

# Planning Committee



SOUTH  
KESTEVEN  
DISTRICT  
COUNCIL



---

Thursday, 18 November 2021 at 1.00 pm  
Council Chamber - Council Offices,  
St. Peter's Hill, Grantham. NG31 6PZ

---

**Committee Members:** Councillor Helen Crawford (Chairman)  
Councillor Mrs Judy Smith (Vice-Chairman)

Councillor David Bellamy, Councillor Harrish Bisnauthsing, Councillor Phil Dilks,  
Councillor Mrs Rosemary Kaberry-Brown, Councillor Penny Milnes,  
Councillor Charmaine Morgan, Councillor Robert Reid, Councillor Penny Robins,  
Councillor Ian Selby, Councillor Judy Stevens and Councillor Jacky Smith

---

## Agenda

1. **Apologies for absence**
2. **Disclosure of interests**  
Members are asked to disclose any interests in matters for consideration at the meeting.
3. **Minutes of the meeting held on 13 October 2021** (Pages 5 - 35)
4. **Minutes of the meeting held on 28 October 2021** (Pages 37 - 60)

### Planning matters

To consider applications received for the grant of planning permission –  
reports prepared by the Case Officer.

*The anticipated order of consideration is as shown on the agenda, but this may be subject to change, at the discretion of the Chairman of the Committee.*

5. **Application S21/0769** (Pages 61 - 93)  
**Proposal:** Residential development of 74 dwellings, open space and SuDS  
**Location:** Land North of Doddington Road, Claypole  
**Recommendation:** That the application is refused planning permission

- 6. Application S21/0415** (Pages 95 - 129)
- Proposal:** Erection of 16 affordable dwellings and associated infrastructure.
- Location:** Land to the North of Doddington Lane, Claypole
- Recommendation:** To authorise the Assistant Director of Planning to GRANT planning permission, subject to completion of a planning obligation and subject to conditions outlined in the report.
- 7. Application S21/1907** (Pages 131 - 141)
- Proposal:** Alterations to entrance and road including widening of access, walls to entrance, security hut, and 1.8m high fence to boundary
- Location:** Tallington Lakes Leisure Park, Tallington Lakes, Barholm Road, Tallington, PE9 4RJ
- Recommendation:** That the application is approved conditionally
- 8. Application S21/1714** (Pages 143 - 154)
- Proposal:** Erection of a two storey rear extension
- Location:** The Conifers, School Lane, Old Somerby, NG33 4AQ
- Recommendation:** That the application is approved conditionally
- 9. Quarterly Planning Enforcement Update** (Pages 155 - 160)  
To provide an update on Planning Enforcement.
- 10. Any other business, which the Chairman, by reason of special circumstances, decides is urgent**

## **Public access and participation**

Anyone who would like to speak at the meeting should notify Democratic Services on: [democracy@southkesteven.gov.uk](mailto:democracy@southkesteven.gov.uk) at least one working day, before the time of the meeting.

**The deadline for the meeting to be held on Thursday 18 November 2021, will be 13:00 on Wednesday 17 November 2021.**

If you would like to include photographs or other information as part of your presentation to the Committee, please send the information in an electronic format relevant case officer at least one working day before the meeting. If you are submitting hard copy information, please send to the relevant case officer at least two working days before the meeting.

All speakers are at the Committee Chairman's (or Vice-Chairman's) discretion. Each person is permitted to speak for 3 minutes. Members of the Council are permitted to speak for 5 minutes in accordance with Council Procedure Rules.

One person for the applicant or the town and parish council will be allowed to speak. Where an application has several supporters or objectors; they are encouraged to appoint a representative to present a joint case.

Committee members may only ask questions of the applicant, the applicant's agent or technical experts speaking for or against an application.

The Chairman and Vice-Chairman of the Committee may ask questions of members of the public but only to verify the source of any material facts stated by a public speaker.

## **Order of proceedings**

1. Short introductory presentation by the case officer
2. Speakers
  - a) District Ward Councillors who are not Committee members
  - b) Representative from town/parish council
  - c) Objectors to an application
  - d) Supporters of an application
  - e) The applicant or agent for the applicant
3. Debate – Councillors will discuss the application and make proposals
4. Vote – the Committee will vote to agree its decision

This page is intentionally left blank

# Minutes

Planning Committee

Wednesday, 13 October 2021, 13:00.



SOUTH  
KESTEVEN  
DISTRICT  
COUNCIL

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

---

## **Committee Members present**

Councillor Helen Crawford (Chairman)

Councillor David Bellamy

Councillor Harrish Bisnauthsing

Councillor Helen Crawford (Chairman)

Councillor Phil Dilks

Councillor Robert Reid

Councillor Penny Robins

Councillor Ian Selby

Councillor Judy Stevens

Councillor Jacky Smith

Councillor Paul Wood

## **Cabinet Members in attendance**

Councillor Kelham Cooke (The Leader of the Council)

## **Officers in attendance**

Alan Robinson (Deputy Chief Executive)

Nicola M<sup>c</sup>Coy-Brown (Director of Growth and Culture)

Emma Whittaker (Assistant Director of Planning)

Debbie Roberts (Interim Organisational Development and Change Manager)

Phil Moore (Special Projects Manager)

Chris Brown (Principal Planning Officer)

Adam Murray (Senior Planning Officer)

Ben Hunt (Consultant Planner)

Shelley Thirkell (Acting Principal Democratic Officer)

Alice Atkins (Democratic Officer)

---

## **55. Membership and apologies for absence**

Apologies for absence had been received from Councillor Judy Smith, Councillor Rosemary Kaberry-Brown, Councillor Penny Milnes and Councillor Charmaine Morgan.

Councillor Paul Wood would be substituting for Councillor Penny Milnes, for this meeting only.

**56. Disclosure of interests**

Councillor Robert Reid requested that it be noted that he had previously held the Portfolio for Planning, the St Martin's Park Project (S20/2065) had been kept as part of the Leader's portfolio and confirmed he would still be taking part in the debate and vote for that item.

Councillor Harrish Bisnauthsing requested that it be noted that he had been approached by members of the public regarding the one or more of the applications, but that he was attending the meeting with an open mind.

Councillor Jacky Smith declared that she had a disclosable pecuniary interest in Agenda item 5 (application S21/1425). She would leave the meeting and not participate in the debate, nor vote.

**57. Minutes of the meeting held on 16 September 2021**

The minutes of the meeting held on 16 September 2021 were proposed, seconded and AGREED as a correct record, subject to the following amendment:

That it be noted that:

Councillor David Bellamy left the meeting at 16:10.

Councillor Harrish Bisnauthsing left the meeting at 16:35.

**58. Application S20/2056**

**Proposal:** Demolition of existing factory premises (excluding original factory building at south western edge of site). Erection of a high-quality mixed-use development comprising; Class E development of offices and workshops (10,000m<sup>2</sup> (GIA)), local foodstore and café; c190 dwellings including 30% affordable housing (Class C3); a retirement village including ancillary facilities (Class C2); public open space including strategic landscaping at the eastern end of the site; and all associated infrastructure. Means of access provided off Barnack Road through adaptation of existing vehicular access points as necessary. Secondary pedestrian and cycle access via Edgar Gardens

**Location:** Land north of Barnack Road, Stamford, Lincolnshire

**Decision:** 1. That the Assistant Director - Planning is authorised to APPROVE the application subject to the conditions set out

at the end of this report and subject to completion of a Section 106 planning Agreement securing the requirements specified in the developer contributions section of the report. Where the S106 obligation has not been concluded prior to the Committee, a period not exceeding twelve weeks after the date of the Committee shall be set for the completion of that obligation

2. In the event that the agreement has not been concluded within the twelve-week period and where, in the opinion of the Assistant Director - Planning, there are no extenuating circumstances which would justify a further extension of time, the related planning application shall be refused planning permission for the appropriate reason(s) on the basis that the necessary criteria essential to make what would otherwise be unacceptable development acceptable have not been forthcoming

Noting comments made during the public speaking session by:

**Parish Council(s):** Dr Margaret Palmer, Barnack Parish Council

Cllr Shaun Ford, Stamford Town Council

**Against:** Susan Boyd  
Deborah Hewson

**Applicant:** Mark Flood

Together with:

- SKDC Local Plan 2011 – 2036
- National Planning Policy Framework (NPPF) – revised July 2021
- Support received from Stamford Town Council, but observations made.
- Support and concerns raised by Wothorpe Parish Council.
- No comments received from St Martins Without Parish Council.
- Objections received from Barnack Parish Council
- No objections from a Heritage perspective from Peterborough City Council, but comments regarding the Transport Assessment
- No objections, subject to imposition of appropriate Planning Conditions from Natural England.
- Comments from Lincs Wildlife Trust.
- Comments from Bedfordshire, Cambridgeshire and Northamptonshire Wildlife Trust.
- Comments and request for contributions towards enhanced facilities from Network Rail.
- Comments on needs to upgrade from Western Power Distribution.

- Recommendation for planning conditions regarding contamination and drainage from the Environment Agency.
- Recommendations to ensure contamination remediation and noise mitigation received from South Kesteven District Council Environmental Protection.
- Comments received from Anglian Water
- No comments received from Welland and Deepings Internal Drainage Board.
- No objections and recommended conditions received from Lincolnshire County Council (Lead Flood Authority) .
- Requirement for a Scheme of Archaeological Works from Heritage Lincolnshire.
- No comments from Historic England.
- No comments from the Gardens Trust.
- Comments from South Kesteven District Council Heritage Advisor
- Comments regarding and Environmental Impact Assessment, heights of buildings and welcome the retention of the 1904 building from Stamford Civic Society.
- No objection from Highways England.
- No objections, but recommendations from conditions from Lincolnshire County Council Highways.
- No objections from Lincolnshire County Council Minerals.
- Request for an upgrade to the bridleway from Lincolnshire County Council Footpaths.
- Request for £92,238 towards capacity at local schools from Lincolnshire County Council Education.
- Request for financial contribution of £125,400 from the NHS.
- No response received from Lincolnshire Fire and Rescue.
- Requirements for affordable dwellings received from the South Kesteven District Council Affordable Housing Officer.
- Comments from South Kesteven District Council in its capacity as LPA) Viability Advisor.
- Comments from the South Kesteven District Council Design Officer.
- Representations as a result of publicity.
- Information included within the Additional Information Report issued on 5 October.

Members asked the following questions to the applicant:

- Whether the applicant had met with Stamford Town Council to address their issues.

The applicant confirmed that he had embarked upon a series of public online consultations with stakeholders, including Stamford Town Council. It was

confirmed that the issues raised by the representative from Stamford Town Council had been discussed at some length during that exercise.

- Whether the traffic survey been conducted during lockdown.

The applicant confirmed that a traffic survey had been undertaken during lockdown, but that the purpose of this was not to assess traffic volume but to assess traffic speeds. It was noted that during lockdown the recorded speeds were likely to have been higher due to lower traffic flows.

- A concern was raised around whether the development would create more traffic in the area.

The transport assessment submitted alongside the Planning Application had undertaken a full multi-model assessment. As a result of this, the application proposed improvements along Barnack Road in the form of enhanced pedestrian and cycle connectivity.

- Were there any proposals to impose any mitigation against speed along Barnack Road.

The development did not propose to reduce speed limits along Barnack Road, the delivery of the development was not contingent upon the reduction of the speed limit. The applicant noted that they would fully support a reduction in speed limit, should the Highway Authority be willing to pursue that.

- Whether any efforts had been made to make the development sustainable.

It was confirmed that the concept of the Masterplan itself was sustainable and soft sustainability had been included.

During questions to Officers and debate, Members commented on:

- No proposals within the application to install lighting on the bridge.
- That there had been no Environmental Impact Assessment.
- Whether the development could be developed as a green village or carbon 0 site.
- Concerns were raised about the reduction of affordable housing, but noted that this was in line with the Local Plan.
- The amount of money to be paid towards the proposed crossing upgrade.
- Concerns about the lack of climate change mitigation proposed by the applicant. Members noted that all major applications should include a paragraph outlining proposed climate change mitigation.
- Welcomed the Highways Authority reducing speed to 30mph to the edge of the development.
- The material of the paths.
  - Benefits for Stamford and for the south of the Lincolnshire.

- A desire to pursue carbon neutral conditions in future.
- That lighting be addressed when reserved matters are considered as part of the full planning application.

It was proposed, seconded, and **AGREED** that the application be approved for the summary of reasons set out in the case officer's report together with the following conditions:

Time Limit for Commencement

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

Reason: To comply with section 91 of the Town and Country Planning Act 1990 The development hereby permitted shall be carried out in accordance with the following list of approved plans:

2. The development hereby permitted shall be carried out in accordance with the following list of approved plans:
  - a. 6178/PL 01 – Site Location Plan
  - b. 8190658/01 - Commercial Access General Arrangement
  - c. 8190658/02 - Western Residential Access General Arrangement
  - d. 8190658/03 - Central Residential Access General Arrangement
  - e. 8190658/04 - Eastern Residential Access General Arrangement
  - f. 8190658/05 - Edgar Gardens Pedestrian / Cycle Link General Arrangement
  - g. 8190658/6101 rev P4 - Highway Works Pedestrian and Cycle Improvements General Arrangement - Sheet 1
  - h. 8190658/6102 rev P5 - Highway Works Pedestrian and Cycle Improvements General Arrangement - Sheet 2
  - i. 8190658/6103 rev P5 - Highway Works Pedestrian and Cycle Improvements General Arrangement - Sheet 3

Unless otherwise required by another condition of this permission.

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

Site Preparation Works

3. For the purposes of the conditions of this permission, the following are referred to as Site Preparation Works:
  - a. works of demolition undertaken in accordance with the Demolition Method Statement referred to in condition 4

- b. works of remediation carried out in accordance with the Scheme of Further Site Contamination Investigations and the Remediation Strategy referred to in conditions 5 and 6
- c. the implementation of archaeological works in accordance with the Scheme of Archaeological Works referred to in condition 8
- d. works for the re-routing and re-configuration of power lines that cross the site.

Reason: For the avoidance of doubt

#### Planning Obligation

- 4. Other than implementation of the Site Preparation Works referred to in condition 2 above, no development shall take place unless and until all parties with an interest in the 'Council Land' have entered into a planning obligation pursuant to Section 106 of the Town and Country Planning Act 1990 (as amended) in order to bind the 'Council Land'. This agreement shall be in the form of, and shall secure the same obligations as, the agreement attached to this decision notice.

For the purposes of this condition the 'Council Land' shall mean all that land currently owned by the Council and shown edged red on Plan 1 appended to this decision notice.

Reason: To ensure that the planning obligations necessary for the development to proceed will apply to the whole of the land covered by the planning permission

#### Demolition, Contamination and Archaeology

- 5. The development hereby permitted shall not commence until a detailed Demolition Method Statement for the removal of existing buildings and structures from the Council Land has been submitted to and approved in writing by the Local Planning Authority. The Demolition Method Statement shall include the results of an asbestos survey to be carried out in advance of demolition, as well as arrangements for the management of vehicle movements associated with the demolition works.

The demolition of existing buildings shall thereafter be carried out in accordance with the approved Demolition Method Statement.

Reason: Demolition is one of the first operations to take place on the site. It is necessary to require the submission and approval of a scheme of demolition prior to commencement of the development in order to ensure that this is carried out in a way which minimises pollution risks, in compliance with South Kesteven Local Plan policy EN4

6. No demolition shall take place until a Contamination Strategy within the Council Land has been submitted to and approved in writing by the Local Planning Authority. The submitted Contamination Strategy shall:
  - a. be based on the findings and recommendations contained in Preliminary Geo-Environmental Risk Assessment, and the Geo-Environmental Report (CAT1) by Delta- Simons Project, both Project No. number 18-1356.05 dated January 2020 and submitted with the application
  - b. include details of further investigations to be carried out within each phase of the development of the Council Land.

Reason: To ensure that the contamination is identified, and remediated, in compliance with South Kesteven Local Plan policy EN4

7. Following the implementation of the Contamination Strategy approved under condition 5 within any phase of development of the Council Land, the results shall be used to prepare a Scheme of Remediation relating to that phase to deal with the risks associated with contamination of the Council Land. The Scheme of Remediation for each phase shall include the following components:
  - a. a detailed assessment of the risk to all receptors that may be affected, including those off- site.
  - b. an options appraisal giving full details of the remediation measures required to deal with any contamination found and how these measures are to be undertaken.
  - c. a verification plan providing details of the data that will be collected in order to demonstrate that the works to deal with any contamination have been completed and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Other than implementation of the Site Preparation Works referred to in condition 2 above, no development shall take place within each phase until the Scheme of Remediation for that phase has been:

- i. submitted to and approved in writing by the Local Planning Authority; and
- ii. subsequently implemented in full.

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 to ensure that the demolition is carried out in a way which minimises pollution risks, in compliance with South Kesteven Local Plan policy EN4

8. If, during any part of the construction phase of the development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until a scheme of remediation has been submitted to and approved in writing by the local planning authority detailing how this unsuspected contamination shall be dealt with.

Reason: To ensure that the contamination is identified, and remediated, in compliance with South Kesteven Local Plan policy EN4

9. The development hereby permitted shall not commence until a Scheme of Archaeological Works relating to that part of the site to the east of the Council Land has been submitted to and approved in writing by the Local Planning Authority. The Scheme of Archaeological Works shall include:
  - i. a written scheme of investigation (WSI)
  - ii. measures to ensure the preservation in situ, or the preservation by record, of archaeological features of identified importance
  - iii. methodologies for the recording and recovery of archaeological remains, including artefacts and ecofacts
  - iv. post-fieldwork methodologies for assessment and analyses
  - v. report content and arrangements for dissemination, and publication proposals - archive preparation and deposition with recognised repositories
  - vi. a timetable of works in relation to the proposed development, including sufficient notification and allowance of time to ensure that the site work is undertaken and completed in accordance with the WSI
  - vii. monitoring arrangements, including the notification in writing to the Local Planning Authority of the commencement of archaeological works and the opportunity to monitor such works
  - viii. a list of all staff involved in the implementation of the WSI, including subcontractors and specialists, their responsibilities and qualifications

Reason: Initial works at the site have the potential affect archaeological resources, so it is necessary to require this scheme of works before development commences to ensure that these resources are not lost without being first recorded, in compliance with South Kesteven Local Plan policy EN6

10. No development hereby permitted shall take place on a part of the site which is subject to the Scheme of Archaeological Works approved under condition 8 until those Archaeological Works have been completed on that area.

Reason: To ensure that any archaeological resources present in the site are not lost without being first recorded the contamination is identified, and remediated, in compliance with South Kesteven Local Plan policy EN6

### Phasing

11. Other than the Site Preparation Works referred to in condition 2 above, none of the works for the development hereby permitted shall begin until a detailed Phasing Plan for the whole site has been submitted to and approved in writing by the Local Planning Authority. The Phasing Plan shall:
  - a. show the relationship between the Site Preparation Works and the remainder of the development
  - b. show the relationships between the commercial, housing, retirement village and infrastructure components of the development (including blue and green infrastructure) as the scheme progresses;
  - c. include details of the following:
    - i. the stage by which the off site highway works referred to in condition 20 will have been completed and available for use;
    - ii. the stage by which the access works required by conditions 17 and 19 of this permission will have been completed and available for use
    - iii. details of the timing of, the implementation of the Landscape and Ecological Management Plan referred to in condition 26 of this permission

The development shall thereafter be carried out in accordance with the approved Phasing Plan unless variations have been agreed in writing by the Local Planning Authority beforehand.

Reason: To ensure that the different parts of the mixed use development are progressed together, so that the employment uses and other benefits of the scheme are realised to ensure compliance with South Kesteven Local Plan policy E6.

### Reserved Matters

12. Other than the Site Preparation Works referred to in condition 2 above, none of the works for the development hereby permitted shall begin until details of Reserved Matters have been submitted to the Local Planning Authority for approval. Reserved Matters shall be submitted to the Local Planning Authority within 3 years from the date of this permission and shall include:
  - a. layout - including a masterplan to show:

- i. the overall layout of the different uses proposed across the entire development; and
  - ii. the mix of housing types and sizes across the site
- b. scale - including a plan to show the distribution of building heights across the site
- c. appearance – including external materials and means of enclosure; and landscaping.

Reason: The application has been made in outline form under Article 5(1) of the Town & Country Planning (Development Management Procedure) (England) Order 2015

13. The submitted reserved matters shall be broadly in accordance with the following drawings and documents submitted with the outline application:

- i. Land use parameters 6178/PL 03
- ii. Height parameters 6178/PL 04
- iii. Street and Placemaking Code HP/6178

The development shall thereafter be carried out in accordance with the approved Reserved Matters unless variations have been agreed in writing by the Local Planning Authority beforehand.

Reason: In order that the development is carried out in accordance with the parameters against which the application was assessed.

14. Before the end of the first planting/seeding season following the occupation/first use of the final building within each phase of the development hereby permitted, all soft landscape works shall have been carried out in accordance with the soft landscaping details approved under condition 11. The date of completion of the landscaping works within each phase of the development shall be notified in writing to the Local Planning Authority within 28 days of their completion.

Reason: To ensure that the approved landscaping is delivered in a timely fashion, in accordance with South Kesteven Local Plan policy DE1.

15. Within a period of five years from the completion of soft landscaping works within each phase of the development hereby permitted (as notified under condition 13), any trees or plants provided as part of the approved soft landscaping scheme within that phase, 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 under condition 11 unless otherwise agreed by the Local Planning Authority

Reason: To ensure that well designed hard and soft landscaping is provided and maintained, in accordance with South Kesteven Local Plan policy DE1.

### Changes of Use

16. Unless otherwise agreed in writing beforehand by the Local Planning Authority under the conditions of this permission, the amounts of development hereby permitted shall be limited to the following uses and to the maximum levels of each (as defined in the Town and Country Planning (Use Classes) Order 1987 (as amended)):
- a. Housing within Class C3 - up to 190 units
  - b. Retirement village within Class C2 – up to 150 units of accommodation together with communal facilities buildings
  - c. Commercial development within Class E(g) – up to 10,000m<sup>2</sup> gross internal floorspace, consisting of around 7,500m<sup>2</sup> within Classes E.(g)(i) and (ii), and around 2,500m<sup>2</sup> within Classes E.(g)(iii).
  - d. convenience store within Class E(a) – up to 400m<sup>2</sup> gross internal floorspace
  - e. café within Class E(b) – up to 280m<sup>2</sup> gross internal floorspace

Reason: For the avoidance of doubt and in order that the development is carried out in accordance with the parameters against which the application was assessed.

17. Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 and the Town and Country Planning (General Permitted Development) Order 2015 (both as amended and as may be varied in the future), there shall be no change of use in either direction between the following Classes of development without the express permission of the Local Planning Authority:
- a. on the one hand Classes E.(g)(i) and (ii), and on the other hand Class E.(g)(iii)
  - b. Class C3 and Class C4
  - c. on the one hand Class E and on the other hand Class C3 or C4
  - d. Class E.(a) and Class E.(g)

Reason: For the avoidance of doubt and in order that the development is carried out in accordance with the parameters against which the application was assessed.

### Access

18. Unless otherwise approved as part of the phasing arrangements under condition 10, prior to the occupation of any building constructed on the site, the four vehicular accesses and the principle pedestrian/cycle access from

Edgar Gardens shall be constructed and be available for use in accordance with the following drawings:

- a. 8190658/01 - Commercial Access General Arrangement
- b. 8190658/02 - Western Residential Access General Arrangement
- c. 8190658/03 - Central Residential Access General Arrangement
- d. 8190658/04 - Eastern Residential Access General Arrangement
- e. 8190658/05 - Edgar Gardens Pedestrian / Cycle Link General Arrangement

Reason: To ensure that adequate and safe access is provided to the development in compliance with South Kesteven Local Plan policy ID2.

19. In addition to the details referred to in condition 17 above, those parts of any proposed roadways and associated footways which will be constructed within the limits of the existing highway (Barnack Road), shall be laid out and constructed to finished surface levels only in accordance with details to be submitted to and approved in writing by the Local Planning Authority. This requirement applies to:
  - a. any temporary construction access – details to be submitted and approved prior to first use of that access
  - b. permanent access – details to be submitted and approved prior to the first occupation of any building served by that access.

Reason: In the interests of safety, to avoid the creation of pedestrian trip hazards within the public highway in compliance with South Kesteven Local Plan policy ID2.

20. Other than the Site Preparation Works approved under condition 2 above, none of the works for the development hereby permitted shall begin until details of at least four additional pedestrian and cycle access points have been submitted to and approved in writing by the Local Planning Authority.

The additional pedestrian and cycle access points shall be provided in accordance with the approved details and in accordance with the Phasing Plan approved under condition 10.

Reason: To ensure that sustainable alternative transport choices are provided by the development, in compliance with South Kesteven Local Plan policy ID2.

#### Off-site highway works

21. Unless otherwise approved by the Local Planning Authority as part of the Phasing Plan under condition 9, no commercial space, housing or retirement village accommodation hereby permitted shall be occupied until

the off-site highway works (footway widening and resurfacing, additional street trees, and provision of new bus stops, and improvements to the existing Abbots Close bus stops) shown on the following drawings have been constructed and are available for use:

- a. 8190658/6101 rev P4 - Highway Works Pedestrian and Cycle Improvements General Arrangement - Sheet 1
- b. 8190658/6102 rev P5 - Highway Works Pedestrian and Cycle Improvements General Arrangement - Sheet 2
- c. 8190658/6103 rev P5 - Highway Works Pedestrian and Cycle Improvements General Arrangement - Sheet 3

Reason: To ensure that sustainable alternative transport choices are provided by the development, in compliance with South Kesteven Local Plan policy ID2.

### Construction Management

22. Other than the Site Preparation Works approved under condition 2, no phase of the development shall take place until a Construction Management Plan and Method Statement relating to that Phase has been submitted to and approved in writing by the Local Planning Authority which shall indicate measures to mitigate against the impacts of traffic and site operations during the construction stage of the proposed development.

The Construction Management Plan and Method Statement shall include:

- a. Details of construction access for each phase of the development;
- b. parking of vehicles for site operatives and visitors;
- c. loading and unloading of plant and materials;
- d. storage of plant and materials used in constructing the development;
- e. wheel washing facilities;
- f. the routes of construction traffic to and from the site including any off site routes for the disposal of excavated material and;
- g. a strategy stating how surface water run off on and from the development will be managed during construction and protection measures for any sustainable drainage features. This should include drawing(s) showing how the drainage systems (permanent or temporary) connect to an outfall (temporary or permanent) during construction
- h. measures to control dust
- i. measures to control noise, including limits to hours of working.

The approved Construction Management Plan and Method Statement shall be implemented in full throughout the construction period.

Reason: To ensure that adequate and safe access is provided for construction traffic in compliance with South Kesteven Local Plan policy ID2, and to ensure that the development is adequately drained without creating or increasing flood risk to land or property adjacent to, or downstream of, the development during construction in compliance with South Kesteven Local Plan policy EN4.

### Travel Plan

23. Unless otherwise approved by the Local Planning Authority as part of the Phasing Plan under condition 9, no commercial space, housing or retirement village accommodation hereby permitted shall be occupied until a revised Framework Travel Plan has been submitted and approved in writing by the Local Planning Authority.

Reason: To ensure that sustainable alternative transport choices are promoted by the development, in compliance with South Kesteven Local Plan policy ID2.

24. Prior to the occupation of each Phase of the development hereby permitted, a detailed Travel Plan relating to that Phase shall be submitted to and approved in writing by the Local Planning Authority. Each phase Travel Plan shall be in accordance with the Framework Travel Plan approved under condition 22, shall include a timetable for implementation, and shall be implemented in full.

Reason: To ensure that sustainable alternative transport choices are promoted by the development, in compliance with South Kesteven Local Plan policy ID2.

### Surface Water Drainage

25. Other than the Site Preparation Works approved under condition 2 above, no works for the development hereby permitted shall commence until a surface water drainage scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme shall:
- a. be in general conformity with the surface water drainage strategy contained in the submitted Flood Risk Assessment CV8190658/CS/DW/029 dated 29 September 2020
  - b. provide attenuation details and discharge rates which shall be restricted to 5 ls-1
  - c. provide details of the timetable for and any phasing of implementation for the drainage scheme; and
  - d. provide details of how the scheme shall be maintained and managed over the lifetime of the development, including any arrangements for adoption by any public body or Statutory Undertaker and any other

arrangements required to secure the operation of the drainage system throughout its lifetime.

No building shall be occupied until the parts of the approved scheme designed to accept surface water from that building have been completed. The approved scheme shall be retained and maintained in full, in accordance with the approved details.

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

### Noise

26. Other than the Site Preparation Works approved under condition 2 above, no works for the development hereby permitted shall commence within each phase until a detailed scheme of noise mitigation relating to that phase has been submitted to and approved in writing by the Local Planning Authority. The scheme shall set out measures to address noise from the railway and the commercial development proposed in so far as it may affect the residential amenity of occupiers of new dwellings within the site and existing dwellings on adjacent land. The approved noise mitigation scheme for each phase of the development shall be implemented in full.

Reason: To ensure that new and existing residents benefit from an acceptable standard of amenity and living conditions, in compliance with South Kesteven Local Plan policy EN4.

### Biodiversity

27. Other than the Site Preparation Works approved under condition 2 above, no works for the development hereby permitted shall commence until a Landscape and Environmental Management Plan (LEMP) has been submitted to and approved in writing by the Local Planning Authority. The LEMP shall be prepared in general accordance with the conclusions and recommendations contained in Section 6 of the Biodiversity management plan dated April 2020 and section 2 of the Biodiversity Enhancement Statement dated June 2020 submitted with the application.

The approved LEMP shall be implemented in full.

Reason: To ensure that opportunities for biodiversity enhancements are realised, in accordance with South Kesteven Local Plan policies EN2 and EN3.

28. No removal of hedgerows, trees, shrubs or other climbing plants shall take place between 1st March and 31st August inclusive, unless a competent

ecologist has undertaken a careful, detailed check of vegetation for active birds' nests immediately before the vegetation is cleared and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the local planning authority.

Reason: To ensure that breeding birds are protected from disturbance and harm, in accordance with South Kesteven Local Plan policy EN2.

### External Lighting

29. Prior to occupation of any phase of the development adjoining the northern boundary of the site, a lighting strategy for that phase shall be submitted to and approved in writing by the local planning authority. The strategy shall:
- a. assess the potential for lighting to lead to safety hazards in relation to the operation of the adjoining railway
  - b. identify those areas/features on site to which nocturnal wildlife such as bats and otters are particularly sensitive and that are likely to cause disturbance in or around their breeding sites and resting places, or along important routes used to reach key areas of their territory, for example, for foraging, and
  - c. show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.

Reason: To ensure both the safety of the operation of the railway, and that wildlife is encouraged and protected from disturbance and harm, in accordance with South Kesteven Local Plan policy EN2.

30. All external lighting shall be installed in accordance with the specifications and locations set out in the strategy approved under condition 28 of this permission, and these shall be maintained thereafter in accordance with that strategy. No other external lighting be installed without prior consent from the local planning authority.

Reason: For the avoidance of doubt.

### Sustainable Building

31. No building operations with a phase of the development hereby permitted shall commence construction until a scheme of detailed measures mitigate and adapt to the effects of climate change has been submitted to for

approval in writing by the Local Planning Authority. The measures shall be in general accordance with or of equal mitigating effect to those summarized at paragraphs 5.2.5 and 5.2.6 of the Sustainability and Energy Statement submitted with the application.

Reason: To ensure that the development includes measures to mitigate and adapt to the effects of climate change, in accordance with South Kesteven Local Plan policy SB1.

### Play Area

32. The Reserved Matters submitted under condition 11 shall include details of the location, design and equipment to be installed in a Locally Equipped Area for Play (LEAP) associated with the dwellings hereby permitted. The LEAP shall be implemented and made available for use prior to the occupation of the first dwelling approved as part of this permission.

Reason: To ensure that the development provides sufficient open space of the right type to meet the needs of children and young people in accordance with South Kesteven Local Plan policy OS1.

### Foul Drainage

33. No development which comprises the erection of a building required to be served by water services shall be undertaken in connection with any phase of the development hereby permitted until details of a scheme, including phasing, for the provision of mains foul sewage infrastructure on and off site has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the development will be connected to adequate foul water treatment and disposal infrastructure, in accordance with South Kesteven Local Plan policy EN5.

34. At least 10% of the new dwellings provided in the development must be designed to be 'Accessible and Adaptable' in line with the optional standards set out in Part M4(2) of the Building Regulations.

Reason: To ensure that the development will deliver high standard of design, in accordance with South Kesteven Local Plan policy DE1.

South Kesteven District Council is both:

- a. an applicant and owner of part of the land and
- b. local planning authority which will decide the application

Therefore, the application is submitted under regulation 3 of the Town and Country Planning General Regulations 1992 (as amended). Planning Committee members who have a role in the management of the Council's land within the site – the former Cummins factory – may wish to take advice from Democratic and Legal Services before taking part in the decision on this application.

#### **59. Application S21/1425**

**Proposal:** Change of use to dog exercise paddock, reinstatement of a vehicular access and erection of two wooden shelters

**Location:** Oaklands, Main Street, Ingoldsby, NG33 4HA

**Decision:** To approve the application conditionally

Together with:

- Comments received from Environmental Protection Services (SKDC)
- Comments received from LCC Highways & SuDS Support
- Comments received from LCC Footpaths Officer
- Three letters of representation had been received as a result of publicity.
- Information included within the Additional Information Report issued on 5 October.

The Case Officer also provided the following verbal updates:

- That the applicant's name had been written incorrectly on the Case Officer's report and would be corrected from 'Mr J Allen' to 'Mr L Allen'.
- That two additional conditions would be included as part of the application (conditions 5 and 6).

During questions to the Officers and debate, Members commented on:

- How far the development was located from the next neighbouring dwelling.

It was confirmed that there was approximately 50 metres from the proposed site to the rear garden area of the next neighbouring dwelling, and approximately 70 metres from the proposed site to the rear elevation of the next neighbouring dwelling. Furthermore, an area of screen planting had also been proposed which would provide a further buffer from the proposed site and the dwelling.

- Whether it was necessary for there to be a condition mandating that the removal of waste from the dog waste bin be provided by the Council's Commercial Waste Team.

Officers confirmed that this condition could be amended to allow for other suitable commercial waste teams to provide the service of removing waste from the dog waste bin.

It was proposed, seconded, and **AGREED** that the application be approved for the summary of reasons set out in the case officer's report together with the following conditions:

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

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

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

#### **Approved Plans**

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

Drawing No.1438-1\_PL\_LP01, Site Location Plan, received 19 July 2021

Drawing No.1438-1\_PL\_DD01, 1.8 m high dog field fencing, received 19 July 2021

Drawing No.1438-1\_PL\_GA01, Proposed pergola, received 19 July 2021

Drawing No.1438-1\_PL\_SP01, Proposed Site Plan, received 19 July 2021

Unless otherwise required by another condition of this permission.

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

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

3. 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 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.

4. Prior to first use of the development hereby approved, the parking area as shown on proposed block plan (drawing no.1438-1\_PL\_SP01) shall be provided. Any hard surfacing used shall be permeable. The parking area shall be retained for the lifetime of the development.

Reason: In the interest of amenity.

5. Prior to first use, a dog waste bin shall be provided on site and a contract shall be entered into with a Commercial Waste Team, with details to be submitted in writing to the Local Planning Authority.

Reason: In the interest of amenity.

6. Prior to first use, details of any soft landscaping works shall have been submitted to and approved in writing by the Local Planning Authority. Details shall include:
  - i. planting plans;
  - ii. written specifications (including cultivation and other operations associated with plant and grass establishment);
  - iii. schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate;

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.

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.

### **Ongoing Conditions**

7. The hours of use for the dog exercising/agility facility hereby approved shall be Restricted to daylight hours between 08:30 and 19:30 Monday to Friday; 09:00 and 19:30 on Saturday; and 10am to 4pm on Sunday.

Reason: In the interest of residential amenity.

8. No more than 10no. dogs shall be allowed on site at any given time other than during agility and exercise sessions combined.

Reason: In the interest of residential amenity.

9. No floodlighting, security lighting or other means of illumination of the site shall be provided, installed or operated.

Reason: In the interests of local amenity.

10. The applicant shall keep an up to date booking register with details of users of the site and times used (including agility sessions). The register shall be available for inspection at all times by the Local Planning Authority upon request.

Reason: To ensure the applicant is adhering to the limitations set out by the conditions in the interest of residential amenity.

11. The safety/user rules shall be clearly displayed on site at all times. The sign shall not exceed 0.3 square metres and shall not be illuminated.  
Reason: In the interest of public safety and to comply with The Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

*(Councillor Jacky Smith and Councillor Paul Woods left the meeting at 15:36)*

## **60. Application S21/0420**

- Proposal:** Partial demolition of Social Club; proposed 2-storey rear extension and roof extension. Change of use from A4 Drinking Establishment and D2 Assembly Hall to C3 residential use to create 15 residential units.
- Location:** 95A Westgate, Grantham, NG31 6LE
- Decision:**
1. That the Assistant Director – Planning is authorised to APPROVE the application subject to the conditions set out within the main report (as approved on 22 July 2021), and subject to the completion of a Section 106 Planning Agreement, which would secure the affordable housing requirements as a commuted sum in lieu of on-site provision. Where the Section 106 obligation has not been concluded prior to the Committee, a period not exceeding twelve weeks after the date of the Committee shall be set for the completion of that obligation.
  2. In the event that the agreement has not been concluded within the twelve-week period and where, in the opinion of the Assistant Director – Planning, there are no extenuating circumstances which would justify a further extension of time, the related planning application shall be refused planning permission for the appropriate reason(s) on the basis that the necessary criteria to make what would otherwise be unacceptable development acceptable have not been forthcoming.

Noting:

- No objections received from Anglian Water.
- No objections received from Cadent Gas.
- No comments received from Environment Agency.
- Comments received from Lincolnshire County Council (Highways & SuDS) regarding proposed drainage intentions.
- No objections received from Lincolnshire Police.
- No comments received from Natural England

- Comments received from SKDC Partnership Projects Officer regarding the percentage of affordable housing to be provided by the applicant.
- No objections received from SKDC Conservation Officer.
- No objections received from SKDC Building Control.
- 5 letters of representation had been received as a result of publicity, including 2 neutral letters and 3 letters of objection.
- Information included within the Additional Information Report issued on 5 October.

Members commented:

- That ideally more affordable accommodation would be located in Grantham.
- That there were no reasonable ground to refuse the application.

It was proposed, seconded and **AGREED** that the application be approved for the summary of reasons set out in the case officer's report together with the following conditions:

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

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

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

#### **Approved Plans**

2. The development hereby permitted shall be carried out in accordance with the following list of approved plans:
  - a. Site Location Plan (Ref: 19053-P-001A)
  - b. Proposed Elevation Plan (Ref: 19035-P-104 Ref A)
  - c. Proposed Site Layout, Landscaping & Boundary Treatment Plan (Ref: 19053-P-100 Rev A)
  - d. Proposed Refuse & Cycle Store Plan (Ref: 19053-P-101 Rev A)
  - e. Proposed Floor Plans (Ref: 19053-P-102 Rev F)
  - f. Drainage Statement received 09 June 2021
  - g. Preliminary Roost Assessment received 04 March 2021
  - h. Noise Report received 04 March 2021

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**

##### Sustainability Measures

3. No development shall take place until details demonstrating how the proposed dwellings would comply with the requirements of Local Plan

Policy SB1 has been submitted and approved by the Local Planning Authority.

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

Reason: To ensure the dwellings are constructed to a standard that mitigates against climate change as required by Local Plan Policy SB1.

#### Accessible and Adaptable Dwellings

4. Before the development hereby permitted is commenced, details demonstrating that at least 10% of the dwellings would be constructed as “Accessible and Adaptable” in line with the standard set out in Part M4(2) of the Building Regulations must be submitted to and approved in writing by the Local Planning Authority.

The development must be carried out in accordance with the approved details.

Reason: To ensure the development meets the needs of all potential future occupiers in accordance with Local Plan Policy DE1.

#### Foul and Surface Water Drainage Details

5. 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:

- Be based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development
- 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 run-off rate for the undeveloped site
- Provide attenuation details and discharge rates which shall be restricted to the brownfield runoff rate
- Provide details for the timetable for and any phasing of implementation for the drainage scheme; and
- 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 the provision of satisfactory surface and foul water drainage in accordance with Local Plan Policy EN5.

### Demolition and Construction Management

6. 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 indicate measures to mitigate against noise, dust and vibration, traffic generation and drainage of the site during the demolition and construction stages of the proposed development.

The Construction Management Plan and Method Statement shall include:

- Phasing of the development to include access construction
- The parking of vehicles of site operatives and visitors
- Loading and unloading of plant and materials
- Storage of plant and materials used in constructing the development
- Wheel washing facilities
- The routes of construction traffic to and from the site including any off site routes for the disposal of excavated material; and
- Strategy stating how surface water run off on and from the development will be managed during construction and protection measures for any sustainable drainage features. This should include drawing(s) showing how the drainage systems (permanent or temporary) connect to an outfall (temporary or permanent) during construction.

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

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

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, and to ensure that the demolition and construction period does not give rise to unacceptable adverse impacts on the amenities of neighbouring properties.

### Updated Preliminary Roost Assessment

7. Before the development hereby permitted is commenced, an updated Preliminary Roost Assessment must be submitted to and approved in

writing by the Local Planning Authority. The development must be carried out in accordance with any recommendations set out by that assessment.

Reason: To ensure that the proposed development adequately protects protected species in accordance with Local Plan Policy EN2 and the Wildlife and Countryside Act 1981.

#### Contaminated Land Survey

8. Before the development hereby permitted is commenced, a scheme relating to the survey of the land for contamination shall have been submitted to and approved in writing by the Local Planning Authority. The scheme shall include:
- A desk top study documenting all the previous and existing land uses of the site and adjacent land
  - 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
  - A detailed scheme for remedial works 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
  - Shall include the 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 the future residents and users of the development; and in accordance with Policies EN2 and EN4 of the adopted South Kesteven Local Plan and national guidance contained in Paragraphs 178 and 179 of the Framework.

#### Asbestos Disposal

9. Before the development hereby permitted is commenced, a scheme to address the management and / or safe disposal of asbestos and asbestos containing materials shall have been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of, where necessary, an asbestos identification survey by a qualified contractor, measures to be adopted to protect human health and the preferred asbestos disposal route, unless the local planning authority dispenses with any such requirement specifically in writing.

Reason: To protect the health of site works and future occupiers of the site, in accordance with Policy EN4 of the Local Plan.

## **During Building Works**

### Outdoor Courtyard Detailed Design

10. Before any development above a damp proof course, full details of the detailed design of the proposed outdoor courtyard / plaza amenity space shall have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. These details shall include consideration of restricting access from the proposed courtyard to the underpass on the northern boundary of the site, as well as proposed finished levels of contours, hard and soft landscaping detail and minor artefacts and structures, where relevant. The development must be completed in accordance with the approved details.

Reason: To ensure a satisfactory appearance to the development and to allow further consideration of measures to ensure that the development does not increase crime, or the fear of crime, in accordance with Policy DE1 of the Local Plan and Section 12 of the Framework.

### Lighting Assessment and detailed scheme

11. Before the installation of any external lighting, an appropriate Lighting Assessment shall have been completed to inform the detailed design of the proposed external lighting scheme. The Lighting Assessment and Lighting Scheme shall be submitted to and approved in writing by the Local Planning Authority, and the works shall be completed in accordance with the approved details.

Reason: To ensure the development does not increase crime, or the fear of crime, and does not give rise to unacceptable adverse impacts on residential amenities, in accordance with Policy DE1 of the Local Plan and Section 12 of the Framework.

### Hard and Soft Landscaping details

12. Before any development other than demolition and clearance works, details of a hard and soft landscaping scheme shall have been submitted to and approved in writing by the Local Planning Authority. Details shall include:

Proposed finished levels and contours

- Means of enclosure
- Vehicle and pedestrian access and circulation areas

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

Reason: Hard and 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.

### Materials Schedule

13. Before any works on the external elevation of the development hereby permitted are begun, samples of the materials (including colour of render, paintwork or colourwash) to be used in the construction of the external surfaces of the development hereby permitted will have been submitted to and approved in writing by the Local Planning Authority.

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

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

#### Materials Implementation

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

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

#### Hard Landscaping Implementation

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

Reason: Hard 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.

#### Surface and Foul Water Drainage Implementation

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

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

#### Soft Landscaping Implementation

17. Before the end of the first planting / seeding season following the occupation of any part 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.

#### Landscape Management Plan details

18. Before any part of the development hereby permitted is occupied, a landscape management plan shall have been submitted to and approved in writing by the Local Planning Authority. The plan shall include:

- Long term design objectives
- Management responsibilities; and
- Maintenance schedules for all landscaped areas.

Reason: 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.

#### Ground Investigation Verification Report

19. Before any part of the development hereby permitted is occupied, a verification report confirming that remedial works have been completed shall have been submitted to and approved in writing by the Local Planning Authority. The report shall have been submitted by the nominated competent person approved, as required by Condition 7 above. The report shall include:

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

The scheme of remediation shall thereafter be maintained in accordance with the approved details.

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 the future residents and users of the development; and in accordance with Policies EN2 and EN4 of the adopted South Kesteven Local Plan and national guidance contained in Paragraphs 178 and 179 of the NPPF.

#### Noise Mitigation

20. Before any part of the development hereby permitted is occupied, the developer shall implement the recommendations and mitigation measures for noise as proposed in Section 4 of the Noise Assessment Report, produced by UK Building Compliance, received by the Local Planning Authority on 4 March 2021.

Reason: To ensure future occupants of the development benefit from an appropriate noise environment in accordance with Policies DE1 and EN4 of the adopted South Kesteven Local Plan.

#### Refuse and Cycle Storage provision

21. Before any part of the development hereby permitted is occupied, the works for the provision of the approved refused and cycle storage areas shall have been completed and shall thereafter be retained for use at all times.

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

#### Travel Pack provision

22. Before any part of the development hereby permitted is occupied, the developer shall supply the proposed occupants of the development with a copy of the Residential Travel Pack, prepared by J Consulting, received by the Local Planning Authority on 8 June 2021.

Reason: To encourage the use of sustainable methods of travel, in accordance with Policy ID2 of the Local Plan and Section 9 of the Framework.

### **Ongoing Conditions**

#### Preliminary Roost Assessment measures

23. The development hereby permitted shall be carried out in accordance with the recommendations contained in the Preliminary Roost Assessment,

completed by Rothen Ecology, dated June 2020, to be updated not more than one year before the development commences.

Reason: To ensure a satisfactory form of development which would have no significant impact on protected species.

#### Soft Landscaping Protection

24. 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 11 above, 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 Policies DE1, EN3 and OS1 of the adopted South Kesteven Local Plan.

#### Landscape Management Plan implementation

25. For a period of not less than 5 years following the first occupation of the final dwelling hereby permitted, the approved Landscape Management Plan shall be adhered to in full unless otherwise agreed in writing by the Local Planning Authority.

Reason: Landscaping makes 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.

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

There was none.

#### **62. Close of Meeting**

The Chairman closed the meeting at 15:45.

This page is intentionally left blank

# Minutes

## Planning Committee

Thursday, 28 October 2021, 13:00

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 Helen Crawford (Chairman)

Councillor Phil Dilks

Councillor Mrs Rosemary Kaberry-Brown

Councillor Penny Milnes

Councillor Charmaine Morgan

Councillor Penny Robins

Councillor Jacky Smith

Councillor Nick Robins

### Officers in attendance

Emma Whittaker (Assistant Director of Planning)

Phil Moore (Special Projects Manager)

Phil Jordan (Principal Planning Officer)

Adam Murray (Senior Planning Officer)

Shelley Thirkell (Acting Principal Democratic Officer)

Alice Atkins (Democratic Officer)

Will Thomas (Legal Advisor – Shoosmiths)

---

### 63. Apologies for absence

Apologies for absence had been received from Councillor Mrs Judy Smith, Councillor Harrish Bisnauthsing, Councillor Robert Reid, Councillor Ian Selby and Councillor Judy Stevens.

Councillor Nick Robins would be substituting for Councillor Robert Reid, for this meeting only.

### 64. AGENDA

The Chairman advised the Committee that Agenda Item 3, Application S21/0938 had been withdrawn from the agenda.

## 65. Disclosure of interests

No interests were disclosed.

## 66. Application S21/1018

**Proposal** Installation and operation of a Solar Farm together with all associated works, equipment and necessary infrastructure.

**Location** Land at Gonerby Moor, Great Gonerby, Grantham

**Decision** To approve the application conditionally

Noting comments made during the public speaking session by:

**Applicant's agent:** Rachel Gaffney

Together with:

- Provisions within the National Planning Policy Framework and the South Kesteven Local Plan and supplementary planning documents
- Site observations
- No objections from Marston Parish Council
- No objections from National Highways
- Comments received from LCC Highways and SuDS Support
- No objections received from Upper Witham Internal Drainage Board
- No comments received from Environmental Protection Services (SKDC)
- No comments received from Environment Agency
- Proposal welcomed by Natural England
- No comments received from Historic England
- Comments received from Heritage Lincolnshire
- No objections received from Ministry of Defence
- Representations as a result of publicity

The Case Officer noted a revision to Condition 7 in the recommendation, relating to the submission of a Landscape & Ecology Management Plan (LEMP).

During questions to the applicant, Members asked:

- Why the community benefit contribution offered by the applicant was lower than offered for the comparable solar farm at Foston.

The applicant's agent responded that the period of public consultation and community engagement had been undertaken by the applicant, and that she could not respond directly on behalf of them.

During debate, Members commented on:

- The level of protection offered to potential archaeological finds.

The Case Officer stated that additional wording could be included in the reasons for Condition 4 and 5 to support this.

- The absence of a representation from Wagtail Country Park.
- The possibility of motocross vehicles coming into contact with solar panels.
- The issue of site restoration, especially with regards to soil erosion.
- The need for sustainable energy.
- That the Council should consider the cumulative impact of solar farms as there are a number within the area
- The amount of Grade 3 land across the District.

It was proposed, seconded, and **AGREED** that the application be approved for the summary of reasons set out in the case officer's report together with the following conditions:

### **Time Limits**

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 permission hereby granted shall expire 40 years from the date when electrical power is first exported from the solar farm to the electricity grid network, excluding electricity exported during initial testing and commissioning. Written confirmation of the first export date shall be provided to the Local Planning Authority no later than one calendar month after the event.

Reason: The proposed scheme has a 40 year lifespan.

### **Approved Plans**

3. The development hereby permitted shall be carried out in accordance with the following list of approved plans:
  - i. Site Location Plan Drawing no. GON\_SLP\_01
  - ii. Site Layout Plan Drawing no. GON\_01
  - iii. Panel Elevation Drawing no. PNL\_3L\_25/17
  - iv. Access track Cross Section Drawing no. UK\_EPD\_RCS
  - v. EPD Auxillary Transformer Drawing no. UK\_EPD\_AUX+300
  - vi. CCTV Camera Drawing no. UK\_EPD\_CAM
  - vii. Customer Substation Drawing no. UK\_EPD\_CSS
  - viii. 132kV Substation sections Drawing no. UK\_EDP\_132kV+450
  - ix. 132kV Floor Plan Drawing no. UK\_EDP\_132kV+450

- x. Fence Drawing no. UK\_EPD\_FNC, 'UK\_EPD\_Fence\_00'
- xi. EPD Gate Drawing no. UK\_EPD\_GTD, 'UK\_EPD\_GATE\_00'
- xii. Cabinet DNO Meter Drawing no. UK\_EPD\_MTR, 'UK\_EPD\_GRP Cabinet-DNO Meter\_00'
- xiii. Inverter Drawing no. UK\_EPD\_INV, 'UK\_EPD\_Inverter\_00'
- xiv. Monitoring House/ Communication Building Drawing no. UK\_EPD\_MH/CB
- xv. Spare Parts Storage 40' Container Drawing no. UK\_EPD\_S40
- xvi. Switchgear/ Production Substation Drawing no. UK\_EPD\_SWG
- xvii. Toilet Drawing no. UK\_EPD\_TLT
- xviii. Transformer Drawing no. UK\_EPD\_TFM
- xix. Landscape Proposals Drawing P19\_2917\_07\_G
- xx. Tree Retention, Removal and Protection Plan Drawing BHA\_1024\_02 Rev E

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**

4. 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.

Reason: In order to provide a reasonable opportunity to record and protect the history of the site and in accordance with Policy EN6 of the adopted South Kesteven Local Plan and the NPPF (section 16).

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

Reason: In order to provide a reasonable opportunity to record and protect the history of the site and in accordance with Policy EN6 of the adopted South Kesteven Local Plan and the NPPF (section 16).

6. Prior to commencement of development and throughout the construction phase of the development the trees on site shall be protected in accordance with the protection measures specified on the Tree Retention, Removal and Protection Plan Drawing BHA\_1024\_02 Rev E.

Reason: To protect the trees from unnecessary damage during construction and in accordance with Local Plan DE1.

7. Before the development hereby permitted is commenced, a Landscape & Ecology Management Plan (LEMP) shall be submitted to and approved by the Local Planning Authority. Details shall include, but not limited to, details of the

proposed new hedgerow(s) and any strengthening of existing hedgerow planting and details of any temporary screening that maybe necessary whilst the planting matures. Thereafter the new planting and any necessary temporary screening shall be implemented in accordance with a timetable to be agreed in writing by the Local Planning Authority. The new hedgerows and tree planting shall be managed in accordance with the Management Specification set out in the LEMP.

Reason: To protect and enhance existing landscape features on the site, to mitigate harm to rural character caused by the proposal and to ensure the safety of users of the adjacent highways and railway.

### **During Building Works**

8. The approved development must be carried out in accordance with the Construction, Decommissioning and Traffic Management Method Statement dated April 2021.

Reason: To protect the interests of the rural character of the area, the integrity and safety of the highway network and to protect the amenity of residents, ecological interests and to ensure the site can be restored to agricultural use.

9. Save for routine repair and maintenance work that may be necessary once the development hereby permitted becomes operational, all vehicular access and egress shall be made via the existing vehicular access onto the B1174, Great North Road which presently serves the existing Aviagen Turkeys site.

Reason: In the interests of highway safety.

10. The approved landscaping scheme 'Drawing P19-2917\_07 Rev G' shall be carried out within the first planting season following date when electrical power is first exported ('first export date'). If within a period of 5 years from the date of planting any tree, shrub, hedgerow or replacement is removed, uprooted, destroyed or dies then another of the same species and size of the original shall be planted at the same place. Variations may only be planted on written consent of the Local Planning Authority.

Reason: To protect and enhance existing landscape features on the site and to mitigate harm to rural character caused by the proposal.

11. The development must be carried out in accordance with the approved Biodiversity Mitigation and Enhancement Plan (Report no: WOR-1694.2).

Reason: To ensure that the proposal does not have an unacceptable impact on biodiversity and protected species in accordance with Local Plan Policy EN2.

### **Before the development is operational**

12. Before the development is operational the drainage arrangements as shown on the Proposed Drainage Arrangements plan, Drawing No. L476/05 Rev B, attached to Appendix 7 in the PFA Consulting Flood Risk Assessment (FRA) dated April 2021, to be implemented and maintained in accordance with the procedures set out in Table D in the FRA.

Reason: To ensure appropriate drainage arrangements are implemented and in accordance with Local Plan Policy EN5.

### **On-going conditions**

13. There shall be no permanent illumination on the site unless otherwise agreed in writing by the local planning authority.

Reason: To protect the rural character of the area and in accordance with Policy DE1.

14. All Landscape features within the site shall be managed in accordance with the submitted Landscape & Ecological Management Plan (LEMP).

Reason: so that vegetation and landscape features on the site are properly managed in the interest of ecological mitigation, and wider visual amenity.

15. If the solar farm hereby permitted (or any substantial sub-part of the farm) fails to produce electricity for supply to the grid for a continuous period of two years and there is no realistic prospect of the solar farm becoming operational again, a scheme shall be submitted to the Local Planning Authority for its written approval within 3 months of the end of that 6 month period for the repair or removal of the solar farm. Where repairs or replacements are required the scheme shall include a proposed programme of remedial works. Where removal of the solar farm is required the scheme shall include the same details required under the decommissioning condition of this permission. The relevant scheme shall thereafter be implemented in accordance with the approved details and timetable.

Reason: To ensure the solar farm beneficially generates electricity or is otherwise removed to the benefit of the character and appearance and the agricultural potential of the area.

### **Decommissioning**

16. Not later than 12 months before the expiry of this permission, a decommissioning and site restoration scheme shall be submitted for the written approval of the Local Planning Authority. The scheme shall make provision for the removal of the solar panels and all other associated equipment & paraphernalia and the subsequent restoration of the site. The scheme shall include details of:

- the extent of equipment and foundation removal and the site restoration to be carried out;

- the management and timing of any works;
- a traffic management plan to address likely traffic impact issues during the decommissioning period;
- an environmental management plan to include details of measures to be taken during the decommissioning period to protect wildlife, habitats and tree features on the site;
- location of material laydown areas;
- full details of the removal of the solar arrays, associated buildings and plant, any trackways and sub-surface cabling and all associated works of ground restoration including trench backfilling;
- full details of all other works to restore the land to allow for agricultural production following the removal of structures from the site;
- a programme of implementation.

The approved scheme shall be implemented within 6 months of the expiry of this permission and then proceed fully in accordance with the agreed details in accordance with the decommissioning programme.

Reason: To ensure the site is fully restored to allow agricultural use and to maintain the rural appearance of the area.

*(Councillor Phil Dilks joined the meeting at 13:23, during consideration of the above item. As he had not been present for the whole item he not participate in the debate, nor vote on the item).*

## **67. Application S21/0676**

<b>Proposal</b>	Erection of 35 dwellings (Reserved Matters application relating to Layout; Scale; Appearance; Access; and Landscaping of Outline permission S17/1900)
<b>Location</b>	Old Langtoft Gravel Pit, Land to south of Stowe Road, Langtoft
<b>Decision</b>	To approve the application conditionally

Noting:

- Provisions within the National Planning Policy Framework and the South Kesteven Local Plan and supplementary planning documents
- Site observations
- Comments received from Langtoft Parish Council
- Comments received from Environmental Protection Services (SKDC)
- Comments received from the Affordable Housing Officer (SKDC)
- No objections received from Anglian Water Services
- Comments received from Welland & Deepings Internal Drainage Board
- Comments received from Environment Agency
- No comments received from Natural England

- No comments received from Heritage Lincolnshire
- Comments received from LCC Highways & SuDS Support
- Representations as a result of publicity

During questions to the officers and debate, Members commented on:

- The level of protection for the trees within domestic gardens.
- Whether Tree Preservation Orders could be issued for the trees forming part of the street scene.
- Concerns regarding the extent the landscaping scheme could be controlled.
- The lack of stub junctions outlined in the design.
- The level of access available for waste collection.
- The level of access available to fire engines.
- Whether the fire brigade have been consulted on the application.
- Whether the Strategic Housing Market Settlement had been satisfied by the development.
- The likelihood of future developments to the development.
- The level of treatment to private drive frontages without hedgerows.
- The level of accessibility of proposed dwellings for people who are less agile.
- Concerns regarding road safety in the area.
- The lack of pedestrian safety measures offered by the proposed development.

It was proposed, seconded, and **AGREED** that the application be approved for the summary of reasons set out in the case officer's report together with the following additional amendment:

- An additional condition (condition 13) to remove permitted development rights from the dwellings in relation to hard surfacing, to ensure protection of the visual amenity of the locality.

Together with the following conditions:

### **Approved Plans**

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

Location Plan Rev B

Site Layout Plan AH LANG/RM/SL/01 Rev C

House types:

Thames AH LANG/THAMES 02 & AH LANG/THAMES 01

Ribble AH/LAMNG RM/RIBBLE '3' 01 & AH/LAMNG RM/RIBBLE 01

Harren AH/LAN RM/HARREN 01

2 bed affordable bungalow AH/LANG RM/2B BUNG 01 & AH/LANG RM/2B TERR/01

Double garage AH/LANG RM/DGARAGE + STORE/01

Double garage AH/LANG RM/DGARAGE + STUDIO/01

Double garage AH/LANGRM/DGARAGE/01  
Gwash AH/LANG RM/GWASH/01 & AH/LANG RM/GWASH/02  
Humber AH/LANG RM/HUMBER 02 & AH/LANG RM/HUMBER 01  
Ouse AH/LANG RM/OUSE 01  
Trent AH/LANG RM/TRENT/01 & AH/LANG RM/TRENT/02  
3 bed semi detached affordable AH/LANGRM/3B SEMI/01  
Bain AH/LANGRM/BAIN '3' 01  
Barrowby AH/LANGRM/BARROWBY/01 & AH/LANGRM/BARROWBY/02  
Tay AH/LANGRM/TAY/01 & AH/LANGRM/TAY/02  
Engineering Layout ASH/LANG/100 Rev A  
Manhole construction SH/LANG/106 Rev A  
Road construction ASH/LANG/107 Rev A & ASH/LANG/108 Rev A  
Drainage Strategy MA11336/200

Unless otherwise required by another condition of this permission.

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

### **Pre-Commencement**

#### **Controlled waters risk assessment**

2. Prior to the commencement of development, groundwater sampling shall be undertaken and the results reported to and approved in writing by the Local Planning Authority. Works shall be in line with the recommendations of the Phase II Exploratory Investigation report (September 2020) in addition to further assessment of the extent of hydrocarbon contamination in the area of TP8 and controlled waters risk assessments should be supported by a minimum of two rounds of groundwater monitoring. Samples should be tested for all potential contaminants of concern and hydrocarbon analysis should be speciated (TPH CWG).

Reason: To safeguard future occupiers of the site in accordance with Policy EN4 of the South Kesteven Local Plan.

#### **Sustainable building**

3. Before the development hereby permitted is commenced, details demonstrating how the proposed dwellings would comply with the requirements of Local Plan Policy SB1 must be 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 buildings; details of water efficiency and the provision of electric car charging points.

The approved sustainable building measures shall be completed in full for each dwelling, in accordance with the agreed scheme, prior to the first occupation of each dwelling hereby permitted.

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

### **During Building Works**

#### **Materials**

4. Before any of the works on the external elevations to the dwellings hereby permitted have commenced, details of the materials to be used in the construction of the external surfaces of the development hereby permitted shall be submitted to the Local Planning Authority in writing for approval.

The development shall be implemented in accordance with the approved details.

Reason: To protect the visual amenities of the locality and comply with Policy DE1 Adopted South Kesteven Local Plan and comply with the aims and objectives of the NPPF.

#### **Bird & Bat Boxes**

5. Prior to the commencement of any works above ground level, details of the following measures being provided for approval in writing:
  - a) Details of the siting, appearance and design of bird/bat brick/boxes/tubes to be incorporated into the development
  - b) Details of the siting and design of hedgehog homes/boxes to be incorporated into the development

Before any part of the development is occupied/brought into use, the approved measures shall have been carried out in accordance with the approved details.

Reason: To provide ecological enhancement and comply with Policy EN2 Adopted South Kesteven Local Plan and Section 15 of the NPPF

#### **Habitat Survey**

6. All works on site shall be in accordance with the recommendations of the Extended Phase 1 Habitat Survey (Hillier Ecology, September 2020).

Reason: To provide ecological enhancement and comply with Policy EN2 Adopted South Kesteven Local Plan and Section 15 of the NPPF

#### **Contamination Remediation**

7. The construction of the dwellings shall have gas and vapour protection measures included in the design due to the ground gas assessment results characterising the site as situation CS2 (as assessed in accordance with

BS8485 2015+:2019). A further methodology/response shall be provided in writing to the Local Planning Authority if further contamination is discovered on site as remediation works are completed. All works on site shall be in accordance with the remediation work and recommendations in the submitted GeoDyne Remediation Method Statement (September 2020).

Reason: To safeguard future occupiers of the site in accordance with Policy EN4 of the South Kesteven Local Plan.

### **Drainage maintenance**

8. A SuDS scheme adoption and maintenance plan shall be submitted to and approved in writing by the Local Planning Authority and is required to include the watercourse fronting the site that it is proposed to discharge into.

Reason: To ensure the proposed drainage strategy will be suitably maintained through the lifetime of the development in accordance with South Kesteven Local Plan Policy EN5.

### **Drainage implementation**

9. 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 (Drainage Strategy MA11336/200 and Anglian Water Pre-Planning Assessment report).

An application will need to be submitted to the Welland & Deepings Internal Drainage Board which is the subject of the agreement of technical details, payment of the application fee as well as payment of a development contribution, all in advance of connection to the Board's system. The outfall invert level should be sited as high as possible to minimise the duration it may be submerged in wet times.

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

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

10. 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.

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.

11. 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.

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.

### **Ongoing Conditions**

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, EN2 and OS1 of the adopted South Kesteven Local Plan.

13. Notwithstanding the provisions of Schedule 2, Part 1, Class F and Part 2 Class B of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking or re-enacting that Order with or without modification), no additional vehicular accesses and associated hard surfaces shall be constructed within the curtilage of the dwellings without Planning Permission first having been granted by the Local Planning Authority.

Reason: The Local Planning Authority considers that further development could cause detriment to the to the character of the area, and for this reason would wish to control any future development and in accordance with Policy DE1 of the adopted South Kesteven Local Plan.

### **68. Application S21/0964**

<b>Proposal</b>	Section 73 application to remove conditions 1, 9, and 16 and vary conditions 2, 3, 4, 6, 7, 8, 10, 11, 12, 13, 14 and 15 as well as addition of affordable housing condition of S14/2953 (residential development of 227 dwellings)
<b>Location</b>	Land off 372-400 Dysart Road, Grantham. NG31 7LY
<b>Decision</b>	To approve the application conditionally and subject to the completion of a deed of variation to the existing 106 Agreement

Noting comments made during the public speaking session by:

**Applicant's agent:** Tom Dwyer

Noting:

- Provisions within the National Planning Policy Framework and the South Kesteven Local Plan and supplementary planning documents
- Site observations
- Comments received from LCC Highways & SuDS Support
- No objections received from Highways England
- No comments received from Environment Agency
- Comments received from Environmental Protection
- A deed of variation to link the existing s.106 agreement to the new permission requested by Lincolnshire County Council (Education)
- Comments received from the Partnership Project Officer (Affordable Housing)
- Representations as a result of publicity
- The additional information relating to the application as outlined in the Additional Information Report

During questions to the applicant, Members asked:

- How the construction method compared with traditional build methods.

The applicant's agent responded that the construction method was currently more costly than traditional build methods.

- Whether the construction method had affected viability, and in turn impacted the level of affordable housing offered.

The applicant's agent noted that as a modular housebuilder, the applicant only constructed modular dwellings. He advised that the purpose of the application was to secure additional grant funding to assist with the delivery of the scheme. Through aligning the S106 Agreement with current policy requirements, the applicant would be able to attract more grant funding to secure discounted market rent properties and affordable housing for local connections.

During questions to the officers and debate, Members commented on:

- The level of affordable housing generated.
- Whether an application could be made for a grant.
- The impact on neighbouring properties, in relation to the height of the proposed development.
- The reduction in affordable housing, as a means to increase the level of affordable housing in the long term.
- The new housings' heating methods.
- The conditions within the report relating to climate change mitigation.

It was proposed, seconded, and **AGREED** that the application be approved for the summary of reasons set out in the case officer's report together with the following conditions:

### **Approved Plans**

1. The development hereby permitted shall be carried out in accordance with the following list of approved plans:
  - i. Site Location Plan drawing no. PL01
  - ii. Proposed Site Plan (with details of plot conforming to Building Regulations Part 4(M) drawing no. PL03 Rev F
  - iii. Proposed Materials Plan drawing no. PL05 Rev D
  - iv. Proposed Heights Plan drawing no. PL07 Rev A
  - v. Floor Plans and Elevations drawing nos. PL21 Rev B, PL22 Rev C, PL23 Rev C, PL24 Rev C, PL25 Rev C, PL26 Rev C, PL28 Rev D, PL29 Rev C
  - vi. Tree Protection Plan: SHA/001

Unless otherwise required by another condition of this permission.

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

### **During Building Works**

2. The decontamination scheme for the proposed development approved under planning ref: S19/0822 shall be fully implemented and completed before any homes as hereby permitted are first occupied.  
Reason: Having regard to elevated levels of naturally occurring arsenic and chromium (III) within the site as revealed by the submitted Geophysical Survey Report; to ensure the creation of satisfactory and safe living conditions for future residents and in accordance with Local Plan Policy EN4.
3. The drainage scheme, management arrangements and timetable for implementation approved under planning ref: S21/061 must be carried out in accordance with the approved details.  
Reason: To prevent any increased risk of flooding and to prevent pollution of controlled waters by ensuring the provision of a satisfactory means of surface and foul water disposal and in accordance with Local Plan Policy EN5.
4. Prior to the first occupation of each dwelling, the sustainable building measures for that dwelling must be carried out in accordance with the approved details as follows:
  - Ilke Homes: Building to Future Homes Standard Today
  - Electric Vehicle Charge Point Plan October 2021
  - Wallpod:EV Type 2, Mode 3 Charging Socket data sheet
  - Quantum:EV Type 2, Mode 3 Charging Socket data sheet

Reason: To ensure the dwellings are constructed to a standard that mitigates against climate change as required by Local Plan Policy SB1.

5. In this condition 'retained tree' means an existing tree or hedgerow which is to be retained in accordance with the approved plans and particulars; and paragraphs (a) and (b) below shall have effect until the expiration of 1 year from the date of the occupation of any nearby home or garden as permitted.
  - a. No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the local planning authority. Any topping or lopping approved shall be carried out in accordance with British Standard [3998 (Tree Work)].
  - b. If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the local planning authority.
  - c. The erection of fencing for the protection of any retained tree shall be undertaken in accordance with plans which have previously been submitted and approved in writing by the Local Planning Authority. No equipment, machinery or materials shall be brought on to the site for the purposes of the development, and protective fences shall be maintained until all equipment, machinery and surplus materials have been removed from the site.

Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the local planning authority.

Reason: To safeguard the existing vegetation within and around the development hereby permitted and, in accordance with Local Plan Policy DE1.

6. The hard and soft landscaping works must be carried out in accordance with the details approved under planning ref: S21/0635. The works shall be carried out prior to the occupation of any part of the development or in accordance with a timetable to be first agreed in writing with the Local Planning Authority.

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

7. The amenity land must be carried out in accordance with the details approved under planning ref: S21/0635. The works must be completed in accordance with a timetable to be first agreed in writing with the Local Planning Authority.

Reason: To safeguard the future use of the land concerned both as a public amenity for the enjoyment of future residents and in accordance with Local Plan Policy DE1.

8. The development must be carried out in accordance with the phasing plan approved under planning ref: S19/0431.

Reason: To ensure that the development as a whole proceeds in an orderly and coordinated manner having regard to its large scale and extended building period, and in accordance with Local Plan Policy EN4.

9. The development must be carried out in accordance with the Construction Site Environmental Management Plan (CSEMP) approved under planning ref: S21/1825.

Reason: To ensure that the development as a whole proceeds in an orderly and coordinated manner with minimal adverse impacts upon the established surroundings, having regard to its large scale and extended building period, and in accordance with Local Plan Policy EN4.

10. The Local Area for Play (LAP) must be carried out in accordance with the details approved under planning ref: S21/0635. The works must be completed in accordance with a timetable to be first agreed in writing with the Local Planning Authority.

Reason: To ensure that the Local Area for Play is provided to an appropriate, safe and durable specification in accordance with Local Plan Policy DE1.

11. The development must be carried out in accordance with the external material details approved under planning ref: S20/2004.

Reason: To ensure a satisfactory and legible external appearance to the development as a whole and, in accordance with Local Plan Policy DE1.

12. The development must be carried out in accordance with the levels details approved under planning ref: S21/0631.

Reason: To ensure the quality of the finished development and its relationship with adjacent homes and gardens, in accordance with Local Plan Policy DE1.

13. The development must be carried out in accordance with the noise attenuation details approved under planning ref: S21/0632.

Reason: To ensure the provision of satisfactory living conditions in the homes concerned having regard to the proximity of the A1 and in accordance with Local Plan Policy DE1.

14. The development must be carried out in accordance with the construction details of the parking bays approved under planning ref: S21/0634.

Reason: To ensure a satisfactory form of development and to mitigate any impact on the adjacent tree.

15. The development must be carried out in accordance with the approved Biodiversity Mitigation and Enhancement Plan dated September 2021.

Reason: To ensure that the proposal does not have an unacceptable impact on biodiversity and protected species in accordance with Local Plan Policy EN2.

16. The development must include a minimum of 20% affordable housing.

Reason: To ensure an appropriate amount of the housing is affordable and in accordance with Local Plan Policy H2.

#### **69. Application S21/1380**

<b>Proposal</b>	Full (detailed) planning application for proposed vehicle call-off facility comprising vehicle preparation building (call-off building), office and welfare buildings, storage containers, spray booth building, fuelling station, security gatehouse and associated works.
<b>Location</b>	Roseland Business Park, Long Bennington, NG23 5FF
<b>Decision</b>	To approve the application conditionally

Noting:

- Provisions within the National Planning Policy Framework, the South Kesteven Local Plan, the Long Bennington Neighbourhood Development Plan and supplementary planning documents
- Site observations
- No comments received from the Environment Agency.
- No objections received from National Highways.
- An objection received from Long Bennington Parish Council relating to the proposed development accommodating an increased number of vehicles which would impact residents.
- Comments received from Lincolnshire County Council (Highways & SuDS)
- Comments received from the SKDC Environmental Protection Officer
- No objections from Upper Witham Internal Drainage Board, subject to conditions
- No safeguarding objections received from the Ministry of Defence
- Representations as a result of publicity

During questions to the officers and debate, Members commented on:

- The temporary use of the site as a runway for 28 days per year.

Members were advised about the status of the Certificate of Lawful Development and the permitted development rights that it refers to.

- The enforcement of the Traffic Management Plan
  - The lack of landscaping provision included in the application
  - The effects of night lighting on animal and insect populations
  - The operational hours of the proposed facility
  - Whether the application was contrary to the Local Plan
  - Whether the application would be out of keeping with the rural nature of the area
  - The impact on neighbouring properties in terms of noise and pollution
  - The operational hours of the development
  - The comments provided by the Parish Council
  - The vehicle movements associated with the application
  - Employment opportunities afforded by the application
- It was proposed, seconded, and **AGREED** that the application be approved for the summary of reasons set out in the case officer's report together with the following additional amendment:

The inclusion of an additional condition requiring the submission of a lighting scheme for approval by the LPA (see condition 3 below).

Together with the following conditions:

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

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

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

#### **Approved Plans**

2. The development hereby permitted shall be carried out in accordance with the following list of approved plans:
  - a. Site Location Plan (Ref: 2014-1950-100)
  - b. Existing Conditions Plan (Ref: 2014-1950-105)
  - c. Proposed Site Plan (Ref: 2014-1950-101 Rev A)
  - d. Automatic Barrier Plan (Ref: 104/3/37367 A)
  - e. Call Off Building Floor and Elevation Plans (Ref: 2014-1950-102 Rev A)

- f. Office & Welfare Cabins Floor and Elevation Plans (Ref: 2014-1950-103 Rev A)
- g. Fuelling Station Layout Plan (Ref: 2014-1950-104)
- h. Storage Containers Floor Plans and Elevation (Ref: 2014-1950-106)
- i. Spray Booth & Marquee Floor and Elevations Plans (Ref: 2014-1950-112)
- j. Spraybooth Specification (Ref: BQ2P Rev A and BQ2P)
- k. Klargester Details (Ref: DSO468P Rev 3)
- l. Full Retention Separators (Ref: DS0911P)
- m. Gatehouse Plans (Ref: EQ70047181)
- n. Fencing Details (Ref: J6/01058)
- o. Flood Risk Assessment (Mike Sibthorp Planning) received 4 August 2021
- p. Transport Statement (Mike Sibthorp Planning) received 4 August 2021

Unless otherwise required by another condition of this permission.

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

### **During Building Works**

#### Lighting Scheme

3. Before the installation of any external lighting hereby approved, a detailed Lighting Scheme shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the works shall be completed in accordance with the approved details.

Reason: To ensure the development does not give rise to an unacceptable impact on the landscape character, and local biodiversity and ecology, in accordance with Policy EN1 and EN2 of the adopted South Kesteven Local Plan.

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

#### Traffic Management Plan

4. Before any part of the development hereby permitted is occupied, a Traffic Management Plan shall include details of the following:
  - a. Number of vehicle movements per day.
  - b. Vehicle Routing Plan (to include measures to reduce the number of vehicles, in particular HGVs, contracted to the site operator, travelling through the Long Bennington).
  - c. Arrangements for the enforcement of the Traffic Management Plan / actions to be taken in the event of any identified breaches.
  - d. Evidence of consultation with Highways England in respect of seeking additional signage on the A1, north of Long Bennington, to deter HGV traffic from travelling through the village; and

- e. Evidence of consultation with Long Bennington Parish Council in respect of the proposed Traffic Management Plan.

The approved Traffic Management Plan shall thereafter be implemented and maintained strictly in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the proposed development does not give rise to unacceptable adverse impacts on residential amenity in accordance with Policy DE1 and EN4 of the South Kesteven Local Plan and Section 12 and Section 15 of the Framework.

#### Materials Implementation

5. Before any part of the development hereby permitted is occupied, the proposed development must have been completed in accordance with the external materials details set out within the approved plans and contained within the Planning Statement (Mike Sibthorp Planning) (July 2021)

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

#### Hard Landscaping Implementation

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

Reason: Hard 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.

#### Surface and Foul Water Drainage Implementation

7. Before any part of the development hereby permitted is occupied, the works to provide the surface and foul water drainage as set out in the Flood Risk Assessment (Mike Sibthorp Planning) (August 2021) 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 Local Plan.

*Councillor David Bellamy left the meeting at 16:47.*

### **70. Application S21/1422**

<b>Proposal</b>	Demolition of existing Dutch barn and erection of a new house and garage and a change of use of adjacent land from Agricultural to Equestrian
-----------------	---

**Location** Land To The Rear Of The Stables, Keisby Road, Lenton

**Decision** To approve the application conditionally

Noting comments made during the public speaking session by:

**Applicant's agent:** Brendan McMullan

Noting:

- Provisions within the National Planning Policy Framework, the South Kesteven Local Plan and supplementary planning documents
- Site observations
- No comments received from the Historic Buildings Advisor (SKDC)
- Comments received from Heritage Lincolnshire
- No comments received from Parish Council
- Comments received from LCC Highways & SuDS Support
- Comments received from Environmental Protection Services (SKDC)
- Representations as a result of publicity

The Case Officer recommended an amendment to condition 11, as outlined below:

The land hereby granted permission for equestrian use shall not be used for commercial purposes.

Reason: in the interest of highway safety and local amenity.

It was proposed, seconded, and **AGREED** that the application be approved for the summary of reasons set out in the case officer's report together with the following conditions:

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

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

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

#### **Approved Plans**

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

A001 SITE LOCATION PLAN  
A002A PROPOSED BLOCK PLAN  
PL100 PROPOSED GROUND FLOOR PLAN  
PL101 PROPOSED FIRST FLOOR PLAN  
PL102 PROPOSED ELEVATION PLAN

PL103 PROPOSED ELEVATION PLAN  
PL104A AMENDED PROPOSED GARAGE FLOOR & ROOF PLAN  
PL105A AMENDED PROPOSED GARAGE ELEVATION PLAN  
D004A AMENDED PROPOSED SITE PLAN LEVELS  
D005A AMENDED PROPOSED ELEVATION LEVELS PLAN  
D006A AMENDED PROPOSED ELEVATION LEVELS PLAN

Unless otherwise required by another condition of this permission.

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

### **During Building Works**

3. Before the development hereby permitted is commenced and at all times during construction, all existing trees shown on the approved plan to be retained shall be protected in accordance with the submitted Tree Protection Plan drawing ref '4405 Lenton.HMM.TPP'.

Reason: To protect trees and biodiversity on site.

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

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 dwelling/unit hereby permitted is occupied/brought into use, the parking and turning area shall have been constructed in accordance with the approved details and shall be retained as such and for no other purpose thereafter.

Reason: To allow vehicle to park and turn within the site and leave in forward gear and to reduce any additional on street parking in the interests of highway safety.

6. The approved soft landscaping shall be completed during the first planting season following the first occupation/use of the development, or such longer period as may be agreed in writing by the local planning authority. Any trees/shrubs which, within a period of five years of being planted die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species unless otherwise agreed in writing by the local planning authority. All tree, shrub and hedge planting shall be carried out in accordance with BS 3936 -1992 Part 1-Nursery Stock-Specifications for Trees and Shrubs and Part 4 1984-Specifications for Forestry Trees ; BS4043-1989 Transplanting Root-balled Trees; BS4428-1989

Code of Practice for General Landscape Operations. The approved hard landscaping scheme shall be completed prior to first occupation or use.

Reason: To ensure the work is carried out within a reasonable period and thereafter properly maintained, in the interests of visual amenity and biodiversity

7. Before any part of the development hereby permitted is occupied/brought into use, an electric vehicle charging point shall be made available for use by the occupants of the dwelling and shall 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).

8. Prior to first occupation/use of the development hereby approved full details of both hard and soft landscape works shall be submitted to and approved in writing by the local planning authority and these works shall be carried out as approved. These details shall include:

full details of every tree, shrub, hedge to be planted (including its proposed location, species, size and approximate date of planting) and details of tree planting pits including associated irrigation measures, tree staking and guards, and structural cells. The scheme shall be designed so as to enhance the nature conservation value of the site, including the use of locally native plant species;

- existing trees and hedgerows, which are to be retained pending approval of a detailed scheme
- means of enclosure;
- car parking layouts and materials;
- hard surfacing materials;
- drainage - full details and locations of package treatment plant and soakaway/s

Reason: In the interests of visual amenity and biodiversity.

9. Prior to the first occupation of the dwelling hereby permitted, 1 bat box and 1 nest box shall have been installed on site unless otherwise agreed in writing by the Local Planning Authority. The bat and nest boxes shall be retained and maintained/replaced as required for the lifetime of the development.

Reason: In the interest of ecology and biodiversity.

### **Ongoing Conditions**

10. Development shall be carried out in strict accordance with the archaeological watching brief submitted and approved with this application (21-748).

In the event of important archaeological features or remains being discovered which are beyond the scope of the watching brief to excavate and record and which require a more thorough rescue excavation, then all construction work on site shall cease and details of a further programme of archaeological work shall be submitted to and approved in writing by the Local Planning Authority. Development shall not re-commence on site until the investigation works are complete and written confirmation that work may commence is received from the Local Planning Authority.

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 NPPF

The land hereby granted permission for equestrian use shall not be used for commercial purposes.

Reason: In the interest of highways safety and amenity.

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

There was none.

**72. Close of meeting**

The Chairman closed the meeting at 17:04.



SOUTH  
KESTEVEN  
DISTRICT  
COUNCIL

## Planning Committee

18 November 2021



## S21/0769

<b>Proposal:</b>	Residential development of 74 dwellings, open space and SuDS
<b>Location:</b>	Land North of Doddington Road, Claypole
<b>Applicant:</b>	Larkfleet Homes, Larkfleet House, Southfields Business Park, Falcon Way, Bourne, PE10 0FF
<b>Agent:</b>	Alasdair Thorne, Marrons Planning, The Atrium, Waterfront Plaza, Nottingham, NG2 3QD
<b>Application Type:</b>	Full Planning Permission (Major Development)
<b>Reason for Referral to Committee:</b>	Major Development
<b>Key Issues:</b>	Principle of Development Affordable Housing Contributions/ Meeting all Housing Needs Design and Visual Impact Residential Amenity Climate Change Access and Highways Infrastructure Flood Risk and Drainage Ecology and Biodiversity Archaeology
<b>Technical Documents:</b>	Arboricultural Report Archaeological Desk Based Assessment Consultation Statement Extended Phase 1 Ecological Survey Updated Preliminary Ecological Appraisal Flood Risk Assessment Planning Statement Transport Assessment Transport Assessment Addendum Travel Plan

### Report Author

Phil Jordan (Principal Planning Officer)



01476 406074



p.jordan@southkesteven.gov.uk

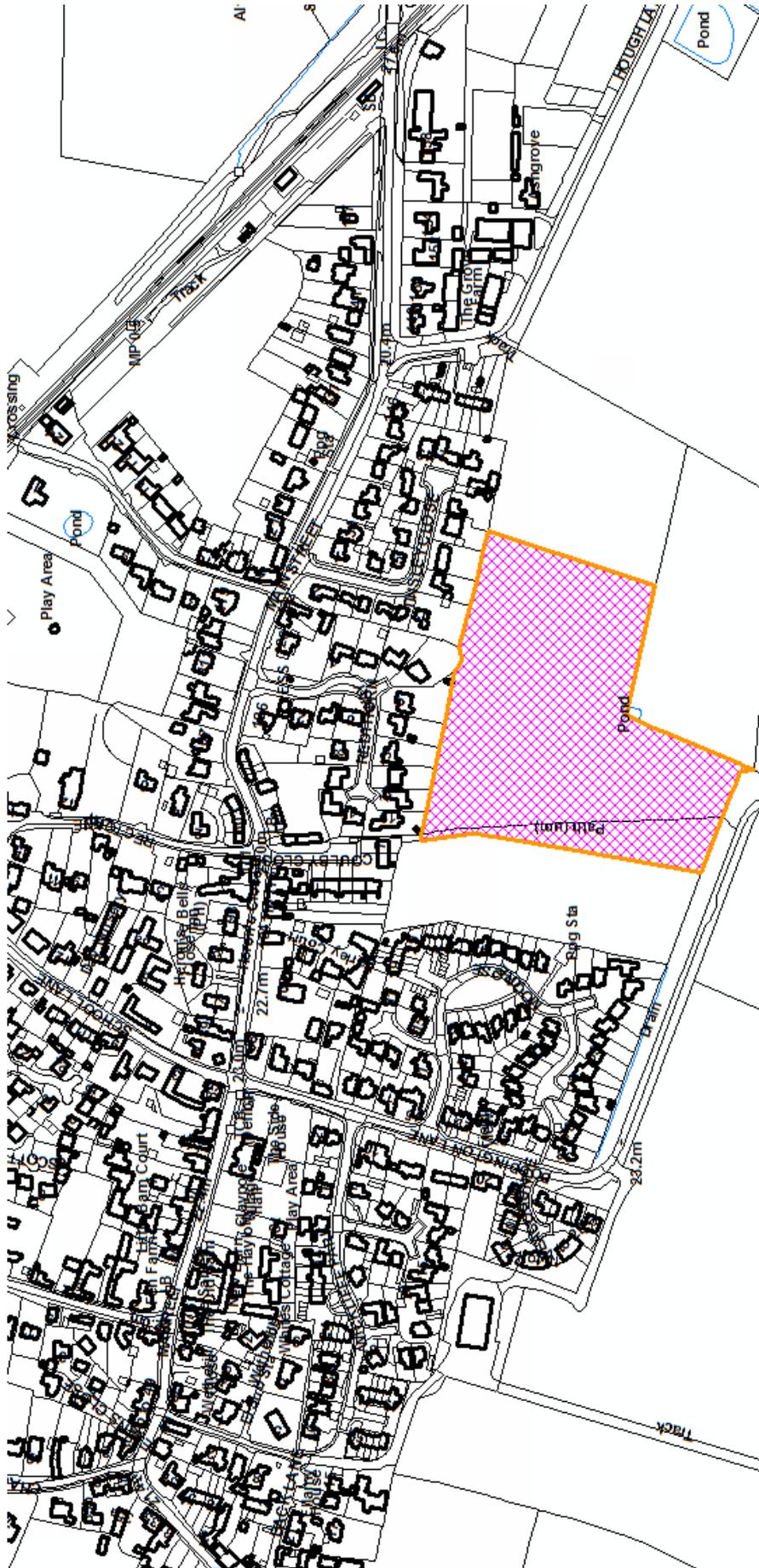
<b>Corporate Priority:</b>	<b>Decision type:</b>	<b>Wards:</b>
<b>Growth</b>	<b>Regulatory</b>	<b>Viking</b>

**Reviewed by:** Chris Brown (Principal Planning Officer) | 8 November 2021

**Recommendation (s) to the decision maker (s)**

**That the application is refused planning permission.**

S21/0769 – Land North of Doddington Lane, Claypole



Key



Application  
Boundary



Reproduced from the Ordnance Survey mapping with the permission of the Controller of Her Majesty's Stationary Office Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. © South Kesteven District Council (2015) - Licence No. 100018662

## **1 Description of Site**

- 1.1** The application site comprises an area of 2.9 hectares (7.16 acres) of greenfield land, situated to the north of Doddington Lane, located to the south-east of Claypole. Claypole is designated as a smaller village in the Local Plan, however, it is noted that it does benefit from a relatively good level of service provision; including a Primary School, small village shop, public house, butchers, and a church. The village is situated approximately 3km south-east of the large urban extension at Fernwood, which is within the Newark and Sherwood District Council area.
- 1.2** The site is a single field and is understood to have been in long-standing use as agricultural land. It is bound to the north by the rear gardens of existing residential properties fronting onto Redthorn Way and Tinsley Close; to the east by further agricultural land; to the south by Doddington Lane, beyond which lies further agricultural land; and to the west by vacant land, which is also subject of a current planning application (LPA Ref: S21/0415) by Platform Housing Group for "*Erection of 16 affordable dwellings and associated infrastructure*".
- 1.3** The proposed development site is relatively flat and benefits from clearly defined boundaries, marked on all sides by mature hedgerows and trees. There is a gap in the western boundary, which provides access through to the adjacent land, and also indicates the location of an Anglian Water drain that crosses the site from west to north-east.
- 1.4** The application site is crossed by Claypole Public Footpath No. 7, which runs north-west to south-east across the site, connecting from Coulby Close to Doddington Lane. The site lies within Flood Zone 1 on the Environment Agencies Flood Map for Planning, but the northern boundary of the site is identified as containing areas of medium and high risk of surface water flooding. The site also includes areas of ridge and furrow earthworks.
- 1.5** The site has been the subject of a previous planning application submitted in 2019 (Ref: S19/0951) which proposed the construction of 78 dwellings, access, allotments and associated infrastructure, which was withdrawn on 16 July 2020. The previous application proposed a scheme that was targeted at meeting the housing needs of the over-55 population.

## **2 Description of proposal**

- 2.1** The current application seeks full planning permission for residential development of 74 dwellings, open space and a sustainable drainage system (SuDS).
- 2.2** The Proposed Site Layout indicates the development would be accessed via a new vehicular access onto Doddington Lane. The proposed access would enter the site in a north-south alignment before turning east in the centre of the site. Further internal roads, including shared surfaces, would be taken from this main access route. During the determination of the application, amended plans and information were submitted by the applicant which included the addition of tactile crossing points throughout the site, the provision of cycle storage, additional landscaping and drainage information. This was submitted in response to feedback from consultees and the Council's Design PAD meeting. The applicant also submitted an education report, which sets-out the impact of

the proposed development in relation to surrounding education provision. The application has been assessed on the basis of that updated information.

- 2.3** The proposed development would include the provision of an attenuation pond in the north-east corner of the site, and public open space would be primarily focused around the SuDS features as well as the provision of a landscaped area including a Local Area of Play alongside the alignment of the public footpath.
- 2.4** The existing boundary vegetation is to be retained and supplemented with further planting, and rear gardens of properties are to be laid to lawn and bounded by a mix of close boarded and timber fencing, or brick walls.
- 2.5** The scheme also includes the provision of a footway connection from the site entrance to the west, along the Doddington Lane frontage, to connect into the existing footway provision in the centre of Claypole.
- 2.6** The submitted scheme would involve the delivery of a range of detached and semi-detached residential accommodation of the following sizes:

#### Market

- 10 (no) 2-bedroom bungalows
- 4(no) 2-bedroom two-storey houses
- 27(no) 3-bedroom two-storey houses
- 7(no) 4-bedroom two-storey houses; and
- 4(no) 4-bedroom two and half-storey houses.

#### Affordable Rented

- 7 (no) 2-bedroom two-storey houses
- 6 (no) 3-bedroom two-storey houses; and
- 2 (no) 3-bedroom three-storey houses

#### Shared Ownership

- 3 (no) 2-bedroom two-storey houses; and
- 4 (no) 3-bedroom two-storey houses.

- 2.7** The dwellings are proposed to be constructed in Buff Clay Brickwork and Red Clay Brickwork with dark grey and rustic slate tiled roofing. Each dwelling is proposed to have its own private amenity space and off-street parking.
- 2.8** The application includes details of the Proposed Floor Plans and Elevations for a mix of house types, which indicate a simple, but traditional form of housing.

### 3 Relevant History

Reference	Proposal	Decision	Date
S19/0951	The construction of 78 dwellings, access, allotments and associated infrastructure	Withdrawn	16.07.2020

### 4 Policy Considerations

#### 4.1 SKDC Local Plan 2011 – 2036

Policy SD1 – The Principles of Sustainable Development in South Kesteven

Policy SP1 – Spatial Strategy

Policy SP2 – Settlement Hierarchy

Policy SP4 – Development on the Edge of Settlements

Policy H2 – Affordable Housing Contributions

Policy H4 – Meeting All Housing Needs

Policy EN1 – Landscape Character

Policy EN2 – Protecting Biodiversity and Geodiversity

Policy EN3 – Green Infrastructure

Policy EN4 – Pollution Control

Policy EN5 – Water Environment and Flood Risk Management

Policy EN6 – The Historic Environment

Policy DE1 – Promoting Good Quality Design

Policy SB1 – Sustainable Buildings

Policy OS1 – Open Space

Policy ID1 – Infrastructure for Growth

Policy ID2 – Transport and Strategic Transport Infrastructure

#### 4.2 National Planning Policy Framework (NPPF)

Section 2 – Achieving sustainable development

Section 4 – Decision-making

Section 5 – Delivering a sufficient supply of homes

Section 8 – Promoting healthy and safe communities

Section 9 – Promoting sustainable transport

Section 12 – Achieving well-designed places

Section 14 – Meeting the challenge of climate change, flooding and coastal change

Section 15 – Conserving and enhancing the natural environment

Section 16 – Conserving and enhancing the historic environment

### 5 Representations Received

#### 5.1 Anglian Water

5.1.1 No objection subject to the imposition of planning conditions, and the inclusion of informatives, on any permission granted.

5.1.2 There are assets owned by Anglian Water or those subject to an adoption agreement within or close to the development boundary that may affect the layout of the site – it is

requested that an informative is included to this end on the decision notice, should permission be granted.

- 5.1.3** The foul drainage from the development is in the catchment of Claypole Water Recycling Centre, that will have available capacity for these flows.
- 5.1.4** The preferred method of surface water drainage would be to a sustainable drainage system (SuDS) with connection to the sewer seen as the last option. The surface water strategy / flood risk assessment submitted with the planning application is unacceptable due to no clear drainage strategy being provided and no evidence of the surface water hierarchy being provided. We would therefore recommend that the applicant consults with Anglian Water and the Environment Agency, and a condition be applied for the submission of a surface water management strategy, if permission to granted.

## **5.2 Claypole Parish Council**

- 5.2.1** Claypole Parish Council object to the planning application on the basis that the adverse impacts arising from the proposal would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Local Plan and the NPPF, when taken as a whole.
- 5.2.2** The Parish Council's reasons for objection include:
- (a) The proposal does not represent an appropriate location for the development having regard to the policies of the Development Plan and accessibility to services and facilities. There are no grounds for granting permission as an exception to the Local Plan.
  - (b) The scale of the proposal is wholly disproportionate to the size of Claypole and it would represent a 13% increase in the total number of homes; which should be considered cumulatively against the backdrop of Claypole more than doubling in size since 1991.
  - (c) The scheme does not reflect the form, structure, character and appearance of Claypole and results in harm to heritage assets.
  - (d) It is unclear whether the proposal makes appropriate provision for surface water drainage; and
  - (e) The proposal lacks integration and appropriate measures to ensure that it does not adversely affect highway and pedestrian safety.
- 5.2.3** The Parish Council contends that the ongoing Neighbourhood Plan process would be the most appropriate forum through which any additional housing in Claypole should be explored.
- 5.2.4** Following the submission of a revised Site Layout by the Applicant, a further 21-day re-consultation process was completed. As part of this re-consultation, further representations were received from Claypole Parish Council stating that the revised details did not affect their previous objections to the scheme.

## **5.3 Environment Agency**

- 5.3.1** No comments made.

## **5.4 SKDC Environmental Protection**

**5.4.1** No objection subject to conditions.

**5.4.2** The Planning Statement makes reference that the existing use of the land for the proposed development is agricultural. It is not known from the submitted documents with the application, the historical use of the land and the potential for contamination, both man-made and naturally occurring. A survey of the proposed development site should be conducted and include a geo-environmental assessment; this can be secured via an appropriate planning condition.

**5.4.3** The application has sections relating to sustainability, sustainable transport and building for life. It is suggested that the applicant could, within these statements, consider the possibility of providing charging points for electric vehicles at each property at the design and building stage of such a development.

## **5.5 Heritage Lincolnshire**

**5.5.1** No objection subject to conditions.

**5.5.2** Geophysical survey has been undertaken at the site. The survey recorded the presence of remains of medieval cultivation and an archaeological desk based assessment of the site and the surrounding area recorded the presence of upstanding earthwork remains of ridge and furrow.

**5.5.3** It is considered that the site offers the potential for archaeological remains to be present based on the extent and type of remains recorded in the vicinity. Insufficient information is available at present with which to make any reliable observation regarding the impact of this development upon any buried archaeological remains.

**5.5.4** Therefore, it is recommended that, prior to any groundworks, the developer should be required to commission a Scheme of Archaeological Works in accordance with a written scheme of investigation, submitted to and approved in writing by the Local Planning Authority. This should be secured by an appropriate condition to enable heritage assets within the site to be recorded prior to their destruction. The programme of work should include detailed topographic survey of the earthwork remains followed by trial trenching.

## **5.6 Highways England**

**5.6.1** No objections.

## **5.7 LCC Highways & SuDS**

**5.7.1** The proposal is for 74 dwellings, open space and SuDS at Land North of Doddington Lane, Claypole. Access is served from Doddington Lane and visibility has been demonstrated at 2.4m x 120m which exceeds the Manual for Streets requirements.

**5.7.2** The Transport Assessment robustly considers the vehicle trip generation, distribution and assignment, and it can be concluded that the development proposals would have no material impact on the operation of the local highway network. There is no precise definition of "severe" with regards to NPPF Paragraph 111, which advises that "Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road

network would be severe." Planning Inspector's decisions regarding severity are specific to the locations of each proposal, but have common considerations:

- The highway network is over-capacity, usually for period extending beyond the peak hours;
- The level of provision of alternative transport modes;
- Whether the level of queuing on the network causes safety issues.

**5.7.3** In view of these criteria, the Highways and Lead Local Flood Authority does not consider that this proposal would result in a severe impact with regard to NPPF.

**5.7.4** It is requested that improvements are made to the pedestrian connectivity into the village of claypole. This includes improvements to the PROW network and a footway provision along Doddington Lane to connect with the existing.

**5.7.5** There is an existing surface water 450mm diameter sewer passing through the centre of the site, which Anglian Water have agreed to a connection into this system at 4.2l/s. The on site drainage arrangements consist of roadside swales and attenuation which is in line with SuDS principles.

**5.7.6** Therefore the Lead Local Flood Authority does not consider that the proposal will increase flood risk elsewhere. Following discussions with the Applicant, concerns have been raised with regards the proximity of the swales to adjacent buildings and the required 5.0metre distance in line with Lincolnshire County Council Design Approach. The surface water drainage condition has been included within the recommended conditions.

**5.7.7** Recommend conditions requiring a construction management plan, securing the proposed off-site highway improvement works, ensuring all roads and footways are completed to the required standard, further details of a surface water drainage scheme, and a phasing plan detailing timescales for the completion of works.

**5.7.8** Further notes in relation to the PROW:

- Claypole Public Footpath No. 7 will require formally diverting to enable development to take place. It is noted part of the route requiring diversion will be provided on roadside pavement to the north of Doddington Lane.
- It is expected that there will be no encroachment, either permanent or temporary, onto the right of way as a result of the proposal.
- The proposed development should not pose any dangers or inconvenience to the public using the right of way.
- If any existing gate or stile is to be modified or if a new gate or stile is proposed on the line of the public rights of way, prior permission to modify or erect such a feature must be sought from the County Council.
- The developer will be required to remove the redundant infrastructure in the event of the footpath being diverted.

**5.8 Lincolnshire Police Crime Prevention Officer**

**5.8.1** No objections.

## **5.9 Natural England**

**5.9.1** No comments.

## **5.10 NHS England**

**5.10.1** The application is proposing 74 dwellings which, based on the average of 2.4 people per dwelling for the South Kesteven area, would result in an increase in the patient population of 178.

**5.10.2** The development will impact Long Bennington Medical Centre and Caythorpe and Ancaster Practice as the development is within their catchment area.

**5.10.3** LCCG wishes to apply for a Section 106 contribution for the development for Long Bennington Medical Centre. The contribution requested for the development is £48,840 (£660 x 74 dwellings).

**5.10.4** After reviewing the practice response regarding their capacity to accommodate the increase in patient numbers arising from the development, it is requested that the trigger point for the release of funds for healthcare be set at payment of all monies on completion of 50% of the dwellings for each phase of the development. This would ensure that the practice is not placed under undue pressure.

## **5.11 Ward Councillor**

**5.11.1** Objection.

**5.11.2** The Ward Councillor fully supports the comments made in opposition to the application submitted by the Parish Council.

## **6 Representations as a Result of Publicity**

**6.1** The application has been advertised in accordance with the Council's Statement of Community Involvement and letters of representation have been received from 14 interested parties, all of which have raised objections to the application. The representations have raised the following relevant material considerations:

1. The development is an inappropriate scale of development for the village;
2. There is no demand for this type of housing;
3. The village does not support the development;
4. The Parish are currently preparing a Neighbourhood Plan;
5. Loss of greenfield land surrounding the village;
6. Doddington Lane is not an appropriate location for access to the development;
7. Highway safety and capacity issues on Main Street with limited scope for improvement;
8. There is limited public transport to and from the village to enable access to Grantham or Newark;
9. The site is identified as being at risk of flooding;
10. Local services and facilities cannot cope with the level of additional development;
11. Concerns about the cumulative impact of development alongside the Fernwood extension;
12. Impacts on local wildlife;
13. The site has a number of archaeological assets;

14. The scheme will result in the loss of privacy and adverse noise impacts for existing properties on Redthorn Way and Tinsley Close; and
15. The scheme is not well integrated into the surrounding area and proposes a form of housing that is not appropriate to the character of Claypole.

## **7 Evaluation**

**7.1** Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that the Local Planning Authority makes decisions in accordance with the adopted Development Plan, unless material considerations indicate otherwise. The Council adopted the South Kesteven Local Plan 2011-2036 in January 2020, which forms the Development Plan for the District, and is the basis of decision-making in South Kesteven alongside the Lincolnshire Minerals and Waste Local Plan (where relevant). The Planning Inspectorate confirmed that the Council has a 5.22 year housing land supply on 12 October 2021 and therefore full weight can be attributed to the policies in the South Kesteven Local Plan.

**7.2** The policies and provisions set out in the National Planning Policy Framework (updated July 2021) are also a material consideration in the determination of planning applications. A neighbourhood plan has been started for Claypole; however, this is at an early stage and a draft has yet to be submitted for consultation and therefore this holds no weight in terms of current decision making.

### **7.3 Principle of Development**

**7.3.1** Policy SD1 (The Principles of Sustainable Development in South Kesteven) sets out the overarching obligation for development proposals to minimise its impact on climate and contribute toward a strong, stable and more diverse economy. The policy requires consideration of a number of matters including the impact of development of climate change, minimising the need to travel, avoiding development of areas of flood risk and development proposals giving rise to pollution, encouraging the use of previously developed or underutilised land, providing a supply of housing to meet the needs of present and future generations, and enhancing the character, natural environment and cultural and historic environment of the District.

**7.3.2** Policy SP1 (Spatial Strategy) outlines the overall development strategy for the District during the plan period. It identifies that the overall strategy of the Local Plan is to deliver sustainable growth, including new housing and job creation, in order to facilitate growth in the local economy and support local residents. In particular, the focus for the majority of growth is in an around the four market towns, with Grantham being a particular focal point for development. In connection with the above, decisions about the location and scale of new development are to be taken on the basis of the settlement hierarchy established within Policy SP2. Policy SP2 (Settlement Hierarchy) identifies Claypole as a Smaller Village where *“Development will be supported in accordance with Policy SP3, SP4 and all other relevant policies, where development will not compromise the village’s nature and character”*.

**7.3.3** The application proposals seek permission for the development of 74 dwellings, open space and SuDs on the south-eastern edge of Claypole. The site is bound by the residential gardens of existing properties fronting Redthorn Way and Tinsley Close to the

north, and committed residential development for 16 dwellings to the west and, is therefore, bound by existing built form on two sides. In this respect, the proposals fall to be assessed against Policy SP4 (Development on the Edge of Settlements). This policy states that proposals for development on the edge of a settlement, which is in accordance with all other relevant Local Plan policies, will be supported provided that essential criteria (a) – (f) are met. This requires the proposal to:

- (a) *Demonstrate clear evidence of substantial support from the local community through an appropriate, thorough and proportionate pre-application community consultation exercise. Where this cannot be determined, support (or otherwise should be sought from the Town or Parish Council, or Neighbourhood Plan Group or Forum, based upon material planning considerations.*
- (b) *Be well designed and appropriate in size / scale, layout and character to the setting and area.*
- (c) *Be adjacent to the existing pattern of development for the area, or adjacent to developed site allocations, as identified in the development plan.*
- (d) *Not extend obtrusively into the open countryside and be appropriate to the landscape, environmental and heritage characteristics of the area.*
- (e) *In the case of housing development, meet a proven local need for housing and seeks to address a specific and targeted need for local market housing; and*
- (f) *Enable the delivery of essential infrastructure to support growth proposals.*

**7.3.4** In relation to the above, it is appreciated that Policy SP2 and SP4 does not provide a specific limit on the scale / quantum of development considered to be acceptable within Smaller Villages. However, Paragraph 2.12 and 2.13 of the supporting text of the Local Plan does provide commentary on this issue, stating:

*“In Smaller Villages (as listed in Policy SP2) there is limited capacity to accommodate new development, and whilst previously planning policies strictly limited development in these locations, it is the intention of this Local Plan to allow small, sensitive infill developments (generally no more than 3 dwellings) so that these smaller communities can respond positively to the housing needs of their people and fulfil their role as sustainable communities.*

*Development proposals on the edge of a settlement will only be supported in the following specific circumstances: where they are supported by clear evidence of substantial support from the local community or; where they form a Rural Exceptions Scheme which meets a proven local need for affordable homes. In all cases, the site must be well located to the existing built form, substantially well enclosed and where the sites edge is clearly defined by a physical features that also acts as a barrier to further growth (such as a road). The proposal should not visually extend building into the open countryside”.*

**7.3.5** Furthermore, Paragraph 79 of the National Planning Policy Framework (2021) states “To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. Planning policies should identify opportunities for villages to grow and thrive, especially where this will support local services. Where there are groups of smaller settlements, development in one village may support services in a village nearby.

- 7.3.6** In the context of the above, the adopted Local Plan identifies Smaller Villages, such as Claypole, as being appropriate locations for small, sensitive developments. However, major development may be supported in such a settlement under Policy SP4, where there is clear evidence of substantial support from the local community and, there is also clear evidence of need for housing of this scale within the settlement and how the proposals would meet this specific need. Or alternatively, the proposal is a rural exception scheme and meets a demonstrable local need for affordable housing.
- 7.3.7** In relation to the above, the application has been accompanied by a Consultation Statement prepared by the agent, which sets out details of a pre-application consultation exercise that was completed by the applicant. The consultation exercise comprised of the delivery of a flyer, setting out details of the proposed development, and providing a questionnaire for residents / interested parties to provide their feedback. The applicant has stated that a number of respondents identified how the proposals would support the amenities in the area, including local businesses. It is also contended that 7 out of 61 responses received, were extremely supportive of the proposals and stated that there is a need for housing in the area. In particular, it is suggested that there is a need for 2 and 3-bed dwellings for the younger population and to sustain local amenities and businesses.
- 7.3.8** Furthermore, it is stated that a presentation was made to members of the Claypole Parish Council, who subsequently asked questions about the proposals, but ultimately reserved the right to comment on the proposals at the appropriate statutory consultation stage. In this respect, representations received from Claypole Parish Council in response to the statutory consultation have expressed a fundamental objection to the scheme, raising concerns about the principle of development as well as other relevant material considerations. In particular, they have stated that the proposal does not represent an appropriate location for the proposed development having regard to the Development Plan, and the scale of development is disproportionate to the size of the village, with the increase in population size to be considered in the context of the historical level of growth within the village. These objections have also been supported by the Ward Member.
- 7.3.9** The applicant has also stated that the village primary school has capacity for additional children and the school would welcome new housing development in the village in order to support and maintain the school. Although it is noted the school has not explicitly provided support for the revised proposal.
- 7.3.10** A number of objections have also been received from local representations submitted as part of the statutory publicity for the application.
- 7.3.11** On the basis of the above, it is considered that the application does not benefit from clear evidence of substantial support from the local community and, as such, the application is considered contrary to Policy SP4(a).
- 7.3.12** In relation to the requirement for the proposal to meet a proven local need for housing and address a specific targeted need for local market housing, the applicant has provided a Planning Statement which states that the scheme will assist the Council in meeting the minimum housing requirement for the plan period, boosting the five year housing land supply, and also assist in meeting an identified shortfall in affordable housing.

**7.3.13** In respect of the above, it is accepted that there is an acute need for affordable housing within the District. The Strategic Housing Market Assessment (2017 update) identifies a need of 238 additional Affordable Homes each year, which is a significant proportionate of the overall housing requirement of 650 dwellings. It is also accepted that the identified housing requirements do not prevent additional, suitable housing developments from being brought forward to further boost the supply of housing, as per Paragraph 60 of the Framework. However, criterion (e) of Policy SP4, requires evidence of a proven local housing need and to address a specific targeted need for local market housing. In this respect, the applicant has failed to provide any evidence of a proven need for the level of proposed housing within Claypole and/ or the surrounding area and, as such, the proposal is considered to be contrary to Policy SP4(e).

**7.3.14** In respect of the locational requirements of Policy SP4, as identified previously, the site is bound to the north by the rear gardens of existing residential properties fronting on Redthorn Way and Tinsley Close, and to the west by another proposed residential development. Although it is noted that only the southern half of that field is currently proposed for development. As such, there would also be a degree of conflict with criterion (c). The remaining spatial and environmental requirements of criteria (b) – (f) are discussed further below in the appropriate sections.

**7.3.15** Taking the above into account, the proposed scheme is not considered to be an appropriate form of development for the location and would be contrary to the overall principles of the spatial strategy, which seeks to direct major development towards locations which are (or can be made) sustainable, thereby reducing the need to travel. Consequently, the proposals are considered to be contrary to the locational requirement of Policy SD1, the overriding principles of Policy SP1 and SP2, and the specific requirements of Policy SP4(a), (c) and (e).

#### **7.4 Affordable Housing Contributions / Meeting All Housing Needs**

**7.4.1** As discussed above, the Strategic Housing Market Assessment (2017 update) demonstrates that the supply of affordable housing is an acute problem within South Kesteven. The SHMA identifies a need for 238 additional affordable homes per annum, which represents a considerable proportion of the overall housing requirement for 650 dwellings per annum within the District.

**7.4.2** Policy H2 (Affordable Housing Contributions) seeks to ensure all major residential developments contribute towards meeting the needs of affordable housing by requiring a provision of 30% of scheme's total capacity as affordable housing, with the exception of the Grantham Urban Area where the requirement is 20%. The policy states that all affordable housing will be expected to:

- (a) *Include a mix of social rented / affordable rent / intermediate rent and intermediate market housing appropriate to the current evidence of local need and local incomes as advised by the Council.*
- (b) *Be well integrated with the pen market housing through layout, siting, design and style.*
- (c) *Be of an appropriate size and / or type to meet the needs identified by the current evidence of local housing need for affordability in the area; and*

(d) *The Council will expect this requirement to be met in all cases.*

**7.4.3** Furthermore, Paragraph 65 of the Framework requires major residential development proposals to provide a minimum of 10% of homes for affordable home ownership.

**7.4.4** In connection with the above, the application has been accompanied by a Planning Statement which indicates that the Applicant is willing to enter into a Section 106 Agreement to secure the appropriate 30% affordable housing contribution. They have further indicated that they would work with the Council to provide an appropriate mix of tenures, including the provision of first homes. The Proposed Site Layout and accompanying Schedule of Accommodation indicates that the affordable housing would be appropriately distributed throughout the site and would comprise of a mix of 2- and 3-bedroom properties for affordable rent and shared ownership. Taking the above into account, the proposal would accord with Policy H2.

**7.4.5** With regards to the range of property types and sizes across the scheme as a whole, Policy H4 (Meeting All Housing Needs) seeks to ensure that residential development is of an appropriate size and type to meet the current and future needs of the District. Similarly, Section 5 of the Framework sets out the requirement provide sufficient amount and variety of land to meet the size, type and tenure of housing to meet the needs of different groups in the community.

**7.4.6** The submitted Proposed Site Layout demonstrates that the scheme would include a mixture of detached and semi-detached houses and bungalows, ranging in size from 2- to 4-bedrooms.

**7.4.7** In connection with the above, it is noted that a number of representations received on the application have raised concerns about the need for housing within the area and, have stated that there is no need for the type of housing proposed.

**7.4.8** In relation to this, the Strategic Housing Market Assessment identifies a need for properties to provide a range of housing sizes and recommends assessment against the following mix:

	<b>1-bed</b>	<b>2-bed</b>	<b>3-bed</b>	<b>4+ bed</b>
<b>Market</b>	0-5%	30-35%	45-50%	15-20%
<b>Affordable</b>	20-25%	40-45%%	25-30%	5-10%

**7.4.9** The submitted application proposals would provide housing of the following mix:

	<b>1-bed</b>	<b>2-bed</b>	<b>3-bed</b>	<b>4+ bed</b>
<b>Market</b>	0%	26.9%	51.9%	21.1%
<b>Affordable</b>	0%	45%	55%	0%

**7.4.10** Whilst this identifies a lack of 1-bed properties and larger affordable properties within the proposed housing mix when assessed against the recommended housing mix contained within the SHMA, Policy H4 is not prescriptive that those exact parameters need to be adhered to. The proposed development would still provide a varied range of property

types and tenures and it is considered that the proposed development would provide an appropriate contribution towards meeting the identified market housing and affordable housing needs for the district. Therefore, subject to the completion of a Section 106 Planning Obligation, the proposal would be in accordance with Local Plan Policies H2 and H4 and the NPPF (section 5). However, it is noted there is currently no signed agreement in place, which is discussed further below.

**7.4.11** Notwithstanding the above, whilst the proposals would contribute towards meeting the identified market and affordable housing needs for the District, it is considered that this does not provide sufficient evidence to demonstrate a proven local need for housing and how the proposal would address a specific targeted need for local market housing, as required by Policy SP4(e). The requirements of Policy SP4(e) relate to an identified local housing need for the specific village / parish in which an application is located as opposed to the District-wide housing needs considered through the SHMA. As such, despite the compliance with Policy H2 and H4, the application has not been accompanied by any evidence of local housing needs for Claypole and, as a result, the scheme is contrary to Policy SP4 in this regard.

## **7.5 Design and Visual Impact**

**7.5.1** Local Plan Policy DE1 states (amongst other criteria) that to ensure high quality design is achieved throughout the district, all development proposals will be expected to make a positive contribution to local distinctiveness, vernacular and character of the area. Proposals should reinforce local identity and not have an adverse impact on the streetscene, settlement pattern or the landscape / townscape character of the surrounding area. Proposals should be of an appropriate scale, density, massing, height and material, given the context of the area. Policy EN1 seeks to ensure development is appropriate for its context. The NPPF (section 12) states that good design is a key aspect of sustainable development and new development should be visually attractive as a result of good architecture and appropriate landscaping.

**7.5.2** In connection with the above, it is noted that representations received from Claypole Parish Council have raised objection to the proposals on the basis that the scheme does not reflect the form, structure, character and appearance of Claypole. In particular, it is their view that the scheme would be an insular development that lacks connectivity to the existing built form of Claypole and would result in the “harmful urbanisation of Doddington Lane, which has an informal rural lane character”.

**7.5.3** Similarly, representations received from members of the public have raised concerns about the appropriateness of the development for the surrounding context. In particular concerns have been raised about the loss of greenfield land surrounding the village, the style of housing not being appropriate for the character of Claypole and the layout resulting in a form of development that is not well integrated into the rest of the village.

**7.5.4** As detailed above, Paragraph 2.13 of the supporting text for the Local Plan states the following in relation to Policy SP4 *“In all cases the site must be well located to the existing built form, substantially well enclosed and where the site’s edge is clearly defined by a physical feature that also acts as a barrier to future growth (such as a road). The proposal should not visually extend building into the open countryside”*.

- 7.5.5** The site is located on the rural southern approach to the village, characterised by open fields, established hedgerows and mature trees. Doddington Lane has a rural character although there is some small scale commercial development to the south-east of the site. Likewise, the relatively modern housing development of Moore Close is prominent on the approach to the village along Doddington Lane. There are no heritage assets that would be impacted by the proposed development from a visual perspective, although the impact of the proposed development on the ridge and furrow features of the site is discussed further in the report.
- 7.5.6** In this context, development of the site would inevitably result in a degree of visual impact as a result of the change from agricultural use to a residential land use. Likewise, the introduction of a pedestrian footway and new access to Doddington Lane would result in some impact on its existing rural character. However, the proposed development would be seen in the context of the existing residential development to the north, which fronts onto Redthorn Way and Tinsley Close, as well as the relatively modern housing development of Moore Close and the potential for development of the adjacent site under consideration.
- 7.5.7** It is acknowledged that the site is bound to the east by further greenfield, agricultural land and that the application site's eastern boundary is marked by mature boundary hedgerow, which would not provide a permanent barrier to further growth in this direction. However, any potential future application for development on land to the east of the site would need to be assessed on its own merits and the potential for further development is not considered to be a justifiable reason for refusal of the current application. The current proposals would be seen in the context of the existing built form and would not extend development of the village beyond its existing southern and / or eastern extent.
- 7.5.8** The application has been supported by a Proposed Site Layout and Elevation Plans demonstrating the design of the proposed dwellings. The applicant has also engaged with the Council's Design PAD process during the course of the application and has sought to address concerns raised by officers. The Design and Access Statement indicates that properties will consist of buff clay brickwork and red clay brickwork, with dark grey and rustic slate roof tiling. In this respect, the design, scale and proposed materials of the dwellings would result in a simple, but traditional form of housing which is considered to be appropriate for the area.
- 7.5.9** The submitted Proposed Site Layout indicates the development would be at a density of approximately 14 dwellings per hectare, which is appropriately low to provide a transition from the existing built form of the village to the surrounding rural context. The entrance to the site (plots 1-3 and 74) are set-back from Doddington Lane and this provides an opportunity to retain much of the existing frontage hedgerow and provide additional landscaping to soften the impact of the development. Likewise, existing hedgerows elsewhere around the site are shown to be retained on the submitted landscaping plan, although an appropriate mechanism for ensuring control over this would be necessary, especially where these are shown to be with the proposed residential gardens.
- 7.5.10** Policy OS1 (Open Space) sets out the requirement for all new housing developments to provide sufficient new (or improved) open space to meet the needs of the development. Development proposals will be assessed against the current open space provision and in

areas that do not currently meet the standards identified, the proposals will be required to make appropriate provision in order to meet the identified standards. New open space provision is expected to form an integral part of the development layout and should seek to provide net gains to biodiversity and green infrastructure where possible. Where the above standards cannot be achieved on site as part of the development, an off-site financial contribution will be expected. Using the standards set out in Policy OS1, the development would require the provision of approximately 3,500 sq. metres of informal open space, including 500 sq. metres of equipped play space.

- 7.5.11** Furthermore, Policy EN3 (Green Infrastructure) seeks to maintain and enhance the green infrastructure network in the District by enhancing, creating and managing green space within and around settlements. Development proposals should ensure that existing and new green infrastructure is integrated into the scheme's design, and takes opportunities to enrich biodiversity, enable greater connectivity and provide sustainable access for all.
- 7.5.12** Paragraph 131 of the Framework identifies that *"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. Planning policies and decisions should ensure that new streets are tree lined, that opportunities are taken to incorporate trees elsewhere in developments (such as parks and community orchards), that appropriate measures are in place to secure the long-term maintenance of newly-planted trees, and that existing trees are retained wherever possible"*.
- 7.5.13** In connection with the above, representations received from members of the public have raised concerns about the loss of the greenfield nature of the application site, which is reported to be well used by dogwalkers and hikers, particularly along the public right of way that runs through the site.
- 7.5.14** In the context of the above, the submitted Proposed Site Layout indicates the provision of approximately 6,000 sqm of open space, which would be sufficient to meet the overall requirements set out within Policy OS1. Although the proposed Local Area of Play appears to be below the requirements of the policy, there is a well equipped community play park within reasonable walking distance of the application site located to the north of the village. However, there is concern regarding the large SuDS feature in the north-eastern corner of the site and the arrangement of some of the properties that 'back-on' to this area. It is considered that this area could be better integrated into the layout and that there could be opportunities to enhance this area as a multi-functional open space, as opposed to its current functional design which appears somewhat detached from the proposed dwellings.
- 7.5.15** In addition, it is considered that the submitted development proposals would not appropriately integrate the site with, or positively enhance, the surrounding green infrastructure network. Although the northern half of the public right of way is incorporated within an open space, the southern half would be aligned with the footpath on the side of the main entrance road. This is considered to be an unsensitive route for the public right of way and would significantly impact on the existing rural character of this well used walking route. Whilst the addition of some street trees are welcomed, a further concern is that these are inadequately designed and too few in number with some in private gardens and others too close to the proposed properties.

**7.5.16** Taking all of the above into account, it is considered that the submitted proposal would not sensitively assimilate with the site's edge of settlement location and the surrounding rural character. Further, the development would not appropriately integrate with existing and proposed green and blue infrastructure within the site. Consequently, the proposals are considered to conflict with Local Plan Policies SP2 and SP4(b) and (d), DE1, EN1 and EN3 and the NPPF (section 12).

## **7.6 Residential Amenity**

**7.6.1** Policy DE1 (Promoting Good Quality Design) states (amongst other criteria) that all development proposals will be expected to ensure that there is no adverse impact on the amenity of neighbouring users in terms of noise, loss of privacy and loss of light, and should provide sufficient amenity space, suitable to the type and amount of development proposed.

**7.6.2** Paragraph 130 of the Framework states that developments should create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life and community cohesion.

**7.6.3** Public representations received on the application have expressed concerns about the impact of the development on the residential amenity of existing properties. In particular, it has been suggested that the Proposed Site Layout would provide direct views from the proposed development into the gardens and windows of properties on Redthorn Way and Tinsley Close, resulting in adverse impacts of privacy for the occupants of these properties.

**7.6.4** In relation to this, the Proposed Site Layout indicates that properties situated along the northern boundary of the site would be positioned over 30 metres from the nearest properties fronting Redthorn Way, and would be orientated so that they are back-to-back with the existing properties. All of the proposed properties along the northern boundary would be single storey and would not include any rooflights or dormer windows. As such, it is considered that the proposed scheme would provide adequate levels of privacy for existing and proposed occupants in this area.

**7.6.5** In respect of the provision of suitable standards of privacy across the remainder of the site, it is appreciated that there are properties close to the site's western boundary; beyond which lies the proposed scheme for 16 affordable housing units. Similar to the above, properties within this part of the application site have been orientated to back onto the adjacent to development site, or alternatively would be positioned with adjoining side elevations. The Proposed Site Layout also indicates the retention and enhancement of the existing mature boundary hedgerow which separates the sites and, therefore, would ensure an appropriate level of privacy for all users.

**7.6.6** The submitted proposals indicate a varied amount of private amenity space across the development scheme. Nonetheless, all properties are considered to have sufficient private amenity space relevant to their type and size.

**7.6.7** Furthermore, Lincolnshire Police’s Crime Prevention Officer has confirmed that they have no objections to the proposed scheme. As such, the scheme is considered to not give rise to adverse impacts in respect of the fear of crime and disorder.

**7.6.8** Taking the above in account, it is considered that the proposed development scheme would provide an appropriate level of residential amenity for all occupiers of existing and proposed properties. As such, the scheme is considered to accord with Local Plan Policy DE1 and the NPPF (section 12).

## **7.7 Climate Change**

**7.7.1** Policy SB1 (Sustainable Buildings) states that all development proposals will be expected to mitigate and adapt to climate change. This includes a requirement for development proposals to demonstrate how carbon dioxide emissions have been minimised; achieve a “water neutral position”, including the provision of an appropriate water efficiency promotion and consultation education programme as part of all major residential developments; and supporting low carbon travel through the provision of electric car charging points.

**7.7.2** Similarly, Paragraph 152 of the NPPF states that “*the planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the re-use of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure*”.

**7.7.3** In the context of the above, as previously stated, Claypole is identified as a smaller village, which is considered to have limited capacity for new development due to the absence of adequate local services and facilities. As such, the locational characteristics of the application site means that the scheme would not accord with the overarching sustainability objectives of the Local Plan in respect of minimising the need to travel and encouraging low carbon travel.

**7.7.4** Notwithstanding the above, representations received from the Council’s Environmental Health Officer on the application have recommended further consideration should be given to the possibility of providing electric car charging points for each property.

**7.7.5** In this regard, the Design & Access Statement, which accompanies the application, includes a Sustainability Statement which indicates that the development would incorporate sustainable building materials and technological innovations which will make the homes “grid neutral” and would also include vehicle charging options for each property.

**7.7.6** Notwithstanding the in-principle sustainability objections, Policy SB1 principally relates to the sustainability credentials of the built form of the application schemes. In this respect, the submitted statement fails to provide sufficient information to meet the full requirements of Policy SB1; in particular it fails to provide adequate details in respect of water efficiency and how the development will achieve a water neutral position. As such, the application proposals fail to comply with the requirements of Policy SB1.

**7.7.7** However, it is considered that this could be appropriately addressed through the imposition of an appropriately worded condition requiring the submission of further details in relation to water efficiency.

**7.7.8** Consequently, subject to the imposition of a condition requesting further details of sustainable building measures, the proposal would be in accordance with Policy SB1 of the Local Plan. However, the conflict with the locational aims of the Local Plan is noted and discussed in section 7.3 above.

## **7.8 Access and Highways Infrastructure**

**7.8.1** Local Plan Policy ID2 (Transport and Strategic Transport Infrastructure) identifies that the Council will support and promote an efficient and safe transport network, which offers a range of transport choices for the movement of people and goods, reduces the need to travel by car, and encourages the use of alternatives, such as walking, cycling or public transport. The policy requires development proposals to not result in any unacceptable highway safety impacts or result in severe cumulative impacts on the local highway network. Proposed schemes should also include appropriate provision for vehicle, two-wheeler and cycle parking.

**7.8.2** Section 9 (Promoting Sustainable Transport) of the NPPF sets out the highways impacts of development proposals should be assessed. Paragraph 110 of the Framework requires decision-makers to consider whether:

- (a) Appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location;
- (b) Safe and suitable access to the site can be achieved for all users;
- (c) The design of streets, parking areas, other transport element and the content of associated standards reflects current national guidance, including the National Design Guide and the National Model Design Code; and
- (d) Any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.

**7.8.3** In addition, Paragraph 111 is clear in stating that “*Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe*”. These requirements are broadly reflected in Local Plan policies SD1 and ID2, which requires new development to be in sustainable locations.

**7.8.4** Representations received from Claypole Parish Council and members of the public have raised objections to the application proposals on the basis of highways safety and capacity, pedestrian safety, and the limited provision of sustainable modes of travel.

**7.8.5** In particular, concern has been raised about the safety and suitability of the proposed access location on Doddington Lane. It has been suggested that the proposed access location will not benefit from adequate visibility splays, when taking into account the location on the bend in Doddington Lane and the national speed limit that is in effect on

this road. Similarly, comments have raised objections on the basis that Doddington Lane is a single-track route with a limited number of passing points, and the potential for this to exacerbate a history of traffic accidents on this route, which have occurred as a result of conflicts between road users.

- 7.8.6** In addition, it is contended that the Proposed Site Layout fails to meet the requirements of national and local planning policy insofar as it does not provide adequate cycle storage options, and the proposed parking arrangements would encourage on-street parking.
- 7.8.7** Furthermore, public comments have stated that the local highway network is already experiencing issues with highways capacity which will be further exacerbated by the additional vehicle movements generated by the proposed development. Main Street is identified as being a particular issue due to the prevalence of on-street parking, and its location as the convergence of vehicular routes into and out of the village, which results in the road being reduced to one-way movements and experiencing a large number of vehicle traffic. The severity of this issue is stated to be increased during peak periods, when there is an increase in on-street parking as a result of pick-up and collection from the village school. Residents have stated that given the existing built form around Main Street, there is limited scope to widen this road, to mitigate the adverse impact associated with the increase in vehicle movements generated by the application proposals.
- 7.8.8** It is also contended that the potential highways impact of the development scheme is further enhanced by the limited existence of alternative, sustainable modes of transport. It is understood Claypole is served by a limited bus service, which includes local school services, as well as the No 24 Service operated by Centrebus, which runs between Newark and Grantham a call at the village 3 times per day, at 2 hour intervals, on Mondays to Saturdays. In addition, it is stated that the proposed new footway link along the northern side of Doddington Lane would fail to include any necessary street lighting and, as a result, would be an unlit footway along a narrow, single-track road; and, in view of the proposed site layout and boundary treatments, it would not benefit from any natural surveillance, which would result in the route being an undesirable option for pedestrians. In addition, concerns are raised about the absence of any pedestrian footway or dropped kerb arrangement at the point where Coulby Close reaches Main Street, which is the route taken by pedestrians using the public footpath which traverses the application site. The Parish Council consider that this is a significant failing given that services and facilities within Claypole are predominately located to the north of Main Street, and therefore, pedestrian crossing will be a necessity for any future occupants. It is considered that this will further increase the reliance on the private vehicle and result in a severe, adverse highways impact.
- 7.8.9** A Transport Assessment and Travel Plan, prepared by BWB Transport & Infrastructure Planning, has been submitted as part of the application, which concludes that the development proposals represent sustainable development and should be considered acceptable in highways terms. Access to the site is to be taken via a priority-controlled junction onto Doddington Lane; the access is to measure 5.5 metres wide with a 2 metre footway on either side of the carriageway. The proposals are to retain the existing footpath, which runs across the site from Doddington Lane to Coulby Close, and an additional footway is to be provided along the northern side of Doddington Lane connecting into the centre of the village.

- 7.8.10** Furthermore, it is stated that the proposed development would generate 44 two-way vehicle movements during the AM peak period and 41 two-way movements during the PM peak period, and all junctions are modelled as operating within capacity. The Transport Assessment states that Doddington Lane is sufficient width to enable two cars to pass one another, and the slightly narrower form of this route will assist in reducing vehicle speeds. In addition, it is contended that there is no common pattern of personal injury accidents along this route to suggest that there is an existing safety problem. The submitted Travel Plan sets out the measures that will be taken, in addition to the provision of a new footway along Doddington Lane, to promote the use of sustainable transport.
- 7.8.11** During the course of the application the applicant submitted a revised Proposed Site Layout and Transport Assessment Addendum taking into account additional information requested from the Lincolnshire County Council (as local highway authority). The amended Site Layout indicates the provision of tactile crossing points throughout the main arterial route within the site, as well as the provision of 1.8m service margin adjacent to the proposed shared surfaces. In addition cycle storage options are now indicated for those properties which do not have a garage.
- 7.8.12** The Transport Assessment Addendum also provides further details on the off-site improvements that are to be made to Doddington Lane, and also contends that the demand for formal pedestrian crossing facilities at the Coulby Close / Main Street junction is limited and, therefore, any requirement for such work is disproportionate to the level of pedestrian activity anticipated.
- 7.8.13** Highways England have been consulted on the application and have raised no objections.
- 7.8.14** Furthermore, Lincolnshire County Council (as Local Highways Authority) have not objected to the proposed development stating that the visibility associated with the proposed access would exceed the Manual for Streets requirements. Further, they do not consider the proposed development would result in a severe impact on the surrounding highway network. The level of parking provision is considered appropriate.
- 7.8.15** In summary, it is considered the proposal would result in adequate access, parking and turning facilities and would not have an unacceptable adverse impact on highway safety in accordance with Local Plan policy ID2 and the NPPF (section 9), subject to the imposition of conditions and securing the off-site highway improvements as recommended by Lincolnshire County Council (as local highway authority).

## **7.9 Flood Risk and Drainage**

- 7.9.1** Policy EN5 (Water Environment and Flood Risk Management) identifies that development should be located in the lowest areas of flood risk, in accordance with the South Kesteven Strategic Flood Risk Assessment [SRFA]. Where this is not possible, the sequential approach to development will be applied. All development proposals should avoid increasing flood risk elsewhere, and all applications should be supported by a statement on how surface water is to be managed.

- 7.9.2** Similarly, Paragraph 159 of the Framework states that *“inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere”*.
- 7.9.3** In connection with the above, representations received from the Parish Council and members of the public have raised objections due to existing issues with surface water flooding on the application site. It is stated that the site is vulnerable to surface water pooling along the northern boundary, adjacent to the rear gardens of properties fronting on Redthorn Way and Tinsley Close, and that these properties have experienced issues with property flooding as a result of surface water run-off from the application site.
- 7.9.4** Furthermore, there are concerns that the submitted Flood Risk Assessment and Drainage Strategy are not an adequate assessment of the flood risk generated by site and fail to identify an appropriate solution for surface water and foul water drainage. In particular, it is suggested that the existing sewer network has insufficient capacity to accommodate any additional drainage requirements.
- 7.9.5** As mentioned previously, the site is identified as falling with Flood Zone 1 of the Flood Map for Planning. However, the site is identified as containing areas of Medium and High Risk of Surface Water Flooding along the northern boundary, which would concur with the submissions made by the Parish Council and members of the public.
- 7.9.6** A Flood Risk Assessment and Drainage Strategy, prepared by Milward Consulting Engineers, has been submitted as part of the application. Paragraph 2.6 of the Assessment states the following:
- “A site visit conducted by Millward confirmed that there is no existing drainage ditch to the northern boundary of the site. As low pints along the northern boundary are remote from any watercourse, Greenfield run-off is currently a potentially problem to the residents of the properties to the north of the site under the existing scenario. It should be noted that at the time of visit, heavy rainfall occurred, and a significant amount of ponding / pooling of water was observed through the site. A large amount of surface water was visible along the northern boundary, adjacent (and within) the property gardens belonging to Redthorn Way and Tinsley Close. It is therefore highly likely that the natural means of surface water drainage from the site is via infiltration, albeit extremely slow, possibly attributed to fully saturated cohesive soils”*.
- 7.9.7** In respect of surface water drainage, roadside swales / filter strips are proposed to take the highway runoff and will be directed to an attenuation pond on the northern side of the existing surface water drainage that cross the site. Surface water will be discharged at a controlled rate into the existing Anglian Water adopted surface water sewer.
- 7.9.8** In terms of the existing historic surface water pooling, the Flood Risk Assessment states that the proposed drainage strategy to be provided as part of the development will mitigate the ponding to the rear of Tinsley Close, and a perimeter filter / land drain will be installed along this boundary to further mitigate any future ponding in this area of the site.

- 7.9.9** The Flood Risk Assessment concludes that the identified drainage strategy will provide further protection to the development and reduce any residual flood risk as far as practicable. As such, it is concluded that the site is suitable for residential development without unacceptable risk of flooding from all sources to the site itself and elsewhere for the lifetime of the development.
- 7.9.10** The Environment Agency have been consulted on the application and have raised no objections. Likewise, Lincolnshire County Council (as Lead Local Flood Authority) have not identified any objections in respect of flood risk as part of their comments. They have advised that the on site drainage arrangements of roadside swales and attenuation would be in line with SuDS principles.
- 7.9.11** Furthermore, Anglian Water have advised that Claypole Water Recycling Centre has capacity to accept foul flows from the development. However, they have stated that the submitted Flood Risk Assessment and Drainage Strategy is unacceptable because it fails to provide a clear drainage strategy, or evidence that the surface water hierarchy has been followed. Nonetheless, it is considered that a detailed surface water management strategy could be addressed via condition.
- 7.9.12** Taking the above into account, it is considered that a suitable drainage scheme could be achieved within the submitted site layout, in line with the principles of the submitted strategy, the detail of which could be secured by planning condition. Therefore, it is considered that the proposed development would not be at unacceptable risk of flooding and would not increase flood risk elsewhere. As such, subject to conditions, the application would be in accordance with Policy EN5 of the Local Plan and Section 14 of the Framework.
- 7.10 Ecology and Biodiversity**
- 7.10.1** Policy EN2 (Protecting Biodiversity and Geodiversity) identifies that the Council will facilitate the conservation, enhancement and promotion of the District's biodiversity and geological interests of the natural environment. This includes seeking to enhance ecological networks and seeking to deliver a net gain on all proposals.
- 7.10.2** Furthermore, Paragraph 174 of the National Planning Policy Framework states that planning policies and decisions should contribute to and enhance the natural and local environment by "*minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures*".
- 7.10.3** Public representations received on the application have raised objections to the scheme on the grounds of the potential adverse impact on local wildlife and biodiversity. In particular, it is stated that the site provides habitat for deer, bird species and other local wildlife.
- 7.10.4** In connection with the above, Natural England have been consulted on the application and have confirmed that they have no comments.

**7.10.5** The Applicant has submitted an Extended Phase 1 Ecological Survey and an Updated Preliminary Ecological Appraisal, completed by Lockhart Garratt. The Assessment confirms that the habit on site is predominantly improved grassland bound by hedgerows, scattered shrub and scattered trees. It is concluded that the proposals for the site would impact mainly on the improved grassland, with the hedgerows, trees and shrub largely retained with the exception of small losses linked to the widening of access points. Consequently, the following recommendations are made for further assessment, mitigation and enhancement:

- (a) Clearance and construction works should be scheduled outside of the main bird breeding season (March to August inclusive). In the event that works need to proceed within this period, the specialist advice of a suitably qualified ecologist should be sought.
- (b) Any landscape planting should incorporate native species, including those species known to provide foraging habitats for breeding birds and nectar sources for invertebrates. Enhancements in the form of bird and bat boxes are also recommended.
- (c) Further survey work in respect of great crested newts is recommended due to a number of ponds within 500m of the site and historic records of GCNs within 250m.

**7.10.6** Recommendations (a) and (b) of the Ecological Appraisal are considered to be capable of being secured by condition to assist in safeguarding the existing ecological interest features within the site and provide opportunities for biodiversity net gain. In respect of recommendation (c) a follow-up Great Crested Newt (GCN) Survey Report dated August 2021 was submitted during the assessment of the application. The report concludes that the proposed development would lead to the permanent loss and damage of suitable GCN habitat within 260m of the closest pond found to support GCN. The works also have the potential to cause injury and harm to GCNs which may be present within the proposed construction area due to its suitable terrestrial habitat and proximity to GCN breeding ponds. As such, it is recommended that a mitigation licence is sought from Natural England to enable the proposed works to proceed. The requirements of this mitigation licence and further ecological and biodiversity mitigation and enhancement could be secured through an appropriately worded condition, based on the information from these baseline studies.

**7.10.7** The Applicant has also submitted an Arboricultural Report, prepared by AWA Tree Consultants, which has identified that the site's central area has no significant trees and therefore is free of any significant arboricultural impacts for new development.

**7.10.8** Subject to imposition of the above recommended condition, the proposals would appropriately conserve the District's biodiversity value and, therefore, the proposals would be in accordance with Policy EN2 of the Local Plan and Paragraph 174 of the Framework.

## **7.11 Impact on archaeological assets**

**7.11.1** Local Plan Policy EN6 (The Historic Environment) states that the Council will seek to protect and enhance heritage assets and their settings in keeping with the policies in the National Planning Policy Framework. Where development affecting archaeological sites is acceptable in principle, the Council will seek to ensure mitigation of impact through preservation of the remains in situ as a preferred solution. Where in situ preservation is

not practical, the developer will be required to make adequate provision for excavation and recording before or during the development.

- 7.11.2** Paragraph 194 of the Framework identifies “*where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation*”.
- 7.11.3** As stated previously, the site does contain areas of ridge and furrow earthworks. Representations received on the application from Claypole Parish Council and members of the public have raised objections to the application on the basis that the development will result in the loss of a sizeable area of ridge and furrow, which would detract from the historic landscape surrounding the village.
- 7.11.4** An Archaeological Desk Based Assessment, completed by CgMS, has been submitted as part of the application. This Assessment identifies “*Upstanding ridge and furrow is evident across the site. The earthworks have been assessed as forming part of two furlongs of east-west orientated lands exhibiting typical Medieval characteristics, linked by a curving north-south joint / trackway. The ridge and furrow is denuded, having been impacted by modern ploughing, and later enclosure has diminished its significance. The ridge and furrow is considered to be of local importance, significant for its historic interest (illustrative value); the earthworks are not considered to be of archaeological interest as they contain, within their own matrix, little archaeological potential. The proposed development is likely to involve the loss of most, if not all, of the ridge and furrow within the site*”.
- 7.11.5** Heritage Lincolnshire have been consulted on the application proposal and have raised no objections in principle to the scheme, subject to the imposition of conditions requiring the completion of an earthwork survey to be followed by a programme of trial trenching (to confirm the results of the geophysical survey) prior to any groundworks taking place. Thus, any planning permission would be required to include a condition to secure a Scheme of Written Investigation to secure this programme of works, as well as appropriate recording of the assets prior to their loss.
- 7.11.6** Consequently, subject to conditions, it is considered that the application proposals would be in accordance with Policy EN6 and Section 16 of the NPPF.

## **7.12 Pollution Control**

- 7.13** Policy EN4 (Pollution Control) Policy EN4 identifies that development should seek to minimise pollution and, where possible, contribute to the protection and improvement of the quality of air, land and water. New development proposals should not have an adverse impact on existing operations.
- 7.14** Furthermore, Paragraph 174 of the Framework states that planning policies and decisions should contribute to and enhance the natural and local environment by “*preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability*”.

- 7.15** As identified above, the Council's Environmental Health Officer has been consulted on the application and have raised no objections to the principle of development. However, they have recommended the imposition of pre-commencement conditions requiring the completion of a Ground Investigation Survey, and where necessary, the subsequent implementation of remediation works and verification strategy.
- 7.16** Consequently, subject to the imposition of appropriate conditions, the proposed development would be in accordance with Policy EN4 of the Local Plan and Paragraph 174 of the Framework in this respect.
- 7.17 Infrastructure for Growth**
- 7.17.1** Policy ID1 (Infrastructure for Growth) requires all development proposals to demonstrate that there is, or will be, sufficient infrastructure capacity to support and meet the essential infrastructure requirements arising from the proposed development. This is also a requirement of Policy SP4 – criteria (f).
- 7.17.2** In connection with the above, Paragraph 124 of the Framework states that planning policies and decisions should support development that makes efficient use of land, taking into account the availability and capacity of infrastructure and services – as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car use.
- 7.17.3** Representations received from members of the public have objected to the proposals on the basis that existing local services do not have sufficient capacity to accommodate any major development within Claypole.
- 7.17.4** In this respect, the Planning Statement supporting the application has stated that the application proposals are necessary to support Claypole Church of England Primary School, to ensure that it can sustainably provide for the village in the future. It is also stated that the proposals would assist in supporting and facilitating the growth of existing facilities and businesses. In support of this the applicant has submitted an education report which concludes that the proposed development would support the sustainability of the village school. The report also identifies an ageing village population and falling birth rate and therefore predicts a falling intake number for the primary school. However, the report also identifies that the village school catchment extends to include the large urban extension of Fernwood. While new schools are planned to support the significant residential growth around Newark, it is expected that some families would continue to use Claypole Primary School from within that wider area and therefore support the sustainability of the village primary school regardless of these proposals.
- 7.17.5** Furthermore, it is acknowledged that the development proposals would provide 30% affordable housing, including a mix of affordable rent and shared ownership, and would also include the provision of an off-site pedestrian footway to the north of Doddington Lane, which would connect to the existing footway in the centre of the village at Launder Terrace.
- 7.17.6** In addition, NHS England have submitted a request for Section 106 contributions to mitigate the impact of the development on local health facilities. A contribution of £48,840

is requested to increase capacity at Long Bennington Medical Centre. Lincolnshire County Council Education have been consulted on the proposals but have not made any comments. In view of the above, it is considered that the identified affordable housing and infrastructure contributions could be secured through an appropriate Section 106 Agreement and the imposition of appropriate conditions.

- 7.17.7** Notwithstanding the above, as identified previously, comments received from Lincolnshire County Council (as Local Highways Authority) have identified a requirement for further consideration to be given to bringing the public right of way that crosses the site up to an adoptable standard, and improving pedestrian connectivity at the Coulby Close / Main Street junction.
- 7.17.8** In this respect, the applicant has submitted an addendum to the Transport Assessment, which concludes that improved pedestrian facilities at this junction are not considered to be necessary and would not be proportionate to the identified impacts arising from the development proposals. Final comments have been received from the Local Highways Authority who do not object to the proposal, subject to imposition of conditions and the recommended off-site highway improvement works being secured, which include improvements to the PROW network and a footway provision along Doddington Lane to connect with the existing.
- 7.17.9** Taking the above into account, whilst progress has been made on agreeing heads of terms for a S106 planning obligation, there is currently no signed agreement in place. As such, on the basis of the current information, the application proposals would fail to provide the necessary infrastructure to mitigate the development proposals, and therefore, would not meet the essential needs of the development. As such, the proposals are considered to be contrary to Policies ID1, H2 and SP4(f) of the Local Plan.

## **8 Crime and Disorder**

- 8.1** Lincolnshire Police's Crime Prevention Officer has confirmed that they have no objections to the proposed scheme. As such, the scheme is considered to not give rise to adverse impacts in respect of the fear of crime and disorder.

## **9 Planning Balance and Conclusions**

- 9.1** Section 38(6) of the Planning and Compulsory Purchase Act 2004 that the Local Planning Authority makes decisions in accordance with the adopted Development Plan, unless material considerations indicate otherwise. The applicant has challenged the Council's 5 year land supply, however the Planning Inspectorate confirmed that the Council has a 5.22 year housing land supply on 12 October 2021 and therefore full weight can be attributed to the policies in the South Kesteven Local Plan.
- 9.2** The application proposes the development of 74 dwellings, open space and SuDS on a greenfield site on the south-eastern edge of Claypole, which is identified as a smaller village in Policy SP2 (Settlement Hierarchy) of the South Kesteven Local Plan. The Local Plan does not set out express limits on the quantum of development acceptable in these villages, however, the overall principle of the Local Plan spatial strategy is to seek to direct major development towards more sustainable locations. Nonetheless, proposals for major

development may be acceptable in smaller villages under the provisions of Policy SP4, where they are accompanied by clear evidence of local community support and demonstrate a local need for housing and how the application proposals would meet that identified need. In this regard, the applicant has not demonstrated there is substantial support from the local community and a number of objections have been received as part of the statutory publicity for the application, including detailed objections from Claypole Parish Council and the Ward Member. As such, it is considered that the application does not benefit from substantial local community support. Furthermore, the applicant has failed to provide any information as to how the development would meet a proven local need for housing or seek to address a specific targeted need for local market housing. As such, the proposals are considered to be contrary to Policy SD1, Policy SP2 and Policy SP4 (a) and (e) of the Local Plan.

- 9.3** In addition, it is considered that the proposed development would not sensitively assimilate with the site's edge of settlement location and the surrounding rural character. Further, the development would not appropriately integrate with existing and proposed green and blue infrastructure within the site. Consequently, the proposals are considered to conflict with Local Plan Policies SP2 and SP4(b) and (d), DE1, EN1 and EN3 and the NPPF (section 12).
- 9.3.1** Taking all the above into account, the proposed development is considered to be contrary to the adopted development plan when considered as a whole.
- 9.3.2** In respect of material considerations, whilst the Council can currently demonstrate a 5 year housing land supply, it is acknowledged that the development would result in the provision of 74 new dwellings, across a range of sizes and tenures, which would contribute towards boosting the overall supply of housing in the District. The proposed housing would also include the policy requirement of 30% affordable housing provision (subject to completion of a S106 planning obligation), which would assist in meeting the identified shortfall of affordable housing within the District and would be a benefit associated with the development.
- 9.3.3** In addition, the development would generate economic benefits through the support for local services and amenities as a result of the increased population and likely customer base that would be provided by future occupants of the scheme. The proposals would also provide short-term benefits for the construction industry in relation to the delivery of the development scheme.
- 9.3.4** Furthermore, the scheme is also likely to provide environmental benefits, including the provision of SuDS, which would assist in addressing the identified issues with surface water drainage along the northern boundary of the site; additional landscaping and planting would also support local wildlife and biodiversity.
- 9.3.5** The scheme also proposes off-site footway connections along the north of Doddington Lane, which would assist in supporting connectivity from the village to the site, and to the wider open countryside. However, the same connection would be provided from the adjacent rural exception scheme and is necessary to mitigate the impact of the development.

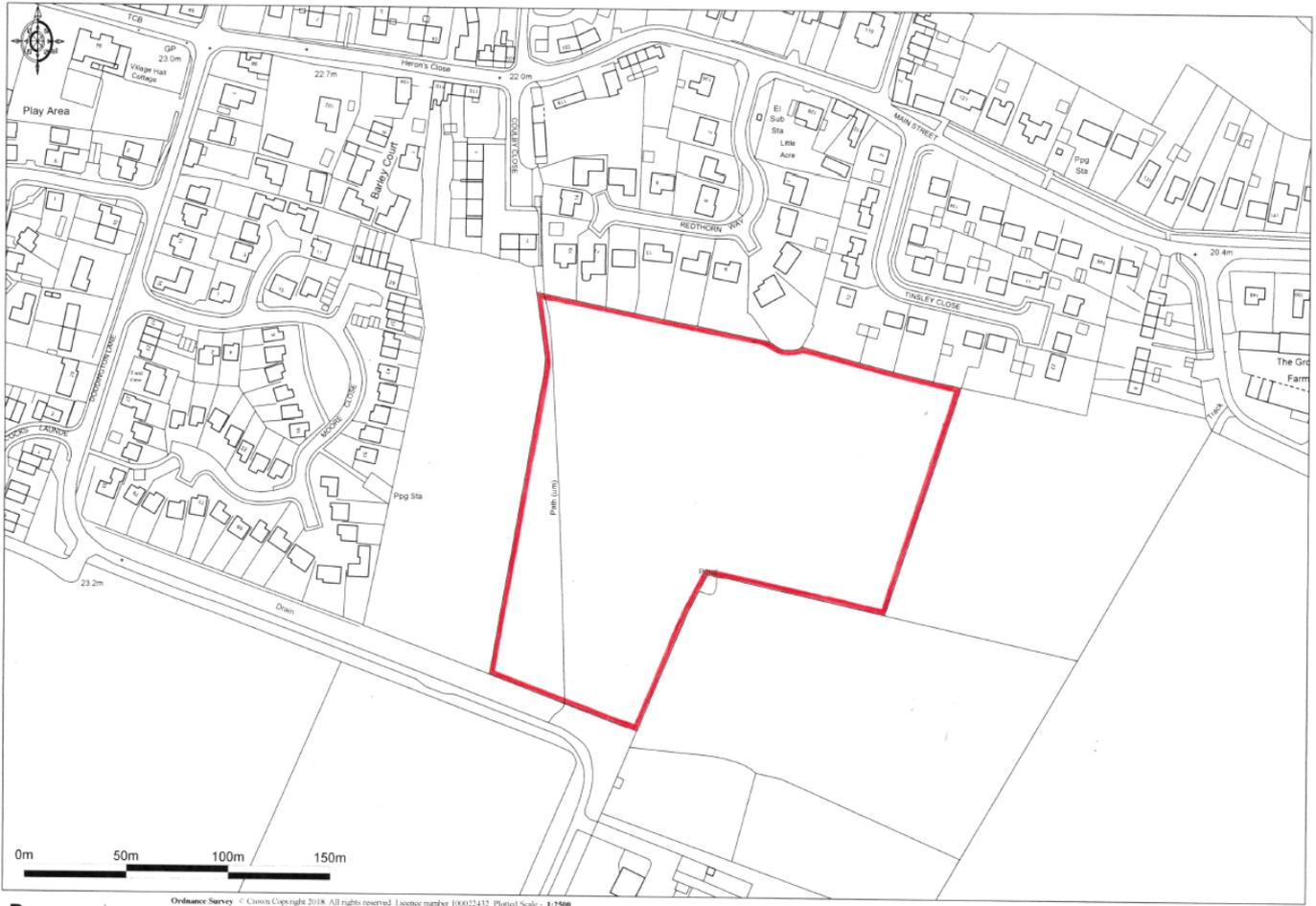
**9.3.6** The benefits of the scheme have been considered, however these are not of sufficient weight to outweigh the fundamental conflicts with the Development Plan, which is afforded full weight in light of the Council's current 5-year land supply position. The proposal is therefore considered to be unacceptable and as a result is recommended for refusal.

## **10 Recommendation**

**10.1.1** Taking the above into account, it is recommended that the application is refused for the following reasons:

- 1) The application proposes the development of 74 dwellings, open space and SuDS on a greenfield site on the south-eastern edge of Claypole, which is identified as a Smaller Village in Policy SP2 (Settlement Hierarchy) of the South Kesteven Local Plan. The Local Plan does not set out express limits on the quantum of development acceptable in these villages, however, the overall principle of the Local Plan spatial strategy is to seek to direct major development towards locations which are – or can be made – sustainable. Nonetheless, proposals for major development may be acceptable in Smaller Villages under the provisions of Policy SP4, where they are accompanied by clear evidence of local community support and demonstrate a local need for housing and how the application proposals would meet that identified need. The application does not benefit from substantial local community support and the Applicant has failed to provide any information as to how the development would meet a proven local need for housing or seek to address a specific targeted need for local market housing. As such, the proposals are considered to be contrary to Policy SD1, Policy SP2 and Policy SP4 (a) and (e) of the South Kesteven Local Plan.
- 2) The Proposed Site Layout would result in a form of development that is not consistent with the prevailing urban morphology of the surrounding area and would not positively assimilate with the site's edge of settlement location and surrounding rural character. The scheme also fails to appropriately incorporate street trees into the design. As such, the application would result in unacceptable adverse impacts on the character and appearance of the area and, therefore, the proposals are considered to be contrary to Policy SD1, SP2 and SP4(b) and (d), DE1, EN1 and EN3 of the Local Plan and Sections 12 and 15 of the Framework.
- 3) There is currently no agreed S106 planning obligation in place to secure the necessary infrastructure and affordable housing associated with the development contrary to Local Plan Policies H2, SP4. ID1 and OS1.

# Site Location Plan



Ordnance Survey © Crown Copyright 2018. All rights reserved. Licence number 100022412. Plotted Scale - 1:2500



This page is intentionally left blank



**SOUTH  
KESTEVEN  
DISTRICT  
COUNCIL**

## Planning Committee

18 November 2021



### S21/0415

**Proposal:** Erection of 16 affordable dwellings and associated infrastructure.  
**Location:** Land to the North of Doddington Lane, Claypole  
**Applicant:** Andy Parker, Platform Housing Group  
**Agent:** Robert Jays, Lindum Group Ltd  
**Application Type:** Full Planning Permission (Major)  
**Reason for Referral to Committee:** Major Development  
**Key Issues:** Principle of Development  
 Affordable Housing  
 Design and Visual Impact  
 Residential Amenity  
 Flood Risk and Drainage  
 Highway's considerations  
 Ecology and Biodiversity  
 Sustainable Buildings  
 Infrastructure

**Technical Documents:** Flood Risk Assessment  
 Drainage Strategy  
 Statement of community involvement  
 Arboricultural assessment  
 Geophysical survey  
 Extended phase 1 habitat survey  
 Design and Access statement  
 Transport statement  
 Housing needs survey  
 Landscape management specification

#### Report Author

Phil Jordan (Principal Planning Officer)



01476 406074



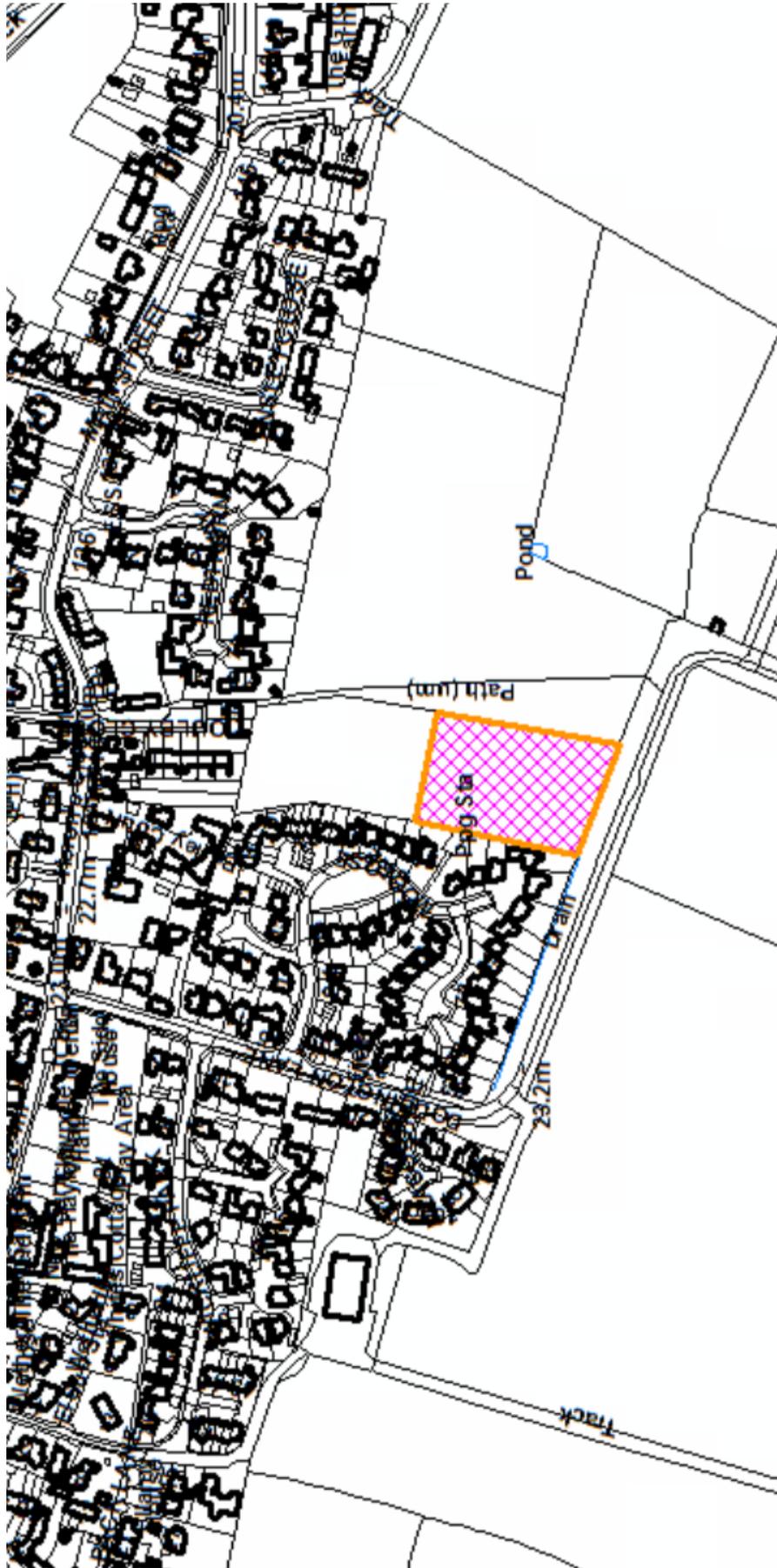
[p.jordan@southkesteven.gov.uk](mailto:p.jordan@southkesteven.gov.uk)

<b>Corporate Priority:</b>	<b>Decision type:</b>	<b>Wards:</b>
<b>Growth</b>	<b>Regulatory</b>	<b>Viking</b>
<b>Reviewed by:</b>	Emma Whittaker (Assistant Director of Planning)	9 November 2021

**Recommendation (s) to the decision maker (s)**

**To authorise the Assistant Director of Planning to GRANT planning permission, subject to completion of a planning obligation and subject to conditions outlined in the report.**

# S21/0415 – Land North of Doddington Lane, Claypole



Key



Application  
Boundary



Reproduced from the Ordnance Survey mapping with the permission of the Controller of Her Majesty's Stationery Office Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. © South Kesteven District Council (2015) - Licence No. 100016662

## **Addendum to Committee Report S21/0415**

### **1 Introduction**

- 1.1 Members will recall that this application was previously discussed at the Planning Committee meeting on 26 August 2021 (report at Appendix 1). At the meeting, the Committee resolved it was minded to approve the application in accordance with the officer recommendation.
- 1.2 Following that meeting, concerns have been raised in relation to advice provided by officers at the meeting. Following independent legal advice and in order that there can be no questions raised regarding the determination of the application, the application is before members again. Whilst it is relevant to know that it was previously resolved to approve this application, members are not bound by that decision. To the contrary this is a decision which members must take afresh irrespective of that previous resolution.
- 1.3 The previous Committee report is appended to this document and should be read in conjunction with this report. The purpose of this report is to clarify two areas, the relevant legal framework for decision making and the evidence in relation to the local need for the 16 affordable dwellings, as proposed.

### **2 Decision making framework**

- 2.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that the Local Planning Authority makes decisions in accordance with the adopted Development Plan, unless material considerations indicate otherwise. The Council adopted the South Kesteven Local Plan 2011-2036 in January 2020, which forms the Development Plan for the District, and is the basis of decision-making in South Kesteven alongside the Lincolnshire Minerals and Waste Local Plan (where relevant). The Planning Inspectorate confirmed that the Council has a 5.22 year housing land supply on 12 October 2021 and therefore full weight can be attributed to the policies in the South Kesteven Local Plan.
- 2.2 The policies and provisions set out in the National Planning Policy Framework (updated July 2021) are also a material consideration in the determination of planning applications. A neighbourhood plan has been started for Claypole; however, this is at an early stage and a draft has yet to be submitted for consultation and therefore this holds no weight in terms of current decision making.
- 2.3 The Development Plan has primacy in decision making and the weight to be attributed to other material considerations is for the decision maker. There are often competing factors when considering a development proposal and the principles from *Cornwall v Corbett* 2020 outlines the correct way to balance competing policies in a Development Plan.
- a. *The section 38(6) duty can only be properly performed if the decision-maker establishes whether or not the proposal accords with the development plan as a whole: BDW Trading Ltd at [21].*
  - b. *Development plan policies can "pull in different directions", i.e. some may support a proposal, others may weigh against it: Rochdale at [48].*

- c. *A decision maker is required to assess the proposal against the potentially competing policies and then "decide whether in the light of the whole plan the proposal does or does not accord with it": City of Edinburgh at p1459D-F.*
- d. *This is not a mathematical or mechanical exercise. It is not a question of counting: Dignity Funerals at [68]-[70].*
- e. *This exercise calls for a series of judgments to be made, which may include determining the relative importance of the policy, the extent of any breach.*

### **3 Local need for affordable housing**

**3.1** Regarding rural exception schemes, Local Plan Policy SP4 states:

**3.2** *As an exception to criterion a) [the need to demonstrate evidence of substantial support from the local community], a housing scheme which meets a demonstrable local need for affordable housing will be considered acceptable as a Rural Exception scheme (regardless of whether criterion a) above has been satisfied), provided that it is supported by clear up-to-date evidence that the proposal:*

- g. is justified by evidence of local need and affordability, from an appropriate local housing needs survey; and*
- h. meets the affordable housing needs of households who are currently resident, or have a local connection to the parish as defined in the Council's published housing allocations policy; and*
- i. the occupation of the dwellings will be secured in perpetuity to meet local need; and*
- j. that no other more suitable site(s) is available within the settlement.*

*On Rural Exception sites the Council may consider market housing provision alongside affordable housing as a means of cross-subsidising the essential affordable housing provision. In such cases the total number of market dwellings must not exceed the number of affordable homes needed and should be supported by the submission of a robust viability assessment which demonstrates that the scheme only promotes the minimum number of market houses required to make the scheme viable (viability assessment will be independently verified and the applicant will be expected to meet the cost of this assessment)*

**3.3** The relevant paragraph for rural exception schemes in the NPPF (July 2021) is para 78 which states:

**3.4** *In rural areas, planning policies and decisions should be responsive to local circumstances and support housing developments that reflect local needs. Local planning authorities should support opportunities to bring forward rural exception sites that will provide affordable housing to meet identified local needs, and consider whether allowing some market housing on these sites would help to facilitate this.*

**3.5** This has remained relatively unchanged from para 54 in the NPPF (2012) and is unchanged from para 77 in the NPPF (2019). Local Plan Policy SP4 is considered to be consistent with the provisions of para 78 in the NPPF (July 2021).

**3.6** The Local Plan provides the following definition of a Rural Exception scheme "*Small sites used for affordable housing in perpetuity where sites would not normally be used for*

*housing. Rural exception sites seek to address the needs of the local community by accommodating households who are either current residents or have an existing family or employment connection. Small numbers of market homes may be allowed at the local authority's discretion, for example where essential to enable the delivery of affordable units without grant funding.*" Whilst this doesn't provide a definition of 'local need' in the context of a rural exception scheme, it is generally accepted that the scheme should meet the needs of the settlement or those with a connection to the settlement, as opposed to the wider needs of the district.

- 3.7** The applicant submitted an affordable housing needs survey report that was carried out by Community Lincs in 2019 and covers the Parishes of Claypole, Stubton and Fenton, Westborough and Dry Doddington. The report concludes that there is *"A small demand for affordable homes in this parish cluster within the next three years principally to enable people currently aged less than 60 years old to maintain independent living with 2-bed houses preferred in the private sector. Some comments indicate that a mix of accommodation including houses and bungalows may be a good idea combined with parish infrastructure improvements such as traffic congestion, on-street parking, drainage and sewers. There are few housing options currently available in the private rental market in this parish cluster and a very small percentage of properties in the lowest Council Tax Band."*
- 3.8** The report provided evidence of 10 households in need of affordable housing at that time, that included requirements for 2-bed and 3-bed properties. Seven of the ten respondents stated a need for a form of home ownership. In addition, the applicant submitted an extract from the Council's housing register from March 2020 showing that there were 13 households with a direct connection to Claypole seeking affordable rented accommodation at that time. This could be further broken down into 5 x 1-bed, 5 x 2-bed, 1 x 3-bed and 2 x 4-bed properties.
- 3.9** The application proposes the following mix of properties: 1 x 1-bedroom bungalow, 3 x 2-bedroom bungalows, 6 x 2-bedroom houses and 6 x 3-bedroom houses. Nine of the properties are proposed to be shared ownership and seven affordable rent in a tenure split agreed with the Council's Partnership Project Officer.
- 3.10** Although the two submitted documents were obtained at different points in time, they collectively provide evidence of local need for the proposed scheme. i.e. the housing needs survey provides evidence of local need for 7 affordable home ownership dwellings, and the Council's housing register provides evidence of local need for 13 rented properties.
- 3.11** Further, the Council's Partnership Project Officer has offered support for the scheme and worked with the developer prior to the application being submitted to ensure the mix and tenure of the proposed dwellings matches the local need. As such, officers consider that sufficient evidence of the local affordable housing need to support the proposed development has been provided and that the proposal is in accordance with Policy SP4 criteria g and h. Furthermore, there are significant benefits to the provision of affordable housing and meeting all housing needs which are recognised and supported elsewhere in the Local Plan (paras 2.19 – 2.32), (paras 2.39 – 2.42) and policies H2 and H4.

- 3.12** Criteria i requires the occupation of the dwellings to be secured in perpetuity; this would be secured through a planning obligation.
- 3.13** Criteria j requires that there are no other more suitable sites available within the settlement. Claypole Parish Council have stated that the urban extension at Fernwood and the allocated sites at Long Bennington are more suitable sites for meeting local affordable housing needs. In terms of meeting the needs of Claypole, they have stated that the Neighbourhood Plan will be undertaking a call-for-sites process as part of the assessment as to whether to allocate sites for market housing or affordable housing. They have also argued that there are more suitable sites at Main Street and Barnby Lane for new housing. Neither site is considered to be 'within' the settlement of Claypole and would therefore not be any more sequentially preferable in policy terms than the application site. Further, neither site has been subject to a planning application nor allocated through the Local Plan to assess their wider suitability. While it would be possible for the neighbourhood plan to allocate these sites, that plan is not at a stage where it can be afforded any weight for decision making purposes. Therefore, the proposal is considered to comply with policy SP4, criteria i and j.
- 3.14** In summary, officers remain of the view that the proposed development would meet a demonstrable need for affordable housing in Claypole or those with a connection to Claypole. The proposed development is considered to be in accordance with the requirements of Policy SP4 and the development plan when taken as a whole and there are no material considerations that indicate why an alternative conclusion should be reached. The recommendation remains as follows:
- A.** That the Assistant Director of Planning is delegated authority to **GRANT** planning permission subject to the conditions set out in the report (Appendix 1) AND subject to completion of a S106 planning obligation securing the requirements specified in the infrastructure section of the report. Where the S106 obligation has not been concluded prior to the Committee, a period not exceeding twelve weeks after the date of the Committee shall be set for the completion of that obligation.
- B** In the event that the agreement has not been concluded within the twelve-week period and where, in the opinion of the Assistant Director of Planning, there are no extenuating circumstances which would justify a further extension of time, the Assistant Director of Planning is Delegated Authority to **REFUSE** planning permission for the following reason on the basis that the necessary criteria essential to make what would otherwise be unacceptable development acceptable have not been forthcoming:

The applicant has failed to agree to a planning obligation to secure the necessary provisions of the rural exception affordable housing scheme and required open space contrary to Local Plan Policies SP4 and OS1.



**26 August 2021 Committee report****1 Description of Site**

- 1.1** The application site is located to the north of Doddington Lane and adjacent to the south-east corner of the village. Claypole is designated as a smaller village in the local plan, although it does have some services and facilities, including a primary school, small village shop, pub and church. The village is approximately 3km south-east of the large urban extension at Fernwood.
- 1.2** The site is 0.6 hectares and comprises the southern half of an agricultural field that extends north to the rear of Coulby Close, a small cul-de-sac of bungalows. Adjoining the site to the west are residential properties on Moore Close that were constructed in the 1990s. The site is relatively flat and bounded to the south, east and west by mature hedgerows. There is currently no boundary delineating the application site from the northern part of the field, which is shown to be in the same ownership as the applicant. There is an existing Anglian Water drain that crosses the site west to east.
- 1.3** Doddington Lane is a single track lane with relatively wide grass verges and no pedestrian footways.

**2 Description of proposal**

- 2.1** Full planning permission is sought for the construction of 16 affordable dwellings and the site has been promoted as a rural exception site, with accompanying evidence of how the site would meet local affordable housing need. The 16 dwellings would comprise a mixture of two-storey semi-detached and short terrace properties and two pairs of semi-detached bungalows. Nine of the properties are proposed to be shared ownership and seven affordable rent in a tenure split agreed with the Council's affordable housing officer. The development would provide 1 x 1-bedroom bungalow, 3 x 2-bedroom bungalows, 6 x 2-bedroom houses and 6 x 3-bedroom houses.
- 2.2** The Design and Access statement sets out how the scheme has evolved following pre-application advice from the Council's Urban Design Officer. This shows that three of the previously proposed access points from Doddington Road have been removed to allow a greater portion of the frontage hedgerow to be retained. The access road was also moved to allow a greater buffer between the proposed built form and the existing properties on Moore Close. Another significant change was to move the balancing pond to a more central location within the development, to allow this to become a positive feature through enhanced landscaping.
- 2.3** Further minor changes were made during the lifetime of the application following advice from the Council's Design PAD meeting. This includes changing the design of the roofs to be hipped on the eastern side of the site, enhancing the use of soft landscaping around the attenuation pond and the addition of a hedge to the northern boundary.

- 2.4** The dwellings are proposed to be constructed in red brick, with slate grey roof tiles, black rainwater goods and front doors and white UPVC windows. Each dwelling would have their own private amenity space and two off-street car parking spaces.

### **3 Relevant History**

- 3.1** No relevant site history

### **4 Policy Considerations**

#### **4.1 SKDC Local Plan 2011 - 2036**

Policy SD1 - The Principles of Sustainable Development in South Kesteven

Policy SP1 - Spatial Strategy

Policy SP2 - Settlement Hierarchy

Policy SP4 - Development on the Edge of Settlements

Policy EN1 - Landscape Character

Policy EN2 - Protecting Biodiversity and Geodiversity

Policy EN3 - Green Infrastructure

Policy EN4 – Pollution Control

Policy EN5 - Water Environment and Flood Risk Management

Policy EN6 – The Historic Environment

Policy SB1 - Sustainable Building

Policy H2 - Affordable Housing Contributions

Policy H4 - Meeting All Housing Needs

Policy ID1 - Infrastructure for Growth

Policy ID2 - Transport and Strategic Transport Infrastructure

#### **4.2 National Planning Policy Framework (NPPF)**

Section 5 - Delivering a sufficient supply of homes

Section 9 - Promoting sustainable transport

Section 12 - Achieving well-designed places

Section 14 - Meeting the challenge of climate change, flooding and coastal change

Section 15 - Conserving and enhancing the natural environment

Section 16 – Conserving and enhancing the historic environment

### **5 Representations Received**

#### **5.1 Affordable Housing Officer (SKDC)**

- 5.1.1** The District Council have been working in partnership with Lindum and Platform Housing Group (one of the Councils preferred affordable housing providers) to develop affordable homes for affordable rent and shared ownership on the above site. The 16 homes will be a mixture of two and three bedroom houses and one and two bedroom bungalows based on the evidence of local affordable housing need in Claypole and surrounding area.

- 5.1.2** The tenure of the homes will provide 4 x two bedroom houses and two x two bedroom bungalows as Affordable Home Ownership (as described in the National Planning Policy Framework in this instance Shared Ownership) and 2 x two bedroom houses, 6 x three bedroom houses 1 x one bedroom bungalow and 1 x two bedroom bungalow for

Affordable Rented housing. All the bungalows have flush floor showers to assist those occupants with physical disabilities. The tenure has been agreed with the registered Housing Provider (Platform Housing Group) based on the evidence of local needs and affordability. In the first instance the affordable housing will be open to applicants with a direct local connection to Claypole, secondly to applicants with a direct connection to the north of the South Kesteven area and then open to other applicants with a connection to South Kesteven. All applicants to be in need of affordable housing and registered on the Council Housing Register. Platform Housing Group will enter into a nomination agreement(s) with the Council for the affordable rented dwellings and will offer the shared ownership dwellings via the Homes and Communities Agency Homebuy Scheme and associated Regulations.

**5.1.3** The reasons behind this proposal are outlined below and also some comments on the proposed development.

- There is an overwhelming need for affordable housing in the South Kesteven area. This is evidenced by the Peterborough Sub-Regional Strategic Housing Market Assessment and the District Council's Housing Register.
- The size and type of the affordable housing units proposed to be developed on this site reflect the findings of both the (SHMA) and the Housing Register for local housing needs. The greatest need being for two bedroom accommodation and in the form of level ground floor accommodation which can provide suitable accommodation for those applicants with low level disabilities. There is also an identifiable need for affordable home ownership in the form of two and three bedroom dwellings.
- This proposal will make use of the funding that Platform Housing Group have secured for the provision of affordable housing from the Homes England. The development of affordable housing is now one of the government's top priorities and have made additional funding available to deliver not only affordable rented housing across the country but also affordable home ownership housing. The funding is time limited and must be returned to the Homes England if it is not used.
- The proposed development will boost the supply of housing in Claypole and will support the local economy. It will also contribute to the supply of deliverable housing sites in South Kesteven.
- Platform Housing Group are one of the Council largest affordable housing provider partners and are providers of quality affordable housing.

**5.1.4** Approval of this scheme will bring forward a 'housing development' which will not only benefit local applicants for affordable housing and support the local economy but will also benefit the area as a whole and boost the housing completions for the district.

## **5.2 Claypole Parish Council**

**5.2.1** Claypole Parish Council object to the above planning application and consider that planning permission should be refused. A summary of the reasons for refusal provided are:

- The proposal does not represent an appropriate location for development having regard to the policies of the Development Plan and accessibility to services and facilities;
- The development is not of a size and dwelling mix or tenure that meets an identified

local need for a rural exceptions housing scheme as evidenced by an appropriate parish housing needs survey;

- The proposed dwellings would not provide appropriate living conditions for future occupiers with particular regard to internal space;
- The proposed layout fails to provide usable open space;
- The location of the site does nothing to actively promote realistic opportunities for sustainable travel;
- The layout does not provide adequate vehicle and cycle parking provision; and
- The proposal would result in material harm to highway and pedestrian safety.

**5.2.2** The proposal occupies only half of the full site, leaving a small field accessed solely through the development that would be either un-maintained, and be subject to a further planning application. Claypole is in the north-west corner of South Kesteven and as the Housing Needs Survey submitted by the applicant notes, the proximity to the sustainable urban extensions at nearby Newark including at 'Land around Fernwood' means that local need for affordable housing should firstly be considered to be met in this adjacent sustainable urban extension.

**5.2.3** The Neighbourhood Plan process that is underway would be the most appropriate forum through which the need for additional housing in Claypole can be explored. That process also allows for the best sites in Claypole to be identified following the principles of a bottom-up community-led approach which is the most appropriate method through which to deliver a rural exception scheme.

**5.2.4** The proposal is considered to be contrary to Policies SD1, SP1, SP2, SP3, SP4, EN6, DE1, ID2 and H2 of the South Kesteven Local Plan. It also conflicts with paragraphs 2.12, 2.13 and 2.14 of the Local Plan. The proposal also fails to comply with paragraphs 77, 91, 102, 108, 109, 127 c), 127 f), 130, 170 b) and 197 of the National Planning Policy Framework.

### **5.3 SKDC Planning Policy**

**5.3.1** Local Plan Housing Requirement 650 total dwellings per annum. The Strategic Housing Market Assessment 2019 identifies a need for 244 additional affordable homes to be built throughout South Kesteven each year. This represents a considerable proportion of the annual housing requirement for the district demonstrating significant levels of unaffordability. Due to the site being an affordable housing scheme it is understood that separate advice has also been provided by the Council's Partnerships and Projects Officer including an assessment as to whether the local housing needs survey is appropriate. The development is supported by Policy SP2 and SP4, however the Case Officer may wish to consider the following comments:

- There is an identified need for affordable housing within the district which is linked to the significant levels of unaffordability within the district, the proposed development would enable affordable homes to be built to meet these needs.
- The application site is adjacent and to the west of Claypole and forms to the front of a larger site with an access to the north of the site. When viewed in isolation as a site the square nature of the site does extend into the open countryside, however other developments such as Gretton Close, Church Meadow and Mallard Close within the

village are similar in built form and scale to the proposed development. With this in mind the nature of the development is in character for the area.

- Paragraph 2.13 of the Local Plan states that edge of settlement development should be 'substantially enclosed and the edge should be defined by a physical feature that also acts as a barrier to further growth (such as a road)'. This is not a feature of the site, furthermore there are concerns that the lack of barrier to the north and proposed access road to the site could enable further development to come forward.

**5.3.2** Local Plan policy SP2 supports the principle of residential development provided that the criteria of the relevant spatial policies (SP4) are met. SP2 also emphasises that the character and nature of the settlement should not be compromised by development, however the Case Officer may wish to consider the comments raised in relation to para 2.13 of the Local Plan. The development will also need to ensure compliance with all other relevant Local Plan Policies.

#### **5.4 LCC Highways & SuDS Support**

**5.4.1** The parking provision is adequate for the proposed development. However, no garages are proposed for dwellings, the Applicant is to consider cycle storage. Consideration should be given for refuse collection to the proposed private drives, in line with Manual for Streets.

**5.4.2** The road should be extended to the boundary of the proposed development and remove the ransom strip. Future development is likely to the north of this site, it is recommended that the proposed access road is a shared surface, which is adequate to serve further development.

**5.4.3** No details have been submitted in relation to street trees, we would encourage the inclusion of trees which would be adopted by this authority subject to type and location. Whilst trees are located on the western boundary, further supporting information should be provided in relation to their future maintenance.

**5.4.4** The drainage strategy and supporting information details a partly compliant SuDs scheme. With an amendment to the existing access arrangement and altering to a shared surface, a swale could be incorporated along the full length of the proposed development (including up to the boundary by removing the ransom strip) therefore removing the pipes and gullies from the proposed strategy.

**5.4.5** A type B&C Permeable pavement is proposed as a means of dealing with the surface water from the private drive and plots, however, groundwater is indicated at approximately 2.0 metres with seepages occurring between 0.5 metres - 2.0 metres. It will need to be proven that ground water level at these private drive locations is adequate for this part of the strategy.

**5.4.6** Further details are required in relation to the trees located within close proximity to the swale in terms of future maintenance, please refer to LCCDRS and Design Guide for further details.

**5.4.7** Details are required to be submitted in relation to the adoption and future maintenance plans for all surface water drainage features.

## **5.5 Education & Cultural Services (LCC)**

**5.5.1** The County Council has no comments to make on this application in relation to education as there is projected to be sufficient capacity at the schools that are closest to the development.

## **5.6 NHS England**

**5.6.1** NHS Lincolnshire CCG will not be submitting a bid for this application.

## **5.7 Heritage Lincolnshire**

**5.7.1** The site offers a potential for archaeological remains to be present based on the extent and type of remains recorded in the vicinity.

**5.7.2** The developer is required to commission a Scheme of Archaeological Work, in accordance with a written scheme of investigation submitted to and approved in writing by the local planning authority. This should be secured by an appropriate condition to enable heritage assets within the site to be recorded prior to their destruction. The programme of work should include detailed topographic survey of the earthwork remains followed by trial trenching.

## **5.8 Anglian Water Services**

**5.8.1** The preferred method of surface water disposal would be to a sustainable drainage system (SuDS) with connection to sewer seen as the last option. Building Regulations (part H) on Drainage and Waste Disposal for England includes a surface water drainage hierarchy, with infiltration on site as the preferred disposal option, followed by discharge to watercourse and then connection to a sewer.

**5.8.2** Anglian Water has reviewed the submitted documents (Flood Risk Assessment October 2020) and can confirm that these are acceptable to us. We require these documents to be listed as approved plans/documents if permission is granted.

**5.8.3** The foul drainage from this development is in the catchment of Claypole Water Recycling Centre that will have available capacity for these flows.

## **5.9 SKDC Environmental Protection**

**5.9.1** The applicant has submitted a geotechnical survey report with the application which considers the potential for the presence/absence of magnetically anomalous archaeological features. The survey of the proposed development site should include a geo-environmental assessment and would recommend an appropriate condition in this respect.

## **5.10 Environment Agency**

**5.10.1** No objection.

## **6 Representations as a Result of Publicity**

**6.1** This application has been advertised in accordance with the Council's Statement of Community Involvement and thirteen letters of representation have been received. The points raised can be summarised as follows:

- 1) Overdevelopment of site.
- 2) No garages.
- 3) Lack of parking.
- 4) No play area.
- 5) Lack of capacity in school and local doctors.
- 6) Lack of amenities in village.
- 7) Loss of privacy.
- 8) The proposal would have a detrimental impact on the character of the village
- 9) Loss of property value.
- 10) Fear of crime, through addition of footway and passing place to Doddington Lane.
- 11) Light and noise pollution from footway.
- 12) Increased flood risk.
- 13) Noise, disturbance and impact on amenity to neighbouring property from new roadway.
- 14) Increased traffic.
- 15) Noise and disturbance during construction.
- 16) There are better locations for development.
- 17) Concern over highways not being adopted.
- 18) Contrary to policy.
- 19) Potential for further development.

## **7 Evaluation**

### **7.1 Principle of Development**

**7.2** Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that the Local Planning Authority makes decisions in accordance with the adopted Development Plan, unless material considerations indicate otherwise. The Council adopted the South Kesteven Local Plan 2011-2036 in January 2020, which forms the Development Plan for the District, and is the basis of decision-making in South Kesteven. The policies and provisions set out in the National Planning Policy Framework (Adopted February 2019) are also a material consideration in the determination of planning applications. A neighbourhood plan has been started for Claypole; however, this is at an early stage and a draft has yet to be submitted for consultation and therefore this holds no weight in terms of current decision making.

**7.2.1** Policy SD1 (The Principles of Sustainable Development in South Kesteven) sets out the overarching obligation for development proposals to minimise its impact on climate change and contribute towards a strong, stable and more diverse economy. The policy requires consideration of a number of matters including the impact of development on climate change, minimising the need to travel, avoiding development of areas of flood risk and development proposals giving rise to pollution, encouraging the use of previously developed or underutilised land, providing a supply of housing to meet the needs of present and future

generations, and enhancing the character, natural environment and cultural and historic environment of the District.

**7.2.2** Policy SP1 (Spatial Strategy) outlines the overall spatial development strategy for the district during the plan period. It identifies that the overall strategy of the Local Plan is to deliver sustainable growth, including new housing and job creation, in order to facilitate growth in the local economy and support local residents. In connection with the above, decisions about the location and scale of new development will be taken on the basis of the settlement hierarchy set out in Policy SP2.

**7.2.3** Claypole is defined as a smaller village under Policy SP2 which states that development will be supported in accordance with Policy SP3, SP4 and other relevant policies, where development would not compromise the settlement's nature and character.

**7.2.4** The application seeks to develop the site to provide 16 affordable dwellings on the edge of Claypole. Policy SP4 allows for consideration of development proposals on the edge of a settlement subject to meeting various essential criteria.

- a. *demonstrate clear evidence of substantial support from the local community through an appropriate, thorough and proportionate pre-application community consultation exercise. Where this cannot be determined, support (or otherwise) should be sought from the Town or Parish Council or Neighbourhood Plan Group or Forum, based upon material planning considerations;*
- b. *be well designed and appropriate in size / scale, layout and character to the setting and area;*
- c. *be adjacent to the existing pattern of development for the area, or adjacent to developed site allocations as identified in the development plan;*
- d. *not extend obtrusively into the open countryside and be appropriate to the landscape, environmental and heritage characteristics of the area;*
- e. *in the case of housing development, meet a proven local need for housing and seeks to address a specific targeted need for local market housing; and*
- f. *enable the delivery of essential infrastructure to support growth proposals.*

*As an exception to criterion a) above, a housing scheme which meets a demonstrable local need for affordable housing will be considered acceptable as a Rural Exception scheme (regardless of whether criterion a) above has been satisfied), provided that it is supported by clear up-to-date evidence that the proposal:*

- g. is justified by evidence of local need and affordability, from an appropriate local housing needs survey; and*
- h. meets the affordable housing needs of households who are currently resident, or have a local connection to the parish as defined in the Council's published housing allocations policy; and*
- i. the occupation of the dwellings will be secured in perpetuity to meet local need; and*
- j. that no other more suitable site(s) is available within the settlement.*

**7.2.5** Paragraph 78 of the NPPF (2021) states *“In rural areas, planning policies and decisions should be responsive to local circumstances and support housing developments that reflect local needs. Local planning authorities should support opportunities to bring forward*

*rural exception sites that will provide affordable housing to meet identified local needs, and consider whether allowing some market housing on these sites would help to facilitate this.”*

- 7.2.6** The scheme has been submitted as a rural exception site and evidence submitted in support of how the scheme would meet local needs. This and the requirements of criteria e, g-j of Policy SP4 are discussed in further detail in the ‘Affordable Housing’ section. The spatial and environmental requirements of criteria b-d are discussed further below in the ‘Design and Visual Impact’ section. Criterion f is discussed in the ‘Infrastructure’ section.
- 7.2.7** Some concern has been raised regarding the scale of the proposal and reference made to supporting paragraph 2.12 in the Local Plan which states *“it is the intention of the Local Plan to allow small, sensitive infill developments (generally expected to be no more than 3 dwellings) so that these smaller communities can positively respond to the housing needs of their people and fulfil their role as sustainable communities.”* However, this supporting text is only a steer and made in reference to infill proposals. The test of Policy SP4 is whether the proposed development meets a proven local need for housing and for rural exception schemes is justified against criteria g-j. Therefore, the proposal for a rural exception scheme on the edge of a smaller village is acceptable as a matter of principle, subject to meeting the relevant criteria of Policy SP4, as discussed further below.

### **7.3 Affordable Housing**

- 7.3.1** The Strategic Housing Market Assessment 2019 demonstrates that the supply of Affordable Housing is a particular problem in South Kesteven. The SHMA identifies a need for 244 additional Affordable Homes each year. This represents a considerable proportion of the annual housing requirement of 650 dwellings for the district demonstrating significant levels of need for affordable homes.
- 7.3.2** Policy H2 seeks to contribute towards the needs of affordable housing by requiring all major developments to provide affordable housing. Outside Grantham on greenfield sites, the requirement is 30%. In other circumstances rural exception sites are allowed by policy SP4. The need for one, two and three bedroom affordable homes in South Kesteven is evidenced through the SHMA. Policy H4 seeks to ensure development proposals provide an appropriate type and size of dwellings to meet the current and future needs of households in the district.
- 7.3.3** The applicant has submitted an affordable housing needs survey report that was carried out by Community Lincs in 2019 and covers the Parishes of Claypole, Stubton and Fenton, Westborough and Dry Doddington. The report provides a summary of the following key findings:
- A total of 155 responses were received, 18.8 % of the total surveys issued. This is an average response rate for a rural parish.
  - The breakdown of responses by postcode illustrated that 74% of the 31 respondents who gave their postcode were from the parish of Claypole.
  - 44 respondents, (32%) indicated that they would support affordable housing in the parish built to meet the needs of local people, although there is some concern about existing infrastructure. However, there were a significant number of respondents who are strongly opposed to any additional housing in the parishes.

- 5 respondents stated that family members had moved away in the last five years due to a lack of affordable housing.
- 6 households (15 individuals) indicated that they may return if affordable housing was made available.
- 10 respondents, 15.5% of all responses indicated a need for Affordable Housing. In 2017 the survey identified 25 respondents with a housing need.
- Only 3 respondents who identified as having a housing need gave their postcode.
- All respondents who identified a housing need were under 60 years of age.
- Only 2 of the 10 households identified with an affordable housing need are registered with South Kesteven District Council.

**7.3.4** The report concludes that there is *“A small demand for affordable homes in this parish cluster within the next three years principally to enable people currently aged less than 60 years old to maintain independent living with 2-bed houses preferred in the private sector. Some comments indicate that a mix of accommodation including houses and bungalows may be a good idea combined with parish infrastructure improvements such as traffic congestion, on-street parking, drainage and sewers. There are few housing options currently available in the private rental market in this parish cluster and a very small percentage of properties in the lowest Council Tax Band.”*

**7.3.5** The report then makes two recommendations:

**7.3.6** *“SKDC and cluster parish councils liaise either directly or via an independent body such as (by agreement) Community Lincs with those survey respondents who have indicated a housing need to establish in conjunction with Newark and Sherwood District Council whether or not their needs will be met by the Fernwood Growth Site.*

**7.3.7** *If not, further consideration should be given for a small development of affordable housing to be built within this parish cluster during the next three years. Whilst the survey has indicated some opposition to more housing development particularly given the large-scale proposals for the Fernwood Growth Site in nearby Newark and Sherwood District, there is also some support from within the parish cluster for a carefully managed small development of affordable homes to meet identified local need.”*

**7.3.8** In addition, the applicant has provided an extract from the Council’s housing register showing that there are currently 13 households (3 over 60) with a direct connection to Claypole. The Council’s affordable housing officer has set-out their support for the scheme stating that the proposal has been designed to meet local affordable housing need in Claypole and surrounding area.

**7.3.9** Claypole Parish Council have made a detailed representation setting out why they do not consider the applicant has complied with the requirements of policy SP4. Namely, that alternative sites within the settlement have not been considered and that the development is not of a size and dwelling mix or tenure that meets an identified local need for a rural exceptions housing scheme as evidenced by an appropriate parish housing needs survey. They are also critical of the wider area, which includes neighbouring parishes, covered by the survey. The representation also states that Claypole Parish Council carried out a Housing Needs Survey in 2018 which achieved a response rate of 26% and showed a need for just two new affordable homes over the following five years.

- 7.3.10** Policy SP4 criterion e applies to all edge of settlement proposals and requires housing developments to meet a proven local need for housing and seeks to address a specific targeted need for local market housing. In the wider sense of 'local need' there is clear evidence of affordable housing need for 1, 2 and 3-bedroom properties in South Kesteven. This proposal would make a contribution towards that need and therefore is considered to comply with this aspect of the policy.
- 7.3.11** Criteria g and h require the provision of evidence to support the local affordable needs that justify the development as a Rural Exception scheme. The Local Plan provides the following definition of a Rural Exception scheme *“Small sites used for affordable housing in perpetuity where sites would not normally be used for housing. Rural exception sites seek to address the needs of the local community by accommodating households who are either current residents or have an existing family or employment connection. Small numbers of market homes may be allowed at the local authority’s discretion, for example where essential to enable the delivery of affordable units without grant funding.”* While the definition doesn’t provide a definition of 'local need' in the context of a rural exception scheme, it is generally accepted that the scheme should meet the needs of the settlement or those with a connection to the settlement, as opposed to the wider needs of the district. Notwithstanding the representation from Claypole Parish Council, it is considered that the applicant has provided evidence that the proposed development would meet a demonstrable need for affordable housing in Claypole or those with a connection to Claypole. Further, the Council’s affordable housing officer has indicated their support for the scheme and the size and type of the affordable housing units proposed. The proposal is therefore considered to comply with policy SP4, criteria g and h.
- 7.3.12** Criteria i requires the occupation of the dwellings to be secured in perpetuity. This would be secured through a S106 agreement. Criteria j requires that there are no other more suitable sites available within the settlement. Claypole Parish Council have stated that the urban extension at Fernwood and the allocated sites at Long Bennington are more suitable sites for meeting local affordable housing needs. In terms of meeting the needs of Claypole, they have stated that the Neighbourhood Plan will be undertaking a call-for-sites process as part of the assessment as to whether to allocate sites for market housing or affordable housing. They have also argued that there are more suitable sites at Main Street and Barnby Lane for new housing. Neither site is considered to be 'within' the settlement of Claypole and would therefore not be any more sequentially preferable in policy terms than the application site. Further, neither site has been subject to a planning application nor allocated through the Local Plan to assess their wider suitability. While it would be possible for the neighbourhood plan to allocate these sites, that plan is not at a stage where it can be afforded any weight for decision making purposes. Therefore, the proposal is considered to comply with policy SP4, criteria i and j.
- 7.3.13** In summary, it is considered that the proposed development would meet a demonstrable need for affordable housing in Claypole or those with a connection to Claypole. The proposal would exceed the policy requirements of policy H2 and provide a 100% affordable housing development. The size and type of dwellings have been based on evidence from the SHMA, the Council housing register, the local housing needs survey and in discussion with the Council’s affordable housing officer. Therefore, the proposed development would comply with policies H2 and H4 and the relevant criteria of policy SP4.

## **7.4 Design and Visual Impact**

- 7.4.1** Local Plan Policy DE1 states (amongst other criteria) that to ensure high quality design is achieved throughout the district, all development proposals will be expected to make a positive contribution to local distinctiveness, vernacular and character of the area. Proposals should reinforce local identity and not have an adverse impact on the streetscene, settlement pattern or the landscape / townscape character of the surrounding area. Proposals should be of an appropriate scale, density, massing, height and material, given the context of the area. Policy EN1 seeks to ensure development is appropriate for its context. The NPPF (section 12) states that good design is a key aspect of sustainable development and new development should be visually attractive as a result of good architecture and appropriate landscaping.
- 7.4.2** The site is located on the rural southern approach to the village, characterised by open fields, established hedgerows and mature trees. Doddington Lane has a rural character although there is some small scale commercial development to the south-east of the site. Likewise, the relatively modern housing development of Moore Close is prominent on the approach to the village along Doddington Lane.
- 7.4.3** The design of the scheme has evolved following pre-application advice from the Council's Urban Design Officer. These resulted in allowing a greater portion of the frontage hedgerow to be retained. Another significant change was to move the balancing pond to a more central location within the development, to allow this to become a positive feature through enhanced landscaping. Further minor changes were made during the lifetime of the application following advice from the Council's Design PAD meeting. This includes changing the design of the roofs to be hipped on the eastern side of the site, enhancing the use of soft landscaping around the attenuation pond and the addition of a hedge to the northern boundary.
- 7.4.4** Development of the site would inevitably result in some visual impact from developing an agricultural field to a residential site. Likewise, the introduction of a pedestrian footway and new access to Doddington Lane would result in some impact on its existing rural character. However, the changes to the layout, as detailed above, and addition of soft landscaping and tree planting would soften this impact and reduce the sense of erosion of the rural edge of the village. This would apply to both views from the adjacent public right of way and along Doddington Lane. The design, scale and proposed materials of the development would result in a simple, but traditional form of housing which is considered to be appropriate for this context. The development is proposed at a relatively low density of 26 dwellings per hectare, which is considered appropriate for this rural, edge of settlement context.
- 7.4.5** Supporting paragraph 2.13 to policy SP4 states *"In all cases the site must be well located to the existing built form, substantially enclosed and where the sites edge is clearly defined by a physical feature that also acts as a barrier to further growth (such as a road). The proposal should not visually extend building into the open countryside."* It is acknowledged that the proposal would only develop the southern part of the field and that the northern part of the field is in the same ownership as the applicant of the current application. As such, there are no physical features that would act as a barrier to further

growth to the north. Likewise, the Council is in receipt of a proposal for a market led scheme of 74 dwellings to the east of the site. Both the current application for 74 dwellings and any potential future application on land to the north would need to be assessed on their own merits and the potential for further development is not considered to be a justified reason for refusing this current application. The amended application includes a new hedgerow along the northern boundary of the site, which would soften the visual impact of the development from views towards the site from the north.

**7.4.6** In summary, the design, scale and appearance of the development, including the proposed landscaping details, is considered to be appropriate for the context and in accordance with local plan policies SP4 (criteria b-e), DE1, EN1 and the NPPF (section 12).

## **7.5 Residential Amenity**

**7.5.1** Local Plan Policy DE1 states (amongst other criteria) that all development proposals will be expected to ensure there is no adverse impact on the amenity of neighbouring users. Paragraph 127 of the NPPF states that developments should create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

**7.5.2** A neighbouring property on Moore Close has raised concern regarding the proximity of the proposed access road to their rear garden. However, it is considered that the noise and disturbance impacts would be limited as the road would only serve 16 dwellings and plots 1 to 6 would turn straight away when entering the site. Doddington Lane is already in relatively close proximity to that property and the proposed access road would experience low traffic speeds and limited traffic movements. Further, additional planting in addition to the existing mature hedgerow has been added along the boundary in this location to mitigate any harm to the amenity of the neighbouring resident.

**7.5.3** The access road in this position also creates additional separation between the proposed dwellings and those existing neighbouring properties on Moore Close. These would be 19m between the closest existing property and the proposed bungalows and greater than 34m between the closest existing property and the side elevation of the proposed two storey dwellings. As such, it is considered that there would be adequate separation distances from adjacent dwellings and the proposed dwellings in order to ensure that the development would not lead to undue dominance of outlook, loss of privacy, loss of light, or noise and light pollution. It is noted that the loss of views has been raised as a concern following the public consultation, but this is not a material planning consideration.

**7.5.4** The introduction of the footway along Doddington Lane would result in only a minor amount additional pedestrian footfall that would not result in a significant adverse impact on the amenity of existing neighbouring properties. A condition is recommended to ensure that any lighting is appropriate for the context. Comments in relation to a fear of crime are not, however there is no evidence to support the assertion that the improvements to Doddington Lane would increase the potential for crime.

**7.5.5** In terms of the amenity of future occupiers of the dwellings, each property would have its own private amenity space of an appropriate size for the size and type of property. The Council does not have any adopted internal space standards. However, it is noted that all proposed dwellings are within a 15% tolerance of National Space standards and this a requirement of the funding for the scheme. All house type plans included in the application show furniture of an appropriate size and scale that fits with the size of the dwelling.

**7.5.6** Taking the above into account, the proposal would result in a high standard of amenity for future occupiers of the development and not lead to any significant adverse impacts on the amenity of existing neighbouring properties and is therefore considered to be in accordance with Local Plan Policy DE1 and the NPPF (section 12).

## **7.6 Flood Risk and Drainage**

**7.6.1** Local Plan Policy EN5 and the NPPF (section 14) require development to be located in the lowest areas of flood risk and not to increase the risk of flooding elsewhere.

**7.6.2** The application site is within Flood Zone 1 (at the lowest risk of flooding). A Flood Risk Assessment has been submitted which concludes that the site is suitable for development for residential use without unacceptable risk of flooding from all sources to the site itself and elsewhere for the lifetime of the development. The drainage strategy includes for an attenuation basin in the centre of the site to store surface water ahead of it being linked via a restricted flow into the existing Anglian Water surface water sewer which crosses the site to the north. The restriction of 5 L/S has been agreed with Anglian Water and would ensure the site does not impact on capacity of the sewer.

**7.6.3** Anglian Water have advised that Claypole Water Recycling Centre has capacity to accept foul flows from this development. The Local Lead Flood Authority (LCC) is satisfied that a suitable SuDS drainage scheme could be achieved within the submitted layout in-line with the proposed drainage strategy, the detail of which is secured by condition. Therefore, it is considered that the proposed development would not be at an unacceptable risk of flooding and would not increase the risk of flooding elsewhere and would therefore comply with Local Plan Policy EN5 and the NPPF (section 14).

## **7.7 Highways and Transport Infrastructure**

**7.7.1** Local Plan Policy ID2 seeks to minimise the use of travel by car and maximise sustainable transport modes. The policy also requires development proposals not to result in any unacceptable highway safety impacts or result in severe cumulative traffic impacts. The NPPF (section 9) states development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

**7.7.2** The NPPF is very clear that when assessing developments that generate significant amounts of traffic, decision makers should apply the following tests and take account of whether:

- a) appropriate opportunities to promote sustainable transport modes can be - or have been - taken up, given the type of development and its location;
- b) safe and suitable access to the site can be achieved for all users; and

- c) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.

**7.7.3** Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. These requirements are broadly reflected in Local Plan policies SD1 and ID2, which requires the sustainable location of new development.

**7.7.4** A transport statement has been submitted with the application which concludes that there are no reasons on highways or transport grounds to refuse planning permission for development at this location. The proposed development would be accessed via a junction on the northern side of Doddington Lane. The application also proposes highway improvements along Doddington Lane to ensure accessibility to the site by all modes. These improvements include a new pedestrian footway and an additional passing place Doddington Lane, which are secured by condition. Further details of cycle storage and electric car charging points are recommended to be secured by condition. Likewise, a condition is included to secure further details of refuse collection points for the private drives.

**7.7.5** Lincolnshire County Council (as Highway Authority) have raised no objection in relation to increased traffic flows or highway safety.

**7.7.6** In summary, it is considered the proposal would result in adequate access, parking and turning facilities and would not have an unacceptable adverse impact on highway safety in accordance with Local Plan policy ID2 and the NPPF (section 9).

## **7.8 Ecology and Biodiversity**

**7.8.1** Local Plan Policy EN2 seeks to ensure the conservation and enhancement of ecological networks and deliver a net gain in biodiversity for all development proposals.

**7.8.2** The applicant has submitted an Extended Phase 1 habitat survey as part of the application. The survey did not identify any physical evidence or field signs of protected species within the survey area but an assessment of records and the landscape identified that there is potential for some protected species to be present which would require mitigation. The report makes recommendations that would safeguard the existing ecological interest features within the site and opportunities for biodiversity net gain. These recommendations which include the provision of bird and bat boxes and hedgehog refugia have been secured by condition.

**7.8.3** Subject to approval of details reserved by that condition, the development would be in accordance with Policy EN2.

## **7.9 Sustainable Buildings**

**7.9.1** Policy SB1 (Sustainable Buildings) states that all development proposals will be expected to mitigate and adapt to climate change. This includes a requirement for development proposals to demonstrate how carbon dioxide emissions have been minimised; achieve a “water neutral position”, including the provision of an appropriate water efficiency

promotion and consultation education programme in all major residential developments; and supporting local carbon travel through the provision of electric car charging points.

**7.9.2** In addition, Paragraph 148 of the NPPF states *“the planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change. It should help to shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the use of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure”*.

**7.9.3** In respect of the above, the Applicant has not provided a sustainability assessment of the scheme in accordance with Policy SB1 and, as such, measures to secure compliance with Policy SB1 is proposed to be conditioned. The scheme shall include details of how carbon dioxide emissions would be minimised through the design and construction of the buildings; details of water efficiency and the provision of electric car charging points. Consequently, subject to the imposition of a condition requesting details of sustainable building measures, the proposal would be in accordance with Policy SB1 of the Local Plan.

## **7.10 Archaeology**

**7.10.1** Local Plan Policy EN6 seeks to protect and enhance heritage assets and their settings in keeping with the policies in the National Planning Policy Framework. The policy states that where development affecting archaeological sites is acceptable in principle, the Council will seek to ensure mitigation of impact through preservation of the remains in situ as a preferred solution. When in situ preservation is not practical, the developer will be required to make adequate provision for excavation and recording before or during development. Paragraph 194 of the NPPF states that where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.

**7.10.2** The applicant carried out a geophysical survey in 2018 which identified relatively low archaeological potential, with only ridge and furrow being seen across the site. The Council's consultant archaeologist has reviewed this survey and requested an earthwork survey to be followed by a programme of trial trenching (to confirm the geophysical survey results) prior to the commencement of development. A condition requiring a Scheme of Archaeological Work to secure this programme of works has been requested which is considered reasonable and necessary and would ensure the development is in accordance with Policy EN6 and the NPPF (section 16).

## **7.11 Infrastructure**

**7.11.1** Local Plan policy ID1 requires all development proposals to demonstrate there is or meet the essential infrastructure requirements arising from the development. This is also a requirement of policy SP4 - criteria f.

**7.11.2** No requests have been made for either health or education infrastructure. The local Primary School have confirmed that they have capacity for more children in their school and would be supportive of more housing in the village.

**7.11.3** The layout includes approximately 1,000 sqm of open space, which would exceed the quantitative standards set by policy OS1 for a development of this scale. While it is acknowledged that some of this land would be used as part of the drainage strategy, these areas would provide opportunities for informal recreation, habitat areas and biodiversity. Further, there is a community play park within reasonable walking distance of the application site located to the north of the village.

**7.11.4** The details of the affordable housing scheme have already been set-out and these would be secured by the S106 agreement.

## **8 Crime and Disorder**

**8.1** It is considered that the proposal would not result in any significant crime and disorder implications.

## **9 Human Rights Implications**

**9.1** Articles 6 (Rights to fair decision making) and Article 8 (Right to private family life and home) of the Human Rights Act have been taken into account in making this recommendation.

**9.2** It is considered that no relevant Article of that act will be breached.

## **10 Planning Balance and Conclusion**

**10.1** Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that the Local Planning Authority makes decisions in accordance with the adopted Development Plan, unless material considerations indicate otherwise. The Council's latest published position in relation to five-year land supply was on 27 October 2020 which indicated the Council has 5.26 years of land supply and therefore it is considered that full weight can be given the current development plan policies.

**10.2** The development would result in the provision of 16 affordable homes and there would be no significant adverse impact on neighbouring amenity, the highway network or flood risk. The design of the scheme is considered to be appropriate for its context and the proposed dwellings would meet a demonstrable local need for affordable housing. The proposal is therefore considered to be in accordance with the development plan when taken as a whole and there are no material considerations that indicate why an alternative conclusion should be reached.

### **10.3 Recommendation**

**10.3.1** Approve the application subject to the conditions set out in the report and subject to completion of a S106 planning obligation securing the requirements specified in the infrastructure section of the report. Where the S106 obligation has not been concluded prior to the Committee, a period not exceeding twelve weeks after the date of the Committee shall be set for the completion of that obligation.

**10.3.2** In the event that the agreement has not been concluded within the twelve-week period and where, in the opinion of the Head of Development Management, there are no extenuating circumstances which would justify a further extension of time, the related planning application shall be refused planning permission for the appropriate reason(s) on the basis that the necessary criteria essential to make what would otherwise be unacceptable development acceptable have not been forthcoming.

### **Recommended conditions**

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

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

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

#### **Approved Plans**

- 2 The development hereby permitted shall be carried out in accordance with the following list of approved plans:
  - i. Location Plan drawing no. 31468 492 101 Rev A
  - ii. Proposed Site Plan drawing no. 31468 492 102 Rev M
  - iii. House types A and D Plans and Elevations drawing no. 31468 492 208 Rev A
  - iv. House type B Plans and Elevations drawing no. 31468 492 202 Rev E
  - v. House type C Plans and Elevations drawing no. 31468 492 207 Rev C
  - vi. House type D and E Plans and Elevations drawing no. 31468 492 206 Rev F
  - vii. House type F Plans and Elevations drawing no. 31468 492 209
  - viii. Proposed Landscaping and Boundary Plan drawing no. 31468 492 103 Rev D
  - ix. Off-site highway works plan drawing no. DR0251

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**

- 3 No development shall take place until details demonstrating how the proposed dwellings would comply with the requirements of Local Plan Policy SB1 has been submitted and approved 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 buildings; 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 agreed scheme, prior to the first occupation of the dwellings hereby permitted.

Reason: To ensure the dwellings are constructed to a standard that mitigates against climate change as required by Local Plan Policy SB1.

- 4 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:
- be based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development;
  - 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 run-off rate for the undeveloped site;
  - provide attenuation details and discharge rates which shall be restricted to 5 litres per second;
  - provide details of the timetable for and any phasing of implementation for the drainage scheme; and
  - provide details of how the scheme shall be maintained and managed over the lifetime of the development, including any arrangements for 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 the provision of satisfactory surface and foul water drainage is provided in accordance with Local Plan Policy EN5.

- 5 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 and a report submitted to the Local Planning Authority for approval before 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 and Paragraph 199 of the NPPF.

- 6 No development shall take place until a Construction Management Plan and Method Statement has been submitted to and approved in writing by the Local Planning Authority which shall indicate measures to mitigate against traffic generation and drainage of the site during the construction stage of the proposed development.

The Construction Management Plan and Method Statement shall include:

- phasing of the development to include access construction;
- the parking of vehicles of site operatives and visitors;
- loading and unloading of plant and materials;
- storage of plant and materials used in constructing the development;
- wheel washing facilities;
- the routes of construction traffic to and from the site including any off site routes for the disposal of excavated material and;

- strategy stating how surface water run off on and from the development will be managed during construction and protection measures for any sustainable drainage features. This should include drawing(s) showing how the drainage systems (permanent or temporary) connect to an outfall (temporary or permanent) during construction.

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

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.

- 7 Before the development hereby permitted is commenced, all existing trees shown on the approved plan to be retained shall have been fenced off to the limit of their branch spread in accordance with BS 5837. No works including:
- i. removal of earth,
  - ii. storage of materials,
  - iii. vehicular movements or
  - iv. siting of temporary buildings

shall be permitted within these protected areas.

Reason: To prevent unnecessary damage to existing trees and in accordance with Local Plan Policy DE1.

- 8 Before any development is commenced, a scheme for biodiversity mitigation and enhancement must have been submitted to and agreed in writing by the local planning authority. The scheme shall be based upon any recommendations from the CBE Consulting Extended Phase 1 Habitat Survey report ref: P2099 / 0221 – 01.

The scheme shall include a plan identifying the location of any mitigation and enhancement measures, along with a detailed schedule for each of the measures proposed. The required biodiversity mitigation and enhancement measures shall be completed in full, in accordance with the agreed scheme, prior to the first occupation of any dwelling.

Reason: This condition is necessary in order to ensure that the proposal does not have an unacceptable impact on biodiversity and protected species.

- 9 Before the development hereby permitted is commenced, details demonstrating that at least 10% of the dwellings would be constructed as "Accessible and Adaptable" in line with the standard set-out in Part M4(2) of the Building Regulations must be submitted to and approved in writing by the Local Planning Authority.

The development must be carried out in accordance with the approved details.

Reason: To ensure the development meets the needs of all potential future occupiers in accordance with Local Plan Policy DE1.

- 10 Before the development hereby permitted is commenced, full engineering, drainage, street lighting and construction details of all pedestrian and cycleways within the site and for the approved off-site improvement works must be submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in accordance with the approved details.

Reason: In the interest of highway safety; to ensure a satisfactory appearance to the highway's infrastructure serving the development; and to safeguard the visual amenities of the locality and users of the highway.

### **During Building Works**

- 11 Before any development above dpc, details of hard and soft landscaping works shall have been submitted to and approved in writing by the Local Planning Authority.

Details shall include:

- i. proposed finished levels and contours;
- ii. means of enclosure;
- iii. car parking layouts;
- iv. cycle storage details;
- v. refuse collection points
- vi. hard surfacing materials;
- vii. planting plans;
- viii. written specifications (including cultivation and other operations associated with plant and grass establishment);
- ix. schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate.

Reason: Hard and soft landscaping makes 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.

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

- 12 Before any part of the development hereby permitted is occupied, the dwellings must have been completed in accordance with the approved materials details on the approved plans and elevations drawings listed in condition 2.

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

- 13 Before any part of the development hereby permitted is occupied, all hard landscape works shall have been carried out in accordance with the hard landscaping details approved pursuant to condition 11.

Reason: Hard landscaping makes 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.

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

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

- 15 Before the end of the first planting/seeding season following the occupation of any part of the development hereby permitted, all soft landscape works shall have been carried out in accordance with the soft landscaping details approved pursuant to condition 11.

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

- 16 Before any part of the development hereby permitted is occupied, a landscape management plan shall have been submitted to and approved in writing by the Local Planning Authority. The plan shall include:
- i. long term design objectives,
  - ii. management responsibilities and
  - iii. maintenance schedules for all landscape areas, other than privately owned, domestic gardens.

Reason: Landscaping and tree planting make an important contribution to the development and its assimilation with its surroundings and in accordance with Local Plan Policy DE1.

- 17 Before any dwelling is occupied, all of that part of the estate road and associated footways that forms the junction with the main road and which will be constructed within the limits of the existing highway, shall be laid out and constructed to finished surface levels in accordance with details to be submitted to, and approved in writing by, the Local Planning Authority.

Reason: In the interests of safety, to avoid the creation of pedestrian trip hazards within the public highway from surfacing materials, manholes and gullies that may otherwise remain for an extended period at dissimilar, interim construction levels.

- 18 Before any dwelling is occupied, the off-site highway improvement works as shown on approved plan drawing no. DR0251 and as approved by condition 10 must be completed.

Reason: In the interest of highway safety; to ensure a satisfactory appearance to the highway's infrastructure serving the development; improve pedestrian connectivity and to safeguard the visual amenities of the locality and users of the highway.

### **Ongoing Conditions**

- 19 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.

- 20 For a period of not less than 5 years following the first occupation of the final dwelling hereby permitted, the approved Landscape Management Plan shall be adhered to in full unless otherwise agreed in writing by the Local Planning Authority.

Reason: 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.

# Site Location Plan



ALSURVEY

# Layout Plan



# House Type A and D

**ROOF:**  
SANDTOFT CALDERDALE  
SLATE GREY

**WALLS:**  
WIENERBERGER SUNSET  
RED MULTI

**WINDOWS:**  
uPVC DOUBLE GLAZED  
COLOUR: WHITE

**RAINWATER GOODS:**  
uPVC HALF ROUND  
COLOUR: BLACK

**DOORS:**  
GRP COMPOSITE  
(FRONT) COLOUR: BLACK

<b>LANDON BMS</b>	
Application Housing Group	
16 Affordable Homes, Doddington Lane, Claypole	
House Type D & A - Plans & Elevations	
DATE: 04/01/2023	SCALE: 1:50
<b>FEASIBILITY</b>	
NO: 23469-492-200	DATE: 01/01/2023

3.39 in Platform Housing Group, 16 Affordable Houses, Doddington Lane, Claypole

# House Type B

**ROOF:**  
SANDTOFT CALDERDALE  
SLATE GREY

**WALLS:**  
WIENERBERGER  
CALDERA RED MULTI

**WINDOWS:**  
uPVC DOUBLE GLAZED  
COLOUR: WHITE

**RAINWATER GOODS:**  
uPVC HALF ROUND  
COLOUR: BLACK

**DOORS:**  
GRP COMPOSITE  
(FRONT) COLOUR: BLACK

<b>LANDON BMS</b>	
Application Housing Group	
16 Affordable Homes, Doddington Lane, Claypole	
House Type B - Plans & Elevations	
DATE: 04/01/2023	SCALE: 1:50
<b>FEASIBILITY</b>	
NO: 23469-492-200	DATE: 01/01/2023

3.39 in Platform Housing Group, 16 Affordable Houses, Doddington Lane, Claypole

# House Type C

**FIRST FLOOR PLAN**  
1:100

**GROUND FLOOR PLAN**  
1:100

**FRONT ELEVATION**  
1:100

**REAR ELEVATION**  
1:100

**SIDE ELEVATION**  
1:100

**SIDE ELEVATION**  
1:100

**ROOF:**  
SANDTOFT CALDERDALE  
SLATE GREY

**WALLS:**  
WIENERBERGER  
CALDERA RED MULTI

**WINDOWS:**  
UPVC DOUBLE GLAZED  
COLOUR: WHITE

**RAINWATER GOODS:**  
UPVC HALF ROUND  
COLOUR: BLACK

**DOORS:**  
GRP COMPOSITE  
(FRONT) COLOUR: BLACK

Platform Housing Group 16 Affordable Homes, Doddington Lane, Claypole	
House Type C Terrace - Plans & Elevations	
Project Type: Terrace - Plans & Elevations	
DATE	16/08/2020
SCALE	1:100
<b>FEASIBILITY</b>	
PROJECT NO.	31468-402-207
DATE	16/08/2020
SCALE	1:100
<b>FEASIBILITY</b>	
PROJECT NO.	31468-402-207
DATE	16/08/2020
SCALE	1:100
<b>FEASIBILITY</b>	
PROJECT NO.	31468-402-207
DATE	16/08/2020
SCALE	1:100
<b>FEASIBILITY</b>	

3.39 m

Platform Housing Group, 16 Affordable Houses, Doddington Lane, Claypole

House Type C Terrace - Plans & Elevations

# House Type D and E

**GROUND FLOOR PLAN**  
1:100

**FRONT ELEVATION**  
1:100

**REAR ELEVATION**  
1:100

**SIDE ELEVATION**  
1:100

**SIDE ELEVATION**  
1:100

**ROOF:**  
SANDTOFT CALDERDALE  
SLATE GREY

**WALLS:**  
WIENERBERGER SUNSET  
RED MULTI

**WINDOWS:**  
UPVC DOUBLE GLAZED  
COLOUR: WHITE

**RAINWATER GOODS:**  
UPVC HALF ROUND  
COLOUR: BLACK

**DOORS:**  
GRP COMPOSITE  
(FRONT) COLOUR: BLACK

Platform Housing Group 16 Affordable Homes, Doddington Lane, Claypole	
House Type D&E - Plans & Elevations	
Project Type: Terrace - Plans & Elevations	
DATE	16/08/2020
SCALE	1:100
<b>FEASIBILITY</b>	
PROJECT NO.	31468-402-206
DATE	16/08/2020
SCALE	1:100
<b>FEASIBILITY</b>	
PROJECT NO.	31468-402-206
DATE	16/08/2020
SCALE	1:100
<b>FEASIBILITY</b>	

3.39 m

Platform Housing Group, 16 Affordable Houses, Doddington Lane, Claypole

House Type D&E - Plans & Elevations



This page is intentionally left blank



**SOUTH  
KESTEVEN  
DISTRICT  
COUNCIL**

## Planning Committee

18 November 2021



## S21/1907

<b>Proposal:</b>	Alterations to entrance and road including widening of access, walls to entrance, security hut, and 1.8m high fence to boundary
<b>Location:</b>	Tallington Lakes Leisure Park, Tallington Lakes, Barholm Road, Tallington, PE9 4RJ
<b>Applicant:</b>	Tallington Lakes Leisure Park, Tallington, PE9 4RJ
<b>Agent:</b>	n/a
<b>Application Type:</b>	Full Planning Permission
<b>Reason for Referral to Committee:</b>	Called in by Cllr Baxter
<b>Key Issues:</b>	Highways Safety Cumulative impact on highways Impact on Residential Amenity Character of the Area (Scale)
<b>Technical Documents:</b>	n/a

### Report Author

Ellie Sillah (Senior Planning Officer)



01476 406080



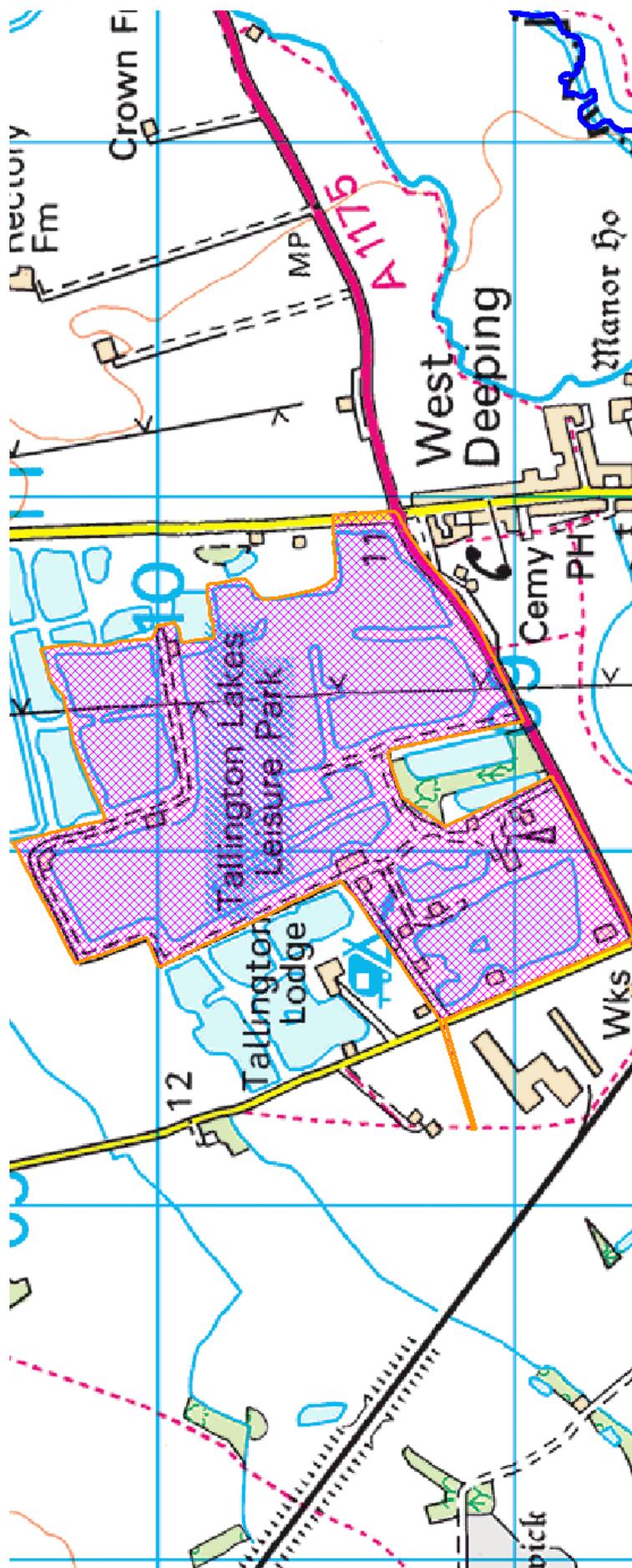
[e.sillah@southkesteven.gov.uk](mailto:e.sillah@southkesteven.gov.uk)

<b>Corporate Priority:</b>	<b>Decision type:</b>	<b>Wards:</b>
<b>Growth</b>	<b>Regulatory</b>	<b>Casewick</b>

<b>Reviewed by:</b>	Chris Brown (Principal Planning Officer)	8 November 2021
---------------------	--	-----------------

### Recommendation (s) to the decision maker (s)

**That the application is approved conditionally**



Key



Application  
Boundary



Reproduced from the Ordnance Survey mapping with the permission of the Controller of Her Majesty's Stationery Office Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. © South Kesteven District Council (2015) - Licence No. 100018662

## **1 Description of Site**

- 1.1 The site is part of the wider site of Tallington Lakes Leisure Park located east of Tallington, north of West Deeping and south of Barholm.
- 1.2 The application relates to an existing access to the south of the site adjoining Stamford Road (A1175), adjacent to Lovell Lakes.

## **2 Description of Proposal**

- 1.1 The application seeks permission (part retrospective) to widen an existing access onto Stamford Road. The entrance includes new stone boundary walls, a boundary fence within the site and a security hut. Some of the work has been completed.
- 1.2 The access width to Stamford Road is 31.2m at its widest point, narrowing to 13m between the curved entrance walls. The height of the wall would be 3.05m, with intervening columns and finials, a maximum of 4.7m in height.
- 1.3 The access road would also be widened within the site where the security hut is proposed (set back approx. 200m from the public highway) to allow a lane either side of the hut.

## **3 Relevant History**

- 2.1 There have been many planning applications and enforcement (including ongoing) cases in relation to the wider site of Tallington Lakes Leisure Park. None of the applications or cases are of particular relevance to this planning application for an access.

## **4 Policy Considerations**

- 3.1 **SKDC Local Plan 2011 - 2036**
  - Policy DE1 - Promoting Good Quality Design
  - Policy ID1 - Infrastructure for Growth
  - Policy ID2 – Transport and Strategic Transport Infrastructure
  - Policy EN2 - Protecting Biodiversity and Geodiversity
  - Policy SB1 - Sustainable Building
  - Policy SP1 - Spatial Strategy
  - Policy SP2 - Settlement Hierarchy
  - Policy SP5 - Development in the Open Countryside
- 4.2 **National Planning Policy Framework (NPPF)**
  - Section 9 - Promoting sustainable transport
  - Section 12 - Achieving well-designed places

## **5 Representations Received**

- 4.1 **West Deeping Parish Council:**
  - 4.1.1 Objection
  - 4.1.2 This has been considered by our councillors and I have received the following comments:-

- 1) This is a new entrance on to a major highway - A1175;  
If this is due to the expansion of the site, anticipated traffic movements will be an additional 4000 per day, turning across the main flow of traffic without any warning
- 2) signs on a 60 mile an hour main road.  
The proposed entrance is within 20 yards of the existing entrance to Lovell's Fishing Lake. Visibility at that point is approximately 300 yards due to bends in the road,
- 3) creating a blind spot which is likely to cause accidents.  
The A1175 is not currently wide enough to take standing traffic turning right bearing in mind the irregular flow as a result of the nearby railway crossing.
- 4) At night, this is a dark, unlit section of the A1175 and as the Lakes are open 24 hours a day, This would need to be rectified either by the owner of the site or by the Highways Department of Lincolnshire County Council.

## **4.2 LCC Highways comments:**

**4.2.1** With reference to the above application received 28 September 2021 Notice is hereby given that the County Council as Local Highway and Lead Local Flood Authority:  
Does not wish to restrict the grant of permission.

**4.2.2** Highway Informative 03 - The permitted development requires the formation of a new/amended vehicular access. These works will require approval from the Highway Authority in accordance with Section 184 of the Highways Act. The works should be constructed in accordance with the Authority's specification that is current at the time of construction. Relocation of existing apparatus, underground services or street furniture will be the responsibility of the applicant, prior to application. For application guidance, approval and specification details, please visit <https://www.lincolnshire.gov.uk/licences-permits/apply-dropped-kerb> or contact [vehiclecrossings@lincolnshire.gov.uk](mailto:vehiclecrossings@lincolnshire.gov.uk)

**4.2.3** Having given due regard to the appropriate local and national planning policy guidance (in particular the National Planning Policy Framework), Lincolnshire County Council (as Highway Authority and Lead Local Flood Authority) has concluded that the proposed alterations to this access would not be expected to result in an unacceptable impact upon highway safety and therefore, does not wish to object to this planning application.

**4.2.4** If the access is to become the principal entrance to Tallington Lakes, then it may be worth discussing with the highway authority, alterations to the advanced signage for this facility, to avoid confusing existing/long-term users/residents.

## **6 Representations received as a result of Publicity**

**5.1** 4 representations from local residents have been received as follows:

**5.1.1** Objection.

**5.1.2** As the Owner of Lovells Lakes I wish to object to the entrance/exit to Tallington Lakes on the grounds of it being a potential accident site with two entrance/exits within 7 metres apart converging onto a busy A road. Photographs taken today show the speed of the traffic at 60 mph and very busy when the Tallington railway gates go up. The view out of Lovells Lakes was clear up and down the road, until the boarding was put up. The traffic in and out of Lovells Lakes ranges from 5 - 30 cars per day, If the traffic coming out on to the

A1165 increases with the new entrance there will need to be some sort of signage to alleviate the accident potential

## **5.2** Objection.

**5.2.1** Work has already commenced at this location, hedgerow have already been removed fencing erected even before planning has been approved. The Entrance planned is on a very fast road with some motorist not adhering to the speed limits. And vehicles entering and leaving especially towing caravans etc at low speeds is a serious accident waiting to happen. Also can I ask if a wildlife survey was carried out before the blatant destruction of hedgerow was carried out even before the planning application. Can I also point out that one of the previous application was approved on the condition that the entrance on Barholme road was to be there only entrance to the tallington lake development and they also tried to put a entrance onto king street with out planning.

## **5.3** Support.

**5.3.1** This entrance is needed mainly on the grounds of road safety. When the railway barriers are down. Vehicles travelling towards Stamford are forced to queue. This means that the queue nearly always blocks the ability of vehicles turning into Barholm road and the Jet petrol station. Some drivers therefore use the right hand side lane to access these turnings, mainly at speed. This does cause a safety problem with vehicle turning out of Barholm road and the Jet station also if the railway barriers are opened and the offending driver has not completed his run. I make those observations as a retired police officer.

## **5.4** Support.

**5.4.1** For myself and my wife it will be good for us. It will reduce our time to get to work. We will not have que so often for the Tallington crossing. It will make it easier to get out onto to the main road rather than the junction at the top of Barholm Road. It will be better than the Barholm Road into the lakes junction. In my opinion.

# **7** Evaluation

## **6.1** Principal of Development

**6.1.1** Paragraph 47 of the NPPF provides that applications for planning permission should be determined in accordance with the development plan, unless material considerations indicate otherwise.

**6.1.2** Policy SD1 of the adopted Local Plan broadly sets out the principles of sustainable development within South Kesteven. Development will be expected to minimise the impact on climate change and contribute towards creating a strong, stable and more diverse economy.

**6.1.3** Policy SP5 (Development in the Open Countryside) provides that development in the open countryside will be limited to that which has an essential need to be located outside of the existing built form of a settlement.

- 6.1.4** The access serves the existing leisure park which is located within the open countryside and due to the scale of the site has an essential need for the location. New accesses or access improvements are not specifically mentioned within Policy SP5, however given the existing use is both existing and supported by the policy, and the access is existing, there is no reason in principle the widening and improvement of the access would be unacceptable, subject to site specific impacts.
- 6.1.5** Further to the above, it should be noted that because the access is existing, it could lawfully be used as such without the need for a planning application.
- 6.1.6** The application has been submitted as part retrospective. Section 73A of the Town and Country Planning Act 1990 allows for planning permission to be granted for development carried out before the date of the application. The fact that parts of the development have already been carried out should have no influence on the decision making process nor the acceptability of the development.
- 6.1.7** With the above in mind, the proposed development is acceptable in principle subject to a site specific assessment. This is discussed below.

## **6.2 Impact on Visual Amenity and the Character of the Area**

- 6.2.1** Policy DE1 sets out the criteria by which all new development will be assessed. In terms of visual impact, proposals should make a positive contribution to the local distinctiveness, vernacular and character of the area, reinforce local identity and not have an adverse impact on the streetscene, settlement pattern or the landscape character of the surrounding area. Proposals should be of an appropriate scale, density, massing, height and material, given the context of the area.
- 6.2.2** Paragraph 130 of the NPPF requires development to add to the overall quality of the area, be visually attractive, sympathetic to local character and history, including the surrounding built environment and landscape setting, and establish or maintain a strong sense of place.
- 6.2.3** The access is located adjacent to the entrance of Lovells Lakes. Stamford Road (A1175) is a classified road. There are grass verges and hedgerow along either side of the road with interspersed trees. To the south are open fields.
- 6.2.4** The access would include two curved stone walls each with three pillars with a capstone and finial. The widened entrance would inevitably alter the character from the previous smaller scale access and hedgerow, however it is not considered to be harmful in terms of visual amenity.
- 6.2.5** The proposed fencing and security hut would be sited within the park and would not be readily visible from the public realm. I therefore do not consider these elements of the proposal would have a negative impact on the character of the surrounding area.

### **6.3 Impact on Amenity**

- 6.3.1** Policy DE1 seeks to ensure there is no adverse impact on the amenity of neighbouring users in terms of noise, light pollution, loss of privacy and loss of light. Development should include features to minimise crime and the fear of crime. Sufficient private amenity space, suitable to the type and amount of development proposed should be provided.
- 6.3.2** The above policy reflects Section 12 of the NPPF (Achieving well-designed places) which amongst other things states that development should create places with a high standard of amenity for existing and future users.
- 6.3.3** The access is not located in close proximity to any residential dwellings. As such, I have no concerns in relation to residential amenity. In terms of noise disturbance, this would be from vehicles that would be entering the site in any case whether it was from this entrance or the existing, therefore I do not feel the access itself would result in an increase in noise on the site or unacceptable levels of noise (for occupiers of park homes on site).

### **6.4 Impact on Highways Safety**

- 6.4.1** Policy ID2 of the Local Plan requires all new development to apply principles to reduce the need for travel, maximise the use of sustainable transport modes, and ensure there would be no severe impact on the safety and movement of traffic on the highway network.
- 6.4.2** Paragraph 111 of the NPPF directs that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 6.4.3** The application has been called to committee based on concerns over highways safety. The concerns raised by the Ward Member, Parish Councils and members of the public relate to the high number of vehicles likely to use the access, the proximity to the existing adjacent access and use of the A1175 is, plus a speed limit of 60mph.
- 6.4.4** LCC Highways have raised no objection to the application.
- 6.4.5** The proposal itself would not increase the number of vehicles coming to and from the site, with no additional intensification of the site proposed through this application. The dimensions and visibility splays are considered acceptable for an access onto a national speed limit highway. As such, the proposal is considered acceptable.
- 6.4.6** LCC Highways have suggested that if the access is to be used as the principal access to the park, that the applicant discusses the possibility of additional signage to avoid confusion. This is not considered necessary to make the proposal acceptable in terms of highways safety and therefore would not be reasonable or necessary to secure by condition. However, it is recommended to the applicant that this is explored. Any proposed signage for the site would require a separate advertisement consent application.

## **6.5 Drainage**

**6.5.1** The Lead Local Flood Authority has raised no objection to the proposal in terms of flood risk. The increase in hard surfacing to widen the access is not significant in relation to the wider site. The application form states that a soakaway will be used for the disposal of surface water. This is considered acceptable.

## **6.6 Other Matters**

**6.6.1** Comments have been received objecting to the hedgerow that has been removed to enable the alterations to the access. There is no requirement to apply for consent to remove the hedgerow in this instance. The plan includes new planting alongside the proposed fencing, which would have a positive impact on biodiversity.

## **8 Crime**

**7.1** It is not considered that the proposal would increase the risk or the fear of crime within the area.

## **9 Human Rights Implications**

**8.1** Articles 6 (Rights to fair decision making) and Article 8 (Right to private family life and home) of the Human Rights Act have been taken into account in making this recommendation.

**8.2** It is considered that no relevant Article of that act will be breached.

## **10 Conclusion and Recommendation**

**9.1** To summarise, the principle of widening and improving the existing access on Stamford Road to Tallington lakes Leisure Park is acceptable in principle. It is not considered that the proposal would have a negative impact on the public highway or highway safety.

**9.2** LCC Highways have confirmed no objection to the proposal. The proposal complies with the relevant policies of the adopted Local Plan and the NPPF.

**9.3** Further to the above assessment, I recommend that planning permission should be granted subject to the conditions set out below:

## **10 Conditions**

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

- Site Location Plan
- PL2 D Proposed Site Plan
- PL3 A Entrance Wall Elevations
- PL4 Localised Site Plan

Unless otherwise required by another condition of this permission.

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

- 2 Prior to the installation of any external lighting, details (including hours of illumination) and plans showing the location and specification of all proposed external lighting of new access shall be submitted to the Local Planning Authority for written approval. The lighting shall then be installed in accordance with the approved details.

Reason: To ensure that the development does not lead to any significant light pollution.

- 3 Before any part of the development hereby permitted is brought into use, the entrance walls and access improvements 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.

### **Informatives**

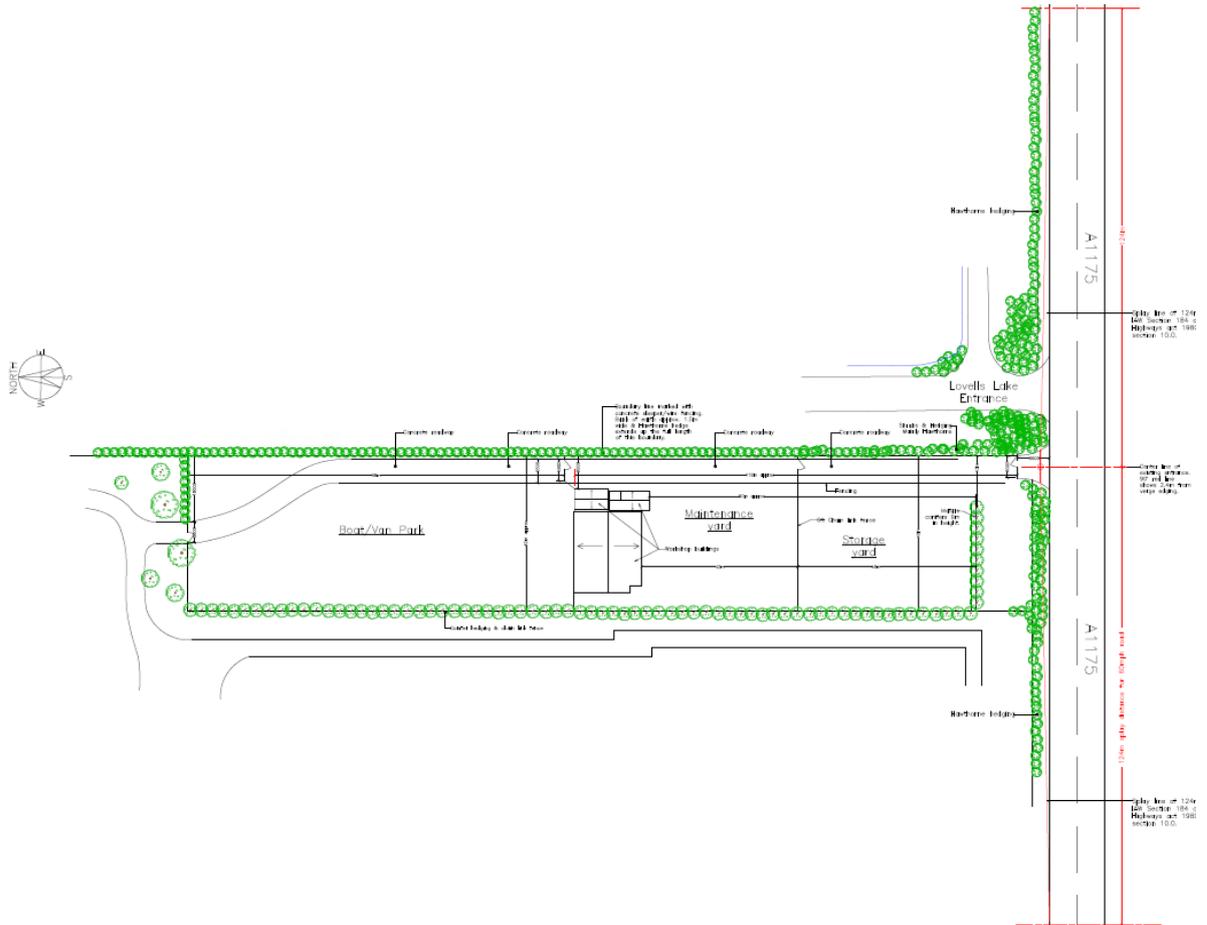
- 1 Highway Informative 03

The permitted development requires the formation of a new/amended vehicular access. These works will require approval from the Highway Authority in accordance with Section 184 of the Highways Act. The works should be constructed in accordance with the Authority's specification that is current at the time of construction. Relocation of existing apparatus, underground services or street furniture will be the responsibility of the applicant, prior to application. For application guidance, approval and specification details, please visit <https://www.lincolnshire.gov.uk/licences-permits/apply-dropped-kerb> or contact [vehiclecrossings@lincolnshire.gov.uk](mailto:vehiclecrossings@lincolnshire.gov.uk)

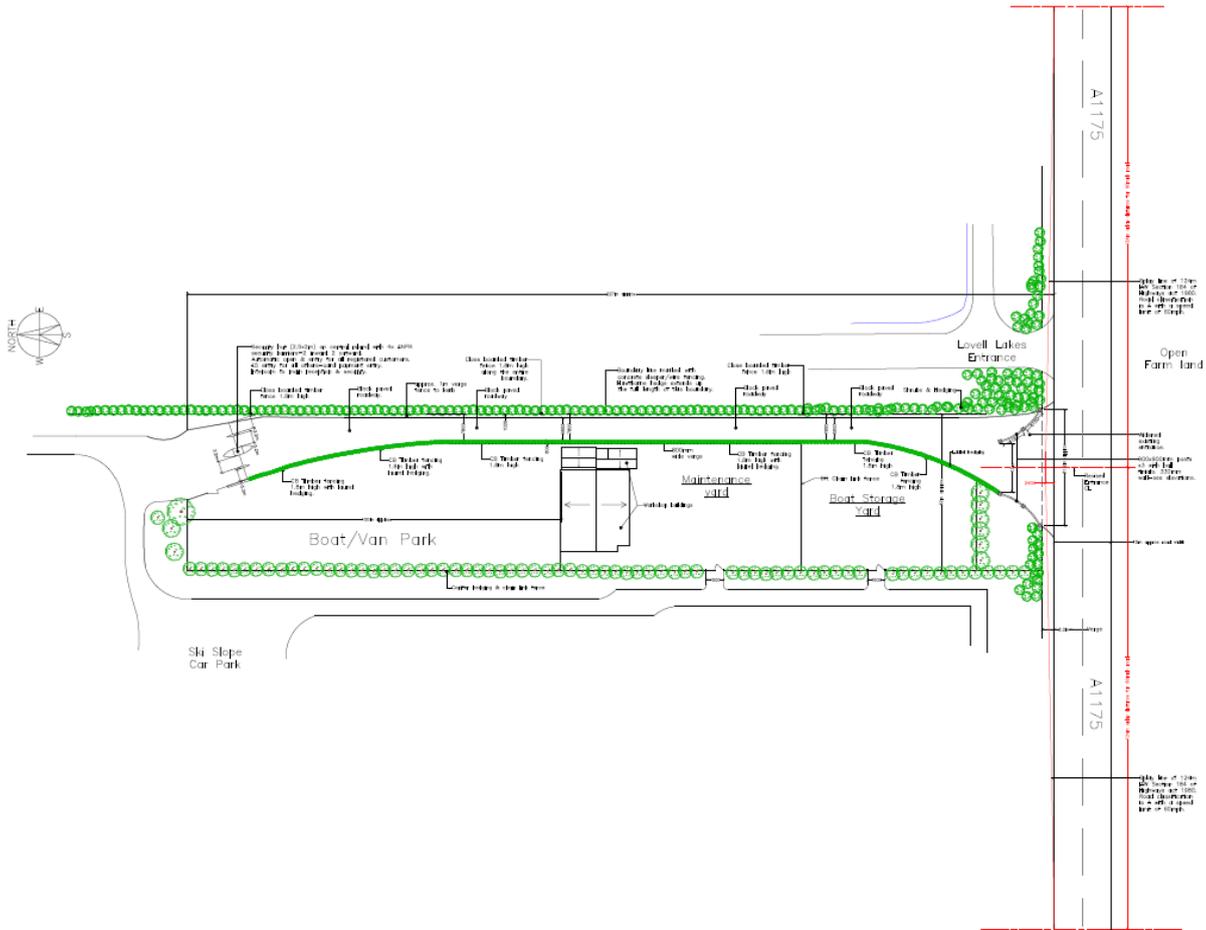
- 2 Signage is shown on the submitted elevational plans. This has not been assessed or approved as part of this planning application and requires a separate advertisement consent application prior to its installation.

# Plans

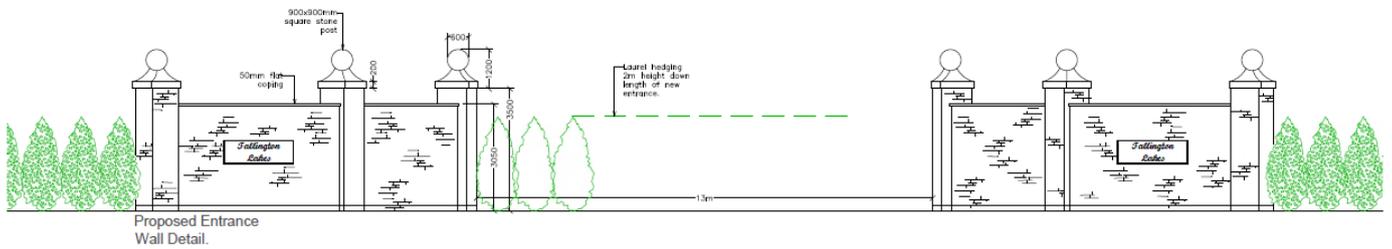
## Existing (Previous) Access



# Proposed Site plan



# Proposed Elevations



This page is intentionally left blank



**SOUTH  
KESTEVEN  
DISTRICT  
COUNCIL**



## Planning Committee

18 November 2021

### S21/1714

**Proposal:** Erection of a two storey rear extension.  
**Location:** The Conifers, School Lane, Old Somerby, NG33 4AQ  
**Applicant:** Mr and Mrs Selby, The Conifers, School Lane, Old Somerby, NG33 4AQ  
**Agent:** Mr S Webb, Building Development Service, 9 Southwell Close, Grantham.  
**Application Type:** Full Planning Permission  
**Reason for Referral to Committee:** Applicant relationship to Councillor (parents)  
**Key Issues:** Impact on character and appearance  
Impact on neighbouring residential amenity  
**Technical Documents:** n/a

#### Report Author

Julie Carroll (Assistant Planning Officer)



01476 406080



[j.carroll@southkesteven.gov.uk](mailto:j.carroll@southkesteven.gov.uk)

**Corporate Priority:**

**Growth**

**Decision type:**

**Regulatory**

**Wards:**

**Lincrest**

**Reviewed by:**

Chris Brown (Principal Planning Officer)

8 November 2021

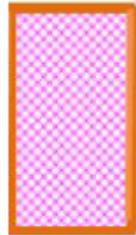
**Recommendation (s) to the decision maker (s)**

**That the application is approved conditionally.**

# S21/1714 The Conifers, School Lane, Old Somerby



Key



Application  
Boundary



Reproduced from the Ordnance Survey mapping with the permission of the Controller of Her Majesty's Stationary Office Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. © South Kesteven District Council (2015) - Licence No. 100018662

## **1 Description of Site**

- 1.1** The application site lies to the west of Old Somerby and is sited on the north side of School Lane. The dwelling is a bungalow with a gable frontage on to and an access drive from School Lane. The dwelling is rendered with a mature hedgerow to its frontage on to the highway and with an attached single garage to the rear side. The dwelling sits between two neighbouring bungalows, with further dwellings opposite to the south and open countryside to the north.

## **2 Description of Proposal**

- 2.1** The application seeks planning permission for the erection of a two storey rear extension. The proposed extension will extend the rear elevation in line with the rear of the existing attached garage at approx. 4.95m and match the width of the existing dwelling at approx. 8.12m.
- 2.2** The proposed extension includes provision of a new first floor, with a bedroom, en suite and inset balcony proposed above the proposed sitting room at ground floor level. The proposed first floor will be sited 900mm above the existing eaves and ridge of the existing roof, with a matching roof pitch. Additional proposed windows include bi-fold doors at ground floor level and sliding patio doors at first floor level between the proposed bedroom and inset balcony. The proposed extension will be of matching white render to the front and matching roof tiles to the existing dwelling with brick elevations to the sides and rear elevations of the extension.

## **3 Relevant History**

- 3.1** None relevant

## **4 Policy Considerations**

### **4.1 SKDC Local Plan 2011 - 2036**

Policy DE1 - Promoting Good Quality Design  
Policy SP1 - Spatial Strategy

### **4.2 National Planning Policy Framework (NPPF)**

Section 12 - Achieving well-designed places

### **4.3 Old Somerby Neighbourhood Plan**

Policy 1 – Residential Development within Old Somerby  
Objective 3 – To protect and enhance the character of the village and the surrounding rural landscape

## **5 Representations Received**

### **5.1 Old Somerby Parish Council**

- 5.1.1** The Parish Council have noted that the Old Somerby Neighbourhood Plan does not comment per se upon extensions to existing properties. Nevertheless, it is noted that para 8.15 quotes the Planning Practice Guide - "Also that the size of individual buildings and their elements should be carefully considered as their design will affect the:

overshadowing and overlooking of others; local character; skylines; vistas and views. It adds that the scale of building elements should be both attractive and functional when viewed and used from neighbouring streets, gardens and parks.” Whilst being concerned with new developments the sentiments expressed could be related to extensions of existing properties. The properties in question are within the main built-up part of the village.

- 5.1.2** The Parish Council understands that the two neighbouring occupants (Sysara and Shamrock) intend to send in their own representations to the SKDC.
- 5.1.3** The Parish Council fully understands the concerns raised by those occupants and supports them. It was also noted that the Applicant did not seek pre-application advice. Perhaps had they done so the advice would have suggested other ways of achieving their aims.

## **5.2 LCC Highways & SuDS**

- 5.2.1** Having given due regard to the appropriate local and national planning policy guidance (in particular the National Planning Policy Framework), Lincolnshire County Council (as Highway Authority and Lead Local Flood Authority) has concluded that the proposed development is acceptable and accordingly, does not wish to object to this planning application.
- 5.2.2** For this proposal the access and parking arrangements remain unchanged, therefore, it is considered that the proposals would not result in an unacceptable impact on highway safety.
- 5.2.3** As Lead Local Flood Authority, Lincolnshire County Council is required to provide a statutory planning consultation response with regard to drainage on all Major Applications. This application is classified as a Minor Application and it is therefore the duty of the Local Planning Authority to consider the drainage proposals for this planning application.

## **6 Representations as a Result of Publicity**

- 6.1** This application has been advertised in accordance with the Council's Statement of Community Involvement and two letters of representation have been received. The representations received raise the following points:
- 1) Detracts from the character and appearance of the street scene
  - 2) Dominant form of the extension
  - 3) Overbearing and overlooking impact to neighbours
- 6.2** Non planning matters have also been raised including restrictive covenants to the host dwelling. Further, an objection refers to the application form certificate being in one of the applicant's names only, not both applicants that jointly own the property (husband and wife).

## **7 Evaluation**

### **7.1 Principle of Development**

**7.1.1** This proposal is considered to be acceptable in principle and in accordance with Policy SD1 (Presumption in Favour of Sustainable Development) of the adopted Local Plan subject to assessment against site specific criteria. These include the impact of the proposal on the character or appearance of the area, impact on the residential amenities of neighbouring occupiers, and impact on highway safety, which are discussed in turn as follows.

### **7.2 Impact on the Character and Appearance of the Area**

**7.2.1** Policy DE1 (Promoting Good Quality Design) of the adopted Local Plan states (amongst other criteria) that to ensure high quality design is achieved throughout the District, all development proposals will be expected to make a positive contribution to local distinctiveness, vernacular and character of the area. Proposals should reinforce local identity and not have an adverse impact on the streetscene, settlement pattern or the landscape / townscape character of the surrounding area. Proposals should be of an appropriate scale, density, massing, height and material, given the context of the area. Part 12 of the NPPF (Achieving well-designed places) states that good design is a key aspect of sustainable development and new development should be visually attractive as a result of good architecture and appropriate landscaping.

**7.2.2** The existing dwelling is sited between two further bungalows, of which the neighbour to the west matches the gable frontage, and then with a mixed street scene of predominantly two storey dwellings (although six bungalows have been permitted to the west of School Lane) and a mix of materials. With the exception of 'green' frontages including trees, verges and hedgerows, there is no predominant character to the dwellings on School Lane.

**7.2.3** The proposed extension will be sited to the rear (north) of the existing dwelling, as a 1 ½ storey projection above the existing ridge line. The proposed extension will be approx. 900mm above the existing eaves and ridge line, with a matching roof pitch to the main dwelling and with matching materials. The proposed extension has been amended through consideration of the application and been reduced in height from 1.20m above the existing ridge and eaves to 900mm.

**7.2.4** The extension will be visible from the street scene, albeit with limited visibility to the extension from a front on angle due to the front boundary hedgerow. The proposed extension is considered to be most visible when travelling west along School Lane with the proposed increase in ridge line considered to be more visible from this angle when viewed adjacent to neighbouring Shamrock with its roof pitch at 90 degrees to that of The Conifers.

**7.2.5** The dwelling is not sited in a conservation area and with no listed buildings in close proximity. Objective 3 of the Old Somerby Neighbourhood Plan is considered to apply to all development proposals in the Parish and states an objective 'To protect and enhance the character of the village and the surrounding rural landscape'. Policy 1 – Residential

Development within Old Somerby is considered to apply to applications for new dwellings only, not for householder applications, although nonetheless matters of scale, layout, materials and impact on amenity are still material considerations in determination of this application.

- 7.2.6** That the proposed development will be visible in the street scene and create a new element not already present in the street scene is not itself considered to result in harm to the character and appearance of the area. The street scene is mixed, with a mix of house types, materials and boundary treatments. The proposal does not impact upon heritage assets and the Neighbourhood Plan is relatively silent on such proposals. Consideration has been given to raising the existing roof of the dwelling to match that of the proposed extension, resulting in a consistent ridgeline and therefore no impact on the street scene, however this proposal was not supported by the applicant.
- 7.2.7** The reduction of 300mm from the original proposal, with a matching roof pitch, matching materials to the front elevation and particularly being set to the rear of the existing dwelling, is considered to result in a proposal that, on balance, does not result in harm to the character and appearance of the area and street scene.
- 7.2.8** The proposal is considered acceptable in terms of visual impact and is considered to be in conformity with Policy DE1 of the Local Plan and Section 12 of the NPPF.

### **7.3 Impact on Residential Amenity**

- 7.3.1** Policy DE1 (Promoting Good Quality Design) of the adopted Local Plan states (amongst other criteria) that all development proposals will be expected to ensure there is no adverse impact on the amenity of neighbouring users in terms of noise, light pollution, loss of privacy and loss of light and provide sufficient private amenity space, suitable to the type and amount of development proposed. Paragraph 130 of the NPPF states that developments should create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.
- 7.3.2** The proposed extension is sited to the rear (north) of the existing dwelling and will be 1 ½ storeys in height, with a ridge height of approx. 6.16m, a gain of 900m above the existing ridge height. The extension will extend from the existing rear elevation by approx. 4.95m to match the rear elevation of the existing single storey attached garage and be sited across the width of the existing dwelling.
- 7.3.3** Objections have been received regarding impact on neighbouring residential amenity through overbearing and overlooking impact. Being sited to the north rear elevation of the dwelling, the proposal, whilst increasing built form and being above the existing ridge height, is not considered to result in a loss of light to principal windows of neighbouring dwellings. Further the extension, due to being sited in from the existing boundaries, is not considered to cross a 45 degree line from the principle windows of neighbouring dwellings. The proposed extension does not extend beyond the existing side elevations of the dwelling and does not extend to the rear of the existing garage to the east side. As a result, with a low height of approx. 6.16m to the ridge and northerly outlook, the proposal

is not considered to result in an overbearing impact on neighbouring dwellings nor impact on light received to principal windows.

- 7.3.4** The proposed extension includes provision of an inset balcony at first floor level. The balcony will be accessed from central sliding doors/windows to the proposed bedroom, will be approx. 1.20m in depth and be across the width of the proposed extension. The inset balcony will be set within the proposed ridge of the new roof to the extension, with built up sides to the balcony and a glass balustrade to the rear. Due to the low eaves and low ridgeline, only approx. the central half of the balcony will be useable due to a reduced height to both sides.
- 7.3.5** Objections have been received with regards to an overlooking impact to neighbouring dwellings and gardens from the proposed balcony. The objections are noted, however no overlooking impact is considered to existing windows of neighbouring dwellings nor the immediate patio areas or areas of garden immediately to the rear of neighbouring dwellings due to the blank built up sides to the balcony.
- 7.3.6** An overlooking impact to the further rear (north) areas of the neighbouring gardens is noted. This impact is considered to result from a view from the balcony and, to a lesser extent, the proposed window serving the bedroom. Due to the centralised siting of the bedroom window and that only the central half of the balcony has useable head room, this overlooking impact is considered to extend to the furthest rear (north) half of the neighbouring gardens only.
- 7.3.7** Such an acknowledged overlooking impact, whilst not currently present for these three dwellings, is common elsewhere from any first floor principle windows of two storey dwellings to neighbouring gardens. An impact is therefore already considered to occur to both neighbouring bungalows from their neighbouring two storey dwellings to each side, from Meadowlark in the case of neighbouring Sysara and from Halcyon to neighbouring Shamrock. The proposed extension is therefore, on balance, not considered to result in a harmful overlooking impact to neighbouring dwellings.
- 7.3.8** Taking into account the nature of the proposal, scale, and adequate separation distances, it is considered that there would be no unacceptable adverse impact on the residential amenities of the occupiers of adjacent properties in accordance with the NPPF Section 12, and Policy DE1 of the Local Plan.

## **7.4 Highway issues**

- 7.4.1** Policy ID2 of the Local Plan requires all new development to apply principles to reduce the need for travel, maximise the use of sustainable transport modes, and ensure there would be no severe impact on the safety and movement of traffic on the highway network.
- 7.4.2** Paragraph 111 of the NPPF directs that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 7.4.3** The proposal would add an additional bedroom to the dwelling, however the dwelling is considered to benefit from off street parking for two cars on the driveway in addition to the existing attached single garage. LCC Highways have no objections to the proposal.

**7.4.4** The proposal would result in adequate access, parking and turning facilities and would not have an unacceptable adverse impact on highway safety in accordance with the NPPF Section 9.

## **7.5 Drainage**

**7.5.1** The site is not within an area at high risk of flooding being sited within Flood Zone 1. The proposal is for a householder extension with drainage provision expected to utilise the existing and to be approved separately for the extension through Building Regulations.

## **8 Crime and Disorder**

**8.1** It is considered that the proposal would not result in any significant crime and disorder implications.

## **9 Human Rights Implications**

**9.1** Articles 6 (Rights to fair decision making) and Article 8 (Right to private family life and home) of the Human Rights Act have been taken into account in making this recommendation. It is considered that no relevant Article of that act will be breached.

## **10 Conclusion**

**10.1** Taking the above into account, on balance, it is considered that the proposal is appropriate for its context, does not result in harm to neighbouring residential amenity and is in accordance with the NPPF (Sections 9 and 12) and Policy DE1 of the South Kesteven Local Plan. There are no material considerations that indicate otherwise although conditions have been attached.

## **11 Recommendation**

**11.1** That the Assistant Director - Planning is authorised to **GRANT** planning permission subject to the conditions set out below.

### **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:

Site Location Plan (received 27 August 2021)

Proposed Plans and Elevations 21.065PL01-2A (received 8 November 2021)

Unless otherwise required by another condition of this permission.

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

**Before the Development is Occupied**

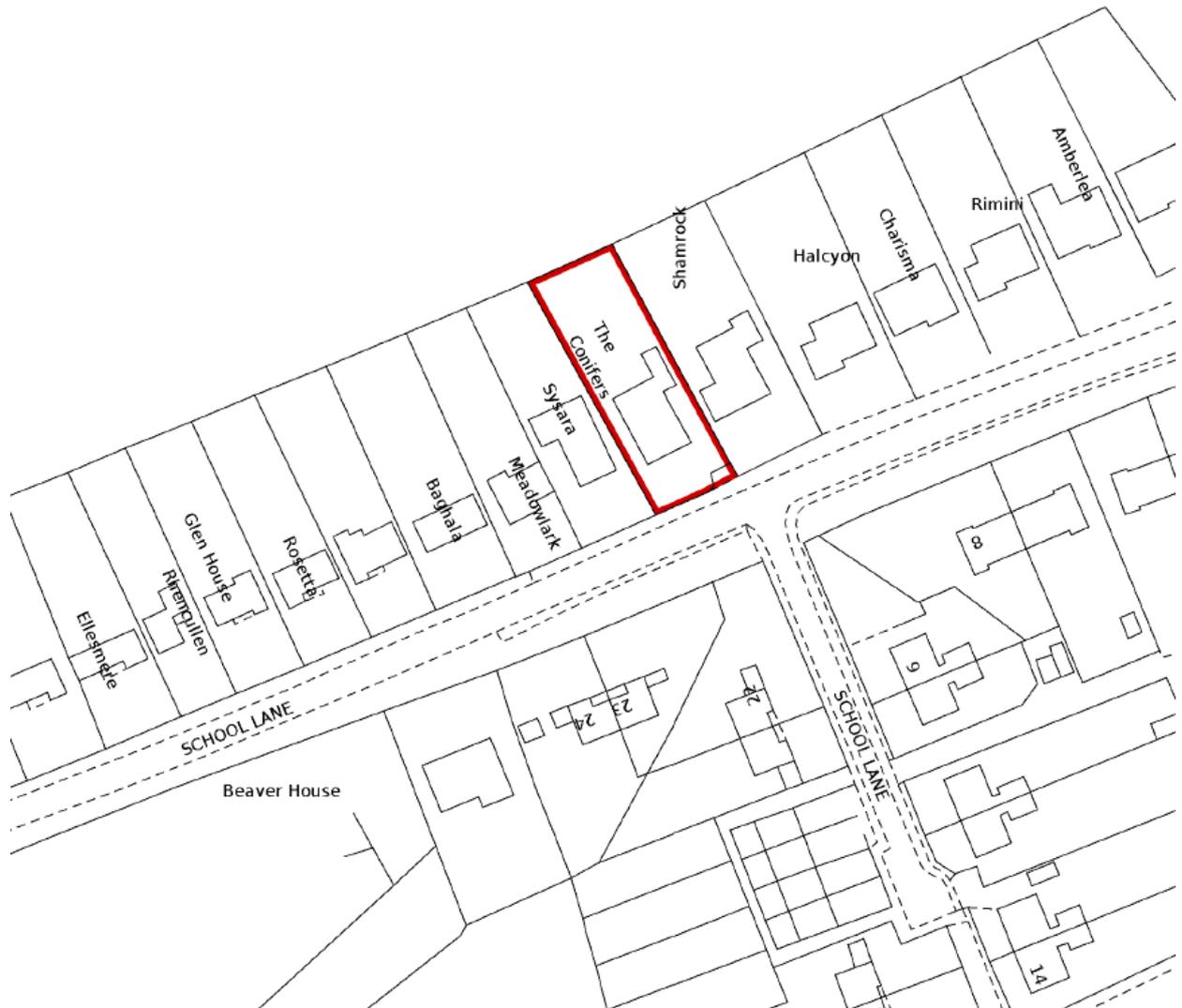
- 3 Before any part of the development hereby permitted is occupied/brought into use, the external elevations shall have been completed using only the materials stated in the planning application forms and approved plans.

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

**Standard Note(s) to Applicant:**

- 1 In reaching the decision the Council has worked with the applicant in a positive and proactive manner by determining the application without undue delay. As such it is considered that the decision is in accordance with paras 38 of the National Planning Policy Framework.
- 2 This consent applies only to that required by the Town and Country Planning Acts and does not include any permission or approval under any other enactment, bylaw or regulation.

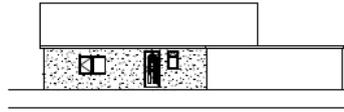
# Site Location Plan



# Existing floorplans and elevations and block plan



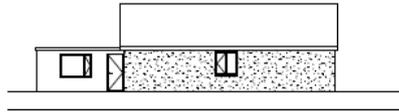
1 Existing Front Elevation  
1:100



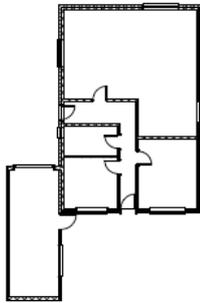
2 Existing Side Elevation  
1:100



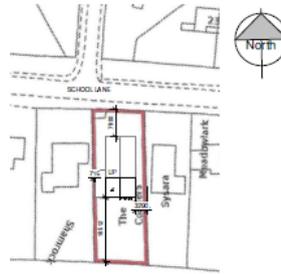
3 Existing Rear Elevation  
1:100



4 Existing Side Elevation 2  
1:100



5 Existing Ground Floor Plan  
1:100



6 Block Plan  
1:500



Client  
Mr & Mrs J Selby

Project Address  
The Conifers  
School Lane, Old Somerby  
NG33 4AQ

Project  
2 storey extension to rear

Drawing  
Title  
Existing Plans & Elevations

Scale  
As indicated

Date  
26/08/21

Drawn  
21.065PL01-1

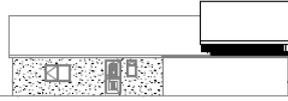
This drawing must not be copied. All dimensions must be

# Proposed floorplans and elevations

Site A: 100' x 70' - Height of proposed extension indicated by 30mm



3 Proposed Front Elevation  
1:100



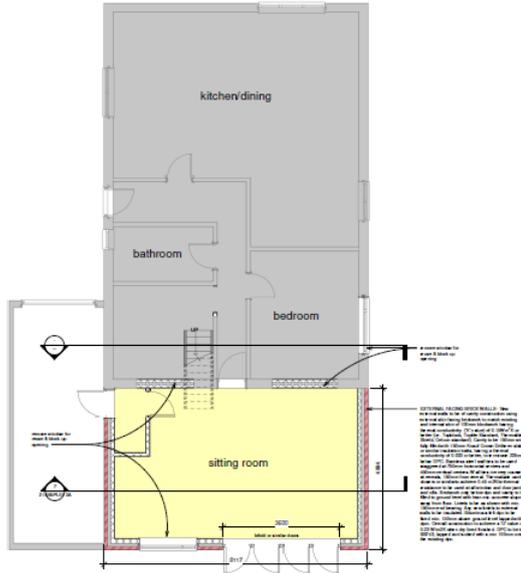
4 Proposed Side Elevation  
1:100



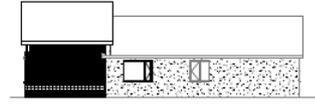
5 Proposed Rear Elevation  
1:100



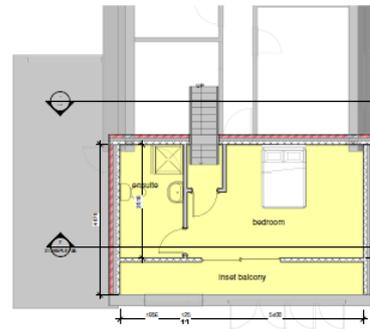
7 Section 1  
1:100



1 Proposed Ground Floor Plan  
1:50



6 Proposed Side Elevation 2  
1:100



2 Proposed First Floor Plan  
1:50



Client		
Mr & Mrs J Selby		
Project Address		
The Conifers School Lane, Old Somerby NG33 4AQ		
Project		
2 storey extension to rear		
Drawing Title		
Proposed Plans & Elevations		
Scale	Date	Drawn
As indicated	26/08/21	SRW
Dwg		
21.065PL01-2A		

This drawing must not be copied. All dimensions must be checked on site.



**SOUTH  
KESTEVEN  
DISTRICT  
COUNCIL**

## Planning Committee

18 November 2021



## Quarterly Planning Enforcement Update

### Report Author

Jonathan Short (Principal Planning Enforcement Officer)



01476 406474



jonathan.short@southkesteven.gov.uk

**Corporate Priority:**

**Growth**

**Decision type:**

**Regulatory**

**Wards:**

**All Wards**

**Reviewed by:**

Emma Whittaker (Assistant Director of Planning)

9 November 2021

### Recommendation (s) to the decision maker (s)

1. That Planning Committee note the contents of the Planning Enforcement update.

## **1 Introduction**

- 1.1** This report is prepared to provide Planning Committee with an overview of the Planning Enforcement function in the period 1 April 2021 – 30 September 2021.

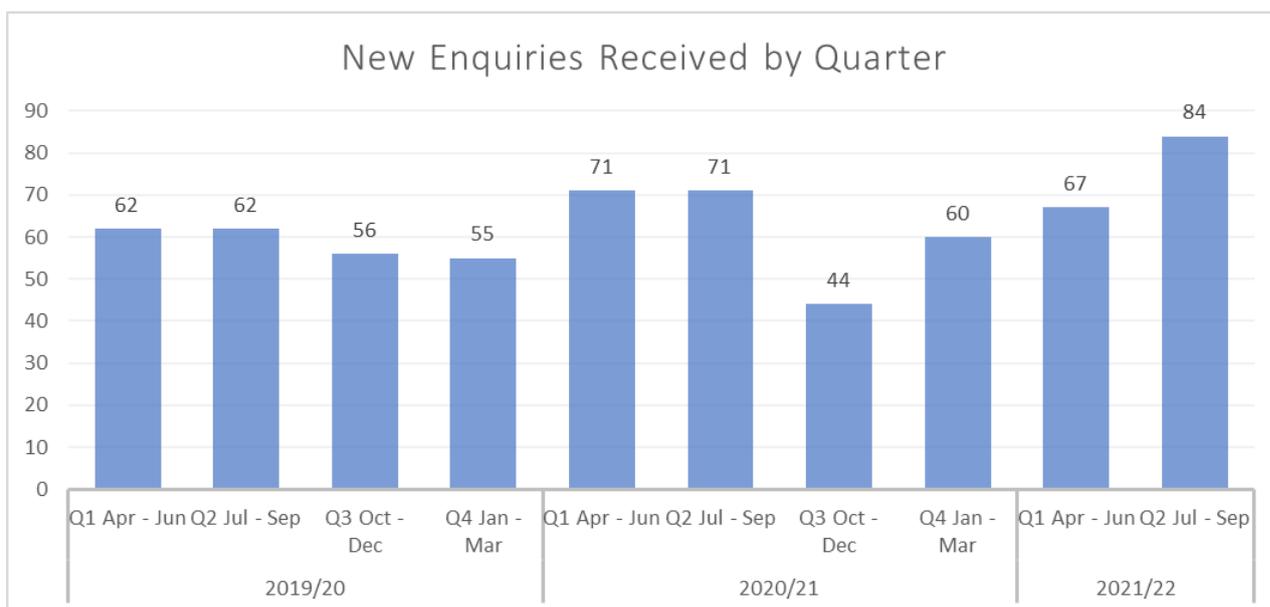
## **2 Background to the Report**

- 2.1** The Council has a duty to investigate enquiries relating to unauthorised developments, this includes building and engineering works and changes of uses, that may have been carried out with or without consent.
- 2.2** Effective planning enforcement is a useful tool in tackling breaches of planning control that would otherwise have an unacceptable impact on amenity in the District. It also helps to maintain the integrity of the Development Management process.
- 2.3** There are a range of enforcement powers that are available to the Council, however whether the Council takes any formal enforcement action is a discretionary matter. When considering taking any formal action the Council must consider if it is expedient to do so having had regard to the Development Plan and any other material considerations. It is also necessary to weigh up whether or not taking Enforcement Action is in the public interest.
- 2.4** Taking Enforcement action should be regarded as a last resort and many breaches of planning control can be resolved without formal action being taken. For example, retrospective planning permission can be obtained or the breach ceases or is remedied through negotiation.
- 2.5** Often the Council will receive complaints regarding alleged breaches of planning control that involve other services within the Council or other organisations. Where this happens the Planning Enforcement team will work with the other officers or organisations. This may mean that the Planning Enforcement team take the lead on a matter, or they may assist in the process. It can often be the case that different legislation and enforcement powers may be more effective than Planning Enforcement powers.
- 2.6** Councillors are often the public face of the Council and Member involvement in planning matters is crucial in maintaining an effective enforcement service. This report has been prepared to provide an overview of the enforcement function since April 2021.
- 2.7** It should be noted that whilst serving Enforcement Notices can be high profile, what often gets overlooked is the amount of work involved in resolving other issues where informal action has resulted in the breach ceasing or being regularised. It is important that Members understand the overall number of service requests and how these are dealt with.
- 2.8** It is intended to bring regular updates to the Planning Committee to update on performance and key cases.

### 3 New Enforcement Cases

3.1 Once an enforcement enquiry has been received, a case will be entered into the enforcement database and an acknowledgement letter sent to the enquirer. Officers will carry out a site inspection and make an initial assessment of the situation before providing the enquirer with a further update and idea of the proposed course of action.

3.2 In the period July to September (Quarter 2), the Council received a total of 84 new enforcement enquiries alleging breaches of planning control. This is higher than the previous two quarters and looking back at the years 2019/20 and 2020/21 and it is typical that the number of enquiries received in the spring and summer months is higher than in the Autumn and Winter.



Number of new Service Requests			
	2019/20	2020/21	2021/22
Q1 April-June	62	71	67
Q2 July - September	62	71	84
Q3 October - December	56	44	
Q4 January - March	55	60	

3.3 In the first half of this financial year, between April and September, the Council received 151 requests to investigate alleged breaches of planning control. This is higher than in the same period of the previous two years which may be a result of Covid restrictions being lifted and an increase in reports of people extending or working from their homes. However, the overall number of enquiries received in the first two quarters of each year does appear to be increasing year on year.

3.4 Following the initial investigation steps, enforcement cases often take varying amounts of time to resolve. In some instances, retrospective planning applications may be requested, or the developer may agree to remedy any breach of planning control voluntarily. In addition, where further, formal action may be warranted, there can be many legal stages that we need to go through which can take some time.

## 4 Number of Closed Cases

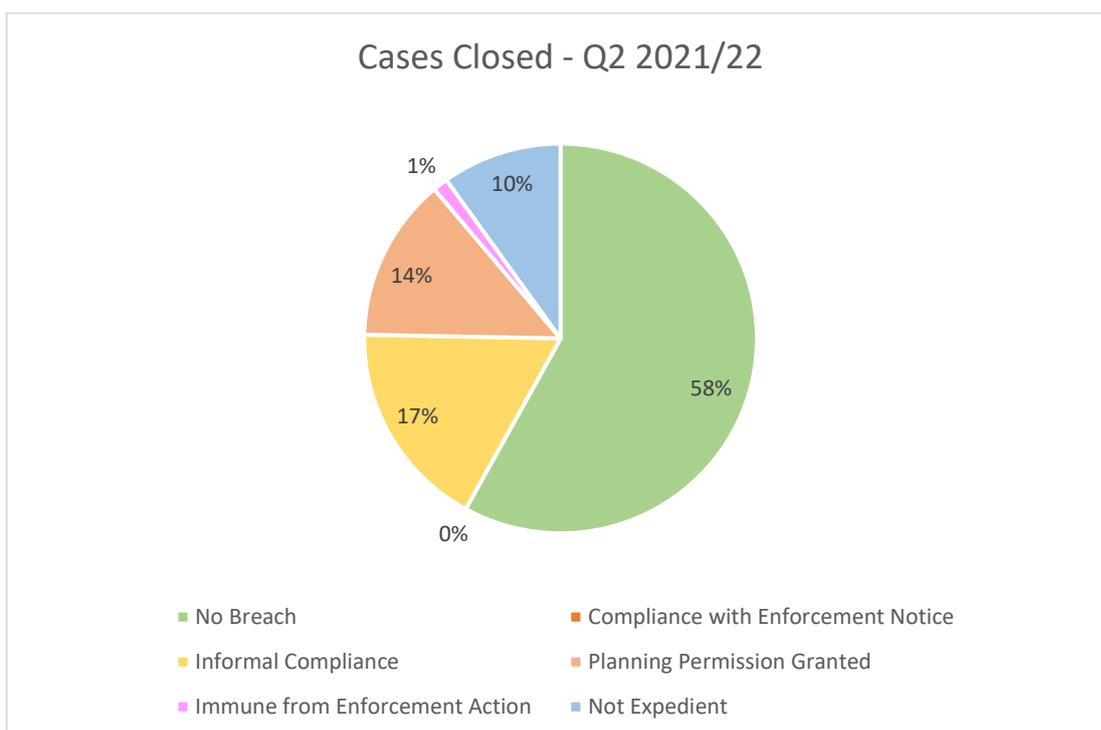
4.1 When a request to investigate an alleged breach of planning control is received, officers will prioritise the case in accordance with the Council's Enforcement Policy. For example, an allegation about ongoing works to a Listed Building or protected tree are treated as High Priority cases and a site visit will be carried out within two working days. For other cases the initial site visit will be carried out within ten working days.

4.2 Throughout the Covid pandemic, some lower priority cases were not able to be pursued, in accordance with the Council's policies for site visits at the time. These cases are currently being picked up by Officers now that most restrictions have been lifted, alongside the new enquiries that are being received. This regrettably has had a negative effect on workloads and response times however the team is working through the backlog to clear them.

4.3 Once the initial investigation has been completed, officers will decide how to progress the case and inform the enquirer of the intended next steps. Cases are closed for a variety of reasons and the graph and table below sets out those cases that have been closed and the reason for them being closed.

4.4 The graph below shows the split in the reasons for cases being closed in July to September 2021. Just over half of the cases being closed in this period because it was established that there was no breach in planning control.

4.5 Around a third of cases closed were through the negotiation of a remedy to the breach or the submission of a subsequently approved planning application. It is important to highlight these cases because they amount of a large proportion of workload that is otherwise unreported. A significant number of cases are closed due to the breach ceasing (informal compliance); these should be regarded as successful outcomes.



**4.6** In the first half of this financial year (April to September) the Council has investigated and closed 88 enforcement cases. This is slightly lower than on the number of cases resolved/investigated within the same period in the previous two years. This is partly due to the recruitment and training of a new Enforcement Officer and the impact of picking up cases that were not able to be investigated fully during the pandemic.

**4.7** The numbers of cases closed in this Quarter, as shown the above chart are as follows:

No Breach of Planning Control identified:	47
Informal Compliance:	14
Planning Permission Granted:	11
Not Expedient to take Further Action:	8
Immune from Enforcement Action:	1

**4.8** The total number of cases closed in each of the previous years is as follows:

2019/20 – 193

2020/21 – 239

2021/22 – 88 (Quarters 1 and 2 only)

## **5 Formal Enforcement Action**

**5.1** There are a range of formal enforcement options open to the Council when considering enforcement action including the following:

Enforcement Notice

Breach of Condition Notice

Planning Enforcement Order

Stop Notice

Temporary Stop Notice

Injunction

Section 215 Notice (Untidy Land)

Listed Building Enforcement Notices

**5.2** Formal action including the service of an Enforcement Notice should only be taken where the Council is satisfied that there appears to be a breach of planning control and it is expedient to do so. In deciding whether to issue the Council has to take into account the provisions of the Development Plan and any other material considerations. Generally taking such action should be treated as a last resort where negotiations to remedy the issue have failed. There will of course be instances where negotiation is not appropriate.

**5.3** Whilst Enforcement Notices are a powerful tool, the fact that an Authority may not have served a large number of notices doesn't mean that it is failing to manage or deal with unauthorised development or works within its area.

**5.4** In the year to date, we have served one Enforcement Notice:  
ENF21/0003 – Land off Valley Lane/A1 Slip Road, Long Bennington – Unauthorised use of the site for the residential occupation of a caravan by a traveller family – This notice

was served to cease the residential use of caravans, remove the caravans and fencing and reinstate the land to its former condition.

## **6 Enforcement Cases of note, Enforcement Appeals and Prosecutions**

- 6.1** ENF21/0003 – Land at Valley Lane/A1 Slip Road, Long Bennington – Unauthorised use of the site for the residential occupation of a caravan by a traveller family The Enforcement Notice for this site, which sought to end the residential use of the site and return the land to its former condition, has been Appealed. Statements have been submitted to Planning Inspectorate and Hearing Date has been set for 1<sup>st</sup> February 2022.
- 6.2** ENF20/0143 – Land Adjacent 34 Haddon Road, Stamford – Unauthorised development of site for traveller pitch – A Court Order has been issued, further to an earlier Interim Injunction, requiring the owner not to occupy the land as a traveller site, to remove hardstanding, fences, and a caravan from the site and to reinstate the land to its former condition. The Order has been breached and Officers are exploring further options in consultation with Legal Services.
- 6.3** ENF20/0189 – Land off Bulby Lane, Fulbeck – Unauthorised development of the site for occupation as 4 traveller pitches – A Court Order has been issued, further to earlier Interim Injunction, following the submission of an Undertaking by the occupants. The Order requires the occupants to vacate the site and reinstate the field to its former condition if an appeal against refusal of planning permission is dismissed by the Secretary of State is not successful. No further development of the land or the siting of additional caravans is permitted. Two pitches have already been vacated and it is the remaining two pitches that are subject of the Planning Appeal.
- 6.4** ENF16/0020 – Land off Mussons Close, Corby Glen – Unauthorised change of use of open space for proposed use as a traveller site – Interim Injunction awarded before any occupation took place and remains in force. Prevents any use of the land other than as open space and any operational development without planning permission.

## **7. Financial Implications**

- 7.1** There are no anticipated financial implications, although workloads will continue to be monitored.

## **8. Legal Implications**

- 8.1** There are no anticipated legal implications other than those associated with advice sought as part of individual investigations.