

Planning Committee (Additional)



SOUTH
KESTEVEN
DISTRICT
COUNCIL

Thursday, 23 January 2025 at 1.00 pm
Council Chamber - South Kesteven House, St. Peter's Hill,
Grantham. NG31 6PZ

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

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

Agenda Addendum

3. **Minutes of the meeting held on 9 January 2025** (Pages 3 - 12)
4. **Application S24/0568** (Pages 13 - 22)
- Proposal:** Erection of an anaerobic digestion (AD) facility and carbon capture, improvement of existing and part creation of new access track, landscaping and other associated infrastructure.
- Location:** Development East of Sewstern Industrial Estate, South of Sewstern Road, Gunby, Lincolnshire NG33 5RD
- Recommendation:** To authorise the Assistant Director – Planning & Growth to GRANT planning permission, subject to conditions.

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Minutes

Planning Committee

Thursday, 9 January 2025, 1.00 pm

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



SOUTH
KESTEVEN
DISTRICT
COUNCIL

Committee Members present

Councillor Charmaine Morgan (Chairman)

Councillor David Bellamy

Councillor Harrish Bisnauthsing

Councillor Pam Byrd

Councillor Patsy Ellis

Councillor Tim Harrison

Councillor Gloria Johnson

Councillor Vanessa Smith

Councillor Sarah Trotter

Councillor Paul Wood

Cabinet Members present

Councillor Phil Dilks (Cabinet Member for Planning)

Other Members present

Councillor Paul Martin

Officers

Emma Whittaker (Assistant Director of Planning & Growth)

Adam Murray (Principal Development Management Planner)

Amy Pryde (Democratic Services Officer)

Paul Weeks (Legal Advisor)

Deferral of Applications

The Chairman of Planning Committee made the following statement:

'I am minded to defer the following Applications due to recent adverse weather conditions meaning scheduled site visits were unable to take place. Site Visits for the Applications to be considered would be rescheduled for Tuesday 21 January 2025 or the nearest alternative date.'

- Agenda Item 6 - S24/0568
- Agenda Item 7 - S24/1418
- Agenda Item 8 - S24/1707

An Extraordinary Planning Committee would be arranged for Thursday 23 January 2025 at 13:00.

Speakers registered to speak would be invited back to attend the Extraordinary meeting.'

It was proposed, seconded and **AGREED** to defer S24/0568, S24/1418 and S24/1707 to an Extraordinary Planning Committee meeting on 23 January 2025 at 13:00.

90. Register of attendance and apologies for absence

Apologies for absence were received from Councillors Paul Fellows, Penny Milnes, Helen Crawford and Gloria Johnson.

91. Disclosure of interests

Councillor Charmaine Morgan declared that she was familiar with a few of the public speakers for application S24/1414. She declared that there was no pecuniary interest and would remain impartial when debating and voting on the application.

92. Minutes of the meeting held on 5 December 2024

The minutes of the meeting held on 5 December 2024 were proposed, seconded and **AGREED** as a correct record.

93. Application S24/1414

Proposal:	Retrospective application for single storey rear extension
Location:	30 Arnold Avenue, Grantham, Lincolnshire, NG31 8HN
Recommendation:	To authorise the Assistant Director – Planning to GRANT planning permission, subject to conditions.

Noting comments in the public speaking session by:

District Ward Councillor	Cllr Paul Martin
Against	Simone Sheffield
	Helen Goodwin
On behalf of the Applicant	Michael Ellison (Chartered Architect)

Together with:

- Provisions within South Kesteven Local Plan 2011-2036, Design Guidelines Supplementary Planning Document and National Planning Policy Framework.
- Comments received from Grantham Town Council.
- Comments received from Lincolnshire County Council (Highways and SuDS).

During questions to Public Speakers, Members commented on:

- Clarification was sought around the standing platform of the catio.

The Ward Member highlighted that the standing platform on one side was of similar height to a decking, however, the level of the platform increased at the end side of the catio.

- A query was made whether without the catio, neighbours would still be overlooking the garden.

It was stated that the standing platform had made the difference. Prior to the catio being built, there was no overlooking over the fence to neighbours gardens.

- The distance was requested between where a neighbour could be overlooked from the catio.
- A query was raised on how the privacy of neighbours had been affected and how often they were overlooked.

There were two speakers against the application.

One speaker objecting to the application was a neighbour to the rear of the site. They stated that since the catio had been installed, the Applicant could see straight into their kitchen from the back end of the catio, where the standing platform was higher, due to the close proximity of the catio and their property being a lower elevation.

The neighbour objecting adjacent to the catio had a raised decking area in their garden, in the summer months they would sit outside. The length and height of the catio resulted in them being completely overlooked when trying to enjoy their outdoor space. They had stated their privacy was badly affected. It was possible for the Applicant to view straight through their neighbours house from the catio as well due to its length and elevation.

The neighbour expressed how the situation had upset them and said the lack of privacy had impacted on their mental health.

A further concern was raised regarding the overshadowing of the neighbours garden by the catio. Photographs were shown to illustrate the amount of shadow created before the catio was built and afterwards with a noticeable difference in the photographs said to be afterwards. Shadow ran the entire length of the neighbours garden.

The Assistant Director of Planning and Growth pointed out that the photographs could not be verified with regards to when they were taken.

- An indication was requested at how often people were in the catio per day.

It was stated that residents of the property would be in the catio daily, for hours at a time. It was pointed out that because the Applicant had placed a high shelf on the catio on the side of their neighbours they would come to the fence and frequently spend hours with the cats and looking into the neighbours garden.

- Whether the neighbour would be satisfied if the area overlooking was to be screened off.

A concern was raised from the public speaker that this would produce a further loss of sunlight into their garden.

- It was queried that before the catio was built, was there a previous loss of privacy between the two gardens.

A Public Speaker stated that there was a slight loss of privacy before the catio was built, but not to the extent now the catio had been built.

- How many cats were in the catio at a time and whether they were in the catio all day or a few hours at a time.

It was stated there were 4-5 cats in the catio for an estimate of 6-7 hours a day.

- Whether the catio posed any issues around noise.

The noise was to a minimum and was not excessive.

- Whether there was permanent access to the catio from an existing extension.

The Applicant's agent clarified the catio was joint onto the existing building. The existing connection was a cat flap fitted onto a fixed window that existed prior to the catio being built.

The Applicant's agent stated that the photographs submitted for objection to the application were photoshopped.

The Assistant Director of Planning & Growth informed the Committee that it was common procedure for photos to be sent in from an applicant or an objector. Members were urged with a degree of caution that the photos could not be verified, however, Members who attended the site visit would have seen the site in real time.

- That the permitted development rights allowed 300mm above ground for a decking area, however, the far end of the catio was 400mm over floor level.

During question to Officers and debate, Members commented on:

- Whether Policy DE1 was taken into consideration with the Officer recommendation in terms of promoting health and wellbeing of the neighbour.

The recommendation was the Case Officer's professional assessment and plans, policies and Local Plan would have been considered in full. They had come to the conclusion that the application was compliant with Policy DE1.

- It was queried if an extension was built rather than a catio, would overlooking be taken into account.

The Principal Planning Officer clarified that amenities were considered as a whole for any proposal, which included overlooking. This proposal specifically recognised the impact on the boundary and a judgement had been made based on whether the proposal would increase the likelihood of overlooking and whether that was deemed to be unacceptable.

- It was queried whether a compromise could be made whereby the catio be reduced in size, in line with the height of the existing fence.

The purpose of the report was to consider the application as it stood. If the Committee were minded to refuse the application, at that point, the Applicant may submit a further application to address the issues raised. The Committee would need to consider why the application is harmful and unacceptable in the current form if they wished to impose conditions.

- Concern was raised on permitted development rights and the possibility of the proposal to increase in size.
- The loss of sunlight and privacy and the impact on the neighbour was discussed.
- A query was raised on whether sunlight was a material consideration to safeguard neighbours.

When amenities were assessed, the overbearance, overshadowing etc. The Principal Planning Officer confirmed there was an extent of an impact that occurs from the proposal. Most forms of developments had a degree of impact, it was the Committee's prerogative to decide the acceptability of the impact or not.

The Committee were reminded to consider the proposal as it was provided in the report and to take into account what the Applicants may do using their permitted development rights and the associated impacts that came with that. There was the potential under permitted development rights for Applicants to build a larger extension up to 6 metres to the rear of the property. That extension would not require express planning permission, it would only require prior approval.

The Assistant Director of Planning and Growth drew the Committee's attention to the layout plan with a 'North' arrow, which meant the sunlight tracked East to West. The direction of sunlight would mean there would be an impact. There would also be existing shadow casts by other features around the site.

It was highlighted that all permitted development applications would result in an impact, including impact on neighbours, but Government had deemed the impacts as acceptable.

The General Permitted Development Order allowed planning permission for certain proposals, provided the criteria set out in the Order was met. The Order was extensive and the most commonly part used was the householder sections which covered extensions, outbuildings, fences, driveways etc. Within the Order, an Applicant was entitled to erect decking patio areas within a rear garden, put fences up to 2 metres in height and outbuildings/extensions. These were fallback positions taken into account by Officers, once they were assessed as a realistic fallback position, and the Officer's undertook an assessment of the current proposals against the fallback position.

- One Member took the view that the impact on the neighbour and amenities did not comply with Policy DE1. A compromise of opaque features was discussed further.
- Whether the Officer recommendation would be for approval, if the patio had not already been built prior to being retrospective.

The Chairman clarified that the patio had already been built, however, this should not impact the Committee's decision making. The Committee should treat the application as new and without prejudice to the fact it was built without prior permission. The application was retrospective, however, this was not a valid reason for refusal.

A structure that was 20cm lower than the proposal and a structure that was an inch separated from the current property would not require planning permission. The fence within the proposal was a 1.7/1.8m high fence and therefore could be increased in height without requiring planning permission. Decking could also be installed up to 300mm above ground level at the lowest point.

- Further concern was raised on the fallback position in the permitted development. It was noted that if the application had been brought to Committee prior to being built, would the Officers be encouraging the Applicant to complete the structure through permitted development.

The Principal Planning Officer confirmed that if Applicant's had entered into a pre-application enquiry they would have been directed to their permitted development rights. However, an Applicant was entitled to submit any application they wish to.

- Concern was raised that the fallback position was the permitted development rights by Applicant's submitting applications which meant a constant erosion of that.

The Assistant Director of Planning & Growth outlined the Council received a high number of householder applications per year and would be considered as an

application that needed permission and a significant proportion of those would be because they were just outside the permitted development regime. Officers had assessed this application properly, meaning if the application was prospective as opposed to retrospective, the recommendation would remain the same.

- That the site visit supported the structure being significantly overbearing to the neighbours environment and space within the back garden.
- That the proposed catio was large given the size of the garden and smaller options of catios were available that would not impact on the neighbours amenity. It was commented that the design of the catio meant it seemed to have been built with people as much as the cats in mind.
- A member who had visited the site confirmed they had determined it was possible to view through the ground floor adjacent neighbours home from the catio.
- If it were an ordinary fence, patio/decking arrangement or extension, it would not have the same impact on neighbouring amenity as the current proposal. The issue with the application was the size and position of the catio and the applicants decision to place high shelving in the catio facing the neighbours. This resulted in the applicants being drawn to the boundary fence and spending an extended period of time there which was affecting the privacy of the neighbours.
- Members considered retaining the catio as it stands with additional screening to protect privacy of the neighbour. Different screening options were debated to cover the wire mesh between the fence and the roof but there was a concern this would not address the overbearing nature of the catio and note was taken of the neighbours view that it could worsen the situation.
- A reduction in height of the catio (level to the fence height) was considered an acceptable option that would give outdoor space to the cats without impacting on the privacy of both neighbours.
- Concern was raised that the reasons for possibly refusing the development were not greatly different to the problems that would arise through a permitted development. It was queried whether the suggested reasons for refusal were strong enough.
- It was the view of all Members who had visited the neighbours garden that the structure was overbearing and that privacy was negatively impacted with the design and presence of the cats drawing the Applicant to the boundary fence for periods beyond that one may expect with a permitted decking area or fence height.
- One member pointed out that whilst an opaque roof had been used in effect it created the impression of being solid. This was combined with a wide white plinth running virtually the entire length of the garden which added visually to the overbearing impact of the structure.
- It was considered unacceptable that the raised height of the catio enabled views into the rear neighbours' kitchen being a living space.

One Member urged members of the public to utilise the service of Planning Officer's in order to receive advice on applications before going ahead with development.

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

1. By virtue of the scale and layout of the proposed development, the application proposals would result in an unacceptable adverse impact on the neighbouring amenity of No 2 and 4 Lynden Avenue as a result of loss of privacy and overdominance. The application proposals are therefore contrary to Policy DE1 of the adopted Local Plan and Section 12 of the National Planning Policy Framework. In this case, the material considerations including the fallback position provided by permitted development rights, do not outweigh the harm identified.

(Councillor Tim Harrison left the meeting at 14:30)

94. Application S24/1524

Proposal:	Provide dropped kerb access and replace gravel with concrete hard standing
Location:	13 West Street Gardens, Stamford, PE9 2QB
Recommendation:	To authorise the Assistant Director – Planning to GRANT planning permission, subject to conditions.

Together with:

- Provisions within South Kesteven Local Plan 2011-2036, Design Guidelines Supplementary Planning Document, Stamford Neighbourhood Plan and National Planning Policy Framework.
- Comments received from Stamford Town Council.
- Comments received from Lincolnshire County Council (Highways & SuDS).
- Comments received from Cadent Gas.

During question to Officers and debate, Members commented on:

- Whether the curb had already been dropped following a site visit.

The Principal Planning Officer confirmed that the site had an element of a dropped curb, however, there were other curbstones that were not completely dropped. The proposal was to completely drop the curb and tarmac the gravel part of the driveway.

- Whether recent adverse weather conditions would impact the replacement of gravel with tarmac and whether drainage issues had been considered.

The replacement of gravel with tarmac would be minor development and drainage had been taken into consideration, however, it would also be covered by building regulations. It was plausible for an Applicant to put hardstanding at the front of their property provided it was a permeable surface or that the Applicant dealt with drainage on site.

- Concern was raised on vehicles driving over a footpath to reach the driveway.

Highways had been consulted and were comfortable with vehicle movements.

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

Time Limit for Commencement

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

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

Approved Plans

- 2) The development hereby permitted shall be carried out in accordance with the following list of approved plans:
 - a. Location Plan – received 03/09/24
 - b. Proposed Layout Plan – dwg no. DFG/13WestStreet/02– received 03/09/24

Unless otherwise required by another condition of this permission.

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

Before the Development is Occupied

- 3) Before any part of the development hereby permitted is occupied/brought into use, the external elevations shall have been completed using only the materials stated in the planning application forms and approved drawings unless otherwise agreed in writing by the Local Planning Authority.

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

95. Application S24/0568

This application was deferred to an Extraordinary Planning Committee on 23 January 2025.

96. Application S24/1418

This application was deferred to an Extraordinary Planning Committee on 23 January 2025.

97. Application S24/1707

This application was deferred to an Extraordinary Planning Committee on 23 January 2025.

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

Councillor David Bellamy requested a brief update on the Local Plan Review following a letter received from the Secretary of State.

The Assistant Director of Planning & Growth clarified that a new version of the National Planning Policy Framework (NPPF) was published just before Christmas 2024. The new version of the NPPF had implications for the Council's Local Plan Review which was currently being undertaken, in particular the amount of housing that will need to be found as the housing requirements had gone up.

The Council were working hard over a short timeframe to take stock of this outcome and what the implications may be. An updated Local Plan timetable as part of the Local Development Scheme (LDS) to Cabinet on 11 February 2025.

A query was raised on the annual housing figure provided by the letter from the Secretary of State.

The figure provided was 912 in the consultation version and was 895 per annum. The Council were currently working off 685.

In relation to the Regulation 19, the next stage was a pre-submission stage. This required transitional requirements which needed regard to take into account the higher figure provided.

The Chairman sought clarification on whether a margin was built into the 895 figure or would need to be factored in separately.

The figure was 895 with the additional of a buffer. In the existing Local Plan, there was an 18% buffer. The Officers were considering how high the buffer be considering some applications came forward unplanned. It was likely that the buffer be around 10%.

99. Close of meeting

The Chairman closed the meeting at 14:40.



SOUTH
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Planning Committee

23 January 2025

Additional Information Report

This report sets out additional information in relation to planning applications for consideration at the Planning Committee on 23 January 2025 that was received after the Agenda was published.

Agenda Item 6

S24/0568

Proposal: Erection of an anaerobic digestion (AD) facility and carbon capture, improvement of existing and part creation of new access track, landscaping and other associated infrastructure.

Site Address: Development East of Sewstern Industrial Estate South of Sewstern Road, Gunby, Lincolnshire NG33 5RD

Summary of Information Received:

- Applicant submitted link to video explaining the processes in an anaerobic digester plant <https://www.youtube.com/watch?v=8sPN4-0eJLw>
- Representation email dated 13th January 2025 proposing changes to the recommended conditions and suggesting planning obligations to be secured by S106 agreement
- Representation email dated 17th January 2025 querying how the National Planning Policy Framework has been addressed

Representations

Email dated 13th January 2025

Summary:

The email confirmed the member of the public's ongoing objection to the proposed development and provided a further review of the Schedule of Conditions proposed in the Additional Information Report Part 1. The member of the public suggested additional conditions and planning obligations as well as amendments to the proposed conditions.

Officer Comment – The comments have been considered and the response is below.

Email dated 17th January 2025

Summary:

The email expressed concerns that the approach taken to the NPPF December 2024 has been selective in terms of weight to be given to renewable energy. The email specifically refers to NPPF Paragraph 163 and the requirement to assess the full range of potential climate change impacts.

163. *The need to mitigate and adapt to climate change should also be considered in preparing and assessing planning applications, taking into account the full range of potential climate change impacts.*

The representation considers that the current information supplied is insufficient as it does not include a whole life carbon assessment, or information regarding the satellite clamps. It states that the application should have been accompanied by detailed information about the number, location and likely impacts in respect of embodied carbon and all the transport related to the AD plant.

Officer comment – The application was accompanied by a full suite of Environmental Impact Statement reports which considered a range of environmental impacts in accordance with the EIA Regulations.

Carbon Balance

In regards to the carbon balance, the application was accompanied by a letter dated 5th September 2024 and Carbon Balance technical note. The Carbon Balance technical note concludes:

- *'The combustion emissions of biomethane produced by crop-fed anaerobic digestions facilities, including biomethane produced from the development is carbon neutral because the carbon dioxide released during combustion originates from the carbon dioxide absorbed by the crops during their growth. This reflects a closed carbon loop with respects to combustion emissions resulting in no increase in CO2 levels within the atmosphere.*
- *The Development displaces other sources of emissions and, when CO2 is captured and geologically stored, the overall removal of CO2 from the atmosphere significantly exceeds the emissions generated by the Development, making it carbon negative. The carbon negative nature of the Development extends to the refinement of the gas and the spreading of biofertiliser and digestate'.*

Therefore, a carbon assessment has been undertaken for the development, concluding that there are

'no likely significant effects and the scoping out of the emissions arising from the combustion of the gas, the refinement of the gas and the spreading of biofertiliser and digestate is appropriate and compliant with the EIA Regs'.

The application complies with the EIA regulations and includes an assessment of likely significant effects. In the absence of alternative fuels, the national grid demand is met by gas sourced from fossil fuels, including imports of liquid natural gas. The impacts of fossil fuels are generally understood, and currently the UK is dependent on fossil gas to heat the majority of domestic and commercial properties.

Secondary Satellite Clamps

In regards to the satellite clamp locations, these are not included within the application and a planning application will provide the details at a later stage.

The proposed feedstock at the site is 130,000tpa and approximately 50,000tpa will be storage on site in purpose-built silage clamps. Approximately 50% (25,000tpa) of which will be delivered directly from fields which are part of the Buckminster Estate during harvest time over a 6-week period. The other 25,000tpa will be delivered from fields in the wider Estate. The remaining 80,000tpa of feedstock will be stored at satellite hubs and supplied to site on a 'Just in Time' basis at a constant rate throughout the year. Whilst not part of the application, these traffic movements have been accounted for within the Transport Statement. The Transport Statement makes assumptions that the additional satellite clamps will be located to the northeast

and northwest of the site within a 15-mile radius of the site. All traffic would therefore use the B676 and the new access road to access the site. The Officer considers that the current information is sufficient for the assessment.

Evaluation

Schedule of Planning Conditions

The email representation dated 13th January 2025 contained comments regarding proposed Schedule of Conditions contained in the Additional Items paper (1).

The planning case officer has considered the proposed amendments and proposes the following updated schedule of conditions, should the planning application be granted planning permission on 23 January 2025.

Planning 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).

Temporary Permission Limits

- 2) Written confirmation of the first export date shall be provided to the Local Planning Authority no later than 20 days following the event. The development hereby permitted shall cease on or before the expiry of a 30-year period from the date of the first export of biomethane from the anaerobic digester to the national grid network; excluding any biomethane exported during initial testing and commissioning.

The land shall thereafter be restored to its former condition in accordance with a scheme of decommissioning work ("Decommissioning Scheme") which shall make provision for the removal of the structures, hard standing, fencing and all other associated equipment, and the subsequent restoration of the site. The scheme shall include details of:

- a) The extent of equipment and foundation removal, and the site restoration to be carried out;
- b) The management and timing of any works;
- c) A Traffic Management Plan to address the likely traffic impacts arising during the decommissioning period.
- d) An Environmental Management Plan to include details of measures to be taken during the decommissioning period to protect wildlife, habitat features and trees on the site.
- e) The location of any temporary compound and parking areas.
- f) Full details of the removal of the AD plant and associated buildings, and all associated ground restoration.
- g) Full details of all other works to the land to all for renewed agricultural production following the removal of structures from the site.
- h) A programme of implementation of the Decommissioning Scheme.

The Decommissioning Scheme shall be submitted to and approved in writing by the Local Planning Authority, no later than 29 years from the date of the first export of biomethane and shall be subsequently implemented as approved.

Reason: The proposed development has a 30-year operational period, and to ensure that the site is fully restored to allow for agricultural use, and to maintain the rural landscape character of the area.

Approved Plans

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

- Site Location Plan, drawing ref. 27729-150 Rev B (received 28/03/24)
- Proposed Site Layout Plan, drawing ref. 27729-SK10 Rev H (received 03/04/24)
- Proposed Plant Elevation 1, drawing ref. 27729-050 Rev E (received 02/05/24)
- Proposed Plant Elevation 2, drawing ref. 27729-051 Rev D (received 02/05/24)
- Proposed Plant Elevation 3, drawing ref. 27729-052 Rev A (received 02/05/24)
- Proposed Floor Plans, drawing ref. 27729-600 Rev 0 (received 02/05/24)
- Proposed Site Sections, drawing ref. 27729-120 Rev G (received 03/04/24)
- Site Access Road Location, drawing ref. 27729-600 Rev D (received 18/06/24)
- Site Access Road 1, drawing ref. 27729-601 Rev C (received 18/06/24)
- Site Access Road 2, drawing ref. 27729-602 Rev C (received 18/06/24)
- Site Access Road 3, drawing ref. 27729-603 Rev C (received 18/06/24)
- Site Access Road 4, drawing ref. 27729-604 Rev C (received 18/06/24)
- Site Access Road 5, drawing ref. 27729-605 Rev C (received 18/06/24)
- Site Access Road 6, drawing ref. 27729-606 Rev D (received 18/06/24)
- Site Access Road 7, drawing ref. 27729-607 Rev C (received 28/03/24)
- Site Access Road 8, drawing ref. 27729-608 Rev C (received 28/03/24)
- Site Location Plan Northern Boundary, drawing ref. 27729-152 Rev 0 (received 02/05/24)
- Site Location Plan Southern Boundary, drawing ref. 27729-152 Rev 0 (received 02/05/24)
- Gas Pipeline Indicative Location Plan, drawing ref. 27729-154 Rev 0 (received 02/05/24)
- Site Access Visibility Clearance, drawing ref. 27729-613 Rev C (received 03/04/24)
- Site Access Road Clearance 1, drawing ref. 27729-614 Rev A (received 03/04/24)
- Site Access Road Clearance 2, drawing ref. 27729-615 Rev A (received 03/04/24)
- Site Access Road Clearance 3, drawing ref. 27729-616 Rev A (received 03/04/24)
- Site Access Road Clearance 4, drawing ref. 27729-617 Rev A (received 03/04/24)
- Site Access Road Clearance 5, drawing ref. 27729-618 Rev A (received 03/04/24)
- Site Access Road Clearance 6, drawing ref. 27729-619 Rev A (received 03/04/24)
- Proposed Highway Access Boundary, drawing ref. 27729-SK15 Rev A (received 03/04/24)
- Junction Line and Sign Works, drawing ref. 27729-620 Rev B (received 18/06/24)
- Proposed Site Plan showing SW Drainage, drawing ref. 27729-805 Rev D (received 13/06/24)
- Fire Hydrant Connection, drawing ref. CT-831.idw (received 12/08/24)

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

Detailed Design

4) Notwithstanding the submitted details, prior to any development above damp-proof course, a detailed specification of materials (including the colour of any render, colourwash or paint) to be used in the external materials of all buildings, plant, CCTV cameras and fencing shall be submitted to and approved in writing by the Local Planning Authority.

Thereafter, the development must be constructed fully in accordance with the approved details.

Reason: To ensure a satisfactory appearance to the development, any necessary mitigation measures required by condition references here can be taken into account, and in accordance with Policy DE1 and EN6 of the adopted South Kesteven Local Plan.

Lighting

- 5) Prior to the commencement of the development, full details of the proposed lighting scheme including a detailed Lighting Assessment and Strategy must be submitted to and approved in writing by the local planning authority.

The Assessment and Strategy shall set out the lighting strategy and specification for the site, including all access roads and shall include a light layout plan with beam orientation, a schedule of equipment in the design (luminaire type, mounting height, aiming angles, luminaire profiles and measures to prevent light spillage), and shall be accompanied by an assessment of the impact of the proposed lighting strategy upon the landscape character of the area, including submission of a light spillage plan and assessment of lighting on species and habitats that use the area for foraging, roosting, nesting or travelling through the landscape on or adjacent to the site.

The assessment must be carried out in accordance with current best practice and guidance.

The scheme shall be installed and be operational prior to operation of the development. The scheme shall be retained for the life of the development.

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

Archaeology

- 6) Before the development hereby permitted is commenced, a Written Scheme of Archaeological Investigation and an Archaeological Mitigation Strategy shall be submitted to and approved in writing by the Local Planning Authority. The details must include:

- a) Details of a programme of trial trenching, which must be first completed and used to inform the mitigation strategy;
- b) A plan illustrating the location of any archaeological remains on the site;
- c) Areas which are designated for archaeological monitoring and recording;
- d) Proposals to ensure that significant archaeological remains are protected or, if appropriate, set out a programme of further archaeological works to ensure that they are recorded in advance of works on site;
- e) A programme for the implementation of the archaeological mitigation strategy.

Thereafter, all works on site shall be carried out in accordance with the approved Archaeological Mitigation Strategy.

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.

Odour Management Plan

- 7) Before any part of the development is commenced, an Odour Management Plan is required to be submitted and approved by the Local Planning Authority. The Odour Management Plan will include mitigation as set out in the Odour Report to ensure that odour emissions arising from the development are no greater than the levels cited in the Environmental Impact Assessment.

The Odour Management Plan should include specific measures for managing and monitoring odour associated with all activities from the development.

Reason: To protect the residential amenity of local residents in accordance with Policy DE1 of the adopted South Kesteven Local Plan.

Traffic Management Plan

- 8) Before any part of the development is commenced, a Traffic Management Plan is required setting out the times of deliveries and collections, and that all vehicles are routed an appropriate route to/from the AD plant using the approved access route off the B676 Buckminster Road. This shall include construction related vehicles.

Reason: To protect the residential amenity of local residents in accordance with Policy DE1 of the adopted South Kesteven Local Plan.

Flood Emergency Plan

- 9) Before any part of the development is commenced, a Flood Emergency Plan covering place of refuge, flood evacuation and safe/escape routes, shall be submitted to and approved in writing by the local planning authority.

The Flood Emergency Plan shall be complied with throughout the lifetime of the development.

Reason: To ensure the safety of the users of the development against the risk of flooding in accordance with Policy EN5 of the South Kesteven Local Plan.

Construction Environmental Management Plan

- 10) Before the development hereby permitted is commenced, a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority. All works on site shall be carried out in accordance with the approved details throughout the construction period.

Reason: In the interests of safety and free passage of those using the adjacent public highways.

Operational Environmental Management Plan

- 11) Before the development hereby permitted is commenced, an Operational Environmental Management Plan shall be submitted to and approved in writing by the Local Planning Authority. This shall include all details of the proposed development's operation, including delivery/collection vehicles, routing of delivery/collection vehicles, as well as the specifics of the coverings to feedstock and digestate lagoon to control odour emissions.

Reason: To ensure that the traffic movements and odour emissions arising from the development are in line with the levels in the application and to protect the residential amenity of local residents in accordance with Policy DE1 of the adopted South Kesteven Local Plan.

Site Levels

- 12) Notwithstanding the submitted plans details, the existing and proposed land levels of the site (including spot heights, contours and finished floor levels of all buildings/structures) with reference to an off-site datum point, shall be submitted to and approved in writing by the Local Planning Authority.

Thereafter, the development shall be carried out in accordance with the approved details, and the site levels completed as approved, prior to the site being brought into use.

Reason: To ensure that the development mitigates the visual and landscape impacts in accordance with Policy EN1 and EN3 of the South Kesteven Local Plan.

Site Access Road

- 13) The access road will be upgraded and provided for use by all traffic related to the development in advance of construction of the main site. The access road shall be maintained in a good state of repair and kept clean of mud and other debris.

Reason: To protect the residential amenity of local residents in accordance with Policy DE1 of the South Kesteven Local Plan.

During the Building Works

Noise during Construction

- 14) To minimise noise impacts on the existing residential dwellings, 'construction work' shall only be carried out between the hours of 7:30 am to 6:00 pm Monday to Friday and 9:00 am to 1:00 pm on a Saturday. Construction work shall not be carried out on Sundays or Public Holidays. The term 'construction work' shall include mobile and fixed plant/machinery, (e.g. generators) radios and the delivery of construction materials.

To minimise the impact of potential noise on the surrounding area, deliveries of construction materials shall only take place between 8:00 am and 5:00 pm, Monday to Friday and between 9:00 am and 1:00 pm on a Saturday. No deliveries shall take place on a Sunday or Public Holiday.

Reason: To prevent disturbance to the amenities of residents living in the locality and in accordance with Policies EN4 and DE1 of the adopted South Kesteven Local Plan.

Ecology

- 15) All works on site during the construction period shall be carried out in accordance with the recommendations contained within the Ecological Appraisal, including reasonable avoidance measures for protected species.

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

Soft Landscape Scheme

- 16) Before the development hereby permitted is constructed above foundation level, details of a hard and soft landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority. This shall include:

- Planting plans identifying the location of all existing and proposed plants
- Written specifications (including cultivation and other operations associated with plant and grass establishment)
- Schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate; and
- Details of protection of plants

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, and EN3 of the adopted South Kesteven Local Plan.

Before the Development is Operational

Noise Management Plan

- 17) Before any part of the development is brought into use, a Noise Management Plan, based on the recommendations contained within the Noise Impact Assessment submitted with the application, shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To protect the residential amenity of local residents in accordance with Policy DE1 of the adopted South Kesteven Local Plan.

Boundary Treatment Details

- 18) Before the works to provide the boundary treatments hereby permitted are commenced, a plan indicating the heights, positions, design, materials and type of boundary treatment to be erected shall have been submitted to and approved in writing by the Local Planning Authority.

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

Surface and Foul Water Drainage

- 19) 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.

Landscape Management Plan

- 20) Before any part of the development hereby permitted is occupied/brought into use, 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 maintenance schedules for all landscape areas.

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

Landscaping Implementation

- 21) Before the end of the first planting / seeding season following the date when biomethane is first exported ("first export date"), all landscaping works shown on the approved Landscape Mitigation Plan required by condition 16 shall have been carried out in full.

Reason: To mitigate the harm to the rural character caused by the proposal and to secure a biodiversity net gain and in accordance with Policy EN1 (Landscape Character) and Policy EN2 (Protecting Biodiversity and Geodiversity) of the adopted South Kesteven Local Plan.

Ongoing Conditions

Noise Mitigation

- 22) The development should operate in accordance with the approved Noise Management Plan required by Condition 17 above.

Reason: To ensure there is appropriate mitigation from the impact of noise from the proposed development in the interests of the residential amenities of futures occupiers of the site.

Replacement Planting

- 23) Within a period of five years from the first occupation of the development hereby permitted, any trees or plants provided as part of the approved soft landscaping scheme, that die or become, in the opinion of the Local Planning Authority, seriously damaged or defective, shall be replaced in the first planting season following any such loss with a specimen of the same size and species as was approved in condition above unless otherwise agreed by the Local Planning Authority.

Reason: To ensure the provision, establishment and maintenance of a reasonable standard of landscape in accordance with the approved designs and in accordance with Policies DE1, EN3 and OS1 of the adopted South Kesteven Local Plan.

Flood Emergency Plan

- 24) The Flood Emergency Plan covering place of refuge, flood evacuation and safe/escape routes, shall be complied with throughout the lifetime of the development.

Reason: To ensure the safety of the occupiers and users of the development against the risk of flooding in accordance with Policy EN5 of the South Kesteven Local Plan.

Feedstock

- 25) The granting of planning permission for the Anaerobic Digester is made on the explicit use of feedstock to produce biomethane and prohibits any use of waste or conversion of the plant to facilitate the use of waste in the production of biogas. All feedstock required in connection with the approved Anaerobic Digester (AD) plant shall be derived from plant-based materials. No other feedstocks or waste products shall be processed at the plant.

Reason: To protect the residential amenity of local residents in accordance with Policy DE1 of the adopted South Kesteven Local Plan.

Boundary Treatments

- 26) The works to provide the boundary treatments shall have been completed in accordance with the approved boundary treatment scheme.

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

Sustainable Building

- 27) Details shall be provided demonstrating how the proposed development would comply with the requirements of Local Plan Policy SB1 to 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 development; details of water efficiency; and provision of electric car charging infrastructure.

The approved sustainable building measures shall be completed in full in accordance with the agreed scheme, prior to the development becoming operational.

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

Feedstock Tonnage

- 28) The total tonnage of feedstock processed at the application site shall not exceed 130,000 tonnes per annum of energy crops.

Reason: To correspond with the source and volume of feedstock materials for which planning permission was applied and to limit the scale of the operations in the interest of the amenity of the area in accordance with Policy DE1 of the South Kesteven Local Plan.

Silage Clamps

- 29) The maximum tonnage of feedstock material that can be stored on-site is 50,000 tonnes in the on-site silage clamps, and the height of the silage clamps shall not exceed the height of 5 metres.

Reason: To correspond with the volume of feedstock materials for which planning permission was applied and in the interests of visual amenity in accordance with Policy DE1 of the South Kesteven Local Plan.

Early Decommissioning

- 30) In the event that the site ceases to generate biomethane for a period of 12 months prior to the cessation of the 30-year period, a scheme of Decommissioning Works (“Early Decommissioning Scheme”) shall be submitted no later than 6 months from the end of the 12-month non-biomethane generating period to the Local Planning Authority for approval in writing. The early decommissioning scheme shall include the same details required under the Decommissioning Scheme set out in Condition 2 of this permission.

Thereafter, the early decommissioning scheme shall be carried out in accordance with the approved details.

Reason: To ensure that the AD plant continues to generate biogas or is otherwise removed to the benefit of the character and appearance, and agricultural productivity of the District; in accordance with Policy EN1 and RE1 of the adopted South Kesteven Local Plan.

Remediation Works

- 31) All buildings, structures and hardstanding associated with the development, excluding the access track between Buckminster Road and Sewstern Road, shall have been decommissioned and removed from site by 31.06.2055 or within 12 months of the anaerobic digestion facility ceasing operation, whichever is the sooner. The site shall then be regraded to former levels and appropriately restored to agricultural land within 3 months of the removal of the buildings, structures and hardstanding associated with the development with works being undertaken in accordance with the approved Decommissioning Plan.

This would exclude the proposed northern access track as this serves the timber yard as well.

Reason: To ensure that the AD plant is removed once it ceases to generate biogas, and is removed to the benefit of the character and appearance of the local area, in accordance with Policy EN1 and RE1 of the adopted South Kesteven Local Plan.

There are planning conditions that were suggested which have not been included in the amended conditions schedule and these have been considered by the planning officer. The following were not included:

- Satellite hubs – the satellite hubs are not part of this planning application and will be subject to a further planning application/s.
- Timings of vehicle movements – this will be covered by the Traffic Management Plan already in place as condition 8.
- Soft Landscaping – this will be covered by the Landscaping conditions 19 and 20.
- Off-site planting cannot be secured via a planning condition.
- Buckminster Estate farm movements – farm movements are already generated in relation to the farming activities on the Buckminster Estate. Should further connections be required on the farm site then the farm will be able to use permitted development rights to create accesses and routes as necessary.
- HGV queuing – concerns have not been raised by the local highway authorities that there would be insufficient space on the application site to accommodate all vehicle movements.

Recommendation

As such, the recommendation to Committee is to **authorise the Assistant Director – Planning & Growth to GRANT planning permission subject to the amended conditions set out above.**