



**SOUTH
KESTEVEN
DISTRICT
COUNCIL**

Planning Committee

14 May 2026



S25/1860

Proposal:	Outline application for residential development. All matters reserved except access.
Location:	Claypole Road, Newark, Stubton, NG23 5BU
Applicant:	Mr R Wills
Agent:	Mr Mike Sibthorp - Mike Sibthorp Planning
Application Type:	Outline Planning Application
Reason for Referral to Committee:	Application is a departure from the Development Plan and Officer's a minded to approve the application; and Called in by Councillor Milnes citing concerns relating to the principle of development, impact on the character of the area, drainage, archaeology and BNG
Key Issues:	<ul style="list-style-type: none"> • Principle of Development • Impact of the development on the character of the area • Surface water flooding and sewage
Technical Documents:	<ul style="list-style-type: none"> • Design, Access & Planning Statement • Preliminary Ecological Appraisal and BNG Metric

Report Author

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Corporate Priority:

Growth

Decision type:

Regulatory

Wards:

Loveden Heath

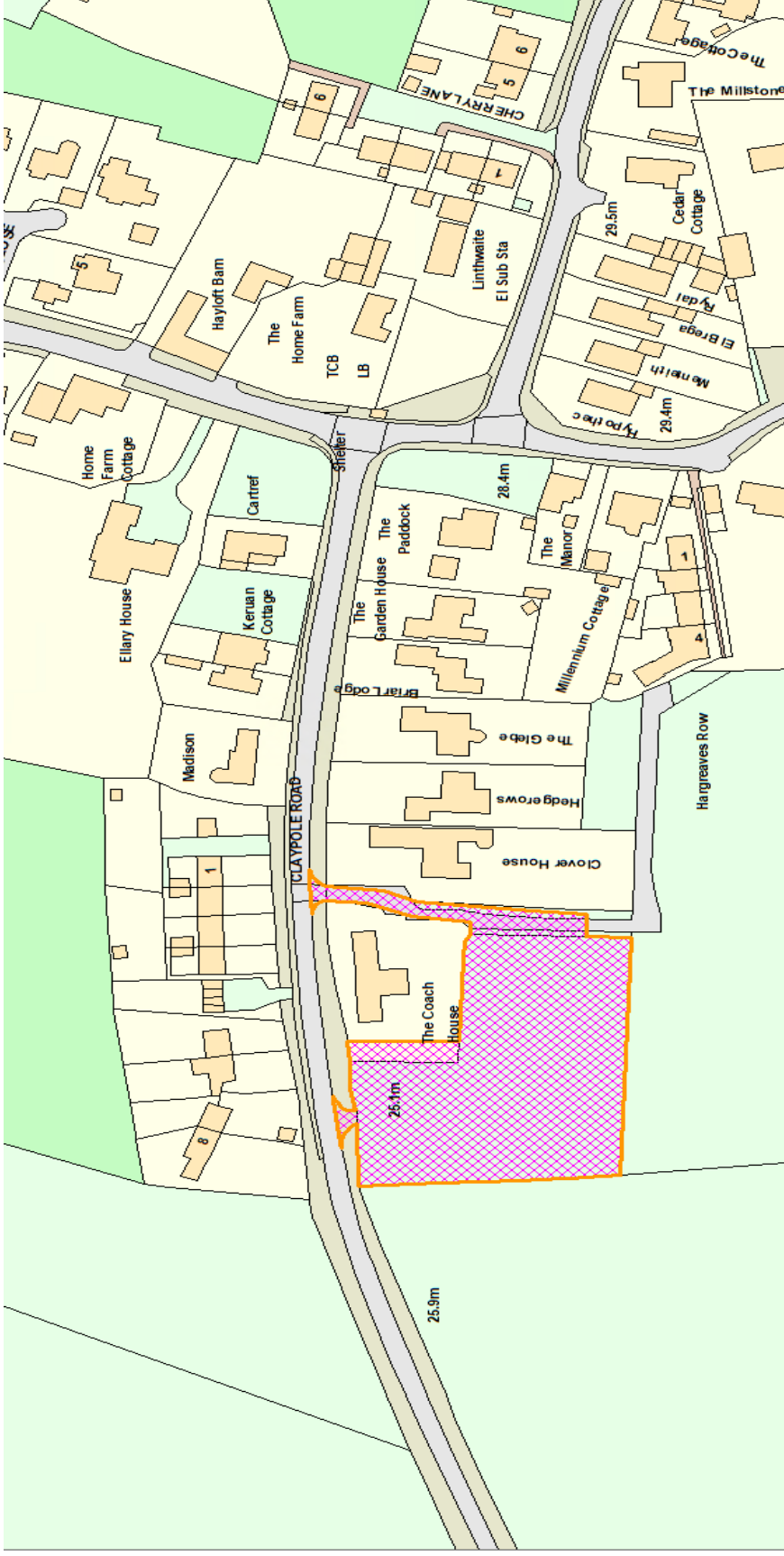
Reviewed by:

Adam Murray – Principal Development Management Planner

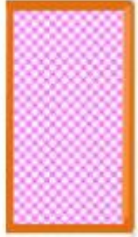
6 May 2026

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 application site comprises of an 'L' shaped parcel of land to the southern side of Claypole Road, located west to the edge of the built-up form for the village of Stubton. The parcel of land is approximately 0.37ha located directly west to the side and extends further south behind the last dwelling on the southern side of Claypole Road known as The Coach House.
- 1.2 To the west and south of the site is open countryside, while to the east are further dwellings fronting Claypole Road, separated with a driveway serving the property and adjoining land. Similarly, there is frontage residential dwellings north on the opposing side of the highway which extend further west out of the village toward Claypole.

2 Description of the Proposal

- 2.1 The application is seeking outline planning permission for the erection of up to 5 dwellings, with all matters except for access reserved.
- 2.2 Whilst layout would be a reserved matter, an indicative layout plan has been provided illustrating the proposed development will serve a possible 3 dwellings from the existing access point combined with a new access also from Claypole Road, which would serve a further 2 dwellings.
- 2.3 The submitted plan details the 'L' shaped parcel of land with a potential 5-dwelling development of the site, comprising a mix of frontage dwellings, and dwellings set to the rear and south of The Coach House.

3 Relevant History

- 3.1 There is no relevant site history.

4 Relevant Planning Policies and Documents

SKDC Local Plan 2011-2036

- Policy DE1 – Promoting Good Quality Design
- Policy EN1 – Protection and Enhancement of the Character of the District
- 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 SP4 – Development of the Edge of the Settlement

National Planning Policy Framework (NPPF)

- Section 4 – Decision Making
- Section 5 – Delivering a sufficient supply of homes
- Section 9 - Promoting Sustainable Development
- Section 12 – Achieving well-designed places

Stubton Neighbourhood Plan

- NE1, NE2, NE3 and BE2

Supplementary Planning Document

- 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 5 letters of representation have been received. The points raised can be summarised as follows:

1. Localised flooding and drainage.
2. Overhead electricity equipment within the site.
3. Impact on character of village
4. Unsustainable village
5. Proposed built form does not reflect the pattern of linear development
6. Expanding the village boundaries
7. Back land development.
8. Large dwellings, not affordable

6 Representations Received

6.1 Parish Council

6.2 Full comments can be found on the Councils website, the Parish Councils comments are summarised as follows:

6.3 It is the Parish Council's view that the proposed development is not infill as it does not fit the definition of a small gap between existing buildings or satisfy SP3 (a) which requires a site to be "within substantially built up frontage".

6.4 The proposed development is not infill as it does not fit the definition of a small gap between existing buildings.

6.5 The criteria listed b – f in SP4 Edge of Settlement has not been met as the development does not reflect the current built form of Claypole Road which comprises entirely single frontage dwellings.

6.6 The proposals do not correspond with current built form, which is single frontage development.

6.7 The development would introduce a cul-de-sac style of design which would look out of keeping with the existing pattern of development.

6.8 The proposals are too dense for an edge of village site

6.9 The proposal does not comply with Stubton Neighbourhood Plan NE1 and NE2

6.10 The Parish Council would prefer fewer dwellings, perhaps incorporating dwellings 1 & 2 on the indicative block plan which follow the existing built form along Claypole Road.

- 6.11 Have concerns of localised flooding and surface water flooding as much of Stubton is not on mains drainage.
- 6.12 Should the application be granted the parish would request conditions of adequate and improved drainage and sewage. Appropriate soft and hard landscaping including permeable driveways and access.
- 6.13 Would prefer to see a more modest development and not extend into open countryside.
- 6.14 Development should be of traditional design to reflect the rural nature of the small village and single frontage dwellings.
- 6.15 If approved the speed limit should be extended, limiting the speed of 40mph from the brow of the hill in to the village from Clapole.
- 6.16 **Highways and SUDS**
- 6.17 The proposal is for outline application for residential development, and it does not have an impact on the Public Highway or Surface Water Flood Risk. The applicant is required to contact the IDB regarding the specification for culverting the ditch and LCC for the construction of the vehicle access. No objections subject to conditions and informatives.
- 6.18 **Environmental Agency**
- 6.19 The Environmental Agency raise no objections to the application but draw the applicant attention to building regulations for non mains foul drainage.
- 6.20 **Anglian Water**
- 6.21 Anglian Water have no objections subject to conditions in relation to waste water treatment, used water network and surface water disposal.
- 6.22 **Heritage Lincolnshire**
- 6.23 The site for the proposed development lies in an area of archaeological interest. To the east of the village there are cropmarks indicating trackways of medieval or post medieval date leading into the settlement. To the west of the proposed development cropmarks though to mark the presence of enclosures and boundaries of prehistoric date have been plotted by the National Mapping Programme and are recorded in the Lincolnshire Historic Environment Record (HER). Lidar mapping shows that ridge and furrow earthworks which extend into the site are connected with earthworks of the same system in areas to the south.
- 6.24 The village itself is mentioned in the Domesday Book of 1086, indicating that the settlement is probably of late Saxon date at least. The church of St Martin is situated to the east of the village and although it was built in the early 19th century, it was to replace an earlier church in the village.
- 6.25 An archaeological watching brief undertaken at the south end of Fenton Road in 2007 recovered pottery of medieval date and a pit possibly of the same period. In the same area a metal mount was found and although its exact function could not be determined, there are comparable Anglo-Saxon and medieval examples A single sherd of medieval pottery was recovered during a programme of archaeological monitoring and recording during development to the south-west of the parish church in 2001.
- 6.26 Recommendation: 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.

6.27 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. Prior to the trial trenching a topographic survey should record all upstanding earthworks extant on the site. Further archaeological mitigation work may be required if archaeological remains are identified in the evaluation. All archaeological works should be undertaken in accordance with a Written Scheme of Investigation submitted to and approved by the Local Planning Authority.

6.28 **Lincolnshire Wildlife Trust**

6.29 Our conservation officers have reviewed the referenced development against a series of strategic conservation and ecological criteria. In review of the variation documents presented The Trust has no substantive comments or recommendations on the proposal.

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 - Stubton Neighbourhood Plan 2014-2026 (Made 3 July 2015)

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

7.5 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.

7.6 It is also appreciated that the Local Planning Authority are also 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. A further regulation 18 consultation on the proposed housing and mixed-use allocations was carried out between July and August 2025. 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.

7.7 Furthermore 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.

7.8 **Principle of Development**

- 7.9 Policy SP1, spatial strategy states proposals should protect the best and most versatile agricultural land to protect opportunities for food production and the continuance of the agricultural economy. The 'best and most versatile agricultural land' is defined in the NPPF as agricultural land of grade 1, grade 2 and grade 3a with grade 1 classification being the best. Natural England's Land Classification Map shows the land contained within the site classed as Grade 3 and therefore within an area of land that could be considered good to moderate land.
- 7.10 In this case, the proposal relates to a site of roughly 0.39 hectares and comprises part paddock and part garden area in and around The Coach House, which is presently the last building on the south side of the road. The proposed development, therefore, would be located to the rear being south and immediately to the west of the existing main built-up part of the settlement and as such is not considered to be previously developed land.
- 7.11 It is not possible to distinguish between Grade 3A and 3B without the submission of detailed soil samples. However, given the proximity to the built-up settlement it is likely that the land would be Grade 3B. As such, the proposal would not result in the loss of BMV agricultural land.
- 7.12 Decisions about the location and scale of new development will be taken on the basis of the settlement hierarchy set out in Policy SP2. Policy SP2 (Settlement Hierarchy), alongside Policy SP1, seeks to focus the majority of new development to Grantham to support and strengthen its role as a Sub-Regional Centre, followed by the three other market towns being Stamford, Bourne and The Deepings, then in the hierarchy comes the larger villages, followed by smaller villages. SP2 states that development in Smaller Villages, development will be supported in accordance with Policy SP3, SP4 and all other relevant policies, where development will not compromise the village's nature and character.
- 7.13 The application site is situated to the south of Claypole Road to the western edge of the existing built-up area of Stubton. The existing built form on the southern side of Claypole Road ends with The Coach House, whilst to the north on the opposing side of the highway there is built form that extends slightly further west, toward Claypole, with a further 4 dwellings past the building line of the Coach House on the southern side.
- 7.14 Whilst the Coach House is an established form of residential development that connects with the main built up part of Stubton, the application site is located to the rear and its west side, which is considered to be an extension of the existing built form of Stubton on the southern side of Claypole Road beyond its existing limitations and, therefore, Policy SP4 (Development on the edge of settlements) is the relevant policy to establish the principle of development on this site. Despite this, the applicant's submission is on the basis that the site is infill development as within Policy SP3 of the SKDC Local Plan. SP3 states:
- 7.15 In all settlements defined in Policy SP2, infill development, which is in accordance with all other relevant Local Plan policies, will be supported provided that:
- a. it is within a substantially built-up frontage or re-development 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.

- 7.16 The proposal would not meet criteria a), b) or the first part of d) and therefore Policy SP3 is not the applicable policy.
- 7.17 Policy SP4 states that proposals for development on the edge of a settlement, which is in accordance with all other relevant Local Plan policies, will be supported provided that essential criteria are met. This requires the proposal to:-
- (a) Demonstrate clear evidence of substantial support from the local community through an appropriate, thorough and proportionate pre-application community consultation exercise. Where this cannot be determined, support (or otherwise) should be sought from the Town or Parish Council or Neighbourhood Plan Group or Forum.
 - (b) Be well designed and appropriate in size, scale, layout and character to the setting and area.
 - (c) Be adjacent to the existing pattern of development for the area, or adjacent to developed site allocations as identified in the development plan.
 - (d) Not extend obtrusively into the open countryside and be appropriate to the landscape, environmental and heritage characteristics of the area.
 - (e) In the case of housing development, meet a proven local need for housing and seeks to address a specific targeted need for local market housing; and
 - (f) Enable the delivery of essential infrastructure to support growth proposals.
- 7.18 There has been no pre-application community consultation exercise carried out and it is therefore not able to be clearly evidence that there is substantial support from the local community for the proposal.
- 7.19 It is noted that a number of objections to the proposal have been received from local residents and the parish council who have not confirmed their support for the proposal. The scheme is therefore considered to be contrary to SP4(a). Furthermore, comments have been raised concerned that the housing does not meet any proven local need. However, as the housing policies contained within the Local Plan are currently out of date, the absence of clear evidence of substantial support from the local community or targeted need cannot be given any great weight in the overall planning balance. 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.
- 7.20 The application is for outline planning permission with all matters reserved (except for access), however it is possible to assess that the size of the plot (0.39ha) as a matter of principle could accommodate 5no.dwellinghouse in a similar pattern and density to adjacent development and that access to an adopted highway would be possible. The plot of land is adjacent to existing development within the village, most notably The Coach House and so it can be described as being adjacent to an existing pattern of development in the area. As such, it is the Officers assessment that the parcel of land can be described as being on the edge of the settlement.
- 7.21 It is appreciated that the proposed development would exceed the quantum of development envisaged for a Smaller Village within the adopted Local Plan. As such, the proposed development is deemed to be a departure from the plan.

- 7.22 However, the NPPF also requires developments to make effective use of land. In this case, it is Officers' assessment that the development of the site for a larger quantum of dwellings would be the most efficient use of the site, providing a form of development which would be consistent with the density of development within the immediate area, whilst also providing an appropriate contribution to the Council's overall housing land supply.
- 7.23 Notwithstanding this, Paragraph 11(d) requires planning permission to be granted unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits, or where the NPPF provides a strong reason for refusing the application. This includes consideration of achieving well designed places, making effective use of land, and directing development towards sustainable locations. These relevant material considerations are discussed further below including how the loss of BMV and the contradiction to SP(a) would be weighed against the tilted balance in the decision as well as any further material planning considerations that arise against the site-specific criteria below.
- 7.24 **Impact on the character and appearance of the area**
- 7.25 Policy DE1 (Promoting Good Quality Design) of the adopted Local Plan states (amongst other criteria) that to ensure high quality design is achieved throughout the District, all development proposals will be expected to make a positive contribution to local distinctiveness vernacular and character of the area. Proposals should reinforce local identity and not have an adverse impact on the street scene, settlement pattern or the landscape / townscape character of the surrounding area. Proposals should be of an appropriate scale, density, massing, height and material, given the context of the area.
- 7.26 Part 12 of the NPPF (Achieving well-designed places) states that good design is a key aspect of sustainable development and new development should be visually attractive as a result of good architecture and appropriate landscaping.
- 7.27 Policy NE2 of the Stubton Neighbourhood Plan states:
- 7.28 New development must be appropriate to the character, natural historic and cultural attributes and features of Stubton's landscape. Developments must respect and retain the landscape character of Stubton Parish and incorporate features which contribute to the conservation, enhancement or restoration of these features.
- 7.29 In particular, new development should, wherever possible:
- Maintain existing hedgerows, trees and woodland and encourage the planting of new trees and hedgerows. Where new trees are proposed, these should wherever possible, be appropriate disease resistant and native species.
 - Protect and enhance the existing landscape character and the important features that define the character, setting and views of the Parish (as set out within the Stubton Landscape Character Assessment). In particular, development which would impact on Stubton Neighbourhood Plan 39 Map showing key views from Stubton Parish towards surrounding areas and the escarpment slopes (shown in orange) views into and, where appropriate, out of the village should demonstrate that these features have been sensitively and appropriately considered and incorporated/mitigated as necessary.
- 7.30 Policy BE2 of the Stubton Neighbourhood Plan states:
- 7.31 New development for appropriate uses should be sympathetic to the existing form, scale and character of Stubton Parish and be appropriate to its rural location, by ensuring

compatibility with the character of the landscape as well as buildings. Materials and boundary treatments should be sympathetic to the character of Stubton.

- 7.32 Layout, scale and appearance are all matters to be reserved and therefore are not being considered under this application. However, the principle of development and its potential impact on the character and appearance of the site and surrounding context is a material consideration.
- 7.33 Whilst these details have not been provided, the indicative layout plan can be commented upon to inform any future submissions, and the accompanying documents with the application detail an arrangement of 5no. dwellings with an 'L' shaped plot, located to the side and rear of The Coach House via two access points.
- 7.34 The two proposed access points will be direct from Claypole Road and will provide for two dwellings via the east side of The Coach House', and will be positioned to the rear, while a further three dwellings set out in a cul-d-sac style layout will be accessed west and to the side of The Coach House to the end of the village and built form of Stubton.
- 7.35 The northern side of Claypole Road opposite, proceeds further out of the village than built form to the south side and is characterised by a linear form of development, with semidetached and terrace dwellings typically fronting onto the highway, slightly set down and back with low boundary hedges/fencing. While the southern side, comprises mainly individual detached dwellings within substantial plots. However, the pattern of linear development to this area, changes somewhat with the existing development of Hargreaves Row interjecting from the east.
- 7.36 Whilst the Parish Council raise concerns over the indicative layout in a cul-de-sac style arrangement being out of character, it is noted that the village contains some more modern developments of Cul-d-Sac layout which have been sympathetically incorporated at an appropriate scale to the surrounding landscape. The settlement edges are typically varied often with lower density development with the example of the recently approved appeal site on Doddington Lane being similar in vein to this current submitted application.
- 7.37 Any views of the site from Claypole Road when entering the village from Stubton would mirror the existing built form to the northern side of the highway and with the requirement of landscaping as part of any reserved matters, would help assimilate and soft the development further within the landscape. When travelling west out of the village toward Claypole, the development is envisaged to seamlessly integrate with the existing built form and pattern of development and will barely be noticeable but for a passing glimpse
- 7.38 Policy DE1 and EN1 of the SKLP requires that development proposals should make a positive contribution to the local distinctiveness, vernacular and character of the area and that in assessing the impact of proposed development on the landscape, the relevant Landscape Character Appraisals should be considered
- 7.39 It is the officer's assessment that the application site is located in a sensitive edge of settlement location, where only low-density residential development would be acceptable so long as it is designed to assimilate within the surrounding settlement pattern, and where it would not obtrusively extend into open countryside.
- 7.40 The site is not currently highly visible from surrounding public vantage points due in part to existing built form and by the fact that this particular plot and the site to the west is largely enclosed by boundary hedges.

7.41 It is the officer's assessment that the construction of up to 5no. dwellings within the plot could be achieved in principle without resulting in negative impacts to local distinctiveness, vernacular or character and without significantly impacting the surrounding landscape in accordance with Policy DE1, SP4 and EN1 of the South Kesteven Local Plan

7.42 **Impact on neighbours' residential amenities**

7.43 Policy DE1 (Promoting Good Quality Design) of the adopted Local Plan states (amongst other criteria) that all development proposals will be expected to ensure there is no adverse impact on the amenity of neighbouring users in terms of noise, light pollution, loss of privacy and loss of light and provide sufficient private amenity space, suitable to the type and amount of development proposed. Paragraph 135 of the NPPF states that developments should create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

7.44 There are no adjacent residential neighbours to the west or south of the proposed development and highway separates the application site from the residential properties to the northern side of Claypole Road. The layout and orientation provided within the indicative layout details that a satisfactory relationship is possible with the occupants of the nearest dwelling being 'The Coach House'. However should the application be approved further assessment would be undertaken as part of the reserved matters. Therefore it would not be considered that the siting of up to 5 dwellings could be accommodated within the application site without any significant impact on the amenity of

7.45 Taking into account the above matters it is considered that a reserved matters application could be submitted in accordance with Policy DE1 and SP4 of the Local Plan in respect of impact on amenity of both future occupiers and occupiers of adjacent properties.

7.46 **Highways Issues**

7.47 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.

7.48 Lincolnshire County Council have commented the proposal is an outline application for residential development, and it does not have an impact on the Public Highway or Surface Water Flood Risk, such that the application is acceptable subject to conditions.

7.49 It is noted that LCC have requested conditions relating to the technical specification of the proposed access. However, these matters would be covered under the Highways Act, and it is not appropriate to duplicate this process through planning conditions.

7.50 The applicant is required to contact the IDB regarding the specification for culverting the ditch and LCC for the construction of the vehicle access.

7.51 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.

7.52 **Ecology and Biodiversity**

7.53 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.

7.54 Additionally, Biodiversity Net Gain (BNG) became mandatory on all small sites on 2 April 2024 unless relevant exemptions apply. In the case of this application, the required BNG metric has been provided that demonstrates that in order to achieve the required 10% gain an additional 0.22 habitat units and 0.12 hedgerow units must be created at the site.

7.55 The applicant has therefore provided reassurances and evidence to purchase off site credits should they be unable to provide onsite post development, of at least 3.82 biodiversity units (comprising 2.46 habitat units and 1.36 hedgerow units). However, formal confirmation of the BNG provision is secured through the statutory condition.

7.56 A Preliminary Ecological Appraisal (PEA) accompanies the submission, and details that there was no protected species identified within the site. The PEA offers recommendations based on the sites habitat values and mitigations in the event wildlife would be encountered.

7.57 Therefore, subject to conditions, the proposed development would comply with Policy EN2 of the adopted Local Plan, and Section 15 of the National Planning Policy Framework.

7.58 **Flood Risk and Drainage**

7.59 The site is located within Flood Zone 1 with a low risk of fluvial flooding, with a chance of surface water flooding, with a low risk of surface water flooding. Nevertheless, the representations on the application have identified that both Claypole Road, the application site and surrounding fields have experienced surface water and drainage issues.

7.60 The application form states that surface water would be disposed of via soakaways and mains sewers, however the representations received state that mains sewers may not be possible and that there is a layer of clay in the area which could make soakaways an unsuitable option, therefore a condition would be attached requiring an appropriate drainage strategy be provided for the site.

7.61 Subject to the condition, the scheme would be considered to comply with Policy EN5 of the SKDC Local Plan.

7.62 **Climate Change**

7.63 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. 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.

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 Conclusions

10.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that the Local Planning Authority makes decisions in accordance with the adopted Development Plan, unless material considerations indicate otherwise.

- 10.2 The current proposal is an outline planning application which seeks permission for the erection of up to 5 dwellings on an paddock/garden land with all matters reserved, with the exception of access.
- 10.3 The proposal would be a departure from the development plan insofar as the proposal would result exceed the quantum of development envisaged for a Smaller Village. There is an identified policy contradiction to SP4(a) given that the proposal has not evidenced clear substantial local support. As such, the proposal is contrary to Policy SP2 and SP4 of the adopted Local Plan.
- 10.4 Notwithstanding this, 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.
- 10.5 The indicative layout would deliver up to 5no.dwellings, which would be a significant benefit of the development, however, would only make a minor contribution to the supply of housing. The provision of this additional housing is a significant benefit, which Officers would attribute moderate weight.
- 10.6 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. It is considered that 10% BNG uplift is capable of being achieved as a result of the development and this can be secured by appropriate condition, and as such is a benefit of the proposal.
- 10.7 The negative impacts have been weighed against the benefits of the proposal. The identified negative impacts in this instance do not outweigh the benefits identified, when assessed against the policies in the Framework taken as a whole.
- 10.8 Taking all of the above into account, it is Officer's assessment that the application proposals are contrary to the adopted Development Plan when taken as a whole; however, the material considerations in this case, including the tilted balance, would outweigh the identified conflict, such that planning permission should be granted.

11 RECOMMENDATION:

- 11.1 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. Layout;
 - ii. Scale
 - iii. Appearance
 - iv. Landscaping

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

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

Approved Plans

- 3 The development hereby permitted shall be carried out in accordance with the following list of approved plans:
 - i. Existing Site Location Plan MSP 2145 001 received 7th October 2025
 - ii. Block Plan MSP 2145 002 received 7th October 2025 in so far as it relates to the position of the access

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, a written scheme of archaeological investigation must have been submitted to and approved in writing by the Local Planning Authority.

The archaeological investigations shall also have been completed in accordance with the approved details

Reason: In order to provide a reasonable opportunity to record the history of the site and in accordance with Policies EN6 of the adopted South Kesteven Local Plan and Paragraph 205 of the NPPF.

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

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 the HMMP works;

(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 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 the routes of construction traffic to and from the site including any off-site routes for the disposal of excavated material and;
- 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.

Prior to the development being occupied

- 6 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.

Ongoing Conditions

- 7 No development above damp-proof course shall take place until details demonstrating how the proposed dwelling 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

- 8 This permission relates to a maximum of 5 dwellings on the site.

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

- 9 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).

10 Notice in writing shall be given to the Council when the Habitat Management and Monitoring Plan (HMMP) works have started.

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.

11 The created and/or enhanced habitat specified in the approved Habitat Management Monitoring Plan [HMMP] shall be managed and maintained in accordance with the approved [HMMP].

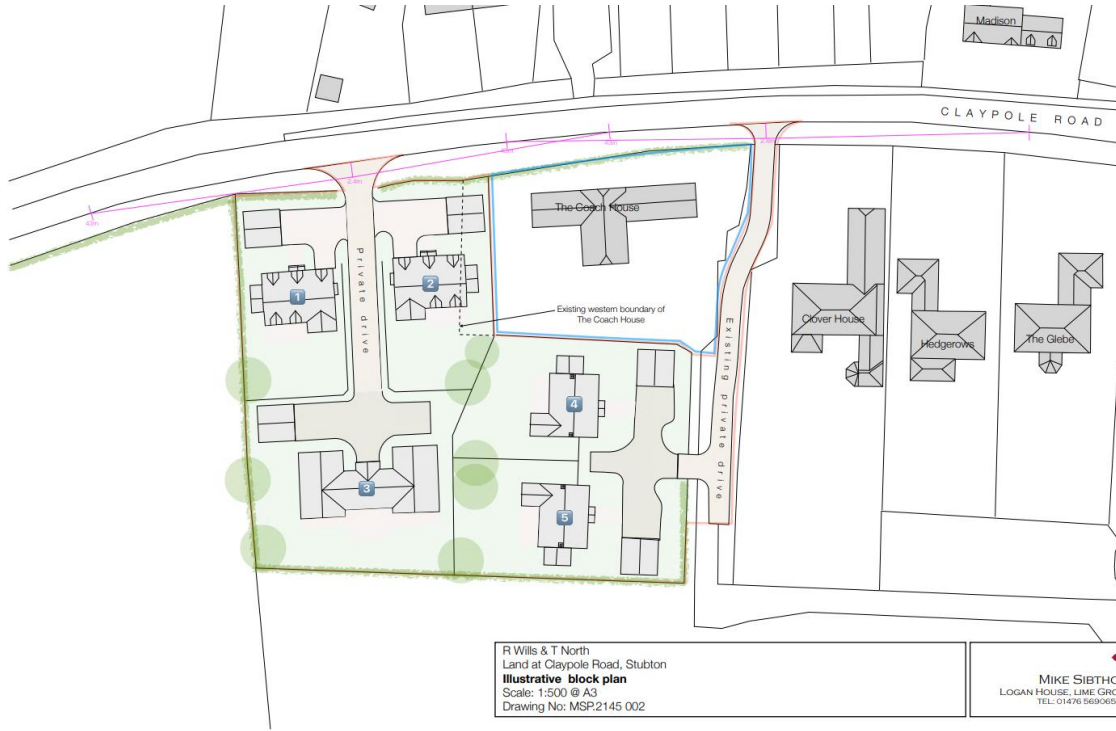
Reason: To ensure the development delivers a biodiversity net gain on site in accordance with Schedule 7A of the Town and Country Planning Act 1990.

Informatives

Highway Informative 02 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.

Highway Informative 03 The permitted development requires the formation of a new/amended vehicular access. These works will require approval from the Highway Authority in accordance with Section 184 of the Highways Act. 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>.

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>



Financial Implications reviewed by: Not applicable

Legal Implications reviewed by: Not applicable