

Minutes

Planning Committee

Thursday, 12 January 2023, 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 Julia Reid
Councillor Penny Robins
Councillor Ian Selby
Councillor Judy Stevens
Councillor Ian Stokes
Councillor Paul Wood
Councillor Richard Cleaver
Councillor Helen Crawford
Councillor Phil Dilks
Councillor Mary Whittington

Cabinet Members present

Councillor Adam Stokes (Deputy Leader of the Council)
Councillor Nick Robins (Cabinet Member for Planning and Planning Policy)

Officers

Nicola McCoy Brown (Director of Growth and Culture)
Emma Whittaker (Assistant Director of Planning)
Graham Watts (Assistant Director of Governance)
Adam Murray (Principal Planning Officer)
Hannah Noutch (Development Management Planner)
Shemuel Seikh (Legal Advisor)
Amy Pryde (Democratic Services Officer)

54. Register of attendance and apologies for absence

An apology for absence had been received from Councillor Harish Bisnauthsing.

Councillor Richard Cleaver substituted for Councillor Harish Bisnauthsing.

Councillor Helen Crawford and Councillor Mary Whittington filled the two Conservative vacancies.

Councillor Phil Dilks filled the Alliance SK vacancy.

55. Disclosure of interests

No interests were disclosed.

56. Minutes of the Additional Meeting held on 17 November 2022

The minutes of the Additional Meeting held on 17 November 2022 were proposed, seconded, and **AGREED** as a correct record.

57. Minutes of the Meeting held on 1 December 2022

The minutes of the meeting held on 1 December 2022 were proposed, seconded, and **AGREED** as a correct record.

58. Application S22/1953

Proposal: Two-storey classroom extensions to existing science block and additional external staircases.

Location: Stamford School, St. Paul's Street, Stamford, PE9 2BE

Recommendation: To authorise the Assistant Director – Planning to GRANT planning permission subject to conditions

Noting comments made in the public speaking session by:

On Behalf of the Applicant: Dean White (Bursar and Clerk to the Governor at Stamford Endowed schools)

Together with:

- Provisions within the South Kesteven Local Plan 2022-2036, the National Planning Policy Framework (NPPF), Design Guidelines Supplementary Planning Document and Stamford Neighbourhood Plan 2016-2036.
- No comments received from Anglian Water.
- No comments received from Cadent Gas.
- No comments received from Stamford Civic Society.
- Comments received from SKDC Conservation Officer.
- Comments received from Stamford Town Council.
- Comments received from SKDC Environmental Protection.
- Comments received from Heritage Lincolnshire.

During questions to the Public Speaker, Members commented on:

- That the design of the existing building was not in line with the architectural heritage of Stamford. It was queried as to whether the Applicant had considered improving the appearance of the existing building when carrying out the proposed extension work. The Applicant had not considered making any adjustments to the existing building.
- The location of the proposed trees was queried. The Applicant confirmed that the proposed trees would be used to soften boundaries between the site and the neighbours for overlooking purposes.
- Concern was raised on the impact on the character and appearance of the area and the impact on neighbours. It was questioned as to who decided the site had no harm to visual amenity. It was confirmed to be a Planning Officer recommendation in line with the Conservation Officer's comments and reviewed by the Principal Planning Officer.

During questions to Officers and debate, Members commented on:

- Several Members expressed their disappointment that the existing building would not be improved. It was suggested that the school revisit the possibility of upgrading the top floor of the existing building.
- Members commented on the proposed trees for the site and that 2 trees would be planted for every 1. It was noted that three trees would be removed, however, they were relatively old in age and were not seen as a huge loss.
- One Member queried as to whether planting 3 trees per 1 could be conditioned. The Planning Officer confirmed that the condition proposed was for the tree planting scheme to be submitted, however, the Applicants may be happy to work based on planting 3 trees per 1.
- That the benefits of the proposal for the school children outweighed the visual impacts of the existing building.

It was proposed, seconded and **AGREED** to authorise the Assistant Director of Planning to **GRANT** planning permission subject to 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:
 - a. Site Location Plan re. P22009-ARC-00-00-DR-A-0001 received 4 October 2022

- b. Proposed Site Plan re. P22009-ARC-00-00-DR-A-2000 REV P2 received 14 November 2022
- c. Proposed Elevation Plan re. P22009-ARC-00-00-DR-A-2101 received 4 October 2022
- d. Proposed Ground Floor Plan re. P22009-ARC-00-01-DR-A-2001 received 4 October 2022
- e. Proposed First Floor Plan re. P22009-ARC-00-02-DR-A-2002 received 4 October 2022
- f. Proposed Second Floor Plan re. P22009-ARC-00-03-DR-A-2003 received 4 October 2022

Unless otherwise required by another condition of this permission.

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

During Building Works

Materials Samples

- 3) Before any works on the external elevations of the development hereby permitted is 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 DE1 and Policy EN6 of the adopted South Kesteven Local Plan.

Tree Protection Measures

- 4) Before the development hereby permitted is commenced, the Tree Protection Measures set out in the Tree Survey, Arboricultural Impact Assessment, Preliminary Arboricultural Method Statement and Tree Protection Plan (Hayden's Arboricultural Consultants) (Dated 14 November 2021) and as shown on the Tree Protection Plan (Ref: 9752-D1AIA) shall be implemented in full. Thereafter, the development must be carried out in accordance with the approved protection measures.

Reason: Trees can make an important contribution to the character and quality of urban environments and can also help to mitigate and adapt to climate change, in accordance with Policy SD1, EN1, EN2 and DE1 of the adopted South Kesteven Local Plan.

Archaeological Works Compliance

- 5) Before the development hereby permitted is commenced, the Archaeological Investigations shall have been completed in accordance with the Written Scheme of Investigation (APS Archaeological Services) (Dated December 2022) received by the Local Planning Authority on 13 December 2022.

Reason: In order to provide a reasonable opportunity to record the history of the site and in accordance with Policy EN6 of the adopted South Kesteven Local Plan and Paragraph 199 of the Framework.

Precautionary Contamination Condition

- 6) Should the developer during excavation and construction works of the said development site find any area of the site where it is suspected that the land is contaminated then all works must stop, and the Local Planning Authority notified immediately. An investigation and risk assessment must be undertaken and where remediation is necessary, a remediation scheme must be prepared in accordance with current good practice and legislation and submitted and approved by the Local Planning Authority; and the approved remediation shall thereafter be implemented. Following completion of the measures identified in the approved remediation scheme, a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority.

Reason: Previous activities associated with the site may have caused, or had the potential to cause, land contamination and to ensure that any site investigation and remediation will not cause pollution in the interests of the amenities of the future users of the development; and in accordance with Local Plan Policy EN4.

Obscure Glazing Details

- 7) Prior to the installation of any external windows hereby permitted, a plan detailing the strategy for the obscure glazing of windows within the development shall have been submitted to and approved in writing by the Local Planning Authority. The submitted plan shall indicate the windows that are to be obscure glazed, the design / extent of the proposed glazing, the level of obscurity provided by the proposed glazing, and whether the relevant windows are to be fixed. Thereafter, the windows shall be installed in accordance with the approved details prior to first use of the approved extensions, and shall be retained as such in perpetuity.

Reason: To safeguard the amenity / privacy of occupiers of the neighbouring residential properties.

Before the Development is Occupied

Materials Implementation

- 8) Before any part of the development hereby permitted is 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 and EN6 of the adopted South Kesteven Local Plan.

Replacement Tree Planting Implementation

- 9) Before the end of the first planting / seeding season following first use of any part of the development hereby permitted, details of a soft landscaping scheme, including details of replacement tree planting to mitigate for the removal of existing trees as part of the development shall have been submitted to and approved in writing by the Local Planning Authority. Details shall include planting plans, written specifications (including cultivation and other operations associated with plant establishment) and schedule of plants (noting species, plant sizes and proposed numbers as appropriate). Thereafter, all soft landscaping works shall be carried out in accordance with the approved details by the end of the subsequent planting season.

Reason: Trees can make an important contribution to the character and quality of urban environments and can also help to mitigate and adapt to climate change, in accordance with Policy SD1, EN1, EN2 and DE1 of the adopted South Kesteven Local Plan

Ongoing Conditions

Soft Landscaping

- 10) Within a period of five years from the first use of the development hereby permitted, any trees or plants provided as part of the approved replacement tree planting scheme, that die or become, in the opinion of the Local Planning Authority, seriously damaged or defective, shall be replaced in the first planting season following any such loss, with a specimen of the same size and species as was approved in Condition 5 above, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the provision, establishment and maintenance of a reasonable standard of landscaping in accordance with Policy DE1 and EN2 of the adopted South Kesteven Local Plan

59. Application S22/1116

Proposal:	Application for approval of reserved matters relating to appearance, landscaping, layout and scale for 17 (no) dwellings for over 55's pursuant to outline planning permission S18/1408
Location:	Spittlegate Farm, Gorse Lane, Grantham
Recommendation:	To authorise the Assistant Director - Planning to GRANT planning permission, subject to conditions

Together with:

- Provisions within the South Kesteven Local Plan 2011-2036, the National Planning Policy Framework (NPPF), Design Guidelines for Rutland and South Kesteven Supplementary Planning Document and Lincolnshire Minerals and Waste Local Plan: Core Strategy and Development Management Policies DPD.
- No comments received from Anglian Water.
- No comments received from Association of Gardens Trust.
- No comments received from Grantham Civic Society.
- No comments received from Heritage Lincolnshire.
- No comments received from Historic England.
- Comments received from Lincolnshire County Council (Highways & SuDS).
- No comments received from Lincolnshire County Council (Minerals).
- Comments received from Lincolnshire Fire and Rescue
- No comments received from Lincolnshire Police and Crime Prevention Officer.
- Comments received from SKDC Affordable Housing Officer.
- Comments received from SKDC Conservation Officer.
- No comments received from SKDC Environmental Protection.
- Comments received from SKDC Principal Urban Design Officer.
- No comments received from SKDC Tree Officer.
- No comments received from Ward Member.

During questions to Officers, Members commented on:

- Clarification was sought on whether the original application counteracted this application in terms of the S106 agreement which declared footpaths and other schemes. It was confirmed that the S106 agreement carried forward as part of reserved matters, which was a supplementary addition of the outline planning permission. The footpath was covered by condition which would be carried forward for the reserved matters application.
- Whether the application provided any scope to protect birds nesting and provide bird boxes. The Planning Officer highlighted that a condition on the outline planning permission secured a scheme to provide bird and bat boxes, which would be in place for the reserved matters application.

- Concern was raised on whether Highways or a private company would maintain and cut the front boundary and prevent the boundary from overgrowing which could affect the footpath. The Planning Officer noted that it would depend on the extent of where the Highway boundary was placed as to whether Lincolnshire County Council would be responsible. If the boundary fell within the ownership of the applicant, a private management company would be expected to take on the responsibility.

During debate, Members commented on:

- One Member noted that Lincolnshire Fire and Rescue had submitted a formal objection on the grounds of inadequate water supply for firefighting purposes, they had suggested that additional hydrants were required. Furthermore, the report stated that it was not possible to impose any additional obligation requiring the provision of fire hydrants at this stage. It was highlighted that risks were increased when it came to fires in retirement or over 55 communities due to vulnerability and dependency of residents who reside in them. Concern was raised that a possible fire incident may occur and indicate that the Council had not considered to have met guidance at time of construction. The Planning Officer identified where the formal objection would sit at formal planning application stage. A request for fire hydrants or provision of additional fire hydrants should have been submitted at the outline planning application stage and would have been secured through the S106 agreement at that point. The Committee were reassured that building regulations processes included an element relating to fire hydrants or alternative measures for water supply.
- Whether the implementation of additional fire hydrants would be considered and revisited again. It was confirmed that this could not be considered through planning, however, there were additional measures and guidance that the developer would need to comply with, in terms of building regulations and appropriate supplies of water to tackle fire safety issues.
- It was queried as to whether the Applicant could be asked to provide additional fire hydrants or a sufficient water supply. The Planning Officer noted that a conversation would be held with the developer in terms of fire safety, however, this could not be considered at this point and should not affect any decision making for Members.
- A query was raised on the Gorse Road original hedgerows being preserved and enhanced and whether this could be conditioned due to other hedgerows in different sites being removed. It was noted that this aspect was covered by condition 3.
- Whether there was a penalty in place should the hedgerows be removed. It was assured that it depended on the quality and details of the specific hedgerow. Consent would need to be applied for before a hedgerow was removed.

The Assistant Director of Planning highlighted that if the Council had evidence that a hedgerow that needed consent was removed, enforcement powers would need to be explored. The removal of unprotected hedgerows and tree was not development

and would not fall under the planning regime if it fell outside of control of the planning application.

- One Member raised a query on whether there were any planning rules that could be enforced to prevent the applicant from putting netting over the hedgerows during the development of the site as this may affect the wildlife population considerably. It was confirmed that from a planning perspective, a condition could be made, however, separate legislation in terms of the protection of wildlife fell outside of the planning process.
- Assurance was sought regarding the fire hydrants and that it would not be a potential hazard for individuals living in the property. The Planning Officer stated that a supplementary process would need to be adhered to, following approval of the application regarding building regulations which would capture fire regulations.

The Assistant Director of Planning further clarified that consultation with the Fire Authority would be part of the building regulation application and would consult as required under the legislation.

- It was queried as to whether the concept of a gated community raised any planning issues. It was assured that a gated community did not raise any concerns in regard to planning perspective.
- It was noted that a water tower was within 200 yards of the site.

Members thanked Officers for the detailed plans provided.

It was proposed, seconded and **AGREED** to authorise the Assistant Director of Planning to **GRANT** planning permission subject to conditions.

Approved Plans

- (1) The development hereby permitted shall be carried out in accordance with the following list of approved plans:
 - a. Proposed Block Plan (Ref: 20-047/002)
 - b. Proposed Block Plan: Inset Plan (Ref: 20-047/003)
 - c. Proposed Floor Plans and Elevations: Units 1-5 (Ref: 20-047/004/Rev A)
 - d. Proposed Floor Plans: Unit 6-13 (Ref: 20-047/005/Rev A)
 - e. Proposed Elevations: Unit 6-13 (Ref: 20-047/006/Rev A)
 - f. Proposed Floor Plans and Elevations: Unit 14 – 17 (Ref: 20-047/007)
 - g. Proposed External Works (Ref: 20-047/BP/001/Rev D)

Unless otherwise required by another condition of this permission.

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

During Building Works

Materials Details

- (2) Before any works on the external elevations of the dwellings hereby permitted are begun, details of the materials (including colour of render, paintwork or colourwash) to be used in the construction of the external surfaces of the development hereby permitted 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 DE1 of the adopted Local Plan.

Soft Landscaping Details

- (3) Notwithstanding the submitted plans, no development above damp-proof course shall take place until full details of all soft landscaping works, including the selection of appropriate plant species, shall have been submitted to and approved in writing by the Local Planning Authority. Details shall be in broad accordance with approved plan Proposed External Works (Ref: 20-047/BP/001/Rev D) and shall include:

- a. Planting plans
- b. Written specifications (including cultivation and other operations associated with plant and grass establishment)
- c. Schedules of plants, noting species, plant sizes and proposed numbers / densities where appropriate.

Reason: Soft landscaping and tree planting make an important contribution to the development and its assimilation with its surroundings and in accordance with Policy DE1, EN1 and OS1 of the adopted South Kesteven Local Plan.

Hard Landscaping Details

- (4) Notwithstanding the submitted plans, no development above damp-proof course shall commence until details of hard landscaping works shall have been submitted to and approved in writing by the Local Planning Authority. Details shall be in broad accordance with approved plan Proposed External Works (Ref: 20-047/BP/001/Rev D) and shall include:

- a. Detailed specification and materials for all hard surfaces, including the internal private road, communal courtyards and boundary treatments.

Reason: Hard landscaping makes an important contribution to the development and its assimilation with its surroundings in accordance with Policy DE1 of the adopted South Kesteven Local Plan.

Before the Development is Occupied

Materials Implementation

- (5) Before any part of the development hereby permitted is occupied, the dwellings must have been completed in accordance with the approved external materials details.

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

Hard and Soft Landscaping Implementation

- (6) Before any part of the development hereby permitted is occupied, all hard works shall have been carried out in accordance with the approved landscaping details.

Reason: Hard and soft landscaping make an important contribution to development and its assimilation with its surroundings and in accordance with Policy DE1 and EN1 of the adopted South Kesteven Local Plan.

Ongoing Conditions

Soft Landscaping Implementation

- (7) Before the end of the first planting season following the final occupation of the development hereby permitted, all soft landscaping works shall have been completed in accordance with the approved landscaping details.

Reason: Soft landscaping and tree planting make an important contribution to the development and its assimilation with its surroundings and in accordance with Policy DE1, EN1 and OS1 of the adopted South Kesteven Local Plan.

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

There was none.

61. Close of Meeting

The Chairman closed the meeting at 13:50.

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