

MINUTES

DEVELOPMENT CONTROL
COMMITTEE
TUESDAY, 17 AUGUST 2010
1.00PM



COMMITTEE MEMBERS PRESENT

Councillor Adams (Vice-Chairman)
Councillor Cook
Councillor Exton
Councillor Mrs Gaffigan
Councillor Higgs
Councillor Holmes
Councillor Howard
Councillor Mrs Jalili

Councillor Sam Jalili
Councillor Mrs Kaberry-Brown
Councillor Vic Kerr
Councillor Parkin (Chairman)
Councillor Scott
Councillor Mrs Smith
Councillor Turner
Councillor Avril Williams

OFFICERS

Acting Lead Professional
Principal Planning Officer (2)
Area Planning Officer (2)
Planning Technician
Committee Support Officer
Legal Executive
Bryan Wolsey - application PG1 only

OTHER MEMBERS

Councillor Taylor
*(In accordance with council procedural
24.5, Councillor Taylor spoke in
connection with application PWM1)*

34. APOLOGIES

An apology for absence was received from Councillor Helyar.

35. DECLARATIONS OF INTEREST

There were none declared.

36. MINUTES OF MEETING HELD ON 20TH JULY 2010

The minutes of the meeting held on 20th July 2010 were approved as a correct record of decisions taken.

37. PLANNING MATTERS

Decision:-

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

PG1

| | |
|------------------|--|
| Application ref: | S08/0448/MJNF |
| Description: | Erection of three commercial warehouse/distribution units with associated buildings/works including offices, new access road, parking, landscaping, external lighting, fencing and security booths |
| Location: | Land At Tollemache Road, (east Of The A1, South Of Gorse Lane, West Of Spittlegate Level), Grantham |
| Decision: | Approved |

Noting this application was presented by Bryan Wolsey, former Acting Lead Professional.

Members were reminded that at their meeting in September 2009 they had resolved to grant planning permission subject to the imposition of certain conditions, although the actual issue of approval had been deferred for determination by the Principal Planning Officer (North Team) after consultation with the Chairman subject to the resolution of certain outstanding matters and conditions. In the event the decision notice had not been issued because of continued liaison by the applicants with the Highways Agency over the final design of the complex junction to the A1, and subject also to other matters which had arisen. In the circumstances it had been felt more appropriate not to issue the decision so that the conditions could be imposed which reflected the accurate and up to date position with the application. It was noted that the purpose of the report was only to give consideration to the matter appropriate conditions, and not to reopen consideration on the matter of the decision itself.

The changes to conditions arose in three principle areas - firstly the "life" some of the planning permission; secondly the detailed design of the junction onto the A1; and lastly on the question of the limitation on the hours of working affecting units 2 and 3. The detail concerning these areas was set out in the report and was expanded on by Bryan Wolsey.

Members noted also the late report which was circulated to members present at the meeting, including comments from Heritage Lincolnshire and a recommended change to condition 22.

Following comments by members at the meeting, it was proposed, seconded and agreed that the application be approved subject to the following conditions:-

1. The development hereby permitted shall be commenced before the expiration of four years from the date of this permission.
2. Prior to the commencement of any development, a detailed surface water drainage strategy for the design, provision, implementation and long term maintenance of surface water drainage and SUDS assets, fully in accordance with Planning Policy Statement 25, shall be submitted to and approved in writing by the Local Planning Authority.
3. Prior to the commencement of development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), a scheme to deal with the risk associated with contamination of the site shall be submitted to and approved, in writing, by the Local Planning Authority. That scheme shall include all of the following elements unless specifically excluded, in writing, by the Local Planning Authority.
 - a) A preliminary risk assessment which has identified:
 - * all previous uses
 - * potential contaminants associated with those uses
 - * a conceptual model of the site indicating sources, pathways and receptors
 - * potentially unacceptable risks arising from contamination at the site.
 - b) A site investigation scheme, based on (a) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
 - c) The site investigation results and the detailed risk assessment (b) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
 - d) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (c) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express consent of the local planning authority. The scheme shall be implemented as approved.

4. No soakaway shall be constructed in contaminated ground.

5. Any above ground facilities for the storage of oils, fuels or chemicals shall be sited on an impervious base and surrounded by impervious walls. The volume of the bunded compound must be at least equivalent to the capacity of the tank plus 10%. All filling points, vents, gauges and sight glasses must be located within the bund. The drainage system of the bund shall be sealed with no discharge to any watercourse, land or underground strata. Associated pipe work must be located above ground and protected from accidental damage. All filling points and tank overflow pipe outlets must discharge into the bund. Such facilities shall be constructed and completed in accordance with plans approved by the Local Planning Authority.
6. The development shall be built in accordance with the materials detailed on the approved plans unless otherwise agreed in writing by the local planning authority.
7. No part of the development hereby approved shall be occupied until the works indicated on drawings A038060-H-35-12-18-Revision C, A038060-H-35-10-25-Revision C, A038060-H-35-12-19-Revision C, A038060-H-35-10-26-Revision C, A038060-H-35-12-20-Revision C, A038060-H-35-10-27-Revision B and A038060-H-35-10-24-Revision C have been completed and are open to vehicular traffic unless amended drawings or construction phasing have otherwise been agreed in writing by the local planning authority in consultation with the Highway Agency.
8. No development shall commence until details of a scheme to deal with the management of development construction traffic has been agreed in writing by the local planning authority following consultation with the Highways Agency. The scheme shall deal with issues of traffic safety and traffic journey time reliability. The approved scheme shall thereafter be implemented throughout the construction phase of the development.
9. Before any externally-mounted and permanent plant and/or machinery is used on the premises, it shall be enclosed with sound-insulating material and mounted in a way which will minimise transmission of structure borne sound in accordance with a scheme to be approved in writing by the local planning authority.
10. This permission relates solely to the application as amended by plans received on 4 April 2009 read together with the amended plans received on 20 July 2009 and 5 August 2009.
11. The development shall be constructed to accord with the levels indicated Site Section plan 3713/022 A as received by the local planning authority on 20 July 2009 unless otherwise agreed in writing by the local planning authority.

12. The arrangements shown on the approved plan 3713-000 Rev J as issued by your agents under cover of their letter of 22 July 2010 for the parking / turning / manoeuvring / loading / unloading of vehicles shall be available at all times when the premises are in use.
13. None of the commercial premises hereby approved shall be occupied until the vehicular link between the A1 and B1174 as shown on the approved Masterplan drawing No. 3713/000/J as issued by your agents under cover of a letter dated 22 July (or any similar amended drawing that may be approved by the local planning authority in substitution for that drawing) has been substantially completed in accordance with that plan and is open to vehicular traffic, including the junctions with the A1 and the B1174 as shown on the approved plans.
14. None of the commercial premises hereby approved shall be occupied until the improvement works to the signalised junction of the A52/B1174/B667 shown on the approved drawing A038060/H/35/01/29/A as received by the local planning authority on 20 July 2009 have been completed in accordance with that plan and are open to vehicular traffic.
15. Before each building is occupied the roads and/or footway providing access to that building shall be constructed from the public highway to the vehicular access point to that building to a specification equivalent to an adoptable highway less the carriageway and footway surface courses. The carriageway and footway surface courses shall be completed prior to the first occupation of the premises to which they relate.
16. No building shall be occupied until the approved drainage details required by condition 2 have been constructed and the building, curtilage, car park, access roads and the public highway have been connected to the approved system.
17. Within six months of the first occupation of each building, a Travel Plan for that building shall be submitted to, and approved in writing by the local planning authority. Thereafter annually a staff survey shall be analysed and submitted to the local planning authority that will provide details of the implementation of the Travel Plan. The occupier shall ensure that the travel arrangements are fulfilled in accordance with the Travel Plan, unless the local planning authority stipulates approval to any variation.
18. No development shall take place until further details of soft landscaping works have been submitted to and approved in writing by the local planning authority. The submitted details shall include planting plans, written specifications (including cultivation and other operations associated with plant and grass establishment) and schedules of plants, noting species, plant sizes and proposed numbers/densities where

appropriate.

19. All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with a programme agreed in advance with the local planning authority.
20. There shall be no activity in the service yard of unit 3 between the hours of 2300 and 0700.
21. There shall be no piling of foundations before a method statement has been submitted to and approved in writing by the local planning authority. The approved method of piling shall be used in all construction.

The developer shall afford access at all reasonable times to any archaeologist nominated by the local planning authority and shall afford him/her to observe the excavations and record items of interest and finds.

22. No development shall take place within 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 to and approved by the Local Planning Authority.

KJC1

Application ref: S10/1081/MJRF

Description: Change of use of land to use as a residential caravan site for Gypsies and Travellers as defined by Paragraph 15 of Circular 01/2006, with 13 mobile homes and 13 touring caravans, including the laying out of hardstanding and creation of new access

Location: Land North Of Fallows End, Stragglethorpe Lane, Fulbeck, Grantham

Decision: Refused

Noting comments made during the public speaking session from:-

Adam Gallon - objecting
Gary Greenhalgh - objecting
Jeremy Hurlstone - on behalf of the applicants

together with request to refuse from the Highway Authority, comments from the

Upper Witham Internal Drainage Board and Community Archaeologist, no objection from Planning Policy, comments from Assets and Facilities (Drainage), Crime Prevention Design Advisor - Lincolnshire Police, Defence Estates Safeguarding, Defence Estates - Estate Management, North Kesteven District Council, the Environment Agency and Lincolnshire Wildlife Trust, an objection from the National Farmers Union, objections from Caythorpe, Leadenham and Fulbeck Parish Councils, supporting information from the applicants, and objections from nearby residents, together with correspondence and a report from the applicants' agent in relation to the highway aspects, including the full recent appeal decision; late information report circulated to members at the meeting, including further supporting information from the applicant, additional comments from the Highway Authority (still requesting refusal) and additional representations from members of the public and the Fulbeck Lowfields Community Group, together with officers' comments on the information received in relation to highway and sustainability matters, and comments made by members at the meeting.

It was proposed, seconded and agreed that the application be refused for the following reason:-

1. The application is not materially different than the previous application.

It was then proposed and seconded that:-

EXCLUSION OF THE PUBLIC

IN ACCORDANCE WITH SECTION 100A(4) THE LOCAL GOVERNMENT ACT 1972, THE PUBLIC BE EXCLUDED FROM THE MEETING BECAUSE OF THE LIKELIHOOD, IN VIEW OF THE NATURE OF THE BUSINESS TO BE TRANSACTED, THAT IF MEMBERS OF THE PUBLIC WERE PRESENT, THERE WOULD BE A DISCLOSURE OF TO THEM OF EXEMPT INFORMATION AS DEFINED IN PARAGRAPH 5 OF PART 1 OF SCHEDULE 12A OF THE ACT.

This proposition was approved.

(1.40 pm - the press and public left the meeting).

Enforcement Action - Traveller Encampment, land adjoining Fallows End, Fulbeck Lowfields

Decision:-

That prosecution and injunctive procedure proceedings be taken with regard to the traveller encampment on land adjoining Fallows End, Fulbeck Lowfields.

Members considered report PLA828 from the Planning Enforcements Officer in relation to the unauthorised traveller encampment on land adjoining Fallows End, Fulbeck Lowfields, following the refusal of planning permission.

Following advice from the Legal Executive on the options opened to the committee, and following also a lengthy discussion on the alternatives set out in the report, it was proposed, seconded and agreed that prosecution proceedings and injunctive proceedings be commenced in relation to the unauthorised use.

(1.55pm - Councillor Turner entered the meeting).

(2.00pm - the press and public were re-admitted to the meeting).

KJC2

| | |
|------------------|---|
| Application ref: | S09/2245/MJRF |
| Description: | Erection of 67 dwellings and formation of spillway lagoon |
| Location: | Land Off Springfield Road & Caunt Road, Grantham |
| Decision: | Deferred |

Noting comments during the public speaking session from:-

Kevin Pearson - on behalf of the applicants

Together with comments from the Highway Authority, Community Archaeologist, Environmental Protection Officer (Contamination), Environmental Protection (Statutory Noise Nuisance), Environment Agency, Anglian Water, Planning Policy, Open Space Officer, Partnerships Project Officer and Lincolnshire County Council (Education), objections from nearby residents and submissions in support from the applicant:-

Late information circulated to members at the meeting including comments from Lincolnshire County Council Education Planning Manager, report of sight inspection and comments made by members at the meeting.

It was proposed, seconded and agreed that the application be deferred for determination by the acting Lead Professional, after consultation with the Chairman or Vice Chairman, subject to the conditions referred to in the agenda, the completion of a Section 106 Agreement, in relation to appropriate developer contributions, but in this case as the agreement has not been concluded prior to the committee, a period not exceeding 6 weeks post the date of the committee shall be set for the completion (including signing) of the agreement. In the event that the agreement has not been concluded, and where in the opinion of the acting lead professional in consultation with the Chairman, there

are not extenuating circumstances which would justify a further extension of time, the related planning application shall be refused on the basis that the necessary infrastructure or community contributions essential to make what would otherwise be unacceptable developments acceptable have not been forthcoming.

JJ1

Application ref: S10/0934/MJRO

Description: Outline application for residential development and associated play areas, allotments and openspace

Location: Land Between, Godsey Lane And Towngate East, Market Deeping

Decision: Deferred

Noting comments made during the public speaking session from:-

John Holden - applicants

Together with comments from Market Deeping Town Council, no objection from the Leisure Officer, Partnership Project Officer or Anglian Water, comments from the Environment Agency, Welland and Deepings Internal Drainage Board, Community Archaeologist, East Midlands Councils, East Midlands Development Agency, Lincolnshire Fire and Rescue Service, Lincolnshire County Council Childrens Services and Lincolnshire NHS, no objection from the Highway Authority or Lincolnshire Wildlife Trust, a number of representations from nearby residents; late information report circulated to members at the meeting including additional letters of objection from local residents, comments from the Community Archaeologist and additional comments from the applicants, together with a change to the recommendation from the officers, reporters sight inspection and comments made by members at the meeting.

It was proposed and seconded that the application be approved. As an amendment, it was proposed and seconded that further consideration be deferred to investigate, with the Highway Authority, the possibility of an alternative and additional exit from the site to Towngate East, and also for discussions with the applicants with regard to the housing design and density and for consideration to be given to a maximum number of dwellings (120) to be accommodated on the site. On being put to the vote the amendment was carried, and on being put as a substantive motion was also carried.

(The meeting adjourned from 3.00pm to 3.15pm).

JJ2

| | |
|------------------|--|
| Application ref: | S10/0653/RM |
| Description: | Erection of 6 dwelling (reserved matters) |
| Location: | 36, Newton Way, Woolsthorpe By Colsterworth, Grantham, Lincolnshire |
| Decision: | Approved |

Noting no objection from the Highway Authority, comments from the Community Archaeologist, Assets and Facilities Officer, English Heritage and Parish Council and an objection from a nearby resident, together with comments made by members at the meeting.

It was proposed and seconded that the application be approved, subject to the summary of reasons set out by the Case Officer in the circulated report, and subject also to the following conditions:-

1. 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 extension, enlargement or other alteration of the building(s) shall be carried out without Planning Permission obtained from the Local Planning Authority.
2. 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 window, dormer window or rooflight other than those expressly authorised by this permission shall be constructed without planning permission having first been obtained from the Local Planning Authority.
3. No development shall take place until samples of the materials (including colour of render, paintwork or colourwash) to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
4. Prior to any buildings being occupied the private drive shall be completed in accordance with the details shown on drawing number 1517.A.1a dated 15th March 2010.
5. No development shall take place before a scheme has been agreed in writing by the Local Planning Authority for the construction of a 1.2 metre wide footway, together with arrangements for the disposal of surface water run-off from the highway at the frontage of the site. The agreed

works shall be fully implemented before (any of) the dwelling(s) is/are occupied or in accordance with a phasing arrangement to be first agreed in writing with the Local Planning Authority.

6. Prior to any of the buildings being occupied, the private drive shall be completed in accordance with the details shown on drawing number 1517.A.1a dated 15 March 2010.
7. No development shall take place before the detailed design of the arrangements for surface water drainage has been agreed in writing by the Local Planning Authority and no building shall be occupied before it is connected to the agreed drainage system.
8. Before any dwelling is commenced, all of that part of the estate road and associated footways that forms the junction with the main road and which will be constructed within the limits of the existing highway, shall be laid out and constructed to finished surface levels in accordance with details to be submitted to and approved by the Local Planning Authority.

Note(s) to Applicant

1. You are advised that the application site falls within an area affected by Radon. You are asked to contact the Council's Building Control section (telephone number 01476 406187) to ascertain the level of protection required and whether a geological assessment is necessary.
2. Where private drives are proposed as part of any development you should be aware of the requirements laid down in the Lincolnshire Design Guide for Residential Areas.
3. Prior to the submission of details for any access works within the public highway you must contact the Divisional Highways Manager on 01522 782070 for application, specification and construction information.
4. This road is a private road and will not be adopted as a Highway Maintainable as the Public Expense (under the Highways Act 1980) and as such the liability for maintenance rests with the frontagers.
5. No development shall be commenced on site before works to improve the public highway have been certified, completed and approved by the local planning authority. (See previous correspondence of 24.07.06).
6. The applicant be reminded of the need to comply with the substantive outline consent (S08/0005).

JJ3

Application ref: S10/0746/FULL

Description: Erection of three dwellings and associated works (amendment to application S09/1659) (plots 36 -

38A)

Location: Former Quarry Farm Brickworks, Little Casterton Road, Stamford

Decision: Deferred

Noting no objection from the Highway Authority, Stamford Town Council or the Environment Agency and comments from the police liaison officer; late information report circulated to members at the meeting including no objection from Stamford Town Council to the amended plans and additional letters of objection from nearby residents, and comments made by members at the meeting.

It was proposed, seconded and agreed that the application be deferred for determination by the Acting Lead Professional, after consultation with the Chairman or Vice Chairman, subject to the summary of reasons set out in the case officer's report, subject to the signing of a Section 106 Agreement linking the development to the requirements of the Section 106 Agreement for the main development (SO9/1659) and subject also to appropriate conditions.

PWM1

Application ref: S10/1020/MJNF

Description: Change of use from dwelling to mixed use of dwelling and venue for wedding and civil ceremonies

Location: St. Vincents, St. Vincents Road, Grantham

Decision: Approved

Noting comments made during the public speaking session from:-

Lorraine Adcock - objecting
Ben Harness - objecting
Dale Wright - objecting
Graham Jeal - applicant

Together with comments from Community Archaeologist and Environment Protection, no objection from the Highway Authority and a number of letters of objection (including a petition) from nearby residents; late information reports circulated to members at the meeting including further observations from the Highway Authority and a note of five further letters of objection from nearby residents, reporters sight inspection and comments made by members at the meeting.

It was proposed, seconded and agreed that the application be approved, subject to the summary of reasons set out in a Case Officer's report, and subject also to the following conditions:-

1. The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.
2. The mix of uses hereby permitted include residential use as a single dwelling and the holding of wedding/civil ceremonies (involving formal ceremonies inside the building and post ceremony photography within the grounds - in accordance with the supporting information submitted with the application and the emails received 25 June 2010 and 26 July 2010) and do not include the holding of wedding receptions or similar events.
3. The total number of events shall not exceed 30 in any calendar year with a maximum of 60 persons per wedding/civil ceremony group unless otherwise agreed in writing by the local planning authority.
4. No event shall take place before 10:00 or after 21:00 unless otherwise agreed in writing by the local planning authority.
5. The arrangements shown on the approved block plan dated 27 May 2010 for the parking/turning/manoeuvring/loading/unloading of vehicles shall be available at all times when the premises are in use and in accordance with the additional information received 26 July 2010 in relation to the events and parking arrangements.
6. In the event of more than one wedding/civil ceremony event being held on any given day, there shall be a time gap of at least two hours between the time when one group of guests must leave and the next group are permitted to arrive.
7. No music, live or amplified shall be played within the grounds of the building or within any marquee that is erected within the grounds.
8. Amplified music shall only be allowed within the building where it is incidental to ceremonies.
9. There shall be no firework displays in connection with weddings/civil ceremony events.
10. Before the use hereby permitted is commenced, details of the marquee (including dimensions, siting and details of any ancillary equipment such as generators, lighting etc) shall be submitted to and agreed in writing with the Local Planning Authority. Development shall be carried out in accordance with the approved details.

11. Any marquee shall be removed as soon as practicably possible from the site during periods when wedding/civil ceremony events are not taking place.

NB1

Application ref: S10/0701/FULL

Description: Mixed use development incorporating 1 house, 2 flats and 2 shops

Location: R/o 4, St. Pauls Street, Stamford

Decision: Approved

Noting comments made during the public speaking session:-

Paul Havard - objecting

together with an objection from Stamford Town Council, comments from English Heritage, and Lincolnshire Heritage, no objection from the Highway Authority, comments from Stamford Town Council on the amended plans and a letter of objection from a nearby resident, report of sight inspection and comments made by members at the meeting.

It was proposed, seconded and agreed that the application be approved, subject to summary of reasons set out in the Case Officer's report, and subject also to the following conditions:-

1. The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.
2. This permission relates solely to the application as amended by amended plans received in 14 July 2010.
3. 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 window, dormer window or rooflight other than those expressly authorised by this permission shall be constructed without planning permission having first been obtained from the Local Planning Authority.
4. No development shall take place within 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 to and approved by the Local Planning Authority.
5. No works shall take place until full details of the all proposed joinery

works including 1:20 sample elevations and 1:1 joinery profiles have been submitted to and approved by the Local Planning Authority. The scheme shall be implemented in strict accordance with the agreed details and maintained as such thereafter.

6. A sample panel of the proposed materials shall be constructed on site, and shall be subject to the approval of the district planning authority prior to work commencing on site. The panel shall show the proposed method of construction including the type of natural stone and its finish, the mortar mixture and the method of coursing to be used in the development. The approved development shall be constructed in accordance with the sample panel as may be approved.
7. The arrangements shown on the approved plan '2009/59 – 3 A', dated 23 March 2010 for the parking/turning/manoeuvring/loading/unloading of vehicles shall be available at all times when the premises are in use.
8. The screening to the rear terrace of flat 1 shall be erected prior to the occupation of the property and shall be retained thereafter in perpetuity.

Note(s) to Applicant

1. You are advised that the application site falls within an area affected by Radon. You are asked to contact the Council's Building Control section (telephone number 01476 406187) to ascertain the level of protection required and whether a geological assessment is necessary.

(4.35pm - Councillor Mrs Kaberry-Brown left the meeting).

NB2

Application ref: S10/0768/FULL

Description: Conversion of dwellinghouse to 4 flats

Location: 10, North Street, Stamford, Lincolnshire

Decision: Approved

Noting comments from Lincolnshire Heritage and the Highway Authority, an objection from a nearby resident together with comments made by members at the meeting.

It was proposed, seconded and agreed that the application be approved, subject to the summary of reasons set out in the Case Officer's report, and subject also to the following conditions:-

1. The development hereby permitted shall be commenced before the

expiration of three years from the date of this permission.

2. This permission relates solely to the application as amended by plan received on 14 July 2010.
3. As identified on the amended plan the bins associated with the proposal, save for collection day, shall be stored in the identified space within the garage on the groundfloor.

Note(s) to Applicant

1. You are advised that the application site falls within an area affected by Radon. You are asked to contact the Council's Building Control section (telephone number 01476 406187) to ascertain the level of protection required and whether a geological assessment is necessary.

(4.37pm - Mrs Kaberry-Brown returned to the meeting).

JST1

Application ref: S10/1213/FULL

Description: Change of use of public highway land to mixed use of public highway land and outdoor seating area ancillary to existing cafe use

Location: Frothys Coffee Shop, 12, Ironmonger Street, Stamford, Lincolnshire

Decision: Approved

Noting no objection from Stamford Town Council or the Highway Authority and comments made by members at the meeting.

It was proposed, seconded and agreed that the application be approved, subject to the summary of reasons set out in the Case Officer's report, and subject also to the following condition:-

1. The outdoor seating area is permitted in accordance with the following dimensions: 2.3m x 6.0m maximum and shall only be permitted between the hours of 10:00 and 16:00 hours, Monday to Thursday, Saturday and Sunday.

Note(s) to Applicant

1. You are advised that the application site falls within an area affected by Radon. You are asked to contact the Council's Building Control section (telephone number 01476 406187) to ascertain the level of protection required and whether a geological assessment is necessary.

2. Notwithstanding the details in the approved drawings this permission does not grant consent for a site licence. A site licence is required from the Local Highway Authority in order to carry out the proposal.

(As the meeting had lasted for 3 hours, in accordance with Council procedural 9, the committee voted for the meeting to continue).

(4.40pm - Councillors Mrs Jalili and Sam Jalili left the meeting).

KJC3

Application ref: S10/1260/FULL

Description: Change of use of office building to dwelling

Location: Barkston Heath Mushrooms, Heath Lane, Barkston

Decision: Refused

Noting comments made during the public speaking session from:-

Tony Aspbury - agent

together with comments from Planning Policy, Highway Authority and the Senior Historic Environment Officer (Archaeology), no objection from the Parish Council and submissions in support from the applicants; late information report circulated to members at the meeting including a letter from the applicants agent in support and additional comments from Planning Policy on the agent's letter together with comments made by members at the meeting.

It was proposed, seconded and agreed that the application be refused for the following reason:-

1. The proposed change of use would result in the creation of a dwelling in the countryside. The existing building does not contribute to the character and appearance of the local area by virtue of its historic or vernacular form.

It is considered that it has not been proven that there are not more sustainable options available for the building. The removal of commercial buildings from the site and the potential reduction in comings and goings generated by a residential use when compared to a commercial use are not considered to outweigh the conflict with central governments sustainability objectives and Policy SP1 of the adopted Core Strategy.

As such the proposed development is considered to be contrary to criteria F of Policy SP1 of the adopted South Kesteven Core Strategy and Planning Policy Statement PPS7 Sustainable Development in Rural

Areas.

IVW1

Application ref: S10/1454/LB
Description: Alteration of listed building (clean stonework)
Location: War Memorial, St Wulframs Church, Grantham
Decision: Deferred

Noting comments from English Heritage and comments made by members at the meeting.

It was proposed, seconded and agreed that the application be deferred for determination by the Acting Lead Professional, after consultation with the Chairman or Vice Chairman, subject to the Secretary of State for the Environment not requiring the application to be referred to him, and subject also to appropriate conditions.

RV1

Application ref: S10/1481/HSB
Description: Erection of conservatory
Location: 79, Northorpe, Thurlby, Bourne, Lincolnshire
Decision: Approved

Noting no objection from the Parish Council and comments made by members at the meeting.

It was proposed, seconded and agreed that the application be approved, subject to the summary of reasons set out in the Case Officer's report, and subject to the following condition:-

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

38. APPLICATION TO DIVERT PART OF PUBLIC FOOTPATH NO. 2 AT FENTON

Decision:-

That approval be given to divert part of public footpath No. 2, Fenton, subject to planning permission being granted for the site.

The Committee Support Officer introduced report LDS001 in relation to the above matter and confirmed that if approval was given to an order being made it would be subject to the usual publicity. The order was necessary because of an application for a change of use of the land crossed by the path from agricultural land to residential gardens.

It was accordingly proposed, seconded and agreed that authority be given for an appropriate order to be made.

39. INFORMATION RELATING TO DEVELOPMENT CONTROL AND OTHER PLANNING ACTIVITY

The Acting Lead Professional submitted his report PLA 836 listing details of applications not determined within the eight week time period. Also submitted was a list of applications dealt with under delegated powers and a planning appeals update including a summary of decisions.

40. UPDATE ON RECENT CHANGES TO LEGISLATION AND GOVERNMENT GUIDANCE AFFECTING PLANNING POLICY AND DEVELOPMENT CONTROL

The Acting Lead Professional introduced report PLA 838, which was intended to inform members of the changes to planning policy statement PPS3, concerning housing relating to housing densities and new housing in private residential gardens and the revocation of the East Midlands Regional Plan and the affects that these would have on the consideration and determination of planning applications.

Whilst the changes would have considerable impact on day to day decisions affecting planning applications, and in due course on how planning policy is made, in the district council's area the recently adopted South Kesteven Core Strategy had established to local policy framework for a number of years.

In relation to density of new housing, the previous PPS3 contained guidance on the effective and efficient use of land for new housing development but the previous advice that a figure of 30 dwellings per hectare should be used as a national indicative minimum to guide policy development and decision making had been deleted from the PPS. This paragraph now stated that local

authorities might wish to set out a range of densities across the plan area rather than one broad density range. The Acting Lead Professional commented that rather than a "one size fits all" indicative minimum, there would hopefully be a gentler approach to densities reflecting the rural nature of the area.

One aspect of the new PPS which had resulted in much comment related to the development of private residential gardens for new housing development, known as "garden grabbing". He said that whilst it had been popularly supposed that this was now not allowed, in fact the amendment to the PPS transferred the designation of such land from brown field to green field land and it could therefore be developed subject to the usual planning criteria applied elsewhere.

Members briefly discussed the report and asked questions of the Acting Lead Professional and noted the report.

41. CLOSE OF MEETING

The meeting closed at 5.02pm.