



# MINUTES

## DEVELOPMENT CONTROL COMMITTEE

### TUESDAY, 16 MAY 2006

2.00 P.M.

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#### COMMITTEE MEMBERS PRESENT

Councillor Mike Exton  
Councillor Brian Fines (Vice-Chairman)  
Councillor Bryan Helyar  
Councillor Reginald Howard  
Councillor Mrs Maureen Jalili  
Councillor Albert Victor Kerr  
Councillor Alan Parkin (Chairman)  
Councillor Mrs Angeline Percival

Councillor Norman Radley  
Councillor Bob Sandall  
Councillor Ian Selby  
Councillor Ian Stokes  
Councillor Frank Turner  
Councillor Graham Wheat  
Councillor John Wilks

#### OFFICERS

Head of Planning Policy and Economic  
Regeneration  
Principal Planning Officer (2)  
Committee Support Officer  
Legal Executive

#### OTHER MEMBERS

Councillor G W Taylor

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#### 1. MEMBERSHIP

The committee was notified by the Chief Executive that he had received a notice under regulation 13 of the Local Government (Committees and Political Groups) Regulations 1990 and had appointed Councillor Selby in place of Councillor F Hurst and Councillor H G Wheat in place of Councillor Chivers for this meeting only.

#### 2. APOLOGIES

Apologies for absence were received from Councillor Mrs Gibbins.

#### 3. DECLARATIONS OF INTEREST

There were none declared.

**4. MINUTES**

The minutes of the meeting held on 25<sup>th</sup> April 2006 were confirmed as a correct record of decisions taken.

**5. ENFORCEMENT REPORT - CONVERSION OF CARPORT AND USE OF ANNEXE, GREYTREX HOUSE, TINWELL ROAD LANE, STAMFORD**

*Decision:-*

*That authority be given for appropriate enforcement action to be undertaken with regard to breaches of planning control in relation to the conversion of a carport and use of an annexe at Greytrex House, Tinwell Road Lane, Stamford.*

In his report PLA582 which had been circulated, the Acting Development Control Services Manager set out the history to the development of a carport and the use of an annexe at Greytrex House, Tinwell Road Lane, Stamford. Breaches of planning control were now evident and a recent complaint had been made concerning alterations that had been made to the carport, the frontage of which had been enclosed and windows and doors had been inserted. Details had been provided that clearly indicated the conversion of the carport to residential use.

An annexe had been permitted as part of the original application in 2004 for the aged relative of one of the owners. This relative had now died and the annexe was currently occupied by a person working for the current owners of Greytrex House in a cleaning capacity. Conditions attached to the original planning approval restricted the use of the roof space of the carport to domestic purposes and ancillary to the occupation to the main house; the annexe was to be occupied on a basis ancillary to the occupation to the dwelling and no additional roof lights or windows were to be installed without the express consent of the local planning authority.

In concluding, the Acting Development Control Services Manager said that the conversion of the carport to a residential unit, separate from the main residence, identified a separate residential use which was considered to be not ancillary to the main residence. Similarly the use of the annexe was not ancillary to the main residence. It was considered that the use, and the works that had been conducted to the annexe and the carport were in breach of the conditions which had been referred to, and accordingly authority was requested for appropriate enforcement action to be undertaken. It was also pointed out that when outline permission was granted for the property on this site in 1999 it had been subject to a condition stipulating that one dwelling only be erected due to the substandard access. A subsequent appeal to remove this condition was dismissed, with the Inspector agreeing that a restriction to one dwelling was necessary to avoid detrimental impact on the character and the appearance of the surrounding area, and an unacceptable highway situation. It was accordingly proposed, seconded and agreed that enforcement action be undertaken.

**6. PLANNING MATTERS - STRAIGHTFORWARD LIST**

*Decision: -*

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

**SF.1**

Application ref: S06/0234/25  
Description: Change of use of land to residential garden  
Location: 31, Pawlett Close, Deeping St. James  
Decision: Approved

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

**Note(s) to Applicant**

1. You are advised that the application site falls within an area which requires protection from Radon. You are advised to contact the District Council's Building Control Services to ascertain the level of protection required, and whether geological assessment is necessary.

**SF.2**

Application ref: S06/0374/72  
Description: Construction of crossover and parking spaces  
Location: 10 & 12, High Street, Swayfield  
Decision: Approved

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

**Note(s) to Applicant**

1. You are advised that the application site falls within an area which requires protection from Radon. You are advised to contact the District Council's Building Control Services to ascertain the level of protection required, and whether geological assessment is necessary.
2. Prior to the commencement of any of the access works within the public highway, please contact the Divisional Highways Manager (Lincolnshire County Council) on for appropriate specification and construction information.

### **SF.3**

Application ref: S06/0403/12

Description: Construction of parking area and improvement of existing cross over

Location: 1-10, Stubbs Close, Dyke, Bourne

Decision: Approved

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

#### **Note(s) to Applicant**

1. Your attention is drawn to the enclosed Planning Guidance Note No 1 entitled 'Archaeology and Your Development'.
2. Prior to the commencement of any of the access works within the public highway, please contact the Divisional Highways Manager (Lincolnshire County Council) on for appropriate specification and construction information.

## **7. PLANNING MATTERS - LIST FOR DEBATE**

*Decision: -*

*To determine applications, or make observations, including application SF.4, transferred from the straightforward list, as listed below: -*

### **SF.4**

Application ref: S06/0486/46

Description: Two storey extension to dwelling

Location: The Poplars, Gelston

Decision: Deferred

Noting addition representations received from the Parish Council and a neighbouring resident, Acting Development Control Services Manager authorised to determine the application, after consultation with the Chairman and Vice Chairman, if no adverse observations following the publicity expiry date of 19<sup>th</sup> May 2006 and subject to appropriate conditions.

### **SU.1**

Application ref: S05/LB/6435/69

Description: Partial demolition of store, ground floor extensions and internal alterations

Location: 10, Ironmonger Street, Stamford

Decision: Deferred

Noting comments from the Historic Buildings Advisor with regard to the original and amended submissions, comments from English Heritage, Stamford Civic Society and Stamford Town Council, an objection from a local resident, detailed information from the applicants and a further letter from the applicants, for a site inspection to view the building and to establish the likely effect of the proposals on the surrounding properties.

## **SU.2**

Application ref: S05/0890/69

Description: Partial demolition of store, ground floor extensions and internal alterations

Location: 10, Ironmonger Street, Stamford

Decision: Deferred

Noting comments from the Historic Buildings Advisor with regard to the original and amended submissions, comments from English Heritage, Stamford Civic Society and Stamford Town Council, an objection from a local resident, detailed information from the applicants and a further letter from the applicants, for a site inspection to view the building and to establish the likely effect of the proposals on the surrounding properties.

## **SU.3**

Application ref: S06/0235/56

Description: 12 flats

Location: R/o Post Office, Church Street, Market Deeping

Decision: Approved

Noting an objection from Market Deeping Town Council, comments from the Housing Strategy Manager, Highway Authority and Police Architectural Liaison Officer, together with a letter of objection from a nearby resident and submissions in support from the applicant, subject to the following conditions: -

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
2. The building shall be constructed of Ibstock Bradgate light buff bricks

with dark buff band courses and details above doors/windows, buff Sandtoft Bradgate unless otherwise agreed in writing.

3. The existing natural hedge along the northern and western boundaries of the site shall be retained.
4. 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(s) are occupied, or in accordance with a timetable agreed in writing with the Local Planning Authority. Development shall be carried out in accordance with approved details.
5. Before any development is commenced, details to accord with the Flood Risk Assessment, 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.
6. Any gates to the vehicular access shall be set back a minimum of 15 metres from the nearside edge of the carriageway of Church Street and shall not open over the highway.
7. Before the dwelling(s) is/are occupied, the access and turning space shall be completed in accordance with the approved plan, drawing number 1165AL001A dated 28 December 2005, and retained for that use thereafter.

Note(s) to Applicant

1. You are advised that the application site falls within an area which requires protection from Radon. You are advised to contact the District Council's Building Control Services to ascertain the level of protection required, and whether geological assessment is necessary.
2. You are advised that the local planning authority would wish to see a left turn only arrangement for access from the site.

**SU.4**

Application ref: S06/0326/12

Description: 11 dwellings with integral garages

Location: Fossitt & Thorne, Eastgate, Bourne

Decision: Refused

Noting the request to refuse from the Highway Authority, comments from the Community Archaeologist, Environment Agency and Police Architectural

Liaison Officer and comments from Bourne Town Council, Housing Solutions and the SKDC Policy Section, together with representations from nearby residents and information in support from the applicants and their agents, for the following reasons:

1. It is considered that the proposed erection of a terrace of eleven three storey dwellings, with overall heights of approximately 10.25 and 11m, directly opposite and to within 13m of two storey houses on the northern side of Eastgate would have an unacceptably overbearing impact on the occupiers of those properties and severely curtail the amount of natural light they receive.

The proposed development would, therefore, be contrary to Policies H6 and EN1 of the South Kesteven Local Plan and central government guidance contained in PPG3 - Housing 2000.

2. The Director of Highways and Planning, Lincolnshire County Council so requests as visibility east and west from the proposed points of access to the units/garages is substantially below requirements due to the presence of the buildings and their layout. Notwithstanding the lightly trafficked nature of Eastgate, it is considered that vehicles emerging from the access points will be in conflict with traffic, especially pedestrians travelling east and west due to the lack of visibility, contrary to the interests of highway safety.

## **SU.5**

<u>Application ref:</u>	S06/0427/25
<u>Description:</u>	Change of use to fish & chip shop (A5)
<u>Location:</u>	65, Manor Way, Deeping St. James
<u>Decision:</u>	Approved

Noting no objections from the Highway Authority, comments from the Community Archaeologist and Environmental Health Services, representations from nearby residents and detailed information in support from the applicants, subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
2. Prior to the use commencing, there shall be submitted to and approved by the District Planning Authority details of the means of collection of litter externally of the premises. Such details as may be approved shall be installed prior to the use commencing.
3. The premises shall not be used for business purposes outside the hours of 11.30am to 9.00pm on any day.
4. Before the use is commenced, equipment shall be installed as will

suppress the emission of fumes or smell and obviate odours from frying or other cooking processes. No development shall take place until details of the equipment have been submitted to and approved by the District Planning Authority.

### **NU.1**

Application ref: S05/1643/06

Description: First floor extension, extend conservatory, form utility, raise existing wall and erect new gates, detached stables & garage

Location: The Old Rectory, Rectory Lane, Barrowby

Decision: Approved

Noting report of site inspection, comments from South Kesteven Planning Archaeologist, Environmental Health Services and the Parish Council and representations from the Care Services Schemes Liaison Officer and local residents, subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
2. No development shall take place until details of the method of disposing of soiled stable bedding and manure have been submitted to and approved by the local planning authority. The stables shall operate in accordance with the approved details unless otherwise agreed in writing by the local planning authority.
3. This permission shall be read in conjunction with the submitted application and the amended plan Drawing No. LEC-05-03-173-REV-03 received by the local planning authority from the applicant's agent on 23 March 2006 unless otherwise agreed in writing by the local planning authority.
4. This permission shall be read in conjunction with the submitted application and the amended plan (Drawing No. LEC05-03-179-REV02 received by the local planning authority from the applicant's agent on 16<sup>th</sup> May 2006) unless otherwise agreed in writing by the local planning authority.
5. The garage/stable block hereby permitted shall be used solely for domestic purposes only. It shall not be used for any trade/business use.

### **Note(s) to Applicant**

1. You are advised that the application site falls within an area which requires protection from Radon. You are advised to contact the District Council's Building Control Services to ascertain the level of protection

required, and whether geological assessment is necessary.

2. This permission shall not be construed as granting rights to development on, under or over land not in the control of the applicant.
3. The attached planning permission is for development which will involve building up to, or close to, the boundary of the site. Your attention is drawn to the fact that, if you should need access to neighbouring land in another ownership in order to facilitate the construction of the building and its future maintenance, you are advised to obtain permission from the owner of such land for such access before work is commenced.
4. This planning permission shall be read in conjunction with the accompanying listed building consent - S05/LB/6516.

## **NU.2**

Application ref: S05/LB/6516/06

Description: First floor extension, extend conservatory, form utility, raise existing wall and erection new gates

Location: The Old Rectory, Rectory Lane, Barrowby

Decision: Approved

Noting report of site inspection, comments from the Historic Buildings Advisor, no objection from the Parish Council and representations from nearby residents, subject to the following conditions:

1. The works hereby permitted shall be begun not later than the expiration of three years from the date of this consent.
2. Before the development hereby permitted is commenced, final details of the materials to be used in the construction of external walls and roofs shall be submitted to and approved in writing by the District Planning Authority. Only such materials as may be agreed shall be used in the development.
3. The proposed render to be used in the development hereby permitted shall match the colour, texture and finish of the render of the existing building unless otherwise agreed in writing by the local planning authority.
4. Large scale details of all external joinery, to a scale of not less than 1:20, to include cross sections to show cills, lintols, etc., sympathetic to the Old Rectory, shall be submitted to and approved in writing by the District Planning Authority prior to the commencement of the development.
5. This permission shall be read in conjunction with the submitted application and the amended plan (Drawing No. LEC-05-03-173-REV-03) received by the local planning authority from the applicant's agent on

3 March 2006 unless otherwise agreed in writing by the local planning authority.

6. This permission shall be read in conjunction with the submitted application and the amended plan (LEC-05-03-179-REV-02 received by the local planning authority from the applicant's agent on 16<sup>th</sup> May 2006) unless otherwise agreed in writing by the local planning authority.

Note(s) to Applicant

1. This permission shall not be construed as granting rights to development on, under or over land not in the control of the applicant.
2. The attached planning permission is for development which will involve building up to, or close to, the boundary of the site. Your attention is drawn to the fact that, if you should need access to neighbouring land in another ownership in order to facilitate the construction of the building and its future maintenance, you are advised to obtain permission from the owner of such land for such access before work is commenced.

**NU.3**

Application ref: S06/0328/35  
Description: Change of use to private residential gypsy site  
Location: Lazy Acres, Gorse Lane, Grantham  
Decision: Deferred

Comments made during the public speaking session from: -

Mr M Green, on behalf of applicants' agent – in support

together with comments from the Highway Authority, no objection from the Community Archaeologist, representations from nearby residents and Grantham Cricket Club and detailed information in relation to previous applications and public enquiry decisions circulated as an appendix, for the submission of up to date information on relevant legislation.

**NU.4**

Application ref: S06/0366/35  
Description: Residential development (15)  
Location: Land At 201, Barrowby Road, Grantham  
Decision: Deferred

Noting no objection from the Community Archaeologist and representations from nearby residents together with information in support from the applicants, Acting Development Services Manager authorised to determine the application, after consultation with the Chairman and Vice Chairman, subject to the completion of a Section 106 Agreement relating to an educational contribution and subject also to appropriate conditions.

**NR.1**

Application ref: S06/0347/21

Description: Variation of conditions 8 & 9 of Approval S04/1829/21

Location: 24, Doddington Lane, Claypole

Decision: Deferred

Noting comments made during the public speaking session from:-

Mr R J Prabucki – Claypole Parish Council

Dr D Mile – 20 Doddington Lane, Claypole – objecting

Mr D Evans – Country Field Village Homes – applicants

together with an objection from the Parish Council, comments from the Highway Authority, no objection from the Community Archaeologist and representations opposing and in support, for a site inspection to assess the likely impact of the proposal on Doddington Lane.

**NR.2**

Application ref: S06/0487/63

Description: 50m tall, steel meteorological mast

Location: Neslam Farm, Sempringham Fen

Decision: Deferred

Pending further investigation into procedural matters connected with the application.

**8. INFORMATION RELATING TO DEVELOPMENT CONTROL AND OTHER PLANNING ACTIVITY**

The Acting Development Control Services Manager submitted his report PLA581 listing details of applications not determined within the eight-week time period. Also submitted was a list of applications dealt with under delegated

powers and a list of appeals outstanding and newly submitted appeals and decisions received during May.

**9. CLOSE OF MEETING**

The meeting closed at 3.27pm.