

# Planning Committee



SOUTH  
KESTEVEN  
DISTRICT  
COUNCIL



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Thursday, 16 September 2021 at 1.00 pm  
Council Chamber - Council Offices, St. Peter's Hill,  
Grantham. NG31 6PZ

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## Agenda Supplement

### 3. Minutes of the meeting held on 26 August 2021

(Pages 3 - 22)

Attached are the minutes of the meeting held on 26 August 2021, which were marked 'to follow' on the agenda originally published.

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# Minutes

Planning Committee

Thursday, 26 August 2021 – 1pm



SOUTH  
KESTEVEN  
DISTRICT  
COUNCIL

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

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Councillor Helen Crawford (Chairman)  
Councillor Mrs Judy Smith (Vice-Chairman)

## **Committee Members present**

Councillor Harrish Bisnauthsing  
Councillor Penny Milnes  
Councillor Robert Reid  
Councillor Nick Robins  
Councillor Penny Robins  
Councillor Ian Selby  
Councillor Jacky Smith  
Councillor Paul Wood

## **Officers in attendance**

Alan Robinson (Deputy Chief Executive)  
Chris Brown (Principal Planning Officer)  
Phil Jordan (Principal Planning Officer)  
Ellie Sillah (Senior Planning Officer)  
Martha Rees (Planning Legal Advisor)  
Alice Atkins, Amy Pryde, Sarah Downs (Democratic Officers)

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## **31. Register of attendance, membership and apologies for absence**

Apologies for absence had been received from Councillor David Bellamy, Councillor Phil Dilks, Councillor Rosemary Kaberry-Brown, Councillor Charmaine Morgan and Councillor Judy Stevens.

Councillor Paul Wood would be substituting for Councillor Phil Dilks, and Councillor Nick Robins would be substituting for Councillor David Bellamy, for this meeting only.

## **32. Disclosure of interests**

Councillor Paul Wood confirmed that he would be speaking as a ward member in reference to S21/0415 and would therefore not be participating in the debate or vote.

Councillor Robert Reid declared that he sat on the Planning Regulatory Board for Lincolnshire County Council but expressed that he had no interests to disclose.

The Chairman declared that she had been approached by multiple members of the public with regards to two of the items on the agenda but expressed that she would be attending the meeting with an open mind.

### **33. Minutes of the meeting held on 22 July 2022**

The minutes of the meeting held on 22 July 2021 were proposed and seconded and **AGREED** as a correct record.

### **34. Application S21/1057**

**Proposal:** Outline application for Class B2 (General Industrial) and Class B8 (Storage and Distribution) with associated Class E(g)(i) office floorspace along with necessary earthworks, landscaping and boundary treatments (access to be considered)

**Location:** Spittlegate Level, Spittlegate, Grantham

**Decision:** To approve the application conditionally and subject to a S106 agreement

Noting comments made during the public speaking session by:

**Applicant:** James Ridings

Together with:

- Principle of development
  - Site allocated for employment – GR-SE1
  - Approx. 22% of site allocation
- Landscape impact considered
  - Localised landscape impact to site and surroundings;
  - Wider landscape impact mitigated and further design details
- Highway impact
  - Adequate access from A1 at new junction, HE confirmed acceptable impact on SRN;
  - Access considered acceptable, 2-3 movements per minute at peak;
  - Parking – significant car and HGV parking proposed;
  - Travel Plan
- No ecological impact considered;
- Drainage – swales and attenuation basin, discharge to watercourse;
- No residential amenity concerns – nearest dwelling over 300m, little visual impact;
- Heritage – less than substantial harm identified to St Guthlac Church at lower end of scale, no harm to SM – balancing exercise
- No objections from consultees;

- Benefits of scheme – substantial jobs growth proposed, allocated site

During debate members made the following comments:

- A query was raised as to why indicative landscape drawings had been submitted for an outline planning application. Officers confirmed that this was not uncommon due to the scale of the work to allow for full assessment.
- A query was raised about the possibility of finding archaeological remains on the site and whether the concerns of Historic England had been addressed. Officers confirmed that Heritage Lincs had been consulted and that no objections had been made.
- A concern was raised regarding the levels of access by lorries to the site. It was confirmed that Highways England had raised initial concerns about the modelling, but that this had been addressed and there had been no further objections. It was confirmed that any HGV movements would be along the A1 and not through the town.

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

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

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 91 of the Town and Country Planning Act 1990 (as amended).

#### **Reserved Matters**

- 1 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; and
  - iv. landscaping.

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

The layout presented at Reserved Matters shall be in broad accordance with the submitted Masterplan (17-239-PO13 N), with building heights to be in accordance with the submitted Parameters Plan (17-239-PO20-01).

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

2 The development hereby permitted shall be carried out in accordance with the following:

- i) Location Plan 17-239-PO21-01
  - ii) Access details only of the Masterplan 17-239-PO13 N
- Unless otherwise required by another condition of this permission.  
Reason: To define the permission and for the avoidance of doubt.

## Pre-commencement

### Construction Method Statement

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

The Construction Management Plan and Method Statement shall include:

- phasing of the development to include access construction;
- the parking of vehicles of site operatives and visitors;
- loading and unloading of plant and materials;
- storage of plant and materials used in constructing the development;
- wheel washing facilities;
- the routes of construction traffic to and from the site including any off site routes for the disposal of excavated material;
- hours of construction work including hours of deliveries;
- full details of any piling to be employed, if relevant; and;
- strategy stating how surface water run off and from the development will be managed during construction and protection measures for any sustainable drainage features. This should include drawing(s) showing how the drainage systems (permanent or temporary) connect to an outfall (temporary or permanent) during construction.

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

Reason: To ensure that the permitted development is adequately drained without creating or increasing flood risk to land or property adjacent to, or downstream of, the permitted development during construction and to ensure that suitable traffic routes are agreed.

### Drainage

4 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 in consultation with statutory consultees including the Ministry of Defence.

The scheme shall:

- be based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development;
  - provide details of how run-off will be safely conveyed and attenuated during storms up to and including the 1 in 100 year critical storm event, with an allowance for climate change, from all hard surfaced areas within the development into the existing local drainage infrastructure and watercourse system without exceeding the run-off rate for the undeveloped site;
  - provide attenuation details and discharge rates which shall be restricted to 3.19 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 of Statutory Undertaker and any other arrangements required to secure the operation of the drainage system throughout its lifetime.

Details of a maintenance regime to ensure that outlets are not blocked by silt or vegetation which would prevent the basin/pond from draining down correctly. In addition, measures to ensure that no islands are formed within the pond should be set out.

No building 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, the permitted development in accordance with Policy EN5 of the adopted South Kesteven Local Plan.

## Archaeology

- 5 Before the development hereby permitted is commenced, a written scheme of archaeological investigation shall have been submitted to and approved in writing by the Local Planning Authority. This evaluation should initially consist of additional geophysical survey (southern area) followed by a programme of trial trenching and shall be phased in accordance with the submitted Phasing Plan 17-239-PO14. The archaeological investigations shall also have been completed in accordance with the approved details and a report submitted to the Local Planning Authority for approval before development commences.

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

#### Ground investigation

- 6 Before the development hereby permitted is commenced, a scheme relating to the survey of the land shall have been submitted to and approved in writing by the Local Planning Authority. The scheme shall include the recommendations of the submitted Phase 1 Geo-Environmental Assessment, with the ground investigation required to confirm site conditions and include as a minimum as stated in the report: mini and cable percussion boreholes, trial pitting, in situ CBR testing, installation of combined groundwater/gas monitoring installations, soakaway testing and subsequent monitoring, geotechnical and chemical laboratory analysis. The applicant should then submit this report to the local planning authority for review and approval.

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 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 paragraphs 178 and 179.

#### Levels

- 7 A reserved matters application shall include 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.

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

#### Sustainability measures

- 8 Before the development hereby permitted is commenced, details demonstrating how the proposed buildings would comply with the requirements of Local Plan Policy SB1 must be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of how carbon dioxide emissions would be minimised through the design and construction of the buildings; details of water efficiency and the provision of electric car charging points. The approved sustainable building measures shall be completed in full for each building, in accordance with the agreed scheme, prior to the first occupation of each building hereby permitted.

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



## 9 Bird Strike

- No development shall take place unless or until such time as a Bird Hazard Management Plan (BHMP) has been submitted to and approved in writing by the Local Planning Authority in consultation with the Ministry of Defence (MOD). The BHMP shall include a schedule of management and mitigation measures to be taken to ensure that hazardous bird species are deterred, disturbed and displaced from the site. In addition, this should include:
- Details of means for suitably qualified personnel to access the flat roofs.
- Details and a schedule of procedures to ensure that the breeding or nesting of birds are disturbed or displaced from any flat roofs formed within the site.

The development shall be implemented strictly in accordance with the details provided, and any bird management procedures shall be carried out in accordance with the Bird Hazard Management Plan agreed for the lifetime of the development.

Reason: To limit the potential of the site to support avian populations to the detriment of aviation safety.

### **During Building Works**

#### Materials

- 10 Before any of the works on the external elevations of the buildings 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.

Reason: To ensure a satisfactory appearance to the development and in accordance with Policy EN1 of the adopted South Kesteven Local Plan.

#### Ecological appraisal

- 11 All works on site and to the buildings during construction shall be undertaken in accordance with the recommendations as set out in the Preliminary Ecological Appraisal (Delta-Simons, May 2021) including installation of bird and bat boxes.

Reason: In the interest of best ecological practice and in accordance with Policy EN2 of the adopted South Kesteven Local Plan.

#### Lighting

- 12 Before works to erect any lightings are commenced, details of the lighting including levels of illumination and hours of operation shall have been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of the amenities of the area and in accordance with Policies EN4 and DE1 of the adopted South Kesteven Local Plan.

## **Before the development is occupied**

### Drainage implementation

- 13 Before any part of the development hereby permitted is occupied/brought into use, the works to provide the surface and foul water drainage for each phase 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.

### Soft Landscaping implementation

- 14 Before the end of the first planting/seeding season following the occupation/first use of each phase of the development hereby permitted, all soft landscaping works shall have been carried out in accordance with the approved soft landscaping details.

Reason: Soft landscaping 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.

### Hard Landscaping implementation

- 15 Before each phase of the development hereby permitted is occupied/brought into use, all hard 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.

### Public Highway

- 16 No part of the development hereby permitted shall be occupied before the works to improve the public highway by means of new site access junction with ghost island right turn lane and connecting footways has been certified complete by the Local Planning Authority.

Reason: To ensure the provision of safe and adequate means of access to the permitted development and in accordance with Policies ID2 and DE1 of the adopted South Kesteven Local Plan.

### Travel Plan

- 17 The permitted development shall not be occupied until those parts of the approved Travel Plan that are identified therein as being capable of implementation before occupation shall be implemented in accordance with the timetable contained therein and shall continue to be implemented for as

long as any part of the development is occupied. Following occupation the Travel Plan shall thereafter be implemented in full.

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 development in accordance with Policy ID2 of the adopted South Kesteven Local Plan.

### **Ongoing Conditions**

Landscaping protection

- 18 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.

### **35. Application S21/0415**

**Proposal:** Erection of 16 affordable dwellings and associated infrastructure.

**Location:** Land to the North of Doddington Lane, Claypole

**Decision:** To approve the application conditionally and subject to a S106 Agreement

Noting comments made during the public speaking session by:

District Councillor	Paul Wood
Parish Council	John Freeman
Against:	Dean Revill
Applicant:	Robert Jays

Together with:

- Claypole defined as a smaller village in Local Plan
- Principle of rural exception scheme on edge of settlement in accordance with policy SP4
- Scheme would deliver 16 affordable dwellings including 4 bungalows
- Evidence of need demonstrated through local housing needs survey (2019), council housing register, SHMA and support from SKDC affordable housing officer

- Design of scheme improved through pre-app and Design PAD process
- Some impact on rural character of area and Doddington Lane
- Hedgerows to be retained and enhanced
- Some impact on neighbouring properties through access
- Good separation distances to neighbouring properties
- Drainage strategy acceptable, detail secured by condition 4
- Sustainable building requirements secured by condition 3
- Off-site highway improvement works – detail of any lighting secured by condition 10
- Landscaping detail and management secured through conditions 11, 13 and 15
- Adequate parking and provision of cycle storage

During debate members made the following comments:

- Concerns were raised regarding the location of the development. It was noted that Claypole had not been included in the Local Plan for any development and questioned whether there were other sites had been identified as more suitable.
- Officers were asked to ensure that the local need of residents would be prioritised. Discussion took place regarding potential issues of social integration into the village.
- It was noted that the Parish Council had not supported the application.
- Members requested clarification around whether the application complied with all the conditions set out in the SP4.

Officers confirmed that due to the nature of the application as a rural exception scheme criterion a (need for substantial community support) of Policy SP4 was not necessary and that the NPPF para 78 was also relevant to this application. It was advised to Members that in the Officers' opinion the most relevant spatial policy was SP4 and not SP3 or SP5.

- Concerns were raised regarding the Housing Survey and whether the results of this were reliable due to a low response rate from Claypole residents.
- Concerns were raised regarding the educational capacity of the local school due to a potential increase in village population as a result of the development.

It was noted that confirmation had been received from Lincolnshire County Council that there would be no issues regarding educational capacity.

- A concern was raised regarding the status of the application and whether it should be deemed a major development.

Officers clarified that the application would be termed as an 'edge of settlement' application for a major development, consisting of 10 dwellings or more.

- Members debated the differences between the local needs of Claypole in relation to the Local Plan, against the District wide needs of the Affordable Housing Strategy.

It was confirmed that the definition of a Rural Exception Site was in accordance with the Local Plan and that the S106 agreement criteria would include having a connection to Claypole.

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

### **Time Limit for Commencement**

- 1 The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.  
Reason: In order that the development is commenced in a timely manner, as set out in Section 91 of the Town and Country Planning Act 1990 (as amended).

### **Approved Plans**

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

### **Before the Development is Commenced**

- 3 No development shall take place until details demonstrating how the proposed dwellings would comply with the requirements of Local Plan Policy SB1 has been submitted and approved by the Local Planning Authority. The scheme shall include details of how carbon dioxide emissions would be minimised through the design and construction of the buildings; details of water efficiency and the provision of electric car charging points.  
The approved sustainable building measures shall be completed in full, in accordance with the agreed scheme, prior to the first occupation of the dwellings hereby permitted.

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

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

- be based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development;
- provide details of how run-off will be safely conveyed and attenuated during storms up to and including the 1 in 100 year critical storm event, with an allowance for climate change, from all hard surfaced areas within the development into the existing local drainage infrastructure and watercourse system without exceeding the run-off rate for the undeveloped site;
- provide attenuation details and discharge rates which shall be restricted to 5 litres per second;
- provide details of the timetable for and any phasing of implementation for the drainage scheme; and
- provide details of how the scheme shall be maintained and managed over the lifetime of the development, including any other arrangements for adoption by any public body of Statutory Undertaker and any other arrangements required to secure the operation of the drainage system throughout its lifetime.

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

5 Before the development hereby permitted is commenced, a written scheme of archaeological investigation shall have been submitted to and approved in writing by the Local Planning Authority. The archaeological investigations shall also have been completed in accordance with the approved details and a report submitted to the Local Planning Authority for approval before development commences.

Reason: In order to provide a reasonable opportunity to record the history of the site and in accordance with Policy EN6 of the adopted South Kesteven Local Plan and Paragraph 199 of the NPPF.

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

The Construction Management Plan and Method Statement shall include:

- phasing of the development to include access construction;
- the parking of vehicles of site operatives and visitors;

- loading and unloading of plant and materials;
- storage of plant and materials used in constructing the development;
- wheel washing facilities;
- the routes of construction traffic to and from the site including any off site routes for the disposal of excavated material and;
- strategy stating how surface water run off on and from the development will be managed during construction and protection measures for any sustainable drainage features. This should include drawing(s) showing how the drainage systems (permanent or temporary) connect to an outfall (temporary or permanent) during construction.

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

Reason: To ensure that the permitted development is adequately drained without creating or increasing flood risk to land or property adjacent to, or downstream of, the permitted development during construction and to ensure that suitable traffic routes are agreed.

- 7 Before the development hereby permitted is commenced, all existing trees shown on the approved plan to be retained shall have been fenced off to the limit of their branch spread in accordance with BS 5837. No works including:

- i. removal of earth,
- ii. storage of materials,
- iii. vehicular movements or
- iv. siting of temporary buildings

shall be permitted within these protected areas.

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

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

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

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

- 9 Before the development hereby permitted is commenced, details demonstrating that at least 10% of the dwellings would be constructed as “Accessible and Adaptable” in line with the standard set-out in Part M4(2) of

the Building Regulations must be submitted to and approved in writing by the Local Planning Authority.

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

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

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

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

### **During Building Works**

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

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

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

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

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

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



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

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

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

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

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

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

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

- i. long term design objectives,
- ii. management responsibilities and
- iii. maintenance schedules for all landscape areas, other than privately owned, domestic gardens.

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

- 16 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.

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

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

### **Ongoing Conditions**

- 18 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.

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

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

Councillors Robert Reid and Nick Robins left the meeting at this stage of the proceedings.

### **36. Application S21/0899**

**Proposal:** Use of land for dog exercising/training, 1.8m high fence, and parking area

**Location:** Land to the North of The Leas, Hough Road, Grantham, Barkston.

**Decision:** To approve the application conditionally.

Noting comments made during the public speaking session by:

Against:

Applicant: Mike Sibthorpe

Together with:

- Principle of development in accordance with SP5 and E7
- Visual impact – hedgerow has been incorporated to mitigate visual impact of fence to south and east boundaries
- Residential amenity impact – conditions imposed to restrict no. of dogs at any time and restrict hours of use to minimise possible noise disturbance for residents of The Leas
- Parking – Informal parking area for minimum 6 cars – secured by condition
- Access improvements to be carried out prior to first use as required by LCC Highways – secured by condition
- The additional comments made by the Senior Planning Officer to Members relating to additional and amended conditions and information that now formed part of the recommendation

During debate members made the following comments:

- Concerns were raised regarding the development becoming a potential site for breeding. It was confirmed that the proposed use of the site was solely for the exercising of dogs.
- A query was raised regarding the potential for noise pollution. Officers confirmed that the site would be 100m from the nearest property and would be vacant at night.

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

### **Time Limit for Commencement**

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

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

### **Approved Plans**

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

MSP.1742/101F

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 Prior to first use, a dog waste bin (as shown on the proposed block plan MSP.1742/101F) shall be provided on site and a contract shall be entered into with SKDC Commercial Waste Team for the removal of waste.

Reason: In the interest of amenity.

- 4 Prior to first use of the development hereby approved, the parking area as shown on proposed block plan MSP.1742/101F shall be provided. Any hard surfacing used shall be permeable. The parking area shall be retained for the lifetime of the development.

Reason: In the interest of highway safety.

- 5 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 brought into use 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.

### **Ongoing Conditions**

- 6 No more than 4no. dogs shall be allowed on site at any given time other than during training sessions.

Reason: In the interest of residential amenity.

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

- 8 The mixed hedgerow and trees as shown on proposed block plan MSP.1742/101F along the south and east boundaries of the site shall be planted within the first planting season (between December and March) following commencement of the development and shall be retained for the lifetime of the development.

Reason: In the interest of visual amenity, residential amenity and biodiversity.

- 9 The safety/user rules shall be clearly displayed on site at all times. The sign shall not exceed 0.3 square metres and shall not be illuminated.

Reason: In the interest of public safety.

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

Reason: In the interest of residential amenity.

- 11 During training sessions, there shall be no more than 4no. dog owners in attendance with up to a maximum of 8no. dogs.

Reason: In the interest of residential amenity and highways safety.

- 12 The site shall be secured by locked gate at all times outside of the specified hours of use.

Reason: In the interest of residential amenity.

- 13 No more than 5no. group training sessions shall take place on site per week and no training sessions shall take place on any bank holidays or public holidays. Training sessions shall be held within daylight hours on Monday – Friday restricted to hours between 08:30 to 19:30 during days when daylight hours exceed these times; 09:00 and 19:30 on Saturdays; and 10:00 and 16:00 on Sundays. Each training session shall last for no more than 2 hours.

Reason: In the interest of residential amenity.

- 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 other than the fence shown on approved plan MSP.1742/101F.

Reason: The Local Planning Authority considers that further development could cause detriment 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 There shall be a minimum of 30 minutes between the end of the training session and the start time of the next training session to allow sufficient time for participants to leave/arrive safely.

Reason: In the interests of highways safety and to ensure there is sufficient parking provision on site at all times.

- 16 Notwithstanding the provisions of Article 3 of The Town and Country Planning (General Permitted Development) (England) Order 2015 (and any order revoking, re-enacting or modifying that Order), the premises shall only be used for dog exercise or dog training sessions, as expressly authorised by this permission, and for no other purpose at any time.

Reason: To ensure that the Local Planning Authority retains control over development normally permitted under The Town and Country Planning (General Permitted Development) (England) Order 2015 or any amending legislation.

17 No amplifying equipment shall be used on site at any time.

Reason: In the interest of residential amenity.

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

There were no other items of business.

The meeting closed at 15:54.