

MINUTES

DEVELOPMENT CONTROL COMMITTEE

TUESDAY, 14 SEPTEMBER 2010



COMMITTEE MEMBERS PRESENT

Councillor Adams (Vice-Chairman)
Councillor Exton
Councillor Helyar
Councillor Higgs
Councillor Holmes
Councillor Mrs Jalili
Councillor Sam Jalili

Councillor Mrs Kaberry-Brown
Councillor Vic Kerr
Councillor Parkin (Chairman)
Councillor Bob Sandall
Councillor Scott
Councillor Turner
Councillor Avril Williams

OFFICERS

Acting Lead Professional
Principal Planning Officer (2)
Area Planning Officer (3)
Planning Enforcement Officer
Section 106 Officer
Committee Support Officer
Legal Executive

OTHER MEMBERS

Councillor Hearmon

42. MEMBERSHIP

The committee was notified that a notice under Regulation 13 of the Local Government (Committees and Political Groups) Regulations 1990 had been received, appointing Councillor Bob Sandall in place of Councillor Howard for this meeting only.

43. APOLOGIES

An apology for absence was received from Councillor Cook.

44. DECLARATIONS OF INTEREST

The following interest was declared:-

Councillor Mrs Kaberry-Brown - personal and prejudicial interest in applications IVW1 and IVW2, under the Members Code of Conduct, and further under the Probity in Planning Code of Guidance, to avoid the impression of pre-determination or bias towards the application, in view of previous contact with the applicant, local residents and the Parish Council on these applications and previous applications on the same site.

45. MINUTES OF MEETING HELD ON 17TH AUGUST 2010

The minutes of the meeting held on 17th August 2010 were approved as a correct record of decisions taken.

(The electronic voting system being out of action, the vote on this minute was taken by a show of hands).

(Voting on subsequent minutes by the electronics voting system).

46. PLANNING MATTERS

Decision:-

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

PG1

Application ref: S08/1231/EIAOL

Description: Outline permission for residential, community facilities, public open space, sports pitch, railway bridge, roads and ancillary works

Location: Poplar Farm, Barrowby Road, Grantham

Decision: Deferred

Members were reminded that at their meeting in September 2009 they had resolved to grant planning permission, subject to the completion of a Section 106 Agreement and subject to appropriate conditions. Since that date there had been extensive negotiations between officers and the applicants to address, in particular, the issues of delivering the bridge over the railway line, affordable housing, the current policy context and the life of the permission.

It was noted that the report was only to consider those matters concerning the

Section 106 Agreement and the planning conditions, a decision having been taken in September 2009 to approve the development in principle. Details of the terms of the Section 106 Agreement and related planning conditions were set out in detail in the report which had been circulated, and were expanded on by the Acting Lead Professional.

Noting the late information report circulated to Members at the meeting, including letters from objectors in relation to previous objections to the scheme and a list of objections previously circulated, together with comments from 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, to the signing of a Section 106 Agreement in the terms set out in the report and subject also to the conditions listed in detail in the report.

NB1

Application ref:	S10/0682/MJNF
Description:	Erection of sports hall (incorporating swimming pool, fitness suite, gym, classroom and terrace)
Location:	Land R/o Existing Sports Hall, Conduit Road, Stamford
Decision:	Approved

(1.21pm - Councillor Helyar entered the meeting).

Noting no objection from Lincolnshire Heritage, Arboriculturist, Highway Authority, Sport England or Stamford Town Council, a number of letters of objection from nearby residents and submissions in support from the applicants; late information report circulated to Members at the meeting, including further observations from Stamford Town Council and a further 14 letters from local residents, summarised within the report, as a result of the additional consultation, 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 by the case officer in the circulated 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. 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.

3. Prior to use of the building commencing the parking layout identified on drawing number (90)001 shall be laid and marked out.
4. The vehicle parking area shown on the approved plans shall not be used otherwise than for the parking of private vehicles and motorcycles belonging to the occupants of and visitors to the development hereby approved and the existing sports centre.
5. Prior to building work commencing on the sports hall the proposed passing bay shown on drawing number NTP-10018-01 rev 0, contained in the Transport Assessment, shall be completed.
6. The sports hall shall not be open to the general public beyond current users identified in correspondence submitted by the agent dated 28 June 2010; unless otherwise agreed in writing with the Local Planning Authority.
7. No development approved by this permission shall be commenced until a scheme for the provision of surface and foul water drainage has been submitted to and approved in writing by the Local Planning Authority. The drainage works shall be completed in accordance with the details and timetable agreed to the satisfaction of the Local Planning Authority.
8. The Car Parking Management Strategy, contained in the Transport Assessment, identifying that students will be prohibited from using the Conduit Road car park, shall be implemented prior to the commencement of development.
9. No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
 - i. the parking of vehicles of site operatives and visitors

- ii. loading and unloading of plant and materials
- iii. storage of plant and materials used in constructing the development
- iv. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
- v. wheel washing facilities
- vi. measures to control the emission of dust and dirt during construction
- vii. a scheme for recycling/disposing of waste resulting from demolition and construction works

10. Prior to removal of the existing cricket wickets their replacements, identified on drawing SK-042 rev A (dated 19 August 2010), shall be completed.
11. No construction shall take place outside the hours of 07:30-18:00 Monday to Friday; 08:00-13:00 Saturday, nor at anytime on a Sunday or Bank Holiday.

Note(s) to Applicant

1. Prior to the submission of details for any access works within the public highway, please contact the Divisional Highways Manager (Lincolnshire County Council) on 01522 782070 for application, specification and construction information.
2. Prior to any works commencing on site, the applicant is required to contact the Local Highway Authority to discuss the access arrangements for all construction traffic. You must contact the Divisional Highways Manager on 01522 782070.
3. 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.

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 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 Children's Services and Lincolnshire NHS, no objection from the Highway Authority or Lincolnshire Wildlife Trust and a number of representations from nearby residents; late information report circulated to Members at the meeting including additional information from the Highway Authority in relation to proposed access arrangements, confirmation from the applicants that they would be willing to accept a condition restricting the total number of dwellings on the site to 120 and also a restriction on the scale of the buildings, together with 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 referred to in the case officer's report and subject to the completion of a Section 106 Agreement in relation to appropriate developer contributions and affordable housing, and to appropriate conditions to include conditions in relation to the scale of dwellings, and a restriction in the total number to a maximum of 120 dwellings, but in this case as the agreement has not been concluded prior to the committee, a period not exceeding six 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 or Vice Chairman, there are no 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.

JJ2

Application ref: S09/2397/MJRF

Description: Erection of 20 affordable dwellings and infrastructure

Location: Land West Of, Bourne Road, Morton

Decision: Deferred

Noting comments during the public speaking session from:-

Graham Robinson - objecting
Andre Ashton - objecting
Richard Edwards - applicants

together with no objection from the Highway Authority, and comments from the Arboriculturist, Lincolnshire Wildlife Trust, Local Education Authority, Leisure Services, Partnership Project Officer and the Parish Council, no objection from Anglian Water, comments from Heritage Lincolnshire, a number of representations from nearby residents and a note of the Section 106 Heads of Terms; late information report circulated to Members at the meeting including an additional letter of objection from a local resident together with officer comments on the information within the agenda, report of site inspection and comments made by Members at the meeting.

(2.03pm - Councillor Avril Williams left the meeting).

(2.07pm - Councillor Avril Williams returned to the meeting).

It was proposed and seconded that the application be refused, as the site is in an inappropriate location for the use, and on grounds of highway safety.

The Acting Lead Professional confirmed that he did not accept the reasons given in the meeting for the purposes of the procedure set out in the constitution. The Committee Support Officer then reminded Members of the procedure which must now be followed, as set out in the Constitution, where the committee proposed to take a decision against clear advice from the Acting Lead Professional. He reminded Members that the Constitution provided for a recorded vote on the first and subsequent hearings of an application in this category.

A recorded vote was then taken as follows:-

<u>For</u>	<u>Against</u>	<u>Abstain</u>
Councillor Higgs	Councillor Exton	Councillor Adams
Councillor Holmes	Councillor Helyar	Councillor Sam Jalili
Councillor Mrs Jalili	Councillor Parkin	
Councillor Mrs Kaberry-Brown	Councillor Bob Sandall	
Councillor Vic Kerr	Councillor Scott	
	Councillor Turner	
	Councillor Avril Williams	

The proposition was therefore lost.

It was then 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 referred to in the case officer's report, and subject to the completion of a Section 106

Agreement in relation to reduced developer contributions as now reported and affordable housing, and to appropriate conditions, 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 or Vice Chairman, there are no 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.

JJ3

Application ref:	S10/1076/MJRO
Description:	Erection of 14 dwellings
Location:	Land Adj 67, Broadgate Lane, Deeping St James
Decision:	Deferred

(2.47pm - Councillor Turner left the meeting).

Noting comments during the public speaking session from:-

Richard Edwards - applicants

together with no objection from the Highway Authority, Lincolnshire Police or Anglian Water, comments from Lincolnshire County Council Education, Lincolnshire Fire and Rescue Service, Lincolnshire PCT, Healthy Communities (Leisure Officer) and Heritage Lincolnshire, letters and a petition from local residents and a note of the Section 106 Heads of Terms; report of site inspection and comments made by Members at the meeting.

(2.49pm - Councillor Turner returned to 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 referred to in the case officer's report, and subject to the completion of a Section 106 Agreement in relation to appropriate developer contributions, and to appropriate conditions including conditions in relation to design and access and a maximum number of 14 dwellings, 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 or Vice Chairman, there are no 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.

JJ4

Application ref: S07/0809/MJRO

Description: Erection of 15 affordable dwellings

Location: The Old Quarry, Castle Bytham

Decision: Approved

Noting comments from the Highway Authority, Housing Solutions, Lincolnshire County Council (Education), Street Scene Services and Community Archaeologist, no objection from Natural England, comments from the Lincolnshire Wildlife Trust and Parish Council, representations from nearby residents, submissions in support from the applicants and comments made by Members at the meeting.

It was noted that the application had been originally reported on 21 August 2007 when determination had been deferred to the Lead Professional, after consultation with the Chairman and Vice Chairman, subject to the completion of a Section 106 Agreement in relation to affordable housing. The application was now reported back to the committee as the applicants had been involved in discussions with the Development Control team about imposing a condition to deal with affordable housing instead of a Section 106 Agreement.

Following legal advice it had been confirmed that the development could be adequately controlled by way of a condition and therefore such a condition had been attached to require the development to provide affordable housing in perpetuity instead of requiring a Section 106 Agreement.

It was proposed, seconded and agreed 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. The development hereby permitted shall be commenced before the expiration of three years from the date of this permission or two years from the approval of the last of the reserved matters, whichever is the later.
2. Details of the reserved matters set out below shall be submitted to the Local Planning Authority for approval within three years from the date of

this permission:

- (a) layout;
- (b) scale;
- (c) appearance;
- (d) access; and
- (e) landscaping.

Approval of all reserved matters shall be obtained from the Local Planning Authority in writing before any development is commenced.

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. When application is made to the District Planning Authority for approval of the 'reserved matters', that application shall be accompanied by a scheme of landscaping and tree planting (indicating inter alia, the number, species, heights on planting and positions of all the trees) in respect of the land to which that application relates; and such scheme shall require the approval of the District Planning Authority before any development is commenced. Such scheme as may be agreed 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.
5. The development hereby permitted shall not be commenced until a working method statement, to include details of plant, equipment, spoil and materials, as well as methods of working, has been submitted to and approved in writing by the Local Planning Authority. The method statement will demonstrate how the works will be undertaken to in order to protect the features for which the SSSI is so designed.
6. Before the development hereby permitted is commenced a plan shall be submitted to the Local Planning Authority showing areas of stand-off from the faces of former quarry which are to be protected from damage during the development period and for access in the event that it is required for the management of the features of interest.

7. The vehicular access shall incorporate 6m metres radii tangential to the nearside edge of the carriageway of Station Road and the minimum width of the access shall be 5.0 metres.
8. When the application is made for approval of the 'reserved matters' that application shall show details of the arrangements for the parking/turning/manoeuvring/loading/unloading of vehicles within the site. These arrangements shall be provided before the building is occupied and shall be kept permanently free for such use at all times thereafter.
9. 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.
10. Development shall not be begun until a scheme for the provision of Affordable/Low Cost Housing has been submitted to and approved in writing by the Local Planning Authority. the Affordable/Low Cost Housing shall be provided in accordance with the approved scheme. The Scheme shall include:
 1. The arrangements to ensure that such provision is affordable for both initial and subsequent occupiers of Affordable/Low Cost Housing in perpetuity; and
 2. The occupancy criteria to be used for determining the identity of prospective and successive occupiers of the Affordable House, and the means by which such occupancy criteria shall be enforced.

(The meeting adjourned from 3.05pm to 3.18pm).

(Councillor Avril Williams did not return to the meeting after the adjournment).

PL1

Application ref:	S10/1242/FULL
Description:	Change of use of land for siting of touring caravans and erection of amenity block
Location:	Wagtail Country Park, Cliff Lane, Marston, Grantham

Decision: Approved

Noting comments made during the public speaking session from:-

Mike Sibthorp - agent

together with comments from the Parish Council and no objection from the Highway Authority, report of site 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 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. The caravans hereby approved shall not be occupied between 31 January and 1 March in any year unless otherwise agreed in writing with the local planning authority.
3. The caravans hereby approved shall be occupied for holiday purposes only and shall not be occupied as a person's sole or main place of residence.
4. The owners/operators of the site shall maintain an up-to-date register of the names of all owners/occupiers of the individual caravans using the site, and of their main home addresses, and the dates and duration of their stays. This information shall be made available at all reasonable times to the District Planning Authority.
5. Notwithstanding the details shown on the submitted drawings this consent does not grant permission for the erection of the warden accommodation and office/reception building.
6. No works shall commence on site until a Section 278 Agreement Highways Act 1980 has been entered into with the local highway authority, Lincolnshire County Council to provide passing bays to a full approved specification together with all ancillary works.
7. Prior to commencement of any works on site relating to the siting of mobile homes, the works to improve the public highway (by means of passing bays to a full approved specification along with all associated

ancillary works) have been completed to the satisfaction of the Area Highways Manager.

PL2

Application ref: S10/1243/FULL

Description: Change of use of land for siting of mobile homes to be occupied in connection with fishery (in lieu of S09/1587)

Location: Wagtail Country Park, Cliff Lane, Marston, Grantham

Decision: Approved

Noting comments made during the public speaking session from:-

Mike Sibthorp - agent

together with no objection from the Highway Authority, report of site 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 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. The lodges hereby approved shall not be occupied between 31 January and 1 March in any year unless otherwise agreed in writing with the local planning authority.
3. The lodges hereby approved shall be occupied for holiday purposes only and shall not be occupied as a person's sole or main place of residence.
4. The owners/operators of the site shall maintain an up-to-date register of the names of all owners/occupiers of the individual lodges hereby approved, and of their main home addresses, and the dates and duration of their stays. This information shall be made available at all reasonable times to the District 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.

PL3

Application ref: S09/2864/OUT
Description: Erection of two dwellings
Location: Gordon House Farm, 15, Back Lane, Claypole, Newark
Decision: Deferred

Noting no objection from the Highway Authority or Environment Agency, comments from Environmental Protection and the Upper Witham Internal Drainage Board and comments from a local resident, report of site inspection and comments made by Members at the meeting.

It was proposed and seconded that the application be approved. The Acting Lead Professional advised that if Members wished to take this course of action, against the recommendation from the Case Officer to refuse, the application would have to be advertised as a departure from the Local Plan. In the circumstances, the Chairman advised that the proposal might more properly be worded that Members were "minded to approve" the application, to allow it to be advertised as a departure, as advised by the Acting Lead Professional.

The proposition, that the Committee are "minded to approve" the application but wish to defer it to allow it to be advertised as a departure from the Local Plan, was then put to the vote and agreed.

KJC1

Application ref: S10/1040/FULL
Description: Erection of 2 single storey dwellings
Location: 6, School Lane, Claypole, Newark
Decision: Deferred

Noting comments made during the public speaking session from:-

Stanley Pelter - objecting
Charmain Hawkins - agent

together with no objection from the Highway Authority or the Parish Council, comments from the Internal Drainage Board, objections from local residents and supporting information from the applicants' agents; late information report circulated to Members at the meeting including no objection from Anglian Water and comments from the Acting Principal Conservation Officer, report of site inspection and comments made by Members at the meeting.

It was proposed and seconded that the application be approved. The Acting Lead Professional advised that if Members wished to take this course of action, against the recommendation from the Case Officer to refuse, the application would have to be advertised as a departure from the Local Plan. In the circumstances, the Chairman advised that the proposal might more properly be worded that Members were "minded to approve" the application, to allow it to be advertised as a departure, as advised by the Acting Lead Professional.

The proposition, that the Committee are "minded to approve" the application but wish to defer it to allow it to be advertised as a departure from the Local Plan, was then put to the vote and agreed.

IVW1

Application ref:	S10/0253/FULL
Description:	Formation of access track off Bridge Street
Location:	Marston Hall, School Lane, Marston, Grantham
Decision:	Refused

(Councillor Mrs Kaberry-Brown, who had declared an interest, spoke in accordance with the provisions of the Constitution and at 4.07pm left the meeting).

Noting comments during the public speaking session from:-

Terry Jones - objecting on behalf of the Parish Council
Samantha Dunn - objecting
Mr Ivill - objecting
Mr N O'Keafe - objecting
Mike Sibthorp - agent

together with comments from the Highway Authority, an objection from the Parish Council, comments from the Community Archaeologist, English Heritage, Garden History Society, Aboricultural Officer and Upper Witham Internal Drainage Board, together with a number of individual representations from local residents and comments made by Members at the meeting.

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

It was proposed and seconded that the application be approved, subject to an additional condition in respect of low level and low intensity lighting along the proposed access track. On being put to the vote this proposition was lost. It was then proposed and seconded that the application be refused for the following reason:-

1. The use of the access track for vehicles entering and leaving the site, particularly late at night will significantly impact upon the residential amenities of adjoining residents by reasons of noise and disturbance inseparable from such activity. Therefore it is considered that the proposal is contrary to South Kesteven Core Strategy EN1 and PPG24 Planning and Noise.

IVW2

Application ref:	S10/0256/FULL
Description:	Use of Marston Hall for civil weddings, entertainment receptions, guided tours, conferences and use of adjacent land for event car parking
Location:	Marston Hall, School Lane, Marston, Grantham
Decision:	Withdrawn

In view of the decision to refuse Application IVW1, the Chairman withdrew this application to allow the applicant to resubmit the earlier application for the access track.

*(4.41pm - Councillor Mrs Kaberry-Brown returned to the meeting).
(4.41pm - Councillor Turner left the meeting).*

MJD1

Application ref:	S10/1249/HSB
Description:	Single storey conservatory to rear and erection of double garage
Location:	96, Harrowby Road, Grantham, Lincolnshire
Decision:	Approved

Noting objections from neighbouring and local residents, report of site 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 the case officer's report, and subject also the following conditions:-

1. The windows in the south elevation of the conservatory and the door to the east shall be obscure glazed and thereafter permanently retained as such.
2. The garage hereby approved shall be rendered to match other buildings in the area within 3 months of the date of this consent. Precise details of the colour of render shall be submitted and approved in writing by the Local Planning Authority.

JST1

Application ref:	S10/1204/MJRF
Description:	Demolition of existing garage depot and erection of 11 town houses (Extension to time for implementation of planning permission S06/1206)
Location:	Fossitt & Thorne, Eastgate, Bourne
Decision:	Deferred

Noting representations from a nearby resident 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 referred to in the case officer's report, and subject to the completion of a Section 106 Agreement in relation to developer contributions, and to appropriate conditions, 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 or Vice Chairman, there are no extenuating circumstances that 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.

(5.13pm - Councillor Mrs Kaberry-Brown left the meeting).

(5.16pm - Councillor Mrs Kaberry-Brown returned to the meeting).

47. INFORMATION REPORT - PLANNING ENFORCEMENT AND SECTION 106 AGREEMENTS

The Planning Enforcement Officer introduced his report PLA841, and advised Members that the purpose of the report was to update the committee on the work being carried out by the Monitoring and Enforcement Team within Development Control Services. The report included a summary of the high priority cases, an update on enforcement activity through the year and brief details of the work of the Section 106 Monitoring Officer and what had been achieved. The report also identified information on the resources allocated to the team.

The Planning Enforcement Officer highlighted, with the use of photographs, particular sites where development had been carried out without permission but a decision had been taken that it was not expedient to pursue and enforce. Each case was dealt with on a case by case basis and on the basis of facts and principles. A Section 106 report was included, listing Section 106 monies recovered from 2008 to the present date. Also attached to the report as an appendix was a copy of an Internal Audit report in relation to the Section 106 operation.

Members commented on and thanked the Planning Enforcement Officer and Section 106 Officer for their work. It was agreed that a letter be sent to the Section 106 Officer thanking her for her efforts and also to the Chief Executive saying how much the post, and the person in it, was valued.

48. INFORMATION RELATING TO DEVELOPMENT CONTROL AND OTHER PLANNING ACTIVITY

The Acting Lead Professional submitted his report PLA 842 listing details of applications not determined within the eight week time period. Also submitted was a list of applications dealt with under delegated powers.

49. CLOSE OF MEETING

The meeting closed at 5.18pm.