



MINUTES

DEVELOPMENT CONTROL COMMITTEE
TUESDAY 15th NOVEMBER 2005

2.00 PM

COMMITTEE MEMBERS PRESENT

Councillor Chivers
Councillor Fines
Councillor Helyar
Councillor Howard
Councillor Mrs Jalili
Councillor Kerr
Councillor Parkin (In the Chair)
Councillor Pease
Councillor Mrs Percival

Councillor N Radley
Councillor Sandall
Councillor Selby
Councillor Stokes
Councillor Turner
Councillor Waterhouse
Councillor Mrs A Williams
Councillor M G Williams

OFFICERS

Development Control Services Manger
Head of Planning Policy and Economic
Regeneration
Committee Support Officer
Legal Executive

OTHER MEMBERS

Councillor Wilks

616. DECLARATIONS ON INTEREST

There were none declared.

617. MINUTES

The minutes of the meeting held on 25th October 2005 were confirmed as a correct record of decisions taken.

618. SECTION 106 AGREEMENT - SO5/1044/12 - RESIDENTIAL DEVELOPMENT, TRADITIONAL IRONWARE, CHERRY HOLT ROAD, BOURNE

Decision:-

That in the event of the planning appeal being allowed, to agree to a Section 106 Agreement being entered into in respect of SO5/1044/12 – residential

development, Traditional Ironware, Cherry Holt Road, Bourne in respect of an education contribution and a contribution towards a local area play space with an ongoing maintenance agreement.

The Legal Executive reported that the above application had been refused at a meeting of the Planning Panel. The applicants had now appealed and the matter was to be determined at a hearing. She asked that in the event of the appeal being allowed authority being given for a Section 106 Agreement to be entered into in respect of an education contribution and a local area play space and ongoing maintenance agreement. It was proposed, seconded and agreed accordingly.

619. PLANNING MATTERS – STRAIGHT FORWARD LIST

Decision:-

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

SF.1

Application ref: S05/1331/35

Description: Extension to provide customer reception centre

Location: Council Offices, St Peter's Hill, Grantham

Decision: Approved

Subject to the following conditions

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
2. Before the development hereby permitted is commenced, final details of the materials to be used in the construction of external walls and roofs shall be submitted to and approved in writing by the District Planning Authority. Only such materials as may be agreed shall be used in the development.

Note(s) to Applicant

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

SF.2

Application ref: S05/1353/12, 76

Description: Public house/restaurant and access road

Location: Pt OS 2173, South Road (A15), Bourne

Decision: Approved

Subject to the following conditions

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, the means of access and the landscaping of the site.
3. Before any development is commenced the approval of the District Planning Authority is required to:-
 - (i) a *specification of the type of construction proposed for roads and/or footways;
 - (ii) a programme for the making up of the roads and/or footways;
 - (iii) details of the method and means of disposal of highway surface water;
 - (iv) detailed plans to a scale of 1/500 showing the layout of the roads and footways together with longitudinal sections to a scale of 1/500 horizontal and not less than 1/100 vertical showing the gradients of carriageways and full details of surface water drainage proposals. (Cross sections taken at not more than 30 metre intervals normal to the proposed carriageway plotted to a scale of 1/100 natural will also be required where the adjoining ground levels will vary 0.5 metres plus from the proposed finished footway levels of the estate road);
 - (v) details of all proposed services showing the location within the highway in accordance with the Provision of Mains and Services by Public Utilities on Residential Estates published by the National Joint Utilities Group, November 1979.

* This specification shall be such as to enable the local Highway Authority, in due course, to take over the roads and/or footways as highways maintainable at the public expense.

4. Before any development is commenced the approval of the District Planning Authority is required to the detailed design of the scheme to provide for the satisfactory disposal of surface water run-off from the development; and such scheme as may be approved shall be carried out before (the) (any) building is occupied.
5. Before any part of the development hereby permitted is commenced the junction of the estate road with the existing public highway shall be constructed and the estate road shall also be constructed for at least 60 metres into the site to the satisfaction of the District Planning Authority.
6. When the application is made for approval of the 'reserved matters', that application shall show adequate land within the site reserved for the parking of all vehicles expected to call at the permitted building at any one time. Such parking provision as approved by the District Planning Authority shall be made on the site before the building is occupied, and shall thereafter be used for or be available for use for vehicle parking at all times when the premises are in use.
7. The line of the proposed bypass road, as shown on drawing received by SKDC in connection with S02/0643 shall be provided and such connection shall be retained and safeguarded to allow for the eventual development of the adjoining land to the east, via the site subject of this application.
8. Existing hedges on the site boundaries shall be retained and protected during the development period in accordance with details to be submitted to and approved in writing by the local planning authority.
9. Development should 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.
10. The 10m wide green strip on the attached copy of the submitted location plan shall be retained as landscaped buffer in accordance with details to be submitted and approved in writing by the local planning authority. Such details as may be approved in writing shall be undertaken in their entirety prior to the commencement of the construction of any building on the site.
11. 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.

620. PLANNING MATTERS – LIST FOR DEBATE

Decision:-

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

SU.1

Application ref: S05/1288/25

Description: 55 houses for Registered Social Landlord

Location: R/o 30-38 Spalding Road, Deeping St. James

Decision: Deferred

(2.10 pm – Councillor Helyar entered the meeting.)

Noting comments made during the public speaking sessions from:-

Mr S Lee, 16 Millfield Road, Deeping St James – objecting

Mr P Linford, 1 Tudor Place, Deeping St James – objecting

Mr P Mills, Nottingham Community Housing Association – applicants

together with report of site inspection, objections from the Parish Council, comments from the Housing Strategy Manager, Highway Authority, LCC Education Authority and the Primary Care Trust, no objection from the Environment Agency and an objection from Welland and Deepings Internal Drainage Board, together with representations (including a petition) from neighbouring residents and submissions in support from the applicants, together with further representations from nearby owners/residents and further representations from the applicants' agents, Development Control Services Manager authorised to determine the application, after consultation with the Chairman and Vice Chairman, subject to the completion of an appropriate planning obligation to ensure that the affordability remains so in perpetuity and for the future maintenance of the public open space and subject also to appropriate conditions, including a condition in relation to boundary treatment to be at a minimum height to be agreed with the local planning authority.

SU.2

Application ref: S05/1274/25

Description: Residential development (12)

Location: R/o 30-38, Spalding Road, Deeping St. James

Decision: Refused

Noting comments made during the public speaking session from:-

Mr P Linford – 1 Tudor Place, Deeping St James – objecting

Mr P Bywater – on behalf of the applicants

together with comments from the Highway Authority, LCC Education Authority, objections from the Parish Council and Welland and Deepings Internal Drainage Board, no objection from the Environment Agency and representations, including a petition, from nearby residents together with submissions in support from the applicants and further information from the applicants, together with detailed conclusions from the Development Control Services Manager.

The Development Control Services Manager advised the Committee that his recommendation had now changed following the obtaining of further information regarding the interpretation of Annex 'C' of PPG3. This confirmed that any farmyard did not become previously developed land, even when the current operation was not longer functioning. On this basis, and taking into account the strategic housing requirement for SKDC, he could no longer support an approval for this market housing scheme. It was proposed, seconded and agreed that the application be refused for the following reasons:-

1. The proposed development consists of 12 dwellings and associated infrastructure on part of an underused farmyard on Broadgate Lane, Deeping St James. The site contains agricultural buildings and is therefore to be classed as greenfield development in accordance with the definition in Annex 'C' of PPG3. The site is within the wider built up area of The Deepings and is reasonably well related to the town centre and options for alternative means of transport exist in the area. PPG3 requires a sequential approach to the provision of new residential development and prioritises the use of land before releasing greenfield sites. In the opinion of the Local Planning Authority other sequentially preferable previously developed sites exist in the district and the bringing forward of this site will be prejudicial to the planned growth of South Kesteven district as a whole. It would therefore be contrary to PPG3, Policies 2 and 3 of RSS8, Policies S1, S2, H1 and H2 of the Lincolnshire Structure Plan Proposed Changes (Feb 2005). It is considered that the development of this agricultural land for residential use may prejudice the proper planned growth of housing stock in the district prior to the issue of a folder of development documents for South Kesteven contrary to the aims and objectives of PPS1.
1. Additionally the development proposes the construction of four 2 storey properties (plots 5, 6, 7, and 8) along the southern boundary of the site where it abuts 67 Broadgate Lane. These properties are in particular close proximity to the boundary. The inclusion of 1st floor bedroom

windows in the southern elevation will result in unacceptable levels of overlooking to detriment of the amenities of the occupiers of 67 Broadgate Lane. Such harm arising is contrary to the aims and objectives of policies H6 and EN1 of the South Kesteven Local Plan.

621. INFORMATION RELATING TO DEVELOPMENT CONTROL AND OTHER PLANNING ACITIVITY.

The Development Control Services Manager submitted his report PLA538 listing details of applications not determined within the eight week time period. Also submitted was a list of applications dealt with under delegated powers.

622. CLOSE OF MEETING

The meeting closed at 3.05 pm.