

MINUTES

DEVELOPMENT CONTROL
COMMITTEE
TUESDAY, 18 OCTOBER 2011



COMMITTEE MEMBERS PRESENT

Councillor Ashberry
Councillor Cook
Councillor Higgs
Councillor Vic Kerr
Councillor King
Councillor Morgan
Councillor Parkin (Chairman)
Councillor Powell

Councillor Bob Sandall
Councillor Jacky Smith
Councillor Mrs Judy Smith
Councillor Stevens
Councillor Adam Stokes
Councillor Mrs Brenda A Sumner
Councillor Wilkins (Vice-Chairman)

OFFICERS

Head of Development and Growth (Mark Williets)
Development Management Service Manager (Pat Reid)
Principal Planning Officers (Kevin Cartwright, Justin Johnson)
Area Planning Officers (Phil Moore)
Committee Support Officer (Malcolm Hall)
Assistant Solicitor (Paul Rushworth)

39. 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.

40. DECLARATIONS OF INTEREST

Councillor Mrs Brenda Sumner declared a personal and prejudicial interest in

applications JST1 and JST2, as she was a friend of one of the objectors to the application.

Councillor Adam Stokes declared a personal and prejudicial interest in application KJC1, as he had attended an open meeting promoted by the applicants.

Councillor Jacky Smith declared a personal and prejudicial interest in application KJC1, as she had a financial interest in part of the land.

Councillor Morgan declared a personal and prejudicial interest in application PWM1, as she had extensively lobbied against approval of the application.

Councillors Morgan, Cook, Jacky Smith, Mrs Judy Smith and Mrs Brenda Sumner declared a personal interest in applications PWM2 and PWM3, as members of the National Trust (the applicants).

41. MINUTES OF MEETING HELD ON 20TH SEPTEMBER 2011

The minutes of the meeting held on 20 September 2011 were approved as a correct record of decisions taken, subject to a small amendment to minute 33 to indicate that Councillors Ashberry and Morgan stood at the recent elections as Labour and Cooperative candidates, and the interest was not declared as members of the Labour and Cooperative Party.

42. PLANNING MATTERS

Decision:-

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

(1.11pm - Councillor Mrs Brenda Sumner left the meeting, having declared an interest in the next 2 items).

JST1

Application ref:	S11/1210/LB
Description:	Internal alterations to listed building
Location:	4, Barn Hill, Stamford, Lincolnshire, PE9 2AE
Decision:	Approved

Prior to discussion taking place on this application, the Committee Support Officer gave advice in relation to public speaking for the benefit of members (Councillors Bob Sandall and Cook) who had not been present at the meeting on 20 September 2011.

Noting comments from Lincolnshire Heritage Archaeology, English Heritage, the Conservation Officer and Nick Boles MP, objections from Stamford Town Council, Stamford Civic Society and a number of representations from nearby 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 by the case officer in the circulated report, and subject also to the following conditions:-

1. The works hereby permitted shall be commenced before the expiration of three years from the date of this consent.
2. Before the works hereby approved are commenced, a Method Statement together with full drawings of proposed service runs shall be submitted to the local planning authority detailing how services associated with en-suites and w.c. in the listed building are to be installed without causing any undue harm to historic fabric. Such Method Statement and drawings as may be agreed in writing shall be strictly adhered to in the installation of services.
3. Any works of re-pointing shall be undertaken using only hand tools and lime mortar to a mix to be agreed in writing with the local planning authority prior to the commencement of such works.

JST2

Application ref:	S11/1209/FULL
Description:	Erection of fence
Location:	4, Barn Hill, Stamford, Lincolnshire, PE9 2AE
Decision:	Approved

Prior to discussion taking place on this application, the Committee Support Officer gave advice in relation to public speaking for the benefit of members (Councillors Bob Sandall and Cook) who had not been present at the meeting on 20 September 2011.

Noting no objection from the Highway Authority, an objection from Stamford Town Council, comments from Lincolnshire Heritage Archaeology, objections from Stamford Civic Society and a number of objections from nearby 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 by the case officer in the circulated

report, and subject also to the following condition:-

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

(1.16pm – Councillor Mrs Brenda Sumner returned to the meeting).

JST3

Application ref: S11/1346/FULL

Description: Demolition of motel building and erection of four detached dwellings and associated garages and boundary treatment

Location: The Towngate Inn, 3, Towngate East, Market Deeping, Peterborough, PE6 8DP

Decision: Deferred

Noting comments during the public speaking session from:-

Ricardo Rossetti – Agent

together with comments from the Archaeologist, Welland and Deepings Internal Drainage Board and Planning Policy, no objection from the Highway Authority and objections from nearby residents; late information report circulated to members present at the meeting including no objection from Market Deeping Town Council and officer comments in regard to a typographical error in the report, report of site inspection and comments made by members at the meeting.

It was proposed, seconded and agreed that the application be deferred for determination by the Development Management Service Manager, 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 applicants agreeing to the inclusion of an additional condition regarding noise attenuation and acoustic fencing on the boundary between the site and the adjoining haulage yard, and subject also to appropriate conditions, to include the conditions in the main report.

JST4

Application ref: S11/1362/FULL

Description: Section 73 application for variation of Condition 6 (deletion of french doors) of p/p S10/2119

Location: 48A, East End, Langtoft, Peterborough,
Lincolnshire, PE6 9LP

Decision: Approved

Noting no objection from the Parish Council, comments from the Archaeologist and 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 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. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any 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.
3. 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 is occupied. The development shall be carried out in accordance with the approved details.
4. Before development commences on site further details relating to the vehicular access to the public highway, including materials, specification of work and construction method shall be submitted to the local planning authority for approval. The approved details shall be implemented on site before the development is first brought into use and thereafter maintained at all times.
5. Before the dwelling is occupied, the access and turning space shall be completed in accordance with the approved plan, drawing number RR/DA/5012/10B dated 10 September 2010, and retained for that use thereafter.
6. The development shall be constructed with the identified materials, namely stone and Terca Kassandra' multi bricks and Sandtoft Arcadia clay pantiles.
7. The development shall be carried out in accordance with approved drawing no' RR/DA/5012/10B REV B.

8. The openings within the north elevation shall be restricted to a single window measuring no greater than 1.8m wide and 1.05m high only as indicated on drawing no. A/5011/10C dated 15 June 2011. Enlargements to this window or the insertion of other opening/s within this elevation shall be the subject of an application to the Local Planning Authority.

Note(s) to Applicant

1. Prior to the commencement of the development hereby permitted you are advised to contact the Divisional Highways Manager, Lincolnshire County Council (telephone no. 01522 782070) to discuss the proposed works within highway limits.
2. The applicant is advised that a new consent has been issued with the allowance of a single window opening only. Enlargements or the insertion of other windows will require a further planning application.
3. Conditions 3 (boundary treatment) and 4 (highway works) are pre-commencement conditions and need the details approving for these conditions. An application should be made for the approval of details reserved by conditions as a matter of urgency.

(1.50pm – Councillors Adam Stokes and Jacky Smith left the meeting, having declared an interest).

KJC1

Application ref: S11/1501/MJRF

Description: 60 bed residential Nursing and Dementia Home (Class C2) and 72no. extra care apartments (Class C2) with associated car parking and landscaping

Location: Land off Springfield Road, Grantham

Decision: Deferred

Noting comments made during the public speaking session from:-

Andy Marshall – agent

together with comments from the Highway Authority, Planning Policy, Partnerships Projects Manager (Affordable Housing), Anglian Water, Environmental Protection (Noise), Natural England, Environmental Protection (Contaminated Land), Community Leisure Officer (Open Space), Environment Agency and Arboricultural Consultant, an objection from a nearby resident, and submissions in support from the applicants and a note of proposed Section 106 Heads of Terms; late information report circulated to members at the meeting including further comments from the Highway Authority in regard to the Section

106 agreement for proposed highway improvements, comments from the applicants in response, including correspondence from the County Council Strategic Development Adult Care section and officer comments thereon in relation to a reduced Section 106 amount of £25,000, report of site inspection from the previous meeting and comments made by members at the meeting.

It was proposed, seconded and agreed that the application be deferred for determination by the Development Management Service Manager, after consultation with the Chairman or Vice Chairman, subject to the summary of reasons referred to in the case officer's report, subject to the satisfactory completion of a Section 106 agreement in relation to the developer contribution (reduced quote) of £25,000 towards local bus services, subject to an additional condition requiring all windows/balconies overlooking Huntingtower Road to be in opaque glass up to a height of 2 metres from floor level, and subject also to appropriate conditions, to include the conditions in the main report.

(2.32pm – Councillors Jacky Smith and Adam Stokes returned to the meeting).

PWM1

Application ref:	S11/2065/FULL
Description:	Residential development - 8 dwellings (including demolition of former hotel)
Location:	Shirley Croft Hotel, Harrowby Road, Grantham, NG31 9EA
Decision:	Deferred

(Councillor Morgan spoke in accordance with the provisions in the Constitution, and, having declared a personal and prejudicial interest, left the meeting at 2.53pm).

Noting comments during the public speaking session from:-

Jim Smith – objecting
Mrs Brosnan - objecting
Mrs Myers – objecting
Mike Sibthorp – Agent

together with comments from the Highway Authority and SKDC Arboriculturist, and an objection from a nearby resident; late information report circulated to members present at the meeting including further comments from consultees, no objection from the Highway Authority and comments from the Community Archaeologist, Upper Witham Internal Drainage Board and Grantham Civic Trust, no objection from the Arboriculturist and detailed comments from the SKDC Principal Conservation Officer in regard to the historic merits of the

Shirley Croft building and the likelihood of it gaining listing status as well as the potential implications of issuing a building preservation notice (also circulated by email to members), an objection from Councillor Morgan, further representations from members of the public, including a petition with 12 signatures, letters in support of the application and officer comments on the information received and issues raised, including an amended summary of reasons and an amended schedule of suggested conditions, report of site inspection and comments made by members at the meeting.

It was proposed and seconded that the application be approved. Following further discussion, an amendment was proposed and seconded that the application be approved subject to an amended plan showing single storey properties facing Croft Drive and in the south eastern corner of the site. The proposition to approve was withdrawn, and the proposition to defer for approval by the Chairman or Vice Chairman subject to the submission of an amended plan was then put and agreed, and the application was therefore deferred for determination by the Development Management Service Manager, after consultation with the Chairman or Vice Chairman, subject to the submission of a satisfactory amended plan showing single storey development fronting Croft Drive and in the south east corner of the site, and subject to the summary of reason and the schedule of conditions included within the late report.

(The meeting adjourned from 3.38pm to 3.58pm).

(The Chairman did not return to the meeting on its resumption, and the Vice Chairman, Councillor Wilkins, was in the Chair for the remainder of the meeting).

PWM2

Application ref: S11/2027/LB

Description: Conversion and extension of storage buildings to form childrens indoor play area and cafe including associated wc and plant room

Location: The Ride, Belton House, Belton, Grantham, NG32 2LS

Decision: Approved

Noting comments during the public speaking session from:-

Alexander Gordon – applicant

together with comments from the Community Archaeologist, England Heritage and the SKDC Conservation Officer, 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 by the case officer in the circulated report, and subject also to the following conditions:-

1. The works hereby permitted shall be commenced before the expiration of three years from the date of this consent.
2. No works shall take place until samples of the materials (bricks, fibre cement roof covering, stone for lintels/cills, painted timber cladding) 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. The works shall be carried out in accordance with the approved details.
3. No works shall take place until full details of external joinery works (all proposed doors and windows), including 1:20 scale sample elevations and cross sections (1:1 - 1:5 scale) to show cills, lintols, frames, glazing bars etc.the have been submitted to and approved by the Local Planning Authority. The works shall be implemented in strict accordance with the agreed details and maintained as such thereafter.
4. The development hereby permitted shall be carried out in accordance with the following list of approved plans submitted as part of the application:

BE/M/D/06 - Areas of Potential Archaeology
BE/M/D/07 - Proposed Layout
BE/M/D/08 - Proposed Roof Layout
BE/M/D/09 - Elevations 1 & 2 - Proposed
BE/M/D/10 - Elevations 3 & 4 - Proposed
BE/M/D/11 - Internal Elevations - Proposed
A-179-55B - Proposed Plan & Elevations
02A - Proposed Roof Covering, Insulation & Acoustic Absorption
110410-01 - Proposed Remedial Roof Details
1:500 Block Plan

PWM3

Application ref:	S11/2026/FULL
Description:	Conversion and extension of storage buildings to form childrens indoor play area and cafe including associated wc and plant room
Location:	The Ride, Belton House, Belton, Grantham, NG32 2LS
Decision:	Approved

Noting comments made during the public speaking session from:-

Alexander Gordon – applicant

together with comments from the Community Archaeologist, English Heritage, Lincolnshire Wildlife Trust and SKDC Conservation Officer, 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 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 (bricks, fibre cement roof covering, stone for lintels/cills, painted timber cladding) 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. No development shall take place until full details of external joinery works (all proposed doors and windows), including 1:20 scale sample elevations and cross sections (1:1 - 1:5 scale) to show cills, lintols, frames, glazing bars etc.the have been submitted to and approved by the Local Planning Authority. The development shall be implemented in strict accordance with the agreed details and maintained as such thereafter.
4. No development shall take place within the application site until the applicant has secured the maintenance of an on-site watching brief by a suitably qualified and experienced archaeologist during construction work in accordance with written details which have been submitted to and approved in writing by the Local Planning Authority. In the event of important archaeological features or remains being discovered which are beyond the scope of the watching brief to excavate and record and which require a fuller rescue excavation, then construction work shall cease until the applicant has secured the implementation of a further programme of archaeological work in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority.
5. The development hereby permitted shall be carried out in accordance with the following list of approved plans submitted as part of the application:

BE/M/D/06 - Areas of Potential Archaeology
BE/M/D/07 - Proposed Layout
BE/M/D/08 - Proposed Roof Layout
BE/M/D/09 - Elevations 1 & 2 - Proposed
BE/M/D/10 - Elevations 3 & 4 - Proposed
BE/M/D/11 - Internal Elevations - Proposed
A-179-55B - Proposed Plan & Elevations
02A - Proposed Roof Covering, Insulation & Acoustic Absorption
110410-01 - Proposed Remedial Roof Details
1:500 Block Plan

Note(s) to Applicant

1. You are advised to inform any contractors involved in the building works of all relevant protected species legislation and in particular the protected status of bats and their roost sites. Work should proceed carefully and care should be taken to ensure that bats are not killed or injured. Should any bats be found, work should cease and the advice of Natural England sought.

JJ1

Application ref: S11/1372/FULL

Description: Plot substitution (46 & 1-3) of permission S07/1323 and erection of dwelling

Location: Wherry & Sons Ltd, South Road, Bourne, Lincolnshire, PE10 9LU

Decision: Deferred

Noting no objection from the Highway Authority, Environment Agency, Bourne Town Council, LCC Childrens Services, NHS Trust, Leisure Services, Planning Policy, Lincolnshire Wildlife Trust and Natural England, report of site inspection and comments made by members at the meeting.

It was proposed, seconded and agreed that the application be deferred for determination by the Development Management Service Manager, 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 order to link the development in to the contributions required under S07/1323, subject to appropriate conditions as listed in the report, 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 within the 6 week period, and where in the opinion of the Development Management Service Manager acting 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 an unacceptable development acceptable have not been forthcoming.

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

JJ2

Application ref: S11/1374/MJRF

Description: Residential development (46 dwellings)

Location: Wherry's Yard, South Road, Bourne, Lincolnshire, PE10 9LU

Decision: Refused

Noting comments made during the public speaking session from:-

Trevor Holmes – objecting

together with comments from the Partnerships and Projects Officer, Highway Authority, LCC Children's Services, NHS Trust, Leisure Services and Planning Policy, objections from Bourne Town Council and no objection from the Environment Agency or Lincolnshire Police, comments from the Consultant Arboriculturist, Lincolnshire Wildlife Trust and Natural England and no objection from Anglian Water together with comments from a local resident and a note of the Section 106 Heads of Terms; late information report circulated to members at the meeting including a note of amended plans and no objection from the Highway Authority subject to conditions, and officer comments thereon, report of site inspection and comments made by members at the meeting.

It was proposed and seconded that the application be refused as being contrary to the core strategy. The Committee Support Officer and Assistant Solicitor gave advice in relation to procedure where it was intended to resolve contrary to the officer recommendation. The Head of Development and Growth advised that he considered that the committee could make a decision at this meeting without further deferral, based on the above reason. The proposition to refuse was then put to the vote and carried, and the application was refused for the following reason:-

1. Acceptance of the proposal would be contrary to the requirements of policy H1 of the adopted South Kesteven Core Strategy 2010 which states amongst other things that development in Bourne will be restricted to that already committed via planning approval at the date of the

adoption of the Core Strategy 2010. It is considered that there is already a significant level of housing supply in Bourne in particular on the Elsea Park development located to the south of the town which still has provision for in excess of 1000 dwellings during the plan period.

JJ3

Application ref: S11/0830/MJRO
Description: Outline application for residential development
Location: Land at, Beaufort Drive, Bourne
Decision: Refused

Noting comments made during the public speaking session from:-

Trevor Holmes – objecting
Glenda Ayliff – objecting
Christine Swann – objecting
Mr B Kendall – objecting
Mike Sibthorp – Agent

together with objections from Planning Policy and Bourne Town Council, comments from the NHS, Leisure Officer, Property and Facilities Officer, Highway Authority, Heritage Lincolnshire, LCC Childrens Services and Partnerships and Projects Officer, no objections from Natural England or the Lincolnshire Wildlife Trust and a number of objections from nearby residents; late information report circulated to members at the meeting in relation to an additional letter of objection 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 refused. As an amendment, it was proposed and seconded that the application be refused, but for reason 1 only, on the grounds that reasons 2 and 3 detracted from reason 1. On being put to the vote, the amendment was lost. The proposition was then put to the vote and carried, and the application was therefore refused for the following reasons:-

1. This is an outline application for the erection of 20 dwellings on a greenfield site which would constitute an unwarranted extension of the existing built framework of Bourne into the surrounding countryside. Acceptance of the proposal would therefore be contrary to the requirements of policy H1 of the adopted South Kesteven Core Strategy 2010 which states amongst other things that development in Bourne will be restricted to that already committed via planning approval at the date of the adoption of the Core Strategy. It is considered that there is already a significant level of housing supply in Bourne in particular on the Elsea

Park development located to the south of the town which still has provision for in excess of 1000 dwellings during the plan period.

2. It is considered that the site offers the potential for archaeological remains to be encountered during the development and no details have been submitted to confirm that satisfactory allowance would be made for an archaeological investigation to be undertaken. It is considered necessary for pre-determination trial trenching to be undertaken in order for the full impacts of the development on the archaeological heritage assets to be assessed. In view of the lack of such an investigation it is considered that acceptance of the application would be contrary to the requirements of national policy contained in PPS5 and policy EN1 of the adopted South Kesteven Core Strategy 2010.
3. The proposed development has the potential to result in a significant increase in vehicle movements in the area and on adjoining roads. A detailed Transport Statement would be required along with traffic counts and junction details, in particular with the A15 North Road in order to fully assess the potential highways implications of the development. In view of the absence of a Traffic Statement it is considered that the full impacts of the development cannot be assessed and acceptance of the proposal would therefore be contrary to National Planning Policy PPG13 and policy SP3 of the South Kesteven Core Strategy 2010.

JJ4

Application ref: S11/0836/FULL

Description: Change of Use of land to form allotments

Location: Land at, Beaufort Drive, Bourne

Decision: Refused

Noting comments from Planning Policy, the Highway Authority and Heritage Lincolnshire, no objection from the Leisure Officer and Lincolnshire Wildlife Trust and objections from Bourne Town Council and local residents, late information report circulated to members at the meeting including a note of an additional letter of objection 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 refused. As an amendment it was proposed and seconded that the application be refused for the reasons stated in the report but in addition for reasons of inadequate parking and unsuitable land. The original proposition was withdrawn, and on being put to the vote the amended proposition was agreed and the application was refused for the following reasons:-

1. The proposed development has the potential to result in a significant increase in vehicle movements in the area and on adjoining roads. A detailed Transport Statement would be required along with traffic counts and junction details, in particular with the A15 North Road in order to fully assess the potential highways implications of the development. In view of the absence of a Traffic Statement it is considered that the full impacts of the development cannot be assessed. Furthermore it is considered that the limited amount of off-street parking will result in indiscriminate parking along Beaufort Drive which would be detrimental to highway safety. Acceptance of the proposal would therefore be contrary to National Planning Policy PPG13 and policy SP3 of the South Kesteven Core Strategy 2010
2. Acceptance of the proposed development would result in the creation of 40 allotments in an area which is designated as Grade 5 (very poor) agricultural land under the Agricultural Land Classification. It is therefore considered that the land which has heavy clay soil would be unsuitable for the proposed use.

(5.52pm – Councillor Bob Sandall left the meeting).

43. INFORMATION RELATING TO DEVELOPMENT CONTROL AND OTHER PLANNING ACTIVITY

The Development Management Service Manager submitted his report PLA913 listing details of applications not determined within the 8 week time period. Also submitted was a list of applications dealt with under delegated powers and a planning appeals update/summary including copies of appeal decisions, as at the end of September 2011.

44. PLANNING APPEAL - LAND NORTH OF GRANTHAM - SECTION 106 PLANNING OBLIGATION AGREEMENT

Decision:-

That the Head of Development and Growth be authorised to conclude the Section 106 Planning Obligation Agreement in regard to the planning appeal for land North of Grantham (Manthorpe) as now reported to the committee, in consultation with the Chairman and Vice Chairman.

The Chairman reminded members that the above application had been refused by the Development Control Committee in January 2011 and was now subject to an appeal which was to be heard at an Inquiry in November. A report had been circulated to members present at the meeting in regard to the planning appeal, and specifically with respect to the need for the completion of a Section 106 Planning Obligation Agreement.

The Head of Development and Growth explained that as part of the appeal process, it was necessary for the planning authority to seek to agree with the applicants a set of planning conditions and a Section 106 Planning Obligation Agreement, in the event that the appeal was allowed by the Secretary of State. He emphasised that this process in no way prejudiced the outcome of the appeal and did not mean that the council in any way considered that any of the reasons for refusal no longer applied. In referring to the report, he explained that in this case the Section 106 Agreement was still being negotiated with the applicants in the context of the appeal. However, it was the appeal that set the timetable for the completion of the agreement and that, together with the numerous parties involved, was the reason why the general heads of terms were being presented to the committee for consideration relatively close to the start of the appeal. As the appeal commenced on 2nd November this meeting was the last opportunity for such matters to be considered by members.

The Council's consultant administering the appeal then went through the report which had been circulated in some detail, emphasising again matters raised by the Head of Development and Growth in regard to the timetable and the reasons why this Section 106 Agreement was required. He took members through the principal obligations/covenants/contributions proposed to be included in the Section 106 agreement in some detail.

In conclusion he said that the Section 106 Agreement for the appeal site, put forward on behalf of the Council, included all the requirements of policy, and would, if the appeal were to be allowed by the Secretary of State, represent a comprehensive mitigation of the adverse impacts of the development on the environment and the community. In addition there would be a full range of planning conditions attached to the permission, and the quality of the development and its impact would be controlled through reserved matters applications, a masterplan and other relevant documents.

After a lengthy discussion, during which the consultant answered questions from members in regard to detailed aspects of the report, it was proposed and seconded that the Head of Development and Growth be delegated to conclude the Section 106 Agreement with the Chairman and Vice Chairman, as now reported. On being put to the vote the proposition was carried.

45. CLOSE OF MEETING

The meeting closed at 6.37pm.