



SOUTH  
KESTEVEN  
DISTRICT  
COUNCIL



## Additional Information Report

This report sets out additional information in relation to planning applications for consideration at the Planning Committee on 19 March 2026 that was received after the Agenda was published.

### Agenda Item 10

#### S24/2218

**Proposal:** Section 73 application to remove Condition 21 (Pennine Way Bridge) and vary Condition 36 (Off-site highways works) of planning permission S08/1231 to remove the obligation to deliver the Pennine Way bridge

**Site Address:** Poplar Farm, Grantham

#### Additional Information

- Legal Advice in relation to the validity of the application (**Appendix 1**)
- 1 no. additional public representation raising concerns relating to highways safety and capacity.
- Updated Heads of Terms for the proposed new Section 106 Agreement.

### Officer Advice to Members

Appendix 1 contains a summary of the formal written advice received from Kings Counsel in relation to the validity of the application.

Members are advised that Counsel advice is exempt from publication due to it containing details which are subject to legal privilege, and therefore, publication of this information could prejudice the Council's position in relation to the assessment of the application.

The public representation does not raise any additional matters beyond those assessed as part of the main Committee Report.

However, following review, it is proposed to update the Heads of Terms for the proposed Section 106 Agreement to allow for the land for the health centre to be called upon by the NHS in advance of the occupation of 1200 units or prior to 5 years of re-commencement of development, subject to the NHS provide reasonable notice of their intention to call upon the site. This would allow for the land to be brought forward to meet the identified needs of the development, and the proposed occupation numbers and 5-year period for servicing the site would act as a backstop for delivering the site.

Furthermore, it is also proposed to allow the additional £2,350,422 released as a result of the removal of the obligation to deliver the bridge to be utilised to enhance or provide additional infrastructure on Poplar Farm to mitigate the impact of the development; subject to any such request being identified as being necessary, directly related to the development and fairly and reasonably related in scale and kind to the development. The money is to be safeguarded for these purposes for 5 years following the date of the last financial payment, and in the event that the money is not used on-site, it will subsequently be released towards payment of the Grantham Southern Relief Road.

The updated Heads of Terms for the Section 106 Agreement are therefore, as follows:

<b>Obligation</b>	<b>Existing Section 106 Agreement</b>	<b>Revised Section 106 Agreement</b>
Affordable Housing	<p><u>23.3% of overall development</u></p> <ul style="list-style-type: none"> <li>• 54 units by 246 occupations</li> <li>• 114 units by 786 occupations</li> <li>• 402 units by 1398 occupations</li> </ul>	<p><u>23.3% of overall development</u></p> <ul style="list-style-type: none"> <li>• Phasing and distribution to be subject to an Affordable Housing Plan prior to re-commencement</li> </ul>
Sports Pitches	<p><b>2.32 hectares with changing facilities</b></p> <ul style="list-style-type: none"> <li>• Delivery by 901<sup>st</sup> occupation</li> <li>• Transfer to SKDC for adoption for £0</li> </ul>	<p><b>2.32 hectares with changing facilities</b></p> <ul style="list-style-type: none"> <li>• Delivery by 1200 occupations</li> <li>• Transfer to SKDC for adoption for £0</li> </ul>
Community Hall Site	<p><b>Deliver serviced site for 405 sq. metres floor area</b></p> <ul style="list-style-type: none"> <li>• Land reserved for 5 years after final instalment paid</li> <li>• Transfer freehold for £0</li> </ul>	<p><b>Owner/Developer to deliver Community Hall in conjunction with sports pitches</b></p> <ul style="list-style-type: none"> <li>• Financial contributions for community hall to be deducted from payments</li> <li>• Costs accounted for in viability = £1,227,909</li> <li>• Community Hall to be offered for adoption by SKDC / Town Council; or transferred to Management Company.</li> </ul>
Health Care	<p><b>Reserve a serviced site for 800 sq. metres floor area until 1500 units.</b></p>	<p><b>Deliver a serviced site for health centre of 800 sq. metres by 1200 units or within 5 years, whichever is the sooner.</b></p> <p><b>The Council, in consultation with the NHS, will have the right to require the land to be serviced prior to the above, subject to serving the</b></p>

		<p><b>Landowner with prior notification.</b></p> <p>Land to be subsequently reserved by 5 years after serviced site completed.</p>																																		
Green Space, Public Open Space and Play Areas	<p><b>SKDC to adopt all public open space and paid commuted sum for maintenance.</b></p> <p><b>LEAPs, LAPs and NEAPs to be delivered in accordance with triggers</b></p>	<p><b>SKDC to adopt existing public open space on re-commencement of development.</b></p> <p><b>Sports pitches to be adopted by SKDC following delivery</b></p> <p><b>All other public open space to be retained and managed by Management Company.</b></p>																																		
Education Land	<b>Completed</b>																																			
Allotments	<b>Completed</b>																																			
Footpaths/Cycleways	<b>Completed</b>																																			
Pennine Way Link Fund	<b>£8,200 per unit payable on units 450-750</b>																																			
Bridge Construction	<b>By 750 occupations</b>																																			
Financial Contributions	<table border="1"> <tr> <td>Education</td> <td>£ 4,816,000</td> </tr> <tr> <td>Health Care</td> <td>£ 858,000</td> </tr> <tr> <td>Community Hall</td> <td>£ 538,000</td> </tr> <tr> <td>Transport</td> <td>£ 195,000</td> </tr> <tr> <td>POS Maint.</td> <td>£ 1,884,000</td> </tr> <tr> <td>CCTV + PA</td> <td>£ 106,000</td> </tr> <tr> <td>Admin</td> <td>£ 30,000</td> </tr> <tr> <td></td> <td><b>£ 8,427,000</b></td> </tr> </table> <p><b>Tariff-based payment system</b></p> <ul style="list-style-type: none"> <li>• £1,545 per unit for 0-600 units</li> <li>• £5,000 per unit for 601-1200 units</li> <li>• £7,500 per unit for 1201-1800 units.</li> </ul> <p>All contributions subject to indexation at RPI based on June 2011 date.</p>	Education	£ 4,816,000	Health Care	£ 858,000	Community Hall	£ 538,000	Transport	£ 195,000	POS Maint.	£ 1,884,000	CCTV + PA	£ 106,000	Admin	£ 30,000		<b>£ 8,427,000</b>	<table border="1"> <tr> <td>Education</td> <td>£ 5,655,879</td> </tr> <tr> <td>Health Care</td> <td>£ 1,128,001</td> </tr> <tr> <td>Community Hall</td> <td>£ 0</td> </tr> <tr> <td>Transport</td> <td>£ 256,409</td> </tr> <tr> <td>POS Maint.</td> <td>£ 2,476,911</td> </tr> <tr> <td>CCTV + PA</td> <td>£ 139,328</td> </tr> <tr> <td>Admin</td> <td>£ 39,268</td> </tr> <tr> <td>Additional contribution</td> <td>£2,350,422</td> </tr> <tr> <td></td> <td><b>£12,046,218</b></td> </tr> </table> <p><b>Tranche-based payment structure</b></p> <ul style="list-style-type: none"> <li>• £46,218 payable on re-commencement</li> <li>• £1,500,000 payable on completion of 100 additional units</li> <li>• £1,500,000 payable on completion of 200 additional units</li> <li>• £1,500,000 payable on completion of 300 additional units</li> </ul>	Education	£ 5,655,879	Health Care	£ 1,128,001	Community Hall	£ 0	Transport	£ 256,409	POS Maint.	£ 2,476,911	CCTV + PA	£ 139,328	Admin	£ 39,268	Additional contribution	£2,350,422		<b>£12,046,218</b>
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		<ul style="list-style-type: none"> <li>• £1,500,000 payable on completion of 400 additional units</li> <li>• £1,500,000 payable on completion of 500 additional units</li> <li>• £1,500,000 payable on completion of 600 additional units</li> <li>• £1,500,000 payable on completion of 700 additional units</li> <li>• £1,500,000 payable on completion of 800 additional units</li> </ul> <p>All contributions subject to indexation.</p>
Monitoring Fees	£30,000 subject to indexation	£30,000 subject to indexation

As such, the updated recommendation to Member is as follows:

To authorise the Assistant Director – Planning & Growth to GRANT planning permission, subject to the completion of a Section 106 Agreement securing the necessary financial contributions set out above, and subject to the proposed schedule of conditions detailed within the main report.