

Development Control Committee
25 July 2006

Report by Planning Officer

S05/1691 – Residential Development (43)
Land South of Spalding Road, Frognall.

On 14 February 2006 the Development Control Committee resolved to approve an application (Ref S05/1691) for 43 dwellings and ancillary works at the Ampy site to the south of Spalding Road, Frognall, Deeping St James subject to the signing of a S106 Legal Agreement and conditions.

In preparation to complete the S106 Agreement a draft decision notice is printed to be engrossed with the document, it was noticed that two conditions were unclear. These are conditions 3 and 12.

Condition 3 reads:

“The existing natural hedge along the eastern, southern and western boundaries of the site shall be retained and shall be strengthened by underplanting in accordance with a scheme to be submitted to and approved in writing by the local planning authority. Planting shall be undertaken before occupation of the relevant property.”

Condition 12 reads:

“No development shall be undertaken, including demolition until written confirmation has been received by the local planning authority that Clause ** of the Legal Agreement has been completed.”

It is proposed that condition 3 is amended to read:

“The existing natural hedge along the eastern boundary to the north of the proposed pedestrian and cycle access to the site and the northern boundary subject to highway requirements in connection with sight lines shall be retained and shall be strengthened by underplanting in accordance with a scheme to be submitted to and approved in writing by the local planning authority. Planting shall be undertaken before occupation of the relevant property.”

The reason for the amendment is that there is no physical boundary to the west and the southern boundary is defined by Leylandii that does not need to be strengthened.

Condition 12 is irrelevant because the permission is not issued until the S106 agreement is signed.

Recommendation

That the permission be granted subject to the amended condition 3 and by the deletion of condition 12.

M Shipman
Acting Development Control Services Manager

RELEVANT CONSIDERATIONS OF THIS REPORT			
	SIGNIFICANT	MINOR	NONE
STATUTORY POWERS	*		
COUNCIL STRATEGIES		*	
COUNCIL POLICIES		*	
T & C PLANNING	*		
BEST VALUE	*		