

Minutes

Planning Committee

Thursday, 3 November 2022, 1.00 pm

**Council Chamber - South Kesteven
House, St. Peter's Hill, Grantham.
NG31 6PZ**



**SOUTH
KESTEVEN
DISTRICT
COUNCIL**

Committee Members present

Councillor Penny Milnes (Chairman)

Councillor Harrish Bisnauthsing

Councillor John Cottier

Councillor Robert Reid

Councillor Ian Selby

Councillor Ian Stokes

Councillor Paul Wood

Councillor Phil Dilks

Other Members in attendance

Councillor Ashley Baxter

Cabinet Members in attendance

Councillor Adam Stokes (Deputy Leader of the Council)

Officers in attendance

Nicola McCoy-Brown (Director of Growth and Culture)

Emma Whittaker (Assistant Director of Planning)

Adam Murray (Principal Planning Officer)

Shemuel Sheikh (Legal Advisor)

Amy Pryde (Democratic Services Officer)

35. Register of attendance and apologies for absence

Councillor Penny Milnes was acting as Chairman, for this meeting only.

Apologies for absence had been received from Councillors David Bellamy, Rosemary Kaberry-Brown, Penny Robins and Judy Stevens.

Councillor Robert Reid was substituting for Councillor Rosemary Kaberry-Brown.

Councillor Phil Dilks was filling the vacancy for Alliance SK.

36. Disclosure of interests

No interests were disclosed.

37. Minutes of the meeting held on 8 September 2022

It was clarified that an acting Vice-Chairman was not formally required.

The minutes of the meeting held on 8 September 2022 were proposed, seconded, and **AGREED** as a correct record subject to additional wording being included within minute number 30, application S20/1586.

38. Application S22/0978

Proposal: Erection of 9(no) houses and associated vehicular access

Location: Former Shirley Croft Hotel Site, Harrowby Road, Grantham

Recommendation: To authorise the Assistant Director to GRANT planning permission, subject to conditions outlined in this report.

Noting comments made in the public speaking session by:

District Ward Councillor: Councillor Charmaine Morgan (statement read out by Democratic Services)
Councillor Adam Stokes

Against: Jim Smith
Mike Lane

Agent: Matt Hubbard

Together with:

- Provisions within the South Kesteven Local Plan 2011-2036, Lincolnshire Minerals and Waste Local Plan: Core Strategy and Development Management Policies DPD, Design Guidelines for Rutland and South Kesteven Supplementary Planning Document, the National Planning Policy Framework (NPPF).
- No comments received from Anglian Water.
- No comments received from Cadent Gas.
- No comments received from Grantham Civic Society.
- No comments received from Heritage Lincolnshire.
- No comments received from Lincolnshire County Council (Education).
- Comments received from Lincolnshire County Council (Highways & SuDS).
- No comments received from Lincolnshire County Council (Minerals).
- No comments received from Lincolnshire Fire and Rescue.
- No comments received from Lincolnshire Police Crime Prevention Officer.

- Comments received from NHS Lincolnshire.
- No comments received from MOD Safeguarding.
- Comments received from SKDC Environmental Protection.
- Comments received from SKDC Arboricultural Advisor.
- Comments received from SKDC Principal Urban Design Officer.
- Comments received from Ward Members – Councillors Graham Jeal and Charmaine Morgan.

During questions to public speakers, Members commented on:

- Whether there were any existing three-storey properties in the proposed area. It was confirmed that properties on the adjacent road were mostly two-storey, however, there were a few existing three-storey properties. These existing properties were 50 yards away from the proposed site.
- One public speaker highlighted that he had lived on Croft Drive, for 23 years and that some residents had occupied their property for 55 years. He expressed his concern of the proposal and the possible impact on all residents within the vicinity.
- It was queried as to whether the agent of the application was proposing to rebuild and repair the wall adjacent to Harrowby Road. It was noted that a boundary condition had been suggested by the Planning Officer. The agent's intention was to repair the existing walls and boundary details to the external sides of the proposed site.
- Clarification was sought on whether the extant planning permission retained all mature trees on the site. The revised planning permission suggested that some of the mature trees would be removed and that some trees had already been felled as part of the Arboriculturist report. It was confirmed that no trees had been removed from the site already that had not been approved as part of the extant planning permission. Additional felling was proposed as part of the current application.
- It was further queried as to whether T1 and T3 were mature horse chestnut trees and whether they had been felled. The species of the trees were confirmed as mature horse chestnut trees and had been removed from the site. The proposed planning permission would protect more of the trees on the site in terms of situating the development outside the root protection areas.
- It was confirmed that the felled horse chestnut trees had a disease, the trees that were being retained were in a good condition and had no justification to be removed, the Arboriculturist had concerns in terms of potential issues of overshadowing, litter being dropped etc for those plots within the area.
- Concerns were raised around the original application having 8 plots and the revised application having 9 plots. Concern was raised on the plots on the revised application being too cramped. The applicant expressed that this was suitable in regard to light levels, overlooking window positions, scale and massing.
- Further clarification was sought regarding whether the wall on Croft Drive would be rendered as part of the proposed application. It was confirmed that the intention was to bring the wall back to its original state. The walls along

Harrowby Road and Croft Drive would be built along the northern and western boundary of the site.

- The Principal Planning Officer noted that trees (T9 and T10) had partially been removed. There was a condition in place for boundary treatments and it was expected that this would require the remainder of the trees to be fully excavated.
- Concern was raised over loss of privacy on surrounding properties and intrusive design. It was queried as to whether there was expected to be 20 metres between an existing dwelling and the position of a new dwelling. It was confirmed that the adopted standards in place vary on factors relating to habitable windows and blank elevation, as well as the scale of the properties.
- One Member sought clarification from the applicant as to whether the proposed development complied with the amenity separation criteria. It was confirmed that the proposed application complied with the criteria, however, the approved previous scheme for the site did not meet requirements for separation distances and light exposure.
- It was queried as to whether the tree roots would be removed prior to any part of the development being occupied and whether hard and soft landscaping works would be carried out in accordance with the approved landscaping details. The Assistant Director for Planning noted that condition 6 detailed the tree protection scheme for retained trees and the tree report outlined methods of construction, for example, protection fencing and controlled methods of digging.

During questions to officers, Members commented on:

- Clarification was sought on the root protection area of the retained trees and the possible impact of the proposed development on the protection of these trees. It was confirmed that the proposed dwellings would not be directly impacted by the root protection area.
- One Member raised concern over the Root Protection Area (RPA) for T9 and T10 not being shown on the plan.

The Chairman suggested that the Committee follow a structured debate in three sections: Overlooking, impact on trees, design and total impact on street scene, then any other concerns.

During debate on overlooking, Members commented on:

- That despite concerns and the impact on neighbours, the application met the criteria on the grounds of being overlooked. It was confirmed that condition 11 ensured relevant windows would be obscure glazed in relation to overlooking. This would be completed before the development was occupied.
- Whether properties 4 and 5 were passed on appeal regarding the overlooking issue. It was confirmed the two properties were approved on appeal in 2012.

During debate on impact on trees, Members commented on:

- Concern over the strong objection received by the arboriculturist, which advised the proposal was not workable from an arboriculture perspective and more trees could be retained. The arboriculturist report further stated that two of the plots were too close to trees and residents would feel the trees were overbearing to their dwellings and limit their amenity space.
- That the trees had a positive impact on mental well-being and the role that trees played towards climate change and carbon absorption. The arboriculturist also highlighted that the horse chestnut tree within this application had a high degree of merit as a public visual amenity and was a historic green feature in a dense area and the loss would harm the appearance of the surrounding street scene.
- The Assistant Director of Planning confirmed that T4, T5 and T6 were proposed to be retained. The Tree Officer had raised concerns in the report regarding Post Development Tree Resentment, where after time residents may request to have a tree felled. The Tree Officer had commented purely on the proposed plans and raised concerns of the proximity of trees to the properties and the fact that they were prominent within the gardens, this could cause concern for future residents.
- The Principal Planning Officer clarified that Members were being asked to consider a balanced position between above ground constraints and below ground constraints with relation to the trees. It was noted that in relation to RPA's, the current application would be better in terms of below ground constraints because the hardstanding was situated outside of the RPAs.
- Concern was raised around the current proposal and the trees being in private back gardens.
- Clarification was sought on tree (T8) due to its location being within close proximity of a driveway.

During debate on design and overall impact on street scene, Members commented on:

- Concerns over the trees being plotted in the back gardens of the proposed dwellings.
- Whether the application met the criteria for over-development was queried. It was confirmed that over-development was a product of why it could be a poor layout or design. The components of the application and issues would need to be considered to establish which parts that are result in a scheme being considered to be over-development.
- Whether the increase of number of dwellings from 8 to 9 would mean that the plot was over-developed on that basis. The Officer's recommendation outlined that the increase of number of dwellings was not an over-development of the site.
- That the layout of the properties on the proposed plan were not practical.
- A query was raised on parking areas within the proposed site. It was confirmed that the Council did not have any adopted standards in terms of the local plan in relation to the amount of parking provided, however, Lincolnshire County Council followed a development design document, Lincolnshire

County Council had not raised any objections on parking concerns for this proposed site.

- Further concerns were raised over the proposed application not complying with policy DE1 on a matter of design. It was highlighted that plots 1,2 and 3 were too close together and may affect future maintenance of the plot and were out of character for the area.
- The Assistant Director of Planning clarified that the closest point of the corner of plot 3 and plot 2 was 2.335 metres, meaning a side gate could be installed if necessary. The closest point between plot 3 and plot 4 was 2.95 metres. The closest point between plot 2 and plot 1 was 4.75 metres.
- Members felt that the impact from an extra dwelling, trees in rear back gardens and the density of the site were concerning.

It was proposed, seconded, and **AGREED** to authorise the Assistant Director for Planning to **REFUSE** planning permission for the summary of reasons discussed with the acting Chairman of Planning Committee at this meeting:

By virtue of the position of proposed Plots 1 – 3 in relation to the existing mature trees fronting Harrowby Road, the proposed development would appear cramped and contrived to fit into an unsuitable space, and would result in a form of development that would be out of character for the surrounding area. In addition, the proposed position of these plots in relation to the protected trees would result in inadequate, useable private amenity space for future occupants of these dwellings, which is likely to result in post-development tree resentment and therefore result in pressure to prune / remove the trees to the detriment of the public visual amenity. As such, the application proposals would be contrary to Policy DE1 of the adopted South Kesteven Local Plan and Section 12 of the National Planning Policy Framework

39. Any other business, which the Chairman, by reason of special circumstances, decides is urgent

There were none.

40. Close of meeting

The Chairman closed the meeting at 15:05.