

Minutes

Planning Committee

Thursday, 8 September 2022, 1.00 pm

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



SOUTH
KESTEVEN
DISTRICT
COUNCIL

Committee Members present

Councillor David Bellamy (Chairman)
Councillor Penny Milnes (Vice-Chairman)

Councillor Ashley Baxter
Councillor Harrish Bisnauthsing
Councillor Gloria Johnson
Councillor Nick Robins
Councillor Penny Robins
Councillor Ian Selby
Councillor Judy Stevens
Councillor Paul Wood

Officers in attendance

Nicola McCoy-Brown (Director for Growth and Culture)
Graham Watts (Assistant Director of Governance)
Emma Whittaker (Assistant Director of Planning)
Philip Jordan (Principal Planning Officer)
Ellie Sillah (Senior Planning Officer)
Catherine Sutton (Assistant Planning Officer)
Shemuel Sheikh (Legal Advisor)
Sarah Downs (Democratic Services Officer)

26. Apologies for absence

Apologies for absence had been received from Councillors Ian Stokes and John Cottier.

Councillor Gloria Johnson substituted for Councillor Rosemary Kaberry-Brown.

Councillor Ashley Baxter had been appointed for the Alliance SK vacancy.

27. Disclosure of interests

No interests were disclosed.

28. Minutes of the meeting held on 11 August 2022

Clarification was sought by a Member of the Committee as to whether the applicant would return to a future Planning Committee or a Full Council meeting as the applicant was not present at the meeting of 11 August 2022 and this was not clear within the minutes.

A further query was raised as to whether a substantive vote was carried out following the Mallard Pass application and the Assistant Director of Governance informed the Committee that Councillor Dilks had specifically asked that his vote be recorded within the minutes and therefore noted. The Assistant Director of Governance clarified that the minutes referred to the application being heard, not the applicant.

A Member of the Committee asked for clarity on the voting procedure, specifically voting on an amendment to a motion as this may have been difficult for the general public to follow. A copy of the relevant procedure correspondence was agreed to be provided by the Assistant Director of Governance.

The minutes of the meeting held on 11 August 2022 were proposed, seconded, and **AGREED** as a correct record.

29. Application S21/1906

Proposal:	Reserved matters for appearance, layout, scale and access for the erection of 70 dwellings following Outline permission S18/2379.
Location:	Land West Off A1 And North of Bourne Road, Colsterworth
Recommendation:	To authorise the Assistant Director of Planning to approve the submitted reserved matters details, subject to conditions outlined in this report

Noting comments made in the public speaking session by:

Applicant Representative: Paul Jarvis and Margaret Clarke, Drainage Experts.

Agent: Aaron Gibbons

Against: Arthur Marshall – Resident.

Together with:

- Provisions within the South Kesteven Local Plan 2011-2036, Design Guidelines for Rutland and South Kesteven Supplementary Planning Document, the National Planning Policy Framework (NPPF), Lincolnshire Minerals and Waste Local Plan and the Colsterworth and District Neighbourhood Plan 2016-2026.
- Comments received from Colsterworth Parish Council.
- Comments received from Lincolnshire County Council (Highways & SuDS).
- No comments received from SKDC Environmental Health Officer.

- Comments from Anglian Water received 7 September 2022 – update via presentation.
- No comments received from National Highways.
- No objection from Environment Agency.
- Comments received from the Council's Project Partnership Officer.
- No comments received from Historic England.
- No comments received from Gardens Trust.
- No comments received from Lincolnshire Fire and Rescue Services.

During questions to public speakers, Members commented on:

- What the volume of the attenuation pond was. The applicant did not have confirmation of the volume to hand but was able to confirm that it was designed to accommodate a 1 in a hundred-year storm event and 40% climate change.
- Acknowledgement was given of past flooding in the area of Bourne Road Estate and a query was raised as to whether the development would exacerbate or reduce the problem. The applicant confirmed that rainfall would be directed into a suds pond of the southern boundary of the development, potentially reducing the amount of excess water by 60%.
- Did the new information recently received change the validity of the drainage report? The applicant informed the Committee that the drainage remains unchanged as they were to provide an outlet for the surface water.
- Was the applicant certain that the measures they were proposing to put in place would alleviate the risk of flooding? The applicant informed that by reducing the amount of water flow they were improving the situation. The Assistant Director of Planning added that absolute confidence of no future flooding was not possible but that the Planning department would look to ascertain that the situation would not be made worse. They were unable to insist that the applicant has to improve a pre-existing situation.
- Was the attenuation pond separate from the play area? The applicant confirmed that the attenuation pond was not close to the play equipment.
- What was the requirement for acoustic glazing? The applicant confirmed that creating an air gap between the glazing was to reduce the decibels of noise into the housing.
- What sustainability measures were there on the development? The applicant informed Members that housing was to be given high efficiency insulation and the plans

During questions to officers and debate, Members commented on:

- Can the Planning Committee insist that applicants apply more than the bare minimum in building regulations? The Planning Officer confirmed that a condition had been added to ensure the development complies with Policy SB1 which refers to sustainable building including energy consumption. The Officer further confirmed that the current building regulations covered this already.
- What happens if Anglian Water don't adopt the drainage plan? The Assistant Director of Planning confirmed that there was no obligation for the drainage plan

to be adopted by Anglian Water but in the event that they don't adopt the plan, a private company would take over.

- Is there enough capacity within the electric grid to manage an additional 70 properties in Colsterworth? The applicant confirmed that a new substation was required for the development on the south-western corner and that electrical capacity had been secured.
- Whether the overlooking issues raised involving plot 13 been addressed? The Planning Officer confirmed that amendments had been made to improve the distance between properties and that there was no direct overlooking of Meadow Close. It was also acknowledged that plots 18 and 19 were now bungalows.
- It was acknowledged that there was a need for such affordable homes along with single-storey dwellings and that the applicant had worked well with the Council.
- Could safety signs and a life ring be installed at the attenuation pond? The Planning Officer agreed this could be done.
- A Member asked if obscured glass could be fitted to the bathroom window of Plot 13. The Planning Officer agreed the glass could be added.

(Councillors Harrish Bisnauthsing and Gloria Johnson were unable to participate in voting on the application due to not being present for part of the presentation or debate)

It was proposed, seconded and **AGREED** to authorise the Assistant Director of Planning to approve the submitted reserved matters details, subject to the conditions set out below and;

The Assistant Director of Planning is authorised to make minor changes to those conditions providing they don't alter the meaning or substance of the condition.

In addition, 3 further conditions were proposed and agreed, to include the addition of obscured glass in the bathroom window of plot 13, safety signage and a life ring by the attenuation pond. The additional conditions and any minor changes have been included below, wording has been agreed with Assistant Director of Planning.

Conditions

1. The development hereby permitted shall be carried out in accordance with the following list of approved plans:
 - 1303-004 Rev S Planning Layout
 - JH 06/07/22 3 bed bungalow (Plots 18 and 19)
 - 20794-HYD-XX-XX-DR-C-0210 Rev T1 Basin Section
 - PH406.1/3.1 Rev B Somerton plots 50 and 54
 - PH302.1 Amended Sherbourne (applies to Plot 63)
 - PH302.3 Amended Appleby (applies to Plots 16, 57, 66 and 69)
 - PH406.2 Amended Somerton (Plots 26, 50 and 54)
 - PH406.3 Amended Whitton (Plots 2, 15, and 49)
 - PH409.1 Amended Boughton (Plots 3, 4, 11, 13, 14, 17, 20 , 23, 56, 61, and 68)

PH411.1 Amended Bamburgh (Plot 53)
PH411.2 Amended Bamburgh (Plots 48 and 60)
PH413.3 Amended Haddon (Plots 21, 38, 39, 40, 58, 59, 62, 64, 65, and 70)
PH418.1 Amended Wentworth (Plots 1 and 22)
PH418.1 Amended Wentworth (Plots 24, 25, 55, and 67)
PH507.6 Amended Buckingham (Plots 12, 51, 52)
G101.1 Single Garage
G201.1 Double Garage
PH302.1 Sherbourne
PH302.2 Appleby
PH406.1 Somerton
PH406.3 Whitton
PH409.2 Boughton
PH411.1 Bamburgh
PH413.1 Haddon
PH418.1 Wentworth
PH506.1 Chatsworth
SH102.1-3
SH104.1-3
SH202.1/3
SH203.1-3
SH320.1-3
SH401.1-3
GL1610 03 Amended Leap Proposal
1303-005 Rev G Amended Enclosures Plan
1303-006 Rev B Materials Plan (Notwithstanding the proposed brown roof tiles -
specific materials to be confirmed)
20794-HYD-XX-XX-DR-C-0001_T4 Amended Drainage Overview
20794-HYD-XX-XX-DR-C-0002_T4 Amended Drainage Layout Sheet 1
20794-HYD-XX-XX-DR-C-0003_T4 Amended Drainage Layout Sheet 2
20794-HYD-XX-XX-DR-C-0004_T4 Amended Drainage Layout Sheet 3
20794-HYD-XX-XX-DR-C-0005_T4 Amended Drainage Layout Sheet 4
20794-HYD-XX-XX-DR-C-0006_T4 Amended Drainage Layout Sheet 5
20794-HYD-XX-XX-DR-C-0007_T4 Amended Catchment Plan and Notes
20794-HYD-XX-XX-DR-C-0008_T4 Amended Manhole Schedule
20794-HYD-XX-XX-DR-C-0100_T3 Amended External Works General
Overview
20794-HYD-XX-XX-DR-C-0101_T3 Amended External Works Sheet 1
20794-HYD-XX-XX-DR-C-0102_T3 Amended External Works Sheet 2
20794-HYD-XX-XX-DR-C-0103_T3 Amended External works Sheet 3
20794-HYD-XX-XX-DR-C-0104_T3 Amended External Works Sheet 4
20794-HYD-XX-XX-DR-C-0105_T3 Amended External Works Sheet 5
20794-HYD-XX-XX-DR-C-0200_T4 Amended External Levels General
Overview
20794-HYD-XX-XX-DR-C-0201_T4 Amended External Levels Sheet 1
20794-HYD-XX-XX-DR-C-0202_T4 Amended External Levels Sheet 2
20794-HYD-XX-XX-DR-C-0203_T4 Amended External Levels Sheet 3
20794-HYD-XX-XX-DR-C-0204_T4 Amended External Levels Sheet 4

20794-HYD-XX-XX-DR-C-0205_T4 Amended External Levels Sheet 5
20794-HYD-XX-XX-DR-C-5000_P2 Amended Vehicle Tracking General
Overview

C-20794-RP-001_REV 2 Amended SuDS Statement
1303-007 Noise Bund Section

Unless otherwise required by another condition of this permission.

Reason: To define the permission and for the avoidance of doubt.

During Building Works

2. The development hereby permitted shall be undertaken in accordance with a Construction Management Plan and Method Statement that shall first be approved in writing by the Local Planning Authority. The Plan and Statement shall indicate measures to mitigate the adverse impacts of vehicle movements and explain how the drainage of the site will be managed, during the construction stage of the permitted development. It shall include;
 - o the phasing of the development to include access construction;
 - o the on-site parking of vehicles of site operatives and visitors;
 - o the on-site loading and unloading of plant and materials;
 - o the storage of plant and materials used in constructing the development;
 - o wheel washing facilities;
 - o a strategy stating how surface water run off on and from the development will be managed during construction and protection measures for any sustainable drainage features. This should include drawing(s) showing how the drainage systems (permanent or temporary) connect to an outfall (temporary or permanent) during construction.Reason: In the interests of the safety and free passage of those using the adjacent public highway and to ensure the permitted development is adequately drained without creating or increasing flood risk to land or property adjacent to, or downstream of, the permitted development during construction.
3. The permitted development shall be undertaken in accordance with an Estate Road Phasing and Completion Plan, which shall first be approved in writing by the Local Planning Authority. The Plan shall set out how the construction of the development will be phased and standards to which the estate roads on each phase will be completed during the construction period of the development.

Reason: To ensure that a safe and suitable standard of vehicular and pedestrian access is provided for residents throughout the construction period of the development.
4. Before any of the works on the external elevations for the buildings hereby permitted are begun, samples of the materials (including colour of any render, paintwork or colourwash) to be used in the construction of the external surfaces shall have been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure a satisfactory appearance to the development and in accordance with Policy EN1 of the adopted South Kesteven Local Plan.

Before the Development is Occupied

5. Prior to first occupation of any of the dwellings hereby permitted, a life saving ring and storage post must be provided within 2m of the attenuation basin (shown on approved drawing no. 1303-004 Rev S Planning Layout) and must be retained for the lifetime of the development, with a suitable replacement being provided when necessary.

Reason: In the interests of public safety.

6. Before any part of the development hereby permitted is occupied, the works to provide the surface and foul water drainage shall have been completed in accordance with the approved details.

Reason: To ensure the provision of satisfactory surface and foul water drainage is provided in accordance with Policy EN5 of the adopted South Kesteven Local Plan.

7. Before Plot 13 is occupied, the first floor window to the west elevation of Plot 13 serving an ensuite, shall have been installed with obscure glazing and with no opening part being less than 1.7m above the floor level immediately below the centre of the opening part. The obscure glazing must be obscured to a minimum of Pilkington - Privacy Level 3 or an equivalent product. Once installed, the window unit shall thereafter be retained as such at all times.

Reason: To safeguard the privacy of the occupiers of the neighbouring properties.

8. Prior to first occupation of each of the dwellings hereby approved, the noise mitigation measures as outlined in Section 8 of the noise impact assessment report reference 403.13033.00001 dated February 2022 shall have been implemented. Prior to installation, specification details of the acoustic glazing and passive ventilation systems shall have been submitted to and approved by the Local Planning Authority. The mitigation measures shall be installed in accordance with the approved details and retained for the lifetime of the development.

Reason: In the interest of residential amenity.

9. Before the occupation of any dwellings hereby permitted, Validation Testing of the noise attenuation works shall have been carried out and the results submitted to and approved by the Local Planning Authority. Such Validation Testing shall:
 - a) Be carried out in accordance with an approved method statement
 - b) Demonstrate that the specified noise levels have been achieved.

In the event that the specified noise levels have not been achieved, then, notwithstanding the sound attenuation works thus far approved, a further scheme of sound attenuation works to the relevant dwellings affected, which is capable of achieving the specified noise levels recommended by an acoustic consultant, shall be submitted to and approved by the Local Planning Authority before the use of the development is commenced. Such further scheme of works shall be installed as approved in writing by the Local Planning Authority before the relevant dwellings are occupied and shall thereafter, be retained.

Reason: To protect future residents from unacceptable noise levels generated from traffic on the A1 trunk road.

10. Prior to first occupation of any of the dwellings hereby approved, a minimum of 2no. safety signs shall have been installed in close proximity to the attenuation basin. The signs shall contain safety information/warnings in relation to ice in cold weather, and water when the attenuation basin is full. Details of the signage are required to be submitted and approved to the Local Planning Authority prior to installation.

Reason: In the interests of public safety.

11. Before any part of the development hereby permitted is occupied/brought into use, the external surfaces shall have been completed in accordance with the approved details.

Reason: To ensure a satisfactory appearance to the development and in accordance with Policy DE1 of the adopted South Kesteven Local Plan.

12. The soft landscaping shall be carried out in accordance with the following approved plans:
GL1610 01C Amended Soft Landscaping Proposals
GL1610 02C Amended Soft Landscaping Proposals (Notwithstanding the service strips in front of Plots 54-69 that shall be constructed to the width as shown on drawing ref 1303-004 Planning Layout Rev S)

Reason: In the interest of visual amenity.

30. Application S20/1586

Proposal:	Section 73 application to vary condition 2 (approved plans) of permission S16/0112. Amendment to the access, associated layout changes, house type updates and changes to affordable plot numbers of Phase A only.
Location:	Land north of Towngate East and south of Northfield Road, Market Deeping
Recommendation:	To authorise the Assistant Director for Planning to GRANT planning permission subject to the

completion of a Deed of Variation to the Section 106 Agreement related to S16/0112 and subject to conditions outlined in this report.

Noting comments made in the public speaking session by:

Agent: Ms Guy

Against: Mr Martin Reilly

Together with:

- Provisions within the South Kesteven Local Plan 2011-2036, the National Planning Policy Framework (NPPF) and the Deepings Neighbourhood Plan 2021.
- No objections from Market Deeping Town Council.
- No comments received from Heritage Lincolnshire.
- Comments received from LCC Highways and SuDS.
- Comments received from Welland and Deepings IDB.
- No comments from the Environment Agency.
- Comments received from Lincolnshire Fire and Rescue.
- No objections from Anglian Water.

During questions to public speakers, Members commented on:

- Clarification was sought that the 9m easement was adhered to. The applicant confirmed that the easement was in place.
- Were there plans for solar panels to be added to the properties? The applicant confirmed there were no plans for solar panels.
- Will there be an appropriate amount of public open space? The applicant informed the Committee that the appropriate amount of open space had been catered for.
- If Phase D was refused permission, what would the consequences be for Phase A? The Assistant Director of Planning confirmed that it was the amendments to the development that the Committee were to consider and that the assessment of Officer's was that there were no reasonable grounds for refusal.

During questions to officers and debate, Members commented on:

- Were the conditions being complied with?
- Concerns over the drainage being unresolved.
- The amendments to the situation of the access road and its potential effects.
- Whether sufficient properties were affordable homes.
- Enforcement Team were to be requested to monitor the development closely.

It was proposed that the application be deferred until all existing conditions had been compiled with. This proposal was seconded with an amended motion to confirm the

amount of affordable homes provided along with clarification of the sewage arrangements.

It was proposed, seconded and **AGREED** that:

The Assistant Director for Planning **DEFERRED** planning permission **for** the reasons noted above.

31. Application S22/0133

Proposal:	Proposed alterations and extensions
Location:	Byre Cottage, Village Street, Oasby, NG32 3NA
Recommendation:	To authorise the Assistant Director of Planning to GRANT PERMISSION subject to conditions.

Noting comments made in the public speaking session by:

District Ward Councillor:	Councillor Sarah Trotter
Heydour Parish Councillor:	Mr Nicholas Turner
Applicant's Agent:	Mr Clive Wicks, Wicks Associates

Together with:

- Provisions within the South Kesteven Local Plan 2011-2036, the National Planning Policy Framework (NPPF).
- Objections received from Heydour Parish Council.
- Comments received from SKDC Conservation Officer.
- Comments received from SKDC Tree Officer.
- No objections from LCC Highways and SuDS.
- No comments from Historic England.

During questions to public speakers, Members commented on:

- Have the windows, rainwater guttering, and garage doors been amended as advised? The agent clarified that windows would be timber and the guttering black cast aluminium, not upvc and the garage doors would be on the side of the building and not visible from the street.
- An explanation was requested as to what constituted a 1.5 storey property. The agent confirmed that the property would have dormer windows and the eaves would be underneath the sills.
- A Member asked what the ridge height on the property would be. This was confirmed as being 6.75 metres.
- How would the proposal be 'in keeping with the host dwelling'? The agent informed the Committee that the appearance would be similar in character to the building to the left of the plot with a minimal impact on the street scene. It was confirmed that the bungalow was the host dwelling with the proposal referring to the extension dwelling.

- Would the applicant be implementing any climate-change measures? The agent confirmed they were looking to put in underground water storage.

(At 16:00 The Chairman asked the Committee if they agreed for the meeting to be extended)

It was proposed, seconded and **AGREED** to extend the meeting past the three-hour threshold.

During questions to officers and debate, Members commented on:

- Were design guidelines being followed?
- Concern was raised over the proposed increase in height of building which would dominate the site.
- The proposal was considered to not be a positive contribution or sympathetic to the surrounding properties in the village. There was potentially perceived harm to the setting of Grade II* listed building, Oasby Manor.
- A Member asked what would happen in the future if permission was allowed on this site. The conservation area has to be preserved.
- The plans showed too many roof lines to the proposed building.

It was proposed, seconded and **AGREED:**

To authorise the Assistant Director of Planning to **REFUSE PERMISSION** on the basis that the proposals are not in keeping with the character of the surrounding properties and character of the conservation area. Following wording has been agreed by Assistant Director of Planning, Chair and Vice-Chairman of Planning Committee and Cllr Selby, who seconded the proposal.

Reason for refusal:

1. The proposed extensions would result in an overly large and high dwelling, in a dominant position within the site, with a complicated roofscape. The design, position, bulk and massing would be out of keeping with the character and appearance of the Oasby Conservation Area. The proposal would not make a positive contribution to local distinctiveness or vernacular and is not sympathetic to the adjacent dwelling to the south, Paddock Cottage. The proposed extensions would therefore result in less than substantial harm to the character and appearance of the conservation area and the setting of the nearby Grade II* listed building, Oasby Manor. There would be no public benefits as a result of the proposal that would outweigh the identified harm. The proposal is therefore contrary to Policies EN6, and DE1 of the SKDC adopted Local Plan (2020), Parts 12 and 16 of the NPPF (2021), Part 2 6G of the adopted Design Guidelines for Rutland and South Kesteven (2021), the Rutland County Council Extensions to Dwellings SPD, and Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

32. Application S22/1326

Proposal:	Demolition of a brick shed at the rear of the property and the construction of a single storey extension to the rear of the property
Location:	10 Ash Close, Fulbeck, Lincolnshire, NG32 3JY
Recommendation:	To authorise the Assistant Director for Planning to GRANT planning permission, subject to conditions

Together with:

- Provisions within the South Kesteven Local Plan 2011-2036, Design Guidelines for Rutland and South Kesteven Supplementary Planning Document, the National Planning Policy Framework (NPPF).
- Comments received from Lincolnshire County Council (Highways & SuDS Support).
- No comments received from Ward Councillors.
- No comments received from Fulbeck Parish Council.

During questions to officers and debate, Members commented on:

- The number of properties within the vicinity who also had rear extension development was queried and whether approval of this development would allow acceptability for nearby properties to do the same.
- Whether the terraced houses belonged to South Kesteven District Council.

The Assistant Planning Officer confirmed that there were 3 terraced houses, that did not have rear extensions. However, the terraced houses had outbuildings or brick sheds.

It was clarified that there was a fall-back position under a prior approval application, where residents could submit an application to project beyond the rear of their property by 6 metres with a maximum height of 3 metres.

It was confirmed that the terraces houses belonged to South Kesteven District Council.

It was proposed, seconded and **AGREED** to authorise the Assistant Director for Planning to GRANT planning permission, subject to the following conditions:

Time Limit for Commencement

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

Reason: In order that the development is commenced in a timely manner, as set out in Section 91 of the Town and Country Planning Act 1990 (as amended).

Approved Plans

- 2 The development hereby permitted shall be carried out in accordance with the following list of approved plans:
 - i. Location plan received 01 July 2022
 - ii. Proposed block plan re. 10 Ash Close – Block Plan, received 18 August 2022
 - iii. Proposed elevations re. 04, received 01 July 2022 Unless otherwise required by another condition of this permission.

Reason: To define the permission and for the avoidance of doubt. During Building Works

- 2 Before any part of the development hereby permitted is brought into use, the external elevations shall have been completed using only the materials stated in the planning application forms unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure a satisfactory appearance to the development and in accordance with Policy DE1 of the adopted South Kesteven Local Plan.

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

There were none.

34. Close of meeting

The Chairman closed the meeting at 17:08.

This page is intentionally left blank