

AGENDA



For a meeting of the
DEVELOPMENT CONTROL COMMITTEE
to be held on
TUESDAY, 2 FEBRUARY 2010
at
2.00 PM
in the
COUNCIL CHAMBER, COUNCIL OFFICES, ST PETERS HILL, GRANTHAM
Beverly Agass, Chief Executive

Committee Members:	Councillor Bob Adams (Vice-Chairman), Councillor Mike Exton, Councillor Mrs Joyce Gaffigan, Councillor John Harvey, Councillor Bryan Helyar, Councillor David Higgs, Councillor Trevor Holmes, Councillor Reginald Howard, Councillor Mrs Maureen Jalili, Councillor Sam Jalili, Councillor Mrs Rosemary Kaberry-Brown, Councillor Albert Victor Kerr, Councillor Benjamin Newcombe-Jones, Councillor Alan Parkin (Chairman), Councillor Trevor Scott, Councillor Frank Turner and Councillor Avril Williams
Committee Support Officer:	Malcolm Hall Tel: 01476 406118

Members of the Committee are invited to attend the above meeting to consider the items of business listed below.

1. PLANNING MATTERS

To consider applications received for the grant of planning permission – reports prepared by the Area Planning Officers

List for debate

(Enclosure)

**Development Control Committee
2 February 2010**

KJC1 – S09/1916

Additional Information

Proposal

**63, Barrowby Road, Change of Use from Dwelling to 6 Bed Hostel
Accommodation**

Information Received

Lincolnshire Police – Crime Prevention Design Advisor

I have concerns regarding this application given its close proximity to established residential properties and the proposed staffing hours. This application may raise the fear of crime for the immediate residents, however, I have no evidence to support this.

Doors

It is recommended that the communal entrance and all internal doors should be fitted with enhanced security features. Each door shall be fitted with an automatic closing and fitted with an automatic deadlocking lock. External entry shall be restricted to those utilising the correct key fob, key code or other access control media.

Boundary

The perimeter of the site and all rear gardens should be secured with a robust fence of a close boarded construction to a minimum height of 2m or 1.8m with trellis over. The rails of the fence should face the garden. This would reduce the possibility of unauthorised access from the public right of way.

Lighting

Before the development is brought into use, any car parking area and external door shall be provided with lighting in accordance with details to be submitted to and approved in writing by the local planning authority

Landscaping

Any landscaping should be kept to a maximum growth height of 1 metre. Whilst any tree should be pruned to a minimum height of 2 metres, thereby maintaining a clear field of vision throughout the development. Trees when fully grown should not mask any lighting columns or become climbing aids.

Officer comment on information received

The comments of the Crime Prevention Design Advisor in relation to fear of crime are noted and are discussed in the main body of the report.

It is considered appropriate to require details relating to doors/security, boundary treatments and lighting to be submitted to and approved in writing prior to the occupation of the property.

Members of the Public

Further comments have been received from members of the public regarding the supporting information provided by Axiom Homes (included in the committee report).

Twelve letters of objection have been received. A summary of the issues raised are listed below:

1. Hostel is in the wrong place.
2. Many of the main windows and front door overlook my property and garden. Not a problem when occupied as a single residential dwelling
3. Would live in fear.
4. Would affect property values. (not a material planning consideration).
5. SKDC should not be considering a commercial use in a residential area.
6. Concerns relating to antisocial behaviour.
7. Would result in more car use as it would not be safe to walk
8. As Axiom will not commit to 24 hour care, can the police cope with more antisocial behaviour?
9. Significant threat to local residents.
10. Areas of the town are covered by CCTV and crime still occurs.
11. Site is close to a dark tunnel which raises security issues.
12. Other examples of Axiom properties are either purpose built or in a commercial or semi commercial area. All have 24/7 staffing 365 days a year. Barrowby Road is not big enough to cover this cost so it will be left for the residents and the police to deal with
13. Axiom will be profit driven and may relax the selection criteria of potential residents.
14. CCTV will invade privacy of neighbours.
15. Security threat to property, cars and family
16. Existing property is falling into repair and the proposal will only make matters worse.
17. Disturbance to neighbours
18. Reduced parking
19. Drug abuse
20. increased crime
21. intimidation
22. safety of all but particularly children
23. the property is a transient half way house and offers no integration into the community
24. Scheme should have been master planned and formed part of Poplar Farm or Barrowby Gate development

25. Should be forced to provide full time staff
26. there should be a alcohol exclusion zone around the property for the future residents
27. Despite the there being a schedule one exclusion, the residents may still have criminal records which poses a serious threat to young families
28. Proposed staffing level is not sufficient. There is no provision between 8pm and 9am
29. Anti-social behaviour and criminal activity is more likely to occur between the hours of 8pm and 9am.
30. Council tax payers money is to be used to fund a scheme to which residents are objecting
31. If these people become settled it could lead to an additional 6 extra cars plus cars for staff in an area that already has parking problems.
32. Waste disposal and potential vermin generated from rubbish.
33. Increased overlooking of neighbours property. A request for monies towards improving screening of these properties is requested.
34. There is a live restrictive covenant on the site requiring the building to be a private dwelling not a commercial operation.
35. CCTV will intrude as it will cover the wider area including the pavement were any trouble may occur.
36. The proposal could easily be amended to form luxury flats. Please ensure that a restriction is placed to prevent further conversion.
37. Submitted plans are substandard.
38. If residents are evicted assurances that they will not stay on the doorstep
39. Electric gates should be erected by the occupier to anyone who wants them in the immediate area to the proposal.
40. Small facility cannot sustain full time 24 hour care. Thus local residents at risk
41. Proposal should have formed part of a larger master planned are such as Poplar Farm.
42. Additional traffic during the conversion works and post occupancy on this primary traffic route.
43. If this was a conversion to traditional flats it would not be acceptable.
44. Police have insufficient resources to deal with the proposal
45. The proposal would have a detrimental impact on the setting of 55-51 Barrowby Road.
46. The garage area to the rear will become a drop out zone and a no go area for residents.
47. The street would be lost to drinking, antisocial behaviour and a lack of safety.

Officer Comment on Information Received

Potential intrusion and loss of privacy from any CCTV could be satisfactorily addressed by the submission of details of the location of any cameras on the external elevations of the property.

A planning condition requiring details of any external lighting to be submitted to and approved in writing is considered appropriate to ensure no significant light pollution of the neighbouring properties.

In accordance with the comments of the Crime Prevention Design Advisor a condition requiring details of existing and proposed boundary treatments is considered appropriate to address concerns regarding crime prevention.

Similarly, details of the security, door locks etc. should be submitted to and approved by the local planning authority.

There is limited landscaping within the site, nor scope to add. It is not considered appropriate to require a landscaping scheme to be submitted for approval.

A restrictive covenant is a private legal matter and is not a material planning consideration/justification to refuse the application.

The other comments do not raise any new material planning considerations not already discussed in the main body of the report.

Requests for Section 106 developer contributions have to satisfy the tests set out in Circular 05/2005 – Planning Obligations. In that they must be necessary, directly related to the proposed development, fairly and reasonably related in scale and kind to the proposed development and reasonable in all other requests. It is not considered that the improvement of security to neighbouring properties is justified. Particularly as suggested improvements to security measures within the main body of the site would achieve the same (as per the comments of the Crime Prevention Design Advisor).

Alterations/Additional to Conditions

1.No development shall take place until there has been submitted to and approved in writing by the local planning authority a plan indicating the position, design and material and type of existing and proposed boundary treatments to be erected. The boundary treatment shall be completed before the building is occupied. Development shall be carried out in accordance with the approved details.

Reason: To provide a satisfactory appearance and screening of the development and in the interests of public safety, privacy and amenity of the occupants of the proposed hostel and the surrounding area in accordance with policy EN1 of the Saved South Kesteven Local Plan.

2.No development shall take place until there has been submitted to and approved in writing by the local planning authority a plan indicating the position of any external lighting to be erected on the site. The lighting shall be erected before the building is occupied. The development shall be carried out in accordance with the approved details.

Reason: To ensure a satisfactory form of development and in the interests of public safety in accordance with policy EN1 of the Saved South Kesteven Local Plan.

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 position of any CCTV to be erected on the site. The CCTV shall be erected before the building is occupied. The development shall be carried out in accordance with the approved details.

Reason: To ensure a satisfactory form of development and in the interests of public safety in accordance with policy EN1 of the Saved South Kesteven Local Plan.

4. No development shall take place until there has been submitted to and approved in writing by the local planning authority details of the proposed security arrangements to be installed on the external and internal doors of the development hereby permitted. The approved security details shall be erected before the building is occupied. The development shall be carried out in accordance with the approved details.

Reason: To ensure a satisfactory form of development and in the interests of public safety in accordance with policy EN1 of the Saved South Kesteven Local Plan.

Changes to Recommendation:

No changes to the recommendation contained in the main report subject to the additional condition(s) above.

NB1 - S09/2662

Additional Information

Comments have been received from Environmental Protection, with particular regard to contaminated land, and the Landscape Officer.

Proposal

Redevelopment of site to create 9 dwellings and 2 shop units.

Information Received

Environmental Protection request that if permission is granted a condition be added requiring the submission and approval of a desktop study report into possible contamination on the site.

The Landscape Officer re-affirms, in light of views expressed about the health of the tree to be removed, that he considers it not worthy of a TPO and should be removed as soon as is practicable.

Officer Comment on Information Received

None.

Additional conditions to be added

20) No works pursuant to this permission shall commence, unless otherwise agreed in writing by the Local Planning Authority, until there have been submitted to and approved in writing by the Local Planning Authority:

- (a) A desk top study documenting all the previous and existing land uses of the site and adjacent land;
- (b) A site investigation report assessing the ground conditions of the site and incorporating chemical and gas analysis identified as appropriate by the desk top study; and
- (c) A detailed scheme for remedial works and measures to be undertaken to avoid risk from contaminants and/or gases when the site is developed and proposals for future maintenance and monitoring. Such scheme shall include nomination of a competent person to oversee the implementation of the works.

The development hereby permitted shall not be occupied or brought into use until verification has been submitted to the Local Planning Authority by the agreed competent person that any remediation scheme has been implemented fully in accordance with the approved details (unless varied with the written agreement of the Local Planning Authority). Unless otherwise agreed in writing by the Local Planning Authority such verification shall comprise:

- (a) As built drawings of the implemented scheme;

- (b) Photographs of the remediation works in progress; and
- (c) Certificates demonstrating that imported and/or material left in situ is free from contamination.

Thereafter the scheme shall be monitored and maintained in accordance with the approved remediation scheme.

Reason: Previous activities associated with this site may have caused, or had the potential to cause, land contamination and to ensure that the proposed site investigations and remediation will not cause pollution in the interests of the amenities of the future residents and users of the development.

Changes to Recommendation:

None – grant permission subject to the signing of a Section 106 Legal Agreement and the additional condition above.

PL1 - S09/2660

Proposal

Two storey extension.

Information Received

Members of the Public

One letter of support has been received from the occupier of a neighbouring property. A summary of the main points are listed below:

1. No objection to the proposed extension.
2. Feel that this would enhance and benefit the property in question.

Officer Comment

Nothing more to add to the comments made in the committee report.

Changes to Recommendation:

No change to the recommendation. Refuse Planning Permission for the reason stated in the main committee report.