

**SF.1    S05/1442/12**

Registration Date: 27-Oct-2005

Applicant	Muir Group Housing Association Ltd Old Government House, De Hills Park, Chester, CH3 5AR
Agent	Kevin Robinson, South Kesteven District Council Tenancy Services, St Peters Hill, Grantham, Lincs, NG31 6PZ
<b>Proposal</b>	<b>Erection of two bungalows and two car ports</b>
<b>Location</b>	<b>Land Off, Blackthorn Way, 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.
2. Before the development hereby permitted is commenced, final details of the materials to be used in the construction of external walls and roofs shall be submitted to and approved in writing by the District Planning Authority. Only such materials as may be agreed shall be used in the development.
3. Before any development is commenced, details including location and means of disposal of surface water and foul drainage shall be submitted to and approved by the District Planning Authority, and no building shall be occupied until the drainage works have been provided.
4. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before the building(s) are occupied, or in accordance with a timetable agreed in writing with the Local Planning Authority. Development shall be carried out in accordance with approved details.
5. The arrangements shown on the approved plan HGE0407/01 received 27 October 2005 for the parking/turning/loading/unloading of vehicles shall be available at all times when the premises are in use.

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 Policy H6 of the South Kesteven Local Plan.
3. To ensure satisfactory provision is made for the disposal of foul and surface water drainage from the site and in accordance with Policy EN1 of the South Kesteven Local Plan.

4. To prevent overlooking to and from the development and to reduce the impact of the development on the appearance of the area and in accordance with Policy EN1 of the South Kesteven Local Plan.
5. To allow vehicles to enter and leave the highway in a forward gear in the interests of highway safety, and in accordance with Policy EN1 of the South Kesteven Local Plan.

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Development Control Committee

10 January 2006

NR.1 S05/1453/21

Registration Date: 31-Oct-2005

<b>Applicant</b>	Countryfield Village Homes Ltd First Floor Office, Portland Chambers, King Street, Southwell, Notts, NG25 0EH
<b>Agent</b>	Rosamund Nicholson Knapeney Farm, Ossington Lane, Ossington, Newark, Notts, NG23 6ND
<b>Proposal</b>	Residential development (20)
<b>Location</b>	24, Doddington Lane, Claypole

<b>Site Details</b>	
<b>Parish(es)</b>	
	Claypole C Class Road Area of special control for adverts Drainage - Lincs

## REPORT

### The Site and its Surroundings

The site forms a rectangular parcel of land to the west side of Doddington Lane that is currently occupied by a single dwelling. The site is flat and is well landscaped to the boundaries and within the site, although at the time of drafting this report some site clearance works were underway.

There is a single dwelling to the north of the site (20 Doddington Lane) and to the north of that is the recent Bovis development. Opposite the site to the east is a residential development of around 10 years old. Immediately to the east and south of the site are open agricultural fields.

### Site History

Outline planning permission was granted for the residential development of the site on 20 January 2005, under application reference S04/1829/21. Condition 6 of the outline planning permission stated:

*The siting of any dwellings on the site shall take the form of road frontage development which should avoid any forms within the western half of the site.*

A further application was made towards the end of June 2005, under application reference S05/0893/21, for the variation of condition 6 of the original outline approval to allow for a more comprehensive development of the site by showing a hatched area of land, sweeping

around the south-west portion of the site, which would remain undeveloped to provide a break between the built form and the open countryside to the west and south.

Following much debate the application was approved at the Development Control Committee on 13 September 2005 with the following (varied) condition imposed:

*The hatched area on the submitted plan shall not contain any built development and shall form a landscaping belt, in accordance with details to be submitted to and approved in writing by the local planning authority, to screen the development and provide a gentle transition between the built environment and the open countryside to the west and south of the application site. Planting shall be carried out in accordance with the approved details.*

### **The Proposal**

Approval of Reserved Matters is now sought for the erection of 20 dwellings on the site. The access into the site is in the same location as the existing access point and in accordance with the outline planning permission.

The proposed development is sited around a central courtyard area, to give a 'village square' appearance to the development whilst allowing for a central parking and turning area. There is a good mix of development, allowing for small dwellings but utilising vernacular features such as dormer windows, chimneys, storm porches and varying roof heights.

Some of the properties are 3-storey but the overall layout of the development has been well designed to address issues of overlooking to the dwelling to the north. Plots 1 and 2 are close to the common boundary with the dwelling to the north, ranging from between 5m at a maximum (plot 1) to only 2.2m for plot 2, but plot 1 only has a single obscure glazed window facing north and there is only a single rooflight (bedroom) to plot 2 on the same elevation. The same rooflights are also shown for plots 3, 4 and 5.

There would be no built form of development within the area specified under the recent application S05/0893/21. This area would be given over to garden land for plots 8 to 14 and would have to be well landscaped in accordance with that permission. Should planning permission be granted a condition would be imposed to remove the future occupiers permitted development rights which would mean that planning permission would be required for any extensions to the dwellings or any garden structures within this 'protected' area.

The outline planning permission required the submission of foul and surface water drainage details as part of any reserved matters application. Insufficient information has been provided to date to address this but additional information has been requested by fax on 23 November 2005.

Prior to this application being submitted discussions were entered into with the Highway Authority to allow for an adopted road to serve the development. With an adopted road increased visibility splays are required which can clearly not be achieved in this location. In order to address this issue a highway statement has been submitted to show that, due to reduced traffic speeds around the corner (between 22.5 mph and 26 mph), reduced

visibility splays will work and an adopted road can be provided. The conclusion of the report states:

*“... the proposed site access arrangements are satisfactory in order to serve the proposed development. It also demonstrates that the development proposals will have a negligible impact on the highway network.”*

At the time of drafting this report the full comments of the Highway Authority based on the proposed development and the submitted highway statement had not been received. Should any comment made be negative Members may wish to refuse the application on highway grounds alone if they consider that there is planning merit in the scheme.

The site measures 0.42ha. PPG3 suggests that sites deemed suitable for development, as this is bearing in mind outline planning permission has been granted, should support between 30 and 50 dwellings to the hectare. At 0.42ha this proposal will virtually provide 50 dwellings per hectare and will therefore allow for low cost village properties. As affordable housing was not required on the outline planning permission it cannot be requested at reserved matters stage.

### **Policy Considerations**

The site is clearly ‘brownfield’ in character and is therefore sequentially preferable for redevelopment to ‘greenfield’ sites that may exist within the village. As the site is within the built-up area of the village it does not create an expansion of the village contrary to its form and character. Further enhancement is gained by the preservation of the landscaped belt to the south-west of the site. On this basis it is considered that the proposal also conforms with the key issues of PPG3 and PPS7 as well as housing policy H6 and environment policy EN1 of the South Kesteven Local Plan. Further large scale development within the village is now protected against through the Interim Housing Policy and local and national policies relating to sustainable development.

The development also conforms to Policy H9 of the Local Plan as it provides a good mix of dwelling styles and sizes to cater for a range of housing needs.

### **Statutory Consultations**

Parish Council:

1. The Parish Council would like this to go a full planning meeting given the size of the proposed development and its likely impact on the village. The PC would like to make representation at that meeting.
2. The site originally had one property on it. Surrounded by approximately 50 mature trees. These have also been destroyed by the developer. The supporting data required has not been supplied and action has been taken before any approval has been obtained.
3. An original application was for 5 dwelling, which gave the Parish concerns. This has now been increased to 20 dwellings. The concerns remain the same but now have a greater significance.

4. The design of the actual dwellings do not raise any particular concerns but it is the scale of the development and its impact on existing infrastructure and environment that is the issue.
5. The proposal would add 40 vehicles to the village and add to the existing 20,000 vehicle movements through the village weekly, most of which need to progress along Main Street which is already severely congested at any time. These vehicles will need to enter and exit through a very narrow route onto the site and the visibility is compromised by the close 90 degree bend on Doddington Road. Previous applications were subject to adverse comments from Highways and remain an issue.
6. The western half of the site was not to be developed and yet the plans show this to have been reduced to an insignificant amenity area. Dwellings and fenced gardens have taken the land away.
7. There is no statement on how this development meets development plan policies. Previous SKDC public documents state that Claypole is not included in extensive additional developments as it is not a sustainable infrastructure village. Other applications in the village have been turned down to non sustainability issues.
8. There is significant opposition in the village to this proposed development.
9. Given the scale of the proposal, and the impact consideration must be given to (1) a contribution to the Parish Council for use in building up the village amenities (2) during any building the developers must agree to access only via Doddington Lane and to the daily cleaning of the public roads by water/road sweepers (3) not undertaken any building work before 0800 and after 1700 and not on Sundays.
10. Already the Parish Council have needed to involve the Environment Officers of the Council and the fire brigade because of activities by the developer contravening Environment Laws on two occasions. Previous developments by this applicant in the village gave serious cause for concerns regarding Health and Safety practices during construction and continual complaints about the state of the public roads from depositing site waste.

Local Highway Authority: Comments awaited on submitted highway statement.

Community Archaeologist: No objections.

Lincs Police Architectural Liaison Officer: Requests details/conditions relating to a lighting scheme and landscaping.

Upper Witham Internal Drainage Board:

“This site generally falls to the south western corner. It is within the catchment of a riparian watercourse which discharges into the River Witham through a flapped gravity

outfall. During periods of high water level in the river, discharge is not possible and flow in the drain backs up causing waterlogging and flooding on agricultural land.

I note that the applicant intends to dispose of surface water to soakaway in accordance with the parameters set out in BRE digest 365. However, Claypole is aptly named and I anticipate that percolation tests may well show that soakaways are impractical. In these circumstances, I would request that this Board is consulted again in respect of any alternative method of surface water disposal.

Reasons:- to ensure that waterlogging and flooding of land downstream is not adversely affected.”

### **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 were raised:

- a) Support the application, good small homes for first time buyers and future generations.
- b) Attractive cottage development, in-keeping with village location, well designed.
- c) Developers have done very good work on 2 other sites within the village.
- d) Increase from road frontage (8 dwellings?) development to 20 dwellings.
- e) Impact on traffic and road safety.
- f) Loss of hedges and associated wildlife.
- g) Glad that there are no large detached dwellings proposed.
- h) Contrary to PPG3, Paragraph70 (sustainability).
- i) Site clearance works have already contravened conditions on the outline approval.
- j) Contrary to H6 and EN1.
- k) Lack of village services.
- l) ‘Buffer’ area has reduced in size and should not be developed within including gardens.
- m) Poor drainage within this area.
- n) Siting of houses will impact, proximity issue.
- o) Impact on privacy, levels of light.

p) Possible impact on existing boundaries.

### **Planning Panel Comments**

29 November 2005 – The application be referred to Committee for consideration.

### **Applicants Submission**

None

### **Conclusions**

If the highway issues can be addressed, appropriate drainage details are submitted and the scheme is considered to have no adverse impact on the neighbouring property to the north in terms of positional impact or overlooking/loss of privacy, and subject to conditions to remove permitted development rights, the proposal would be a good re-use of this brownfield site and should be supported.

The proposal is in accordance with national and local policies as set out in Planning Policy Guidance notes PPG3 and PPS7 and Policies H6, H9 and EN1 of the South Kesteven Local Plan. The issues relating to traffic and highway safety, impact on services and damage to landscaping and wildlife 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 the development be Approved subject to condition(s)

1. Before the development is brought into use, the private driveway shall be provided with lighting (to a minimum level of BS 1549 pt.9) in accordance with details to be submitted to and approved in writing by the Local Planning Authority.
2. The first floor window in the north elevation of plot 1 shall be non-opening and fitted with obscure glazing in perpetuity. No variation shall be made to this window without the written consent of the local planning authority.
3. Notwithstanding the provisions of the Town & Country Planning (General Permitted Development Order) 1995 (or any order revoking or re-enacting that order with or without modification), no windows, dormer windows or rooflights (other than those expressly authorised by this permission) shall be constructed within plots 1 to 7.
4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification), no buildings, outbuildings, extensions, conservatories, garages, garden structures or other such development shall be erected on the land without the express permission of the District Planning Authority. In this respect the developers attention is also drawn to the condition imposed on planning permission S05/0893/21 (approved on 13 September 2005) that restricts any development within a defined area on the approved plan.

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

1. To provide adequate lighting of the private driveway in the interests of crime prevention and community safety and in accordance with Policy EN1 of the South Kesteven Local Plan.
2. To ensure that there is no direct overlooking of the adjacent property to the north in the interests of residential amenity and to ensure a satisfactory development.
3. The planning authority wish to be in a position to determine the effects that such development would have on the surrounding area and in accordance with Policy EN1 of the South Kesteven Local Plan.
4. The planning authority wish to be in a position to determine the effects that such development would have on the surrounding area and in accordance with Policy EN1 of the South Kesteven Local Plan.

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Applicant	<b>Mr J Holland</b> 2, Radcliffe Road, Stamford, PE9 1EE
Agent	A & S Designs 18, Pasture Close, Colsterworth, Grantham, Lincs, NG33 5NA
<b>Proposal</b>	<b>Construction of new dwelling</b>
<b>Location</b>	<b>R/o Of 2, School Lane, Colsterworth</b>

<b><u>Site Details</u></b>	
<b>Parish(es)</b>	<b>Colsterworth</b> Unclassified road Radon Area - Protection required Area of special control for adverts EN3 Area of great landscape value Airfield Zone - No consultation required Drainage - Lincs

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

The application site is comprised partly of land formerly within the residential curtilage of 2 School Lane, together with a lower area to the north, previously used for parking and general storage. Access to the site would be achieved via an existing access, which currently serves the application site and agricultural land beyond.

The site is surrounded by residential development with some new two storey development to the east, the listed Manor House to the south and west, and frontage residential development to the north. A high leylandii hedge separates the application site from the garden to be retained with 2 School Lane, and a two metre high wall runs along the eastern edge of the site. A slightly lower wall runs along the northern boundary, and the eastern wall of the Manor House encloses the western side of the application site.

**Site History**

An outline planning application was granted planning permission for a dwelling on a slightly larger site under S04/0210 in May 2004. This consent contained a condition stating that the dwelling should not exceed the ridge height of the western wing of the adjacent residential property to the east.

**The Proposal**

The application proposes a chalet-style bungalow with dormer windows in the north and south elevations. The accommodation to be provided includes 4 bedrooms, bathroom, study, dining, day room, kitchen/breakfast, utility and study. The proposed building materials are red brick and clay pantiles.

The dwelling would be constructed on the higher former garden land, which it is proposed to lower by 1 metre, and the garage would be built on the lower land to the north. Access

to the site would be gained from High Street, along a track running between Nos. 4 and 6 High Street.

### **Policy Considerations**

#### South Kesteven Local Plan

Policy H7 – Residential Development.

Policy EN1 – Protection and Enhancement of the Environment.

### **Statutory Consultations**

Parish Council:

1. Planning consent is for a bungalow.
2. Would have an overpowering effect on surrounding properties.

Local Highway Authority: Requests 2 conditions – see below.

Community Archaeologist: No objections.

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

Representations have been received from interested parties.

The following planning points have been raised:

- a) Backland development.
- b) Original application for bungalow, but now for a 2 storey dwelling. Site grown by a third.
- c) Loss of privacy to house and garden. Request rear dormers replaced by rooflights.
- d) *Risk of subsidence. Affect structural integrity of adjacent dwelling. Impact on listed building.*
- e) No materials submitted.
- f) Request standard working hours and ½ day Saturday to minimise noise/dust.
- g) Object to access along lane. Construction vehicles will block our route. Access/turning difficult.
- h) Loss of trees. No landscaping scheme.
- i) Handkerchief sized plot. Out of keeping, will create a dominant/oppressive environment.

- j) This part of village is saturated with new development.
- k) Visually intrusive, unsympathetic materials.
- l) Plans are inaccurate.
- m) No details of area and depth to be excavated, drainage. Impact on adjacent property walls/foundations.
- n) Is overbearing, ill considered and should be rejected as form, character, privacy and appearance will be adversely affected forever.

### Conclusions

Whilst the submitted drawings show that the proposal can satisfy condition 3 of the outline planning permission, in that the ridge height of the dwelling shall not exceed that of the western wing of the adjacent property to the east, it is felt that overlooking and loss of privacy may be an issue. It has therefore been suggested to the applicant that the dormer windows presently proposed for the rear, south elevation should be replaced by rooflights. Further information has also been sought regarding the lowering of ground levels and means of retention.

**RECOMMENDATION:** That subject to the requested amendments being made, 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. Before any development is commenced the approval of the District Planning Authority is required to a scheme of landscaping and tree planting for the site (indicating inter alia, the number, species, heights on planting and positions of all the trees). Such scheme as may be approved by the District Planning Authority shall be undertaken in the first planting season following the occupation of the buildings or the completion of the development, whichever is the sooner, and any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the District Planning Authority gives written consent to any variation.
3. Before the access is commenced to be used, provision shall be made within the site to the satisfaction of the District Planning Authority for a motor car/motor vehicle to turn to enable it to enter and leave the highway in forward gear.
4. Prior to the buildings becoming occupied, the driveway (and turning feature) shall be laid out and constructed, and suitably gravelled/hardened for the whole of its length.

### 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. Landscaping and tree planting contributes to the appearance of a development and assists in its assimilation with its surroundings. A scheme is required to enable the visual impact of

the development to be assessed and to create and maintain a pleasant environment and in accordance with Policy EN1 of the South Kesteven Local Plan.

3. The local Highway Authority so requests to enable vehicles to enter and leave the highway in forward gear in the interests of road safety and in accordance with Policy H7 of the South Kesteven Local Plan.
4. The local Highway Authority so requests in order that mud and soil are not deposited on the highway in the interests of road safety and in accordance with Policy H7 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>H Mann</b> 428, Pin Green, Stevenage, Herts, SG1 4EA
Agent	Clive Wicks Associates Old School House, 36, Boston Road, Sleaford, Lincs, NG34 7EZ
<b>Proposal</b>	<b>Erection of dwelling and garage</b>
<b>Location</b>	<b>Land West Of Tennyson Cottage, Main Road, Tallington</b>

<b><u>Site Details</u></b>	
<b>Parish(es)</b>	<b>Tallington</b> A Class Road Radon Area - Protection required Area of special control for adverts Airfield Zone - No consultation required Drainage - Welland and Nene

## **REPORT**

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

The 565 sq.m. application site is located on the south side of Main Road, Tallington, just to the west of the Bainton Road junction. It was formerly domestic garden but has had the benefit of outline planning permission for a dwelling since the late 80's. It is currently unused and overgrown.

To the east are two residential properties, both chalet bungalows, fronting Bainton Road, Tennyson Cottage and Maylands. The garden of the latter extends across the southern boundary of the application plot. To the west is a modern detached property, Deebec House, planning permission for which was originally granted at the same time as that for the plot currently under consideration.

### **Site History**

As mentioned above, outline planning permission was originally granted for the application plot in 1987 (SK.75/0660/87). That permission also included the adjoining plot to the west which Deebec House now occupies.

It would appear that all the land subject of the 1987 permission once formed part of the garden to Tennyson Cottage.

The outline permission has been regularly renewed, most recently last year (S04/1709/75).

### **The Proposal**

Approval of Reserved Matters is sought for a four bedroom detached house with a detached double garage.

The submitted drawings show a house of an overall height of 7.7m to the ridge and 4.7m to the eaves. Materials are specified to be random coursed limestone rubble for the external walls and Bradstone artificial slates for the roof covering.

The house would have a 2.9m, two storey projection to the front, on its eastern side and a 2.5m one at the rear on the western side. Onto the rear of the eastern end of the house would be a single storey 'garden room', projecting 4.275m. There would be a 2.0m gap between the house and the boundary with Tennyson Cottage and a 3.0m gap from the boundary with Deebec House to the west.

The detached garage would be positioned against and at right angles to the front boundary with Main Road. The area in front of the house is shown to be hard surfaced to provide a turning area.

### **Policy Considerations**

South Kesteven Local Plan

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

### **Statutory Consultations**

Local Highway Authority: Requests standard condition HP19.

Community Archaeologist: Requests Note to Applicant – ARC1.

Parish Council:

“We have numerous representations with this application.

- The property appears to be disproportionately large for the plot in this area of the village.
- The property will substantially overlook the adjacent cottages, Maylands and Tennyson Cottage.
- Concern was raised as adjacent property, Deebec House, has right of way for vehicle turning.
- Proposed 1.5m stone wall to frontage appears to be on land owned by Highways, not the applicant.
- The development will necessitate felling of trees on the site, contrary to S12 of application.
- Construction of such a large property is likely to result in greater flooding of adjacent property, Tennyson Cottage.”

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

The application has been advertised in accordance with established procedures, the closing date for representations being 8 December 2005. Letters of objection have been received from interested parties.

The planning issues raised are:

- a) Loss of daylight and sunlight to house and garden of Tennyson Cottage. (1)
- b) Unsympathetic development. (1)
- c) Apparent encroachment onto land over which Deebec House has right of way. (1)
- d) Insufficient area allocated for vehicle manoeuvring. (1)
- e) Possible encroachment onto highway land. (1)
- f) Answer to tree question on application form incorrect. (1)

## **Planning Panel Comments**

This application has been brought before Committee at the request of the local member.

## **Conclusions**

Although the site is relatively small it is considered that the design, materials and positioning of the proposed dwelling are acceptable and would not impose unduly on the immediate surroundings. No condition was imposed on the outline permission stipulating the type of dwelling (i.e. bungalow, chalet bungalow etc) that could be erected on the plot.

The proposal was subject to negotiation prior to formal submission.

It is considered that the proposal satisfies the criteria laid down under the relevant policy.

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

The proposal is in accordance with Policy EN1 of the South Kesteven Local Plan. There are no material considerations that indicate against the proposal.

**RECOMMENDATION:** That subject to the receipt of satisfactory clarification of the alleged encroachment issues and if necessary, serving notice on relevant party, the development be Approved subject to condition(s)

1. The arrangements shown on the approved plan 51571/02 received 2 November 2005 for the parking/turning/loading/unloading of vehicles shall be available at all times when the premises are in use.

2. Before the development is commenced there shall be submitted to and approved by the District Planning Authority details (including cross-sections) of the relative heights of existing and proposed ground levels of the site and existing adjoining development and roads.
3. The first floor windows in the east and west facing elevations shall be obscure glazed.

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

1. To allow vehicles to enter and leave the highway in a forward gear in the interests of highway safety, and in accordance with Planning Policy Guidance Note 13.
2. In the interests of amenity, to ensure a satisfactory development and to ensure that any new development does not impose adversely upon its surroundings and in accordance with Policy EN1 of the South Kesteven Local Plan.
3. To safeguard the privacy of the neighbouring properties in accordance with Policy EN1 of the South Kesteven Local Plan.

Note(s) to Applicant

1. Prior to the commencement of any of the access works within the public highway, please contact the Divisional Highways Manager (Lincolnshire County Council) on 01522 782070 for appropriate specification and construction information.
2. You are advised that the application site falls within an area which requires protection from Radon. You are advised to contact the District Council's Building Control Services to ascertain the level of protection required, and whether geological assessment is necessary.

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<b>Applicant</b>	<b>Mr M Thurlby</b> Crown Hotel, 6, All Saints Place, Stamford, PE9 2AG
<b>Agent</b>	Wythe Holland Partnership Wallis's Mill, Old Dry Lane, Brigstock, Northamptonshire, NN14 3ER
<b>Proposal</b>	<b>Variation of house types (Plots 3, 4 &amp; 5)</b>
<b>Location</b>	<b>Red House Paddock, Main Road, Tallington</b>

<b><u>Site Details</u></b> <b>Parish(es)</b>	<b>Tallington</b> A Class Road Radon Area - Protection required Adjacent Listed Building Section 106/52 applies on site Area of special control for adverts Airfield Zone - No consultation required Drainage - Welland and Nene
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**REPORT****The Site and its Surroundings**

The application site is a former paddock located on the south side of Main Road, the A16, in Tallington.

**Site History**

The site already has planning permission for six dwellings (1 five bedroom, 2 four bedroom and 3 three bedroom), granted in October this year (S04/0124/75).

**The Proposal**

Permission is sought to vary the design of the approved houses on three of the plots, Nos. 3, 4 and 5.

The alterations are as follows:

Plot 3 Minor alterations to door and window openings.

Increase in ground floor area and first floor addition above approved ground floor rear projection to allow for an additional, fourth bedroom.

Plot 4 Minor alterations to window and door openings.

Increase in floor area to allow for provision of an additional, fourth bedroom.

Plot 5 Amendments to door and window openings.

Increase in ground and first floor area to allow for provision of an additional, fourth bedroom. A dormer window in the south elevation of this dwelling would directly overlook the neighbouring plot (4) from close quarters and the architects have therefore been asked to delete this from the plans.

### **Policy Considerations**

South Kesteven Local Plan

Policy H6 – Housing – Allows for development of small groups or single dwellings on sites in settlements providing they do not impact on the form, character and setting of the settlement and on the community and its local environment.

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

Policy C2 – Archaeology – Seeks to ensure that sites of known archaeological interest are investigated prior to the commencement of development.

### **Statutory Consultations**

Local Highway Authority: Observations as previous. (The Highway Authority requested refusal of the original application for this development.

Community Archaeologist: Comments awaited. (Archaeological investigations currently being undertaken as required by condition of original planning permission).

Parish Council:

"The Parish Council's representations are as follows:

Plot 3 - no representations.

Plot 4 - no representations.

Plot 5 - our only representation relates to the new dormer window on the first floor of the south east elevation. This window directly overlooks the rear garden of plot 4, with views into that property's bedroom window."

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

The application has been advertised in accordance with established procedures, the closing date for representations being 13 December 2005.

No representations have been received as a result of publicity.

### **Planning Panel Comments**

This application has been brought before Committee at the request of the local member.

## **Conclusions**

It is considered that, subject to the receipt of revised drawings for the dwelling on Plot 5 showing a dormer window in the south elevation omitted, the proposed amendments would not alter the character of the development nor have an adverse impact on the surroundings to warrant withholding planning permission.

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

The proposal is in accordance with Policies EN1, C2 and H6 of the South Kesteven Local Plan. There are no material considerations that indicate against the proposal.

**RECOMMENDATION:** That subject to the receipt of satisfactory revised drawings of the dwelling on plot 5 and the comments of the Community Archaeologist, 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. Samples of the materials to be used for all external walls and roofs shall be submitted to the District Planning Authority before any development to which this permission relates is commenced and only such materials as may be approved in writing by the authority shall be used in the development.
3. Before any development is commenced, details including location and means of disposal of surface water and foul drainage shall be submitted to and approved by the District Planning Authority, and no building shall be occupied until the drainage works have been provided.
4. No dwelling to which this permission relates shall be occupied until the access road onto which it fronts and gains vehicular access from, has been constructed.
5. Before any development is commenced the approval of the District Planning Authority is required to a scheme of landscaping and tree planting for the site (indicating inter alia, the number, species, heights on planting and positions of all the trees). Such scheme as may be approved by the District Planning Authority shall be undertaken in the first planting season following the occupation of the buildings or the completion of the development, whichever is the sooner, and any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the District Planning Authority gives written consent to any variation.

## **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 Policy H6 of the South Kesteven Local Plan.
3. To ensure satisfactory provision is made for the disposal of foul and surface water drainage from the site and in accordance with Policy H6 of the South Kesteven Local Plan.
4. To ensure that satisfactory access is provided to each dwelling in accordance with Policy H6 of the South Kesteven Local Plan.

5. Landscaping and tree planting contributes to the appearance of a development and assists in its assimilation with its surroundings. A scheme is required to enable the visual impact of the development to be assessed and to create and maintain a pleasant environment and in accordance with Policy H6 of the South Kesteven Local Plan.

\* \* \* \* \*

Applicant	<b>Allen Warner Limited</b> 8, Plank Drove, Crowland, Peterborough, PE6 0BY
Agent	B M Design Consultancy Archdeaconry House, Gravel Walk, Minster Precincts, Peterborough, PE1 1YU
<b>Proposal</b>	<b>Erection of two townhouses</b>
<b>Location</b>	<b>Builders Yard, Newboults Lane, Stamford</b>

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

## **REPORT**

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

The application site is part of a former builders yard located on the eastern side of Newboults Lane, a narrow (2.76m) thoroughfare off the south side of Radcliffe Road.

The site is surrounded on all sides by existing, predominantly terraced, residential properties.

### **Site History**

The site was formerly a builders yard but had Outline planning permission for residential development since the late 1980's (S.69/038/88). This was last renewed in 2004 (S.04/0002/69) and Reserved Matters approval was subsequently granted (S05/0863/69) for 3 two and a half storey townhouses, the construction of which has now commenced.

### **The Proposal**

Full planning permission is sought for the erection of a pair of two-bedroom houses as a continuation of the terrace on the south, downhill side of the entrance to the former builders yard.

This area is currently occupied by a single storey workshop building that has a splayed frontage to Newboults Lane.

The proposed dwellings are shown to be slightly higher (0.7m. at the ridge and 200mm at the eaves) than the terrace which they are to adjoin but to be of a similar style, although the northernmost unit would retain the splayed frontage of the existing workshop. Although the houses would project at two storeys beyond the rear wall of the existing house to the south it would only be by 3.0m and then on the northern side, so would not restrict light reaching that property.

Entrance to one of the houses would be directly off Newboults Lane and to the other off the accessway to the houses and parking area to the rear of the site.

There would be small rear gardens, comparable in size to those of the existing terraced properties.

### **Policy Considerations**

PPG 13 (Transport) Promotes car-free housing in suitable locations (within easy walking distance of everyday facilities and ready access to public transport .

PPG 3 (Housing) Promotes the efficient use of 'Brownfield' sites in urban locations for residential development.

### **Lincolnshire Structure Plan (Deposit Draft-April 2004)**

Policy S1 - Sustainable development

Policy S2 - Location of development

Policy H2 - Housing on previously developed land

### **South Kesteven Local Plan**

Policy H6 - Sets out criteria for housing on sites not otherwise allocated for residential development in settlements such as Stamford.

Policy EN1 - New development should conserve and enhance the built environment of the area.

### **Statutory Consultations**

LHA : Request standard condition HP19.

Town Council : Consider 3 houses in this plot is too many. A further 2 houses is over development as access is very restricted.

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

The application has been advertised in accordance with established procedures, the closing date for representations being 17 December 2005.

Letters of objection have been received from interested parties.

The planning issues raised are:

- a) Development will exacerbate an already bad situation worse. (1)
- b) Adverse impact on neighbouring residents. (1)

- c) Increased traffic will be hazard to pedestrians. (1)
- d) Previous application for three houses on land to rear approved ignoring local objections.(1)
- e) Enhancement of quality of life for residential neighbours, doubtful.(1)
- f) Overlooking unless only bungalows built. (1)
- g) Extra traffic on narrow lane with restricted turning into steep narrow lane.(1)
- h) Height and length of houses should be same as existing houses. (2)
- i) Existing residents of Newboults Lane do not have car parking facilities and this does not cause a problem. (1)
- j) Object to no on-site car parking. (1)
- k) Further development would make lane too congested.(1)

In addition to the above matters, the majority of objectors raised concerns about construction vehicles blocking this narrow lane during the construction period, an issue that is already causing concern with the development already approved on this site.

### **Planning Panel Comments**

To be determined by Committee.

### **Applicants Submission**

The applicant's planning consultant has submitted the following statement in support of the application:

#### **Statement in support of a planning application for two houses at Newboults Lane, Stamford.**

The site is presently occupied by a vacant workshop facing Newboults Lane. The workshop related to the vacant builders' yard/workshop area behind that has the benefit of planning permission for housing (S05/0863/69, reserved matters approval for 3 houses).

#### **1. Planning Policy**

##### **National**

PPG13 (Transport): promotes walking as the most important mode of travel. In determining planning applications, LPA's are instructed to promote walking and development in close proximity to public transport (paragraphs 75-77). Car free housing in suitable locations is supported, and parking standards are expressed as maxima (paragraph 52).

PPG3 (Housing): expresses the national imperative to put underused land into productive use. Redevelopment of Brownfield land is encouraged to lessen the pressure for development of Greenfield site.

##### **Structure Plan (Feb 2005 deposit Draft)**

Parking standards are provided in a 2002 LCC Guide.

Policy M7 – Parking – parking should be limited to promote alternative means of transport, particularly in towns that have alternative means of travel.

Policy M9 – Pedestrians: provision to be made for a greater proportion of journeys to be made by foot.

## **Local**

EN1 – new development should

- reflect the general character of the area;
- improve underused land.

H6 – is permissive of new housing development on suitable sites within or immediately adjoining the existing built up area. Development is assessed against impact on local character and availability of satisfactory access.

## **Emerging Local Policy**

Interim Housing Policy Statement (March 2005). The Council have approved new housing policies. This restricts new housing development in Stamford to previously developed land as defined by PPG3.

## **2. Planning assessment**

It is suggested that the key planning issues are:

1. the principle of developing this site;
2. design and impact on local character;
3. impact on privacy, outlook, and general quality of life of neighbours, and
4. access and parking arrangements.

## **Principle**

In the context of PPG3 and the Council's emerging housing policy, there are no principle policy objections to the use of this previously developed site for development. It presents an underused resource that should properly be used as land for housing.

Development of Brownfield sites of this nature help to reduce the land take of Greenfield sites elsewhere. Stamford is a very sustainable location for new housing, and the site is within easy walking distance of the town centre.

## **Design and impact on character**

The covering letter by BM Design Consultancy addresses design consideration. In general terms, the housing is not part of any main road frontages, and will be an inconspicuous addition to the existing terrace.

There are no significant public vantage points by which the housing will be seen other than obliquely down Newboults Lane from Radcliffe Road. The house design

is similar to the adjacent terraced houses, and will be reasonably unobtrusive. It will maintain the attractiveness of this back street location. Local interest will thereby be maintained consistent with national objectives to promote housing development that maintains a 'sense of place'.

### **Amenity**

Privacy is respected as there are no windows or gardens close enough to be adversely affected by the proposal. The outlook for neighbours will be improved as the existing and unsightly workshop building will be displaced.

The workshop may lawfully be brought back into use as a B2 use. The building is old, without modern standards of sound insulation, and may not be the best neighbour for housing. The present scheme will enhance the quality of life for residential neighbours by finally displacing the use.

### **Access and parking**

The housing is of a type and in a location that will appeal to households who do not have a car. Car free housing in suitable locations is promoted by national policy. This is a suitable location within Stamford in easy reach of public transport facilities and services.

N.B. The final paragraph 'Access and parking' has been superseded by the provision of off-street parking being provided, in accordance with the requirements of the highway authority.

### **Comments**

This proposal is considered to represent an appropriate re-use of a brownfield site in an urban location and complies with all the relevant policies listed above.

Whilst the concerns of neighbours regarding the disturbance during the development period are noted this is only a temporary problem until the development is completed. The developers, of course, have responsibility to comply with other legislation which is relevant to their activities.

As the submitted drawings show the proposed development physically attached to the neighbouring property, No. 3 Newboults Cottages, it is necessary for notice to be served on the owner of that dwelling and the applicants have, therefore, been requested to comply with this legal requirement.

### **Summary of reason for approval**

The proposal is in accordance with national and local policies as set out in Planning Policy Guidance Notes PPG 3 (Housing), PPG 13 (Transport), Policies S1, S2 and H2 of the Lincolnshire County Structure Plan (Deposit Draft- April 2004), and Policies H6 and EN1 of the South Kesteven Local Plan. The issues relating to highway safety and height and privacy 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 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. Before the development hereby permitted is commenced, final details of the materials to be used in the construction of external walls and roofs shall be submitted to and approved in writing by the District Planning Authority. Only such materials as may be agreed shall be used in the development.
3. Before the development is commenced there shall be submitted to and approved by the District Planning Authority details (including cross-sections) of the relative heights of existing and proposed ground levels of the site and existing adjoining development and roads.
4. Before the dwellings hereby approved are occupied the rear gardens shall be enclosed in accordance with details to be submitted to and approved in writing by the local planning authority.
5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development Order) 1995 (or any order revoking or re-enacting that order with or without modification), no openings shall be created in the south facing wall of the dwelling adjoining No. 3 Newboults Cottage.
6. The arrangements shown on the approved plan 4383 D/07/A dated 29 November 2005 for the parking/turning/loading/unloading of vehicles shall be available at all times when the premises are in use.

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 Policy H6 of the South Kesteven Local Plan.
3. In the interests of amenity, to ensure a satisfactory development and to ensure that any new development does not impose adversely upon its surroundings and in accordance with Policy H6 of the South Kesteven Local Plan.
4. In the interests of privacy and crime prevention.
5. To safeguard the privacy of neighbouring occupiers.
6. To enable calling vehicles to wait clear of the carriageway of Newboults Lane in the interests of safety, and in accordance with PPG13.

Note(s) to Applicant

1. Prior to the commencement of any of the access works within the public highway, please contact the Divisional Highways Manager (Lincolnshire County Council) on 01522 782070 for appropriate specification and construction information.
2. You are advised that the application site falls within an area which requires protection from Radon. You are advised to contact the District Council's Building Control Services to ascertain the level of protection required, and whether geological assessment is necessary.

\* \* \* \* \*

Applicant	<b>Age Concern Kesteven Council Offices, Eastgate, Sleaford, NG34 7EB</b>
Agent	Bland, Brown & Cole Architects 33a, Bridge Street, Cambridge, CB2 1UW
Proposal	<b>Demolition of existing building and erection of two storey recreation centre</b>
Location	<b>Darby &amp; Joan Hall, North Street, Stamford</b>

<b>Site Details</b> <b>Parish(es)</b>	<b>Stamford</b> A Class Road Demolition of any building - BR1 Radon Area - Protection required Airfield Zone - No consultation required TPO affects site - TPO1 Drainage - Welland and Nene
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## **REPORT**

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

This site is located on the northern side of North Street, Stamford on the opposite side of the road to the Conservation Area. The site comprises a converted stone house with a brick and profiled metal sheet roof extension.

To the rear lies a row of trees and then a hedge boundary with the recreation ground. Situated at the junction with Recreation Ground Road and North Street, flats are built on the opposite side of the road. On the western side there is a shop and the site wraps around the rear of this and abuts residential property.

### **Site History**

No relevant history.

### **The Proposal**

This is a full application, by Age Concern Kesteven, to comprehensively redevelop the site to provide modern day care facilities for the older members of the population in Stamford.

The building is a modern design having a variety of roof forms and a wall constructed at an angle providing architectural interest from the three visible elevations.

The building is to be constructed of a variety of materials, including dressed limestone, welsh slate, cedar cladding, render and brick. Window and door details are from a wood and aluminium composite.

There is proposed an approximately semi-circular pick up and set down area located in part of the recreation ground that will be constructed from a hard surface with gates

controlled by the site warden. There is a proposed ramp access from this set down area to the building.

## **Policy Considerations**

### National Policy

PPS 1 – General Principles

PPG17 – Planning for Open Space.

### Lincolnshire Structure Plan

T6 – Sport and Recreation

### South Kesteven Local Plan

EN1 – Protection and enhancement of Environment.

REC1 – Protection of Existing Recreational Open Space

T3 – Parking Standards

## **Statutory Consultations**

Stamford Town Council - No objection.

Local Highway Authority - Requests that the application be withdrawn until the traffic orders have been obtained. No visibility splays have been indicated.

Community Archaeologist:

The site is in an area of archaeological importance. Any remains should be reported.

Leisure and Cultural Services:

Under the legal title, the land is held on trust for the people of Stamford for exercise and recreational purposes.

In addition, there are concerns that the proposed discontinuance of the public use of this parcel of land is contrary to policy REC1 of the South Kesteven Local Plan and also Planning Policy Guidance note 17 which deals with planning for Open Space, Sport and Recreation.

Notwithstanding these issues, consideration should be given to the community value of providing the new facilities, which will rely on an appropriate access and whether or not this benefit will be offset by the loss of public amenity land. The current proposals require an unacceptably large amount of land on the Recreation Ground

but it may be possible to reduce this requirement by negotiation and provide an acceptable solution that secures community benefit without large scale loss of land.

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

Stamford Civic Society raises the following issues:

There is no master plan for the area and the problems of developing this piecemeal are becoming apparent;

The access is very close to a dangerous junction;

The access should not set a precedent for further reductions in the Recreation Ground;

One tree will be lost and others are close. Can the arboriculture officer assure you that he sees no problem here ?

A variety of building materials are proposed but no information is presented in relation to quality;

Amended plans are requested to show the development against the backdrop of the town skyline;

There is a lack of detailing of many of the building elements;

Why is lead flashing being used instead of ridge tiles?

It is our view that the angled wall should be reversed and there is too much mass against the footpath.

One letter received from an interested party objecting on the following grounds:

- a) Trees subject to a Tree Preservation Order are to be felled.
- b) This may be a precedent for other developers.
- c) Perhaps replanting of trees at the side of the new access road could be the answer.

### **Planning Panel Comments**

The application should be determined at committee following a site visit.

Cllr Kerr has requested the application be determined by Committee.

### **Applicants Submissions**

This applicant makes the following points:

The centre will have 6,25 full time equivalents staff posts;

The centre will provide for health care, education, advice and other activities;

Provide a drop in and luncheon club for a maximum of 75 people at any one time daily;  
The design is to take account of both front and rear aspects;  
Ease of access for all groups is required;  
The first floor is cantilevered to maximise floor space;  
The double ridge helps keep the height of the roof down;  
The proximity of the building to the lime trees has influenced the windows; and  
The glazed section offers views strengthening the visual links with the Recreation Ground.

## **Conclusions**

It is considered that the key issues of this application are the traffic impacts and the impact on the Recreation Ground.

The applicant states that the land will not be lost to the Recreation Ground and that planting and seating will create an improved environment and therefore bring additional use to this under used part of the amenity area.

The trees are within the application site and are not owned by the Council. The trees are not subject to a Tree Preservation Order and are not within a Conservation Area; the Council has no control.

It is considered that the area of hard surface, together with the barriers will create a sense of exclusion from this part of the Recreation Ground and thus this will be a real loss to the amenities of Stamford. It is considered that this is an adverse impact on the area. The development is therefore considered to be unacceptable.

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

1. It is considered that the access/parking area has an adverse impact on the amenity of the Recreation Ground leading to a diminution of use. No compensating area has been offered. This is contrary to PPG17 and Policy REC1 of South Kesteven Local Plan.

\* \* \* \* \*

Applicant	<b>Vodafone C/o Agent</b>
Agent	Mr Ian Hewitt, Alan Dick (UK) Ltd 7, Beech Tree Drive, Clowne, Chesterfield, Derbyshire, S43 4UJ
<b>Proposal</b>	<b>Installation of three pole mounted antennae &amp; equipment cabinet</b>
<b>Location</b>	<b>Telephone Exchange, Foundry Road, Stamford</b>

<b>Site Details</b> <b>Parish(es)</b>	<b>Stamford</b> Radon Area - Protection required Airfield Zone - No consultation required Drainage - Welland and Nene
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## **REPORT**

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

The site is situated at the Stamford Telephone Exchange on Foundry Road, Stamford to the west of the central core of Stamford. A mix of land uses, including commercial, industrial and residential uses, surround the site. St Gilbert of Sempringham Church of England School is located to the north east of the site.

### **Site History**

In December 2000 Prior Approval was granted for the installation of an equipment cabin.

### **The Proposal**

This application seeks approval for the installation of three 3G pole mounted antennas on the rooftop of the Telephone Exchange Foundry Road, Stamford. The proposal also includes the installation of a small radio equipment cabinet and cabling.

### **Policy Considerations**

#### **National Policy**

Planning Policy Guidance Note (PPG) 8 Telecommunications

#### **Lincolnshire Structure Plan**

Policy E9 – Information and communication technology. This policy encourages site sharing amongst operators who are considering erecting new masts and transmitters.

#### **South Kesteven Local Plan**

Policy EN11 – Telecommunications Development. This policy states that planning permission will normally be granted for telecommunications development provided that:

- i) there is no adverse impact on the local environment;
- ii) there is not a proliferation of development of this kind on separate or adjoining sites and all opportunities have been explored for sharing of masts or the erection of antennas on existing buildings or other structures;
- iii) the development complies with other policies of the local plan.

### **Statutory Consultations**

Local Highway Authority: No observations.

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

Town Council: No objections

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

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

The following issues have been raised:

- a) Health and safety concerns,
- b) There is already a lot of equipment on the building,
- c) Concerns about the close proximity of the proposed equipment to bedroom of Kyal House,
- d) Concerns about noise for equipment,
- e) Detrimental impact on visual amenity.

### **Planning Panel Comments**

This application was reported to the Planning Panel on 7 December 2005. The Panel requested that the application be determined by Committee and that Officers investigate the potential to re-site the proposed antenna further away from the bedroom to Kyal House.

### **Applicants Submissions**

The applicant has submitted a supporting statement with the application outlining the need for the proposed installation, the technical justification, alternative sites and mast sharing investigations.

The applicant has also submitted a Radio Frequency Compliance Report (RF Report) along with a Certificate demonstrating that the proposals will comply with the ICNIRP guidelines. The RF Report demonstrated that the maximum RF level in any accessible area would be less than 2.07% of the ICNIRP general public guideline levels.

## **Conclusions**

Applications for telecommunications equipment are considered under national guidance contained in Planning Policy Guidance Note 8: Telecommunications. PPG8 outlines the importance of good communications to local communities and the national economy and states that Local Authorities should respond positively to telecommunication development proposals. PPG8 also advises that it is the Government's firm view that the planning system is not the place for determining health safeguards. In the Government's view, if a proposed mobile phone base station meets the International Commission on Non-Ionising Radiation Protection (ICNIRP) guidelines for public exposure it should not be necessary for a local planning authority, in processing an application for planning permission or prior approval, to consider further the health aspects and concerns about them.

In the UK, national guidelines on exposure to radio frequency radiation were drawn up by the National Radiological Protection Board (NRPB) in 1993 and have been accepted and implemented by Government Departments and Agencies. Guidelines have also been published by the International Commission on Non-Ionising Radiation Protection (ICNIRP). Both guidelines are designed to prevent illness or injury through heating effects.

Further to this, the Stewart Report advocates that a precautionary approach be taken to telecommunications proposals. The report advises that the precautionary approach is a matter of degree and it requires that before accepting a new development we should have positive evidence that any risks from it are acceptably low, and not simply an absence of convincing evidence that risks are unacceptably high.

The National Radiological Protection Board (NRPB) has released a report on the Health Effects from Radiofrequency Electromagnetic Fields: Report on an independent Advisory Group on Non-ionising Radiation. This report examined possible health effects of exposure to radiofrequency (RF) fields, with an emphasis on studies conducted since the review by the Independent Expert Group on Mobile Phones (IEGMP) (the Stewart Report). The report states 'in aggregate the research published since the IEGMP report does not give cause for concern. The weight of evidence now available does not suggest that there are adverse health effects from exposures to RF fields below guideline levels, but publish research on RF exposures and health has limitations, and mobile phones have only been in widespread use for a relatively short time. The possibility therefore remains open that there could be health effects from exposure to RF fields below guidance levels; hence continued research is needed.'

The local planning authority cannot advise on the radiation emission levels and, in accordance with government guidance and advice contained in The Stewart Report the agent has advised that the proposal has been designed within ICNIRP guidelines i.e. positive evidence has been submitted to say that any risks from the proposal are acceptably low.

PPG8 advises that health consideration and public concern can in principle be material considerations in determining applications for planning permission and prior approval. It goes on to advise that whether such matters are material in a particular case is ultimately a matter for the courts, and it is for the decision maker to determine what weight to attach to such considerations in any particular case.

An independent audit has been carried out over the past four years by the Radio Communications Agency (now Ofcom) of power density levels from base stations on or near schools and hospitals. The audit has confirmed that radio wave emissions measured at schools are small fractions of the international ICNIRP health and safety guidelines. In over 350 sites measured, the highest reading was 279 times below the guidelines. The proposed equipment has been designed within ICNIRP guidelines and, as such, it would be within the accepted health and safety guidelines. All evidence available indicates that the proposed equipment is safe and it is therefore recommended that health and safety concerns should not be considered as a reason for refusal.

In addition to PPG8 applications for telecommunications equipment are considered under policy E9 of the Lincolnshire Structure Plan Deposit Draft 2004 and policy and policy EN11 of the South Kesteven Local Plan 1995. Both policies support telecommunications development provided that mast and site sharing alternatives have been fully explored and that the proposals do not have an adverse impact on the local environment.

The proposed development includes the installation of three 3G pole mounted antennas on the rooftop of the Telephone Exchange along with the installation of a small radio equipment cabinet and its associated cabling. The building already has a number of antennas on it for other operators this proposal seeks approval for the installation of further similar equipment on the building.

The proposed site share would reduce the need for additional new masts in the area and would not have a significantly detrimental impact on the visual amenity of either the existing building or the surrounding area.

A concern has been raised with regard to potential noise from the proposed generator. The generator will be located approximately 10 metres from Kyal House and is unlikely to cause any significant noise issues. Should any noise issues arise these could be dealt with under environmental health legislation.

The owners of Kyal House have also raised concerns with regard to the close proximity of one of the proposed antennas to a bedroom window. In view of their concerns the Planning Panel requested Officers to investigate the potential to re-site the antenna to a more sensitive location on the building. This is currently being investigated and any information received from the applicants will be reported verbally.

The applicant's have in their supporting statement advised that alternative sites and mast sharing options have been investigated but these have been all been discounted due to technical restrictions.

The proposals comply with the policies of the development 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 equipment hereby approved shall be removed from the building on which it is situated as soon as reasonably practicable after it is no longer required for electronic communication purposes, and the building shall be restored to its condition before the development took place, or to any other condition as may be agreed in writing between the local planning authority and the developer.

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 ensure that the equipment is removed from the building when no longer required in order to protect the visual amenity of the surrounding area.

\* \* \* \* \*

Applicant	<b>Mr &amp; Mrs K Rogers</b> Keal Lodge, Back Lane, Deeping St. James, Peterborough, PE6 8RT
Agent	
Proposal	<b>Change of use from horticultural to leisure vehicle storage</b>
Location	<b>Border Nurseries, Back Lane, Deeping St. James</b>

<b><u>Site Details</u></b> <b>Parish(es)</b>	<b>Deeping St James</b> Unclassified road Area of special control for adverts Drainage - Welland and Nene
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**REPORT****The Site and its Surroundings**

This site is located to the northeast of Back Lane Deeping St James and overlooks open countryside. Vehicular access is gained from Back Lane.

The site measures approximately 0,97 ha and comprises flat land left fallow to grass to the rear of existing glass houses used in connection with a horticultural business. The site is bordered by hedges.

**Site History**

S02/0136 – Outline Planning Permission: Erection of dwelling. Refused 2.8.02.

S02/LD/1702 – Certificate of Lawfulness (non-compliance with occupancy condition).  
Granted 1.5.03

S03/0040 – Erection of bungalow. Refused 8.3.03.

S03/0817 – Erection of bungalow. Refused 3.8.03. Appeal dismissed 2.7.04

**The Proposal**

This is a full application for the change of use of part of the site for the secure storage of approximately 170 caravans. A 2.4m palisade fence will surround the site and the eastern boundary will be supplemented with a 1.2m high planted bund.

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

PPS1 – General Principles

PPS 7 – Rural Economy

PPG13-Transportation

Regional Policy

RSS8 – East Midlands

Lincolnshire Structure Plan

E1 – Priority Areas for Regeneration

South Kesteven Local Plan

E6 – Employment in Rural Areas

EN1 – Protection and enhancement of Environment.

EN9 – Environmental Impact of New Industrial or Commercial Development.

T3 – Parking Standards

**Statutory Consultations**

Deeping St James Parish Council: No reply received.

Local Highway Authority – Objects and requests refusal on the following ground:

The carriageway of Back Lane is inadequate in terms of width and general physical layout to serve the development as applied. There is generally insufficient width to permit vehicles to pass one another. The additional traffic likely to be generated by this proposal will result in an increased incidence of manoeuvring of passing vehicles which will lead to vehicles over running the edge of the narrow carriageway and adjoining verge thereby causing an unacceptable level of damage to both and possible structural failure of the carriageway edges. Such conditions are contrary to the interests of safety and free passage of vehicles and pedestrians within the public highway.

Community Archaeologist: Does not effect any known archaeological sites.

Environment Agency - No comment received to date. Any matters will be reported to committee.

Welland & Deepings IDB: No reply

**Representations as a Result of Publicity**

None received to date. Any matters will be reported to committee.

**Applicants Submissions**

This applicant addresses the following issues:

A Caravan Site Owners Association was formed for the purpose of reducing caravan crime. The principal is to ensure prevention and to that end sites must incorporate

perimeter protection, access control, cctv, security lighting, fire prevention and security patrols where necessary.

Insurance companies are requiring more caravans to be located within secure storage sites when not in use. Remote storage is more that often required because restrictive covenants on new housing estates prevent storage at home.

A recent survey indicated that approximately 3000 caravans are stolen annually with an almost nil recovery rate. Another recent survey indicated that 62 caravans have been stolen in Lincolnshire.

Border Nurseries generated approximately 60 traffic movements a day when the business was at it's height and this has fallen back to approximately 35 movements a day. If the application is successful then the daily projected movements are likely to fall to 20.

The applicant has provided a review of movements from a site having a capacity for 382 (twice the size of the proposed site):

	Movements at 382 site 2003	Movements at 382 site 2004	Projected Movements at proposed site	Projected daily movements
Jan	46	50	21	1
Feb	104	148	56	2
Mar	255	240	110	4
Apr	423	510	207	7
May	431	420	189	6
Jun	405	338	165	6
Jul	414	434	188	7
Aug	506	242	166	5
Sep	412	316	153	5
Oct	271	622	198	6
Nov	121	122	54	2
Dec	58	118	39	1
Total	3446	3560	1546	

Para 43 states “In plan policies and development control decisions, local authorities should encourage farm diversification proposals particularly, but not exclusively, where this enables access by public transport, walking and cycling. Similarly they should not reject proposals where small scale business development or its expansion would give rise to only modest additional daily vehicle movements, in comparison to other uses that are permitted on the site, and impact on minor roads would not be significant.”

## **Conclusions**

It is considered that the key issues of this application are the visual impact, the diversification of agricultural businesses and the impact on the highway.

Section 58 of the Planning and Compulsory purchase Act 2004 requires that the most up to date planning advice is considered when determining planning applications. One such material consideration would be whether the development plan policies are up-to-date PPS1 (para 10).

The Development Plan for South Kesteven is currently formed by the RSS8 (March 2005), the Lincolnshire Structure Plan Alteration No 2 (April 1994) and the South Kesteven Local Plan (adopted 1995). The Lincolnshire Structure Plan April 2004 has been subject to it's Examination in Public and is becoming close to adoption. This is gaining increasing weight and appeal Inspectors are according it due consideration. With the exception of this and RSS8 these documents are now quite dated and are currently subject to review.

## **Visual Impact**

The most open view of the site is obtained from public highways to the east of the site. Structural landscaping at varying heights can mask the glare from reflected sunshine. It is considered that there would be a minimal visual intrusion if the proposed landscaping was implemented.

## **Economic Issues – Farm Diversification**

PPS1 states that LPA's should seek to promote sustainable economic development with the aim of bringing job and prosperity for all. To achieve this LPAs should (among other things) ensure suitable locations are available for economic development, and recognise the wider sub-regional and regional benefits of such development.

PPS 7 also has as a central plank, the principle of diversification of farm businesses. Border Nurseries falls within this category because horticulture is within the planning definition of agriculture. The use of the land for caravan storage requires little physical modification to the land and can be easily removed.

## Transport Issues

The site entrance lies approximately 200m from the junction of Back Lane and Stowgate Road. The road is narrow with limited passing places. It should be noted that the number of daily trips from the site will fall with the implementation of this proposal. The applicants figures are considered to be slightly misleading because it is considered that there will be a concentration of movements at the weekends rather than evenly spread through the month. Highways have a legitimate concern regarding the cost of maintenance of the highway.

It is concluded that the development should be approved for a temporary period of 5 years to assess the impact on the highway structure.

The proposal is in accordance with national and local policies as set out in Planning Policy Statements 1 and 7 and Planning Policy Guidance Note 13 and policies E1 of the emerging Lincolnshire County Structure Plan. Although there is some conflict with policy E6, EN1, EN9 and T3 of South Kesteven Local Plan, in this instance, the issues raised do not outweigh the principal policies referred to. The issue relating to Traffic generation is a material consideration but, subject to the conditions attached to this permission, is not sufficient in this case to indicate against the proposal and to outweigh the principal policies referred to above.

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

1. The use hereby permitted shall be for a limited period, being the period of 5 years from the date of this consent.
2. Before any development is commenced the approval of the District Planning Authority is required to a scheme of landscaping and tree planting for the site (indicating inter alia, the number, species, heights on planting and positions of all the trees). Such scheme as may be approved by the District Planning Authority shall be undertaken in the first planting season following the occupation of the buildings or the completion of the development, whichever is the sooner, and any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the District Planning Authority gives written consent to any variation.

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

1. To allow the local planning authority time to assess the impact on the highway infrastructure.
2. Landscaping and tree planting contributes to the appearance of a development and assists in its assimilation with its surroundings. A scheme is required to enable the visual impact of the development to be assessed and to create and maintain a pleasant environment and in accordance with Policies EN1 and EN9 of the South Kesteven Local Plan.

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