

Minutes of the Planning Committee

Thursday, 9 September 2021, 1.00 pm



SOUTH
KESTEVEN
DISTRICT
COUNCIL

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

Committee Members present

Councillor Helen Crawford (Chairman)
Councillor Mrs Judy Smith (Vice-Chairman)
Councillor David Bellamy
Councillor Harrish Bisnauthsing
Councillor Helen Crawford (Chairman)
Councillor Phil Dilks
Councillor Mrs Rosemary Kaberry-Brown
Councillor Penny Milnes
Councillor Charmaine Morgan
Councillor Nick Robins
Councillor Penny Robins
Councillor Ian Selby
Councillor Jacky Smith
Councillor Judy Stevens

Officers in attendance

Nicola McCoy-Brown (Director of Growth and Culture)
Phil Moore (Special Projects Manager)
Phil Jordan (Senior Planning Officer)
Chris Brown (Principal Planning Officer)
Martha Rees (Planning Legal Advisor)
Alice Atkins (Democratic Officer)
Sarah Downs (Democratic Officer)

38. Register of attendance, membership and apologies for absence

Apologies had been received from Councillor Phil Dilks and Councillor Robert Reid.

Councillor Ashley Baxter would be substituting for Councillor Phil Dilks and Councillor Nick Robins would be substituting for Councillor Robert Reid, for this meeting only.

Following a register of attendance, it was confirmed that all Committee Members were present.

The Chairman welcomed Councillor Judy Stevens to the Committee, who had been appointed to the Committee's vacancy, on an interim basis, until a formal appointment was sought by full Council

39. Disclosure of interests

Councillor Ashley Baxter requested that it be noted that he had in the past carried out consultancy work for Oldrids; but that this would not impact on his decision making.

Councillor Charmaine Morgan wished to disclose that her daughter attended Grantham College, which was referred to in application documents, and that she was a member of Grantham Civic Society.

Councillor Rosemary Kaberry-Brown requested that it be noted that her grandson had worked at Downtown temporarily over the recent summer period.

(The Chairman adjourned the meeting at 13:10 until 14:10 so that Members could consider the additional information presented to Committee.)

40. Application S17/2155

Proposal: Outline planning permission for the erection of a Designer Outlet Centre of up to 20,479 sqm (GEA) of floorspace comprising retail units (A1), restaurants and cafes (A3), and storage. Additional large goods retail (5,575 sqm GEA), garden centre (5,521 sqm GEA) and external display area for garden centre (1,393 sqm), tourist information and visitor centre, training academy, leisure unit and offices. Demolition of existing garden centre and sales area and existing warehouse. Improvements to existing Downtown Grantham store elevations. Reconfigured car parking and provision of new multi-storey car park. Increased coach parking. Access improvements, drainage works, hard and soft landscaping and all ancillary works. All matters reserved with the exception of access.

Location: Downtown Garden Centre, Old Great North Road, Great Gonerby, Lincolnshire

Decision: To approve the application subject to the completion of a Section 106 Agreement

Noting comments made during the public speaking session by:

Against: Mark Tombs – NTR Planning
Councillor Roger Blaney – Chairman of Planning Committee
(Newark & Sherwood District Council)

Applicant: Peter Isaac – Oldrid & Co. Ltd
Angela Smedley – Fisher German
Ian Anderson – Lichfields

Gerard McKinney – Hub Transport Planning
Iestyn Roberts – Freeport Retail
Richard Broadhead – Oldrid & Co. Ltd

Together with:

- No objections raised by Lincolnshire County Council (as Highway Authority and Lead Local Flood Authority).
- No objections raised by Highways England.
- No objections raised by Environment Agency.
- Conditions provided in response to comments from Anglian Water Services.
- No objections raised by Upper Witham Internal Drainage Board.
- No objections raised by Natural England.
- No objections raised by Crime Prevention Design Advisor.
- No objections from Lincolnshire Fire & Rescue Services.
- Comments received by Historical Buildings Advisor (SKDC).
- Comments received from Minerals and Waste Planning (LCC).
- Comments received from neighbouring County, District and Parish Councils.

During questions to the applicant and officers, Members made the following comments:

- A concern was raised regarding the impact of the development on Grantham Town Centre due to the proposed opening hours of the A3 units. It was confirmed that the proposed A3 units would open one hour before, until one hour after, the proposed shops were open and that this was generally the norm for this type of development.
- A query was raised as to how many new jobs would be created in Grantham as a result of the development. It was confirmed that approximately 1600 new jobs were estimated to be created.
- A concern was raised regarding the possibility of a new railway station being built and whether this would be to the detriment of the town. Members were informed that there was a possibility of a new railway station being built in the future, but that those plans did not form part of current the application.
- A query was raised relating to the number of new houses which would be built in the Grantham area over the next 5 - 10 years. Officers advised that the Local Plan had ambitious new housing targets and that approximately 12,000 new homes were planned in and around Grantham over the plan period.
- A concern was raised relating to recent evidence which showed how certain types of lighting impacted the biodiversity of the local insect population.

Officers confirmed that conditions were in place to ensure that the proposed lighting scheme was appropriate and also in respect of biodiversity mitigation and enhancement.

- Members asked how certain it was that a S106 Agreement would be completed. Officers advised that they were confident that this could be completed in a matter of days or weeks, as the S106 Agreement was at an advanced stage of drafting.
- A query was raised relating to car parking spaces and whether these would be of appropriate size. Officers confirmed that the detail of this would be secured through a reserved matters application, and that the Council would engage in consultation with the local highway authority to ensure that car parking spaces would be of appropriate size.
- Members asked whether there was a mechanism in place to monitor the relationship between the developer and the town centre. Officers advised that although a monitoring requirement provision was in place, this did not extend to the tourism outlet. It was later confirmed that the draft S106 agreement included a requirement for a tourist information and visitor centre scheme as well as financial contributions towards tourism initiatives and a tourism manager.
- Members asked what provision there was for additional parking within the town centre, as the development would likely result in additional visitors to the area. Officers confirmed that there was a provision in the Section 106 Agreement for a sum of money towards town centre facilities improvements in general, although this was not specifically for additional car parking provision.
- A query was raised as to the availability of a frequent bus service to the development site, particularly for staff. It was confirmed that the frequency and hours of the current bus service are being looked at with a view to enhancing the established service.

During debate, Members made the following comments:

- Reference was made to the existing retail outlet in Bicester. Members expressed that the application would promote Grantham nationally.
- Reference was made to the proposed development being built on a Brownfield site and that it would be a good use of the land.
- Members spoke positively about the development benefiting local businesses and creating additional employment in the area.
- Members noted that the entirety of the District could make use of, and benefit from, the proposed development.

(Councillor Rosemary Kaberry-Brown left the room during debate and was therefore unable to vote on the application.)

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

Time Limit for Commencement

- 1 The development hereby permitted shall be commenced before the expiration of three years from the date of this permission or two years from the approval of the last of the reserved matters, whichever is the latter.
Reason: In order that the development is commenced in a timely manner, as set out in Section 92 of the Town and Country Planning Act 1990 (as amended).
- 2 Details of the reserved matters set out below shall have been submitted to the Local Planning Authority for approval within three years from the date of this permission.
 - i. layout
 - ii. scale
 - iii. appearance
 - iv. landscaping

Approval of all reserved matters shall have been obtained from the Local Planning Authority in writing before any development is commenced and the Development shall be carried out in accordance with the reserved matters as approved.

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

Approved Plans

- 3 The development hereby permitted shall be carried out in accordance with the approved drawings and plans as set out below:
 - 16-1007-(08)AZ-00001C – Location Plan
 - 16-1007-(08)AZ-00002 – Existing Site Plan
 - 16-1007-(08)AZ-00003C – Block Plan (in respect of the position of the access only)
 - 16-1007-(08)AZ-00004B – Masterplan (in respect of the position of the access only)
 - 16-1007-(08)AZ-00009A – Parameters Plan – Land Use
 - 16-1007-(08)AZ-00010B – Parameters Plan – Building Heights

- 16-1007-(08)AZ-00011A – Parameters Plan – Primary Circulation
- 16-1007-(08)AZ-00012A – Parameters Plan - Landscaping

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

- 4 No development hereby approved shall commenced (other than Enabling Works) until a Construction Phasing Scheme has been submitted to and approved in writing by the Local Planning Authority. The development shall only be implemented in accordance with the approved Construction Phasing Plans.

Reason: In order to ensure that the construction phase of the development does not have any significant adverse impact on the local environment or residential amenity, in accordance with Policies DE1 and EN4 of the adopted South Kesteven Local Plan 2011-2036 (January 2020).

- 5 No development hereby approved shall commence (other than Enabling Works) until details of the materials to be used for the external surfaces of the buildings forming part of the development have been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the works are sympathetic to the visual amenities of the locality and in accordance with Policy DE1 of the adopted South Kesteven Local Plan 2011-2036 (January 2020).

- 6 No development hereby approved shall commence (other than Enabling Works) until a scheme detailing the external hard and soft landscaping and arboricultural works, including planting, works to existing and retained trees and hedges, fencing, walls, surface treatment and construction details, has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the works are sympathetic to the site and surroundings, to enhance the biodiversity of the development and in accordance with Policies DE1 and EN2 of the adopted South Kesteven Local Plan 2011-2036 (January 2020).

- 7 No development hereby approved shall commence (other than Enabling Works) until a programme detailing the phasing and timing of the delivery of the approved hard and soft landscaping works pursuant to Condition 6 has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the works are sympathetic to the site and surroundings, to enhance the biodiversity of the development and in accordance with Policies DE1 and EN2 of the adopted South Kesteven Local Plan 2011-2036 (January 2020).

- 8 No development hereby approved shall commence (other than Enabling Works) until the signage strategy for the development including vehicular directional signage, has been submitted to and approved in writing by the Local Planning Authority.

Reason: In order to provide a cohesive sign provision within the site, in the interests of visual amenity and in accordance with Policies DE1 and ID2 of the adopted South Kesteven Local Plan 2011-2036 (January 2020).

- 9 No development (other than Enabling Works) shall commence until a comprehensive scheme for lighting of the external areas of the application site and proposed buildings has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include:

- a) updated lighting impact assessment taking into account the detailed design proposals;
- b) details of lighting of and luminance from buildings, store windows, service areas, car parks, under floor zones, signage and advertising boards;
- c) measures to minimise light pollution or obtrusive light external to the development;

and

- d) timetable of the implementation of the approved lighting.

Reason: In order to provide a cohesive lighting provision within the site, in the interests of visual amenity and in accordance with Policies DE1 and EN4 of the adopted South Kesteven Local Plan 2011-2036 (January 2020).

- 10 The development hereby approved shall not commence until, details of three and hedge protection measures (in accordance with BS5837 (2012) Trees in Relation to Design, Demolition and Construction-Recommendations) have been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure adequate protection to retained trees and hedges and in accordance with Policies EN2 and EN3 of the adopted South Kesteven Local Plan 2011-2036 (January 2020).

- 11 The development hereby approved shall not commence (other than Enabling Works) until details of the on-site public transport facilities and infrastructure have been submitted to and approved in writing by the Local Planning Authority.

Reason: In order to provide adequate infrastructure and facilities for public transport to serve the development.

- 12 No Enabling Works shall take place until a Construction and Environmental Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority in relation to those Enabling Works. No development (other than Enabling Works) shall take place under this planning permission until a CEMP has been submitted to and approved in writing by the Local Planning Authority.

The relevant CEMP shall include but not be limited to:

Enabling Works:

- a) The overall strategy for managing environmental impacts which are likely to arise during the construction phase;
- b) Management of construction traffic and access/haul routes and parking to and from the site, including monitoring and enforcement measures;
- c) Location of contractors compounds and method of moving materials, plant and equipment around the site;
- d) A Site Waste Management Plan (SWMP) setting out a scheme for sorting/recycling/disposing of waste from construction works; and
- e) A signage strategy for construction traffic.

Construction (in addition to a) – e):

- f) The parking of site operatives and visitor's vehicles;
- g) Loading and unloading of plant and materials;
- h) The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- i) Wheel cleaning facilities, including any other methods of prevention of mud being carried onto the highway;
- j) Identification of the times when major items of plant and equipment are to be transported to and from the site;
- k) Identification of procedures for the notification and conveyance of indivisible 'out of gauge' loads. This includes any necessary measures for the temporary protection of carriageway surfaces; for the protection of statutory undertakers' plant and equipment; and for the temporary removal of street furniture;
- l) Description of the methods of transport to be used by personnel to minimise overall traffic impact on the road network leading to the construction site;
- m) Proposals for communicating information to the local planning authority, Lincolnshire County Council and Highways England.
- n) Access and protection arrangements around the site for pedestrians, cyclists and other road users during construction;

- o) Details of any temporary traffic restrictions
- p) Measures to control the emission of water pollution, sediment, dust and dirt during construction;
- q) details of a dust management plan setting out how dust will be controlled during the construction phase of the development
- r) Working hours for earthworks, demolition and construction shall be restricted to between 07:00-18:00 Mondays to Fridays, 08:00-13:00 Saturdays and No Sunday / Bank Holiday working unless pre-planned and agreed in writing with the Local Planning Authority.
- s) Community liaison initiatives, including identification of a dedicated point of contact;
- t) No open fires.
- u) Details of any lighting to be used during the construction phase
- v) Ecological restrictions and considerations including:
Any removal of trees, scrub or hedgerow shall not take place in the bird-breeding season between March and August inclusive, unless a mitigation scheme for the protection of bird-nesting habitats has been submitted to and approved in writing by the Local Planning Authority.
- w) Drainage control measures including the use of oil interceptors and bunds;
- x) Heights of storage areas for materials or equipment

Reason: To ensure the development is carried out to minimise the impact on the environment.

- 13 No development shall commence until a foul water strategy has been submitted to and approved in writing by the Local Planning Authority to include details of works for the disposal of foul water drainage.

Reason: To prevent flooding, pollution and detriment to public amenity through the provision of suitable water infrastructure.

- 14 No drainage works shall commence until a surface water management strategy has been submitted to and approved in writing by the Local Planning Authority. No hard-standing areas shall be constructed until the works for the disposal of surface water identified in the approved surface water management strategy have been carried out in accordance with the surface water strategy approved by the Local Planning Authority].

Reason: To prevent environmental and amenity problems arising from flooding.

- 15 No part of the development hereby approved (other than the Enabling Works) shall commence until details of the proposed play areas and a scheme for

their ongoing maintenance and management have been submitted to and approved in writing by the Local Planning Authority.

Reason: In order to provide a cohesive plan for the play areas within the site, in the interests of visual amenity and in accordance with Policies DE1 and OS1 of the adopted South Kesteven Local Plan 2011-2036 (January 2020).

- 16 No part of the development hereby approved (other than Enabling Works) shall commence until details of crime prevention measures shall have been submitted to and approved in writing by the Local Planning Authority.

Reason: In order to minimise the risk of crime.

- 17 No part of the development hereby approved shall commence until a scheme relating to the survey of the land for contamination has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include:

- i. A desk top study documenting all the previous and existing land uses of the site and adjacent land;
- ii. A site investigation report assessing the ground conditions of the site and incorporating chemical and gas analysis identified as appropriate by the desk top study;
- iii. A detailed scheme for remedial works and measures to be undertaken to avoid risk from contaminants and/or gases when the site is developed and proposals for future maintenance and monitoring; and
- iv. The nomination of a competent person to oversee the implementation of the works.

Reason: Previous activities associated with this site may have caused, or had the potential to cause, land contamination and to ensure that the proposed site investigations and remediation will not cause pollution in the interests of the amenities of the future residents and users of the development; and in accordance with Policy EN4 of the adopted South Kesteven Local Plan 2011-2036 (January 2020) and national guidance contained in the NPPF.

- 18 No part of the development hereby permitted shall commence until details of all surface water drainage matters have been submitted to and approved in writing by the Local Planning Authority in consultation with Highways England. The development shall be carried out in accordance with the approved scheme.

The applicant should note that in accordance with paragraph 50 of Circular 02/2013, no water run-off that may arise due to any change of use will be accepted into the highway drainage systems, and there shall be no new connections into those systems from third party development and drainage systems.

Reason: To ensure that the A1 and A52 Trunk Roads continue to serve their purpose as part of a national system of routes for through traffic in accordance with Section 10(2) of the Highways Act 1980 by minimising disruption on the

trunk road resulting from traffic entering and emerging from the application site and in the interests of road safety.

- 19 No part of the development hereby permitted shall commence until a Construction Traffic Management Plan has been submitted to and approved in writing by the local planning authority in consultation with Highways England. The development shall be carried out in accordance with the approved plan.

Reason: To ensure that the A1 and A52 Trunk Roads continue to serve their purpose as part of a national system of routes for through traffic in accordance with Section 10(2) of the Highways Act 1980 by minimising disruption on the trunk road resulting from traffic entering and emerging from the application site and in the interests of road safety.

- 20 No part of the development hereby permitted shall commence until details of the boundary treatment adjacent to the A1 Trunk Road boundary have been submitted to and approved in writing by the Local Planning Authority in consultation with Highways England. The approved boundary treatment shall thereafter be constructed in accordance with the approved plans, and maintained in perpetuity.

Reason: To ensure that the A1 and A52 Trunk Roads continue to serve their purpose as part of a national system of routes for through traffic in accordance with Section 10(2) of the Highways Act 1980 by minimising disruption on the trunk road resulting from traffic entering and emerging from the application site and in the interests of road safety.

- 21 No part of the development hereby approved shall commence on site until a scheme for protecting the proposed training centre and retail units from external noise has been submitted to and approved in writing by the local planning authority. Where acoustic glazing is required, as identified in the accompanying Environmental Statement, precise details of the proposed glazing shall be submitted as part of the scheme.

Reason: To ensure that the proposed development does not have a detrimental impact on the future operations of adjacent industrial units and to protect the future occupiers of the proposed buildings, in accordance with Policies DE1 and EN4 of the adopted South Kesteven Local Plan 2011-2036 (January 2020).

- 22 No part of the development hereby approved shall commence until further surveys have been undertaken to investigate the potential for great crested newts to be present on or in the vicinity of the site, in accordance with the recommended mitigation measures set out in paragraphs 9.6.3 of the supporting Environmental Statement Addendum July 2020 and such surveys have been submitted to and approved by the Local Planning Authority. If the approved surveys confirm the presence of great crested newts details of the proposed mitigation measures and the timing for their implementation shall

also be submitted to and approved in writing by the local planning authority prior to the commencement of any development. The agreed mitigation measures shall be implemented in accordance with the implementation timetable approved by the local planning authority.

Reason: To protect the local wildlife in accordance with the requirements of the NPPF and Policy EN2 of the adopted South Kesteven Local Plan 2011-2036 (January 2020).

- 23 No part of the development hereby permitted shall commence until a scheme for biodiversity mitigation and enhancement must have been submitted to and agreed in writing by the local planning authority. 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. The required biodiversity mitigation and enhancement measures shall be completed in full, in accordance with the agreed scheme.

Reason: To protect and enhance the local wildlife in accordance with the requirements of the NPPF and Policy EN2 of the adopted South Kesteven Local Plan 2011-2036 (January 2020).

- 24 No part of the development hereby permitted shall commence until plans showing the existing and proposed land levels of the site including [site sections, spot heights, contours and the finished floor levels of all buildings] with reference to [neighbouring properties/an off site datum point] shall have been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of the visual amenities of the area and in accordance with Policies DE1 and EN1 of the adopted South Kesteven Local Plan 2011-2036 (January 2020).

- 25 No part of the development hereby permitted shall commence until details demonstrating how the proposed development would comply with the requirements of Local Plan Policies SB1 and ID3 have been 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, including the provision of a programme of water efficiency promotion and consumer education; contributing to low carbon travel through the provision of electric car charging points and provision of broadband infrastructure. The approved sustainable building and broadband infrastructure shall be completed in full, in accordance with the agreed scheme, prior to the first occupation of the development hereby permitted.

Reason: To ensure the proposed development is constructed to a standard that mitigates against climate change as required by Policies SB1 and ID3 of the adopted South Kesteven Local Plan 2011-2036 (January 2020).

During Building Works

- 26 The tree and hedge protection measures approved by the Local Planning Authority pursuant to Condition 10 shall be fully implemented before the construction of the development and retained during the construction of the development.

Reason: To ensure that the trees and hedges to be retained are protected during development, to enhance the biodiversity of the development and in accordance with Policy EN2 of the adopted South Kesteven Local Plan 2011-2036 (January 2020).

- 27 The CEMP for the development approved by the Local Planning Authority pursuant to Condition 12 shall be fully implemented and complied with throughout the Enabling Works and construction of the development, as appropriate.

Reason: To ensure the development is carried out to minimise the impact on the environment.

- 28 The arboricultural work forming part of the development shall be carried out fully in accordance with the details approved by the Local Planning Authority pursuant to Condition 6 including the approved timetable forming part thereof and to the standards contained in BS 3998 Tree Work & BS 5837 Trees in Relation to Construction.

Reason: To ensure adequate management to retained trees and hedges and in accordance with Policy EN2 of the South Kesteven Local Plan 2011-2036 (January 2020).

Before the Development is Occupied

- 29 The development shall be carried out in accordance with the details of external surfaces approved by the Local Planning Authority pursuant to Condition 5 before the use commences.

Reason: To protect the visual amenities of the locality and in accordance with Policies DE1 and EN1 of the adopted South Kesteven Local Plan 2011-2036 (January 2020).

- 30 The development shall be carried out in accordance with the landscaping details approved by the Local Planning Authority pursuant to Condition 6.
Reason: To ensure that the works are sympathetic to the site and surroundings, to enhance the biodiversity of the development and in accordance with Policies DE1, EN1 and EN2 of the South Kesteven Local Plan 2011-2036 (January 2020).

- 31 The landscape works for the development approved by the local Planning Authority pursuant to Condition 6 shall be carried out in accordance with the programme approved by the Local Planning Authority pursuant to Condition 7.

Reason: To ensure that the works are sympathetic to the site and surroundings, to enhance the biodiversity of the development and in accordance with Policies DE1, EN1 and EN2 of the South Kesteven Local Plan 2011-2036 (January 2020).

- 32 The signage strategy for the development approved by the Local Planning Authority pursuant to Condition 8 shall be fully implemented and delivered in accordance with the approved details prior to the development being first brought into use and thereafter shall be so maintained.

Reason: In order to provide a cohesive sign provision within the site, in the interests of visual amenity and in accordance with Policies DE1 and ID2 of the adopted South Kesteven Local Plan 2011-2036 (January 2020).

- 33 No part of the development shall be occupied until a scheme has been submitted to and approved in writing by the local planning authority for a signage strategy to discourage drivers from using Gonerby Lane and Allington Road. The approved scheme shall be fully implemented either before the development is first brought into use or in accordance with a phasing programme approved by the local planning authority as part of the approved scheme.

Reason: To ensure safe access to the site and avoid excessive traffic through Allington and Sedgebrook in the interests of residential amenity, convenience and safety.

- 34 The lighting scheme approved by the Local Planning Authority pursuant to Condition 9 shall be fully implemented and delivered in accordance with the approved details and in accordance with the timetable approved by the Local Planning Authority as part of that scheme and shall thereafter be so retained.

Reason: In order to provide a cohesive lighting provision within the site, in the interests of visual amenity and in accordance with Policies DE1 and EN4 of the South Kesteven Local Plan 2011-2036 (January 2020).

- 35 No part of the development shall be used or occupied until the works identified on drawing number T17569/004 or any minor variation thereof as specified by the local planning authority in conjunction with the local highway authority to improve the public highway (by means of signalisation of Belton Lane/Newark Hill junction) have been certified complete by the Local Planning Authority.

Reason: In the interests of safety of the users of the public highway and safety of the users of the site.

- 36 The on-site public transport facilities and infrastructure identified in the details approved by the Local Planning Authority pursuant to Condition 11 shall be fully implemented and delivered in accordance with the details approved by the Local Planning Authority pursuant to Condition 11 prior to the use hereby approved first commencing and shall thereafter be retained and maintained in accordance with the approved details.

Reason: In order to provide adequate infrastructure and facilities for public transport to serve the development.

- 37 None of the buildings hereby approved shall be occupied or first brought into use until works for the drainage of surface water have been fully implemented and delivered in accordance with the details approved by the Local Planning Authority pursuant to Condition 14 and shall be maintained thereafter.

Reason: To prevent flooding, pollution and detriment to public amenity through the provision of suitable water infrastructure.

- 38 No buildings or units shall be occupied until the works for the disposal of foul water drainage have been carried out in accordance with the foul water strategy approved by the Local Planning Authority pursuant to Condition 13. The approved foul water drainage system shall be maintained thereafter in accordance with the approved details.

Reason: To prevent flooding, pollution and detriment to public amenity through the provision of suitable water infrastructure.

- 39 The proposed play area shall be laid out and delivered in accordance with the details approved by the Local Planning Authority pursuant to Condition 15 prior to the first use of any retail unit forming part of the development. The play area shall thereafter be managed and maintained in accordance with the management and maintenance scheme approved by the Local Planning Authority pursuant to Condition 15.

Reason: In order to provide a cohesive plan for the play areas within the site, in the interests of visual amenity and in accordance with Policies DE1 and OS1 of the adopted South Kesteven Local Plan 2011-2036 (January 2020).

- 40 Prior to the first occupation of any unit forming part of the development a Landscape and Environmental Management Plan (LEMP) for the management and maintenance of landscaping, environmental and ecological features across the whole site shall be submitted to and approved in writing by the Local Planning Authority.

Reason: In order to ensure cohesive landscaping, environmental and ecological features are managed in the interests of visual amenity and biodiversity and in accordance with Policies DE1, EN1 and EN2 of the South Kesteven Local Plan 2011-2036 (January 2020).

- 41 The development hereby permitted shall not be occupied until the parking and servicing areas forming part of the development including 1% electric car charging points as per para. 7.3.2 of the Transport Assessment have been provided in accordance with a plan to be submitted to and approved in writing by the Local Planning Authority. The parking and servicing areas as approved shall be retained and shall always remain available for those purposes.

Reason: In order to ensure the adequate provision of parking and servicing to serve the development.

- 42 The training centre and retail units hereby approved shall not be occupied until the noise mitigation measures approved by the Local Planning Authority in relation to condition 21 above have been fully implemented.

Reason: To ensure that the proposed development does not have a detrimental impact on the future operations of adjacent industrial units and to protect the future occupiers of the proposed buildings, in accordance with Policies DE1 and EN4 of the South Kesteven Local Plan 2011-2036 (January 2020).

- 43 The development hereby permitted shall not be occupied until a car park management scheme has been submitted to and approved in writing by the Local Planning Authority. This management scheme shall include methods to control the operation of the car parks including security, opening times and permitted duration of stay.

Reason: To ensure the satisfactory management of the parking for customers and staff in the interests of highway safety.

- 44 No A3 unit hereby permitted shall first be brought into use until details relating to a system for the extraction and filtration of fumes for that A3 unit have been submitted to and approved in writing by the Local Planning Authority and the approved system for that unit has been installed.

Reason: In the interests of amenity.

- 45 No building or unit hereby permitted shall first be brought into use until details of a waste management plan for the operation of the development has been submitted to and approved in writing by the Local Planning Authority. The waste management plan shall thereafter be implemented and the development shall be operated in accordance with the approved plan.

Reason: To ensure adequate measures are in place to minimise the impact of waste and in accordance with Policy SD1 and EN4 of the South Kesteven Local Plan 2011-2036 (January 2020).

- 46 Before any part of the development hereby permitted is occupied/brought into use, a verification report confirming that remedial works identified in the scheme approved pursuant to condition 17 have been completed shall have been submitted to and approved in writing by the Local Planning Authority. The report shall have been submitted by the nominated competent person approved, as required by condition 17 above. The report shall include:
- i. A complete record of remediation activities, and data collected as identified in the remediation scheme, to support compliance with agreed remediation objectives;
 - ii. As built drawings of the implemented scheme;
 - iii. Photographs of the remediation works in progress; and
 - iv. Certificates demonstrating that imported and/or material left in situ is free from contamination.

The scheme of remediation shall thereafter be maintained in accordance with the approved scheme.

Reason: Previous activities associated with this site may have caused, or had the potential to cause, land contamination and to ensure that the proposed site investigations and remediation will not cause pollution in the interests of the amenities of the future residents and users of the development; and in accordance with Policies DE1 and EN4 of the South Kesteven Local Plan 2011-2036 (January 2020) and national guidance contained in the NPPF.

- 47 No part of the development hereby permitted shall be first occupied or used until the improvement works to the A1 / A52 Eastern Junction, as detailed on Systra Drawing No. 106648-SK004 Rev. A have been fully implemented and open to traffic. The approved scheme must comply with the requirements of the Design Manual for Roads and Bridges, including those relating to road safety audit and Walking, Cycling, Horse-Riding Assessment and Review.

Reason: To ensure that the A1 and A52 Trunk Roads continue to serve their purpose as part of a national system of routes for through traffic in accordance with Section 10(2) of the Highways Act 1980 by minimising disruption on the trunk road resulting from traffic entering and emerging from the application site and in the interests of road safety.

- 48 No part of the development hereby permitted shall be first occupied or used until the improvement works to the A1 / A52 Western Junction as shown in principle in PTB Drawing Number T17569.102 Rev. B (or as amended by Road Safety Audit or Detailed Design) have been fully completed and open to traffic. The approved scheme must comply with the requirements of the Design Manual for Roads and Bridges, including those relating to Road Safety Audit and Walking, Cycling and Horse-Riding Assessment and Review procedures.

Reason: To ensure that the A1 and A52 Trunk Roads continue to serve their purpose as part of a national system of routes for through traffic in accordance with Section 10(2) of the Highways Act 1980 by minimising disruption on the trunk road resulting from traffic entering and emerging from the application site and in the interests of road safety.

- 49 None of the buildings or units hereby approved shall be occupied until the existing garden centre and distribution unit on that part of the application site shown in pink and red on drawing 16-1007-(08)AZ-00009 Rev A have been demolished.

Reason: The application and supporting Environmental Statement have assessed the impacts of the development on this basis.

- 50 Before any buildings hereby permitted are occupied/brought into use, the finished floor levels for that building shall have been constructed in accordance with the approved land levels details submitted in relation to Condition 24.

Reason: In the interests of the visual amenities of the area and in accordance with Policies DE1 and EN1 of the South Kesteven Local Plan 2011-2036 (January 2020).

Ongoing Conditions

- 51 Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 (as in force at 31 August 2020) and the Town and Country Planning (Use Classes) Order 1987 (as in force at the date of this permission) and the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or in each case any Order revoking and re-enacting any such Order with or without modification the part of the development defined as the Retail-Outlet Units and shown coloured pink on the Land Use Parameter Plan (drawing 16-1007-(08)AZ-00009 Rev A) hereby approved shall only be used and occupied in accordance with all of the following:
- (a) the Retail Outlet Units hereby approved shall be used for specialist retailing as a Designer Outlet Centre with associated ancillary facilities only and for no other purpose. For the purpose of this condition, specialist retailing and Designer Outlet Centre means clearance stores operated by a) manufacturers; b) retailers who do not directly manufacture but who either own their own brand or retail branded goods; or c) the franchisees or licensees or stockists of such manufacturers or retailers, in each case involving the retail sale of discounted comparison goods, defined as previous seasons stock, run offs, over-runs, samples of branded goods, goods produced for subsequently cancelled orders, market testing lines, rejects, seconds, clearance goods and surplus stock and accessories.

- (b) In at least 90% of the floorspace within the Retail Outlet Units that is used for sales to members of the public, any goods offered for sale shall be priced at least 30% below the recommended retail price (RRP) and such goods shall be limited to discounted comparison goods, previous season's stock, run-offs, over-runs, samples of branded goods, goods produced for subsequently cancelled orders, market testing lines, rejects, seconds, clearance goods and surplus stock and accessories.
- (c) No Retail Outlet Unit hereby permitted shall be used for the primary retail sale of garden products, computers and software and white goods and no unit hereby permitted shall be occupied as a newsagent, chemists, travel agency, post office, ticket agency (excluding the approved tourist information and visitor centre), hairdressers, bank, or dry cleaners.

Reason: To ensure the development operates as assessed and in accordance with Policy GR4 of the South Kesteven Local Plan 2011-2036 (January 2020) and the NPPF (2021).

- 52 Within 20 days of the anniversary of the opening of the Retail Outlet Units as shown coloured pink on the Land Use Parameter Plan (drawing 16-1007-(08)AZ-00009 Rev A), if requested by the Local Planning Authority, an annual report shall be submitted to the Council providing information on the occupancy of all units within the Retail Outlet Units part of the development, records of type of goods for sale for all Class A1 units within the site, and compliance with 30% RRP discount pricing.

Reason: To assist with monitoring the development and to ensure the development operates as assessed and in accordance with Policy GR4 of the South Kesteven Local Plan 2011-2036 (January 2020) and the NPPF (2021).

- 53 Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 (as in force at 31 August 2020) and the Town and Country Planning (Use Classes) Order 1987 (as in force at the date of this permission) and the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or in each case any Order revoking and re-enacting any such Order with or without modification) the maximum amounts of gross internal floor space for each use permitted by the permission shall be limited as follows:
- No more than 15,305 sq.m gross internal floor space within the application site is to be used for Class A1 retail uses as part of the Retail Outlet Units;
 - No more than 1,252 sq.m gross internal floor space within the application site is to be used for Class A3 restaurant and café uses as part of the Retail Outlet Units;

- No more than 1,147 sq.m gross internal floor space within the application site is to be used for storage uses as part of the Retail Outlet Units; No more than 5,574 sq.m gross external floor space within the application site is to be used for Class A1 retail uses as part of the large goods retail unit;
- No more than 439 sq.m gross external floor space within the application site is to be used for Class D1 non-residential institutions uses;
- No more than 2,096 sq.m gross external floor space within the application site is to be used for Class D2 assembly and leisure uses;
- No more than 5,251 sq.m gross external floor space within the application site is to be used for Class B1 office uses;
- No more than 5,521 sq.m gross external floor space within the application site is to be used as a garden centre, with no more than 1,393 sq.m gross external display area; and

The remaining floor space shall only be used for the provision of toilet blocks, storage, a Tourist Information & Visitor Centre and uses ancillary thereto.

Reason: To ensure the development operates as assessed and in accordance with Policy GR4 of the South Kesteven Local Plan 2011-2036 (January 2020) and the NPPF (2021).

- 54 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or any Order revoking and re-enacting that Order with or without modification) no Retail Outlet Unit either as constructed pursuant to this permission or as a result of any subsequent combination of units, shall exceed 1,200 sq.m gross internal floor space (including any mezzanine floor space).

Reason: To ensure the development operates as assessed and in accordance with Policy GR4 of the South Kesteven Local Plan 2011-2036 (January 2020) and the NPPF (2021).

- 55 Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 (as in force at 31 August 2020) and the Town and Country Planning (Use Classes) Order 1987 (as in force at the date of this permission) and the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or in each case any Order revoking and re-enacting any such Order with or without modification):

- (i) no building or part of any building hereby permitted shall be used for the sale of convenience retail goods, other than confectionary and food and beverage related gifts or within a restaurant or café for consumption on those premises; and

- (ii) no part of the garden centre shall be used for the sale of any convenience retail goods save as permitted by condition 69.

Reason: To ensure the development operates as assessed and in accordance with Policy GR4 of the South Kesteven Local Plan 2011-2036 (January 2020) and the NPPF (2021).

- 56 Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 (as in force at 31 August 2020) and the Town and Country Planning (Use Classes) Order 1987 (as in force at the date of this permission) and the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or in each case any Order revoking and re-enacting any such Order with or without modification):

- (a) no additional mezzanine floors shall be created within the development (other than as expressly permitted by this permission); and
- (b) no part of the development shall be used for any Class A2/Class E(c) financial and professional services, other than automated teller machines, Class A4/Sui Generis drinking establishments, Class A5/Sui Generis hot food takeaway uses, Class D1/Class E(e) medical or health services, Class D1/Class E(f) creche, day nursery or day centres, Class B1(b), Class E(g)(ii) research and development of products and processes, Class B1(c), Class E(g)(iii) industrial processes; and
- (b) following first occupation of the development no changes of use shall occur.

Reason: To ensure the development operates as assessed and in accordance with Policy GR4 of the South Kesteven Local Plan 2011-2036 (January 2020) and the NPPF (2021).

- 57 The landscaping, environmental and ecological features across the whole site shall be managed and maintained in accordance with the Landscape and Environmental Management Plan approved by the Local Planning Authority pursuant to Condition 40.

Reason: In order to ensure cohesive landscaping, environmental and ecological features are managed in the interests of visual amenity and biodiversity and in accordance with Policies DE1, EN1 and EN2 of the South Kesteven Local Plan 2011-2036 (January 2020).

- 58 The car parks hereby permitted shall be operated in accordance with the car park management scheme approved by the Local Planning Authority pursuant to Condition 43.

Reason: To ensure the satisfactory management of the parking for customers and staff, in the interests of highway safety.

- 59 From their installation, the systems for the extraction and filtration of fumes from the A3 units hereby permitted shall be maintained in accordance with the details approved by the Local Planning Authority pursuant to Condition 44.

Reason: In the interests of amenity.

- 60 Any trees or plants which within a period of five years from the date of planting die, are removed or become seriously damaged or diseased, shall be replaced in the following planting season with others of similar size and species.

Reason: In order to ensure cohesive landscaping, in the interests of visual amenity and in accordance with Policies DE1 and EN1 of the South Kesteven Local Plan 2011-2036 (January 2020).

- 61 The A1 retail units hereby permitted shall not be open for business outside the following hours:

Monday	9:30am – 7pm
Tuesday	9:30am – 7pm
Wednesday	9:30am – 7pm
Thursday	9:30am – 9pm
Friday	9:30am – 7pm
Saturday	9:00am – 6pm
Sunday and public holidays	10:00am – 4pm

In addition, notwithstanding the above, the A1 Retail Units hereby permitted will be able to trade up to 10pm on no more than 12 occasions in any calendar year.

Reason: To define the extent of the permission and in the interests of amenity.

- 62 The opening hours of all A3 units hereby permitted within the area defined as the Retail Outlet Units on drawing 16-1007-(08)AZ-00009 Rev A shall be limited to one hour before the retail units hereby permitted open and one hour after closing of the retail units.

Reason: To define the extent of the permission and in the interests of amenity.

- 63 The development shall not be occupied until the crime prevention measures approved by the Local Planning Authority pursuant to condition 16 have been fully implemented in accordance with the approved details. Thereafter such measures shall be so maintained.

Reason: In order to minimise the risk of crime.

- 64 The operator of the retail floorspace hereby permitted shall maintain records of the occasions in each calendar year on which extended A1 Retail Units opening hours up to 10pm occurs and shall upon written request from the Local Planning Authority produce these records for the previous 12 months for inspection within 2 calendar weeks of the date of request.

Reason: To ensure compliance with the approved opening hours for the retail units.

- 65 Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 (as in force at 31 August 2020) and the Town and Country Planning (Use Classes) Order 1987 (as in force at the date of this permission) and the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or in each case any Order revoking and re-enacting any such Order with or without modification the use of the large goods retail unit hereby approved shall not be used for the sale of goods and services other than the following:

- (a) Core Large Goods Retail Goods and Services limited to:
Glassware; cutlery, table linens; cookshop; gifts; picture frames; clocks; decorative accessories; wallpaper; paint; linens; bathroom accessories; rugs; fabrics; curtains and cushions; blinds and poles; furniture; mirrors; beds and bedroom furniture; home storage; lighting; large electrical items; audio and vision; IT and imaging; and small electrical goods.
- (b) Non-Core Large Goods Retail Goods and Services limited to:
Cleaning; stationery; seasonal goods; nursery goods (including nursery furniture, prams, car seats and nursery related goods); toys; travel goods (including suitcases); beauty stands; skincare and bathing products (excluding make-up and perfume).
- (c) An ancillary café to serve retail customers and for no other purpose,
- (d) and in any event no display/sale of any items not identified as Core or Non-Core Large Goods Retail Goods and Services detailed above.
- (e) There shall also be no display or sale of any clothing, footwear, sporting goods or books other than by way of generic internet sales not specifically referable to this store.

Reason: The justification for this large good retail unit is based only for the sale of the above goods and the associated specific retail impact assessment.

- 66 With the exception of seasonal goods, no more than 20% of the net indoor floorspace (771 sqm) of the large goods retail unit shall be used for the display of Non-Core Large Goods Retail Goods and Services.

Reason: To ensure the development operates as assessed and in accordance with Policy GR4 of the South Kesteven Local Plan 2011-2036 (January 2020) and the NPPF (2021).

- 67 This consent does not confer approval of the indicative temporary garden centre structure shown on the indicative phasing plans (Drawing 16-1007-(03) SK-00013 Rev A), which will require the submission of a separate standalone planning application.

Reason: For the avoidance of doubt and as the impacts of such a structure have not been considered as part of this application.

- 68 Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 (as in force at 31 August 2020) and the Town and Country Planning (Use Classes) Order 1987 (as in force at the date of this permission) and the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or in each case any Order revoking and re-enacting any such Order with or without modification the garden centre and external display area to the garden centre hereby approved shall only be used for the sale of the following goods and services:

- (a) Core Garden Centre Goods and Services limited to:
(i) Goods and services related to gardens and gardening; (ii) Horticultural products, trees, plants, shrubs, house plants and flowers of any type; (iii) Garden equipment, tools and accessories; (iv) Barbeques and their accessories; (v) Outdoor garden furniture; (vi) Sheds, garden buildings and outdoor garden play equipment; (vii) Fencing, trellis and landscaping materials; (viii) Conservatories; (ix) Conservatory furniture, furnishing and accessories; (x) Swimming pools and associated equipment; (xi) Aquatics, water garden equipment and their accessories; (xii) Books – including gardening, leisure, hobby, travel, sports and coffee table books and other literature other than fiction; (xiii) Soft furnishings; (xiv) Restaurant, coffee shop and children's play area
- (b) Non-Core Garden Centre Goods and Services limited to:
(xv) Pictures, frames and prints; (xvi) Pets, pet accessories, pet care and advice; (xvii) Hobbies, toys and crafts; (xviii) Baskets, wicker work and country crafts; (xix) seasonal goods; (xx) China, glass and gifts; (xxi) Home table top items and kitchen accessories; (xxii) Outdoor and country pursuits clothing, footwear and equipment e.g. fishing, equestrian, hiking, climbing etc; (xxiii) Camping equipment and supplies; (xxiv) Clothing and footwear; (xxv) Butchers, Delicatessen, Greengrocers, Bakers, Florists and Confectionery and for no other purpose.

Reason: To ensure the development operates as assessed and in accordance with Policy GR4 of the South Kesteven Local Plan 2011-2036 (January 2020) and the NPPF (2021).

- 69 With the exception of seasonal goods, no more than 30% of the net indoor floorspace (1292 sqm) of the Garden Centre shall be used for the display of Non-Core Garden Centre Goods and Services.

Reason: To ensure the development operates as assessed and in accordance with Policy GR4 of the South Kesteven Local Plan 2011-2036 (January 2020) and the NPPF (2021).

- 70 Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 (as in force at 31 August 2020) and the Town and Country Planning (Use Classes) Order 1987 (as in force at the date of this permission) and the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or in each case any Order revoking and re-enacting any such Order with or without modification):

- (i) no unit hereby permitted shall be occupied as a cinema, bowling centre, music and concert hall, bingo and dance hall, swimming bath or skating rink.
- (ii) The part of the application site shown coloured purple on the Land Use Parameter Plan (Drawing No. 16-1007-(08)AZ-00009 Rev A) shall be used for indoor sports and recreation, gymnasiums, training and tourist information only and for no other purpose.

Reason: To ensure the development operates as assessed and in accordance with Policy GR4 of the South Kesteven Local Plan 2011-2036 (January 2020) and the NPPF (2021).

- 71 The opening hours of the D2 unit as shown on the Masterplan (Drawing No. 16-1007-(08)AZ-00004 Rev B) hereby permitted shall be limited to one hour before the retail units hereby permitted open and one hour after closing of the retail units.

Reason: To define the extent of the permission and in the interests of amenity.

- 72 Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 (as in force at 31 August 2020) and the Town and Country Planning (Use Classes) Order 1987 (as in force at the date of this permission) and the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or in each case any Order revoking and re-enacting any such Order with or without modification), the office space permitted by condition 53 on the Masterplan (Drawing No. 16-1007-(08)AZ-00004 Rev B)

- (a) shall only be occupied by the operators and/or managers of the retail, leisure, café/ restaurant uses or other permitted uses within the proposed development; and

- (b) shall only be used for an office use that is ancillary to and has a functional link with the Designer Outlet Centre and other permitted uses forming part of the proposed development and for no other purpose.

Reason: To ensure the development operates as assessed and in accordance with Policy GR4 of the South Kesteven Local Plan 2011-2036 (January 2020) and the NPPF (2021).

- 73 No Part of the development shall be used or occupied until the works as shown in principle on drawing number T17569.001 Rev A to amend the priority of the junction between the access to the site and Occupation Lane (or as amended by detailed design) have been certified complete by the Local Planning Authority.

Reasons: To ensure that the access to the development is provided in accordance with the details submitted as part of the Environmental Statement, in accordance with Policy ID2 of the South Kesteven Local Plan 2011-2036 (January 2020) and the requirements of the National Planning Policy Framework.

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

There were none.

42. Close of meeting

The Chairman closed the meeting at 16:30.