

Minutes

Planning Committee

Friday, 13 May 2022, 1.00 pm

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



SOUTH
KESTEVEN
DISTRICT
COUNCIL

Committee Members present

Councillor Helen Crawford (Chairman)

Councillor David Bellamy

Councillor Phil Dilks

Councillor Penny Milnes

Councillor Ian Selby

Councillor Judy Stevens

Councillor Gloria Johnson

Other Members in attendance

Councillor Breda-Rae Griffin

Councillor Richard Cleaver

Councillor Amanda Wheeler

Officers in attendance

Nicola McCoy Brown (Director of Growth and Culture)

Emma Whittaker (Assistant Director of Planning)

Adam Murray (Principal Planning Officer)

Shaza Brannon (Principal Planning Officer)

Mark Howells (Legal Advisor)

Amy Pryde (Democratic Services Officer)

144. Apologies for absence

Apologies for absence had been received from Councillors Harish Bisnauthsing, Charmaine Morgan, Robert Reid, Penny Robins, Jacky Smith and Judy Smith.

Councillor Gloria Johnson acted as a substitute, for this meeting only.

Councillor David Bellamy was acting as Vice - Chairman, for this meeting only.

145. Disclosure of interests

No disclosure of interests were disclosed.

A query was raised on why a Ward Councillor was no longer permitted to substitute for this meeting.

It was confirmed that advice had been sought from the Monitoring Officer. The Ward Councillor could not take part in debate or vote due to a previously declared pre-determined position, meaning there was a prejudicial interest on the proposals.

One Member clarified that the Committee were not deciding and were commenting on an application. It was highlighted that on a previous, similar application, Members were advised that they may be pre-determined due to a decision not being made.

Clarification was sought on the difference between pre-determined and pre-inclined.

The Assistant Director of Planning explained the difference between them.

146. Minutes of the meeting held on 24 March 2022

The minutes of the meeting held on 24 March 2022 were proposed, seconded, and **AGREED** as a correct record.

147. Minutes of the additional meeting held on 7 April 2022

The minutes of the meeting held on 7 April 2022 were proposed, seconded, and **AGREED** as a correct record.

148. Application S22/0502

Proposal:	Outline application for residential development (up to 650 dwellings), a local centre (up to 3,000 sq. metres of gross floorspace for uses within Class E (a-g) and F2(a) and F2(b)), open space including country park, access, drainage and landscaping (Access only) (Rutland County Council Ref: 2022/0227/MAO)
Location:	Land at Quarry Farm, Old Great North Road, Little Casterton, Rutland
Recommendation:	That the Committee endorse the draft response to Rutland County Council and delegate authority to the Assistant Director of Planning, in consultation with the Portfolio Holder, to issue the final response.

Noting comments made in the public speaking session by:

District Ward Councillor:

Councillor Amanda Wheeler

Stamford Town Council:

Against:

Councillor Richard Cleaver

Shaun Ford

Carys Vaughan

Debra Asher

Together with:

- Information received as outlined in the additional information reports.
- No comments received from Heritage Lincolnshire.
- Comments received from Lincolnshire County Council (Education) – Full comments at Appendix 1.
- Lincolnshire County Council (Highways & SuDS) – Full comments at Appendix 2.
- No comments received from Lincolnshire County Council (Minerals).
- No comments received from Lincolnshire Fire and Rescue.
- No comments received from Lincolnshire Police Crime Prevention Officer.
- Comments received from NHS Lincolnshire – comments enclosed at Appendix 3.
- Comments received from SKDC Principal Urban Design Officer – Full comments at Appendix 4.
- Comments received from SKDC Principal Planning Policy Officer - Appendix 5.
- Comments received from SKDC Environmental Health Officer – Appendix 6.
- Comments received from Stamford Town Council – Appendix 7.
- No comments received from Ward Member.

Following questions from public speakers, the Assistant Director of Planning and the Principal Planning Officer clarified:

- That the Council had sought legal advice in relation to the 650 homes mentioned and this was a political decision and not for the Planning Committee to discuss. These homes were part of the forthcoming housing land supply for the plan period, but did not form part of the Council's current 5 year housing land supply.
- That the completion of a Section 106 agreement was one of the outstanding concerns with the current details, and that this specifically included appropriate contributions that would be payable to resolve infrastructure challenges within South Kesteven.

- That the signed petition had been sent to Rutland County Council and reference had been made to the petition in the additional information reports.
- That the Council were a consultee and not the decision-making body. Rutland County Council would need to address comments made by other governing bodies. A challenged decision would be through a judicial review by Rutland County Council.
- The call-in process was a matter for the secretary of state and not for the Council's determination.
- That paragraph 5.13.7 of the report related to transport assessment in terms of overall vehicle movements and the second part of the paragraph identified modelling work that had been done would identify that the A1 Northbound off slip road and the A606 junction would be operating over capacity as a part of the current development and therefore mitigation was required.

During questions to officers and debate, Members commented on:

- Who the allocation of 650 proposed dwellings would be attributed to in terms of meeting housing needs. It was confirmed that this was a political decision yet to be made. The houses may be built in Rutland but would count towards the Council's supply as part of the overall housing market need, even if they are not specifically attributed towards South Kesteven as had previously been resolved.
- Concerns over infrastructure and the proposed dwellings utilising amenities in Stamford.
- Whether Rutland could claim the 650 proposed dwellings within their housing supply need.
- Concerns were raised relating to cross-boundary issues, supermarket provision and travel to access amenities. Application proposals allowed for a convenience store to be provided.
- Whether the Council had a good working relationship with Rutland County Council and when they would be discussing the matter. It was requested that the Council send a representative to the meeting at Rutland County Council. It was confirmed that a representative from the Council would attend the meeting.
- Concerns were raised over secondary school provision for the proposed dwellings and who which town would receive priority in relation to Casterton College. A consultation response was provided from Lincolnshire County Council (Education). The wider allocation of Stamford identifies land for the expansion of the Stamford Welland Academy as part of the Council's proposals.
- Whether the Council could encourage Rutland County Council to refuse the application altogether due to concerns on feasibility. A query was raised on

whether the Council could request a delay on the application until their Local Plan was in place.

- Concern was raised on the link road and the issues around existing traffic having to go through Stamford town centre. The intention of the road was for it to be a residential street with a 30mph speed limit.
- Whether the links to the A1 was a pre-condition on the application.
- Members suggested that the Council liaise with the secretary of state on the proposal.
- Clarification was sought on the reason for the petition.
- Concerns over wildlife and impacts on climate change. The Council could make suggestions to Rutland County Council on this matter.
- Clarification was sought on the meaning of 'holding objection'. It was confirmed that the term reserves the Council's right to respond at a later date if further information is received.
- It was confirmed that Rutland County Council could be charged to determine the application in accordance with their local plan unless material considerations indicated otherwise, which would be at the discretion of the decision maker.
- Whether Rutland County Council would consider policy SP5 in relation the site being open countryside. It was confirmed that the application would be assessed by Rutland County Council Officers in accordance with their local plan and any assessment of the site's status within the adopted documents.
- It was suggested that the Assistant Director of Planning attended the Planning meeting at Rutland County Council, on behalf of South Kesteven District Council.

It was proposed, seconded and **AGREED** to endorse the draft response to Rutland County Council and delegate authority to the Assistant Director of Planning, in consultation with the Portfolio Holder, to issue the final response. Nonetheless, the Council will reserve the right to request the Secretary of State call's in the application for determination in the event that Rutland County Council are minded to approve the application, prior to the concerns highlighted within SKDC's holding objection being formally addressed, which include the following reasons outlined in the Case Officer's report:

- There is currently insufficient evidence to confirm that the proposals would provide suitable junction improvements to mitigate the impact on the A1 Strategic Highway Network. As a result, there is the potential that the proposals could result in consequential unacceptable adverse impacts on the local highway network insofar as it falls within SKDC's administrative boundaries due to constraints at the A1.

- The current application has not been accompanied by an agreed masterplan / development brief for the wider Stamford North development. As such, there a number of matters relating to the design of the spine road and provision of suitable pedestrian and cycle connection, which require amendment / agreement between all parties, to ensure that the current scheme forms part of a well-designed and coherent cross-boundary development proposal.
- There is currently insufficient information to demonstrate that the application proposals would accord with the established hierarchy to avoid, mitigate, or as a last resort, compensate for potential impacts on ecological assets. In particular, the current application falls to demonstrate sufficient measures to compensate for the loss of a significant area of the candidate Local Wildlife site that falls within the application site, and similarly there is insufficient evidence to ensure that the proposals would achieve a biodiversity net gain, when taken as a whole.
- There is currently no legal agreement to secure the quantum and mix of affordable housing, as well as making suitable allocation / nomination arrangements for the occupation of any affordable housing provided on site. It is noted that the application proposals indicate that they would provide 30% affordable housing on site, which falls short of the policy obligations set out within the adopted Development Plan. Furthermore, in view of the nature and location of the development proposal, and the acute need for affordable housing in Stamford, SKDC would respectfully suggest that any affordable housing on site should be allocated in a manner which prioritises meeting the needs of Stamford in the first instance.
- Similarly, in the absence of a Section 106 agreement, there is currently insufficient evidence to ensure that the application proposals would make a proportionate contribution towards mitigating the impacts of the Stamford North development, including making sufficient financial contributions towards the education provision (including the delivery of the proposed Primary School forming part of the eastern part of the wider development), healthcare improvements and enhancements to local public transport connections. Likewise, further clarification is required in relation to the application of the CIL charging schedule by RCC as part of the application, and whether an exemption / relief will be applied to reflect the cross-boundary nature of the development scheme.

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

There were none.

150. Close of meeting

The Chairman closed the meeting at 14:50.