

Planning Committee



SOUTH
KESTEVEN
DISTRICT
COUNCIL



Wednesday, 13 October 2021 at 1.00 pm
Council Chamber - Council Offices,
St. Peter's Hill, Grantham. NG31 6PZ

Committee Members: Councillor Helen Crawford (Chairman)
Councillor Mrs Judy Smith (Vice-Chairman)

Councillor David Bellamy, Councillor Harrish Bisnauthsing, Councillor Phil Dilks, Councillor Mrs Rosemary Kaberry-Brown, Councillor Penny Milnes, Councillor Charmaine Morgan, Councillor Robert Reid, Councillor Penny Robins, Councillor Ian Selby, Councillor Judy Stevens and Councillor Jacky Smith

Agenda Supplement

4. Application S20/2056

(Pages 5 - 6)

Proposal: Demolition of existing factory premises (excluding original factory building at south western edge of site). Erection of a high-quality mixed-use development comprising; Class E development of offices and workshops (10,000m² (GIA)), local foodstore and café; c190 dwellings including 30% affordable housing (Class C3); a retirement village including ancillary facilities (Class C2); public open space including strategic landscaping at the eastern end of the site; and all associated infrastructure. Means of access provided off Barnack Road through adaptation of existing vehicular access points as necessary. Secondary pedestrian and cycle access via Edgar Gardens.

Location: Land north of Barnack Road, Stamford, Lincolnshire

Recommendation: 1. That the Assistant Director - Planning is authorised to APPROVE the application subject to the conditions set out at the end of this report and subject to completion of a Section 106 planning Agreement securing the requirements specified in the developer

contributions section of the report. Where the S106 obligation has not been concluded prior to the Committee, a period not exceeding twelve weeks after the date of the Committee shall be set for the completion of that obligation.

2. In the event that the agreement has not been concluded within the twelve-week period and where, in the opinion of the Assistant Director - Planning, there are no extenuating circumstances which would justify a further extension of time, the related planning application shall be refused planning permission for the appropriate reason(s) on the basis that the necessary criteria essential to make what would otherwise be unacceptable development acceptable have not been forthcoming.

5. Application S21/1425

(Pages 7 - 8)

Proposal: Change of use to dog exercise paddock, reinstatement of a vehicular access and erection of two wooden shelters

Location: Oaklands, Main Street, Ingoldsby, NG33 4HA

Recommendation: That the application is approved conditionally

6. Application S21/0420

(Page 9)

Proposal: Partial demolition of Social Club; proposed 2-storey rear extension and roof extension. Change of use from A4 Drinking Establishment and D2 Assembly Hall to C3 residential use to create 15 residential units.

Location: 95A Westgate, Grantham, NG31 6LE.

Recommendation: That the application is approved conditionally and subject to the completion of a Section 106 Agreement.



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Additional Information Report

This report sets out additional information in relation to planning applications for consideration at the Planning Committee on 13 October 2021 that was received after the Agenda was published.

S20/2056

Proposal: Demolition of existing factory premises (excluding original factory building at south western edge of site). Erection of a high quality mixed use development comprising; Class E development of offices and workshops (10,000m² (GIA)), local foodstore and café; c190 dwellings including 30% affordable housing (Class C3); a retirement village including ancillary facilities (Class C2); public open space including strategic landscaping at the eastern end of the site; and all associated infrastructure. Means of access provided off Barnack Road through adaptation of existing vehicular access points as necessary. Secondary pedestrian and cycle access via Edgar Gardens

Site Address: Land North Of Barnack Road, Stamford

Additional Representations

A number of additional representations have been received: 10 objections, 1 making comments and 1 in support. Most of the issues raised have already been covered in the main report, including highway/pedestrian safety and traffic congestion, sustainability measure, need for more houses, lack of infrastructure. New issues raised include perceived overprovision of offices in Stamford and raising awareness of the existence of a petition calling for no development of this site until the meadows to the north of the site and river have been opened to the public as amenity space.

Officer Comments

The provision of office accommodation is in accordance with local plan policies. The petition is noted, however the number of objections is not in itself a material consideration. Furthermore, any condition requiring no development before opening up this land as public amenity land which is not under the applicant's control would not be reasonable or necessary and would not fit the statutory tests of conditions.

Corrections

The comments from WPD in the original report para 5.10 were incorrect and entered in error. The correct comments should be: "Note there is live electrical apparatus within the development and advise on health and safety considerations when working close to such apparatus".

Condition numbering – Due to a technical formatting error, the first 4 conditions in the original report were numbered 1,2,1,2. The correct numbering of conditions should be 1 – 35.

Section 106 Heads of Terms – the list of section 106 financial contributions in the original report should include £10,000 monitoring fee (in accordance with the South Kesteven Planning Obligations SPD).

Changes to Recommendation

The recommendation remains to approve subject to conditions and section 106 agreement (in accordance with amended Heads of Terms)



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Site Address: Oaklands, Main Street, Ingoldsby, NG33 4HA

Additional Representations

CLlr Sarah Trotter, Lincrest Ward:

“It is crucial that no members of the public, dog walking etc are restricted in anyway using this route should permission be granted to the Allen family for S21/1425. Or any obstructions mounted such as the stile that was erected by Colin Allen over period of 2019-2020 (that period is an estimate). This has now been taken down after requests from myself, County Cllr and myself.

Therefore, perhaps can I ask that this is incorporated into the planning conditions, and any contravention forfeits their right to use for the purposes they have applied.”

Lincolnshire County Council, Definitive Map Officer – Countryside Services

“I write regarding the application to add to the definitive record a footpath between Lenton Road and Public Footpath No.13 in the parish of Ingoldsby. Evidence had come to light which suggested a longer route had been used, in the past, than had been applied for. A route extending northwards beyond Ingoldsby Public Footpath No.13 and then running across to the Humby Road (near the telephone exchange).

Research suggests that public footpath rights exist over the whole route between Lenton Road and Humby Road (See footpath marked 'A-B-C-D-E' on the attached plan - Drawing No. 2021/019/DMMO409/A4). The County Council has therefore decided to make an order seeking to record public footpath rights on the Definitive Map and Statement. I will shortly be instructing the County Council's Legal Services Office to make the Order. This will be followed by a period of 42 days during which representations or objections may be made. You will be notified when the Order has been made.”

Robert Doughty Consultancy Limited provided the following statement on behalf of the applicant, Mr J Allen:

“We will of course obtain all necessary permissions in respect of the ditch. There will be the need to remove a scrappy tree and a small section at the end of the hedge and some minor works to level the ground that would be the subject of the necessary permissions, if required.

With regard to the ‘claimed’ footpath, I can confirm the following: -

- i. It is intended to use part of the claimed footpath for vehicular access to the application site as shown on the plans that accompany the planning application. The ‘claimed’ footpath also currently provides access to my client’s residential property and to the access the agricultural fields beyond.
- ii. There will be no encroachment, either permanent or temporary onto the ‘claimed’ footpath.
- iii. The proposed development will not pose any danger or inconvenience to the public using the ‘claimed’ footpath
- iv. There will be no requirement to install any gates and the surface is not proposed to be changed.

In respect of the management of the site, my client can advise the following: -

There will be a sign displayed within the car park that sets out the rules of the facility and these will also form part of the online booking arrangements.

The hours of use as suggested are acceptable albeit that the site will only be in use during daylight hours (as set out in our application) so the hours would not apply during the winter months.

There will be no more than 10 dogs on site at any one time (exercise or agility classes).

If there is a requirement/demand for agility classes these will take the form of 50 minute sessions with a 10 minute changeover period. Exercise sessions will be 1hr with a 10 minute changeover period.

The rules and ability to book either an exercise class or an agility class will be set out when the electronic booking is made so it is not possible to be say how many of each there will be because this will be dictated by demand. However, the agility classes will be very much the minority as this will be a specialist event unlike general exercise sessions.

Officer comments

Lincolnshire County Council (as Definitive Footpath Officer) has given an update with regard to Footpath Order No.13 in that it is intended to confirm the order in due course. The updated comments received from the applicant agent confirm that the proposed development would not result in any obstruction of the ‘claimed’ public footpath and that no gates will be installed to obstruct access. Therefore, as set out in Section 8.3 of the main report, it is considered that the application proposals would be in accordance with Policy ID2 of the Local Plan, and Section 9 of the National Planning Policy Framework.

In respect of Cllr Trotters request to impose a condition that suggests that any disruption to the footpath would ‘forfeit’ their right to use the field for the proposed business use. Any blocking/obstruction to the public footpath would be enforced under separate legislation overseen by Lincolnshire County Council and it is not therefore considered that such a condition would be necessary for this application.

The recommendation remains that the proposal should be approved, subject to conditions.



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Site Address: 95A Westgate, Grantham, NG31 6LE

Updated Recommendation

This report sets-out an updated recommendation which appropriately reflects the Local Planning Authority's duty to consider planning applications in a timely manner and, therefore, provides an appropriate timeframe for the conclusion of the necessary Section 106 Agreement; and also recognises the recently filled role of the Assistant Director – Planning.

As such, the updated recommendation is as follows:

1. That the Assistant Director – Planning is authorised to APPROVE the application subject to the conditions set out within the main report (as approved on 22 July 2021), and subject to the completion of a Section 106 Planning Agreement, which would secure the affordable housing requirements as a commuted sum in lieu of on-site provision. Where the Section 106 obligation has not been concluded prior to the Committee, a period not exceeding twelve weeks after the date of the Committee shall be set for the completion of that obligation.
2. In the event that the agreement has not been concluded within the twelve-week period and where, in the opinion of the Assistant Director – Planning, there are no extenuating circumstances which would justify a further extension of time, the related planning application shall be refused planning permission for the appropriate reason(s) on the basis that the necessary criteria to make what would otherwise be unacceptable development acceptable have not been forthcoming.

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