

Planning Committee



SOUTH
KESTEVEN
DISTRICT
COUNCIL

Thursday, 19 February 2026 at 10.00 am
Council Chamber - Council Offices,
St. Peter's Hill, Grantham. NG31 6PZ

Committee Members: Councillor Charmaine Morgan (Chairman)
Councillor Penny Milnes (Vice-Chairman)

Councillor Harrish Bisnauthsing, Councillor Pam Byrd, Councillor Helen Crawford,
Councillor Patsy Ellis, Councillor Paul Fellows, Councillor Tim Harrison,
Councillor Gloria Johnson, Councillor Vanessa Smith, Councillor Sarah Trotter,
Councillor Mark Whittington and Councillor Paul Wood

Agenda

This meeting can be watched as a live stream, or at a later date, [via the SKDC Public-I Channel](#)

1. **Register of attendance and 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 11 December 2025** (Pages 5 - 22)
4. **Minutes of the meeting held on 22 January 2026** (Pages 23 - 54)

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.

'Due to the amount of business on the agenda, there is likely to be an interval after the first 9 agenda items, with the committee reconvening at 1pm'

5.	Application S25/2345	(Pages 55 - 77)
	Proposal:	Planning application for a proposed change of use of Offices (Use Class E) to a 13-bedroom House in Multiple Occupancy (HMO) (Use Class Sui Generis) at rear ground floor and upper floors. Replacement windows
	Location:	24 St Peter's Hill, Grantham, Lincolnshire NG31 6QF
	Recommendation:	To authorise the Assistant Director – Planning to GRANT planning permission, subject to conditions
6.	Application S25/1653	(Pages 79 - 102)
	Proposal:	Planning application for a proposed change of use of Offices (Use Class E) to 3no. houses in multiple occupation (HMO) (Use Class Sui Generis)
	Location:	29-31 Avenue Road, Grantham, Lincolnshire NG31 6TH
	Recommendation:	To authorise the Assistant Director – Planning to GRANT planning permission, subject to conditions
7.	Application S25/1526	(Pages 103 - 115)
	Proposal:	Outline application for a residential development (7 dwellings) with all matters reserved except for access
	Location:	Constables Field, Belton Lane, Manthorpe, Grantham
	Recommendation:	To authorise the Assistant Director – Planning & Growth to GRANT planning permission, subject to conditions
8.	Application S25/0250	(Pages 117 - 205)
	Proposal:	The creation of a biodiversity habitat bank to be secured for a period of 30 years
	Location:	Land at Wilsthorpe Road, Braceborough, Lincolnshire
	Recommendation:	To authorise the Assistant Director of Planning & Growth to enter into a Section 106 Agreement with Enviroland to create, manage and maintain Biodiversity Net Gain Units for the purpose of satisfying Biodiversity Net Gain Obligations for developments for a period of 30 years

9. **Application S25/2401** (Pages 207 - 215)

Proposal: Gabion structural support of existing retaining wall with repairs/rebuilding of existing buttress walls

Location: Car Park, Scotgate, Stamford, Lincolnshire, PE9 2YB

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

10. **Application S25/0514** (Pages 217 - 245)

Proposal: Construction of 9no. dwellings, access, landscaping and parking

Location: 3, Drummond Road, Bourne

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

11. **Application S25/1916** (Pages 247 - 266)

Proposal: Proposed demolition of existing barn and erection of a detached dwelling, hard and soft landscaping and formation of a re-wilding zone

Location: Wildwood, Nightingale Lane, Aisby, NG32 3NE

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

12. **Application S25/0642** (Pages 267 - 291)

Proposal: Change of use from existing agricultural field to create new leisure facility. Construction of golf driving range with associated clubhouse, parking, and amenities

Location: Existing Agricultural Field off Meadow Drove, Bourne

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

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

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Minutes

Planning Committee

Thursday, 11 December 2025, 1.00 pm

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



SOUTH
KESTEVEN
DISTRICT
COUNCIL

Committee Members present

Councillor Penny Milnes (Vice-Chairman)

Councillor Pam Byrd

Councillor Helen Crawford

Councillor Tim Harrison

Councillor Sarah Trotter

Councillor Max Sawyer

Councillor Vanessa Smith

Councillor Paul Wood

Cabinet Members present

Councillor Phil Dilks (Cabinet Member for Planning)

Officers

Emma Whittaker (Assistant Director of Planning and Growth)

Phil Jordan (Development Management & Enforcement Manager)

Adam Murray (Principal Development Management Planner)

Miranda Beavers (Senior Development Management Planning Officer)

Craig Dickinson (Development Management Planner)

Amy Pryde (Democratic Services Officer)

68. Register of attendance and apologies for absence

Apologies for absence were received from Councillors Paul Fellows, Harrish Bisnauthsing, Patsy Ellis, Mark Whittington, Charmaine Morgan and Gloria Johnson.

Councillor Max Sawyer substituted for Councillor Harrish Bisnauthsing.

69. Disclosure of interests

Councillor Tim Harrison declared an interest on application S25/1910, he would not participate in the debate and vote.

70. Minutes of the meeting held on 27 November 2025

The minutes of the meeting held on 27 November 2025 were proposed, seconded and **AGREED** as a correct record.

Councillor Sarah Trotter made the following declaration in relation to application S25/1301, which was heard at the meeting held on 27 November 2025:

'In respect of obscure glazing to a window that had been conditioned by the Committee in June 2025. The Applicant had led the Committee to believe that Councillor Sarah Trotter was in support of the window not being obscurely glazed, however, this was not the case. Councillor Sarah Trotter had merely stated she could not see the neighbours garden seating area'.

71. Application S25/0890

Proposal:	Proposed residential development to create up to 9no dwellinghouses (outline planning permission with all matters reserved)
Location:	Thaddeus Farm, Main Street, Marston
Recommendation:	To authorise the Assistant Director – Planning & Growth to GRANT planning permission subject to conditions

Noting comments in the public speaking session by:

Against	Ian Robinson
	Heather Cotton
Agent	Mike Sibthorpe

Together with:

- Provisions within SKDC Local Plan 2011 – 2036, National Planning Policy Framework (NPPF) and Supplementary Planning Document.
- Comments received from Anglian Water Services.
- Comments received from Environment Agency.
- Comments received from Heritage Lincolnshire.
- Comments received from Lincolnshire Fire and Rescue.
- Comments received from LCC Highways & SuDS.
- Comments received from Lincolnshire Wildlife Trust.
- Comments received from Marston Parish Council.

The following comments were made by the public speakers:

- A speaker who lived adjacent to the site felt as if their privacy would be directly impacted.
- Concern was raised on noise and light pollution.
- It was felt the site of 9 dwellings would be excessive in size for the nature of the village and amenities such as the shop and school.

- Concern was raised on Highways and accidents that had previously taken place within the vicinity of the site.
- That the scale of the proposal was too large for the village.
- There had been no height or position of the houses proposed as part of the application.
- Further concern was raised on construction traffic alongside noise and dust particles.
- The agent ensured the Committee that the application comprised of an appropriate development plan.
- That the proposal would provide a positive contribution to the street scene and the entrance to the site would enhance character and appearance of the area.
- That the application was in keeping with the Council's Local Plan and the 5-year housing supply.
- It was confirmed certain scope would be implemented to protect local amenities.
- Scale and numbers of houses would be addressed at reserved matters stage.

During questions to Public Speakers, Members commented on the following:

- Whether there was noise pollution on the site at present, as it was being used agriculturally.

The Public Speaker noted the land had not been used agriculturally in years, however, a low hum from vehicles on the A1 could be heard from his property, at present.

- Clarification was sought on whether objectors would prefer a smaller scale of the site, less dwellings or properties with lower storeys.

The Public Speaker would prefer the site to compose of less dwellings with lower storey properties. It was felt his property and the proposed would have direct 'window to window' view.

- Whether there were any problems with drainage on the site at present.

The Public Speaker clarified the site became flooded following heavy rainfall. The drains were cleaned annually; however, they still became blocked.

It was confirmed the site was vacant due to the farmer becoming retired.

- Clarification was sought on whether the applicant would consider reducing the scale of the site to a lower number of properties.

The agent confirmed scaling of the site would be considered at reserved matters stage.

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

- It was queried how Officers could justify 9 properties being suitable for the site when the BNG, archaeology and the drainage all had unknown impacts.

The Principal Development Management Planner clarified the 9 properties proposed on the site equated to around 13 dwellings per hectare. The density of developments in other areas could be anything up to 25 dwellings per hectare. In comparison, the application proposed was a low density. It was felt that 9 properties would be suitable for the site, whilst ensuring sufficient space for BNG provisions required alongside drainage.

- Whether the overall height of the existing buildings could be conditioned so that any new builds would not exceed the height of any farm buildings.

It was clarified the farm buildings were the equivalent to single storeys in terms of domestic scale. There were a range of different sized properties around the proposed site. There was a scope at the reserved matters stage where fair judgement would be made in terms of scale and layout.

- Clarification was sought around comments on surface water within the report.

The assumption was made that the development would make disposal of surface water easier.

The Principal Development Management Planner informed the Committee that drainage and surface water provision was currently not known on the site. It was confirmed a condition would be imposed on surface water drainage, if the application be approved.

- One Member raised concern on comments received from Anglian Water on foul water connection.

Anglian Water's perspective on applications had changed recently, however, were directly related to the water recycling centre and not the actual treatment centres themselves and the capacity within those facilities. The treatment centres were subject to permitting regimes implemented by the Environment Agency and strongly regulated by Ofwat.

The comments received from Anglian Water in relation to this application were regarding the point in which foul drainage went into the Anglian Water network. However, they would be comfortable with a condition on dealing with foul water drainage as included within the schedule of conditions.

- A query was raised if Policy SP3 was intended for large cul-de-sac schemes or whether it was intended for smaller, sensitive frontage schemes.

From the Officer's perspective, the policy made reference to built up frontage and also a redevelopment opportunity. From a spatial strategy point of view, the focus on the application was around the redevelopment opportunity.

- Whether the conditions would be fully enforceable, if the application was approved.

The Principal Development Management Planner confirmed all conditions outlined within the report were enforceable.

The Committee were advised to assess the application against the development plan before taking the 'tilted balance' position into account. They were reassured the application was only outlined and more specific decisions would take place at reserve matters stage.

The 9 dwellings on the proposed site would meet sufficient separation differences and would preserve the privacy of other residents.

- Members emphasised that concerns raised from residents could be brought back to the Committee at reserved matters stage.

Final decision

It was proposed, seconded and **AGREED** to authorise the Assistant Director – Planning & Growth to **GRANT** planning permission subject to conditions:

Time Limit for Commencement

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

Reason: In order that development is commenced in a timely manner, as set out in Section 92 of the Town and Country Planning Act 1990 (as amended). Details of the reserved matters set out below shall have been submitted to the Local Planning Authority for approval within three years from the date of this permission:

1. Layout
2. Scale
3. Appearance
4. Landscaping
5. Access

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

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

Approved Plans

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

- Drg No.2049 001 Site Location Plan received 14 May 2025

Unless otherwise required by another condition of this permission.

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

Prior to Commencement

The development shall not commence until a Habitat Management and Monitoring Plan (the HMMP)], prepared in accordance with the approved Biodiversity Gain Plan and including:

- a non-technical summary;
- the roles and responsibilities of the people or organisation(s) delivering the (HMMP)
- the planned habitat creation and enhancement works to create or improve habitat to achieve the biodiversity net gain in accordance with the approved Biodiversity Gain Plan;
- the management measures to maintain habitat in accordance with the approved Biodiversity Gain Plan for a period of 30 years from the completion of development; (could be occupation)and
- the monitoring methodology and frequency in respect of the created or enhanced habitat to be submitted to the local planning authority, has been submitted to, and approved in writing by, the local planning authority.

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

Reason: To ensure the development delivers a biodiversity net gain on site in accordance with Schedule 7A of the Town and Country Planning Act 1990 (and policy EN2).

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 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 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 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 development hereby permitted shall be undertaken in accordance with a Construction Management Plan and Method Statement that shall first be approved in writing by the Local Planning Authority. The Plan and Statement shall indicate measures to mitigate the adverse impacts of vehicle activity and the means to manage the drainage of the site during the construction stage of the permitted development. It shall include;

- o the phasing of the development to include access construction;
- o the on-site parking of all vehicles of site operatives and visitors;
- o the on-site loading and unloading of all plant and materials;
- o the on-site storage of all plant and materials used in constructing the development;
- o wheel washing facilities;
- o 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 (temporary or permanent) connect to an outfall (temporary or permanent) during construction.

Reason: In the interests of the safety and free passage of those using the adjacent public highway and to ensure that the permitted development is adequately drained without creating or increasing flood risk to land or property adjacent to, or downstream of, the permitted development during construction.

No development shall commence until a strategic foul water strategy has been submitted to and approved in writing by the local Planning Authority, in consultation with Anglian Water. This strategy will identify a sustainable point of connection to the public foul network. Prior to occupation, the foul water drainage works must have been carried out in complete accordance with the approved scheme.

Reason: To protect water quality, prevent pollution and secure sustainable development having regard to paragraphs 7/8 and 180 of the National Planning Policy Framework and SKLP Policy EN5.

Before the development hereby permitted is commenced, a scheme for the treatment of surface water drainage shall have been submitted to and approved in writing by the Local Planning Authority.

The submitted scheme must:

- i. Be based on the results of evidenced groundwater levels and seasonal variations.
- ii. Be based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development.
- iii. Provide flood exceedance routing for storm events greater than 1 in 100 year
- iv. Where necessary, provide details of how run-off will be safely conveyed and attenuated during storms up to and including the 1 in 100 year critical storm event, with an allowance for climate change, from all hard surfaced areas within the development into the existing local drainage infrastructure and watercourse system without exceeding the runoff rate for the undeveloped site.
- v. Where necessary, provide attenuation details and discharge rates which shall be restricted to the existing runoff rate
- vi. Provide details of the timetable for and any phasing of implementation for the drainage scheme; and
- vii. Provide details of how the scheme will be maintained and managed for 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.

Thereafter, no part of the development shall be occupied / brought into use until the approved scheme has been completed or provided on site in accordance with the approved phasing.

The approved scheme shall be retained and maintained in full, in accordance with the approved details.

Reason: To ensure that permitted development is adequately drained without creating or increasing flood risk to land or property adjacent to, or downstream of, or upstream of, the permitted development.

During Building Works

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

Reason: To ensure the satisfactory development of the site.

Ongoing

The total number of dwellings to be constructed on the application site shall not exceed 9 in total.

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

72. Application S25/0692

Proposal:	Proposed residential dwelling and stable with car port and associated landscaping
Location:	Land between Witham Grange and Cleeve Acre Witham on the Hill
Recommendation:	To authorise the Assistant Director – Planning & Growth to GRANT planning permission, subject to conditions

Noting comments in the public speaking session by:

Witham on the Hill Parish Council Against Applicant and Agent	Mr Charles Henrique (Chairman) Mike Sibthorpe Simon Thompson & Michael Orridge
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Together with:

- Provisions within South Kesteven Local Plan 2011-2036, Design Guidelines Supplementary Planning Document and National Planning Policy Framework.
- Comments received from SKDC Environmental Protection.
- Comments received from Cadent Gas.
- Comments received from Anglian Water.
- Comments received from Witham on the Hill Parish Council.
- Comments received from SKDC Conservation Officer.
- Comments received from Lincolnshire County Council (Highways and SuDS).

The following comments were made by the public speaker:

- The Parish Council provided their objections to the application as they felt as if the proposed application had not changed from the previously refused application.
- It was noted the land was not owned by the applicant.
- Concern was raised that the application may encourage further development, which the Parish Council objected to.
- That the previous application was refused on policy grounds being located outside the main built-up part of the village.
- That the application proposed was around 50² metres larger and 11 metres wider than the previously refused dwelling. However, the proposed height was lower, but the overall massing of the building had increased.

- Concern was raised around the loss of the footpath if the development was approved.
- The Applicant informed the Committee their intention was to emulate the historic design character of the village.
- It was noted that there had been no objections from Highways.
- That the dwelling was in a well contained edge of village location and sat between 2 existing dwellings.
- The site would implement air source heat pumps and EV charging points where necessary.

During questions to Public Speakers, Members commented on the following:

- Clarification was sought around a neighbouring property (Clear Acre) that had previously been refused planning permission on the request the height was raised.
- Members sought further clarification on comments made by the speaker around the accessibility of the site.

(Councillor Vanessa Smith joined the meeting at 14:09, however, did not participate in the debate or vote for this application).

- A query was raised on why the speaker felt a precedent would be set on further development. It was noted the statement from the Parish Council stated the site was an 'infill' site between existing properties.

The Public Speaker felt the precedent would be set due to the land being greenfield and being protected by planning policies. It was felt there was no demonstrable need for development and the approval for this application would potentially encourage further applications to be brought forward.

- One Member queried the concerns raised from neighbours in relation to the stables on the proposed site.

The stable building was within proximity to the boundary of a neighbouring property (Witham Grange).

- In relation to the stable block, further concern was raised on horse boxes accessing the stable and travelling down the roads to access the site.
- The main objections to the proposal were queried.

The objector confirmed the main concerns were based around principle of development of the site and the impact on the character of the site.

- A query was raised on whether the Applicant intended on making improvements to the access road.

The Applicant confirmed he track was subject to ongoing maintenance from people who own the properties or the surrounding land.

- Whether there was clear evidence to prove the site was in fact an 'infill' site.

In terms of the Council's policies, the application sat between SP3 and SP4 and sat more within an SP4 site, however, because of the tilted balance, some weight could be attributed between SP3 and SP4.

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

The Principal Development Management Planner clarified a distinction between a definition of 'infill' in terms of planning and the additional criteria included within the Council's spatial policies.

- Whether the application was in fact a 'linear creep' rather than an 'infill'.

It was highlighted that the proposal was outside of the built up area of the village, however, there were existing properties nearby to the proposed site.

- One Member queried what weight should be given to the 'infill' site and the nearby properties.

The Principal Development Management Planner reiterated there was a change to the site as a setting, however, Officers did not believe they were harmful.

Officers felt the change of design mitigated the development, so it did not cause harm. Moreover, the previous refusal of the application could be used as a material consideration.

- It was noted a nearby property (The Grange) was a replacement for an original building that already had a property. This part of land had never had building development on and had always been open green field.
- Further concern was raised on the stable block, the no provision of paddock and how horses would be transported in and out of the site.

It was clarified that Highways had not objected to the application and no evidence had been submitted to suggest there was not any issues with movement of horse boxes. The stables and paddock would form part of another application; however, this application was set as being for domestic personal purpose only.

- One Member noted the tilted balance required harms to be identified and quantified, however, could not see them within the report.
- Members discussed the previous reasons for refusal and how the proposed development had changed.

- Whether the footpath was officially diverted or moved.

It was confirmed the footpath had not been diverted and did not inhibit the actual legal alignment of the footpath.

An ecology report had previously taken place, however, no evidence of great importance was found. Any protected species were covered under the Wildlife and Countryside Act and therefore it was a criminal offence to cause any danger or harm to the species and their habitats.

- Concern was made around the sensitivity and impact on the conservation area on this village and other small villages in general.
- It was requested a condition be implemented on the stable block, that it remained ancillary and any further applications come back to Committee as change of use.

Final decision

It was proposed, seconded and **AGREED** to authorise the Assistant Director – Planning & Growth to **GRANT** planning permission, subject to conditions:

Time Limit for Commencement

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

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

Approved Plans

- 2 The development hereby permitted shall be carried out in accordance with the following list of approved plans:
 - i. Site Location and Block Plans, drawing ref. J2092-PL-01 Rev P01 (received 14/04/25)
 - ii. Proposed Site Plan, drawing ref. J2092-PL-02 Rev P04 (received 16/10/25)
 - iii. Proposed Dwelling Floor Plans, drawing ref. J2092-PL-10 Rev P01 (received 14/04/25)
 - iv. Proposed Dwelling Elevations North and South, drawing ref. J2092-PL-11 Rev P02 (received 03/11/25)
 - v. Proposed Dwelling Elevations East and West, drawing ref. J2092-PL-12 Rev P01 (received 14/04/25)
 - vi. Garage / Stable Plans, drawing ref. J2092-PL-20 Rev P01 (received 14/04/25)
 - vii. Garage / Stable Elevations, drawing ref. J2092-PL-21 Rev P01 (received 14/04/25)

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 any construction work above ground is commenced, an Arboricultural Assessment, Tree Protection Plan and Arboricultural Method Statement shall have been submitted to and approved in writing by the Local Planning Authority.

Reason: Trees make an important contribution to the development site, character of the local area, and Conservation Area, in accordance with Policy EN1, EN2 and SP6 of the adopted South Kesteven Local Plan.

4 Before any construction work above ground is commenced, details of hard 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. other vehicle and pedestrian access and circulation areas;
- v. hard surfacing materials;
- vi. minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting etc.);
- vii. proposed and existing functional services above and below ground (e.g. drainage power, communications cables, pipelines etc. indicating lines, manholes, supports etc.);
- viii. retained historic landscape features and proposals for restoration, where relevant.

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.

5 Before any construction work above ground is commenced, 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;

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.

6 Before construction of any building hereby permitted is commenced, the land on which that building is situated shall have been graded in accordance with the approved land levels details.

Reason: In the interests of the visual amenities of the area and in accordance with Policy DE1 of the adopted South Kesteven Local Plan.

Before the Development is Occupied

7 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.

8 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.

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

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

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

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

Ongoing Conditions

11 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.

12 Notwithstanding the provisions of Schedule 2, Part 1, Class A 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 enlargement, improvement or other alteration to the property other than those expressly authorised by this permission shall be carried out without Planning Permission first having been granted by the Local Planning Authority.

Reason: To safeguard the amenities of the occupiers of nearby properties.

13 Notwithstanding the provisions of Schedule 2, Part 1, Class E 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 building, enclosure, swimming or other pool or container used for domestic heating purposes shall be constructed within the curtilage of the dwellinghouse 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 amenities of the occupiers of nearby properties or 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.

14 Notwithstanding the provisions of Schedule 2, Part 2, Class A 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 gate, fence, wall or other means of enclosure shall be constructed within or on the boundary of the curtilage of the site 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 amenities of the occupiers of nearby properties or 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.

15 The development hereby approved must only be occupied as a self-build dwelling as defined in section 1(A1) of the Self-build and Custom Housebuilding Act 2015.

Reason: To ensure that the exemption from Biodiversity Net Gain is correctly secured.

16 The Stable building hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling and shall not be commercially occupied.

Reason: In the interests of residential amenity in accordance with Policy DE1 of the South Kesteven Local Plan.

(Councillor Tim Harrison left the meeting and did not return).

73. Application S25/1910

Proposal:	Installation of externally illuminated hanging sign
Location:	6 High Street, Grantham, NG31 6PN
Recommendation:	To authorise the Assistant Director – Planning to GRANT advertisement consent, subject to conditions

Together with:

- Provisions within SKDC Local Plan 2011 – 2036 and National Planning Policy Framework (NPPF).
- There were no representations received.

(Councillor Tim Harrison declared an interest and left the meeting).

(Councillor Vanessa Smith joined the meeting).

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

- A query was raised on whether there were any other illuminated signs within the area of Grantham.

The Planning Officer clarified the adjacent building to the right of the site (Bierkeller), had an illuminated sign.

- It was queried whether policy relating to Conservation Areas requested no external lighting. Concern was raised that this could set a precedent for other businesses within Conservation Areas.

Within Council policy, illumination was discouraged, however, not ruled out within the shopfront design guide.

Final decision

It was proposed, seconded and **AGREED** to authorise the Assistant Director – Planning to **GRANT** advertisement consent, subject to conditions:

Approved Plans

- 1 The works hereby permitted shall be carried out in accordance with the following list of approved plans:
 - i. Location Plan Finger Sign - dwg no. 205S P01 - received 09/10/25
 - ii. Site Plan Finger Sign - dwg no. 205S P02 - received 09/10/25
 - iii. External Sign Plan - dwg no. 205S P03 - received 09/10/25

Unless otherwise required by another condition of this consent.

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

Ongoing Conditions

- 2 The In the hours after sunset and until sunrise, the advertisement display luminance shall be no greater than 200cd/m2. The lighting shall be static and non-blinking/flashing.

Reason: In the interests of amenity, public safety and in order to retain effective planning control

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

There were none.

75. Close of meeting

The meeting was closed at 15:28.

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Minutes

Planning Committee

Thursday, 22 January 2026, 1.00 pm

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



SOUTH
KESTEVEN
DISTRICT
COUNCIL

Committee Members present

Councillor Penny Milnes (Vice-Chairman)

Councillor Pam Byrd

Councillor Helen Crawford

Councillor Patsy Ellis

Councillor Paul Fellows

Councillor Tim Harrison

Councillor Gloria Johnson

Councillor Vanessa Smith

Councillor Sarah Trotter

Councillor Mark Whittington

Councillor Max Sawyer

Cabinet Members present

Councillor Phil Dilks (Cabinet Member for Planning)

Other Members present

Councillor Graham Jeal

Officers

Emma Whittaker (Assistant Director of Planning and Growth)

Phil Jordan (Development Management & Enforcement Manager)

Adam Murray (Principal Development Management Planner)

Venezia Ross-Gilmore (Senior Planning Officer)

Kevin Cartwright (Senior Planning Officer)

Hannah Noutch (Development Management Planner)

Craig Dickinson (Development Management Planner)

Amy Pryde (Democratic Services Officer)

Martha Rees (Legal Advisor)

76. Register of attendance and apologies for absence

Apologies for absence were received from Councillors Charmaine Morgan, Paul Wood and Harrish Bisnauthsing.

Councillor Max Sawyer substituted for Councillor Harrish Bisnauthsing.

Councillor Penny Milnes acted as Chairman for this meeting.

77. Disclosure of interests

Councillor Pam Byrd declared she was a Member of the Wildlife Trust and came to the Committee with an open mind.

The Chairman made the following statement:

'With regards to items 5,6,7 and 8 of the Agenda, I make a declaration on behalf of all members that whilst it is acknowledged that the Council either manage the property, are the Applicant or landowner, this will not affect how members of the planning committee determine the application. All members have been trained and will determine the applications in accordance with their planning training and with an open mind. Any member who does not feel they are open minded to determine the applications should make a declaration to that effect and not vote on the application.'

78. Minutes of the meeting held on 11 December 2025

One Member highlighted the minutes of the meeting held on 11 December 2025 were not included within the agenda.

The determination of the minutes were **DEFERRED** to the next meeting.

79. Application S24/1035

Proposal:	Change of Use of agriculture to multi-functional Nature Reserve and associated engineering operations
Location:	Bourne North Fen Nature Reserve, Spalding Road Twenty, Bourne, PE10 0AU
Recommendation:	To authorise the Assistant Director – Planning to GRANT planning permission, subject to conditions and completion of a Section 106 Agreement

Noting comments in the public speaking session by:

Mark Tarttelin - Wild Planet Associates (Working on behalf of the Lincolnshire Wildlife Trust) [Answer questions only]

Together with:

- Provisions within SKDC Local Plan 2011-2036 and National Planning Policy Framework (NPPF).
- No comments received from Anglian Water.

- No comments received from Bourne Town Council.
- Comments received from Environmental Agency.
- No comments received from Environmental Protection.
- Comments received from Heritage Trust of Lincolnshire.
- No comments received from Lincolnshire County Council Highways.
- No comments received from Natural England.
- Comments received from SKDC Tree Officer.
- No comments received from South Holland District Council.
- No comments received from Welland and Deepings Internal Drainage Board.

During questions to public speaker, Members commented on the following:

- Whether the site had any proposals for a level of access open to members of the public.

The agent confirmed there were no proposals at present for full public access to the site. It was noted that public open days would be explored going forward.

- How the long-term management of the site would be secured and enforced.

A S106 agreement would be secured and monitored.

- Whether the Agent could address the points outlined by the SKDC Tree Officer.

The Agent confirmed the comments had been taken on board. It was hoped all trees would be maintained and the proposal outlined would not impact any trees and would be monitored through the S106 agreement.

- Whether there were any harms against the current use of the site as agricultural land.

It was highlighted the project going forward would explore the way that nature reserves sit within the landscape, however, there would still be agricultural activities within the site. It was noted there were no harms.

- Clarification was sought on lack of information on paludiculture.

It was noted that parts of the reports were redacted around protected species, which was routine in a planning process.

- Whether there was a concern for possible flooding and whether any mitigations would be implemented as a preventative.

The Agent confirmed they were aware of the flooding concerns. They were open to working with the Environment Agency and explore funding opportunities for studies.

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

- Whether the Officer was satisfied that S106 conditions were robust enough to secure the benefits of the development.

The S106 agreement predominantly related to a habitat management and monitoring plan going forward. Part of that plan was to secure a mechanism on how many units created might be used.

It was highlighted the legal agreement was based on the same template used for the Boothby Wildland application.

- It was queried whether any engineering works would require building regulations alongside any traffic concerns during construction phase.

The Planning Officer clarified the primary engineering works on the application was for the surrounding bund which would accumulate some vehicular traffic. The site was isolated meaning there was no safety issues on construction in terms of traffic.

- One Member queried whether a condition could be secured on the access, following concerns.

It was outlined that phase two of the application would highlight operational arrangements in terms of access and parking to facilitate any visitors.

Condition 3 within the report outlined future aspirations for public visitors to the site.

Final decision

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

Time Limit for Commencement

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

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

Approved Plans

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

i. Site location Plan- Date received: 17.06.2024

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 the site is first brought into use, a Site Operational Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The Management Plan shall include, but is not limited to:

- a. An assessment of visitor numbers
- b. Details of access and parking arrangements
- c. Details of areas of the site to be made accessible to the public; and
- d. An assessment of any impacts on neighbouring amenity resulting from visitor access to the site.

Thereafter, the site shall be operated in accordance with the approved Management Plan at all times.

Reason: To ensure that the proposed use does not have any unacceptable adverse impacts on highways safety and capacity, and residential amenity, as required by Policy DE1 and ID2 of the adopted Local Plan.

80. Application S25/2380

Proposal: Change of use from an area of the recreation ground to a community activity hub

Location: Dysart Park, Houghton Road, Grantham

Recommendation: To authorise the Assistant Director – Planning & Growth to GRANT the planning permission, subject to conditions.

(Councillor Patsy Ellis declared this application was within her Ward, however, she came to the meeting with an open view).

Noting comments in the public speaking session by:

Planning Agent Georgina McCrae
Inspire + - Emma Sharpe
Councillor Charmaine Morgan (Statement)

Together with:

- Provisions within SKDC Local Plan 2011-2036, National Planning Policy Framework (NPPF) and The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

- No comments received from Grantham Town Council.
- No comments received from Environmental Protection.
- Comments received from Lincolnshire County Council (Highways).

The following comments were made by the public speaker:

- The District Ward Councillor highlighted the applications would be a real investment in the targeted support for young people who had previously been hard to reach.
- It was outlined that there had previously been anti-social behaviour concerns within the park and the applications were desired to support the young people whilst protecting residential amenity.
- Inspire + commented on the clear significant benefit that the applications would bring to the community, alongside the health and wellbeing improvement.
- The applications were in line with the Council's policies and Lincolnshire County Council (Highways) had not raised any objections.
- The hub would be around 40m away from the nearest residential property, there was an overall support from the local community.

During questions to public speakers, Members commented on the following:

- A query was raised on who would lead the forest school at the hub.

It was confirmed the forest school would be led by Inspire +, however, local experts and contacts would be involved in the running of the forest school.

- Whether an application for a community fund would be considered for additional security to the site.

Inspire + were aware of the anti-social behaviour within the park, security measures were being considered and funding options were being explored.

- Clarification was sought around the type of organisation that Inspire + were.

It was clarified that Inspire + was a charity founded in 2011. At present they had a holiday club provision, deliver apprenticeships in local schools and had been successful in the local area.

- A query was raised on how the project would be funded ongoing.

Inspire + had received funding from the UK Shared Prosperity Fund, which was used to install perimeter fencing and put towards cost of equipment for the forest

school. Local businesses and organisations had shown an interest in supporting Inspire +. Other funding opportunities were being explored.

- The flexibility of opening times of the hub was queried. Further clarification was sought around the supervision and safeguarding of children when attending the forest school.

The hub would be flexible in terms of timings, and the ambition was for it to be owned by the local community as a shared facility. For example, evening/weekend sessions and working in conjunction with Men's Shed.

In terms of safeguarding, the boundary fence was installed to enclose and safeguard the children.

- Whether the park had adequate lighting.

At present, there was not adequate lighting, however, Inspire + were considering how the space could be utilised and how additional lighting could be installed.

- A query was raised on whether the boundary fence wood cladding was fire retardant.

It was confirmed Inspire+ would liaise with the contractors to ensure the boundary fencing is protected.

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

- Members were in favour of the application and the benefits it would bring to the local community as a whole.

Final decision

It was proposed, seconded and **AGREED** to authorise the Assistant Director – Planning & Growth to **GRANT** the planning permission, subject to conditions:

Time Limit for Commencement

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

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

Approved Plans

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

- i. Location Plan received 8 December 2025
- ii. Proposed Site Plan drawing no. INS-LIN-XX-XX-DR-A-0012 received 8 December 2025
- iii. Community hub building plans and elevations drawing nos. INS-LIN-XX-XX-DR-A-0110 and INS-LIN-XX-XX-DR-A-0210 received 8 December 2025
- iv. Storage building plans and elevations drawing no. INS-LIN-XX-XX-DR-A-0211 received 8 December 2025

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 Before the development hereby permitted is commenced, details of the surface and foul drainage scheme shall have been submitted to and approved by the Local Planning Authority.

Reason: To ensure there is an appropriate means of drainage for the development, hereby approved, and in accordance with Local Plan Policy EN5.

Before the development is brought into use

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

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

5 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 on the approved plans 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.

6 Before any part of the development hereby permitted is occupied/brought into use, the works to provide the boundary treatments shall have been completed in accordance with the approved boundary plans.

Reason: To provide a satisfactory appearance to any boundary treatments and to secure the site in accordance with Policy DE1 of the adopted South Kesteven Local Plan.

81. Application S25/2352

Proposal: Use of land for multi-use games/sports area (MUGA) (Use Class F2) at Dysart Park

Location: Dysart Park, Houghton Road, Grantham

Recommendation: To authorise the Assistant Director – Planning & Growth to GRANT the Lawful Development Certificate

(Councillor Patsy Ellis declared this application was within her Ward, however, she came to the meeting with an open view).

Together with:

- Provisions within SKDC Local Plan 2011-2036, National Planning Policy Framework (NPPF) and The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).
- No comments received from Grantham Town Council.
- No comments received from Environmental Protection.
- Comments received from Lincolnshire County Council (Highways).

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

- One Member queried the ongoing maintenance of the MUGA.

The Assistant Director of Planning and Growth reminded the Committee that the Lawful Development Certificate was to decide whether it was lawful for planning permission or not.

As the Council were the Applicant, the leisure team would take ongoing maintenance into consideration.

Final Decision

It was proposed, seconded and **AGREED** to authorise the Assistant Director – Planning & Growth to **GRANT** a Lawful Development Certificate for the proposed works.

82. Application S25/1889

Proposal: Division of 1no. dwelling into 2no. dwellings. The erection of a porch side extension and 3 x rear extensions.

Location: 16 And 18 Market Place, Folkingham, Lincolnshire, NG34 0SF

Recommendation: To authorise the Assistant Director – Planning & Growth to GRANT the lawful development certificate

Together with:

- Provisions within the Town and Country Planning Act, 1990.
- No comments received from Parish Council.

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

- Whether the proposed works would enhance the building from its current condition.
- Clarification was sought around the 10-year rule in terms of enforcement.

The Planning Officer clarified for the period for it to become immune from enforcement action was 10 years. The works were carried out in terms of the subdivision and extensions (side and rear). Following Officer assessment, the subdivision was completed prior in excess of 10 years.

- A query was raised whether the cement mortar and replaced in any other areas of the site.

It was confirmed that where any cement mortar on the building has been removed, it had proposed to be replaced.

- One Member raised how the application site had not been brought to the Committee's attention previously and what had prompted the application to be brought to Committee.

The Planning Officer highlighted that the Officers had been made aware of the application and then invited Applicant's to put forward the application and demonstrate it to be lawful.

The Lawful Development Certificate would show that the application was not completed in excess of 10 years. If the application was not lawful, sufficient evidence would need to be provided.

- A query was raised on whether the Council owned the property.

It was clarified the property was Council-owned.

The Principal Development Management Planner highlighted that the Lawful Development Certificate dealt with the extensions and any development elements of the application. The Listed Building Consent dealt with the retrospective elements of the application and also works that were being proposed in terms of enhancing the building.

The Assistant Director of Planning and Growth further clarified that the Planning Authority were only aware of the application due to discussions around works to make improvements to the property. At this point, the Planning Authority became aware of previous alterations to the property.

Final decision

It was proposed, seconded and **AGREED** to authorise the Assistant Director – Planning & Growth to **GRANT** the lawful development certificate.

83. Application S25/1881

Proposal:	Various remedial works to restore the external facades and remove previous works that are not in-keeping with the building's heritage. Retrospective permission for internal works to divide the property into two dwellings, and for a small side extension as well as various rear extensions.
Location:	16 And 18 Market Place, Folkingham, NG34 0SFL
Recommendation:	To authorise the Assistant Director – Planning to GRANT listed building consent, subject to conditions.

Together with:

- Provisions within SKDC Local Plan 2011-2036 and National Planning Policy Framework (NPPF).
- No comments received from Folkingham Parish Council.
- No comments received from The Big Six Amenity Societies

Final decision

It was proposed, seconded and **AGREED** to authorise the Assistant Director – Planning to **GRANT** listed building consent, subject to conditions:

Time Limit for Commencement

1. The works hereby consented shall be commenced before the expiration of three years from the date of this consent.

Reason: In order to ensure that the works are commenced in a timely manner, as set out in Sections 18 and 74 of the Planning (Listed Buildings and Conservation Areas) 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 [received 06 October 2025]
- ii. 12981-WMS-ZZ-ZZ-D-A-10201-S8-P01 – Proposed Works Building Plans [received 06 October 2025]]
- ii 12981-WMS-ZZ-ZZ-D-A-10601-S8-P01 – Proposed Works Building Elevations [received 06 October 2025]

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 rendering hereby permitted is undertaken, specification of the render (including colour of any render, paintwork or colourwash) to be used in the construction of the external surfaces shall have been submitted to and approved in writing by the Local Planning Authority.

The works shall be carried out in accordance with the approved details.

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

4) Before the installation of any of the new external windows hereby consented, full details of all proposed joinery works for those windows, including 1:20 sample elevations and 1:1 joinery profiles, shall have been submitted to and approved in writing by the Local Planning Authority.

The works shall be undertaken in accordance with the approved details.

Reason: To ensure the satisfactory preservation of this listed building and in accordance with Policy EN6 of the adopted South Kesteven Local Plan.

5) Before the installation of any of the new external doors hereby consented, full details of all proposed joinery works for those doors, including 1:20 sample elevations and 1:1 joinery profiles, shall have been submitted to and approved in writing by the Local Planning Authority.

The works shall be undertaken in accordance with the approved details.

Reason: To ensure the satisfactory preservation of this listed building and in accordance with Policy EN6 of the adopted South Kesteven Local Plan.

6) Before any of the works on the external elevations for the building hereby permitted are begun, specification of the mortar to be used in the repointing of the external surfaces shall have been submitted to and approved in writing by the Local Planning Authority.

The works shall be undertaken using the approved details.

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

(The Committee adjourned until 1pm).

84. Application S25/1799

Proposal:	Section 73 application to vary Condition 13 (Off-site highways works) of planning permission S24/1297
Location:	Land to the north of Longcliffe Road, Grantham
Recommendation:	To authorise the Assistant Director – Planning & Growth to GRANT planning permission, subject to conditions

Noting comments in the public speaking session by:

For George Wilkinson (Planning Manager from
Allison Homes)

Together with:

- Provisions within SKDC Local Plan 2011-2036, Design Guidelines Supplementary Planning Document and National Planning Policy Framework (NPPF).
- Comments received from Great Gonerby Parish Council.
- Comments received from Lincolnshire County Council (Highways & SuDS).
- No comments received from National Highways.

The following comments were made by the public speaker:

- The application was for a variation of condition 13.
- It was noted that traffic lights and signage had been agreed by Lincolnshire County Council (Highways).
- Anglian Water had delayed works that were due to commence on 2 February 2026, these had been pushed back to the end of May 2026.
- There had been no objections from Lincolnshire County Council (Highways) and a transport statement had been provided.
- It was highlighted that highway footpaths and drive had been completed.

During questions to the public speaker, Members commented on the following:

- A query was raised on whether 13 of the properties were occupied. The condition stated that no houses could be occupied until the junction works had taken place meaning the condition had been breached.

The Public Speaker clarified that prior to the S278 agreement being in place, informal discussions had taken place with the Council and Lincolnshire County Council before a formal application was submitted. The site currently had 10 occupations on site as of September 2025. Since further analysis of the S278 agreement, no further properties had been occupied.

- A query was raised on how many properties were complete and ready to sell.

It was confirmed that the site had 60 occupations and whilst the works are complete, there would be no breach of condition. By June 2026, the site would be around 50 occupations. The earliest that the properties could be occupied is mid-March 2026.

- Whether the properties were social or public housing.

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

- One Member questioned whether any record of the discussions had been documented, as they could not be seen in the report.

The Principal Development Management Planner clarified that the Council, Lincolnshire County Council and Alison Homes were notified of the likely breach of condition. The critical point for the Planning Authority was to determine whether it was expedient to take action and the likelihood of harm arising.

An informal conversation took place with Lincolnshire County Council about whether 60 occupations would be harmful to the junction in terms of capacity. They had informally confirmed that capacity would not be an issue, subject to evidence through the modelling as part of the transport assessment.

The Development Management and Enforcement Manager noted the application was a form of enforcement action. An alternative approach may have been to not submit a retrospective application and for the Applicants to allow 60 occupations on the site. This was a voluntary application from the developer.

- Clarification was sought on how conditions can be enforced in future rather than being brought to Committee retrospectively.

Any occupation of the site as it stands would be a breach of condition. Notwithstanding that, discussions had taken place on whether occupations were to take place, what the potential impact of that would be. Comments provided to Committee were from the Local Highways Authority's assessment of the potential impact.

The Assistant Director of Planning and Growth outlined that rules are not always followed correctly in terms of breaches of conditions. The Council cannot stop an

Applicant breaking rules ahead of time, however, they can proactively enforce after the event of the breach.

- One Member queried who was responsible for the junction works being compliant.

It was confirmed Lincolnshire County Council (Highways) were responsible for the junction works and they were beginning on 2 February 2026.

- Whether a condition could be imposed to stop the occupancy going over 60 to provide reassurance to the Committee.

The wording of condition 14 states specifically no more than 60 dwellings shall be occupied.

- Clarification was sought on the original application that Lincolnshire County Council submitted and reasons for them requesting no occupations and what had changed since then.

The transport assessment was completed and the application originated to when the Longcliffe Road access was removed from the proposal. The scheme was assessed on the impact on the Belton Lane A607 junction based on 0 occupations, 180 occupations, 330 occupations and 440 occupations. The modelling at that point showed that at zero occupations, the junction would still operate within capacity, but at 180 occupation it would operate at over capacity.

Following this assessment, a condition was imposed that prior to any occupation, the junction works must be completed. Without the modelling, Lincolnshire County Council were unable to specify the exact number of occupations that would make the junction over capacity.

- The Committee as a whole were frustrated that the application was retrospective. The developer had breached a condition, and the Committee requested this be noted.

Final decision

It was proposed, seconded and **AGREED** to authorise the Assistant Director – Planning & Growth to **GRANT** planning permission, subject to conditions:

Approved Plans

2. The development hereby permitted shall be carried out in accordance with the following plans and documents:
 1. Design Code and Masterplan (Allison Homes Limited) (Dated July 2018); and Any plans granted as part of the reserved matters permission(s) approved pursuant to planning permission S15/3189 or subsequent variations approved thereafter; and

For the avoidance of doubt, the development hereby permitted shall have vehicular access from Belton Lane and Rosedale Drive only.

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

During Building Works

3. The development hereby permitted shall be carried out in accordance with the approved Arboricultural Method Statement, unless otherwise agreed in writing by the Local Planning Authority:
 1. Arboricultural Method Statement (Nicholsons) (Ref: 18-0635/Rev 4)
 2. Tree Protection Plan (Ref: 3764/35/180637/V4)

No works shall be permitted within the tree protection areas, including:

1. The removal of earth
2. The storage of materials
3. Any vehicular movements (including parking); and / or
4. The siting of any temporary buildings.

Reason: To prevent unnecessary damage to existing trees and in accordance with Policy EN2 (Protecting Biodiversity and Geodiversity) of the adopted South Kesteven Local Plan.

4. All construction works shall be completed in accordance with the approved Construction Management Plan (Ref: L052-CMP-PH1-01/Rev B) and Traffic Management Plan (Allison Homes) (received 01 August 2024) approved under application ref: S24/0977, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of safety and free passage of those using the highway; and to ensure that the permitted development does not give rise to any unacceptable adverse impacts on neighbouring residential amenities during the construction period in accordance with Policy EN4 (Pollution Control) of the adopted South Kesteven Local Plan.

5. The development hereby permitted shall be undertaken in accordance with the Phasing Parameters Plan (Ref: L171/Phasing/01/Rev A) and Phasing Plan and Timetable document (April 2024/V1), unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of ensuring the timely provision of each element of the approved development.

Before the Development is Occupied

6. No dwellings shall be occupied until the drainage works have been implemented in accordance with the foul water drainage strategy approved under application ref: S24/0977, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the provision of satisfactory foul water drainage in accordance with Policy EN5 (Water Environment and Flood Risk Management) of the adopted South Kesteven Local Plan.

7. No building hereby permitted shall be occupied until the sustainable drainage system of the site has been completed in accordance with the details approved under application ref: S24/0977, unless otherwise agreed in writing by the Local Planning Authority.

Thereafter, the sustainable drainage scheme shall be managed and maintained in accordance with the approved management and maintenance plan.

Reason: To ensure the provision of satisfactory surface water drainage in accordance with Policy EN5 (Water Environment and Flood Risk Management) of the adopted South Kesteven Local Plan.

8. No part of the non-residential elements (school, commercial and neighbourhood centre) of the approved development shall be occupied until Travel Plan(s) have been submitted to, and approved in writing by the Local Planning Authority. These Travel Plan(s) shall only relate to non-residential buildings, including the school, commercial buildings and neighbourhood centre.

Thereafter, an annual staff survey shall be submitted to the Local Planning Authority that will provide details of the implementation of the Travel Plan for a period of 10 years following the completion and first occupation of the building(s) to which they relate. The occupier shall ensure that travel arrangements are fulfilled in accordance with the Travel Plan(s), unless the Local Planning Authority provides written approval to any variation to the submitted details.

Reason: In order that the permitted development conforms to the requirements of the National Planning Policy Framework by ensuring that access to the site is sustainable and that there is reduced dependency on the private car for journeys to and from the site.

9. No building or part of the site shall be occupied or otherwise brought into use until the means of access thereto has been constructed to at least base course level in accordance with the details approved under application ref: S24/0977, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of safety and to avoid the creation of pedestrian trip hazards and vehicular hazards that may arise due to an extended period of dissimilar construction levels.

10. No building, other than those within Phase 1A, shall be occupied until a scheme for the provision of fire hydrants to serve that phase of the development – in which the subject building is located – has been submitted to and approved in writing by the Local Planning Authority.

Thereafter, the fire hydrant(s) serving each phase of the development shall be installed and retained as approved.

Reason: In the interests of the safety of the occupiers / users of the permitted development.

11. Before each building within Phase 1A of the development hereby permitted is occupied, the fire hydrant(s) serving that dwelling shall be installed in accordance with the details approved under planning application ref: S25/0813, and shall be retained for the lifetime of the development.

Reason: In the interests of the safety of the occupiers / users of the permitted development.

12. No dwelling(s) within the approved development shall be occupied until any bus stop(s) within that phase have been provided. The bus stop(s) shall comprise raised kerbs, bus stop poles with timetable casings / flags and dropped crossing points with tactile paving.

Thereafter, the bus stop(s) shall be retained in perpetuity.

Reason: In order that the permitted development conforms to the requirements of the National Planning Policy Framework by ensuring that access to the site is sustainable and that there is reduced dependency on the private car for journeys to and from the site; and to ensure the necessary active travel modes are implemented in a timely manner.

13. No more than 50 dwellings hereby permitted shall be occupied until the bus stop improvements have been completed in accordance with the details approved under planning application ref: S25/0813.

Reason: In order that the permitted development conforms to the requirements of the National Planning Policy Framework by ensuring that access to the site is sustainable and that there is reduced dependency on the private car for journeys to and from the site; and to ensure that the necessary upgrades to the local highways network is implemented in a timely manner in order to mitigate the additional movements generated by this development.

14. No more than 60 dwellings hereby permitted shall be occupied before the works to improve the public highway be means of signalising the A607 / Belton Lane junction, as shown indicatively on drawing ref: 14227-WIE-ZZ-XX-DR-C-951255/Rev A02 have been certified complete by the Local Planning Authority.

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

15. No part of the development hereby permitted shall be occupied before a safe and suitable pedestrian access is provided within the development and connected to existing pedestrian facilities on Rosedale Drive, and certified complete by the Local Planning Authority.

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

Ongoing Conditions

16. The total number of dwellings to be constructed on the application site shall not exceed 480 in total.

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

17. No buildings within the development shall be constructed in the area above the 65 metre contour line, as shown on the Illustrative Masterplan (Ref: EMS.2490_101G)/

Reason: Development above this line would give rise to unacceptable impacts on the landscape and to the setting of the nearby heritage assets; and to ensure compliance with Policy EN1 (Landscape Character) and Policy EN6 (The Historic Environment) of the adopted South Kesteven Local Plan.

18. Each dwelling within Phase 1A of the approved Phasing Plan (Ref: L171/Phasing/01/Rev A) shall not be occupied until the noise mitigation measures detailed in the Noise Impact Assessment (Ref: DC4717-NR1/V2) (as applicable) have been completed.

Thereafter, the acoustic mitigation measures shall be maintained and retained in full for the lifetime of the development, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To mitigate any noise impacts to dwellings resulting from the neighbouring railway line and to comply with Policy EN4 (Pollution Control) of the adopted South Kesteven Local Plan.

19. The gross internal floor area of the retail use (for all uses falling within Use Class E(a) of the Town and Country Planning (Use Classes) Order 1987 (as amended), or any Order revoking or re-enacting that Order (with or without modification), within the proposed Neighbourhood Centre shall not exceed 630 square metres, and the largest of those units shall not exceed 390 sq. metres at any time.

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

20. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or any Order revoking or re-enacting any such Order with or without modification), the non-residential part of the proposed Neighbourhood Centre shall not be used for any purpose other than those falling within Class E (Part A, B, C, E and F only), Class F1 or Class F2 (Part A only), or as a public house, wine bar or drinking establishment, or drinking establishment with expanded food provision; or hot food takeaway; unless planning permission for a new use of the premises has been granted by the Local Planning Authority.

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

21. No more than 300 dwellings shall be occupied before the proposed Neighbourhood Centre is completed and available for occupation.

Reason: To ensure the timely implementation of local facilities to serve the residents of the proposed development.

22. If 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, they shall be replanted in the first planting season following any such loss with a specimen of the same size and species, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the provision, establishment and maintenance of a reasonable standard of landscaping in accordance with the approved details; and in accordance with Policy DE1 (Promoting Good Quality Design) and Policy EN2 (Protecting Biodiversity and Geodiversity) of the adopted South Kesteven Local Plan.

23. Following first occupation of the final dwelling hereby permitted, the Landscape and Environmental Management Plan approved under application ref: S25/0813 shall be adhered to in full, unless otherwise agreed in writing by the Local Planning Authority.

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

85. Application S24/2214

(Councillor Vanessa Smith joined the meeting).

Proposal:	Application for approval of reserved matters relating to layout, scale, appearance and landscaping for the erection of up to 50 dwellings pursuant to outline planning permission S20/0775
Location:	Land West of Main Road, Long Bennington
Recommendation:	To authorise the Assistant Director – Planning & Growth to GRANT reserved matters consent, subject to conditions

Noting comments in the public speaking session by:

Long Bennington Parish Council Applicant	Cllr John Leventhall Edward Langtry, Arkwood Developments Ltd (Lee Russell of Seagate Homes to answer questions)
---------------------------------------------	------------------------------------------------------------------------------------------------------------------------

Together with:

- Provisions within SKDC Local Plan 2011-2036, National Planning Policy Framework (NPPF), Long Bennington Neighbourhood Plan and Design Guidelines for Rutland and South Kesteven.
- Comments received from Long Bennington Parish Council.
- Comments received from Local Highway Authority.
- Comments received from Fire and Rescue.
- Comments received from Anglian Water.
- Comments received from Environmental Protection.
- Comments received from Upper Witham IDB.
- Comments received from SKDC Affordable Housing.

The following comments were made by the public speakers:

- The Parish Councillor provided concerns from Long Bennington Parish Council around drainage. This had been recognised via local knowledge in the area.
- It was noted there was a sewerage connection upstream of the development and a connection further south of the site.
- It was stated there was periodic intervention from Anglian Water on capacity. It would be preferred if the site was connected further south of the site.
- Concern was raised on the 1.8m mesh boarded fencing which would not provide a barrier for privacy.
- The Applicant highlighted the site was secure for developing properties.
- The existing outline permission was approved for 30% affordable housing (2-5 bedrooms), 1/5 of the site being bungalows.

During questions to public speaker, Members commented on the following:

- Whether the Parish Councillor had any knowledge on how long concerns had been ongoing in relation to flooding.

The Parish Councillor clarified the sewerage would overflow a couple of times per year. Anglian Water were regularly called to unblock water treatments in the area.

- A Member of the Committee sought reassurance that the Applicant would look into drainage concerns. They also requested that the Applicant liaises with local residents on their concerns.

The Applicant highlighted a revised drainage strategy would be completed alongside a pre-application with Anglian Water on the connection.

- A query was raised on the hedgerow to the northern boundary of the site and the access to maintaining it.

In terms of boundary treatment, a 1.5m fence was proposed, however, privacy concerns raised would be taken into consideration. The hedgerow would still be maintained to facilitate birds, local ecology and habitation.

- Clarification was sought around who was responsible for the drainage.

Condition 9 of the outline planning permission did require specification and the ongoing maintenance of the drainage.

- One Member queried whether there were any pathways from the proposed properties to the children's play area.

The Applicant's confirmed footpaths and roads had been discussed with Highways. Crossing points had been advised but had not yet been confirmed. Shared surface roads would be around the family homes to access the play area.

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

- Whether a surface water drainage system could be installed by the developer and the impact this could have on the edge of the site.

The Senior Planning Officer clarified it would be under control of the lead flood authority, the IDB or riparian owners of the dyke/drain. This was not within the remit of the planning process.

- Further clarification was sought on the height of the solid boundary treatment proposed.

It was clarified the 1.8m high solid boundary treatment would be appropriate for the site.

- One Member queried what the speed limit would be through the development.

The Committee were reminded that speed limit was not part of the Committee's remit, however, it was noted the roads within the development would likely be 30mph.

- It was queried whether matters concerning drainage would be brought back to the Committee.

The Committee or local Ward Members could call-in the application relating to drainage for consideration, if they felt necessary.

- Members were in favour of the site having the provision of bungalows.

The Senior Planning Officer confirmed there was a current live application (S25/0014) for the discharge of conditions. Boundary treatments would be included within this application.

Final decision

It was proposed, seconded and **AGREED** to authorise the Assistant Director – Planning & Growth to **GRANT** reserved matters consent, subject to conditions:

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

- Location Plan Drawing No. 8002-L-01
- Planning Site Layout Drawing No. 20026-SGH-AR-PSL-001 Rev P08
- House Type B985 – Floor Plan and Elevations Rev B
- House Type B1023 – Floor Plans and Elevations Rev A
- House Type H5201 – Floor Plans Rev A
- House Type H5201 – Elevations Rev A
- House Type 4202 V2 – Plans and Elevations (Plots 30 and 45 only)
- House Type B810 – Floor Plans and Elevations
- House Type B987 – Floor Plans and Elevations
- House Type H2201 – Floor Plans and Elevations
- House Type H3201 – Floor Plans and Elevations
- House Type H3204 – Floor Plans and Elevations
- House Type H4201 - Floor Plans and Elevations
- House Type H4202 – Floor Plans and Elevations
- House Type H5201 – Elevations
- House Type H5201 – Floor Plans
- House Type H732 – Floor Plans and Elevations
- House Type H902 - Floor Plans and Elevations
- House Type S318 and S319 – Floor Plans and Elevations
- Double Garage Dwg No. 8002-DGAR-001
- Single Garage Dwg No. 8002-SGAR-001
- Pump Station Perimeter Wall Plan and Elevation

- Levels Plan 20026-SGH-AR-LPS-005 P04

2 Notwithstanding the submitted details, prior to any landscaping and planting being undertaken within the development precise details of the species, number, location and details of future maintenance of the planting shall be submitted to and approved in writing by the local planning authority.

Planting and maintenance shall be undertaken in accordance with the agreed details.

Reason: In the interests of visual amenity and to ensure a satisfactory form of development.

(The Committee adjourned for a 10 minute break).

86. Application S25/1656

Proposal: Planning application for a proposed change of use of a Residential Care Home (Use Class C2) to two 12-bedroom House of Multiple Occupancy (Use Class Sui Generis).

Location: Birchwood Nursing Home, 6 Dudley Road, Grantham, Lincolnshire NG31 9AA

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

Noting comments in the public speaking session by:

District Ward Councillor	Cllr Matt Bailey – statement to be read out
	Cllr Patsy Ellis
	Cllr Graham Jeal
Against	John Morgan (speaking as St Vincent Town Ward Councillor but not on behalf of the Town Council) Steven Preston Caryn Garner
Applicant	John Benson – statement to be read out

Together with:

- Provisions within SKDC Local Plan 2011 – 2036, National Planning Policy Framework (NPPF) and Lincolnshire County Council (Highways).
- Comments received from Grantham Town Council.
- Comments received from Lincolnshire County Council (Community Based Services).
- Comments received Lincolnshire Police (Designing Out Crime).
- Comments received from Grantham Town Councillor Tracey Forman.
- Comments received from SKDC Conservation Officer.
- No comments received from Environmental Protection.

- Comments received from Grantham Town Councillor John Morgan.
- Comments received from Grantham Town and District Ward Councillor Charmaine Morgan.

Councillor Sarah Trotter made the following statement:

'As community champions, it is legitimate for members to campaign on local issues and advocate for their residents. This is support by section 25 of the Localism Act 2011, which provides that members should not be regarded as having a closed mind, simply because they, directly or indirectly previously indicated a position they may take in relation to a particular matter.'

'A Member is entitled to be predisposed on a matter before it comes to Committee, provided they remain open to considering all the arguments and changing their views in light of the information presented at the meeting. Whilst it is the case that the SKDC Conservative Group have actively advocated for greater statutory rigour around HMO's and a removal of associated permitted development rights. I personally consider that I have an open mind upon the application to be determined. I can openly consider all planning arguments and information presented upon this specific application before forming any firm view upon the decision to approve or refuse the application.'

(Councillor Helen Crawford and Gloria Johnson concurred with the statement made and remained open minded).

(Councillor Max Sawyer declared he knew a public speaker; however, he remained open minded on the application).

(Councillor Patsy Ellis did not sit on the Committee for this application, as she had registered to speak as Ward Councillor).

The following comments were made by the public speakers:

- Excessive density contrary to Policy DE1.
- Harm to Conservation Area through subdivision of heritage bay windows contrary to Policy EN6.
- Adverse impact on neighbouring amenity contrary to Policy DE1 through waste management and noise.
- Failure to demonstrate alternative uses explored as required by Policy SP6.
- Nearby residents had sent 56 objection letters. This application would adversely impact residents of Dudley Road.
- Concern was raised on cumulative impact of HMO's in Grantham's town centre.
- The lack of a parking survey on vehicle ownership and parking was raised. It was noted there was no cycling infrastructure in Grantham.
- A waste and site management plan was suggested.

- Concern was raised on anti-social behaviour and possible increase of crime alongside the lack of policing.
- That previous CQC reports had shown no more than 16 people resided in the property, when it was a care facility.
- The bin storage at the property was a great concern for the neighbour, alongside privacy concerns.
- Concern was raised on the number of bathrooms and kitchens not meeting the specified requirements.
- The lack of laundry provision was raised.

During questions to public speakers, Members commented on the following:

- Whether residents had stated that the future 24 occupants of the HMO were unlikely to own cars.

Residents had highlighted that the future occupants of the HMO would likely own a vehicle.

- Whether residents had confidence in parking data that had used people with 0 cars and 1 car only alongside a waste collection site that did not currently exist on the site.

Residents had highlighted that they were not confident with the parking data or waste collection route provided.

- It was noted that the Committee attended a site visit at 11:30am, where the traffic was busy. It was queried whether this was the 'norm' for this area at that time of day.

The District Ward Councillor confirmed that was the 'norm'. It was highlighted that 5 schools were within close proximity to the site. He felt it was the wrong application in the wrong location.

(The Committee declared they knew Charmaine and John Morgan, however, remained open minded).

- Clarification was sought around the photos shown, where the neighbour would overlook the bin storage. It was queried how far away the bins were from the neighbouring property.

The Public Speaker confirmed the bin storage was within close proximity to the neighbours' hallway/lounge windows. It was approximately 3 metres away.

- A query was raised on where the previous care home stored their bins.

The Public Speaker clarified the care home had previously stored bins on the rear side of the building which was not in view.

A statement was read out on behalf of the Applicant which outlined the following:

- The Conservation Officer had not raised any concerns on the proposal and minimal changes to the exterior of the building would have no detrimental impact.
- That the building would not be extended to facilitate the end use.
- It was unlikely that the differences in the number of visitors and deliveries would be significantly different to the previous use.
- Lincolnshire County Council Highways had no objections to the proposal.
- Extensive cycle parking provides 24 secure spaces along with 8 car parking spaces on site.
- Car ownership in the area is low which was evidenced in Census data.
- That prospective residents should be treated differently than other residential occupiers.
- That the property will be well managed and occupied by tenants who are fully respectful.

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

- One Member queried whether Lincs Fire and Rescue had submitted any comments on the application around the safety of residents.

The Principal Development Management Planner informed the Committee that fire and rescue safety were matters for building regulations.

- It was noted key issues around parking and bin management had to be an assumption. Members were disappointed that they were unable to ask robust questions of the Applicant.

It was confirmed that Highways had assessed parking provision and had not objected to the application.

- One Member queried whether cumulative impact was a matter for planning or licensing.

The Principal Development Management Planner highlighted that the type of cumulative impact would need to be assessed on harm. Clarification was sought on whether the cumulative impact was in terms of amenity or parking. The number of HMO's within the area was not a planning consideration for cumulative impact.

- Clarification was sought on whether any grass or mature hedging was being removed.

There were limited changes to the external appearance of the building. The application proposed to remove a small section of mature hedge from the pillar to halfway across the window, which would then be split and hard standing would replace a section of grass to accommodate parking.

- Whether the Committee could share their concerns on parking of 4 or more cars being unacceptable for the site. It was queried whether the Committee could change the perspective from Highways.

Parking was a relevant planning consideration. Highways had the responsibility to assess the likely requirements that sort of development would have in terms of movements and demand and base their assessment on whether the site could accommodate that or not, alongside whether it would have an impact on the local highways network. Highways had assessed the application as a town centre location, and they felt there was sufficient opportunity for parking.

- Clarification was sought around heritage and the division of the bay windows and whether this was a planning consideration.

The Principal Development Management Planner confirmed the bay windows were operational development and a relevant planning consideration. It was noted the Conservation Officer had not raised any concerns.

- A query was raised on whether a parking stress survey had been undertaken.

A parking stress survey had not been completed, and the Highways authority had made their assessment and were satisfied there were no unacceptable impact in parking zones.

- Clarification was sought on whether the HMO would act as one 24 occupancy HMO or two 12 occupancy HMOs.

Conditions had outlined the two properties could occupy up to 12 people in each building. The internal standards, internal space and level of occupancy that was acceptable from an HMO licensing point of view was a separate process.

The Development Management and Enforcement Manager informed the Committee that the intensity of the development and the harm from that was relevant to debate.

- One Member suggested the following policies to debate: EN1 - landscape and character, DE1 – loss of amenity, increased noise/disturbance, EN4 – mitigating pollution and protecting amenity.

It was clarified that policy EN1 primarily related to landscape character. Policy DE1 seemed more relevant in terms of the concerns around the impact of street scene. Other concerns highlighted would come under the remit of an alternative regime.

- Clarification was sought around the report which stated, 'suitable as a residential use, particularly taking into account the previous use of the site as a care home'. It was noted that the operation of a HMO compared to a care home was completely different.

- Further clarification was sought around the note on scheme of crime prevention measures having to be submitted and approved in writing by the local planning authority prior to occupation. This implied an increase of crime was expected from the application.

A note had been received from the Crime Prevention Officer, which related to the internal requirements for the property e.g. locks inside the rooms.

- Further concern was raised on the over occupancy of the site and waste management.
- Another concern was raised on the impact of parking provision on the area.

One Member proposed a deferral of the application due to the Committee not having the robust site-specific evidence to determine the application. A deferral would allow the Applicant to provide the necessary information and clarification. A site-specific parking and car ownership assessment, clarification and correction of the design and access statement, a clear waste and servicing strategy and a re-consideration whether 24 occupants was appropriate for this site.

The Principal Development Management Planner informed the Committee that the appropriate route for the Committee to take would be to refuse the application on the basis of insufficient information rather than defer the application. If the application be deferred on a specific point, the Committee would be making it clear that they accept the application in all other aspects, if the specific point be addressed.

This proposal was withdrawn.

One Member proposed to refuse the application for the following reasons:

- The proposed use for two 12-bedroom HMOs was an over intensification and harm to residential amenity (contrary to DE1 and NPPF).
- Inadequate living conditions for future occupiers, internal layout, communal space, constrained bathroom provision and restricted external amenity space (contrary to DE1 and NPPF).
- Harm to the character and appearance of the Conservation Area, including bin storage and parking (contrary to EN6 and NPPF).
- Cumulative impact of HMOs. The proposal would contribute to an over concentration of HMOs within the surrounding area exacerbating existing social and environmental pressures and undermine the balance and mix of housing (contrary to policies H4 and DE1).
- Insufficient and inconsistent information where the application contains conflicting and incomplete information regarding waste storage, management arrangements, internal facilities and parking (contrary to DE1 and NPPF).

The Development Management and Enforcement Manager provided advice to the Committee that the intensity of use and associated harm on the character and appearance of the area (DE1 and S12 of NPPF) had merit in terms of refusal.

Insufficient information around parking and waste management could also be considered in terms of refusal for the impact.

- Clarification was sought from the Legal Advisor. It was noted that 'a deferral does not imply acceptance of any other issues, all matters remain live' (Section 38.6 Planning and Compulsory Purchase Act).

The Legal Advisor clarified that deferring for further information at this meeting and then returning to the next meeting to reconsider the application and refusing it for a different reason (not the issues previously deferred on). It could be considered as unreasonable behaviour by the Applicant and potentially an Inspector, as it was not best practice.

One Member felt they were unable to make a decision on accepting or declining the application due to lack of evidence.

Some Members of the Committee had raised concern on the operation of the development affecting character and appearance of the property (internal subdivisions).

It was proposed, seconded and **AGREED** to extend the meeting until 5pm.

The previous proposal was withdrawn.

- One Member raised concern on risks to the Council if the application is deferred, the developer go to appeal and wins against deferring and requesting further information and make an assessment on all information.

The Principal Development Management Planner confirmed the likelihood is that it would end up at appeal in both situations. Either the application is refused and the Applicant appeals against the reasons given or the Applicant appeals against non-determination. The risk is normally a lot higher for non-determination applications as the Local Planning Authority would have failed to make a decision.

Final decision

It was proposed, seconded and **AGREED** to **REFUSE** the application for the following reason:

'The proposed change of use to 2(no) houses of multiple occupation, each with up to 12 occupants, would require operational development in the form of subdivision of an existing window, removal of boundary treatments, increased hardstanding and additional bin storage and cycle storage, which would cumulatively result in harm to the character and appearance of the area contrary to Policy DE1 of the adopted Local Plan. The material considerations in this case, including the public benefits associated with the provision of 2 residential units, which is identified as a

significant benefit, would not outweigh the identified harms as similar benefits could be derived from a less intensive residential use.'

'There is insufficient information on which to assess the potential parking and waste storage required to support the development, such that the local planning authority cannot be satisfied that the proposed development would not result in an increase level of on-street parking, or would result in an unacceptable impact on the character of the area, contrary to Policy DE1 of the adopted Local Plan.'

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

There were none.

88. Close of meeting

The Chairman closed the meeting at 16:38.

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SOUTH
KESTEVEN
DISTRICT
COUNCIL



Planning Committee

19 February 2026

S25/2345

Proposal:	Planning application for a proposed change of use of Offices (Use Class E) to a 13-bedroom House in Multiple Occupancy (HMO) (Use Class Sui Generis) at rear ground floor and upper floors. Replacement windows.
Location:	24 St Peter's Hill, Grantham, Lincolnshire NG31 6QF
Applicant:	Eldom Properties Ltd
Agent:	Ms Finola Brady, Finola Brady Architectural Services
Application Type:	Full planning permission
Reason for Referral to Committee:	Called in by Councillor Bailey – loss of commercial/office space, number of existing HMOs in radius of proposed, inadequate amenities, lack of provision for increased waste, loss of commercial properties/employment opportunity
Key Issues:	Impact on the character and appearance of the area. Impact on neighbouring amenities.
Technical Documents:	Design and Access Statement with Planning and Heritage Statement (December 2025)

Report Author

Venezia Ross-Gilmore, Senior Planning Officer



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Venezia.ross-gilmore@southkesteven.gov.uk

Corporate Priority:	Decision type:	Wards:
Growth	Regulatory	Grantham St Wulfram's

Reviewed by:

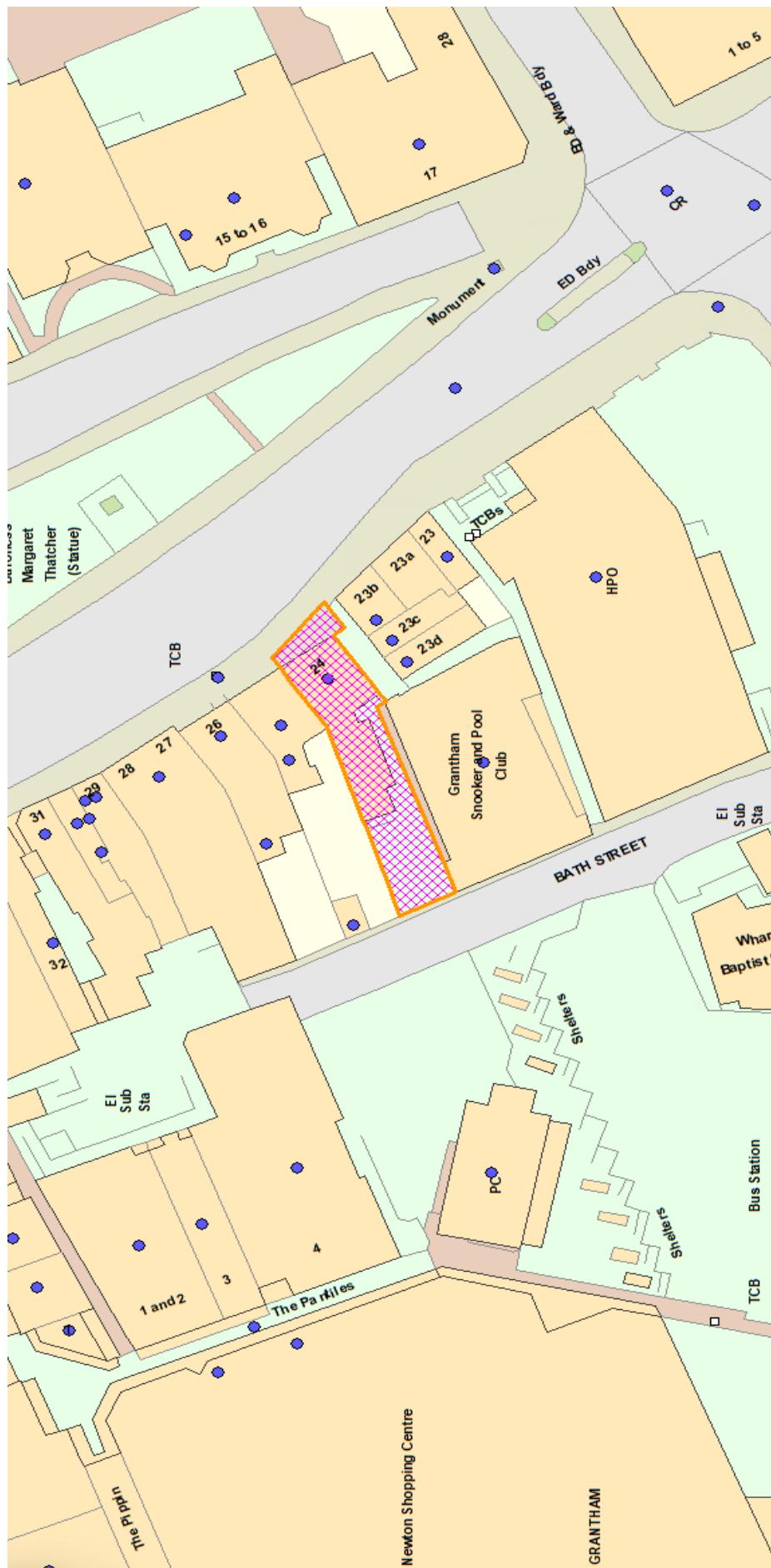
Adam Murray – Principal Development Management Planner

9 February 2026

Recommendation (s) to the decision maker (s)

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

S25/2345 – St Peter's Hill Grantham



Key

Application
Boundary



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1 Description of Site

- 1.1 The application site is an office building on St Peter's Hill in the town of Grantham. The building comprises of a three-storey building with stepped access and a sloped access ramp on St Peter's Hill, on the end of a line of terraced buildings. This building has a bay window to the ground and first floors. The office building contains; commercial space on the ground floor with a w/c and kitchenette and offices; offices and w/c on the first floor; and offices, w/c and a kitchen on the second floor. There is a basement providing several storerooms. The building fronts St Peter's Hill and has parking provision to the rear accessed from Bath Street. The site boundaries comprise of existing brick walls to the sides, and the site is open to the east and west.
- 1.2 The surrounding area consists of a mixture of uses including retail, office, and commercial uses to the north and south, with a leisure use, Grantham Snooker and Pool club, to the southwest of the site, and the Bus Station to the west of Bath Street.

2 Description of proposal

- 2.1 The proposal is for a proposed change of use from offices (Use Class E) to 1no. houses in multiple occupation (HMO) (Use Class Sui Generis) at rear ground floor and upper floors. Access will be taken from the rear of the building.
- 2.2 It is proposed that the HMO would be used for supported housing for vulnerable individuals such as those experiencing homelessness, leaving care or prison, or living with mental health or disability related needs. The proposal includes the following provision:
 - 11no. bedrooms with ensuite bathroom/shower rooms
 - 2no. bedrooms with separate private bathroom/shower rooms
 - Laundry area
 - 2no. kitchen/diners
 - Counselling Room and w/c
- 2.3 Bedrooms 5 and 7 have kitchenette facilities with in-room dining space, and bedroom 6 has in-room dining space.
- 2.4 There would be parking provision in the rear amenity space for up to 2 vehicles for carers on site, and covered cycle parking for 14 bicycles. There would be refuse collection provision in the rear amenity space for secure covered bin storage e.g. 2no. 1100 litre bins, one for waste and one for recycling.
- 2.5 The commercial office use (Use Class E) will be retained on the ground floor fronting and accessed from St Peter's Hill. The commercial use would total 45.8sqm and provide a 5.4sqm reception, 27.1sqm space, storage areas, kitchenette/staff room and w/c.

3 Planning History

None relevant

4 Relevant Planning Policies & Documents

4.1 SKDC Local Plan 2011 – 2036 (Adopted January 2020)

Policy SD1 – The Principles of Sustainable Development in South Kesteven
Policy SP1 – Spatial Strategy
Policy SP2 – Settlement Hierarchy
Policy SP3 – Infill Development
Policy H4 – Meeting All Housing Needs
Policy E6 – Loss of Employment Land and Buildings to Non-Employment Uses
Policy DE1 – Promoting Good Quality Design
Policy ID2 – Transport and Strategic Transport Infrastructure
Policy GR4 – Grantham Town Centre Policy

4.2 National Planning Policy Framework (NPPF) (updated February 2025)

Section 5 – Delivering a sufficient supply of homes
Section 7 – Ensuring the vitality of town centres
Section 9 – Promoting sustainable transport
Section 12 – Achieving well-designed and beautiful places

5 Representations Received

Lincolnshire County Council (Highways)

5.1 No objections, subject to planning conditions and informatives.

5.2 Comments:

St Peter's Hill is one of the approaches to Grantham town centre so shops and other services are all within walking distance of the property. St Peter's Hill is a bus route and Grantham Railway Station is within walking distance of the property.

Highway safety

Development proposal does not pose any specific highway safety risks, access position affords suitable visibility in both directions and provides safe access for both vehicles and pedestrians. Access will require designing and constructing to highway authority adoptable standards.

Highway capacity

There is no precise definition of "severe" with regards to NPPF Paragraph 116, 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*

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.

Travel Plan

A travel plan is not required for a site of this size.

Flood Risk and Drainage

There are no proposed changes to the drainage on the site'.

Grantham Town Council

5.3 No objections.

5.4 Comments:

'We have no objections to the proposal and trust the planning officer and planning committee to make an appropriate decision, however we have received the following comments regarding this application:

Councillors have raised concerns with the proposed location and the companies involved in this application not being local, which could raise issues in overseeing potential tenants. They wish to object due to scale, intensity and parking.

Councillors have commented that they support with reservations, subject to strict conditions on management, parking, and refuse'.

SKDC Environmental Protection

5.5 No objections.

Lincolnshire Police Designing Out Crime Officer

5.6 No objections – refer to Secured by Design technical guides.

NHS Lincolnshire Integrated Care Board

5.7 Comments to make:

Section 106 contribution requested.

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 0 letters of representation were received.

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).

7.2 Principle of Development

7.2.1 The proposal is for a proposed change of use from offices (Use Class E) to 1no. houses in multiple occupation (HMO) (Use Class Sui Generis).

7.2.2 The current lawful use of the building is offices within the town centre of Grantham, the sub-regional centre. Considering the proposal under Policy SP3 for infill development, the policy states that in all settlements defined in Policy SP2, infill development in accordance with all other relevant Local Plan policies, 'will be supported provided that:

- (a) It is within a substantially built-up frontage or redevelopment opportunity (previously development land)
- (b) It is within the main built-up part of the settlement
- (c) It does not cause harm or unacceptable impact upon the occupiers amenity of adjacent properties
- (d) It does not extend the pattern of development beyond the existing built form; and it is in keeping with the character of the area and is sensitive to the setting of adjacent properties'.

7.2.3 The existing building is located within an existing built-up street frontage and offers a redevelopment opportunity (a), within the main built-up part of the settlement (b). The reuse of the building would constitute infill development within the town centre (d). As such development within this location is acceptable, subject to material considerations.

7.2.4 There is access to extensive local services and amenities, including public transport and in terms of sustainability the site is well located centrally within Grantham. The Site is within Grantham town centre boundary, but not within the primary shopping frontage, and Policy GR4 (Grantham Town Centre Policy) applies.

7.2.5 The site is within the town centre and proposes the retention of an employment use on the ground floor fronting St Peter's Hill, and a residential use to the rear ground floor, and on upper floors, outside of the primary shopping frontages. The use proposed use would result in some loss of the employment use from the ground floor to the rear, contrary to Policy GR4, however, the scheme would not result in dead shopping frontage to St Peter's Hill as it retains a commercial use.

7.2.6 Furthermore, Policy E6 states:

'The Council will seek to retain and enhance existing areas of employment use, as well as the sites identified in Policies E1 to E4, unless it can be demonstrated that:

- a) the site is vacant and no longer appropriate or viable as an employment site - this may include the need for an effective, robust and proportionate marketing of the land and buildings to be undertaken; or
- b) redevelopment would maintain the scale of employment opportunities on the site, or would deliver wider benefits, including regenerating vacant or unutilised land; or
- c) the alternative use would not be detrimental to the overall supply and quality of employment land within the district; or
- d) the alternative use would resolve existing conflicts between land uses'.

7.2.7 The application has not been accompanied by any additional information regarding when the use of the office building ceased, or the marketing of the site for an alternative employment use, therefore it is not clear whether the applicant has investigated the continuation of an employment use onsite. However, the Design and Access Statement confirms that the building is currently vacant and has been for some time. The building was

formerly an estate agent branch office. The commercial space would be reduced to 45.8sqm but would retain an employment use to the ground floor fronting St Peter's Hill.

7.2.8 Nonetheless, the proposed development would not maintain the scale of employment opportunity on site as it would be mixed commercial and residential HMO use, however, the site is not located in one of the district's Strategic employment sites, or existing employment sites, so it would not be detrimental to the overall supply and quality of employment land within the district (c). Moreover, the site is located in a mixed-use area with existing residential use above town centre uses (d).

7.2.9 In conclusion, the use would provide multiple units of small housing provision in Grantham town centre in a sustainable location and would be located in a mixed-use area. In consideration of Policy GR4 there would be the retention of the commercial use on the ground floor fronting St Peter's Hill, and the character of St Peter's Hill is mixed with retail, commercial, leisure and some residential on upper floors above the town centre uses, so the proposed use would be acceptable in this location. In reference to Policy E6 it is not clear whether an alternative use of the building for employment has been sought, consequently this has not been satisfied. Conversely, the retention of the commercial space on the ground floor is considered to provide sufficient employment use for the application site as it is outside of the primary shopping area. Therefore, the proposal is considered to be acceptable in principle and in accordance with Policy SP3 (Infill Development), GR4 (Town Centre Policy) and E6 (Loss of Employment Land and Buildings to Non-Employment Uses) of the adopted Local Plan.

7.2.10 The proposal has also been assessed against site specific criteria below.

7.3 **Impact on the character and appearance of the area**

7.3.1 The application for this change of use relates to an existing building that was formerly offices in the town centre in Grantham. The character of St Peter's Hill is a mixture of use types with retail, commercial, leisure and some residential on upper floors above the town centre uses. The introduction of a residential use in this area would not be out of character for the area. It is not proposed to extend the building or make any external alterations, other than the window replacements and removal of the window bars to the rear ground floor elevation, only internal alterations to the building layout to create the bedrooms, bathrooms, and kitchen facilities.

7.3.2 The proposed HMO would have 13 bedrooms for 13 occupants, as well as internal space for counselling services. The Proposed Floor Layout Plans, drawing ref. FB25-0802 PL02 illustrates the proposed layout of the HMO rooms and commercial use.

7.3.3 The appearance of the building may remain similar to the previous use however the proposed use would be materially different to the previous use as offices. There would be adaptations required to accommodate the proposed use e.g. post requirements, electronic access and door controls, windows, and a CCTV system as is typical for a large HMO.

7.3.4 Nonetheless, it is Officers' assessment that, whilst the nature of the occupation of the building would materially change, this would not result in any unacceptable adverse impacts on the character and appearance of the area. The visual appearance of the building will remain the same as the current building, and therefore, would also not result in an adverse impact on the character and appearance of the area. As such, the proposal would be in accordance with Policy DE1 of the adopted Local Plan and Section 12 of the Framework in these respects.

7.4 Impact on neighbours' residential amenities

7.4.1 The application site is a sizable, terraced three storey building with a parking area to the rear. The site is located in a mixed-use area, and there are residential uses on upper floors above the town centre uses. The application has been supported by a Design and Access Statement for further information. There is also further information provided regarding the future residents of the HMO and the management of the property. It is proposed that the HMO would be used for supported housing for vulnerable individuals such as those experiencing homelessness, leaving care or prison, or living with mental health or disability related needs. The SKDC Housing Options Team has provided a supporting statement '*Local authorities are facing a high demand for supported housing because many vulnerable individuals such as those experiencing homelessness, leaving care or prison, or living with mental health or disability related needs are unable to manage a general needs tenancy without additional support. Supported housing helps councils meet their statutory duties while preventing crisis situations, reducing the use of costly temporary accommodation, and promoting safer, more sustainable outcomes for residents*'. There is also a letter of support from Chaptta Support Ltd, a provider of low-level supported accommodation.

7.4.2 The planning officer acknowledges that the pattern of people arriving and departing the proposed HMO would be different to previous use. The offices would have generated movements related to staff arriving and departing at peak hours, visitors and deliveries during the working day. The proposed use would have residents arriving and departing for education/work/leisure and shopping purposes. There would also be visitors and deliveries. It is unlikely that the differences in the number of visitors and deliveries would be significantly different to the previous use.

7.4.3 In terms of parking, it is proposed to utilise the parking area to the rear of the building with 2 parking spaces available for carers, and any further parking demand would be accommodated on-street and in local car parks.

7.4.4 The outside amenity space to the rear is considered minimal, however, the site is located centrally to Grantham and a short walking and cycling distance from local open spaces, such as Wyndham Park, for recreational needs. The site is within the town centre for other service needs.

7.4.5 Considering noise resultant from the density of residents proposed for the building it is noted that the building is terraced and does not have physical separation from neighbouring property no.25 St Peter's Hill. The central town centre location within Grantham would result in a level of urban noise from existing traffic movement, the bus station, Snooker and Pool club, businesses and services. The Environmental Protection Officer has been consulted and has not raised any concerns regarding noise as a result of the proposed use.

7.4.6 Considering the fear of crime and antisocial behaviour, Lincolnshire Police's Designing Out Crime Officer was consulted and has not objected to the application. The Designing Out Crime Officer has provided comments regarding the importance of reference to Secured by Design technical guides. The recommendations provided would apply equally to any HMO and refer to mail delivery, access and visitor door entry systems, external and internal doors, windows and door-sets, CCTV and lighting. There are detailed recommendations attached to each of these topics.

7.4.7 The proposal involves minimal alterations to the existing building, and it is proposed to mainly undertake internal alterations to the layout of the building, so the levels of overlooking

will remain as existing, and there will be no encroachment on neighbouring residential properties in terms of loss of light or privacy. The outside amenity space will remain the same and will provide parking provision to the rear of the building.

- 7.4.8 In the outside amenity space, there would be storage for 14 bicycles, and refuse collection. It is not clear what the refuse requirements will be for the HMO and commercial uses, however there is sufficient space in the rear amenity area to accommodate refuse collection, and the detail for bicycle storage and refuse collection could be addressed through the use of a planning condition. It is the officer's opinion that the levels of internal and external amenity space would be acceptable for 1no. HMO in the town centre location.
- 7.4.9 The proposed amenity space, management and maintenance of the building would be considered against the SKDC Prescribed Standards for HMO Licensing and be appropriately addressed through the licensing process.
- 7.4.10 Taking all the above into account, it is considered that the proposed development would provide a suitable standard of residential amenity for residents, and not result in an adverse impact on the amenities of occupiers of adjacent properties, in accordance with Policy DE1 of the Local Plan and Section 12 of the NPPF.

7.5 **Highway issues**

- 7.5.1 Lincolnshire County Council has been consulted as local highways authority and commented on the application raising no objection to the proposal. They have confirmed that the site is in Grantham town centre within walking distance of shops and services. St Peter's Hill is a bus route and Grantham Railway station is within walking distance of the site. The development does not pose any specific highway safety risks, the access to Bath Street provides suitable visibility in both directions, and safe access for vehicles and pedestrians.
- 7.5.2 The proposals include for covered bicycle storage for 14 bicycles, and this would be capable of storing bicycles securely for residents. Additionally, there would be car parking spaces for a total of 2 vehicles onsite.
- 7.5.3 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 Policy ID2 of the Local Plan and the NPPF Section 9.

7.6 **Other Matters**

- 7.6.1 The Housing Act 2004 Part 1 assesses housing conditions and enforces housing standards in dwellings, HMOS, unoccupied HMO accommodation, and any common parts of a building containing one or more flats. This legislation covers fire safety, fire detection systems, fire doors, electrical safety, repair and maintenance, and security of housing including damp and mould hazards. Rented properties are required to provide extractions to bathrooms and kitchens, and opening windows to bedrooms for ventilation. There is not an issue with men and women sharing a HMO, or communal areas such as bathrooms as long as the security requirements are met e.g. locks on bathroom doors.

Licensing of HMOs

- 7.6.2 Licensing of HMOs (Houses in multiple occupation) is covered by the Housing Act 2004 Part 2 and covers all properties with 5 occupants or more living in two or more separate households, who share some basic amenities (washing facilities, toilets, kitchens). It is a

requirement for HMOs that they are licenced by the local authority, in this case South Kesteven District Council. All licences granted are subject to conditions which the licence holder must comply with either immediately or within a specified period of time. Certain conditions as detailed in Schedule 4 of the Housing Act 2004 are mandatory and must be included in every licence granted. The Council can also impose any other specific property conditions considered necessary for regulating the management, use and occupation of the premises concerned plus its condition and contents. The licence ensures that the house is suitable for the number of occupants, and the manager of the house is considered to be 'fit and proper' e.g. no criminal record, or breach of landlord laws or code of practice. The council require an updated gas safety certificate every year, installed and maintained smoke alarms, and safety certificates for all electrical appliances. The licence would be valid for a maximum of 5 years.

7.6.3 Furthermore, there are mandatory national minimum bedroom sizes (6.51sqm for single occupancy, and 10.22sqm for a couple) and amenity requirements covering the number of bathrooms / bathing facilities, and kitchens include cooking facilities, cupboard storage, washing facilities, cold food storage, and worksurface preparation for HMOs. The national guidelines stipulate the floor area necessary for kitchens (minimum 7sqm with 1sqm for every tenant exceeding 5) and bathrooms.

7.6.4 It should be noted, there are no requirements under HMO licensing for the provision of a separate sitting room (if the kitchen is large enough to meet the space requirements), laundry facilities, or outside space. There are also no specific requirements for disabled individuals in the HMO licensing requirements.

Management of HMOs

7.6.5 The Management of Houses in Multiple Occupation Regulations sets out the legal duties relating to the day to day running of HMOs. The regulations impose duties on managers of HMOs to

- provide contact details and have them on display,
- ensure all means of escape from fire are maintained and kept free from obstruction, all fire precautions are maintained, steps are taken to protect occupants from injury,
- maintain water supply and drainage,
- ensure annual gas safety checks are carried out
- not unreasonably interrupt gas or electricity supply
- maintain in repair and keep clean all common parts and installations, and ensure common parts have adequate lighting
- ensure each unit and furniture are clean at the start of each occupation and maintain the internal structure and installations in each letting
- provide adequate waste storage facilities and ensure that there is appropriate collection of waste.

7.6.6 The manager should also ensure that the building, and boundary walls, fences, gardens are maintained in a safe and tidy condition.

Issuing the HMO Licence

7.6.7 When determining the licensing application, the property is inspected, and the officer considers whether it is suitable for licensing (room sizes, amenity space), makes an assessment of the licence holder, and whether the proposed management arrangements are suitable.

7.6.8 Where the property is unsuitable for the proposed number of occupiers the local authority may where the property can be made suitable by certain works, place conditions on the issued licence for certain works to be completed by certain dates. Where the property cannot be made suitable for the number of occupiers then the local authority may propose to grant a licence for the number of occupiers the accommodation is suitable for. Where the property or management arrangements are inadequate, or significant health and safety failings are noted then the authority may choose to refuse an application or grant a licence for a reduced time period.

S106 Contributions

7.6.9 It is noted that the NHS Lincolnshire Integrated Care Board has requested planning obligations in the form of s106 contributions towards healthcare, however, with the proposed quantum of development being only 1no. HMO it is considered that the contribution does not meet the statutory tests (as set out in regulation 122 and as policy tests in the National Planning Policy Framework) that they are necessary to make the development acceptable in planning terms. Planning obligations must be:

- necessary to make the development acceptable in planning terms,
- directly related to the development and fairly and
- reasonably related in scale and kind to the development.

7.6.10 The level of obligations is not reasonable in terms of scale as it considers each of the rooms in the HMO as a separate dwelling house. There is no evidence to suggest that the number of residents generated by the development would require the provision of financial contributions towards healthcare.

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 The application is for the change of use of an office building Use Class E to one Houses of Multiple Occupancy (Use Class Sui Generis) within Grantham town centre. The proposed use of the site would provide one 13-bedroom HMO and retain commercial office use to the ground floor fronting St Peter's Hill. The use is considered to be in accordance with Policy SP1, SP2 and SP3 of the Local Plan, and suitable as a mixed-use building with the

commercial use on the ground floor and residential use on the rear ground and upper floors. The application scheme is considered to offer an opportunity to provide multiple units of residential accommodation in Grantham town centre in accordance with Policy H4 of the Local Plan, and this would be a public benefit that weighs in favour of the proposal.

- 10.2 The site is centrally located in the town centre with access to shops and services, and public transport by foot. The application site is located in a mixed-use location provides a suitable level of internal and external residential amenity space for future occupants including a counselling room, laundry area, and cycle parking provision for the occupants, as well as two off-street parking spaces for carers. Furthermore, the HMOs will require a HMO licence and will be assessed against the SKDC Prescribed Standards for HMO Licensing.
- 10.3 Taking the above into account, it is considered that the proposal is appropriate for its context and is in accordance with the NPPF (Sections 9 and 12) and Policies DE1, SP1, SP2, SP3, and H4 of the South Kesteven Local Plan. There are no material considerations that indicate otherwise although conditions have been attached.

11 Recommendation

To authorise the Assistant Director of Planning & Growth to GRANT planning permission, subject to conditions.

Time Limit for Commencement

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

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

Approved Plans

- 2 The development hereby permitted shall be carried out in accordance with the following list of approved plans:
 - i) Site Location Plan and Existing Block Plan, drawing ref. FB25-0802 EX01A (received 03/12/25)
 - ii) Proposed Floor Plans, drawing ref. FB25-0802 PL02 (received 03/12/25)
 - iii) Proposed Elevations, drawing ref. FB25-0802 PL03A (received 04/02/26)
 - iv) Proposed Window Details, drawing ref. FB25-0802 W01 (received 17/12/25)

Unless otherwise required by another condition of this permission.

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

During Construction

Crime Prevention

- 3 Before the development hereby permitted is occupied, a scheme of crime prevention measures shall have been submitted to and approved in writing by the Local Planning Authority.

Thereafter, the approved measures shall be implemented in full prior to first occupation, and shall be retained and maintained throughout the operation of the use, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of minimising crime and disorder, and the fear of crime and disorder.

Management Plan

4 Before the development hereby permitted is occupied, a Site Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The Site Management Plan shall include, but shall not be limited to, the following details:

- Noise Management;
- Waste Management; and
- Amenity area management (including internal and external shared areas and hours of use)

Thereafter, the approved Site Management Plan shall be implemented prior to first use and shall be strictly adhered to throughout the operation of the use, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of amenity of existing and future residents of the area.

Ongoing Conditions

5 The HMO use (Sui Generis) hereby permitted shall be limited to 1(no) individual house of multiple occupation with 13 no. bedrooms and no more than 13.no occupants, unless otherwise agreed in writing by the Local Planning Authority.

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

Standard Note(s) to Applicant:

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.

BLOCK PLAN EXISTING AND PROPOSED

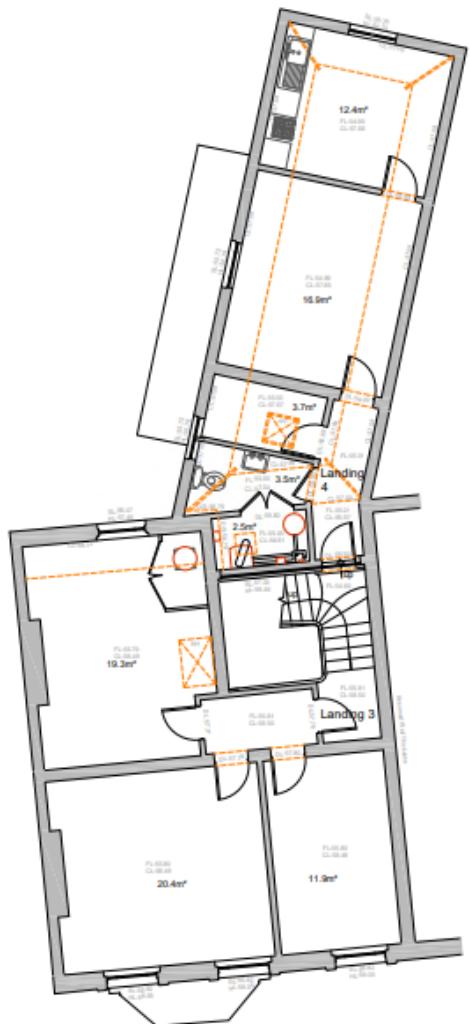
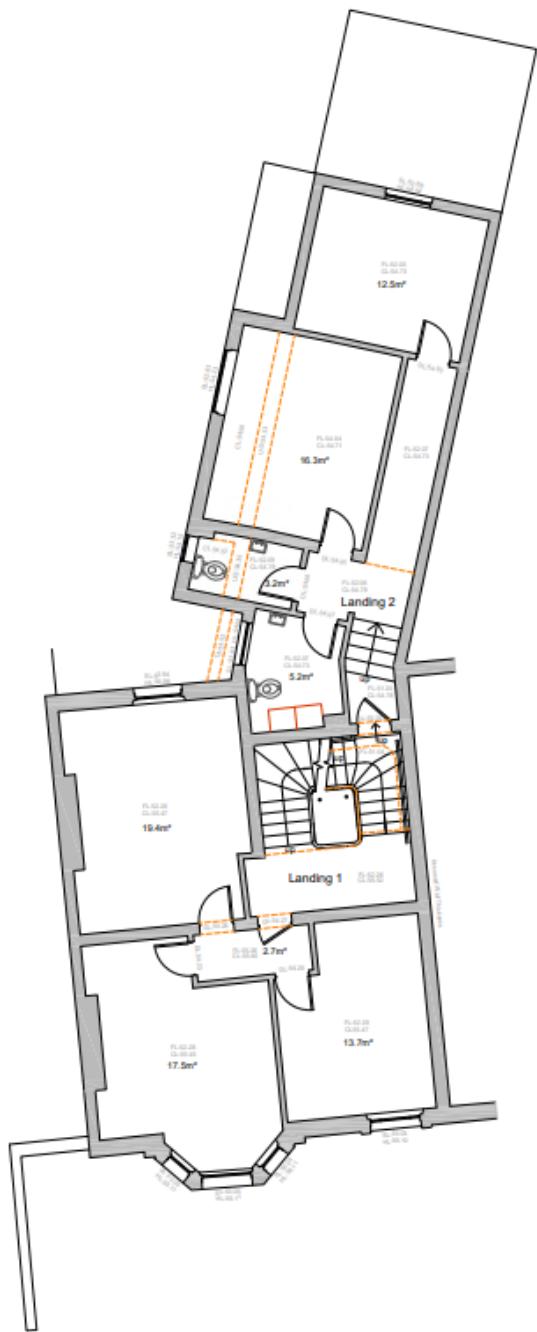


PROPOSED PARKING AND REFUSE AREA



FLOOR PLANS EXISTING





FLOOR PLANS PROPOSED





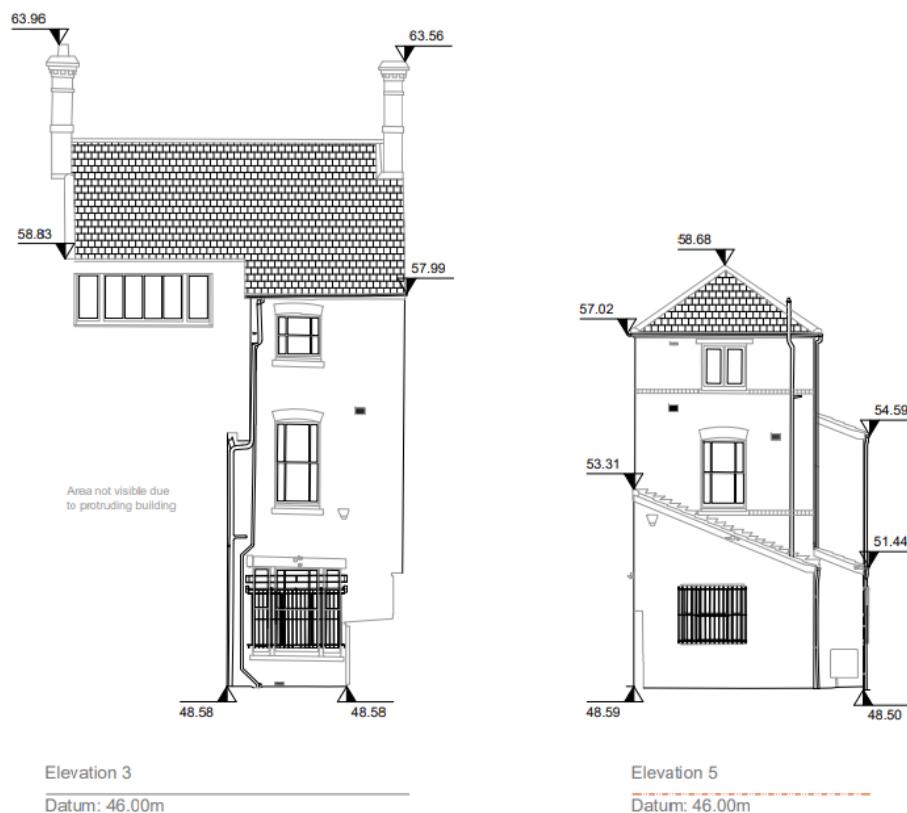
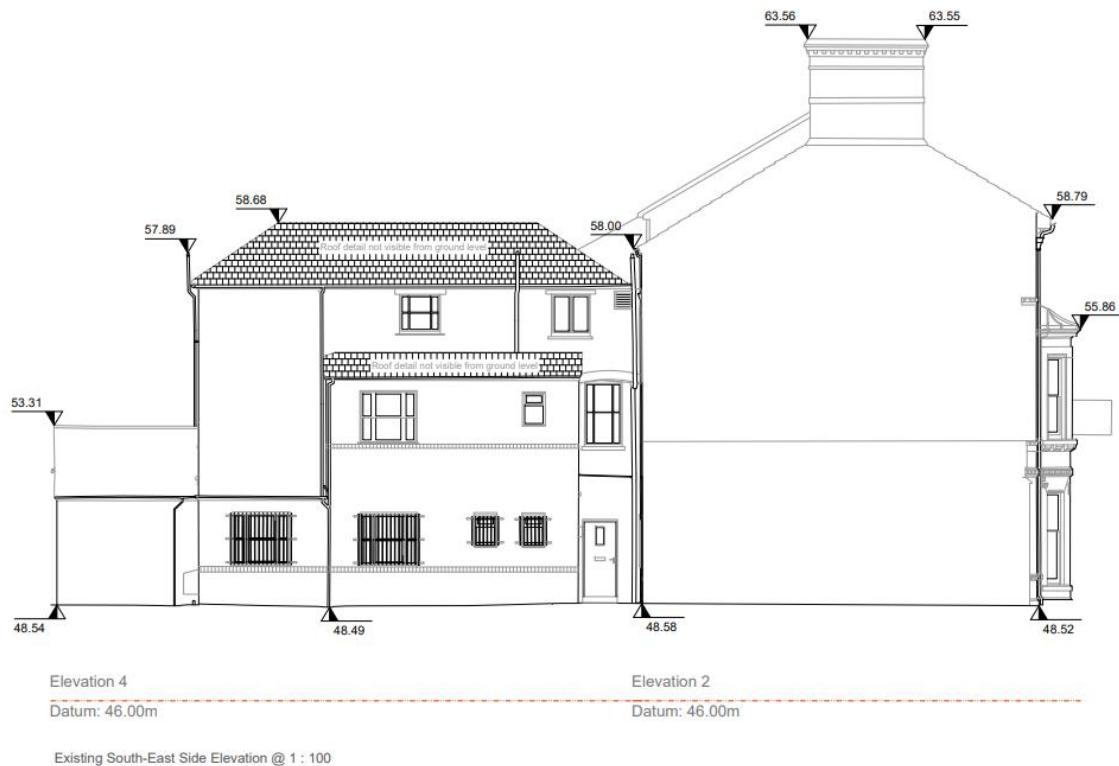
ELEVATIONS EXISTING



Elevation 1

Datum: 46.00m

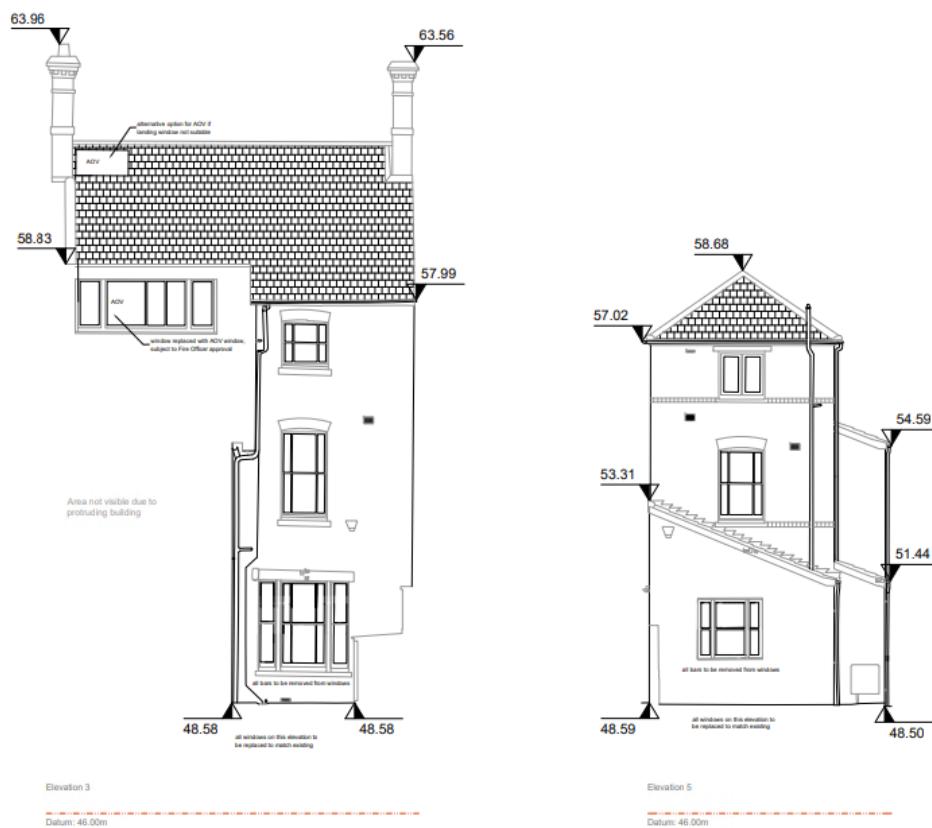
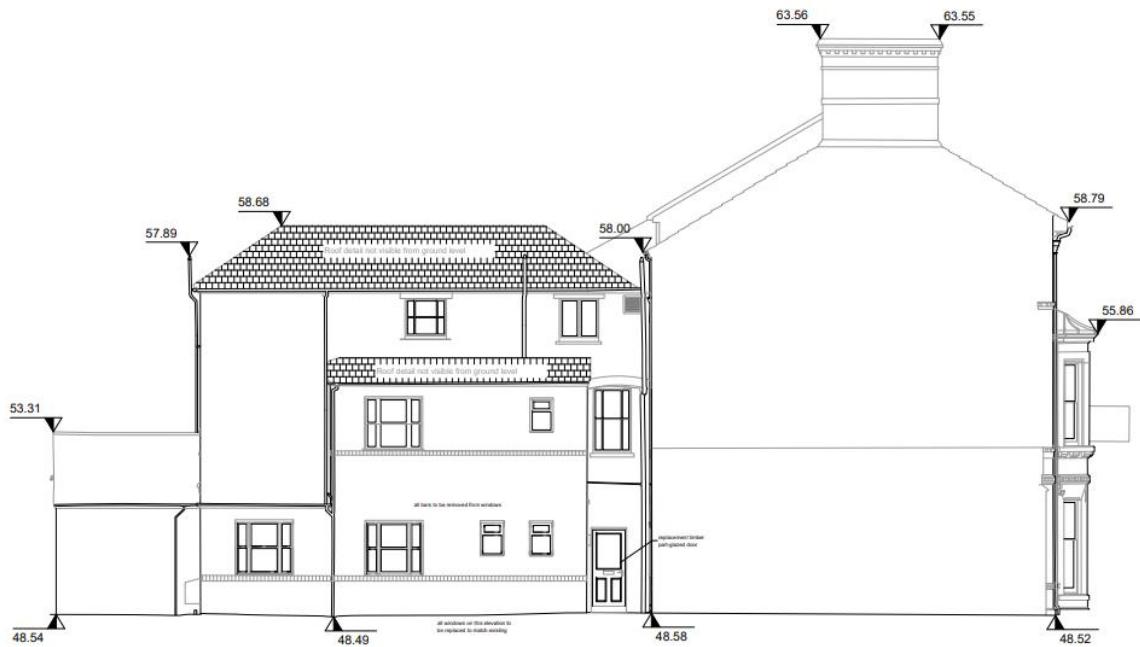
Existing Front North-East Street Elevation @ 1 : 100



ELEVATIONS PROPOSED



Proposed Front North-East Street Elevation @ 1 : 100



Proposed Rear South-West Elevation 1 @ 1 : 100

Proposed Rear South-West Elevation 2 @ 1 : 100

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SOUTH
KESTEVEN
DISTRICT
COUNCIL



Planning Committee

19 February 2026

S25/1653

Proposal:	Planning application for a proposed change of use of Offices (Use Class E) to 3no. houses in multiple occupation (HMO) (Use Class Sui Generis)
Location:	29-31 Avenue Road, Grantham, Lincolnshire NG31 6TH
Applicant:	JG Property Solutions Ltd
Agent:	Mrs Louise Cook, Grey-Castle Architectural
Application Type:	Full planning permission
Reason for Referral to Committee:	Called in by Councillor Bailey – number of existing HMOs in radius of proposed, quantity of HMOs proposed (3 in a cluster), inadequate amenities, lack of waste provisions, and loss of commercial property/employment opportunity
Key Issues:	Impact on the character and appearance of the area. Impact on neighbouring amenities.
Technical Documents:	

Report Author

Venezia Ross-Gilmore, Senior Planning Officer



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Venezia.ross-gilmore@southkesteven.gov.uk

Corporate Priority:	Decision type:	Wards:
Growth	Regulatory	Grantham St Vincent's

Reviewed by:

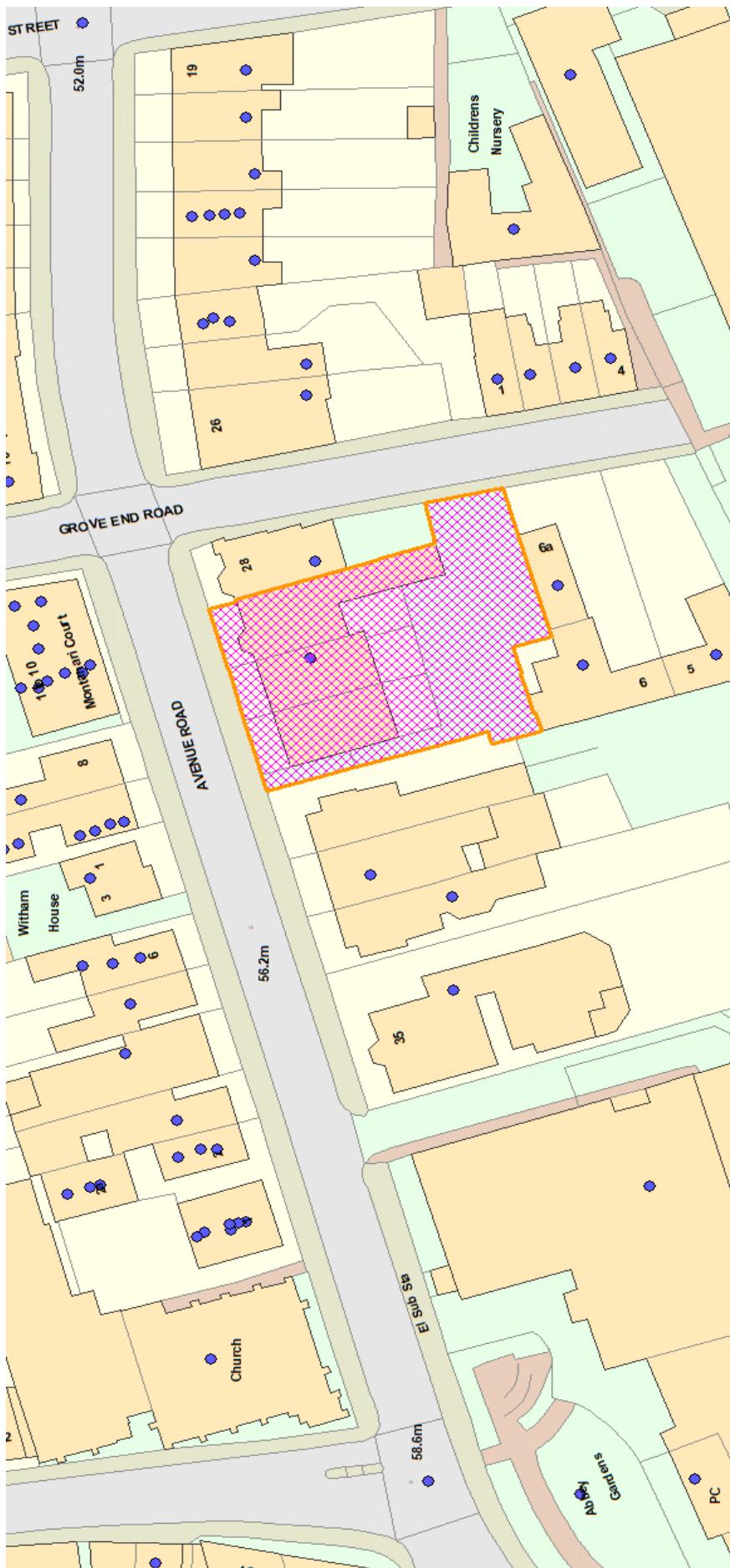
Adam Murray – Principal Development Management Planner

9 February 2026

Recommendation (s) to the decision maker (s)

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

S25/1653 – Avenue Road Grantham



1 Description of Site

- 1.1 The application site is an office building on Avenue Road in the town of Grantham. The building comprises of originally three terraced houses no.29, no.30 and no.31 Avenue Road. The office building contains; storerooms on the lower ground floor; reception, offices, wc, kitchens and storerooms on the ground floor; offices, wc, and kitchens on the first floor; and offices, wc and kitchens on the second floor. The building fronts Avenue Road, and has an access to the west, and parking provision for up to 14 cars to the rear of the building accessed via Grove End Road.
- 1.2 The surrounding area consists of residential dwelling houses to the north, east and south, and to the west a hotel, and other commercial uses including a veterinary surgery, restaurant and council offices.

2 Description of proposal

- 2.1 The proposal is for a proposed change of use from offices (Use Class E) to 3no. houses in multiple occupation (HMO) (Use Class Sui Generis).
 - No.29 Avenue Road - 11 bedrooms, kitchen/dining room, laundry
 - No.30 Avenue Road - 11 bedrooms, kitchen/dining room, laundry
 - No.31 Avenue Road - 12 bedrooms, laundry
- 2.2 There would be parking provision for up to 14 vehicles on site, and cycle parking for 10 bicycles.
- 2.3 The proposed change of use would involve the removal of an area of hedgerow and replacement with a boundary railing, together with the installation of a rear boundary wall to the parking area serving the site.

3 Planning History

Reference	Proposal	Decision
SK.1203/88	Change of use 1 st and 2 nd floors to office	Approved 09/08/88
SK.998/82(14187)	Change of use 1 st and 2 nd floor from residential to office	Approved 02/09/81
SK.1422/77(14188)	Construction of vehicular access	Approved 21/02/78
SK.12/75(14190)	Change of use residential to offices	Approved 27/02/75

4 Relevant Planning Policies & Documents

4.1 SKDC Local Plan 2011 – 2036 (Adopted January 2020)

Policy SD1 – The Principles of Sustainable Development in South Kesteven
Policy SP1 – Spatial Strategy
Policy SP2 – Settlement Hierarchy

Policy SP3 – Infill Development
Policy H4 – Meeting All Housing Needs
Policy E6 – Loss of Employment Land and Buildings to Non-Employment Uses
Policy DE1 – Promoting Good Quality Design
Policy ID2 – Transport and Strategic Transport Infrastructure
Policy GR4 – Grantham Town Centre Policy

4.2 **National Planning Policy Framework (NPPF) (updated February 2025)**

Section 5 – Delivering a sufficient supply of homes
Section 7 – Ensuring the vitality of town centres
Section 9 – Promoting sustainable transport
Section 12 – Achieving well-designed and beautiful places

5 Representations Received

Lincolnshire County Council (Highways)

5.1 No objections.

5.2 Comments:

'The site is located in a central urban area where services and facilities are within a reasonable distance to be accessed via sustainable travel options such as walking, cycling and public transport. Future residents of the development will not be reliant on the private car and therefore parking is not essential for this proposal.'

'The previous use of the property as offices would have generated regular vehicle movements throughout the day, including staff arrivals, visitors, and deliveries. In comparison, the proposed three dwellings are likely to result in fewer and more evenly spread vehicle movements, particularly outside of peak business hours. This change of use therefore represents a reduction in traffic intensity, rather than an increase'

Grantham Town Council

5.3 Neither object or support.

5.4 Comments:

'This comment is an amendment to our previous comment where we mistakenly responded to a different planning application. Our reviewed comment is as follows:

'We are aware that Councillors have commented individually on this matter to raise objections and we trust the planning officer's expertise in coming to a decision on this application'.

SKDC Environmental Protection

5.6 No objections, subject to planning conditions for Construction Work and deliveries.

County Councillor Paul Martin

5.7 Objection.

'As the local County Councillor for the area I am already dealing with issues to do with parking from other additional properties in this area. Avenue Road is regularly bypassed by residents as too dangerous or risky and they drive further around the area to avoid it. Adding any more parking will result in serious highways issues.'

As it is the parked cars along one side of the road cause traffic to backup and wait for a gap. Cars then dash forward at speed hoping to get passed the two sections of parked cars before an oncoming vehicle appears.

My social media request for residents comments received 7.7k views and raised 43 comments. Residents feedback is as follows...

ZM said "I "drive" along this road daily at peak times and it's a complete nightmare! It's not wide enough for 2 cars to pass safely with the constant parked vehicles on one side! Traffic constantly backed up on both sides, very slow moving waiting to see who will run the gauntlet and hit the curb first! I've also seen on many occasions, cars mounting the curb when it's super busy with pedestrians - how there hasn't been a major incident to date is more luck than anything else!! Drivers turning into this road from one of the many side streets do so blindly as the parked cars completely obstruct your view!"

DP said "As stated, Avenue Road is a tricky, narrow main thoroughfare. Accessing Avenue road from Welham street (which already has flats and terraced housing) is already difficult. As a main feeder route for both a College & large school, Avenue Rd has very heavy pedestrian footfall during school start/end of day."

AM said "This road is already very difficult to navigate. It's not very wide and the road gets very busy. It's a main thoroughfare for the college and ambulances need to access it regularly. Increasing traffic will exacerbate an already very problematic area"

KM said "That road is a nightmare to drive down, and the surrounding roads are all full of parked cars too. There's simply no further capacity."

MS said "Its very difficult as 2 cars cannot really pass safely and vans park near the welham street junctions so you can't see what's coming until your half way across. You also get a lot more hgv's and buses going down there recently which can cause traffic to back up to the high street lights some days as they need to wait until its clear to go down."

DS said "I think the answer to this is in the photo not wide enough road now without extra cars being parked"

PR said "very dangerous road at most times"

DG said "My husbands wing mirror was smashed recently while driving on Avenue Road. The other driver failed to stop. The road is obviously very busy and with parked cars almost continuously the length of the road it is already a hazard."

I do not believe that Grantham can be called a sustainable travel area. The Active Travel area never materialised and the structure does not exist within the town to possibly consider so many people won't need their own transport.

The volume of traffic waiting at both junctions to the north and south of Avenue Rd can cause delays and congestion at peak hours.

The over concentration of HMOs in this "strip" is also a great concern. Increasing noise, disturbance and an imbalance in the housing mix. As family homes make way for HMOs. The dynamics of the community will alter, shifting to a more transient environment'.

6.1 This application has been advertised in accordance with the Council's Statement of Community Involvement, and 2 letters of representation were received. The letters were objections, and this has been summarised below:

- Application site includes land owned by no.28 Avenue Road, and there are access rights for no.28 Avenue Road to use the parking area
- Overcrowded HMOs which will exacerbate parking issues / congestion on Avenue Road
- High number of pedestrians use Avenue Road
- Concerns about essential services e.g. waste collection, water supply, sewage, healthcare, public transport, emergency services
- Noise and nuisance
- Anti-social behaviour and crime concerns

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).

7.2 Principle of Development

7.2.1 The proposal is for a proposed change of use from offices (Use Class E) to 3no. houses in multiple occupation (HMO) (Use Class Sui Generis).

7.2.2 It is acknowledged that there have been representations concerned with the impact of overcrowded HMOs in the local area.

7.2.3 The current lawful use of the building is offices within the town centre of Grantham, the sub-regional centre. Considering the proposal under Policy SP3 for infill development, the policy states that in all settlements defined in Policy SP2, infill development in accordance with all other relevant Local Plan policies, 'will be supported provided that:

- (a) It is within a substantially built-up frontage or redevelopment opportunity (previously development land)
- (b) It is within the main built-up part of the settlement
- (c) It does not cause harm or unacceptable impact upon the occupiers amenity of adjacent properties
- (d) It does not extend the pattern of development beyond the existing built form; and it is in keeping with the character of the area and is sensitive to the setting of adjacent properties'.

7.2.4 The existing building is located within an existing built-up street frontage and offers a redevelopment opportunity (a), within the main built-up part of the settlement (b). The reuse of the building would constitute infill development within the town centre (d). As such development within this location is acceptable, subject to material considerations.

- 7.2.5 There is access to extensive local services and amenities, including public transport and in terms of sustainability the site is well located centrally within Grantham. The Site is within Grantham town centre boundary, but not within the primary shopping frontage, and Policy GR4 (Grantham Town Centre Policy) applies.
- 7.2.6 The site is within the town centre and proposes a residential use outside of the primary shopping frontages. The use proposed would not be contained to the upper floors, and would result in the loss of the employment use from lower floors, contrary to Policy GR4.
- 7.2.7 Furthermore, the conversion of the building and application site from office to a residential use would result in the loss of the existing employment use.
- 7.2.8 The application has not been accompanied by any additional information regarding when the use of the office building ceased, or the marketing of the site for an alternative employment use, however, the site is not located in one of the district's Strategic employment sites, or existing employment sites, so it would not be detrimental to the overall supply and quality of employment land within the district (c). Moreover, adjacent to the site no.28 Avenue Road is a residential use (d).
- 7.2.9 Nonetheless, it is noted that the General Permitted Development Order permits the change of use of offices to residential accommodation, subject to prior approval relating to consideration of the impact on transport, flooding risks and the character of the conservation area.
- 7.2.10 In conclusion, the use would provide multiple units of small housing provision in Grantham town centre in a sustainable location and would be located adjoining another residential use at no.28 Avenue Road. Therefore, the proposal is considered to be acceptable in principle and in accordance with Policy SP3 (Infill Development), GR4 (Town Centre Policy) and E6 (Loss of Employment Land and Buildings to Non-Employment Uses) of the adopted Local Plan.
- 7.2.11 The proposal has also been assessed against site specific criteria below.

7.3 Impact on the character and appearance of the area

- 7.3.1 The application for this change of use relates to an existing building that was formerly offices in the town centre in Grantham. The character of Avenue Road is a mixture of use types with commercial uses closer to the High Street, and residential uses more typical to the east. The introduction of a residential use in this area would not be out of character for the area.
- 7.3.2 The proposed HMOs would each have between 11 and 12 bedrooms. Each HMO bedroom comprises of a small self-contained bedroom, kitchen and shower room. No. 29 and No.30 also have a shared kitchen/dining room and laundry room. No.31 has a shared laundry room. The Proposed Floor Layout Plans, drawing ref. PL/A1/104 Rev A illustrates the proposed layout of the HMO bedrooms. There is no indication of the number of residents proposed to each of the bedrooms.
- 7.3.3 The appearance of the building may remain similar to the previous use however the proposed use would be materially different to the previous use as offices. There would be adaptations required to accommodate the proposed use e.g. post requirements, electronic access and door controls, windows, and a CCTV system as is typical for a large HMO.
- 7.3.4 It is noted that there are minor alterations to the boundary treatments of the site, together with the installation of a bike store. However, limited details have been provided regarding

these structures. Nonetheless, it is Officer's assessment that this could be appropriately controlled through the imposition of planning conditions.

7.3.5 Nonetheless, it is Officers' assessment that, whilst the nature of the occupation of the building would materially change, this would not result in any unacceptable adverse impacts on the character and appearance of the area. The visual appearance of the building will remain the same as the current building, and therefore, would also not result in an adverse impact on the character and appearance of the area. As such, the proposal would be in accordance with Policy DE1 of the adopted Local Plan and Section 12 of the Framework in these respects.

7.4 **Impact on neighbours' residential amenities**

7.4.1 The application site is three sizable, terraced three storey buildings with a parking area to the rear. There are neighbouring residential properties to the north, east, and south. The application has been supported by a planning application form for further information. There is no further information regarding the future residents of the HMO or the management of the property (this is not a requirement for this type of use).

7.4.2 The local planning authority has received objections to the proposed development with concerns raised regarding pressure on essential services, refuse management, parking, noise, and crime/antisocial behaviour.

7.4.3 The planning officer acknowledges that the pattern of people arriving and departing the proposed HMO would be different to previous use. The offices would have generated movements related to staff arriving and departing at peak hours, visitors and deliveries during the working day. The proposed use would have residents arriving and departing for education/work/leisure and shopping purposes. There would also be visitors and deliveries. It is unlikely that the differences in the number of visitors and deliveries would be significantly different to the previous use.

7.4.4 In terms of parking, it is proposed to utilise the parking area to the rear of the building with 14 parking spaces available for residents, and any further parking demand would be accommodated on-street and in local car parks.

7.4.5 The outside amenity space is considered minimal however, the site is located centrally to Grantham and a short walking and cycling distance from local open spaces, such as Wyndham Park, for recreational needs. The site is a short walk from the town centre for other service needs.

7.4.6 Considering noise resultant from the density of residents proposed for the building it is noted that the building is terraced, and does not have physical separation from neighbouring property to the east. No.28 Avenue Road is also a residential use accommodating 7 residential apartments. The central location within Grantham would result in a level of urban noise from existing traffic movement, nearby residences and the hotel in proximity. The Environmental Protection Officer has been consulted and has not raised any concerns regarding noise as a result of the proposed use. The Environmental Protection Officer's response included planning conditions for Construction Work and Deliveries, however, these are not included as the application is for a change of use with only internal alterations.

7.4.7 Considering the fear of crime and antisocial behaviour, Lincolnshire Police's Designing Out Crime Officer was consulted but no response has been received (as of 03/02). The Designing Out Crime Officer has provided comments on other HMO applications in the

district regarding the importance of reference to Secured by Design technical guides. The recommendations provided would apply equally to any HMO and refer to mail delivery, access and visitor door entry systems, external and internal doors, windows and door-sets, CCTV and lighting. There are detailed recommendations attached to each of these topics.

- 7.4.8 The proposal does not involve external alteration or enlargement of the existing building, and it is proposed to mainly undertake internal alterations to create three separate HMO buildings, so the levels of overlooking will remain as existing, and there will be no encroachment on neighbouring residential properties in terms of loss of light or privacy. The outside amenity space will remain the same and will provide parking provision to the rear of the building.
- 7.4.9 Outside there would be storage for 10 bicycles, parking spaces accommodating 14 vehicles. There is no further information regarding refuse storage areas, however, there is sufficient space within the application site to accommodate refuse collection, and this can be addressed with a suitable planning condition. It is the officer's opinion that the levels of internal and external amenity space would be acceptable for 3 HMOs in the town centre location.
- 7.4.10 The proposed amenity space, management and maintenance of the building would be considered against the SKDC Prescribed Standards for HMO Licensing and be appropriately addressed through the licensing process.
- 7.4.11 Taking all the above into account, it is considered that the proposed development would provide a suitable standard of residential amenity for residents, and not result in an adverse impact on the amenities of occupiers of adjacent properties, in accordance with Policy DE1 of the Local Plan and Section 12 of the NPPF.

7.5 Highway issues

- 7.5.1 It is acknowledged that there have been representations concerned with the impact of the proposed development on on-street parking and congestion on Avenue Road.
- 7.5.2 Lincolnshire County Council has been consulted as local highways authority and commented on the application raising no objection to the proposal. They have confirmed that the site is in a central urban area and there are services and facilities within a reasonable distance, and these could be accessed by sustainable travel options such as walking, cycling and public transport. The future residents of the development would not be reliant on the private car and therefore parking is not essential to the proposal. The county council also note that the previous use as an office would have generated regular vehicle movements including staff, visitors and deliveries. The HMO use would result in fewer and more evenly spread vehicle movements outside of peak business hours.
- 7.5.3 The proposals include for bicycle storage for 10 bicycles, and this would be capable of storing bicycles securely for residents. Additionally, there would be car parking spaces for a total of 14 vehicles onsite.
- 7.5.4 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 Policy ID2 of the Local Plan and the NPPF Section 9.

7.6 Other Matters

7.6.1 The Housing Act 2004 Part 1 assesses housing conditions and enforces housing standards in dwellings, HMOS, unoccupied HMO accommodation, and any common parts of a building containing one or more flats. This legislation covers fire safety, fire detections systems, fire doors, electrical safety, repair and maintenance, and security of housing including damp and mould hazards. Rented properties are required to provide extractions to bathrooms and kitchens, and opening windows to bedrooms for ventilation. There is not an issue with men and women sharing a HMO, or communal areas such as bathrooms as long as the security requirements are met e.g. locks on bathroom doors.

Licensing of HMOs

7.6.2 Licensing of HMOs (Houses in multiple occupation) is covered by the Housing Act 2004 Part 2 and covers all properties with 5 occupants or more living in two or more separate households, who share some basic amenities (washing facilities, toilets, kitchens). It is a requirement for HMOs that they are licenced by the local authority, in this case South Kesteven District Council. All licences granted are subject to conditions which the licence holder must comply with either immediately or within a specified period of time. Certain conditions as detailed in Schedule 4 of the Housing Act 2004 are mandatory and must be included in every licence granted. The Council can also impose any other specific property conditions considered necessary for regulating the management, use and occupation of the premises concerned plus its condition and contents. The licence ensures that the house is suitable for the number of occupants, and the manager of the house is considered to be 'fit and proper' e.g. no criminal record, or breach of landlord laws or code of practice. The council require an updated gas safety certificate every year, installed and maintained smoke alarms, and safety certificates for all electrical appliances. The licence would be valid for a maximum of 5 years.

7.6.3 Furthermore, there are mandatory national minimum bedroom sizes (6.51sqm for single occupancy, and 10.22sqm for a couple) and amenity requirements covering the number of bathrooms / bathing facilities, and kitchens include cooking facilities, cupboard storage, washing facilities, cold food storage, and worksurface preparation for HMOs. The national guidelines stipulate the floor area necessary for kitchens (minimum 7sqm with 1sqm for every tenant exceeding 5) and bathrooms.

7.6.4 It should be noted, there are no requirements under HMO licensing for the provision of a separate sitting room (if the kitchen is large enough to meet the space requirements), laundry facilities, or outside space. There are also no specific requirements for disabled individuals in the HMO licensing requirements.

Management of HMOs

7.6.5 The Management of Houses in Multiple Occupation Regulations sets out the legal duties relating to the day to day running of HMOS. The regulations impose duties on managers of HMOs to

- provide contact details and have them on display,
- ensure all means of escape from fire are maintained and kept free from obstruction, all fire precautions are maintained, steps are taken to protect occupants from injury,
- maintain water supply and drainage,
- ensure annual gas safety checks are carried out
- not unreasonably interrupt gas or electricity supply

- maintain in repair and keep clean all common parts and installations, and ensure common parts have adequate lighting
- ensure each unit and furniture are clean at the start of each occupation and maintain the internal structure and installations in each letting
- provide adequate waste storage facilities and ensure that there is appropriate collection of waste.

7.6.6 The manager should also ensure that the building, and boundary walls, fences, gardens are maintained in a safe and tidy condition.

Issuing the HMO Licence

7.6.7 When determining the licensing application, the property is inspected, and the officer considers whether it is suitable for licensing (room sizes, amenity space), makes an assessment of the licence holder, and whether the proposed management arrangements are suitable.

7.6.8 Where the property is unsuitable for the proposed number of occupiers the local authority may where the property can be made suitable by certain works, place conditions on the issued licence for certain works to be completed by certain dates. Where the property cannot be made suitable for the number of occupiers then the local authority may propose to grant a licence for the number of occupiers the accommodation is suitable for. Where the property or management arrangements are inadequate, or significant health and safety failings are noted then the authority may choose to refuse an application or grant a licence for a reduced time period.

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 The application is for the change of use of an office building Use Class E to three Houses of Multiple Occupancy (Use Class Sui Generis) within Grantham town centre. The proposed use of the site would provide two 11-bedroom HMOS and one 12-bedroom HMO. The use is considered to be in accordance with Policy SP1, SP2 and SP3 of the Local Plan, and suitable as a residential use, particularly taking into account the adjacent residential use. The application scheme is considered to offer an opportunity to provide multiple units of residential accommodation in Grantham town centre in accordance with Policy H4 of the Local Plan, and this would be a public benefit that weighs in favour of the proposal.

- 10.2 The application site is located in a mixed use location provides a suitable level of internal and external residential amenity space including laundry facilities, off-street car parking and cycle parking provision. Furthermore, the HMOs will require a HMO licence and will be assessed against the SKDC Prescribed Standards for HMO Licensing.
- 10.3 Taking the above into account, it is considered that the proposal is appropriate for its context and is in accordance with the NPPF (Sections 9 and 12) and Policies DE1, SP1, SP2, SP3, and H4 of the South Kesteven Local Plan. There are no material considerations that indicate otherwise although conditions have been attached.

11 Recommendation

To authorise the Assistant Director of Planning & Growth to GRANT planning permission, subject to conditions.

Time Limit for Commencement

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

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

Approved Plans

- 2 The development hereby permitted shall be carried out in accordance with the following list of approved plans:
 - i) Proposed Site Layout Plan, drawing ref. PL/A1/103 Rev A (received 02/10/25)
 - ii) Proposed Floor Plans, drawing ref. PL/A1/104 Rev A (received 02/10/25)
 - iii) Elevations, drawing ref. PL/A1/105 Rev A (received 02/10/25)Unless otherwise required by another condition of this permission.
Reason: To define the permission and for the avoidance of doubt.

During Construction

Refuse and Cycle Storage

- 3 Notwithstanding the submitted plans, prior to first occupation of any part of the development hereby permitted, further details of the proposed refuse and cycle storage areas, together with the proposed boundary treatments, shall have been submitted to and approved in writing by the Local Planning Authority. The submitted details shall include: the final location of the storage area, details of the external appearance and scale of the storage areas.

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

Reason: To ensure that the proposed development would not result in any unacceptable adverse impacts on the character and appearance of the area and the significance of the Conservation Area, as required by Policy DE1 and EN6 of the adopted South Kesteven Local Plan.

Crime Prevention

4 Before the development hereby permitted is occupied, a scheme of crime prevention measures shall have been submitted to and approved in writing by the Local Planning Authority.

Thereafter, the approved measures shall be implemented in full prior to first occupation, and shall be retained and maintained throughout the operation of the use, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of minimising crime and disorder, and the fear of crime and disorder.

Management Plan

5 Before the development hereby permitted is occupied, a Site Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The Site Management Plan shall include, but shall not be limited to, the following details:

- Noise Management;
- Waste Management; and
- Amenity area management (including internal and external shared areas and hours of use)

Thereafter, the approved Site Management Plan shall be implemented prior to first use and shall be strictly adhered to throughout the operation of the use, unless otherwise agreed in writing by the Local Planning Authority.

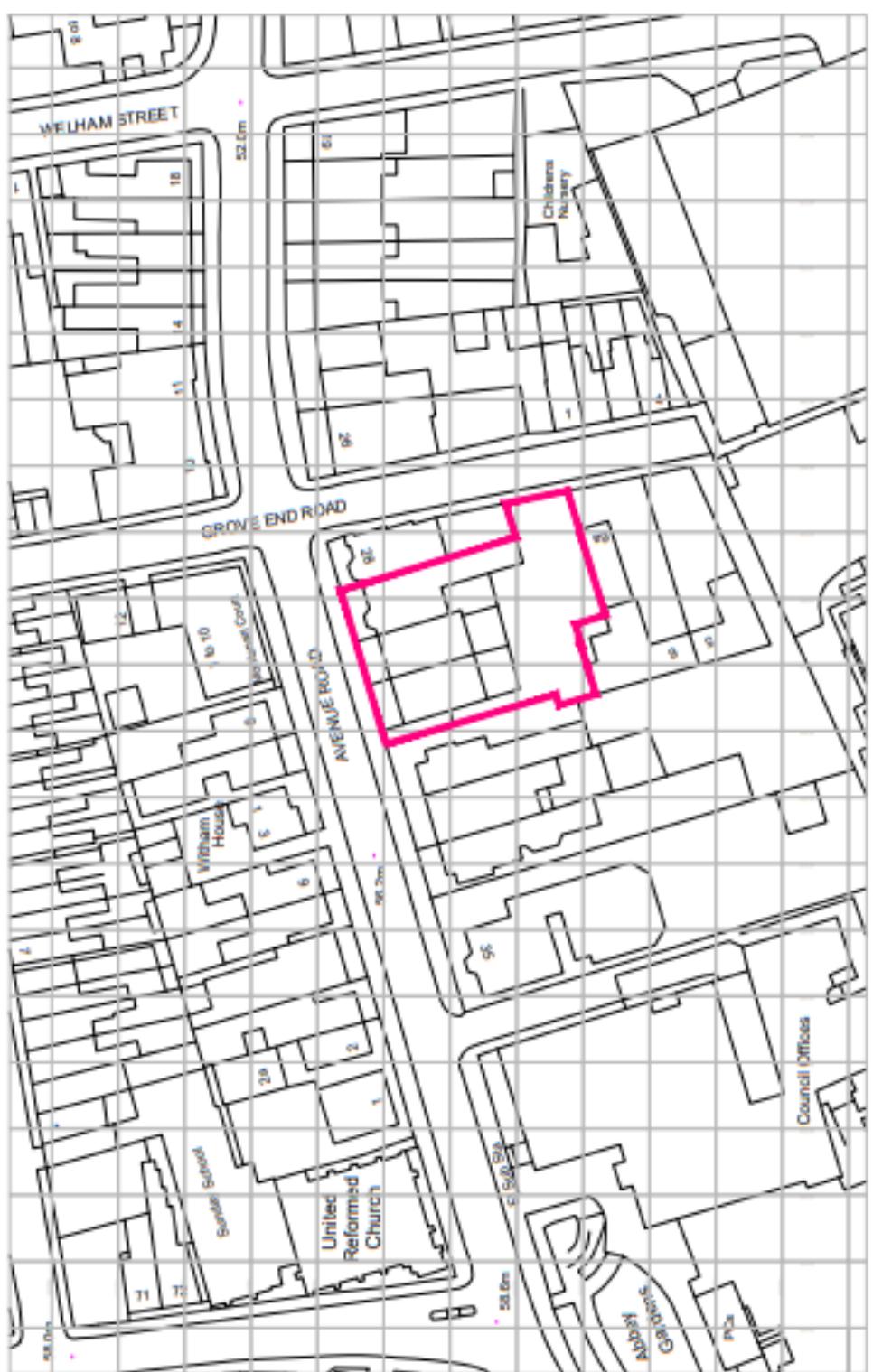
Reason: In the interests of amenity of existing and future residents of the area.

Ongoing Conditions

6 The HMO use (Sui Generis) hereby permitted shall be limited to 3(no) individual houses of multiple occupation, No.29 Avenue Road with 11 no. bedrooms and no more than 11.no occupants, No.30 Avenue Road with 11 bedrooms and no more than 11no. occupants, and No.31 Avenue Road with 12 bedrooms and no more than 12no. occupants, unless otherwise agreed in writing by the Local Planning Authority.

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

SITE LOCATION PLAN



AVENUE ROAD

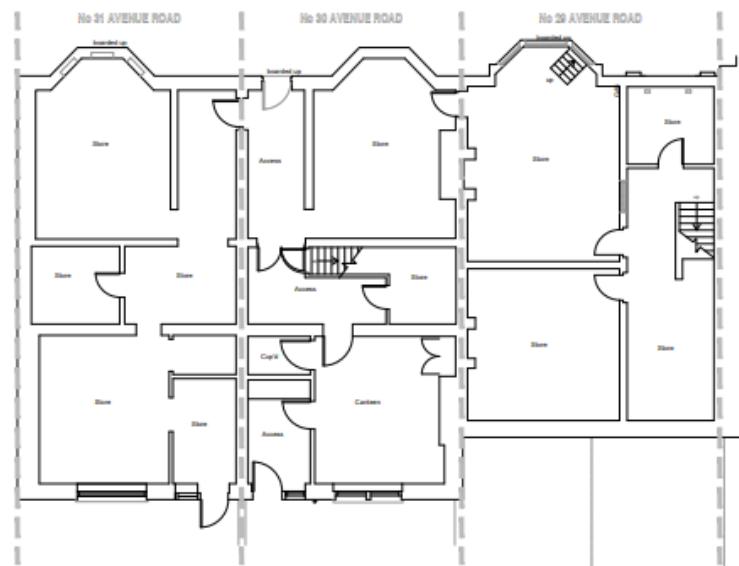


BLOCK PLAN PROPOSED

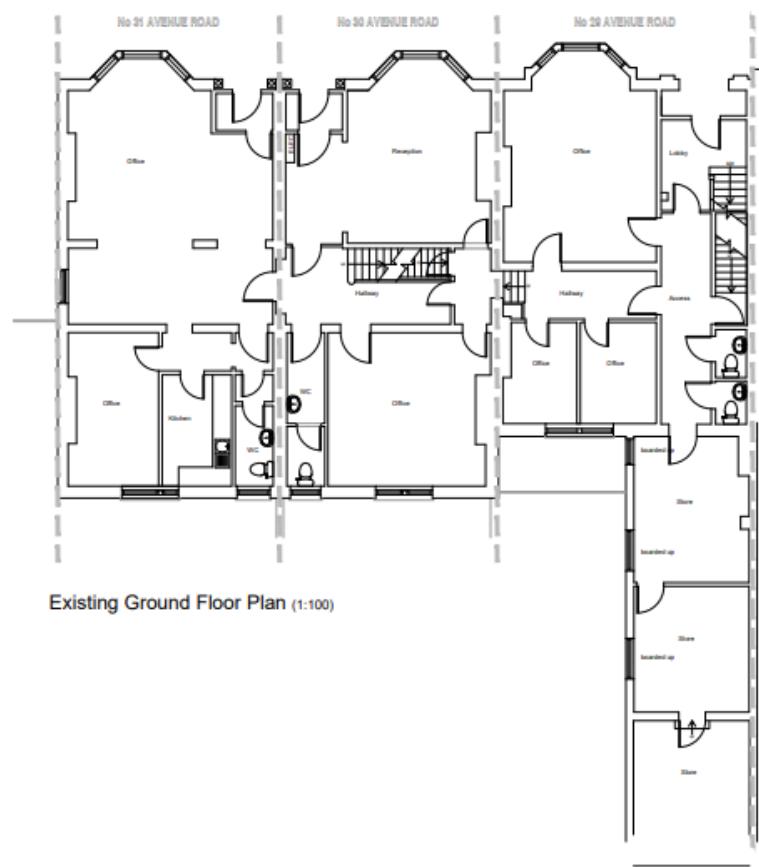
AVENUE ROAD



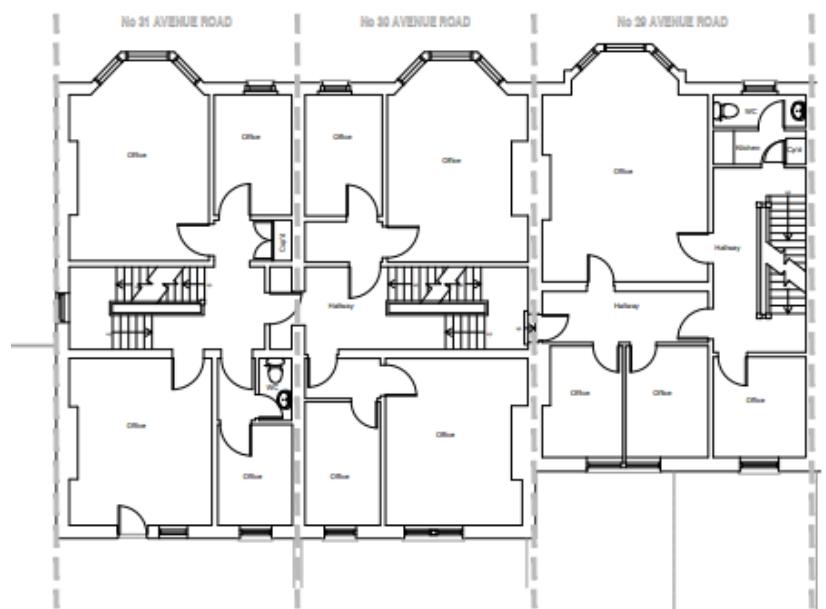
FLOOR PLANS EXISTING



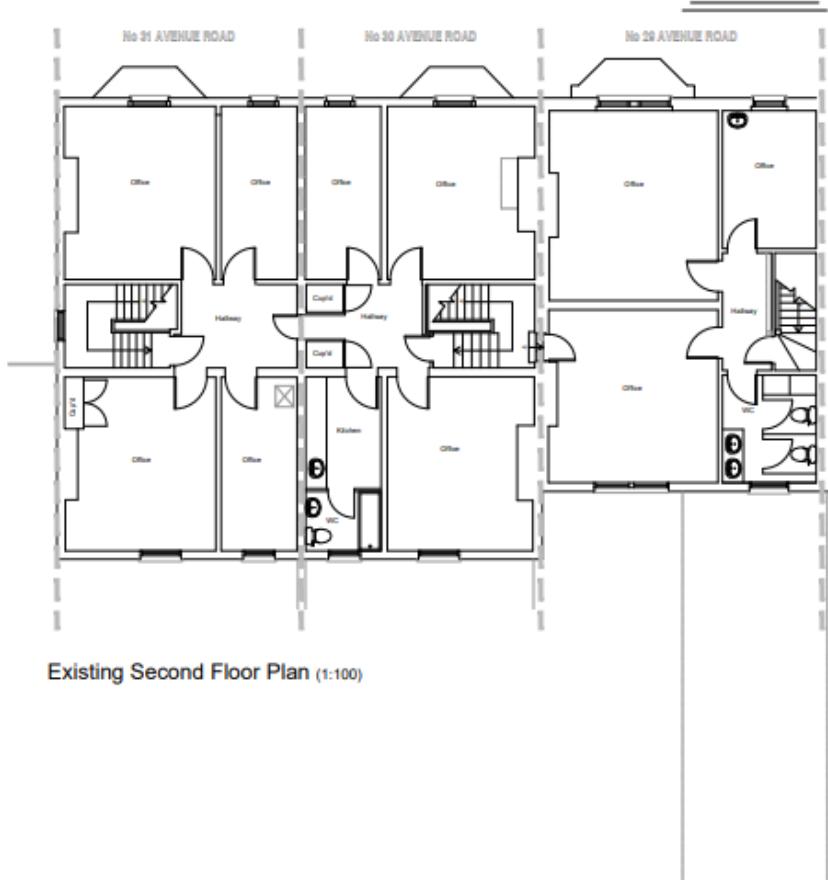
Existing Lower Ground Floor Plan (1:100)



Existing Ground Floor Plan (1:100)

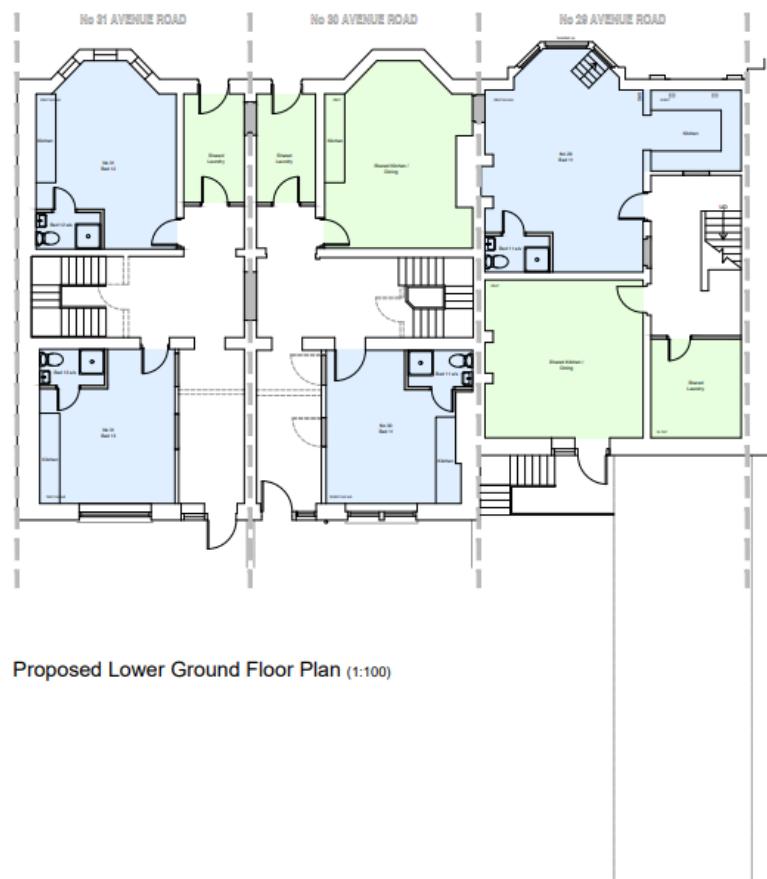


Existing First Floor Plan (1:100)

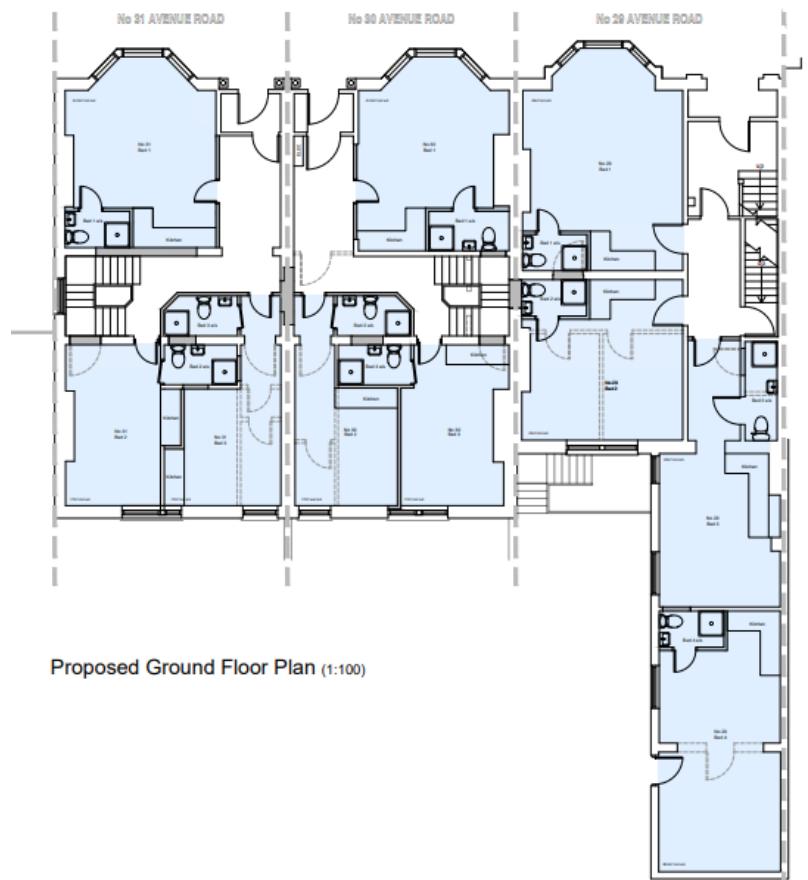


Existing Second Floor Plan (1:100)

FLOOR PLANS PROPOSED



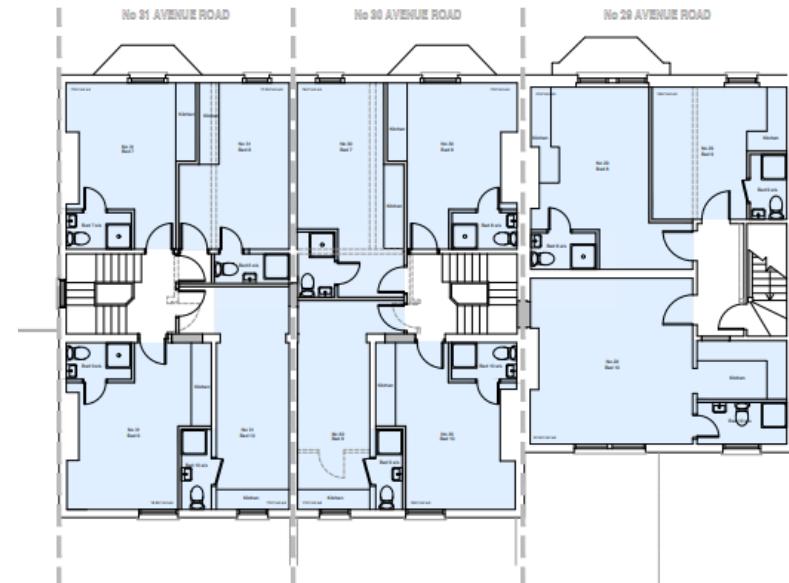
Proposed Lower Ground Floor Plan (1:100)



Proposed Ground Floor Plan (1:100)



Proposed First Floor Plan (1:100)



Proposed Second Floor Plan (1:100)

ELEVATIONS EXISTING



Existing / Proposed Front Elevation (1:100) ~ northern



Existing Rear Elevation (1:100) ~ southern



Existing Side Elevation (1:100) ~ western

ELEVATIONS PROPOSED



Existing / Proposed Front Elevation (1:100) ~ northern



Proposed Rear Elevation (1:100) ~ southern



Proposed Side Elevation (1:100) ~ western



Planning Committee

19 February 2026

S25/1526

Proposal:	Outline application for a residential development (7 dwellings) with all matters reserved except for access.
Location:	Constables Field, Belton Lane, Manthorpe, Grantham
Applicant:	Mr R Lee
Agent:	Mike Sibthorp Planning
Application Type:	Outline Planning Permission
Reason for Referral to Committee:	Called in by Councillor Ian Stokes <ul style="list-style-type: none">Impact on highways safetyImpact on the character of the area
Key Issues:	<ul style="list-style-type: none">Character and appearance of the areaNeighbours Residential AmenitiesHighway Safety

Report Author

Hannah Noutch, Development Management Planner

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H.Noutch@southkesteven.gov.uk

Corporate Priority:	Decision type:	Wards:
Growth	Regulatory	Peascliffe & Ridgeway

Reviewed by:

Adam Murray – Principal Development Management Planner

10 February 2026

Recommendation (s) to the decision maker (s)

To authorise the Assistant Director – Planning & Growth to GRANT planning permission, subject to conditions.



Key

Application
Boundary



1 Description of Site

1.1 The proposed application site comprises of a parcel of land along Belton Lane in Great Gonerby. Development of the land adjacent the application site has been approved under S18/1457 and has been partially implemented, dwellings adjacent the application site having been substantially constructed. When complete, the development would result in houses to the south of the proposed application site with allotments used in association with the approved residential development to the south located directly east of the application site.

1.2 The access to the site would be via a single access point from Belton Lane.

2 Description of Proposal

2.1 This application is seeking outline planning permission for the erection of up to 7 dwellings. The outline application was submitted with all matters reserved except for access; however, it was considered by the Local Planning Authority that details of Layout should be provided for the determination of the application. These details were subsequently provided; therefore, this application is considering outline permission with access and layout for approval only.

3 Relevant History

3.1 S23/2242 – Full planning application - Residential development of land comprising 7 dwellings and access road – Refused – Refusal reasons as follows:

1. The site lies outside of the settlements as prescribed by Policy SP2. By reason of its location outside of any main settlement, the site cannot be regarded as an infill plot and is located in the open countryside where new development is strictly controlled to limited exceptions as set out in Policy SP5. The proposed development would not comply with any of the prescribed exceptions. The provision of dwellings on this site would adversely encroach into the open countryside causing harm to the surrounding character of the area. The proposal therefore fails to comply with the adopted South Kesteven Local Plan policies SD1, SP5 and DE1 as well as guidance contained in the Framework and National the Planning Policy Guidance

2. The proposed site layout by way of its sprawling and disjointed nature would result in built form extending towards Belton Lane. This would have a harmful urbanising effect that would be detrimental to the character and appearance of the area. This would be contrary to NPPF Section 12 and Policy DE1 of the SKDC Local Plan.

3. Notwithstanding the premature nature of the development in relation to the extant adjacent planning permission(s), the proposal would result in an isolated residential development with no connectivity or integration into the surrounding approved scheme(s). As such it is considered that the proposed development would not result in a comprehensive form of development. This would be contrary to NPPF Section 12 and Policy DE1 of the SKDC Local Plan. The proposal also is contrary to the advice given within Rutland and South Kesteven Design Guidelines 2021.

3.2 Reserved Matters Applications for Adjacent Site

3.3 S18/1457 - Submission for approval of reserved matters (aorm) relating to appearance, landscaping, layout and scale for 480 residential units pursuant to outline permission S15/3189

- 3.4 S21/0174 - Submission for approval of reserved matters (aorm) relating to appearance, landscaping, layout and scale for 480 residential units pursuant to outline permission S15/3189 – Approved Conditionally
- 3.5 S21/0175 - Submission for approval of reserved matters (aorm) relating to landscaping only, pursuant to outline permission S15/3189

4 Relevant Planning Policies and Documents

SKDC Local Plan 2011-2036

- Policy DE1 – Promoting Good Quality Design
- Policy EN2 – Protecting Biodiversity and Geodiversity
- Policy EN5 – Water Environment and Flood Risk Management
- Policy SB1 – Sustainable Building Measures
- Policy SP1 – Spatial Strategy
- Policy SP2 – Settlement Hierarchy
- Policy SP5 – Development in the Open Countryside

National Planning Policy Framework (NPPF)

- Section 12 – Achieving well-designed places
- Section 9 - Promoting Sustainable Development
- Section 5 – Delivering a sufficient supply of homes

Design Guidelines for Rutland and South Kesteven Supplementary Planning Document (Adopted November 2021)

5 Representations received as a result of publicity

- 5.1 This application has been advertised in accordance with the Council's Statement of Community Involvement and no letters of representation have been received.

6 Representations received

6.1 Parish Council

- 6.2 The Parish Council considered Planning Application S25/1526, relating to the proposed development of seven properties on Constable Field (land formerly owned by the Parish Council). While members raised no objection in principle to the construction of the dwellings themselves, the Council wishes to express serious concerns regarding the safety implications of the proposed access and egress arrangements.

- 6.3 The proposed access point lies approximately 180 metres from the railway bridge, a location with notably restricted visibility. This section of road is subject to a 60mph speed limit, and the limited sightlines-as vehicles approach from either direction-create what is in effect a near-blind entry and exit point for residents and other road users.

- 6.4 For context, based on standard stopping distances at 60mph:

- 6.5 - Thinking distance: approx. 18 metres
- 6.6 - Braking distance: approx. 55 metres

6.7 - Total stopping distance: approx. 73 metres in ideal conditions

6.8 In poor or wet weather, these distances increase significantly, further reducing the margin for error. The Parish Council therefore considers the proposed access to be a potential hazard, posing a substantial risk to both pedestrians and motorists.

6.9 The application documents indicate that L.C.C. Highways have raised no objections. Given the concerns outlined above, the Parish Council would be grateful if the Planning Department could refer this matter back to L.C.C. Highways for further consideration, drawing their attention to the visibility limitations, speed of traffic, and safety risks associated with the proposed access location.

6.10 We trust that these points can be carefully reviewed in the interests of public safety and responsible development.

Highways and SuDs

6.12 No Objection subject to:

- Footway connection
- Construction Management Plan and Method Statement

6.13 The site does lack pedestrian connectivity to the wider footway network; to support this application the Highway Authority would require a condition attached to provide a footway link to the network. With this link provided, it is considered that this proposal would not result in an unacceptable impact upon highway safety.

6.14 The Highway Authority do have concerns with the junction of Belton Lane and Newark Hill which is currently over capacity. However, the impact of 7 dwellings won't add significant traffic to Belton Lane junction it is seen that the impact will be negligible.

Environmental Protection

6.16 No objections however requested conditions relating to contaminated land and noise levels.

Lincolnshire Wildlife Trust

6.18 No comments received.

Anglian Water

6.20 No objections.

Environment Agency

6.22 No objection – informative notes to applicant.

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. In this case, the adopted development plan comprises of the following documents:

7.2 - South Kesteven Local Plan 2011-2036 (Adopted January 2020)

7.3 The Lincolnshire Minerals and Waste Local Plan forms part of the development plan in relation to minerals planning.

7.4 The policies and provisions set out in the National Planning Policy Framework are also a material consideration in the determination of planning applications, alongside the adopted Design Guidelines for Rutland and South Kesteven.

7.5 As of March 2025, the Council are presently unable to demonstrate a 5-year supply of housing land and as a result, the policies most important for determining the application are deemed to be out-of-date by virtue of footnote 8 and paragraph 11d) of the Framework. Paragraph 11d) requires that planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole; or where specific policies in The Framework, indicate that development should be restricted.

7.6 **Principle of Development**

7.7 The application site in this instance lies within open countryside and therefore SP5 would be applicable.

7.8 Policy SP5: Development in the Open Countryside identifies 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. In such instances, the following types of development will be supported:

- 7.9 a. agriculture, forestry or equine development;
- b. rural diversification projects;
- c. replacement dwellings (on a one for one basis) or;
- d. conversion of buildings provided that the existing building(s) contributes to the character or appearance of the local area by virtue of their historic, traditional or vernacular form; and
- e. are in sound structural condition; and
- f. are suitable for conversion without substantial alteration, extension or rebuilding, and that the works to be undertaken do not detract from the character of the building(s) or their setting

7.10 The proposal is not considered to comply with the above criteria. However, consideration must be given to the surrounding context and given that there are committed schemes that have been commenced, with some properties having been occupied, surrounding the application site.

7.11 Therefore, whilst there would be a conflict with the development plan in that the development would result in a development outside of any of the identified sustainable settlements within Policy SP2, given that the committed housing schemes would be immediately adjacent to the site to the east and south, the proposal would be considered to be sited within a sustainable location.

7.12 As identified above, the LPA is not meeting the identified required housing land supply and therefore there is the presence of a tilted balance affecting applications for additional housing units such as this. The presence of the tilted balance weighs in favour of housing developments unless there are identified policies conflicts that outweigh the significant benefit of the provision of additional housing units.

7.13 **Effect of the development on the character and appearance of the area**

7.14 Given the application is seeking outline planning permission, with the only details provided at this stage being those of the proposed access and layout; the appearance, scale and

landscaping would be reserved matters for consideration at a later stage. This assessment can however consider the principle of these matters at this stage.

7.15 It is noted that the layout plan has been altered from the previous layout proposed under application S23/2242, where one of the refusal reasons included objections to the development extending excessively towards Belton Lane, resulting in a harmful urbanising effect. The amended layout sees the front dwellings, closest to Belton Lane, set further back within the site, leaving a buffer zone between the development and Belton Lane. Having considered the layout of the previously refused scheme and the current layout, the current layout would address the previous concern regarding the urbanisation of Belton Lane by maintaining a clear separation. Although the closest dwelling to Belton Lane would be set slightly forward of the adjacent committed scheme, it would be read in conjunction with this scheme and would not be introducing or excessively increasing the visual urbanisation of Belton Lane.

7.16 In principle, the siting of 7 dwellings in this location would be achievable as has been demonstrated by the submitted layout scheme. Nevertheless, there are concerns regarding the design of the layout scheme in relation to the layout of the proposed dwellings and the access road appearing over-engineered. It is considered that layout returning to be a reserved matter would allow for the opportunity for less engineered scheme to be forthcoming. It is requested that at the reserved matters stage for layout, the above comments in relation to the separation and buffer zone left with Belton Lane is noted and taken into account. Therefore, layout will be conditioned as a reserved matter. It is considered that when the reserved matters details are submitted for scale and appearance, details of the finished floor levels and materials of the proposed dwellings should be submitted. Therefore, conditions relating to the submission of these details have been attached.

7.17 It is noted that there are boundary details added to the plan to provide a clear layout of the plots, but it is noted that final details of boundary treatments would be submitted as part of the subsequent reserved matters application relating to landscaping.

7.18 By virtue of the design, scale and materials to be used, the proposal would be in keeping with the street scene and surrounding context in accordance with the NPPF Section 12, and Policy DE1 of the Local Plan.

7.19 **Effect on neighbouring amenity**

7.20 Whilst no details relating to scale are available at this stage given that scale is a reserved matter, with the landscaping being considered it is possible to make an assessment as to whether this element would impact on the adjacent committed scheme and vice versa, as well as the interrelationships between the proposed dwellings.

7.21 Having assessed the proposed layout in connection with the approved layout scheme under application S18/1457, the proposed layout could be achieved without there being any unacceptable adverse impacts on the residential neighbours. To the south, there is primarily garages with there being 2 residential boundaries bounding the southeastern corner of the application site. Giving note to the approved layout under S18/1457, the proposed layout under this current application could be achieved without any unacceptable levels of overlooking, overshadowing or dominance in between the future occupiers of both schemes. Whilst noting that layout is to remain a reserved matter, it has been demonstrated that 7 dwellings could be accommodated on the site without unacceptable adverse impact on neighbours residential amenities.

7.22 Taking into account the nature of the proposal, small 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.

7.23 **Highway Safety**

7.24 Paragraph 116 of the NPPF advises that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

7.25 The Parish Council have confirmed that whilst they have no objection in principle, they do have concerns over the safety of the proposed access point given its distance from the Railway Bridge on Belton Lane and the existing 60mph speed limit.

7.26 Lincolnshire County Council (LCC) as the Highways Authority advised that whilst they do have concerns with the junction of Belton Lane and Newark Hill which is currently over capacity, the impact of 7 dwellings would not add significant traffic to the Belton Lane junction. Therefore, they have taken the view that this impact would be negligible.

7.27 In addressing the Parish Councils concerns regarding the visibility from the access, the Highways Authority advised that they work to the Department for Transports, Manual for Streets (technical guidance), for a 60mph road it would require 124m visibility. It is estimated that the visibility for this access would be around 150-160m which would be above the required visibility levels.

7.28 LCC requested a condition be attached requiring details for the provision of a 2 metre wide footway. It is noted that the proposed layout plan provided detailed a small footpath however this would not have been able to be controlled via condition, largely due to it being on land not under the applicants ownership. The proposed footpath further would not have any connections, and as such a condition has been attached in accordance with LCC's request to secure a safe footway in connection with the site.

7.29 A construction management plan condition has been attached to ensure that resulting impacts from construction such as construction traffic, parking, hours and drainage are sufficiently mitigated during building works.

7.30 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.

7.31 **Ecology and Biodiversity**

7.32 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.

7.33 Additionally, Biodiversity Net Gain (BNG) became mandatory on all small sites on 2 April 2024. Therefore, a BNG metric has been completed and accompanies this submission. This metric identifies that the proposal would result in a net gain of habitats on site but would fail to achieve a gain in relation to hedgerows on site. It is deemed appropriate to attach the relevant habitat management and monitoring plans conditions to secure any potential areas for onsite habitats. Any offsite units and how these would be achieved would be specified as part of a further submission of details required by condition.

7.34 The submitted ecological report states that no evidence in relation to protected species was found on site, and there was a low likelihood of any being present.

7.35 It is additionally considered to be appropriate to require the provisions for bat and birds on site for the new dwellings, therefore a condition has been attached requiring details of these to be provided at reserved matters stage.

7.36 Climate Change

7.37 As previously identified, the application site is located within a sustainable location due to its relationship with the adjacent committed scheme. Nonetheless, it is acknowledged that the application submission does not specifically provide details about how the proposed dwellings would accord with the policy obligations of Local Plan Policy SB1, which requires developments to minimise carbon emissions and support low carbon travel through the provision of electric vehicle charging points. As such, a condition has been attached to require the submission of further details of sustainable building measures, in accordance with the requirements of Policy SB1.

7.38 Flood Risk and Drainage

7.39 The site is located within Flood Zone 1 with a low risk of fluvial flooding. The site however does have a 1 in 100 chance of surface water flooding. This means that a suitable drainage strategy should be implemented to adequately address surface water drainage. The application form confirms surface water would be via soakaway, which is considered to be a suitable option for this site. Drainage would nevertheless be dealt with under building regulations.

7.40 In terms of the disposal of foul sewage, it is noted that the application forms state this would be via mains sewer, with the submitted plans indicating a septic tank. Whilst the Environment Agency raised no objections to the scheme, they advised the method of disposal be confirmed, however this would be encompassed under the building regulations stage. Further to this, there has been no indication from Anglian Water within their comments, that there are any capacity constraints which would prevent connection to the mains sewer if necessary and Anglian Water would have a statutory duty to accept connections for sites with planning permission. It is therefore not considered necessary to condition further details at this stage.

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.

9.2 Conclusion

9.3 In this case, there is the presence of a tilted balance affecting this application given that the council does not have an established 5-year housing land supply meaning that most important involved within determining the application from the SKDC Local Plan are considered to be out of date. Paragraph 11(d) of the NPPF states that therefore planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole; or where specific policies in The Framework, indicate that development should be restricted.

9.4 In this instance, there is considered to be no conflict with the policies of the Local Development Plan, with the exception of Policy SP5, but the development considered to be in a sustainable location when taking into account the implementation of the adjacent committed development. The proposal has addressed the previous reasons for refusal under application S23/2242.

9.5 The development is considered to be in accordance with the NPPF Sections 5, 9 and 12 and Policies SD1, DE1, EN2 and EN5 of the SKDC Local Plan. There are no material considerations that would significantly or demonstrably outweigh the significant benefit that would be afforded to the up to 7 additional homes.

10 RECOMMENDATION

10.1 To authorise the Assistant Director – Planning & Growth to GRANT planning permission, subject to conditions.

Time Limit for Commencement

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

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

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

- i. scale
- ii. appearance
- iii. landscaping
- iv. Layout

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

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

Approved Plans

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

- i. Site Location Plan received 15 August 2025
- ii. Proposed Site Plan with Parking and Boundaries re.25.025PL01-1 received 3 November 2025 (with the exception of the indicated footpath connection)

Unless otherwise required by another condition of this permission.

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

Prior to Commencement

4 Before the development hereby permitted is commenced, plans showing the existing and proposed land levels of the site including site sections, spot heights, contours and the finished floor levels of all buildings with reference to neighbouring properties shall have been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of the visual amenities of the area and in accordance with Policy DE1 of the adopted South Kesteven Local Plan.

During Building Works

5 The development hereby permitted shall be undertaken in accordance with a Construction Management Plan and Method Statement that shall first be approved in writing by the Local Planning Authority. The Plan and Statement shall indicate measures to mitigate the adverse impacts of vehicle activity and the means to manage the drainage of the site during the construction stage of the permitted development. It shall include:-

- the on-site parking of all vehicles of site operatives and visitors;
- the on-site loading and unloading of all plant and materials;
- the on-site storage of all 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

(temporary or permanent) connect to an outfall (temporary or permanent) during construction.

Construction works would be carried out in accordance with the approved details.

Reason: In the interests of the safety and free passage of those using the adjacent public highway and to ensure that the permitted development is adequately drained without creating or increasing flood risk to land or property adjacent to, or downstream of, the permitted development during construction

- 6 No development above damp-proof course shall take place until details demonstrating how the proposed dwellings would comply with the requirements of Local Plan Policy SB1 and SD1 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 building; details of water efficiency. The approved sustainable building measures shall be completed in full, in accordance with the agreed scheme, prior to the first occupation of the dwelling hereby permitted.

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

Prior to the development being occupied

- 7 Before any building/dwelling hereby permitted is occupied/brought into use, the finished floor levels for that building shall have been constructed in accordance with the approved land levels details.

Reason: In the interests of the visual amenities of the area and in accordance with Policy DE1 of the adopted South Kesteven Local Plan.

- 8 Notwithstanding the submitted details, the development hereby permitted shall not be occupied before a 2-metre-wide footway, to connect the development to the existing footway network, has been provided in accordance with details that shall first have been submitted to, and approved in writing by, the Local Planning Authority. The works shall also include appropriate arrangements for the management of surface water run-off from the highway.

Reason: To ensure the provision of safe and adequate pedestrian access to the permitted development, without increasing flood risk to the highway and adjacent land and property.

- 9 Prior to the occupation of the dwelling hereby permitted, 1 bird box and 1 bat box shall have been installed for each dwelling.

Reason: To support biodiversity provision on site in line with Policy EN2 of the SKDC Local Plan.

Ongoing Conditions

- 10 This permission relates to a maximum of 7 dwellings on the site.

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

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SOUTH
KESTEVEN
DISTRICT
COUNCIL



Planning Committee

19 February 2026

S25 0250

Proposal:	The creation of a biodiversity habitat bank to be secured for a period of 30 years
Location:	Land at Wilsthorpe Road, Braceborough, Lincolnshire
Applicant:	Enviroland
Application Type:	Section 106 Agreement (S25/0250)
Reason for Referral to Committee:	Entering into a Section 106 agreement with financial obligations
Key Issues:	Securing Biodiversity Net Gain (BNG) for a period of 30 years Monitoring arrangements
Technical Documents:	HMMP (Habitat Management & Monitoring Plan)

Report Author

Sarah Arnold, Infrastructure Delivery Officer

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Corporate Priority:	Decision type:	Wards:
Growth	Regulatory	Lincrest

Reviewed by:

Phil Jordan, Development Management & Enforcement Manager

11 February 2026

Recommendation (s) to the decision maker (s)

To authorise the Assistant Director of Planning & Growth to enter into a Section 106 Agreement with Enviroland to create, manage and maintain Biodiversity Net Gain Units for the purpose of satisfying Biodiversity Net Gain Obligations for developments for a period of 30 years.

1 Background

- 1.1 Biodiversity Net Gain (BNG) is mandatory under Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021).
- 1.2 The BNG units are to be secured by legal agreement with the landowner to legally ensure the highest quality delivery of the habitats. The uplift in biodiversity is measured by the current version of the Statutory Biodiversity Metric (Defra,2023) (the Metric) and translated into Biodiversity Units (BU) that can then be sold to developers to meet their BNG obligations that are now mandatory.
- 1.3 In light of the requirements of the Environment Act, developers must deliver a BNG of 10% net gain of biodiversity from developments. This means a development must result in more or better-quality natural habitat than there was before development.
- 1.4 There are three ways a developer can achieve BNG. Firstly, developers can seek to enhance and restore biodiversity on-site (within the red line boundary of a development site). Secondly, if developers cannot achieve all of their BNG on-site, they can deliver through a mixture of on-site and off-site provision. Developers can either make off-site biodiversity gains on their own land outside the development site or buy off-site biodiversity units on the market. If developers cannot achieve on-site or off-site BNG, they must buy statutory biodiversity credits from the government. This should be a last resort. The government will use the revenue to invest in habitat creation in England.
- 1.5 It is desirable to have a site within South Kesteven that can provide local BNG units in the event that developers cannot achieve BNG on-site. This would ensure that in this scenario the BNG and associated benefits that arise from new development would remain within South Kesteven, as opposed to being used elsewhere.

2 Description of Site

- 2.1 The land proposed to be used for the Biodiversity Areas that would be subject to the Section 106 Agreement totals 17.33 hectares. This comprises three separate parcels of land East (Parcel 3 – 4.3917 ha), South (Parcel 1 – 8.8474 ha) and West (Parcel 2 – 3.3052 ha) of the map below, with the small area to the North forming part of the South parcel (Parcel 1).
- 2.2 All three parcels of land are below Manthorpe village, running along the West of Manthorpe Lane. Falling between Braceborough and Wilsthorpe.



3 Description of Proposal

- 3.1 The applicant seeks to create, manage and maintain BNG Units on the above sites for the purpose of satisfying BNG obligations for developments for a period of 30 years. This would involve selling BNG units to developers where they are unable to achieve a net gain in biodiversity on-site.
- 3.2 In order to secure the use of the land in this way, it is necessary for the land to be subject to a Section 106 agreement to secure the management and maintenance of the habitat enhancements that will result in the BNG units for a minimum period of 30 years.
- 3.3 The habitat enhancements are to be achieved through adherence to a Habitat Management and Monitoring Plan (HMMP) (Appendix A). The HMMP is a detailed plan that outlines how the Biodiversity Areas will be monitored and managed for at least 30 years in order to create and enhance habitats for the purposes of achieving BNG.
- 3.4 As such, Enviroland and the Council have negotiated and prepared a draft Section 106 agreement (Appendix B) that secures the management and maintenance of the Biodiversity Areas, as set out in the HMMP for a 30-year period.
- 3.5 The Section 106 agreement does not affect but will support the continuity of the regenerative agricultural use and agricultural unit confirmed in Schedule 7A of the Town and Country Planning Act 1990 and National Guidance for BNG. Relevantly, the Town and Country Planning Act 1990 notes that "agriculture" includes the "use of land for woodlands where that use is ancillary to the farming of land for other agricultural purposes.
- 3.6 Enviroland would be responsible for undertaking low-density regenerative farming to achieve habitat enhancements on the Biodiversity Areas to enable the generation of off-site BNG units. Enviroland's low-density regenerative farming conforms with the current agricultural use of the land.
- 3.7 Enviroland will be responsible for undertaking low-density regenerative farming in the Biodiversity Areas and managing and maintaining the Biodiversity Areas in accordance with the Habitat Management and Monitoring Plan that has been prepared. The Council's responsibility is to ensure that the obligations set-out in the Section 106 agreement are adhered to, through effective monitoring of the site.
- 3.8 The HMMP is designed to be an adaptive, 'live' document and should be reviewed and amended regularly to ensure the management objectives remain fit to achieve their intended aims over the 30-year management period. Monitoring of the HMMP will be carried out by the Council as Local Planning Authority, who will review progress of the habitat units against the proposed management objectives.
- 3.9 Monitoring will follow the method set out in the Statutory Biodiversity Metric for conducting condition assessments. A report should be produced after each monitoring visit and will include recommendations for action or alterations to the management prescription set out here. Monitoring will be conducted annually for the first five years during June or July before the grass is cut for hay. After year 5, monitoring may be reduced to once in 2 years, and eventually to once in 5 years as habitats become more stable, for the 30-year duration.

3.10 In order to ensure that the monitoring costs of the Council are covered for the lifetime of the agreement, a monitoring fee of £22,000 is to be provided to the Council. The agreement also allows for this to be reviewed and an additional monitoring fee secured in the event that the monitoring costs of the Council exceed this initial payment.

4 Recommendation

4.1 To authorise the Assistant Director of Planning & Growth to enter into a Section 106 Agreement with Enviroland to create, manage and maintain Biodiversity Net Gain Units for the purpose of satisfying Biodiversity Net Gain Obligations for developments for a period of 30 years.



Habitat Management and Monitoring Plan (HMMP)

Biodiversity Gain Site

Land at Wilsthorpe Road, Braceborough – ENVIRO23002-A
Lincolnshire
PE9 4NX

January 2025

Allied Ecology 

enviroland

Site Address	Land at Wilsthorpe Road, Braceborough, Lincolnshire, PE9 4NX
Landowner(s)	George Bremner
Date of Issue	02/06/2025
Report Reference	ENVIRO23002-A – Braceborough HMMP

Liability

Enviroland Ltd has used reasonable skill and care in the preparation of this HMMP. The professional opinions and interpretations presented within this HMMP in no way represent a legal opinion, and are based on reasonable technical interpretation of the information available to us. Enviroland Ltd accepts no responsibility for information or data provided by third-parties, and accepts no legal liability arising from the use by other persons or organisations of data, information or opinions provided within this report.

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Validity

Any alterations to the site boundary and / or proposals may invalidate the recommendations contained within this HMMP.

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Plans

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Appendices

Appendix HMMP1 – Management Activity Sheets – Habitat Creation

Appendix HMMP2 – Photographs

Appendix HMMP3 – Soil Testing

1. Introduction

1.1. Background and Context

- 1.1.1. Enviroland has been appointed to prepare a Habitat Management and Monitoring Plan (HMMP); detailing habitat retention, creation, and enhancement prescriptions for the Biodiversity Gain Site at Land at Wilsthorpe Road, Braceborough, Lincolnshire, PE9 4NX (grid ref: TF 07882 14461). The Biodiversity Gain Site is referred to as Braceborough – ENVIRO23002-A.
- 1.1.2. The site is located to the north of Braceborough, Lincolnshire, between Stamford and Bourne, and largely comprises existing arable / cropland fields bound by off-site hedgerows and woodland planting, with a single small pocket of existing grassland that is subject to period topping. Beyond the site, the surrounding landscape comprises arable / cropland with occasional woodland pockets and watercourses.
- 1.1.3. The HMMP has, in part, been informed by utilising the Statutory Biodiversity Metric; in order to establish the change (increase) in Biodiversity Units able to be delivered by the proposals.
- 1.1.4. Table 1.1 below provides an overview of the Habitat Management Plan, summarising key aspects.

Table 1.1. Habitat Management Plan Overview.

Site Details	
Project Type	Biodiversity Gain Site
Site Name	Braceborough – ENVIRO23002-A
Site Address	Land at Wilsthorpe Road, Braceborough, Lincolnshire, PE9 4NX
Central OS Grid Reference	TF 07882 14461
Local Planning Authority	South Kesteven District Council (SKDC)
National Character Area	Kesteven Uplands
Gain Site Register Reference	Not Available at This Stage
Landowner(s)	George Bremner
Land Manager	George Bremner
Provenance	
Author Organisation	Enviroland Ltd.- The Grey House, 3 Broad Street, Stamford, England, PE9 1PG
Lead Author	Jon Byrd – CEcol, MCIEEM
Period Covered	January 2025 – January 2055
Habitat Proposals Summary	
Irreplaceable Habitats Present?	No
Habitats to be Retained	A small section of existing Mixed Scrub, in poor condition, would be retained with no enhancement measures proposed.
Habitats to be Created	Other Neutral Grassland, Broadleaved Woodland and a Traditional Orchard will be created.
Habitats to be Enhanced	Existing Other Neutral Grassland would be enhanced to increase its condition, and to create a Traditional Orchard.

Net number and type of Biodiversity Units (bu) created	<p>12.66 High Distinctiveness Grassland Biodiversity Units</p> <p>79.34 Medium Distinctiveness Grassland Biodiversity Units</p> <p>5.78 Medium Distinctiveness Woodland and Forest Biodiversity Units</p> <p>3.89 High Distinctiveness Hedgerow Biodiversity Units</p>
Implementation	<p>Phase 1 will be implemented within 12 months following the sale of the site's first Biodiversity Units, with capital from these sales funding initial habitat establishment. This Site will be delivered in multiple phases. No subsequent phase will be implemented until all units associated with the habitats in the preceding phase have been sold, unless otherwise deemed appropriate by the landowner.</p>
Phasing Strategy	<p>Phase 1 will consist of 23002-A-A1, 23002-A-A2, 23002-A-A3, 23002-A-A4, HA and HB.</p> <p>Phase 2 will consist of 23002-A-A5.</p> <p>Phase 3 will consist of 23002-A-A6 and 23002-A-A7</p>
Monitoring Requirements	<p>Annual monitoring will take place as part of the ongoing management regime, with periodic detailed botanical / habitat monitoring also undertaken in years 1, 2, 3, 5, 10, 15, 20, 25 and 30 following the anniversary of commencement of the first phase and thereafter aligned as remaining phases are implemented.</p> <p>In order to avoid unnecessary duplication of monitoring visits across subsequent phases, the timing of some monitoring years between year 10 to year 30 may be brought forward or aligned between phases, in order to avoid otherwise unnecessary duplication of effort for established habitats that are meeting their relevant character and condition requirements.</p> <p>This approach provides an appropriate level of flexibility for the landowner, reducing costs associated with multiple (otherwise unnecessary) monitoring visits undertaken in consecutive years, while maintaining compliance with statutory monitoring requirements and ensuring ecological objectives are met.</p> <p>Any further adjustments to the Monitoring Schedule will be made in response to the findings of the monitoring visits, in consultation with the project ecologist and, where required, agreed with the relevant approving authority.</p>
Required Consents / Licences	N/A
Funding Mechanism	The habitat creation, enhancement, monitoring, and any remedial works will be funded through the sale of Biodiversity Units.

2. Roles and Responsibilities

2.1. Environmental Professional

2.1.1. Table 2.1 below identifies the organisation and lead surveyor / lead author responsible for preparation of the HMMP.

Table 2.1. Environmental Professional's Details.

Environmental Professional's Details			
Name			Jon Byrd (CEcol, MCIEEM)
Organisation			Enviroland Ltd.
Start Date	April 2023	End Date	~ January 2035
Responsibility			
Enviroland has undertaken baseline habitat and initial protected species suitability assessments, in order to inform the scope and content of the HMMP and has worked closely with the landowner and specialist habitat creation / management contractors to develop an appropriate and robust approach to the habitat creation and enhancement proposals.			
Statement of Competency			
Jon is a Chartered Ecologist (CEcol) and Full Member of the Chartered Institute of Ecology and Environmental Management (MCIEEM), with over 16 years of relevant experience within an ecological consultancy setting. Jon has extensive experience in undertaking baseline habitat surveys for the habitats present within the site, and has been working with landowners throughout his career to advise on habitat creation and management proposals, and is suitably authoritative to advise on the creation and enhancement of the proposed habitats detailed within the HMMP.			
In addition to his extensive habitat survey and creation experience, Jon also holds Natural England protected species survey licences for Great Crested Newts (CL08), bats (CL17/CL18), Dormouse (CL10a), Barn Owl (CL29), and White-clawed Crayfish (CL11). Jon also holds Natural England Mitigation Class Licences for bats (BMCL - CL21) and Badger (CL35), and has held or been named on numerous standard Natural England mitigation licences for the above species.			

2.2. Landowner

2.2.1. Table 2.2 below identifies the landowner responsible for delivering the HMMP.

Table 2.2. Landowner Details.

Landowner Details	
Responsibility	The landowner is responsible for the delivery of the HMMP, including ensuring that the habitat creation and enhancement prescriptions, and ongoing management / monitoring protocols are adhered to.
Statement of Competency	
George Bremner is personally invested in the management and enhancement of the estate at Braceborough. Having been under family ownership for multiple generations, George has implemented a range of landscaping improvements and ecological schemes, demonstrating a clear commitment to enhancing the estate's natural character.	

Working through a well-structured management approach, supported by retained expert consultants and a capable estate team, they have effectively overseen projects that have improved the ecological and aesthetic quality of the grounds. Their experience in coordinating and funding these improvements ensures that they are well-prepared to deliver the Biodiversity Gain Site project in line with legal, environmental, and planning requirements.

They possess the organisational acumen, financial resources, and commitment required to ensure the project's success. Their stewardship reflects a thoughtful balance of civic, environmental, and personal investment, ensuring the long-term sustainability of the estate and its surrounding landscape.

3. Land Use Summary and Ecological Constraints

3.1. Assessment Methodology

3.1.1. In order to classify the habitats present within the Biodiversity Gain Site, and establish their 'condition' at the time of survey, a two-stage assessment was undertaken, as described below.

Stage 1 Assessment

3.1.2. An initial desk-based assessment was undertaken; utilising available aerial imagery (current and historic), Ordnance Survey mapping, and a review of available context provided by the landowner, in order to identify the likely broad habitats that may be present. The location of identified broad habitats was digitised using Quantum GIS (QGIS), in order to further understand the extent of the on-site habitats and for use as part of the Stage 2 Assessment.

3.1.3. In order to obtain further available background information and context regarding relevant nearby statutory designations and Site of Special Scientific Interest (SSSI) Impact Risk Zones (IRZs), records provided on the online Multi-Agency Geographic Information for the Countryside (MAGIC) database were searched up to 15km from the Biodiversity Gain Site boundary.

3.1.4. Information relating to Priority Habitats within or adjacent to the site, along with any published protected species licensing records, was also searched for. In addition, records of any ancient, veteran or notable trees located within or adjacent to the site were searched for using the Woodland Trust's online database.

Stage 2 Assessment

3.1.5. In order to ground-truth the findings of the Stage 1 Assessment, and to classify the habitats present within the Biodiversity Gain Site, detailed field survey work was undertaken by a specialist botanical and habitat surveyor, based on the UK Habitat Classification ('UK Hab') methodology¹, undertaken in September 2023 in order to establish the detailed baseline status of the on-site habitats.

3.1.6. A key component of the survey comprised establishing the 'condition' of the identified habitats, utilising the relevant the Statutory Biodiversity Metric Condition Assessments supporting documentation and surveyor expertise.

3.1.7. In addition, and in order to establish whether any site-specific faunal constraints or risks may be present within the Biodiversity Gain Site, that could influence the habitat creation and management prescriptions, the habitat survey work was extended to include a general appraisal

¹ UKHab Ltd (2023). UK Habitat Classification Version 2.0 (at <https://www.ukhab.org>)

of any ecological features of interest, including faunal features, in line with CIEEM Guidelines for Preliminary Ecological Appraisal².

3.2. Baseline Habitat Overview

3.2.1. As detailed at Table 3.1 below, the site currently comprises cropland (cereal crop at the time of survey), with a small area of uncultivated field margin comprising ‘poor’ condition Other Neutral Grassland.

Table 3.1. Baseline habitats overview

Baseline Habitat	Distinctiveness	Condition	Habitat Description
Cereal Crops	Low	Condition Assessment N/A	Existing cropland to be replaced by higher distinctiveness habitats under the proposals.
Other Neutral Grassland	Medium	Poor	The north-western corner of a cropland field that has been removed from agricultural production, dominated by few coarse grasses with sparsely distributed forbs, with fewer than 6-8 species per square metre. To be enhanced to a ‘good’ condition.
Mixed Scrub	Medium	Poor	A small stand of largely Hawthorn and Blackthorn dominant scrub, with occasional Bramble, assessed to represent a poor condition habitat.

3.2.2. Table 3.2 below sets out a summary of potential ecological constraints / risks that have been considered when preparing the HMMP, and identifies how the proposals have responded to such risks (where necessary).

Table 3.2. Summary of identified potential ecological constraints / risks

Identified Potential Constraints / Risk	Response
Statutory / Non-statutory Designations	No statutory or non-statutory designations are present within the site. Nearby designations will not be impacted by the proposals, and are considered highly likely to benefit from the positive ecological management regime introduced to the Biodiversity Gain Site, which would ensure the continuation and creation of species-rich grassland habitats across the site and reduction in ongoing agricultural / cropland chemical inputs. The proposals are anticipated to provide measurable biodiversity benefits.
Protected / Notable Species	None of the baseline habitats are assessed as able to provide resting / refuge locations for protected faunal species, in their current state. It remains likely that Badger forage / commute through the site, albeit no setts were present at the time of the survey. Great Crested Newt have the potential to be present nearby (if present locally) albeit, given the nature of the site and proposed positive management interventions, no adverse

² Chartered Institute for Ecology and Environmental Management (CIEEM) (2013) ‘Guidelines for Preliminary Ecological Appraisal.’

	impacts are predicted (no aquatic habitats are present within the site, albeit aquatic habitats would be created). Local bat, bird, and invertebrate populations are also considered likely to benefit from the proposals.
Invasive Non-native species	No invasive non-native species are recorded within the site or anticipated to be impacted under the proposals.
Public Access	No footpaths are present within the site, which is privately owned, and no evidence of pedestrian / recreational usage was identified during the survey work undertaken.
Climate	The habitats proposed for retention, enhancement and creation are considered to be resilient to changeable climatic conditions, and are therefore unlikely to be significantly adversely impacted by climate change throughout the management plan term.
Success of Grassland Creation	The specific grassland type proposed and the habitat creation / management interventions, and monitoring proposed, has been specifically designed to ensure that the grassland creation proposals are robust and will be able to achieve the anticipated condition. Further, the Statutory Biodiversity Metric assigns a 'low' level of difficulty to the grassland creation / enhancement proposals and as such, the risk of failure is considered to be very low.
Geology and Topography	The site is readily accessible for typical farm machinery, and currently comprises a relatively uniform surface.
Soils and Substrates	<p>The levels of phosphates across the site are low-moderate, potassium is elevated within areas where Other Neutral Grassland is proposed, whilst very high levels of magnesium are present within much of the site with the exception of M16. These nutrients may lead to vigorous growth of coarse grasses and ruderals within the Other Neutral Grassland and orchard habitats. As such, the ongoing management, including the removal of arisings, is anticipated to mitigate for this risk and reduce the levels of these nutrients. Should this not be sufficient, detailed remediation measures are detailed at Table 4.3 to ensure the habitats proposed achieve their target condition.</p> <p>The pH levels across the site are high such that an appropriate seed mix has been chosen to ensure successful establishment (Pro Flora 4 - Calcareous Soils).</p> <p>The Other Neutral Grassland, woodland and orchard habitat types proposed are identified within the Statutory Biodiversity Metric as being of 'low' difficulty to create, and the proposed habitats / targeted conditions are entirely appropriate. Nevertheless, the existing nutrient load and pH of the soils at the site are detailed below.</p>

Hydrology / Drainage	The site has a proven track record of grassland creation, with frequent woodland pockets in proximity. The hydrology / drainage is not anticipated to represent a risk to the HMMP aims and objectives.
Flood Risk	The majority of the Biodiversity Gain Site is topographically well separated from nearby watercourses such that it is not anticipated to represent a risk to the HMMP aims and objectives.

4. Planned Management Activities

4.1. Aims and Objectives

- 4.1.1. The Biodiversity Gain Site proposals will bring forward targeted and locally appropriate habitat creation and enhancement actions intended to measurably increase biodiversity, as measured by the Statutory Biodiversity Metric Calculation Tool. It is intended that the habitat creation and management proposals detailed within the HMMP will enable Biodiversity Units (a proxy measure of biodiversity) to be accessed by third-parties to address 'off-site' habitat requirements as part of the planning system.
- 4.1.2. The proposal to create and manage new species-rich grassland, woodland and hedgerow habitats, and bring existing 'poor' condition grassland habitat into an ecologically positive managed regime, has been devised in order to remain faithful to the agricultural setting of the site and wider landscape.

4.2. Design Principles

- 4.2.1. The proposed habitat creation and enhancements have been devised in close cooperation with the landowner and land manager, in order to ensure that they are entirely supportive of the proposals and also to guarantee that they are in full agreement with the aims and objectives, and the management prescriptions proposed to achieve them.
- 4.2.2. In addition to their suitability and appropriateness with regards the local landscape and on-site condition, the proposed habitats and their targeted conditions have been identified using the Statutory Biodiversity Metric Calculation Tool and following the prescriptions provided with its associated supporting documentation / technical supplements. The Statutory Biodiversity Metric Calculation Tool has been utilised to establish the extent and quantum of the change (increase) in Biodiversity Units.
- 4.2.3. Utilising the Statutory Biodiversity Metric Calculation Tool as a device to inform the habitat creation and enhancement proposals has established that the objective to deliver Other Neutral Grassland in 'good condition', Broadleaved Woodland in 'moderate condition', and new Traditional Orchard represents a 'low' level of difficulty risk. As it is intended that the Biodiversity Gain Site habitat creation and management proposals are funded through the sale of Biodiversity Units to third-parties, a key consideration of the project is to avoid unintentionally exaggerating or over-reaching with regards the habitat categories and their targeted conditions. Ensuring that the habitat creation and management proposals remain proportionate and achievable has been achieved by adopting a precautionary approach to the baseline assessments and scheme design. This approach has been informed and supported by specialist agricultural habitat creation and management contractors, to ensure that the proposed activities are appropriate and can be readily delivered.

4.3. Retained Habitats

4.3.1. A small area of Mixed Scrub, located in the north-western part of the site would be retained under the scheme with no management interventions proposed (other than to restrict its detrimental spread to neighbouring habitats).

4.4. Created and Enhanced Habitats

4.4.1. As set out in Table 4.1 below, and as shown on Plan ENVIRO 23002-A BNGA3, existing cropland will be subject to habitat creation works to establish and maintain Other Neutral Grassland, with Traditional Orchard and Broadleaved Woodland in Moderate Condition. A new species-rich hedgerow with trees would also be created. Habitat creation and management activities / detailed prescriptions are detailed at Appendix HMMP1.

Table 4.1. Proposed Habitat Creation Works.

Baseline	Proposed	Condition Assessment Criteria Targeted
Cereal Crops Condition: Condition Assessment N/A Parcel Ref: 23002-A-A1, 23002-A-A5, 23002-A-A6	Other Neutral Grassland Condition: Good Years to Target Condition*: 10 Difficulty of Creation*: Low	A. The grassland should represent a 'good' example of its type, with a consistently high proportion of characteristic indicator species present; B. A varied sward height (at least 20% of the sward <7cm and at least 20% >7cm); C. Cover of bare ground between 1%-5%; D. Cover of Bracken <20% and cover of scrub (including Bramble) <5%; E. Cover of species indicative of 'sub-optimal' condition and bare ground <5%. No invasive species (listed on Schedule 9 of the Wildlife and Countryside Act (1981), as amended; and F. 10 or more vascular plant species per m ² present, including forbs that are characteristic of the habitat type and excluding species indicative of 'sub-optimal' condition.
Cereal Crops Condition: Condition Assessment N/A Parcel Ref: 23002-A-A2, 23002-A-A7	Other Woodland: Broadleaved Condition: Moderate Years to Target Condition*: 15	Achieving >26 woodland condition assessment criteria. A minimum of 13 criteria are automatically assigned to woodlands, with at least 13 more criteria being achieved as follows: B. No significant browsing / herbivore damage; C. No invasive plant species;

	Difficulty of Creation*: Low	D. Five or more native tree or scrub species present; E. >80% canopy trees and understorey shrubs are native; F. 0-20% temporary open space; H. Tree mortality <10%; I. Recognisable NVC plant community; and M. No nutrient enrichment or damaged ground evident.
Cereal Crops Condition: Condition Assessment N/A Parcel Ref: 23002-A-A4	Traditional Orchard Condition: Moderate Years to Target Condition*: 20	A. Less than 5% of fruit trees are smothered by scrub; B. There is evidence of formative pruning to maintain longevity of trees; C. At least 95% of the trees are free from damage caused by humans or animals; D. Grassland is not overgrazed, poaching is not evident around the trees, with no more than 10% of trees poached under the canopy; E. Species richness of the grassland is equivalent to a medium, high, or very high distinctiveness grassland; and F. Absence of invasive non-native plant species (as listed on Schedule 9 of WCA) and species indicative of sub-optimal condition make up less than 10% of ground cover.
N/A	Species-Rich Native Hedgerow with Trees Condition: Good Years to Target Condition*: 20	A1. >1.5m average height; A2. >1.5m average width; B1. Gap between the ground and the base of canopy <0.5m; B2. <10% gaps and no gaps >5m; C1. >1m width of undisturbed ground with perennial herbaceous vegetation for >90% of hedgerow length; C2. <20% cover of plant species indicative of nutrient enrichment; D1. Absence of invasive non-native plant species (as listed on Schedule 9 of WCA); D2. No damage from human activities; E2. At least 95% of hedgerow trees are in a healthy condition, with little or no evidence of an adverse impact on tree health by damage from livestock or wild animals, pests or diseases, or human activity.

*As stated in the Statutory Biodiversity Metric.

4.5. Enhanced Habitats

4.5.1. As set out in Table 4.2 below, and as shown on Plan ENVIRO 23002-A BNGA3, existing Other Grassland established to be in Poor condition, would be subject to enhancement works to create Other Neutral Grassland in Good condition, with Other Grassland established to be in Moderate condition enhanced to Traditional Orchard. Habitat enhancement and management activities are detailed at Appendix HMMP2.

Table 4.2. Proposed Habitat Enhancement Works.

Baseline	Proposed	Condition Assessment Criteria Targeted
Other Neutral Grassland	Other Neutral Grassland	A. The grassland should represent a 'good' example of its type, with a consistently high proportion of characteristic indicator species present;
Condition: Poor	Condition: Good	B. A varied sward height (at least 20% of the sward <7cm and at least 20% >7cm);
Parcel Ref: 23002-A-A3	<p>Years to Target Condition*: 15</p> <p>Difficulty of Creation*: Low</p>	<p>C. Cover of bare ground between 1%-5%</p> <p>D. Cover of Bracken <20% and cover of scrub (including Bramble) <5%</p> <p>E. Cover of species indicative of 'sub-optimal' condition and bare ground <5%. No invasive species (listed on Schedule 9 of the Wildlife and Countryside Act (1981), as amended; and</p> <p>F. 10 or more vascular plant species per m² present, including forbs that are characteristic of the habitat type and excluding species indicative of 'sub-optimal' condition.</p>

*As stated in the Statutory Biodiversity Metric

Table 4.3. Identified Risks and Proposed Remediation

Habitat Type	Identified Risk	Trigger for Action	Remedial Measure
Neutral Grassland And Traditional Orchard	Grassland sward failing to establish	Greater than 5% of total grassland area failing to establish	Supplementary seeding of bare areas, in line with management activity sheets. Consideration given to reviewing / amending the seed mix or supplier to mitigate localised conditions being the reason.

Neutral Grassland	Grassland not achieving diversity of species target	Greater than 40% of total grassland area comprising <10 target species per m ²	Harvested 'green hay' from established grassland areas strewn over less productive / diverse grassland areas, following appropriate ground preparation in line with management activity sheets. Consideration given to overseeding / drilling, following appropriate ground preparation in line with management activity sheets. Consideration given to amending frequency / spacing and extent of ongoing management.
Neutral Grassland	Grassland not representing a 'good' example of the habitat	Greater than 40% of total grassland area not comprising / supporting characteristic indicator species and / or deemed to represent a 'good' example	Harvested 'green hay' from established grassland areas strewn over less productive / diverse grassland areas, following appropriate ground preparation in line with management activity sheets. Consideration given to overseeding / drilling, following appropriate ground preparation in line with management activity sheets. Consideration given to amending frequency / spacing and extent of ongoing management.
Neutral Grassland And Traditional Orchard	Bracken, scrub, and species indicative of sub-optimal condition encroachment	>20% Bracken >5% Scrub >5% Undesirable species	Undesirable weeds / persistent perennials should be hand pulled or spot-treated / weed wiped with a topical herbicide prior to further management. Consideration given to amending frequency / spacing and extent of ongoing management.
Traditional Orchard	Orchard trees failing to establish	Greater than 10% of planted trees failing to establish	Replanting of failed trees, following appropriate ground preparation in line with management activity sheets. Avoid planting during undesirable conditions and consider supplementary watering program during dry spell. Consideration given to reviewing / amending the species mix or supplier to mitigate localised conditions being the reason.
Traditional Orchard	Damaged orchard trees	Greater than 5% tree damage by wild animals	Replanting of unrecoverably damaged trees, with further pest control and protection measure implemented.

			Consideration of further fencing / exclusion measures to avoid future damage.
Traditional Orchard and Other neutral Grassland	Phosphate levels	Current levels baseline	Regular management and removal of grassland arisings is anticipated to reduce phosphate levels over time. Should grasses outcompete herb species such that the targeted species richness is not being met, the remedial actions detailed above regarding species richness will be undertaken.
Traditional Orchard and Other neutral Grassland	Potassium levels	Current baseline levels / dominance of grasses	Regular management and removal of grassland arisings is anticipated to reduce phosphate levels over time. Should grasses outcompete herb species such that the targeted species richness is not being met, the remedial actions detailed above regarding species richness will be undertaken.
Traditional Orchard and Other neutral Grassland	pH levels	Current levels baseline	An appropriate seed mix has been chosen to ensure successful establishment of the grassland (Pro Flora 4 - Calcareous Soils).
Traditional Orchard and Other neutral Grassland	Magnesium levels	Current levels baseline	Should the first attempt at establishment within field 23002-A-A1 fail (see M16 within the soil testing document), this area will be treated with gypsum to reduce the levels of magnesium.
All Habitats	Colonisation by Schedule 9* invasive species	Presence of Schedule 9* invasive species	A treatment / removal programme implemented at the earliest opportunity, with input provided by a specialist control company where necessary.

* Undesirable weeds / persistent perennials should be hand pulled or spot-treated / weed wiped with a topical herbicide prior to further management

4.6. Biodiversity Units

4.6.1. The baseline habitats have been coded into the Statutory Biodiversity Metric Calculation Tool, alongside their condition assessment information and other spatial / locally strategic information. This information generates the baseline number of biodiversity units present within a site.

4.6.2. The extents of created and enhanced habitats, as shown on Plan ENVIRO 23002-A BNGA3, and as detailed at Tables 4.1 and 4.2 above have also been coded into the Statutory Biodiversity Metric Calculation Tool, alongside the proposed realistically achievable conditions that are targeted for each habitat type. Additional spatial / locally strategic information is also input, which enables the number of proposed or 'post-intervention' biodiversity units to be established.

4.6.3. In order to understand the ‘net’ biodiversity gains or losses, the predicted proposed / post-intervention biodiversity units are subtracted from the baseline conditions, from which a percentage change in biodiversity can be calculated (where necessary).

4.6.4. Table 4.3 below provides a summary of the predicted Biodiversity Units that the Biodiversity Gain Site is assessed as able to provide.

Table 4.4 Biodiversity Units provided by Braceborough – ENVIRO23002-A

Broad Habitat Category	Habitat Type	Distinctiveness	Net Number of Biodiversity Units Generated
Grassland	Other Neutral Grassland	Medium	79.34
Woodland and Forest	Other Woodland; Broadleaved	Medium	5.78
Grassland	Traditional Orchard	High	12.66
Hedgerow	Species-rich Native Hedgerow with Trees	High	3.89

5. Monitoring Schedule

5.1. Monitoring Strategy

5.1.1. Monitoring of the habitat creation and enhancement measures detailed within this HMMP will comprise a combination of land owner / manager monitoring (annual), and Environmental Professional monitoring (periodic), as stated at Appendix HMMP1

5.2. Monitoring Methods

5.2.1. Monitoring of the habitat creation and enhancement measures detailed within this HMMP will comprise two distinct approaches, as detailed below.

5.3. Annual Monitoring

5.3.1. The landowner / manager and / or their site operatives will undertake an annual walkover of the created habitats between May – September as part of their ongoing management duties, in order to identify whether targeted condition criteria are being met. The primary focus of the walkover surveys, will be to assess the largely structural condition assessment criteria, able to be assessed without requiring a specialist level of botanical identification skill.

5.4. Periodic Monitoring

5.4.1. Habitats will also be periodically surveyed utilising the ‘UK Hab’ habitat classification methodology, or its successor (where relevant) by a suitably experienced Environmental Professional. This survey would establish the current habitat type present and assess all targeted condition criteria.

5.4.2. The intervals at which the periodic monitoring would be undertaken are habitat-specific and detailed alongside the management activity prescriptions at Appendix HMMP1

5.4.3. In order to avoid unnecessary duplication of monitoring visits across subsequent phases, the timing of some monitoring years between year 10 to year 30 may be brought forward or aligned

between phases, in order to avoid otherwise unnecessary duplication of effort for established habitats that are meeting their relevant character and condition requirements.

- 5.4.4. For example, should Phase 1 be at year 14 following creation and Phase 2 be at year 15, a single monitoring visit will be undertaken of both during the same year to act as the 15-year monitoring visit for both Phases. This will not reduce the minimum required time that the habitat is required to remain in place for (30 years).
- 5.4.5. This approach provides an appropriate level of flexibility for the landowner, reducing costs associated with multiple (otherwise unnecessary) monitoring visits undertaken in consecutive years, while maintaining compliance with statutory monitoring requirements and ensuring ecological objectives are met.
- 5.4.6. Any further adjustments to the Monitoring Schedule will be made in response to the findings of the monitoring visits, in consultation with the project ecologist and, where required, agreed with the relevant approving authority.

6. Reporting and Adaptive Management

6.1. Annual Monitoring Report

- 6.1.1. The Annual Monitoring findings distributed to the identified Environmental Professional for review. Where the Environmental Professional identifies that management interventions and / or remedial measures may be required, in order to ensure that the targeted habitat type(s) and condition criteria are able to be achieved, this will be communicated to the landowner / land manager and will inform ongoing management procedures. Where discrepancies or uncertainty regarding the findings arises, the Environmental Professional may undertake a further confirmatory walkover.

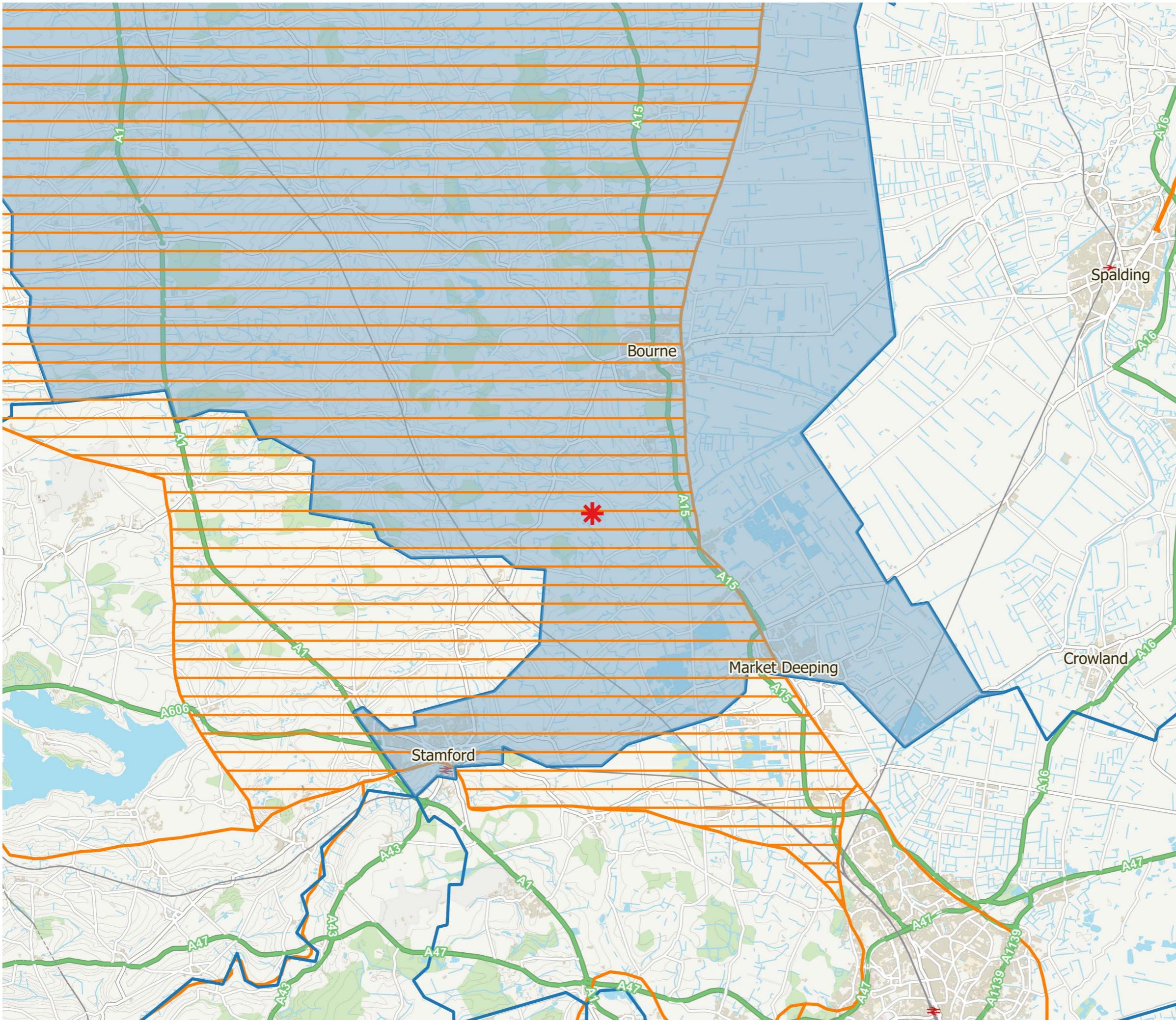
6.2. Periodic Monitoring Report

- 6.2.1. The Periodic Monitoring findings will be analysed by the appointed Environmental Professional, and communicated to the landowner and land manager. A summary report will also be provided to the Local Planning Authority or Responsible Body within three months of the survey being undertaken.
- 6.2.2. Where the Environmental Professional identifies that management interventions and / or remedial measures may be required, in order to ensure that the targeted habitat type(s) and condition criteria are able to be achieved, this will be communicated to the landowner / land manager and the management prescriptions detailed at Appendix HMMP2, HMMP3 and Monitoring Requirements in Table 1.1. will be updated accordingly.
- 6.2.3. Any management interventions and / or remedial measures undertaken will be identified within the subsequent / following report to the Local Planning Authority or Responsible Body, which will include an appraisal of whether they have been successful or to detail whether further measures will be implemented.
- 6.2.4. As identified alongside the management activity prescriptions at Appendix HMMP2, HMMP3 and Monitoring Requirements in Table 1.1., a general management plan review will be undertaken at set periods following commencement of the works, to ensure that the plan can be appropriately adapted to the requirements of the site and in order to achieve the aims / objectives of the project.

7. Conclusions

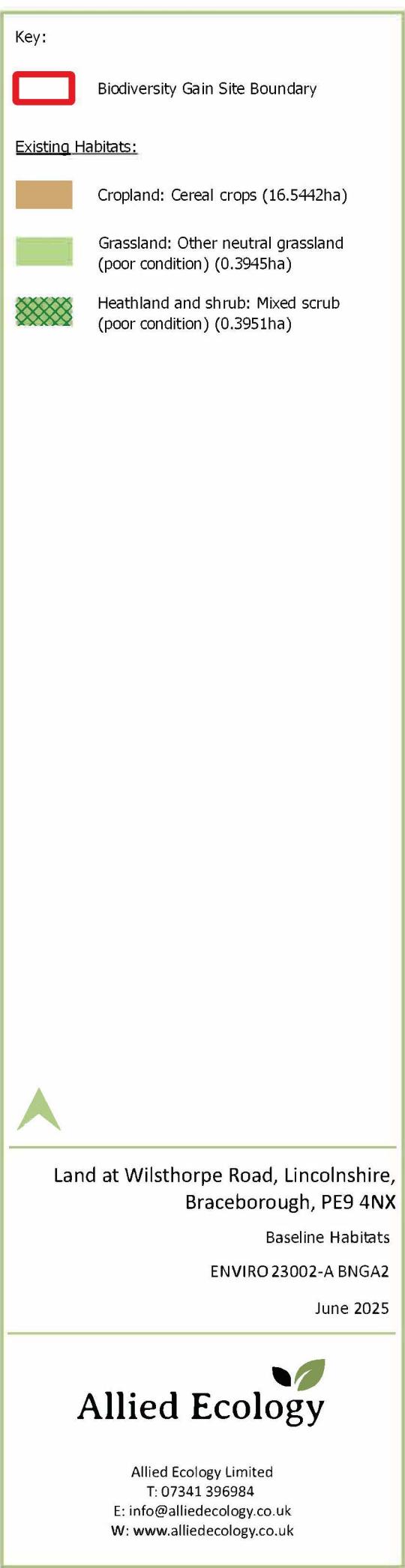
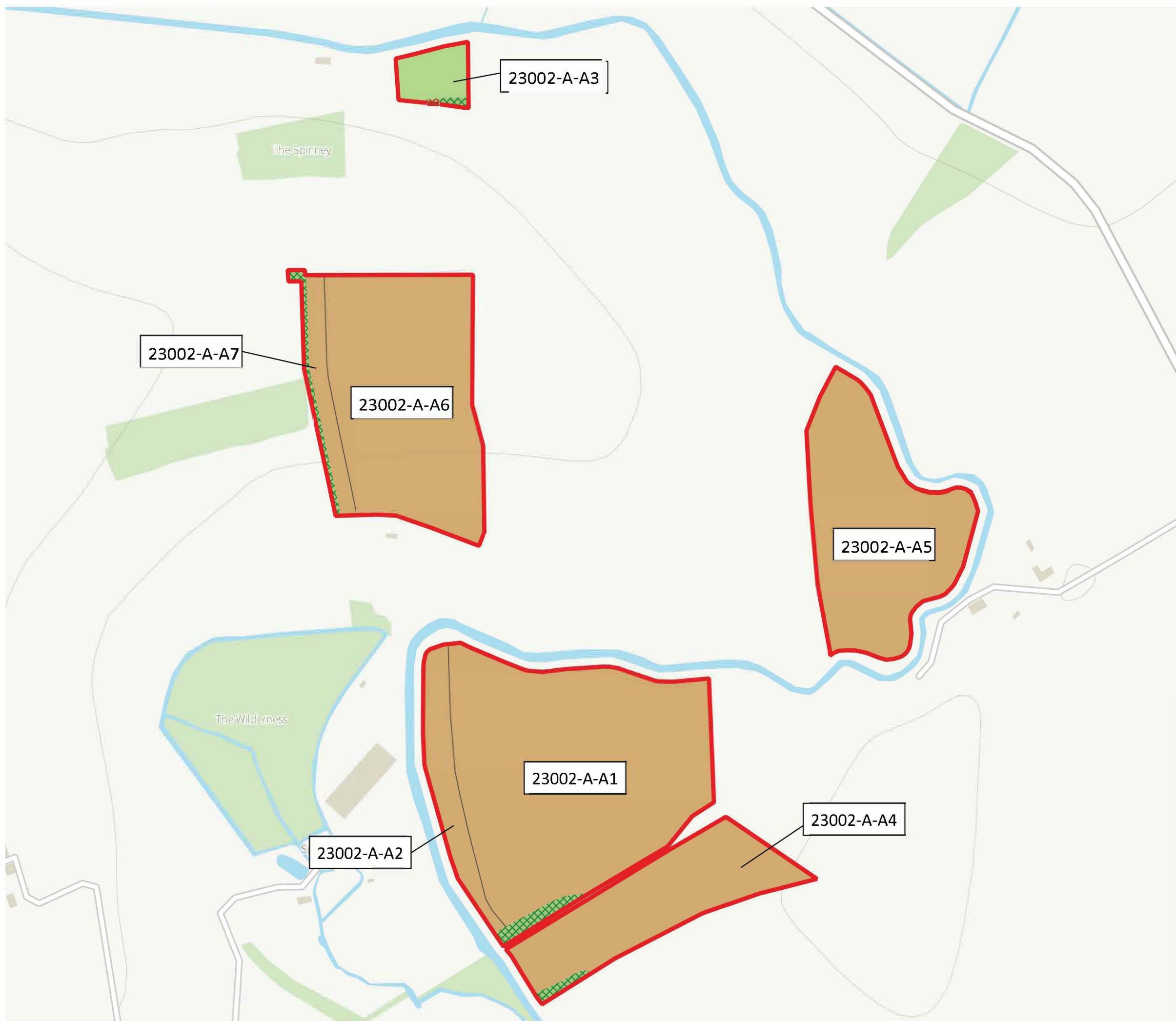
The above Habitat Management and Monitoring Plan (HMMP) has been prepared in order to inform initial habitat creation and enhancement activities, and ongoing management at Braceborough – ENVIRO23002-A.

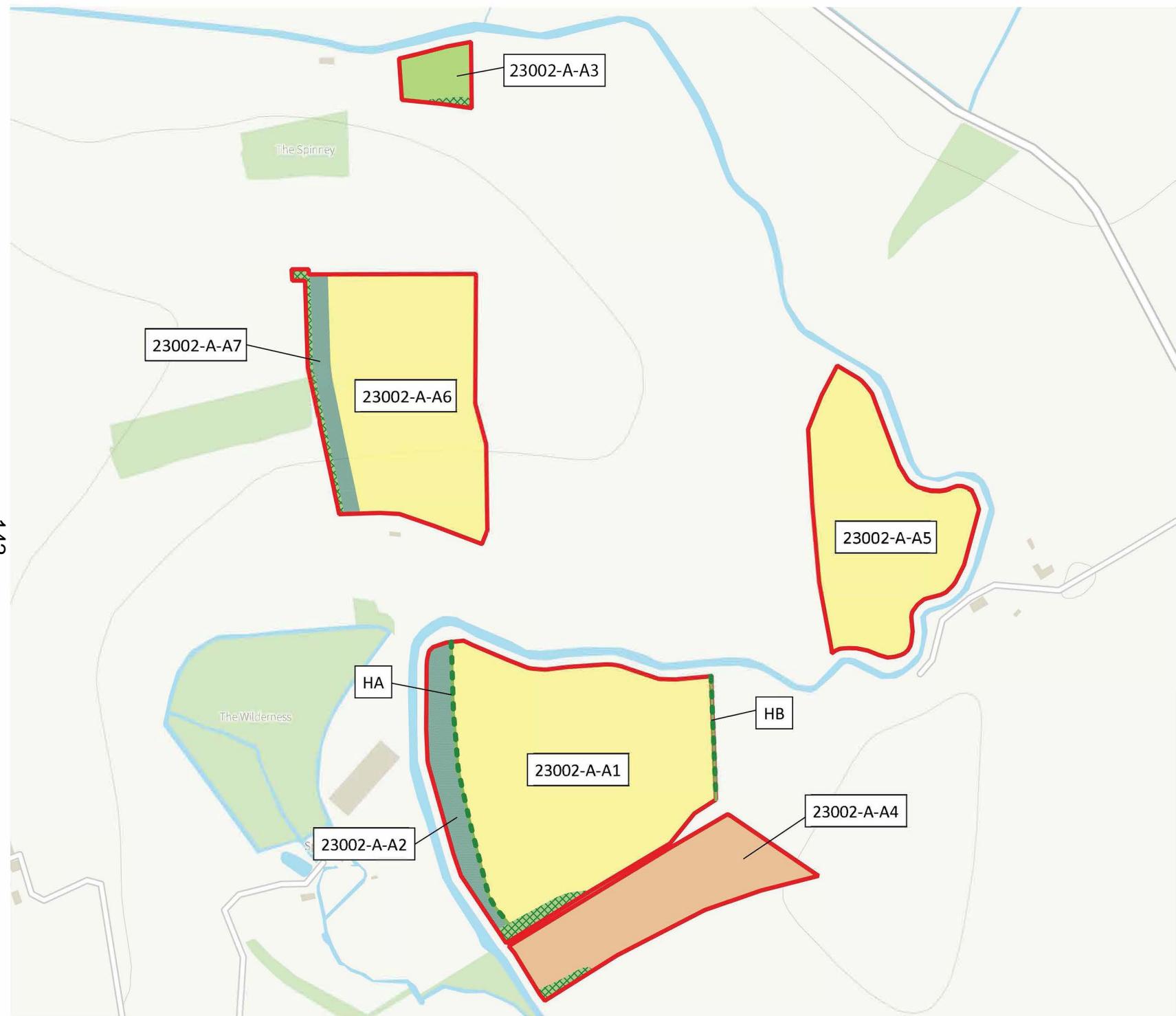
On the basis that the above HMMP is implemented in full, including adapting to any updated prescriptions that may be recommended following the comprehensive monitoring approach, it is anticipated that the Biodiversity Gain Site could provide a minimum of 95.69 Habitat Biodiversity Units and 3.89 Hedgerow Biodiversity Units.



Allied Ecology

enviroland





HMMP1.1 - GRASSLAND; OTHER NEUTRAL GRASSLAND

Habitat Creation, Management, and Monitoring Schedule

Initial Habitat Creation / Enhancement			
Targeted Condition	Intended Outcome	Ground Preparation	Initial Creation / Enhancement Actions
Good	<ul style="list-style-type: none"> To achieve a 'good' representation of the habitat type, based on UK Hab definition, with the appearance and composition / characteristics (including identified indicator species) present throughout. 	<p>Existing Cropland Areas</p> <ul style="list-style-type: none"> Planting areas to be cultivated to enable undesirable species to germinate / chit, and they be herbicide sprayed to remove germinated weed species Prior to sowing, the planting areas should be cultivated to create an appropriate seedbed for sowing / drilling <p>Existing Grassland Areas</p> <ul style="list-style-type: none"> Undesirable weeds / persistent perennials should be hand pulled or spot-treated / weed wiped with a topical herbicide prior to further management Mow to ~50mm prior to over-sowing in Autumn All cuttings / arisings to be removed immediately Prior to sowing, the planting areas should be harrowed / cultivated to expose soils and breakup existing grassland thatch <p>All Areas</p> <ul style="list-style-type: none"> Any Schedule 9* invasive species to be subject to removal / control 	<p>Existing Cropland Areas</p> <ul style="list-style-type: none"> Sow Shepherd Seeds General Purpose Wildflower Meadow Mixture at a density of 40-60kg per hectare, dependent on the seedbed conditions <p>Existing Grassland Areas</p> <ul style="list-style-type: none"> Sow Shepherd Seeds General Purpose Wildflower Meadow Mixture at a density of ~30kg per hectare <p>All Areas</p> <ul style="list-style-type: none"> Sowing to be undertaken in Spring, to avoid waterlogged periods during Autumn / Winter, and the need for watering in Summer. Autumn sowing permitted dependent on prevailing weather Seeds to be drilled, rather than broadcast to avoid wind damage and predation, drill to depth of the seed supplier – surface sown – but no deeper than 10cm Sown areas to be rolled to improve contact with the soil, as needed

Ongoing Management					
Targeted Condition	Specific Management Aims	Management Actions / Operation			
		Year 1 (the calendar year following initial habitat creation) up to x2 cuts	Years 2-5 x3 cuts*	Years 6-10 x2 cuts	Years 11-30+ x1 cut
Good	<ul style="list-style-type: none"> Varied sward height (>20% less than 7cm, >20% more than 7cm) Cover of bare ground between 1 and 5% Less than 20% bracken and 5% scrub Absence of Sch9 invasive species and less than 5% combined undesirable species or physical damage Greater than 9 species per m² 	<p>Spring Sown</p> <ul style="list-style-type: none"> First cut by mowing undertaken by late July / August at the latest (once Yellow Rattle has set seed) to 100mm All cuttings / arisings to be left for ~5-7 days before removal <p>Autumn Sown</p> <ul style="list-style-type: none"> First cut by mowing ~March (when ground firm) to 100mm All cuttings / arisings to be left for ~5-7 days before removal <p>General</p> <ul style="list-style-type: none"> Grassland to be mown monthly August – October to ~100mm (as necessary) All cuttings / arisings to be removed immediately from these later cuts Removal of colonising scrub by lopping or digging up by hand as required Any Schedule 9* invasive species to be subject to removal / control 		<ul style="list-style-type: none"> Mow 80% to ~50mm in March (when ground is firm) Mow 80% to ~50mm in early-July (once Yellow Rattle has set seed) Consideration given to an Autumn cut to ~50cm, depending on persistence of undesirable species All cuttings / arisings to be left for ~5-7 days before removal Removal of colonising scrub by lopping or digging up by hand as required Any Schedule 9* invasive species to be subject to removal / control May need to scarify and add seed to prevent species diversity decline over the long-term 	<ul style="list-style-type: none"> Mow 80% to ~50mm in March (when ground is firm) Mow 80% to ~50mm in early-July (once Yellow Rattle has set seed) All cuttings / arisings to be left for ~5-7 days before removal Removal of colonising scrub by lopping or digging up by hand as required Any Schedule 9* invasive species to be subject to removal / control May need to scarify and add seed to prevent species diversity decline over the long-term

Monitoring / Remedial Actions

Newly created habitats and existing habitats subject to the above management actions / operation will be subject to detailed botanical and condition assessment surveys in years 1, 3, and 5. Subsequent condition assessment monitoring would be undertaken every five years (i.e. year 10, 15, 20, 25, 30). Annual contractor monitoring will take place, to assess the structure, damage and presence of invasive / undesirable species. The management actions / operation will be reviewed every five years, following the condition assessment monitoring, with remedial actions advised where necessary, to ensure that the intended outcome is achieved.

Additional Notes

Where grassland habitat creation may be initially commenced or bolstered utilising 'green hay' or harvested vegetative arisings from locally sourced diverse grassland habitats, this should be strewn on prepared soils immediately after it's harvesting (likely mid-Summer), at a rate of ~1ha of donor grassland to ~3ha of receptor area. An assessment of its success / failure would be undertaken in the following Spring. If successful, year 2-5 / onwards management actions would follow. If less successful than anticipated, consideration will be given to re-application of green hay or 'over sowing' with **Shepherd Seeds General Purpose Wildflower Meadow Mixture** the following Autumn, and following remaining year 1 / onwards management actions.

There may be a need / benefit in scarifying and adding additional seed / green hay from higher diversity areas periodically to prevent species diversity decline, over the long-term where practicable/appropriate.

'Hand-pulling' or cutting undesirable species will be favoured over 'Weed wiping' as a topical treatment for undesirable species / species indicative of poor quality grassland where practicable/appropriate.

Fencing off grassland habitat, to reduce or remove potential access by the public / general footfall while establishing, to be considered where appropriate.

*Schedule 9 invasive species refers to those listed in Part II of Schedule 9 to the Wildlife and Countryside Act 1981 (as amended).

Please note that, due to a range of factors, the above prescriptions cannot guarantee the successful creation and maintenance of the habitat. As such, ongoing monitoring and management plan updates / revisions would be made throughout the lifespan of the project.

Additional, simple, faunal enhancements could include:

Erecting fence posts periodically through or at the edges of the habitat. Such features would encourage and facilitate hunting by Barn Owl, which are known to favour perch hunting during poor weather.

Retaining and utilising woody vegetation / management arisings to create log / brash piles at the edges of habitats. Such habitat creation is unlikely to materially or adversely influence the success or failure of the grassland habitat creation and management, and would serve to increase shelter and foraging opportunities to a range of key faunal species.

GRASSLAND; TRADITIONAL ORCHARD (created on / enhancing existing lower diversity grassland)

Habitat Creation, Management, and Monitoring Schedule

Initial Habitat Creation / Enhancement			
Targeted Condition	Intended Outcome	Ground Preparation	Initial Creation / Enhancement Actions
Moderate	<ul style="list-style-type: none"> To create a traditional orchard comprising open-grown fruit trees within herbaceous vegetation, that is otherwise managed in a low intensity way. 	<ul style="list-style-type: none"> In accordance with the Other Neutral Grassland ground preparation prescriptions. 	<ul style="list-style-type: none"> In accordance with the Other Neutral Grassland ground preparation prescriptions. Fruit tree planting to be undertaken between October – April, with species comprising a mix of locally appropriate fruit and nut bearing trees Trees should be planted at a density of no less than 50 fruit trees per hectare New planting to be protected from grazing or browsing by rabbits / deer etc. Initial watering and mulching of planted trees / shrubs undertaken, as necessary

Ongoing Management					
Targeted Condition	Specific Management Aims	Management Actions / Operation			
		Year 1 (the calendar year following initial habitat creation) up to x2 cuts (Grassland only)	Years 2-5 x3 cuts (Grassland only)	Years 6-10 x2 cuts (Grassland only)	Years 11-30+ X1 cut (Grassland only)
Moderate	<ul style="list-style-type: none"> Varied grassland sward height (>20% less than 7cm, >20% more than 7cm) Cover of bare ground between 1 and 5% Less than 20% bracken and 5% scrub Absence of Sch9 invasive species and less than 5% combined undesirable species or physical damage Greater than 9 plants species per m² Less than 5% of fruit trees are smothered by scrub Formative pruning to maintain longevity of trees At least 95% of the trees are free from damage caused by humans or animals Grassland is not overgrazed, poaching is not evident around the trees, with no more than 10% of trees poached under the canopy There is an absence of invasive non-native plant species (as listed on Schedule 9 of WCA) and species indicative of sub-optimal condition make up less than 10% of ground cover. 	<ul style="list-style-type: none"> In accordance with the Other Neutral Grassland Year 1 management. Formative pruning of fruit trees on an as needed basis in line with Natural England Technical Information Note TIN016 (Natural England, 2010). At year 1, this will include establishing a leader by removing competing stems. 	<ul style="list-style-type: none"> In accordance with the Other Neutral Grassland Years 2-5 management. Formative pruning of fruit trees on an as needed basis in line with Natural England Technical Information Note TIN016 (Natural England, 2010). At year 2 onwards, this includes pruning new feathers and previously pruned snags to the trunk. 	<ul style="list-style-type: none"> In accordance with the Other Neutral Grassland Years 6-10 management. Formative pruning of fruit trees on an as needed basis in line with Natural England Technical Information Note TIN016 (Natural England, 2010). At year 6 onwards, this includes establishing secondary leaders and pruning these each year by a third and a half of the season's growth. Towards years 8 to 10, pruning will be adapted to encourage the development of fruit bearing growth in line with Natural England Technical Information Note TIN017 (Natural England, 2010). 	<ul style="list-style-type: none"> In accordance with the Other Neutral Grassland Years 11-30+ management. Formative pruning of fruit trees on an as needed basis in line with Natural England Technical Information Note TIN017 (Natural England, 2010) to encourage the development of fruit bearing growth.

Monitoring / Remedial Actions

Newly created habitats and existing habitats subject to the above management actions / operation will be subject to detailed botanical and condition assessment surveys in years 1, 3, and 5. Subsequent condition assessment monitoring would be undertaken every five years (i.e. year 10, 15, 20, 25, 30).

Annual contractor monitoring will take place, to assess the structure, damage and presence of invasive / undesirable species.

The management actions / operation will be reviewed every five years, following the condition assessment monitoring, with remedial actions advised where necessary, to ensure that the intended outcome is achieved.

Additional Notes

Where grassland habitat creation may be initially commenced or bolstered utilising 'green hay' or harvested vegetative arisings from locally sourced diverse grassland habitats, this should be strewn on prepared soils immediately after its harvesting (likely mid-Summer), at a rate of ~1ha of donor grassland to ~3ha of receptor area. An assessment of its success / failure would be undertaken in the following Spring. If successful, year 2-5 / onwards management actions would follow. If less successful than anticipated, consideration will be given to re-application of green hay or 'over sowing' with **Pro Flora 4 - Calcareous Soils** the following Autumn, and following remaining year 1 / onwards management actions.

'Weed wiping' may be used as a topical treatment for undesirable species / species indicative of poor quality grassland.

Fencing off grassland habitat, to reduce or remove potential access by the public / general footfall while establishing, to be considered where appropriate.

*Schedule 9 invasive species refers to those listed in Part II of Schedule 9 to the Wildlife and Countryside Act 1981 (as amended).

Please note that, due to a range of factors, the above prescriptions cannot guarantee the successful creation and maintenance of the habitat. As such, ongoing monitoring and management plan updates / revisions would be made throughout the lifespan of the project.

Additional, simple, faunal enhancements could include:

Erecting fence posts periodically through or at the edges of the habitat. Such features would encourage and facilitate hunting by Barn Owl, which are known to favour perch hunting during poor weather.

Retaining and utilising woody vegetation / management arisings to create log / brush piles at the edges of habitats. Such habitat creation is unlikely to materially or adversely influence the success or failure of the grassland habitat creation and management, and would serve to increase shelter and foraging opportunities to a range of key faunal species.

WOODLAND – BROADLEAVED WOODLAND

Habitat Creation, Management, and Monitoring Schedule

Initial Habitat Creation / Enhancement			
Targeted Condition	Intended Outcome	Ground Preparation	Initial Creation / Enhancement Actions
Moderate	<ul style="list-style-type: none"> To create a semi-natural largely broadleaved woodland comprising locally appropriate native species, with a varied structure and diverse ground-flora. 	<ul style="list-style-type: none"> Planting areas to be cultivated / ploughed, and rolled, prior to planting Any Schedule 9* invasive species to be subject to removal / control 	<ul style="list-style-type: none"> Planting to be undertaken between October – April, with species comprising a mix of locally appropriate bare-root broadleaved trees and shrubs Tree planting, comprising a diverse mix of locally appropriate species (such as English Oak, Silver Birch, Downy Birch, Hazel, Hornbeam, and Beech) to be undertaken at 3-4m intervals Trees should be planted in ‘species-blocks’ of 10-25 plants per block Sporadic shrub planting, comprising a diverse mix of locally appropriate species (such as Field Maple, Guelder Rose, Spindle, Wayfaring Tree, Holly, Hazel, Hawthorn,) to be undertaken at 1-1.5m distance from trees New planting to be protected from grazing or browsing by rabbits / deer etc. Initial watering and mulching of planted trees / shrubs undertaken, as necessary

Ongoing Management				
Targeted Condition	Specific Management Aims	Management Actions / Operation		
		Year 1 (the calendar year following initial habitat creation) up to x2 cuts	Years 2-5 x3 cuts*	Years 6-10 x2 cuts
Moderate	<ul style="list-style-type: none"> At least 5 native woody species and shrubs established across the woodland parcel Absence of Schedule 9* invasive species Little impact from or obvious damage from grazing / browsing Diverse woodland structure with varying ages classes and heights Little impact from or obvious disturbance / nutrient enrichment Clearings, glades or rides present providing sheltered edges 	<ul style="list-style-type: none"> Periodic watering and mulching undertaken on an 'as-needed' basis Mow between planting areas in Spring, to reduce colonising ruderals / Bramble Removal of colonising Bramble by lopping or digging up by hand, as required Any Schedule 9* invasive species to be subject to removal / control 	<ul style="list-style-type: none"> Mow between planting areas in Spring, to reduce colonising ruderals / Bramble Removal of colonising Bramble by lopping or digging up by hand as required Any Schedule 9* invasive species to be subject to removal / control 	<ul style="list-style-type: none"> Prune / coppice ~50% of shrubs in years 6 and 10, to be undertaken between November – February (inclusive) Selective thinning and targeted mowing, to create and maintain clearings / glades, and rides, as required Any Schedule 9* invasive species to be subject to removal / control

Monitoring / Remedial Actions

Newly created habitats and existing habitats subject to the above management actions / operation will be subject to detailed botanical and condition assessment surveys in years 1, 3, and 5. Subsequent condition assessment monitoring would be undertaken every five years (i.e. year 10, 15, 20, 25, 30). Annual contractor monitoring will take place, to assess the structure, damage and presence of invasive / undesirable species. The management actions / operation will be reviewed every five years, following the condition assessment monitoring, with remedial actions advised where necessary, to ensure that the intended outcome is achieved.

Additional Notes

Mulching / matting of newly planted trees and shrubs can be undertaken, where appropriate, to promote establishment. However, this should be avoided, where practicable, to avoid 'over nutrifying' and potentially suppressing desirable ground-flora.

Fencing off planting areas, to reduce or remove potential grazing / browsing while establishing, should be considered as an alternative to / in preference over 'plastic-free' biodegradable guard use, and to reduce or remove potential access by the public / general footfall while establishing.

Consideration may be given to the application of herbicide treatment, either prior to planting, or spot treatment of 'problematic areas', albeit hand-pulling or non-chemical control methods should first be reasonably exhausted.

It is important that pruning / coppicing is undertaken in late winter, in order to avoid the recognised nesting bird season (March – August inclusive) and a potential breach of the relevant legislation (Wildlife and Countryside Act 1981 (as amended)). Where this is not practicable, pruning / coppicing will take place following a Nesting Bird Survey. This would aim to establish whether any active bird nests are present and, where appropriate, instate an appropriate buffer to the proposed works. Such a buffer should remain in place until the chicks have fledged and the nest becomes inactive. Such surveys must be carried out within three days of pruning / coppicing commencing.

*Schedule 9 invasive species refers to those listed in Part II of Schedule 9 to the Wildlife and Countryside Act 1981 (as amended).

Please note that, due to a range of factors, the above prescriptions cannot guarantee the successful creation and maintenance of the habitat. As such, ongoing monitoring and management plan updates / revisions would be made throughout the lifespan of the project.

Additional, simple, faunal enhancements could include:

Retaining and utilising woody vegetation / management arisings to create, log / brash piles at the edges of habitats. Such habitat creation is unlikely to materially or adversely influence the success or failure of the habitat creation and management, and would serve to increase shelter and foraging opportunities to a range of key faunal species.

SPECIES-RICH NATIVE HEDGEROW WITH TREES

Habitat Creation, Management, and Monitoring Schedule

Initial Habitat Creation			
Targeted Condition	Intended Outcome	Preparation	Initial Creation Actions
Good	<ul style="list-style-type: none"> To create a native hedgerow with 5 or more different woody species per 30m of length, with individual / standard trees present, that is free from damage and undesirable species. 	<ul style="list-style-type: none"> Planting areas to be cultivated to enable undesirable species to germinate / chit, and they be herbicide sprayed to remove germinated weed species Prior to sowing, the planting areas should be cultivated to create an appropriate seedbed for sowing / drilling Any Schedule 9* invasive species to be subject to removal / control 	<ul style="list-style-type: none"> Planting to be undertaken between October – April, with species comprising a diverse mix of locally appropriate bare-root shrubs (such as Midland Hawthorn, Wayfaring Tree, Field Maple, Guelder Rose, Spindle, Hazel, Blackthorn, Dog Rose) Planting to comprise at least 5 different species per 30m length of hedgerow New planting to be protected from grazing or browsing by rabbits / deer etc. Initial watering and mulching of planted shrubs undertaken, as necessary

Ongoing Management					
Targeted Condition	Specific Management Aims	Management Actions / Operation			
		Year 1	Years 2-5	Years 6-10	
Good	<ul style="list-style-type: none"> >1.5m average height >1.5m average width Gap between the ground and hedgerow vegetation <0.5m No hedgerow gaps present Undisturbed edge >1m from outer edge of hedgerow vegetation <20% cover of undesirable species indicative of nutrient enrichment Absence of Sch9 invasive species No damage caused by human activities Trees present are healthy 	<ul style="list-style-type: none"> Periodic watering and mulching undertaken on an 'as-needed' basis Removal of colonising Bramble by lopping or digging up by hand, as required Any Schedule 9* invasive species to be subject to removal / control 	<ul style="list-style-type: none"> Minimal pruning / trimming to maintain height and width, with trimming undertaken on a rotational basis, leaving a proportion (~1/3) untrimmed in any one cut, to be undertaken between November – February (inclusive) Width to be maintained to prevent encroachment into adjacent habitats Removal of colonising Bramble by lopping or digging up by hand in years 2 and 5 Any Schedule 9* invasive species to be subject to removal / control 	<ul style="list-style-type: none"> Minimal pruning / trimming to maintain height and width, with trimming undertaken on a rotational basis, leaving a proportion (~1/3) untrimmed in any one cut, to be undertaken between November – February (inclusive) Width to be maintained to prevent encroachment into adjacent habitats Removal of colonising Bramble by lopping or digging up by hand in years 2 and 5 Any Schedule 9* invasive species to be subject to removal / control 	<ul style="list-style-type: none"> Minimal pruning / trimming to maintain height and width, with trimming undertaken on a rotational basis, leaving a proportion (~1/3) untrimmed in any one cut, to be undertaken between November – February (inclusive) Width to be maintained to prevent encroachment into adjacent habitats Removal of colonising Bramble by lopping or digging up by hand in years 2 and 5 Any Schedule 9* invasive species to be subject to removal / control

Monitoring

Newly created habitats and existing habitats subject to the above management actions / operation will be subject to detailed botanical and condition assessment surveys in years 1, 3, and 5. Subsequent monitoring would be undertaken every five years (i.e. year 10, 15, 20, 25, 30).

The management actions / operation will be reviewed every five years, with remedial actions advised where necessary, to ensure that the intended outcome is achieved.

Additional Notes

Mulching / matting of newly planted shrubs should be undertaken, where appropriate, to promote establishment. This should be avoided, where practicable, to avoid 'over nutrifying' and potentially suppressing desirable ground-flora.

Fencing off planting areas, to reduce or remove potential grazing / browsing while establishing, should be considered as an alternative to / in preference over 'plastic-free' biodegradable guard use, and to reduce or remove potential access by the public / general footfall while establishing.

Consideration may be given to the application of herbicide treatment, either prior to planting, or spot treatment of 'problematic areas', albeit hand-pulling or non-chemical control methods should first be reasonably exhausted.

It is important that pruning / management is undertaken in late winter, in order to avoid the recognised nesting bird season (March – August inclusive) and a potential breach of the relevant legislation (Wildlife and Countryside Act 1981 (as amended).

*Schedule 9 invasive species refers to those listed in Part II of Schedule 9 to the Wildlife and Countryside Act 1981 (as amended).

Please note that, due to a range of factors, the above prescriptions cannot guarantee the successful creation and maintenance of the habitat. As such, ongoing monitoring and management plan updates / revisions would be made throughout the lifespan of the project.

Additional, simple, faunal enhancements could include:

Retaining and utilising woody vegetation / management arisings to create, log / brash piles at the edges of habitats. Such habitat creation is unlikely to materially or adversely influence the success or failure of the habitat creation and management, and would serve to increase shelter and foraging opportunities to a range of key faunal species.

Photographs



Photo 1. Typical arable – ONG and Traditional Orchard proposed



Photo 2. Typical arable – ONG and Traditional Orchard proposed



Photo 3. ONG – Traditional Orchard proposed



Photo 4. Close up of ONG sward



Photo 3. Typical arable – woodland and ONG proposed



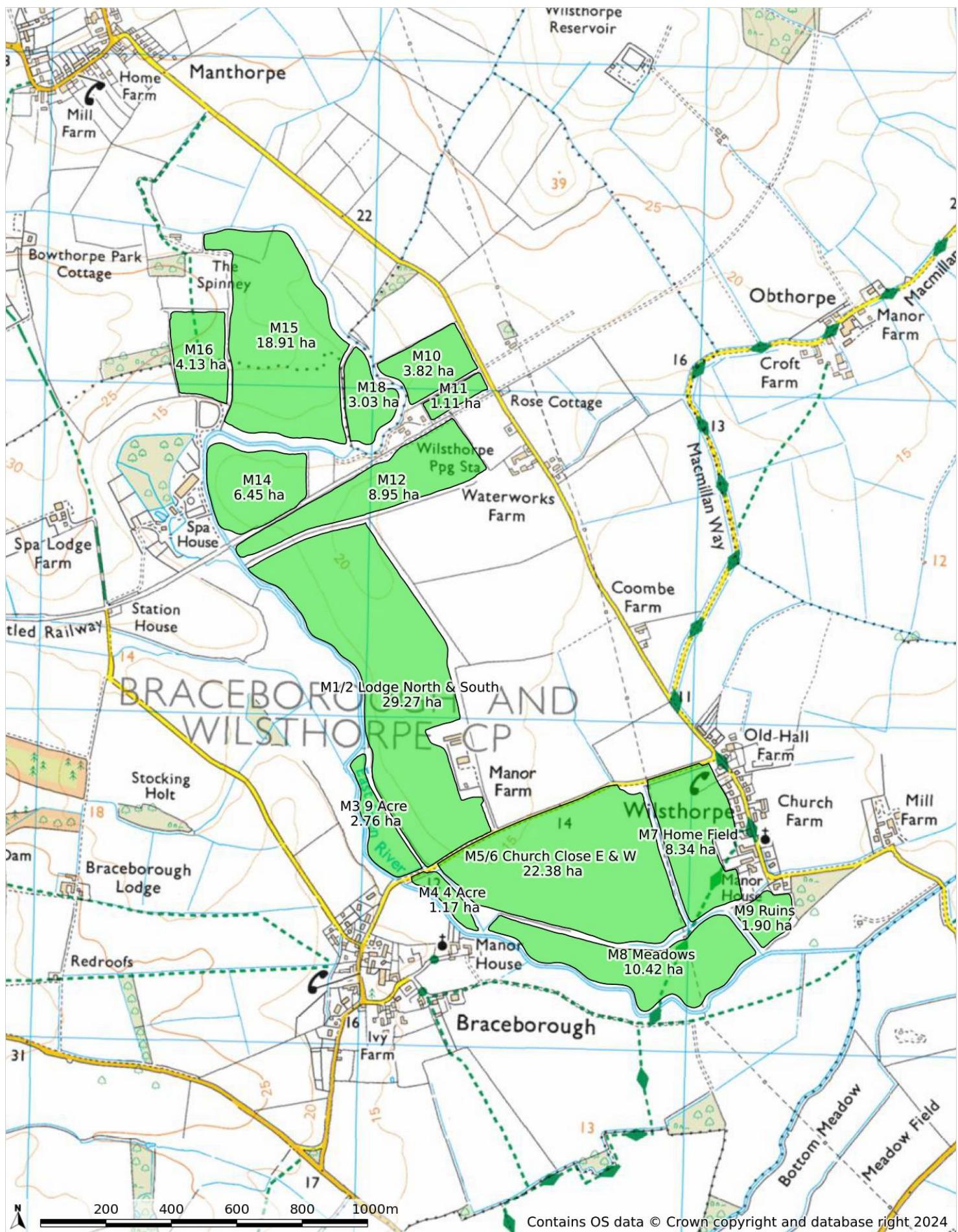
Photo 4. Poor condition ONG – grassland enhancement proposed

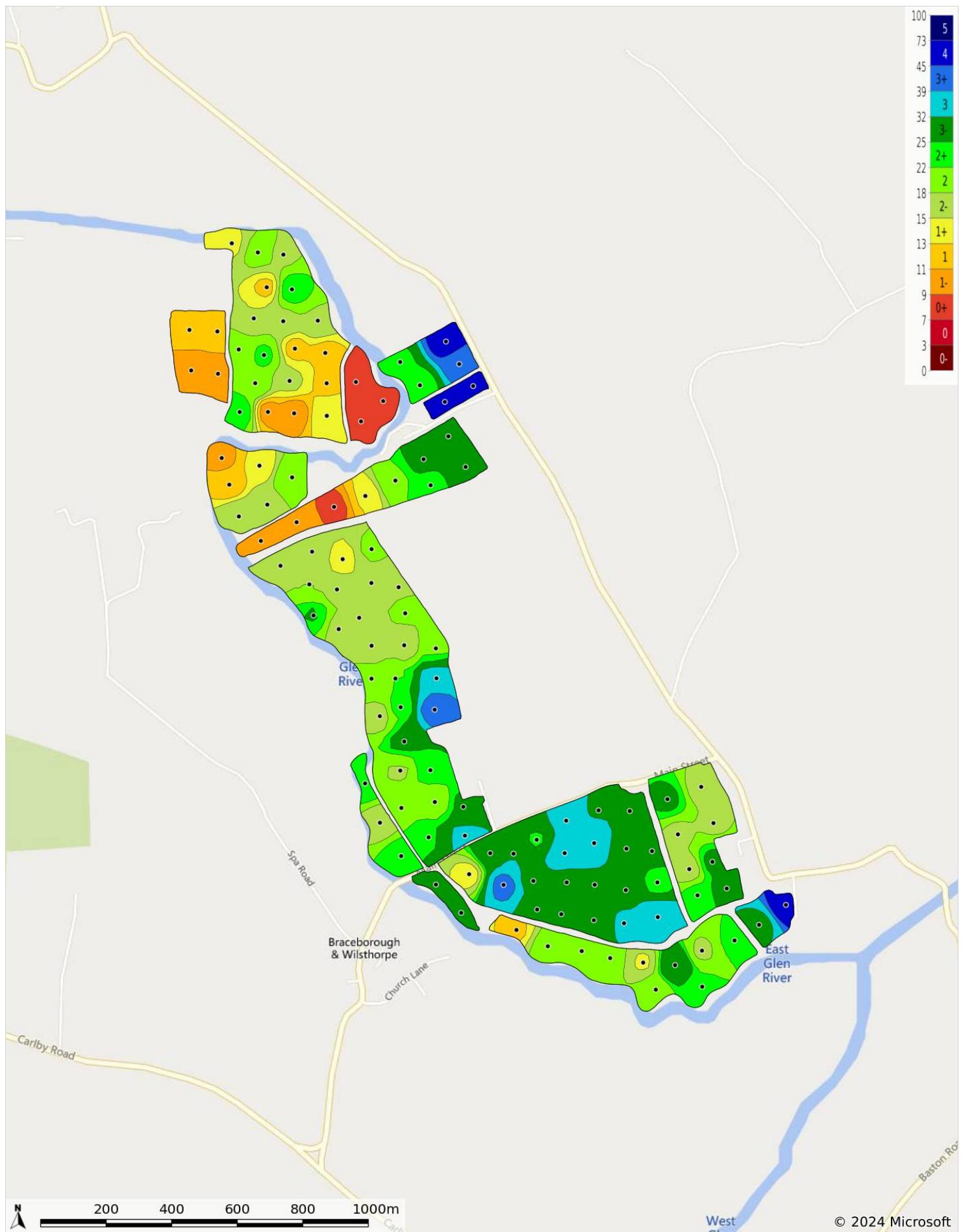
**C. M. Bremner & Son
The Lodge
Wilsthorpe Road, Braceborough
Stamford
Lincs.
PE9 4NX**

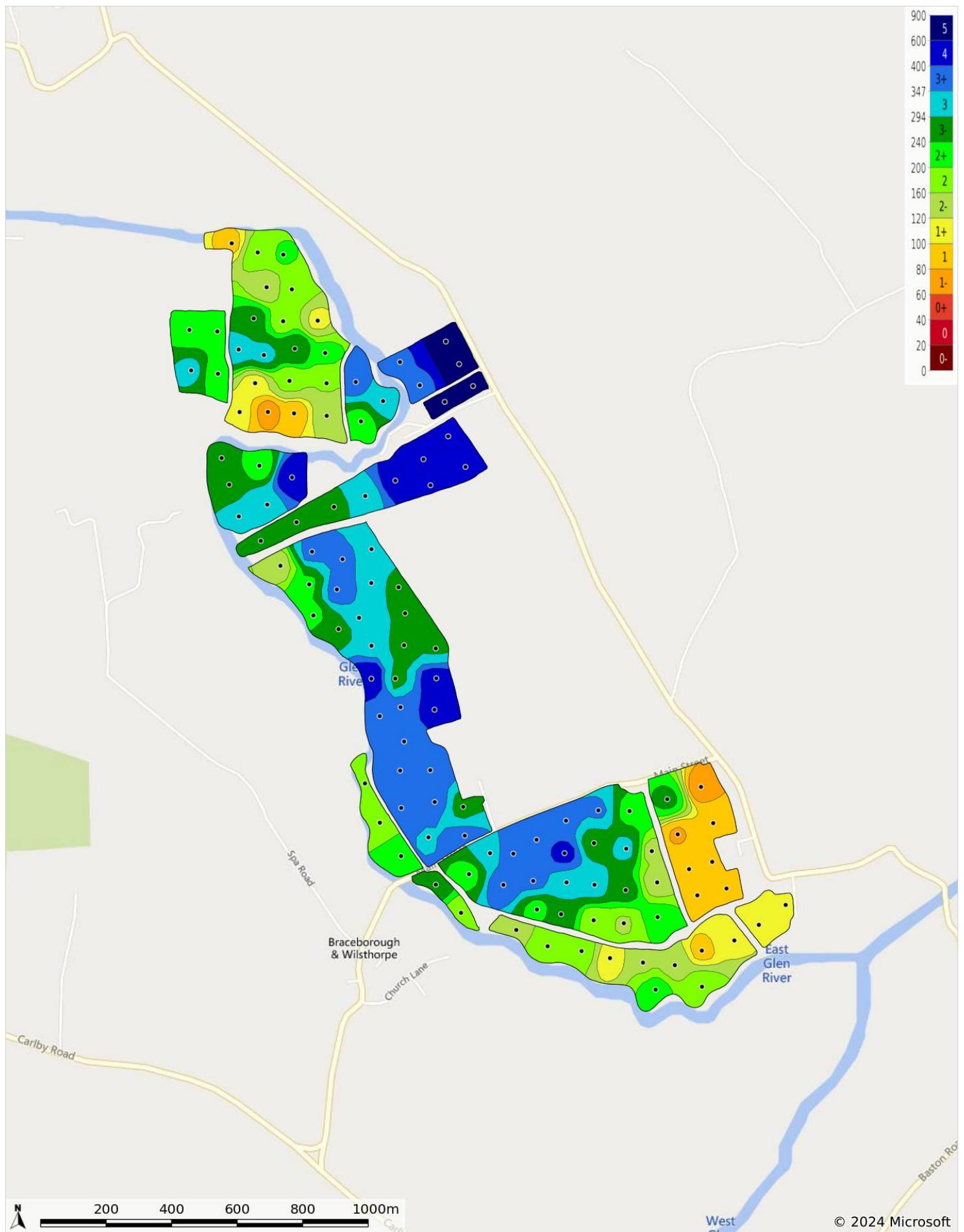
Farms: Manor Farm

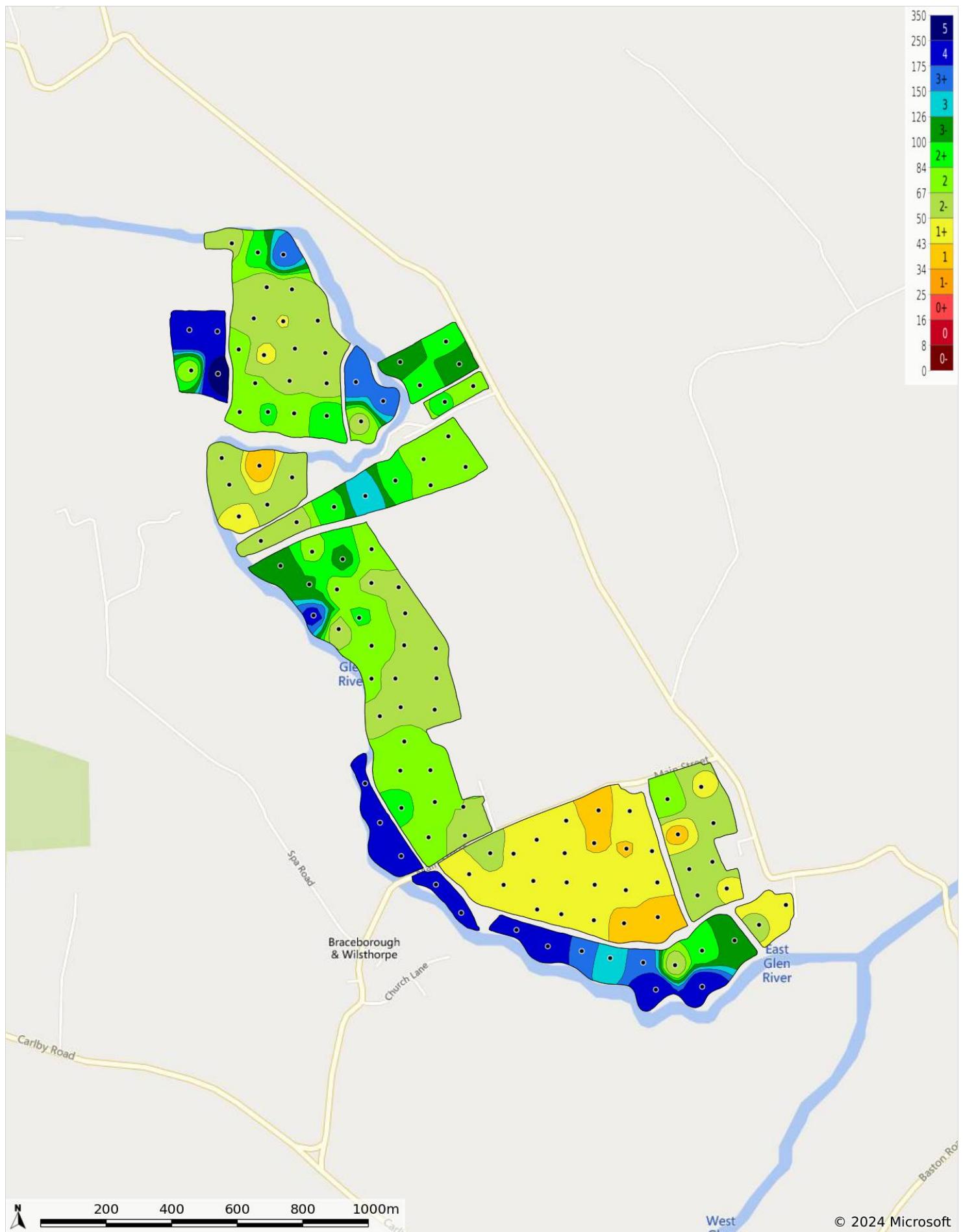
Nutrient analysis from 23 Apr 2024 to 26 Apr 2024

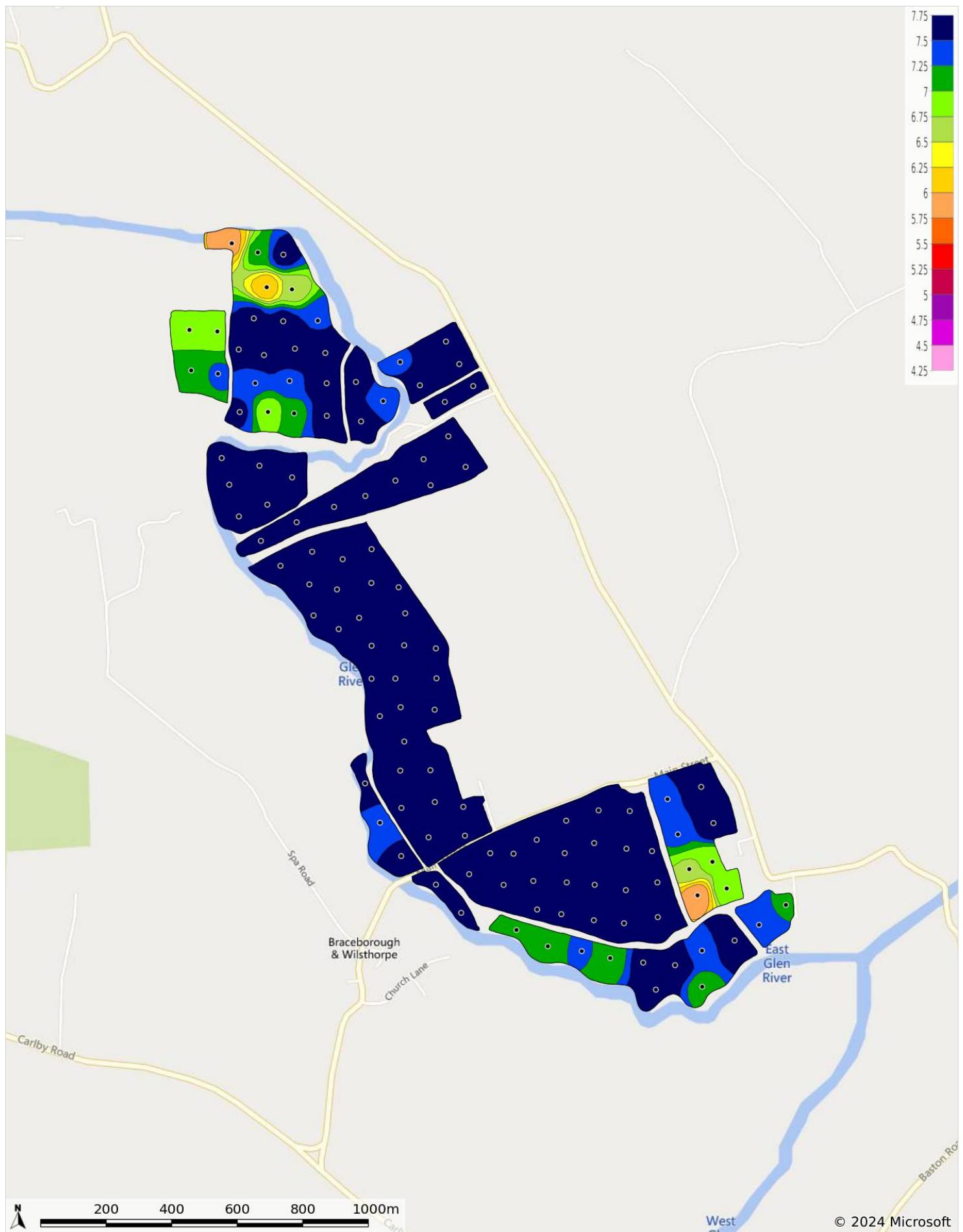
Area manager: Harry Reynolds

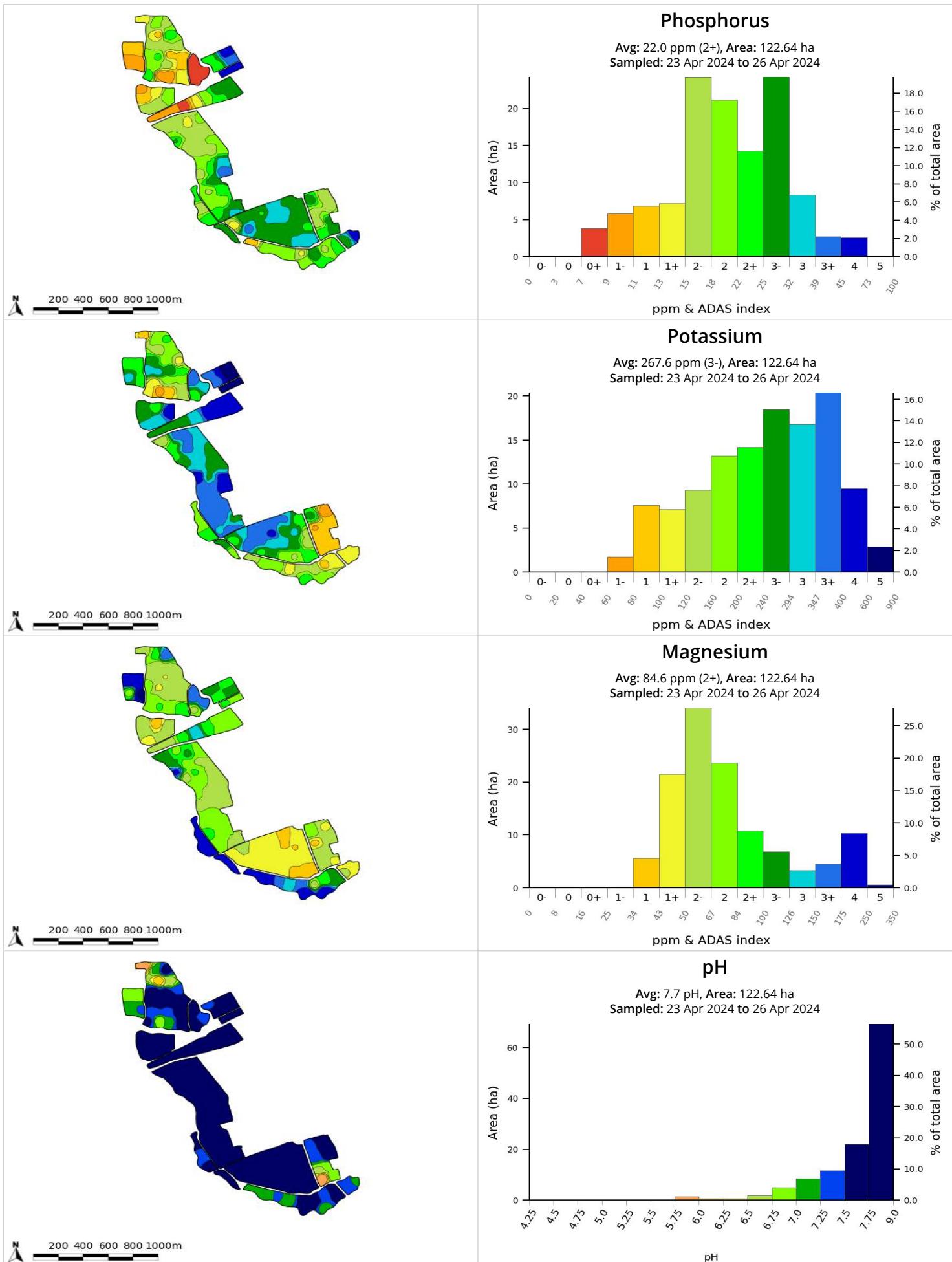


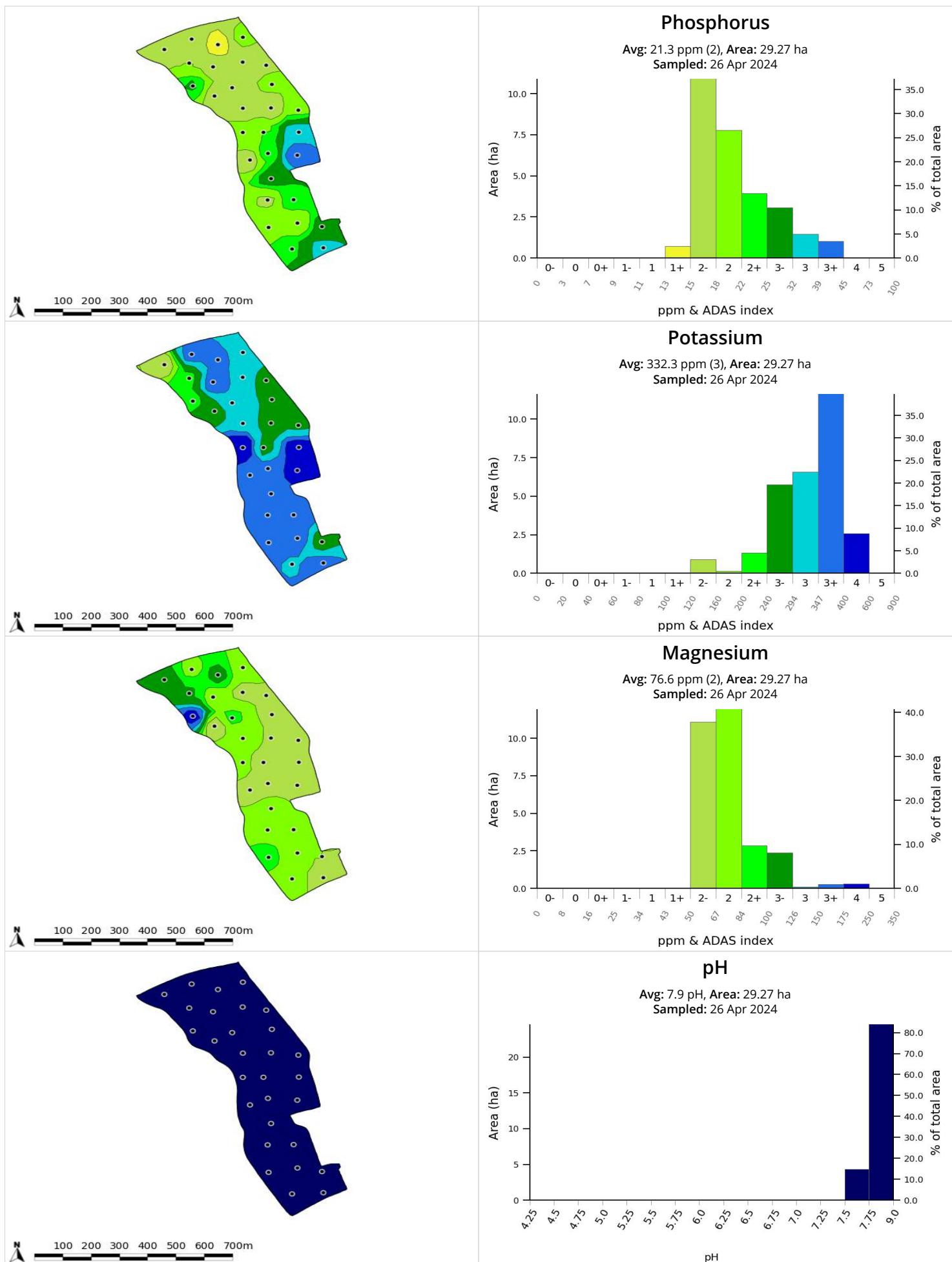


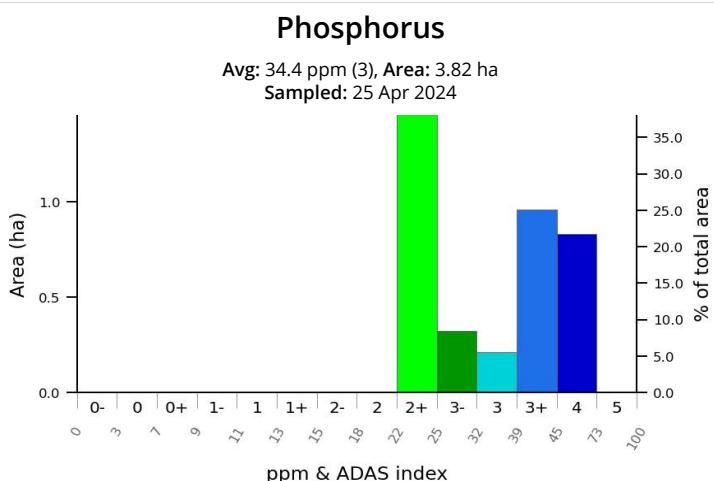
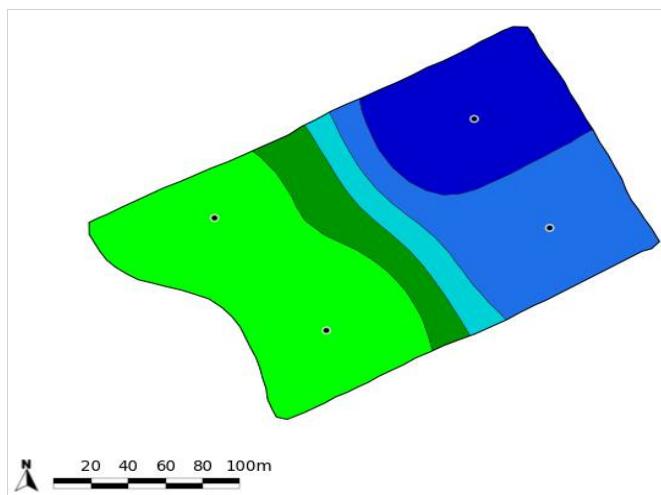


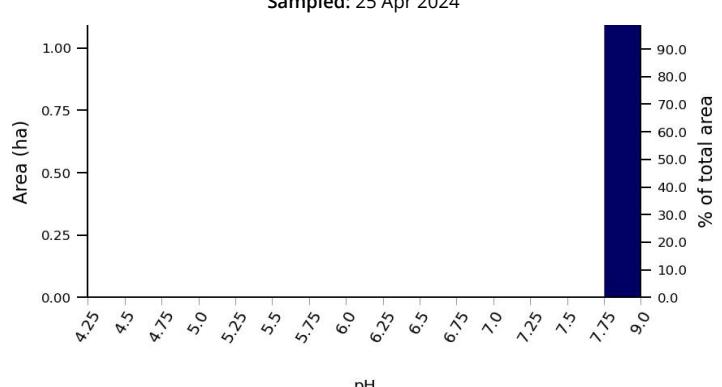
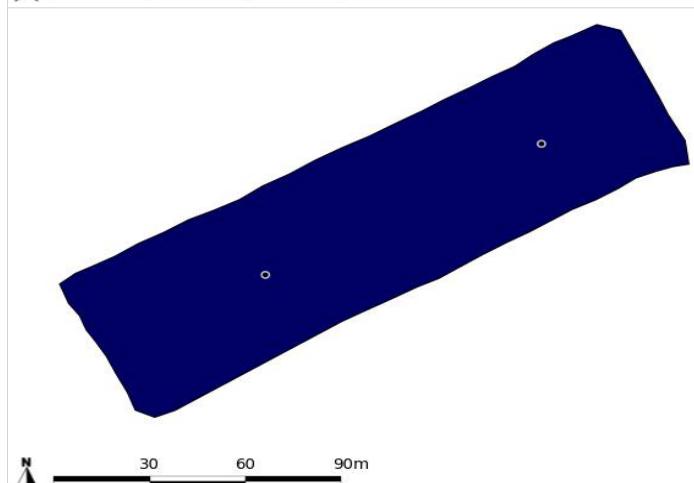
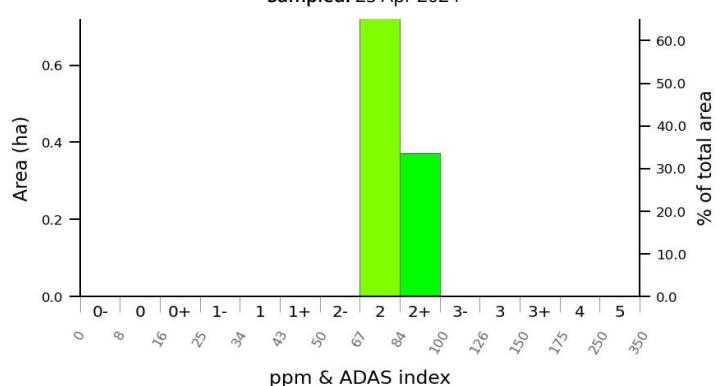
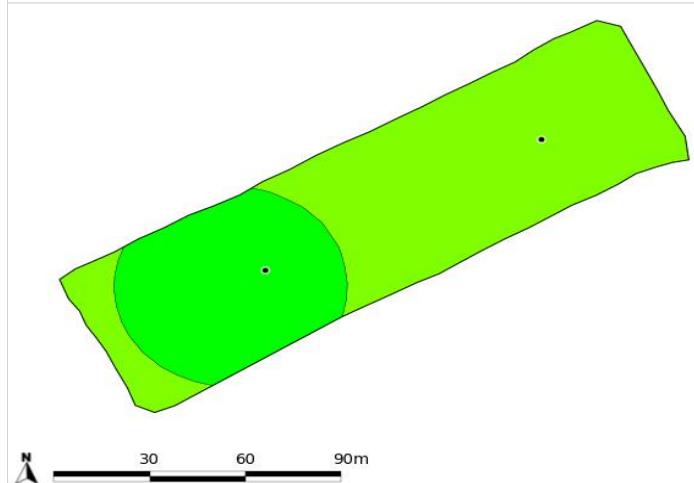
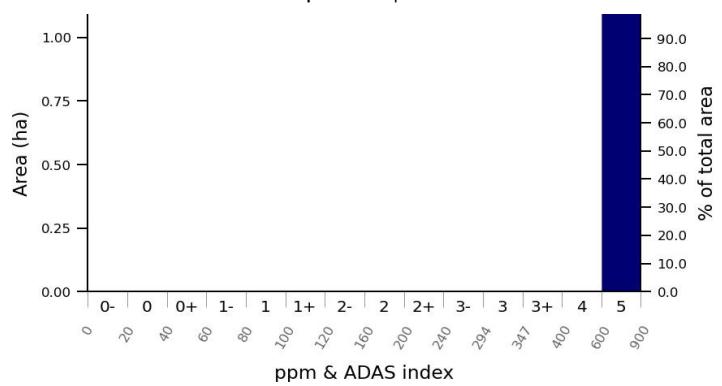
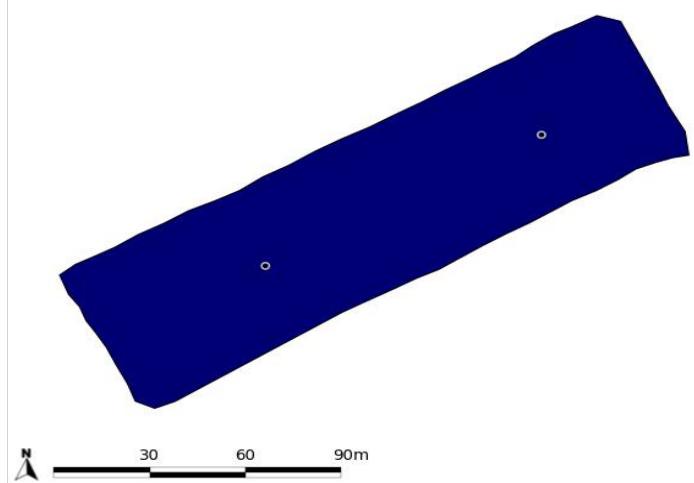
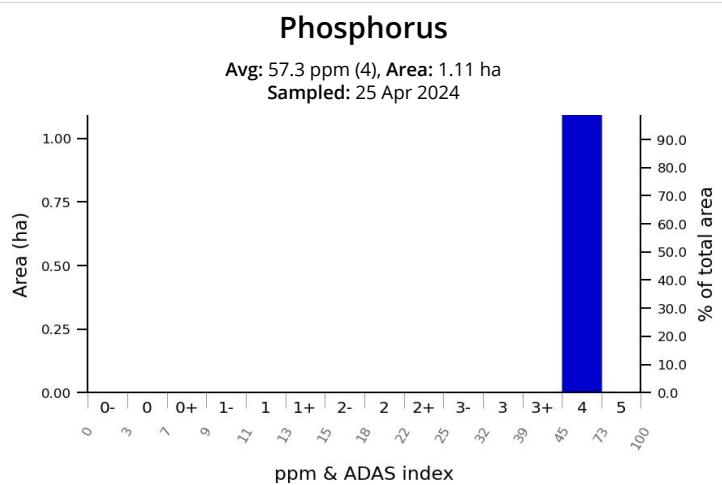
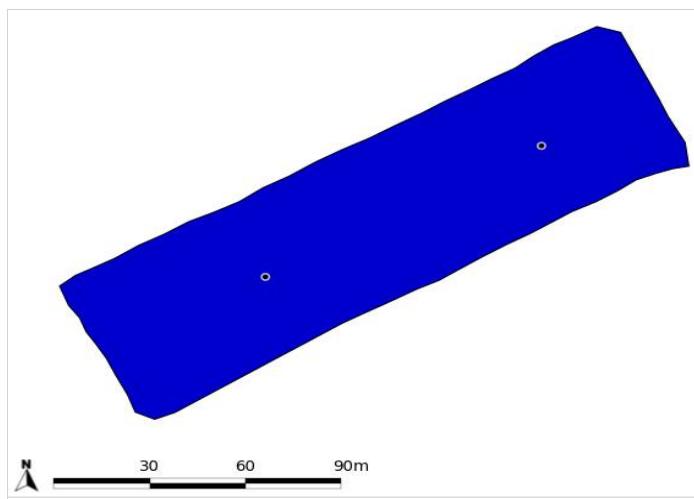


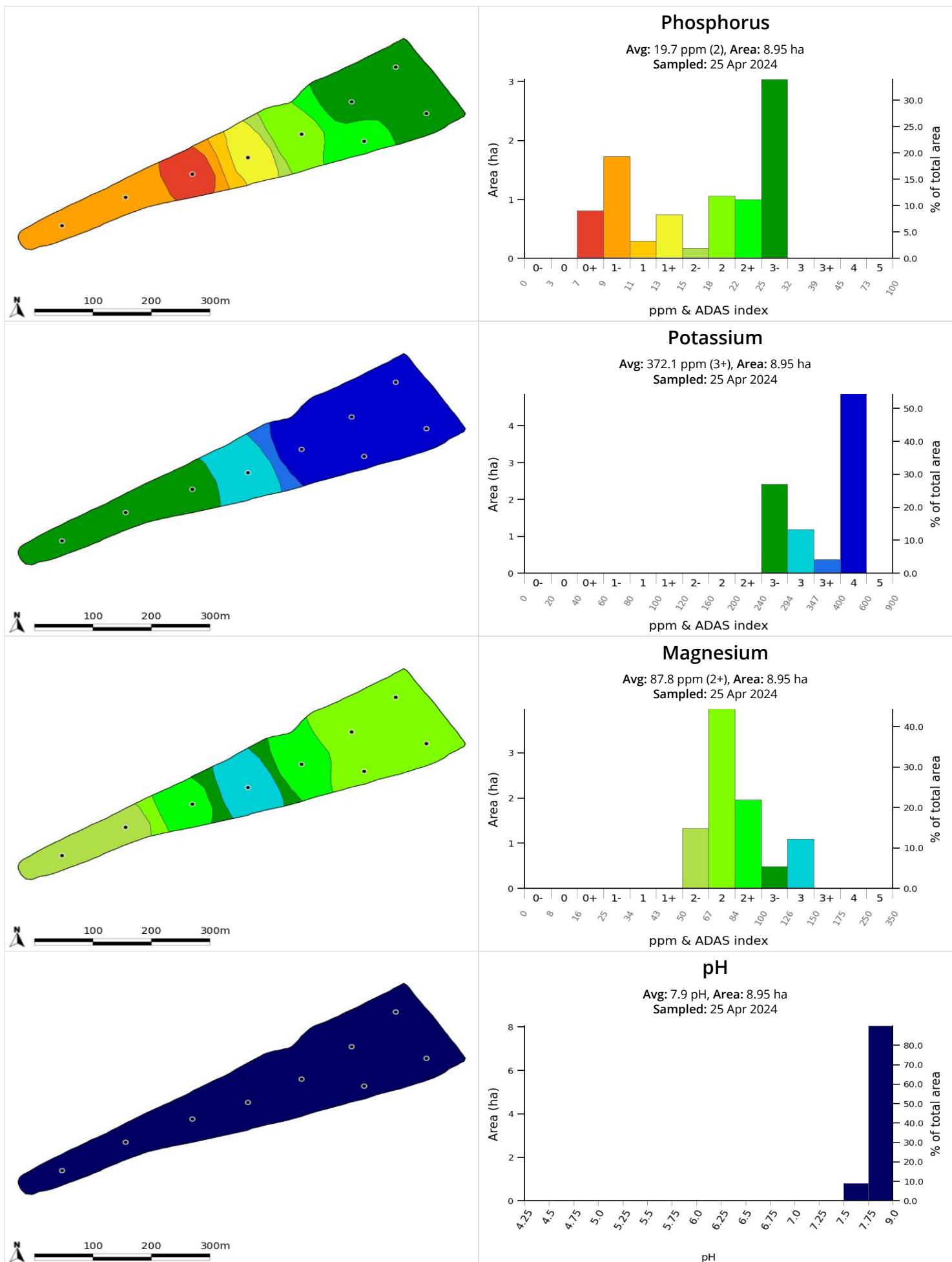


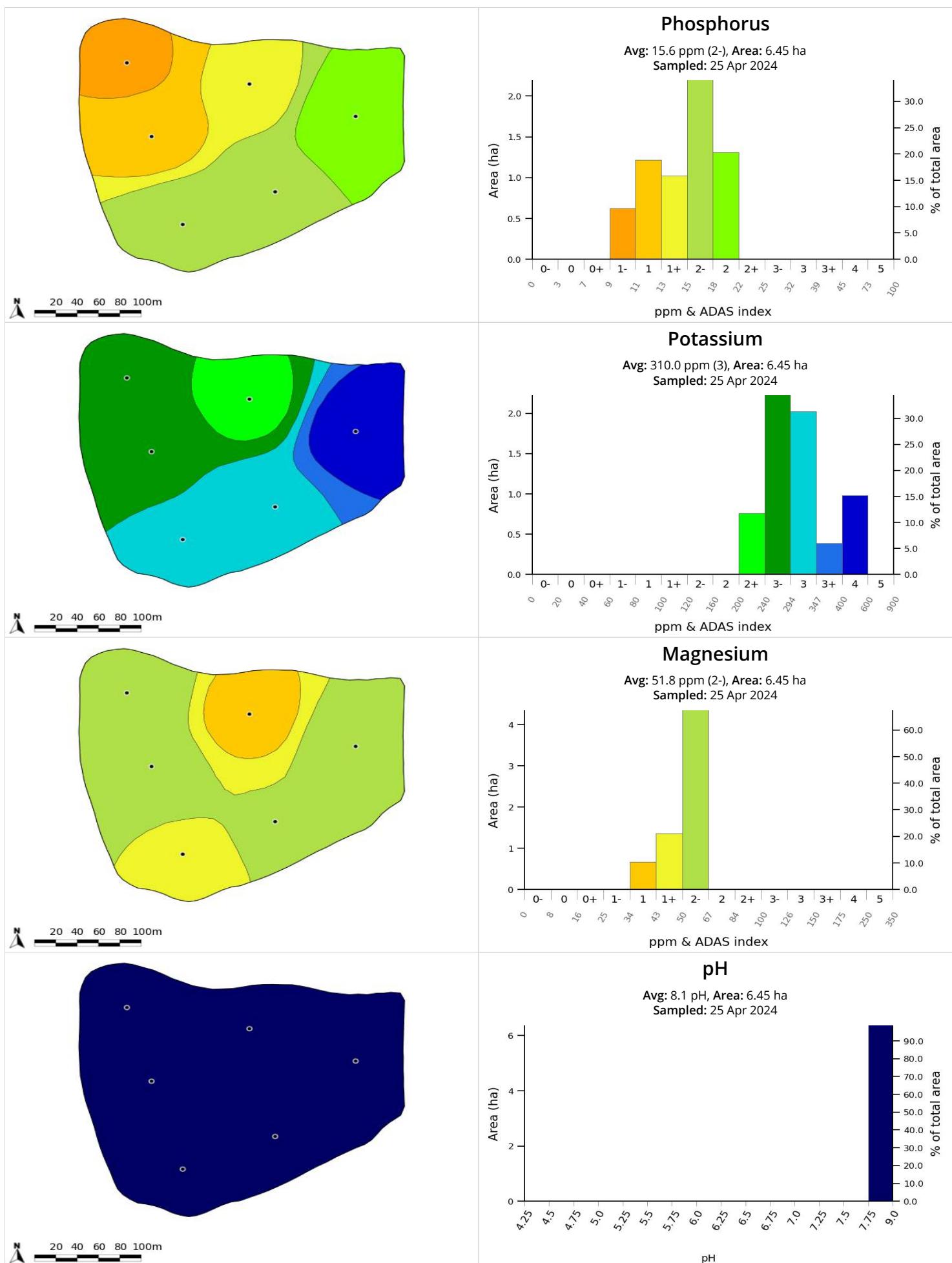


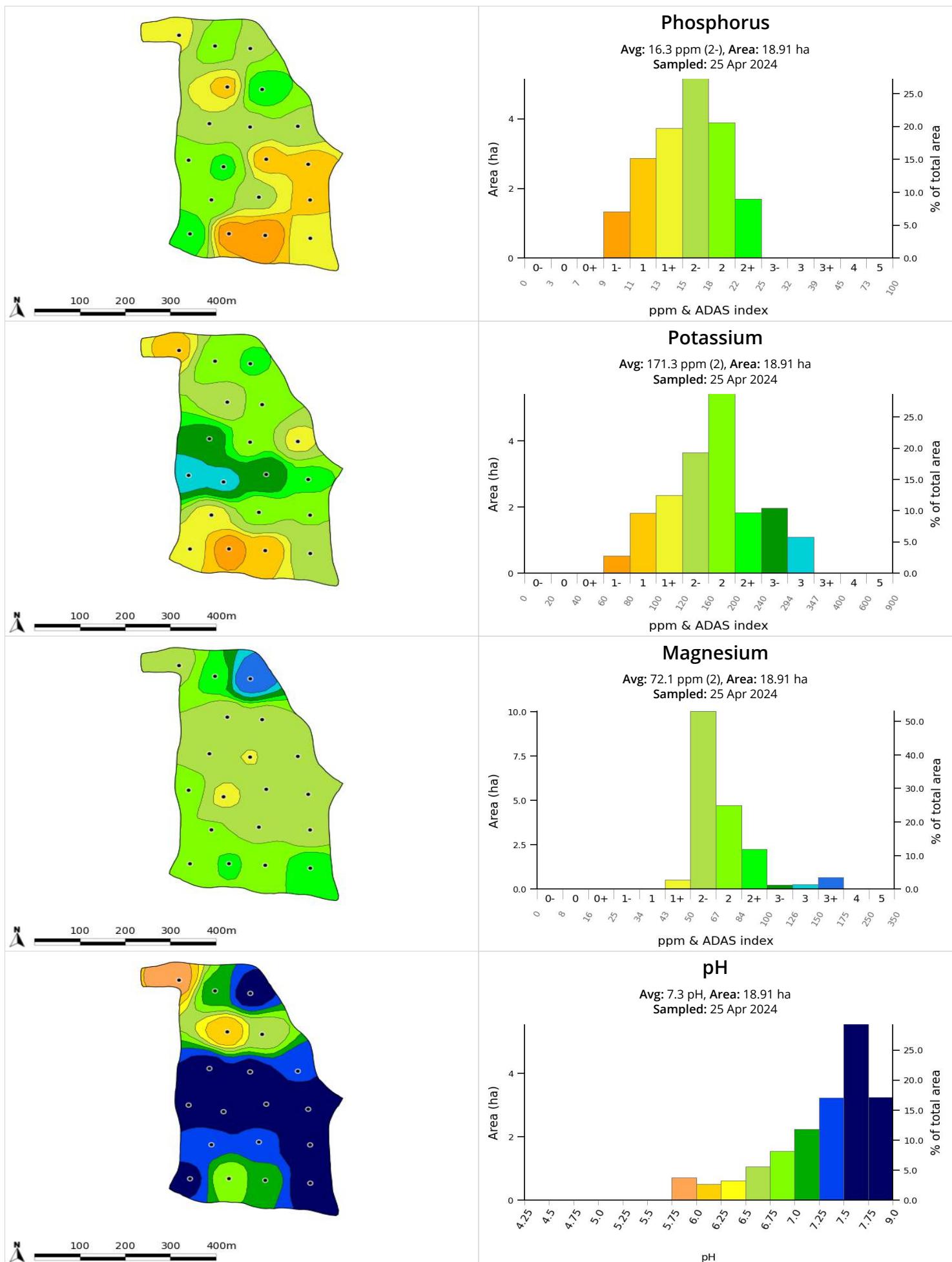


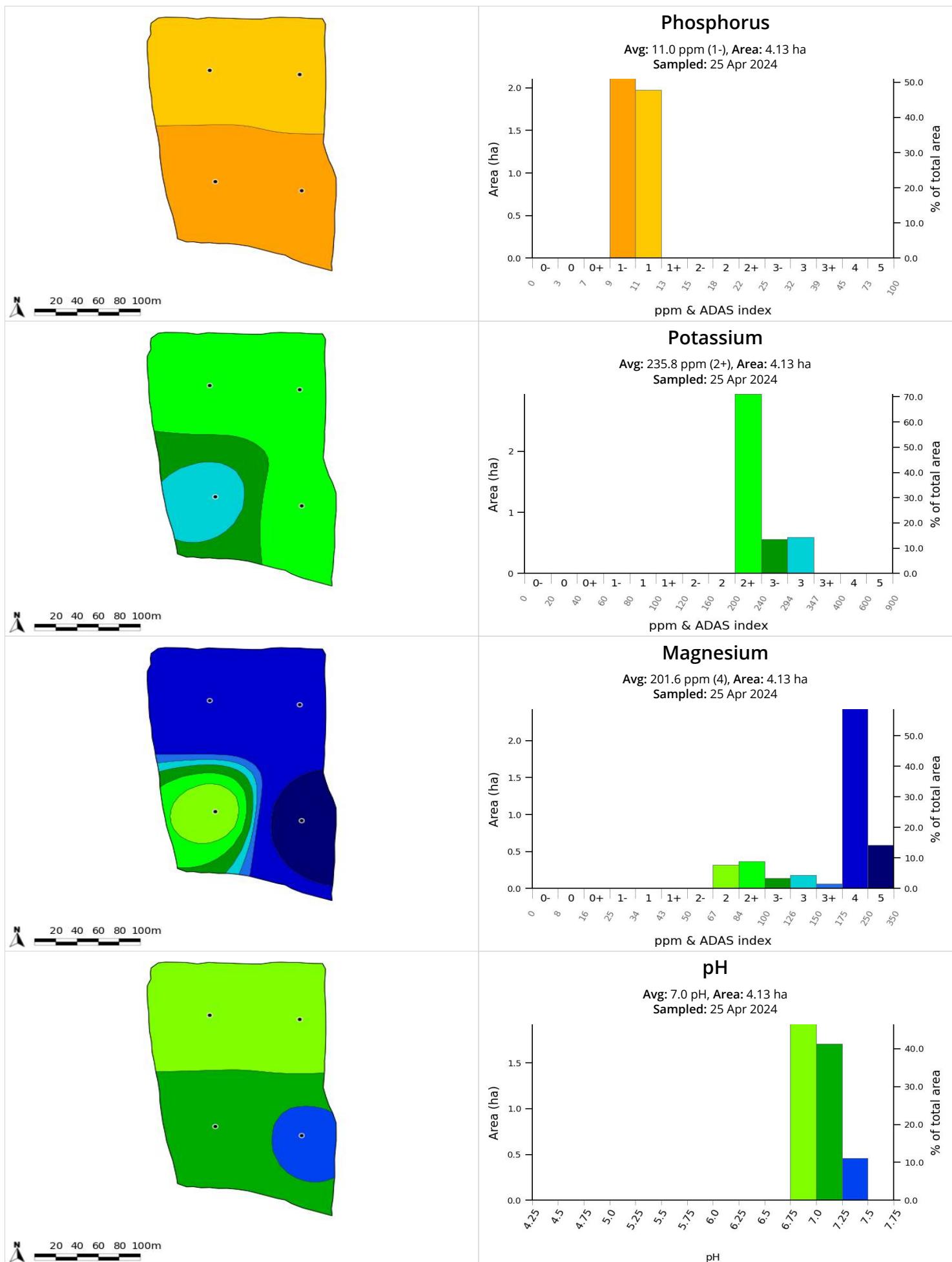


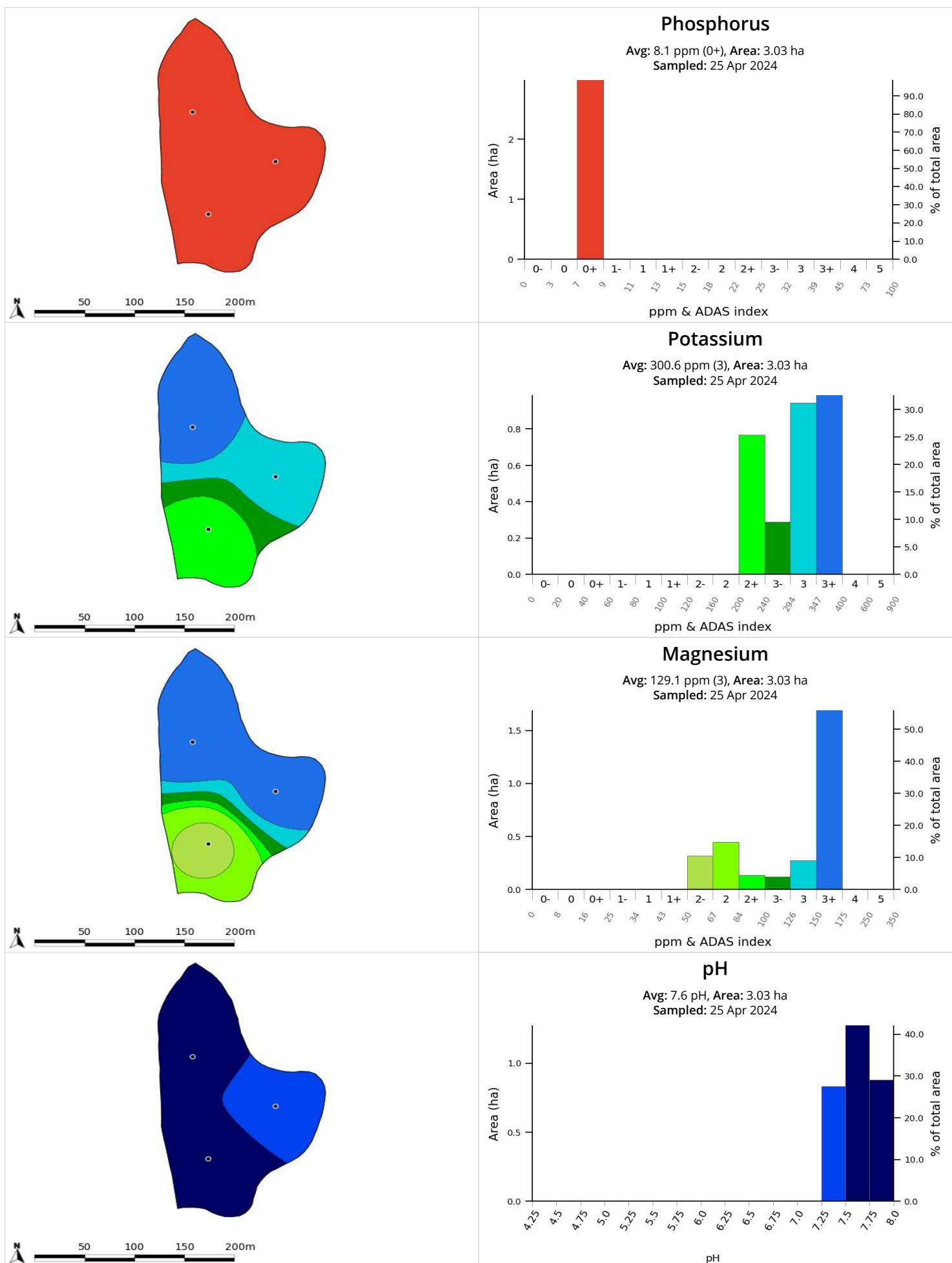


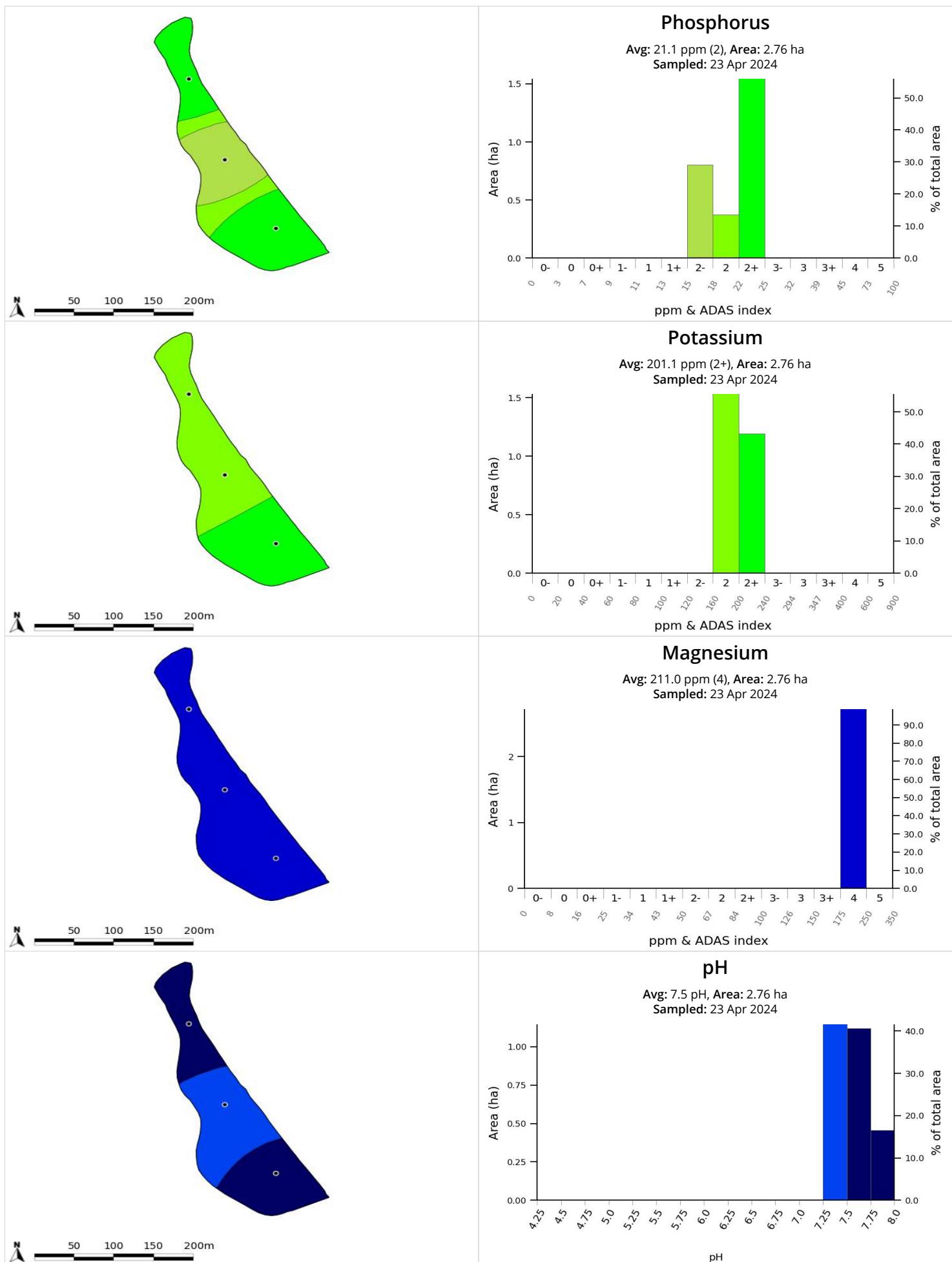


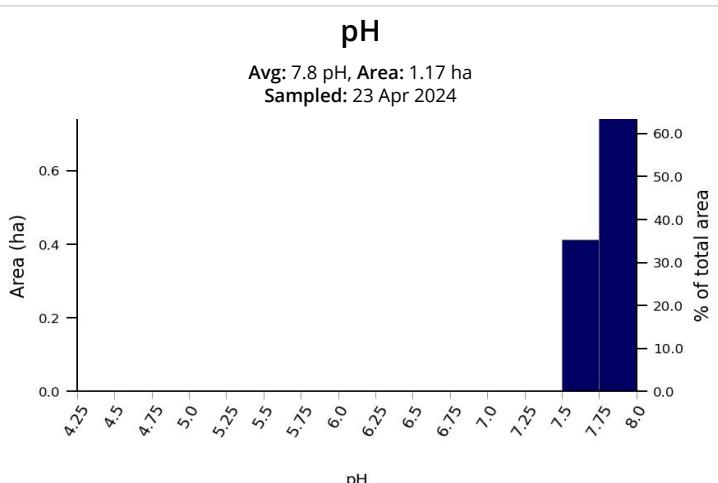
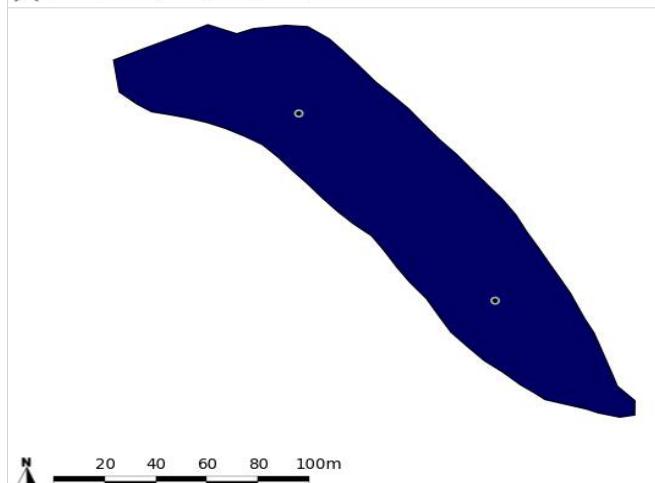
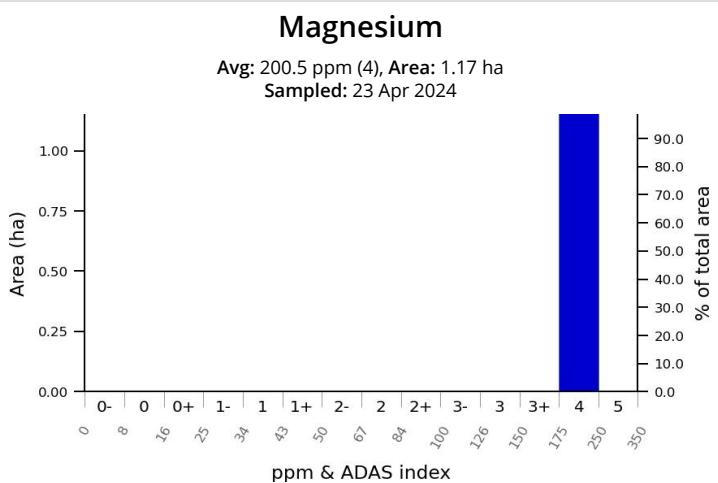
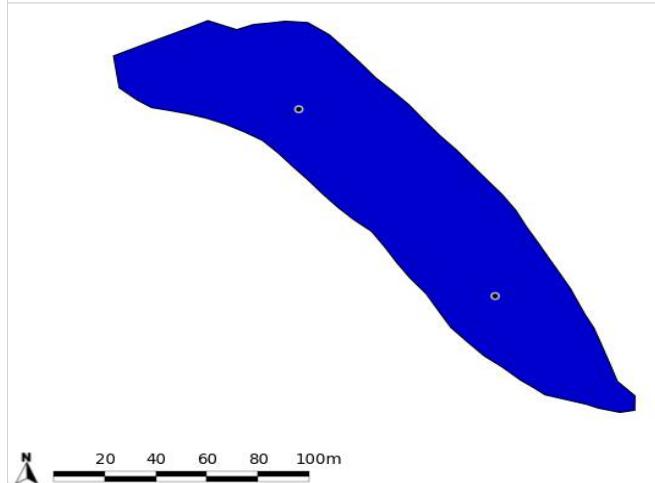
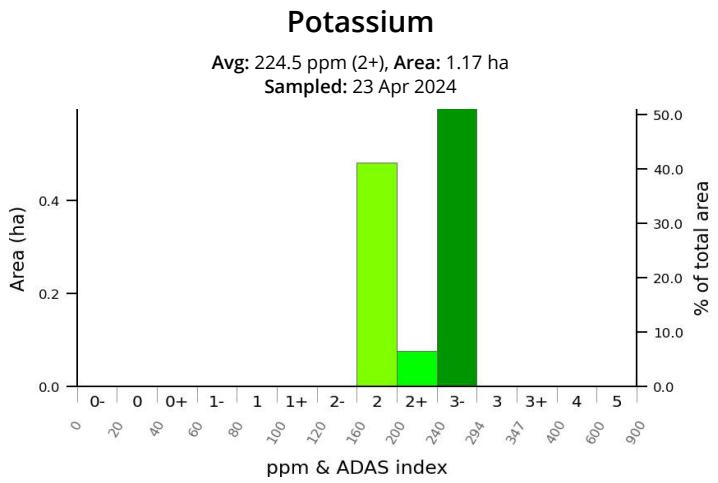
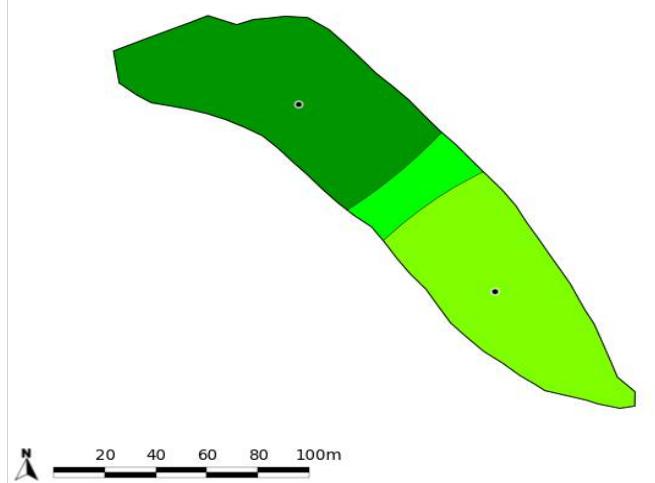
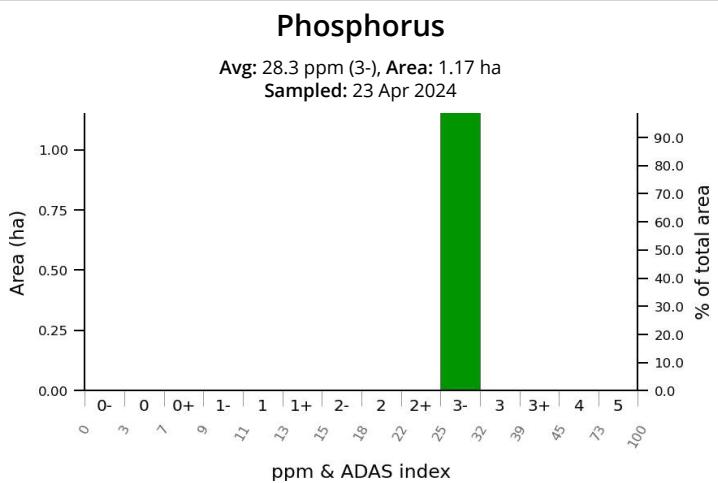
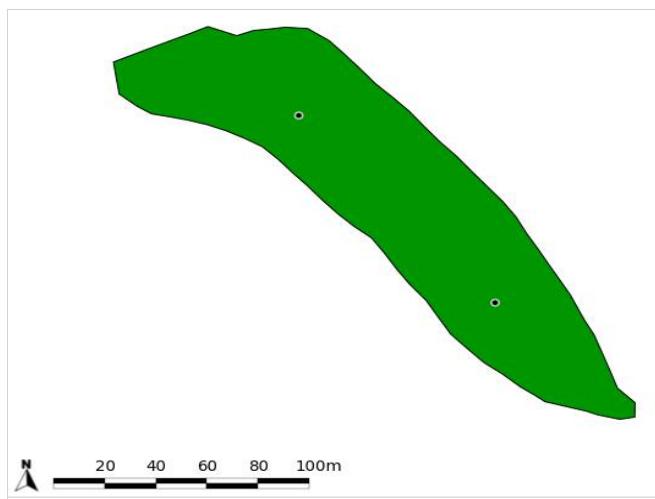


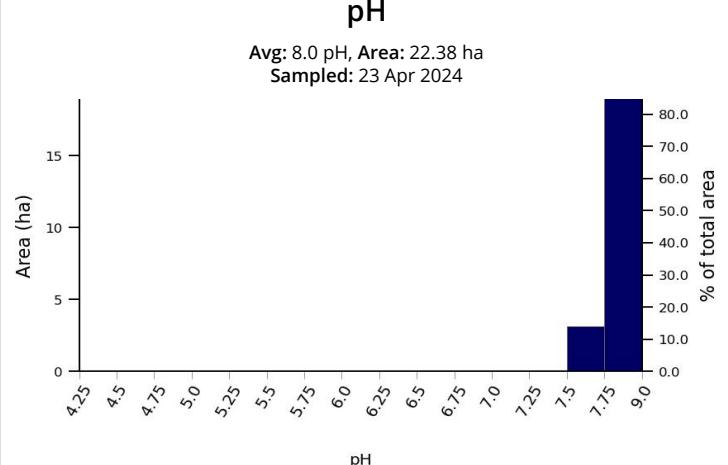
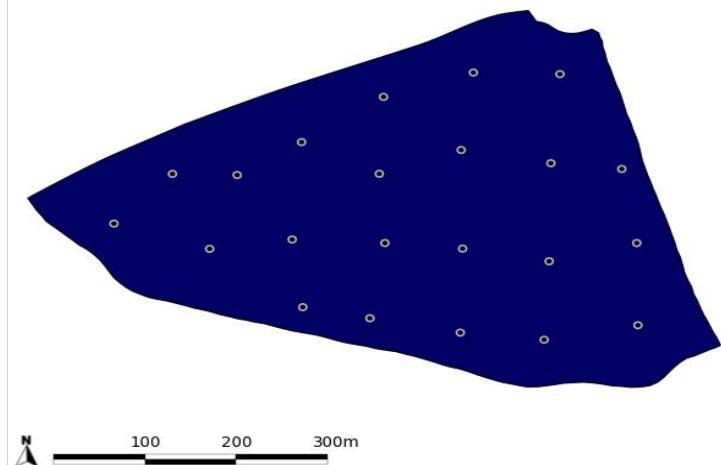
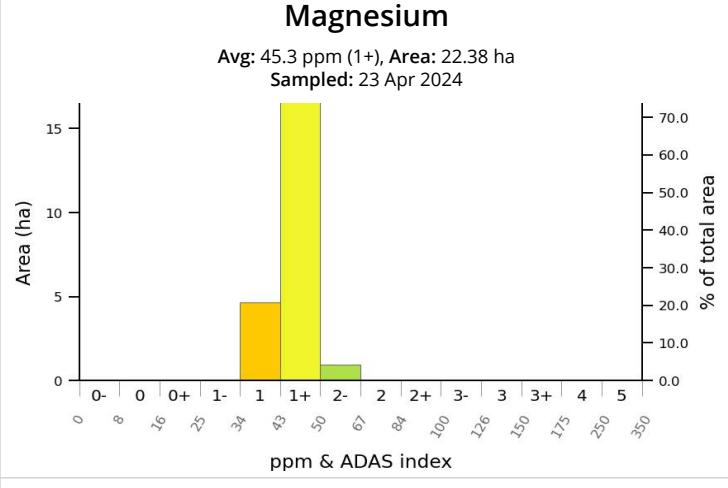
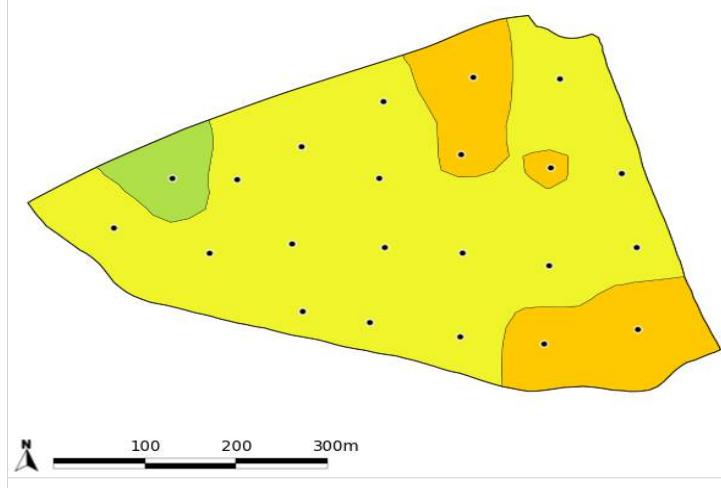
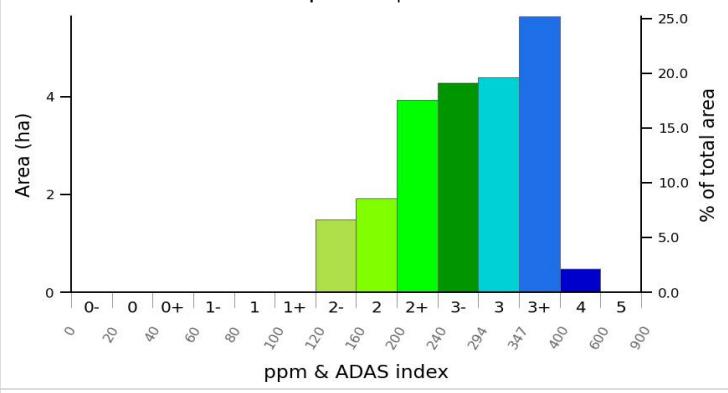
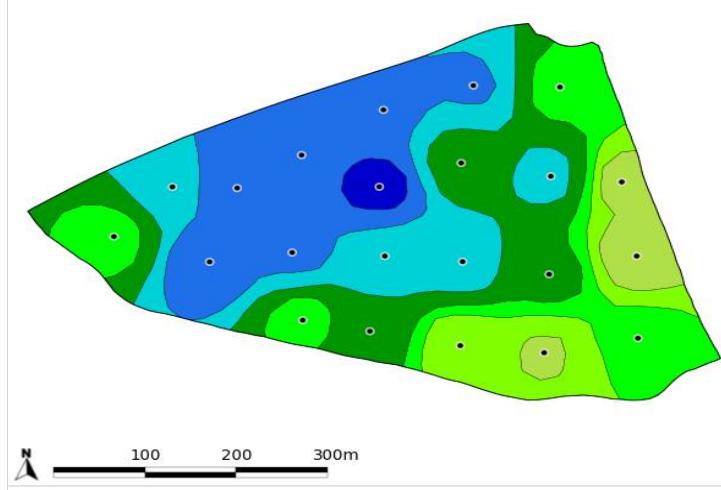
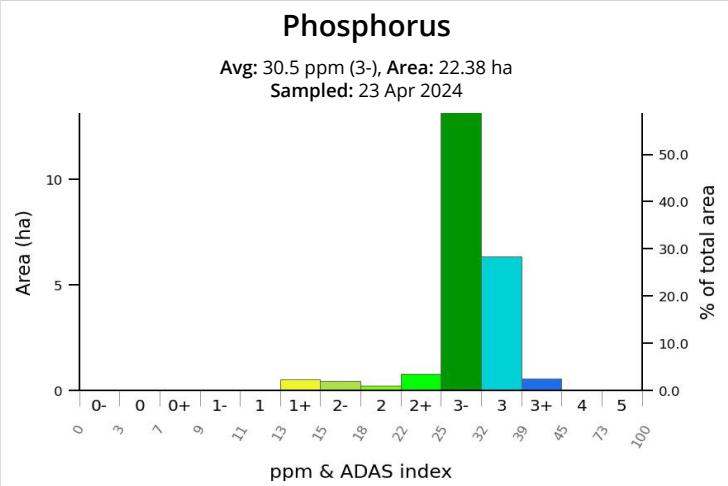
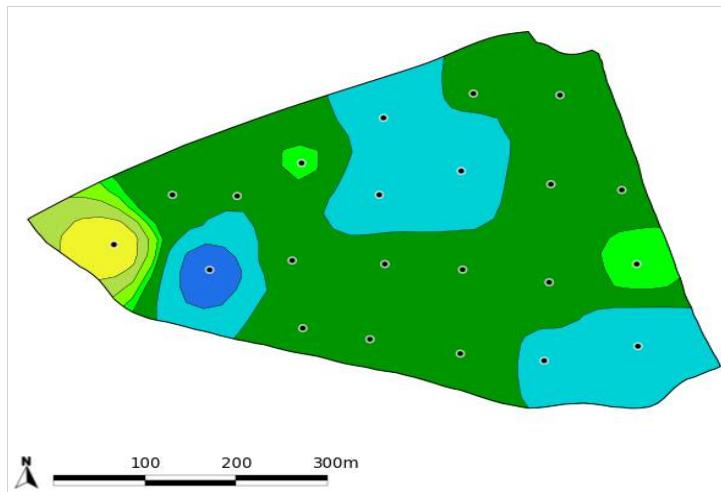


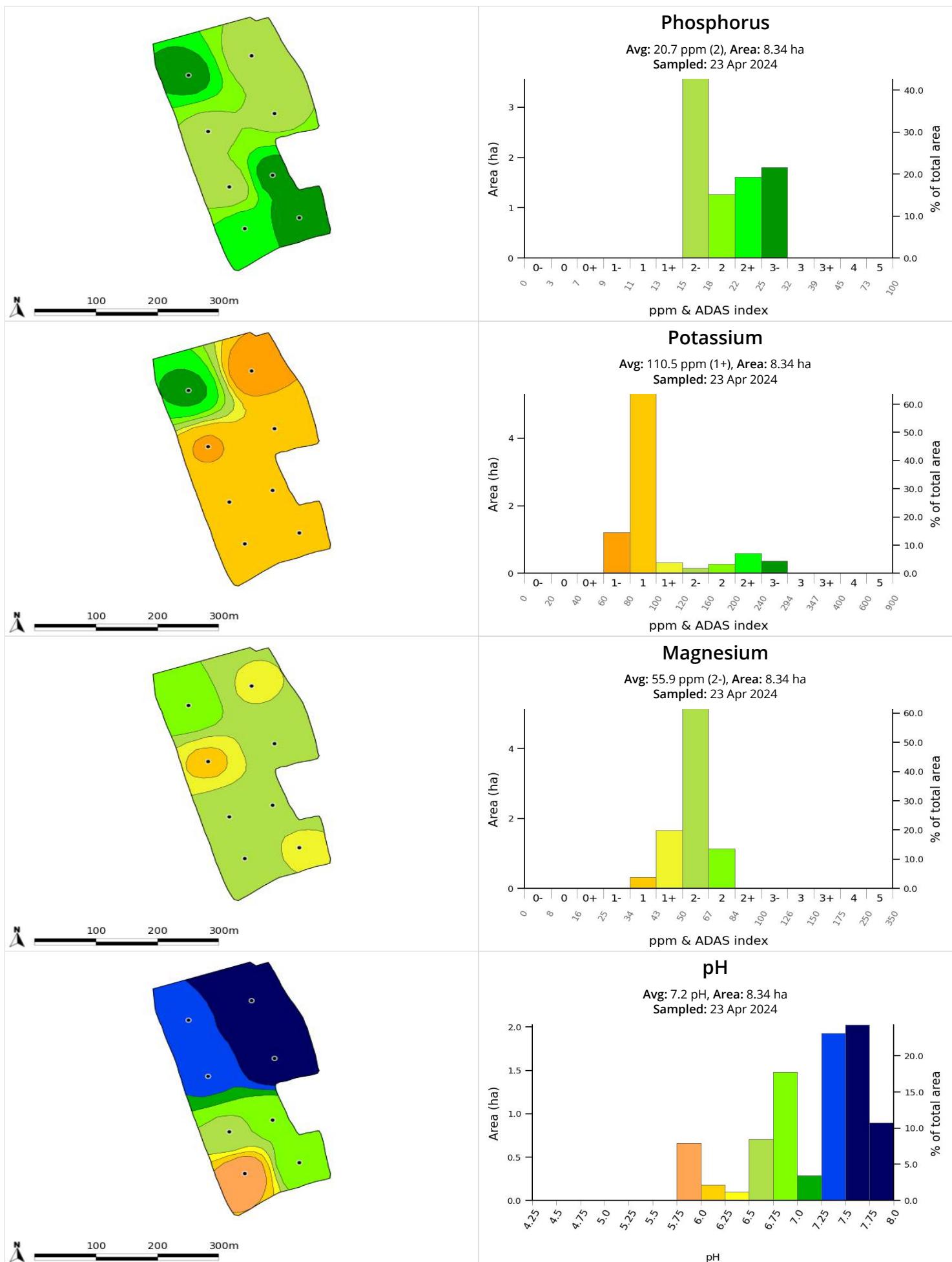


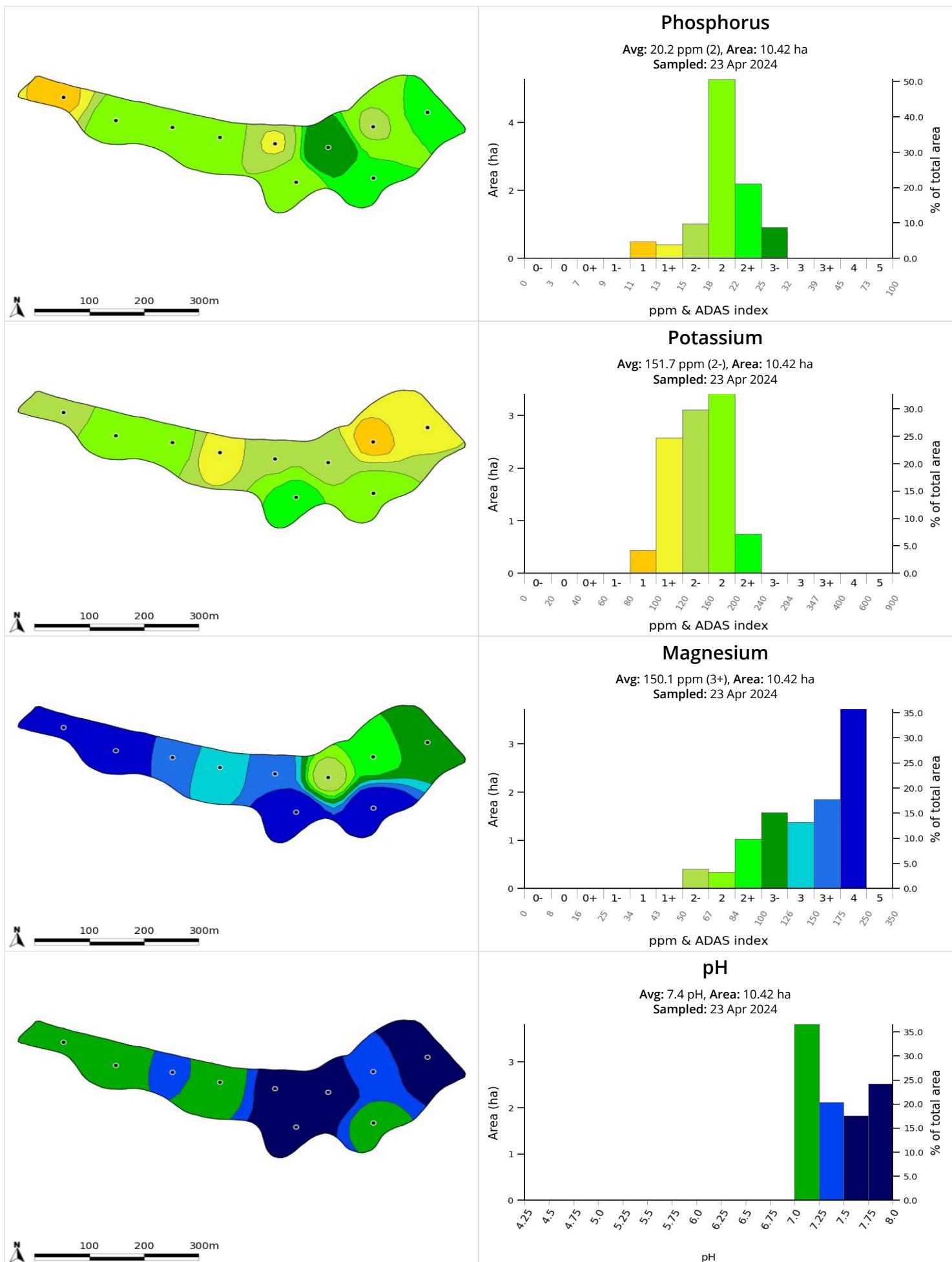


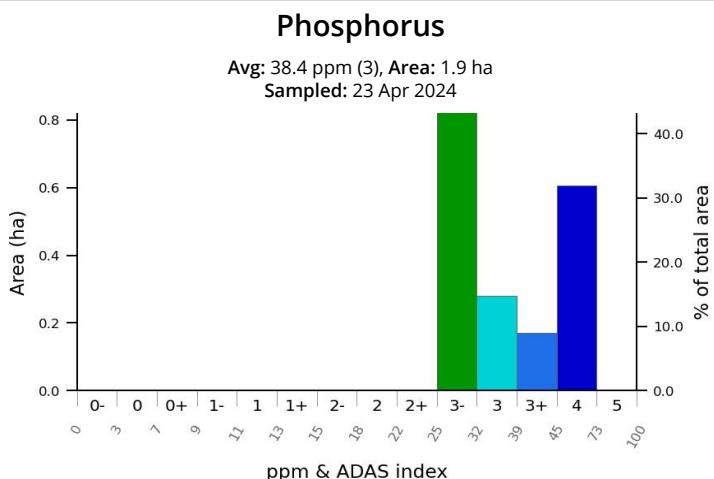
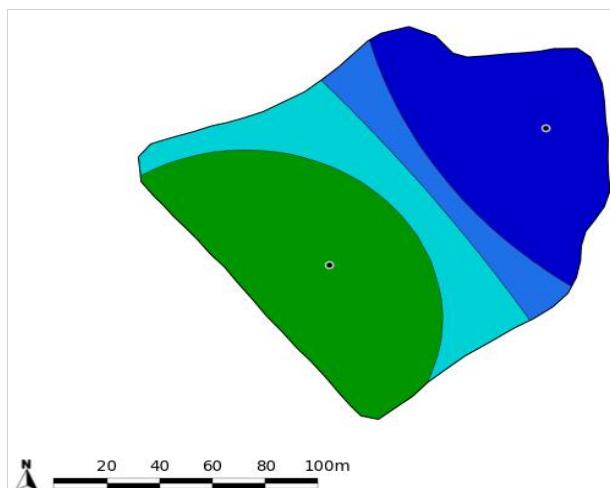














Client: C. M. Bremner & Son
Farm Name: Manor Farm (Soil Life)
Address: The Lodge
 Wilsthorpe Road, Braceborough
 Stamford
 Lincs.
 PE9 4NX
Report Date: 24/05/2024

Soil Organic Matter

Date Sampled	Lab Ref. No	Field Name	OM (Dumas) %	Index
23/04/2024	695463	M5/6 Church Close E & W	5.4	Good
23/04/2024	695472	M3 9 Acre	7.0	High
23/04/2024	695466	M4 4 Acre	8.0	High
23/04/2024	695464	M8 Meadows	6.4	High
23/04/2024	695465	M9 Ruins	5.9	Good
25/04/2024	696290	M10	5.0	Good
25/04/2024	696289	M11	7.3	High
25/04/2024	696291	M12	7.1	High
25/04/2024	696292	M14	3.9	Normal
25/04/2024	696288	M15	3.4	Normal
25/04/2024	696294	M16	5.8	Good
25/04/2024	696293	M18	6.9	High
23/04/2024	695467	M7 Home Field	4.3	Normal
26/04/2024	696295	M1/2 Lodge North & South	5.2	Good

There are a number of methods for analysing OM at the laboratory. The important element is to monitor the OM of soil over time. It is the net changes in OM that should be assessed, particularly making sure that OM levels do not go down. The Dumas method measures the CO₂ given off from a soil sample after combusting and is a measure of soil carbon, which is a fixed proportion of organic matter content. The Dumas method is, in our opinion, the more accurate measurement of soil organic matter.

DATED

2026

PLANNING AGREEMENT

between

(1) SOUTH KESTEVEN DISTRICT COUNCIL

and

(2) GEORGE CAMERON BREMNER

Agreement under

Section 106 Town & Country Planning Act 1990 (as amended)

relating to land at Manor Farm, Wilsthorpe, Stamford, PE9 4NX

Legal Services Lincolnshire
County Offices
Newland
Lincoln
LN11YS

Planning Ref: []
LSL Ref: SK200.[]

THIS DEED is made the

day of

2024

BETWEEN

- 1) **SOUTH KESTEVEN DISTRICT COUNCIL** of Council Offices St Peters Hill Grantham Lincolnshire NG31 6PZ ("the Council"); and
- 2) **GEORGE CAMERON BREMNER** of Manor Farm, Wilsthorpe, Stamford, Lincolnshire PE9 4NX ("the Owner").

RECITALS

- (A) The Council is the local planning authority for the purposes of the 1990 Act for the area within which the Biodiversity Areas is situated and by whom the obligations and covenants contained in this Deed are enforceable
- (B) The Owner is the freehold owner of the Biodiversity Areas which is registered at HM Land Registry under part of title number LL331116
- (C) The Owner intends to create Biodiversity Net Gain Units on the Biodiversity Areas for the purpose of satisfying Biodiversity Net Gain Obligations for developments and is responsible for delivering the habitat enhancements and managing and maintaining the Biodiversity Areas in accordance with the Habitat Management Plan.
- (D) The Owner and the Council agree that the Biodiversity Areas can provide Biodiversity Net Gain Units and can provide biodiversity enhancements. The parties enter into this Deed to secure the planning obligations contained in it and to bind the land.

OPERATIVE PART

NOW THIS DEED WITNESSETH AS FOLLOWS:

1. DEFINITIONS AND INTERPRETATION

1.1. In this Deed the following terms and expressions shall have the following meaning:

"the 1990 Act"	means The Town and Country Planning Act 1990 (as amended)
"the 2011 Act"	means The Localism Act 2011 (as amended)
"Allocated"	means Biodiversity Net Gain Units specified in the Habitat Management and Monitoring Plan which have been allocated to a development for

	the purposes of satisfying Biodiversity Net Gain Obligations for that development
"Area Habitat Units"	means 97.79 area habitat units (total onsite uplift) as measured by the Biodiversity Metric comprising creation of the following habitat types: 13.1596 other neutral grassland (good condition), 2.152ha of traditional orchard (moderate condition) and 1.2327ha of other woodland broadleaved (moderate condition) and enhancement of 0.3945ha of other neutral grassland (from poor to good condition)
"Biodiversity Areas"	means the Parcels shown edged in red on the BNG Location Plan, comprising the Biodiversity Net Gain Units
"Biodiversity Net Gain Obligations"	means any requirements or obligations in respect of a development in relation to achieving a net gain in Biodiversity Value, whether pursuant to the requirements of the Environment Act 2021, Schedule 7A of the 1990 Act, or any other requirements of a local planning authority or commitments made by a developer in relation to the same
"Biodiversity Net Gain Units"	means a unit of Biodiversity Value measured in accordance with the BNG Metric which may include Area Habitat Units and or Hedgerow Units and or Watercourse Units
"Biodiversity Site Register"	means the Natural England register to be established and maintained pursuant the Biodiversity Gain Site Register Regulations 2024 (as amended)
"Biodiversity Value"	means the unit quantification of the size and the distinctiveness, quality and condition of a habitat to provide a measure of its ecological value as assessed using the BNG Metric
"BNG Metric"	means the latest biodiversity metric published by DEFRA for measuring the biodiversity value

	or relative biodiversity value of habitat or habitat enhancement pursuant to the Environment Act 2021 and any regulations relating to biodiversity net gain made thereunder or such other metric as may from time to time be produced and published by the Secretary of State
“BNG Location Plan”	means the plan attached at [Appendix 2] marked ENVIRO 23002-A BNGA2 or such other plan as agreed pursuant to paragraph 2.4 of Schedule Three
“Compliance Visit”	means a site visit undertaken by a trained ecologist which may for the avoidance doubt include the inspection of more than 1 Parcel
“Compliance Visit Fee”	means the sum of £700 (or such other reasonable fee as may be levied by the Council in the future) per Compliance Visit which may for the avoidance doubt include the inspection of more than one Parcel
“Comply”	means comply, perform, fulfil and/or discharge or procure compliance, performance, fulfilment and/or discharge, and “Compliance” shall be construed accordingly
“Covenant Expiry Date”	means the date which is the expiration of the period of 30 years from the Covenant Start Date
“Covenant Period”	means the period from the Covenant Start Date to the Covenant Expiry Date
“Covenant Start Date”	means the date that the Council issues the Phased Completion Certificate
“DEFRA”	means the Department for Environment Food & Rural Affairs
“Details Submitted”	means the [document] attached to this Deed at Appendix []
“Force Majeure Event”	means any circumstance not within a party's reasonable control including, without limitation: (a) acts of God, flood, drought, fire, earthquake, or other natural disaster;

	<p>(b) epidemic or pandemic;</p> <p>(c) terrorist attack, civil war, civil commotion or riots, war, threat of or preparation for war, armed conflict, imposition of sanctions, embargo or breaking off of diplomatic relations; and</p> <p>(d) nuclear, chemical or biological contamination</p>
"Habitat Management Monitoring Plan"	<p>means the plan as set out in Appendix [] to this Deed for creating and enhancing the habitat at the Biodiversity Areas and managing, maintaining and monitoring the Biodiversity Net Gain Units delivered or such updated plan as may be agreed with the Council in writing pursuant to paragraph 7.1 of Schedule Three, such agreement not to be unreasonably withheld or delayed</p>
"Hedgerow Units"	<p>means 3,89 hedgerow units (total onsite uplift) as measured by the Biodiversity Metric comprising species-rich native hedgerow with trees</p>
"Index"	<p>means the RICS BCIS TPI (Royal Institute of Chartered Surveyors Building Cost Information Service Tender Price Index) and in the event that the relevant Index ceases to exist or is replaced or rebased then reference to the relevant Index shall include reference to any index which replaces it or any rebased index (applied in a fair and reasonable manner to the periods before and after rebasing under this Deed"</p>
"Interest"	<p>means interest at four per centum (4%) above the base lending rate of the Bank of England from time to time</p>
"Land Bound"	<p>means all of the Biodiversity Areas</p>

“Natural England”	means the executive non-departmental public body, sponsored by DEFRA
“Parcel”	means one of the individual parcels of land comprising the Biodiversity Areas as shown on the BNG Location Plan (or any revised plan agreed with the Council from time to time) and “Parcels” shall be construed accordingly
“Permitted Use”	means in respect of the Biodiversity Areas such uses of the land as are in accordance with and/or not prejudicial to the implementation and operation of the Habitat Management and Monitoring Plan subject to any necessary consents being obtained
“Phased Biodiversity Net Gain Monitoring Contribution”	means the sum of £7,333 for each of the first two Parcels and the sum of £7,334 for the third Parcel to be paid by the Owner to the Council pursuant to paragraph 6.2 of Schedule Three to be applied by the Council as a financial contribution towards the Council’s costs of monitoring compliance with the Owner’s obligations under this Agreement in respect of Biodiversity Net Gain Obligations for a period of 30 years from the Covenant Start Date of each Parcel.
“Phased Completion Certificate”	means the notice issued by the Council following a Compliance Visit approving the habitat establishment works for each Parcel
“Phased Dissatisfaction Notice”	means the notice to be issued by the Council in the event that the Council is not reasonably satisfied that the habitat establishment works have been carried out and completed to the Council’s reasonable satisfaction and which shall set any steps that the Council considers

	that the Owner must take to complete the establishment works to their reasonable satisfaction
"Reasonable Endeavours"	means attempt to fulfil the relevant obligation by expending effort and money as in all the circumstances may be reasonable to expect, which may include engaging professional and other advisers as appropriate but does not require a party to take proceedings (including any appeal) in any court, public inquiry, or other hearing (unless specified to the contrary)
"Relevant Event"	means any of the following events: <ul style="list-style-type: none"> (a) a change in the law and/or national policy in respect of the requirement to secure biodiversity net gain in respect of development; or (b) a decision of a Court, tribunal, Secretary of State or Natural England (or such similar body) that results in Biodiversity Net Gain Obligations not being required by law and/or which determines that the Land Bound no longer being considered to be an effective form of satisfying the Biodiversity Net Gain Obligations (c) compulsory purchase (d) a change in scientific opinion based on evidence (e) a change in industry practices or in the generally accepted calculation methods for the type or extent of land required to achieve the Biodiversity Net Gain Obligations (f) the Biodiversity Metric is amended, updated, or replaced by Natural England and/or DEFRA (g) the Biodiversity Areas (or any Parvel comprising the Biodiversity Areas) becomes

	<p>designated under law or is otherwise encumbered by any right which would be incompatible with the Biodiversity Areas' requirement to create and/or enhance biodiversity under Schedule 7A of the 1990 Act; or</p> <p>(h) such other event as may be agreed between the parties to this Deed as constituting a Relevant Event</p>
"Report"	<p>means the completed "Habitat Monitoring Report Template" appended at Appendix []. The completed documents submitted to the Council need to reflect the relevant year's survey season April to September (subject to the habitat and seasonal weather patterns) and must be submitted prior to the 1st December of the year of reporting.</p>
"Revised Phased Biodiversity Net Gain Monitoring Contribution"	<p>means the fee as calculated by the Council pursuant to paragraph 7.2 of Schedule Three</p>
"Unallocated"	<p>means those Biodiversity Net Gain Units which have not yet been Allocated to a development</p>
"Unallocated Capacity"	<p>means the quantum of Biodiversity Net Gain Units which remain available for Allocation</p>
"Variation Event"	<p>means any of the following events in regards to statutory Biodiversity Net Gain Obligations:</p> <ul style="list-style-type: none"> (a) a change in Natural England's custom or practice; (b) a change in scientific opinion based on evidence; (c) a change in industry practices or in the generally accepted calculation methods for the type or extent of land required to achieve Biodiversity Net Gain Obligations; or

	(d) such other event as may be agreed between the parties as constituting a Variation Event
“Working Day”	means any day from Monday to Friday (inclusive in each week except for Statutory holidays and any day in the period from Christmas Eve to New Year’s Day (inclusive))

- 1.2. Where in this Deed reference is made to any clause paragraph schedule plan or recital such reference (unless the context otherwise requires) is a reference to a clause paragraph schedule recital or plan in this Deed
- 1.3. Clause headings are for reference only and shall not affect the interpretation of this Deed
- 1.4. Where in any schedule or part of any schedule reference is made to a paragraph such reference shall (unless the context requires otherwise) be to a paragraph of that schedule or (if relevant) part of that schedule
- 1.5. References to any party to this Deed shall include reference to their successors in title and assigns and to persons claiming or deriving title through or under them.
- 1.6. Words importing the singular meaning where the context so admits include the plural meaning and vice versa
- 1.7. Words of the masculine gender include the feminine and neuter genders and words denoting actual persons include companies, corporations and firms and all such words shall be construed interchangeable in that manner
- 1.8. A reference to a company shall include any company, corporation or other body corporate, wherever and however incorporated or established
- 1.9. Wherever there is more than one person named as a party and where more than one party undertakes an obligation all their obligations can be enforced against all of them jointly and against each individually unless there is an express provision otherwise
- 1.10. An obligation in this Deed on a party not to do something includes an obligation not to agree, allow or suffer that thing to be done or procure the doing of that act or thing
- 1.11. Any reference to an Act of Parliament shall include any modification, extension or re-enactment of that Act for the time being in force and shall include all

instruments, orders, plans, regulations, permissions and directions for the time being made, issued or given under that Act or deriving validity from it

1.12. A reference to this Deed or any other agreement or document referred to in this Deed is a reference to this Deed or such other document or deed as varied or novated (in each case, other than in breach of the provisions of this Deed) from time to time

2. **LEGAL BASIS**

2.1. This Deed is made pursuant to:

- i. Section 106 of the 1990 Act;
- ii. Part 6 of the Environment Act 2021;
- iii. section 39 of the Wildlife and Countryside Act 1981;
- iv. section 33 of the Local Government (Miscellaneous Provisions) Act 1982; and
- v. section 1 of the 2011 Act, section 111 of the Local Government Act 1972, and all other enabling powers that may be relevant to the enforcement of the obligations contained in this Deed.

2.2. The covenants restrictions and requirements imposed upon the Owner under this Deed create planning obligations pursuant to section 106 of the 1990 Act and are intended to be enforceable by the Council as local planning authority.

3. **CONDITIONALITY**

This Deed shall come into effect immediately upon completion of this Deed.

4. **AGREEMENTS AND DECLARATIONS**

The parties agree and declare that:

- a) except in relation to any successors to the parties as defined in this Deed the provisions of this Deed shall not be enforceable under the Contracts (Rights of Third Parties) Act 1999
- b) this Deed shall be registered as a land charge by the Council as local planning authority
- c) following the performance and satisfaction of all of the obligations contained in this Deed the Council shall at the Owner's expense effect the cancellation of all relevant entries made in the register of local land charges in respect of this Deed

- d) no person or party shall be bound by the terms of this Deed or liable for a breach of the restrictions and obligations contained in this Deed occurring after that person or party has parted with all or part of their interest in the Land Bound or the part in respect of which the breach occurs (but without prejudice to any liability for any breach committed prior to such parting) except to the extent that disposal is the grant of an easement, restriction, restrictive covenant or similar; or
- e) the Owner agrees to give the Council written notice of any change in ownership of their interests in the Land Bound occurring before all the obligations under this Deed have been discharged within twenty (20) Working Days of the same occurring
- f) nothing contained in this Deed shall prejudice or affect the rights powers duties and obligations of the Council in the exercise of its functions as local authority and its rights powers duties and obligations under all public and private statutes byelaws and regulations may be as fully and effectually exercised
- g) if any severable provision of this Deed shall be held to be invalid illegal or unenforceable the validity legality and enforceability of the remaining provisions shall not in any way be deemed thereby to be affected or impaired
- h) where the agreement approval consent or expression of satisfaction is required by the Owner from the Council under the terms of this Deed such agreement approval consent or expression of satisfaction shall not be unreasonably withheld or delayed
- i) any notices requests demands or other written communications pursuant to this Deed shall be deemed to have been properly served if sent by recorded delivery to the principal address or registered office (as appropriate) of the relevant party
- j) any payment made pursuant to this Deed shall be Index linked in accordance with the Index from the date of this Deed until the date of payment of each Financial Contribution
- k) if any Financial Contribution due under this Deed is paid late Interest will be payable from the date payment is due until the date payment is made

5. COUNCIL'S COVENANTS

The Council covenants to comply with its obligations set out in Schedule Two and (where applicable) in Schedule Three

6. OWNER'S COVENANTS

6.1 The Owner covenants with the Council so as to bind the Land Bound

- a) to comply with its obligations as set out in Schedule Three
- b) to pay on the completion of this Deed the reasonable legal costs of the Council incurred in preparing, negotiating and completing this Deed

7. MORTGAGEE CONSENT

The Mortgagee and any future mortgagee or chargee shall be bound by the obligations contained in this Deed to the extent they are binding on the Land Bound and the security of any mortgage over any part of the Land Bound shall take effect subject to this Deed PROVIDED THAT the Mortgagee or future mortgagee chargee shall otherwise have no liability under this Deed unless they take possession of the Land Bound (or that part of it which the mortgage relates to) in which case it too will be bound by the obligations as if it were a person deriving title from the Owner PROVIDED FURTHER THAT it shall not in any event be liable for any breach of this Deed arising prior to it becoming a mortgagee in possession of the land and nor shall it be liable for any breach of this Deed unless it shall have caused such breach to have occasioned.

8. JURISDICTION

This Deed shall be governed by and interpreted in accordance with the law of England

9. WAIVER

No waiver (whether expressed or implied) by the Council or the Owner of any breach or default in performing or observing any of the covenants terms or conditions of this Deed shall constitute a continuing waiver and no such waiver shall prevent the Council or the Owner from enforcing any of the relevant terms or conditions or for acting upon any subsequent breach or default

10. DISPUTE RESOLUTION

10.1. In the event of there being a dispute arising out of this Deed or the subject matter thereof the following provisions shall apply:

- a) The parties shall use their reasonable endeavours to resolve the dispute by agreement
- b) If agreement cannot be reached the matter in dispute shall be referred to and settled by a single independent expert ("the Expert") to be nominated by the President of the Royal Institution of Chartered Surveyors on the application of a party after giving notice (in accordance with Clause 4.1 (k)) in writing to the other parties to this Deed
- c) The person to be appointed pursuant to Clause 10.1 (b) shall be a person having five (5) years or more post qualification experience of projects comprising works of the scale and nature of the Development
- d) Notice in writing of the appointment of an Expert pursuant to this clause shall be given by the Expert to the Parties and he shall invite each to submit within a specified period (which will not exceed fifteen (15) Working Days) any written representations each wishes to make to him and any submissions shall be provided to the parties with an invitation to respond within a specified period (not exceeding ten (10) Working Days)
- e) Reference to the Expert shall be on terms that determination shall take place within twenty (20) Working Days of the Expert accepting his instructions or within such extended period as the parties may together allow
- f) The Expert shall act as an expert and not as an arbitrator and he shall consider any written representation submitted to him within the said specified period and shall not be in any way limited or fettered thereby and shall determine the dispute in accordance with his own judgement
- g) The Expert shall have the power to award costs of the determination in favour of any party to the dispute at the expense of another party and failing such determination such costs shall be borne by the parties in equal shares
- h) The Expert shall be limited in his findings to the matter in dispute referred to him and shall provide written reasons for his decision
- i) The findings of the Expert shall (other than in the case of a manifest material error) be final and binding on the parties to the dispute
- j) If for any reason the Expert fails to make a decision and give notice in accordance with the clauses of this Deed, any party may apply to the President of the Royal Institution of Chartered Surveyors for a substitute to be appointed in his place

k) Nothing in this clause shall be taken to fetter the parties' ability to seek legal redress in the Courts (or otherwise) for any breach of the obligations in this Deed

11. **VAT**

All Financial Contributions paid in accordance with the terms of this Deed shall be exclusive of any value added tax properly payable

12. **EXECUTION AND DELIVERY**

This document is executed as a deed and is delivered on the date stated at the beginning of this Deed

IN WITNESS whereof the parties hereto have executed this Deed on the day and year first before written

SCHEDULE ONE

DETAILS OF THE OWNER'S TITLE AND DESCRIPTION OF THE LAND BOUND

That part of the land known as Land at Manthorpe and Wilsthorpe, Bourne being part of the land registered at the Land Registry under title number LL331116 as shown edged red on the BNG Location Plan

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SCHEDULE TWO
THE COUNCIL'S COVENANTS

PART A – GENERAL PROVISIONS

1. The Council covenants at the written request of the Owner that the Council shall provide written confirmation of the discharge of the obligations contained in this Deed when satisfied that such obligations have been performed

PART B – BIODIVERSITY NET GAIN

- 1 The Council covenants and agrees with the Owner as follows:
 - 1.1 Not to unreasonably withhold or delay giving its written approval to any revised or replacement Habitat Management and Monitoring Plan submitted by the Owner to the Council pursuant to paragraph 7.1 of Schedule Three.
 - 1.2 To give not less than 10 Working Days' notice to the Owner of its intention to access the Biodiversity Areas for the purposes of inspection pursuant to paragraph 9.1 of Schedule Three
 - 1.3 The existence at any time of any Unallocated Capacity shall not be taken into account by the Council in the determination of any application for planning permission by the Council without prior written confirmation from the Owner that the Owner has Allocated such Biodiversity Net Gain Units to the development that the application for planning permission is in respect of.
 - 1.4 For the avoidance of doubt, the Council agrees with the Owner that Unallocated Capacity shall be Allocated to developments or otherwise monetised by the Owner in its absolute discretion
 - 1.5 Not to unreasonably withhold or delay giving its written approval to any calculation of Biodiversity Value submitted by the Owner to the Council pursuant to paragraphs 7.1 or 10.2 of Schedule Three.
 - 1.6 The Council covenants to pay the Phased Biodiversity Net Gain Monitoring Contribution into an appropriate interest-bearing section of the Council's combined accounts as soon as reasonably practicable upon receipt from the Owner and to credit all interest so earned on the Phased Biodiversity Net Gain Monitoring Contribution to that account. The Council further covenants to use the Phased Biodiversity Net Gain Monitoring Contribution for its intended purpose and not for any other purpose.

- 1.7 To monitor the implementation and operation of the Habitat Management and Monitoring Plan by way of periodic physical visits to the Biodiversity Areas by a suitably qualified ecology and environmental management professional to inspect the Biodiversity Areas and to provide as soon as practicable afterwards a written report to the Owner of the findings of their visit such periodic physical visits being at the following intervals from the Covenant Start Date: year 1, year 2, year 3, year 5, year 10, year 15, year 20, year 25, and year 30.
- 1.8 Upon receipt of the request pursuant to paragraph 5.2 of Schedule Three the Council shall carry out a Compliance Visit in a timely manner thereafter and as agreed with the Owner
- 1.9 Within 15 Working Days following a Compliance Visit the Council will issue to the Owner either a Phased Completion Certificate or a Phased Dissatisfaction Notice as appropriate
- 1.10 The Council covenants with the Owner upon the Covenant Expiry Date or in the event of a Relevant Event or following receipt of a written notification pursuant to paragraph 2.4 of Schedule Three to issue a letter of release in substantially the form attached at Appendix [A/B/C] in respect of the relevant land within 20 Working Days (or such other time as agreed by the Council) after the date of the Relevant Event or the date on which it receives the written notification pursuant to paragraph 2.4 of Schedule Three.

SCHEDULE THREE

THE OWNER'S COVENANTS - BIODIVERSITY NET GAIN PROVISIONS

1. ENFORCEMENT PROTOCOL

- 1.1 Before taking action to enforce any of the provisions of this Deed the Council will attempt to negotiate with the Owner and may provide a written notice stating the nature of the breach, the steps required to remedy the breach and specifying a reasonable timescale for the Owner for remedying the breach BUT FOR THE AVOIDANCE OF DOUBT the Council can take enforcement action at any time without having negotiated with the Owner or having provided a written notice.
- 1.2 The Council will also give the Owner the opportunity to discuss the breach with the Council and the timescale and steps for remedying it prior to the remedy being carried out. The Council will take into account any reasonable representations made by the Owner. Until such time as the Council is satisfied that there has been no breach from the date of the written notice served pursuant to paragraph 1.1 above the Owner shall not Allocate any further Biodiversity Net Gain Units.
- 1.3 If the Owner does not diligently remedy the breach within the time period agreed under the notice (or such longer period subsequently agreed with the Council) the Council shall take further enforcement action. If the Owner does not use Reasonable Endeavours to remedy the breach within the stated time period (or longer period as prior agreed in writing with the Council) the Council will be able to pursue legal remedies.

FOR THE AVOIDANCE OF DOUBT, references to "breach" in this Schedule Three exclude any Force Majeure Event and/or the outcome/s of any Relevant Event.

2. TERMINATION AND VARIATION OF THIS AGREEMENT

- 2.1 The provisions of this Deed shall terminate on the Covenant Expiry Date, provided that the Owner is not in material and continuing breach of any terms of this Deed and provided further that the termination of this Deed shall be without prejudice to any accrued rights and liabilities or any rights or remedies of the parties for breach, non-observance, or non-performance of the obligations under this Deed
- 2.2 In the event of a Relevant Event, the provisions of this Deed shall automatically terminate in relation to any part of the Biodiversity Areas which has not been Allocated. For the avoidance of doubt all that land within the Biodiversity Areas which includes Biodiversity Net Gain Units that have been Allocated at the date of the Relevant Event will remain subject to the terms of this Deed.

- 2.3 In the event of a Variation Event, the Owner and the Council may by agreement make such changes to this Deed (with such changes to be documented in a deed of variation to this Agreement) as are reasonably required to take account of the Variation Event.
- 2.4 The Owner may at any time provide the Council with an updated BNG Location Plan and updated BNG Metric confirming that any part of the Biodiversity Areas which includes Biodiversity Net Gain Units that have not already been Allocated will no longer be used for the purposes of habitat mitigation and that part of the Biodiversity Areas shall cease to be subject to the provisions of this Deed on receipt of that notification and the Owner will update Natural England within 5 Working Days of the notification to the Council.
- 2.5 In the event that there has been no creation and enhancement of habitat on certain Biodiversity Areas by the sixth anniversary of the completion if this Deed, the Biodiversity Value attributable to such Biodiversity Areas shall be subject to reassessment.

3. NO RESTRICTION OF OWNER'S USE OF RETAINED LAND

- 3.1 Nothing in this Agreement shall impose or be deemed to impose any restriction on the Owner's use of the Land Bound and the Owner retains rights of light and the ability to develop the Land Bound and use the Land Bound in any way BUT FOR THE AVOIDANCE OF DOUBT the provisions of this paragraph 3 shall always be (where relevant) subject to:
 - 3.1.1 compliance with the Habitat Management and Monitoring Plan;
 - 3.1.2 compliance with the provisions of paragraph 5 of this Schedule; and
 - 3.1.3 subject to the approval of any necessary consents or permissions.

4. FORCE MAJEURE

- 4.1 Provided it has complied with this paragraph 4, if the Owner is prevented, hindered, or delayed in or from performing any of its obligations under this Deed by a Force Majeure Event the Owner shall not be in breach of or otherwise liable for any such failure or delay in the performance of such obligations.
- 4.2 The Owner shall as soon as reasonably practicable after the start of the Force Majeure Event notify the Council in writing of the Force Majeure Event, the date on which it started, its likely or potential duration, and the effect of the Force Majeure Event on its ability to perform any of its obligations under this Deed.
- 4.3 The Owner shall use Reasonable Endeavours to mitigate the effect of the Force Majeure Event on the performance of its obligations.

5. IMPLEMENTATION OF HABITAT MANAGEMENT AND MONITORING PLAN

- 5.1 The Owner and the Council agree that the habitat enhancements will be completed in accordance with the Habitat Management and Monitoring Plan BUT FOR THE AVOIDANCE OF DOUBT the habitat establishment works will not be considered to be complete pursuant to this paragraph 5.1.1 until the Owner has received a Phased Completion Certificate from the Council confirming the habitat establishment works for that Parcel have been implemented in full and as required in the Habitat Management and Monitoring Plan and to the satisfaction of the Council.
- 5.2 No later than 30 days ahead of the anticipated date of completion of the habitat establishment works for that Parcel the Owner will request a Compliance Visit and shall pay to the Council the Compliance Visit Fee ahead of the Compliance Visit.
- 5.3 If a Phased Dissatisfaction Notice is issued for a Parcel pursuant to a Compliance Visit then the Owner shall repeat the provisions of paragraph 5.2 until such time as a Phased Completion Certificate for that Parcel is issued to the Owner by the Council
- 5.4 The Owner covenants with the Council:
 - 5.4.1 to implement the Habitat Management and Monitoring Plan; and
 - 5.4.2 to maintain, manage and monitor the habitat enhancements at the Biodiversity Areas in accordance with the Habitat Management and Monitoring Plan throughout the Covenant Period; and
 - 5.4.3 not to use the Biodiversity Areas for any purposes that are not in accordance with the Habitat Management and Monitoring Plan PROVIDED THAT the Biodiversity Areas may be used for any or all of the Permitted Uses.

6. MONITORING

- 6.1 The Owner covenants with the Council that:
 - 6.1.1 it shall submit to the Council the Report on the outcomes of the monitoring of the Biodiversity Areas undertaken pursuant to paragraph 1.7 of Part B of Schedule Two.5
 - 6.1.2 that if any monitoring report submitted pursuant to paragraph 6.1.1 identifies that remedial and/or corrective measures are reasonably required to the habitat enhancements at the Biodiversity Areas in order to ensure that they meet the standards set out in the approved Habitat Management and Monitoring Plan then such measures shall be undertaken by the Owner in accordance with timescales agreed with the Council.
- 6.2 The Owner shall pay to the Council the Phased Biodiversity Net Gain Monitoring Contribution within 15 Working Days of the date of commencement of the habitat

creation and enhancement works for each Parcel IT BEING AGREED THAT the Owner shall be entitled to, at his discretion, to pay the Phased Biodiversity Net Gain Monitoring Contribution for each parcel (totalling £22,000) on commencement of the habitat creation and enhancement works for the first Parcel.

7. REVISION OR REPLACEMENT OF HABITAT MANAGEMENT AND MONITORING PLAN

- 7.1 The Owner may from time to time submit an updated or replacement Habitat Management and Monitoring Plan to the Council for approval along with the Review Fee which approval shall not be unreasonably withheld or delayed PROVIDED THAT any such revised or replacement Habitat Management and Monitoring Plan shall not prejudice the continued functioning of the Biodiversity Areas and/or any existing Allocation of Biodiversity Net Gain Units.
- 7.2 The Council may as a result of the revised Habitat Management and Monitoring Plan approved pursuant to paragraph 7.1 above impose a Revised Phased Biodiversity Net Gain Monitoring Contribution and thereafter the Owner shall pay the difference between the Phased Biodiversity Net Gain Monitoring Contribution and the Revised Phased Biodiversity Net Gain Monitoring Contribution within 15 Working Days of the Council's approval of the new Habitat Management and Monitoring Plan.
- 7.3 If the revised Habitat Management and Monitoring Plan results in either:
 - (a) a change to the broad habitat type , or
 - (b) an increase in Distinctiveness ,

of any Habitats outlined in the current Habitat Management and Monitoring Plan, as defined by the BNG Metric , then the Owner must request a Compliance Visit from the Council within 10 Working Days of approval of the new Habitat Management and Monitoring Plan , and the Covenant Period of 30 years will restart from the date of the new Completion Certificate. FOR THE AVOIDANCE OF DOUBT a Compliance Visit Fee must be paid by the Owner to the Council in advance of the Compliance Visit.

8. ALLOCATION OF BIODIVERSITY NET GAIN UNITS

- 8.1 The Owner shall notify the Council when all of the Biodiversity Net Gain Units in a Parcel are Allocated, and shall provide:
 - 8.1.1 details of the development to which the Biodiversity Net Gain Units are Allocated including the planning permission reference number for the development and local authority area within which the development is located;

- 8.1.2 the number of Biodiversity Net Gain Units Allocated to the development; and
- 8.1.3 the remaining number of Biodiversity Net Gain Units which are Unallocated.

9. RIGHT TO INSPECT BIODIVERSITY AREAS

- 9.1 From the date of this Deed the Owner shall at all reasonable times (following reasonable notice given in accordance with paragraph 1.2 of Part B of Schedule Two) allow the Council, its agents, and contractors with or without workmen and equipment to inspect the Biodiversity Areas to monitor compliance with the obligations contained in this Deed.

10. RECALCULATION OF BIODIVERSITY NET GAIN

- 10.1 If during the term of this Deed a new methodology for calculating Biodiversity Net Gain is prescribed by DEFRA or Natural England which differs from that provided through this Agreement then the Owner may:
 - 10.1.1 Within 6 (six) months after the new methodology referenced in paragraph 10.1 of this Schedule Three is prescribed pursuant to the Environment Act 2021 (or such other relevant legislation) produce a written calculation of the Biodiversity Value of the Biodiversity Areas, such calculation to be on the basis of such new methodology, and shall submit the same to the Council for approval in writing;
 - 10.1.2 Upon receipt from the Council of written notice of approval of any calculation submitted pursuant to paragraph 10.1.1 of this Schedule Three the Biodiversity Value shall be deemed for the purposes of this Agreement to be the amount approved pursuant to paragraph 10.1.1. of this Schedule Three; and
 - 10.1.3 In the event that either of the calculation and/or data gathering is not agreed then the Owner or the Council may refer the matter to be determined by the Expert pursuant to clause 10 of this Deed.
- 10.2 The Owner shall at any time and at its sole discretion have the option (but not the obligation) to produce a written calculation of the Biodiversity Value of the Biodiversity Areas, based on the BNG Metric and:
 - 10.2.1 to notify the Council and Natural England of the updated Unallocated Capacity of the Biodiversity Areas; and
 - 10.2.2 to sell and/or Allocate the Biodiversity Net Gain Units within the Unallocated Capacity.
- 10.3 For the avoidance of doubt any recalculation of Biodiversity Value carried out pursuant to paragraphs 10.1 or 10.2 of this Schedule Three shall not invalidate or otherwise prejudice any Allocation of the Biodiversity Net Gain Units made prior to the date on which (i) the Owner is notified by the Council pursuant to paragraph 10.1.1 of this

Schedule that such calculation is approved or (ii) the Council is notified by the Owner pursuant to paragraph 10.2.1 of this Schedule.

10.4 In the event that the new Biodiversity Net Gain methodology referenced in paragraph 10.1 of this Schedule requires the Habitat Management and Monitoring Plan to be amended and/or updated and/or replaced (as the case may be) the Owner shall:

- 10.4.1 within 6 (six) months of the new Biodiversity Net Gain methodology legally taking effect produce a revised Habitat Management and Monitoring Plan and submit the same to the Council for approval pursuant to paragraph 7.1 of this Schedule; and
- 10.4.2 upon receipt from the Council of written notice of approval of any revised Habitat Management and Monitoring Plan the Owner shall implement the approved Habitat Management and Monitoring Plan as amended and/or updated and/or replaced (as the case may be).

11. REGISTRATION OF BIODIVERSITY NET GAIN ALLOCATION

11.1 The Owner shall be responsible for submitting on a timely basis relevant information to Natural England for inclusion in the Biodiversity Site Register and for inclusion in any other statutory registers and national records held by Natural England and held by any other regulatory authorities in accordance with applicable laws and shall confirm to the Council the Details Submitted each time the Owner updates Natural England in accordance with this paragraph 11.1.

APPENDIX [] – BNG LOCATION PLAN

APPENDIX [] - HABITAT MANAGEMENT AND MONITORING PLAN

APPENDIX [] – DETAILS SUBMITTED

APPENDIX [] – THE REPORT - HABITAT MONITORING REPORT TEMPLATE

APPENDIX [] – THE REPORT - HABITAT MONITORING REPORT

APPENDIX [] – LETTER OF RELEASE (FINAL)

TO BE TYPED ON THE COUNCIL'S HEADED NOTEBOOK

Dear [Owner]

We acknowledge receipt of the [final][revised] monitoring report in respect of the habitat enhancements which were required to be implemented pursuant to the planning obligations imposed upon [the Owner] in the Deed made pursuant to s106 of the Town and Country Planning Act 1990 dated [] and made between [].

The planning obligations which are specified in the Schedule below have been fulfilled.

Schedule *[Specify released obligations]*

Having considered the [final][revised] monitoring report that you have submitted we agree that the planning obligations referred to in the Schedule above have been fulfilled and hereby release [the Owner and the Biodiversity Areas][the areas identified on the plan attached] from any further liability in respect of those planning obligations.

Yours faithfully

For and on behalf of the Council being duly authorised to do so

APPENDIX []B – LETTER OF RELEASE (UNALLOCATED UNITS)

TO BE TYPED ON THE COUNCIL'S HEADED NOTEBOOK

Dear [Owner]

We acknowledge receipt of the revised monitoring report in respect of the habitat enhancements which were required to be implemented pursuant to the planning obligations imposed upon [the Owner] in the Deed made pursuant to s106 of the Town and Country Planning Act 1990 dated [] and made between [].

The planning obligations which are specified in the Schedule below have been fulfilled.

Schedule *[Specify released obligations]*

Having considered the revised monitoring report that you have submitted we agree that the planning obligations referred to in the Schedule above have been fulfilled and hereby release the Owner and the areas identified on the plan attached from any further liability in respect of those planning obligations.

Yours faithfully

For and on behalf of the Council being duly authorised to do so

APPENDIX 1C – LETTER OF RELEASE (RELEVANT EVENT)

TO BE TYPED ON THE COUNCIL'S HEADED NOTEBOOK

Dear [Owner]

Pursuant to paragraph 8.2 of Schedule Three of the S106 Agreement above (a Relevant Event) we agree that the planning obligations referred to in the Schedule no longer bind the Biodiversity Gain Site and hereby release the Owner and the Biodiversity Gain Site from any further liability in respect of those planning obligations.

Yours faithfully

For and on behalf of the Council being duly authorised to do so

**THE COMMON SEAL OF)
SOUTH KESTEVEN DISTRICT COUNCIL)**

was affixed in the presence of:)

Authorised Signatory

EXECUTED AS A DEED by

[])

Signed:

In the presence of a witness:

Witness

Signature

Name

Address

DRAFT

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SOUTH
KESTEVEN
DISTRICT
COUNCIL



Planning Committee

19 February 2026

S25/2401

Proposal

Gabion structural support of existing retaining wall with repairs/rebuilding of existing buttress walls.

Location

Car Park, Scotgate, Stamford, Lincolnshire, PE9 2YB

Applicant

South Kesteven District Council

Agent

Chartered Building Surveyor Jeff Cook

Reason for Referral to Committee

Applicant is a member of staff

Key Issues

Impact on the character and appearance of the area

Impact on neighbouring amenities

Report Author

Letitia Barrowcliff, Assistant Planning Officer



01476 406379



Letitia.barrowcliff@southkesteven.gov.uk

Corporate Priority:

Growth

Decision type:

Regulatory

Wards:

Stamford St Mary's

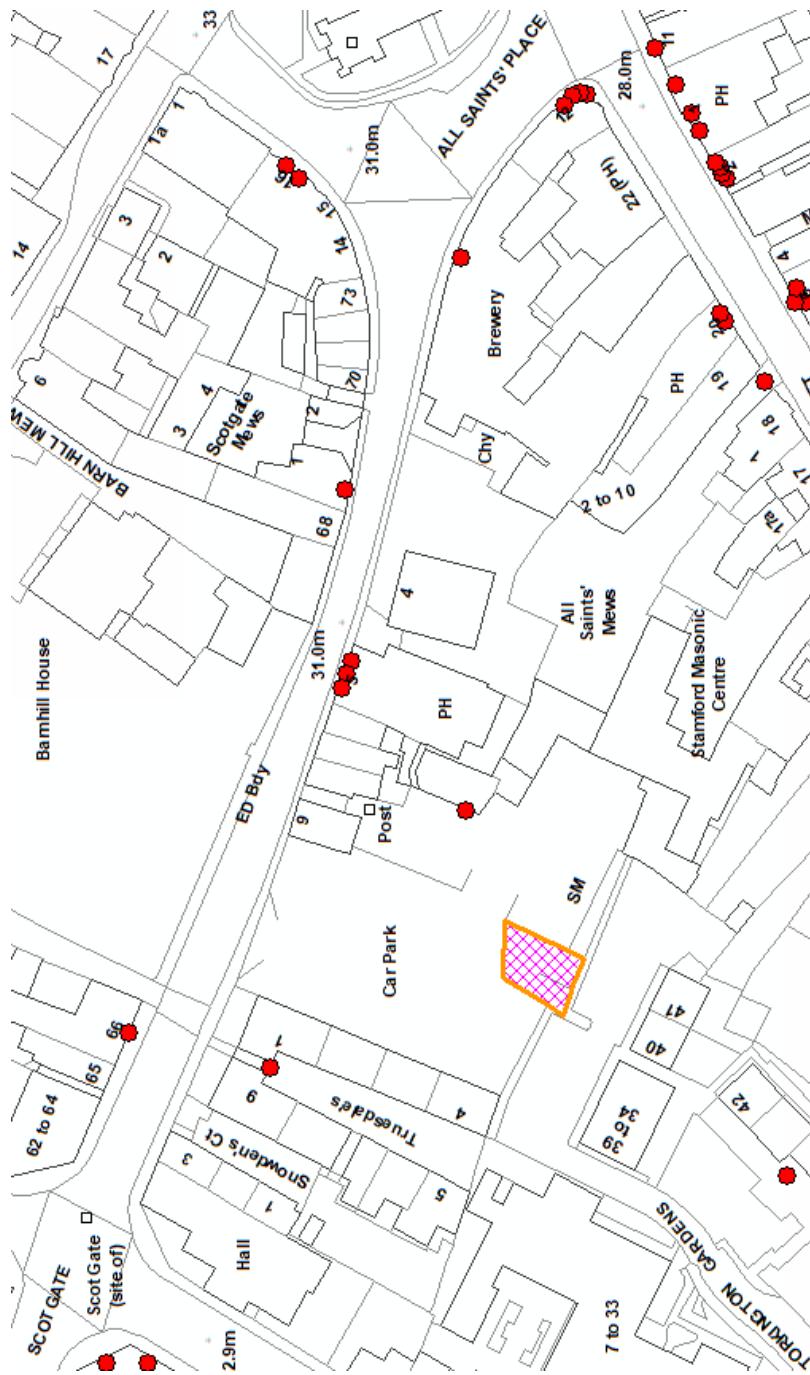
Reviewed by:

Adam Murray – Principal Development Management Planner

09 February 2026

Recommendation (s) to the decision maker (s)

To authorise the Assistant Director – Planning to GRANT planning permission, subject to conditions.



Key

**Application
Boundary**



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1 Description of Site

The application site is a car park situated to the west of Scotgate to the north of Stamford town centre. The car park is bordered by a retaining wall holding the car park and land to the west, approximately 3 metres above. The wall is constructed of stone and has alterations over the years. There were previously buildings built into the wall, the remains of which are believed to have been used to create buttresses to hold the wall in place. These buttresses are no longer providing enough support to the retaining wall. The car park is situated within the Stamford Conservation Area in the Medieval Core Character Area.

2 Description of proposal

2.1 The application proposes the installation of a gabion structure to support the existing retaining wall and undertake repairs to the existing buttresses as part of the works.

3 Relevant History

3.1 No relevant planning history

4 Relevant Planning Policies & Documents

4.1 SKDC Local Plan 2011 – 2036

Policy DE1 - Promoting Good Quality Design
Policy SD1 – The Principles of Sustainable Development in South Kesteven
Policy EN6- The Historic Environment

4.2 Stamford Neighbourhood Plan

4.3 National Planning Policy Framework (NPPF)

Section 12 - Achieving well-designed places
Section 9 - Promoting sustainable transport
Section 16- Conserving and Enhancing the Historic Environment

5 Representations Received

5.1 Lincolnshire County Council Highways:

5.1.1 No objections

5.2 Parish Council

5.2.1 No objections

5.2.2 Historic England

5.2.3 No comments made

5.2.4 SKDC Conservation Officer

5.2.5 The works proposed are of minimal intervention and will not require substantial alterations to the existing retaining wall. The use of gabions will still result in a stone structure appearance. Condition should be added saying that a sample of the stone to go in the

gabions should be provided before work is commenced. The application form suggests three different types of stone; limestone, granite and gritstone could be used. It is preferred that limestone should be used as this is the local stone and will fit in more visually with the wall as well as the local vernacular architecture of Stamford. The proposed works to repoint and repair the buttresses is welcome. To conclude, the scheme is heritage-led and looks to minimise the intervention with the historic wall by helping to support the wall externally with the least physically and visually intrusive solution possible. Thus, the proposal is in accordance with South Kesteven District Councils Local Plan Policies DE1: Promoting Good Quality Design and EN6: The Historic Environment as well as Chapter 16 of the NPPF.

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 no letters of representation have been received.

7 Evaluation

7.1 The proposal relates to the installation of gabion structural support of existing retaining wall with repairs/rebuilding of existing buttress walls. This proposal is considered to be acceptable in principle and in accordance with Policy SD1 (The Principles of Sustainable Development in South Kesteven) 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 The proposal would be visible from the street scene; however, the proposal would be minimal and would support the wall externally with the least physically and visually intrusive solution possible.

7.2.2 The installation of gabions would ensure the wall would be in a stone structure appearance, but a condition will be attached for a sample of these materials to ensure the materials would not be out of character.

7.2.3 The proposed works to repoint and repair the buttresses is welcome.

7.2.4 Therefore, there would be no unacceptable visual impact caused on the character and appearance of the area or Conservation Area, subject to conditions.

7.2.5 By virtue of the design, scale and materials to be used, the proposal would be in keeping with the host dwelling, street scene and surrounding context in accordance with the NPPF Section 12 and 16, Policy DE1 and EN6 of the Local Plan and the Stamford Neighbourhood Plan.

7.3 Impact on the neighbours' residential amenities

- 7.3.1 The proposed works would be to an existing wall and would be a sufficient separation distance from neighbouring properties. Therefore, the proposal would not cause any unacceptable adverse impact to neighbouring amenities.
- 7.3.2 Taking into account the nature of the proposal, 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, Policy DE1 of the Local Plan and the Stamford Neighbourhood Plan.

7.4 Highways Impact

- 7.4.1 Lincolnshire County Highways were consulted and returned no objections to the proposal.
- 7.4.2 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.

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, it is considered that the proposal is appropriate for its context and is in accordance with the NPPF (Sections 9, 12 and 16) Policy DE1 and EN6 of the South Kesteven Local Plan and the Stamford Neighbourhood Plan.

11 Recommendation

- 11.1 To authorise the Assistant Director – Planning to GRANT planning permission, subject to conditions.

Time Limit for Commencement

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

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

Approved Plans

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

- i. Location Plan – Date received: 11/12/2025.
- ii. Schedule of Works- Date received: 12/12/2025.

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 any of the works on the external elevations for the development hereby permitted are begun, samples of the materials to be used in the construction of the external surfaces shall have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.

Reason: To ensure a satisfactory appearance to the development and in accordance with Policy DE1 and EN6 of the adopted South Kesteven Local Plan.

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 The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for development of land in England is deemed to have been granted subject to the condition (biodiversity gain condition) that development may not begin unless:
 - (a) a Biodiversity Gain Plan has been submitted to the planning authority, and
 - (b) the planning authority has approved the plan.

The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan, if one is required in respect of this permission would be South Kesteven District Council.

There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. These are listed below.

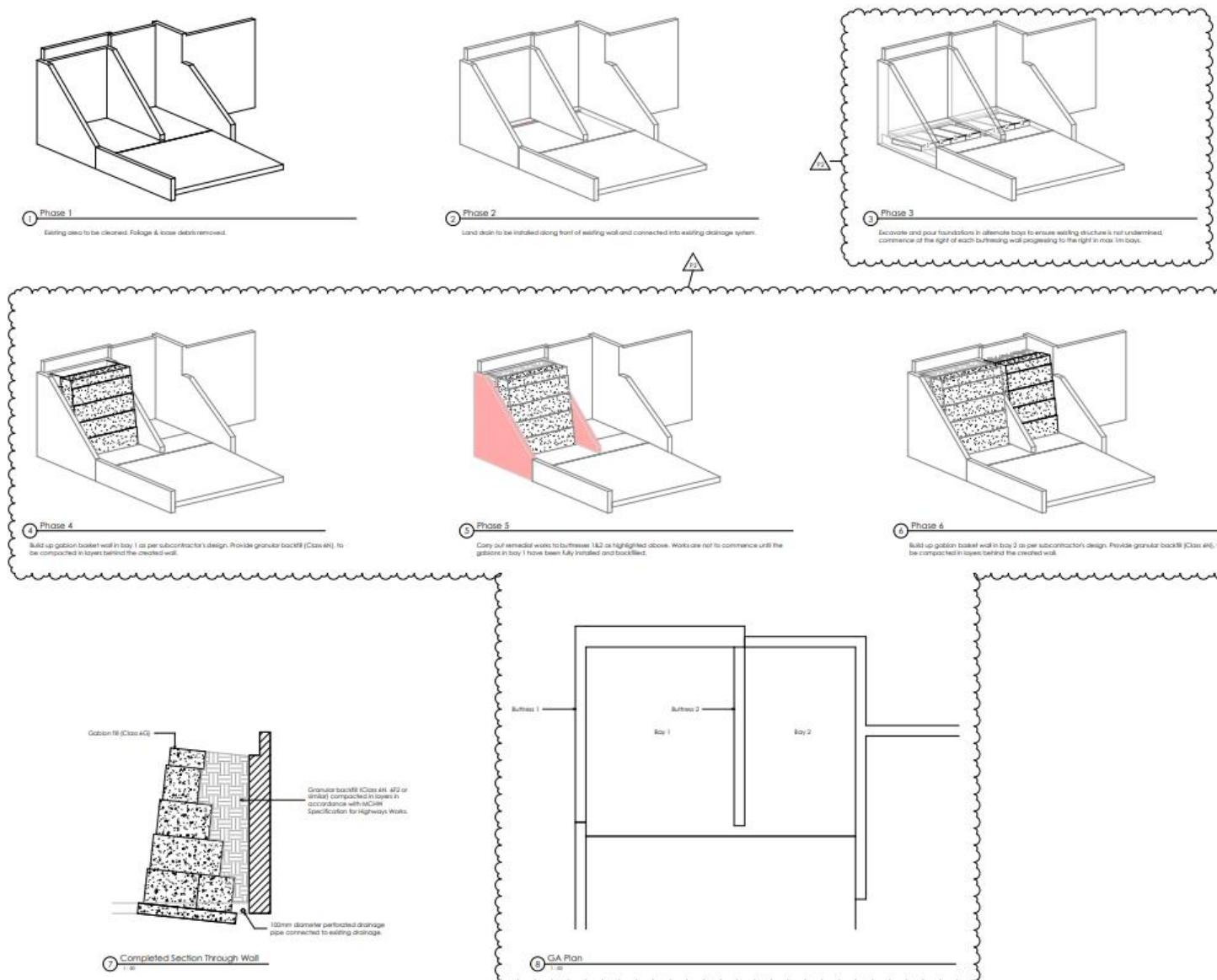
Based on the information available this permission is considered to be one which will not require the approval of a biodiversity gain plan before development is begun because one or more of the statutory exemptions or transitional arrangements in the list below is/are considered to apply. This application is exempt due to being de minimis.

Site Location Plan

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Proposed Elevation Plans



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S25/0514

Proposal:	Construction of 9no. dwellings, access, landscaping and parking
Location:	3, Drummond Road, Bourne
Applicant:	RK Homes Ltd
Agent:	Welland Design and Build Ltd
Application Type:	Full Planning Permission
Reason for Referral to Committee:	Member call in Cllr Baker – drainage and flooding concerns
Key Issues:	Principle of development Effect of the proposed development on residential amenity Highway considerations Flood risk and drainage

Report Author

Kevin Cartwright (Senior Planning Officer)

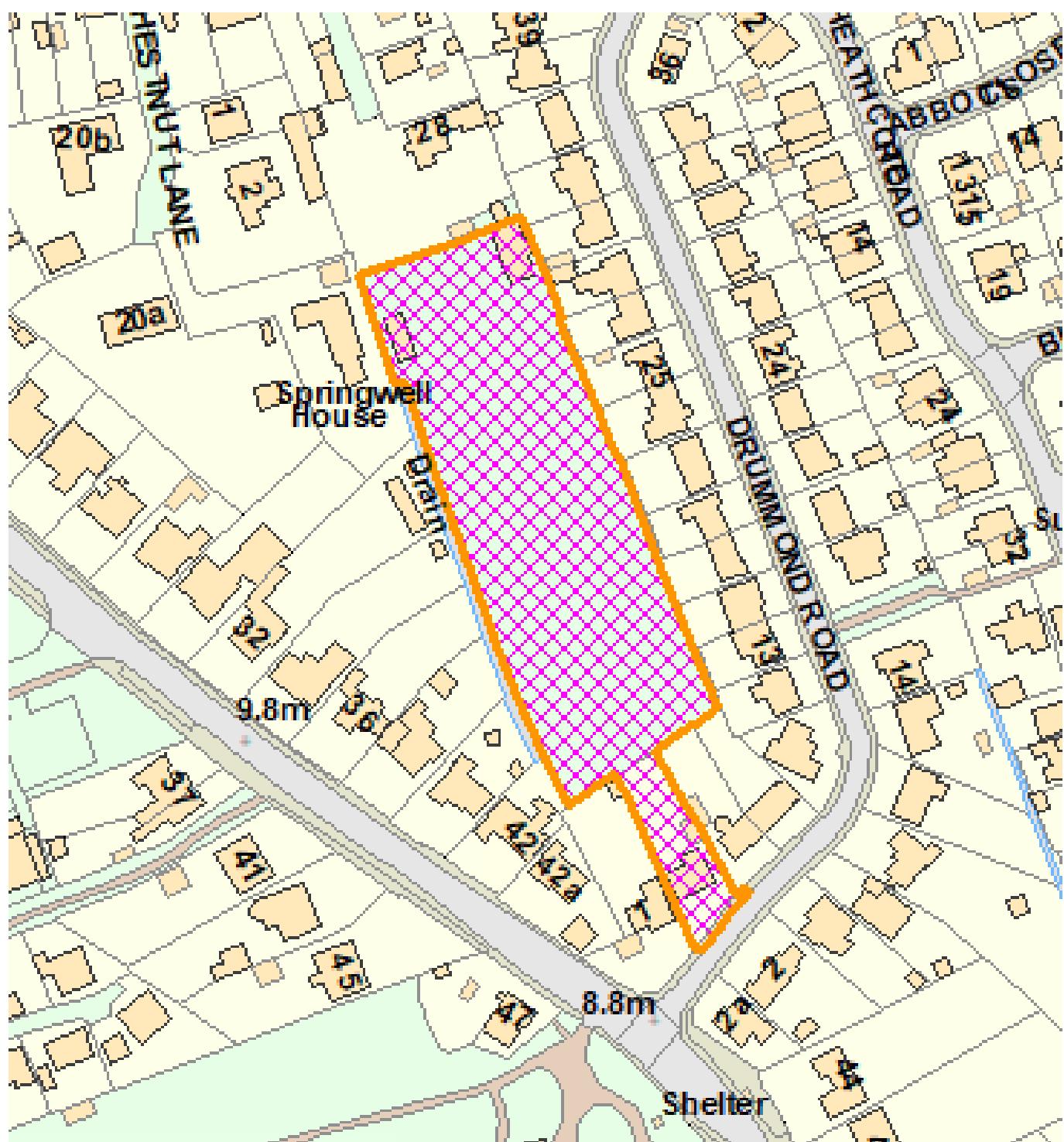
01476 406375

Kevin.cartwright@southkesteven.gov.uk

Corporate Priority:	Decision type:	Wards:
Growth	Regulatory	Bourne Austerby
Reviewed by:	Phil Jordan, Development Management & Enforcement Manager	10 February 2026

Recommendation (s) to the decision maker (s)

To authorise the Assistant Director – Planning to GRANT planning permission, subject to conditions in the report



1 Description of Site

- 1.1 The application site is located within Bourne in a predominantly residential area. The site is approximately 0.62 hectares and includes the existing property of 3, Drummond Road.
- 1.2 The site is located to the south of Bourne town centre and is currently an open grassed area, surrounded by residential properties on all sides.
- 1.3 There is an existing drainage ditch that runs along the western boundary of the site.

2 Description of Proposal

- 2.1 The scheme is for the construction of nine residential properties. Access to the site would be from Drummond Road requiring the demolition of 3, Drummond Road.
- 2.2 The dwellings would be a mix of two and three bedroom bungalows of differing designs utilising red brick, slate coloured roof tiles, white window frames and black doors.
- 2.3 A minimum of two parking spaces would be provided for each dwelling with three additional visitor parking spaces provided at the turning head.
- 2.4 Block paving would be used on the main access, footways, driveways and parking areas.
- 2.5 The scheme has been amended with plot 4 being relocated to front the access road being previously located to the rear of plot 5.

3 Relevant History on site

- 3.1 S04/0166 – Outline Planning Permission for Residential Development (5) – Refused 25th March 2004. (Access was facilitated by the demolition of 24, Austerby).
- 3.2 The reasons for refusal related to noise and disturbance to the occupiers 22b and 26 Austerby due to the proximity of the access.
- 3.3 Additionally, the proposal was considered to not represent the best use of urban land.
A further reason for refusal related to the substandard visibility from the proposed access.

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 SP3 – Infill Development
- Policy SB1 – Sustainable Building
- Policy EN2 – Protecting Biodiversity and Geodiversity

Policy EN4 – Pollution Control
Policy EN5 – Water Environment and Flood Risk Management
Policy DE1 – Promoting Good Quality Design
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 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

Other Relevant Documents

Design Guidelines for Rutland and South Kesteven

5 Representations Received

5.1 Environmental Protection Services (SKDC)

5.2 No objection subject to conditions in relation to contaminated land, construction management plan and construction work and delivery hours.

5.3 LCC highways and SuDs

5.4 Final Comments – No objection on Highway grounds:

5.5 The Highway Authority are requesting that a crossing point be installed at the junction of South Road and Drummond Road in order to allow safe passage for pedestrians to access local facilities.

5.6 Due to the proposed drainage of the site not being in line with Lincolnshire County Councils Desing approach, the Highway Authority would not be open to adopting this site

5.7 Drainage Comments - As Lead Local Flood Authority, Lincolnshire County Council is required to provide a statutory planning consultation response with regard to drainage and surface water flood risk 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 surface water flood risk and drainage proposals for this planning application.

5.8 However, the Lead Local Flood Authority want to make the Local Planning Authority aware that there are very strong concerns with regards to the flood risk of this development. Some of the key concerns, but not limited to, are listed below, for the Local Planning Authority to take into account when reviewing this application;

5.9 Lincolnshire County Councils Flood Risk Team have been involved with standing water / flooding to neighbouring gardens of the site, which has been very close to the properties, it is also noted that the site often has standing water. S19 flooding investigations have taken place.

- 5.10 The cause of this flooding has been identified as water being dispersed from the dyke that runs along the West boundary of this site, the dyke is culverted at the Southwest of the site, through the winter months the capacity of this pipe is insufficient leading the water backing up and flooding. The water that feeds this dyke is from a spring / borehole, as such its flow can be varied throughout the year.
- 5.11 The overtopping of this dyke is likely to lead to water and sediment sitting on the permeable paving, it is expected that the permeable paving could soon become blocked and inefficient if this is the case, the further impermeable areas could add to the existing problem with the west boundary dyke.
- 5.12 The dyke to the west is believed to be riparian maintained, the proposed layout would make it very unclear as to who on the Eastern side of the dyke would be responsible for maintaining their share of the dyke. It would be highly recommended that the future responsible parties of this dyke for the East side are made clear or a condition attached that this is resolved before occupation.
- 5.13 The groundwater level is between 0.8 and 0.9m, this would not be accepted within Lincolnshire County Council's design approach which requires SuDs feature to have a minimum of 1m clearance from the bottom of the SuDs feature and the groundwater level.
- 5.14 The Lead Local Flood Authority highly recommend that a solution is found to the overtopping of the dyke before and further development takes place within the area.
Conditions requested in relation to Construction Management Plan, details of the vehicular access, provision of a tactile pedestrian crossing point over Drummond Road at the junction with A15 South Road, details of the road and footway materials and the submission of a road phasing and completion plan.

5.15 Anglian Water

- 5.15.1 Final Comments - 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. Anglian Water has reviewed the submitted documents (Drainage Statement 21 August 2025) and can confirm that these are acceptable to us, with a maximum discharge rate of 2l/s.
- 5.15.2 We require these documents to be listed as approved plans/documents if permission is granted.
- 5.15.3 Request piling risk assessment as a condition.

5.16 Heritage Lincolnshire

- 5.17 It is considered that the site offers a 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 archaeological remains.
Therefore, given this, it is recommended that the developer should be required to commission a Scheme of Archaeological Work, in the form of an archaeological evaluation to determine the presence, character and date of any archaeological deposits present at

the site. This evaluation should initially consist of trial trenching. Further archaeological mitigation work may be required if archaeological remains are identified in the evaluation.

5.18 **Lincolnshire Wildlife Trust**

No substantive comments to make.

5.19 **Bourne Town Council**

Final Comments - Bourne Town Council on the 22 July the Council object due to: Anglian Waters objection, egress, access for disabled persons, vehicular movement, drainage, flood risk, expected traffic, road access to development whilst construction is taking place.

5.20 **Black Sluice Drainage Board**

5.21 Standard notes provided.

5.22 **National Grid**

5.23 I would like to bring to your attention that there is a underground LV cable in the vicinity of footpath to the front of the property. Please contact us for safety advice prior to works commencing

5.24 **Bourne Civic Society**

5.25 DE1 of the Local Plan requires new housing to 'make a positive contribution to local distinctiveness and vernacular'. These designs are totally generic and therefore fail to comply with this policy. It follows that the application fails.

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 38 no. letters of representation have been received. A summary of the comments are summarised below in relation to the original scheme:

- Increased traffic
- Who will be responsible for the oak tree on the site?
- Currently have access to the field to maintain my fence. How will this be affected
- Too high density
- Junction is too close to A15
- Drummond Road is already used as a parking lot particularly for the school
- Access should be from Austerby.
- Proposal should not require the demolition of a property
- Unsympathetic to the area
- Existing drainage problems on the site that started in 2005/06
- Anglian Water has previously stated it would not permit additional water into its surface water assets
- The existing dyke often floods eastwards onto the application site
- The application site at times of flooding acts as a mini water meadow holding the water. Any changes in land levels could affect this and displace the water to neighbouring properties
- Flooding will be increased by the proposed development
- Incorrect culvert diameter is included in the FRA 150mm not 225mm
- No discussion of the bore hole on the site

- The junction is in close proximity to a cemetery, bus stop and two schools it is an accident waiting to happen
 - Upkeep of the dyke/stream to the rear of the properties is difficult
 - Will affect house prices (not a material planning consideration)
 - There is a spring on the site which adds to flooding problems
 - Noise and disturbance from construction will impact enjoyment of our garden
 - Drummond Road is used as a cut through to avoid the town centre
 - Impact on wildlife
 - Noise and disturbance from day to movements to and from the site
 - Concerns regarding construction traffic visiting the site
 - The existing borehole on the site feeds into the watercourse
 - Setting floor levels at 300mm above ground level would put existing neighbouring properties at risk
 - Due to the high water table it cannot be assumed that the site can accept any additional run-off
 - The watercourse discharges into an Anglian Water drain in Drummond Road and is currently inadequate
 - Incorrect boundary. The line has been drawn on the wrong side of the hedge.
 - Loss of green space. The developer has already cut down trees.
 - Loss of habitat
 - Incorrect site boundaries impacts the various calculation for flood risk and biodiversity
 - Noise report calculated for average paving, not block paving
 - BNG assessment is incorrect – trees that are marked as present have already been removed
 - Headlights would shine into neighbouring properties
 - Overlooking and loss of privacy from the dwellings
 - Loss of light and overshadowing from the development
 - Proposed planting would damage existing pipes
 - Drummond Road is narrow and would be blocked if delivery vehicles park on it
 - Will there be on site workers parking?
 - Proposed construction hours would cause noise and disturbance
 - Who will maintain the watercourse and what frequency
 - The application site not solely grass land it includes an existing bungalow
 - Impermeable area would increase therefore increasing risk of flooding
 - There has been significant degradation of on-site habitat
 - Proposal would result in 8 dwellings as the existing would be demolished
 - There may be asbestos in the buildings to be demolished
 - BNG document states 19 dwellings when it is 9.
 - Within the BNG the watercourse width has been miscalculated
 - Refuse vehicle would cut through proposed planting
 - Concerns regarding bin collection next to existing house
 - Visibility splay is below what is typically expected
 - Vehicles would have to wait to enter the site if anyone is leaving
 - The access road will encourage people to park on it which would block other traffic including refuse and emergency vehicles

- Boundary line for 1 Drummond Road is incorrect. It is in fact in line with 5, Drummond Road
- Proposed tree planting next to the watercourse may cause damage
- Throughout the documents differing site areas are referenced.
- Proposed visitor parking prevents access for those with mobility issues
- Would a close boarded fence result in a 7dB reduction in noise. No specifications of the fence panel have been provided
- Noise from refuse and larger vehicles has not been assessed
- Noise calculations have been based on windows being closed. This is not correct during warmer months. This could cause significant noise and disturbance.
- Speed survey should be undertaken to ensure the visibility is acceptable
- The access drive should be redesigned to allow a large family car to pass a refuse vehicle along its entire length
- Proposed junction would be unsafe for pedestrians. Should be redesigned.
- Parking is inadequate as three-bedroom properties require 3 spaces
- If refuse vehicles will not enter the site a bin collection point should be provided
- Will lose the outlook from our garden over a field
- Surface water should not flow onto Drummond Road
- Insufficient information has been provided to demonstrate that the development would not cause off-site flooding
- The dwellings either side of the access would experience significant noise and disturbance
- Construction phase would result in noise, disturbance and dust
- Will the neighbours receive any compensation
- The proposed fence adjacent to the access should have acoustic values
- Bungalows are traditionally associated with elderly, infirm and disabled individuals a bin store located at the entrance to the site would not comply with Building Regulations.
- 9no. properties would require 27no. bins with an additional 9no. bins if homeowners select the green bin option. There would be insufficient space for the bin store.

7 Evaluation

7.1 Principle of Development

The proposal would result in the construction of nine bungalows.

7.1.1 Overarching Policy SD1 is inevitably of relevance, with regard to the following objectives:

- minimise the need to travel/locate close to services
- convert/redevelop vacant buildings within settlements
- provide housing that meets the need of future and present generations

7.1.2 Policy SP1 is also relevant to consideration of the development principle, in particular where it discusses the following objectives:

- deliver sustainable growth including new housing
- focus growth in main settlements

- create strong, sustainable, cohesive and inclusive communities
- make effective use of previously developed land
- enable access to jobs, services and facilities locally

7.1.3 Policy SP3 supports infill development subject to a number of criteria:

- it is within a substantially built-up frontage or re-development opportunity (previously development land);
- it is within the main built-up part of the settlement;
- it does not cause harm or unacceptable impact upon the occupiers amenity of adjacent properties;
- it does not extend the pattern of development beyond the existing built form; and it is in keeping with the character of the area and is sensitive to the setting of adjacent properties.

7.1.4 Policy DE1 of the Local Plan seeks to ensure high quality design is achieved, with proposals to make a positive contribution towards the character of the area, local identity, and not adversely impact on the street scene and townscape and be of an appropriate scale, density, massing, height and material and not impact on neighbouring residential amenity.

7.1.1 Section 12 of the NPPF sets out the importance of achieving well-designed places to ensure that proposals are only approved when they address the need to improve the character and quality of an area.

7.1.2 The application site is located within the settlement of Bourne. In relation to Policy SP3, the site is not within a substantially built-up frontage with the exception of the proposed access and the land cannot be regarded as previously developed in that it is an area of paddock/grassland. However, the application site is regarded as an appropriate location for residential development given it is within the main built up area of a market town and surrounded by existing residential development.

7.1.3 Taking the above policies into account, the principle of the proposal is considered to be acceptable. The site is located within Bourne, therefore considered to be in accordance with Policies SP1, and SP3, of the South Kesteven Local Plan and Sections 5 and 12 of the NPPF and associated Planning Practice Guidance. Specific environmental and technical issues, which support this conclusion, are discussed in detail in the following sections below.

7.2 **Effect of the proposed development on the character and appearance of the area**

7.2.1 Policy DE1 seeks to ensure development is appropriate for its context. Further, paragraph 135 of the NPPF provides that planning policies and decisions should ensure that developments are sympathetic to local character and history, including the surrounding built environment and landscape setting.

7.2.2 Policy SP3 requires acceptable development to not extend the pattern of development

7.2.3 In relation to It is considered that the proposal would not extend the pattern of development beyond the existing built form and it is in keeping with the character of the area.

7.2.4 The site is surrounded by residential properties and whilst the proposal would require the demolition of a property to facilitate the access it is considered that this would not result in any unacceptable harm to the appearance of the area as it would not result in any significant change to the street scene with the access road being screened by the neighbouring properties.

7.2.5 The proposed 9no. bungalows would result in a layout comparable to that of the surrounding properties that front Drummond Road. The dwellings would be of similar sized footprints and would have comparable garden areas.

7.2.6 The proposed access road would include a footway along one side and frontage parking would be provided for each property. This arrangement is not unfamiliar for this type of nature of development.

7.2.7 Taking into account the above matters it is considered that the proposal would be an acceptable form of development in keeping with the surrounding context, character and appearance of the street scene. As such the proposal would be in accordance with Policy DE1 and SP3 of the Local Plan and Section 12 and Section 16 of the NPPF.

7.3 **Effect of the proposed development on residential amenity**

7.3.1 The proposed layout has been amended with all the properties fronting the proposed access. The location of the properties and the resultant separation distances, coupled with their single storey design would ensure that there would not be any significant overlooking, loss of privacy or overshadowing in relation to the neighbouring properties and their associated amenity areas.

7.3.2 The proposed access would run between the neighbouring properties following the demolition of the existing bungalow. While there would be vehicle movements along the access road adjacent to the neighbouring properties and associated garden areas it is considered that the number vehicle movements serving 9no. properties would not be so significant to result in demonstrable harm to the amenity of the neighbouring occupiers.

7.3.3 A noise report accompanies the planning application which has been assessed by our Environmental Protection officers who have not raised any concerns.

7.3.4 From the submitted noise report, the worst case noise levels from vehicle movements on the access road affecting the receptors have been calculated and compared with relevant criteria given in BS8233:2014 'Guidance on sound insulation and noise reduction for buildings' (BS8233). BS8233 provides suitable criteria for noise levels within habitable rooms

Table 1 BS8233:2014 Internal Noise Criteria

Activity	Location	07:00 to 23:00	23:00 to 07:00
Resting	Living room	35 dB LAeq,16hour	-
Dining	Dining room/area	40 dB LAeq,16hour	-
Sleeping (daytime resting)	Bedroom	35 dB LAeq,16hour	30 dB LAeq,8hour

BS8233 also recommends that noise levels in external amenity areas should ideally not exceed 50-55 dB LAeq,T.

7.3.5 The table below summarises the predicted noise levels of the nearest receptors adjacent to the access road:

Table 4 Predicted Internal Levels Compared with BS8233 Internal Level Criteria, dB LAeq,16hrs

Receptor	Predicted level with windows closed	Predicted levels with windows open	Criterion	Compliance
1 st floor habitable room of 1 Drummond Road ¹	14-16 dB	26-32 dB	35	Yes
Ground floor habitable room of 1 Drummond Road	8-10 dB	20-26 dB	35	Yes
Ground floor habitable room of 5 Drummond Road	2-4 dB	14-18 dB	35	Yes

Note 1 The 'worst case' window is on the rear façade. There is also a window on the façade directly facing the access road however we understand that this window is to an ensuite, which would not normally be considered a noise sensitive room.

7.3.6 The submitted report assumes a smooth surface access road, not block paving as proposed. Supplemental comments have been received from the applicant's acoustician stating that a blocked paved surface would be likely to increase the road noise by approximately 3dB:

7.3.7 “....studies (e.g. Gardziejczyk, W. (2016). *Noisiness of the Surfaces on Low-Speed Roads*) suggest that noise from vehicle movements on block paving at low speeds are around 2-3 dB higher than noise from smooth road surfaces. In this case we would still readily comply with the nominated noise criteria with an increase of 3 dB”.

7.3.8 Notwithstanding the above increase in noise from a block paved road it is considered that the neighbouring occupiers would not experience any significant noise and disturbance as with the additional 3dB penalty the submitted noise assessment predicts a noise level below the criteria set out by BS8233.

7.3.9 The results are based on noise levels being reduced by 7dB from the construction of a 1.8m timber fencing. No specific details of the fencing have been provided. As such, it is considered appropriate to require the submission of the fencing in adjacent to the neighbouring properties to ensure that it provides adequate noise insulating qualities. This is recommended to be secured by an appropriately worded condition.

7.3.10 Taking into account the above matters it is considered that there would not be any significant harm to the amenity of neighbouring occupiers from noise and disturbance.

7.3.11 In relation to the construction of the development, it is considered appropriate to require the demolition and construction phase to operate in accordance with an approved construction/demolition management plan. This is also recommended to be secured by an appropriately worded condition.

7.3.12 Taking into account the scale and nature of the proposal, there is not considered to be an unacceptable adverse impact on any amenity, subject to conditions to include a Construction Management Plan. As such the proposal would comply with Policy DE1 of the Local Plan.

7.4 Highway considerations

- 7.4.1 Lincolnshire County Council (as Local Highway Authority) has provided a comprehensive assessment access and parking arrangements associated with the proposal and concluded that the scheme would be acceptable from a highway safety perspective.
- 7.4.2 The highway authority states that:
- 7.4.3 The vehicular access has suitable visibility. The car parking provided is in line with the guidance set out in Lincolnshire County Councils Design Approach for all properties apart from Plot A, which is 1 space short, and turning space has been provided within the limits of the site to allow vehicles to enter and leave in a forward gear and therefore, it is considered that this proposal would not result in an unacceptable impact upon highway safety.
- 7.4.4 The access would be subject to a S184 agreement with Lincolnshire County Council which is separate to the planning application process.
- 7.4.5 LCC (as Local Highway Authority) have advised that it does not consider that this proposal would result in a severe traffic impact with regard to the relevant test in the NPPF. This conclusion is agreed and the vehicular movements associated with a net increase in eight dwellings would be relatively minor in the context of the existing suburban area.
- 7.4.6 LCC (as Local Highway Authority) have requested that a crossing point be installed at the junction of South Road and Drummond Road in order to allow safe passage for pedestrians to access local facilities which is recommended to be secured by condition.
- 7.3.8 It can therefore be concluded that the application, in respect of relevant highway considerations is not in conflict with Policy ID2 of the Local Plan, or with Paragraph 116 of the NPPF.

7.5 Sustainability

- 7.5.1 The proposal includes EV charging points for each property and the site is located within Bourne and as such is regarded as a sustainable location. There is a requirement for planning applications to accord with local plan Policy SB1 and SD1. This requires all development proposals to mitigate against and adapt to climate change, to comply with national and contribute to local targets on reducing carbon emissions and energy use unless it can be demonstrated that compliance with the policy is not viable or feasible.
- 7.5.2 Taking into account the above matters the proposal would result in an acceptable form of sustainable development, in accordance with Policies SD1, SB1 and DE1 of the Local Plan, and with the NPPF.

7.6 Flood risk and drainage

- 7.6.1 The comments of Lincolnshire County Council in its capacity as Lead Local Flood Authority are noted along with the comments of members of the public and the Town Council in relation to drainage/flooding concerns.

7.6.2 Comments highlight that there has been flooding and standing water within neighbouring gardens, with the source of the flooding being water dispersed from the dyke that runs along the western boundary of the site. The dyke is culverted at the southwest of the site and it is understood that during the winter months the capacity of the pipe is insufficient leading the water to back up which results in localised flooding.

7.6.3 Overtopping of the dyke has the potential for water and sediment to sit within the site and lead to the blocking of any permeable paving resulting in the risk of further surface water flooding. As the dyke is in riparian ownership, the Lead Local Flood Authority has suggested that clarification on maintenance of the eastern part of the dyke is sought. The long term management and maintenance arrangements of all parts of the site's drainage scheme is recommended to be secured as part of a detailed surface water drainage condition.

7.6.4 In addition, the Lead Local Flood Authority has expressed concern in relation to whether a SuDs feature can effectively function in that Lincolnshire County Council's design approach is to have a minimum 1 metre clearance from the bottom of the SuDs feature and the groundwater level.

7.6.5 The submitted drainage strategy illustrates that flows would be restricted and would feed into the Anglian Water network not the dyke that runs through the site. Anglian Water has confirmed their agreement to this approach subject to there being a maximum discharge rate of 2 litres per second as per the submitted Drainage Statement dated 21 August 2025.

7.6.6 Anglian Water has also flagged that there is an aquifer beneath the site and expressed concerns should a piled foundation construction be utilised. Accordingly, it is considered necessary to require the submission of a piling risk assessment as per their request.

7.6.7 The applicant has provided an indicative section demonstrating how a suitable drainage solution could be achieved. This would be the subbase for the road which would act as the attenuation feature providing sufficient storage to hold rainwater for 1 in 100 year flood events plus 40% climate change. This would be achieved by using 20% clean aggregate that provides 30% voids within the subbase.

7.6.8 The road and drives would be lined with an impermeable membrane this would prevent interaction with the groundwater below and prevent groundwater seeping into the road construction. There would be a permeable pipe within the road construction which would connect to the storm outfall which is ultimately connected to a control chamber with a hydrobreak restricting flows to 2l/s as required by Anglian Water.

7.6.9 Anglian Water have confirmed that there is sufficient capacity to accept the proposed development from a foul water perspective.

7.6.10 Taking into account the above matters it is considered appropriate to condition the submission for approval of both surface and foul drainage details. Subject to approval of these details, the proposal is considered to accord with Local Plan policy EN5.

7.7 **Refuse collection and vehicle tracking**

7.8 Discussions have taken place in relation to refuse collection and the applicant has provided confirmation from the Council's Waste and Recycling team that they will be able to collect from within the site as soon as the roads are laid and there is enough room to navigate around the site.

7.9 On this basis an amended plan has been provided which removes the bin collection point from adjacent to the site entrance.

7.10 Additionally, vehicle tracking has been provided to demonstrate how a refuse vehicle can enter and leave the site in a forward gear. Noting no objection from the highway authority it is considered that refuse collection can be appropriately achieved on the site.

7.11 **Biodiversity Net Gain**

7.11.1 This application is required to demonstrate a minimum betterment of 10% in relation to biodiversity net gain. A BNG metric has been submitted with the application which indicates that there would be 11% increase in habitat units, 218% increase in hedgerow units and 25% enhancement of the watercourse.

7.11.2 These matters can be secured by the statutory BNG condition that is required on all relevant planning permissions. As this is a relevant application in relation to the BNG regulations there is a requirement for a habitat management and monitoring plan covering a 30 year period to be produced and approved by the local planning authority in accordance with the Environment Act. The habitat management plan can be secured by an appropriately worded condition.

7.12 **Other Ecology Matters**

7.12.1 The ecological appraisal that accompanies the application concludes that the proposal would be unlikely to result in any significant adverse effects on ecological receptors at the site subject to:

- Retention and protection of existing boundary trees and shrubs (subject to any relevant arboricultural considerations).
- New native hedge planting to provide enhanced corridors for wildlife movement.
- Sensitive design of any lighting scheme to boundary linear features remains dark for use by nocturnal/crepuscular species such as bats along the adjacent gardens bordering the site.
- Precautionary approach to works in relation to amphibians and reptiles.

7.12.2 Additionally, there is the opportunity to incorporate ecological enhancements within the scheme including new native planting, including hedgerows, trees and grassland and the incorporation of bat and bird boxes and insect hotels within the curtilage of the proposed dwellings.

7.12.3 The installation of bat and bird boxes and an insect hotel can be secured by an appropriately worded condition.

7.12.4 Taking account of the above matters it is considered that the proposal would accord with Local Plan policy EN2 and NPPF Section 15.

7.13 Contamination

- 7.13.1 Noting the comments of the Council's Environmental Protection Officer, due to previous uses on the site, there is the potential for contamination to be present on the site. This matter can be appropriately addressed by the submission of a contamination report and appropriate mitigation if contamination is identified.
- 7.13.2 As such there is a requirement for a suitably worded condition in this respect. Taking into account the above matters the proposal is considered to accord with local plan policy EN4.

7.13.3 Maintenance rights of access

Concerns have been raised in relation to rights of access for example in relation to existing boundary treatments. These are private legal matters between the parties involved and are beyond the remit of the planning process.

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 Planning Balance and Conclusion

- 10.1.1 As of March 2025, South Kesteven Council are presently unable to demonstrate a 5-year housing land supply and as a result, the policies most important for determining the application are deemed to be out-of-date by virtue of footnote 8 and Paragraph 11 of the National Planning Policy Framework. In these circumstances, Paragraph 11(d) requires that planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework when taken as a whole; or where specific policies in the Framework, indicate that development be restricted.
- 10.1.2 Whilst concerns have been raised in relation to highway matters, residential amenity, drainage/flooding and visual amenity, no harm has been found in relation to these matters when assessed against local and national policy.
- 10.1.3 Taking into account the above matters, it is considered that the delivery of nine dwellings (a net increase of eight following demolition to facilitate access) should be given significant weight in the planning balance.
- 10.2 The proposed development is considered acceptable having regard to the NPPF and the Local Plan, in particular Local Plan Policies SD1, SP1, SP2, SP3, SB1, EN4, EN5, EN6, DE1, ID2 and NPPF Sections 2, 4, 5, 12, 14 and 15 and there are no material considerations that indicate otherwise, as such the proposal is therefore recommended to be approved, subject to conditions.

RECOMMENDATION:

Recommendation

10.2 To authorise the Assistant Director – Planning & Growth to GRANT planning permission, subject to conditions

Schedule of 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 planning application form, and with the following list of approved plans:

-Site Location Plan S001 – Rev B
-Proposed Site Plan – SK001 Rev K
-Bungalow Type A Proposed Plans and Elevations – Dwg No. SK100
-Bungalow Type B Proposed Plans and Elevations – Dwg No. SK200 Rev A
-Bungalow Type D Proposed Plans and Elevations – Dwg No. SK400 Rev A
-Bungalow Type E Proposed Plans and Elevations – Dwg No. SK500 Rev B
-Bungalow Type F Proposed Plans and Elevations – Dwg No. SK600

Unless otherwise required by another condition of this permission.

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

Prior to Commencement

3 Before the development hereby permitted is commenced, plans showing the existing and proposed land levels of the site including [site sections, spot heights, contours and the finished floor levels of all buildings] with reference to [neighbouring properties/an off-site datum point] shall have been submitted to and approved in writing by the Local Planning Authority.

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

Reason: In the interests of the visual amenities of the area and in accordance with Policy DE1 of the adopted South Kesteven Local Plan.

5 The permitted development shall be undertaken in accordance with a surface water drainage scheme which shall first have been approved in writing by the Local Planning Authority.

The scheme shall:

- be based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development;
- provide flood exceedance routing for storm event greater than 1 in 100 year;
- 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 2l/s as set out in the Drainage Statement 21st August 2025.
- 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.

No dwelling/ no part of the development shall be occupied until the approved scheme has been completed or provided on the site in accordance with the approved phasing.

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 of, or upstream of, the permitted development.

6 Before the development hereby permitted is commenced, a scheme for the treatment of foul water drainage shall have been submitted to and approved in writing by the Local Planning Authority.

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

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.

7 The development shall not commence until a Habitat Management and Monitoring Plan (the HMMP)], prepared in accordance with the approved Biodiversity Gain Plan and including:

- a) a non-technical summary;

- (b) the roles and responsibilities of the people or organisation(s) delivering the (HMMP)
- (c) the planned habitat creation and enhancement works to create or improve habitat to achieve the biodiversity net gain in accordance with the approved Biodiversity Gain Plan;
- (d) the management measures to maintain habitat in accordance with the approved Biodiversity Gain Plan for a period of 30 years from the completion of development; (could be occupation) and
- (e) the monitoring methodology and frequency in respect of the created or enhanced habitat to be submitted to the local planning authority, has been submitted to, and approved in writing by, the local planning authority.

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

Reason: To ensure the development delivers a biodiversity net gain on site in accordance with Schedule 7A of the Town and Country Planning Act 1990 (and policy EN2).

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:

- i. A desk top study documenting all the previous and existing land uses of the site and adjacent land;
- ii. 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
- iii. 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.
- iv. 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.

9 No development (including any site clearance/preparation works) shall be carried out until a Construction Environmental Management Plan has been submitted to the Local Planning Authority for approval in writing. Details shall provide the following, which shall be adhered to throughout the period of development:

- a) the parking of vehicles of site operatives and visitors;
- b) loading/unloading and storage of demolition/construction materials
- c) wheel cleaning facilities and road cleaning arrangements;
- d) measures to control the emission of dust and noise during demolition/construction;

- e) a scheme for recycling/disposing of waste resulting from site preparation and construction works;
- f) hours of demolition/construction work, site opening times, hours of deliveries and removal of materials; and
- i) 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 development shall be undertaken in accordance with the approved details.

Reason: To minimise detrimental effects to the neighbouring amenities and the amenities of the area in general, having regard to Local Plan Policy DE1 and the National Planning Policy Framework.

10 Before any construction work above ground is commenced, details of 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.

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 of the adopted South Kesteven Local Plan.

11 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 the history of the site and in accordance with Policy EN6 of the adopted South Kesteven Local Plan.

12 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 the history of the site and in accordance with Policy EN6 of the adopted South Kesteven Local Plan.

13 Before the works to provide the boundary treatments hereby permitted are commenced, a plan indicating the heights, positions, design, materials and type of boundary treatment to be erected shall have been submitted to and approved in writing by the Local Planning Authority.

This shall include specific details of the type and extent of fencing adjacent to 1 and 5 Drummond Road to provide the noise attenuation as set out in the submitted noise report.

Reason: To provide a satisfactory appearance to any boundary treatments and by screening rear gardens from public view, in the interests of the privacy and amenity of the occupants of the proposed and neighbouring dwellings and in accordance with Policy DE1 of the adopted South Kesteven Local Plan.

14 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.

Prior to Occupation

15 Before any part of the development hereby permitted is occupied/brought into use, the vehicle parking and turning area shall have been undertaken in accordance with Proposed Site Plan SK001 Rev J and retained as such thereafter.

Reason: To ensure that adequate parking provision is provided and retained in order to minimise on street parking and to ensure that vehicles can enter and leave premises in a forward gear in the interests of highway safety.

16 Before any part of the development hereby permitted is occupied/brought into use, 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 above. The report shall include:

- i. A complete record of remediation activities, and data collected as identified in the remediation scheme, to support compliance with agreed remediation objectives;
- ii. As built drawings of the implemented scheme;
- iii. Photographs of the remediation works in progress; and
- iv. 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 scheme.

Reason: Previous activities associated with this site may have caused, or had the potential to cause, land contamination and to ensure that the proposed site investigations and remediation will not cause pollution in the interests of the amenities of the future residents and users of the development; and in accordance with Policies EN2 and EN4 of the adopted South Kesteven Local Plan.

17 Within a period of five years from the first occupation 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.

18 Before any part of the development hereby permitted is occupied/brought into use, the works to provide the boundary treatments shall have been completed in accordance with the approved boundary treatment scheme.

Reason: To provide a satisfactory appearance to any boundary treatments and by screening rear gardens from public view, in the interests of the privacy and amenity of the occupants of the proposed and neighbouring dwellings and in accordance with Policy DE1 of the adopted South Kesteven Local Plan.

19 Prior to first occupation on site further details relating to the vehicular access to the public highway, with tactile crossing, including materials, specification of works and construction method shall be submitted to the Local Planning Authority for approval. The approved details shall be implemented on site before the development is first occupied and thereafter retained at all times.

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

20 The development hereby permitted shall not be occupied before a tactile pedestrian crossing point over Drummond Road (at the junction with the junction of the A15 South Road) has been installed, to improve the existing footway network for vision impaired pedestrians, to be provided in accordance with details that shall first have been submitted to, and approved in writing by, the Local Planning Authority. The works shall also include appropriate arrangements for the management of surface water run-off from the highway.

Reason: To ensure the provision of safe and adequate pedestrian access to the permitted development, without increasing flood risk to the highway and adjacent land and property.

21 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.

22 Before any part of the development hereby permitted is occupied / brought into use, a Landscape and Ecological Management Plan (LEMP) 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,

A plan specifying the location and type of integral bird nesting features (including for swifts) and bat roosting features to be provided. Numbers to be provided in line with best practice guidelines.

A plan distinguishing land required to meet mitigation and BNG objectives.

A plan specifying features to be provided to promote other protected species/non-protected species as outlined within the submitted Preliminary Ecological Appraisal (May 2025) Opportunities for Enhancement including but not limited to hedgehog shelters, insect hotels.

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

Reason: Soft landscaping/ecological improvements makes an important contribution to the development and its assimilation with its surroundings; and in accordance with Policy EN2 of the adopted Local Plan.

23 Prior to the construction of any foundations using piling, details of the foundation design shall be submitted to and approved in writing by the local planning authority.

Piling activities shall not take place without a suitable geotechnical/piling risk assessment which considers the risk of breaching the confining layer overlying the Lincolnshire Limestone aquifer, and the risk of potentially mobilising contamination from historic contaminative uses of the site into the aquifer during such activities.

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

Reason: A piling foundation is unlikely to be acceptable due to the risk to the underlying aquifer and associated contamination.

On-going Conditions

24 Monitoring reports shall be submitted to the local planning authority in writing in accordance with the methodology and frequency specified in the approved (HMMP).

Reason: To ensure the development delivers a biodiversity net gain on site in accordance with Schedule 7A of the Town and Country Planning Act 1990 (and policy EN2).

Standard Note(s) to Applicant:

- In accordance with Section 59 of the Highways Act 1980, please be considerate of causing damage to the existing highway during construction and implement mitigation measures as necessary. Should extraordinary expenses be incurred by the Highway Authority in maintaining the highway by reason of damage caused by construction traffic, the Highway Authority may seek to recover these expenses from the developer.
- 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. Any traffic management required to undertake works within the highway will be subject to agreement. The access must be constructed in accordance with a current specification issued by the Highway Authority. Any requirement to relocate existing apparatus, underground services, or street furniture because of the installation of an access will be the responsibility, and cost, of the applicant and must be agreed prior to a vehicle access application. The application form, costs and guidance documentation can be found on the Highway Authority's website, accessible via the following link:
<https://www.lincolnshire.gov.uk/licences-permits/apply-dropped-kerb>.
- The road serving the permitted development is approved as a private road which will not be adopted as a Highway Maintainable at the Public Expense (under the Highways Act 1980). As such, the liability for the future maintenance of the road will rest with those who gain access to their property from it.
- The highway improvement works referred to in the above condition are required to be carried out by means of a legal agreement between the landowner and the County Council, as the Local Highway Authority. For further guidance please visit our website; www.lincolnshire.gov.uk/highwaysplanning/works-existing-highway
- 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.
- Please contact the Lincolnshire County Council Streetworks and Permitting Team on 01522 782070 to discuss any proposed statutory utility connections, Section 50 licences and any other works which will be required within the public highway in association with the development permitted under this Consent. This will enable Lincolnshire County Council to assist in the coordination and timings of these works. For further guidance please visit the Highway Authority's website via the following link: Traffic Management - <https://www.lincolnshire.gov.uk/traffic-management>
- The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition "(the biodiversity gain condition") that development may not begin unless:

- (a) a Biodiversity Gain Plan has been submitted to the planning authority, and
- (b) the planning authority has approved the plan.

The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan if one is required in respect of this permission would be South Kesteven District Council.

There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply.

Based on the information available this permission is considered to be one which require the approval of a biodiversity gain plan before development is begun.

Financial Implications reviewed by:

Legal Implications reviewed by:

Location Plan



Site Plan



Proposed Street Scenes



Bungalow Types

BUNGALOW TYPE A



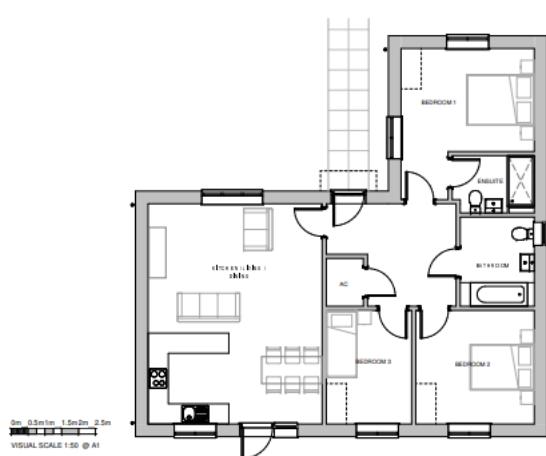
Rear Elevation
1 : 100

0m 1m 2m 3m 4m 5m
VISUAL SCALE 1:100 @ A1

Front Elevation
1 : 100

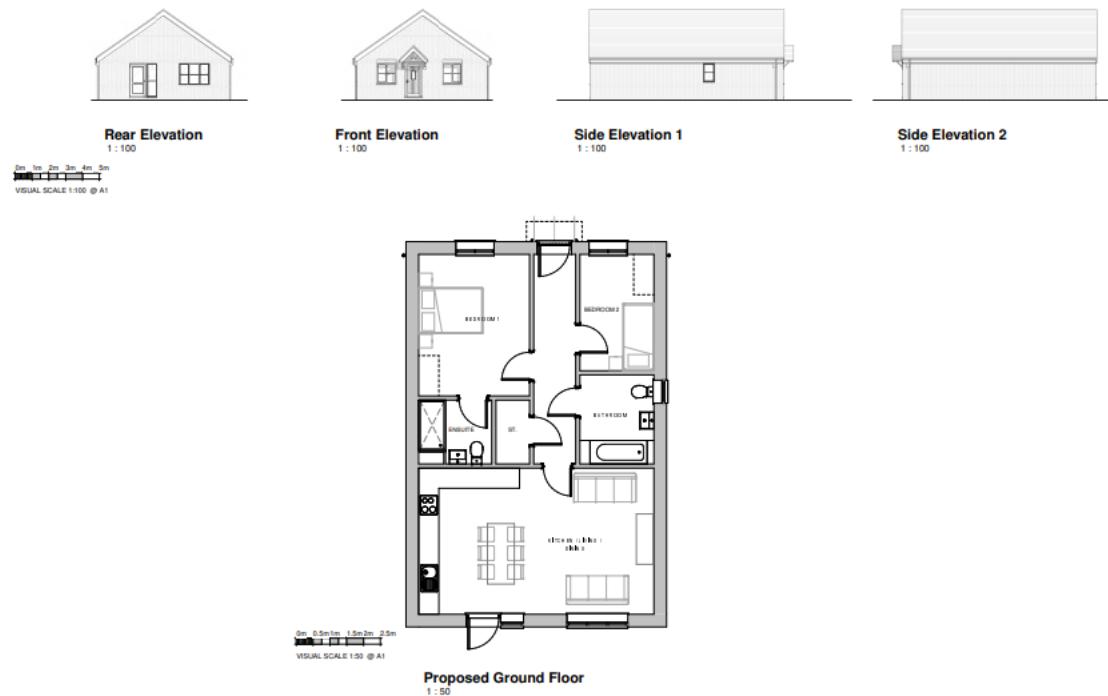
Side Elevation 1
1 : 100

Side Elevation 2
1 : 100



Proposed Ground Floor

BUNGALOW TYPE B



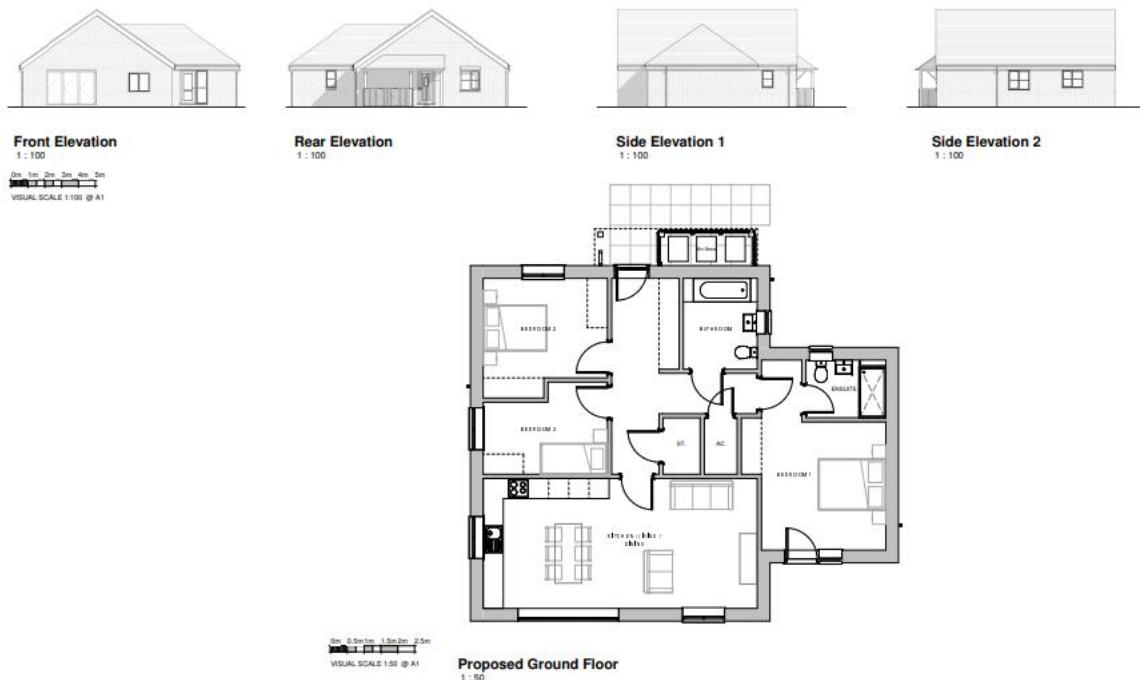
BUNGALOW TYPE D



BUNGALOW TYPE E



BUNGALOW TYPE F



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SOUTH
KESTEVEN
DISTRICT
COUNCIL



Planning Committee

19 February 2026

S25/1916

Proposal:	Proposed demolition of existing barn and erection of a detached dwelling, hard and soft landscaping and formation of a re-wilding zone
Location:	Wildwood, Nightingale Lane, Aisby, NG32 3NE
Applicant:	J King and P Kermeen
Agent:	Mr John Dickie, John Dickie Associates, 5 Victor Way, Cherryholt Road, Bourne
Application Type:	Full Planning Permission
Reason for Referral to Committee:	Call In – Councillor Sarah Trotter due to concerns about visual intrusiveness/impact
Key Issues:	Impacts on the character of the area Impacts on amenity Highway safety/parking Drainage/flood risk

Report Author

Miranda Beavers – Senior Development Management Planner

01476 406302

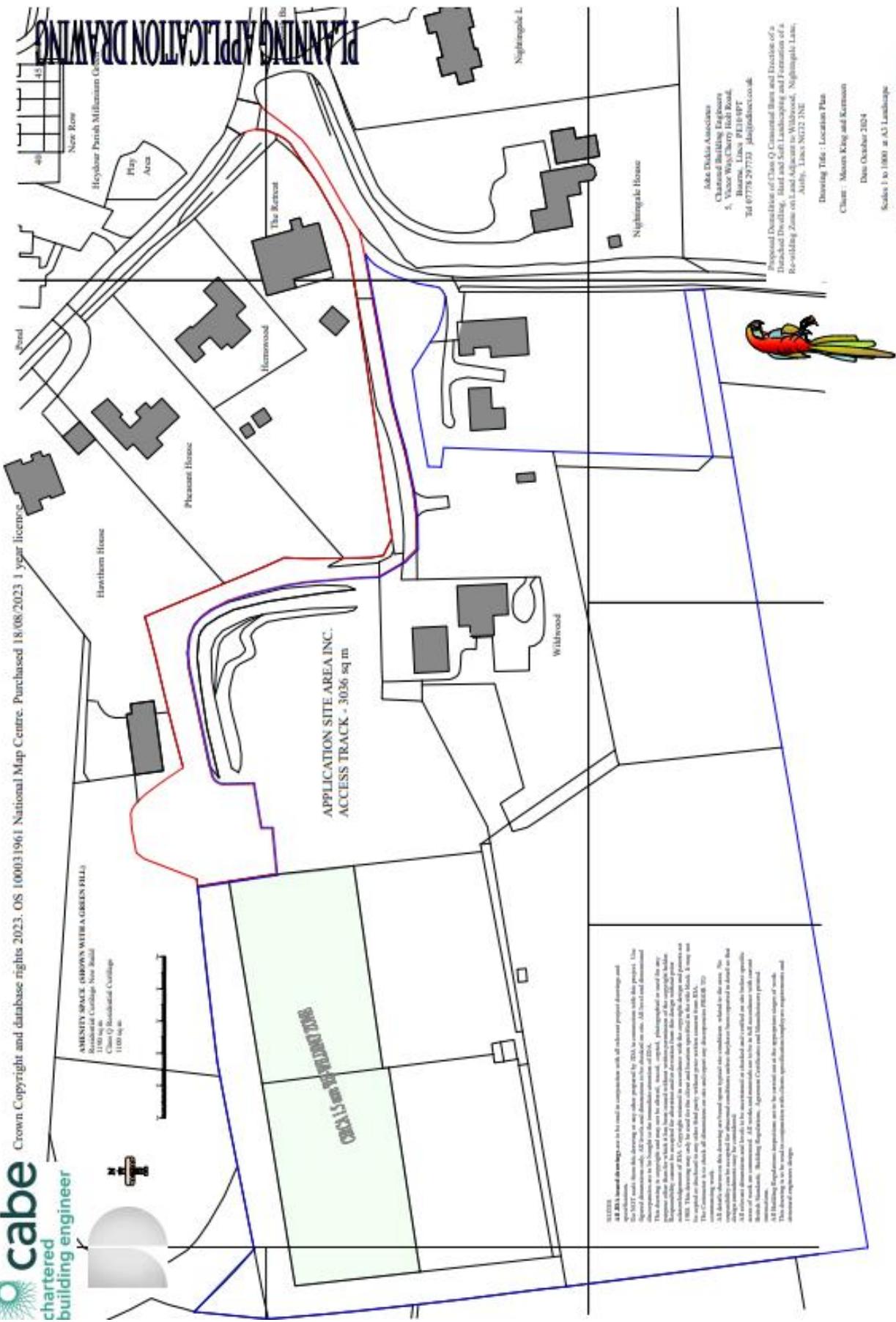
Miranda.beavers@southkesteven.gov.uk

Corporate Priority:	Decision type:	Wards:
Growth	Regulatory	Lincrest

Reviewed by: Adam Murray – Principal Development Management Planner | 9 February 2026

Recommendation (s) to the decision maker (s)

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



1 Description of Site

1.1 The existing barn comprises a steel framed, wooden clad agricultural building (previously used for lambing), with pitched roof. There are 16 photovoltaics panels on the south facing roof slope. The land is situated to the western edge of the village, Aisby. The land lies to the rear (west) of four detached dwellings which lie to the western side of Green Lane. The application site is initially accessed from Green Lane via a shared access road along Nightingale Lane, with the remaining access being located to the north of 'Wildwood'.

2 Description of Proposal

2.1 This application is for the demolition of an existing barn and erection of a detached dwelling, hard and soft landscaping (including access way) and creation of re-wilding zone. The replacement dwelling in this instance is recognised as being slightly larger in scale than the dwelling that was approved by Planning Committee under S24/1822 in February last year.

3 Relevant History

- S22/1235 Conversion of existing agricultural building (sited to the northern boundary of Wildwood) into a single dwelling, with the provision & insertion of new windows and roof windows to provide natural light to all habitable rooms
Approved Details Not Required (with conditions) 05/08/2022
- S23/1913 Demolition of existing barn and erection of a detached dwelling, detached storage building and formation of a re-wilding zone.
Refused 31/01/2024
Appeal in Progress
- S24/1291 Proposed demolition of Class Q consented barn and erection of a detached dwelling, garaging, hard and soft landscaping and formation of a re-wilding Zone.
Refused 13/08/2024
- S24/1822 Proposed demolition of existing barn and erection of a detached dwelling, hard and soft landscaping and formation of a re-wilding zone
Approved 14 February 2025
- S25/0500 Agricultural barn for the purpose of storing hay, straw and agricultural machinery recycling an existing dismantled barn with PV panels from a different position on the holding. The proposed site was historically used for an agricultural building.
Approved 16 April 2025

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 SP5 'Development in the Open Countryside'
Policy SB1 'Sustainable Building'

Policy DE1 'Promoting Good Design'
Policy ID2 'Transport and Strategic Transport Infrastructure'
Policy EN1 Landscape Character

4.2 **National Planning Policy Framework (NPPF)**
Chapter 4 'Decision Making'
Chapter 5 'Delivering a sufficient supply of homes'
Chapter 9 'Promoting sustainable transport'
Chapter 12 'Achieving well-designed places'
Chapter 14 'Meeting the challenge of climate change, flooding and coastal change'
Chapter 15 'Conserving and enhancing the natural environment'

4.3 **Supplementary Planning Document:**
Design Guidelines for Rutland and South Kesteven (November 2021)

5 Representations received

5.1 **LCC Highways & SuDS**
5.1.1 No objections subject to conditions.

5.1.2 The lane serving the property is a private road, and the highway authority has no jurisdiction over the use of this road. With regard to this application, we have considered the safety and impact of these proposals on Green Lane and its junction with the private lane. It is for the Local Planning Authority to determine whether the access provided by the private road is safe and suitable for all users. The junction of the private lane and Green Lane remains unchanged and parking has been provided in line with the guidance set out in Lincolnshire County Councils Design Approach and turning space has been provided within the limits of the site to allow vehicles to enter and leave in a forward gear and therefore, it is considered that this proposal would not result in an unacceptable impact upon highway safety

5.1.3 Access to the application site is gained via the track over which a public right of way passes. The surface of the public footpath should not be disturbed without the consent of the Highway Authority. The legal alignment of the public footpath should remain open and available for public use. 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 works shall not pose any dangers or inconvenience to the public using the right of way. No additional structures (i.e gates) should be erected on the surface of the public footpath without the prior consent of the Highway Authority.

5.2 **Heydour Parish Council**
5.2.1 In 2022 planning application S22/1235 was granted via Class Q status. This allowed for the conversion of the agricultural building to a simple 2-bedroom residential house, without planning permission. Planning application, S23/1913, was refused, as was the appeal for the demolition of the existing barn and the erection of a detached dwelling, detached storage building, and formation of a re-wilding zone. The refusal and appeal confirmed that the development would place a dwelling in Open Countryside without demonstrable need, contrary to Local Plan Policy SP5. In 2024 a smaller development was submitted, S24/1822 for the demolition of the existing barn and the erection of a 2-bedroomed detached building.

This was duly granted. The Parish Council discussed the application at the meeting held on the 11th November 2025 and has the following concerns regarding this application.

- Scale and Intensification Beyond Previously Approved Development
- The new planning application is larger in area than the application S24/1822 and consists of 3 bedrooms / bathrooms with an extra 4th bedroom / TV room downstairs.
- The Parish Council considers this an unjustified intensification on a site previously approved only for a smaller dwelling, and notes that earlier larger-scale proposals have already been refused and dismissed on appeal.

5.2.2 Conflict With Spatial Policies SP2, SP3, SP4 and SP5

Policy SP2 – Aisby as a “Smaller Village” Aisby is classed as a Smaller Village in the SKDC Local Plan 2011-36, where development must comply with Policies SP3, SP4 and other relevant policies, and must not compromise the village’s character or pattern of development.

Policy SP3 – Infill Development The proposed development is behind existing houses and not within the built-up frontage (SP3a) and outside the main built-up form of the village (SP3b) Due to the positioning of the proposed build, it is believed that it would result in negative consequences for the residents in neighbouring properties. The size and scale of the build from a small barn to a larger four-bedroom house is the main concern (SP3d). However, the proposed new build is taller than the previous application (SP3c), potentially resulting in an impact on the surrounding landscape and causing a subsequent loss of privacy for adjacent residents (SP3d). The site is not previously developed land. Appendix 1 of the Local Plan explicitly excludes land currently or formerly occupied by agricultural buildings. The building gained Class Q status only because it had been used for agricultural purposes, housing Jacob sheep. Policy SP4 – Edge of Settlement Development The area and village have recently undergone several new builds, and the design of this build is considered inappropriate in scale and character for this setting (SP4b). Due to its location, it is well beyond the development footprint of Aisby (SP4c) and the proposed development extends well into the open countryside (SP4d). Policy SP5 - Development in the Open Countryside. Development in open countryside is restricted to proposals with an essential need to be located outside the settlement. This application does not meet any of the SP5 criteria and therefore conflicts with the policy.

5.2.3 Impact on Local Character and Landscape

The proposal would introduce a larger, taller, and more suburban-scale dwelling than previously approved. The increase from a modest barn to a four-bedroom house would materially alter the rural landscape. The siting would likely result in the erosion of the village’s rural edge and character, loss of privacy for neighbouring properties and an increased visual prominence The Council notes that Aisby has experienced several recent new builds, and the cumulative impact of further oversized development risks changing the character of the village. Design SPD and Lack of Justification The Local Plan requires proposals to have regard to the emerging Design SPD. Given the increased footprint and encroachment beyond established buildings, along with the lack of contextual sensitivity, the Parish Council does not consider the proposal to comply. The Design & Access Statement does not show recent housing that is in the process of being built towards the North of the application Conclusion

5.2.4 For the reasons above, the Parish Council considers the proposal to be contrary to Policies SP3, SP4 and SP5, and therefore not supported under SP2. The development is not sympathetic to the setting or character of Aisby and represents an inappropriate extension into open countryside. The Parish Council does not support this application.

5.3 **Environmental Protection**

5.3.1 No objections subject to conditions:

5.3.2 In order to minimise noise impacts on nearby residential properties, it is recommended that construction activities are restricted.

5.4 **Historic England, The Gardens Trust**

5.4.1 No objections.

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 3 letters of representation have been received, comments are summarised:

6.1.1 Three No. Letters of Objections:

- a) The proposal clearly conflicts with the Development Plan.
- b) Proposal is harmful to the rural landscape and character.
- c) The Class Q fallback (S22/1235) and previously consented scheme (S24/1822) are potentially invalid as they appear to have been determined on the basis of materially incorrect planning facts in relation to agricultural redundancy;
- d) Cumulative planning creep
- e) Significant increase in footprint when compared to S24/1822 and original Class Q area
- f) Proposed new garage is contrary to principles of keeping to the Class Q PD rights
- g) Proposed dwelling has moved closer to neighbouring boundary
- h) Landscaping proposed to reduce impact on neighbouring dwelling have not been included within this proposal
- i) Cow Common is to the North of the site, and the public bridleway is a very popular walking and horse-riding track, views from Cow Common are excluded from contextual analysis
- j) Scale and intensification beyond previously approved development which would materially impact the rural landscape
- k) Aisby has experienced several recent new builds, and the cumulative impact of further oversized development risks changing the character of the village

7 **Evaluation**

- 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.
- In this case, the Development Plan comprises of the following documents:
 - South Kesteven Local Plan 2011-2036 (Adopted January 2020);

The Local Planning Authority have adopted a Design Guidelines Supplementary Planning Document (Adopted November 2021) and this document is a material consideration in the determination of planning applications.

- The policies and provisions set out in the National Planning Policy Framework (NPPF) ("the Framework") (Published December 2024) are also a relevant material consideration in the determination of planning applications.
- It is acknowledged that the Local Planning Authority are in the process of conducting a Local Plan Review. The Regulation 18 consultation on the draft Plan was carried out between February and April 2024. At this stage, the policies contained within the draft Plan Review can be attributed very little weight in the determination of planning applications.

However, the updated evidence base which accompanies the ongoing Plan Review is a material consideration and must be taken into account in the determination of planning applications.

7.1.5 In respect of the current development proposals, it is noted that prior approval has been granted for the conversion of existing agricultural building (sited to the northern boundary of Wildwood) into a single dwelling, with the provision and insertion of new windows and roof windows to provide natural light to all habitable rooms via planning application reference: S22/1235. This prior approval remains extant and capable of implementation and, therefore, it is a material consideration in the assessment of the current proposals. Similarly, Full Planning Permission was granted for a dwellinghouse in this location on 14 February 2025, in lieu of the Class Q fallback position and this extant planning permission represents a valid fall-back position and as such is also a material consideration in the determination of the application.

8 Principle of Development

8.1 In this instance, this site is located beyond the settlement boundaries of Aisby and is considered to be in the open countryside and relevant the policy for this location is SP5. This policy seeks to limit development to that related to agriculture, forestry or equine, rural diversification, replacement dwellings or conversion of existing buildings. In this case, the proposed development would not form one of the identified acceptable forms of development within the Open Countryside and, therefore, would be contrary to Policy SP5 of the adopted Local Plan, and would be contrary to the overall principles of the spatial strategy.

8.1.1 Whilst this proposal does not fall within any of these categories, a significant material consideration is the extant prior approval granted under Class Q. Case law has established that an existing planning permission (granted using Permitted Development Rights under Part 3 (Change of Use) Class Q of the GDPO) can be used as a 'fall back' position to gain planning permission for an alternate scheme.

8.1.2 Letters of representation have been submitted with regard to the validity of the Class Q approval on the site and that a recent Prior Approval application for the erection of an agricultural building under Part 6 of the GPDO (ref. S25/0550) contained information within the submission that contradicts the statements made when the Class Q application was first assessed in 2022. It is the Local Planning Authority's position that the Class Q consent was granted based on the facts that were available at the time and based on information that was presented to the Officer at the time of determination. Since that determination, Full Planning Permission has been granted on the site for the erection of a dwellinghouse and

this represents a valid fall-back position that is afford weight in the assessment of the current proposal and in the tilted balance.

8.2 Furthermore, since the planning application S24/1822 was assessed and approved, the Councils 5-Year housing land supply has become out of date and so the spatial policies that the proposal was previously assessed against have also become out of date. Paragraph 11d) of the NPP requires that planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole; or where specific policies in The Framework, indicate that development should be restricted.

8.2.1 This current application is for the demolition of the existing barn and erection of 1 detached dwelling, hard and soft landscaping and formation of a re-wilding zone. The proposed development would result in the provision of 1 dwelling on the site, resulting in the removal of the existing steel framed, timber clad barn and is considered would be no less sustainable in terms of its location than the extant Class Q approval. The extant Class Q permission (S22/1235) was approved on the 8 August 2022 and therefore the development is required to be completed by the 22 August 2025. This gives the Applicants a limited amount of time to complete the conversion works before the existing permission expires. It is the Officers assessment that this time constraint weakens the weight that can be attributed to the realistic prospect of the Class Q fall-back position taking place. Notwithstanding this, the extant Full Planning Permission (S24/1822) is also now considered to be a valid fallback position that can be gives the principle of development additional weight.

8.2.2 Whilst the principle of development for the erection of 1 dwelling on the site is established and is acceptable, it remains to be subject to the assessment against site specific criteria; including (but are not limited to) 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 and assessed against policies contained within the SKLP, in turn as follows..

8.3 Impact on the Character of the Area

8.3.1 The proposed dwelling would have the appearance of a rectangular modern barn with contemporary domestic features such as a Tegalit Granite roof tiles, timber clad walls and floor to ceiling windows to the front (south) elevations. All windows and door frame would be black. A porch area that extends the entirety of the front elevation, overhanging the front by approximately 1.6m. The dwelling would have 2 storeys having an overall height of 6.4m. (compared to approved dwelling which was 6.3m) The dwelling would have approximately 260sqm of floor area over 2 floors (compared to 192.96sq m as approved). If the application were to be recommended for approval, materials details could be secured by way of an appropriately worded condition.

8.3.2 The existing barn, which has planning permission to be converted into a house (S22/1235) has an existing height of 5.8m. The conversion of the barn into a dwelling, as approved would not comprise an external enlargement to the existing built form and the resultant dwelling would comprise additional doors and windows to the north, south and east elevation, whilst a first floor would be formed following the removal of an existing mezzanine level. The new dwelling would have 2 bedrooms on the upper floor. The approved dwelling (under S24/1822) would have 2 bedrooms. The proposed dwelling would have 3no. bedrooms.

8.3.3 It is accepted that the site is not highly visible from within Aisby village, however the proposed dwelling would be visible from surrounding land. The supporting Design and Access Statement states that the "high quality design will enhance the landscape character".

8.3.4 The proposed dwellinghouse would not be significantly larger than if the approved dwelling were to be constructed. The dwelling would only be marginally greater in height, although the approved scheme has visibly lower eaves. The dwelling would occupy a similar position on the site to the existing barn (to be demolished) or the alternative approved dwelling (S24/1822) and is similarly orientated within the site so that the principal elevation is facing south. Notwithstanding this it is appreciated that the house would be larger, having approximately 68sqm of additional habitable floor space which facilitates an additional bedroom. Much of the residential garden would be on the northern side, and the access way to the eastern side. The design of the dwelling largely resembles that of the approved dwelling, and the number of openings has been kept to a minimum. The separate detached garage is modest in scale, having a single storey and is a typical scale for a domestic garage.

8.3.5 The introduction of a detached garage would extend the residential curtilage slightly and would introduce built form closer to the common boundary on the northern edge. It is the Officers assessment that the scale and siting of the development would not result in greater impact upon the character and appearance of the area when compared to the fall-back position, especially given that the height of the dwelling is not discernibly increased, and the residential curtilage that is proposed is not greatly extended when compared to the approved scheme.

8.3.6 The site is relatively discreetly located and is not widely visible from surrounding land, as demonstrated by photographs submitted in the parameters plan. Although if the dwelling were to be glimpsed from surrounding vantage points it is not considered that it would be unduly prominent, when compared to the approved scheme, within the landscape to the extent that planning permission should be refused.

8.3.7 By granting planning permission for a change of use of the land, to be used as residential garden, it would allow the occupants to benefit from the associated permitted development rights relating to residential structures, which include the right to construct certain sized outbuildings and means of enclosure. It is considered that in this instance, given the size of the land and the site characteristics, the erection of additional built forms or the erection of boundary treatments surrounding the area, are likely to cause impacts which could be harmful to the rural character and appearance of the area; as such, it is considered reasonable to impose an appropriately worded conditions to restrict/remove some of the of Permitted Development rights under Schedule 2, Part 1 or Part 2.

8.4 Impact on Residential Amenity

8.4.1 Whilst the proposed development would result in an impact on neighbours' residential amenities as a result of the siting of a new dwelling, it is not considered that these impacts would be significantly greater than if the existing permission were to be implemented.

8.4.2 The proposed dwelling would have a maximum ridge height of approximately 6.4m and would be sufficiently separated from the nearest residential property so it would not harm residential amenity through being overbearing or causing an unacceptable loss of light or loss of privacy through overlooking. A detached garage is proposed to be located adjacent to the common boundary along the north edge of the site. Any harm to the privacy afforded

to neighbouring properties could be satisfactorily mitigated by requiring appropriate screening boundary treatments as a condition attached to any permission granted. Taking into account the concerns regarding light pollution from cars entering and leaving the site via the access road, although there would be some noise, exhaust emissions and light from vehicle headlights, the comings and goings generated by a single dwelling are not considered to be sufficient to justify a refusal of planning permission, especially given the fallback position.

8.4.3 Taking into account the scale and nature of the proposal, and adequate separation distances, 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 South Kesteven Local Plan.

8.5 **Highway Safety/Parking**

8.5.1 The proposed development would make use of an existing access from Nightingale Lane and drawings show the ability to turn and manoeuvre within the application site.

8.5.2 Lincolnshire County Council as the Local Highway Authority have given due regard to the appropriate local and national planning policy guidance and has concluded that the proposed development is acceptable and accordingly does not wish to object. Taking the above into account, the application proposals would be in accordance with Local Plan Policy ID2 and Section 9 of the National Planning Policy Framework

8.6 **Biodiversity and Ecology**

8.6.1 In England Biodiversity Net Gain (BNG) became mandatory from 12 February 2024 under Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021). This means that developers must deliver a BNG of 10%. This means that a development will result in more or better natural habitat than there was before development.

8.6.2 The benefits of the rewilding scheme, combined with the thermal efficiency of the new dwelling have been taken into consideration and the proposals would, in time, enhance and promote the Districts biodiversity and geological interest.

8.6.3 For this application the applicant has completed the statutory biodiversity metric. The results of the base-line survey compared to the proposed development would create a 104.11% net increase of habitat units and 27.07% increase in hedgerow units across the site. Lincolnshire Wildlife Trust were consulted with the submitted information, and they have not raised any objections. Whilst Lincolnshire Wildlife Trust have expressed that they would ideally like to see conditions sheets for neutral grassland and more substantial information stating how net gain would be achieved in the long term, it is Officers assessment that these matters would be appropriately addressed through the statutory biodiversity condition. This requires the submission of a Biodiversity Gain Plan prior to the commencement of development and also includes a requirement for the submission of appropriate Habitat Management and Monitoring arrangements.

8.6.4 Consequently, subject to appropriate conditions, it is considered that the proposed development would be acceptable and in accordance with Policies EN2 of the SKLP and Section 15 of the NPPF.

8.7 **Drainage**

8.7.1 The site is located in Flood Zone 1, so it is not at unusual risk of flooding from fluvial flooding, and the site is also identified by the Environment Agency as being at very low risk from surface water flooding. Lincolnshire County Councils as Lead Flood Authority have also not raised objections to the proposal. The applicant has stated on the application form that surface water is to be disposed of to a soakaway, and it is therefore considered that compliance with the Building Regulations is sufficient to ensure that the proposal does not increase the risk of flooding elsewhere. In this respect the proposal is therefore in accordance with the NPPF Section 14: Meeting the challenge of climate change, flooding and coastal change) and Local Plan policy EN5.

8.8 **Climate Change and Sustainability**

8.8.1 In the context of the above, as previously stated, Aisby is identified as a smaller village, with an absence of plentiful local services and facilities. As such, the characteristics of the location of the application site means that the scheme would be unlikely to accord with the overarching sustainability objectives of the Local Plan in respect of minimising the need to travel and encouraging low carbon travel.

8.8.2 Notwithstanding this, Policy SB1 principally relates to the sustainability credentials of all development proposals, including residential development, and due to the nature of this application being for 1 x new dwellings, details of mitigation against and adaptation to climate change would be required to be provided.

8.8.3 It is therefore considered that these matters and details can be appropriately addressed through the use of planning conditions, if the application were to be recommended for approval; requiring the submission of further details in relation to demonstrating how the proposed dwelling would comply with the requirements of Local Plan Policy SB1, including details of how carbon dioxide emissions would be minimised through the design and construction of the building and details of water efficiency and electric car charging points.

9 **Crime and Disorder**

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

10 **Human Rights Implications**

10.1 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.

11 **Conclusion and Planning Balance**

11.1 As of March 2025, the Council are presently unable to demonstrate a 5-year supply of housing land and as a result, the policies most important for determining the application are deemed to be out-of-date by virtue of footnote 8 and paragraph 11d) of the Framework. Paragraph 11d) requires that planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole; or where specific policies in The Framework, indicate that development should be restricted.

11.2 For the reasons given in the "Assessment" section above, the proposed erection of 1 dwelling would be acceptable in principle, within this sustainable location and would be

supported and is in accordance with Policy SD1, SP1 and SP2 of the adopted Local Plan, subject to the development not compromising the nature and character of the area.

11.3 The proposed development would involve the provision of 1 (no) dwelling within open countryside which would be a minor benefit of the development. The scheme would result in economic benefits associated with the construction and occupation of the proposed development; these benefits would be applicable to any form of residential development and therefore are also attributed some limited weight.

11.4 Whilst recognising that the proposed dwelling fails to comply with any of the rural exception criteria contained within Local Plan Policies SP5. However, the proposal to create 1 additional house in this location has been previously assessed by the Local Planning Authority and the design was found to be a betterment when compared to the previously approved Class Q scheme. This means that the principle of development for one dwelling has been established on site and the extant Full Planning Permission (S24/1822) represents a valid fallback position which is given moderate weight.

11.5 Notwithstanding the conflicts with SKLP Spatial Policy SP5, it is accepted the site can comfortably accommodate 1no. dwellinghouse, it is considered that the proposed dwelling and detached garage is of a scale that is sensitive to the setting of adjacent properties and would not result in a cramped form of development and would not result in significance adverse impacts to the residential amenities of nearby dwellings. The changes to the design and appearance of the dwelling are not considered to have such a detrimental impact on the character and appearance of the area when compared to the approved scheme. The proposal would therefore comply with criteria contained within SKLP Policy DE1. The benefits of the rewilding scheme, combined with the thermal efficiency of the new dwelling have been taken into consideration and the proposals would, in time, enhance and promote the districts biodiversity and geological interest which is given minor weight. As such there are no significant negative impact when assessing the proposal against the policies in the Framework when taken as a whole. As such any potential negative impacts have been weighed against the benefits of the scheme and in this instance the benefits outweigh the negative in order to shift the balance in favour of the development.

11.6 The proposal would not be harmful to the character of the surrounding area and has regard to the NPPF. The material considerations in this case outweigh the above conflicts with policy and the proposal is therefore recommended for approval subject to conditions.

- **Recommendation**

- To authorise the Assistant Director – Planning to GRANT planning permission subject to conditions.

Time Limit for Commencement

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

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

Approved Plans

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

- i. Drawing No.JDA 2025-0755-LOCATION.001 Location Plan
- ii. Drawing No.JDA 2025-0755-SITE.001 Proposed Site Plan
- iii. Drawing No.JDA 2025-0755-DETAILS.001 Proposed Floor Plans and Elevations
- iv. Drawing No.JDA 2025-0755-LIGHTING.001Proposed Lighting

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. 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:

- i. A desk top study documenting all the previous and existing land uses of the site and adjacent land;
- ii. 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
- iii. 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.
- iv. 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 the NPPF.

During Building Works

4. During construction of the development hereby permitted, the approved Construction Management Plan October 2025 (Drawing No.JDA/2025/755/CEMP/001) shall be adhered to in full unless otherwise agreed in writing by 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 Policies DE1, EN3 and OS1 of the adopted South Kesteven Local Plan.

5. Before any of the works on the external elevations for the building(s) hereby permitted are begun, a detailed specification of the materials (including colour of any render, paintwork or colourwash)

to be used in the construction of the external surfaces shall have been submitted to and approved in writing by the Local Planning Authority.

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

6. If, during 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 remediation strategy detailing how this contamination will be dealt with has been submitted to and approved in writing by the Local Planning Authority. The remediation strategy shall be implemented as approved.

Reason: To ensure that the proposed development not cause pollution in the interests of the amenities of the future residents and users of the development; and in accordance with Local Plan Policy EN4.

7. Before any construction work above ground is commenced, 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;

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.

Before the Development is Occupied

8. Before any part of the development hereby permitted is occupied/brought into use, the external surfaces shall have been completed in accordance with the approved details.

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

9. 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 should any contaminated land be identified by the above condition. The report shall have been submitted by the nominated competent person approved, as required by condition above. The report shall include:

- i. A complete record of remediation activities, and data collected as identified in the remediation scheme, to support compliance with agreed remediation objectives;
- ii. As built drawings of the implemented scheme;
- iii. Photographs of the remediation works in progress; and
- iv. 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 scheme.

Reason: Previous activities associated with this site may have caused, or had the potential to cause, land contamination and to ensure that the proposed site investigations and remediation will not cause pollution in the interests of the amenities of 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 the NPPF.

10. Before any part of the development hereby permitted is occupied/brought into use, all hard landscape and soft landscaping 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.

Ongoing

11. 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.

12. Notwithstanding the provisions of Schedule 2, Part 1, Class A 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 enlargement, improvement or other alteration of the approved properties, shall be carried out without planning permission first having been granted by the Local Planning Authority.

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

13. Notwithstanding the provisions of Schedule 2, Part 1, Class E 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 buildings etc. incidental to the enjoyment of the dwellinghouse, shall be constructed without planning permission first having been granted by the Local Planning Authority.

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

Informative(s)

1. The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition "(the biodiversity gain condition)" that development may not begin unless:
 - (a) a Biodiversity Gain Plan has been submitted to the planning authority, and
 - (b) the planning authority has approved the plan.

The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan if one is required in respect of this permission would be South Kesteven District Council.

There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. These are listed below.

Based on the information available this permission is considered to be one which will require the approval of a biodiversity gain plan before development is begun because none of the statutory exemptions or transitional arrangements are considered to apply.

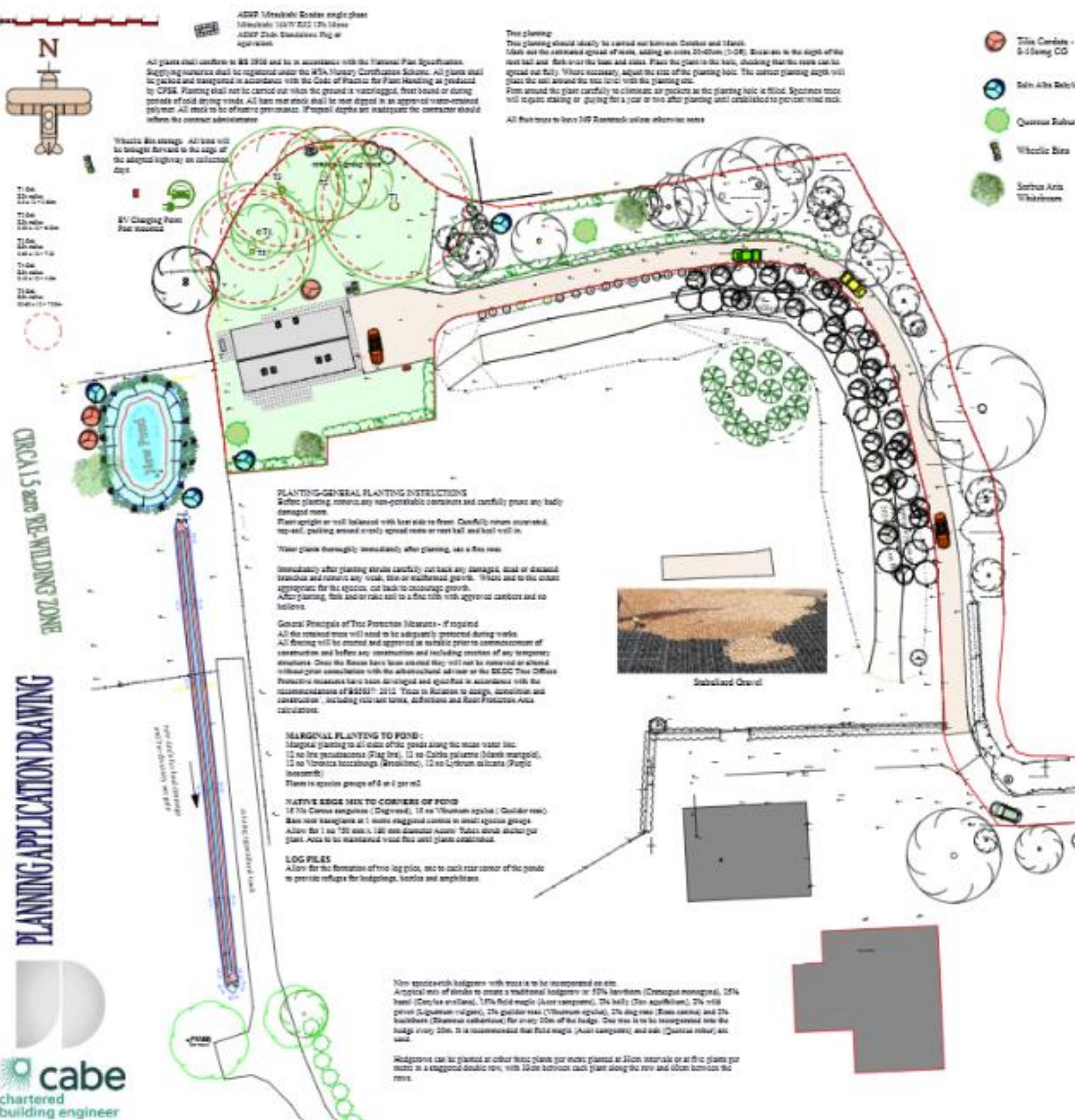
2. The highway improvement works referred to in the above condition are required to be carried out by means of a legal agreement between the landowner and the County Council, as the Local Highway Authority. For further guidance please visit our website; www.lincolnshire.gov.uk/highwaysplanning/works-existing-highway

Highway Informative 08

Please contact the Lincolnshire County Council Streetworks and Permitting Team on 01522 782070 to discuss any proposed statutory utility connections, Section 50 licences and any other works which will be required within the public highway in association with the development permitted under this Consent. This will enable Lincolnshire County Council to assist in the coordination and timings of these works. For further guidance please visit the Highway Authority's website via the following link: Traffic Management - <https://www.lincolnshire.gov.uk/traffic-management>

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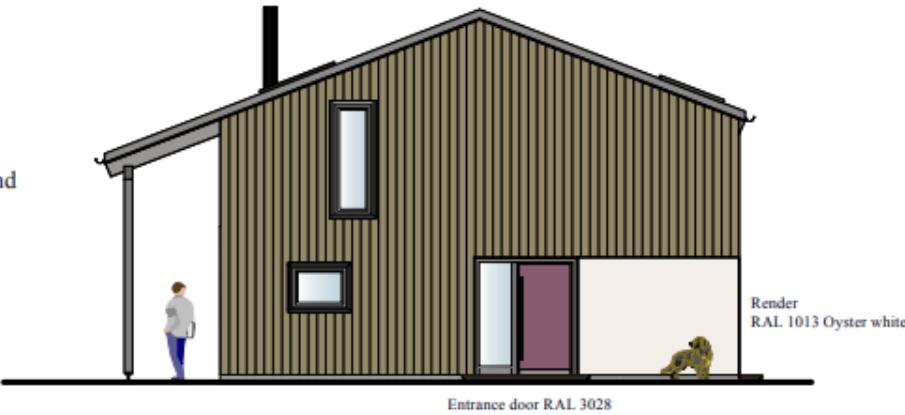
PLANNING APPLICATION DRAWING





SOUTH ELEVATION

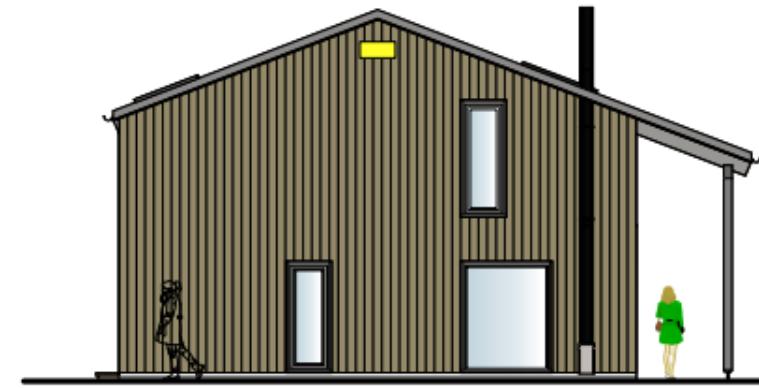
All window and door frames
Black (9005)
Stainless steel guttering
External Blind slats are aluminium and
RAL colour 9006



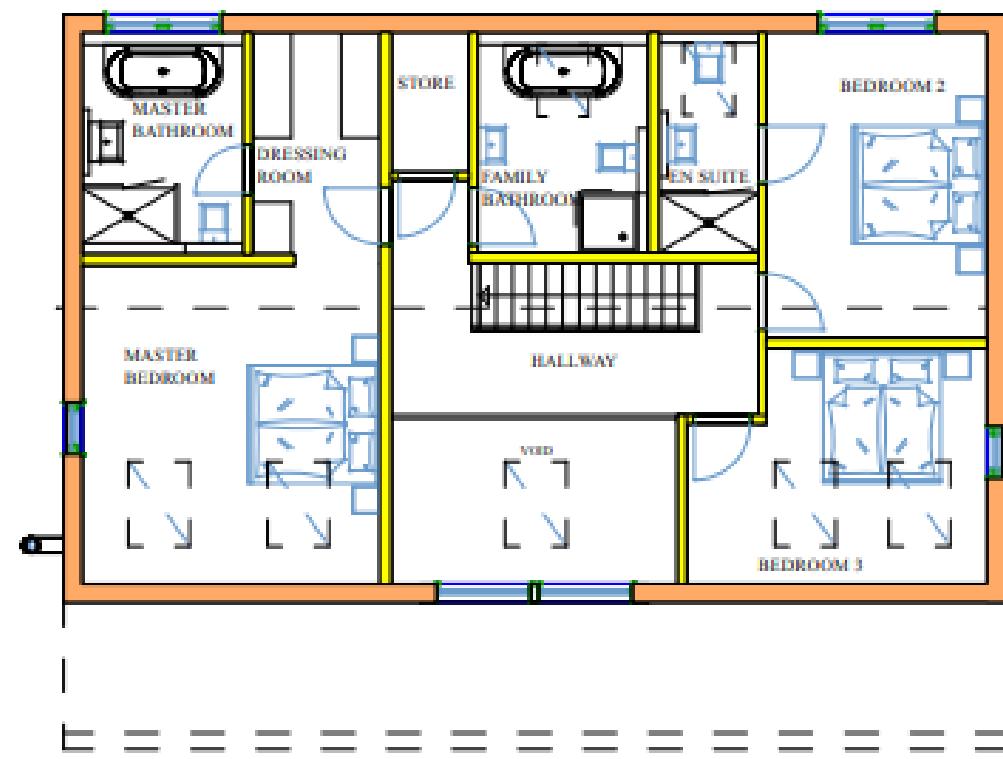
EAST ELEVATION



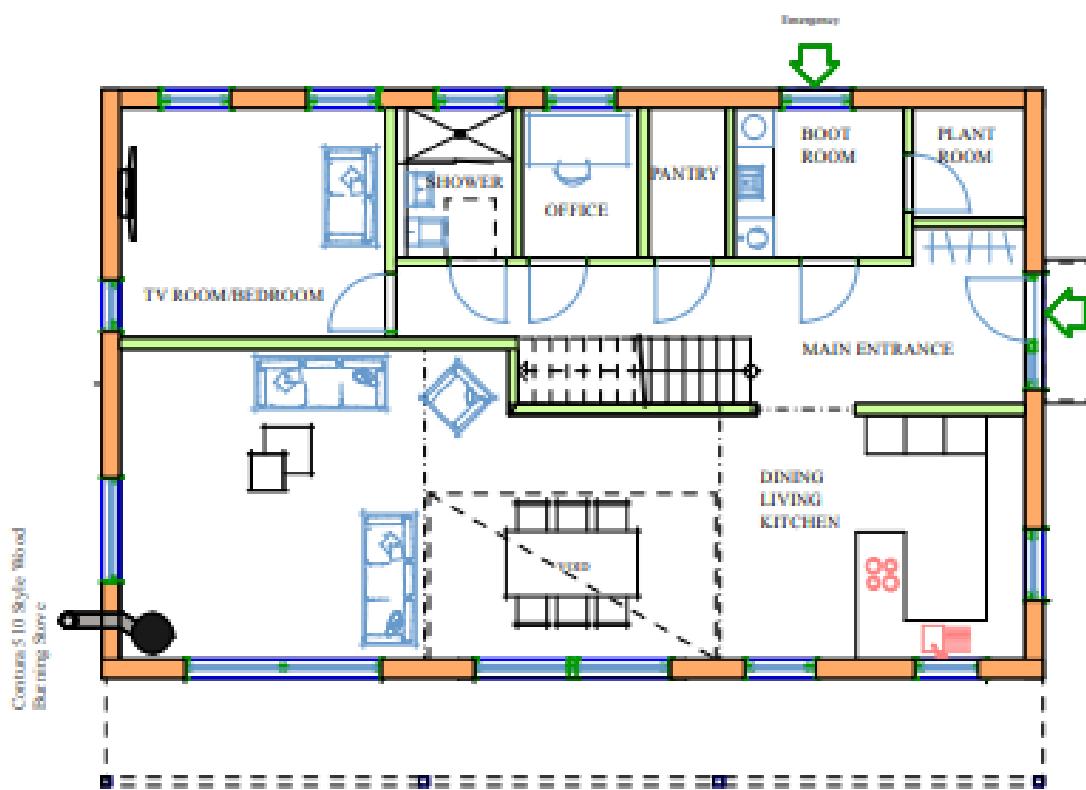
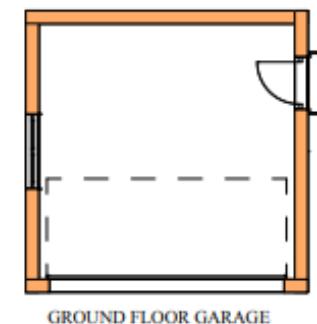
NORTH ELEVATION



WEST ELEVATION



PROPOSED FIRST FLOOR LAYOUT



PROPOSED GROUND FLOOR LAYOUT



SOUTH
KESTEVEN
DISTRICT
COUNCIL



Planning Committee

19 February 2026

S25/0642

Proposal:	Change of use from existing agricultural field to create new leisure facility. Construction of golf driving range with associated clubhouse, parking, and amenities
Location:	Existing Agricultural Field off Meadow Drove, Bourne
Applicant:	Mr Daniel Cundy
Agent:	StudioTwenty
Application Type:	Full Planning Permission
Reason for Referral to Committee:	Call in by Cllrs Morgan and Lane – Impact on the open countryside and highway matters
Key Issues:	Principle of development Effect of the proposal on the character and appearance of the area Effect of the proposal on residential amenity Highway considerations

Report Author

Kevin Cartwright (Senior Development Management Planning Officer)

01476 406375

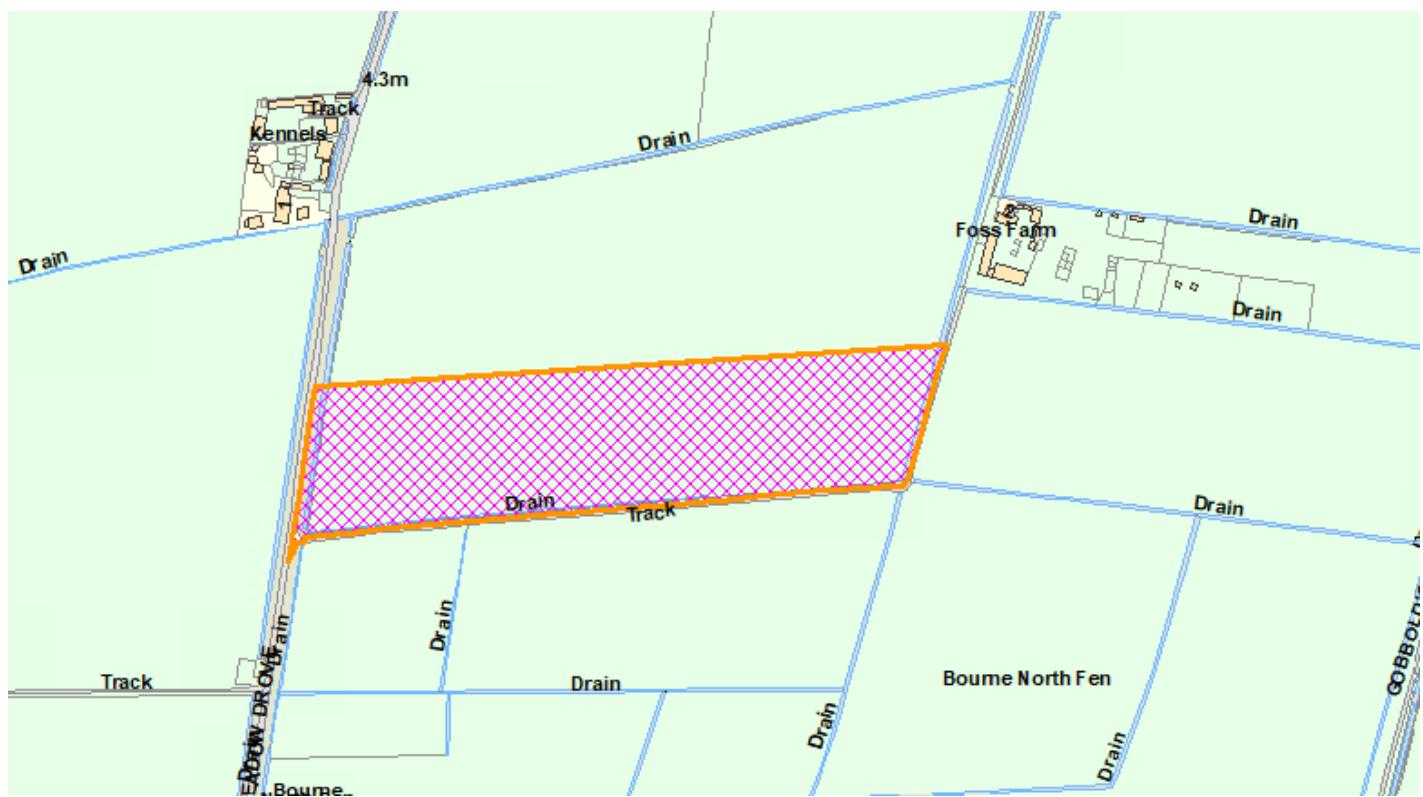
kevin.cartwright@southkesteven.gov.uk

Corporate Priority:	Decision type:	Wards:
Growth	Regulatory	Bourne East
Reviewed by:	Phil Jordan, Development Management & Enforcement Manager	9 February 2026

Recommendation (s) to the decision maker (s)

To authorise the Assistant Director – Planning & Growth to GRANT planning permission, subject to conditions

S25/0642 – Existing Agricultural Field Off Meadow Drove, Bourne



1 Description of Site

The existing site comprises an agricultural field in the open countryside. It is located approximately 500m directly north-east of Bourne and approximately 200m south-east of the centre of Dyke. The site is located off Meadow Drove which is a long straight road that runs to the south-east of Bourne.

2 Description of Proposal

- 2.1 The proposed development is for the change of use of the agricultural land to form a driving range and associated ancillary structures including a clubhouse, machine storage shed miniature golf course, parking and landscaping. The description of development would be updated to remove reference to class E, which is not considered to be the appropriate use class for a golf driving range. A golf driving range would fall within class F2c within the wider class F. As this use class includes a broad range of uses, a condition preventing any permitted changes of use within the same class is recommended to ensure that any changes of use require an application for planning permission.
- 2.2 Access to the site would be via the existing field access which would be retained and upgraded.
- 2.3 Car parking for staff and visitors is proposed with a total of 70 spaces of which five spaces would be disabled and six electric vehicle charging points. This would be constructed of porous asphalt.
- 2.4 The proposed buildings would all be interconnected and would be constructed of black metal cladding similar to that of existing agricultural buildings in the area. They would have an overall ridge height of 4.5 metres.
- 2.5 The internal layout of the building would include driving range bays, clubhouse, kitchen, toilets, and a machine store.
- 2.6 The driving range would be orientated with the bays facing eastwards with proposed planting to the north and south boundaries of the range. It would include 16no. bays with a separate pro-bay for lessons/instruction.

3 Relevant History

There is no relevant site history.

4 Policy Considerations

4.1 SKDC Local Plan 2011 - 2036

Policy SP1 - Spatial Strategy
Policy SP5 - Development in the Open Countryside
Policy SP6 – Community Services and Facilities
Policy DE1 - Promoting Good Quality Design
Policy EN2 - Protecting Biodiversity and Geodiversity Policy
Policy EN3 – Green Infrastructure

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

- 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

5 **Representations Received**

5.1 **LCC Highways & SuDS Support**

5.2 No objection subject to conditions in relation to Construction Management Plan, access construction to Lincolnshire County Council specification and a suitable drainage strategy.

5.3 **Anglian Water**

5.3.1 No objection. There is no connection to the Anglian Water sewers, we therefore have no comments to make.

5.4 **Bourne Town Council - Objection**

5.5 Would remove a field from agricultural production

5.6 Absence of mains drainage is a concern. No main sewerage connection and possible pollution/ contamination with drains/dykes. This is also a concern raised by the Environment Agency and Lincolnshire Wildlife Trust.

5.7 Access to the site will impact on increased traffic through the rural settlement of Dyke. Increased Traffic will be detrimental on the already poor state of Meadow Drove.

5.8 The screening of the site with trees is sensible landscaping particularly at the front of the site. I would emphasise the need for location appropriate and indigenous species.

5.9 The idea of a cycle path, whilst not necessarily being of broad help to the golfer with their own clubs, will certainly benefit the wider community. Meadow Drove is in a state of increasing disrepair and any work done to bring it up to scratch should incorporate the future-proofing addition of a cycleway.

5.10 Concerns regarding the impact of artificial night-time lighting on an essentially rural road

5.11 Possible flood risk (the area flooded just over a year ago)

5.12 Design and Access Statement highlights provision of cycle parking to encourage cycling, however, given the impracticality of transporting golf clubs on a bicycle this seems unlikely.

5.13 Increased traffic through the village of Dyke and also Meadow Drove. Meadow Drove road is already in very poor condition and needs improvement.

5.14 Increased noise and light pollution.

5.15 Expected 280 visitors but only provision of 69 parking spaces, is this under capacity and is there any provision for staff parking as it currently works out that visitors are 4 people per car?

5.16 Stated that there is 0% net biodiversity on site but they have not thought about the insects, flora and fauna or birds of prey. If this should succeed, a generous tree/hedge planting scheme as a boundary would improve canopy cover and support wildlife.

5.17 There is currently no footpath to this site to encourage sustainable transport use

5.18 **Environmental Protection**

5.19 No objection subject to conditions in relation to contaminated land and hours of construction and deliveries and the submission of a construction management plan.

5.20 **Black Sluice Inland Drainage Board**

5.21 No objection. Advice provided for property owners and developers.

5.22 **Lincolnshire Fire and Rescue**

5.23 No objection. Comments provided in relation to the requirements of Building Regulations in relation to fire safety, fire appliance access and water supply.

5.24 **Environment Agency**

5.25 We note that the applicants have stated that the cost of connecting to the mains drainage system is unfeasible. Therefore, subject to the conditions (foul drainage scheme and development in accordance with the submitted FRA) we withdraw our previous objections.

5.26 **Lincolnshire Wildlife Trust**

5.27 Request the inclusion of a CEMP that demonstrates that the development would not have an unacceptable impact on the nearby Local Wildlife Sites.

5.28 **Heritage Lincolnshire (Archaeology)**

5.29 No objection subject to a condition to secure a scheme of archaeological investigation.

5.30 Cllr Charmaine Morgan

5.35.1 The application should be considered by committee. Whilst keeping an open mind there are material considerations and public interest to consider including:

- Change of use of the land for golfing
- Introduction of a building which will likely have public events
- Impact on highway
- Residential amenity

6 Representations as a Result of Publicity

6.1 This application has been advertised in accordance with the Council's Statement of Community Involvement. 10no. letter of representation have been received objecting to the development.

6.2 A summary of the main concerns are listed below:

- Owls use the field as a hunting ground
- Light Pollution
- Noise and disturbance.
- Business would operate from early morning to late at night thereby impacting wildlife and residents
- Clubhouse would result in further noise and disturbance
- Mill Drove Road cannot cope with existing traffic particularly when the A15 is blocked.
- The application is the first step to an application for residential development.
- Toft – 5 miles away has a driving range how much demand is there and is the business viable
- Mill Drive has land allocated for employment. This would be a more sustainable location for the development without the need to repurpose agricultural land
- Traffic problems particularly during commuter hours and school term time
- There is a bottleneck within the village approaching a narrow, blind bridge and is single file in parts within the village
- Would generate local and non-local visitors
- 280 visitors as quoted in the application would significantly increase traffic volume
- Improvements should be made to the road network
- Only 69 parking spaces are proposed
- Construction traffic would be an issue due to road network
- Site is not allocated
- Site is outside the boundaries of Bourne and Dyke and sits in the open-countryside
- Proposal does not protect best and most versatile land.
- There are no footpath and cycle routes to the site
- Proposal would set a precedent for future applications for commercial and residential development in the future
- Noise and light pollution would affect local wildlife
- No public transport
- Dog walkers, cyclists and runners regularly use this hazardous route too. Increased traffic would put their safety at further risk
- Wildlife survey should be undertaken – owls are present in the area
- My concern is that disturbance during building of the range could seriously reduce the chances of these birds returning in future years
- People in support are not on the whole local residents so would in no way have to suffer the constant traffic and other concerns

6.3 Additionally, 2no. representations neither objecting to or supporting have been received. A summary of the comments are listed below:

- I have seen a disappointing lack of new leisure facility provision to match the increase in population. I am therefore interested (in principle) in a golf driving range.
- Concerned regarding loss of agricultural land as farmers continue to look at alternative uses to farming
- If the business becomes no longer viable it should be returned to its previous use.

A slight concern would be light from any evening activity and noise from any entertainment.

- I would not be happy to receive complaints about dog barking. Anyone proposing to move near to an existing business must take that activity and noise into account.
- Road from Mill Drove to Spalding Road needs improving drastically.

6.4 Additionally, 19no. representations have been received in support. A summary of the comments are listed below:

- This would be a positive project for this area. It would not only keep the land green and tidy and free from buildings but also provide a recreation for fitness and health with a low noise and pollution impact
- A sport which will be year round fun for all ages; kids, teens, adults, and seniors alike.
- Encouraging physical activity and supporting mental wellbeing. - Great for social events; parties, family days out and also educational use.
- It would generate employment opportunities and boost the local economy. - Appeals to both beginners and experienced golfers.
- A fun way for children to learn through play; helps develop hand-eye coordination and concentration.
- Requires less space than a traditional golf course and would be a great use of existing agricultural land.
- Would be great to have this new technology on our doorstep for many to enjoy. - Minimal impact with regards to noise, pollution and the environment, keeping the land green and tidy.
- I fully support this application and hope it will be approved as it would become a great asset to Bourne Town
- This type of development offers a sustainable alternative use of land, with minimal impact compared to more intensive commercial or residential development. With proper landscaping and environmental considerations in place, a golf driving range can integrate well into the rural surroundings while maintaining much of the open character of the land.
- Facilities like this help create a sense of place and community identity, offering new social opportunities and potential space for events, junior coaching, and inclusive engagement in sport.
- Unlike high-impact sports, golf is known for its sustainability in terms of land use and its minimal environmental footprint when properly managed. The site is accessible via multiple routes which should balance the traffic flow from Bourne and the surrounding villages
- Addresses the Lack of Leisure Facilities
- Supports the Local Economy and job creation

- With proper design, the range can incorporate landscaping that enhances biodiversity (e.g., planting native trees and wildflower areas).
- Sustainable practices, such as low-energy lighting and rainwater harvesting, could be integrated into the development.
- Limited Peak Traffic: Unlike retail or large-scale venues, driving ranges typically experience steady, low-intensity traffic throughout the day rather than sudden surges.
- Traffic Management Measures: Working with local councils, we can implement measures such as clear signage, parking limits, and even traffic calming measures to maintain safe, manageable flow.
- Encouraging Active Travel: Bike racks, pedestrian-friendly access, and promotion of carpooling or shuttle services from nearby towns can further reduce vehicle impact.
- Modern lighting technology, including directional LED floodlights, can be installed to focus illumination directly onto the range without spilling into surrounding areas, ensuring minimal disruption to nearby homes or wildlife
- The road way is of good quality for the few extra vehicles that would use it.

Representations have also been received from Cllr Kelly and are summarised below:

- I think that many in the Bourne area would appreciate this facility and I note the pre-conditions many agencies have asked for, which I support.
- Concerns regarding the short-sightedness of Lincolnshire County Council regarding the provision of a pavement or cycleway to the venue.
- A pavement/cycleway is essential for the development to encourage sustainable transport and should extend from the proposal to the current buildings on Mill Drove and from Spalding Road to the new development
- S106 should be collected to contribute to infrastructure
- To improve BNG there should be a commitment to tree planting as a boundary and car park feature which would improve tree canopy cover and support local wildlife opportunities
- Roads are unsuitable for increased traffic
- Car parking is inadequate based on the capacity of the venue
- Unsuitable for events

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 on 30 January 2020, and this forms the Development Plan for the District, and is the basis for decision-making for the current application.

- 7.2 In addition, the Lincolnshire Minerals and Waste Local Plan forms the development plan for the District in relation to minerals planning.
- 7.3 The Local Planning Authority have also adopted a Design Guidelines Supplementary Planning Document (SPD) (Adopted November 2021), and this document is material consideration in the determination of planning applications.
- 7.4 The policies and provisions of the National Planning Policy Framework (NPPF) ("the Framework") are also a relevant material consideration in the determination of planning applications.

7.5 Principle of Development

- 7.5.1 Local Plan Policy SP1 sets out the spatial strategy for the District, with the majority of growth focused on the four market towns, but with identified "Larger Villages" providing a supporting role.
- 7.5.2 Local Plan Policy SP5 deals with development in the open countryside, limiting it to that which has an essential need to be located outside of the existing built form of a settlement. In such instances, the following types of development are supported:
 - a) agriculture, forestry or equine development;
 - b) rural diversification projects;
 - c) replacement dwellings (on a one for one basis) or;
 - d) conversion of buildings provided that the existing building(s) contributes to the character or appearance of the local area by virtue of their historic, traditional or vernacular form; and
 - e) are in sound structural condition; and
 - f) are suitable for conversion without substantial alteration, extension or rebuilding, and that the works to be undertaken do not detract from the character of the building(s) or their setting.
- 7.5.3 The proposal is for the creation of a new leisure facility in the open countryside. It is accepted that the list of developments and uses within the above policy does not specifically reference the proposed recreational use. It should however be noted that the list of uses is not exhaustive.
- 7.5.4 It should be noted that the proposal does require a significant take up of land. As such, it would be difficult to locate and secure an application site in a more sustainable location, not in the open countryside that would be able to accommodate the proposed development. It can therefore be argued that whilst it is not essential for this development to be located in the open countryside, that due to the land requirements this is justified.
- 7.5.5 Additionally, Local Plan Policy SP6: Community and Services and Facilities is relevant. This policy states that proposals for new community facilities will be supported, and should wherever feasible:
 - e) Priorities access by walking, cycling and public transport.

Community facilities may have a local or wider catchment area, and their accessibility should be considered proportionately relative to their purpose, scale and catchment area and;

- f) Be physically accessible to all members of society;
- g) Be designed so that they are adaptable and can be easily altered to respond to future demands if necessary; and
- h) Where applicable be operated without detriment to local residents.

7.5.6 NPPF Paragraph 103 states:

Access to a network of high-quality open spaces and opportunities for sport and physical activity is important for the health and well-being of communities, and can deliver wider benefits for nature and support efforts to address climate change.

Planning policies should be based on robust and up-to-date assessments of the need for open space, sport and recreation facilities (including quantitative or qualitative deficits or surpluses) and opportunities for new provision. Information gained from the assessments should be used to determine what open space, sport and recreational provision is needed, which plans should then seek to accommodate.

7.5.7 The applicant has provided a covering letter with the application from England Golf which can be summarised as follows:

"There are more people now engaging in non-traditional off course forms of golf, while research shows that golf is played by approximately 8.5 million people every year, with half of that being at around 550 facilities – driving ranges, short courses, simulator and adventure golf venues.

When considering a new facility such as this, it is important that the following benefits to the local community are understood.

-The health and social benefits for the local community - golf being one of the few sports that all ages and all members of a family unit can participate in together.

-The development of the amateur game, particularly for younger golfers who have increased opportunities to get involved in sport and exercise through club / academy / school and community links.

- A facility such as this can be used all-year round as well as creating a number of employment opportunities for local people.

England Golf's view is that new, innovative practice facilities make the game much more accessible and help to provide a great start in the pathway to club membership. This sort of facility is particularly appealing to beginner golfers or those looking to get back into the game after a period away and is certainly something that we see as a benefit to increasing overall participation in the sport".

7.5.8 The Council has prepared a Playing Pitch and Outdoor Sport Strategy (PPOSS) (August 2024) to form an evidence base and set of recommendations for future outdoor sports facility development across the district. Unfortunately, the PPOSS focuses on Football, Rugby Union, Cricket, Hockey, Tennis, Netball, and Outdoor Bowls. As such there is no specific information in relation to current provision or need for golf facilities.

7.5.9 Nonetheless it is considered that the proposal would provide the opportunity for all members of society to engage in a leisure activity that may ultimately result in a more active and healthy lifestyle and act as a gateway to the sport of golf that can sometimes be financially restricted due to the cost of club membership.

7.5.10 Taking into account the above matters, and whilst accepting that the proposal would be located in the open countryside it is considered that the proposal would result in a form of development that is acceptable in principle in this location and would accord broadly with the thrust of local plan policies SP5 and SP6 and NPPF Section 8 Promoting healthy and safe communities.

Other material planning considerations including access and connectivity are discussed further below.

7.6 **Effect of the proposal on the character and appearance of the area**

7.6.1 Local Plan Policy DE1 requires development to make a positive contribution to the character of the area. This is consistent with NPPF Section 12 (Achieving well-designed places) which amongst other things states that developments should be visually attractive as a result of good architecture, layout and effective landscaping. The existing character of the site is rural in nature.

7.6.2 The building would be sited in a relatively isolated location and would have a modest overall ridge height. It would be constructed of cladding, resulting in an agricultural appearance. Landscaping around the boundary of the site could further aid assimilation of the building into its rural surroundings.

7.6.3 It is accepted that in addition to the building there would be the ancillary structures including the car parking, bin store and cycle store. However, it is these buildings would be minor in extent and hard-surfacing would not be materially different than the hardstanding areas associated with agricultural buildings that often have expansive concrete aprons to facilitate farm machinery movements. The miniature golf course would be a combination grassland, water features and putting greens linked by gravel paths. This is considered to be in keeping with this rural location.

7.6.4 Taking into account the above, it is considered that the proposal would not result in any harm to the character or appearance of the area and would comply with Policy DE1 of the South Kesteven Local Plan and the NPPF Section 12.

7.7 **Effect of the proposal on residential amenity**

7.7.1 The proposal would be located in a rural location. It is considered that there would be adequate separation distances to neighbouring occupiers to ensure that the proposed scheme would not harm existing residential amenity.

7.7.2 A lighting report has been submitted with the application which illustrates that whilst there would be lighting to both the car parking area and the driving range itself it is unlikely that this would result in any significant light pollution beyond the boundaries of the site.

7.7.3 Notwithstanding the lighting report it is considered appropriate to require the submission of details in relation to the specific type and location of any external lighting on the site. This would ensure that it would be designed and sited in a sympathetic manner to minimise any

impacts on the character and appearance of the area and would ensure that there would be no demonstrable harm to the amenity of neighbouring occupiers.

7.7.4 For these reasons, the application would accord with Policy DE1 of the Local Plan in terms of amenity impacts.

7.8 Highway considerations

7.8.1 The proposal has been assessed by the local highway authority and no objections have been raised in relation to highway safety and capacity. However, they have requested planning conditions requiring the submission of a construction management plan and method statement, specification of the access and details of surface water drainage.

7.8.2 70no. parking spaces are proposed which is considered to be an adequate level of parking for the proposed scheme.

7.8.3 It is accepted that the proposed development is located in a rural location and as such the users would of the site would be likely to be reliant on the motor vehicle. The requests for improved pedestrian connectivity to the site are noted however there has not been a specific request for any such improvements from the highway authority. Additionally, it should be noted that due to the nature of the sport, players/customers are more often than not, taking their own clubs to the venue in order to practice.

7.8.4 This is supported by the comments received from England Golf. In a covering letter in support of the application they state:

7.8.5 *“While formal travel-mode data for driving range users is not collected, industry experience consistently suggests that the majority of visitors travel by private car. Golfers typically prefer car travel over walking, cycling, or public transport due to the need to transport golf clubs and associated equipment, as well as the common location of golf facilities in rural or semi-rural areas that are not well served by public transport routes. In addition, participants are preparing to undertake physical activity, which further reduces the practicality of arriving on foot or by bicycle.*

7.8.6 *The proposed site is located approximately 1.6 miles from Bourne. Given this distance, the rural setting, and the equipment requirements of the sport, it is our view that the vast majority of users will access the facility by car. Cycling levels in particular are expected to be very low, as carrying golf equipment on a bicycle is impractical for most participants. Based on these factors, car travel is likely to be the predominant mode of transport for users of the proposed driving range”.*

7.8.7 Taking into account the above matters there would be limited opportunity for non-motor vehicle trips to be a viable alternative thus negating the need for off-site highway improvements.

7.8.8 It can therefore be concluded that the application, is in accordance with Policy ID2 of the Local Plan and NPPF Section 9.

7.9 Other Matters

7.10 Drainage and Flooding

7.11 The application is accompanied by a Flood Risk Assessment (FRA) and drainage statement. The FRA indicates that the site is at high risk of groundwater flooding.

7.12 The initial proposal was to address the risk of flooding by ensuring that the finished floor level would be elevated in relation to the average existing ground level by approximately one metre.

7.13 As an alternative to elevating the entire building above the existing ground level, the internal floor levels were amended and it is now proposed that the main internal floor areas would be elevated but the driving range being lower and constructed in flood resilient materials.

7.14 The proposed surface water drainage solution for the site would be SuDs and following a dialogue with the Environment Agency they have confirmed that an on-site foul drainage solution is required as a connection to the mains drainage system would be unfeasible.

7.15 It should be noted that the Environment Agency and the Local Lead Flood Authority have not raised any objections to the proposed development subject to conditions in relation to both surface and foul drainage.

7.16 Taking into account the above matters it is considered that the proposal would result in a satisfactory form of development that would comply with local plan Policy EN5 and the NPPF Section 14.

7.17 **Loss of agricultural land**

7.18 Paragraph 187(b), of the NPPF places value on recognising the intrinsic character and beauty of the countryside including the best and most versatile agricultural land.

7.19 In terms of conserving the natural environment, footnote 65 of the NPPF states that where agricultural land is deemed necessary for development, areas of poorer quality should be preferred to those of higher quality. It also notes that the availability of agricultural land used for food production should be considered, alongside other policies in the NPPF, when deciding what sites are most appropriate for development.

7.20 A recent appeal decision (2024) in relation to a solar farm concluded that:

7.21 *...the appellant has demonstrated that the agricultural land affected represents only 0.0034% of the agricultural land in the East Midlands Region and 0.052% of such land within the district. Furthermore, the appellant's Alternative Land Assessment demonstrates an abundance of BMV land within the local area. This suggests to me that BMV land is not scarce within the area, and the proportion of BMV land on site is not exceptional. (Appeal Ref: APP/E2530/W/24/3350191).*

7.22 The site area for the above appeal was 43 hectares. The application site in this instance is approximately 4.3 hectares. It should be noted that the application site is linear in shape and would not prevent the continued use of the adjoining land for agricultural purposes as they would be readily accessible from the surrounding road network.

7.23 Taking into account the above matters it is considered that the proposal would not result in any significant loss of quantity of agricultural land and accordingly the proposal would not significantly impact food production when taking into account the land remaining in the District.

7.24 **Archaeology**

7.25 The application is accompanied by an archaeological assessment that includes trial trenching in the area that would be utilised for the siting of the building, car parking and miniature golf. This has been assessed by Heritage Lincolnshire who have confirmed that based on the findings of the trial trenching, a programme of archaeological excavation is required to mitigate the impact of the development on known archaeological remains. This can be secured by an appropriately worded condition that requires further archaeological excavation.

7.26 **Biodiversity Net Gain (BNG)**

7.27 The submitted BNG assessment indicates approximately 35% net gain in habitat units and 88% gain in hedgerow units. This would be in the form of modified grassland and neutral grassland within the site and planting of trees and a native hedgerow.

7.28 The conclusions of the submitted BNG assessment is that a detailed landscaping plan should be provided and a habitat management and monitoring plan is required to ensure that the created habitats are achieved for the prescribed 30 year period.

7.29 These matters can be secured by the BNG condition that is deemed on all relevant planning permissions. As this is a relevant application in relation to the BNG regulations there is a requirement for a habitat management and monitoring plan covering a 30 year period to be produced and approved by the local planning authority in accordance with the Environment Act. The habitat management plan can be secured by appropriately worded condition.

7.30 **Ecology**

7.31 An Ecology Report has been submitted with the application which summarises the findings of the desktop and field survey work that was undertaken.

7.32 The recommendations of the report are that any lighting scheme is wildlife sensitive, good construction practices are employed to avoid damage to retained hedgerows and trees within the site and mitigation measures to avoid impact on any badgers, hares, hedgehogs and nesting birds during the construction phase. These matters can be achieved by suitably worded conditions.

7.33 The report also identifies opportunities for ecological enhancement in the form of bat and bird boxes, hedgehog shelters, insect hotels and native species planting.

7.34 Lincolnshire Wildlife Trust concerns relate to the adequate protection of Local Wildlife Sites. In this instance the nearest Local Wildlife Site is Dyke Fen Drain which runs parallel to Dyke Drove which runs approximately 200 metres to the north of the application site but is connected by the ditch adjacent to the application site.

7.35 As per the Lincolnshire Wildlife advice it is considered that this matter can be adequately addressed by a dedicated requirement within a Construction Management Plan that would ensure that the development would not adversely affect the Local Wildlife Site/watercourse via pollution.

7.36 Lincolnshire Wildlife Trust has referenced the Environment Agency objection to the development. However, this objection has subsequently been withdrawn as an on-site foul water solution is considered acceptable by the Environment Agency.

7.37 **Fire and rescue**

The comments of the Fire and Safety Officer are noted. The formation of a suitable access for fire tender access and appropriate water supply are matters that fall within the remit of 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 and Planning Balance

10.1 Taking into account the above matters, the proposal is considered to be an acceptable form of development. From a spatial perspective any tension in relation to Policy SP5 is considered to be outweighed by the benefits of delivering significant community, health and well-being outcomes from the proposed facilities. The proposal would be acceptable from a highway perspective demonstrating adequate parking provision. Due to the rural location, it is considered that the proposal would not result in any significant harm to the amenity of neighbouring occupiers from either the activities on site or from movements to and from the site during either the construction or operational phases. There would be limited built form on the site. As such it is considered that the proposed development would not result in any significant harm to the character or appearance of the area.

10.2 The proposal is a water compatible development being outdoor sports and recreation and essential facilities such as changing rooms and would therefore be appropriate for this location subject to the flood mitigation measures requested by the Environment Agency. As such the proposal is considered to accord with Local Plan Policies SP5, SP6, DE1, ID2 and EN5 and the NPPF Sections 8, 9, 12, 14 and 15. Any tension in relation to the aforementioned policies is considered to be outweighed by the significant sport and recreation provision and associated health and well-being outcomes that the proposed development would deliver.

RECOMMENDATION:

To authorise the Assistant Director – Planning & Growth to GRANT planning permission, subject to conditions

Time Limit for Commencement

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

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

Approved Plans

2 The development hereby permitted shall be carried out in accordance with planning application form, and with the following list of approved plans:

Site Plan 1:1250 Drawing No. STWNBOUR_0001 A111 7
Site Plan 1:500 Drawing No. STWNBOUR_0001 A110 8
Ground Floor Layout Drawing No. STWNBOUR_0001 A100 5
External Elevations Drawing No. STWNBOUR_0001 A400 4
Sections Drawing No. STWNBOUR_0001 A300

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 Before the development hereby permitted is commenced, details demonstrating how the proposed building 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, in accordance with the agreed scheme, prior to the first occupation of the development hereby permitted.

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

4 No development shall take place until a Written Scheme of Investigation (WSI) for archaeological works has been submitted to and approved in writing by the local planning authority. The WSI shall be informed by the results of the archaeological trial trench evaluation and shall provide for an appropriate programme of archaeological mitigation, which may include targeted excavation, strip-map-record, or other proportionate archaeological works, together with provision for post-excavation analysis, reporting and archiving.

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

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 the NPPF (section 16).

5 Before the development hereby permitted is commenced, details of hard 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. other vehicle and pedestrian access and circulation areas;
- v. hard surfacing materials;
- vi. minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting etc.);
- vii. proposed and existing functional services above and below ground (e.g. drainage power, communications cables, pipelines etc. indicating lines, manholes, supports etc.);
- viii. retained historic landscape features and proposals for restoration, where relevant.

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.

During Building Works

6 The development hereby permitted shall be undertaken in accordance with a Construction Management Plan and Method Statement that shall first be approved in writing by the Local Planning Authority. The Plan and Statement shall indicate measures to mitigate the adverse impacts of vehicle activity and the means to manage the drainage of the site during the construction stage of the permitted development. It shall include;

- the phasing of the development to include access construction;
- the on-site parking of all vehicles of site operatives and visitors;
- the on-site loading and unloading of all plant and materials;
- the on-site storage of all 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 (temporary or permanent) connect to an outfall (temporary or permanent) during construction.
- details of the ecological avoidance, mitigation and protective measures to be implemented before and during the construction phase, including but not necessarily limited to, the following:
 - (i) Identification of ecological protection areas/buffer zones and tree root protection areas and details of physical means of protection, e.g. protection fencing.

- (ii) Working method statements for protected/priority species, such as nesting birds, reptiles, roosting bats, and badgers.
- (iii) Full details/measures to mitigate any impact on Local Wildlife Site-Dyke Fen Drain
- (iv) Details of any external lighting during the construction phase adjacent to identified ecological protection areas/buffer zones.

Reason: In the interests of the safety and free passage of those using the adjacent public highway and to ensure that the permitted development is adequately drained without creating or increasing flood risk to land or property adjacent to, or downstream of, the permitted development during construction and in the interests of ecological protection.

- 7 The development shall not commence until a Habitat Management and Monitoring Plan (the HMMP)], prepared in accordance with the approved Biodiversity Gain Plan and including:
 - a) a non-technical summary;
 - (b) the roles and responsibilities of the people or organisation(s) delivering the (HMMP)
 - (c) the planned habitat creation and enhancement works to create or improve habitat to achieve the biodiversity net gain in accordance with the approved Biodiversity Gain Plan;
 - (d) the management measures to maintain habitat in accordance with the approved Biodiversity Gain Plan for a period of 30 years from the completion of development; (could be occupation)and
 - (e) the monitoring methodology and frequency in respect of the created or enhanced habitat to be submitted to the local planning authority, has been submitted to, and approved in writing by, the local planning authority.

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

Reason: To ensure the development delivers a biodiversity net gain on site in accordance with Schedule 7A of the Town and Country Planning Act 1990 (and policy EN2).

Before the Development is Occupied

- 8 Prior to first occupation on site further details relating to the vehicular access to the public highway, including materials, specification of works and construction method shall be submitted to the Local Planning Authority for approval.

The approved details shall be implemented on site before the development is first occupied and thereafter retained at all times.

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

9 The permitted development shall be undertaken in accordance with a surface water drainage scheme which shall first have been approved in writing by the Local Planning Authority. The scheme shall:

- be based on the results of evidenced groundwater levels and seasonal variations (e.g. via relevant groundwater records or on-site monitoring in wells, ideally over a 12-month period);
- be based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development;
- provide flood exceedance routing for storm event greater than 1 in 100 year;
- 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 an agreed amount of 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.

No part of the development shall be occupied until the approved scheme has been completed or provided on the site in accordance with the approved phasing. 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 of, or upstream of, the permitted development.

10 The development shall be carried out in accordance with the amended section plan by Studio Twenty [ref: STWNBOUR_0001 A300, dated 26 November 2025] and the submitted flood risk assessment by Urban Water [ref: U0637 FRA-v1, dated June 2025] with the following mitigation measures it details:

- Finished floor levels of the driving range and entrance lobby shall be set no lower than 3.95m above Ordnance Datum (AOD)
- Finished floor levels of the remainder of the building shall be set no lower than 4.6m above Ordnance Datum (AOD)
- Flood resilience and resistance measures to be incorporated into the proposed development as stated in sections 6.9 – 6.15 of the FRA.

These mitigation measures shall be fully implemented prior to occupation of the building and subsequently shall be retained and maintained thereafter throughout the lifetime of the development.

Reason To reduce the risk of flooding to the proposed development and future occupants in line with Policy EN 5 of the South Kesteven Local Plan.

11 No building works which comprise the erection of a building requiring to be served by water services shall be commenced unless and until full details of a scheme for the disposal of foul drainage has been submitted to and approved in writing by the Local Planning Authority ("the Approved Foul Drainage Scheme"). The development shall proceed in accordance with the Approved Foul Drainage Scheme.

There shall be no occupation of buildings approved by this permission unless and until the Approved Foul Drainage Scheme has been completed.

Reason To ensure protection of the water environment, and to meet the objectives of the Water Framework Directive as set out in the Anglian River Basin Management Plan and to ensure compliance with Policy EN 4 of the South Kesteven Local Plan.

12 Before any part of the development hereby permitted is occupied / brought into use, a Landscape and Ecological Management Plan (LEMP) 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,

A plan specifying the location and type of integral bird nesting features (including for swifts) and bat roosting features to be provided. Numbers to be provided in line with best practice guidelines.

A plan distinguishing land required to meet mitigation and BNG objectives.

A plan specifying features to be provided to promote other protected species/non-protected species as outlined within the submitted Preliminary Ecological Appraisal (May 2025) Opportunities for Enhancement including but not limited to hedgehog shelters, insect hotels.

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

Reason: Soft landscaping/ecological improvements makes an important contribution to the development and its assimilation with its surroundings; and in accordance with Policy EN2 of the adopted Local Plan.

13 Notwithstanding the submitted lighting report, details of any external lighting shall be submitted to and approved in writing by the local planning authority before the use hereby permitted takes place] [and] [the building(s) is/are occupied]. Development shall be carried out in accordance with the approved details.

Reason: To ensure a satisfactory form of development and to ensure no unacceptable impact on the character and appearance of the area or the amenity of neighbouring occupiers.

14 Before any construction work above ground is commenced, details of 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;

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 of the adopted South Kesteven Local Plan.

15 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.

16 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.

On-going Conditions

17 Monitoring reports shall be submitted to the local planning authority in writing in accordance with the methodology and frequency specified in the approved (HMMP).

Reason: To ensure the development delivers a biodiversity net gain on site in accordance with Schedule 7A of the Town and Country Planning Act 1990 (and policy EN2).

18 Notwithstanding the provisions of Schedule 2, Parts 3 and 4 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), the premises shall only be used for the purposes specified below and for no other purpose, unless Planning Permission for a new use of the premises has been granted by the Local Planning Authority:

- Golf driving range

Reason: The use of the premises for any other purpose at this location would require further assessment by the Local Planning Authority.

Standard Note(s) to Applicant:

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.

In accordance with Section 59 of the Highways Act 1980, please be considerate of causing damage to the existing highway during construction and implement mitigation measures as necessary. Should extraordinary expenses be incurred by the Highway Authority in maintaining the highway by reason of damage caused by construction traffic, the Highway Authority may seek to recover these expenses from the developer.

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. Any traffic management required to undertake works within the highway will be subject to agreement. The access must be constructed in accordance with a current specification issued by the Highway Authority. Any requirement to relocate existing apparatus, underground services, or street furniture because of the installation of an access will be the responsibility, and cost, of the applicant and must be agreed prior to a vehicle access application. The application form, costs and guidance documentation can be found on the Highway Authority's website, accessible via the following link:

<https://www.lincolnshire.gov.uk/licences-permits/apply-dropped-kerb>.

Please contact the Lincolnshire County Council Streetworks and Permitting Team on 01522 782070 to discuss any proposed statutory utility connections, Section 50 licences and any other works which will be required within the public highway in association with the development permitted under this Consent. This will enable Lincolnshire County Council to assist in the coordination and timings of these works. For further guidance please visit the Highway Authority's website via the following link: Traffic Management - <https://www.lincolnshire.gov.uk/traffic-management>

Flood Warning and Evacuation Plan Due to the potential flood risk and danger posed of the development becoming isolated by surrounding flood waters at this site, it is advised that a Flood Warning and Evacuation Plan is produced for the development in order to address the residual risks of flooding at the site and to confirm the approach that will be taken for safe evacuation of the area.

Signing up for Flood Warnings The applicant/occupants should phone Floodline on 0345 988 1188 to register for a flood warning, or visit Sign up for flood warnings - GOV.UK. It is a free service that provides warnings of flooding from rivers, the sea and groundwater, direct by telephone, email or text message. Anyone can sign up. Flood warnings can give people valuable time to prepare for flooding – time that allows them to move themselves, their families and precious items to safety. Flood

warnings can also save lives and enable the emergency services to prepare and help communities.

- For practical advice on preparing for a flood, visit Prepare for flooding: Protect yourself from future flooding - GOV.UK.
- To get help during a flood, visit What to do before or during a flood - GOV.UK.
- For advice on what to do after a flood, visit What to do after a flood - GOV.UK.

The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition "(the biodiversity gain condition") that development may not begin unless:

- (a) a Biodiversity Gain Plan has been submitted to the planning authority, and
- (b) the planning authority has approved the plan.

The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan if one is required in respect of this permission would be South Kesteven District Council.

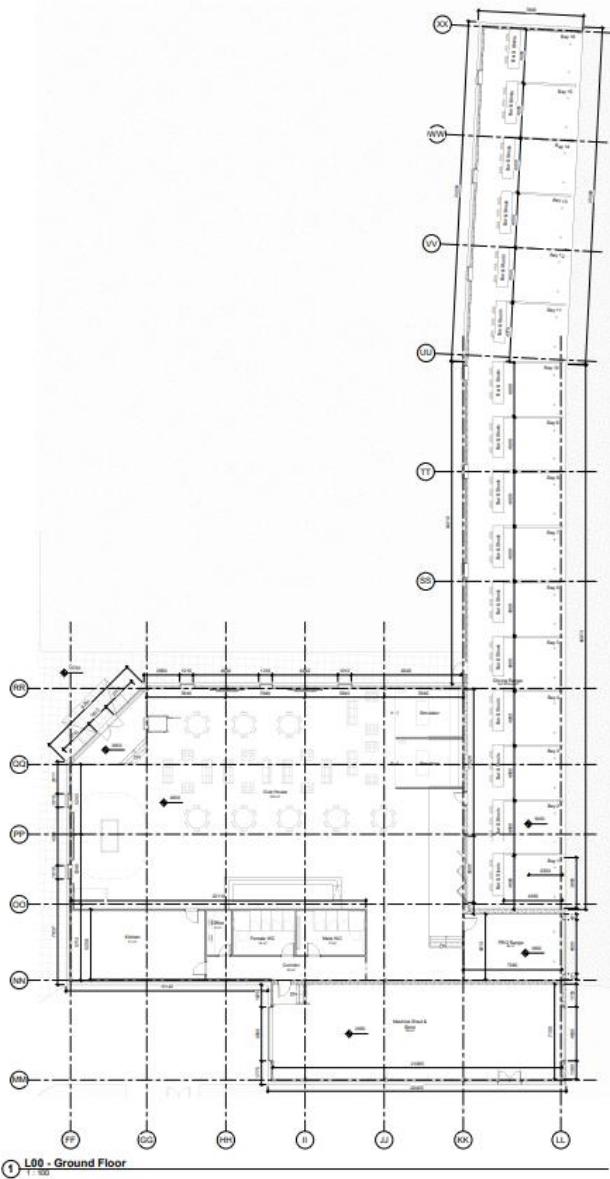
There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. These are listed below.

Based on the information available this permission is considered to be one which will require the approval of a biodiversity gain plan before development is begun because none of the statutory exemptions or transitional arrangements apply.

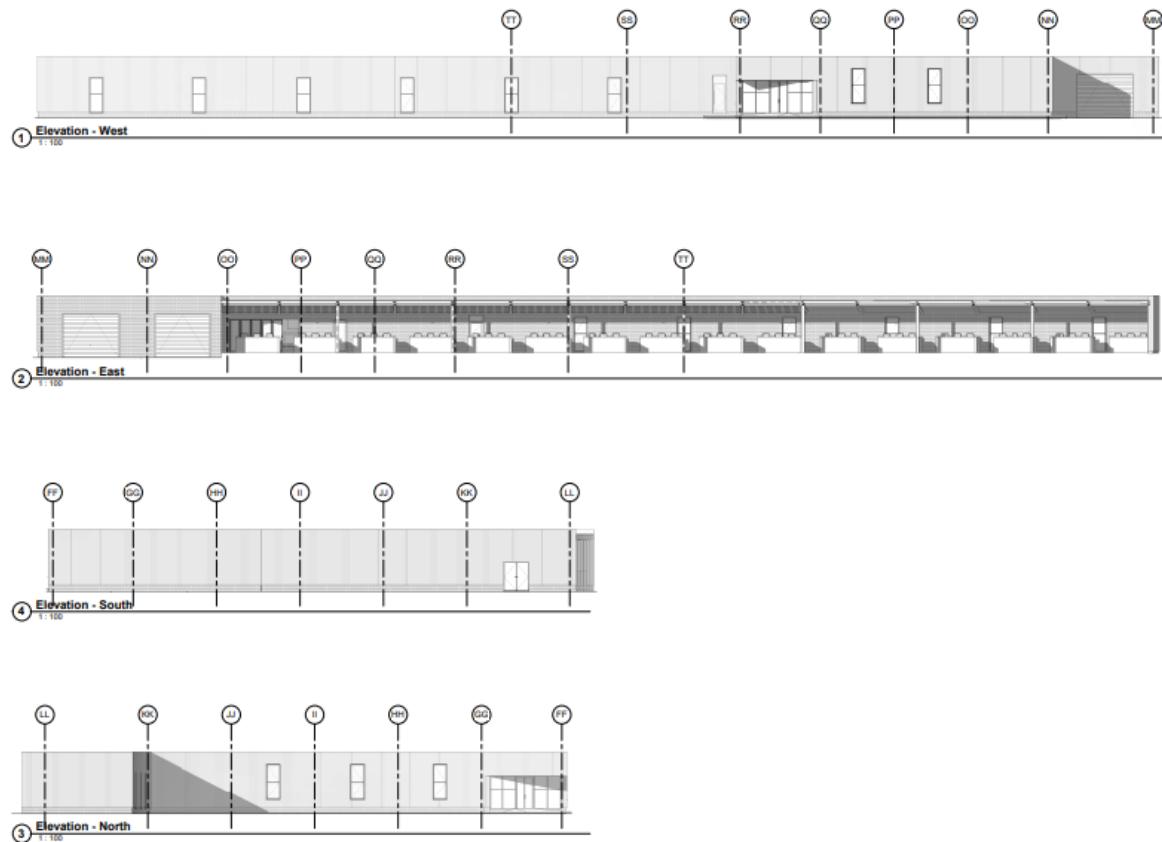
Site Layout



Floor Plan



Elevations



Site Sections



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