

Minutes

Planning Committee

Thursday, 2 February 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 Richard Cleaver
Councillor Julia Reid
Councillor Penny Robins
Councillor Ian Selby
Councillor Judy Stevens
Councillor Ian Stokes
Councillor Robert Reid
Councillor Mary Whittington

Officers

Nicola McCoy-Brown (Director of Growth and Culture)
Emma Whittaker (Assistant Director of Planning)
Phil Jordan (Development Management & Enforcement Manager)
Adam Murray (Principal Planning Officer)
Shemuel Seikh (Legal Advisor)
Amy Pryde (Democratic Services Officer)

62. Register of attendance and apologies for absence

Apologies for absence had been received from Councillor Harrish Bisnauthsing, Councillor John Cottier, Councillor Paul Fellows and Councillor Paul Wood.

Apologies were received from the Alliance SK group.

Councillor Robert Reid substituted for Councillor John Cottier.

Councillor Richard Cleaver substituted for Councillor Harrish Bisnauthsing.

63. Disclosure of interests

No interests were disclosed.

64. Minutes of the meeting held on 12 January 2023

The minutes of the meeting held on 12 January 2023 were proposed, seconded, and **AGREED** as a correct record.

65. 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:

Against: Peter Scott
Damon Spearpoint

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 2011-2036, the National Planning Policy Framework (NPPF), Design Guidelines Supplementary Planning Document and Stamford Neighbourhood 2016-2036.
- No comments received from Anglian Water.
- No comments received from Cadent Gas.
- 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 Officers and debate, Members commented on:

- It was queried as to whether a modern building could be altered within a Conservation Area. The DM Manager highlighted that any buildings or land within a Conservation Area require the Local Authorities special attention to the desirability of preserving the character or appearance of the area.
- Concern was raised around climate change and the quantity of trees being felled and the difficulties faced when re-plating trees.
- It was noted that the existing building was built prior to the Conservation Area being put into place. One Member felt that the proposal did not coincide with the

Conservation Area or Stamford Neighbourhood Plan and comments received from the Stamford Civic Society.

- Assurance was sought that provision for the materials due to be used to clad the extension would require approval by Officers. It was queried as to whether the existing buildings had an extension previous after the Conservation Area was put into place. The DM Manager confirmed that all parts of the existing building were constructed at the same time.

It was highlighted that condition 3 required samples of materials would need to be submitted and approved by the Council. Condition 9 outlined that the soft landscaping scheme would also need to be submitted and approved by the Council.

- It was further queried as to whether Officers would assess the colour of timber used for the extension prior to work commencing. The DM Manager assured the Committee that an appropriate consultation would take place around landscaping details to parties that had made representations.
- One Member expressed their disappointment that the application did not include an overall plan to improve the whole aesthetics and visibility of the existing building.
- Whether Stamford Town Council had raised any concerns in relation to the application. Stamford Town Council had made no objections subject to neighbouring amenity being respected.
- A query was raised on what implications against the benefits were in place if there was harm to the Conservation Area.
- Concern was raised around landscaping and whether conditions could be combined, and state specific materials used for living wall elevations.

It was confirmed that any harm to the Conservation Area would be considered by balanced judgements on heritage assets, at the power of the decision maker. Harm would be assessed by substantial harm or less than substantial harm.

Officers agreed to add an informative note to the applicants recommending that they explore options for the use of further living walls on the southern elevations of the building when submitting details reserved by conditions 3 and 9.

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-D-AIA) 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 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

- 1) 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 9 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

66. Application S22/1828

| | |
|------------------------|--|
| Proposal: | Siting of residential log cabin structure to be occupied in connection with petting farm use |
| Location: | Tiny Steps Petting Farm, Park Wood Road, Thurlby, PE10 0EL |
| Recommendation: | To authorise the Assistant Director – Planning to REFUSE planning permission |

Noting comments made in the public speaking session by:

District Ward Councillor: Councillor Barry Dobson

Against: Lisa Day
For: Justin Stubbs (RSPCA Inspector)
Carol Corliss
Marie Findlay

Applicant: Tracey Hall

Together with:

- Provisions within the South Kesteven Local Plan 2011-2036, Thurlby Neighbourhood Development Plan, National Planning Policy Framework (NPPF), Design Guidelines Supplementary Planning Document and National Planning Practice Guidance.
- No comments received from Forestry Commission.
- No comments received from Historic England.
- Comments received from (Lincolnshire County Council) Highways and SuDS).
- No comments received from SKDC Environmental Protection.
- Comments received from Thurlby Parish Council.
- Comments received from Kernon Agricultural Consultants (Full Report at Appendix 1).

During questions to the Public Speakers, Members commented on:

- How the RSPCA Inspector would value the animal welfare. The RSPCA Inspector had visited the site 10 times in the last year and the animal welfare was striving to improve and advice was continuing to be sought.
- Whether the Applicant had future plans to utilise the proposed log cabin for holiday lets or purely for staff use. The Applicant confirmed that the proposed log cabin would merely be used work/classroom and for animal welfare overnight stay purposes.
- It was noted that the Applicant was requested to submit any further evidence that may alter the conclusions of the independent assessment. Further evidence stated that the log cabin would be able to offer overnight B&B accommodation. The Applicant provided respite care for disabled individuals and wished for them to stay in the proposed log cabin occasionally.
- It was queried as to why the Applicant had not submitted the use of B&B accommodation at the first stage of the application. It was confirmed that the external consultant deemed the information not relevant at the time.
- Whether the breeding of animals would take place one time of year or over different times of the year. The Applicant highlighted that some animals could breed all year round, it was dependant on the type of animal.

The Assistant Director of Planning reminded the Committee that the application was merely for a residential occupation dwelling to be sited on land and did not undermine the operation of the petting farm. The layout plans outlined a 4 bedroomed dwelling with a living room and kitchen area. There had been no mention of the dwelling being a functional building to allow the Applicant to provide educational facilities, which would be subject to a different application.

During questions to Officers and debate, Members commented on:

- It was noted that a temporary caravan or mobile home could sit within the application site during breeding seasons, which would not require the same permission. The assessor deemed that the applicant lived sufficiently near to the site.
- Whether the structure proposal of the log cabin was not intrusive and was acceptable from a Planning perspective. The Principal Planning Officer confirmed that the assessment outlined in the report stated that the character and structure of the log cabin would not cause issues in terms of causing harm to the character of the area.
- A query was raised on the neighbouring businesses to the application site and whether they had residential property.

The Assistant Director of Planning highlighted that provisions to bring a temporary structure on to the site was acceptable and overnight stays during breeding seasons would be acceptable on a temporary basis. It was suggested that pre application advice be sought prior to an application being put forward.

- It was clarified that the applicant would have the opportunity to consult with Planning Officer's to put forward a different type of application, as the application in discussion stated that the proposal was for a residential log cabin in a non-residential area only.
- Concerns were raised with the financial information provided, the lack of levels of profit provided and inadequacies.
- That no evidence was supplied that incidents occurring at the farm could have been prevented by an onsite presence. Security was not a primary consideration when justifying the need to live on site.
- That the application did not comply with planning policies.
- One Member noted that policies E7 and E9 fitted into the application.
- That the petting farm was an asset to the local community, creates a good environment and helps with mental health issues.

The Committee were reminded that the application was not for the permission of the operation of the petting farm as this had already been granted. The application was merely for a residential log cabin to be situated on the site of the petting farm.

Members encouraged the Applicant to re-engage with Planning Officers to create a more viable plan which would be more in line to be acceptable.

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

(Councillor Ian Stokes and Councillor Ian Selby left the meeting at 15:00)

67. Application S22/1718

| | |
|------------------------|---|
| Proposal: | Outline application for redevelopment of site for mixed use development comprising of Class C3(a) (Residential) and Class E(c)(ii) (Office) (Appearance, Layout and Scale for Approval) |
| Location: | Ross Thain & Co LTD, Belton Street, Stamford |
| Recommendation: | To authorise the Assistant Director to GRANT planning permission, subject to conditions and completion of a Section 106 Agreement |

Noting comments made in the public speaking session by:

Against: Kevin Flynn
Applicant: Nathan Fitton

Together with:

- Provisions within the South Kesteven Local Plan 2011-2036, Stamford Neighbourhood Plan 2016-2036, Lincolnshire Minerals and Waste Local Plan:

Core Strategy and Development Management Policies DPD, the National Planning Policy Framework (NPPF), Design Guidelines for Rutland and South Kesteven Supplementary Planning Document.

- Comments received from Anglian Water.
- No comments received from Cadent Gas.
- Comments received from Environment Agency.
- No comments received from Gardens Trust.
- Comments received from Heritage Lincolnshire.
- No comments received from Lincolnshire County Council (Education).
- Comments received from Lincolnshire County Council (Highways & SuDS).
- Comments received from Lincolnshire County Council (Minerals).
- Comments received from Lincolnshire Police Crime Prevention Officer.
- Comments received from Lincolnshire Fire and Rescue.
- Comments received from NHS Lincolnshire.
- Comments received from Stamford Town Council.
- No comments received from SKDC Affordable Housing Officer.
- Comments received from SKDC Conservation Officer.
- Comments received from SKDC Environmental Protection.
- Comments received from SKDC Principal Urban Design Officer.

During questions to Public Speakers, Members commented on:

- Whether the car parking spaces outlined in the site plan were for the use of the residential units. The applicant confirmed that the parking spaces within the courtyard were exclusively for the apartments.
- It was queried as to where workers from the office accommodation would park. The applicant noted that workers at the office accommodation would be local and therefore would not necessarily need to travel to work via car. If workers were to travel by car, Wharf Road, Stamford car park was adjacent to the site.
- The number of car parking spaces assigned to each unit. The apartments had one space per unit allocated. Originally, each property had an allocated parking space on Gas Street, Stamford as a form of off-street parking. Highways provided comments that they could not support lay-by parking along Gas Street, Stamford and the parking spaces would be made available to members of the public. The applicant had suggested permit parking alongside public parking.

During questions to Officers and debate, Members commented on:

- It was noted that the 21 full-time people already working on site had access to on-site parking. There may be a requirement for up to an additional 46 parking spaces to accommodate the office accommodation. LCC had only commented on Highways for the residential side of the parking.
- Concern was raised that there were not enough parking spaces for residents, up to 46 additional parking spaces would be required from office accommodation, which equated to 20% of the full capacity of Wharf Road car park.

- Whether any traffic would be generated once the office accommodation was occupied.
- It was noted that Lincolnshire County Council Highways had requested S106 money for double yellow lines down Gas Street, however, they felt the street did not need to be one-way.
- Concern was raised regarding access to the spaces at Belton gardens being impossible if people were parked on the existing single yellow line on Belton Street. It was questioned whether a double yellow line should be implemented down the other side of Belton Street.
- One Member raised concern over the visual impact in terms of height of the proposal, but not the design.
- Committee Members had not been on a site visit for this application or the previously refused application of the site. Planning Officer's had decided that the photographs of the site were descriptive, and a site visit was not necessary.
- A query was raised on similar proposals that had won on an appeal and the number of parking spaces that were provided.

The Assistant Director of Planning confirmed that the Council were not required to follow parking standards and merely followed advice of the Highways Authority. Members were reminded to focus on the consequences that insufficient car parking would have on highway safety in the area.

- It was highlighted that the previous application had provision for off-street parking and the initial response from Highways required confirmation in terms of where the site was placed in relation to the highway's boundary. Once this information was provided, highways were not able to support the off-street parking on Gas Street.
- Members discussed the use of S106 monies to be utilised to encourage schemes for public transport, cyclists and walking close to the proposed site.

It was proposed, seconded, and **AGREED** to authorise the Assistant Director of Planning to **DEFER** planning permission on the grounds that further highways safety investigation takes place.

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

There was none.

69. Close of meeting

The Chairman closed the meeting at 16:02.

This page is intentionally left blank