

Minutes

Planning Committee

Thursday, 7 December 2023, 1.00 pm

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



**SOUTH
KESTEVEN
DISTRICT
COUNCIL**

Committee Members present

Councillor David Bellamy (Chairman)
Councillor Charmaine Morgan (Vice-Chairman)

Councillor Harrish Bisnauthsing
Councillor Pam Byrd
Councillor Paul Fellows
Councillor Phil Gadd
Councillor Tim Harrison
Councillor Penny Milnes
Councillor Ian Stokes
Councillor Paul Wood
Councillor Helen Crawford
Councillor Bridget Ley

Cabinet Members present

Councillor Richard Cleaver (Leader of the Council)
Councillor Ashley Baxter (Deputy Leader of the Council)
Councillor Phil Dilks (Cabinet Member for Housing and Planning)

Other Members present

Councillor Robert Leadenham

Officers

Nicola McCoy-Brown (Director of Growth and Culture)
Emma Whittaker (Assistant Director of Planning)
Phil Jordan (Development Management & Enforcement Manager)
Shaza Brannon (Planning Policy Manager)
Kevin Cartwright (Senior Planning Officer)
Miranda Beavers (Development Management Planner)
Arevik Jackson (Legal Advisor)
Amy Pryde (Democratic Services Officer)

73. Register of attendance and apologies for absence

Apologies for absence were received from Councillors Vanessa Smith and Gloria Johnson.

Councillor Bridget Ley substituted for Councillor Vanessa Smith.

Councillor Helen Crawford substituted for Councillor Gloria Johnson.

74. Disclosure of interests

Councillor Tim Harrison declared an interest in relation to agenda item 7, he left the Council Chamber for this item.

Councillor Harrish Bisnauthsing declared an interest in relation to agenda item 4, he had registered to speak as a District Ward Councillor, he did not participate in the debate or vote.

75. Minutes of the meeting held on 8 November 2023

The minutes of the meeting held on 8 November 2023 were **AGREED** as a correct record.

76. Application S23/1671

Proposal:	Installation of 16(no) bay vehicle charging station with ancillary seating area and toilet facilities, and associated soft landscaping and infrastructure works (Revised submission of S23/0469)
Location:	Land south of Tinwell Road, Stamford
Recommendation:	To authorise the Assistant Director – Planning to GRANT planning permission, subject to conditions.

Noting comments in the public speaking session by:

District Ward Councillors:	Harrish Bisnauthsing Richard Cleaver
Against:	Simon Machen Steve Brown/Stuart Bremner (timeshare)
For: Applicant/Agent	Adam Brookes Sav Patel/Jake Goldby (timeshare)

Together with:

- Provisions with SKDC Local Plan 2011-2036, Stamford Neighbourhood Plan 2016-2036, Lincolnshire Minerals and Waste Local Plan: Core Strategy and Management policies, Design Guidelines for Rutland and South Kesteven Supplement Document and National Planning Policy Framework (NPPF).
- Comments received from Heritage Lincolnshire.
- Comments received from Lincolnshire County Council (Highways & SuDS).
- No comments received from Lincolnshire County Council (Minerals Planning Authority).

- No comments received from Lincolnshire Wildlife Trust.
- No comments received from Ministry of Defence.
- Comments received from Stamford Town Council.
- Comments received from Stamford Civic Society.
- Comments received from SKDC Environmental Protection Team.

During questions to Public Speakers, Members commented on:

- Whether Empingham Road, Stamford employment allocation had been identified as a possible site for this application.

One Member informed the Committee that the Empingham Road, Stamford site was allocated as employment land and was within close proximity to this proposed location.

The Assistant Director of Planning highlighted that the Empingham Road, Stamford site was not in front of the Committee for consideration as to whether it would be a suitable site for an EV charging station. The Committee were reminded that they were required to consider whether the proposed site (Land south of Tinwell Road, Stamford) was suitable for the proposed development.

- Whether traffic could rejoin the A1 to travel North and South from Tinwell Road. It was confirmed that you could access the A1 to travel both North and South from Tinwell Road.
- One Member sought clarification on possible crime that could occur which had been raised as a concern by residents.

It was noted that the nature of the site, being hidden and having good vehicular access may encourage anti-social behaviour with drivers coming on and off the A1. These were the basis of the main objections, alongside the proposal being in open countryside.

The Assistant Director of Planning clarified that weight of public objection was not a material consideration in terms of the number of objectors. The Council had received 28 objections, with a further 2 included within the agenda supplement.

- Whether any weight could be given to alternative site locations.

The Committee were reminded to consider the application as submitted and whether it was acceptable or not. One of the main factors of the chosen location by the applicant was related to the grid connection.

- One Member queried whether the applicant had consulted with the local residents on the proposal and what their general opinion was.
- Clarification was requested around a petrol station development on open countryside in Market Deeping and that it was adjacent to the road.

- It was clarified that there was a 1.25 megawatts grid connection offer for the proposed site.

The applicant highlighted that as part of the first application, a consultation event was circulated to Local Councillors and residents. For this application, a letter drop was completed for residents to inform them of the development and seek their views on the proposal. A mixture of representations were received, with both concerns and support for the proposal.

The applicant confirmed the site would have monitored CCTV security cameras, however, the site would not be staffed which posed a risk to people's safety and may increase the opportunity for increased crime due to lack of supervision on site.

Further concern was raised for the vulnerability and safety of people being in their cars whilst they charged.

- Whether the site proposed was the most suitable in terms of connection to the grid, or whether other locations would have the same amount of electricity.

As per the National Grid, there were a number of places across the UK that had the same amount of electricity. It was down to the surplus supply of power to deliver infrastructure and also a willing landlord partner which to work with.

It was clarified that the site would be open 24/7.

- Whether there would be any site management or any staff on site.

The applicant confirmed there would not be staff on site, however, routine security checks would take place at various times of the day.

It was further confirmed that a vehicle would take between 20-30 minutes to charge, however, this depended on battery size, temperature and delivery capacity.

During questions to Officers and debate, Members commented on:

- Whether the Police and Lincolnshire Fire and Rescue had been consulted on this application.

The Planning Officer noted that no comments had been received from Police or Lincolnshire Fire and Rescue. However, there had not been direct consultation.

Crime implications and the fear of crime were relevant material planning considerations.

- Clarification was sought on whether the application was a major or minor conflict of Policy SP5.

- Clarification was sought around the grade of land specified within the report. It was suggested that the land could be 3-5 grade of land according to Natural England mapping.
- One Member noted that the majority of EV charging points along the A1 were on existing petrol stations.

During debate, Members discussed:

- Concerns around the commercial operation of the proposed site.
- The direct conflict of Policy SP5 within the Council's Local Plan, as well as Stamford's Neighborhood Plan.
- Lack of comments received from the Police and Lincolnshire Fire and Rescue.
- The safety of the public, the profitability of staffing and the maintaining of the facility was discussed.
- Members discussed the essential need for the charging points for vehicles coming off of the A1 road.
- Concerns were raised on the negative impact for nearby residents of the site.

It was proposed, seconded and **AGREED** to authorise the Assistant Director – Planning to **REFUSE** planning permission, for the following reason:

1. An essential need for the proposal in this open countryside location has not been sufficiently demonstrated. The urbanising effect of the proposal would result in a loss of agricultural land as well as harm to the visual amenity of the area, including protected view 1 in the Stamford Neighbourhood Plan. Further, the isolated nature of the site has potential to result in crime and a fear of crime from neighbouring residential occupiers. The benefits of the proposal are acknowledged, but do not outweigh this harm. As such, the proposal is contrary to Local Plan Policies SP5, EN1 and DE1, Stamford Neighbourhood Plan Policy 9 and the NPPF (para 174).

77. Application S23/0710

Proposal:	Change of use of grazing land to events venue
Location:	Land to West of the Junction of Belvoir Road and Cliff Road, Woolsthorpe by Belvoir
Recommendation:	To authorise the Assistant Director – Planning to GRANT planning permission, subject to conditions.

Noting comments in the public speaking session by:

District Ward Councillor: Robert Leadenham

Together with:

- Provisions within SKDC Local Plan 2011-2036, National Planning Policy Framework (NPPF).

- Comments received from Lincolnshire County Council (Highways & SuDS).
- Comments received from SKDC Environmental Protection.
- Comments received from Melton Borough Council (Adjacent Local Authority).
- Comments received from Woolsthorpe by Belvoir Parish Council.
- Comments received from Environment Agency.
- Comments received from The Gardens Trust.
- Comments received from SKDC Tree Officer.
- Comments received from Historic England.
- Comments received from Woodland Trust.
- Comments received from Conservation Officer.

During questions to Public Speakers, Members commented on:

- Whether Parishes that surrounded the site had come together to complain about noise.
- Whether the new proposed access route would affect residents of Woolsthorpe by Belvoir by vehicles leaving an event late at night.
- The frequency of the proposed events was queried.

The Applicant had applied for the events for 6 months of the year, on 25 occasions, which equated to approximately one per week.

During questions to Officers and debate, Members commented on:

- Whether the frequency of events proposed was provided by the Applicant or the Council.

It was confirmed that the Applicant's were asked to provide a statement on their proposal, which suggested one event per week during the months in which the marquee was set up, which equated to approximately 25 events.

- Concern was raised on the number of cars accessing the venue and the access route affecting several villages.

The access was not within the South Kesteven boundary. Lincolnshire County Council and Leicestershire County Council had no objections to the proposal.

The 12-month temporary approval proposed was to ensure that the venue impacts could be monitored and assessed before a permanent permission was considered.

- How many cars between May-September would be using the same access route as the proposed venue, alongside other events taking place.
- Clarification was sought on whether a weekend event could be held at the marquee, or whether it would strictly be a one day/night event.

The condition relating to number of events stated that the number of weddings/events should be limited to 25 per annum, unless otherwise agreed in writing. An addition to this condition could include the requirement for no more than one a wedding/event to be held per week, if Members considered that to be appropriate.

- One Member raised concern regarding the possibility of fireworks being let off at the venue and whether this could be a possibility every weekend. It was further queried as to whether this could be conditioned.

The Planning Officer clarified that the proposed condition was that all events must finish by midnight. It was unable to predict whether fireworks would take place at the events or not. Environmental protection could become involved if there was an unacceptable noise impact from fireworks on a regular basis.

A noise management plan had been requested which could ensure fireworks were restricted to certain hours.

Belvoir Castle had provided figures of the their biggest events:

- Tough mudder – 10,000 people
- Festivals - 25,000 people

Further concern was raised on the impact of fireworks on the ecology, wildlife and residents with pets. It was suggested that a condition of no fireworks be conditioned.

As part of the noise management plan, details of the fireworks would be submitted which would include the noise levels of them. The submission details would then be subject to consultation with the Environmental Protection team to review acceptability.

It was suggested that laser light shows or silent fireworks be used.

- Concern was raised around air pollution of vehicles travelling in and out of the area, however, there had been no objection from Highways on traffic.

The Assistant Director of Planning confirmed that a condition could be included to prohibit the use of fireworks to certain hours or an informative could be used to refer to details approved by the noise management plan. By law, fireworks were not allowed to be set off between 11pm and 7am except for certain dates such as Bonfire night and New Year's Eve.

- Clarification was sought on whether the land was privately owned and the single track road through the estate was queried.

The Applicant had noted that there was a limited amount of vehicles requiring access to Belvoir Castle on a day to day basis. There was no ongoing management plan, other than a one way system.

A condition for a traffic management plan could be included.

- How the events would be recorded and how the Council would be notified of events taking place.

The Planning Officer confirmed that a condition could be put into place whereby the Applicant would be required to keep a register of the events.

- The way in which noise would be monitored at weekends was queried. This was included within a condition.

One Member suggested that the number of events be reduced to protect residents of the nearby villages.

A concern was raised regarding who would be monitoring noise levels on each day that an event was taking place.

It was suggested that a form of wildlife impact assessment be completed.

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

Time Limit for Commencement

1 The marquee hereby permitted shall be removed and the use shall be discontinued and the land returned to its former condition on or before 12 months following the commencement of development.

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

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

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

Approved Plans

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

- i) Drawing No.22-013/D/001 Site Location Plan received 13 April 2023
- ii) Drawing No.22-013/SL/002 Site Layout Plan received 13 April 2023
- iii) Drawing No.22-013/D/010 Access Route Plan received 7 June 2023

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 Prior to commencement of the use, a site-specific tree survey and arboricultural impact statement have been submitted to and approved in writing by the LA in writing. The survey and report should have regard to BS5837:2012 Trees in Relation to Design, Demolition and Construction-Recommendations and shall include: a schedule of existing trees that should be cross referenced to a survey and constraints plan, a plan identifying which trees are to be felled and which are to be retained. The impact assessment shall take into account the possible impacts from construction work on the trees and vice versa including but not limited to foundations, new hard surfaces, access ways, work areas, shade, drainage systems, facilitation pruning and utilities. A method statement, and a plan showing anticipated tree shade patterns shall be provided.

Reason: In the interests of amenity, tree health and for the avoidance of doubt.

- 5 Prior to the development hereby approved being brought into use, a Noise Management Plan shall be submitted to and approved in writing by the Local Planning Authority.

Thereafter the development shall be carried out in accordance with the approved details.

The Noise Management Plan should include, but not be limited to:

- o Summary of events to be held at the site
- o Location Plan and Site Plan which identifies noise sensitive properties and locations of noise sources
- o Inventory for all noise sources
- o Proposed timings for all noise sources
- o Controls/mitigation for all noise sources
- o How noise will be monitored during events
- o Action in the event of complaints
- o Review of events

Reason: In the interest of the amenities of the occupiers of neighbouring dwellings and in accordance with Policy DE1 of the South Kesteven Local Plan.

Ongoing Conditions

- 6 The marquee, hereby permitted, shall only remain on the site between 1 April and 31 October in the year permitted by condition 1.

Reason: To ensure the satisfactory preservation of the historic park and garden in accordance with Policy EN6 of the South Kesteven Local Plan.

7 No development shall take place until a Traffic Management Plan has been submitted and approved in writing by the Local Planning Authority. The document shall evaluate the potential traffic impacts of the proposals and detail how these will be managed.

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

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

8 No more than 400 patrons shall attend a single event at any given time.

The owner/operator shall maintain an up to date register of events including the names of the persons holding the event, date and number of attendees. This register shall be made available to the Local Planning Authority on request.

Reason: In the interest of residential amenity in accordance with Policies EN4 and DE1 of the South Kesteven Local Plan.

9 The number of weddings/events shall be limited to 1 day event on alternate weekends (twice per month) in the year approved by condition 1 unless otherwise agreed in writing by the local planning authority.

Reason: In the interest of the amenities of the occupiers of neighbouring dwellings and in accordance with Policy DE1 of the South Kesteven Local Plan.

10 The permitted development shall be accessed through the parklands from the Castle access in the Vale of Belvoir. The Eastern access through the Lions Gates shall not be used in relation to the use of the marquee/events venue.

Reason - In the interests of Highway Safety and the safety of the users of the site.

11 The site shall not be used for the purposes authorised by this permission, as an events venue, other than between the hours 8:30am to Midnight, on any given day.

Reason: In the interest of residential amenity in accordance with Policies EN4 and DE1 of the South Kesteven Local Plan.

12 No fireworks (or silent fireworks) shall be used at any of the events.

Reason: In the interest of the amenities of the occupiers of neighbouring dwellings and in accordance with Policy DE1 of the South Kesteven Local Plan.

(Councillor Bridget Ley left the meeting at 16:00)

78. Application S22/2426

Proposal:	Erection of 1(no) 3-bed dwelling with ancillary outbuilding / garage and installation of ground mounted solar array
Location:	Land north of St. Mary Magdalene's Church, Lower Bitchfield
Recommendation:	To authorise the Assistant Director – Planning to GRANT planning permission, subject to conditions.

Noting comments in the public speaking session by:

Applicant: Martin Hewitt

Together with:

- Provisions within SKDC Local Plan 2011-2036, Design Guidelines for Rutland and South Kesteven Supplementary Planning Document and National Planning Policy Framework (NPPF).
- Comments received from Heritage Lincolnshire.
- No comments raised by from Historic England.
- Comments received from Lincolnshire County Council (Highways and SuDS).
- Comments received from SKDC Conservation Consultee.
- Comments received from SKDC Environmental Protection.
- Comments received from SKDC Principal Urban Design Officer.

*(It was proposed, seconded and **AGREED** to extend the meeting)*

During questions to Public Speakers, Members commented on:

- Whether road flooding of the road affected the access to the site.

The Applicant clarified that the bridge within Lower Bitchfield caused surface water flooding, however, this did not affect the proposed site.

- Whether the Applicant would consider a landscaping plan.

The Applicant confirmed that the landscaping of the site would be kept as natural as possible. It was clarified that there was hedging on the eastern boundary of the site and that the proposed property would not be prominent from houses in Lower Bitchfield.

During questions to Officers and debate, Members commented on:

- It was queried as to why the design was considered as such an outstanding quality and why that should overcome all of the other policy conflicts.

The DM Manager clarified that extensive discussions had taken place both pre-application stage and through the application between the Case Officer and the Council's Urban Design Officer. As a planning judgement, the final design that had been submitted was considered to meet the provisions of the NPPF in terms of outstanding design. The Committee were reminded to weigh up the benefits and harm of the application, as the final decision makers.

- Whether the proposal was a replacement dwelling or not.

The site was considered as undeveloped in terms of planning policy and in spatial terms within the open countryside because it was outside of any of the defined settlements within the Council's Local Plan.

- Whether the proposal complied with any planning policies.

The DM Manager confirmed that the proposal was being considered as a whole in terms of development plan policies and any relevant national planning policies as material considerations.

- The public benefits associated with the proposal were discussed.

The public benefit associated with a single dwelling would be a small contribution towards the local economy during construction. The report recommended that significant weight be given to high design standard and the ability to raise design standards within the area, as set out by the NPPF.

The Assistant Director of Planning clarified that the application was required to be considered on balance in accordance with the development plan and any material considerations.

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

Time Limit for Commencement

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

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

Approved Plans

- 2) The development hereby permitted shall be carried out in accordance with the following listed of approved plans:
 - a. Site Plan (Ref: ACR-01-00-DR-A-11/P01.4)

- b. Proposed Site Plan – Site Levels (Ref: ACR-00-XX-DR-A-69/P01)
- c. Proposed Upper Ground Floor Plan (Ref: ACR-XX-01-DR-A-71/P01.2)
- d. Proposed Lower Ground Floor and Entrance Plan (Ref: ACR-XX-ZZ-DR-A-70/PL01.2)
- e. Landscape Strategy Plan (Ref: 1196L.LSP.001)
- f. Z Cladding Specification Details (Received 03 July 2023)
- g. Amended Plans Narrative (received 24 August 2023)

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

Written Scheme of Investigation

- 3) 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.

Thereafter, the archaeological investigations shall be completed in accordance with the approved details.

Reason: In order to provide a reasonable opportunity to record the history of the site and in accordance with Policy EN6 (The Historic Environment) of the adopted South Kesteven Local Plan.

Ground Investigation

- 4) No works pursuant to this permission shall commence, unless otherwise agreed in writing by the Local Planning Authority, until there have been submitted to and approved in writing:

- a. A desk top study documenting all of the previous and existing land uses of the site and adjacent land (Phase 1);

Should the Phase 1 study identify potentially contaminative uses, the Applicant shall proceed to a Phase 2 site investigation as detailed below:

- b. 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; and if required
- c. A detailed scheme for remedial works (should such works be required) 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. Such a scheme shall include nomination of a competent person to oversee 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 future residents and users of the development; and in accordance with Policy EN4 (Pollution Control) of the adopted South Kesteven Local Plan and guidance contained in the National Planning Policy Framework.

During Building Works

Construction Hours

- 5) Construction work on site shall only be carried out between the hours of 0730 and 1800 Monday to Friday, and 0900 to 1300 on Saturdays. Construction work shall not be carried out on Sundays or Public Holidays, unless otherwise agreed in writing by the Local Planning Authority.

The term “construction work” shall include all mobile and fixed plant and machinery, radios and the delivery of materials.

Reason: To minimise noise impacts on the amenity of the nearby residential properties.

Ecological Mitigation – Implementation of Recommendations

- 6) All works on site, including construction works, shall be carried out in accordance with the recommendations contained within the Preliminary Ecological Appraisal (EMEC Ecology) (July 2022), including the installation of bat roosting and bird nesting boxes.

The scheme for bat and bird boxes are to be installed on site prior to first occupation of the development hereby permitted, and shall be retained for the lifetime of the development.

Reason: In the interests of best ecological practice and in accordance with Policy EN2 (Protecting Biodiversity and Geodiversity) of the adopted South Kesteven Local Plan 2011-2036.

Hard Landscaping Details

- 7) No development above damp-proof course shall take place until details of all hard landscaping works shall have been submitted to and approved in writing by the Local Planning Authority. Details shall include:
 - a. Vehicles and pedestrian access and circulation areas; and
 - b. Hard surfacing materials

Reason: Hard landscaping makes an important contribution to the development and its assimilation with its surroundings, and in accordance with Policy DE1 (Promoting Good Quality Design) of the adopted South Kesteven Local Plan.

Before the Development is Occupied

Materials Implementation

- 8) Before the dwelling hereby permitted is first occupied, all external materials must have been completed in accordance with the approved external materials, as shown on the approved Proposed Elevation Plan (Ref: ACR-XX-XX-DR-A-72/P01.1) (received 24 August 2023) and detailed in the Amended Plans Narrative (received 24 August 2023).

Reason: To ensure a satisfactory appearance to the development in accordance with Policy DE1 (Promoting Good Quality Design) of the adopted South Kesteven Local Plan, and to ensure the development achieves the high standards of design required by Paragraph 134 of the National Planning Policy Framework.

Sustainable Building – Implementation

- 9) Before any part of the development hereby permitted is occupied, the sustainable building measures detailed in the approved Sustainable Building Statement (Mike Sibthorp Planning) (May 2023) and Sustainability Statement (Acres Architects) (December 2022) shall have been implemented in full.

Reason: To ensure that the development mitigates against and adapts to climate change, in accordance with Policy SB1 (Sustainable Building) and SD1 (Principles of Sustainable Development in South Kesteven) of the adopted South Kesteven Local Plan.

Boundary Treatments Implementation

- 10) Before any part of the development hereby permitted is occupied, all boundary treatments as detailed on the approved Landscape Strategy Note (ES Landscape Planning) (May 2023), Landscape Strategy Plan (Ref: 1196L.LSP.001) and Amended Plans Narrative (received 24 August 2023) shall have been completed in accordance with the approved details.

Reason: To provide a satisfactory appearance to any boundary treatments, and in the interests of the privacy and amenity of the occupants of the proposed dwelling, and in accordance with Policy DE1 (Promoting Good Quality Design) of the adopted South Kesteven Local Plan.

Site Levels – Implementation

- 11) Before any part of the development hereby permitted is occupied, the development shall be carried out in accordance with the approved site levels as detailed on the approved Proposed Site Plan – Site Levels (Ref: ACR-00-XX-DR-A-69/P01) and Proposed Elevation Plan (Ref: ACR-XX-XX-DR-A-72/P01.1) (received 24 August 2023).

Reason: In the interests of the visual amenity of the area and neighbouring properties, and in accordance with Policy DE1 (Promoting Good Quality Design) of the adopted South Kesteven Local Plan.

Access Implementation

- 12) Before any part of the development hereby permitted is occupied, the access into the site shall have been completed in accordance with the approved details shown on the Proposed Site Plan (Ref: ACR-01-00-DR-A-11/P01.4), and shall thereafter be retained for such use at all times.

Reason: In the interests of highways safety.

Contamination Verification

- 13) The development hereby permitted shall not be occupied or brought into use until a verification report has been submitted to and approved in writing by the Local Planning Authority. The report shall have been submitted by the agreed competent person and identify that the approved remedial works have been completed. The report shall include, unless otherwise agreed in writing:
- a. A complete record of remediation activities, and data collected, as identified in the remediation scheme to support compliance with the agreed remediation objectives.
 - b. As built drawings of the implemented scheme.
 - c. Photographs of the remediation works in progress; and
 - d. Certificates demonstrating that imported and / or material left in situ is free from contamination.

Thereafter, the scheme shall be monitored and maintained in accordance with the approved remediation 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 future residents and users of the development, and in accordance with Policy EN4 (Pollution Control) of the adopted South Kesteven Local Plan and national guidance contained in the National Planning Policy Framework.

Ongoing Conditions

Soft Landscaping Implementation

- 14) Before the end of the first planting / seeding season following the first occupation of the development hereby permitted, all soft landscaping works shall have been carried out in accordance with the approved Landscape Strategy Note (ES Landscape Planning) (May 2023), Landscape Strategy Plan (Ref: 1196L.LSP.001) and Amended Plans Narrative (received 24 August 2023).

Reason: Soft landscaping makes an important contribution to the development and its assimilation with its surroundings, and in accordance with Policy DE1 (Promoting Good Quality Design) of the adopted South Kesteven Local Plan.

Soft Landscaping Protection

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

Reason: To ensure the provision, establishment and maintenance of a reasonable standard of landscaping, in accordance with the approved designs and in accordance with Policy DE1 (Promoting Good Quality Design) and Policy EN2 (Protecting Biodiversity and Geodiversity) of the adopted South Kesteven Local Plan.

PD Rights – Extensions or alterations

- 16) Notwithstanding the provisions of Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking, or re-enacting that Order, with or without modification), no enlargement, improvement or other alteration of the approved properties, shall be carried out without planning permission first having been granted by the Local Planning Authority.

Reason: The Local Planning Authority considers that further development could cause harm to the character of the area, and for this reason would wish to control any future development and in accordance with Policy DE1 (Promoting Good Quality Design) of the adopted South Kesteven Local Plan.

PD Rights – Roofs

- 17) Notwithstanding the provisions of Schedule 2, Part 1, Class B of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking, or re-enacting that Order, with or without modification), no additions to the roof of the approved property, shall be carried out without planning permission first having been granted by the Local Planning Authority.

Reason: The Local Planning Authority considers that additions to the roof of the approved dwellings could cause detriment to the amenities of the occupiers of the neighbouring properties, or the character of the area, and for this reason would wish to control any future development and in accordance with Policy DE1 of the adopted South Kesteven Local Plan.

PD Rights – Outbuildings

- 18) Notwithstanding the provisions of Schedule 2, Part 1, Class E of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking, or re-enacting that Order, with or without modification), no buildings etc. incidental to the enjoyment of the dwellinghouse, shall be constructed without planning permission first having been granted by the Local Planning Authority.

Reason: The Local Planning Authority considers that further development could cause harm to the character of the area, and for this reason would wish to control any future development and in accordance with Policy DE1 (Promoting Good Quality Design) of the adopted South Kesteven Local Plan.

(Councillor Paul Fellows left the meeting at 16:50)

79. Application S23/1830

Proposal:	Change of use from Dwelling (Use Class C3) to Hotel (Use Class C1)
Location:	15 Swinegate, Grantham
Recommendation:	To authorise the Assistant Director – Planning to GRANT planning permission, subject to conditions.

Together with:

- Provisions within SKDC Local Plan 2011-2036, Design Guidelines for Rutland and South Kesteven Supplementary Planning Document and National Planning Policy Framework (NPPF).
- No comments received from Grantham Civic Society.
- No comments received from Heritage Lincolnshire.
- No comments received from Historic England.
- Comments received from Lincolnshire County Council (Highways & SuDS).
- Comments received from SKDC Conservation Consultee.

(Councillor Tim Harrison declared an interest on this application and left the chamber)

During questions to Officers and debate, Members commented on:

- Clarification was sought that no changes would be made to the exterior or interior of the building.

The Planning Officer clarified the application was merely for the change of use.

- Whether there was any external use of space on the site.

The proposed plan included the dwelling and external amenity space surrounding the building.

- One Member queried whether a condition could be included on amenity space to protect surrounding neighbors.

It was advised that noise levels and the selling of alcohol would be considered by licensing and environmental protection.

- Whether the car park was privately owned or a Council car park.

The car park within close vicinity of the site was a Council owned car park.

It was clarified that an application as a hotel or bed and breakfast were both within the same change of use class (C1).

Members discussed the appropriate location of the proposal.

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

Time Limit for Commencement

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

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

Approved Plans

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

1. Site Location Plan (Dated 4 October 2023)
2. Site Plan (Ref: 06)

Unless otherwise required by another condition of this permission.

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

80. Authority Monitoring Report

(Councillors Paul Wood and Ian Stokes left the meeting at 17:00)

The Cabinet Member for Housing and Planning presented the report which met the Council's statutory duty to monitor the effectiveness of policies adopted within the Council's Local Plan, to ensure future development across South Kesteven was appropriate and sustainable.

The effectiveness of the Council's Local Plan policies was assessed against an agreed monitoring framework as set out in Regulation 34 of the Town and Country Planning Regulations 2012. These requirements included an assessment of the Council's Local Plan policy measured against the plan monitoring and implication framework, progress of the emerging Local Plan, progress on any Neighborhood Plans in production and any cooperation with neighboring authorities.

The Committee were presented with a presentation on the Authority Monitoring Report, which outlined key points:

- 642 homes were completed in 2023, of which 151 were affordable homes.
- 75% of all completions were within the four main towns with 20% completed in Grantham.
- A fixed 5-year housing land supply of 4077 dwellings equivalent to 5.2 years supply for one year (until 31 October 2023).
- One Neighborhood Plan (Stamford) was formally made.
- The Council had engaged on key strategic matters and responded to neighboring authority Local Plan consultations to fulfill our duty to cooperate.

Members thanked all Officers involved on the work produced.

Clarification was sought over the figures produced on completions, within Bourne (259) and in Grantham (95). It was queried as to why there were a higher number completed in Bourne than Grantham.

It was confirmed that Elsea Park in Bourne was a large development site in Bourne. Grantham was expected to deliver around half of the housing delivery in the future.

One Member queried the progress against the target for Traveller provision.

Concern was raised on an updated local list of Heritage sites and listed buildings within the report.

It was questioned as to how sustainability was measured for housing supply in regard to healthcare. S106 funding was not covering the impact of health services and only focused on GPs rather than hospitals.

The Council were due to publish a Gypsy site review, alongside the consultation to the Local Plan review under Regulation 18. Gypsy and Traveller sites was due to be considered by Cabinet for approval of consultation in March 2024.

The Council were not required to provide a local list of heritage sites and listed buildings. A list would not provide a statutory protection to heritage buildings.

As part of the Council's Local Plan, consultation takes with certain stakeholders (Lincolnshire County Council, NHS) on sustainability of housing supply. It was noted that S106 funding could be secured for hospital facilities, if requested and evidence of need is provided.

It was proposed, seconded and **AGREED** that the Planning Committee:

Endorses the 2022-23 Authority Monitoring Report and agrees to it being published via the Council's website.

The Council will continue to monitor the indicators within the Monitoring and Implementation Framework and report annually.

81. Annual Infrastructure Funding Statement (2022-2023) and Section 106 Update (as of November 2023)

The Cabinet Member for Housing and Planning presented the report and outlined the S106 planning obligations put in place under planning legislation and to secure necessary infrastructure improvements based on the Council's planning policy requirement and to mitigate any adverse impacts of a development proposal.

The total money alone to be provided through planning obligation was over £7m, £3m of which would provide school places as a result of new developments.

In September 2023, the Council appointed a new Infrastructure Delivery Officer, who had the responsibility for monitoring S106 agreements as well as ensuring that any contributions received were spent accurately.

The Council was required to submit an annual Infrastructure Funding Statement, setting out details of completed planning obligations and contributions collected and spent within the year. The preparation of the statement allowed greater transparency under S106 agreements.

Members were informed of an administrative error on the document in relation to one of the Long Bennington cases where the monetary contribution towards a community pot should have read £240 per person. This would be rectified within the document.

Members thanked the invaluable work from Officers.

A query was raised on stakeholder engagement and how Elected Members could put forward recommendations for S106 funding.

One Member requested that any questions on this report be brought up at the next meeting.

The Assistant Director of Planning confirmed that the factual document was required to be published by the end of the calendar year and the delegation sat with the Portfolio Holder.

It was encouraged that Parish and Town Council's pre-empt ideas on sites on S106 funding, prior to the funding becoming available, alongside including this within their Neighborhood Plans.

It was clarified that the information on securing a S106 agreement would be the money that was required and evidence for need.

It was proposed, seconded and **AGREED** that the Committee:

Reviews the publication of the Infrastructure Funding Statement (Appendix A) before its publication.

Agrees to receive a report regarding the review of Section 106 processes and practices in six months.

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

There were none.

83. Close of meeting

The Chairman closed the meeting at 17:23.