

Planning Committee



SOUTH
KESTEVEN
DISTRICT
COUNCIL



Thursday, 11 July 2024 at 1.00 pm
Council Chamber - South Kesteven House,
St. Peter's Hill, Grantham. NG31 6PZ

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

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

Agenda

This meeting can be watched as a live stream, or at a later date, [via the SKDC Public-I Channel](#)

- 1. Register of attendance and apologies for absence**
- 2. Disclosure of interests**
Members are asked to disclose any interests in matters for consideration at the meeting
- 3. Minutes of the Additional meeting held on 30 May 2024** (Pages 3 - 24)
- 4. Minutes of the meeting held on 13 June 2024** (Pages 25 - 70)

Planning matters

To consider applications received for the grant of planning permission – reports prepared by the Case Officer.

The anticipated order of consideration is as shown on the agenda, but this may be subject to change, at the discretion of the Chairman of the Committee.

- 5. Application S24/0360** (Pages 71 - 106)
- Proposal:** Installation of a solar farm comprising ground mounted solar photovoltaic panels, including mounting systems, inverters, underground cabling, stock proof fencing, CCTV, internal access tracks, electrical substation and associated infrastructure for a temporary period of 40 years.
- Location:** Land west of Church Lane, Welby
- Recommendation:** To authorise the Assistant Director – Planning to GRANT planning permission, subject to conditions.
- 6. Application S20/1586** (Pages 107 - 124)
- Proposal:** Section 73 application to vary condition 2 (approved plans) of permission S16/0112. Amendment to the access, associated layout changes, house type updates and changes to affordable plot numbers of Phase A only.
- Location:** Land north of Towngate East and south of Northfield Road, Market Deeping
- Recommendation:** To authorise the Assistant Director for Planning to GRANT planning permission subject to the completion of a Deed of Variation to the Section 106 Agreement related to S16/0112 and subject to conditions outlined in this report.
- 7. Application S24/0386** (Pages 125 - 138)
- Proposal:** Proposed change of use from Class C3 (dwellinghouse) to Class C2 (residential care home)
- Location:** The Croft, 65 Main Street, Woolsthorpe By Belvoir, NG32 1LX
- Recommendation:** To authorise the Assistant Director – Planning to GRANT planning permission, subject to conditions
- 8. Application S24/0674** (Pages 139 - 147)
- Proposal:** Extend dropped kerb access and driveway to allow parking of mobility vehicles for disabled occupants
- Location:** 20 Cecil Close, Bourne, Lincolnshire, PE10 9QP
- Recommendation:** To authorise the Assistant Director – Planning to GRANT planning permission, subject to conditions.

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

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Meeting of the Planning Committee

Thursday, 30 May 2024, 1.00 pm



SOUTH
KESTEVEN
DISTRICT
COUNCIL

Committee Members present

Councillor Charmaine Morgan
(Chairman)
Councillor Penny Milnes (Vice-Chairman)
Councillor Harrish Bisnauthsing
Councillor Pam Byrd
Councillor Paul Fellows
Councillor Tim Harrison
Councillor Nick Robins
Councillor Max Sawyer
Councillor Sarah Trotter
Councillor Paul Wood

Other Members present

Councillor Anna Kelly
Councillor Sue Woolley
Councillor Helen Crawford (not as a
Committee member, only as a speaker)

Cabinet Members

Councillor Phil Dilks

Officers

Emma Whittaker, Assistant Director of
Planning
James Welbourn, Democratic Services
Manager (Deputy Monitoring Officer)
Phil Jordan, Development Management
& Enforcement Manager
Adam Murray, Principal Planning Officer
Martha Rees, Senior Lawyer - Planning,
Legal Services Lincolnshire
Venezia Ross-Gilmore, Senior Planning
Officer

1. Register of attendance and apologies for absence

Councillor David Bellamy
Councillor Helen Crawford (whilst Councillor Crawford took part as a public
speaker in item S23/1177 she took no part as a Committee Member in any
items)
Councillor Patsy Ellis
Councillor Gloria Johnson

Councillor Vanessa Smith

Councillor Nick Robins was present as a substitute for Councillor David Bellamy, and Councillor Max Sawyer was present as a substitute for Councillor Vanessa Smith.

2. Disclosure of interests

Councillor Harrish Bisnauthsing disclosed a prejudicial interest in application S24/0439 due to comments he had made on the application when it had been 'called-in'. He would address the Planning Committee as Ward Member for this item, and would not take part in the debate or vote on the item.

Councillor Charmaine Morgan disclosed that she was a member of the Woodland Trust and Lincolnshire Wildlife Trust, but this did not preclude her from taking part in or voting on item S23/1177.

Councillor Paul Fellows declared that although he was a Bourne Town Councillor, he had not taken part in any discussions on item S23/1177 whilst on that body. He was approaching the planning application with an open mind.

Councillor Charmaine Morgan stated on behalf of the Planning Committee that for application S23/1177 that Helen Powell, a speaker objecting to this application was known to some members as she had previously sat on the Planning Committee in 2005. Additionally, members had been lobbied on the application by both the applicant and objectors.

All members had been trained and were open minded to determine this application.

Members did not need to make additional statements in regards to lobbying or knowing Ms Powell as this had been done on their behalf.

Councillor Morgan also put on record that she knew Ms Powell in a personal capacity. She had discussed procedural matters relating to determining planning applications with her but had not discussed the merits of S23/1177 and remained open minded to determine the application.

3. Application S24/0315

Proposal: Outline application for the erection of up to 6 dwellings with associated access and infrastructure

Location: 30 East Street, Rippingale, PE10 0SS

Recommendation: To authorise the Assistant Director of Planning to GRANT planning permission, subject to conditions.

There was no public speaking for this application as it had been part-heard at the previous Planning Committee held on 16 May 2024.

The Committee noted the following policy considerations:

- South Kesteven Local Plan 2011-2036 Policies (adopted January 2020)
- Rippingale Neighbourhood Development Plan 2023-2036 Policies (Made May 2023)
- Design guidelines for Rutland and South Kesteven Supplementary Planning Document (adopted November 2021)
- National Planning Policy Framework (NPPF) (Published December 2023)
- South Kesteven Local Plan Review 2021-2041 (Regulation 18 Draft)

The following was noted:

- No comments from Anglian Water
- Comments from Black Sluice Internal Drainage Board
- Comments from Heritage Lincolnshire
- Comments from Lincolnshire County Council Highways and SuDS
- Objections from Rippingale Parish Council
- Comments from South Kesteven District Council (SKDC) Environmental Protection
- Representations as a result of publicity

Questions were asked of officers and debate between Members ensued. The following information was highlighted:

- The local housing needs assessment looked at a wider view of the area, and took into account issues such as planning permissions amongst other matters. A trend for the local assessment is developed over a longer period of time.
- This was an outline application for up to 6 dwellings, with the detail coming at the reserved matters stage. If the detail of the six dwellings was too large, then a reduction could be sought at that stage of the application.

- In response to a question around encouraging younger families to move into settlements, the Planning Officer advised that there were a number of ways in which a younger population could establish themselves within a village. The current application sought to facilitate releasing existing properties for younger people by providing more options for elderly residents to downsize within the village.

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, or two years from the approval of the last 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)

Time Limit for Reserved Matters

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. Access
- ii. Appearance
- iii. Landscaping
- iv. Layout
- v. Scale

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

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 following list of approved plans:

- a. Site Location Plan (Ref: 22-2581-LP/Rev A)

Unless otherwise required by another condition of this permission.

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

Before Development is Commenced

Written Scheme of Investigation

4) Before the development hereby permitted is commenced, a written scheme of archaeological evaluation shall have been submitted to and approved in writing by the Local Planning Authority.

Thereafter, all works on site shall be carried out in accordance with the approved Written Scheme of Investigation.

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

Biodiversity Management Plan

5) Before the development hereby permitted is commenced, a Biodiversity Management Plan setting out a scheme of measures to manage and mitigate the impacts of the development on ecological features, and deliver a biodiversity net gain shall be submitted to and approved in writing by the Local Planning Authority. The submitted Management Plan shall be in broad accordance with the measures set out within the Ecological Appraisal (Rachel Hacking Ecology) (February 2024).

Thereafter, the measures contained within the approved Biodiversity Management Plan shall be completed prior to first occupation of the development.

Reason: In order to deliver an ecological enhancement as required by Policy EN2 of the adopted South Kesteven Local Plan and Section 15 of the National Planning Policy Framework.

Construction Management Plan

6) Before the development hereby permitted is commenced, a Construction Management Plan and Method Statement shall be submitted to and approved in writing by the Local Planning Authority. The Plan and Statement shall indicate measures to mitigate the adverse impact of vehicle activity and the means to manage the drainage of the site during the construction stage of the permitted development. It shall include:

- a. The phasing of the development to include access construction;
- b. The on-site parking of all vehicles of site operatives and visitors;
- c. The onsite loading and unloading of all plant and materials;
- d. The onsite storage of all plant and materials to be used in constructing the development;
- e. Wheel washing facilities;
- f. The routes of construction traffic to and from the site including and off-site routes for the disposal of excavated material; and
- g. A strategy stating how surface water runoff on and from the development will be managed during construction and protection measures for any sustainable drainage features. This should include drawing(s) showing how the drainage systems (temporary or permanent) connect to an outfall (temporary or permanent) during construction.

Reason: To ensure that the permitted development is adequately drained without creating or increasing flood risk to land or property adjacent to, or

downstream of, the permitted development during construction, and to ensure that suitable traffic routes are agreed.

Sustainable Building

7) As part of any reserved matters application(s) for the site, details demonstrating how the proposed dwellings would comply with the requirements of the Local Plan Policy SB1 shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be in broad accordance with the details contained within the Design, Access and Planning Statement (Clive Wicks Associates) (received 26 February 2024), and shall demonstrate how carbon dioxide emissions would be minimised through the design and construction of the development, details of water efficiency, and the provision of electric car charging points for each dwelling.

The approved sustainable building measures shall be completed in full for each dwelling in accordance with the agreed scheme, prior to first occupation of each dwelling hereby permitted.

Reason: To ensure that development mitigates and adapts to climate change.

Phase I Ground Investigation

8) 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 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 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.

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 occupants of the site; and in accordance with Policy EN4 of the adopted Local Plan and guidance contained in the NPPF.

Materials details

9) As part of any reserved matters application(s) relating to appearance, details of the materials (including colour of render, paintwork or colourwash) to be used in the construction of the external surfaces of the development hereby permitted shall have been submitted to and approved in writing by the Local Planning Authority.

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

During Building Works

Ecological Appraisal Compliance

10) All works on site shall be carried out in accordance with the recommendations of the Ecological Impact Assessment (Rachel Hacking Ecology) (Dated February 2024).

Reason: To provide ecological enhancement and to comply with Policy EN2 of the adopted South Kesteven Local Plan and Section 15 of the NPPF.

Contamination Verification

11) 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 include unless otherwise agreed in writing:

- a. A complete record of remediation activities and data collected, as required 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 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 remediation will not cause pollution in the interests of the amenities of future occupants of the site; and in accordance with Policy EN4 of the adopted South Kesteven Local Plan and national guidance contained in the National Planning Policy Framework.

Construction Hours

12) 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 adjacent residential dwellings.

Ongoing Number of Dwellings

13) The total number of dwellings to be constructed on the application site shall not exceed 6 in total.

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

Local Housing Need

14) All dwellings on site shall be strictly single storey only and shall be designed to comply with the requirements of Part M4(2) of the Building Regulations.

Reason: To ensure that the proposed development meets the identified local housing need as required by Policy HD2 of the made Rippingale Neighbourhood Plan.

4. Application S24/0092

Proposal: Section 73 application to vary condition 4 (Noise Management Plan/No of dogs) of S20/0479 (use of land for doggy day care centre, erection of building, driveway and hardstanding) variation is to increase number of dogs allowed on site at any one time from 20 to 40

Location: Poplars Farm, High Street, Carlby, PE9 4LX

Recommendation: To authorise the Assistant Director – Planning to GRANT planning permission, subject to the following proposed schedule of updated conditions.

Noting comments in the public speaking session by:

Carlby Parish Council	-	Councillor Chris Barnes
Against	-	John Bavister
Supporter	-	Anna Welch
On behalf of the applicant	-	Rachel Woolley

The Committee noted the following policy considerations:

- South Kesteven Local Plan 2011-2036 (Adopted January 2020)
- National Planning Policy Framework (NPPF) (Published December 2023)

Together with:

- Comments received from Carlby Parish Council
- Comments received from Lincolnshire County Council (Highways and SuDS)
- Comments received from SKDC Environmental Protection Officer
- Representations as a result of Publicity

During questions to public speakers, further information was highlighted:

- Currently the planning permission allowed for 20 dogs on site. The operator had applied for a licence for 40 dogs on site but had not realised that this would be a breach of the planning condition, which was why Planning Enforcement officers had previously been involved. Once the conflict had been identified, the applicant returned to a 20 dog

limit on the site, and submitted a planning application to vary the condition.

- Dog day care could operate under limited hours. Dog walking was a separate business, and dog field hire had also been previously approved. The dog field hire did not include indoor facilities, whereas the dog care element of the business did. The dog walking and day care businesses were separate.
- The distance to the entrance of the site from the nearest residential curtilage was 230 metres.
- The current opening hours for the day care centre were 730am- 6pm Monday to Friday, and 9am – 2:30pm on Saturdays, Sundays and Bank Holidays.
- There was one member of staff to supervise every ten dogs. There were also reserves members of staff on site, as per DEFRA guidelines.
- It was impossible for dogs from the walking field to be on the same site as day care dogs, as the walking field was located in a different area with different access. Dogs would go inside for downtime at different parts of the day.
- In the summer the dog beds were sometimes placed outside to allow dogs to sleep and sunbathe. There would not be 60 dogs on site.
- The existing noise management plan covered operations on site. This plan would be updated if the planning application were to be granted.
- There was never more than one or two dogs to be supervised at the weekend.
- Rounds in the field were rotated throughout the day, and dogs were supervised by the site owners at all times.

During questions to officers and debate, the following information was highlighted:

- Only the doggy day care centre facility was being considered as part of this application. However, Environmental Protection had been mindful of the dog walking field to the rear as well.
- Operating hours were a reflection of the variation in noise limits throughout the day; i.e. nighttime hours would have a much lower threshold for noise than daytime hours.
- It was confirmed that members needed to be comfortable that there was evidence to support imposing any weekend conditions on the site's usage.

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

- Site Location Plan drawing no. H20A44-STO_ZZ_XX_DR_A_0001
- Proposed site plan drawing no. H20A44-STO_ZZ_XX_DR_A_0003 Rev P01
- Proposed Elevations drawing no. H20A44-STO_ZZ_XX_DR_A_0005 Rev P01
- Proposed Boundary Treatments drawing no. H20A44 STO_ZZ_XX_DR_A_0007 Rev P01
- Proposed Floor plan drawing no. H20A44-STO_ZZ_XX_DR_A_0004
- Proposed Roof plan drawing no. H20A44-STO_ZZ_XX_DR_A_0006

Reason: To provide clarity as to what drawings have been approved.

Before the Development is Commenced

3. Before the development hereby permitted is commenced, the archaeological investigations in the approved written scheme of archaeological investigation (WSI) (ULAS Job Nos: 24-704) must be carried out and a report submitted to the Local Planning Authority for approval.

Reason: In order to provide a reasonable opportunity to record the history of the site and in accordance with Policy EN6 of the adopted South Kesteven Local Plan and the NPPF (section 16).

4. Prior to the commencement of the development hereby approved, a Biodiversity Compensation Scheme shall be submitted to and approved in writing by the Local Planning Authority. This shall include a habitat creation method statement to demonstrate how a minimum of 2.92 habitat units will be delivered off-site. The habitat creation shall be implemented in accordance with the approved details and retained thereafter for a period of at least 30 years.

Reason: To ensure that the scheme compensates for the significant harm to ecological habits in accordance with the requirements of Policy EN2 of the Local Plan and Paragraph 186 of the NPPF.

5. The development hereby permitted shall be undertaken in accordance with a Construction and Environmental Management Plan and Method Statement that shall first be approved in writing by the Local Planning Authority. The Plan and Statement shall indicate measures to mitigate the adverse impacts of vehicle and construction activity and the means to manage the drainage of the

site during the construction stage of the permitted development. It must include:

- the timetable of the construction phase to include access construction;
- details of noise, dust and lighting mitigation measures during construction as recommended by the Ecological Impact Assessment report ref: RT-MME-159662-04;
- waste management details during construction;
- the on-site parking of all vehicles of site operatives and visitors;
- the on-site loading and unloading of all plant and materials;
- the on-site storage of all plant and materials used in constructing the development;
- wheel washing facilities;
- the routes of construction traffic to and from the site including any off-site routes for the disposal of excavated material and;
- strategy stating how surface water run off on and from the development will be managed during construction and protection measures for any sustainable drainage features. This should include drawing(s) showing how the drainage systems (temporary or permanent) connect to an outfall (temporary or permanent) during construction.

Reason: In the interests of the safety and free passage of those using the adjacent public highway and to ensure that the permitted development is adequately drained without creating or increasing flood risk to land or property adjacent to, or downstream of, the permitted development during construction. In accordance with Policies EN5 and ID2 of the Local Plan and Sections 9 and 14 of the NPPF.

6. Prior to the store being brought into use, a scheme for off-site highways works relating to a pedestrian crossing of West Road and access to the site (following the principles of General Arrangement Plan drawing no. AMA-40046-D-100) shall have been submitted to and approved in writing by the local planning authority. The approved scheme shall be implemented in full prior to the use commencing on-site, and shall be retained thereafter. Reason: To ensure a suitable form of pedestrian access is delivered in the interests of highway safety in accordance with the requirements of Policy ID2 of the Local Plan and the NPPF.

7. No development shall commence on site (including preparatory works) until a tree and hedgerow protection plan has been submitted to and approved in writing by the Local Planning Authority. The approved plan shall be fully implemented in accordance with the approved details throughout the construction phase.

Reason: To ensure that the important, established landscape features are protected during the construction process and to comply with DE1 and EN2 of the South Kesteven Local Plan 20112036.

8. Prior to the commencement of the development hereby permitted above ground level, details of the materials to be used in the construction of the external facing facades of the building and entrance walls shall be submitted

to the Local Planning Authority in writing for approval. Sample panels of the proposed external surfacing materials (stonework and a timber) at a least a metre squared (showing where appropriate the proposed coursing, method of pointing of mortar) shall be erected on site for consideration and subsequent approval. The panels shall be retained on site until the completion of the works. The development shall be implemented in accordance with the approved details.

Reason: To protect the visual amenities of the locality and comply with Policy DE1 Adopted South Kesteven Local Plan 2011-2036 and comply with the aims and objectives of the NPPF.

9. Prior to the commencement of development hereby permitted details of the hard landscaping materials for the car park, walkways and areas surrounding the building shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details unless otherwise agreed in writing by the LPA. Reason: To protect the visual amenities of the locality and comply with Policy DE1 Adopted South Kesteven Local Plan 2011-2036 and comply with the aims and objectives of the NPPF.

10. No development shall be carried out (other than site preparation works) until a detailed surface water drainage scheme has been submitted to and approved in writing by the Local Planning Authority. Such a scheme shall include the measures to be installed together with a timetable for implementation. The works shall thereafter be carried out fully in accordance with the approved strategy.

Reason: To prevent flooding and to comply with Policy EN5 of the South Kesteven Local Plan.

11. No development shall commence on site (other than preparatory works) until a soft landscaping scheme (following the principles of the Landscape Strategy Report No. 1059/R02) has been submitted to and approved in writing by the Local Planning Authority. The submitted scheme shall provide details of:

- location of planting together with details of species and size
 - timetable for the planting of shrubs and trees
 - strategy for maintaining and protecting the approved planting
- The development shall thereafter be carried out and maintained fully in accordance with the approved scheme.

Reason: Soft landscaping and tree planting make an important contribution to the development and its assimilation with its surroundings and in accordance with Policies DE1, EN3 and OS1 of the adopted South Kesteven Local Plan (2011-2036).

12. Before development is commenced, a biodiversity mitigation and enhancement scheme (for onsite hedgerow habitats) based on the recommendations contained within the Ecological Impact Assessment report ref: RT-MME-159662-04 must be submitted to and approved 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, prior to the first use of the store. Reason: in the interests of best ecological practice, and in accordance with Policy EN2 of the adopted South Kesteven Local Plan. Before the Development is Occupied

13. Before any part of the development hereby permitted is occupied/brought into use, all hard landscape works shall have been carried out in accordance with the approved hard landscaping details pursuant to condition 9. Reason: Hard landscaping makes an important contribution to the development and its assimilation with its surroundings and in accordance with Policy DE1 of the adopted South Kesteven Local Plan.

14. Prior to the first occupation of any part of the development hereby approved, a Travel Plan for employees of the development shall have been submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall be implemented in accordance with the approved details. Reason: In the interests of promoting sustainable travel in accordance with SD1 of the adopted South Kesteven Local Plan 2011-2036.

15. Prior to the store being brought into use, details of external lighting, together with times of illumination shall be submitted to and approved in writing by the Local Planning Authority. Once approved the lighting shall be installed and managed in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority. Reason: To protect the amenities of the locality and in the interests of protecting ecology and biodiversity in accordance with Policies DE1 and EN2 Adopted South Kesteven Local Plan 2011-2036 and comply with the aims and objectives of the NPPF.

16. Prior to the installation of any sub-station, details of its location and appearance shall first be submitted to and approved in writing by the Local Planning Authority. Reason: To protect the visual amenities of the locality and comply with Policy DE1 Adopted South Kesteven Local Plan 2011-2036 and comply with the aims and objectives of the NPPF.

17. Prior to the store first being brought into use, the pavements and cycle way shall be fully formed in accordance with details that shall have first been submitted to and approved in writing by the Local Planning Authority. Reason: In the interests of promoting sustainable travel in accordance with SD1 of the adopted South Kesteven Local Plan 2011-2036.

Ongoing Conditions

18. The operational hours for the proposed food store hereby permitted shall only operate between the following hours and days; 08:00 - 22:30 hours Monday to Saturdays (including bank/public holidays) 10:00 - 20:00 hours on Sundays.

Reason: To protect the amenities of the locality and comply with Policy DE1 Adopted South Kesteven Local Plan 2011-2036 and comply with the aims and objectives of the NPPF.

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

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

20. No more than 80% of the net retail sales area of the approved foodstore shall be used for convenience sales and no more than 20% for comparison sales.

Reason: To ensure the development operates as assessed and in accordance with Policy BRN2 of the South Kesteven Local Plan 2011-2036 (January 2020) and the NPPF.

Note: The Committee adjourned at 2:25pm, reconvening at 2:40pm.

5. Application S23/1177

Proposal: Construction of a retail foodstore, car parking, access, landscaping and associated engineering works

Location: Land North of West Road Bourne Lincolnshire PE10 9PS

Recommendation: To authorise the Assistant Director of Planning to APPROVE planning permission subject to the conditions set out in section 8 of this report.

Noting comments in the public speaking session by:

Local District Councillor	-	Councillor Sue Woolley
Local District Councillor	-	Councillor Helen Crawford
Local District Councillor	-	Councillor Anna Kelly
Local District Councillor	-	Councillor Rhys Baker
Bourne Town Councillor	-	Councillor Nigel Eveleigh
Against	-	Helen Powell

Against - Peter Sharpe
Agent for the applicant - Nick Hardy (Avison Young)

The Committee noted the following policy considerations:

- South Kesteven Local Plan 2011-2036 Policies (adopted January 2020)
- Design guidelines for Rutland and South Kesteven Supplementary Planning Document (adopted November 2021)
- National Planning Policy Framework (NPPF) (Published December 2023)

The following was noted:

- Comments received from Anglian Water
- Comments received from The Environment Agency
- Comments received from Heritage Lincolnshire
- Comments received from Black Sluice Drainage Board
- Comments received from SKDC Tree Officer
- Comments received from Lincolnshire County Council (as Local Highway Authority and Lead Local Flood Authority)
- Comments received from Lincolnshire Wildlife Trust
- Comments received from Bourne Town Council
- Comments received from Bourne Civic Society
- Comments received from Friends of Bourne Woods
- Comments received from Natural England
- Representations in support and objecting to the application as a result of publicity.

During questions to public speakers, further information was highlighted:

- Many people in Bourne did not have an issue with a new Aldi store in Bourne, but one of the main issues with this site was its proximity to Bourne Woods.
- The number of vehicles approaching Bourne from Stamford Hill would increase due to the number of shoppers and lorries accessing the new site.
- 'Edge of settlement' should be adjacent to other developments in the opinion of a public speaker. If this were to be approved, it would lead to potential infill for sites adjacent Fir Avenue.
- More water was being seen from escarpments in Bourne Woods. There had also been recent flooding seen on a street local to this site.
- Bats and nightingales were two of the rarer species that were present on the site.
- The site was appropriately located, and the applicant had undertaken a sequential test on national policy and the Local Plan. There were no appropriate centrally located sites in Bourne.

- The site was not allocated for development, however it did not have to be to be considered appropriate. There was a site closer to Bourne town centre (Jewsons) which was not suitable for this development because it was not large enough to accommodate the store and car park. This submission and opinion on the town centre site had been shared with the Council's independent retail advisor who agreed with this conclusion.
- The site was approximately 140 metres from property curtilages in Fir Avenue, and 70 metres from the closest property on Welland Drive; there was one property that sat to the east of the site that was closer.
- Ecological information submitted confirmed there would be no direct impact on Bourne Woods. There was a risk of indirect impacts as a result of dust and lighting during the construction phase, which would be mitigated by conditions as part of the officer recommendation. There had been extensive discussions with the Lincolnshire Wildlife Trust on these necessary mitigation measures.

The following points were raised during questions of officers and during debate:

- There were no defined settlement boundaries in the South Kesteven Local Plan, so a planning judgment is necessary regarding the most appropriate spatial policy.
- Lincolnshire Fire and Rescue did not raise any objections to the Application. Fire safety measures would be secured through building regulations and would be based on the site and layout. The access road into the site provided adequate access for fire vehicles to attend. Bourne Woods was 125 metres away from the site which was deemed an acceptable 'fire break'.

Note: The meeting was extended to 5:15pm as it was approaching three hours in length.

- The evidential requirement under the Local Plan at SP4a in terms of 'substantial support in the local community' was 'at the point of submission'; this was considered to be complied with. The scope of this pre-application consultation exercise was discussed with the applicants before submission, and it involved amongst other things a website being setup, a consultation event and the circulation of questionnaires.
- Substantial support would mean a considerable amount of support. Throughout the pre-application process there were 100s of people in support and 100s against.
- No built heritage assets would be affected. There was a requirement for the applicant to carry out an assessment of what archaeology was present. It had been agreed with expert advisors that they would carry out 'trial trenching' to record any instances of archaeology prior to the commencement of development.

- There had been a further wildlife survey in August 2023 to accompany the initial evidence. Mitigation measures had been recommended based on the relevant impacts, and area-based habitats. As well as supplementary planting there would be a new native species hedgerow.
- There was no policy requirement to look at other sites that were not sequentially preferable to the proposed site.
- The policy test for biodiversity impacts first required mitigation on the site if there would be detrimental impacts. If mitigation could not be put in place then compensation measures are required, and in this case it was proposed to be compensation off-site in respect of the loss of on-site area habitats.
- A lot of the impacts to biodiversity would be through the construction phase. A condition had been recommended to reflect this and to secure a Construction and Environmental Management Plan.
- The final mitigation measure recommended in the Ecological Impact Assessment was a lighting scheme to accompany the development. Recommended condition 15 required a submission and approval of a lighting scheme.
- The SKDC Tree Officer was content with the protection and supplementary planting of trees and hedgerow.
- There was a Co-op shop serving the Elsea Park area of Bourne; however a further store in the area would expand customers choice and it was not for the Committee to interfere with market choice.
- The Aldi store would have a visual impact on Bourne Woods, an ancient area of woodland which contributes positively to the area.

In summing up, the Assistant Director of Planning made the following points:

- The draft Bourne Neighbourhood Plan had no weight in the determination of the application. If it were to be in place in the future residents would be able to have a say in where they wanted to place housing. Any Neighbourhood Plan could support the Local Plan.
- This site had been one of several that had been considered as part of the ongoing Local Plan review.
- Mitigation measures, such as a buffer zone could be created for ecology issues.
- The Local Plan had to be written positively. In this case, Policy SP4 allowed 'edge of settlement' development, but also contained many other criteria.
- The Policy, and legislative test on ecology and biodiversity impacts were to first to avoid; failing that to mitigate and failing that to compensate where there was an impact. To accept compensation for an impact to ecology was acceptable in planning policy terms.
- Supermarkets were welcome in Bourne, but the position and visual impact, and landscaping of this store was questioned by Members.

A proposal to refuse planning permission on the basis of the visual impact of the proposal and resultant harm being contrary to policies SP4d and SP4b (development on the edge of settlements), DE1 (promoting good quality design), EN1 (Landscape Character) of the Local Plan was moved and seconded.

A request was made that a recorded vote for refusing planning permission be taken, as in accordance with Council Procedure Rule 15.5 20% of those Councillors present at the meeting could request this:

For Refusal: Councillors Harrish Bisnauthsing, Pam Byrd, Tim Harrison, Penny Milnes, Charmaine Morgan, Nick Robins, Max Sawyer, Sarah Trotter. (8)

Against Refusal: None.

Abstain: Councillor Paul Fellows. (1)

Therefore, planning permission was **REFUSED**.

Note: The meeting was further extended to 5:30pm. The meeting was adjourned and reconvened at 5:06pm.

6. Application S23/2367

Proposal: Planning application for the conversion of ground floor retail unit (Use Class E) and first/second floor nightclub (Sui generis) to 7no. residential apartments (Use Class C3).

Location: Willoughby's Bar, 42 Broad Street, Stamford, Lincolnshire PE9 2BT

Recommendation: To authorise the Assistant Director of Planning to GRANT planning permission.

Noting comments in the public speaking session by:

District Councillor - Councillor Harrish Bisnauthsing

The Committee noted the following policy considerations:

- South Kesteven Local Plan 2011-2036 Policies (adopted January 2020)
- Stamford Neighbourhood Plan
- National Planning Policy Framework (NPPF) (Published December 2023)

The following was noted:

- Comments from Lincolnshire County Council Highways

- Comments from Lincolnshire Police
- Comments from SKDC Conservation Officer
- Comments from Environmental Protection
- No comments from Historic England
- Comments from Stamford Civic Society
- Comments from Stamford Town Council
- Representations as a Result of Publicity

The following information was highlighted during questions of officers and during debate:

- The bin storage area for the nightclub and retail units contained additional space. The bins were stored and collected in that area and removed via Silver Street. There were no accesses proposed for residences from this alleyway. The bin storage should not worsen with the addition of residential dwellings.

It was proposed, seconded and **AGREED** to authorise the Assistant Director for 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:

- i. Site Location Plan and Site Plan, drawing ref. A100 (received 18/03/24)
- ii. Proposed Floor Plans, drawing ref. A112/A (received 18/03/24)
- iii. Proposed Floor Plans, drawing ref. A113/A (received 18/03/24)
- iv. Proposed Elevations, drawing ref. A302 (received 22/12/23)
- v. Proposed Elevations, drawing ref. A303/A (received 18/03/24)

Unless otherwise required by another condition of this permission.

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

Before the Development is Commenced

3) No development shall take place until a Construction Management Plan and Method Statement has been submitted to and approved in writing by the Local Planning Authority which shall indicated measures to mitigate against

traffic generation and drainage of the site during the construction stage of the proposed development.

Reason: In the interests of the safety and free passage of those using the adjacent public highway and to ensure that the permitted development is adequately drained without creating or increasing flood risk to land or property adjacent to, or downstream of, the permitted development during construction.

During Building Works

4) To minimise noise impacts on the existing residential dwellings, it is recommended that 'construction work' shall only be carried out between the hours of 7:30 am to 6:00 pm Monday to Friday and 9:00 am to 1:00 pm on a Saturday. Construction work shall not be carried out on Sundays or Public Holidays. The term 'construction work' shall include mobile and fixed plant/machinery, (e.g. generators) radios and the delivery of construction materials. To minimise the impact of potential noise on the surrounding area, deliveries of construction materials shall only take place between 8:00 am and 5:00 pm, Monday to Friday and between 9:00 am and 5:00 pm on a Saturday. No deliveries shall take place on a Sunday or Public Holiday.

Reason: To prevent disturbance to the surrounding area and in accordance with Policies

EN4 and DE1 of the adopted South Kesteven District Local Plan.

5) If asbestos is identified a scheme to address the management and/or safe disposal of asbestos and asbestos containing materials must be submitted to and approved in writing by the local planning authority. The scheme shall include details of, where necessary, an asbestos identification survey by a qualified contractor, measures to be adopted to protect human health and the preferred asbestos disposal route, unless the local planning authority dispenses with any such requirement specifically in writing.

Reason: To ensure there is no asbestos risk, and in accordance with Policy EN4 of the adopted Local Plan and guidance contained in National Planning Policy Framework.

Before the Development is Occupied

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

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

7) The proposed bicycle parking is to be installed before the development is brought into use and maintained in perpetuity for use by the occupiers of the residential development.

Note: Councillor Nick Robins left the meeting. The meeting was further extended to 5:35pm.

7. Application S24/0439

Proposal: Installation of a pair of metal gates 1.8m high with a gap between posts (opening) of about 3.1m. Additional side panels to be installed (same product and height) to complete the boundary fence. Access will allow storage of a caravan to the side of the property.

Location: 39 Lincoln Close, Grantham, Lincolnshire, NG31 8RQ

Recommendation: To authorise the Assistant Director of Planning to APPROVE planning permission subject to conditions.

The Committee noted the following policy considerations:

- South Kesteven Local Plan 2011-2036 Policies (adopted January 2020)
- National Planning Policy Framework (NPPF) (Published December 2023)

The following was noted:

- No objections from Lincolnshire County Council Highways.

It was proposed, seconded and **AGREED** to authorise the Assistant Director for 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:

- i. Location Plan – Date received: 08/03.2024.
- ii. Block Plan- Date received: 18/04/2024.
- iii. Elevation Plan- Date received: 08/03/2024.

Unless otherwise required by another condition of this permission.

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

Before the Development is Occupied

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

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

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

There was none.

The meeting closed at 5:28pm.

Minutes

Planning Committee

Thursday, 13 June 2024, 1.00 pm

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



SOUTH
KESTEVEN
DISTRICT
COUNCIL

Committee Members present

Councillor Penny Milnes (Vice-Chairman)

Councillor David Bellamy

Councillor Harrish Bisnauthsing

Councillor Pam Byrd

Councillor Helen Crawford

Councillor Patsy Ellis

Councillor Paul Fellows

Councillor Tim Harrison

Councillor Gloria Johnson

Councillor Vanessa Smith

Councillor Sarah Trotter

Councillor Paul Wood

Cabinet Members present

Councillor Phil Dilks (Cabinet Member for Planning)

Officers

Emma Whittaker (Assistant Director of Planning)

Phil Jordan (Development Management and Enforcement Manager)

Adam Murray (Principal Development Management Planner)

Sara Hullott (Development Management Planner)

Ariane Buschmann (Conservation Officer)

Amy Pryde (Democratic Services Officer)

9. Apologies for absence

An apology for absence was received from Councillor Charmaine Morgan.

Councillor Penny Milnes acted as Chairman, for this meeting.

10. Disclosure of interests

No interests were disclosed.

11. Minutes of the meeting held on 16 May 2024

The minutes of the meeting held on 16 May 2024 were proposed, seconded and **AGREED** as a correct record.

12. Application S23/2175

Proposal:	Hybrid planning application for the erection of 175 dwellings with associated access, infrastructure, open space and landscaping (full application) and community facility (outline)
Location:	Land at Low Road, Barrowby
Recommendation:	To authorise the Assistant Director – Planning to GRANT planning permission, subject to conditions and the completion of a Section 106 Agreement

Noting comments in the public speaking session by:

Applicant	George Wilkinson (Georgina McCrae to answer technical questions)
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Together with:

- Provisions within South Kesteven Local Plan 2011-2036, Design Guidelines for Rutland and South Kesteven Supplementary Planning Document, National Planning Policy Framework and South Kesteven Local Plan Review 2021-2041.
- Comments received from Active Travel England.
- Comments received from Anglian Water.
- Comments received from Barrowby Parish Council.
- No comments received from Cadent Gas.
- No comments received from Environment Agency.
- Comments received from Heritage Lincolnshire.
- No comments received from Historic England.
- Comments received from Lincolnshire County Council (Education).
- Comments received from Lincolnshire County Council (Highways & SuDS).
- No comments received from Lincolnshire Fire & Rescue Service.
- Comments received from Lincolnshire Wildlife Trust.
- Comments received from National Highways.
- No comments received from Natural England.
- Comments received from NHS Lincolnshire Integrated Care Board.
- Comments received from SKDC Planning Policy – Affordable Housing Officer.
- No comments received from SKDC Conservation Officer.
- No comments received from SKDC Environmental Protection Officer.

During questions to Public Speakers, Members commented on:

- That pollution control desk studies identified potential contamination, however, it was noted that basic Radon protection measures would be required in future developments. One Member queried the types of protection that would be implemented from Radons.

The Applicant confirmed that details were secured by condition for the ground investigation works. The Radon protection would come forward during the foundation design phase.

- Clarification was sought around the term 'hybrid' planning application.

During questions to Officers, Members commented on:

The Principal Planning Officer clarified that the application had been submitted as a hybrid application due to the full detailed element of the application related to the residential aspect of the site from Allison Homes. The outline application secured the land for a community facility, on the basis that this is brought forward by the Parish Council.

- It was noted that Highways bus service would cost £175,000 which worked out at £1000 per dwelling, on the proposed site. Further clarification was requested on what the remainder of the money would be spent on as the cost of an annual bus pass was £365.

It was confirmed that the bus pass information had been provided by Lincolnshire County Council was that the cost of providing a bus pass, per dwelling was £1000 per dwelling. This included the pass from Lincolnshire County Council alongside covering the cost of the bus provider.

- What would happen if the Parish Council denied the offer of the land. It was queried if more dwellings be built on the site, whether the S106 agreement would be adjusted for extra dwellings.

The Principal Planning Officer noted that the Council could not predict what may happen to the land in the future. It would be a matter to determine at a future application, if the land was not brought forward by the Parish Council.

- Members commented on the maintenance of soft landscaping and trees.

The maintenance of soft landscaping and trees was conditioned within landscape management plans. The maintenance would be managed by a private company, under control of the residents.

- Concern was raised on Policy SP1 and the requirement for solar panels and EV charging points. It was queried how this application would include mitigations for climate change.

Condition 11 covered the details of properties that had EV charging points to be submitted. The Council encouraged properties to have solar panels and EV charging points, however, Applicants were encouraged to explore other mitigations in order to reduce climate change impact.

- Concern was raised on the cycle/walk pathway that was only on one side of the carriageway.

The detail behind the scheme for the cycle/walk pathway would be controlled by Lincolnshire County Council. The financial contributions requested were on the basis of a dedicated foot/cycle way on a single side of the carriageway.

- Whether a speed limit extension could be recommended by the Council to Lincolnshire County Council.

The Principal Planning Officer clarified that speed limits were outside of the planning application process. Speeding was a matter of law enforcement, and the extension of a speed limit would be discussed as part of the technical approval process with Lincolnshire County Council.

During debate, Members commented on:

Issue of outline element – community land

- Members noted the positive feedback from the Parish Council and residents. It was preferred that a Community Centre be seen, prior to additional housing.
- More scope for parking on this site was highlighted.

Open space and connectivity

- Members preferred this site to the original masterplan in terms of the use of open space.
- That hedgerows and open spaces would be maintained.

Active travel – foot/cycle route

- That the S106 agreement had been secured for the foot/cycle path.
- That the connectivity route from the A52 and crossing of the bridge on the A1 would provide a good route into the centre of the town.
- The connectivity would allow residents to travel down Low Road and connect onto Dysart Road and provided a more direct route to Grantham to access facilities, without crossing over the A52. There would also be elements of connectivity coming through with other proposed developments.

The Assistant Director of Planning informed the Committee of the Grantham Transport Strategy, which was adopted by Lincolnshire County Council and endorsed by the Council in December 2022. The strategy provided a higher framework for wider transport strategy issue of cycle/foot ways and bus routes.

- Further clarification was sought around the cycleway and where it would stop.
- It was highlighted that the ecological impact assessment had taken place in winter months, meaning the assessment on wildlife would not be accurate.
- Concern was raised on the cycle way and what would happen if Lincolnshire County Council would not deliver this.

The cycle/foot way would be a legal obligation and the Applicant's would pay their financial contributions to ensure it would be delivered. Lincolnshire County Council had confirmed that the project could be delivered as a result of receiving the financial contributions.

The Assistant Director of Planning clarified that the cycle/foot way was the responsibility of Lincolnshire County Council as the Highways Authority to deliver the works.

- That the site had a high reliance on tandem parking. Concern was raised on visitors parking on the grass verges.

Lincolnshire County Council Highways were satisfied with the parking provided.

- Whether the sub-station within the children's play area could be conditioned to be disguised or relocated, as it seemed an inappropriate location for a sub-station.

A separate condition could be included in regard to boundary treatments and landscaping. The relocation of the sub-station may be more challenging due to technical requirements for the location.

It was proposed, seconded and **AGREED** to include a condition around the landscaping of the sub-station.

It was proposed, seconded and **AGREED** to authorise the Assistant Director of Planning to **GRANT** planning permission, subject to conditions, the completion of a Section 106 agreement, the amendments in the late items paper and to include a condition around the landscaping of the sub-station:

Time Limit for Commencement

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

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

Approved Plans

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

a) Planning Submission Schedule (Dated 30 May 2024)

Unless otherwise required by another condition of this permission.

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

Before Development is Commenced

Archaeological 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 of the adopted South Kesteven Local Plan.

Construction Management Plan

4) No development shall take place until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. The Plan and Statement shall include measures to mitigate the adverse impacts during the construction stages of the permitted development and shall include:

- a. The phasing of the development, including access construction and build routes.
- b. The on-site parking of all vehicles of site operatives and visitors.
- c. The on-site loading and unloading of all plant and materials.
- d. The on-site storage of all plant and materials used in constructing the development.
- e. Dust suppression measures
- f. Wheel washing facilities.
- g. A strategy stating how surface water runoff on and from the development will be managed during construction, and protection measures for any sustainable drainage features. This should include drawing(s) showing how the drainage systems

(temporary or permanent) connect to an outfall (temporary or permanent) during all construction works.

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

Part M4(2) Details

- 5) Before any part of the development hereby permitted commences, a plan indicating the provision of 10% of the dwelling as being Accessible and Adaptable in line with the standards set out in Part M4(2) of the Building Regulations shall have been submitted to and approved in writing by the Local Planning Authority.

Thereafter, the development shall be completed in accordance with the approved details and the dwellings shall be retained as such for the lifetime of the development.

Reason: To ensure that the development meets the needs of all future residents as required by Policy H4 of the adopted Local Plan.

Culvert Risk Assessment

- 6) Before the development hereby permitted commences, a priority risk assessment for the culvert under the A1 trunk road, in accordance with DMRB CD535 and informed by a pre-construction condition survey, shall be submitted to and approved in writing by the Local Planning Authority.

If identified as necessary following the priority culvert risk assessment, a mitigation scheme for the priority culvert under the A1 should be submitted to and approved in writing by the Local Planning Authority.

Thereafter, the mitigation works shall be completed in accordance with the approved scheme prior to the commencement of development.

Reason: To ensure that the permitted development is adequately drained without creating or increasing flood risk to land or property adjacent to, or downstream of, or upstream of, the permitted development.

Surface Water Drainage Strategy

- 7) Before the development hereby permitted is commenced, a scheme for the treatment of surface water drainage shall have been submitted to

and approved in writing by the Local Planning Authority. The scheme shall:

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

Thereafter, no dwelling shall be occupied until the approved scheme has been completed or provided on site in accordance with the approved phasing. The approved scheme shall be retained and maintained in full, in accordance with the approved details.

Reason: To ensure that the permitted development is adequately drained without creating or increasing flood risk to land or property adjacent to, or downstream of, or upstream of, the permitted development.

Biodiversity Enhancement and Mitigation Plan

- 8) Before the development hereby permitted is commenced, a biodiversity mitigation and enhancement scheme, based on the recommendations contained within the Ecological Impact Assessment Report (BWB) (Dated January 2023), must be submitted to and approved in writing by the Local Planning Authority.

The scheme shall include a plan identifying the location of any mitigation and enhancement, along with a detailed schedule (and technical details) of each of the measures proposed.

Thereafter, the required biodiversity mitigation and enhancement measures shall be completed in full in accordance with the agreed scheme, prior to first occupation of the development.

Reason: In the interests of best ecological practice and in accordance with Policy LV-H3 and EN2 of the adopted South Kesteven Local Plan.

Arboricultural Method Statement Compliance

- 9) Before the development hereby permitted is commenced, the Tree Protection measures indicated on the Tree Protection Plan contained at Appendix 4 of the Arboricultural Method Statement (AWA Tree Consultants) (Ref: AWA5509AMS) (July 2023) shall have been implemented in full.

Thereafter, the tree protection measures shall be retained on site until all works have been completed.

Reason: In the interests of visual amenity and for the avoidance of doubt.

Estate Road Phasing Plan

- 10) Before the development hereby permitted is commenced, an Estate Road Phasing and Completion Plan shall be submitted to and approved in writing by the Local Planning Authority. The Plan shall set out how the construction of the development will be phased and standards to which the estate roads on each phase will be completed during the construction period of the development.

Thereafter, the development shall be undertaken in accordance with the approved details.

Reason: To ensure that a safe and suitable standard of vehicular and pedestrian access is provided for residents throughout the construction period of the development.

During Building Works

Sustainable Building

- 11) No development above damp-proof course shall take place until details demonstrating how the proposed dwellings would comply with the requirements of Local Plan Policy SB1 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 development; details of water efficiency; and provision of electric car charging infrastructure.

The approved sustainable building measures shall be completed in full for each dwelling, in accordance with the agreed scheme, prior to first occupation of each dwellings hereby permitted.

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

Construction Hours

- 12) 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 plant and machinery, radios and the delivery of construction materials.

Reason: To minimise noise impacts on the adjacent residential dwellings.

Delivery Hours

- 13) Deliveries of construction materials shall only take place between the hours of 0800 and 1700 Monday to Friday, and 0900 and 1700 on Saturdays. Deliveries shall not take place on Sundays or public holidays.

Reason: To minimise noise impacts on the adjacent residential dwellings.

Hard Landscaping Details

- 14) No development above damp proof course shall commence until details of all hard landscaping works have been submitted to and approved in writing by the Local Planning Authority. Details shall be in broad accordance with the approved Planning Layout (Ref: L201/PLANNING/01/Rev H) and shall include:

- a. Proposed finished levels and contours
- b. Means of enclosure (including boundary treatments)

- c. Other vehicle and pedestrian access and circulation areas
- d. Hard surfacing materials
- e. Minor artefacts and structure (e.g. furniture, play equipment, refuse or other storage signs, lighting etc).

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

Soft Landscaping Details

- 15) No development above damp proof course shall commence until details of all soft landscaping works have been submitted to and approved in writing by the Local Planning Authority. Details shall be in broad accordance with the approved Landscape Masterplan (Ref: N0990/08010/Rev D) and shall include:
- a. Planting plans;
 - b. Written specifications (including cultivation and other operations associated with plant and grass establishment);
 - c. Schedules of plants, noting species, plant sizes and proposed numbers / densities where appropriate; and
 - d. Further details for the screening of the substation included within the central area of public open space.

Reason: Soft landscaping and tree planting make an important contribution to the development and its assimilation with its surroundings and in accordance with Policy LV-H3, EN1 and DE1 of the adopted South Kesteven Local Plan.

Noise Mitigation Scheme

- 16) No development above damp proof course shall commence until a detailed scheme of Noise Mitigation, based on the recommendations contained within the Noise Impact Assessment (M-EC) (Dated July 2023), has been submitted to and approved in writing by the Local Planning Authority.

Thereafter, the scheme of noise mitigation shall have been completed in accordance with the approved details.

Reason: In the interests of the residential amenity of future occupiers of the development.

Ecological Mitigation

- 17) All works on site, including construction and delivery works, shall be carried out in accordance with the recommendations contained within the Ecological Impact Assessment Report (BWB) (Dated January 2023), unless otherwise agreed in writing by the Local Planning Authority.

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

Previously Unidentified Contamination

- 18) Should the developer, during excavation and construction works of the approved development site, find any area where it is suspected that the land is contaminated, then all works must stop and the Local Planning Authority notified immediately. An investigation and risk assessment must be undertaken and, where remediation is necessary, a remediation scheme must be prepared in accordance with current good practice and legislation, a remediation scheme must be prepared in accordance with current good practice and legislation, and submitted to and approved in writing by the Local Planning Authority. Thereafter, the approved remediation scheme shall be implemented in accordance with the approved details.

Following the completion of measures identified in the approved remediation scheme, a verification report must be prepared, which is the subject of approval in writing by the Local Planning Authority prior to the first occupation of the dwellings hereby permitted.

Reason: Previous activities associated with the site may have caused, or had the potential to cause, land contamination and to ensure that any site investigation 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 of the Local Plan.

Revised Travel Plan

- 19) Notwithstanding the submitted details, before any development above damp-proof course, a revised Travel Plan, including specific modal share targets for active travel modes which seeks to achieve the Government's objectives for 50% of all trips to be made by active travel methods, shall have been submitted to and approved in writing by the Local Planning Authority.

Reason: In order that the permitted development conforms to the requirements of the National Planning Policy Framework, by ensuring that access to the site is sustainable and that there is a reduced dependency on the private car for journeys to and from the development.

Before the Development is Occupied

Noise Validation Testing

- 20) Prior to first occupation of Plots 13, 14, 15, 37, 138 and 143 of the development hereby permitted are occupied, the noise mitigation scheme shall be completed in accordance with the approved details, and a verification report that scientifically and technically demonstrates the effectiveness of the noise mitigation scheme, as required shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To protect the residential amenity of future users of the development.

Materials Compliance

- 21) Before the dwellings hereby permitted are first occupied, the external materials must have been completed in accordance with the approved Materials Plan (Ref: L201/MATERIALS/03/Rev A).

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

Hard Landscaping Implementation

- 22) Before any part of the development hereby permitted is occupied, all hard landscaping works shall have been completed in accordance with the approved details.

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

Boundary Treatments Implementation

- 23) Before each dwelling hereby permitted is occupied, the works to provide the boundary treatments relating to that part of the development shall have been completed in accordance with the approved boundary treatment scheme.

Reason: To provide a satisfactory appearance to any boundary treatments and by screening rear gardens from public view, in the interests of the privacy and amenity of the occupants of the proposed and neighbouring dwellings and in accordance with Policy DE1 of the adopted South Kesteven Local Plan.

Travel Plan Compliance

- 24) Before any dwelling hereby permitted is occupied, the measures contained within the approved Travel Plan shall be implemented in accordance with the approved details, and shall continue to be implemented for as long as any part of the development is occupied.

Reason: In order that the permitted development conforms to the requirements of the National Planning Policy Framework, by ensuring that access to the site is sustainable and that there is reduced dependency on the private car for journeys to and from the development.

Landscape and Ecological Management Plan

- 25) Before any part of the development hereby permitted is occupied, a Landscape and Ecological Management Plan shall have been submitted to and approved in writing by the Local Planning Authority. The plan shall include:
- a. Long term design objectives
 - b. Management responsibilities; and
 - c. Maintenance schedules for all landscaped areas, other than privately owned, domestic gardens.

Reason: Soft landscaping makes an important contribution to the development and its assimilation with its surroundings and in accordance with Policy DE1 and EN2 of the adopted South Kesteven Local Plan.

Low Road Bus Stops

- 26) Before any part of the development hereby permitted is occupied, a footway widening scheme for the site frontage, an improved bus stop including bus stop poles and flags and inclusive of timetable, shall be provided in accordance with details that will first have been submitted to and approved in writing by the Local Planning Authority. The works

shall also include appropriate arrangements for the management of surface water runoff from the highway.

Reason: To ensure the provision of safe and adequate pedestrian access to the permitted development, without increasing flood risk to the highway and adjacent land or property.

Low Road junction

- 27) Before any part of the development is occupied, all of that part of the estate road and associated footways that forms the junction with Low Road, and which will be constructed within the limits of the public highway, shall be laid out and constructed to finished levels in accordance with details to be submitted to, and approved in writing by, the Local Planning Authority.

Reason: In the interests of safety, to avoid the creation of pedestrian trip hazards within the public highway from surfacing materials, manholes and gullies that may otherwise remain for an extended period at dissimilar, interim construction levels.

Ongoing Conditions

Soft Landscaping Implementation

- 28) 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 soft landscaping details.

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

Soft Landscaping Protection

- 29) Within a period of five years from the first occupation of the final dwelling 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 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 and EN2 of the adopted South Kesteven Local Plan.

LEMP Compliance

- 30) Following the first occupation of the final dwelling hereby permitted, the approved Landscape and Ecological Management Plan shall be adhered to in full, unless otherwise agreed in writing by the Local Planning Authority.

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

OUTLINE PLANNING PERMISSION

Time Limit for Commencement

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 reserved matters, whichever is the latter.

Reason: In order that development is commenced in a timely manner, as set out in Section 92 of the Town and Country Planning Act 1990 (as amended).

Time Limit for Reserved Matters

- 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:

1. Access
2. Appearance
3. Layout
4. Landscaping
5. Scale

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

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 following list of approved plans (in relation to the site location only):
 - a. Planning Layout (Ref: L201/PLANNING/01/Rev H)

Unless otherwise required by another condition of this permission.

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

Before Development is Commenced

Noise Management Plan

- 4) As part of any reserved matters application(s) for the site, a detailed Noise Management Plan containing details of hours of operation and any noise mitigation measures required to ensure that the proposed community facility does not result in any unacceptable adverse noise impacts on the adjacent residential properties, shall have been submitted to and approved in writing by the Local Planning Authority.

Thereafter, the development shall be carried out in accordance with the approved Noise Management Plan for the lifetime of the development.

Reason: In the interests of the residential amenity of occupiers of the site and the surrounding area.

CEMP

- 5) No development shall take place until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. The Plan and Statement shall include measures to mitigate the adverse impacts during the construction stages of the permitted development and shall include:
- a. The phasing of the development, including access construction and build routes.
 - b. The on-site parking of all vehicles of site operatives and visitors.
 - c. The on-site loading and unloading of all plant and materials.
 - d. The on-site storage of all plant and materials used in constructing the development.
 - e. Dust suppression measures
 - f. Wheel washing facilities.
 - g. A strategy stating how surface water runoff on and from the development will be managed during construction, and protection measures for any sustainable drainage features. This should include drawing(s) showing how the drainage systems (temporary or permanent) connect to an outfall (temporary or permanent) during all construction works.

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

Reason: In the interests of residential amenity of occupiers of the site and the surrounding area.

Materials Specification

- 6) As part of any reserved matters application(s) relating to appearance, details of the materials (including the colour of render, paintwork or colourwash) to be used in the construction of external surfaces of the development hereby permitted shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure a satisfactory appearance to the development and in accordance with Policy DE1.

Archaeological Investigation

- 7) Before the development hereby permitted is commenced, a written scheme of archaeological investigation shall have been submitted to and approved in writing by the Local Planning Authority.

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 of the adopted South Kesteven Local Plan.

Culvert Risk Assessment

- 8) Before the development hereby permitted commences, a priority risk assessment for the culvert under the A1 trunk road, in accordance with DMRB CD535 and informed by a pre-construction condition survey, shall be submitted to and approved in writing by the Local Planning Authority.

If identified as necessary following the priority culvert risk assessment, a mitigation scheme for the priority culvert under the A1 should be submitted to and approved in writing by the Local Planning Authority.

Thereafter, the mitigation works shall be completed in accordance with the approved scheme prior to the commencement of development.

Reason: To ensure that the permitted development is adequately drained without creating or increasing flood risk to land or property

adjacent to, or downstream of, or upstream of, the permitted development.

Surface Water Drainage Strategy

- 9) Before the development hereby permitted is commenced, a scheme for the treatment of surface water drainage shall have been submitted to and approved in writing by the Local Planning Authority. The scheme shall:
- a. Be based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development.
 - b. Provide flood exceedance routing for storm events greater than the 1 in 100 year event;
 - c. Provide details of how run-off will be safely conveyed and attenuated during storms up to and including the 1 in 100 year critical storm event, with an allowance for climate change, from all hard surfaced areas within the development into the existing drainage infrastructure and watercourse system without exceeding the runoff rate for the undeveloped site;
 - d. Provide attenuation details and discharge rates which shall be restricted;
 - e. Provide details of the timetable for and any phasing of the implementation of the drainage scheme; and
 - f. Provide details of how the scheme shall be maintained and managed over the lifetime of the development, including any arrangements for adoption by any public body or Statutory Undertaker and any other arrangements required to secure the operation of the drainage system throughout its lifetime.

Thereafter, no dwelling shall be occupied until the approved scheme has been completed or provided on site in accordance with the approved phasing. The approved scheme shall be retained and maintained in full, in accordance with the approved details.

Reason: To ensure that the permitted development is adequately drained without creating or increasing flood risk to land or property adjacent to, or downstream of, or upstream of, the permitted development.

Biodiversity Enhancement and Mitigation Plan

- 10) Before the development hereby permitted is commenced, a biodiversity mitigation and enhancement scheme, based on the recommendations

contained within the Ecological Impact Assessment Report (BWB) (Dated January 2023), must be submitted to and approved in writing by the Local Planning Authority.

The scheme shall include a plan identifying the location of any mitigation and enhancement, along with a detailed schedule (and technical details) of each of the measures proposed.

Thereafter, the required biodiversity mitigation and enhancement measures shall be completed in full in accordance with the agreed scheme, prior to first occupation of the development.

Reason: In the interests of best ecological practice and in accordance with Policy LV-H3 and EN2 of the adopted South Kesteven Local Plan.

Arboricultural Method Statement Compliance

- 11) Before the development hereby permitted is commenced, the Tree Protection measures indicated on the Tree Protection Plan contained at Appendix 4 of the Arboricultural Method Statement (AWA Tree Consultants) (Ref: AWA5509AMS) (July 2023) shall have been implemented in full.

Thereafter, the tree protection measures shall be retained on site until all works have been completed.

Reason: In the interests of visual amenity and for the avoidance of doubt.

Estate Road Phasing Plan

- 12) Before the development hereby permitted is commenced, an Estate Road Phasing and Completion Plan shall be submitted to and approved in writing by the Local Planning Authority. The Plan shall set out how the construction of the development will be phased and standards to which the estate roads on each phase will be completed during the construction period of the development.

Thereafter, the development shall be undertaken in accordance with the approved details.

Reason: To ensure that a safe and suitable standard of vehicular and pedestrian access is provided for residents throughout the construction period of the development.

Site Levels

- 13) As part of any reserved matters application(s) for the application site, plans showing the existing and proposed land levels of the site (including spot heights, contours, and finished floor levels of all buildings) with reference to an off-site datum point, shall have been submitted to and approved in writing by the Local Planning Authority.

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

Reason: In order to ensure that a safe and suitable standard of pedestrian connectivity is provided for residents and users throughout the allocation site.

During Building Works

Construction Hours

- 14) 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 plant and machinery, radios and the delivery of construction materials.

Reason: To minimise noise impacts on the adjacent residential dwellings.

Delivery Hours

- 15) Deliveries of construction materials shall only take place between the hours of 0800 and 1700 Monday to Friday, and 0900 and 1700 on Saturdays. Deliveries shall not take place on Sundays or public holidays.

Reason: To minimise noise impacts on the adjacent residential dwellings.

Ecological Mitigation

- 16) All works on site, including construction and delivery works, shall be carried out in accordance with the recommendations contained within the Ecological Impact Assessment Report (BWB) (Dated January

2023), unless otherwise agreed in writing by the Local Planning Authority.

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

Previously Unidentified Contamination

- 17) Should the developer, during excavation and construction works of the approved development site, find any area where it is suspected that the land is contaminated, then all works must stop and the Local Planning Authority notified immediately. An investigation and risk assessment must be undertaken and, where remediation is necessary, a remediation scheme must be prepared in accordance with current good practice and legislation, a remediation scheme must be prepared in accordance with current good practice and legislation, and submitted to and approved in writing by the Local Planning Authority. Thereafter, the approved remediation scheme shall be implemented in accordance with the approved details.

Following the completion of measures identified in the approved remediation scheme, a verification report must be prepared, which is the subject of approval in writing by the Local Planning Authority prior to the first occupation of the dwellings hereby permitted.

Reason: Previous activities associated with the site may have caused, or had the potential to cause, land contamination and to ensure that any site investigation 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 of the Local Plan.

Landscape and Ecological Management Plan

- 18) Before any part of the development hereby permitted is occupied, a Landscape and Ecological Management Plan shall have been submitted to and approved in writing by the Local Planning Authority. The plan shall include:
- a. Long term design objectives
 - b. Management responsibilities; and
 - c. Maintenance schedules for all landscaped areas, other than privately owned, domestic gardens.

Reason: Soft landscaping makes an important contribution to the development and its assimilation with its surroundings and in

accordance with Policy DE1 and EN2 of the adopted South Kesteven Local Plan.

Low Road Bus Stops

- 19) Before any part of the development hereby permitted is occupied, a footway widening scheme for the site frontage, an improved bus stop including bus stop poles and flags and inclusive of timetable, shall be provided in accordance with details that will first have been submitted to and approved in writing by the Local Planning Authority. The works shall also include appropriate arrangements for the management of surface water runoff from the highway.

Reason: To ensure the provision of safe and adequate pedestrian access to the permitted development, without increasing flood risk to the highway and adjacent land or property.

Low Road junction

- 20) Before any part of the development is occupied, all of that part of the estate road and associated footways that forms the junction with Low Road, and which will be constructed within the limits of the public highway, shall be laid out and constructed to finished levels in accordance with details to be submitted to, and approved in writing by, the Local Planning Authority.

Reason: In the interests of safety, to avoid the creation of pedestrian trip hazards within the public highway from surfacing materials, manholes and gullies that may otherwise remain for an extended period at dissimilar, interim construction levels.

Ongoing Conditions

Soft Landscaping Implementation

- 21) 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 soft landscaping details.

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

Soft Landscaping Protection

- 22) Within a period of five years from the first occupation of the final dwelling 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 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 and EN2 of the adopted South Kesteven Local Plan.

LEMP Compliance

- 23) Following the first occupation of the final dwelling hereby permitted, the approved Landscape and Ecological Management Plan shall be adhered to in full, unless otherwise agreed in writing by the Local Planning Authority.

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

13. Application S23/0299

Proposal:	Erection of 67 dwellings with associated vehicular access from Reedings Road and Owen Way, and associated public open space and infrastructure
Location:	Land at Reedings Road, Barrowby
Recommendation:	To authorise the Assistant Director – Planning to GRANT planning permission, subject to conditions and the completion of a Section 106 Agreement

Noting comments in the public speaking session by:

Applicant Anne Dew (Ben Purdy to answer technical questions)

Together with:

- Provisions within South Kesteven Local Plan 2011-2036, Design Guidelines for Rutland and South Kesteven Supplementary Planning Document, National Planning Policy Framework (NPPF) and South Kesteven Local Plan Review 2021-2041.
- Comments received from Anglian Water.

- Comments received from Barrowby Parish Council.
- No comments received from Cadent Gas.
- No comments received from Environment Agency.
- Comments received from Heritage Lincolnshire.
- No comments received from Historic England.
- No comments received from Lincolnshire County Council (Education).
- Comments received from Lincolnshire County Council (Highways & SuDS).
- No comments received from Lincolnshire Fire and Rescue.
- Comments received from Lincolnshire Wildlife Trust.
- No comments received from Ministry of Defence.
- Comments received from National Highways.
- No comments received from Natural England.
- Comments received from NHS Lincolnshire ICB.
- Comments received from SKDC Planning Policy Officer – Affordable Housing.
- Comments received from SKDC Conservation Officer.
- Comments received from SKDC Environmental Protection.
- Comments received from SKDC Principal Urban Design Officer.
- No comments received from Western Power.

During questions to Officers and debate, Members commented on:

- Whether the ongoing maintenance of soft landscaping would be enforced.

The Planning Officer confirmed that the ongoing maintenance of soft landscaping would be an enforcement matter. The Enforcement Team would engage with Applicant's in order to rectify any issues that may arise.

- Whether any money had been set aside for monitoring as part of the legal agreement.

The legal agreement included a motoring fee, which looked at the Council's time and expense enforcing the S106 agreement and approved conditions.

- Whether there was a substation included within the proposed plan of the site.

The Planning Officer clarified that the proposed substation was within the eastern part of the site, which was not within the children's play area.

- Clarification was sought around policy SB1 and whether any EV charging points or climate change mitigations would be conditioned.

Condition 9 required the details of the EV charging points. The policy SB1 related to sustainable buildings and taking decarbonisation of the energy grid into account. The current Local Plan did not require the need for communal/visitor EV charging points.

It was proposed, seconded and **AGREED** to authorise the Assistant Director of Planning to **GRANT** planning permission subject to the completion of a Section 106 Agreement to secure the planning obligations detailed below, and subject to the schedule of conditions set out within the main report (with the removal of Condition 19).

Updated Heads of Terms

- **Open Space** – on site provision as per the approved plans, and £45,862.60 towards improving existing sports facilities within Barrowby.
- **Affordable Housing** – 30% of all dwellings provided on site, consisting of:
 - Affordable Home Ownership (First Homes) (5 dwellings)
 - 5 x 2-bed
 - Affordable Home Ownership (Shared Ownership) (4 dwellings)
 - 2 x 3-bed
 - 2 x 4-bed
 - Affordable Homes (Affordable Rent) (11 dwellings)
 - 4 x 1-bed
 - 5 x 2 bed
 - 2 x 3 bed

Dwellings are to be provided in accordance with the distribution demonstrated on the Proposed Planning Layout, which indicates clusters of 2-4 dwellings. The Nomination Agreement will also be secured as part of the Section 106 Agreement, which will give priority to applicants with a local connection.

- **Healthcare** - £44,220.00 towards expanding healthcare capacity in the Grantham and Rural K2 Primary Care Network.
- **Highways (Low Road cycleway / footway)** - £100,000 towards the cost of delivering a dedicated footway / cycleway along Low Road to link the site to Grantham.
- **Highways (Off-site pedestrian improvements)** - £50,000 towards the cost of providing uncontrolled tactile dropped kerbs between the site and village centre.
- **Highways (Bus Services)** - £67,000 to cover the cost of providing free year-long bus passes to each dwelling of the new development.

- **Community Facility** - £68,514.25 towards the cost of delivering a new community hall.
- **Monitoring Fee** - £15,000.00

Time Limit for Commencement

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

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

Approved Plans

- 2) The development hereby permitted shall be carried out in accordance with the following list of approved plans:
 - a) Planning Submission Schedule (Dated 4 June 2024)

Unless otherwise required by another condition of this permission.

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

Before Development is Commenced

Archaeological Investigation

- 3) Before the development hereby permitted is commenced, the programme of archaeological investigations shall have been completed in accordance with the approved Written Scheme of Investigation for Archaeological Evaluation Trenching (Lanpro) (June 2022), and a report submitted to and approved in writing by the Local Planning Authority.

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

Construction Management Plan

- 4) No development shall take place until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. The Plan and Statement shall include measures to mitigate

the adverse impacts during the construction stages of the permitted development and shall include:

- a. The phasing of the development, including access construction and build routes.
- b. The on-site parking of all vehicles of site operatives and visitors.
- c. The on-site loading and unloading of all plant and materials.
- d. The on-site storage of all plant and materials to be used in constructing the development.
- e. Dust suppression measures.
- f. Wheel washing facilities.
- g. A strategy stating how surface water runoff on and from the development will be managed during the construction, and protection measures for any sustainable features. This should include drawing(s) showing how the drainage systems (temporary or permanent) connect to an outfall (temporary or permanent) during all construction works.

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

Reason: In the interests of residential amenity, and to prevent flooding upstream or downstream of the application site.

Part M4(2) Dwellings

- 5) Before any part of the development hereby permitted is commenced, a plan indicating the provision of 10% of the dwellings as being Accessible and Adaptable in line with the standards set out in Part M4(2) of the Building Regulations, shall have been submitted to and approved in writing by the Local Planning Authority.

Thereafter, the development shall be completed in accordance with the approved details and the dwellings shall be retained as such for the lifetime of the development.

Reason: To ensure that the development meets the needs of all future residents as required by Policy H4 of the adopted Local Plan.

Surface Water Drainage Strategy

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

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

Thereafter, no dwelling shall be occupied until the approved scheme has been completed or provided on site in accordance with the approved phasing. The approved scheme shall be retained and maintained in full, in accordance with the approved details.

Reason: To ensure that the permitted development is adequately drained without creating or increasing flood risk to land or property adjacent to, or downstream of, or upstream of, the permitted development.

Tree Protection Measures

- 7) Before the development hereby permitted is commenced, including bringing any plant or materials on to the site, the tree protection measures indicated on the Tree Protection Plan (Ref: RSE_6038_TPP/Rev V3) shall have been implemented in full.

Thereafter, the protection measures shall be retained on site until all works have been completed.

Reason: In the interests of visual amenity and for the avoidance of doubt.

Estate Road Phasing Plan

- 8) Before the development hereby permitted is commenced, an Estate Road Phasing and Completion Plan shall be submitted to and approved in writing by the Local Planning Authority. The Plan shall set out how the construction of the development will be phased and standards to which the estate roads on each phase will be completed during the construction period of the development.

Thereafter, the development shall be undertaken in accordance with the approved details.

Reason: To ensure that a safe and suitable standard of vehicular and pedestrian access is provided for residents throughout the construction period of the development.

During Building Works

EV Charging Points Plan

- 9) No development above damp-proof course shall take place until a plan detailing the local of electric vehicle charging points, as required by Local Plan Policy SB1, has been submitted to and approved in writing by the Local Planning Authority.

Thereafter, the approved electric vehicle charging points shall be installed prior to first occupation of the dwellings hereby permitted.

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

Construction Hours

- 10) 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 plant and machinery, radios and the delivery of construction materials.

Reason: To minimise noise impacts on nearby residential dwellings.

Delivery Hours

- 11) Deliveries of construction materials shall only take place between the hours of 0800 and 1700 Monday to Friday, and 0900 and 1700 on Saturdays. Deliveries shall not take place on Sundays or public holidays.

Reason: To minimise noise impacts on the adjacent residential dwellings.

Ecological Mitigation

- 12) All works on site, including construction and delivery works, shall be carried out in accordance with the recommendations contained within Section 6 of the Ecological Appraisal (BSG Ecology) (December 2022), unless otherwise agreed in writing by the Local Planning Authority.

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

Previously Unidentified Contamination

- 13) Should the developer, during excavation and construction works of the approved development site, find any area where it is suspected that the land is contaminated, then all works must stop and the Local Planning Authority notified immediately. An investigation and risk assessment must be undertaken, and where remediation is necessary, a remediation scheme must be prepared in accordance with current good practice and legislation, and submitted to and approved in writing by the Local Planning Authority. Thereafter, the approved remediation scheme shall be implemented in accordance with the approved details.

Following the completion of the measures identified in the approved remediation scheme, a verification report must be prepared, which is subject to the approval in writing by the Local Planning Authority prior to the first occupation of the dwellings hereby permitted.

Reason: previous activities associated with the site may have caused, or had the potential to cause, land contamination and to ensure that any site investigation 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 of the Local Plan.

Before the Development is Occupied

Sustainable Building

- 14) Prior to the occupation of each dwelling hereby permitted, works shall be undertaken to conform with the sustainable building measures detailed in the approved Sustainability Statement (JSP Sustainability) (October 2022).

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

Materials Compliance

- 15) Before each dwelling hereby permitted is first occupied, the external materials must have been completed in accordance with the approved Proposed Charter Plan (Ref: BA/CP/01/Rev A) and the corresponding approved housetypes pack detailed in the Drawing Schedule (4 June 2024).

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

Hard Landscaping

- 16) Before any part of the development hereby permitted is occupied, all hard landscaping works, including the proposed children's play area, and street surfacing, shall have been completed in accordance with the approved Proposed Charter Plan (Ref: BA/CP/01/Rev A).

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

Boundary Treatments

- 17) Before each dwelling hereby permitted is occupied, the works to provide the boundary treatments relating to that part of the development shall have been completed in accordance with the approved Proposed Charter Plan (Ref: BA/CP/01/Rev A) and the approved Landscaping Plan (Ref: 10821-FPCR-XX-XX-DR-L-003 P13, 10821-FPCR-XX-XX-DR-L-004 P13 and 10821-FPCR-XX-XX-DR-L-005 P13).

Reason: To provide a satisfactory appearance to any boundary treatments and by screening rear gardens from public view, in the

interests of the privacy and amenity of the occupants of the proposed and neighbouring dwellings and in accordance with Policy DE1 of the adopted South Kesteven Local Plan.

Travel Plan Compliance

- 18) Before any dwelling hereby permitted is occupied, the measures contained with the approved Travel Plan (Bancroft Consulting) (January 2023) (Revision) shall be implemented in accordance with the approved details, and shall continue to be implemented for as long as any part of the development is occupied.

Reason: In order that the permitted development conforms to the requirements of the National Planning Policy Framework, by ensuring that access to the site is sustainable and that there is reduced dependency on the private car for journeys to and from the development.

Reedings Road / Owen Way junction

- 19) Before any part of the development is occupied, all of that part of the estate road and associated footways that forms the junctions with Reedings Road and Owen Way, and which will be constructed within the limits of the public highway, shall be laid out and constructed to finished levels in accordance with details to be submitted to, and approved in writing by the Local Planning Authority.

Reason: In the interest of safety, to avoid the creation of pedestrian trip hazards within the public highway from surfacing materials, manholes and gullies that may otherwise remain for an extended period of time at dissimilar, interim construction levels.

Ongoing Conditions

Soft Landscaping

- 20) 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 completed in accordance with the approved planting plans:

- FPCR, Detailed POS Planting Sheet 1 of 5, drawing number 10821-FPCR-XX-XX-DR-L-0001 P14
- FPCR, Detailed POS Planting Plan Sheet 2 of 5, drawing number 10821-FPCR-XX-XX-DR-L-0002 P14

- FPCR, Detailed On-Plot Planting Pan, drawing number 10821-FPCR-XX-XX-DR-L-003 P13
- FPCR, Detailed On-Plot Planting Pan, drawing number 10821-FPCR-XX-XX-DR-L-004 P13
- FPCR, Detailed On-Plot Planting Pan, drawing number 10821-FPCR-XX-XX-DR-L-005 P13

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

Soft Landscaping Protection

- 21) Within a period of five years from the first of occupation of the final dwelling 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 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 and EN2 of the adopted South Kesteven Local Plan.

Landscape Ecology Management Plan

- 22) Following first occupation of the final dwelling hereby permitted, the approved Landscape Ecology Management Plan (BSG Ecology) (October 2022) shall be adhered to in full, unless otherwise agreed in writing by the Local Planning Authority.

Reason: Soft landscaping makes an important contribution to the development and its assimilation with its surroundings, and in the interests of best ecological practice; and in accordance with Policy DE1 and EN2 of the adopted South Kesteven Local Plan.

14. Application S24/0413

Proposal:	Conversion and extension of barns to form two dwellings.
Location:	Chestnuts Farm, Village Street, Sapperton, NG34 0TB
Recommendation:	To authorise the Assistant Director – Planning to GRANT planning permission, subject to conditions.

Noting comments in the public speaking session by:

On behalf of the Applicant Mike Sibthorp

Together with:

- Provisions within SKDC Local Plan 2011-2036.
- Comments received from Heritage Trust of Lincolnshire.
- Comments received from Environmental Protection.
- Comments received from Historic England.
- No comments received from the Parish Council.
- Comments received from LCC Highways & SuDS Support.

(Councillor Sarah Trotter declared that she had called-in the application, however, would consider the application with an open-mind).

During questions to Public Speakers, Members commented on:

- Whether the windows had any impact on neighbouring properties.

The Public Speaker confirmed that there didn't seem to be any impact on neighbouring properties, it was a conversion of an existing building. The new addition to the site proposed was the inclusion of a garage, which was separated from adjoining properties at a distance.

- Concern was raised on the location of the proposed garage and whether it would remain as a garage and office. It was queried as to whether the use of the garage would be changed to a B&B in the future.

The intention of the Applicant's was for the proposed garage to remain as a home office and garage. Planning permission would not include the garage to be used as a B&B. This could be secured by condition, if necessary.

That the existing barn would be part of the access route to the proposed garage.

The Planning Officer confirmed that a condition could be included to ensure restriction of the use.

During questions to Officers and debate, Members commented on:

- Clarification was sought on whether the existing property and the extension would use the access route already in place.

It was highlighted that all new windows proposed were open countryside facing and the access route was existing.

- That the application boundary slightly overlapped into agricultural land.

The boundary would be covered by the application being considered.

Members raised the positive outlook that the application would have on the village.

- It was noted that the proposed extension could not be seen from overlooking windows from neighboring properties, due to landscaping.

It was proposed, seconded and **AGREED** to authorise the Assistant Director – Planning to **GRANT** planning permission, subject to conditions and the inclusion of another condition to restrict the use of the garage/home office to incidental to the enjoyment of the dwelling house and is not independently let or used as a separate dwelling or Air B&B let.

Time Limit for Commencement

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

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

Approved Plans

- 2) The development hereby permitted shall be carried out in accordance with the following list of approved plans:
 - i. Block Plan 1890.A.1A received 8 March 2024
 - ii. Garage Floor Plan & Elevation 1890.A.6A received 8 March 2024
 - iii. Proposed Floor & Elevation Plan 1890.A.3A received 8 March 2024
 - iv. Proposed Floor & Elevation Plan 1890.A.5A received 8 March 2024

Unless otherwise required by another condition of this permission.

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

Before the Development is Commenced

- 3) Before the development hereby permitted is commenced an updated bat survey shall be undertaken by an experienced ecologist which shall be submitted and approved in writing by the Local Planning Authority. The survey shall identify any necessary mitigation measures to ensure no harm to any identified bats. Prior

to occupation the works shall be carried out with any identified mitigation measures.

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

- 4) No development shall take place until a scheme for biodiversity mitigation and enhancement has been submitted to and agreed in writing by the local planning authority. The scheme shall be based upon the recommendations of the Preliminary Ecological Appraisal dated February 2020 (including further survey work where necessary) and shall include but not be limited to measures for creation of new habitats for bats and birds. 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, prior to the first occupation of the dwellings hereby permitted.

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

- 5) Before the development hereby permitted is commenced, a written scheme of archaeological investigation must have been submitted to and approved in writing by the Local Planning Authority. The programme must include a provision for recording the historic assets within the site prior to any works being undertaken. The works must then be carried out in line with the written scheme of investigation.

Reason: In order to provide a reasonable opportunity to record the history of the site and in accordance with Policy DE1 of the adopted South Kesteven Local Plan and Paragraph 205 of the NPPF.

- 6) No development shall take place until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. The Plan and Statement shall include measures to mitigate the adverse impacts during the construction stages of the permitted development and shall include:

- a. The phasing of the development, including access construction
- b. The on-site parking of all vehicles of site operatives and visitors
- c. The on-site loading and unloading of all plant and materials.
- d. The on-site storage of all plant and materials used in constructing the development.
- e. Dust suppression measures
- f. Wheel washing facilities
- g. A strategy stating how surface water runoff on and from the development will be managed during construction, and protection measures for any sustainable drainage features. This should include drawing(s) showing how the drainage systems (temporary or permanent) connect to an outfall (temporary or permanent) during all construction works.

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

Reason: In the interests of the residential amenity of the neighbouring properties.

During Building Works

- 7) Before any hard landscaping works are commenced, details of hard landscaping works shall have been submitted to and approved in writing by the Local Planning Authority. Details shall include:

- i. finished levels and contours;
- ii. means of enclosure;
- iii. car parking layouts;
- iv. other vehicle and pedestrian access and circulation areas;
- v. 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 of the adopted South Kesteven Local Plan.

- 8) Before any construction work above foundation level is commenced, details of any soft landscaping works shall have been submitted to and approved in writing by the Local Planning Authority. Details shall include:

- i. planting plans;
- ii. written specifications (including cultivation and other operations associated with plant and grass establishment);
- iii. schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate;

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

- 9) Should the developer during excavation and construction works of the said development site find any area of the site where it is suspected that the land is contaminated then all works must stop, and the local planning authority notified immediately. An investigation and risk assessment must be undertaken and where remediation is necessary a remediation scheme must be prepared in accordance with current good practice and legislation and submitted to and approved by the Local Planning Authority, and the approved remediation shall thereafter be implemented. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority.

Reason: To ensure that works do not cause pollution in the interests of the amenities of the future residents and users of the development; and in accordance with Policies EN2 and EN4 of the adopted South Kesteven Local Plan.

- 10) No development above damp-proof course shall take place until details demonstrating how the proposed dwelling would comply with the requirements of Local Plan Policy SB1 relating to the provision of electric car charging points have been submitted to and approved by the Local Planning Authority.

The approved sustainable building measures shall be completed in full, in accordance with the agreed scheme, prior to the first occupation of the dwelling hereby permitted.

Reason: To ensure the development mitigates and adapts climate change in accordance with Local Plan Policy SB1 and SD1

- 11) Construction work shall only be carried out between the hours of 7:30 am to 6:00 pm, Monday to Friday and 9:00 am to 1:00 pm on a Saturday. Construction work shall not be carried out on Sundays or Public Holidays. The term 'construction work' shall include

mobile and fixed plant/machinery, (e.g. generators) radios and the delivery of construction materials.

Reason: In order to minimise impacts on the occupiers of adjacent residential dwellings, in accordance with Policy DE1 of the South Kesteven Local Plan

- 12) During construction work, deliveries of construction materials shall only take place between 8:00 am and 5:00 pm, Monday to Friday and between 9:00 am and 5:00 pm on a Saturday. No deliveries shall take place on a Sunday or Public Holiday.

Reason: In order to minimise noise impacts on the occupiers of adjacent residential dwellings, in accordance with Policy DE1 of the South Kesteven Local Plan.

Before the Development is Occupied

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

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

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

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

Ongoing

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

Reason: Soft landscaping and tree planting make an important contribution to the development and its assimilation with its

surroundings and in accordance with Policies DE1, EN3 and OS1 of the adopted South Kesteven Local Plan.

- 16) Within a period of five years from the first occupation of the development hereby permitted, any trees or plants provided as part of the approved soft landscaping scheme, that die or become, in the opinion of the Local Planning Authority, seriously damaged or defective, shall be replaced in the first planting season following any such loss with a specimen of the same size and species, unless otherwise agreed 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 and EN2 of the adopted South Kesteven Local Plan.

- 17) Notwithstanding the provisions of Schedule 2, Part 1, Classes A, B & C 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 window, dormer window, rooflight or other shall be inserted into the elevations of the property other than those expressly authorised by this permission without Planning Permission first having been granted by the Local Planning Authority.

Reason: To safeguard the amenities of the occupiers of nearby properties.

- 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 building, enclosure, swimming or other pool or container used for domestic heating purposes shall be constructed within the curtilage of the dwellinghouse without Planning Permission first having been granted by the Local Planning Authority.

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

19) 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 to the property other than those expressly authorised by this permission shall be carried out without Planning Permission first having been granted by the Local Planning Authority.

Reason: To safeguard the amenities of the occupiers of nearby properties.

20) The approved detached garage to the approved dwelling identified as Hazel Barn on the approved plans, shall only be occupied for purposes which are ancillary to the residential use of the dwelling identified as Hazel Barn. The building shall not be let, leased, sold, split in title, or otherwise occupied such as to constitute the formation of an independent planning unit. Separate utilities, utility meters, oil tanks or septic tanks shall not be installed. A separate posts address shall not be created for the building.

Reason: The establishment of a further independent planning unit would result in material changes that would require further assessment by the Local Planning Authority.

15. Application S24/0606

Proposal: Maintenance and repair works to the clock lantern, pitched roofs, stone parapet copings and bracketed stone cornice

Location: Guildhall Arts Centre, St Peter's Hill, Grantham, Lincolnshire, NG31 6PY

Recommendation: To authorise the Assistant Director for Planning to GRANT listed building consent subject to conditions

Together with:

- Provisions within South Kesteven Local Plan 2011-2016, Design Guidelines for Rutland and South Kesteven Supplementary Planning Document and National Planning Policy Framework (NPPF).
- No comments received from Historic England.

During questions to Officers and debate, Members commented on:

- Clarification was sought on whether costs were considered, following the planning application being heard.

The Assistant Director of Planning highlighted that the costs were not a material consideration to the application. The application was for listed building consent and would allow works to take place, if granted. The Council would make various decisions around costs, separate to the planning process.

Members discussed the importance of maintaining a historic building.

The Committee were being requested to grant listed building consent. Any further decisions the Council may wish to take as landowner, would be dealt with separately.

It was proposed, seconded and **AGREED** to authorise the Assistant Director for Planning to **GRANT** listed building consent subject to conditions:

Time Limit for Commencement

- 1 The works hereby consented shall be commenced before the expiration of three years from the date of this consent.

Reason: In order to ensure that the works are commenced in a timely manner, as set out in Sections 18 and 74 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended).

Approved Plans

- 2 The works hereby consented shall be carried out in accordance with the following list of approved plans and reports:

- i) Location Plan received 10 April 2024
- ii) Schedule of Works received 4 December 2023
- iii) Paint Specification received 4 December 2023
- iv) Design and Access Statement received 10 April 2024

Unless otherwise required by another condition of this permission.

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

During Building Works

- 3 Before any of the works on the external elevations for the building(s) hereby permitted are begun, samples of the materials (including colour of any slates, stonework, or paintwork) to be used in the construction of the external surfaces shall have been submitted to and approved in writing by the Local Planning Authority.

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

Reason: To ensure a satisfactory appearance to the development and in accordance with Policies EN6 and DE1 of the adopted South Kesteven Local Plan.

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

There were none.

17. Close of meeting

The Chairman closed the meeting at 14:30.

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**SOUTH
KESTEVEN
DISTRICT
COUNCIL**

Planning Committee

11 July 2024



S24/0360

Proposal:	Installation of a solar farm comprising ground mounted solar photovoltaic panels, including mounting systems, inverters, underground cabling, stock proof fencing, CCTV, internal access tracks, electrical substation and associated infrastructure for a temporary period of 40 years.
Location:	Land west of Church Lane, Welby
Applicant	Padero Solaer Ltd (PS Renewables)
Application Type:	Full Planning Permission (Major)
Reason for Referral to Committee:	Called in by Cllr Sarah Trotter for the following reasons: <ul style="list-style-type: none"> • Negative impact on the District's agricultural land asset due to loss of Best and Most Versatile Agricultural Land • Ineffective use of land • Absence of local community support
Key Issues:	Climate Change / Principle of Development Effect of the proposal on agricultural land Effect of the proposal on the character and appearance of the area Effect of the proposal on biodiversity and ecology
Technical Documents:	<ul style="list-style-type: none"> • Planning Statement • Design and Access Statement • Statement of Community Involvement • Environmental Report • Archaeological Desk Based Assessment • Setting Impact Assessment • Ecological Impact Assessment • Draft Landscape and Ecological Management Plan • Flood Risk Assessment • Landscape and Visual Appraisal • Construction Traffic Management Plan • Agricultural Land Classification and Agricultural Land Asset Impact Statement

Report Author

Adam Murray – Principal Development Management Planner



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Corporate Priority:	Decision type:	Wards:
Growth	Regulatory	Lincrest

Reviewed by:	Phil Jordan, Development Management & Enforcement Manager	2 July 2024
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Recommendation (s) to the decision maker (s)

To authorise the Assistant Director – Planning to GRANT planning permission, subject to conditions.

1 Description of the site

- 1.1 The application site comprises an area of approximately 43.65 hectares (107.86 acres) of irregular shaped land situated to the west of Church Lane / east of High Dike (B5403), and situated approximately 1km to the south of the village of Welby and circa 5km north-east of the town centre of Grantham. The site currently comprises of 6(no) fields of agricultural land, which are currently in agricultural use, and form part of a single agricultural unit. The site lies within an area of broadly flat topography with the land falling slightly to the south-east from 121m AOD to 117m AOD.
- 1.2 The application site primarily follows the established field boundaries, with the exception of the southern boundary which does not follow a clearly defined physical feature. All other internal and external boundaries of the site are marked by mature hedgerow and vegetation, with some sporadic mature trees within the site, which are primarily positioned along the internal field boundaries.
- 1.3 The site is bound to on all sides by open countryside, including further agricultural land. Access to the site is proposed to be taken via an existing agricultural field access situated on Church Lane to the east of the site; but is separated from the main body of the site by a 2 fields of land. Similarly, High Dike (B6043) runs adjacent to the site's western boundary, but is separated from the main body of the site by a further agricultural field.
- 1.4 As indicated above, the proposed development site lies outside of the main built-up area of defined settlement within the District – the nearest settlement is Welby, which is located approximately 0.7km from the northern boundary of the proposed development site – and therefore, the site falls to be defined as being located within the Open Countryside. The site is also identified as being within Flood Zone 1 of the Flood Map for Planning, but includes areas of medium and higher surface water flood risk. Furthermore, the Natural England Provisional Agricultural Land Classification Maps identify the site as being Grade 3 agricultural land value; a detailed Agricultural Land Classification Survey has been completed as part of the application submission, and this is discussed in further detail below. The site also falls within a Minerals Safeguarding Area for Limestone as designated in the Lincolnshire Minerals and Waste Local Plan: Core Strategy and Development Management Policies DPD (Adopted June 2016).
- 1.5 The site is not subject to any statutory landscape designations. However, the site is located within the Southern Lincolnshire Edge Landscape Character Area (South Kesteven Landscape Character Assessment, 2007), which is defined by the large-scale, open arable landscape character; and comprises of open rectilinear fields under arable cultivation with some fragmented hedgerow trees, which allow extensive views.
- 1.6 Similarly, the proposed development site does not contain any designated built heritage assets, but there are a number of designated built heritage assets located within the surrounding area; including the Grade I Listed Belton House and its associated Registered Park and Garden (approx. 2.5km north-west), Grade I Listed Church of St. Bartholomew, Welby (approx. 1km to the north), Grade II* Listed Church of St. John the Baptist (approx. 1.7km north-west), and the scheduled Site of the Cistercian Grange (approx. 1.75km east).
- 1.7 Furthermore, whilst the site is not subject to any ecological designations, it is noted that Church Lane is identified as a Local Wildlife Site and forms one of ten LWS' within 2km of the proposed development site. The nearest nationally designated site is the Kirton Wood Site of Special Scientific Interest, which is approximately 3.5km to the south-east.

- 1.8 The proposed development site has not been the subject of any previous planning applications. However, the application proposals have been the subject of an Environmental Impact Assessment [EIA] Screening Opinion (LPA Ref: S23/0587) in July 2023, which concluded that the proposed development was not defined as being EIA development, and therefore, the current application was not required to be accompanied by an Environmental Statement.
- 1.9 Furthermore, whilst the site is not located within close proximity of any of the approved planning permission for solar development within the District, it is acknowledged that there are currently 2 planning applications for solar development within the immediate vicinity of the site, which are pending consideration by the Local Planning Authority. These are as follows:
- LPA Ref: S24/1040 – Pastures Farm, High Dike, Welby – approximately 110 hectares of land situated to the north of Welby (approximately 2.2km north of the current application site), which is proposed to use the same grid connection point as the current application scheme.
 - LPA Ref: S23/2199 – Land at High Dike, Londonthorpe (Ash Tree Solar Farm)– approximately 141 hectares of land situated to the north-west of Welby, on the opposite side of the High Dike (approximately 2km north-west of the current application site), which also proposes to use the same grid connection point as the current application scheme.

2 Description of the proposal

- 2.1 The current application seeks full planning permission for the installation of solar farm comprising ground mounted solar photovoltaic panels, including mounting systems, inverters, underground cabling, stock proof fencing, CCTV, internal access tracks, electrical substation and associated infrastructure for a temporary period of 40 years.
- 2.2 The proposed solar farm is anticipated to have an energy generating capacity of up to 24 megawatts (MW), and would be operational for a temporary 40 year period; with all equipment removed from the site at the end of the operational period, and the land subsequently returned to its current agricultural use.
- 2.3 The application states that the solar farm would provide the equivalent energy needs of approximately 9000 homes in the UK.
- 2.4 The application submission has been accompanied by a series of Proposed Plans and Elevations, as well as detailed technical assessments, which indicate that the development would consist of the following:
- 2.5 Approximately 62,000 Solar Photovoltaic (PV) panels based on a simple metal framework (table) facing south to form an array. The proposed arrays would be tilted between 15 and 35 degrees from the horizontal axis and would be a maximum height of 3.5m above ground.
- 2.6 Up to 6 combined inverter / transformer cabins would be positioned around the site and would measure 10.5 in length, 2.6m in width and would have a maximum height of 3m.
- 2.7 A Customer Substation (Delivery Station) and DNO Station, which would both be 9m in length, 2.5m in width and 4.2m in height are proposed to be positioned in the south-west corner of the site, adjacent to the proposed grid connection corridor.

- 2.8 A Control Room would also be positioned in the south-west corner of the site and would measure 10.5m in length, 2.6m in width and 3m in height.
- 2.9 Boundary fencing (deer fencing) around the site perimeter which would be 2m high and would include a gap at the bottom for small mammals to pass through.
- 2.10 CCTV cameras are proposed to be positioned on a 2.8m monopole located around the boundary of the site.
- 2.11 Internal access tracks totalling 600m would be constructed of compacted stone of aggregate. An additional 2km of existing access tracks would also be utilised and are proposed to be upgraded.
- 2.12 The proposed development would connect to the National Grid via an existing substation located approximately 1.1km to the west of the site, with connection made via a cable buried underground, and running through agricultural fields to the west of High Dike.
- 2.13 Access to the site is proposed to be taken via the existing agricultural field access into the site from Church Lane to the east. The access is proposed to be used for construction of the proposed development, as well as the operational period, including periodic attendance by maintenance operatives.
- 2.14 The application submission has also been accompanied by a Proposed Landscape Mitigation Plan, which indicates that the existing boundary and internal hedgerow will be retained and enhanced through gapping up with native hedgerow; further additional native hedgerow is to be planted on open boundaries to the south of the site. The existing northern hedgerow boundary is to be planted with new oak trees. Within the site, the existing agricultural land is proposed to be seeded with native species and species rich grassland.

3 Relevant History

Application Ref	Description of Development	Decision
S23/0587	Request for an EIA Screening Opinion for the installation and operation of a solar farm with associated infrastructure	EIA Not Required 20.07.23

4 Policy Considerations

- 4.1 **South Kesteven Local Plan 2011-2036 (Adopted January 2020)**
 Policy SD1 – The Principles of Sustainable Development in South Kesteven
 Policy SP1 – Spatial Strategy
 Policy SP5 – Development in the Open Countryside
 Policy EN1 – Landscape Character
 Policy EN2 – Protecting and Enhancing Biodiversity and Geodiversity
 Policy EN4 – Pollution Control
 Policy EN5 – Water Environment and Flood Risk Management
 Policy EN6 – The Historic Environment
 Policy DE1 – Promoting Good Quality Design
 Policy RE1 – Renewable Energy Generation
 Policy ID1 – Infrastructure for Growth
 Policy ID2 – Transport and Strategic Transport Infrastructure
Local Plan Appendix 3 – Renewable Energy

- 4.2 **Lincolnshire Minerals and Waste Local Plan: Core Strategy and Development Management Policies DPD (Adopted June 2016)**
Policy M11 – Safeguarding of Mineral Resources
- 4.3 **Design Guidelines for Rutland and South Kesteven Supplementary Planning Document (Adopted November 2021)**
- 4.4 **National Planning Policy Framework (NPPF) (Published December 2023)**
Section 2 – Achieving sustainable development
Section 4 – Decision-making
Section 9 – Promoting sustainable transport
Section 11 – Making effective use of land
Section 12 – Achieving well-designed and beautiful places
Section 14 – Meeting the challenge of climate change, flooding and coastal change
Section 15 – Conserving and enhancing the natural environment
Section 16 – Conserving and enhancing the historic environment
Section 17 – Facilitating the sustainable use of minerals
- 4.5 **National Policy Statement for Energy (EN1) (Published November 2023)**
- 4.6 **National Policy Statement for Renewable Energy (EN3) (Published November 2023)**

5 Representations Received

5.1 Association of Gardens Trust

5.1.1 No comments to make

5.2 Civil Aviation Authority

5.2.1 No comments received.

5.3 Defence Infrastructure Organisation

5.3.1 No comments received.

5.4 Environment Agency

5.4.1 No comments received

5.5 Heritage Lincolnshire

5.5.1 No objection subject to conditions.

5.5.2 A desk-based archaeological assessment has been undertaken to assess the potential archaeological impacts of the proposed solar farm. A geophysical survey identified a number of anomalies of possible archaeological origin across the site. In November 2023, a programme of archaeological trial trenching was undertaken and identified archaeological remains of Roman and Iron Age date. Reports describing the results of the above projects have been submitted in support of the application.

5.5.3 The archaeological evaluation has established that archaeological remains are present on the site. A mitigation strategy is now required. The Construction Management Plan should refer to the archaeological mitigation strategy and establish a mechanism for its implementation. All archaeological fieldwork to be undertaken for the mitigation strategy should be in accordance with a Written Scheme of Investigation approved by the Local Planning Authority.

5.6 Historic England

5.6.1 No objections.

5.7 Lincolnshire County Council (Highways & SuDS)

5.7.1 No objections subject to conditions.

5.7.2 It is proposed that the site will be accessed off the A52 and then Church Lane. Although the A52 is capable of taking the vehicle movements, Church Lane is narrow. Therefore, to prevent traffic backing up onto the A52 when trying to turn into the site or vehicles over-running Church Lane, the Highways Authority request that five passing places are installed along Church Lane.

5.7.3 As Lead Local Flood Authority, the application is proposing that the site continue to drain as it does naturally, due to the fact that there is little increase in impermeable areas on the site. Therefore, the Lead Local Flood Authority does not consider that this proposal would increase flood risk in the immediate vicinity of the site.

5.8 Lincolnshire County Council (Planning Policy)

5.8.1 Objection.

5.8.2 Failure to protect the best and most versatile agricultural land contrary to Policy SP1 of the adopted South Kesteven Local Plan (2020) and New Policy 2 of the draft Local Plan (2024). The land within the proposed development site is classified as a mix of Grade 2, Grade 3a and Grade 3b agricultural land with the loss to food production therefore, of some good quality and very good quality land.

5.8.3 This development and its construction (on a site of over forty hectares) will impact the surrounding rural landscape character and impact visual amenity, including through glint and glare. This will be exacerbated by the cumulative impacts of other nearby applications. This is contrary to Policy SP5 and EN1 of the adopted Local Plan.

5.9 Lincolnshire County Council (Public Rights of Way & Access)

5.9.1 Comment.

5.9.2 The proposed development site is subject to an application seeking a definitive map modification order to add to the legal record of public rights of way, a restricted byway.

5.9.3 We advise that provision be made in the proposed scheme for the full 60-foot width public road recorded in the Enclosure Award, as this would mitigate any issues arising in the future should a DMMO be made and confirmed. Planning permission would grant the right to development, and would not provide licence to obstruct a public right of way. Failure to take the full width of the public road into account in the scheme could result in enforcement action being taken to make the route available for public use should it be proven to be a public right of way by way of the evidence-driven statutory processes.

5.10 Lincolnshire Fire and Rescue

5.10.1 No objections.

5.11 Lincolnshire Wildlife Trust

5.11.1 Comment.

5.11.2 We are encouraged to see the applicant has undertaken a full BNG assessment of the site as well as measures to incorporate areas for ground nesting birds, such as skylark, following our response to the EIA request.

- 5.11.3 In regards to the habitats to be created on site, we would strongly encourage use of a seed mix that includes flowering plant species as opposed to grass only mix. The field parcels fall under the “Biodiversity Opportunity Mapping” carried out by the Greater Lincolnshire Nature Partnership and are designated as areas of “opportunity for creation”. This highlights the strategic significance of the site in contributing to the Local Nature Recovery Strategy.
- 5.11.4 In view of this, we feel a different seed mix should be used that contains both grasses and wildflowers in order to provide important nectar sources for pollinators, other invertebrates and thereby taxa of higher trophic levels. The two closest road verges to the site are both areas of calcareous grassland which should be the desired habitat to be created on site.
- 5.11.5 We note that there is no intention to enhance the small parcel of woodland on site. Given the two parcels fall just short of achieving a moderate condition, we feel that minor interventions could be made during the habitat management phase to improve the condition of these wooded areas. A similar measure may be taken with hedgerow management in which cutting can be reduced to encourage the growth of the hedge, as well as enabling them to provide more flowers as well as fruit for declining wintering birds which rely on this food source.
- 5.11.6 Subject to permission being granted, we would request a habitat management and monitoring plan for the full period of the project.
- 5.12 **National Grid**
- 5.12.1 No comments received.
- 5.13 **National Highways**
- 5.13.1 No objections.
- 5.14 **National Trust**
- 5.14.1 Comment.
- 5.14.2 It is noted that the applicant’s Setting Impact Assessment has considered Belton and the Registered Park and Garden. Also, highlighting the relevance of the landscape setting and the importance of key approaches. The unique position of Bellmount Tower as a viewing platform is discussed. However, there is greater potential for the applicant to consider rooftop eastward and south-eastward views to help shape their analysis. The applicant’s Landscape and Visual Appraisal also appears to consider viewpoints relatively close to the application site, which could be expanded.
- 5.14.3 Attention is drawn to the Belton House and Park Setting Study (2010), jointly commissioned by South Kesteven District Council and the National Trust which offers a wider analysis of setting. This could be given greater attention by the Applicant.
- 5.14.4 Given both the topography and separation distances, it is considered that there is less risk to the more intimate, experiential nature of setting associated with Belton’s eastern parkland. There may be some wider intervisibility between the parkland and the application site, with the introduction of a more functional visual feature in the wider landscape. This is also accounting for the construction phase, alongside additional security measures and infrastructure.
- 5.14.5 With regard to Belton’s significance and setting, the National Trust request that relevant heritage, landscape and ecological review is carried out within the decision-making process.

Also, that the potential cumulative impact of this, and nearby, solar farm proposals are given due consideration.

5.14.6 More broadly, if SKDC consider that this application should be approved, we request that the type and nature of solar panels is agreed to minimise the risk of glint and glare in the wider landscape. This includes the use of non-glare / non-reflective type panels. Also, that all opportunity is taken to maximise visual screening in a measure suitable to the site and landscape. Finally, an appropriate site decommissioning and restoration plan should also be in place with robust associated conditions.

5.15 **Natural England**

5.15.1 No comments to make.

5.16 **SKDC Conservation Officer**

5.16.1 No objections raised.

5.16.2 The Applicant has provided an extensive Heritage Impact Assessment assessing the potential impacts upon heritage assets within 5km for Grade I and II* listed assets as well as scheduled monuments, as well as grade II listed assets in a 1km radius. Whilst this assessment addresses the potential impacts upon the Grade I and II* listed assets, as well as the Loundthorpe Conservation Area, there is a lack of assessment of the grade II listed buildings. The assessment regarding Belton House Park and Garden as well as the Grade I listed Church of St. Bartholomew appear appropriate in scale. There are a number of grade II listed buildings, especially in Welby, which may be affected.

5.17 **SKDC Environmental Protection Officer**

5.17.1 No objection, subject to conditions requiring compliance with Construction Management Plan.

5.18 **Welby Parish Council**

5.18.1 We recognise the need to decarbonise and achieve net zero targets and welcome the benefits of smart, cheaper, green energy.

5.18.2 We note from the EIA related to this submission that less than 1/3 of the proposed land is actually Grade 3B and none of it lower than Grade 3B. The vast majority of the land is of a much higher grade and consists of land that is actively farmed for arable crops. We note that, whilst agriculture and energy production are not mutually exclusive and in some instances will need to be shared by necessity, and that this land will have a supplemental use for livestock grazing, the loss of high grade arable land is of concern to our community. The relevant importance of food security versus energy security is a judgement that needs to be strongly considered.

5.18.3 The proposed development is one of three such schemes at various stages of planning and all are in close proximity to the village of Welby. The cumulative impact of loss of arable land, the impact to the fundamental nature of the landscape and the sense of encirclement needs to be noted.

5.18.4 The lack of unanimous community support for this submission and for the others.

5.18.5 The South Kesteven Local Plan does not make any provision for solar farms, which makes it difficult to recognise the basis for the approval of these plans.

5.18.6 Solar development is inefficient and may not result in net zero emissions over the course of the production and implementation of the development equipment.

6 Representations as a Result of Publicity

6.1 The application has been advertised in accordance with the Council's Statement of Community Involvement and letters of representation have been received from 14 interested parties, all of whom have raised formal objections. The material considerations raised within the representations can be summarised as follows:

(1) Principle of development

- The Local Plan does not allocate any land for solar development within the District.

(2) Impact of the development on agricultural land

- Objection to the loss of Grade 2 (Very Good) quality agricultural land.
- Insufficient assessment of alternative sites

(3) Effect of the development on the character and appearance of the area

- Objection to the impact of the development on the rural landscape character and setting.

(4) Effect of the development on heritage assets

- The proposed development would adversely affect the setting and significance of Belton House.

(5) Effect of the development on ecology and biodiversity

- The proposed development would have an adverse impact on protected species.

(6) Cumulative Impacts

- Objection to the cumulative impact of the proposed development in combination with the nearby applications on the rural landscape character.

(7) Effect of the development on glint and glare

- Adverse impact of the development on the landscape character, aviation and road users as a result of glint and glare

(8) Other Matters

- Insufficient information about the capacity and layout of the development.

7 Evaluation

7.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that the Local Planning Authority makes decisions in accordance with the adopted Development Plan, unless material considerations indicate otherwise. The Council adopted the South Kesteven Local Plan 2011-2036 on 30 January 2020, and this forms the Development Plan for the District and is the basis for decision-making for the current application.

7.2 The Lincolnshire Minerals and Waste Local Plan: Core Strategy and Development Management Policies DPD (Adopted June 2016) also forms the development plan for the District in relation to minerals planning.

- 7.3 The Local Planning Authority have also adopted a Design Guidelines Supplementary Planning Document (SPD) (Adopted November 2021), and this document is a material consideration in the determination of planning applications.
- 7.4 The policies and provisions set out in the National Planning Policy Framework (NPPF) (“the Framework”) (Published December 2023), and the National Policy Statements for Energy (EN1) and Renewable Energy (EN3) are also a relevant material consideration in the determination of applications.
- 7.5 **Principle of Development / Effect of the proposals on climate change**
- 7.5.1 It is noted that representations received from Welby Parish Council and members of the public have raised objections to the application proposal on the basis that the adopted Local Plan does not specifically allocate land for solar development. Similarly, it is also noted that representations received from Welby Parish Council have also raised objection on the basis that the application scheme does not benefit from local community support.
- 7.5.2 In this respect, it is acknowledged that the proposed development site is located outside of the main built-up area of an existing settlement within the District; the nearest settlement is Welby, which is located approximately 0.7km to the north of the site. Therefore, the site falls to be defined as being located with the Open Countryside. Policy SP5 (Development in the Countryside) limits development in such locations to that which has an essential need to be located outside of the existing built form of a settlement. This policy includes support for rural diversification projects. The proposed solar development would reasonably fall within the consideration of a rural diversification project, and therefore, would be acceptable within this open countryside location.
- 7.5.3 The application proposals would have a generating capacity of approximately 24MW and would provide sufficient energy generation to power the equivalent of 9,000 homes in the UK. This would make a positive contribution towards meeting the national objectives in respect of energy generation, and would also be consistent with the principles of the adopted Local Plan, which supports renewable energy generation in principle, subject to material considerations. It is also acknowledged that South Kesteven District Council has formally declared a climate emergency, and has also published a Climate Change Strategy (2023) which, amongst other things seeks to maximise opportunities for the District to become more self-sufficient for energy and to reverse biodiversity loss and expand existing habitats. It also recognises that the development of renewable energy at every level will be important to drive local energy generation and provide a tangible contribution to national Net Zero targets. These matters are both material considerations that weigh in favour of the application.
- 7.5.4 In assessing the application proposals against the specific policy obligations of Policy RE1 (Renewable Energy Generation):
- (a) A detailed Agricultural Land Classification Survey (Reading Agricultural Consultants) (January 2024) has been completed and identifies that 7.8ha (19%) of the site comprises Grade 2 (Very Good Quality) land, 19.7 ha (49%) comprises Grade 3A (Good Quality) land, and 13.0 hectares (32%) comprises Grade 3B (Moderate Quality) land. As such, the proposed development scheme would result in the temporary loss of Best and Most Versatile Agricultural Land (BMVAL) from active food production. The effect of the development on the District’s agricultural land resources is discussed in further detail below.

- (b) The application submission has been accompanied by a Statement of Community Involvement (PS Renewables) (February 2024), which provides a summary of the public consultation undertaken by the Applicant prior to the submission of the application. It is noted that representations received from Welby Parish Council and members of the public during the course of the consideration of the application have all raised objections to the proposed development and, therefore, it can be concluded that the proposal cannot demonstrate the support of the affected local community.

Notwithstanding this, it is noted that the Inspector's appeal decision for the Folkingham solar development (LPA Ref: S23/0511) concluded that Policy RE1 does not make any distinction between different types of renewable energy schemes and, in the absence of Appendix 3 (Renewable Energy) of the adopted Local Plan making any specific reference to requiring community support for solar development proposals, there is no firm basis for requiring such proposals to demonstrate the support of the local community. In addition, national policy does not require solar development to demonstrate support of the local community and, therefore, it was concluded that the imposition of such a requirement would be inconsistent with the requirements of the NPPF.

As such, whilst the application scheme does not benefit from the support of the affected local community, in light of the Folkingham appeal decision, it is concluded that this does not constitute a conflict with Policy RE1(b) in this case.

- (c) The application proposals would have a generating capacity of up to 24MW. Electricity generated from the development would be transferred to the National Grid via substation located approximately 1.1km to the west of the site, with connection made via a cable buried underground, and running through agricultural fields to the west of High Dike.
- (d) The submitted Planning Statement confirms that permission is sought for a temporary period of 40 years from the date of the first export of electricity from the site to the National Grid. The Statement also confirms that the site would be decommissioned at the end of the operational period.
- (e) Other relevant local and national planning policies and the prospective impacts of the development are discussed in further detail.

7.5.5 Taking the above into account, it is Officers' assessment that the principle of renewable energy generation development is supported by Policy SD1, SP1 and RE1 of the adopted Local Plan, subject to material considerations. These matters are discussed in further detail below.

7.6 **Effect of the development on agricultural land**

7.6.1 It is noted that representations received from Welby Parish Council and public representations have raised objections to the application on the basis that the proposed development would result in the loss of Grade 2 (Very Good) agricultural land, and that there has been insufficient assessment of alternative sites to justify the loss of this BMVAL.

7.6.2 As outlined above, the submitted Agricultural Land Classification Survey identifies that 7.8ha (19%) of the site comprises Grade 2 (Very Good Quality) land, 19.7 ha (49%) comprises Grade 3A (Good Quality) land, and 13.0 hectares (32%) comprises Grade 3B (Moderate Quality) land. As such, the proposed development scheme would result in the temporary

loss of 27.5ha Best and Most Versatile Agricultural Land (BMVAL) from active food production.

7.6.3 Policy SP1 and Criteria 9 of the Renewable Energy Appendix of the adopted Local Plan required development proposals to follow a sequential approach to the siting of solar energy development proposals; with the loss of BMVAL requiring robust justification and evidence that there is insufficient lower grade agricultural land to accommodate the development proposal.

7.6.4 In this respect, the current application scheme has been accompanied by an Alternative Sites Assessment (PS Renewables) (February 2024), which identifies the following key conclusions:

- In order to remain viable, a solar farm project connecting at a 33kV substation must typically be 5MW or greater and within 2.5km of the connection point.
- PSR identified four areas for further consideration. Having looked into these areas in greater detail, three were then identified as having land within them which may be suitable subject to further survey and a commercial agreement. PSR was able to reach a commercial agreement with the landowner which although identified as potentially containing some BMV land, was largely provisional Grade 3 agricultural land.
- Although the site was confirmed to contain a mix of BMV and non-BMV land, PSR's conclusion remained that the other plots of land provisionally identified as having some high-level suitability on potentially lower grade agricultural land were less suitable for development for a variety of planning, environment and technical reasons and could also have contained BMV land not identified within the provisional mapping.
- Taking the balance of planning and environmental considerations into account, PSR was unable to identify any suitable alternatives that were on lower grade agricultural land.

7.6.5 With regards to the above, it is the Case Officer's assessment that the submitted Alternative Sites Assessment does not provide adequate justification for the proposed use of BMVAL. In particular, it is Officer's assessment that the use of Grade 2 BMVAL for solar development within the District is unnecessary and has not been robustly justified.

7.6.6 Whilst it is accepted that the Provisional Agricultural Land Classification Maps identify large areas of the District as being Grade 3 land, and it is not possible to distinguish between Grade 3A (BMVAL) and Grade 3B (non-BMVAL), quality land without further investigation, even in the circumstances where a site is identified as being Grade 3A land, the use of this land would still be sequentially preferable to the use of Grade 2 (Very Good) quality land.

7.6.7 In this context, it is noted that the Alternative Sites Assessment also suggests that a maximum cable connection route of 2.5km is required in order for development proposals to remain viable. However, in this respect, it is acknowledged that the LPA are currently in receipt of a planning application for solar development at Welby Pastures, which is approximately 2.2km to the north of the site, and proposes to connect to the grid via the same 33kV substation at Londonthorpe. This site is located solely on Grade 3 land (40.3ha of Grade 3A BMVAL and 58.9ha of Grade 3B non-BMVAL), and therefore, indicates that a viable development could be provided on land of lower grade agricultural land quality. The fact that this land is currently subject to an application for solar development with an

alternative operator demonstrates that it is available for development, and would be deemed to be a reasonable alternative.

7.6.8 Taking the above into account, it is Officers' assessment that the application proposals have failed to demonstrate that there is insufficient poorer quality agricultural land to accommodate the development proposals. As such, the proposed development would result in the temporary loss of 27.5ha of BMVAL from food production, including 7.8ha of Very Good Quality Grade 2 land.

7.6.9 In view of the above, it is Officer's assessment that the application proposals would be contrary to Policy SP1 and Solar Energy Criteria 9 of the Renewable Energy Appendix of the adopted Local Plan. This policy conflict falls to be weighed in the overall planning balance.

7.7 **Effect of the development on the character and appearance of the area**

7.7.1 It is appreciated that representations received on the application due to the impact of the development on the rural landscape character and setting.

7.7.2 In this regard, it is acknowledged that the application site is not subject to any statutory landscape designations. However, the site is located within the Southern Lincolnshire Edge Landscape Character Area (South Kesteven Landscape Character Assessment, 2007), which is defined by the large-scale, open arable landscape character; and comprises of open rectilinear fields under arable cultivation with some fragmented hedgerow trees, which allow extensive views.

7.7.3 The application has been accompanied by a Landscape and Visual Appraisal (Stephenson Halliday) (February 2024), which identifies the following key conclusion(s):

- Access to the proposed development would be taken from Church Lane and formation of the new entrance would require a minor upgrade to an existing farm track. Formation of the internal access tracks would not require any hedgerow removal as they would pass through existing gaps at field boundaries. The overall field pattern boundary would be unaffected.
- There would be no loss of hedgerow, trees or other vegetation and therefore no adverse impacts on landscape fabric as a result of the operational phase of the development. The effect on the landscape fabric would be negligible neutral in Year 1, becoming minor beneficial as the new hedgerow, tree and grassland planning reaches maturity by year 10.
- The primary change in landscape character would arise from a localised change in landcover from arable fields to a solar scheme, surrounded by deer fencing although the land beneath and surrounding the array would be seeded to develop as grassland. Solar PV panels and associated infrastructure would introduce new, human-made structures, which would be perceived in the context of the locally agrarian landscape that is interrupted in part by existing pylons and movement of vehicles on surrounding roads. The height of the proposed structural would be largely consistent with the existing structure of the landscape in terms of existing hedgerows, trees and residential agricultural built form.
- Prior to the establishment of mitigation planting, the large scale of change would be experience over a limited extent within the surrounding fields whilst medium and small scale change would be experienced over a localised extent of the LCA from

publicly accessible areas and open land beyond. These effects would be medium term. There would be a Moderate magnitude of effect, resulting in a Moderate adverse effect on the landscape character within this area.

- Following the establishment of mitigation planting (assumed to be between 5 and 10 years), whilst there would remain a large scale of change within the site itself, the scale of change won landscape character beyond the site boundary would reduce to small or negligible. The changes identified would be experienced over a limited extent of the landscape in the long-term. There would be a slight magnitude of effect, resulting in a minor adverse effect on landscape character within the Southern Lincolnshire Edge LCA.

7.7.4 In respect of the above, it is the Case Officer's assessment that the proposed development scheme would invariably result in an impact on the landscape character of the area, as result of the change of use of the site and the introduction of the proposed large scale energy infrastructure. Whilst these impacts would be softened through the proposed soft landscaping scheme, there would remain an adverse visual impact on the landscape character, contrary to the requirements of Policy EN1 of the adopted Local Plan, Solar Energy Criteria 1 of the Renewable Energy Appendix, and Section 12 of the Framework. This policy conflict falls to be assessed within the overall planning balance discussed below.

7.7.5 With regards to the localised visual effect of the development, as identified above, the application site falls to be defined as being within the Open Countryside, and is separated from the main built-up edge of Welby by approximately 0.7km. However, the site also falls to be experienced by users of the local highways network, which runs to the east and west of the site. Similarly, it is noted that the site is not subject to any formal public rights of way; albeit the Lincolnshire County Council Public Rights of Way and Access Officer has advised that there are in receipt of an application to establish a bridleway running from the south-east to the north-west of the site.

7.7.6 In respect of the visual impact of the development, the LVIA provides the following assessment:

- **High Dike (B6403)** – Prior to the establishment of mitigation, the effects would be localised and experienced in the medium term. There would be a slight magnitude of effect resulting in a moderate / minor adverse effect. Following the establishment of planting, the residual scale of change would be small / negligible over a long-term period, there would therefore be a residual slight / negligible minor effect.
- **Church Lane** – Prior to the establishment of mitigation plant, there would be a medium scale of change in views from sections of Moor Lane, but no greater than a small scale of change in views from the vast majority of the route between the A52 and Welby. Overall, the effects would be limited in extent and experienced in the medium term. There would be a slight magnitude of effect result in a moderate / minor impact. Once mitigation planting has matured there would remain a small scale of change in views from a localised section of the road, particularly at the site entrance. In the long-term, there would be a residual slight / negligible magnitude of effect and a minor impact.

7.7.7 Similar to the above landscape character assessment, the proposed development would inevitably result in a degree of visual impact as a result in the change of use of the land and the scale of the proposed development. The proposed soft landscaping scheme would assist in softening the extent of this impact, but there would remain a slight minor adverse

impact from localised visual receptors, primarily users of the adjacent local highways network. As such, the proposed development would be contrary to Policy EN1 of the adopted Local Plan and Section 12 of the National Planning Policy Framework. This policy conflict falls to be assessed within the overall planning balance discussed below.

7.8 **Impact on heritage assets**

7.8.1 The proposed development site does not contain any designated built heritage assets, but there are a number of designated built heritage located within the surrounding area; including the Grade I Listed Belton House and its associated Registered Park and Garden (approx. 2.5km to the north-west), Grade I Listed Church of St. Bartholomew, Welby (approx. 1km to the north), Grade II* Listed Church of St. John the Baptist (approx. 1.7km north-west) and the scheduled Site of Cistercian Grange (approx. 1.75km east).

7.8.2 In this regard, it is noted that public representations received on the application have raised objections on the basis of the impact of the development on the setting and significance of Belton House.

7.8.3 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires Local Planning Authorities to have special regard for the desirability of preserving listed buildings and their settings, or any special architectural interest which it possesses.

7.8.4 A Settings Impact Assessment (Landgate Heritage) has been submitted as part of the application, and provides the following conclusions:

- The assessment has concluded that the proposed development would not harm the setting or significance of the Church of St. Bartholomew.
- The assessment has also considered the potential from the proposed development to affect Belton House and the Registered Park and Garden and found that the proposed development would not result in any harm or loss due to the distance involved and the presence of intervening landscape features.
- The assessment also considered the potential for the proposed development to affect the Londonthorpe Conservation Area and it was found that there would be no harm due to the nature of intervening topography.
- The assessment considered the potential for cumulative effects with the solar installation proposed at Ash Tree Farm, to the north and north-west of the study site. It was found that, as the proposed development would not harm the setting or significance of any built heritage assets in the surrounding area, it follows that it would not result in any cumulative impacts when considered alongside the proposed development at Dike Road, Londonthorpe.

7.8.5 In relation to the above, the Council's Conservation Officer has been consulted on the application and has not raised any formal objections. It is noted that as part of their comments, they have requested that further information is provided in relation to Grade II Listed Buildings within the identified zone of theoretical visibility.

7.8.6 Furthermore, in respect of the potential impact of the development on Belton House and the Registered Park and Garden, Historic England and the National Trust have both commented on the application. In this respect, it should be noted that neither party has raised a formal objection to the application proposals. Historic England have directed Officer's to the comments that they made on the Ash Tree planning application in relation to the historic

views available from Bellmount Tower; these comments refer to the extensive views of a surrounding rural, agricultural landscape.

7.8.7 Similarly, National Trust have not raised any objection but have advised that there may be some wider intervisibility between the Registered Park and Garden and the application scheme, which would result in the introduction of a functional feature in a wider rural landscape. They have requested that these matters are taken into account in the decision-making process and, if the application is to be approved, they have requested details of the type and nature of solar panels, as well as a decommissioning and restoration plan, to be secured via planning conditions. These matters are included within the recommended schedule of conditions below.

7.8.8 In light of the above, it is the Case Officer's assessment that the proposed development scheme would invariably result in a degree of impact on the rural landscape character in which the site is experienced, and this landscape may have some degree of heritage value as part of the setting of the nearby Belton House Registered Park and Garden. In view of the above, it is the Case Officer's assessment that the proposed development would result in a minor adverse impact on the landscape character of the area, and that this would alter the setting of the Registered Park and Garden. However, due to the limited intervisibility between the Registered Park and Garden and the application site, it is the Case Officer's assessment that this would not amount to harm to the setting of the Conservation Area and would not harm the significance of the Registered Park and Garden.

7.8.9 Taking the above into account, it is Officer's assessment that the application proposals would not result in harm to the setting or significance of Belton House Registered and Park and Garden, or any other nearby heritage assets. As such, the application scheme would be in accordance with Policy EN6 of the adopted South Kesteven Local Plan, and Section 16 of the National Planning Policy Framework.

7.9 **Impact on archaeological assets**

7.9.1 Heritage Lincolnshire (as Local Archaeological Advisors) have been consulted on the application proposals and have confirmed that they have no objections, subject to the imposition of conditions requiring the submission of an Archaeological Mitigation Strategy, which sets out areas where remains are to be protected and / or recorded during construction. This is included within the recommended schedule of conditions set out below.

7.9.2 Taking the above into account, subject to conditions, the application proposals would accord with Policy EN6 of the Local Plan, and Section 16 of the Framework in respect of archaeological matters.

7.10 **Cumulative Impacts**

7.10.1 It is noted that representations received from Welby Parish Council and members of the public have raised objections due to the potential cumulative impact of the development, in combination with the other solar development proposals, on the loss of agricultural land, and the landscape character of the area.

7.10.2 As referenced above, it is noted that the application site is not located within close proximity of any of the approved planning permissions for solar development within the District. However, it is acknowledged that the Local Planning Authority are in receipt of two further planning applications for solar development within the immediate vicinity of the site. These are as follows:

- LPA Ref: S24/1040 – Pastures Farm, High Dike, Welby – approximately 110 hectares of land situated to the north of Welby (approximately 2.2km north of the current application site), which is proposed to use the same grid connection point as the current application scheme.
- LPA Ref: S23/2199 – Land at High Dike, Londonthorpe (Ash Tree Solar Farm)– approximately 141 hectares of land situated to the north-west of Welby, on the opposite side of the High Dike (approximately 2km north-west of the current application site), which also proposes to use the same grid connection point as the current application scheme.

7.10.3 In this respect, these proposed schemes do not currently represent a committed / allocated development scheme. As such, it is not appropriate to consider any cumulative impacts associated with those proposals as part of the determination of the current application. In the event that the Committee resolved to approve the current application, the cumulative impacts of the application together with the other proposed solar developments within the area would be a matter for consideration as part of the subsequent determination of the other two applications.

7.10.4 Notwithstanding the above, it is noted that the technical reports submitted as part of the current application have considered the potential cumulative impact of the other two proposed developments. For example, the submitted Landscape and Visual Appraisal (Stephenson Halliday) concludes the following in relation to the potential cumulative impact of the development on the character and appearance of the area:

- In the scenario that both proposal are constructed, it is recognised that there would be some, albeit limited, additional cumulative effects to landscape character from the addition of the proposed development. In this scenario, solar development would already have become an established feature of the northern extents of the study area, with the proposed development extending the influence of solar development on the landscape character further south to Green Lane. Arable farming would remain the dominant land use and characteristic in this part of the LCA albeit energy infrastructure would also be a prominent feature of the landscape.
- In the scenario that only one of the other two schemes was constructed, the existing presence of solar development in the landscape would be marginally less well established but the same analysis would apply, specifically that the proposed development would extend the influence of solar development further south to Green Lane.
- The combined effect of any two or all three of the proposed solar developments on the Southern Lincolnshire Edge LCA would inevitably be greater than if any one of them was constructed in isolation. Each of the three schemes has mitigation built into the proposal to reduce landscape effects in the long term. Combined, it is likely that there would still be an overall moderate adverse effect in year 1, but it is acknowledged that the extent over which this effect is experienced would be wider than if any one of the schemes was constructed in isolation. Once mitigation for all three projects has established, the overall effect on the LCA may remain at a moderate adverse, but this would be a minor effect.

7.10.5 Taking the above into account, it is Officer's assessment that the proposed development would be in accordance with Solar Energy Criteria 3 of the Local Plan Renewable Energy Appendix.

7.11 **Effect of the development on biodiversity and ecology**

7.11.1 As detailed previously, the site is not subject to any ecological designations. However, it is noted that Church Lane is identified as a Local Wildlife Site and forms one of ten LWS' within 2km of the proposed development site. The nearest nationally designated site is the Kirton Wood Site of Special Scientific Interest, which is approximately 3.5km to the south-east.

7.11.2 It is noted that public representations received on the application have raised objections on the bases of the potential adverse impact of the development on protected species.

7.11.3 The application scheme has been accompanied by an Ecological Impact Assessment (Environmental Solutions Ltd) (February 2024), which identifies the following:

- Church Lane Verges LWS is located along Church Lane and therefore included within the site access. The proposed works include an upgrade of the existing bellmouth, however, these works will be contained within areas of existing bare ground and therefore will not result in the loss of grassland habitat.
- The loss of arable habitat will be mitigated through the creation of grassland under the panels. All hedgerows, trees and woodland areas will be retained and protected during works in line with the Arboricultural Impact Assessment.
- As well as retaining all trees and hedgerows, the site will be enhanced through the landscape strategy with the planting of 424m of new native, species rich hedgerow, the planting up of gaps within existing retained hedgerows and 12 new native hedgerow trees.
- No adverse impacts are anticipated for protected species.

7.11.4 The aforementioned mitigation measures are incorporated within the Proposed Landscaping Plan submitted alongside the application. Conditions are proposed to require compliance with this plan, as well as the submission of a detailed Landscape and Ecological Mitigation Plan. Similarly, conditions are proposed to require compliance with the submitted Ecological Impact Assessment including the provision of the proposed bat and bird nesting boxes.

7.11.5 A Biodiversity Net Gain Assessment has been undertaken as part of the submission and this has calculated that the proposed development would result in a net gain of 59.94% (58.45 units) habitat units and 21.66% (6.73 unit) hedgerow units, and would also satisfy all trading rules.

7.11.6 Lincolnshire Wildlife Trust have been consulted on the application proposals and have not raised any objections. As part of their comments, they have expressed their support for the inclusion of areas for ground nesting birds, as well as the completion of a full BNG assessment. It is noted that they have requested amendments to the proposed landscaping strategy to provide for a different seed mix. In this respect, whilst it is noted that Lincolnshire Wildlife Trust have indicated that the use of an alternative seed mix would result in further biodiversity benefits through contributing to the Local Nature Reserve Strategy for Lincolnshire, there is currently no policy basis for obligating development proposals to contribute to the delivery of this strategy. Thus, whilst the amendment to the proposed seed mix would be desirable, the current proposals do fulfil the policy obligations for delivering a

biodiversity net gain required by Policy EN2, and this exceeds the 10% required by the Environment Act 2021.

- 7.11.7 Similarly, it is noted that the Wildlife Trust have requested the conditions to require the submission of a Habitat Management and Monitoring Plan for the full operational period of the development. This is a statutory condition imposed by the requirements of the Environment Act 2021 and therefore does not need to be repeated on the decision notice, should the application be approved. Nonetheless, conditions are proposed to require the submission of a detailed Landscape and Ecological Management Plan, which will be in broad accordance with the outline plan submitted as part of the application, this will ensure the appropriate measures are implemented for the establishment and maintenance of the soft landscaping scheme.
- 7.11.8 In respect of the impact of the development on the existing field boundary hedgerows and trees, the application submission has been accompanied by an Arboricultural Impact Assessment and Method Statement (St Aubyn Tree Consultancy), which identifies the following:
- Very minor works to trees and hedgerows are required to implement the proposals. Subject to adherence with the recommendations within the method statement at Section 4 of the report, it is considered that the proposals would have a negligible impact on the health and longevity of the retained trees and hedgerows. Adherence to the method statement could be readily secured by an appropriate planning condition.
- 7.11.9 In the context of the above, conditions are proposed to require compliance with the arboricultural method statement throughout the duration of the construction period.
- 7.11.10 Taking the above into account, subject the imposition of conditions, the application proposals would accord with Policy EN2, Solar Energy Criteria 7 of the Local Plan, Section 15 of the National Planning Policy Framework and the Environmental Act 2021.

7.12 **Access and Highways Impacts**

- 7.12.1 It is appreciated that public representations received on the application have raised concerns in relation to highways safety; particularly in respect of the potential impact of glint and glare on road users.
- 7.12.2 Lincolnshire County Council (as Local Highways Authority) have been consulted on the application and have raised no objections subject to the imposition of conditions. In respect of matters of highways safety, the Local Highways Authority have confirmed that the A52 is capable of accommodating the required vehicular movements, however, Church Lane is narrow and therefore would require passing places to be installed to avoid potential queueing of vehicles and to enable vehicles to safely pass one another on Church Lane. As such, conditions are requested to require the implementation of five passing places on Church Lane. In this regard, it is noted that the LHA's comments request that these passing places are implemented prior to the site being brought into use; however, it is the Case Officer's assessment that the majority of vehicular movements associated with the development are associated with the construction of the development and as such, the passing places need to be installed prior to commencement to ensure that the road network can accommodate these additional vehicular movements. As such, it is proposed to include the condition as a pre-commencement condition.

7.12.3 Similarly, National Highways have been consulted on the application proposals and have also raised no objections.

7.12.4 In view of the above, subject to the imposition of conditions the application proposals would not give rise to any unacceptable adverse impacts on highways safety and / or capacity during the construction, operation and decommissioning phases of the development. As such, the application proposals would accord with Policy ID2 of the Local Plan, Solar Energy Criteria 6 of the Renewable Energy Appendix, and Section 9 of the Framework.

7.13 **Flood Risk and Drainage**

7.13.1 In respect of flood risk and drainage matters, it is noted that there have been no public representations received in relation to these matters. Nonetheless, the proposed development site is identified as being located within Flood Zone 1 of the Flood Map for Planning, but also includes areas of medium and higher surface water flood risk.

7.13.2 The Flood Risk Assessment (PS Renewables) (February 2024) submitted as part of the application identifies the following:

- It is proposed that SuDS would be used within the proposed site to intercept and infiltrate surface water runoff from the new impermeable areas. As the impermeable areas across the site are small, this would result in a small system relative to the size of the proposed solar farm.
- It is proposed to install swales along the field boundaries with a total depth of 0.15m and no less than 0.15m base width, with side slopes of 1 in 4 at the downslope edges, following the nature across the site. In addition, filter drains or swales will be located downslope alongside the hardstanding of electrical buildings. There will be no designated outfall.
- If the recommendations made in this report are followed during the development of the site, there will be a negligible impact on the discharge rate to the surrounding areas, and no extra risk of flooding to adjacent areas.

7.13.3 Lincolnshire County Council (as Lead Local Flood Authority) have been consulted on the application and have confirmed that the proposed development would not increase flood risk in the immediate vicinity of the site, and therefore, they have confirmed that they have no objections.

7.13.4 It is noted that comments received from the Internal Drainage Board have confirmed that any works to any ditch, dyke or watercourse would require express written consent, and have also set out the duties for the maintenance of any watercourse within the site. These matters are covered under the Land Drainage Act and therefore do not require further planning control through planning conditions.

7.13.5 Taking the above into account, it is Officer's assessment that the application proposals would not give rise to any unacceptable risk of flooding and, therefore, would accord with Policy EN5 of the adopted South Kesteven Local Plan and Section 14 of the Framework.

7.14 **Pollution Control**

7.14.1 The proposed solar panels themselves would not emit noise, dust or vibration during the operational period. However, the operation of the solar farm will require the installation of transformers and inverters which would convert the solar energy generated into AC

(Alternating Current) to be supplied to the National Grid. The operation of the inverters and transformers would generate a low level of noise.

- 7.14.2 In this respect, the Council's Environmental Protection Team have been consulted on the application and have not raised any objections in relation to noise impacts.
- 7.14.3 As such, it is Officers' assessment that the proposed solar operations would not result in any unacceptable adverse impacts on noise sensitive receptors and, therefore, would be in accordance with Local Plan Policy EN4 (Pollution Control), Solar Energy Criteria 5 of the Renewable Energy Appendix, and Section 15 of the National Planning Policy Framework on these matters.
- 7.14.4 In relation to the potential for noise, dust and vibration to be generated as a result of the construction and decommissioning of the proposed solar farm, the Council's Environmental Protection have raised no concerns subject to compliance with the submitted Construction and Environment Management Plan. Conditions are proposed to require compliance with the submitted Construction Environmental Management Plan, and Construction Traffic Management Plan throughout the construction period of the development.
- 7.14.5 Furthermore, conditions are proposed to require the submission of a detailed Decommissioning Plan, which will be required to include details relating to decommissioning activities. Conditions will also be required for the submission of an Operational Environmental Management Plan, which will set out details of any approval for maintenance or repair works, to ensure that these operations do not give rise to any unacceptable impacts on the amenity of residents of the surrounding villages.
- 7.14.6 Taking the above into account, it is Officer's assessment that, subject to conditions, the construction, operation and decommissioning of the proposed solar farm would not give rise to any unacceptable adverse impacts in relation to dust, noise and vibration. Therefore, the application proposals would be in accordance with Local Plan Policy EN4 and Section 15 of the National Planning Policy Framework.

7.15 **Aircraft Movements and Associated Activities**

- 7.15.1 Criteria 8 of the Renewable Energy Appendix requires proposals to demonstrate that the design and positioning of the proposed solar installation has been carefully considered to avoid the potential nuisance of glint and glare to aircraft movements.
- 7.15.2 In connection with this, it is noted that public representations received on the application have raised objections on the basis of the impact of glint and glare on local aviation safety.
- 7.15.3 In this regard, a Glint and Glare Assessment (Charlotte Peacock Associates) (February 2024) has been submitted as part of the application. This assessment identifies the following:
- Glint effects are only possible on a small area of two approaches to the runway at RAF Barkston Heath Airfield. These effects are only possible during a limited time in the afternoon and evening throughout the year and will generally be peripheral or distant to views down the runway during approach. Significant impacts are therefore no predicted on aircraft on final approach to RAF Barkston Heath Airfield.
 - Therefore, reflected glint from the proposed solar PV development is not predicted to cause a hazard to air safety.

- 7.15.4 In connection with the above, the Defence Infrastructure Organisation and the Civil Aviation Authority have been consulted on the application and no objections have been received.
- 7.15.5 As such, it is Officers' assessment that the application proposals would not give rise to any unacceptable adverse impacts on aircraft movements and associated activities, and therefore, the application proposals comply with Solar Energy Criteria 8 of the Local Plan Renewable Energy Appendix.
- 7.16 **Other Matters**
- 7.16.1 It is noted that representations received from members of the public have raised objections on the basis that there is insufficient information relating to the capacity and layout of the site. In this respect, as detailed within this report, it is Officer's assessment that there is sufficient information provided as part of the application scheme on which to appropriately assess the merits of the application. With regards to matters of capacity and layout specifically, the potential generating capacity of the proposed solar development is included within the Planning Statement submitted as part of the application, and the potential layout of the site has been identified on the submitted Proposed Site Layout Plan.
- 7.16.2 Furthermore, it is noted that the proposed site lies within a Minerals Safeguarding Area. The application scheme would involve the temporary change of use of the land to form a solar development, and therefore the development proposals would be reversible, and would retain the potential for future minerals extraction at the site. As such, the application scheme would accord with Policy M11 of the Lincolnshire Minerals and Waste Local Plan.

8 Crime and Disorder

- 8.1 It is concluded that the proposals would not result in any significant crime and disorder implications.

9 Human Rights Implications

- 9.1 Article 6 (Rights to fair decision making) and Article 8 (Right to private family life and home) of the Human Rights Act have been taken into account in making this recommendation. It is concluded that no relevant Article of the Act will be breached in making this decision.

10 Planning Balance and Conclusions

- 10.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that the Local Planning Authority makes decisions in accordance with the adopted Development Plan, unless material considerations indicate otherwise.
- 10.2 The application proposals seek planning permission for the installation of a solar farm comprising ground mounted solar panels, mounting system, inverters, substation, underground cabling, stock proof fencing, CCTV, internal access tracks and associated infrastructure with a generating capacity of up to 24 megawatts.
- 10.3 The proposed development is located within an area of Open Countryside, where Policy SP5 strictly limits development to those which have an essential need to be located within such areas; this includes support for rural diversification projects, such as the current application proposals. In addition, Policy RE1 (Renewable Energy Generation) of the Local Plan advocates a generally permissive approach to renewable energy schemes, subject to a series of criteria which consider the site specific impacts associated with a particular proposal. As such, the application proposals are acceptable in principle, subject to material planning considerations.

- 10.4 In this context, the application proposals would make an important contribution towards meeting the national objectives in respect of reducing greenhouse gas emissions as set out in the Climate Change Act 2019. On a local level, South Kesteven District Council have formally declared a climate emergency, and the published Climate Action Strategy identifies increasing the provision of sustainable forms of energy as a key action for achieving net zero. These matters are material considerations that weigh in favour of the application proposals.
- 10.5 In respect of the above, the application proposals would result in the loss of an area of approximately 27.5 hectares of best and most versatile agricultural land (BMVAL), and whilst this loss would be temporary, it is Officer's assessment that there is insufficient evidence to justify the loss of BMVAL from potential food production during the operational period of the development. In addition, it is Officer's assessment that there is sufficient availability of lower quality land which could be used to meet the need for renewable energy such that the use of Grade 2 (Very Good) quality land is wholly unjustified. As such, the application proposals are contrary to Policy SP1 and Solar Energy Criteria 9 of the Renewable Energy Appendix of the adopted Local Plan. However, it is Officer's assessment that this would not result in a 'significant' loss of BMVAL in the context of the overall availability of such quality land within the District and, therefore, would be in accordance with Policy RE1(a). In view of the amount of BMVAL to be lost, it is Officer's assessment that the conflict with Policy SP1 of the adopted Local Plan would be limited, and therefore, attribute this limited weight in the planning balance.
- 10.6 In respect of the effect of the development on the character and appearance of the area, it is Officer's assessment that the proposed development would invariably result in a notable impact on the landscape character of the area and for visual receptors of the neighbouring public highways, as a result of the change in use of the site and the scale of the proposed development. Whilst these landscape and visual impacts can be reduced through the submitted proposed landscaping scheme, the application proposals would still result in a minor adverse impact on the landscape character and visual receptors, contrary to Policy DE1 and EN1 of the adopted South Kesteven Local Plan and Solar Energy Criteria 1 of the Renewable Energy Appendix.
- 10.7 Taking the above into account, it is Officers' assessment that the application proposals would result in an identified conflict with Policy SP1, DE1 and EN1 of the adopted Local Plan and the Solar Energy Criteria of the Renewable Energy Appendix, as a result of the temporary loss of BMVAL and the adverse impact on the landscape character and visual effects.
- 10.8 In respect of whether there are material considerations which indicate that proposal should be determined other than in accordance with the adopted Development Plan, the electricity generated by the proposed development and the contribution that this makes towards meeting the national and local objectives of reducing reliance on fossil fuels and reducing greenhouse gas emissions is a significant benefit which Officer's attribute substantial weight. In addition, the biodiversity net gain achieved by the proposed landscaping scheme would also significantly exceed the statutory 10% requirements, and therefore, Officers' would attribute this significant weight. It is appreciated that the proposed development would also attract benefits to the local economy in association with the construction of the scheme over a temporary period; accordingly, Officers' would attribute this limited weight.

- 10.9 Balanced against the proposal would be the adverse impacts on the availability of best and most versatile agricultural land, the landscape character and visual appearance of the area.
- 10.10 Taking all of the above into account, it is Officer's assessment that the identified policy conflicts with the Development Plan would be outweighed by the benefits of the proposal. Further, it is Officers' assessment that the balance of material considerations in this case would also indicate that planning permission should be granted.

11 Recommendation

- 11.1 To authorise the Assistant Director – Planning to GRANT planning permission, subject to the proposed schedule of conditions detailed below.

Schedule of Conditions

Time Limit for Commencement

Time Limit for Commencement

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

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

Temporary Permission Limits

- 2) Written confirmation of the first export date shall be provided to the Local Planning Authority no later than 20 days following the event. The development hereby permitted shall cease on or before the expiry of a 40 year period from the date of the first export of electricity from the solar farm to the electricity grid network; excluding electricity exported during initial testing and commissioning.

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

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

The Decommissioning Scheme shall be submitted to and approved in writing by the Local Planning Authority, no later than 39 years from the date of the first export of electricity and shall be subsequently implemented as approved.

Reason: The proposed development has a 40 year operational period, and to ensure that the site is fully restored to allow for agricultural use, and to maintain the rural landscape character of the area.

Approved Plans

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

- a. General Layout Plan (Ref: 2.1/PLA01)
- b. Customer Substation Plan (Ref: 2.10/PLA01)
- c. Indicative Mounted Plan Dimensions (Ref: 2.2/PLA01)
- d. Inverter Station Details (Ref: 2.4/PLA01)
- e. Control Room Details (Ref: 2.5/PLA01)
- f. CCTV Camera Details (Ref: 2.5/PLA01)
- g. Security Fence and Gates (Ref: 2.7/PLA01)
- h. Permanent Gravel Road Details (Ref: 2.8/PLA01)
- i. DNO Substation Details (Ref: 2.9/PLA01)
- j. Delivery Route Plan (Ref: 3.1/PLA02)
- k. Site Entrance Visibility Splays (Ref: 3.3/PLA02)
- l. Access Improvements (Ref: 3.4/PLA02)
- m. Temporary Compound Area (Ref: 4.3/PLA02)
- n. Landscape Mitigation Plan (Received 4 March 2024)
- o. Proposed Elevations / Site Sections (Ref: 2.3/PLA02)

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

Archaeological Mitigation Plan

- 4) Before the development hereby permitted is commenced, an Archaeological Mitigation Strategy shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall include:
- a. A plan illustrating the location of archaeological remains on the site;
 - b. Areas which are designated for archaeological monitoring and recording;
 - c. Proposals to ensure that significant archaeological remains are protected or, if appropriate, set out a programme of further archaeological works to ensure that they are recorded in advance of works on site;
 - d. A programme for the implementation of the archaeological mitigation strategy.

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

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

Materials Details

- 5) Before any part of the development hereby permitted is commenced, a specification of the materials to be used (including the nature and type of solar PV panels to be used) in the construction of external surfaces of the development shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure a satisfactory appearance to the development and in accordance with Policy DE1 and EN1 of the adopted South Kesteven Local Plan; and to ensure that the development does not result in any unacceptable glint and glare impacts.

Tree Protection

- 6) No works pursuant to this permission shall commence until the Tree Protection Measures indicated on the Tree Protection Plan enclosed at Appendix 5 of the Arboricultural Impact Assessment and Method Statement (St Aubyn Tree Consultancy) (February 2024) have been implemented in full. Thereafter, the development must be carried out in accordance with the approved details and the approved measures shall be retained until all construction activities have been completed.

Reason: To protect the trees from unnecessary damage during the construction period, and in accordance with Policy DE1 (Good Quality Design) and Policy EN2 (Protecting Biodiversity and Geodiversity) of the adopted South Kesteven Local Plan 2011-2036.

Landscape and Ecological Management Plan

- 7) Before the development hereby permitted is commenced, a Landscape and Ecological Management Plan (LEMP) shall be submitted to and approved in writing by the Local Planning Authority. The submitted LEMP shall be in broad accordance with the submitted Draft Landscape and Ecological Management Plan (PS Renewables) (February 2024) and shall include details of the management and monitoring of the site during the operational period.

Reason: To protect and enhance the existing landscape features on the site, and to mitigate the harm to the landscape and visual characteristics of the area as a result of the development; and in accordance with Policy EN1 (Landscape Character), EN2 (Protecting Biodiversity and Geodiversity) and DE1 (Promoting Good Quality Design) of the adopted South Kesteven Local Plan.

Church Lane Passing Places

- 8) Before the development hereby permitted is commenced, works to improve the public highway by means of the installation of five passing places on Church Lane shall have been certified complete by the Local Planning Authority.

Reason: To ensure the provision of safe and adequate means of access to the permitted development.

During Building Works

Ecological Mitigation

- 9) All works on site during the construction period shall be carried out in accordance with the recommendations contained within Section 1.12 of the Ecological Impact Assessment (SK Environment Solutions LTD) (February 2024), including reasonable avoidance measures for protected species.

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.

Construction Ecological Management Plan – Compliance

- 10) All works on site shall be carried out in accordance with the General Environmental Management Plan and Construction Environmental Management Plan (PS Renewables)

(received 4 March 2024) and Construction Traffic Management Plan (PS Renewables) (Dated February 2024) throughout the construction period.

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

Before the Development is Operational

Landscaping Implementation

11) Before the end of the first planting / seeding season following the date when electrical power is first exported ("first export date"), all landscaping works shown on the approved Landscape Mitigation Plan (Received 4 March 2024) shall have been carried out in full.

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

External Material Implementation

12) Before the development is operational, the external appearance of all built form on the site shall have been completed in accordance with the details approved by Condition 5 above.

Reason: To ensure a satisfactory appearance to the development and in accordance with Policy DE1 (Promoting Good Quality Design) of the adopted South Kesteven Local Plan.

Operational Environmental Management Plan

13) Before the date of the first export of electricity from the development hereby permitted, an Operational Environmental Management Plan (OEMP) relating to any maintenance or repair works of the approved development shall be submitted to, and approved in writing by the Local Planning Authority.

Reason: To ensure that the solar farm continues to generate electricity; and to mitigate the impacts of any further construction works required for the repair or replacement solar arrays; in accordance with Policy RE1 (Renewable Energy Generation) of the adopted South Kesteven Local Plan.

Ongoing

Lighting Details

14) No permanent illumination of the site shall be permitted unless otherwise agreed in writing by the Local Planning Authority. In such circumstances, prior to the erection of any external lighting on site, a lighting plan shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and thereafter retained for the lifetime of the development.

Reason: To protect the rural character of the site and in accordance with Policy EN1 (Landscape Character) of the adopted South Kesteven Local Plan.

Compliance with LEMP

15) The approved development must be carried out in accordance with the approved Landscape and Ecological Management Plan.

Reason: To protect and enhance the existing landscape features, and to mitigate the harm to the landscape and visual characteristics of the area as a result of the development; and in accordance with Policy EN1 and DE1 of the adopted Local Plan.

Landscape Protection

16) Within a period of five years from the first export date, any trees or plants provided as part of the approved Landscaping Plan 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 by the Local Planning Authority.

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

Early Decommissioning

17) In the event that the site ceases to generate electricity for a period of 12 months prior to the cessation of the 40 year period, a scheme of Decommissioning Works ("Early Decommissioning Scheme") shall be submitted no later than 6 months from the end of the 12 month non-electricity generating period to the Local Planning Authority for approval in writing. The early decommissioning scheme shall include the same details required under the Decommissioning Scheme set out in Condition 2 of this permission.

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

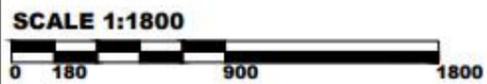
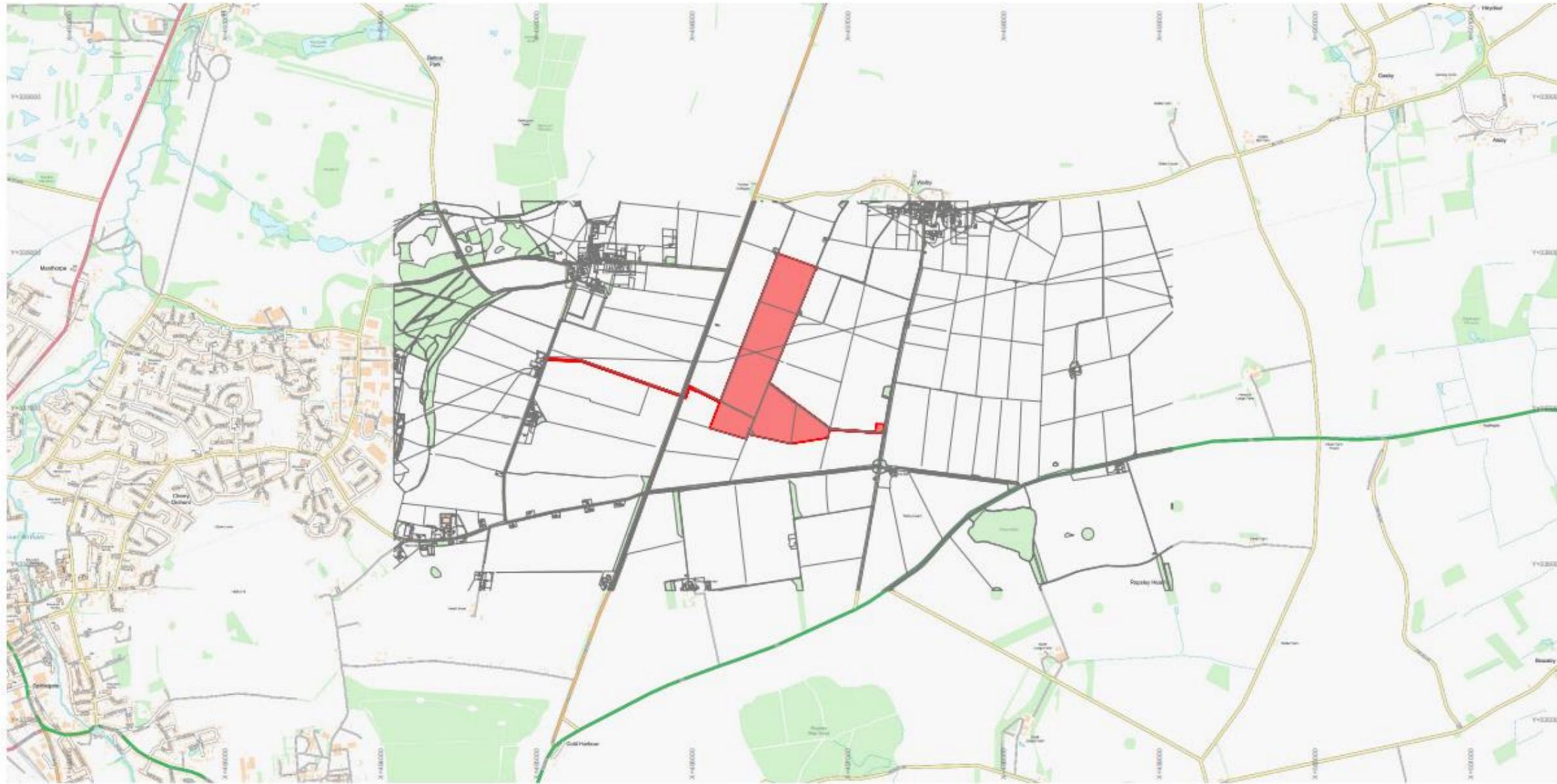
Reason: To ensure that the solar farm continues to generate electricity or is otherwise removed to the benefit of the character and appearance, and agricultural productivity of the District; in accordance with Policy EN1 and RE1 of the adopted South Kesteven Local Plan.

Standard Note(s) to Applicant

- 1) In reaching the decision, the Council has worked with the applicant in a positive and proactive manner by determining the application without undue delay. As such it is considered that the decision is in accordance with Paragraph 38 of the National Planning Policy Framework (2023).
- 2) In accordance with Section 59 of the Highways Act 1980, please be considerate of causing damage to the existing highway during construction and implement mitigation measures as necessary. Should extraordinary expenses be incurred by the Highways Authority in maintaining the highway by reason of damage caused by construction traffic, the Highways Authority may seek to recover these expenses from the developer.
- 3) The permitted development requires the formation of a new / amended vehicular access. These works will require approval from the Highway Authority in accordance with Section 184 of the Highways Act. Any traffic management required to undertake works within the highway will be subject to agreement. The access must be constructed in accordance with a current specification issued by the Highway Authority. Any requirement to relocate existing apparatus, underground services, or street furniture because of the installation of an access will be the responsibility, and cost, of the applicant and must be agreed prior to a vehicle access application. The application form, costs and guidance document is found via the following link:
<http://www.lincolnshire.gov.uk/licences-permits/apply-dropped-kerb>
- 4) The highway improvement works referred to in the above condition are required to be carried out by means of a legal agreement between the landowner and the County Council, as the Local Highways Authority.

[www.lincolnshire.gov.uk/highways- planning/works-existing-highway](http://www.lincolnshire.gov.uk/highways-planning/works-existing-highway)
- 5) Please contact the Lincolnshire County Council Streetworks and Permitting Team on 01522782070 to discuss any proposed statutory utility connections, Section 50 licences and any other works which will be required within the public highway in association with the development permitted under this Consent. This will enable Lincolnshire County Council to assist in the coordination and timings of these works. For further guidance please visit the Highway Authority's website via the following link: Traffic Management -
<https://www.lincolnshire.gov.uk/traffic-management>

Site Location Plan



LEGEND

— SITE BOUNDARY

REVISION	MODIFICATION	DATE	NAME
PLA02	Updated the boundary	02/02/24	TK
PLA01	Final Issue	05/02/24	TK



PROJECT:	CHURCH LANE
COMPANY:	PS Renewables
LAYOUT:	LOCATION PLAN
DRAWN BY:	Taha Khan
DESIGN BY:	Taha Khan
CHECK BY:	Giles Houston and Jeremy Hester
PS RENEWABLES:	7 Watman Court, Millay Lane New Malden, Berkshire RG20 9AA
DATE:	02/02/24
SCALE:	1:1800
REV:	AJ
TEAM:	1.1
REV:	PLA02

CHURCH LANE SOLAR

FIGURE 6
Landscape Mitigation Plan



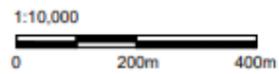
- KEY**
- Redline boundary
 - Security fence
 - Solar panel array
 - Tracks
- Mitigation Planting**
- Existing boundary hedgerow to be enhanced (gapped up)
 - Existing internal hedgerow to be enhanced (gapped up)
 - New native hedgerow to be planted on open boundaries
 - ESG2 Seed Mix: Stong Lawn Mixture (or similar).
 - ESF2 Seed Mix: Meadow Mixture (or similar).
 - New Oak tree planting on northern boundary (20m centres)

- Notes:**
- 1) Existing, enhanced and new hedgerows on the periphery of the site to be maintained at a minimum height of 3m for the lifetime of the project.
 - 2) Internal hedgerows to be gapped up as necessary and managed at a minimum height of 2m.

Projected Coordinate System: British National Grid

DATE	BY	PAPER	SCALE	QA	REV
JAN 2024	RF	A3	1:5,000	J1	-

Agricultural Land Classification Plan



KEY			
Grade 1		Grade 4	
Grade 2		Grade 5	
Subgrade 3a		Non-agricultural	
Subgrade 3b		Not present	

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Drawing title AGRICULTURAL LAND CLASSIFICATION	Ref. RAC/9805/2	Rev. 30/01/2024		Reading Agricultural Consultants Ltd Gate House Beechwood Court Long Toll Woodcote RGS ORR 01491 684233 www.reading-ag.com	
Contract CHURCH LANE, LONDONTHORPE	Scales AGM	Checked by AIF			
	Scales 1:10,000@A4	Date 01/2024			
			Rev.	Comment	Date





**SOUTH
KESTEVEN
DISTRICT
COUNCIL**

Planning Committee

11 July 2024



S20/1586

Proposal:	Section 73 application to vary condition 2 (approved plans) of permission S16/0112. Amendment to the access, associated layout changes, house type updates and changes to affordable plot numbers of Phase A only.
Location:	Land north of Towngate East and south of Northfield Road, Market Deeping
Applicant:	Larkfleet Homes
Agent:	n/a
Application Type:	Full Planning Application (Major)
Reason for Referral to Committee:	Major Application
Key Issues:	Design and Layout Residential Amenity Highway impact
Technical Documents:	Phase 1 Amendments list

Report Author

Phil Jordan, Principal Planning Officer



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p.jordan@southkesteven.gov.uk

Corporate Priority:

Growth

Decision type:

Regulatory

Wards:

Market and West Deeping

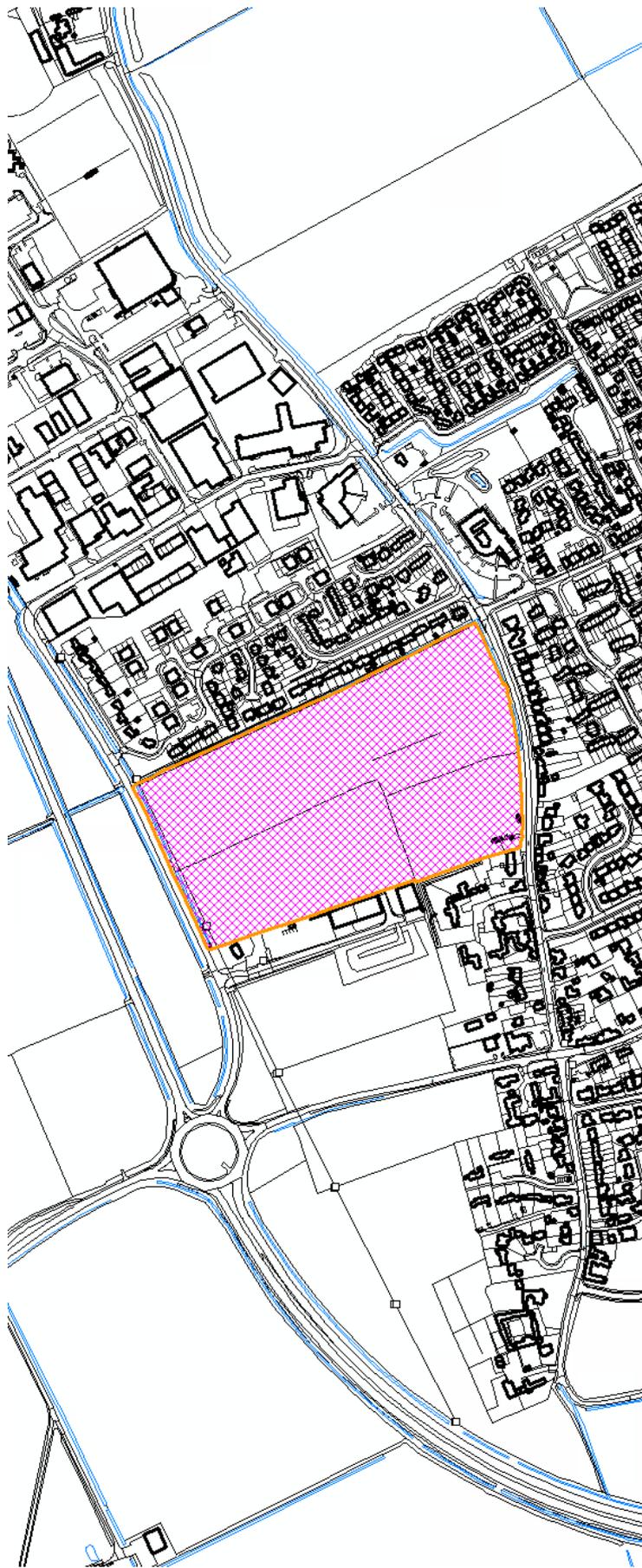
Reviewed by:

Adam Murray – Principal Development Management
Planner

2 July 2024

Recommendation (s) to the decision maker (s)

To authorise the Assistant Director for Planning to GRANT planning permission subject to the completion of a Deed of Variation to the Section 106 Agreement related to S16/0112 and subject to conditions outlined in this report.



Key



Application
Boundary



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1 Introduction

- 1.1 This application was previously discussed at the Planning Committee meeting on 9 December 2020. At the meeting, the Committee resolved it was minded to approve the application for the reasons set-out in the officer report.
- 1.2 There followed a delay in issuing the decision notice as a result of a delay in agreeing the deed of variation that is necessary to link the S106 planning obligation required by the extant permission ref: S16/0112. Since that initial planning committee meeting, there have been various further conditions details that have been approved. There has also been a change in policy context, with the Deepings Neighbourhood Plan being adopted in June 2021 and the National Planning Policy Framework being updated in December 2023.
- 1.3 The application was subsequently presented to the Planning Committee on 8 September 2022. During the meeting members discussed whether the conditions on the extant outline planning permission had been complied with specifically in relation to open space, completion of roads and the drainage arrangements.
- 1.4 Members resolved to defer the application until all existing conditions had been compiled with. This proposal was seconded with an amended motion to confirm the amount of affordable homes already provided and to establish any other Section 106 breaches alongside clarification of the sewage arrangements.
- 1.5 Significant progress has been made with the completion of the site since the last Planning Committee meeting. This includes the main play area now being completed, further landscape works and completion of the internal roads and footways. The temporary construction compound has also now been removed from the site.

2 Description of Site

- 2.1 The site is a rectangular parcel of flat agricultural land located between Northfields Road and Towngate East comprising approximately 10.4ha in size. The Car Dyke forms the eastern boundary with residential development beyond (Wellington Way and Lancaster Way). To the west is the existing Spitfire Park industrial estate and to the south and southwest is further residential development beyond Towngate East, with The Deepings Practice located across Towngate East to the south-east corner.
- 2.2 The site formed part of a wider 14ha site that was allocated in the South Kesteven Site Allocations and Policies DPD for a mixed-use urban extension and is now identified as a 'Larger Site with Planning Permission' in the Local Plan.
- 2.3 This extant permission divides the site into four phases (A-D). There is no requirement for the order in which the phases come forward, and phase D is now largely complete, with construction of phase A under construction.

3 Description of Proposal

3.1 The application seeks to vary condition 2 (approved plans) of full planning permission S16/0112 for Phase A.

3.2 Condition 2 of S16/0112 states:

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

Garage Plans Single; 117-004 Rev J; PP/01; POD/01; Highway Works Plan; 2110/L138/DS; 2318/DS; 2326/L00/DS/02; 2401/L00/DS; 2409; 2410/L00/DS; 2421; 2422; 2423; 2427/L00/DS; 2428/L00/DS; 2508/L00/DS/AS; L00/2224/DS; L00/2225/DS; L00/2306/DS; L00/2308/DS; L00/2323/DS; L00/2324/DS; L00/GAR/02, L00/GAR/03

Unless otherwise required by another condition of this permission.

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

3.3 Phase A totals 56 plots of the 240 permitted. Amendments proposed through this application include the following:

- Amendment to the siting of the access – moved approx. 5m to the west;
- Amendment to house type (9 dwellings);
- Change in affordable housing tenure (10 plots);
- Minor amendment to plot or garage positioning;
- Amendment to boundary treatments; and
- Amendment to position of driveway

3.4 The total number of plots remains the same as permitted, with amendments to house types only, or amendments to affordable housing tenure (affordable rented to shared ownership or vice versa).

4 Relevant History

4.1 The site was originally granted full planning permission in December 2017 (S16/0112) for 240 dwellings including vehicular access, pedestrian and cycle links, public open space, car parking, landscaping, drainage and associated works.

4.2 A number of condition details applications and non-material amendments have since been submitted, with some covering Phase D only (largely complete), Phase A only (under construction) or the whole site.

5 Policy Considerations

5.1 **SKDC Local Plan 2011 - 2036**
Policy SP1 – Spatial Strategy
Policy SP2 – Settlement Hierarchy

Policy SP3 – Infill Development
Policy H2 – Affordable Housing
Policy EN1 – Landscape Character
Policy EN5 – Water Environment and Flood Risk Management
Policy DE1 – Promoting Good Quality Design
Policy SB1 – Sustainable Building
Policy ID2 – Transport and Strategic Transport Infrastructure

5.2 **Deepings Neighbourhood Plan (June 2021)**

5.3 **National Planning Policy Framework (NPPF) (December 2023)**

Section 5 – Delivering a sufficient supply of homes
Section 9 – Promoting sustainable transport
Section 12 – Achieving well-designed places
Section 14 - Meeting the challenge of climate change, flooding and coastal change

6 **Representations Received**

6.1 **Market Deeping Town Council**

6.1.1 No objections.

6.2 **Heritage Lincolnshire**

6.2.1 We have no further archaeological comment to make in respect of the above proposal - amendment to layout of Phase A only.

6.3 **LCC Highways & SuDS**

6.3.1 Having given due regard to the appropriate local and national planning policy guidance (in particular the National Planning Policy Framework), Lincolnshire County Council (as Highway Authority and Lead Local Flood Authority) has concluded that the proposed development is acceptable and accordingly, does not wish to object to this planning application.

6.4 **Welland & Deepings IDB**

6.4.1 The submitted location and layout plans correctly mention the Board's nine metre easement strip however, the Board would wish to be provided with plans showing the easement strip clearly dimensioned alongside the dyke.

6.5 **Environment Agency**

6.5.1 The Environment Agency does not wish to make any comments on this application.

6.6 **Lincolnshire Fire & Rescue**

6.6.1 I refer to our conversation this afternoon where you confirmed that the objection lodged by Lincolnshire Fire and Rescue regarding the provision of water for fire-fighting purposes in relation to the previous planning application for this development, S16/0112, had been considered by the planning committee, that minutes of that committee reflected that advice had been provided in respect that 4 hydrants would be required, indicative locations given, and that the hydrants would be provided at the expense of the developer. The requirement for hydrants to provide water for fire fighting purposes still stands in respect of this amended application.

6.7 **Anglian Water**

6.7.1 The approved plans are not drainage related therefore this is outside of our jurisdiction to comment.

7 **Representations as a Result of Publicity**

7.1 This application has been advertised in accordance with the Council's Statement of Community Involvement and 4 letters of objection has been received.

7.2 The objections received refer to the following points:

- Siting of garages;
- Re-siting of access; and
- Highway impact and highway safety;

8 **Evaluation**

8.1 **Principle of Development**

8.1.1 The purpose of an application made under Section 73 of the Town and Country Planning Act 1990 (As Amended) is to vary or remove conditions associated with a planning permission.

8.1.2 The Act states:

"On such an application the local planning authority shall consider only the question of the conditions subject to which planning permission should be granted."

8.1.3 The LPA is unable revisit the principle of development, or those issues which are not covered by the conditions, and only minor material changes can be considered.

8.1.4 The relevant condition is condition 2 of permission S16/0112 (approved plans), with this application seeking minor amendments to Phase A only, with a list of amendments set out in para. 3.3 above.

8.1.5 The effect of granting permission would be to issue a new permission with the condition amended to include the revised plans for Phase A, together with any other relevant conditions from the original permission. Some of the original conditions from permission S16/0112 will not be included if they are no longer necessary or changed to compliance conditions where details have been approved.

8.1.6 Permission S16/0112 was granted in December 2017 for 240 dwellings across the whole site. Since application S16/0112 was determined, a number of condition details applications and non-material amendments have been submitted and approved. Phase D is largely complete and phase A is currently under construction. It is necessary to incorporate these approved details and amendments into any new permission that maybe granted as a result of this Section 73 application.

8.1.7 The amendments proposed through this Section 73 application relate to Phase A only for 56 dwellings of the 240 permitted. The proposed amendments are considered to be minor in nature, with none of the proposed amendments considered to significantly alter the existing permission.

8.1.8 The proposed amendments are mainly either an amendment to house types, minor amendments to the siting of dwellings, driveways and garages and amendments to boundary treatments. Further amendments include the relocation of the site access to the west of that permitted and an amendment to affordable housing tenures. Both of these are discussed further below.

8.1.9 This application is considered to be in line with the existing extant permission, with only minor amendments proposed. As the existing permission is extant and with minor amendments only, the principle of the proposal is considered to be acceptable.

8.2 **Affordable Housing**

8.2.1 This application proposes the following amendments to affordable housing provision:

- Plot 13 – amend from shared ownership to affordable rent
- Plot 14 – amend from open market to affordable rent
- Plot 15 – amend from open market to affordable rent
- Plot 160 – amend from shared ownership to affordable rent
- Plot 163 – amend from open market to affordable rent
- Plot 166 – amend from affordable rent to open market
- Plot 230 – amend from affordable rent to open market
- Plot 231 – amend from affordable rent to open market
- Plot 232 – amend from affordable rent to shared ownership
- Plot 233 – amend from affordable rent to shared ownership

8.2.2 The number of affordable dwellings is not proposed to change, with 3 plots moving from affordable to open market and 3 plots moving from open market to affordable. The tenures of other plots are amended from affordable rent to shared ownership and vice versa, however totals of affordable housing and each tenure remain the same as the original permission. The proposal is therefore considered to be in accordance with Local Plan Policy H2, Deepings Neighbourhood Plan Policy DNP3 and the NPPF (section 5).

8.2.3 All Affordable Housing has been completed and transferred to the respective registered providers. The total amounts being:

- Phase A - 20no. units of the total 56
- Phase D - 23no. units of the total 67

8.3 **Highway matters**

8.3.1 Objections have been received with regards to the re-siting of the access from Towngate East into the site. The access as permitted is located opposite and approximately half-way between no. 74 and no. 76 Towngate East, with the access proposed to be moved westwards towards no. 74 Towngate East.

- 8.3.2 These objections are noted, however the proposed amendments to the access are not considered to materially alter the existing permitted scheme. The access still serves the same number of dwellings as permitted, with the amendment to the siting of the access still onto Towngate East and opposite residential dwellings.
- 8.3.3 A further objection received references the existing traffic use along Towngate East and request the siting of a layby along the southern side of the road to provide additional car parking capacity. This application does not propose any additional dwellings to those already permitted, with therefore no further increase in highway movements from that permitted. The request for the layby is noted, however this does not form part of this application and instead may be requested by residents to Lincolnshire County Council (as Local Highway Authority) as the requested location of a layby is within the existing highway verge.
- 8.3.4 Lincolnshire County Council (as Local Highway Authority) do not have any objections to the proposal, which is considered to be acceptable and in accordance with Local Plan Policy ID2, Deepings Neighbourhood Plan Policy DNP16 and the NPPF (section 9).

8.4 **Residential amenity**

- 8.4.1 The proposal includes amendments to existing house types, with no gain in house numbers proposed. The proposed amendments to house types are not considered to be significant, and there are no concerns with regards to residential amenity either within the site or to neighbouring amenity to Lancaster Way. The proposed dwellings are set back from dwellings on Lancaster Way by an acceptable distance, with rear gardens, a strip of open space including a footpath and then the Car Dyke boundary prior to dwellings on Lancaster Way.
- 8.4.2 The proposal is therefore considered to comply with Local Plan Policy DE1, Deepings Neighbourhood Plan Policy DNP9 and the NPPF (section 12).

8.5 **Drainage and flood risk**

- 8.5.1 The proposal does not seek to amend any permitted number of dwellings or methods of drainage. Details of surface water drainage and foul water drainage are secured through conditions 4 and 6 of permission S16/0112 with details for phases A and D approved. As such, it is necessary to update these conditions to reflect the details that have already been approved.
- 8.5.2 No objections have been received from statutory consultees and the proposal is considered to comply with Local Plan Policy EN5 and the NPPF (section 14).

8.6 **Other matters**

- 8.6.1 The Section 106 agreement related to the extant permission will require a deed of variation to link the planning obligations to this new permission. A draft of this agreement has been prepared and agreed between the Council and the applicant.

- 8.6.2 The developer has submitted correspondence with Lincolnshire County Council (as Local Highway Authority) and the Local Planning Authority which confirms that the Travel Plan (ref: 21484/10-15/4057) submitted at the outline stage was approved. As such, it is recommended that condition 18 is removed and condition 28 (now condition 22) is changed to a compliance condition to reflect the approved details.
- 8.6.3 The other conditions are recommended to be amended to reflect that a material start has been made (Phase D), and various conditions requiring submission of details have been approved.

9 Crime and Disorder

- 9.1 It is considered that the proposal would not result in any significant crime and disorder implications.

10 Human Rights Implications

- 10.1 Articles 6 (Rights to fair decision making) and Article 8 (Right to private family life and home) of the Human Rights Act have been taken into account in making this recommendation. It is considered that no relevant Article of that act will be breached.

11 Conclusion

- 11.1 The minor amendments to the access and house types are considered to be acceptable and considered to be in line with the existing permission (S16/0112).
- 11.2 The amendment to condition 2 (approved plans) is therefore acceptable subject to a deed of variation to the Section 106 agreement and subject to the updated schedule of conditions detailed below.
- 11.3 Significant progress has been made since the last meeting, in terms of completion of this part of the site and compliance with planning conditions. There are no longer considered to be any breaches of planning control that reasonably justify any further delay with the determination of this application.
- 11.4 **RECOMMENDATION:** To authorise the Assistant Director for Planning to GRANT planning permission subject to the completion of a Deed of Variation to the Section 106 Agreement related to S16/0112 and subject to conditions outlined in this report.

Approved Plans

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

- Location Plan L189-Location-2 (received 21 September 2020)
- Site Layout Plan L-Site-A Rev C for phase A only (received 21 September 2020)
- Site Layout Plan L55 - SITE- AREAD REV K for phase D only (received 05/06/2020)
- Site Layout Plan for phases B and C drawing nos. 117-004 Rev J (received 18 January 2016)
- Phase A House Types drawing nos. L189 2318 DS, L189 2328 DS, L189 2404 DS, L189 2421 DS, L189 2422 DS, L189 2431 DS, L189 2513 DS, L189 2224 DS, L189 2324 DS, L189 2404 DS, L189 2409 DS, L189 2433 DS, L189 2434 DS, L189 2309 DS, L189 2310 DS, L189 2307 DS (received 21 September 2020)
- Phase B, C, D House Types and garage plans drawing nos. 2110/L138/DS; 2318/DS; 2326/L00/DS/02; 2401/L00/DS; 2409; 2410/L00/DS; 2421; 2422; 2423; 2427/L00/DS; 2428/L00/DS; 2508/L00/DS/AS; L00/2224/DS; L00/2225/DS; L00/2306/DS; L00/2308/DS; L00/2323/DS; L00/2324/DS; L00/GAR/02, L00/GAR/03 (received 18 January 2016)
- Phasing Plan (in relation to defining phases only) drawing no. PP/01 (received 18 January 2016)
- Public Open Space Plan (in relation to defining areas of POS) drawing no. POS/01 (received 18 January 2016)

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

2) No development in phases B and C shall take place until a Construction Management Plan, has been submitted to and approved in writing by the Local Planning Authority. The plan shall include the following:

- a) The management of traffic and routing during construction: to address site access, routes within the site kept free from obstruction, wheel washing, travel plan for construction workers, loading and unloading, vehicle parking and turning areas;
- b) Location of access points for site traffic;
- c) Construction plant directional signage
- d) Details of any temporary lighting
- e) Location type and size of compounds and temporary buildings
- f) Measures for the control of noise from the site during construction
- g) Measures for the control of dust during construction

The approved scheme for each phase shall be adhered to throughout the construction period including details for phase D approved by S18/1958 and details for phase A approved by S21/1686.

Reason: To ensure neighbours' amenities are adequately protected during construction.

- 3) No development in phases B and C shall take place until a detailed surface water drainage scheme for the site, based on sustainable urban drainage principles and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the Local Planning Authority.

The scheme shall:

- a) Provide details of how run-off will be safely conveyed and attenuated during storms up to and including the 1 in 100 year critical storm event, with an allowance for climate change, from all hard surfaced areas within the development into the existing local drainage infrastructure and watercourse system without exceeding the run-off rate for the undeveloped site;
- b) Provide attenuation details and discharge rates which shall be restricted to 1.4 litres per second per hectare;
- c) Provide details of the timetable for and any phasing of implementation for the drainage scheme; and
- d) Provide details of how the scheme shall be maintained and managed over the lifetime of the development, including any arrangements for adoption by any public body or Statutory Undertaker and any other arrangements required to secure the operation of the drainage system throughout its lifetime.

Reason: To reduce the risk of flooding and to comply with Policy EN5 of the adopted South Kesteven Local Plan.

- 4) No development in phases B and C shall take place until a foul water strategy has been submitted to and approved in writing by the local planning authority.

Reason: To prevent adverse impact on the environment and amenity through flooding and to comply with Policy EN5 of the adopted South Kesteven Local Plan.

- 5) No development on phases B and C shall take place until a written scheme of archaeological investigation relating to that phase has been submitted to and approved in writing by the Local Planning Authority.

The archaeological investigations for each phase shall have been completed in accordance with the approved details before development in each phase commences.

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

- 6) No development in phases B and C shall take place until all existing trees shown on the approved plan to be retained shall have been fenced off to the limit of their branch spread in accordance with BS 5837. No construction works including:

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

shall be permitted within these protected areas.

Reason: To prevent unnecessary damage to existing trees and in accordance with Policy EN2 of the adopted South Kesteven Local Plan.

During Building Works

- 7) No construction works relating to the proposed streets in phases B and C shall be commenced until full engineering, drainage, street lighting and constructional details of all the streets and paths proposed for adoption as well as the areas that are to remain as private carriageways have been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interest of highway safety; to ensure a satisfactory appearance to the highways infrastructure serving the development; to ensure that the highways are constructed to an adequate standard and to safeguard the visual amenities of the locality and users of the highway in accordance with Policy ID2 of the adopted South Kesteven Local Plan.

- 8) The adoptable and non-adoptable highways in each phase shall be constructed in accordance with the approved details, and the carriageway and footway surface courses for phases B and C shall be completed within three months from the date upon which the erection is commenced of the penultimate dwelling, unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure safe access to the site and each dwelling/building in the interests of residential amenity, convenience and safety.

- 9) The development shall be carried out in accordance with the recommendations and mitigation measures given in the submitted Ecological Appraisal dated September 2015.

Reason: To protect and enhance the wildlife and biodiversity of the area and in accordance with Policy EN2 of the adopted South Kesteven Local Plan.

- 10) Notwithstanding the submitted plans, before any of the soft landscaping works are commenced in phases B and C, full details of soft landscaping works within that phase shall be submitted to and approved in writing by the Local Planning Authority. Details shall include:

- i. planting plans;
- ii. written specifications (including cultivation and other operations associated with plant and grass establishment);
- iii. schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate;
- iv. phasing of implementation

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

- 11) Notwithstanding the submitted plans, before any of the hard landscaping works are commenced in phases B and C, full details of hard landscaping works shall be submitted to and approved in writing by the Local Planning Authority. Details shall include:

- i) proposed finished levels and contours;
- ii) means of enclosure;
- iii) car parking layouts;
- iv) other vehicle and pedestrian access and circulation areas;
- v) hard surfacing materials;
- vi) minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting etc.);
- vii) proposed and existing functional services above and below ground (e.g. drainage power, communications cables, pipelines etc. indicating lines, manholes, supports etc.);
- viii) retained historic landscape features and proposals for restoration, where relevant.

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

- 12) Before any of the works on the external elevations for the building(s) hereby permitted are begun in phases B and C, samples of the materials (including colour of any render, paintwork or colourwash) to be used in the construction of the external surfaces shall have been submitted to and approved in writing by the Local Planning Authority.

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

Before the Development is Occupied

- 13) Before each dwelling is occupied, the external surfaces of that dwelling shall have been completed in accordance with the approved details.

The external surfaces for the dwellings in phase D should be completed in accordance with the details approved by S18/1958 for phase A the details approved by S20/1737 unless any further details are subsequently submitted and approved by the Local Planning Authority.

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

- 14) The development shall be carried out in accordance with the surface water drainage scheme (including details for phase D approved by S18/1799 and details for phase A approved by S20/1737) and no dwelling shall be occupied until the approved scheme has been completed or provided on the site in accordance with the approved phasing. The approved scheme shall be retained and maintained in full in accordance with the approved details.

Reason: To reduce the risk of flooding and to comply with Policy EN5 of the adopted South Kesteven Local Plan.

- 15) Before any of the dwellings within each phase hereby permitted are occupied, the works to provide the boundary treatments (including details for phase D approved by S18/1958 and details for phase A approved by S20/1737) on that part of the

development shall have been completed in accordance with the approved boundary treatment scheme.

Reason: To provide a satisfactory appearance to any boundary treatments and by screening rear gardens from public view, in the interests of the privacy and amenity of the occupants of the proposed dwellings and in accordance with Policy DE1 of the South Kesteven Local Plan.

- 16) Before the end of the first planting/seeding season following the occupation of the final dwelling within each phase of the development hereby permitted, (including details for phase D approved by S18/1799 and details for phase A approved by S19/1364) shall be carried out in accordance with the approved soft landscaping details.

Reason: Soft landscaping and tree planting make an important contribution to the development and its assimilation with its surroundings and in accordance with Policy DE1 of the South Kesteven Local Plan.

- 17) All hard landscaping works within each phase must be carried out in accordance with the approved hard landscaping details and in accordance with a timetable for implementation which must be first submitted and approved in writing by the Local Planning Authority.

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

- 18) No dwellings within each phase shall be occupied until the foul water works (including details for phase D approved by S20/1114 and details for phase A approved by S20/1737) relating to that phase has been carried out in accordance with the approved strategy unless otherwise agreed in writing with the local planning authority.

Reason: To prevent adverse impact on the environment and amenity through flooding and to comply with Policy EN5 of the adopted South Kesteven Local Plan.

- 19) The development shall be carried out in accordance with the approved surface water drainage scheme (including details for phase D approved by S18/1799 and details for phase A approved by S20/1737) and no dwelling shall be occupied until the approved scheme has been completed or provided on the site in accordance with the approved phasing. The approved scheme shall be retained and maintained in full in accordance with the approved details.

Reason: To reduce the risk of flooding and to comply with Policy EN5 of the adopted South Kesteven Local Plan.

- 20) Before completion of the first dwelling within phases B and C, details of the size, appearance and location of all roof mounted photovoltaic solar panels within that phase shall have been submitted to and approved in writing by the Local Planning Authority.

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

Reason: To provide a satisfactory appearance to the development in accordance with Policies DE1 and SB1 of the adopted South Kesteven Local Plan.

Ongoing Conditions

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

Reason: To ensure the provision, establishment and maintenance of a reasonable standard of landscape in accordance with the approved designs and to comply with Policies EN1 and DE1 of the adopted South Kesteven Local Plan.

22) Those parts of the approved Travel Plan (ref: 21484/10-15/4057) that are identified therein as being capable of implementation after occupation shall be implemented in accordance with the timetable contained therein and shall continue to be implemented as long as any part of the development is occupied.

Reason: In order that the local planning authority conforms to the requirements of the National Planning Policy Framework, a Travel Plan has been conditioned to ensure that access to the site is sustainable and reduces dependency on the car.

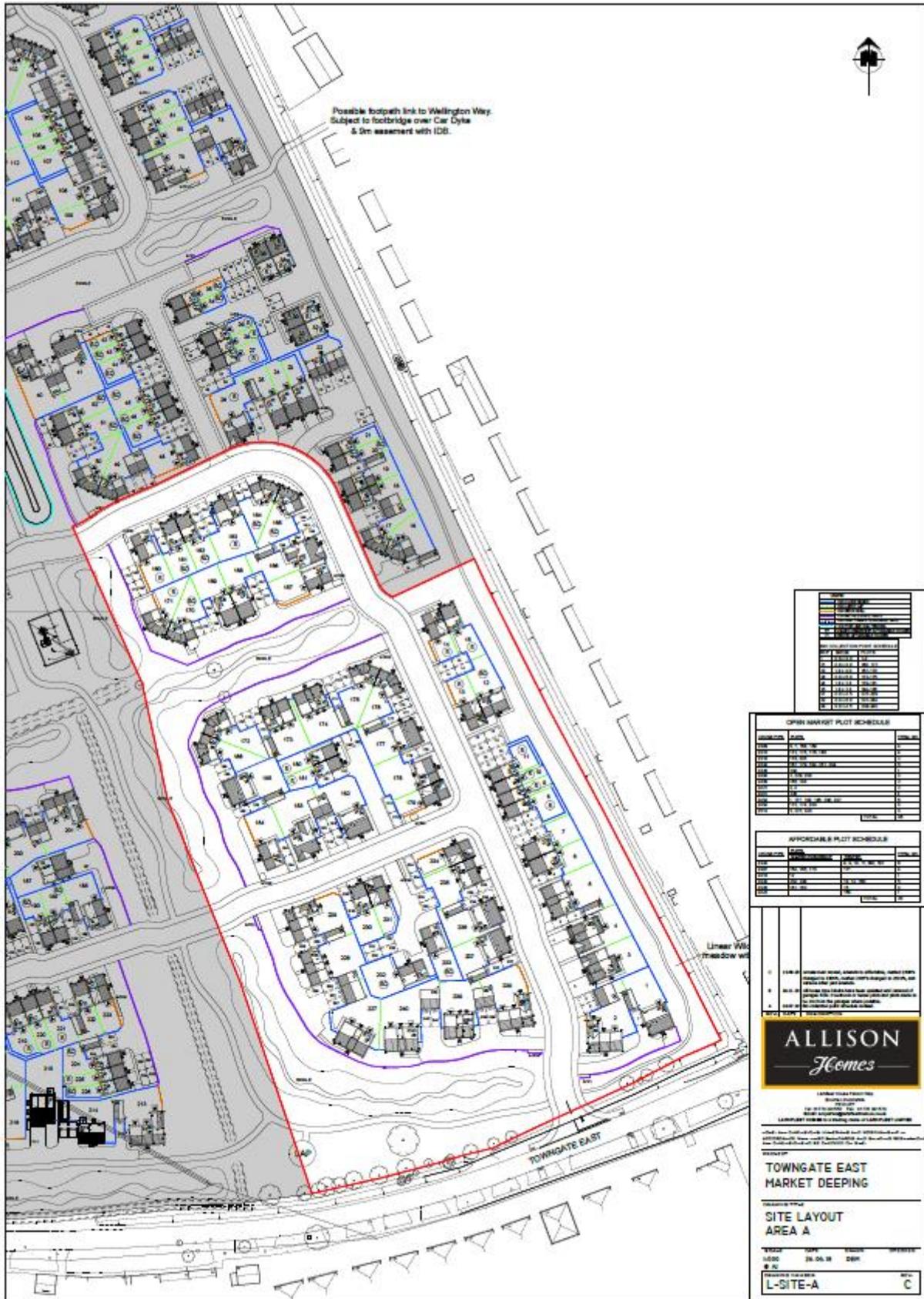
Standard Note(s) to Applicant:

1 In reaching the decision the Council has worked with the applicant in a positive and proactive manner by determining the application without undue delay. As such it is considered that the decision is in accordance with paras 38 of the National Planning Policy Framework.

Location Plan



Site Layout Plan





**SOUTH
KESTEVEN
DISTRICT
COUNCIL**

Planning Committee

11 July 2024



S24/0386

Proposal	Proposed change of use from Class C3 (dwellinghouse) to Class C2 (residential care home)
Location:	The Croft, 65 Main Street, Woolsthorpe By Belvoir, NG32 1LX
Applicant:	Mr Joe Rafter – Footsteps to Futures
Agent:	Mr Fabian Blair
Application Type:	Full Planning Application
Reason for Referral to Committee:	Called in by Councillor Leadenham due to the development creating a dominant and oppressive environment, the design is out of keeping with the character of the area, and excessive noise or odour pollution
Key Issues:	<ul style="list-style-type: none">• Highways impacts• Character and Appearance of the area• Impact of neighbours residential amenities
Technical Documents:	Business Plan Community Impact Policy

Report Author

Hannah Nouch, Development Management Planner



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Corporate Priority:

Growth

Decision type:

Regulatory

Wards:

Belvoir

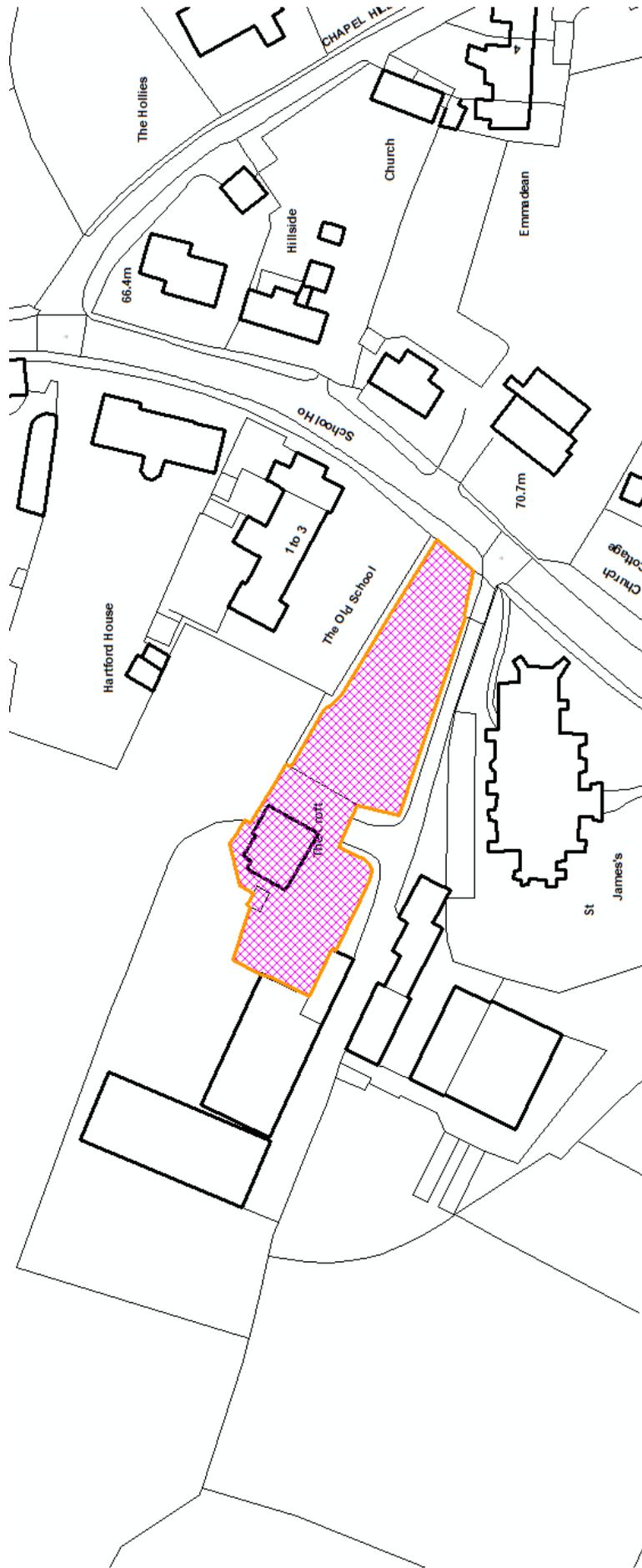
Reviewed by:

Adam Murray – Principal Development Management Planner

2 July 2024

Recommendation (s) to the decision maker (s)

To authorise the Assistant Director – Planning to GRANT planning permission, subject to conditions



Key



**Application
Boundary**

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1 Description of Site

- 1.1 The application site is located along Main Street within the small village of Woolsthorpe by Belvoir. The existing building 'The Croft' is significantly set back from the front boundary of the site, with the access point being an offshoot of a driveway off Main Street. The existing building is a two-storey detached residential dwellinghouse. The site is located within the Woolsthorpe by Belvoir Conservation area, with Grade II listed St James's Church to the south and Grade II Listed 'The Old School' to the northeast.

2 Description of proposal

- 2.1 The proposal relates to a change of use of the existing building from a dwellinghouse (Use Class C3) to a children's residential care home (Use Class C2). The care home would house up to 3 children, each of which would have a caregiver on a 1 to 1 basis, meaning on average there would be 6 people at the property at any given time.

3 Relevant History

- 3.1 S24/0581 – Lawful Development Certificate (Proposed) - Certificate of lawfulness for proposed change of use from Class C3 to Class C2 - Withdrawn

4 Policy Considerations

4.1 South Kesteven Local Plan 2011-2016 (Adopted January 2020)

Policy SP1 – Spatial Strategy

Policy SP2 – Settlement Hierarchy

Policy SP3 – Infill Development

Policy DE1 – Promoting Good Quality Design

Policy SB1 – Sustainable Building

4.2 Design Guidelines for Rutland and South Kesteven Supplementary Planning Document (Adopted November 2021)

4.3 National Planning Policy Framework (NPPF)

NPPF Section 9 – Promoting Sustainable Transport

NPPF Section 12 – Achieving well-designed and beautiful places

NPPF Section 16 – Conserving and enhancing the historic environment

5 Representations Received

5.1 SKDC Conservation Officer

- 5.2 The proposal to change the use of the property will not impact the amenity of the Conservation Area as proposed changes are internal. Overall, I have no concerns with this proposal on heritage grounds.

5.3 Lincolnshire County Council Highways

- 5.4 No Objections

- 5.5 This proposal is for the change of use from Class C3 (dwellinghouse) to Class C2 (residential care home). The vehicular access remains unchanged, the applicant and

justified the parking provided, turning space has been provided within the limits of the site to allow vehicles to enter and leave in a forward gear and therefore, it is considered that this proposal would not result in an unacceptable impact upon highway safety.

5.6 **Environmental Protection**

5.7 Environmental Protection has reviewed the documents in respect of the above application and has no further comment to make.

5.8 **Melton Borough Council**

5.9 Melton Borough Council have no comments to make but would refer you to the considerations of Melton local Plan Policy D1 and EN13 due to the wider context of the site in relation to Belvoir Castle. In addition Melton Borough Council's Cabinet recently approved a planning guidance for Children's Homes and this may be useful to you when determine this application the guidance document can be found here <https://democracy.melton.gov.uk/ielssueDetails.aspx?Id=14755&Opt=3>

5.10 **Crime Prevention Officer**

5.11 Lincolnshire Police do not have any objections to this application.

5.12 **Derbyshire County Council**

5.13 I am writing to you to express my support for Footsteps to Futures prospective move to The Croft. I am the allocated social worker for J who is currently residing in the care of staff at Evergreen. J went to reside at Evergreen in July 2023. The home has provided a high level of care and support for J, they understand and meet his needs on a daily basis and ensure that they communicate with social care regularly and support J to have regular contact with his parents. I recognise that there is a resistance to Evergreen moving to The Croft due to the anti-social behaviour demonstrated by young people who resided at Evergreen.

5.14 In my experience the staff at Evergreen promote positive behaviours they do all that they can to support the young people and try and understand their behaviour and actions. They will ensure that there is a clear daily plan to keep the young people busy and occupied and they work hard to deter any adverse behaviours that the young people may display. I believe the move to The Croft will be beneficial and supportive of the young peoples needs and behaviours. I am sure the staff at Evergreen will support the young people to adjust and feel comfortable in their new surroundings and promote positive change and integration into a new community.

5.15 **Woolsthorpe By Belvoir Parish Council**

5.16 The Woolsthorpe by Belvoir Parish Council wishes to raise certain concerns with regard to Planning Application S24/0386. These suggestions are made on behalf of residents of the Village who have by various means made their views clear to the Council; this is therefore a collective summary of many points of view.

Of prime concern to us is the wellbeing and mental health of our Parishioners, many of whom are elderly and vulnerable and an increasing number are of school age as several children's home have opened and are in the stages of opening in the village.

The Parish Council was made aware of the application to change the use of The Croft on Main Street in Woolsthorpe on the 6th March 2024 and since then we have spoken to residents informally and received emails from them stating their objections to the proposal.

Since then, the Parish Council has met to formulate our response and we have come to the opinion that having 3 children's homes within our village and 4 within our parish is beyond saturation point. If permission was granted for the Croft to be converted into a children's home, we would have 3 children's homes within 180 meters of each other, a total of 4 within our small parish and as a small village this is simply not sustainable.

The children's home that intends, subject to planning permission, to move into The Croft has previously been in Redmile and through a concerted effort of residents, their Parish Council and the District Council, along with input from the MP, has been forced to move from that location to Woolsthorpe. This is due to acts of vandalism, noise complaints and antisocial behaviour, which has alienated residents to such an extent that it simply was not reasonable for the children's home to remain.

The village itself is not equipped for another children's home to be sited within it. The playground is in need of renovation, but this is being held back by the lease from the site's owner being up for renewal and only a short lease being offered, thereby limiting the options for the PC to develop and renew some of the equipment. With that exception, there are no facilities for outdoor recreation for children with the needs that these children's homes cater for.

It must also be mentioned that the provision of another children's home will not create any substantial jobs in our village as staff will be transferred from Redmile and not recruited within our village. Whilst the current homes have employed a villager as a handyman, this doesn't constitute an economic benefit to the village and doesn't outweigh the negative impacts that this will have.

In summary, the Parish Council are against the creation of another children's home in our village on the grounds that we already have two within 180 meters of the proposed site and this addition would bring the total to 4, which far exceeds what is acceptable. Had this application been for another village with the same amount of existing children's homes in Melton District Councils jurisdiction, it would by their own admission be in excess of what is acceptable to them as a District Council. The provision of yet another children's home is considered by the Parish Council to constitute a further over saturation of children's homes in an already oversaturated environment, in a village that simply does not have the amenities to cater for them. Therefore, the Parish Council cannot support this planning application.

6 Representations as a Result of Publicity

6.1 This application has been advertised in accordance with the Council's Statement of Community Involvement and 6 letters of representation have been received. The points raised can be summarised as follows:

1. No information submitted on the type of boundary treatments for the site – with safety concerns for occupiers due to neighbouring sites
2. Melton Borough Council have stated that in their opinion no more than one children's care home should be allowed in any village
3. Experience has been that children's care homes bring with them a threat of disturbance which affects the character of the area and residents' amenities

4. Home is being relocated from Redmile due to antisocial behaviour
5. Adjoining site hosts piggeries with asbestos, concerns about access to these by children

7 Evaluation

7.1 Principle of Development

- 7.2 The application site in this instance lies within Woolsthorpe by Belvoir one of the smaller villages as defined by policy SP2.
- 7.3 The principle of residential development in this location has already been established with the current use of the building being a residential dwelling on an infill site. Whilst the proposal would be changing the use, it would be remaining within the wider residential use class resulting in a small residential children's care home that would host up to 3 children and 3 caregivers at one point, and as such the principle of development would remain acceptable. The location of the site is considered appropriate as it is situated in an existing residential area, within a smaller village identified as a sustainable settlement, with access to local services and amenities, and this use would be similar in character to the surrounding use.
- 7.4 Furthermore, Policy H4 (Meeting all Housing Needs) states that new housing proposals shall (a) enable older people and the most vulnerable to promote, secure and sustain their independence in a home appropriate to their circumstances, including through the provision of specialist housing across all tenures in sustainable locations. New housing proposals shall take account of the desirability of providing retirement accommodation, extra care and residential care housing and other forms of supported housing.
- 7.5 The proposal would provide an element of specialist housing to benefit the most vulnerable people living in the district. The dwelling is in a sustainable location and would require little alteration to accommodate the change of use. The proposal is therefore considered to be acceptable in principle and in accordance with Policy SD1 (The Principles of Sustainable Development in South Kesteven) and H4 (Meeting all Housing Needs) of the adopted Local Plan subject to assessment against site specific criteria.
- 7.6 The Written Ministerial Statement (WMS) published on 23rd May 2023 set out the Government's commitment to "support the development of accommodation for looked after children, and its delivery through the planning system". The Statement states the planning system should not be a barrier to providing homes for the most vulnerable children in society. The WMS also states that "In two tier authorities, we expect local planning authorities to support these vital developments where appropriate, to ensure that children in need of accommodation are provided for in their communities."
- 7.7 The WMS is included in full at the end of this report in Appendix A.
- 7.8 The WMS puts forward a national need for children's homes, and for those homes to be in the right place within a sustainable community. Woolsthorpe By Belvoir has been identified as a sustainable location for new development within the adopted Local Plan.
- 7.9 The WMS also states "when care is the best choice for a child, it is important that the care system provides stable, loving homes close to children's communities."

- 7.10 The Local Planning Authority does not make the relevant assessment of the children who would be living at the home as part of the decision-making process for a change of use of a property to a children's care home. Rather, it is the Planning System's responsibility to enable these homes to be able to come forward in the correct places so that relevant Children's Social Care Authorities are able to support that function. The site has good access to facilities in a sustainable community and is therefore considered to accord with the key matter of the WMS.
- 7.11 **Impact on the character and appearance of the area**
- 7.12 Policy DE1 (Promoting Good Quality Design) of the adopted Local Plan states (amongst other criteria) that to ensure high quality design is achieved throughout the District, all development proposals will be expected to make a positive contribution to local distinctiveness, vernacular and character of the area. Proposals should reinforce local identity and not have an adverse impact on the streetscene, settlement pattern or the landscape / townscape character of the surrounding area. Proposals should be of an appropriate scale, density, massing, height and material, given the context of the area. Part 12 of the NPPF (Achieving well-designed places) states that good design is a key aspect of sustainable development and new development should be visually attractive as a result of good architecture and appropriate landscaping.
- 7.13 The Local Planning Authority is required to ensure that special regard to preserving the Listed Buildings and their settings in relation to Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the 'Act'). No harm should be caused with the historical assets and their surroundings requiring to be preserved or enhanced.
- 7.14 The Local Planning Authority is required to ensure that with respect to any buildings or other land in a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area, through the Planning (Listed Buildings and Conservation Areas) Act 1990 at Section 72.
- 7.15 Furthermore, the importance of considering the impact of development on the significance of designated heritage assets is expressed in the National Planning Policy Framework (NPPF). The NPPF advises that development and alterations to designated assets and their settings can cause harm. These policies ensure the protection and enhancement of the historic buildings and environments. Proposals that preserve those elements of the setting that make a positive contribution to or better reveal the significance should be treated favourably.
- 7.16 Policy EN6 (The Historic Environment) states amongst other criteria that the Council will seek to protect and enhance heritage assets and their settings, in keeping with the policies in the National Planning Policy Framework. Proposals will be expected to take into account the Conservation Area Appraisals, where these have been adopted by the Council.
- 7.17 SKDC's Conservation Officer was consulted to due to the heritage constraints and advised the proposal to change the use of the property will not impact the amenity of the Conservation Area as proposed changes are internal. The Officer raised no concerns with this proposal on heritage grounds.
- 7.18 It is not proposed to extend or alter the exterior of the dwelling into the outside amenity space. The use of building for up to three children with their caregivers would not constitute an unacceptable increase and difference in impact levels on the character and

appearance of the area when considering the comings and goings and type of occupation to the existing residential dwelling.

- 7.19 By virtue of the design, scale and materials to be used, the proposal would be in keeping with the host building, streetscene and surrounding context. The development would not cause harm to the setting of the adjacent listed buildings or the Woolsthorpe By Belvoir Conservation Area in accordance with Sections 12 and 16 and Policies DE1 and EN6 of South Kesteven Local Plan.
- 7.20 **Impact on the neighbours' residential amenities**
- 7.21 Policy DE1 (Promoting Good Quality Design) of the adopted Local Plan states (amongst other criteria) that all development proposals will be expected to ensure there is no adverse impact on the amenity of neighbouring users in terms of noise, light pollution, loss of privacy and loss of light and provide sufficient private amenity space, suitable to the type and amount of development proposed. Paragraph 135 of the NPPF states that developments should create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.
- 7.22 There are no external changes to the building, with it solely being a change of use. Therefore, the considerations relating to overlooking or overshadowing are not deemed to be issues in this instance as these existing levels would not be exacerbated by the proposed use change.
- 7.23 Concerns were raised in relation to excess noise, however it is deemed that with the number of proposed occupiers and supporting staff, there would not be an unacceptable level of noise or disturbance resulting to the adjacent properties. Nevertheless, the nearest neighbouring property to the south is St Peters Church and the location of the dwelling, set further back than the neighbouring properties from the street frontage, this relationship and use is deemed acceptable in terms of anticipated noise levels.
- 7.24 Whilst the current proposal is not deemed to result in any unacceptable levels of harm by way of impact to neighbouring sites, it is considered the intensification of the number of children occupying the care home would give rise to increased levels of impact and therefore a condition has been attached to limit the number to a maximum of three as proposed.
- 7.25 Taking into account the nature of the proposal, small scale, and adequate separation distances, it is considered that there would be no unacceptable adverse impact on the residential amenities of the occupiers of adjacent properties in accordance with the NPPF Section 12, and Policy DE1 of the Local Plan.
- 7.26 **Highway issues**
- 7.27 Paragraph 115 of the NPPF advises that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.
- 7.28 The submission confirms that there would be a total of 3 staff on site at any one point, nevertheless the parking arrangement allows for an additional 3 spaces to assist in the shift change over. A social worker would visit approximately once every 5/6 weeks and therefore a further 2 spaces have been provided to allow for this and any unscheduled

visit by a governing body. Therefore, 8 potential car parking spaces are available if needed for the above circumstances, although it would be highly unlikely all spaces would be needed/in use at any one time.

7.29 Lincolnshire County Council as the Highways Authority raised no objections to the proposal, advising the vehicular access remains unchanged and the applicant has justified the parking provided. Turning space has been provided within the limits of the site to allow vehicles to enter and leave in a forward gear and therefore, it is considered that this proposal would not result in an unacceptable impact upon highway safety.

7.30 The proposal would not impact on access, parking and turning facilities and would not have an unacceptable adverse impact on highway safety in accordance with the NPPF Section 9.

7.31 **Other Matters**

7.32 Within the representations received a comment was made on Melton Borough Council having an opinion that no greater than one care home should be allowed in each village. South Kesteven District Council have not received comments to this effect from Melton Borough Council but can confirm there are no policies that restrict the number of care homes within the SKDC Local Plan.

7.33 The Parish had noted that the care home would not boost the local economy with the provision of staffing, and therefore the negative impacts they perceive would not be outweighed.

7.34 **Crime and Disorder**

7.35 Concern was raised in relation to the potential that the relocation of the care home from a site in Redmile was due to anti-social behaviour and the change of use would result in an increase antisocial behaviour in Woolsthorpe by Belvoir.

7.36 Lincolnshire Police were consulted on the application, and confirmed they raise no objection to the proposal.

7.37 Matters relating to anti-social behaviour would be subject to control through separate procedures of law enforcement, and through the registration and monitoring of children's care homes that is conducted by Ofsted.

In this case, given that the proposed development relates to a change of use, it is Officer's assessment that the design of the development would not result in an increase in crime and / or the fear of crime occurring.

7.38 It is considered that the proposal would not result in any significant crime and disorder implications.

7.39 **Human Rights Implications**

7.40 Articles 6 (Rights to fair decision making) and Article 8 (Right to private family life and home) of the Human Rights Act have been taken into account in making this recommendation. It is considered that no relevant Article of that act will be breached.

7.41 **Conclusion**

7.42 Taking the above into account, the proposed change of use would not result in any unacceptable levels of impact to the character and appearance of the area, neighbouring properties residential amenities or highway safety. The proposal is therefore considered to

be in accordance with sections 9, 12 and 16 of the NPPF and policies DE1, EN6, H4, SB1 and SP3 of the SKDC Local Plan.

- 7.43 As such, the application is considered to be in accordance with the adopted Development Plan when taken as a whole, and there are no material considerations in this case to indicate that planning permission should be withheld.

8 Recommendation

- 8.1 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:

- i. Site Plan re. JRTC_2024_0_001 REV 0 received 6 March 2024
- ii. Proposed Car Parking Layout re. JRTC_2024_0_004 REV 0 received 24 April 2024

Unless otherwise required by another condition of this permission.

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

Before the Development is Occupied

3 Prior to first occupation of any part of the development hereby permitted, the vehicle parking and turning areas shall have been completed in accordance with approved plan JRTC_2024_0_004 REV 0 and shall not be used for any purpose other than for the parking and turning of private vehicles and motorcycles belonging to the occupants of the property and their visitors. The parking and turning shall be retained thereafter unless otherwise agreed with the Local Planning Authority.

Reason: To ensure that adequate parking provision is provided and retained in order to minimise on street parking and to ensure that vehicles can enter and leave premises in a forward gear in the interests of highway safety.

Ongoing conditions

4 Prior to any works to the boundary treatments commencing, details of a plan indicating the heights, positions, design, materials and type of boundary treatment to be erected shall have been submitted to and approved in writing by the Local Planning Authority.

Reason: To provide a satisfactory appearance to any boundary treatments and by screening rear gardens from public view, in the interests of the privacy and amenity of the occupants of the proposed and neighbouring dwellings and in accordance with Policy DE 1 of the adopted South Kesteven Local Plan.

5 Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 (or any order revoking and re-enacting that order with or without modification) the premises shall be used only as a children's care home for up to three children and for no other purpose (including any other use falling within Class C2 of the Order).

Reason: To define the permission as other uses within Class C2 would require further assessment.

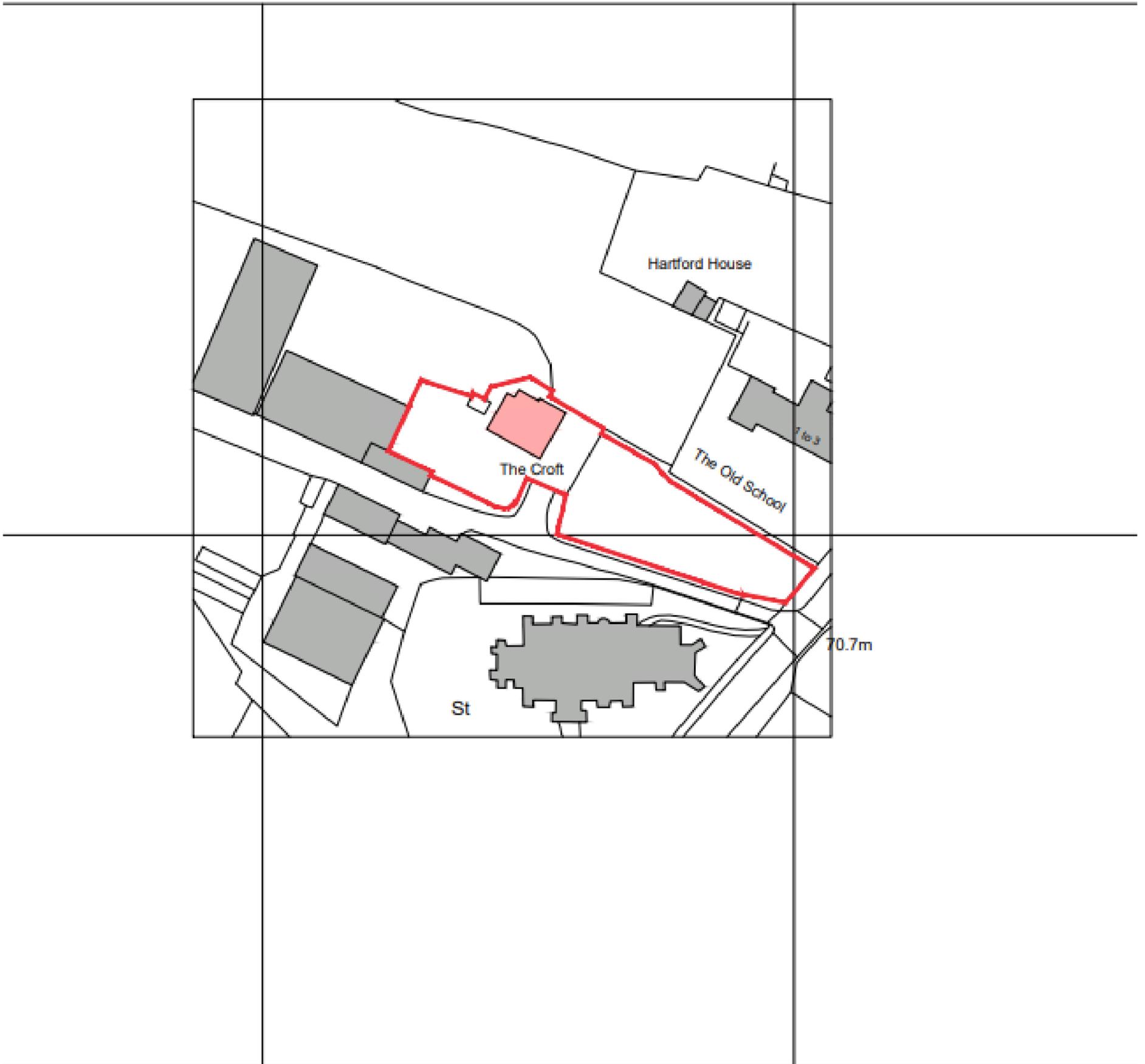
Appendix A

Written Ministerial Statement 23 May 2024 - [Written statements - Written questions, answers and statements - UK Parliament](#)



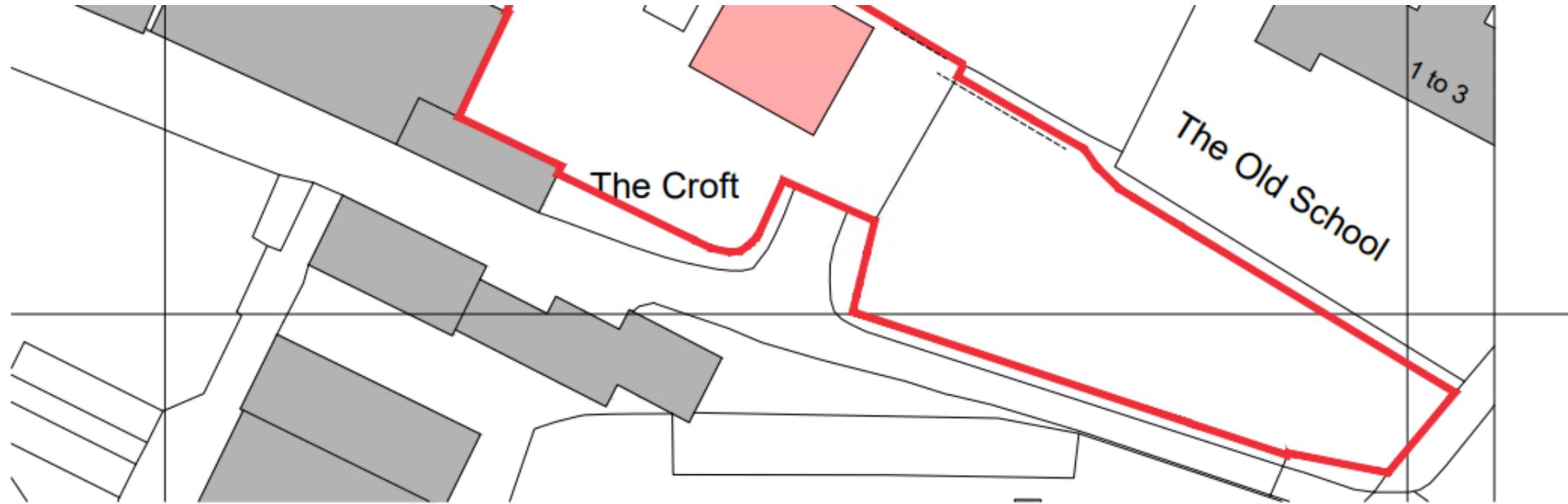
483600m

483700m

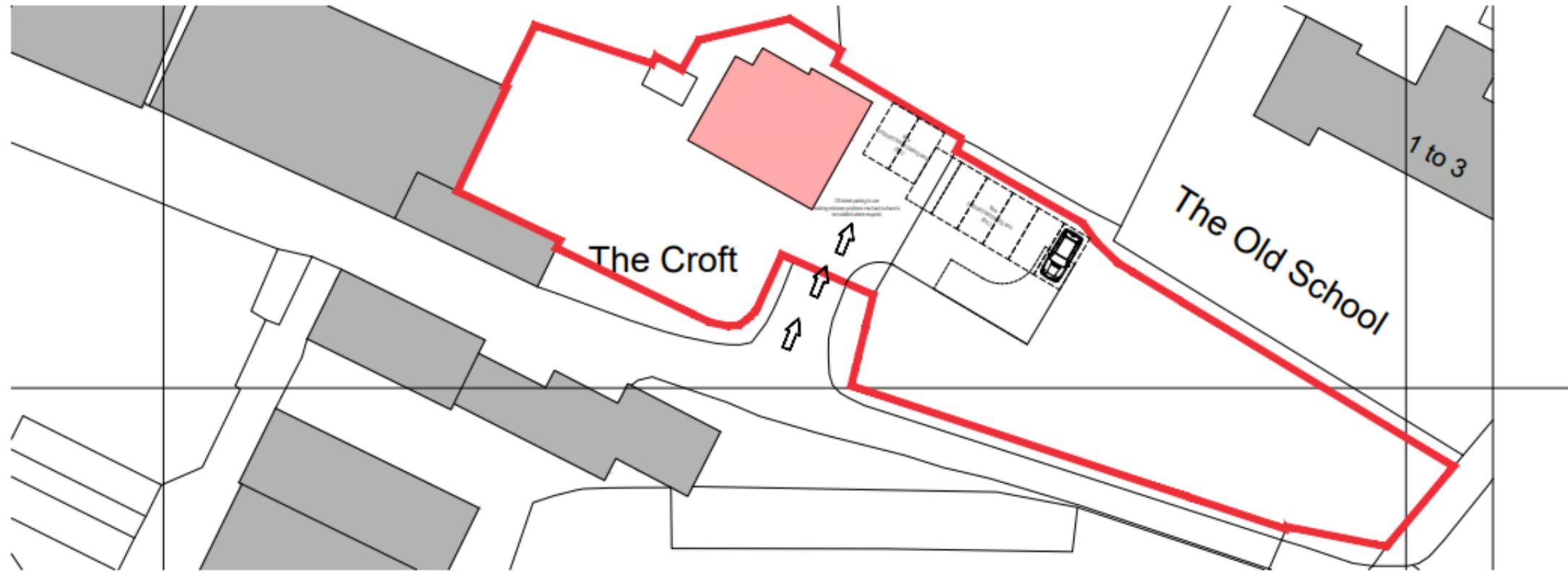


483600m

483700m



Site Layout | as existing
SCALE 1:200



Site Layout | as proposed
SCALE 1:200



**SOUTH
KESTEVEN
DISTRICT
COUNCIL**

Planning Committee

11th July 2024



S24/0674

Proposal	Extend dropped kerb access and driveway to allow parking of mobility vehicles for disabled occupants
Location	20 Cecil Close, Bourne, Lincolnshire, PE10 9QP
Applicant	Miss Jo Short
Reason for Referral to Committee	The application has been submitted by an Officer on behalf of South Kesteven District Council
Key Issues	Impact on the character and appearance of the area Impact on neighbouring amenities

Report Author

Julie Carroll, Assistant Planning Officer



01476 406431



Julie.Carroll@southkesteven.gov.uk

Corporate Priority:

Growth

Decision type:

Regulatory

Wards:

Bourne Austerby

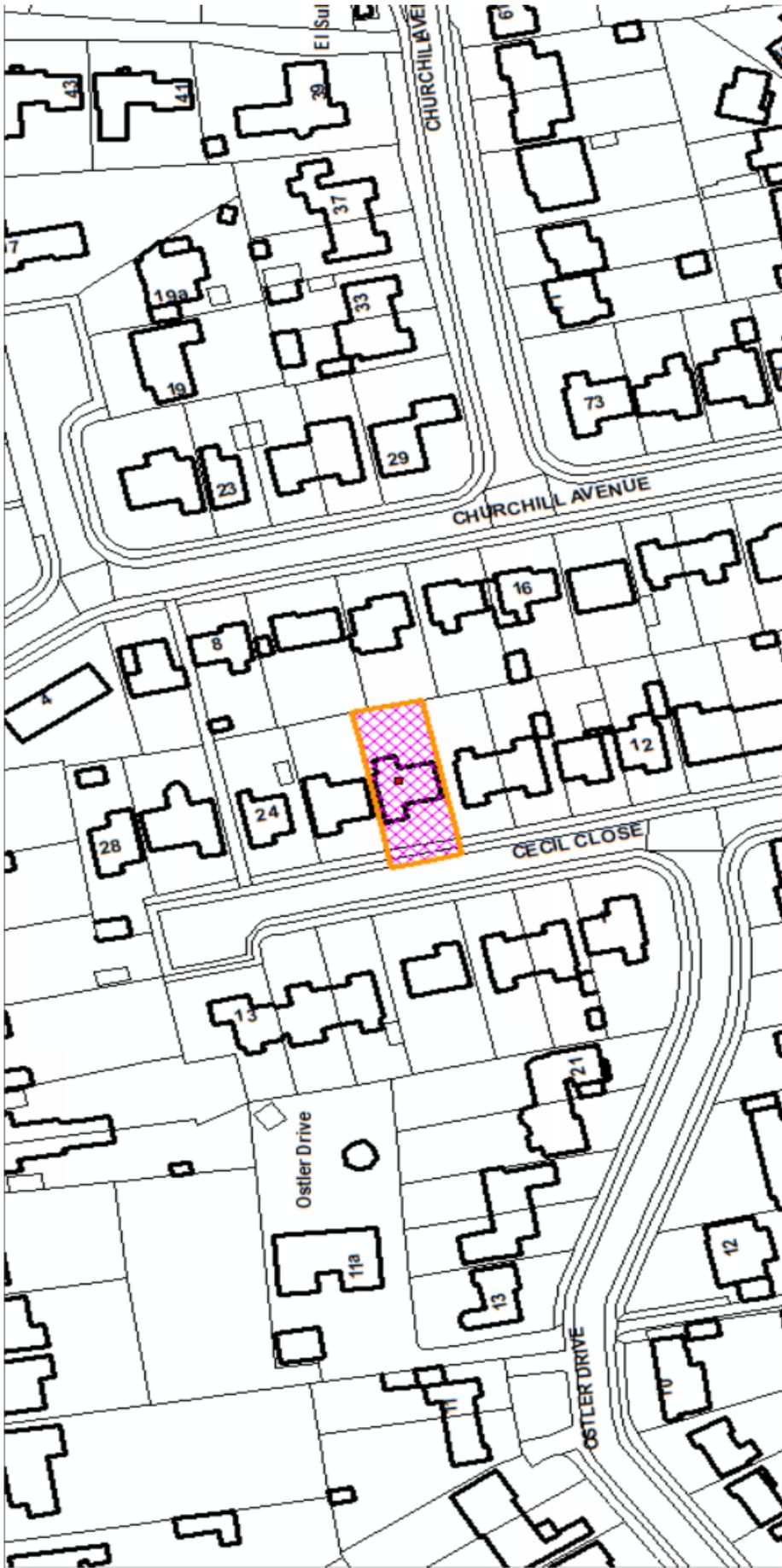
Reviewed by:

Adam Murray – Principal Development Management Planner

2 July 2024

Recommendation (s) to the decision maker (s)

To authorise the Assistant Director – Planning to GRANT planning permission, subject to conditions.



Key



Application
Boundary



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1 Description of Site

- 1.1 The site is situated in a cul-de-sac and surrounded by similar house types. The property is a detached bungalow with a gable on the front elevation. To the side is a concrete driveway with access for one vehicle. The existing dropped kerbing serves 20 and 22 Cecil Close. The boundary treatment is dwarf walling to the front.

2 Description of proposal

- 2.1 The application seeks planning permission to extend the existing dropped kerb access to the property to allow for additional access to parking for mobility vehicles.

3 Relevant History

- 3.1 No relevant planning history

4 Relevant Planning Policies & Documents

- 4.1 **SKDC Local Plan 2011 – 2036**
Policy DE1 - Promoting Good Quality Design
Policy SD1 – The Principles of Sustainable Development in South Kesteven
- 4.2 **National Planning Policy Framework (NPPF)**
Section 12 - Achieving well-designed places
Section 9 - Promoting sustainable transport

5 Representations Received

- 5.1 **Lincolnshire County Council Highways**
5.1.1 No Objections

6 Representations as a Result of Publicity

- 6.1 This application has been advertised in accordance with the Council's Statement of Community Involvement and no letters of representation have been received.

7 Evaluation

- 7.1 The proposal relates to the extension of the dropped kerb access and driveway to allow parking of mobility vehicles for disabled occupants. This proposal is considered to be acceptable in principle and in accordance with Policy SD1 (Principles of Sustainable Development in South Kesteven) of the adopted Local Plan subject to assessment against site specific criteria. These include the impact of the proposal on the character or appearance of the area, impact on the residential amenities of neighbouring occupiers, and impact on highway safety, which are discussed in turn as follows.

7.1 **Impact on the character and appearance of the area**

- 7.1.1 The extension of kerb dropping is a very minor development that would have minimal impact on the visual character of the area. It is noted that if the kerb was being dropped to facilitate any other development permitted by the General Permitted Development Order 2015 (as amended), it would not require planning permission as Cecil Close is not a classified road.
- 7.1.2 The proposal would be in keeping with the host dwelling, streetscene and surrounding context in accordance with the NPPF Section 12, and Policy DE1 of the Local Plan.

7.2 **Impact on the neighbours' residential amenities**

- 7.2.1 Dropping the kerb is a very minor development that would not unacceptably impact neighbours' residential amenities through overlooking, overshadowing or loss of privacy.
- 7.2.2 Taking into account the nature of the proposal, small scale, and adequate separation distances, it is considered that there would be no unacceptable adverse impact on the residential amenities of the occupiers of adjacent properties in accordance with the NPPF Section 12, and Policy DE1 of the Local Plan.

7.3 **Highways Impact**

- 7.3.1 Paragraph 115 of the NPPF advises that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.
- 7.3.2 The proposal would result in adequate access, parking and turning facilities and would not have an unacceptable adverse impact on highway safety in accordance with the NPPF Section 9.

8 Crime and Disorder

- 8.1 It is considered that the proposal would not result in any significant crime and disorder implications.

9 Human Rights Implications

- 9.1 Articles 6 (Rights to fair decision making) and Article 8 (Right to private family life and home) of the Human Rights Act have been taken into account in making this recommendation. It is considered that no relevant Article of that act will be breached.

10 Conclusion

- 13.1 Taking the above into account, it is considered that the proposal is appropriate for its context and is in accordance with the NPPF (Sections 9 and 12) and Policy DE1 of the South Kesteven Local Plan. There are no material considerations that indicate otherwise although conditions have been attached.

Recommendation

To authorise the Assistant Director – Planning to GRANT planning permission, subject to conditions.

Time Limit for Commencement

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

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

Site Location Plan - received 19 April 2024

Proposed Layout Plan - received 19 April 2024

Unless otherwise required by another condition of this permission.

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

Before the Development is Occupied

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

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

Standard Note(s) to Applicant:

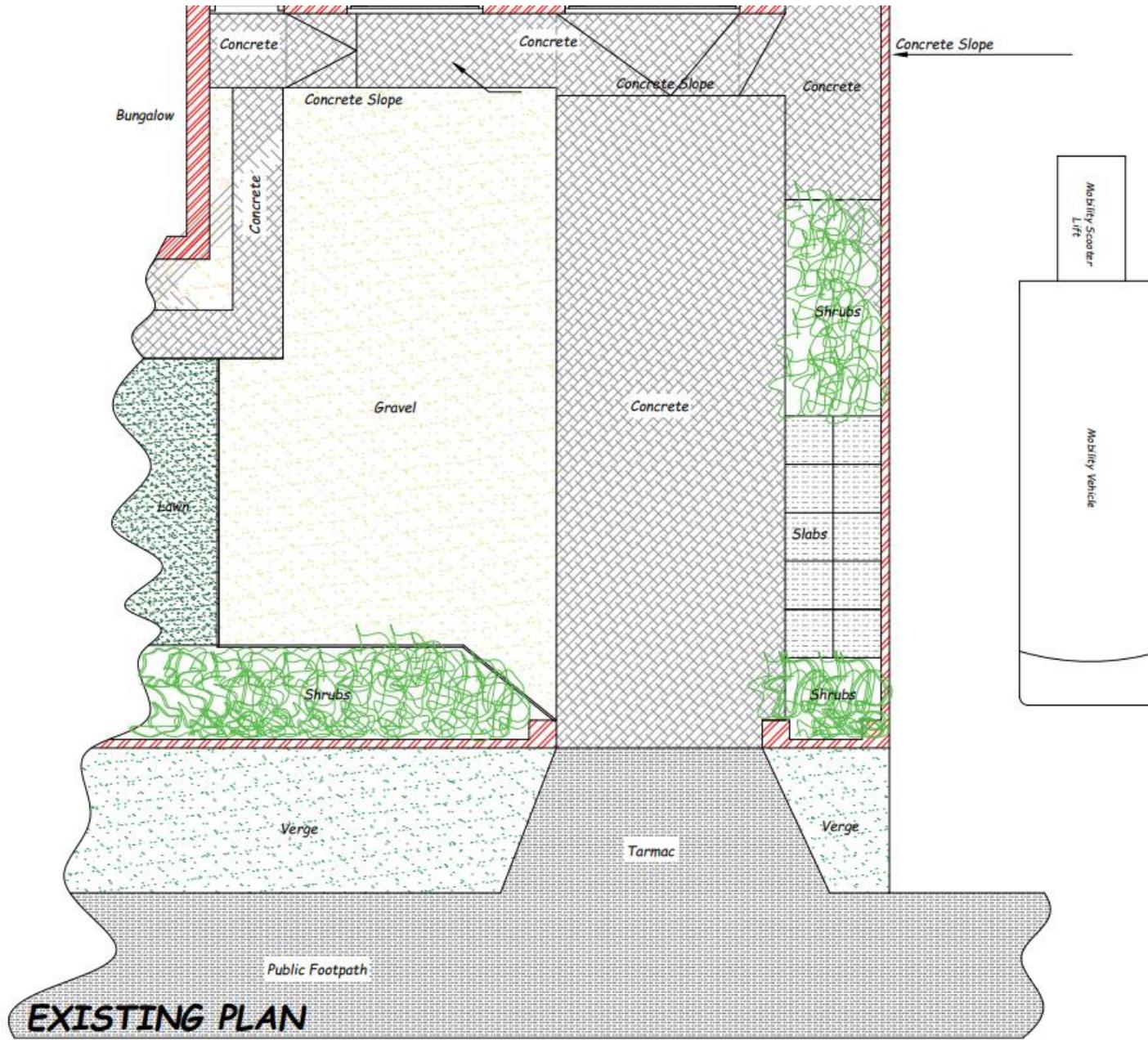
- 1 In reaching the decision the Council has worked with the applicant in a positive and proactive manner by determining the application without undue delay. As such it is considered that the decision is in accordance with paras 38 of the National Planning Policy Framework.

- 2 Highway Informative 03
The permitted development requires the formation of a new/amended vehicular access. These works will require approval from the Highway Authority in accordance with Section 184 of the Highways Act. Any traffic management required to undertake works within the highway will be subject to agreement. The access must be constructed in accordance with a current specification issued by the Highway Authority. Any requirement to relocate existing apparatus, underground services, or street furniture because of the installation of an access will be the responsibility, and cost, of the applicant and must be agreed prior to a vehicle access application. The application form, costs and guidance documentation can be found on the Highway Authority's website, accessible via the following link:

<https://www.lincolnshire.gov.uk/licences-permits/apply-dropped-kerb>.

Site Location Plan





EXISTING PLAN



**SOUTH
KESTEVEN
DISTRICT
COUNCIL**

PRIVATE SECTOR HOUSING
SOUTH KESTEVEN DISTRICT COUNCIL
COUNCIL OFFICES, THE PICTURE HOUSE
ST. CATHERINES ROAD, GRANTHAM
LINCOLNSHIRE NG31 6TT
TEL: 9014760 40 60 80.

Job:

20 CECIL CLOSE BOURNE PE10 9QP

Proposed:

**EXISTING PLAN FOR ENLARGED ACCESS
& EXTENDED HARD STANDING WITH
ASSOCIATED WORKS**

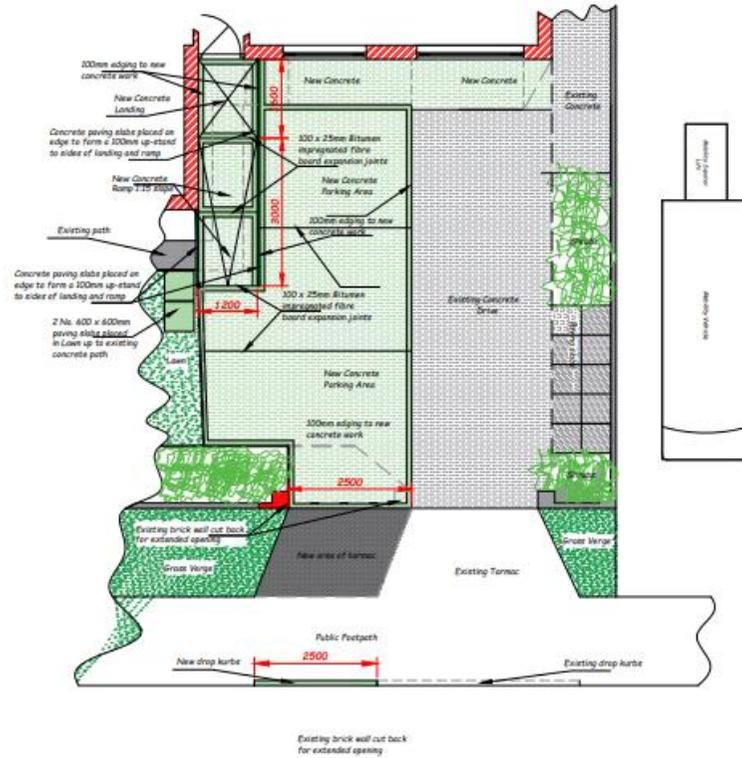
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Drawn by: **cds**

Revision:

DWG No. **DFG/20CecilClose/01**



PROPOSED PLAN



**SOUTH
KESTEVEN
DISTRICT
COUNCIL**

PRIVATE SECTOR HOUSING
SOUTH KESTEVEN DISTRICT COUNCIL
COUNCIL OFFICES, THE PICTURE HOUSE
ST. CATHERINES ROAD, GRANTHAM
LINCOLNSHIRE NG31 6TT
TEL: 9014760 40 60 80.

Job:

20 CECIL CLOSE BOURNE PE10 9QP

Proposed:
**PROPOSED PLAN FOR ENLARGED ACCESS
& EXTENDED HARD STANDING WITH
ASSOCIATED WORKS**

Date:	October 2023	Scale:	1:100
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DWG No. **DFG/20CecilClose/02**

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