

# Meeting of the Planning Committee

Wednesday, 25 November 2020,  
10.00 am



SOUTH  
KESTEVEN  
DISTRICT  
COUNCIL

Meeting held virtually, via Skype

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## Committee Members present

Councillor Bob Adams (Chairman)  
Councillor David Bellamy  
Councillor Harrish Bisnauthsing  
Councillor Helen Crawford  
Councillor Phil Dilks  
Councillor Mike Exton

Councillor Mrs Rosemary Kaberry-Brown  
Councillor Penny Milnes  
Councillor Robert Reid  
Councillor Ian Selby  
Councillor Jacky Smith  
Councillor Mrs Judy Smith (Vice-Chairman)

## Officers

William Richards (Interim Head of  
Development Management)  
Chris Brown (Principal Planning Officer)  
Peter Lifford (Development Management  
Planner)  
Mandy Braithwaite (Legal Executive)  
Martha Rees (Legal Adviser)  
Shelley Thirkell (Acting Principal Democratic Officer)  
Susan Hislop (Democracy Services)

## Other Members present

Councillor Sue Woolley

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## 27. Register of attendance, membership and apologies for absence

Apologies for absence were received from Councillor Charmaine Morgan.

## 28. Disclosure of interests

The Chairman, Councillor Bob Adams and Councillor Robert Reid noted that they were County Councillors, with Councillor Adams also serving on the Highway Scrutiny Committee.

Councillor Robert Reid confirmed in reference to application S19/1784 that having previously sought legal advice as a County Councillor he confirmed his

mind was open with no prejudgement and will be considering application as a District Councillor.

Councillor Harrish Bisnauthsing stated that he had been lobbied on application S19/1475 but approached consideration of the application with an open mind.

## **29. Minutes of the meeting held on 28 October 2020**

Following a vote by exception, the minutes of the meeting held on 28 October 2020 were agreed as a correct record.

It was noted that applications, S19/2111 and S19/2134 should both have carried the same conditions while acknowledging that retrospect amendments were not possible.

## **30. Application S19/1475**

**Proposal:** Erection of 31 affordable dwellings and associated works including access and landscaping.

**Location:** Land Off Cherryholt Road, Cherryholt Road, Stamford, PE9 2EP

**Decision:** That the application is refused

*As the application was part-heard and Councillor Jacky Smith had not been present when it had been considered previously, they did not participate in discussion or vote on the application.*

Noting:

- Site observations
- Provisions within the National Planning Policy Framework and the South Kesteven Local Plan and supplementary planning documents
- Comments from Historic England, advice to consult local expertise
- Comments and suggested conditions from South Kesteven District Council Arboricultural Consultant
- Request of £50,974 towards secondary education provision from Lincolnshire County Council Education and Cultural Services, which was subsequently withdrawn, as noted within the Officer's report.
- Request for contaminated land survey and verification conditions from South Kesteven District Council Environmental Protection Services
- Concerns raised from South Kesteven District Council Historic Buildings Advisor
- Comments and information on requirements from South Kesteven District Council Affordable Housing Officer
- Comments and proposed provisions requested from Lincolnshire County Council, Footpaths Officer
- Objections from Stamford Civic Society

- Comments from Anglian Water Services
- No objection subject to conditions by the Environment Agency
- Comments and request for sit evaluations from Heritage Lincolnshire
- No comments from Welland and Deepings Internal Drainage Board
- Request of £20,460 towards health provision from NHS England
- Objection from Stamford Town Council
- No objection, subject to conditions and informatives from Lincolnshire County Council Highways and SuDS Support.
- No objections and note regarding high voltage power cables from Western Power Distribution
- Representations as a result of public consultation
- The assessment of the reasons for refusal submitted by Committee members following the resolution at the meeting on 30 September 2020
- Comments made during the public speaking session on 30 September 2020
- Officer reports issued on 16 September, 28 September, 11 November and 23 November 2020
- Minutes of the meeting held on 30 September 2020
- Comments made by Members at the meetings

After the meeting of the Committee on 30 September 2020 at which members decided that they were minded to refuse the application, they were required to submit, within five working days, their reasons for refusal to the Interim Head of Development Management. These were listed in the case officer's report together with officer comment thereon.

Members were advised that whilst the officer recommendation remained one of approval, the reason for refusal relating to harm to the Grade I listed St Leonard's Priory and loss of green infrastructure could be defended at appeal.

Following questions posed to the Officers and debate, members noted the following:

- Concerns over flood risk and mitigation associated with the access
- Conflicts with SKDC Local Plan Policies EN1, EN3 and EN6
- Harm to the setting of the Grade 1 St Leonards Priory
- Qualification for affordable housing was being considered from a District wide perspective, rather than just need for Stamford
- Larger developments were being proposed with affordable homes within the area and closer to facilities
- There had previously been concern raised by the Highways Authority over development of a larger area that included the application site
- There was no longer a requirement for a S106 education contribution of the application was approved
- Sustainability of site and affordability of the proposed dwellings
- S106 health contribution considered insufficient

A proposal was made to refuse the application, which was seconded. As the Committee had been minded to refuse the application on 30 September 2020 and the cooling-off period had been invoked, a recorded vote was taken in accordance with the Council's Constitution.

For: Councillors Adams, Bisnauthsing, Bellamy, Crawford, Dilks, Exton, Milnes, Reid and Selby (9)  
Against: - (0)  
Abstain: - (0)

*As Councillors Rosemary Kaberry-Brown and Mrs Judy Smith had not been present for the full discussion of this item, they did not participate in the vote.*

The vote was carried, the application was refused for the following reason:

1. The proposed development would result in the loss of an important piece of green infrastructure which makes a positive contribution to the character of the area and would result in harm to the setting of the Grade 1 St Leonards Priory. In this instance, the benefits associated with the provision of 31 affordable dwellings and improved connectivity to the site are not considered to outweigh the harm that would be caused. This conflicts with SKDC Local Plan Policies EN1, EN3 and EN6 and the provisions of section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and there are no other overriding material considerations that indicate otherwise.

Members requested that further clarification be provided on local need for affordable Housing.

#### ACTION

- **That the Cabinet Member for Planning and Housing provide clarification on the need for Affordable Housing for Stamford and its immediate locality.**

*At 11:00 the Chairman called a brief recess, the meeting reconvened at 11:15.*

#### **31. Application S20/0632**

**Proposal:** Change of use of the site for dog exercise areas, obedience / agility classes, provision of fencing to dog training areas, hardstanding area for customer parking and the demolition of the existing stables buildings

**Location:** 17 Eastgate, Deeping St James, Lincolnshire, PE6 8HH

**Decision:** That the application is refused

*As the application was part-heard and Councillors David Bellamy, Mike Exton, Penny Milnes, Jack Smith and Mrs Judy Smith had not been present when it*

*had been considered previously, they did not participate in discussion or vote on the application.*

Noting:

- Provisions within the National Planning Policy Framework and the South Kesteven Local Plan and supplementary planning documents
- Site observations
- No objections or observations from Peterborough City Council, as Local Planning Authority
- Environmental Protection Services, South Kesteven District Council recommendations for a grant of 12 month temporary Planning Permission, in order to review any complaints
- Objections and comments from Deeping St James Parish Council
- Lincolnshire County Council Highways and SuDS Support do not wish to restrict the grant of permission
- Representations as a result of publicity
- The assessment of the reasons for refusal submitted by Committee members following the resolution at the meeting on 30 September 2020
- Comments made during the public speaking session on 30 September 2020
- Officer reports issued on 16 September, 28 September, 11 November and 23 November 2020
- Minutes of the meeting held on 30 September 2020
- Comments made by Members at the meetings

After the meeting of the Committee on 30 September 2020 at which members decided that they were minded to refuse the application, they were required to submit, within five working days, their reasons for refusal to the Interim Head of Development Management. These were listed in the case officer's report together with officer comment thereon.

Members were advised that Officers did not feel the reasons provided were defensible in the event of an appeal should the application be refused. The officer recommendation remained to approve the application.

Members noted the following concerns:

- Consideration should be given to the advanced stage of the Local Neighbourhood Plan
- Compliance with SV1
- Increase of vehicular movements
- Assessment of classification of open countryside rather than edge of settlement
- Site's close proximity to nearby properties including levels of noise emanating from proposed application
- Applicant investment should not be a consideration

- Concern Back Lane was being perceived as main highway while it was felt to be a country lane

A proposal was made to refuse the application, which was seconded. As the Committee had been minded to refuse the application on 30 September 2020 and the cooling-off period had been invoked, a recorded vote was taken in accordance with the Council's Constitution.

For: Councillors Adams, Bisnauthsing, Crawford, Dilks, Reid, Kaberry- Brown and Selby (8)  
 Against: - (0)  
 Abstain: - (0)

The vote was carried, the application was refused for the following reasons:

1. The proposed use of the site, for dog exercise areas, obedience and agility classes is located in close proximity from neighbouring residential uses. The proposed use is considered to result in an unacceptable noise impact to neighbouring residential uses. The proposal is therefore considered to be contrary to South Kesteven Local Plan Policy E7 c);
2. The proposed development, through the increased highway use that would result, is considered to be unsympathetic development that would lead to an adverse impact on Back Lane, an allocated Green Lane in The Deepings Neighbourhood Plan. The proposal is therefore considered to be contrary to Policy DPN12 of The Deepings Neighbourhood Plan; and
3. The proposal is considered to be development on the edge of Deeping St James and no clear evidence of substantial support from the local community has been evidenced. The proposal is therefore considered to be contrary to Policy SP4 of the adopted South Kesteven Local Plan.

### **32. Application S20/0311**

**Proposal:** Erection of War Memorial

**Location:** Main Square, Market Deeping

**Decision:** That the application is refused

*As the application was part-heard and Councillors Jacky Smith had not been present when it had been considered previously, she did not participate in discussion or vote on the application.*

Noting:

- Provisions within the National Planning Policy Framework and the South Kesteven Local Plan and supplementary planning documents

- Site observations
- Request for considerations from Market Deeping Town Council
- No objections and note of the requirement of a licence from Lincolnshire County Council Highways and SuDS Support
- Concerns raised by South Kesteven District Council, Historic Buildings Advisor
- Representations as a result of publicity
- The assessment of the reasons for refusal submitted by Committee members following the resolution at the meeting on 28 October 2020
- Comments made during the public speaking session on 28 October 2020
- Officer reports issued on 14 October, 26 October and 11 November 2020
- Minutes of the meeting held on 30 September 2020
- Comments made by Members at the meeting

After the meeting of the Committee on 28 October 2020 at which members decided that they were minded to refuse the application, they were required to submit, within five working days, their reasons for refusal to the Interim Head of Development Management. These were listed in the case officer's report together with officer comment thereon.

The Head of Development Management advised that whilst the proposed reasons for refusal could be defensible at appeal, the officer recommendation however remained to approve the application.

Members noted the following concerns regarding the application:

- Contrary to para 127 NPPF
- Contrary to Local Plan policy DE1 – Promoting Good Quality Design
- Contrary to Local Plan Policy EN6 – The Historic Environment

A proposal was made to refuse the application, which was seconded. As the Committee had been minded to refuse the application on 28 October 2020 and the cooling-off period had been invoked, a recorded vote was taken in accordance with the Council's Constitution.

For:	Councillors Adams, Bellamy, Bisnauthsing, Crawford, Dilks, Exton, Miles, Reid, Kaberry-Brown and Judy Smith (10)
Against:	- (0)
Abstain:	Councillor Selby (1)

The vote was carried

The proposed memorial, by reason of its size, scale, materials and design, would result in harm to the character and appearance of the locality, and the significance and setting of the adjacent listed buildings. The less than

substantial harm to the heritage assets and harm to the character and appearance of the area identified is not considered to be outweighed by any public benefits associated with the proposal and is therefore contrary to Local Plan Policies DE1 and EN6 and the NPPF (sections 12 and 16).

*At 12.10 the Chairman called a brief recess, the meeting reconvened at 12:15.*

### **33. Application S19/2140**

**Proposal:** Approval of Reserved Matters for appearance, landscaping, layout and scale for 49 dwellings following grant of Outline Permission S18/0093

**Location:** Land East of Low Road, Barrowby

**Decision:** That the application is approved conditionally.

*As the application was part-heard and Councillor Helen Crawford had not been present when it had been considered previously, she did not participate in discussion or vote on the application.*

Members noted:

- Provisions within the National Planning Policy Framework and the South Kesteven Local Plan and supplementary planning documents
- Site observations
- Comments and request for refusal from Barrowby Parish Council
- Comments and reasons for rejection from Barrowby Neighbourhood Plan Group
- No comments from South Kesteven District Council, Environmental Protection Services
- Advice that revised plans and mix are acceptable from South Kesteven District Council Affordable Housing Officer
- No observations from Anglian Water Services
- No comment from Witham Third Internal Drainage Board
- No comments from Lincolnshire County Council Education and Cultural Services
- No objections from Lincolnshire County Council Highways & SuDS Support
- Representations as a result of publicity
- The assessment of the reasons for refusal submitted by Committee members following the resolution at the meeting on 8 July 2020
- Comments made during the public speaking session on 28 October 2020
- Officer reports issued on 24 June and 11 November 2020
- Minutes of the meeting held on 8 July 2020
- Comments made by Members at the meeting

After the meeting of the Committee on 8 July 2020 at which members decided that they were minded to refuse the application, they were required to submit, within five working days, their reasons for refusal to the Interim Head of Development Management. These were listed in the case officer's report together with officer comment thereon.

Members were advised that Officers did not feel the reasons provided were defensible in the event of an appeal should the application be refused. The officer recommendation remained to approve the application conditionally, noting advice received from Counsel that reasons provided by Members to refuse were not sustainable upon appeal.

Members noted the following concerns regarding the application:

- A recognition of the need for a masterplan
- Other proposed site applications would provide additional affordable housing along with S106 provision

A proposal was made to approve the application, which was seconded. As the Committee had been minded to refuse the application on 8 July 2020 and the cooling-off period had been invoked, a recorded vote was taken in accordance with the Council's Constitution.

For: Councillors Adams, Bellamy, Bisnauthsing, Dilks, Exton, Reid, Jacky Smith and Judy Smith (8)  
Against: Councillor Ian Selby (1)  
Abstain: Councillors Milnes and Kaberry-Brown (2)

The application was approved for the summary of reasons set out in the case officer's report and subject also to the following conditions:

1. The development hereby permitted shall be carried out in accordance with the following list of approved plans:
  - 100-378/ 005 - Site Plan - U
  - 009 - 2B4P 68 House type - C
  - 010 - 3B5P 81 House Type - C
  - 011 - 3B5P & 2B4P Side Entrance Type - C
  - 012 - 1B2P Quarter House - C
  - 013 - 1B2P Bungalow - C
  - 014 - 2B3P Bungalow - C
  - 015 - 3B5P and 4B6P House - C
  - 016 - 2b4p & 2b4p Side entry - A
  - 017 - Boundary Treatment - G
  - 018 - Material Distribution Plan - E
  - 020 - Site Location Plan
  - 021 - Site Sections - B
  - 022 - Street Scenes - B
  - 024 - Fire Hydrant Plan - B

026 - Site Layout - Land Use - A  
027 - 2B4P 68 House type  
028 - 2B4P 68 House type  
029 - 2B4P 68 House type  
030 - 3B5P 81 House Type  
031 - 3B5P 81 House Type  
032 - 3B5P 81 House Type  
033 - 3B5P 81 House Type  
034 - 3B5P 81 House Type  
035 - 3B5P & 2B4P Side Entrance Type  
036 - 3B5P & 2B4P Side Entrance Type  
037 - 2b4p & 2b4p Side entry  
038 - 2b4p & 2b4p Side entry  
drainage layout plan - 19004-WDK-00-SI-DR-C-33000-P07

Unless otherwise required by another condition of this permission.

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

2. Before any of the works on the external elevations to the dwellings hereby permitted have commenced, details of the materials to be used in the construction of the external surfaces of the development hereby permitted shall be submitted to the Local Planning Authority in writing for approval. Sample panels of the proposed surfacing materials (Brickwork tiles and render) at a least a metre squared (showing where appropriate the proposed coursing, method of pointing and colour of mortar) shall be erected on for consideration and subsequent approval. The panels shall be retained on site until the completion of the works. The development shall be implemented in accordance with the approved details.
3. Prior to the commencement of any works above ground level, details of the following measures being provided for approval in writing:
  - a) Details of the siting, appearance and design of bird/bat brick/boxes/tubes to be incorporated into the development
  - b) Details of the siting, design, height, and length of a decorative brick wall to be provided on the boundary of Plots 34 and 49 shared with the proposed retail unit.

Before any part of the development is occupied/brought into use, the approved measures shall have been carried out in accordance with the approved details.

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

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

### **Ongoing Conditions**

6. 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.

Following a discussion by the Committee regarding the need for Social Housing, the Cabinet Member for Housing and Planning advised that Members would receive a presentation on the matter.

### **ACTION**

- **Presentation to be prepared by the Cabinet Member for Housing and Planning to demonstrate the geographic, siting and social inclusion across the district to meet social housing needs.**

*The meeting was adjourned at 13:00 and reconvened at 13:20.*

### **34. Application S20/0534**

**Proposal:** Erection of single storey side and rear extension (part retrospective)

(Revised scheme of S19/1734 & S19/2242)

**Location:** 78 Denton Avenue, Grantham, NG31 7JH

**Decision:** That the application is approved conditionally.

*As the application was part-heard and Councillor Helen Crawford had not been present when it had been considered previously, she did not participate in discussion or vote on the application.*

Members noted:

- Provisions within the National Planning Policy Framework and the South Kesteven Local Plan and supplementary planning documents
- Site observations
- Receipt of appeal decision to planning application S19/2242 and the associated Enforcement Notice (APP/E2530/W/20/3250115 and APP/E2530/C/20/3250139)
- Appeal for S19/2242 was dismissed
- Enforcement Notice of application S19/2242 to be varied, with the existing extension to be modified as proposed plans for S20/0534
- Previous comments made by SKDC Planning Enforcement to application S19/2242
- Support received from Lincolnshire County Council Highways and SuDS to previous concerns over parking
- Representations as a result of publicity
- The assessment of the reasons for refusal submitted by Committee members following the resolution at the meeting on 19 August 2020
- Comments made during the public speaking session on 19 August 2020
- Officer reports issued on 11 December 2019 and 13 March 2020
- Two previous planning applications reference S19/1734 and S19/2242, were refused by Planning Committee and dated 11 December 2019 and 13 March 2020.
- Minutes of the meeting held on 19 August 2020
- Comments made by Members at the meetings

It was proposed, seconded and agreed unanimously that the application be approved for the summary of reasons set out in the case officer's report and subject also to the following conditions:

**Time limit for completion**

1. The development hereby permitted shall be completed in full by 02 June 2021.

**Approved plans**

2. The development hereby permitted shall be completed in accordance with the following approved plans:

MSP.1696/008; and  
MSP.1696/004

### 35. Application S19/1784

*The committee's Legal Advisor, from Legal Services Lincolnshire left the meeting and was replaced by South Kesteven District Council's Legal Executive.*

**Proposal:** Outline application including details of new vehicular access for up to 71 dwellings, public open space and associated infrastructure.

**Location:** Land East of Folkingham Road, Morton, PE10 0NR

**Decision:** That the application is approved conditionally.

Noting comments made during the public speaking session by:

**County Councillor:** Councillor Sue Woolley

**Applicant's Agent:** Lynette Swinburne

Together with:

- Provisions within the National Planning Policy Framework and the South Kesteven Local Plan and supplementary planning documents
- Site observations
- Objections and comments from Morton and Hanthorpe Parish Council
- Lincolnshire County Council Highways and SuDS Support had no objection subject to conditions including public transport contribution of £30,000
- Lincolnshire County Council Footpaths Officers requested modifications/improvements to Morton Public Footpath nos. 41, 43 and 44
- Black Sluice Internal Drainage Board required consent of the Environment Agency to any future discharge and discharge structures be installed
- No comments received from Natural England
- Anglian Water Authority advised surface water disposal through sustainable drainage system (SuDS)
- NHS England requested a contribution for the development of £46,860
- Education and Cultural Services (LCC) requested contribution for additional school places of £415,614
- Heritage Lincolnshire recommended the developer to commission a Scheme of Archaeological Work
- The Affordable Housing Officer (SKDC) recommended that a minimum of 30% affordable housing be provided
- Further noise assessment work would be required with detailed submission by the Environment Protection Services (SKDC)
- No comments received from the Environment Agency

- Representations received as a result of publicity
- No adopted neighbourhood plan for Morton in place

It was proposed, seconded and agreed unanimously that the application be approved for the summary of reasons set out in the case officer's report and subject also to the following conditions:

*In accordance with article 4.13.5 of the Council's Constitution, Councillor Phil Dilks requested that his vote to abstention be recorded.*

In the event that the agreement has not been concluded within the twelve-week period and where, in the opinion of the Head of Development Management, there are no extenuating circumstances which would justify a further extension of time, the related planning application shall be refused planning permission for the appropriate reason(s) on the basis that the necessary criteria essential to make what would otherwise be unacceptable development acceptable have not been forthcoming.

### **Time Limit for Commencement**

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
  - iv. landscaping

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

2. 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.

### **Approved Plans**

3. The development hereby permitted shall be carried out in accordance with the following list of approved plans:
  - i. Location Plan drawing no. 423750\_002 REV A received 4 October 2019
  - ii. Access details only shown on the Illustrative Masterplan drawing no. 423750-003 received 27 August 2020

Unless otherwise required by another condition of this permission.

4. The development hereby permitted is for no more than 71 dwellings.

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

5. Before the development hereby permitted is commenced, details demonstrating how the proposed dwellings 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 dwelling, in accordance with the agreed scheme, prior to the first occupation of each dwelling hereby permitted.

6. Before the development hereby permitted is commenced, details of a scheme for the treatment of foul water drainage must be submitted to and approved in writing by the Local Planning Authority.
7. 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.
8. Before the development hereby permitted is commenced, full engineering, drainage, street lighting and construction details of all pedestrian and cycleways within the site must be submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in accordance with the approved details.
9. Before the development hereby permitted is commenced, details of a surface water drainage scheme must be submitted to and approved in writing by the Local Planning Authority.

The scheme shall:

- be based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development;
- provide 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 arrangements for adoption by any public body or Statutory Undertaker and any other arrangements required to secure the operation of the drainage system throughout its lifetime.

10. 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.

11. When an application is made for reserved matters, that 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.

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

12. When an application is made for reserved matters, that application must be accompanied by a further noise assessment based on the proposed layout and shall include details of any necessary noise mitigation measures.

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

13. Before the development hereby permitted is commenced, a phasing plan that demonstrates how the development would be phased in accordance with the Infrastructure Delivery Plan 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.

14. Before the development hereby permitted is commenced, a biodiversity mitigation and enhancement must have been submitted to and agreed in writing by the local planning authority. The scheme shall be based upon

the recommendations from the surveys and assessments listed below. The scheme shall include a plan identifying the location of any mitigation and enhancement measures, along with a detailed schedule (and technical details as relevant) for each of the measures proposed.

- Hedgerow Assessment ref: 001 received 4 October 2019
- Breeding Bird Survey ref: 003 received 4 October 2019
- Great Crested Newt Survey ref: 002 received 4 October 2019
- Bat Roost Assessment ref: 001 received 4 October 2019

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

15. 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.

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

16. 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.
17. 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.

18. No part of the development hereby permitted shall be occupied before the works to improve the public highway (by means of the installation of tactile paving to the pedestrian crossing point on High Street, at the junction with Folkingham Road) have been certified complete by the Local Planning Authority.

*The Legal advisor returned to the meeting at 14:48*

### **36. Application S20/1192**

**Proposal:** Erection of 14 industrial units including storage, warehouse and associated works.

**Location:** The Bungalow Northfield Road Market Deeping Lincolnshire PE6 8LG

**Decision:** That the application is approved conditionally.

Noted:

- Provisions within the National Planning Policy Framework and the South Kesteven Local Plan and supplementary planning documents
- Site observations
- Site had permission granted to planning application Ref: S19/1106
- No objection or observations from Heritage Lincolnshire
- No objection from Anglian Water Subject to foul water drainage
- No objection from Market Deeping Town Council other than restrictions on use of Class B and operating hours.
- No objection from Lincolnshire County Council Highways and SuDS
- Representations as a result of publicity

It was proposed, seconded and agreed unanimously that the application be approved for the summary of reasons set out in the case officer's report and subject also to 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.

#### **Approved Plans**

2. The development hereby permitted shall be carried out in accordance with the following list of approved plans:
  - i. Site location plan received 20th July 2020
  - ii. 308/P/104 Rev A received on 20th July 2020

- iii. 308/P/105 received on 20th July 2020
- iv. 308/P/100 Rev C received 27th October 2020
- v. 100 Rev P2 received 20th July 2020
- vi. 101 Rev P2 received 20th July 2020

Unless otherwise required by another condition of this permission.

### **During Building Works**

- 3. Prior to the construction above damp-proof course, a scheme for on-site foul water drainage works, including connection point and discharge rate, shall be submitted to and approved in writing by the Local Planning Authority. Prior to the occupation of any phase, the foul water drainage works relating to that phase must have been carried out in complete accordance with the approved scheme.
- 4. Before installation of any external plant, final details of the position, type, external appearance, noise emissions and shall have been submitted to and approved in writing by the local planning authority.

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

- 5. Before the end of the first planting/seeding season following the first use of any part of the development hereby permitted, all soft landscape works shall have been carried out in accordance with the approved soft landscaping details on drawing no. 308/P/105.
- 6. Notwithstanding details on the approved plans, before first occupation of the units hereby approved, details of a vehicular and pedestrian link to land to the west of the site together with a timetable of implementation must be submitted and approved by the Local Planning Authority.

The approved details should be implemented in accordance with the agreed timetable.

- 7. Before any part of the development hereby permitted is brought into use, all hard landscape works shall have been carried out in accordance with the approved hard landscaping details on drawing no. 308/P/100 Rev C.
- 8. Before any part of the development hereby permitted is brought into use, the external elevations shall have been completed using only the materials stated in the planning application forms.

### **Ongoing Conditions**

- 9. No external lighting other than the details approved in the B and H Services Group Ltd document dated June 2020 shall be installed unless

they have been first submitted to and approved in writing by the local planning authority.

10. Within a period of five years from the first occupation of the final unit of the development hereby permitted, any trees or plants provided as part of the approved soft landscaping scheme, 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.
11. Noise from operations conducted on the premises shall not exceed 55 dBa Leq 1 hour, as measured at the boundaries of the application site, between the hours of 0700 and 1900 on Mondays to Fridays and 0700 and 1200 on Saturdays, and 45 dBa Leq 1 hour at any other time.
12. Notwithstanding the provisions of Schedule 2, Parts 3 and 4 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking or re-enacting that Order with or without modification), the premises shall only be used for the purposes specified below and for no other purpose unless Planning Permission for a new use of the premises has been granted by the Local Planning Authority:
  - Use permitted by Classes B1/E(g) only and B8 of the Town and Country Planning (Use Classes) Order 1987 (as amended)
13. Following the development hereby permitted first being brought into use, the vehicle parking and turning areas shall have been completed in accordance with approved drawing no. 308/P/100 Rev C; and shall not be used for any purpose other than for the parking and turning of private vehicles and motorcycles belonging to the occupants of the property and their visitors.

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

No business was raised.

**38. Close of Meeting**

Meeting closed at 15:12.