

# Minutes

## Planning Committee

Thursday, 2 March 2023, 1.00 pm

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



**SOUTH  
KESTEVEN  
DISTRICT  
COUNCIL**

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### **Committee Members present**

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

Councillor Harrish Bisnauthsing  
Councillor Julia Reid  
Councillor Ian Selby  
Councillor Judy Stevens  
Councillor Ian Stokes  
Councillor Mary Whittington  
Councillor Paul Wood  
Councillor Phil Dilks  
Councillor Robert Reid

### **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)  
Ellie Sillah (Principal Planning Officer)  
Shemuel Seikh (Legal Advisor)  
Amy Pryde (Democratic Services Officer)

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### **70. Register of attendance and apologies for absence**

An apology for absence was received from Councillor Penny Robins.

Councillor Robert Reid substituted for Councillor Penny Robins.

### **71. Disclosure of interests**

Councillor Harrish Bisnauthsing declared an objection and interest on Application S22/0683 and clarified that he would not take part in the debate or vote.

## 72. Minutes of the meeting held on 2 February 2023

The minutes of the meeting held on 2 February 2023 were proposed, seconded and **AGREED** as a correct record.

## 73. Application S22/0683

**Proposal:** Demolition of existing buildings and erection of 41 unit retirement living facility, car parking spaces, access, landscaping and ancillary development

**Location:** Land off Priory Road, Stamford

**Recommendation:** To authorise the Assistant Director – Planning to GRANT planning permission, subject to conditions and completion of a Section 106 Agreement.

Noting comments made in the public speaking session by:

District Ward Councillor: Councillor Harrish Bisnauthsing  
Applicant's Agent: Rachel Clare

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, Lincolnshire Minerals and Waste Local Plan: Core Strategy and Development Management Policies DPD and Stamford Neighborhood Plan 2016-2036.
- Comments received from Anglian Water.
- No comments received from Cadent Gas.
- Comments received from Environment Agency.
- No comments received from The Association of Gardens Trust.
- Comments received from Heritage Lincolnshire.
- Comments received from Historic England.
- Comments received from Lincolnshire County Council (Highways and SuDS).
- No comments received from Lincolnshire County Council (Minerals Planning Authority).
- No comments received from Lincolnshire Fire and Rescue.
- No comments received from Lincolnshire Police.
- Comments received from NHS Lincolnshire.
- Comments received from SKDC Affordable Housing Officer.
- Comments received from SKDC Conservation Consultee.
- Comments received from SKDC Environmental Protection Officer.
- Comments received from SKDC Arboricultural Consultee.
- Comments received from SKDC Principal Urban Design Officer.
- Comments received from Stamford Town Council.
- Comments received from Ward Member.

During questions to Public Speakers, Members commented on:

- Concern was raised from the site visit around the ability to cross the proposed site to local amenities. It was queried what improved pedestrian crossings would be implemented and whether it would be a formal type of crossing.

The Applicant's agent reassured the Committee with the proposed installation of dropped curb areas and tactile paving around the Uffington and Priory Road area, which had been in consultation with Highways.

The Principal Planning Officer highlighted that the crossing would not be controlled in terms of being a zebra or pelican crossing. Highways had advised that the road did not meet their adopted design standards in terms of providing a controlled crossing due to the geometry of the road and positioning. Additional signage in the area had been discussed with Highways, who were happy to pursue signage to provide motorists with warnings that a higher number of elderly people may be crossing in that area.

- Stamford Town Council had objected against the application. It was queried as to whether the Applicant had re-consulted with Stamford Town Council following the proposal to include crossing measures. It was confirmed that Stamford Town Council were still objecting to the proposal.
- Concern was raised around the overall layout of the proposal and the accessibility to recreational activities for the elderly residents.

The Applicant's agent outlined that the southern elevation in the garden would include areas for seating. A communal lounge with a connecting roof terrace would be situated on the top floor of the building. There was also a public right of way network adjacent to the building which would be made more accessible.

- Whether Highways had provided information around safety data regarding speed limits and the nearby roundabout.

Highways had further reiterated that there were no concerns of safety in relation to the results of the accident data. The signage would provide increased awareness of the possibility of an elderly individual crossing the road.

- Clarification was sought on whether the minimum age to be eligible for an apartment on the proposed site was 60 years of age, it was noted that individuals may still be active at this age.
- It was queried as to whether the Applicant's agent would be willing to contribute to Highways should signs be put up as a result of an informative for elderly people to cross the road.

The Applicant's agent had confirmed the scheme had been through a viability review, and viability contributions that had been deemed affordable from the

scheme. The Applicant's agent could not commit to any decision on behalf of the Applicant.

- Concern was raised in relation to car parking and the possibility of a high number of carers attending the apartments at busy times of day. It was queried as to whether this had been considered by the Applicant.

It was highlighted that the scheme did not support extra care provisions and merely encouraged independent living. There was no requirement for a minimum level of care. The type of living would encourage individuals to adaptable living e.g., level access and lift access.

The on-site parking exceeded Lincolnshire County Council's Highways standards for the type of scheme proposed and the Applicant's independent research.

The Principal Planning Officer confirmed a Transport Assessment had been completed which investigated vehicles generated by the scheme into a database that modelled those vehicles in timings of movement and the capacity of road network. Highways were satisfied that the findings of the Transport Assessment were robust in terms of resident, staff and visitors needs.

- A query was raised on whether there would be access at the back of the site that would lead down to the river.

It was confirmed that the public right of way route would be unaffected by the scheme so would still be available to access along the western boundary of the site.

- Concern was raised around comments made by the Council's urban designer. It was queried as to whether the small balconies would still be included on one of the elevations if the Committee were minded to approve the application.

The Applicant's agent highlighted that each apartment would have a surround feature for greater enclosure. Residents would also have access to communal outdoor spaces.

It was confirmed by the Principal Planning Officer that the written comments provided by the Urban Design Officer were on a previous iteration of the scheme. Since the stone surround had been added into the scheme, the Urban Design Officer had verbally confirmed they were comfortable with the scheme presented to the Committee.

During questions to Officers and debate, Members commented on:

- Whether Highways had calculated and accounted for the age of the residents that would be crossing the road.

The Principal Planning Officer confirmed that condition 24 restricted occupants of the apartments at aged 60 and above.

- What sanctions would be in place if Highways or the Applicant denied the informative of the installation of signage.

It was noted that Highways were satisfied with the scheme at present and would not be an unacceptable impact. An informative could be included to pursue the route of signage if Highways were willing to follow the informative.

One Member suggested that the division Lincolnshire County Councillor requested a Traffic Regulation Order to investigate the speed of traffic entering the roundabout near the site and safe public footpath access between the site and the river.

Members discussed their concern over the protection of members of the public from the public footpath that ran alongside a drop into the nearby quarry.

It was requested that a stoned wall on the adjacent side of the development to protect members of public from the drop into the quarry should be conditioned.

The Principal Planning Officer outlined that condition 10 required submission of revised details for boundary treatments. The current proposals by the Applicant were for a series of metal rail fence around all boundaries of the site

One Member raised concern around the screening of the application and the loss of trees.

It was confirmed that condition 9 included the retention of existing boundary trees and native tree species to be planted as replacement planting.

Further concern was raised on the notion of care workers. It was queried as to whether the Lincolnshire County Council traffic survey included the provision of care workers possibly attending the apartments.

The traffic survey was a national modelling database that was used. There were various inputs into the model dependent on the nature of the scheme, area and type of accommodation.

It was proposed, seconded and **AGREED** to authorise the Assistant Director of Planning to **GRANT** planning permission subject to conditions and completion of a Section 106 Agreement.

### **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. Proposed Site Plan (Ref: MI-2771-02-AC-001- Rev A)
  - b. Proposed Elevations Plan 1 (Ref: MI-2771-02-AC-020-RevA)
  - c. Proposed Elevations Plan 2(Ref: MI-2771-02-AC-021)
  - d. Proposed Ground Floor Plan (Ref: MI-2771-02-AC-023)
  - e. Proposed First Floor Plan(Ref: MI-2771-02-AC-024)
  - f. Proposed Second Floor Plan (Ref: MI-2771-02-AC-025)
  - g. Proposed Third Floor Plan (Ref: MI-2771-02-AC-026-RevA)
  - h. Proposed Roof Plan (Ref: MI-2771-02-AC-027)
  - i. Proposed Tree Protection Plan (Ref: 1651-KC-XX-YTREE-TPP01-RevB)
  - j. Proposed Levels Strategy (Ref: MI-2771-03-DE-001-RevA)

Unless otherwise required by another condition of this permission.

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

## **Before the Development is Commenced**

### Archaeological Investigations

- 3) Before the development hereby permitted is commenced, a written scheme of archaeological investigation shall have been submitted to and approved in writing by the Local Planning Authority. The programme shall also provide for archaeological supervision and control during any groundworks associated with the development in the Root Protection Areas.

The archaeological investigations shall also have been completed in accordance with the approved details before the development commences.

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.

### Demolition and Construction Management Plan

- 4) No development shall take place, including demolition of buildings hereby approved, until a Demolition Method Statement and

Construction Management Plan and Method Statement has been submitted to and approved in writing by the Local Planning Authority. The Plan and Statement shall include measures to mitigate the adverse impacts of vehicle activity and the means to manage drainage of the site during the construction stage of the permitted development. It shall include:

- a. The phasing of the development to include access construction
- b. The on-site parking of all vehicles of site operatives and visitors
- c. The on-site loading and unloading of all plant and materials
- d. The on-site storage of all plant and materials used in constructing the development
- e. Wheel washing facilities;
- f. A strategy stating how surface water runoff 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 (temporary or permanent) connect to an outfall (temporary or permanent) during construction.
- g. Method statement for how demolition and removal works of the existing buildings will be undertaken.

The Demolition Method Statement shall be strictly adhered to throughout the demolition period.

The Construction Management Plan and Method Statement shall be strictly adhered to throughout the construction period.

Reason: In the interests of the safety and free passage of those using the adjacent public highway and to ensure that 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.

### Ground Investigations

- 5) No works pursuant to this permission shall commence, unless otherwise agreed in writing by the Local Planning Authority, until there have been submitted to and approved in writing:
  - a. A desk top study documenting all the previous and existing land uses of the site and adjacent land (Phase 1);

Should the Phase I Study identify potentially contaminative uses, the Applicant shall proceed to a Phase 2 site investigation detailed below:

- b. A site investigation report assessing the ground conditions of the site and incorporating chemical and gas analysis identified as appropriate by the desk top study; and if required
- c. A detailed scheme for remedial works (should such works be required) and measures to be undertaken to avoid risk from contaminants and / or gases when the site is developed and proposals for future maintenance and monitoring. Such a scheme shall include nomination of a competent person to oversee the implementation of the works.

Reason: Previous activities associated with this site may have caused, or had the potential to cause, land contamination and to ensure that the proposed site investigations and remediation will not cause pollution in the interests of the amenities of future residents and users of the development; and in accordance with Local Plan Policy EN4 (Pollution Control) and national guidance contained in the NPPF.

#### Surface and Foul Water Drainage Details

- 6) Before the development hereby permitted is commenced, a scheme for the treatment of surface and foul water drainage shall have been submitted to and approved in writing by the Local Planning Authority. The drainage details must:
- a. Be based on an assessment of the hydrological and hydrogeological context of the development
  - b. Provide details of how run-off will be safely conveyed and attenuated during storms up to and including the 1 in 100 year critical storm event, with an allowance for climate change, from all hard surfaced areas within the development into the existing local drainage infrastructure and watercourse system without exceeding the runoff rate for the undeveloped site.
  - c. Provide attenuation details and discharge rates which shall be restricted to the brownfield runoff rate
  - d. Provide details of the timetable for and any phasing of the implementation for the drainage scheme; and
  - e. Provide details of how the scheme shall be maintained and managed over the lifetime of the development, including any arrangements for the adoption by any public body or Statutory Undertaker and any other arrangements required to secure the operation of the drainage system throughout its lifetime.



Reason: To ensure that the permitted development is adequately drained without creating or increasing the flood risk to land or property, adjacent to or downstream of, or upstream of, the permitted development and in accordance with Policy EN5 of the South Kesteven Local Plan.

## **During Building Works**

### Materials Details

- 7) Before any works on the external elevations of the development hereby permitted are begun, details of the materials (including the colour of render, paintwork or colourwash) and elevational detailing 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. Materials shall be in broad accordance with the details shown on the Proposed Elevations Plans (Ref: MI-2771-02-AC-020-RevA and MI-2771-02-AC-021).

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

### Ecological Mitigation

- 8) All works on site, during demolition and construction, shall be carried out in accordance with the recommendations set out in the Preliminary Ecological Appraisal and Biodiversity Net Gain Assessment (Inspired Ecology Limited) (dated March 2022).

The scheme of bird and bat boxes to be installed on site shall have been completed prior to the first occupation of the development hereby permitted, and shall be retained throughout the lifetime of the development.

Reason: In the interests of best ecological practice and in accordance with Policy EN2 of the adopted South Kesteven Local Plan.

### Soft Landscaping Details – Revised Plans

- 9) Notwithstanding the submitted plans, no development above foundation level shall take place until there have been submitted to and approved in writing, details of a revised soft landscaping scheme to include the retention of the existing boundary trees (where possible) and additional planting of native tree species. The submitted scheme shall include:

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

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

#### Boundary Treatment Details – Revised Details

- 10) Notwithstanding the submitted plans, no development above foundation level shall take place until there have been submitted to and approved in writing by the Local Planning Authority, a plan indicating the positions, design, materials and type of boundary treatment or other means.

Reason: To ensure a satisfactory appearance to the development, and in the interests of residential amenity of future occupants, and in accordance with Policy DE1 of the adopted Local Plan.

#### Tree Protection Measures

- 11) No works pursuant to this permission shall commence until the Tree Protection Measures indicated on the Tree Protection Plan (Ref: 1651-KC0ZZ0YTREE-TPP01RevB) have been implemented in full. Thereafter, the development must be carried out in accordance with the approved details.

Reason: Trees 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 EN2 of the adopted South Kesteven Local Plan.

#### Previously Unidentified Contamination

- 12) If, during the development, contamination not previously identified is found to be present at the site, then no further development (unless otherwise agreed in writing by the Local Planning Authority) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to and approved in writing by the Local Planning Authority.  
Thereafter, the remediation strategy shall be implemented as approved.

Reason: To ensure that the development does not contribute to, and is not put at, unacceptable risk from or adversely affected by, unacceptable levels of water pollution from previously unidentified contamination sources at the development site.

## **Before the Development is Occupied**

### Materials Implementation

- 13) Before the development hereby permitted is first occupied / brought into use, the external elevations 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.

### Contamination Verification

- 14) The development hereby permitted shall not be occupied or brought into use until a verification report has been submitted to and approved in writing by the Local Planning Authority. The report shall have been submitted by the agreed competent person and identify that the approved remedial works have been implemented. The report shall include, unless otherwise agreed in writing:
- a. A complete record of remediation activities, and data collected, as identified in the remediation scheme to support compliance with the agreed remediation objectives
  - b. As built drawings of the implemented scheme
  - c. Photographs of the remediation works in progress; and
  - d. Certificates demonstrating that imported and / or material left in situ is free from contamination.

Thereafter, the scheme shall be monitored and maintained in accordance with the approved remediation scheme.

Reason: Previous activities associated with this site may have caused, or had the potential to cause, land contamination and to ensure that the proposed site investigations and remediation will not cause pollution in the interests of the amenities of future residents and users of the development; and in accordance with Policy EN4 of the adopted South Kesteven Local Plan and national guidance contained in the National Planning Policy Framework.

### Drainage Implementation

- 15) Before any part of the development hereby permitted is occupied / brought into use, 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 in accordance with Policy EN5 of the adopted South Kesteven Local Plan.

### Sustainable Building Measures

- 16) Before any part of the development hereby permitted is occupied / brought into use, the sustainable building measures detailed in the approved Energy Statement (Focus Consultants) (Revision B) shall have been implemented in full.

Reason: To ensure the development mitigates against and adapts to climate change, in accordance with Local Plan Policy SB1 and SD1.

### Hard Landscaping Implementation

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

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

### Boundary Treatments Implementation

- 18) Before any part of the development hereby permitted is occupied, the boundary treatments as approved under Condition 10 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.

### Noise Mitigation

- 19) Before any part of the development hereby permitted is occupied, the scheme for acoustic mitigation and ventilation, as detailed in Section 5 and Section 6 of the approved Noise Impact Assessment (24 Acoustics) (Ref: P9421-1 Rev 1) shall have been completed in full.

Reason: To ensure that future residents of the development benefit from an appropriate level of amenity in accordance with Policy DE1 and EN4 of the adopted South Kesteven Local Plan.

#### Off-Site Highways Works

- 20) No part of the development hereby permitted, shall be occupied before the works to improve the public highway, in accordance with Drawing No. 508.0032.004 Rev A (dated September 2021) have been certified complete by the Local Planning Authority.

Reason: To ensure the provision of safe and adequate means of access to the permitted development.

#### Public Right of Way Improvements

- 21) No part of the development hereby permitted shall be occupied before the works to upgrade the Public Right of Way (Stam/1163/1) with a surfaced of crushed stone have been completed in accordance with details, which shall have first been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the provision of safe and adequate means of access to the permitted development.

### **Ongoing**

#### Landscaping Implementation

- 22) Before the end of the first planting / seeding season following the first occupation of the development hereby permitted, all soft landscaping works shall have been carried out in accordance with the approved soft landscaping details

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

#### Landscaping Protection

- 23) Within a period of five years from the first occupation of the final dwelling / unit of the development hereby permitted, any trees or plants provided as part of the approved soft landscaping 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, unless otherwise agreed by the Local Planning Authority.

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

#### Occupation Restriction

- 24) The development hereby permitted shall be used for the purposes of retirement accommodation only. Occupiers shall be:
- a. Persons of 60 or over
  - b. Other persons who are living as part of a single household with a person or persons aged 60 or over
  - c. Persons who were living as part of a single household with a person or persons aged 60 or over who have since died.

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

#### **74. Application S22/2073**

**Proposal:** Residential development comprising the erection of four detached dwellings and renovation/enlargement of existing dwelling

**Location:** The Gables, Honington Road, Barkston, Lincolnshire, NG32 2NG

**Recommendation:** To authorise the Assistant Director of Planning to GRANT planning permission, subject to conditions

Noting comments made in the public speaking session by:

Against: David Baker  
Beryl Hencher

Together with:

- Provisions within the South Kesteven District Council Local Plan 2011-2036 and National Planning Policy Framework (NPPF).
- No comments received from Barkston Parish Council.

- Comments received from Lincolnshire County Council (Highways and SuDS).
- Comments received from Heritage Lincolnshire.

*(Councillor Julia Reid left the meeting at 14:45)*

During questions to Officers and debate, Members commented on:

- One Member commented on the density of the proposed development.

It was acknowledged that plots 2 and 3 were large in scale. The application had been assessed on its own merits and it had been deemed acceptable due to the separation distances and the style of the properties.

- Whether the proposed development and plots 2 and 3, complied with policies SP2, SP3C, DE1A and DE1B.

The Principal Planning Officer confirmed that the character of the development had been assessed and was considered acceptable. The separation distances met those suggested with the Council's Design Guidelines SPD and were considered acceptable. The front elevations of plots 2 and 3 would front onto a public area and therefore a reduced separation distance could be considered.

It was confirmed that plot 4 had a garage in between the side elevation of another property on an oblique angle.

- Whether the proximity of plot 4 and 1 Thorold Gardens had been through design PAD.

The development had not been through design pad, this scale of development would not always be considered by design PAD.

The relationship between plot 4 and 1 Thorold Gardens was considered to be acceptable where 2 properties were adjacent to one another.

- A query was raised around the representations received to the Council on the application.

The Principal Planning Officer confirmed that the objection had been received and considered as part of the application. All points addressed were in relation to amenity, which had been assessed in detail against the relevant policies of the Local Plan and National Planning Policy Framework.

- Whether any windows would overlook plot 2 and the appropriateness of requesting obscure-glazed windows.

It was confirmed that there would be 6 windows on the rear elevation of plot 2, the separation distance was above the 21-metre guidance for back-to-back dwellings. 3

of the windows would serve an en-suite or bathroom, which could be conditioned for obscure glazed windows.

- Further clarification was sought on the relationship between the frontages of plots 2 and 3 in relation to the 25-degree rule.

The 25-degree guidance would apply to the rear of a property impacting the rear of another property. The 25-degree guidance did not necessarily apply in this instance due to the front elevation fronting onto a public realm in terms of overlooking.

Members raised disappointment over the layout and scale of the some of the properties on the site and the lack of a sensitive design. The relevant policies were discussed in relation to the sensitivity of adjacent properties, nature and character, scale and massing which could result in overdevelopment of the site. Concern was raised regarding overlooking of plot 2 onto existing properties.

Concern was raised on the impact the application may have on existing residents in the rural area.

One Member noted the poor condition of the trees as seen at the site visit.

The Assistant Director of Planning highlighted paragraph 7.7.5 of the report, which outlined the consideration of whether trees would be suitable for protection or not. The conclusion was that the trees were not suitable for a Tree Protection Order.

- A query was raised regarding the 25-degree guidance in relation to rural areas with regards to plots 2 and 3. Representation had noted that the degree line had been breached.
- What the outcome of an appeal decision would be if the application was refused in relation to the 25-degree guidance.

Plots 2 and 3 were either side of a standard road and set back from the road itself. If the plots were back-to-back and the 25-degree guidance was breached, the application would have been considered to have an unacceptable impact on amenity and design changes would have been requested in terms of layout.

The Development Management & Enforcement Manager clarified that the 25-degree rule was guidance that was embedded within existing policies regarding existing residents and future occupiers in terms of impact on amenity. The wording around the 25-degree rule was explained to Members.

A query was raised regarding plans to adopt the road and if it would be 'public' or remain a private access.

The Development Management & Enforcement Manager clarified that even if the access road was private and not adopted, the intervisibility between the properties would be the same between the two future occupiers and would still be used by vehicles.



The Committee expressed further concern around the design and proximity between plot 2 and 3, further issues around the brick wall elevation of plot 4 and overlooking of other properties.

The Assistant Director of Planning sought further clarification from the Committee on reasons for refusal regarding relationships between the properties within plots or properties adjoining the plots.

It was queried as to whether climate change mitigation could be included within the application.

It was proposed, seconded and **AGREED to REFUSE** the application by virtue of its layout and design being cramped and contrived and out of keeping with the prevailing character of the area (size and massing of plots 2 and 3) and has a poor relationship with the surrounding dwellings causing harm to the amenity of the area and the amenities of the neighbouring occupiers. Contrary to policies SP2/3 C/D, DE1 A and B.

#### 75. Application S22/1718

<b>Proposal:</b>	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)
<b>Location:</b>	Ross Thain & Co LTD, Belton Street, Stamford
<b>Recommendation:</b>	To authorise the Assistant Director to GRANT planning permission, subject to conditions and completion of a Section 106 Agreement.

During questions to Officers and debate, Members commented on:

- Whether the parking permit scheme allowed public parking during certain hours of the day.

The Principal Planning Officer confirmed that the parking permits were be primarily used by the occupiers of the townhouses. There was an allowance within the scheme to allow short term parking of no more than 2 hours.

It was noted that the 2011 site specific census data was utilised rather than census data from 2021, where arithmetical sums had changed.

It was proposed, seconded and **AGREED** to authorise the Assistant Director of Planning to **GRANT** planning permission, subject to completion of a Section 106 Agreement, and subject to the schedule of conditions as set out in the Addendum Report:

#### **Time Limit for Commencement**

- 1) The development hereby permitted shall be commenced before the expiration of three years from the date of this permission, or two years from the approval of the last reserved matters, whichever is the latter.

Reason: In order that development is commenced in a timely manner, as set out in Section 92 of the Town and Country Planning Act 1990 (as amended).

- 2) Details of the reserved matters set out below shall have been submitted to the Local Planning Authority for approval within three years from the date of this permission:

- i. Access
- ii. Landscaping

Approval of all reserved matters shall have been obtained from the Local Planning Authority in writing before any development is commenced.

Reason: To enable the Local Planning Authority to control the development in detail and in order that the development is commenced in a timely manner, as set out in Section 92 of the Town and Country Planning Act 1990 (as amended)

### **Approved Plans**

- 3) The development hereby permitted shall be carried out in accordance with the following list of approved plans (in relation to the scale, appearance and layout only):

- i. Proposed Block Plan (Ref: 1298/03/Rev H)
- ii. Proposed Site Layout (Ref: 1298/04/Rev E)
- iii. Proposed Block A Floor Plan (Ref: 1298/05/Rev C)
- iv. Proposed Block B Floor Plan (Ref: 1298/06/Rev B)
- v. Proposed Elevation Plan – Belton Street / Gas Street / Tenter Lane (Ref: 1298/07/Rev D)
- vi. Proposed Elevation Plan – Internal Courtyard (Ref: 1298/08/Rev C)
- vii. Site Section Plan (Ref: 1298/09/Rev C)

Unless otherwise required by another condition of this permission.

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

## **Before the Development is Commenced**

### Demolition and Construction Management Plan

- 4) No development shall take place, including demolition of buildings hereby approved, until a Demolition Method Statement and Construction Management Plan and Method Statement has been submitted to and approved in writing by the Local Planning Authority, which shall include measures to mitigate against noise, dust and vibration, traffic generated and drainage of the site during the demolition and construction stages of the proposed development.

The Construction Management Plan and Method Statement shall include:

- i) The phasing of the development to include access construction
- ii) The parking of vehicles and site operatives and visitors
- iii) The loading and unloading of plant and materials
- iv) The storage of plant and materials used in constructing the development
- v) Wheel washing facilities
- vi) The routes of construction traffic to and from the site including any off site routes for the disposal of excavated material
- vii) A strategy stating how surface water runoff on and from the development will be managed; and
- viii) Method statement for how demolition and removal works of the existing buildings will be undertaken.

The Demolition Method Statement shall be strictly adhered to throughout the demolition period.

The Construction Management Plan and Method Statement shall be strictly adhered to throughout the construction period.

### Ground Investigations

- 5) No works pursuant to this permission shall commence, unless otherwise agreed in writing by the Local Planning Authority, until there have been submitted to and approved in writing:

- a. A desk stop study documenting all the previous and existing land uses of the site and adjacent land (Phase 1);

Should the Phase 1 Study identify potentially contaminative uses, the Applicant shall proceed to a Phase 2 site investigation detailed below:

- b. A site investigation report assessing the ground conditions of the site and incorporating chemical and gas analysis identified as appropriate by the desk top study; and if required
- c. A detailed scheme for remedial works (should such works be required) and measures to be undertaken to avoid risk from contaminants and / or gases when the site is developed and proposals for future maintenance and monitoring. Such a scheme shall include nomination of a competent person to oversee the implementation of the works.

Reason: Previous activities associated with this site may have caused, or had the potential to cause, land contamination and to ensure that the proposed site investigations and remediation will not cause pollution in the interests of the amenities of future residents and users of the development; and in accordance with Local Plan Policy EN4 (Pollution Control) and national guidance contained in the NPPF.

#### Asbestos Survey

- 6) No works pursuant to this permission shall commence, including demolition of the buildings hereby approved, unless otherwise agreed in writing by the Local Planning Authority, until a detailed asbestos survey of the buildings to be demolished have been submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall not be carried out other than in accordance with the approved details.

Reason: Details are required to be submitted prior to the commencement of works to ensure that the risks from asbestos to the environment, future users of the site and neighbouring land users are minimised, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off-site receptors.

#### Acoustic Assessment

- 7) Prior to the commencement of the development hereby permitted, an Acoustic Survey (including assessment of the noise impacts of the existing, adjacent land uses, and the commercial and residential uses of the application site) shall have been submitted to and approved in writing by the Local Planning Authority. Thereafter, any noise mitigation measures identified as necessary within the submitted report shall be completed prior to the first occupation / use of the development hereby permitted.

Reason: To ensure future occupants of the development benefit from an appropriate noise environment, and development does not impose any restrictions on the existing industrial land uses within the vicinity of the site, in accordance with Policy DE1 and EN4 of the adopted South Kesteven Local Plan.

### Archaeological Investigations

- 8) Before the development hereby permitted is commenced, a written scheme of archaeological investigation shall have been submitted to and approved in writing by the Local Planning Authority.

The archaeological investigations shall also have been completed in accordance with the approved details before the development commences.

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.

### Surface and Foul Water Drainage details

- 9) Before the development hereby permitted is commenced, a scheme for the treatment of surface and foul water drainage shall have been submitted to and approved in writing by the Local Planning Authority. The drainage details must:

- a. Be based on an assessment of the hydrological and hydrogeological context of the development
- b. Provide details of how run-off will be safely conveyed and attenuated during storms up to and including the 1 in 100 year critical storm event, with an allowance for climate change, from all hard surfaced areas within the development into the existing local drainage infrastructure and watercourse system without exceeding the runoff rate for the undeveloped site.
- c. Provide attenuation details and discharge rates which shall be restricted to the brownfield runoff rate.
- d. Provide details of the timetable for and any phasing of the implementation for the drainage scheme; and
- e. Provide details of how the scheme shall be maintained and managed over the lifetime of the development, including any arrangements for the adoption by any public body or Statutory Undertaker and any other arrangements required to secure the operation of the drainage system throughout its lifetime.

Reason: To ensure that the permitted development is adequately drained without creating or increasing the flood risk to land or property adjacent to, or downstream of, or upstream of, the permitted development and in accordance with Policy EN5 of the South Kesteven Local Plan.

#### Undercroft Access Control

- 10) As part of any application for the access reserved matters, details of access control measures to the proposed undercroft access point beneath Block A of the approved development, shall be submitted to and approved in writing by the Local Planning Authority.

Thereafter, the approved measures shall be implemented prior to the first occupation of the development hereby permitted.

Reason: To reduce the risk of crime, and the fear of crime and disorder, in accordance with Section 12 of the National Planning Policy Framework.

#### Secure Bicycle Storage

- 11) As part of any application for the landscaping reserved matters, details of the location, scale, and appearance of the proposed bicycle storage areas shall be submitted to and approved in writing by the Local Planning Authority.

Thereafter, the development shall be carried out in accordance with the approved details prior to the first occupation of the development.

Reason: To reduce the risk of crime and disorder, and to ensure that the development is appropriate for the character and appearance of the area, in accordance with Policy DE1 of the adopted South Kesteven Local Plan.

### **During Building Works**

#### Materials Details

- 12) Before any works on the external elevations of the development hereby permitted are begun details of the materials (including the colour of the 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.

Materials shall be in broad accordance with the details shown on the Proposed Elevations Plans (Ref: 1298/07/Rev D and 1298/08/Rev C).

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

### Sustainable Building Measures

- 13) Before any works on the external elevations of the development hereby permitted are begun, details demonstrating how the approved scheme would comply with the requirements of Local Plan Policy SB1 shall have first been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of how carbon dioxide emissions would be minimised through the design and construction of the development; details of water efficiency; and the provision of electric car charging points.

The approved sustainable building measures shall be completed in full, in accordance with the approved scheme, prior to first occupation of the development.

Reason: To ensure the development mitigates against and adapts to climate change, in accordance with Local Plan Policy SB1 and SD1.

### Ecological Mitigation

- 14) All works on site, during demolition and construction, shall be carried out in accordance with the recommendations set out in the Protected Species Survey (Phillip Irving) (September 2021), including the installation of bird and bat nesting boxes.

The scheme of bird and bat boxes to be installed on site shall be completed prior to the first occupation of the development hereby permitted, and shall be retained throughout the lifetime of the development.

Reason: In the interests of best ecological practice and in accordance with Policy EN2 of the adopted South Kesteven Local Plan.

### Flood Risk Assessment

- 15) The development shall be carried out in accordance with the submitted Flood Risk Assessment (FRA) (Ref: ECL0554/RTKSTAMFORD) dated September 2022 and the mitigation measures outlined in Section 5.

These mitigation measures shall be implemented fully prior to first occupation of the development and shall be retained and maintained thereafter for the lifetime of the development.

Reason: To reduce the risk of flooding to the proposed development.

#### Previously Unidentified Contamination

- 16) If, during development, contamination not previously identified is found to be present at the site, then no further development (unless otherwise agreed in writing by the Local Planning Authority) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to and approved in writing by the Local Planning Authority.

Thereafter, the remediation strategy shall be implemented as approved.

Reason: To ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution from previously unidentified contamination sources at the development site.

#### **Before the Development is Occupied**

##### Materials Implementation

- 17) Before the development hereby permitted is occupied / brought into use, the external elevations must have been completed in accordance with the approved external material details.

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

##### Obscure Glazing

- 18) Before any part of the development hereby permitted is occupied, the first floor windows in the Tenter Lane elevations 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. In addition, the frameless glass balustrade to the second floor of the Tenter Lane elevation shall also have been installed with obscure glazing. All obscure glazing must be obscured to a minimum of Pilkington – Privacy Level 3 or an equivalent product. Once installed,



the window units and balustrade shall thereafter be retained as such at all times.

Reason: To safeguarding the privacy of occupiers of the neighbouring / adjoining properties.

#### Drainage Implementation

- 19) Before any part of the development hereby permitted is occupied / brought into use, 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 in accordance with Policy EN5 of the adopted South Kesteven Local Plan.

#### Contamination Verification

- 20) The development hereby permitted shall not be occupied or brought into use until a verification report has been submitted to and approved in writing by the Local Planning Authority. The report shall be submitted by the agreed competent person and identify that the approved remedial works have been implemented. The report shall include, unless otherwise agreed in writing:

- a. A complete record of remediation activities, and data collected as identified in the remediation scheme, to support compliance with the agreed remediation objectives;
- b. As built drawings of the implemented scheme
- c. Photographs of the remediation works in progress; and
- d. Certificates demonstrating that important and / or material left in situ is free from contamination.

Thereafter, the scheme shall be monitored and maintained in accordance with the approved remediation scheme.

Reason: Previous activities associated with this site may have caused, or had the potential to cause, land contamination and to ensure that the proposed site investigations and remediation will not cause pollution in the interests of the amenities of future residents and users of the development; and in accordance with Policy EN4 of the adopted South Kesteven Local Plan and national guidance contained in the National Planning Policy Framework.

### Dropped Kerbs

- 21) Within seven days of the first occupation of the development hereby permitted, the existing dropped kerbs shall be reinstated to full height kerbs on Gas Street, Tenter Lane and Belton Street, as agreed in writing with the Local Planning Authority.

Reason: In the interests of highway safety and the safety of users of the public highway.

### Gas Street Parking Bays and Footway

- 22) No part of the development hereby permitted shall be occupied / brought into use before the works to provide the parking bays on Gas Street and the associated relocation of the public footway, as shown on Drawing No. 1298/03/Rev H have been certified as complete by the Local Planning Authority.

Reason: To ensure the provision of safe and adequate means of access and parking to the serve the permitted development.

## **76. Application S22/1567**

<b>Proposal:</b>	Erection of four detached bungalows
<b>Location:</b>	Land at 255 Harrowby Lane, Grantham, Lincolnshire, NG31 9TT
<b>Recommendation:</b>	To authorise the Assistant Director of Planning to GRANT planning permission, subject to conditions

Noting comments made in the public speaking session by:

District Ward Councillor:	Councillor George Chivers
Parish Council Clerk:	Peter Armstrong
Applicant's Agent:	John Dickie

Together with:

- Provisions within South Kesteven Local Plan 2011 – 2036, National Planning Policy Framework (NPPF).
- Comments received from Harrowby and Londonthorpe Without Parish Council.
- Comments received from Lincolnshire County Council (Highways and SuDS).
- Comments received from Lincolnshire Wildlife Trust.

During questions to Public Speakers, Members commented on:

- Who the boundary fence currently belonged to? It was noted that the pillars on the boundary fence required upgrading.

It was confirmed that the boundary fence was the property of a previously demolished bungalow.

- That the ground of the proposed site became waterlogged due to a nearby reservoir.
- Whether a bus stop was within close proximity of the site.

There was a bus stop around the corner from the site on Fifth Avenue, Grantham.

The Applicant's agent identified a beech tree to be the most appropriate in a particular corner of the site. It would be considerable time before it grew to its fullest extent and was merely a landscaping choice of the agent.

- Clarification was sought regarding mitigating impacts on climate change and whether the Applicant had ambitions of including ground source heat pumps and solar panels.

It was confirmed that the proposal would include solar panels on south facing roofs and ground source heat pumps to comply with the latest building regulations.

- Whether the proposal would include grey water recycling.

During questions to Officers and debate, Members commented on:

- That the boundary was not an accurate depiction and was on the verge of overlapping gardens on Fifth Avenue, Grantham.

The DM Manager highlighted that the line of the boundary had been plotted incorrectly. Page 172 of the agenda pack provided an accurate site layout plan, as approved.

- Whether Officers were satisfied with the refuse collection issues raised.

It was confirmed that the bin drag distance was 40 meters from bin storage location to the side of the road. Prospective buyers would need to take the bin drag distance into account when buying the properties. Whilst not ideal, it was not considered to be an unacceptable distance.

The Chairman noted that the proposal was an improvement from the outline planning permission.

- Whether there was a more appropriate positioning and location of the beech tree due to the tree straddling another piece of land and not being totally contained within the site.

- Concern was raised on the representation received from Harrowby & Londonthorpe without Parish Council on their fear of the site being too narrow for an emergency service to access.

It was queried as to whether the width of the driveway was appropriate or whether it could be made wider.

The DM Manager confirmed that the access drive was 4.31 meters. The minimum Lincolnshire County Council required for a driveway of that nature was 4.1 meters. There had been no objections from the Highway Authority and the width of the access was appropriate.

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

- 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).

- 2 The development hereby permitted shall be carried out in accordance with the following list of approved plans:

1. Drawing No: JDA/2022/695/LOCATION/001 - Site Location Plan (Received on 04 August 2022)
2. Drawing No: JDA/2022/695/SITE/001B - Site Layout (Received on 30 September 2022)
3. Drawing No: JDA/2022/695/P1/001B - Plot One Layout and Elevations (Received on 16 November 2022)
4. Drawing No: JDA/2022/695/P2-4/001B - Plots 2 - 4 Layouts and Elevations (Received on 16 November 2022)
5. Drawing No: JDA/2022/695/P4/GAR/001 - Plot Four Garage Plans (Received on 24 October 2022)
6. Drawing No: JDA/2022/695/DRAINAGE/001 - Drainage Layout (Received on 04 August 2022)
7. Drawing No: JDA/2022/695/Lighting/001 - Lighting Layout (Received on 04 August 2022)

Unless otherwise required by another condition of this permission.

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

- 3 The development hereby permitted shall be strictly carried out in

accordance with the Construction and Environmental Management Plan and CMP Site Layout Plan (Drawing No: JDA/2022/695/SITE/CEMP/001), received on 01 March 2023.

Reason: To ensure that 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 and to ensure that suitable traffic routes are agreed

- 4 Before any part of the development hereby permitted is occupied/brought into use, the external elevations shall have been completed using only the materials stated in the planning application forms and approved plans.

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

- 5 Before any part of the development hereby permitted is occupied/brought into use, all hard landscape works shall have been carried out in accordance with the approved hard landscaping details as shown on Drawing No: JDA/2022/695/SITE/001B - Site Layout.

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

- 6 The development hereby permitted shall be carried out in accordance with the recommendations contained within section 6 (Recommended Mitigation and Safeguarding Measures) and section 7 (Recommended Ecological Enhancements) of the Ecological Appraisal prepared by Allied Ecology, dated 11 October 2022 (Report Ref: 22055 - Ecological Appraisal vf).

Reason: In the interests of the protection of local wildlife and to accord with the provision of Local Plan Policy DE1 and EN2.

- 7 Before any part of the development hereby permitted is occupied/brought into use, the works to provide an area for the storage of refuse and recycling shall have been completed in accordance with the approved details and shall thereafter be retained for use at all times.

Reason: To ensure the provision of satisfactory facilities for the storage of refuse.

- 8 Before any part of the development hereby permitted is occupied/brought into use, the works to provide the surface and foul water drainage shall have been completed in accordance with the details as shown on the approved plans.

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

- 9 Before the end of the first planting/seeding season following the occupation/first use of any part of the development hereby permitted, all soft landscape works shall have been carried out in accordance with the approved soft landscaping details as shown on Drawing No: JDA/2022/695/SITE/001B - Site Layout.

Reason: Soft landscaping and tree planting make an important contribution to the development and its assimilation with its surroundings and in accordance with Policies DE1, EN3 and OS1 of the adopted South Kesteven Local Plan.

- 10 The turning facilities, as shown on drawing No: JDA/2022/695/SITE/C shall be provided on site prior to the first occupation of any dwelling hereby approved and shall thereafter remain available for that purpose.

Reason: In the interests of highway safety.

- 11 Before the access is brought into use all obstructions exceeding 0.6 metres high shall be cleared from the land within the visibility splays illustrated on drawing number JDA/2022/695/SITE/001C and thereafter, the visibility splays shall be kept free of obstructions exceeding 0.6 metres in height.

Reason: So that drivers intending entering the highway at the access may have sufficient visibility of approaching traffic to judge if it is safe to complete the manoeuvre.

- 12 Within a period of five years from the first occupation of the final dwelling/unit of the development hereby permitted, any trees or plants provided as part of the approved soft landscaping 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 above unless otherwise agreed by the Local Planning Authority.

Reason: To ensure the provision, establishment and maintenance of a reasonable standard of landscape in accordance with the approved designs and in accordance with Policies DE1, EN3 and OS1 of the adopted South Kesteven Local Plan.

- 13 Before any part of the development hereby permitted is occupied, electric vehicle charging points shall be made available for use for the occupiers of each of the approved dwellings and shall thereafter be retained as such for the lifetime of the development.

Reason: To ensure that the development contributes to low carbon travel in accordance with Policy SB1 of the South Kesteven Local Plan (2020).

## 77. Application S22/2287

<b>Proposal:</b>	Erection of a single-storey flat roof extension to rear elevation following demolition of existing conservatory
<b>Location:</b>	51 Stanley Street, Bourne, Lincolnshire, PE10 9BJ
<b>Recommendation:</b>	To authorise the Assistant Director of Planning to GRANT planning permission, subject to conditions

During questions to Officers and debate, Members commented on:

- Assurance was sought that the existing conservatory wall be demolished and that any walls where asbestos was found, be dealt with appropriately.

The Assistant Director of Planning noted that asbestos was dealt with under a separate legislation and the construction workers on site would be required to take appropriate steps. This was not dealt with by the Council.

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

### **Time limit for commencement**

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**

The development hereby permitted shall be carried out in accordance with the following list of approved plans:

1. Site Location Plan - received 21 November 2022
2. 2022-PR32-OFA-DR-PP-01 REV A Existing and Proposed Plans and Elevations - received 20 January 2023

Unless otherwise required by another condition of this permission.

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

## **During building works**

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.

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

There were none.

## **79. Close of meeting**

The Chairman closed the meeting at 16:40.