

MINUTES

DEVELOPMENT CONTROL
COMMITTEE
TUESDAY, 27 OCTOBER 2009
2.00pm



COMMITTEE MEMBERS PRESENT

Councillor Adams (Vice-Chairman)
Councillor Exton
Councillor Mrs Gaffigan
Councillor Harvey
Councillor Helyar
Councillor Higgs
Councillor Holmes
Councillor Howard

Councillor Mrs Jalili
Councillor Mrs Kaberry-Brown
Councillor Vic Kerr
Councillor Newcombe-Jones
Councillor Parkin (Chairman)
Councillor Turner
Councillor Avril Williams

OFFICERS

Development Services Manager
Principal Planning Officer
Area Planning Officer (2)
Planning Technician
Committee Support Officer
Legal Executive

OTHER MEMBERS

Councillor Craft

(In accordance with Council Procedure Rule 24.5, Councillor Craft spoke in connection with application PWM1).

80. APOLOGIES

Apologies for absence were received from Councillors Sam Jalili and Scott.

81. DECLARATIONS OF INTEREST

Declaration made during the course of the meeting:-

Councillor Exton – personal interest in application PWM1, under the Members' code of Conduct, and further under the Probity in Planning Code of Guidance, to avoid the impression of predetermination or bias towards an application, in view of his being a member of Lincolnshire County Council, the applicant body.



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82. MINUTES OF MEETING HELD ON 6TH OCTOBER 2009

The minutes of the meeting held 6th October 2009 were approved as a correct record of decisions taken.

83. PLANNING MATTERS

Decision:-

To determine applications, or make observations as listed below:

JST1

Application ref:	S09/1659/MJRF
Description:	Residential development (61 dwellings) and associated works (amend to S06/0514)
Location:	Former Quarry Farm Brickworks, Little Casterton Road, Stamford
Decision:	Approved

Noting no objection from the Highway Authority or Lincolnshire Police, comments from Anglian Water, Community Archaeologist and Stamford Town Council and a number of objections from nearby residents; late information report circulated to Members at the meeting including no objection from Environmental Protection Services, or the Environment Agency, a number of revised conditions following the receipt of amended plans, and letters from the applicants and a nearby resident (objecting), report of site inspection, together with comments made by Members at the meeting.

(2.13pm – Councillor Exton entered the meeting).

The Case Officer reported on suggested revised conditions and drew the attention of members to the letters from the applicants and the nearby objector, both included within the late information report, and he also advised members that the objection from Natural England had been withdrawn.

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. The materials used in the construction of the development shall proceed fully in accordance with the submitted schedule as detailed on drawing

no. MP/0239/001 received on 21 October 2009.

3. Before the dwellings are occupied, the access and turning space shall be completed in accordance with the approved plan drawing no. PL/0239/001 rev F dated 21 October 2009 and retained for that use thereafter.
4. This permission relates solely to the application as amended by drawing nos. PL/0239/001 rev F, MP/0239/001, D and BTD/0239/001 rev D and 3581-100 rev C received 21 October 2009.
5. The provision of surface water and foul water drainage shall proceed fully in accordance with the submitted details. The works shall be completed in accordance with a timetable agreed to the satisfaction of the local planning authority.
6. 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 the programme agreed with the local planning authority.
7. 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 buildings are occupied. Development shall be carried out in accordance with the approved details.
8. Before the development is brought into use, the car parking areas and private road schemes shall be provided with lighting in accordance with details to be submitted to and approved in writing by the local planning authority.
9. Prior the occupation of the dwellings the applicant shall provide validation reports for the dwellings hereby approved that shall include the details of the 600mm clean capping layer for the rear gardens and the gas treatment membrane.
10. The development hereby permitted shall only be carried out in accordance with the approved surface water drainage scheme undertaken by Richard Brown Associates as set out in the following documents:

Drawing no. 3581/100B:Foul and surface water drainage - General arrangement.

Drawing no. 3581/101B:Foul and surface water drainage - General arrangement

Drawing no. 3581/D01A:Construction details - Drainage

Surface water drainage calculations sheet SW01-25

11. The scheme shall be implemented prior to first occupation of the development and the applicant shall confirm that this has taken place, in writing, within one month thereafter.

Note(s) to Applicant

1. This site is within 50m of a Land Contamination Concern. Please contact Environmental Protection Services on 01476 406300 for further information.
2. 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.

JST2

Application ref:	S09/2103/HSB
Description:	Provision of dropped kerb and vehicular access from public highway to new car hardstanding.
Location:	2, King Street, West Deeping, Peterborough
Decision:	Approved

Noting no objection from the Highway Authority, comments 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 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. The access and turning space shall be completed in accordance with the approved plan drawing no HS0903/01 dated September 2009 and retained for that use thereafter.

PWM1

Application ref: S09/2183/AD
Description: Decorative archway sign with street name
Location: Butchers Row, Grantham
Decision: Approved

Noting comments from the Community Archaeologist, no objection from the Highway Authority, and submissions in support from the applicants; late information report circulated to members at the meeting, containing the detailed observations of the 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 sign hereby granted consent shall not be erected until the Butchers Row pedestrianisation scheme has been completed.
2. This consent shall expire 5 years from the date of this notice whereupon the signage shall be removed and any damage repaired unless further consent to display has been given by the Local Planning Authority.
3. Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a condition that does not endanger the public.
4. Where an advertisement is required under these Regulations to be removed, the site shall be left in a condition that does not endanger the public or impair visual amenity.
5. No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.
6. No advertisement shall be sited or displayed so as to-
 - (a) endanger persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military);
 - (b) obscure, or hinder the ready interpretation of, any traffic sign, railway signal or aid to navigation by water or air; or
 - (c) hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle.

PJM1

Application ref:	S09/2102/FULL
Description:	Change of use of public house to 1no. bedsit and 6 flats including a two storey extension to the rear (Amendment to S09/0029)
Location:	Churchills Pub, 29A, Wharf Road, Grantham
Decision:	Approved

Noting no objection from the Highway Authority, comments from Planning Policy, Housing Solutions Officer and the Archaeological Consultant, submissions in support from the applicants 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 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 commence until final details of the materials to be used in the construction of external walls and roofs have been submitted to and agreed in writing by the Local Planning Authority. Only the agreed materials shall be used in the development.
3. 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.
4. 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.
5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking or re-enacting that Order with or without modification), no extension, enlargement or other alteration of the building(s) shall be carried out without Planning

Permission obtained from 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.

PJM2

Application ref: S09/2148/CM

Description: To continue development without complying with Cond 2 and Cond 4 of S35/0362/08 to enable the storage, loading and unloading of WEEE materials outside of the building

Location: EnvironCom England Ltd, Spittlegate Level, Grantham, Lincolnshire, NG31 7UH

Decision: Withdrawn

PJM3

Application ref: S09/2149/CM

Description: Installation of a Cryogenic Storage Tank, Storage vessels and heat exchanger

Location: EnvironCom England Ltd, Spittlegate Level, Grantham, Lincolnshire

Decision: No objection

Noting comments from Environmental Health and comments made by members at the meeting, County Council to be advised that the District Council raises no objection to the proposal, subject to the following:-

1. The authority consider that the installation of a Cryogenic Storage tank, storage vessels and heat exchanger is acceptable in principle, being located on a site suitable for general industrial purposes and conforming with the existing employment use of the site. As there are negligible noise levels created by the equipment it is considered that the noise emissions are not considered sufficient to raise objection to the proposals.

PJM4

Application ref:	S09/1828/FULL
Description:	Demolition of public house and erection of 7 no dwellings
Location:	Waggon And Horses, 36, Manthorpe Road, Grantham, Lincolnshire
Decision:	Approved

Noting comments from Planning Policy, no objection from Environmental Health, comments from the Building Inspector and Conservation Officer, no objection from the Highway Authority, and representations from a nearby resident, together with comments from the applicants; late information report circulated to members at the meeting including suggested alterations to conditions, 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 (including window frames) 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 approved by this permission shall be commenced until a scheme for the provision of surface and foul water drainage works 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.
4. 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 the programme agreed with the local planning authority.
5. The demolition works shall be carried out in accordance with the

amended Method Statement dated 15th September 2009.

6. No materials shall be burnt on site.
7. Hours of work to be limited to 0730 to 1830 Mondays to Fridays; 0800 to 1300 Saturdays; no working on Sundays or Bank Holidays.
8. Before the dwellings are commenced on site further details relating to the vehicular access to the public highway including materials, specification of works 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 retained at all times.
9. The arrangements shown on the approved plan 09/1828 dated 15th September 2009 for the parking and turning of vehicles shall be available at all times when the premises are in use.
10. Notwithstanding the provisions of the Town and Country Planning (General and Permitted Development) Order 1995 (or any order revoking the 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.
11. Notwithstanding the provisions of the Town and Country Planning (General and Permitted Development) Order 1995 (or any order revoking the re-enacting that order with or without modification), no window, dormer window or roof light to be used other than those expressly authorized by this permission shall be constructed without planning permission first having been obtained from the local planning authority.

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. 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.

PJM5

Application ref: S09/1829/CAC

Description: Demolition of public house

Location: Waggon And Horses, 36, Manthorpe Road,
Grantham, Lincolnshire

Decision: Approved

Noting no objection from Environmental Health, comments from the Building Inspector and Conservation Officer, together with submissions in support from the applicants, 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. The demolition works shall be carried out in accordance with the amended Method Statement dated 15 September 2009.
3. No materials shall be burnt on site.
4. Hours of work to be limited to 0730 to 1830 Mondays to Fridays; 0800 to 1300 on Saturdays and no working on Sundays or Bank Holidays.

84. INFORMATION RELATING TO DEVELOPMENT CONTROL AND OTHER PLANNING ACTIVITY

The Lead Professional submitted his report PLA 792, listing details of applications not determined within the 8 week time period. Also submitted was a list of applications dealt with under delegated powers, together with a planning appeals update.

It was proposed and seconded that:-

EXCLUSION OF THE PUBLIC

IN ACCORDANCE WITH SECTION 100A (4) OF 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 TO THEM

**OF EXEMPT INFORMATION AS DEFINED IN PARAGRAPHS 2, 5 and 6 OF
PART 1 OF SCHEDULE 12A OF THE ACT.**

This proposition was approved.

(3.03pm – the press and left the meeting).

**85. ENFORCEMENT ACTION - CHANGE OF USE OF AGRICULTURAL LAND
TO RESIDENTIAL CURTILAGE LAND, 38 CHAPEL STREET, HACONBY**

Decision:-

That authority be given for the issue of an Enforcement Notice to secure compliance with the requirements of the Local Planning Authority in respect of the unauthorised use of land as domestic garden at 38, Chapel Street, Haconby.

Members considered report PLA 790 from the Planning Enforcement Officer in relation to the unauthorised use of agricultural land as domestic garden to the rear of 38, Chapel Street, Haconby.

The report set out the history to the site, detailed the breach which had been undertaken, and set out the relevant planning policy, together with appropriate legal advice which had been sought.

It was proposed, seconded and agreed that authority be given for the issue of an Enforcement Notice in relation to the unauthorised change of use of agricultural land to domestic garden to the rear of 38 Chapel Street, Haconby.

86. CLOSE OF MEETING

The meeting concluded at 3.10pm.