1** These proposals have been prepared having regard to Development Plan Policy and Supplementary Planning Guidance, in addition to National Planning Policy.

**6.2** The submission follows detailed pre-application work. The revised application, following a previous refusal of planning permission is a radical approach with new applicant and new advisors in respect of the site.

**6.3 The application is submitted in outline format however substantial supporting documents have been provided in respect of planning policy considerations, design and layout, traffic impact, environmental issues and section 106 aspects.**

**6.4 The conclusion reached is that the application is appropriate in all respects.**

**6.5 The proposals have been assessed against the Development Plan policy including the Regional Spatial Strategy, Structure Plan and Local Plan. The proposals are considered to accord with the provisions of the Development Plan. No material considerations have been identified to outweigh the Development Plan. On this basis Armstrong Burton Planning can commend the application to officers and Planning Committee.”**

## Conclusions

**Members need to consider the proposal against contemporary planning policy. The Local Plan is over 10 years old and is not necessarily reflective of current planning policy. When weighing up the relative merits of each applicable policy the 2004 act emphasises that where conflict exists between plan policies, that difference must be resolved in favour of the policies most recently adopted, i.e. current policies need to be given more weight and take precedence.**

**However, it is stated in PPG3 that when considering development proposals a sequential approach to site selection should be made, bringing forward brownfield sites in advance of any greenfield sites. As this site is clearly a brownfield site then there is clear policy support for the proposal and it is in line with contemporary planning policy.**

**Notwithstanding the fact that a recent application for a similar development was refused in May this year it is considered that sufficient justification has been provided with this application, in policy terms and based on the design and layout of the site, to now offer support to the proposal. The Regional Spatial Strategy has set the housing figure for the county. Members will be fully aware that South Kesteven’s slice of that county figure was greatly reduced to a point where the housing requirement may well be surpassed by the granting of this consent together with outstanding commitments within the District.**

**33% of the total number of houses developed on the site will be affordable housing units.**

## Summary of Reason(s) for Approval

The proposal is in accordance with national and local policies as set out in Planning Policy Guidance Notes 1, 3 and 13, Policies S4 and H3 of the Lincolnshire Structure Plan and Policies H6 and EN1 of the South Kesteven Local Plan. The issues relating to overdevelopment, the style and form of the development, highway safety, landscaping, drainage, contamination and the impact on village facilities are material considerations but, subject to the conditions attached to this permission, are not sufficient in this case to indicate against the proposal and to outweigh the policies referred to above.

**RECOMMENDATION:** Subject to the resolution of the highway issues and subject to the completion of a Section 106 Agreement, the development be permitted subject to a comprehensive list of conditions relating to the ‘master-planning’ of the site, phasing (if applicable), decontamination and landscaping alongside the ‘standard’ outline planning conditions.

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.

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