

Planning Committee



SOUTH
KESTEVEN
DISTRICT
COUNCIL



Thursday, 3 October 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 meeting held on 5 September 2024** (Pages 3 - 40)

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.

4. **Application S22/1591** (Pages 41 - 70)
- Proposal:** Full Planning Application for the erection of 111 dwellings including affordable housing provision, open space including access to the river, soft and hard landscaping including tree lined streets, car and cycle parking including EV charging provision, and vehicular link with the adjacent Vistry site.
- Location:** Land to the north of Uffington Road, Stamford
- Recommendation:** To authorise the Assistant Director of Planning & Growth to GRANT planning permission, subject to completion of a planning obligation and subject to conditions outlined in the report.
5. **Application S24/0569** (Pages 71 - 89)
- Proposal:** Demolition of the existing grain store and erection of five dwellings
- Location:** Grain Store, Station Road, Twenty, PE10 0AZ
- Recommendation:** To authorise the Assistant Director – Planning to GRANT planning permission, subject to conditions
6. **Application S24/1467** (Pages 91 - 96)
- Proposal:** Installation of 574 Solar PV panels
- Location:** Grantham Meres Leisure Centre, Trent Road, Grantham, NG31 7XQ
- Recommendation:** To authorise the Assistant Director – Planning to GRANT prior approval
7. **Application S24/1225** (Pages 97 - 108)
- Proposal:** Proposed single storey rear elevation extension, internal alterations to garage / store, and installation of 3no skylights to main 2-storey property.
- Location:** White Farm Cottage, 16 Pond Street, Harlaxton
- Recommendation:** To authorise the Assistant Director – Planning to GRANT planning permission, subject to conditions.
8. **Application S24/1150** (Pages 109 - 113)
- Proposal:** Application for works to OJSX (T6) - Fagus Sylvatica - Crown Lift to maximum of 6m,

4m only over driveway and OJSW (T7) -
Fagus Sylvatica Purpurea - Crown lift to a
maximum of 3m, bark wound <30%
Highgrove Gardens, Stamford, PE9 2GR

Location:

Recommendation: To authorise the Assistant Director –
Planning to GRANT Consent, 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 (Minutes)



SOUTH
KESTEVEN
DISTRICT
COUNCIL

Thursday, 5 September 2024, 1.00 pm
The Council Chamber, South Kesteven
House, St. Peter's Hill, Grantham, NG31
6PZ.

Committee Members present

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
Councillor Paul Wood

Other Members present

Councillor Ashley Baxter
Councillor Phil Dilks
Councillor Phil Gadd

Officers

Emma Whittaker, Assistant Director of Planning and Growth
James Welbourn, Democratic Services Manager (Deputy Monitoring Officer)
Phil Jordan, Development Management & Enforcement Manager
Miranda Beavers, Senior Development Management Planner
Joshua Mann, Democratic Services Officer
Adam Murray, Principle Development Management Planner
Venezia Ross-Gilmore, Management Development Planner
Kevin Cartwright, Senior Development Management Planner
James Felton, Legal Services Lincolnshire (Legal Advisor)

38. Register of attendance and apologies for absence

There were no apologies for absence.

39. Disclosure of interests

The Chairman made the following disclosure:

“In relation to Agenda Item 6, the land at 28 Stonebridge Road, it is declared by the Committee and its members that this land is owned by the Council.

This declaration is made in the interests of transparency and this application, along with all others considered in this meeting will be determined solely on its planning merits against planning policy.”

The Chairman also noted that they are the ward member for the St. Vincent Ward, but they would approach Item 6 with an open mind.

40. Minutes of the meeting held on 8 August 2024

The minutes of the meeting held on 8 August 2024 were proposed, seconded and **AGREED** as a correct record.

41. Boothby Wildland

Proposal: The creation of a biodiversity habitat bank to be secured for a period of 30 years.

Location: Exton’s Wood and Ark Field, East of Boothby Pagnell and Witherns and Kirkhill, West of Bitchfield.

Recommendation: To authorise the Assistant Director of Planning & Growth to enter into a Section 106 Agreement with Boothby Wildland Ltd to create, manage and maintain Biodiversity Net Gain Units for the purpose of satisfying Biodiversity Net Gain Obligations for developments for a period of 30 years.

Councillor Trotter declared that whilst she was the Ward Member, she was approaching the application with an open mind.

Noting comments in the public speaking session by:

Mr Ivan de Klee - Agent, Head of Natural Capital.

During questions to Public Speakers, Members commented on:

-Members requested reassurance that the land could be maintained for 30 years given that it would be managed by a Limited Company. The speaker confirmed that within the provisions, the land would be under a binding Section 106 agreement. Whilst there would not be a bond in place with SKDC, the speaker also confirmed that much of the habitat would be managed by grazing and deer management.

-Members requested clarity from the speaker regarding Boothby Wildland Limited's definition of regenerative farming. The speaker identified the key principle of regenerative farming to be using 'restorative practices', particularly regarding soil.

-Another Member highlighted the danger of animals having to cross the road and asked if there would be anything in place to safeguard them. The speaker recognised the concern and noted that they were keen to work on creating safer animal crossings. However, other than initial badger gates, implementing more specifically designated animal crossings was a consideration for the future.

-The Member responded to request clarity regarding the process following the initial 30-year period. The speaker disclosed that their ambition was for the land to be a nature habitat for over a century, and that they hoped to bind this under a covenant. The Assistant Director of Planning and Growth noted that the proposals are currently for 30 years due to the current requirements for developers to meet legislative requirements for Biodiversity Net Gain (BNG).

-In response to a Member, the speaker stated that they 'hoped' for the site to gain 'designated' status in the future.

-After expressing their excitement about the proposed habitat, a Member queried the nature and process of the funding, particularly in the event that all units were sold. The speaker confirmed that in the event that all BNG units were sold, there were other eco-services that could be sold such as flood management or carbon sequestration systems in order to support the wider business model. The land could also be used for glamping or old farm buildings could be used for other rural diversification businesses. Overall, the aim is that this would fund 20-30 years of nature restoration.

-One Member sought clarification about the timeframe for seeing the benefits of the proposals. The speaker stated that 'remarkable change' would be seen within 10-15 years, and there was a team of 20 volunteers out spreading wildflower seeds on the day of the meeting.

-The Chairman asked why the target within the Management Plan was for only 'moderate quality'. The speaker clarified that since they were entering into a legal agreement, they had used DEFRA's metric but been conservative with their target to mitigate from external risks. Therefore, they were working on the basis that they were hoping to overachieve this target.

During questions to Officers and debate, Members commented on:

-Whether developers would be able to purchase BNG credits to avoid on-site mitigation and enhancement of biodiversity. The Planning Officer advised that the legislation requires a hierarchical approach to the protection and enhance of biodiversity. i.e. on-site measures would need to be considered first.

-How monitoring enforcement could be implemented to protect the site, and the confidence Officers had that enforcement powers would be sufficient for 30 years. The Planning Officer confirmed SKDC would have to be satisfied that the developer would commit to the BNG and controls within the Management Plan. Furthermore, annual reports would be provided during the first five years and SKDC have sufficient funding to send specialists to site to ensure the accuracy of the reports. The Assistant Director of Planning and Growth added that such enforcement and monitoring is a requirement.

-Confirmation was requested that the proposed land would be considered agricultural in the Town and Country Planning Act 1990. The Planning Officer confirmed that they considered the proposal to fall within the definition.

*It was proposed, seconded and **AGREED** unanimously to authorise the Assistant Director of Planning & Growth to enter into a Section 106 Agreement with Boothby Wildland Ltd to create, manage and maintain Biodiversity Net Gain Units for the purpose of satisfying Biodiversity Net Gain Obligations for developments for a period of 30 years.*

42. Application S24/0617

Proposal: Outline planning application for up to 80 dwellings, including vehicular access, pedestrian and cycle links, public open space, landscaping, drainage and associated works (All matters reserved except access)

Location: Land South of A15 West of Peterborough Road, Market Deeping

Recommendation: To authorise the Assistant Director – Planning to GRANT planning permission – subject to conditions and subject to the completion of a Section 106 Agreement

Cllr Byrd declared that she was the District Ward Member and a member of the relevant Town Council and Neighbourhood Plan Group. However, she would be objective and remain openminded.

Noting comments in the public speaking session by:

-Mr Robert Love – Agent, Bidwells.

Together with:

- Provisions within the SKDC Local Plan 2011-2036
- Provisions within the National Planning Policy Framework (NPPF)
- Provisions within the Neighbourhood Plan
- Provisions within the Supplementary Planning Document.
- Comments received by 5.1 LCC Highways & SuDS Support
- Comments received by Lincolnshire County Council (Education)
- Comments received by NHS Integrated Care Board
- Comments received by Deepings Neighbourhood Plan Group
- Comments received by Anglican Water Services
- Comments received by Welland and Deeping Internal Drainage Board
- Comments received by Lincolnshire Wildlife Trust
- Comments received by SKDC Affordable Housing Officer
- Comments received by SKDC Environmental Protection Officer
- Comments received by SKDC Conservation Officer
- Comments received by Historic England Comments
- Comments received by Market Deeping Town Council
- Comments received by Heritage Lincolnshire
- Comments received by Market Deeping Town Council.

During questions to Public Speakers, Members commented on:

-Whether the open spaces and BNG targets would remain. The speaker confirmed that the Development Framework Plan sets out open space areas to the West and further development areas to the East. Regarding the BNG level would be secured at 45% within the planning conditions and Section 106 agreement, significantly in excess of the 10% required.

During questions to Officers and debate, Members commented on:

-Further details of the crossing point in Section 5.4.7 of the proposal, particularly with regards securing a safe design. The Planning Officer confirmed that whilst the location of the crossing had been identified, there were still options for the exact detail of the crossing. Additionally, the Local Highways Authority had been consulted and they had requested the condition of a foot/cycleway being included either within or along the front of the site.

-Section 7.7.7 regarding the hedgerow along the eastern boundary with Peterborough Road. The Planning Officer stated that the exact layout was yet to be confirmed and this would determine how much of the hedge will remain. However, the developer is minded to keep 'as much of the hedge as possible.'

-The Lincolnshire County Council (LCC) education contribution and whether there was any scope for the amounts to be reviewed. The Planning Officer stated that the exact figure could only be determined when they know the exact number of residential properties to be built on the site.

-Whether the Section 106 funding would be sufficient for the proposals. The Planning Officer confirmed this.

-Members praised the developer for their engagement with local groups and residents.

*It was proposed, seconded and **AGREED** unanimously to authorise the Assistant Director – Planning to GRANT planning permission – subject to conditions and subject to the completion of a Section 106 Agreement.*

Time Limit for Commencement

1. The development hereby permitted shall be commenced before the expiration of three years from the date of this permission or two years from the approval of the last of the reserved matters, whichever is the latter.

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

2. Details of the reserved matters shall have been submitted to the Local Planning Authority for approval within three years from the date of this permission. 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 planning application form, and with following list of approved plans:

Development Access General Arrangement Drawing (Ref:23810_03_020_01/ Rev B) Drawing No. UDS73162-A1-1401 Rev A Parameter Plan (in so far as access only)

Unless otherwise required by another condition of this permission.

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

Pre-commencement

4. The development hereby permitted shall be carried out in accordance with the broad principles of the following plans:

Drawing No. UDS73162-A1-1401 Rev A Parameter Plan

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

5. Before the development hereby permitted is commenced, details demonstrating how the proposed dwellings would comply with the requirements of Local Plan Policy SB1 must be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of how carbon dioxide emissions would be minimised through the design and construction of the buildings; details of water efficiency and the provision of electric car charging points.

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

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

6. Before the development hereby permitted is commenced, a Construction Management Plan and Method Statement shall have been submitted to and approved in writing by the Local Planning Authority. The Management Plan and Method Statement shall indicate measures to mitigate against traffic generation and drainage of the site during the construction stage of the proposed development. The Construction Management Plan and Method Statement shall be strictly adhered to throughout the construction period.

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.

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. This evaluation should consist of a programme of trial trenching.

Thereafter, the archaeological investigations 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 and the NPPF (section 16)

8. As part of any reserved matters application relating to layout and / or scale, plans showing the existing and proposed land levels of the site including site sections, spot heights, contours and the finished floor levels of all buildings with reference to neighbouring properties/and 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 in accordance with the approved phasing required by Condition 6 above.

Reason: In the interests of the visual amenities of the area and in accordance with Policy DE1 of the adopted South Kesteven Local Plan.

9. As part of any reserved matters application relating to layout, an updated acoustic assessment shall be submitted which models the impact of noise sources and shall identify any necessary mitigation measures.

Reason: In the interests of protecting the amenities of future occupiers of the dwellings in accordance with Policy DE1 of the South Kesteven Local Plan.

10. Before the development hereby permitted is commenced, a surface water drainage scheme which shall have been submitted to and approved in writing by the Local Planning Authority.

The scheme shall:

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

No dwelling/ no part of the development 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 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.

11. 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 site investigation report assessing the ground conditions of the site and incorporating chemical and gas analysis identified as appropriate by the Phase I Geo-Environmental Desk Study (M-EC) (March 2024) (Revision B); and if required.
- b. A detailed scheme for remedial works (should such works be required) and measures to be undertaken to avoid risk from contaminants and / or gases when the site is developed and proposals for future maintenance and monitoring. Such a scheme shall include nomination of a competent person to oversee the implementation of the works.

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

12. 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 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

13. All works on site shall be carried out in accordance with the recommendations of the Ecological Impact Assessment (Section 4 of the Ecological Impact Assessment ref RSE_5864_R2_V3_ECIA Issued April 2024 RammSanderson)

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

Before the Development is Occupied

14. The development hereby permitted shall not be occupied before a 3-metre-wide footway/ cycleway from the crossing to the northeast of the site along or adjacent to Peterborough Road, to the south-eastern area of the site and continuing to Towngate West has been provided in accordance with details that shall 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 run-off from the highway.

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

15. The development hereby permitted shall not be occupied before the crossing point to the North of the site, on Peterborough Road, has been upgraded to an island crossing, in accordance with details that shall 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 run-off from the highway.

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

16. Before any dwelling is occupied, all of that part of the estate road and associated footways that forms the junction with Peterborough Road, which will be constructed within the limits of the existing highway, shall be laid out and constructed to finished surface levels in accordance with details to be submitted to, and approved in writing by, the Local Planning Authority.

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.

17. Before any dwelling hereby permitted is occupied, the scheme for acoustic mitigation and ventilation, shall have been completed in full.

Reason: To ensure that future residents of the development benefit from an appropriate level of amenity in accordance with Policy DE1 and EN4 of the adopted South Kesteven Local Plan.

18. The development hereby permitted shall not be occupied or brought into use until a verification report has been submitted to and approved in writing by the Local Planning Authority. The report shall have been submitted by the agreed competent person and identify that the approved remedial works have been implemented. The report shall include, unless otherwise agreed in writing:

- a. A complete record of remediation activities, and data collected, as identified in the remediation scheme to support compliance with the agreed remediation objectives.
- b. Photographs of the remediation works in progress; and
- c. 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 site investigations and remediation will not cause pollution in the interests of the amenities of future residents and users of the development; and in accordance with Policy EN4 of the adopted South Kesteven Local Plan and national guidance contained in the National Planning Policy Framework.

Ongoing

19. The number of dwellings to be constructed on the application site shall not exceed 80 in total.

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

43. Application S23/2281

Proposal: Proposed development of 8no new semi-detached residential Dwellings

Location: 28 Stonebridge Road, Grantham, Lincolnshire NG31 9AR

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

Cllr Harrison disclosed that he knew the Agent of the application and therefore left the Chamber for the remainder of agenda item six.

There were no public speakers for this application.

Together with –

- Provisions within the SKDC Local Plan 2011-2036
- Provisions within the National Planning Policy Framework (NPPF)
- Comments received from Lincolnshire County Council Highways
- Comments received from SKDC Environmental Health
- Comments received from SKDC Tree Officer
- Comments received from SKDC Conservation Officer

During questions to Officers and debate, Members commented on:

- The improved aesthetic to the site which the proposals would bring.
- The application would not require a BNG assessment given that the application was submitted before this became a statutory requirement.
- Concerns that the trees at the rear of the site would have on overshadowing and overgrowing the back gardens of some of the properties. It was noted by the Chairman that little could be done regarding this as the trees are bound to remain under the guise of the character of the area. Furthermore, the properties could not be moved forward because this would compromise the parking.
- The condition within the Supplementary papers to protect the roots of the trees. This caused concern to the extent to which the trees would continue to grow and exacerbate the overshadowing issue. The Assistant Director of Planning noted that the trees were mature and so further significant growth would be unlikely. Considering the roots, the Assistant Director also noted that ensuring that the foundations of the properties were structurally sound would be covered within the building regulations.

*It was proposed, seconded and **AGREED** unanimously to authorise the Assistant Director – Planning to GRANT planning permission.*

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 (received 09/07/24)
- II. Proposed Block Plan (received 09/07/24)
- III. Proposed New Dwellings - House Type A, drawing ref. 0832 (received 20/06/24)
- IV. Proposed New Dwellings – House Type B, drawing ref. 0832 (received 20/06/24)
- V. Proposed New Dwellings – House Type C, drawing ref. 0832 (received 20/06/24)
- VI. Proposed New Dwellings – House Type D, drawing ref. 0832 (received 20/06/24)
- VII. Topographical Block Plan, drawing ref. 0832 Rev 1 (received 20/06/24)
- VIII. Proposed Street Scene, drawing ref. 0832 Rev 3 (received 20/06/24)

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 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.

- 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
 - 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

- i. 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 in accordance with Policies EN4 and DE1 of the adopted South Kesteven Local Plan.

During Building Works

- 5) 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 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.

- 6) Before any construction work above ground 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.

- 7) Before any construction work above ground is commenced, the details of hard landscaping works shall have been 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 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.

- 8) 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: Previous activities associated with this site may have caused, or had the potential to cause, land contamination and to ensure that the proposed site investigations and remediation will not cause pollution in the interests of the amenities of the future residents and users of the development; and in accordance with Policies EN2 and EN4 of the adopted South Kesteven Local Plan and national guidance contained in the NPPF paragraphs 178 and 179.

- 9) To minimise noise impacts on the existing residential dwellings, 'construction work' shall only be carried out between the hours of 7:30 am to 6:00 pm Monday to Friday and 9:00 am to 1:00 pm on a Saturday. Construction work shall not be carried out on Sundays or

Public Holidays. The term 'construction work' shall include mobile and fixed plant/machinery, (e.g. generators) radios and the delivery of construction materials.

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

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

Before the Development is Occupied

- 10) Prior to first occupation of the development hereby permitted, details demonstrating how the proposed dwellings would comply with the requirements of Local Plan Policy SB1 must have been submitted to and approved in writing by the local planning authority. The scheme shall include details of how carbon dioxide emissions would be minimised through the design and construction of the buildings; details of water efficiency and the provision of electric car charging points. The approved sustainable building 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 complies with the Council policy on sustainable building.

- 11) Before any part of the development hereby permitted is occupied/brought into use, the works to provide the boundary treatments shall have been completed in accordance with the approved boundary treatment scheme.

Reason: To provide a satisfactory appearance to any boundary treatments 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.

- 12) Before any part of the development hereby permitted is occupied/brought into use, a landscape management plan shall have been submitted to and approved in writing by the Local Planning Authority. The plan shall include:

- i. long term design objectives,

- ii. management responsibilities and
- iii. maintenance schedules for all landscape areas, other than privately owned, domestic gardens.

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

- 13) Before any part of the development hereby permitted is occupied/brought into use, the external elevations of the dwelling houses shall have been completed using only the materials stated on the 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.

Ongoing Conditions

- 14) 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.

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

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

- 16) 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 dwelling house 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 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.

- 17) 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: The Local Planning Authority considers that further development could cause detriment 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.

44. Application S23/2033

Proposal: Conversion of public house to 2no. commercial units and 12no. residential units (2no. commercial units on the ground floor with 4no. flats over and a conversion of existing rear extension into 8no. residential houses).

Location: 41 Watergate, Grantham, Lincolnshire

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

Cllr Harrison returned to the Chamber and declared that he was the Ward Member, however, he would remain objective with the application.

Noting comments in the public speaking session by:

-Dr Sarmad Aslam - Applicant

Together with:

- Provisions within the SKDC Local Plan 2011-2036
- Provisions within the National Planning Policy Framework (NPPF)
- Other relevant documentation – Grantham Shopfront Design Guide
- Comments received from Environmental Protection Services (SKDC)
- Comments received from LCC Highways & SuDS Support
- Comments received from NHS Lincolnshire Integrated Care Board
- Comments received from LCC Education
- Comments received from Lincolnshire Fire and Rescue
- Comments received from Anglican Water
- Comments received from SKDC Historic Buildings Advisor

During questions to Public Speakers, Members commented on:

-Whether the speaker intended to keep the building the colour blue. The speaker confirmed that they intend to remove the blue to fit in with the surrounding buildings.

-One Member raised a point of order that prior to the building's current incarnation, it had been an ironmongers with a green shopfront.

-It was noted that the application had been prior to the requirement for BNG.

-Whether there was the prospect of any natural greenery. The speaker confirmed their intention to create a communal garden for visitors.

-It was asked what the speaker's intentions were with the building name. The speaker confirmed they intended to keep the name as the 'The Playhouse'.

During questions to Officers and debate, Members commented on:

-A Ward Councillor for the area welcomed the 'fantastic development'.

-Whether the insulation between the residential dwellings would be sufficient. The Assistant Director of Planning clarified that this would be picked up by building control.

-Whether the speaker's intention of installing a communal garden at the rear of the property would compromise the access for emergency services. This is particularly significant given that section 5.5.1 on page 211 of the Agenda Report Pack identifies that Lincolnshire Fire and Rescue had objected on the basis of inadequate access. The Planning Officer confirmed that building regulations would ensure that acceptable safety standards are met regarding fire safety.

-Given that the communal garden was not included in the proposals being considered, the Chairman enquired to the Planning Officer about inserting a condition into the proposals to ensure the garden area did not create the

negative consequence. The Planning Officer confirmed this could be done with a 'regular soft landscaping condition.'

-A Member proposed approving the application but declined to insert a condition regarding the garden.

*Following this proposal, the motion was seconded and **AGREED** to authorise the Assistant Director of Planning & Growth to GRANT planning permission subject to the completion of a Section 106 legal agreement, and subject to condition. Furthermore, the vote agreed to part Two of the recommendation regarding the timeframe for the Section 106 agreement: where the Section 106 Agreement has not been concluded prior to the Committee, a period not exceeding 12 weeks after the date of the Committee shall be set for the completion of the obligation. In the event that the agreement has not been concluded within the 12-week period and where, in the opinion of the Assistant Director – Planning, there are no extenuating circumstances which would justify a further extension of time, the related planning application shall be refused for the following reason(s): (1) The applicant has failed to enter into a planning obligation to secure the necessary financial contribution towards provision of local surgery(s) and town centre improvements. As such the necessary criteria essential to make what would otherwise be unacceptable development acceptable have not been forthcoming.*

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 planning application form, and with the following list of approved plans:
 - i. Site Location Plan dated 2 Nov 2023
 - ii. Proposed Site Plan Parking Arrangements Dwg No. 15_03 Site Plans
 - iii. Proposed Floor Plans Dwg No. 14-02 Proposed_03
 - iv. Proposed Elevations and Sectional Detail Dwg No. 15-02 Proposed _03.

Unless otherwise required by another condition of this permission.

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

Prior to Commencement

- 3 Prior to the commencement of the development hereby details of surface/sewage/used water connections shall have been submitted to and approved in writing by the local planning authority.

The surface water drainage details shall:

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

The development shall be undertaken in accordance with the approved details.

Reason: To ensure that the proposed drainage is suitable for the development, in the absence of any technical information relating drainage within the current application, to ensure that the development will accord with Policy EN5 of the Local Plan.

- 4 Before the development hereby permitted is commenced, details of hard and soft landscaping works shall have been submitted to and approved in writing by the Local Planning Authority.

The development shall be undertaken in accordance with the approved details.

Reason: Hard landscaping and soft landscaping 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.

Prior to Occupation

- 5 Before any part of the development hereby permitted is occupied/brought into use, the details of the storage of refuse and recycling and cycle storage shall have been submitted to and approved in writing by the local planning authority.

The development shall be undertaken in accordance with the approved details and shall thereafter be retained for use at all times.

Reason: To ensure the provision of satisfactory facilities for the storage of refuse and promote sustainable means of travel.

- 6 Before any part of the development hereby permitted is occupied/brought into use, details of the vehicle parking and turning area shall have been submitted to and approved in writing by the local planning authority.

The development shall be completed in accordance with approved details prior to first occupation of the development 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, servicing and deliveries.

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

- 7 Notwithstanding the submitted details before any part of the rear conversion element (properties 1-8) are occupied, precise joinery details of the windows and doors to be installed shall be submitted to and approved in writing by the local planning authority.

The details shall include:

- confirmation that the doors and windows are of timber construction
- 1:20 sample elevations
- 1:1 joinery profiles

The development shall be undertaken in accordance with the approved details.

Reason: To ensure a satisfactory form of development and in the interests of visual amenity.

- 8 Prior to the occupation of any part of the rear conversion element (properties 1-8) details of the materials to be used in making good/bricking up any openings shall be submitted to and approved in writing by the local planning authority.

The works shall be undertaken in accordance with the approved details.

Reason: To ensure a satisfactory form of development and the use of similar/matching materials.

- 9 Prior to the occupation of the main building apartments 1-4 the windows shall be repaired and secondary glazing/internal double-glazed units installed as per the submitted details provided by Artic Glaze Ltd dated 07/07/2021.

Reason: To ensure a satisfactory form of development and in the interests of visual amenity.

The meeting adjourned for a break at 15:22.

45. Application S24/0070

The meeting resumed at 15:40.

Proposal: Proposed residential development of 9no. 3- bedroom houses with associated access off The Drift

Location: Land off The Drift, Harlaxton

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

There were no public speakers for this application.

Together with:

- Provisions within the SKDC Local Plan 2011-2036*
- Provisions within the National Planning Policy Framework (NPPF)*
- Provisions within the Design Guidelines for Rutland and South Kesteven*
- Comments received from SKDC Environmental Health*
- Comments received from SKDC Tree Officer*
- Comments received from SKDC Conservation Officer*
- Comments received from SKDC Design Officer*
- Comments received from Heritage Lincolnshire*
- Comments received from Historic England*
- Comments received from Lincolnshire County Council Highways*
- Comments received from Anglican Water*
- Comments received from SKDC Local Plans Team*
- No comments received from The Gardens Trust*
- No comments received from the Environment Agency*

During questions to Officers and debate, Members commented on:

-One Member asked whether the site was allocated in the Local Plan for residential development. The Planning Officer confirmed that the site had been identified as a draft allocation in the Local Plan Review, but it was not allocated in the current, adopted Local Plan.

-The Chairman praised those involved and recognised the good work of the Design PAD.

*It was proposed, seconded and **AGREED** to unanimously to authorise the Assistant Director – Planning to GRANT planning permission.*

Time Limit for Commencement

- 18) 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

- 19) The development hereby permitted shall be carried out in accordance with the following list of approved plans:
- i. Site Location Plan (received 16/01/24)
 - ii. Proposed Site Plan, drawing ref. (04)03-01 C (received 29/07/24)

- iii. Proposed Landscaping Plan, drawing ref. (03)05-01 C (received 29/07/24)
- iv. Proposed Site Details, drawing ref. (04)06-01 A (received 29/07/24)
- v. Proposed Swept Path Analysis, drawing ref. (04)07-01 B (received 29/07/24)
- vi. House Type – Plot 01 Type A, drawing ref. (04)08-01 A (received 10/06/24)
- vii. House Type – Plot 02 Type Cv.1, drawing ref. (04)08-02 B (received 29/07/24)
- viii. House Type – Plot 03 Type Bv.1, drawing ref. (04)08-03 A (received 10/06/24)
- ix. House Type – Plot 04 Type Cv.2, drawing ref. (04)08-04 A (received 10/06/24)
- x. House Type – Plot 05 Type Bv.2, drawing ref. (04)08-05 A (received 10/06/24)
- xi. House Type – Plot 06 Type Cv.3, drawing ref. (04)08-06 A (received 10/06/24)
- xii. House Type – Plot 07 Type Dv.1, drawing ref. (04)08-07 A (received 10/06/24)
- xiii. House Type – Plot 08 Type Dv.2, drawing ref. (04)08-08 A (received 10/06/24)
- xiv. House Type – Plot 09 Type E, drawing ref. (04)08-09 A (received 10/06/24)
- xv. Drainage Layout, drawing ref. 0-500 P2 (received 16/01/24)

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

- 20) 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.

Reason: To ensure the provision of satisfactory surface water drainage is provided in accordance with Policy EN5 of the adopted South Kesteven Local Plan.

- 21) Before the development hereby permitted is commenced, a scheme relating to the survey of the land for contamination shall have been submitted to and approved in writing by the Local Planning Authority. The scheme shall include:
 - i. A desk top study documenting all the previous and existing land uses of the site and adjacent land;

- ii. A site investigation report assessing the ground conditions of the site and incorporating chemical and gas analysis identified as appropriate by the desk top study; and
- iii. A detailed scheme for remedial works and measures to be undertaken to avoid risk from contaminants and/or gases when the site is developed and proposals for future maintenance and monitoring.
- iv. Shall include the nomination of a competent person to oversee the implementation of the works.
Reason: Previous activities associated with this site may have caused, or had the potential to cause, land contamination and to ensure that the proposed site investigations and remediation will not cause pollution in the interests of the amenities of the future residents and users of the development; and in accordance with South Kesteven Local Plan (Jan 2020) Policy EN4 (Pollution Control) and national guidance contained in the NPPF.

- 22) 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 WSI, including in accordance with any approved phasing.

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 Paragraph 199 of the NPPF.

- 23) Before the development hereby permitted is commenced, 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 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 Policies EN2 and OS1 of the adopted South Kesteven Local Plan.

During Building Works

- 24) 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: Previous activities associated with this site may have caused, or had the potential to cause, land contamination and to ensure that the proposed site investigations and remediation will not cause pollution in the interests of the amenities of the future residents and users of the development; and in accordance with Policies EN2 and EN4 of the adopted South Kesteven Local Plan and national guidance contained in the NPPF paragraphs 178 and 179.

- 25) All works on site, including construction and delivery works, shall be carried out in accordance with the recommendations contained within the Habitats and Protected Species Report (May 2024) ref. 2464-PHA, 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.

Before the Development is Occupied

- 26) Prior to first occupation of each dwelling hereby permitted, the sustainable building measures for the development shall be completed in accordance with the details set out within the approved Sustainable Building Statement (Boden Associates) (Dated 10 July 2024), and shall thereafter be retained for the lifetime of the development.

Reason: This condition is necessary in order to ensure that the proposal complies with the Council policy on sustainable building.

- 27) Before any part of the development hereby permitted is occupied/brought into use, a landscape management plan shall have

been submitted to and approved in writing by the Local Planning Authority. The plan shall include:

- iv. long term design objectives,
- v. management responsibilities and
- vi. maintenance schedules for all landscape areas, other than privately owned, domestic gardens.

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

- 28) Before any part of the development hereby permitted is occupied, the works to provide the boundary treatments shall have been completed in accordance with the approved Proposed Landscaping Plan, drawing ref. (03)05-01 Rev C and Site Details Fencing Plan, drawing ref. (04)06-01 Rev A.

Reason: To provide a satisfactory appearance to any boundary treatments, in the interests of the amenity of the occupants of the proposed dwellings and the outlook onto The Drift, in accordance with Policy DE1 of the adopted South Kesteven Local Plan.

- 29) Before any part of the development hereby permitted is occupied/brought into use, the works to provide the surface water drainage shall have been completed in accordance with the approved details.

Reason: To ensure the provision of satisfactory surface and foul water drainage is provided in accordance with Policy EN5 of the adopted South Kesteven Local Plan.

- 30) Before any part of the development hereby permitted is occupied/brought into use, the external elevations of the dwelling houses shall have been completed using only the materials stated on the 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.

Ongoing Conditions

- 31) Following first occupation, the approved Habitats and Protected Species Report (May 2024) ref. 2464-PHA and Proposed Landscaping Plan, drawing ref. (03)05-01 Rev C 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.
- 32) Following first occupation, the approved Proposed Landscaping Plan, drawing ref. (03)05-01 Rev C and Site Details Fencing Plan, drawing ref. (04)06-01 Rev A shall be adhered to in full, unless otherwise agreed in writing by the Local Planning Authority.
- Reason: To provide a satisfactory appearance to any boundary treatments, in the interests of the amenity of the occupants of the proposed dwellings and the outlook onto The Drift, in accordance with Policy DE1 of the adopted South Kesteven Local Plan.
- 33) Within a period of five years from the first occupation of the final dwelling/unit of the development hereby permitted, any trees or plants provided as part of the approved soft landscaping scheme, that die or become, in the opinion of the Local Planning Authority, seriously damaged or defective, shall be replaced in the first planting season following any such loss with a specimen of the same size and species as was approved in condition above unless otherwise agreed by the Local Planning Authority.
- Reason: To ensure the provision, establishment and maintenance of a reasonable standard of landscape in accordance with the approved designs and in accordance with Policies DE1, EN3 and OS1 of the adopted South Kesteven Local Plan.

46. Application S24/0706

Proposal: Section 73 application to vary condition 2 (approved plans) of S20/1862 Amendments to Plot 3 house type

Location: Osier Farm, 141B Eastgate, Deeping St James

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

Noting comments in the public speaking session by:

- Cllr Phil Dilks – As Ward Member.
- Statement read by Democratic Services on behalf of the Chairman of Deeping St James Parish Council.

Together with:

- Provisions within the SKDC Local Plan 2011-2036.*
- Provisions within the National Planning Policy Framework (NPPF).*
- Provisions within the Neighbourhood Plan.*
- Provisions within the Design Guidelines for Rutland and South Kesteven.*
- Comments received from LCC Highways and SuDS.*
- Comments received from SKDC Conservation Officer*
- Comments received from Deeping St. James Town Council*
- Comments received from Market and West Deeping Ward Councillors.*
- No comments received from Deepings Neighbourhood Plan Group.*

During questions to Public Speakers, Members commented on:

- The increase in height that was being proposed. This was confirmed to be an increase of 1.75 metres from 7 metres to 8.75 metres.
- The report from the Conservation Officer stating that this would have a 'neutral impact' upon the significance of the listed building, in the context of the surrounding plots.
- Whether the original application was for a three-storey building and, if not, at what point did the application change to seek three-storey approval. The Ward Member acting as speaker confirmed that the original plans had been for two-storey approval, however, it has become three-storey as a result of this application.
- Any objections raised by neighbours. The Ward Member acting as speaker confirmed that no objections from neighbours had been raised.

During questions to Officers and debate, Members commented on:

- The distance between Osier Farm and the nearest point of the proposed plots. The Assistant Director of Planning confirmed this to be 76.195 metres from the Supplementary papers.
- One Member identified that from Eastgate, the building on Plot 2 would shield Plot 3, subsequently minimising the impact of the height increase. This is also considering that there is a slight slope on the Eastgate Road.

-The reality of the slope was disputed by some Members; however, this was confirmed by the Officer.

*It was proposed, seconded and **AGREED** to authorise the Assistant Director of Planning to grant Planning Permission.*

*It was proposed, seconded and unanimously **AGREED** to extend the Planning Committee meeting beyond the initial three hours for another 40 minutes.*

Cllr Fellows and Cllr Smith left the meeting.

Time Limit for Commencement

1. The development hereby permitted shall be commenced before the expiration of three years from the date of permission Ref. S20/1862.

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:

Drawing No.MSP.1517.001A Site Location Plan, received 29 October 2020

Drawing No.1837.A.1b Proposed Block Plan, received 19 April 2021

Drawing No.1837.A.2a Plot 1 drawings received 19 April 2021

Drawing No. 4533 D2-1 Rev A House Plot 2 Plan and Elevations received 4 March

2024

Drawing No. 4533 D100 Site Plan Plot 2 received 14 December 2023 (insofar as it

relates to Plot 2 only)

Drawing No.D01 Rev A Site Plan Plot 3 received 3 July 2024 (insofar as it relates to

Plot 3 only)

Drawing No.D02 Rev A Plot 3 Floor Plans received 3 July 2024

Drawing No.D03 Rev A Plot 3 Elevations received 3 July 2024

Drawing No.D04 Plot 3 Garage Plans and Elevations received 3 July 2024 (insofar

as it relates to Plot 3 only)

Drawing No. D01 Site Plan Plot 4 received 22 May 2024 (insofar as it relates to Plot 4 only)

Drawing No. D02 Plot 4 Plan and Elevations received 22 May 2024

Drawing No. D03 Plot 4 Garage Plan and Elevations received 22 May 2024 (insofar as it relates to plot 4 only)

Drawing No. D-03 Rev A Plot 5 Proposed Floor Plan and Elevations received 13 March 2024

Drawing No. D-01 Rev A Site Plan received 23 April 2024 (insofar as it relates to Plots 5 and 6 only)

Drawing No. D-02 Rev A Plot 6: Barn Proposed Floor Plans and Elevations received 5 March 2024

Drawing No. D-04 Plot 5 & 6 Garage plans received 27 December 2023 (insofar as it relates to Plots 5 & 6 only)

Drawing No.1837.A.8 Plot 7 Conversion and extension of cart barn received 29 October 2020

Drawing No.1837.a.10 Garages plans 4, 7 and 8 received 29 October 2020

Drawing No.D-05 Osier Farmhouse Garage Plan and Elevations received 27 December 2023 (insofar as it relates to Osier Farmhouse Only)

Unless otherwise required by another condition of this permission.

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

Prior to Commencement

3. The archaeological investigations shall also have been completed in accordance with the approved details before development 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 and Paragraph 199 of the NPPF.

During Building Works

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 shall be notified immediately. An investigation and risk assessment shall be undertaken and where remediation is necessary a remediation scheme shall 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 shall be prepared, which is subject to the approval in writing of the Local Planning Authority.

Reason: To ensure the satisfactory development of the site.

Before the Development is Occupied

4. The development hereby approved shall proceed fully in accordance with the recommendations within the Ecology and Protected Species Survey report by Inspired Ecology Ltd dated October 2019.

Reason: To ensure that satisfactory provision is made to safeguard the habitat of protected species that may be present on site.

5. Before any dwelling hereby permitted is occupied, radius kerbs should be provided on either side of the access so that it has the appearance of a private road junction. The radius kerbs should be dropped so as not to impede the passage of wheelchairs and perambulators.

Reason: In the interests of highway safety to accord with Section 9 of the NPPF (2023).

6. Before any part of the development hereby permitted is occupied/brought into use electric vehicle charging points shall be made available for use by each dwelling and shall be retained as such for the lifetime of the development.

Reason: To ensure that the development contributes to low carbon travel in accordance with Policy SB1 of the South Kesteven Local Plan (2020).

7. 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 materials schedule received 8 August 2024 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. Before any part of the development hereby permitted is occupied/brought into use, the external surfaces shall have been completed in accordance with the approved details.

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

Ongoing

9. 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.

10. 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.

47. Application S24/1191

Proposal: Removal of existing passenger lift to be replaced with new lift in the same location

Location: Stamford Arts Centre, 27 St Mary's Street, Stamford, Lincolnshire, PE9 2DL

Recommendation: To authorise the Assistant Director – Planning to GRANT listed building consent, subject to conditions.

There were no public speakers for this application.

Together with:

- Provisions within the SKDC Local Plan 2011-2036
- Provisions within the Stamford Neighbourhood Plan
- Provisions within the National Planning Policy Framework
- Comments received from Stamford Town Council
- Comments received from Stamford Civic Society
- No comments received from Historic England.

During questions to Officers and debate, Members commented on:

-A Member endorsed their support for the application, highlighting that the lift had been out of order for over three years.

*It was proposed, seconded and **AGREED** unanimously to authorise the Assistant Director – 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 development hereby permitted shall be carried out in accordance with the following list of approved plans:

- i. 206 P01 – Location & Site Plan received 31 May 2024
- ii. 206 P02A – Proposed Ground Floor Plan [received 31 May 2024]
- ii 206 P03 – Proposed South & East Elevation [received 31 May 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 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.

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

One Member raised the issue of the North Street development in Stamford, explaining that its apparent abandonment was an eyesore for the community. It is believed that the same developer has left the Salvation Army site in the same condition. The Member queried what could be done in terms of enforcement action. This query was supported by another Member.

The Assistant Director of Planning confirmed that there was 'little' that could be done in terms of enforcement. However, they could serve an Untidy Site Notice under Section 215 of the Town & Country Planning Act.

A Member responded by querying if there was any leverage by using the ombudsman, particularly given that one of the areas has been in such a condition for over 30 years. The Assistant Director of Planning confirmed that the ombudsman can only intervene with public bodies, not individuals, so this was not an option. However, they would request their team to visit the site again. The Member asked if the owner would have to pay rates on the land given that the building had been demolished. The Assistant Director of Planning was unaware at the time.

Cllr Bellamy left the meeting.

A similar query was raised by another Member regarding the halted development on Dysart Road, Grantham as a resident of the area has contacted the relevant Councillor to report a landslip. The Assistant Director of Planning confirmed that any damage to the individual as a result of the landslip is unfortunately a civil matter, however, she would request the Enforcement Team to review the current situation with the site.

A Member asked if there were any updates regarding Haddon Road. The Assistant Director of Planning confirmed that this matter was currently with the Legal Team.

49. Close of meeting

The Chairman closed the Planning Committee meeting at 16:50.

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**SOUTH
KESTEVEN
DISTRICT
COUNCIL**

Planning Committee

3 October 2024



S22/1591

Proposal:	Full Planning Application for the erection of 111 dwellings including affordable housing provision, open space including access to the river, soft and hard landscaping including tree lined streets, car and cycle parking including EV charging provision, and vehicular link with the adjacent Vistry site.
Location:	Land to the north of Uffington Road, Stamford
Applicant:	Bellway Homes Ltd
Agent:	Rosanna Metcalfe, Strutt & Parker, 1 Cambridge Square, Cambridge, CB4 0AE
Application Type:	Full Planning Permission (Major)
Reason for Referral to Committee:	Major development which requires a Section 106 Agreement to secure financial contributions
Key Issues:	Principle of development Affordable Housing Design and effects on the character and appearance of the area Residential amenity considerations Highway considerations Flood risk and drainage Heritage and Archaeology Climate Change
Technical Documents:	Planning Statement Design and Access Statement Flood Risk Assessment and Drainage Strategy Ecological Impact Assessment Arboricultural Impact Assessment Minerals Assessment Statement of Community Involvement Transport Assessment Green Travel Plan Archaeological Evaluation Design Code Sustainability Statement Statement of Community Involvement Noise Assessment Contamination Assessment and Remediation Strategy

Report Author

Phil Jordan, Development Management & Enforcement Manager



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Corporate Priority:

Growth

Decision type:

Regulatory

Wards:

Stamford St Mary's

Reviewed by:

Adam Murray – Principal Development Management
Planner

25 September 2024

Recommendation (s) to the decision maker (s)

To authorise the Assistant Director of Planning & Growth to GRANT planning permission, subject to completion of a planning obligation and subject to conditions outlined in the report.

1 Description of Site

- 1.1 The site is approximately 3.4ha of previously developed land located on the eastern side of Stamford and north of Uffington Road. Within the site there are two vacant warehouse buildings from the previous commercial use of the site.
- 1.2 The site forms the eastern part of a wider site allocation (STM1- H2: Stamford East) for housing development in the South Kesteven Local Plan. The western part of the site was granted full planning permission under S21/0938 for 200 dwellings.
- 1.3 To the north of the site is vacant land that is allocated for employment use (ST-E1) in the Local Plan. To the east of the site is existing commercial uses and beyond this is the River Gwash. To the south is the Aldi supermarket which fronts onto Uffington Road, beyond which is a care home development.
- 1.4 The main part of the site where residential development is proposed is located within Flood Zone 1. The north-east corner of the site which is proposed to be green space is located within Flood Zone 2. Within the site there are also some areas that are at medium risk of surface water flooding.
- 1.5 There is an existing row of trees along part of the western boundary which are mainly located within the adjacent site but overhang the application site. These trees are protected by a Tree Preservation Order and run along the location of the former railway line.
- 1.6 There are differing levels across the site as a result of the previous industrial uses on the site, however the natural land levels generally fall away to the north-east where the river Gwash runs adjacent to the site.

2 Description of Proposal

- 2.1 The application is seeking full planning permission for the erection of 111 dwellings (comprising 14 different housetypes) including affordable housing provision, open space including access to the river Gwash, soft and hard landscaping including tree lined streets, car and cycle parking including EV charging provision, and a vehicular link with the adjacent Vistry site. It is noted that this is an amended version of the scheme that was initially submitted which includes a reduction in the number of proposed dwellings from 120 to the now proposed 111. The amendments have been largely as a result of design changes that have been negotiated through the Council's Design PAD process.
- 2.2 Of the 111 dwellings proposed, 98 (88%) would be open market dwellings, with the remaining 13 (12%) split between affordable rent and shared ownership. The proposed dwellings are split as follows:
 - Market Housing: 12x 2 bedroom, 77x 3 bedroom, 9x 4 bedroom dwellings.
 - Affordable Housing: 3x 1 bedroom, 8x 2 bedroom, 2x 3 bedroom dwellings.
- 2.3 The proposed 111 dwellings on the site on 3.4ha results in a gross density of 33 dwellings per hectare (dph), which is comparable to the adjacent approved Vistry scheme 34 dph gross. The densities reflect the brownfield nature of the site and a location within the built-up area of a market town and located in close proximity to services and facilities. The proposed design, layout and density of the site is discussed further below.

- 2.4 The proposed house types include a mixture of different materials including reconstituted stone to entrance and gateway buildings together with appropriate feature detailing. The remaining plots would be constructed from either buff or red brick, with grey roof tiles.
- 2.5 The proposed layout includes areas of public open space (POS) to the western side of the site, which would adjoin the open space on the adjacent Vistry site. The open space in the north-eastern corner is proposed to remain as a landscaped area of wetland. The proposed scheme includes pedestrian access, which is shown to the west of the attenuation basin and in the south-western corner of the wetland area.
- 2.6 Landscaping proposed includes retention of the existing TPO belt of trees to the western boundary and with new tree planting throughout the site, including street trees. The north-eastern public open space is proposed as meadow grassland, native scrub and native tree planting.
- 2.7 The layout plan shows pedestrian and cycle routes through the site, including connections to the adjacent Vistry site, the central open space and the wetland area to the north-east.

3 Policy Considerations

3.1 SKDC Local Plan 2011 - 2036

- Policy SD1 – Sustainable Development
- Policy SP1 – Spatial Strategy
- Policy H1 – Housing Allocations
- Policy H2 – Affordable Housing Contributions
- Policy H4 – Meeting all Housing Needs
- Policy EN1 – Landscape Character
- Policy EN2 – Protecting Biodiversity and Geodiversity
- Policy EN4 – Pollution Control
- Policy EN5 – Water and Flood Risk Management
- Policy ID2 – Transport and Strategic Transport Infrastructure
- Policy DE1 – Promoting Good Quality Design
- Policy OS1 – Open Space
- Policy SB1 – Sustainable Building
- Policy STM1-H2 – Stamford East

3.2 National Planning Policy Framework (NPPF)

- Section 5 - Delivering a sufficient supply of homes
- Section 6 – Building a strong, competitive economy
- Section 9 - Promoting sustainable transport
- Section 11 - Making effective use of land
- Section 12 - Achieving well-designed places
- Section 14 - Meeting the challenge of climate change, flooding and coastal change
- Section 16 – Conserving and enhancing the historic environment

3.3 Stamford Neighbourhood Plan

4 Representations Received

4.1 **Stamford Town Council**

4.1.1 Raise objection on the following grounds:

- Transport assessment is not up-to-date;
- Green travel assessment is not up-to-date;
- Single access point to the site, which is shared with Aldi;
- Development will exacerbate existing traffic issues on Uffington Road;
- There should be consideration of an access road from the north of the site to Ryhall Road;
- There should be separate cycle and footpaths within the site;
- Proposed cycle and footpaths terminate at Uffington Road, which is narrow and busy;
- There is no access from the north of the site toward Ryhall Road/ Town centre by foot or cycle;
- The nearest Primary School is 1.7-2km away (30 minute walk) which doesn't encourage walking;
- Existing bus service is poor;
- Existing trees should be retained.

4.2 **Stamford Civic Society**

4.2.1 Raise the following points:

- Provision of infrastructure and services to support development is essential;
- Chimneys should be included on two-storey properties to enliven roofscape;
- High quality facing materials should be used, avoiding red brick;
- Detailing of door canopies, bay window roofs and windows should be carefully considered;
- Solar panels should be installed on all properties;
- Orientation of houses should be considered to ensure solar gain is maximised;
- New trees should be as mature as possible when planted;
- Affordable housing should be dispersed around the site;
- Amount and breakdown of affordable housing should be confirmed;
- Data should be up-to-date;
- Most residents will use the car for travel;
- Poor cycling network beyond the site;
- Archaeological works should include a timetable and results made public;
- There should be contributions towards education and waste management.

4.3 **Environmental Protection Services (SKDC)**

4.3.1 Satisfied with the further ground investigations that have been undertaken following the 2022 site investigation and report. The additional deeper ground water rotary boreholes as part of the investigation recorded significantly reducing hydrocarbon levels and that there is no near surface soil contamination

4.3.2 Satisfied with the proposed remediation scheme for the site as detailed in sections 8,9, and 10 and the proposed validation methodology in section 11.

4.4 **LCC (as Local Highway Authority and Lead Local Flood Authority)**

4.4.1 The Transport Assessment is acceptable and demonstrates that the existing access is suitable to accommodate the proposed development and that there will be no significant traffic impact. Have requested contributions towards monitoring Travel Plan and improving Uffington Road pedestrian crossings.

- 4.4.2 The principles of the surface water drainage strategy and road layout were agreed through the Design PAD process.
- 4.5 **Anglian Water**
- 4.5.1 Foul water - The foul drainage from this development is in the catchment of Stamford Water Recycling Centre that will have available capacity for these flows.
- 4.5.2 Surface water – Advise to seek advice from Lead Local Flood Authority.
- 4.5.3 **Fire Authority**
- 4.5.4 No objections, and reference relevant Building Regulations for fire safety which must be complied with.
- 4.6 **Historic England**
- 4.6.1 On the basis of the information available to date, we do not wish to offer any comments. We suggest that you seek the views of your specialist conservation and archaeological advisers, as relevant.
- 4.7 **LCC Minerals and Waste**
- 4.8 In accordance with the criteria set out in Policy M11 of the Minerals and Waste Local Plan: Core Strategy and Development Management Policies (2016), the applicant has identified that the proposed development is, or forms part of, an allocation in the Development Plan, and also that prior extraction of the mineral would be impractical. Accordingly, the County Council has no mineral safeguarding objections.
- 4.9 **LCC Education**
- 4.9.1 The County Council has no comments on this consultation in relation to education as there is sufficient capacity in the locality for the children generated by this scheme.
- 4.10 **Lincolnshire Police**
- 4.10.1 No objections.
- 4.11 **Environment Agency**
- 4.11.1 Recommend conditions to ensure that contaminated land is appropriately remediated and subsequently verified as completed.
- 4.12 **NHS England**
- 4.12.1 S106 request for £73,260 towards Lakeside Healthcare and Glenside Country Practice.
- 4.13 **Heritage Lincolnshire**
- 4.13.1 A programme of archaeological trial trenching is required to identify archaeological remains which may be preserved on the site. The trial trenching should be undertaken in accordance with the submitted Written Scheme of Archaeological Investigation.
- 4.14 **Conservation Officer**
- 4.14.1 Due to landscape character and the distance to the heritage assets, as well as the intervening buildings that would interrupt the intervisibility between the site and the heritage assets, the development of the site is not considered to result in any harm to the settings of

the heritage assets. It is therefore considered to be in accordance with NPPF Section 16 and Policy EN6 of the Local Plan.

4.15 **The Gardens Trust**

4.15.1 No comments to make.

4.15.2 **Cadent Gas**

4.15.3 No objection.

5 Representations as a Result of Publicity

5.1 This application has been advertised in accordance with the Council's Statement of Community Involvement and 4 letters of representation have been received in total, raising the following relevant points:

1. Lack of supporting infrastructure to support development;
2. Impact of noise from nearby employment site;
3. Construction access and traffic impacting on adjacent business;
4. Objections to new junction on Uffington Road and no access from Ryhall Road;
5. Poor design;
6. Lack of open space provision;
7. Traffic impacts on Uffington Road.

6 Evaluation

6.1 **Principle of Development**

6.1.1 Policy SP1 of the South Kesteven Local Plan (2020) sets out a framework guiding the location of new development within the District and provides that the majority of new development shall be focussed on Grantham and the market towns. Policy SP1 sets out that development should create strong, sustainable, cohesive communities, making the most effective use of previously development (brownfield) land (where possible). Development should also provide for a scale and mix of housing to meet identified needs.

6.1.2 Policy H1 of the Local Plan sets out that development will be delivered through a series of site allocations across the district, including to Stamford as a Market Town.

6.1.3 Policy DE1 of the Local Plan seeks to ensure high quality design is achieved, with proposals to make a positive contribution towards the character of the area, local identity, and not adversely impact on the street scene and townscape and be of an appropriate scale, density, massing, height and material and not impact on neighbouring residential amenity.

6.1.4 Paragraph 123 of the NPPF sets out that planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously-developed or 'brownfield' land.

Local Plan Allocation

- 6.1.5 The site forms part of Local Plan allocation site STM1-H2: Stamford East. The overall site allocation is for an indicative 162 dwellings in total which equates to approximately 30dph. The allocation incorporates the proposed development site, with the western part of the site having already been granted full planning permission under S21/0938 for 200 dwellings. It is also noted that part of the allocated site has been used to deliver the Aldi convenience store and a part of the Vistry site to the west extends into the allocated employment site, ST-E1.
- 6.1.6 The policy includes the following criteria:
- (a) A comprehensive masterplan is required for the entire site.
 - (b) The layout of the development should provide appropriate transport infrastructure measures to encourage walking, cycling and use of public transport in order to maximise opportunities for sustainable modes of transport.
 - (c) This site represents a gateway location and this should be recognised in the design and layout of development proposals.
 - (d) Highway, footway, cycleway connections shall be provided throughout the site which connect the site into the wider area.
 - (e) To ensure the development achieves good, high quality design, a design code will be prepared for the site.
 - (f) Any contaminated land should be remediated to recognised standards.
 - (g) This site is situated within a Minerals Safeguarding Area. A Minerals Assessment will be required as part of any planning application.
- 6.1.7 The proposal is considered to meet the relevant criteria e), f) and g) above. The applicant has prepared and submitted a design code of the site to comply with criteria e). A ground investigation report and geoenvironmental report have been provided for compliance with criteria f) and both the Council's Environmental Protection team and the Environment Agency are satisfied with the proposed remediation strategy. For criteria g) the applicant has provided the necessary Minerals Assessment and LCC Minerals and Waste have reviewed this and do not have any objections to the proposal.
- 6.1.8 A masterplan for the overall site allocation was submitted and approved as part of the Vistry application, S21/0938. The approved masterplan covers the wider allocation site and sets out constraints across the wider site, including areas of noise impact, the TPO tree belt, changes in land levels and foul water and storm water sewer easements across the whole allocation site. A site allocation wide street hierarchy has been identified that utilises two access from Uffington Road, each serving each side of the site and the constructed Aldi. The masterplan shows the two access roads to link in a loop to the northern end of the site.
- 6.1.9 The approved masterplan includes the identification of key buildings and feature squares through the site and also highlights the linkages across the allocation of blue and green infrastructure, including linked tree lined streets and linked public open space. Within the public open space, the masterplan shows a footpath/cycle path to continue through the site, initially to the west of the TPO tree belt, before moving east to the neighbouring site and then north of the site to join an existing footpath alongside the River Gwash and to enable a circulatory footpath around the town with future links into Stamford North.
- 6.1.10 The amended proposal for this application is considered to be in accordance with the broad principles of that masterplan and therefore criterion a is complied with. Criteria b) and d) are

linked, with a requirement for a layout that maximises sustainable transport opportunities and that sufficient connections are made to the wider area. Outside of the main access (and access adjacent to Aldi) from Uffington Road, a single walking / cycling connection point is shown in the masterplan, with this route shown to connect to the north-east to the allocated employment land to the Stamford North allocation. No connections are shown to the west to Ryhall Road or its associated retail and employment opportunities. Whilst a connection point directly through to Ryhall Road would be preferable, a combination of changes in land levels, existing site boundaries and land ownership constraints prevent such a connection being made. LCC (as Local Highway Authority) do not object to the proposal and in this respect, and the application is considered to be in accordance with criteria b) and d).

- 6.1.11 With regards to criteria c), the masterplan, design code and application acknowledge the gateway location of the site, with the application amended through the process to amend the proposed gateway buildings to ensure an appropriate gateway feature in this context. While the number of dwellings across the two sites would exceed the indicative number of dwellings in the policy criteria, the proposed density is similar to that of the approved Vistry scheme. Likewise, the layout proposed complies with the principles of the approved masterplan. Further discussion on the design merits of the scheme is provided in the relevant section below.

Principle of Development Conclusion

- 6.1.12 The site is allocated for residential development within the Local Plan and is previously development land, and this weighs significantly in favour of the proposal. Local Plan allocation Policy STM1-H2 sets-out the criteria for residential development of the site.
- 6.1.13 The layout of the proposed scheme has been through several iterations, following extensive discussion through the Council's Design PAD service. This has resulted in a scheme that accords with the principles of the approved masterplan and also complies with the other allocation policy criteria.
- 6.1.14 The amended proposal is now therefore considered to be in accordance with Policy STM1-H2 of the South Kesteven Local Plan and Section 11 of the NPPF. Specific design, environmental and technical issues, which support this conclusion are discussed further in the following sections below.

6.2 **Affordable Housing and Housing Mix**

- 6.2.1 Firstly, it is noted that the adjacent part of the allocated site includes a significant over provision of affordable housing with 127 of the units proposed as affordable units. This over provision was possible as the scheme was promoted in partnership with a registered affordable housing provider and the over provision of affordable housing was supported by grants.
- 6.2.2 Local Plan policy SD1 (Sustainable Development) states: *Development proposals shall consider how they can proactively encourage, as appropriate:*
- g. the use of previously developed land, conversions or the redevelopment of vacant or unutilised land or buildings within settlements*
- 6.2.3 Policy H4 of the Local Plan promotes a mix of types of housing provision, including housing to 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 accommodation in sustainable locations. Likewise, Policy 3 of the

Stamford Neighbourhood Plan seeks to ensure that the housing mix on new developments meets the needs of young families, first time buyers and the needs of the elderly population. It also requires that 30% of new homes are affordable and are integrated with market homes on the site.

6.2.4 In this respect, the 2023 Local Housing Needs Assessment, which accompanied the Regulation 18 consultation on the Local Plan Review, advises the following housing mix over the period to 2041:

Number of bedrooms	Market	Affordable Ownership	Affordable Rent
1 bedroom	1% – 5%	10% - 15%	30% to 35%
2 bedrooms	30% – 35%	40% - 45%	45% to 50%
3 bedrooms	45% - 50%	30% - 35%	20% to 25%
4 bedrooms	10% - 15%	5% - 10%	1% to 5%
5+ bedrooms	1% - 5%	1 to 5%	

6.2.5 The submitted proposals would provide housing of the following mix:

Number of bedrooms	Market (98 dwellings)	Affordable (13 dwellings)	Overall (111 dwellings)
1-bedroom	0 (0%)	3 (23%)	3 (27%)
2-bedrooms	12 (12%)	8 (62%)	20 (18%)
3-bedrooms	77 (78%)	2 (15%)	79 (71%)
4-bedrooms	9 (9%)	0 (0%)	9 (8%)

6.2.6 In respect of the above, it is acknowledged that the proposed housing mix, when considered as a whole, delivers a higher proportion of 3-bedroom dwellings than the recommendations of the latest Housing Needs Assessment. Nonetheless, a range of dwelling sizes and tenures are proposed, which would make a significant contribution towards meeting local housing needs. It is also noted that the proposed development would provide 10% accessible adaptable dwellings that would comply with the requirements of Building Regulations M4(2). It is Officers' assessment that the proposed development scheme would provide a range of housing options, which would cater for a variety of market and affordable housing needs.

6.2.7 Taking the above into account, it is concluded that, the proposed housing mix would be in accordance with the principles of Policy H2 and H4 of the adopted Local Plan, Stamford Neighbourhood Plan Policy 3 and Section 5 of the National Planning Policy Framework.

6.2.8 The NPPF para 65 states: *To support the re-use of brownfield land, where vacant buildings are being reused or redeveloped, any affordable housing contribution due should be reduced by a proportionate amount.*

- 6.2.9 Footnote 31 further advises: *Equivalent to the existing gross floorspace of the existing buildings. This does not apply to vacant buildings which have been abandoned.*
- 6.2.10 In respect of whether or not a building is considered to be abandoned National Planning Practice Guidance states: *The vacant building credit applies where the building has not been abandoned. The courts have held that, in deciding whether a use has been abandoned, account should be taken of all relevant circumstances, such as:*
- *the condition of the property*
 - *the period of non-use*
 - *whether there is an intervening use; and*
 - *any evidence regarding the owner's intention*
- Each case is a matter for the collecting authority to judge.*
- 6.2.11 The policy is intended to incentivise brownfield development, including the reuse or redevelopment of empty and redundant buildings. In considering how the vacant building credit should apply to a particular development, local planning authorities should have regard to the intention of national policy. Officers are satisfied that for the purposes of applying Vacant Building Credit, the existing buildings within the development have not been abandoned. As the Local Plan is silent on the use of Vacant Building Credit, National Planning Policy is afforded significant weight on this issue.
- 6.2.12 The existing buildings to be demolished within the proposed development amount to 5,848 sqm. This floorspace can therefore be used as a credit against the proposed floorspace of the amended development scheme 9,771 sqm. Local Plan Policy H2 requires that 30% of the scheme be affordable dwellings. Based on a scheme of 111 dwellings, the policy requirement would therefore be 33 affordable dwellings. This requirement is therefore reduced through the application of Vacant Building Credit to 13 affordable units, which are proposed as 70% affordable rent and 30% shared ownership. It is recommended that the S106 agreement is drafted in such a way that allows flexibility on the final tenure mix, to ensure that local housing needs are appropriately met at the time that the final affordable housing scheme is submitted for approval.
- 6.2.13 Taking account of National Planning Policy on the application of Vacant Building Credit, the proposed scheme of 13 affordable housing units is therefore considered to be in accordance with the requirements of the Local Plan, when considered as a whole.

6.3 **Design and effects on the character and appearance of the area**

- 6.3.1 The proposal is for the erection of 111 dwellings on a site allocated for residential development in the Local Plan and that is previously development land. The proposal is residential in nature that will result in a change from the existing context, however this will be appropriate considering the allocated nature of the site and the on-going, adjacent residential development.
- 6.3.2 The proposal on an allocated site for residential use and on previously development land, is slightly higher in density than the suggested approximate density of 30dph in Policy STM1-H2. While the proposed density of 33dph gross density is slightly above the approximate policy density of 30dph, it is comparable with the adjacent Vistry scheme (34dph). Further, given the location of the site within the town, adjacent to two supermarkets and on previously developed land, it is considered to be an appropriate density for this context.

- 6.3.3 The amended scheme proposes two areas of open space; a central area that links into the open space being provided by the Vistry site to create a central area of open space is available to all residents. The other area of open space is in the north-eastern corner of the site which would provide access to the river and countryside beyond. However, as a result of the increased density of the proposed site, there remains an under provision of on-site open space, as required by Policy OS1. As such, the applicant has proposed an off-site contribution of £23,130, which is considered to be fairly and reasonably in scale to the proposed development. It is recommended that this off-site contribution is used towards improvements to the existing facilities at Uffington Road playing fields.
- 6.3.4 As discussed above, significant changes have been made to the scheme as a result of discussions through the Council's Design PAD process and to ensure that the proposed scheme accords with the approved masterplan for the wider allocated site. In summary, this has resulted in the following key changes to the proposed layout:
- A reduction in the overall number of dwellings from 120 to 111;
 - Addition of street trees;
 - The creation of a large central open space, fronted by residential properties;
 - The provision of footpath and cycleway connections to the central open space;
 - Ensuring back-to-back relationships within development blocks to provide active frontages to roads and open spaces;
 - The inclusion of an east-west pedestrian connection;
 - Greater retention and connectivity to the existing wetland area to the north-east of the site;
 - Consideration of levels across the site to reduce need for retaining structures.
- 6.3.5 The amendments made to the layout result in a proposal with reduced density, increased public open space, increased internal and external connectivity, and a scheme that now accords with the principles of the approved masterplan for the wider allocation site. The nature of the site, being of previously development land, is noted, and the development of the site is not considered to negatively impact on the wider landscape or views to the site. However, the final details of the materials of the proposed dwellings, and hard and soft landscaping (including boundary treatments) are an important component in the final appearance of the development and ensuring the development has a distinctive character that is appropriate for the area. It is appreciated that material and landscaping schemes have been submitted and the broad principles of these plans are accepted. However, there are important details where there remains some concern such as the lack of chimneys on any of the dwellings which are referenced as an important local characteristic and included on some dwellings on the Vistry part of the scheme. Likewise, the use of red and buff brick and reconstituted stone is accepted, but the final choice of material will be important in achieving a locally distinct character. As such, it is recommended that approval of the final details of these schemes is reserved by condition to ensure there is both control over these details and flexibility in terms of any future amendments that may arise.
- 6.3.6 Subject to the above recommended conditions and obligations, and by virtue of its scale, design and appearance, the proposal is considered to be acceptable in the surrounding context and street scene and is therefore in conformity with Policies EN1, OS1 and DE1 of the Local Plan and Sections 11 and 12 of the NPPF.

6.4 Residential amenity considerations

- 6.4.1 The proposed development adjoins the adjacent Vistry scheme and the development block in the north-west of the site shares a back-to-back relationships with the approved dwellings to the west. The separation distance between these dwellings is appropriate to ensure a good standard of amenity for occupiers of all properties. The remainder of the site is not located in close proximity to existing dwellings, with non-residential uses to the east and north, and with a single dwelling only in close proximity albeit across Uffington Road to the south.
- 6.4.2 The application site is located to the north of a new Aldi store and to the west of a number of light industrial / commercial units. A noise assessment has been submitted in support of the proposals completed by LF Acoustics.
- 6.4.3 The report states: *“noise surveys indicated generally low levels of noise within the site. Noise from the operation of the Aldi plant was noted to be just audible, with noise from the industrial units generally not audible, apart from an infrequent delivery vehicle, that was loaded / unloaded during normal daytime working hours. The design of the proposed development has sought to take noise from these sources into account by locating car parking adjacent to the Aldi plant and ensuring the dwellings closest to the industrial units are constructed end on. Calculations and an assessment of the noise levels attributable to the operation of the Aldi plant indicated a potential for an adverse noise impact at the closest property, based upon worst-case conditions. To ensure any potential adverse noise impacts are minimised, it is proposed to construct an additional acoustic fence along the boundary adjacent to the plant, to ensure the plant is screened from the upper floors of the dwellings. Noise levels from the industrial units were observed to be low. To ensure potential adverse impacts attributable to the occasional delivery are minimised it is proposed to construct acoustic fencing along the garden boundaries of the two properties which are adjacent to the main loading area.”*
- 6.4.4 The conclusions of the report are accepted and it is recommended to secure the recommended mitigation measures by condition.
- 6.4.5 The applicant has not submitted a Construction Management Plan (CMP) to include proposed mitigation measures to take account of neighbouring impacts including dust and noise. Any impacts on neighbours during the construction period will be temporary during construction only and subject to a planning condition requiring submission of a CMP.
- 6.4.6 Taking into account the scale and nature of the proposal, there is not considered to be an unacceptable adverse impact on any existing or future residential amenity, subject to conditions to include a CMP and securing landscaping details and compliance with the recommendations of the acoustic report. The proposal is considered in this respect to comply with Policy DE1 of the Local Plan.

6.5 Highway considerations

- 6.5.1 The applicant has submitted a Transport Assessment (TA) in support of the application (updated May 2024). The vehicular access for the site is proposed to be provided via a priority T-junction off Uffington Road immediately to the south of the site. The access has already been constructed as part of the Aldi scheme to the south of the site. The access has been constructed as a 6.5m wide carriageway with a 3m wide shared footway/cycleway on the eastern side and a footpath on the western side of the carriageway.

- 6.5.2 The shared footway/cycleway and footpath connects into the existing network along Uffington Road with a tactile paving dropped kerb crossing also provided. Currently this access road and footway/ cycleway terminate at the site boundary and will be extended into the development site. A vehicular link will also be provided in the northernmost part of the site, providing access to and through the residential development to the west. The central open space area also provides a connection to the pedestrian links within the Vistry site, which provide an alternative pedestrian route to Uffington Road. The layout shows an appropriate level of off-street and cycle parking. Collectively, the walking and cycling routes and connections proposed are considered to sufficiently encourage walking and cycling and the scheme is therefore in accordance with the approved masterplan and criteria b) and d) of Policy STM1-H2.
- 6.5.3 LCC (as Local Highway Authority) have requested a financial contribution of £5,000 towards monitoring the Travel Plan. This request is considered to be fairly and reasonably related in scale and kind to the development.
- 6.5.4 The transport assessment states that there is not a current accident-related problem that exists in the vicinity of the proposed development site and that the safety of road users on the local highway network will not be put at risk as a result of the proposed development. Further, the assessment concludes that the proposed development would not result in any significant adverse traffic impacts on the existing network. Lincolnshire County Council (as Local Highway Authority) have raised no highway safety or traffic concerns that would be required as counter evidence to support a refusal of permission on either of these grounds.
- 6.5.5 Representations have been made stating that access to the site should be provided from Ryhall Road and not Uffington Road, with use of the permitted Aldi access from Uffington Road only and a vehicular route through to Ryhall Road. Through the assessment of the Vistry site, it was considered that an access into the site from Ryhall Road would be preferable as access to the allocated employment site to the north, allowing for a separation in employment and residential traffic, with the existing access road to the north of McDonalds already providing access to commercial uses. Notwithstanding the above, the link to a second access from Uffington Road in the Vistry site is a beneficial access scenario for residential uses, providing a loop road through the site, with such an access also previously approved for residential development under S17/0613.
- 6.5.6 In summary, the proposal would result in adequate access, parking and turning facilities and would not have an unacceptable adverse impact on highway safety. A Travel Plan has been submitted, which is recommended to be secured by planning condition, as well as securing a financial contribution of £5,000 towards monitoring. The proposed access is considered appropriate for the development and the traffic movements at the access and potential impacts on the existing network are not considered to be severe. As such the proposal is in accordance with Local Plan Policy ID2 and Section 9 of the NPPF.
- 6.5.7 A request has also been made to contribute towards improvements to a pedestrian crossing over Uffington Road. Further detail has been requested in order that this request and any potential delivery mechanism can be fully considered and will be reported through the late items paper.

6.6 **Flood Risk and Drainage**

- 6.6.1 The flood maps provided by the EA demonstrate that the majority of the site sits within a Flood Zone 1 area, with just the north eastern corner located within a Flood Zone 2, where residential development is not proposed.

- 6.6.2 The applicant has submitted a Flood Risk Assessment which states that most of the site is located within a very low surface water flood risk area. However, there is a band of low risk located adjacent to the northern boundary and between two of the existing buildings, both of which appear to flow from west to east, towards the river Gwash. There are also two areas of medium flood risk located between the existing buildings, and one area of high flood risk which appears to relate to an area which is trapped behind one of the buildings.
- 6.6.3 Surface water is proposed to be attenuated throughout the site, including the proposed detention basin in the north-east corner before discharging into the River Gwash at a controlled rate. The proposed onsite foul network will discharge to a pumping station which will connect to the adopted system in Uffington Road (manhole reference 1503), via a pumped main.
- 6.6.4 No flood risk concerns have been raised by Lincolnshire County Council (as Lead Local Flood Authority) and Anglian Water have accepted the proposed foul drainage strategy. Subject to conditions securing the proposed drainage scheme, the proposal is considered to comply with Local Plan Policy EN5.

6.7 Ecology

- 6.7.1 The application site is previously developed land, with extensive areas of hardstanding on the site, existing buildings and a western boundary of TPO protected trees. It is noted that the amended scheme results in the existing wetland area to the north-east of the site being retained and enhanced, which will both preserve and enhance habitats in that part of the site.
- 6.7.2 The applicant has submitted an Ecological Impact Assessment (Sept 2024) in support of the proposal. Key findings from that assessment include confirmed common pipistrelle bat day roosts within one of the buildings, as well as one common pipistrelle bat night/feeding roost, one common pipistrelle bat day/feeding roost within another building and a common pipistrelle, soprano pipistrelle and brown long eared *Plecotus auratus* bat day/night/feeding roost within a further existing building. The report also assumes a low population of grass snake *Natrix natrix* following an incidental finding, as well as habitat for generalist nesting bird species.
- 6.7.3 Mitigation measures have been recommended for loss of priority habitat, roosting bats, reptiles and invertebrates. Precautionary measures have been recommended for nesting birds, commuting bats and badgers.
- 6.7.4 The proposal is considered to comply with Local Plan Policy EN2 subject to the recommended mitigation and enhancement measures identified being secured by condition.

6.8 Heritage and Archaeology

- 6.8.1 The site is located approximately 500m from the Stamford Conservation Area, 270m from the closest listed building (Grade II Stamford Hospital site) and approximately 280m from St Leonard's Priory (Grade I and Ancient Monument). The proposal, for residential development on previously developed land, with the site flanked by existing commercial and residential developments and intervening buildings, is not considered to result in any harm to the setting of those heritage assets in accordance with Policy EN6 of the Local Plan and Section 16 of the NPPF.

6.8.2 While the nature of the site is previously developed land and includes significant areas of made ground, the applicant has submitted a Written Scheme of Archaeological Investigation (WSI) which recommends trial trenching and recording prior to development. This approach is supported by Heritage Lincolnshire and is recommended to be secured by condition.

6.9 **Climate Change**

6.9.1 The proposal is for the erection of 111 dwellings in a sustainable location on brownfield land. The applicant has provided a Sustainability Statement (Sept 2024). This statement proposes compliance with Part L of the Building Regulations, provision of water restrictors to minimise water use to a 100 l/pp/per day, and provision of PV arrays on every dwelling. The statement also provides measures for site waste management and energy efficiency during the construction phase of the development. Further, EV charging points would also be secured the Building Regulations process.

6.9.2 The site is an allocated site for residential development and located in close proximity to a number of services and facilities, with supermarket provision, wider retail and employment opportunities all located within 1km from the site.

6.9.3 Subject to an appropriate condition to secure sustainable measures on site, the proposal in this respect is considered to be in compliance with Local Plan Policy SB1.

6.10 **Section 106 Heads of Terms**

6.10.1 The proposal is major development for 111 dwellings and would result in the need for S106 contributions including:

- (i) NHS England - £73,260 towards Lakeside Healthcare and Glenside Country Practice;
- (ii) Affordable Housing – 13 dwellings (70% Affordable Rent, 30% Shared Ownership with cascade mechanism);
- (iii) Provision of on-site open green space and contribution of £23,130 towards improvements at Uffington Road Playing Fields.
- (iv) Travel Plan – monitoring contribution of £5,000
- (v) Section 106 Monitoring Contribution = £1,500 minimum monitoring fee plus 5% of all financial obligations (capped at £15,000)

6.10.2 In the event that the application was acceptable in all other respects, these contributions would ensure that local infrastructure is suitably upgraded to cope with the additional population. It is considered that these requirements would be compliant with the statutory tests of the CIL regulations as well as local and national policy requirements.

7 **Crime and Disorder**

7.1 It is considered that the proposal would not result in any significant crime and disorder implications. Lincolnshire Police have been consulted and have no objections to the proposal.

8 Human Rights Implications

- 8.1 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.

9 Conclusion and Planning Balance

- 9.1 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.
- 9.2 The current application seeks full planning permission for the erection of 111 dwellings including affordable housing provision, open space including access to the river Gwash, soft and hard landscaping including tree lined streets, car and cycle parking including EV charging provision, and a vehicular link with the adjacent Vistry site.
- 9.3 The proposal is on a site allocated for residential development, and is identified as previously developed land. These factors are significant benefits that weigh in significantly in favour of the proposal. Development on previously developed land and on an allocated site is strongly supported, as is the over provision of dwellings beyond the indicative numbers in the allocation policy in this sustainable location. The reduced provision of affordable housing results in conflict with the development plan, however this is considered to be outweighed by the benefits of developing a brownfield site and through the application of Vacant Building Credit, as supported by the NPPF.
- 9.4 The proposal is considered to be in accordance with the allocation policy criteria set-out in Policy STM1-H2 of the South Kesteven Local Plan, including relevant highway considerations (noting further update to be provided regarding request to upgrade Uffington Road crossings), footway and cycleway connectivity. Development of the site would require appropriate remediation of any contaminated land and would not impact on any mineral resources.
- 9.5 In respect of the design and visual impact of the scheme, the application scheme has been the subject of revision following extensive engagement with the Council's Design PAD service, and this has resulted in a development proposal which would be high-quality and perform positively against Building for Healthy Life. The proposals are an appropriate layout, appearance, landscape and scale of development, which would integrate with the existing and committed residential development to the west. Furthermore, having regard to the proposed scheme and the relationship with existing residential properties, the development would not give rise to any unacceptable impacts on residential amenity.
- 9.6 Taking the above into account, it is Officers' assessment that the application proposals would accord with the adopted Development Plan, including the Stamford Neighbourhood Plan, when taken as a whole. There are no material considerations that indicate that planning permission should not be granted; although appropriate conditions and obligations are recommended.

10 Recommendation

Recommendation – Part 1

- 10.1 To authorise the Assistant Director – Planning & Growth to GRANT planning permission, subject to the completion of a Section 106 Agreement securing the necessary financial contributions set out within the report above, and subject to the proposed schedule of conditions detailed below.

Recommendation – Part 2

- 10.2 Where the Section 106 Agreement has not been concluded prior to the Committee, a period not exceeding twelve weeks after the date of Committee shall be set from the completion of the obligation.

- 10.3 In the event that the agreement has not been concluded within the twelve-week period and where, in the opinion of the Assistant Director – Planning & Growth, there are no extenuating circumstances which would justify a further extension of time, the related planning application shall be refused for the following reason(s):

1. The applicant has failed to enter into a planning obligation to secure the required level of affordable housing, as well as necessary financial contributions to healthcare and open space as required by Policy ID1, ID2, H2 and OS1 of the adopted South Kesteven Local Plan 2011-2036.

Recommended 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:

- Location Plan drawing no. BW251EC-OP4-PL-01 Rev C
- Development Layout drawing no. BW251EC-OP12-PL-02 Rev E
- Detailed Layout BW251EC-OP12-PL-03 Rev C
- House type drawing nos. BW251EC-HA-MNLa-01 Rev B Manciple – MNLa, BW251EC-HA-TIa-01 Rev B Tillman – Tia, BW251EC-HT-AKa-01 Rev B Arkwright – Aka, BW251EC-HT-BXa-01 Rev B Baxter – Bxa, BW251EC-HT-CHa-01 Rev B Chandler – Cha, BW251EC-HT-CHb-02 Rev B Chandler – CHb, BW251EC-HT-JOa-01 Rev B Joiner – Joa, BW251EC-HT-JOa-02 Rev B Joiner – Job, BW251EC-HT-MAa-01 Rev B Mason – Maa, BW251EC-HT-MAb-02 Rev B Mason – Mab, BW251EC-HT-MIa-01 Rev B Milliner – Mia, BW251EC-HT-SCa-01 Rev B Scriviner – Sca, BW251EC-HT-TAa-01 Rev B Tailor – Taa, BW251EC-HT-TAb-02 Rev B Tailor – Tab, BW251EC-HT-THa-01 Rev B Thespian – Tha, BW251EC-HT-THb-02 Rev B Thespian – THb, BW251-AP-POL-01 Rev B Floor Plans, BW251-AP-POL-02 Rev B Elevations, BW251EC-GR-01 Rev B Garages

Unless otherwise required by another condition of this permission.

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

Pre-Commencement

Archaeology

- 3 Before the development hereby permitted is commenced, the archaeological investigations must have been completed in accordance with the submitted RPS Group WSI (ref: JAC27693 v2).

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).

Demolition and Construction Management Plan

- 4 The development hereby approved shall be undertaken in accordance with a Demolition and Construction Management Plan and Method Statement which shall first be approved in writing by the Local Planning Authority. The Plan and Statement shall indicate measures to mitigate against the impacts of traffic movement and the drainage of the site during the construction stage of the proposed development and shall include;
- i) the phasing of the development to include access construction;
 - ii) the parking of vehicles of site operatives and visitors;
 - iii) the loading and unloading of plant and materials;
 - iv) the storage of plant and materials used in constructing the development;
 - v) wheel washing facilities;
 - vi) a strategy stating how surface water run off on and from the development will be managed
 - vii) method statement for how demolition and removal works for the concrete base pad and buried infrastructure will be undertaken

Reason: In the interests of the safety and free passage of those using the neighbouring highways 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 EN4 and DE1 of the South Kesteven Local Plan

Surface Water drainage

- 3 The permitted development shall be undertaken in accordance with a surface water drainage scheme which shall first have been approved in writing by the Local Planning Authority.
The scheme shall:

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

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 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 and to be in accordance with Policy EN5 of the South Kesteven Local Plan.

During Building Works

Materials

- 4 Notwithstanding the submitted details, before any of the works on the external elevations of the dwellings in each phase are begun, details of the materials to be used in the construction of the external surfaces for the dwellings in that phase shall have been submitted to and approved in writing by the Local Planning Authority. Details must include:

- Facing brickwork, stonework and/or any render to be used;
- Roof tiles;
- Porches;
- Chimneys;
- Finish of verges and eaves;
- Header and cill detail.

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

Hard Landscaping

- 5 Before any development above dpc is commenced, details of hard landscaping works shall have been 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. timetable for implementation.

The works must be completed in accordance with the approved timetable for implementation.

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.

Soft Landscaping

- 6 Before any development above dpc 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;
- iv. timetable for implementation.

The works must be completed in accordance with the approved timetable for implementation.

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.

Ecological Appraisal

- 7 The development must be carried out in accordance with the mitigation and enhancement recommendations in the SES Ecological Impact Assessment (Sept 2024).

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

Tree protection

- 9 During works on site, 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 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, with all works to be in accordance with the recommendations of Trees and construction, Implications Assessment and Method Statement, Cotswold Wildlife Surveys, April 2021.

Reason: To prevent unnecessary damage to existing trees and in accordance with Policies EN2 and OS1 of the adopted South Kesteven Local Plan.

Accessible and Adaptable

- 10 Before any development above dpc is commenced, details demonstrating that at least 10% of the dwellings would be constructed as "Accessible and Adaptable" in line with the standard set-out in Part M4(2) of the Building Regulations must be submitted to and approved in writing by the Local Planning Authority.

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

Reason: To ensure the development meets the needs of all potential future occupiers in accordance with Local Plan Policy DE1.

Before the Development is Occupied

Noise mitigation

- 11 The development hereby permitted shall not be occupied or brought into use until mitigation measures identified within the noise report (acoustic fencing to certain boundaries) (LF Acoustics, Sept 2024) have been implemented. These mitigation measures shall be retained in perpetuity.

Reason: To mitigate any noise impact to dwellings resulting from neighbouring land uses and to comply with Policy EN4 of the South Kesteven Local Plan.

Verification report

- 12 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 be submitted by the agreed competent person and identify that approved remedial works have been implemented. The report shall include, unless agreed in writing:

- (a) A complete record of remediation activities, and data collected as identified in the remediation scheme (Additional Contamination Assessment & Remedial Strategy (ref: BRD3988-0R3-B, dated April 2024) by BRD Environmental), to support compliance with agreed remediation objectives;
- (b) As built drawings of the implemented scheme;
- (c) Photographs of the remediation works in progress; and
- (d) Certificates demonstrating that imported and/or material left in situ is free from contamination.

Thereafter the scheme shall be monitored and maintained in accordance with the approved remediation scheme.

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

Energy efficiency

- 13 Prior to occupation of each dwelling, works shall be undertaken to conform with the recommendations of the Sustainability Statement (JSP Sustainability, Sept 2024).

Reason: To ensure the scheme is energy efficient and in accordance with Policy SB1 of the South Kesteven Local Plan.

Estate Roads

- 14 Before any dwelling is occupied, all of that part of the estate road and associated footways that forms the junction with the main road and which will be constructed within the limits of the existing highway, shall be laid out and constructed to finished surface levels in accordance with details to be submitted to, and approved in writing by, the Local Planning Authority.

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.

- 15 The permitted development shall be undertaken in accordance with an Estate Road Phasing and Completion Plan, which shall first be 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.

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.

Ongoing Conditions

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

Reason: To ensure the provision, establishment and maintenance of a reasonable standard of landscape in accordance with the approved designs and in accordance with Policies DE1, EN2 and OS1 of the adopted South Kesteven Local Plan.

- 17 The approved Travel Plan (191113/GTP (B)) must be implemented and adhered to in accordance with the timetable contained in the plan.

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.

Proposed Site Plan



Site sections

Section D - D

IG



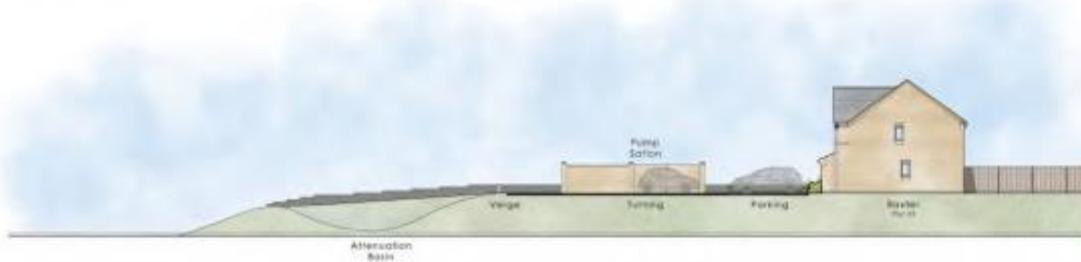
Section E - E



Section F - F



Section G - G



Section H - H



Section I - I



Section J - J



Section A - A



Section B - B



Section C - C





**SOUTH
KESTEVEN
DISTRICT
COUNCIL**

Planning Committee

3 October 2024



S24/0569

Proposal:	Demolition of the existing grain store and erection of five dwellings
Location:	Grain Store, Station Road, Twenty, PE10 0AZ
Applicant:	JWE Banks & Partners
Agent:	Strutt and Parker, Unit 5 South View Business Park, Tinwell Road, Stamford
Application Type:	Full Planning Permission
Reason for Referral to Committee:	Call In – Councillor Zoe Lane due to concerns about visual impact
Key Issues:	Impacts on the character of the area Impacts on amenity Highway safety/parking Drainage/flood risk

Report Author

Miranda Beavers – Senior Development Management Planner



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Miranda.beavers@southkesteven.gov.uk

Corporate Priority:

Growth

Decision type:

Regulatory

Wards:

Bourne East

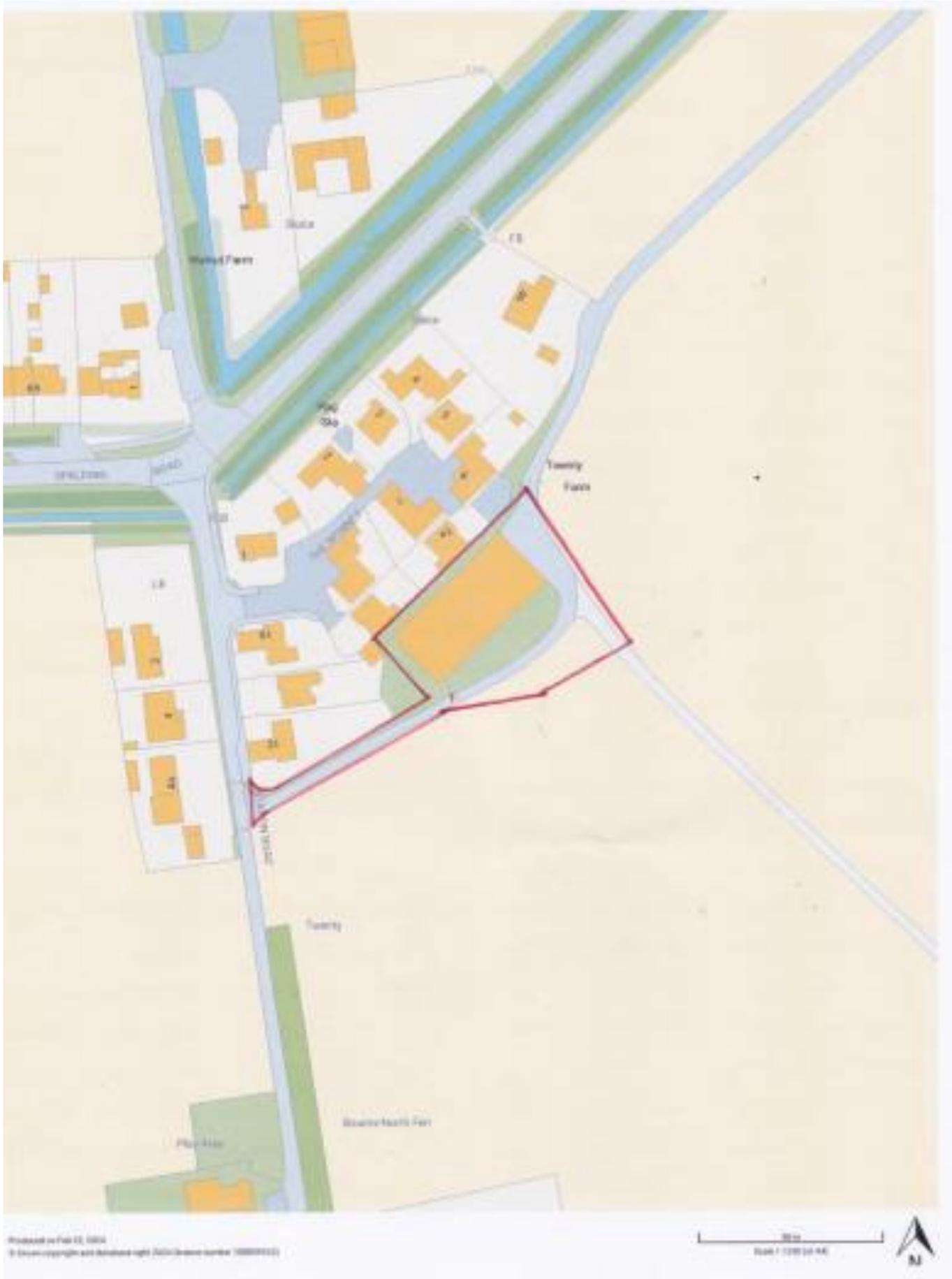
Reviewed by:

Adam Murray – Principal Development Management Planner

23 August 2024

Recommendation (s) to the decision maker (s)

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



1 Description of Site

1.1 The application site is situated on the edge of Twenty, which is a small village/hamlet located approximately 3 miles to the east of Bourne. The barn that is the subject of this application is rectangular in shape and is currently used as a grain store and has a gross internal floor space of 740sqm. There is residential development immediately to the north and west of the barn, with agricultural land to the east and south. The barn is accessed from Station Road via a farm track, which also leads onto Twenty Farm to the north-east. The barn has a steel frame and comprises block work walls, brick walls and buttresses, and corrugated cladding to upper sides and roof. The barn is visible when approaching Twenty on Spalding Road from the west.

2 Description of Proposal

2.1 The proposal is for the demolition of the existing barn and the erection of five four-bedroom dwellings with associated parking and landscaping. An existing farm access is proposed to be reconfigured to serve the dwellings.

3 Relevant History

- S23/0914 Change of use of Agricultural Grain Store to 5no. dwellings and building operations reasonably necessary to convert the building to dwellings. Approved 20 September 2023.

4 Policy Considerations

4.1 SKDC Local Plan 2011 – 2036

Policy SD1 'The Principles of Sustainable Development in South Kesteven'
Policy SP1 'Spatial Strategy'
Policy SP2 'Settlement Hierarchy'
Policy SP5 'Development in the Open Countryside'
Policy SB1 'Sustainable Building'
Policy DE1 'Promoting Good Design'
Policy ID2 'Transport and Strategic Transport Infrastructure'

4.2 National Planning Policy Framework (NPPF)

Chapter 4 'Decision Making'
Chapter 5 'Delivering a sufficient supply of homes'
Chapter 6 'Promoting sustainable transport'
Chapter 12 'Achieving well-designed places'
Chapter 14 'Meeting the challenge of climate change, flooding and coastal change'

4.3 Supplementary Planning Document:

Design Guidelines for Rutland and South Kesteven (November 2021)

5 Representations received

5.1 LCC Highways & SuDS

- 5.1.1 No objections subject to conditions.
- 5.1.2 In the event that permission is to be given, they have requested conditions requiring details of a footway, to connect the development to the existing footway network has been provided. To ensure the provision and adequate pedestrian access to the permitted development, without increasing flood risk to the highway or adjacent land and property.

5.2 **Lincolnshire Wildlife Trust**

- 5.2.1 No objections subject to conditions.
- 5.2.2 Reviewing the BNG metric for this application we can see the ratio of vegetated gardens to developed land is above the 30:70 ratio which exceeds the BNG user guidance. The ratio for this application is closer to 40:60 meaning the development is overly reliant on these vegetated gardens in achieving the minimum 10% net gain requirement. Lincolnshire Wildlife Trust agree urban green space for people and nature is critical for the well-being of all, but the applicant cannot guarantee that astro-turf or patios are not laid straight after sale, as there are no controls placed on the private gardens. Therefore, to address the biodiversity and climate crises developers should not be trying to reduce their mandatory 10% net gain for biodiversity by including gardens that cannot be secured through relevant legal mechanisms. 10% net gain should be secured through legal mechanisms including providing Habitat Management and Monitoring Plans (HMMP). All habitat and species recommendation from the ecologist should be conditioned including the HMMP for the full 30-year period.

5.3 **Bourne Town Council**

- 5.3.1 No comments.

5.4 **Environmental Protection**

- 5.4.1 No objections subject to conditions relating to:

Contamination: the possible presence of land contamination due to previous agricultural uses at the site. Details to be submitted prior to commencing on site include a Phase 1 Desk top study and subject to findings possibly a Phase 2 site investigation, followed by a verification report prior to occupation.

Asbestos: Depending upon the age of the building(s), building structures may contain asbestos containing building materials. It is recommended that an assessment is made to determine if asbestos containing materials are present in the building(s) prior to demolition.

Noise from demolition/ construction: It is recommended that during construction, in order to minimise the noise impacts to existing residential dwellings that a condition be imposed to restrict the hours of construction and delivery of construction materials to the site.

Construction Management: The submission of a Construction Management Plan (CMP) is also requested to be submitted and approved, prior to commencement of work on site in order to demonstrate that mitigation measures are put in place to mitigate against traffic generation and drainage of the site during the construction stage.

5.5 **Environment Agency**

- 5.5.1 No objection subject to conditions.

5.6 **Natural England**

5.6.1 Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites or landscapes.

5.7 **Bourne Civic Society**

5.7.1 We cannot see that these designs have any element of local vernacular in their design, therefore they do not comply with the local plan. Applicants must be asked to study local vernacular design and materials and resubmit.

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 2 letters of representation have been received, comments are summarised:

- a) development spreads wider than the barns footprint
- b) tarmac/concrete access road is not environmentally friendly, and proposal would destroy habitat for local wildlife
- c) existing access road could be utilised to avoid destroying habitat.
- d) bat and bird boxes are proposed, but where would birds/bag go whilst dwellings are under construction.
- e) there is no local bus service.
- f) development would result in overlooking and disturbance (noise and light pollution) to the detriment of neighbouring dwellings.
- g) concerns regarding danger of asbestos on site
- h) concerns regarding surface water drainage
- i) concerns regarding electrical supply within the village

7 **Evaluation**

7.1.1 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.

7.1.2 In this case, the Development Plan comprises of the following documents:

- South Kesteven Local Plan 2011-2036 (Adopted January 2020);

The Local Planning Authority have adopted a Design Guidelines Supplementary Planning Document (Adopted November 2021) and this document is a material consideration in the determination of planning applications.

7.1.3 The policies and provisions set out in the National Planning Policy Framework (NPPF) ("the Framework") (Published December 2023) are also a relevant material consideration in the determination of planning applications.

7.2 **Principle of Development**

7.2.1 This site is located beyond any of the defined Larger or Smaller villages and is in the open countryside and relevant policy for this location is SP5. The policy seeks to limit development to that related to agriculture, forestry or equine, rural diversification, replacement dwellings or conversion of existing buildings. Whilst this proposal does not fall within any of these categories a significant material consideration is the extant prior approval granted under Class Q for the change of use of the existing grain store to form 5no. dwellinghouses by converting the existing barn. Case law has established that an existing

planning permission (granted using Permitted Development Rights under Part 3 (Change of Use) Class Q of the GDPO) can be used as a 'fall back' position to gain planning permission for an alternate scheme. The fallback position can only be effective if the alternate proposal meets the three fallback tests which were established in case law. "First whether there is a fallback use, which is to say whether there is a lawful ability to undertake such a use; secondly, whether there is a likelihood or real prospect of such occurring. Thirdly if the answer to the second question is "yes" a comparison must be made between the proposed development and the fallback use."

7.2.2 This current application is for the erection of 5 detached 2 storey dwellings with detached garages. The proposed development would result in the removal of an existing grain store and is considered would be no less sustainable in terms of its location than the extant Class Q approval. There is nothing to suggest that it would be unlikely for the extant class Q approval conversion to take place. The Class Q application was granted on 20 September 2023, which means that if the conversion were to take place the works would have to be completed by 20 September 2026. Therefore, it is considered that there is a reasonable amount of time for the conversion works to take place. Further, this planning application would result in an improved design and better outcome for development of the site, this is discussed further in the character and appearance section of the report. This a significant material consideration that outweighs any conflict with policy SP5. Having regard to the above the principle of the erection of 5 dwellings on the site is acceptable.

7.3 **Impact on the Character of the Area**

7.3.1 The existing grain store is a large agricultural building located to the south of Spalding Road (A151) and to the east of Station Road in the village of Twenty. The barn is visible when approached from the north along Station Road, which terminates a short distance after the turning to the grain store. The building is set back some distance from the road and is partially screened by residential dwellings that front Station Road and dwellings on The Spinney, which is a small development of 13no. bungalows and two storey dwellinghouses that have been constructed immediately adjacent to the grain store. To the east and south the grain store is bordered by agricultural fields.

7.3.2 It is proposed that the grain store is to be demolished and that a small development of 5 houses is built in its place in a cul-de-sac formation. It is acknowledged that the red line plan is slightly larger than that of the original Class Q proposal. However, the proposed application site area allows for an improved layout and access when compared with the Class Q approval, providing outdoor amenity space for each of the dwellinghouses as well as adequate space for car parking and manoeuvring as well as areas of landscaping.

7.3.3 The application site is relatively flat and is surrounded to the south and east by flat open landscape which is characteristic of this part of the district. The dwelling houses would be located to the rear of existing development and would replace the large agricultural building which is approximately 8.5m in height. The proposed dwellings would be approximately 9m in height when measured to the ridge line. The proposed dwellings are of a simple traditional design, which are not too dissimilar in appearance to existing dwellings that front Station Road and that occupy The Spinney.

7.3.4 The existing grain store is constructed with concrete and corrugated panels for walls and a corrugated metal roof and has the appearance of a typical agricultural building. However, given that the building lies directly adjacent to existing residential development it is considered that the red brick-built dwellings with slate roofs would be an improvement, and

would assimilate within the character of the surrounding area subject to materials details. Therefore, due to the nature of the proposed dwellings, their layout and design would not appear out of context given the presence of existing and similar residential development in this rural location.

- 7.3.5 By virtue of the design, scale and the use of suitable materials, the proposal is considered to be in keeping with the street scene and surrounding context in accordance with the NPPF Section 12, and Policy DE1 of the South Kesteven Local Plan.

7.4 **Impact on Residential Amenity**

- 7.4.1 Three of the five proposed dwellings would be located adjacent to common boundaries with existing residential dwellings that are situated on The Spinney.

Proposed Plot No.1 would share a common boundary with No.9 The Spinney to the north-east and No.11 The Spinney to the west side.

No.9 The Spinney is a two-storey dwelling situated 3.4m from the site boundary and has a secondary bedroom window facing the grain dryer. Plot No.1 is proposed to be a two-storey dwelling and would have 2no. north-west facing first floor bedroom windows. However, the separation distance between No.9 The Spinney and Plot No.1 would be approximately 13.4m. The bedroom windows would face a secondary bedroom window of the existing house.

No.11 The Spinney is a two-storey dwelling situated approximately 17m from the site boundary. Plot 1's southwest gable, facing No.11 would be blank.

Proposed Plot No.2 would share a common boundary with No.7A and 9 The Spinney to the north.

No.9 and 7A The Spinney are two-storey dwellings situated approximately 3.4m from the site boundary. Plot No.2 is proposed to be a two-storey dwelling and would have 2no. north-west facing first floor bedroom windows. The separation distance between No.9 and 7A The Spinney and Plot No.2 would be approximately 13.4m.

Proposed Plot No.3 would share a common boundary with No.7a The Spinney to the north.

No.7A The Spinney is a two- storey dwelling situated approximately 3.4m from the site boundary. Plot No.3 is proposed to be a two-storey dwelling and would be positioned on the plot at an angle so that the first-floor windows, 2 x north-west facing bathroom windows and 2 x north-east facing bedroom windows would not directly look onto No.7A The Spinney, they would primarily look onto the plots own garden area and would not have a back-to-back relationship.

- 7.4.2 Whilst some of the back-to-back separation distances are less than those set out in the design guidance document, it is acknowledged that the existing dwellings are already in very close proximity to the large grain dryer building. The grain dryer is at a height of 8.5m and the existing dwellings are approximately 7.2m to the ridge. Therefore, it is not considered that the proposed dwellings, at a height of approximately 9m and sited further away than the grain dryer (to be demolished) would have any greater impact than the impact than the grain dryer already has in terms of its bulk and massing, therefore causing no greater level of overshadowing or over dominance.

- 7.4.3 Access to the proposed development would utilise the existing farm access off Station Road located to the south of No.12 The Spinney. With regard to the number of vehicle movements it is not considered that the proposed five residential units would generate, any more traffic

than if the approved Class Q development were to be carried out. It is not considered that the reconfiguration of this access track to make it suitable for this small residential development would have more of an impact upon the occupiers of No.12 The Spinney than the use of the track by agricultural vehicles.

7.4.4 Further, the loss of the agricultural use from the site would offer a betterment in terms of the overall noise and disturbance experienced by neighbours. In any case, neighbouring impacts would be no more detrimental than if the Class Q permission were to be implemented.

7.4.5 The proposed dwellings would have habitable rooms of a satisfactory size, with sufficient natural light and an acceptable outlook. Should the proposal be recommended for approval, the landscaping details, including boundary treatments would be required to be submitted by way of a condition to be agreed in writing and implemented prior to occupation. The proposal would therefore provide satisfactory living conditions for future occupants as required by NPPF section 12 and local plan policy DE1.

7.5 **Highway Safety/Parking**

7.5.1 Access to the proposed development would utilise the existing farm access off Station Road located to the west of the development site. The access track would be reconfigured in accordance with National Guidance documents the Manual for Streets and the application has been assessed by Lincolnshire County Council as the Local Highway Authority and they do not object to the proposal. They have requested that in the event that permission is given, a condition should be imposed to ensure that details of a footway, to connect the development to the existing footway network is provided, approved and implemented prior to the occupation of any of the dwellings on site. This footway connection has been requested as the proposal will increase footfall to and from the site and will provide a safe pace and connection for pedestrians.

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

7.6 **Biodiversity and Ecology**

7.6.1 In England Biodiversity Net Gain (BNG) became mandatory from 12 February 2024 under Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021). This means that developers must deliver a BNG of 10%. This means that a development will result in more or better natural habitat than there was before development.

7.6.2 For this application the applicant has completed the statutory biodiversity metric. The results of the base-line survey compared to the proposed development would create a 12.40% net increase of habitat units across the site. Lincolnshire Wildlife Trust were consulted with the submitted information and they have commented that "Reviewing the BNG metric for this application we can see the ratio of vegetated gardens to developed land is above the 30:70 ratio which exceeds the BNG user guidance. The ratio for this application is closer to 40:60 meaning the development is overly reliant on these vegetated gardens in achieving the minimum 10% net gain requirement. Lincolnshire Wildlife Trust agree urban green space for people and nature is critical for the well-being of all, but the applicant cannot guarantee that astro-turf or patios are not laid straight after sale, as there are no controls placed on the private gardens. Therefore, to address the biodiversity and climate crises developers should

not be trying to reduce their mandatory 10% net gain for biodiversity by including gardens that cannot be secured through relevant legal mechanisms. 10% net gain should be secured through legal mechanisms including providing Habitat Management and Monitoring Plans (HMMP).”

- 7.6.3 The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition "(the biodiversity gain condition)" that development may not begin unless:
- 7.6.4 (a) a Biodiversity Gain Plan has been submitted to the planning authority, and
- 7.6.5 (b) the planning authority has approved the plan.
- 7.6.6 Comments received from a nearby resident has raised concerns regarding the potential loss of wildlife habitat from the site.
- 7.6.7 Whilst Lincolnshire Wildlife Trust have expressed concerns with the habitats included within the submitted Biodiversity Net Gain metric, it is Officers assessment that these matters would be appropriately addressed through the statutory biodiversity condition. This requires the submission of a Biodiversity Gain Plan prior to the commencement of development, and also includes a requirement for the submission of appropriate Habitat Management and Monitoring arrangements.
- 7.6.8 Consequently, subject to appropriate conditions, it is considered that the proposed development would be acceptable and in accordance with Policies EN2 of the SKLP and Section 15 of the NPPF.

7.7 **Drainage**

- 7.7.1 As regards any flooding risks on site, the building is located in Flood Zone 1 and the land south of the building is in Flood Zone 3 as such a Flood Risk Assessment (FRA) was submitted by the applicants in accordance with the Environment Agency's Standing Advice and in accordance with the National Planning Policy Frameworks requirements. The Environment Agency has reviewed the FRA and has stated that the proposal will meet with requirements in relation to flood risk and Policy EN5 of the SKLP, if conditions are imposed to control finished floor levels and other mitigation measures, in order to reduce the risk of flooding to the proposed development and future occupants.
- 7.7.2 The applicants have stated that foul sewage is to be disposed of using a septic tank. Government guidance contained within the PPG (Water supply, wastewater and water quality – considerations for planning applications, paragraph 020) sets out a hierarchy of drainage options that must be considered and discounted in the following order:
1. Connection to the public sewer
 2. Package sewage treatment plant (adopted in due course by the sewerage company or owned and operated under a new appointment or variation)
 3. Septic Tank

Foul drainage should be connected to the main sewer. Where this is not possible, under the Environmental Permitting Regulations 2016 any discharge of sewage or trade effluent made to either surface water or groundwater will need to be registered as an exempt discharge activity or hold a permit issued by the Environment Agency, additional to planning

permission. This applies to any discharge to inland freshwaters, coastal waters or relevant territorial waters.

The granting of planning permission does not guarantee the granting of an Environmental Permit. Details relating to foul and surface water drainage would be subject to separate permissions under the Building Regulations Act 2010 (as amended).

7.7.3 Accordingly, it is considered that the proposal is acceptable and in accordance with Policies ID2 and EN5 of the South Kesteven Local Plan and Sections 9 and 14 of the NPPF.

7.8 **Sustainability**

7.8.1 Policy SB1 requires that new housing developments meet optimum Building Regulations targets for water efficiency; and that all development proposals will be expected to mitigate against and adapt to climate change.

7.8.2 There is no reason to suspect that the development would not be adequate in terms of the requirements of Policy SB1, especially because the houses must be constructed lawfully in accord with the Building Regulations.

7.8.3 Notwithstanding this, conditions are proposed to be included to require the submission of details demonstrating how the proposed development would accord with the policy obligations relating to electric vehicle charging provision.

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 and Planning Balance**

10.1 Having regard to the scale, design of the development, as well as the pattern of development in the area and the previous history on the site it is considered that the proposal would not lead to any significant adverse impact on the amenities of the occupiers of neighbouring properties, would not lead to a significant adverse impact on the character of the area or impact on the surrounding highway network. Accordingly, it is considered that the proposal would be in accordance with Policy DE1 of the South Kesteven Local Plan, and Sections 5, 9 and 12 of the NPPF. The conflict with policy SP5 is outweighed by the extant part 3, class Q permission for the site. Therefore, it is recommended that permission be granted, subject to conditions.

11 **Recommendation**

11.1 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. Drawing No.115210 Proposed Block Plan
 - ii. Drawing No.115211 Proposed Elevation Plans Plots 1 and 2
 - iii. Drawing No.115212 Garage Floor and Elevation Plan Plot 1
 - iv. Drawing No.115213 Garage Floor and Elevation Plan Plots 2 and 3
 - v. Drawing No.115214 Proposed Elevation Plans Plots 2, 3 and 5
 - vi. Drawing No.115215 Garage Floor and Elevation Plan Plots 4 and 5
 - vii. Site Location Plan

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 indicate measures to mitigate against traffic generation and drainage of the site during the construction stage of the proposed development. The Construction Management Plan and Method Statement shall include:-

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

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

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

4. Before the development hereby permitted is commenced, a scheme relating to the survey of the land for contamination shall have been submitted to and approved in writing by the Local Planning Authority. The scheme shall include:
 - i. A desk top study documenting all the previous and existing land uses of the site and adjacent land;
 - ii. A site investigation report assessing the ground conditions of the site and incorporating chemical and gas analysis identified as appropriate by the desk top study; and
 - iii. A detailed scheme for remedial works and measures to be undertaken to avoid risk from contaminants and/or gases when the site is developed and proposals for future maintenance and monitoring.
 - iv. Shall include the nomination of a competent person to oversee the implementation of the works.

Reason: Previous activities associated with this site may have caused, or had the potential to cause, land contamination and to ensure that the proposed site investigations and remediation will not cause pollution in the interests of the amenities of the future residents and users of the development; and in accordance with Policies EN2 and EN4 of the adopted South Kesteven Local Plan and national guidance contained in the NPPF.

During Building Works

5. Before any of the works on the external elevations for the building(s) hereby permitted are begun, a detailed specification 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.

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

7. 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.

8. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to and approved in writing by the Local Planning Authority. The remediation strategy shall be implemented as approved.

Reason: To ensure that the proposed development not cause pollution in the interests of the amenities of the future residents and users of the development; and in accordance with Local Plan Policy EN4.

9. Before any construction work above ground 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.

Before the Development is Occupied

10. The development shall be carried out in accordance with the submitted flood risk assessment undertaken by S M Hemmings, dated 14 March 2024, and the following mitigation measures it details:
- Finished floor levels shall be set no lower than 2.6 metres above Ordnance Datum (AOD)
 - The development shall have at least two storeys

These mitigation measures shall be fully implemented prior to occupation and subsequently shall be retained and maintained thereafter throughout the lifetime of the development.

Reason: To reduce the risk of flooding to the proposed development and future occupants in line with Policy EN5 of the South Kesteven Local Plan.

11. Before any part of the development hereby permitted is occupied/brought into use, the external surfaces shall have been completed in accordance with the approved details.

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

12. Before any part of the development hereby permitted is occupied, a verification report confirming that remedial works have been completed shall have been submitted to and approved in writing by the Local Planning Authority should any contaminated land be identified by the above condition. The report shall have been submitted by the nominated competent person approved, as required by condition above. The report shall include:

- i. A complete record of remediation activities, and data collected as identified in the remediation scheme, to support compliance with agreed remediation objectives;
- ii. As built drawings of the implemented scheme;
- iii. Photographs of the remediation works in progress; and
- iv. Certificates demonstrating that imported and/or material left in situ is free from contamination.

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

Reason: Previous activities associated with this site may have caused, or had the potential to cause, land contamination and to ensure that the proposed site investigations and remediation will not cause pollution in the interests of the amenities of the future residents and users of the

development; and in accordance with Policies EN2 and EN4 of the adopted South Kesteven Local Plan and national guidance contained in the NPPF.

13. Before any part of the development hereby permitted is occupied/brought into use, all hard landscape and soft landscaping 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. The development hereby permitted shall not be occupied before a footway to connect the development to the existing footway network, has been provided in accordance with details that shall 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 and property.

Ongoing

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

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

Informative(s)

The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition "(the biodiversity gain condition)" that development may not begin unless:

- (a) a Biodiversity Gain Plan has been submitted to the planning authority, and
- (b) the planning authority has approved the plan.

The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan if one is required in respect of this permission would be South Kesteven District Council.

There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. These are listed below.

Based on the information available this permission is considered to be one which will require the approval of a biodiversity gain plan before development is begun because none of the statutory exemptions or transitional arrangements are considered to apply.

Highway Informative 07

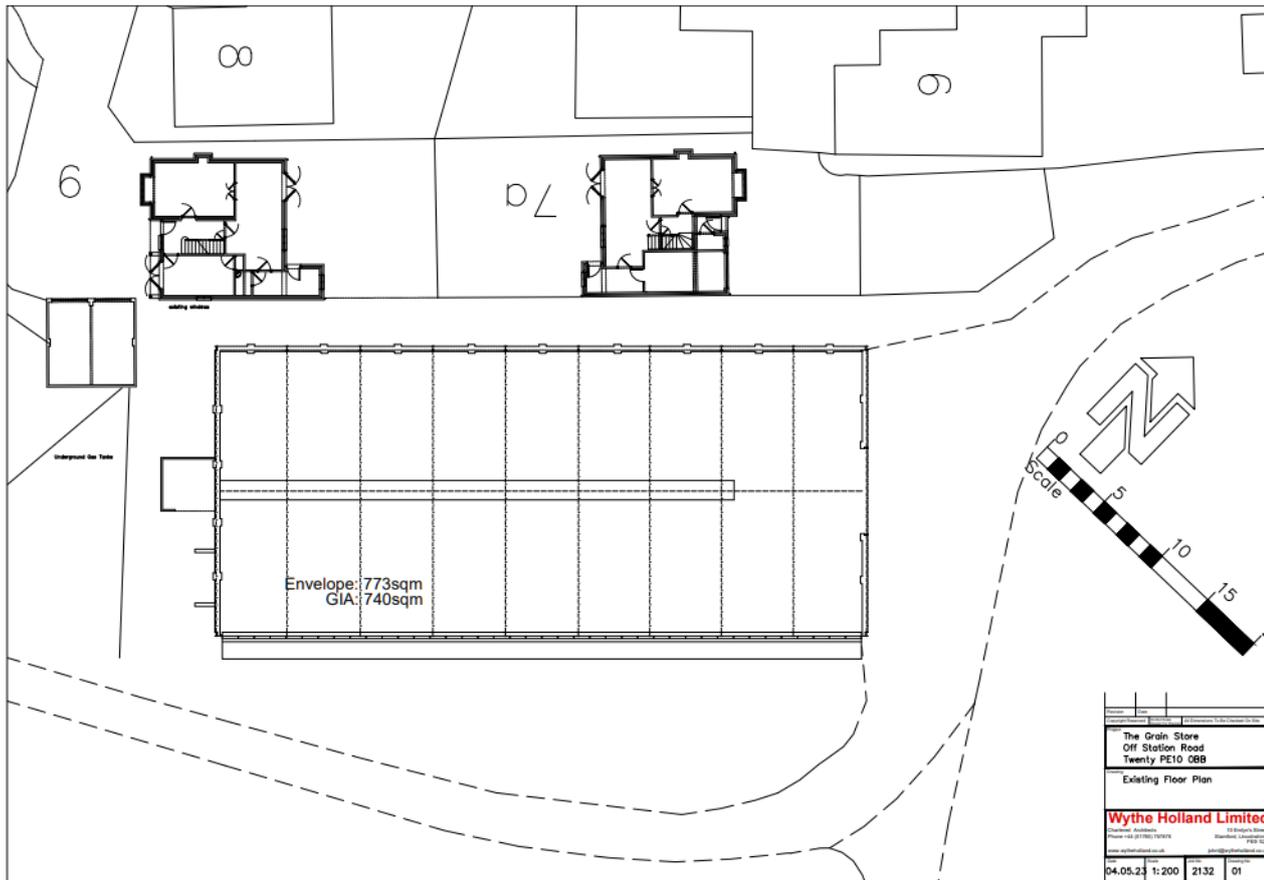
The highway improvement works referred to in the above condition are required to be carried out by means of a legal agreement between the landowner and the County Council, as the Local

Highway Authority. For further guidance please visit our website;
www.lincolnshire.gov.uk/highwaysplanning/works-existing-highway

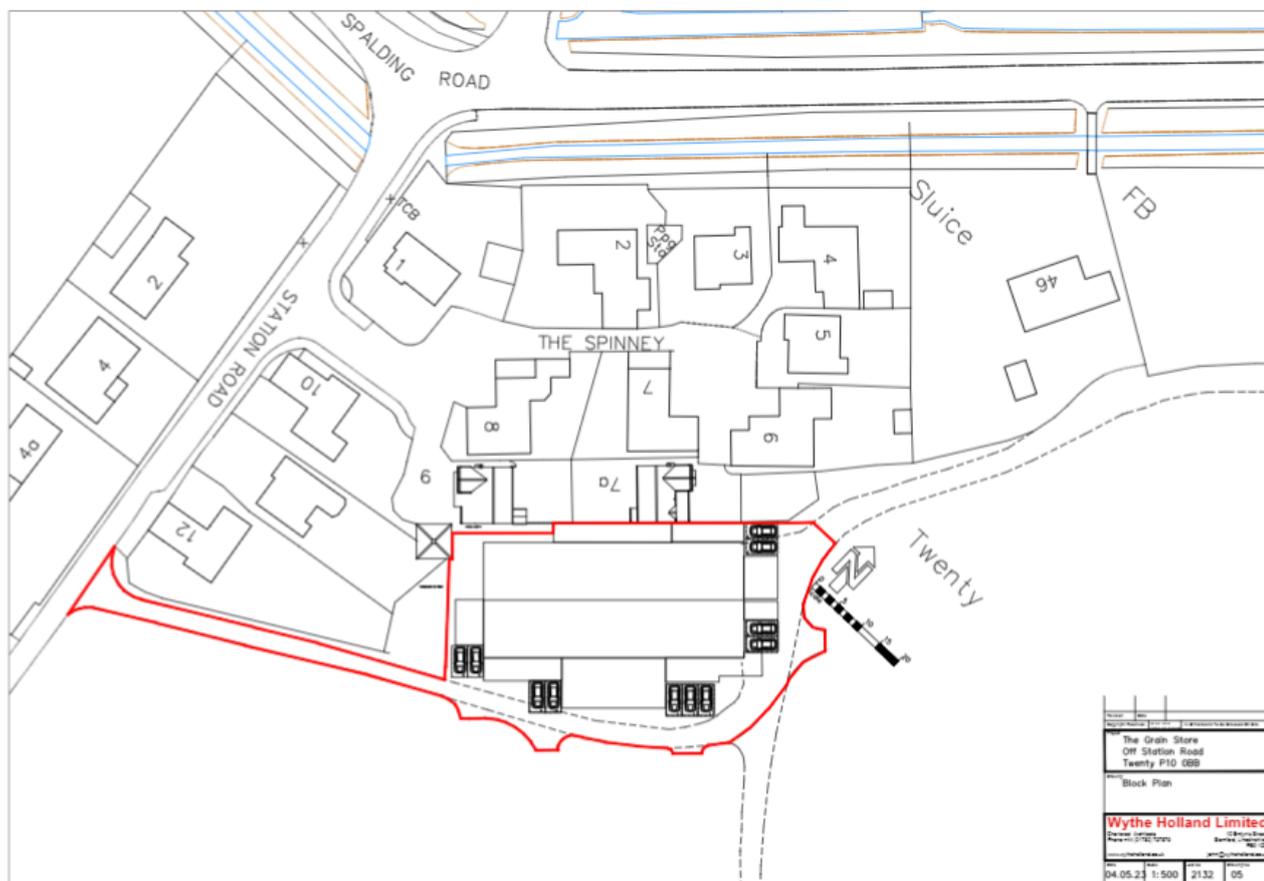
Highway Informative 08

Please contact the Lincolnshire County Council Streetworks and Permitting Team on 01522 782070 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>

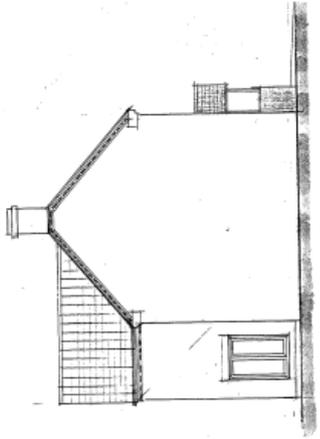
Existing Site Plan



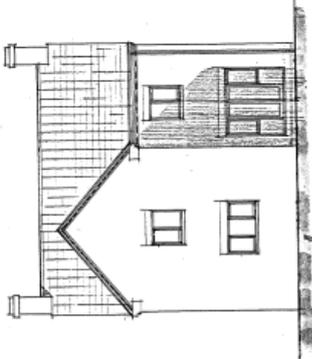
Approved Class Q Layout (S23/0914)



Proposed Elevations and Floor Plans Plots 1 and 2



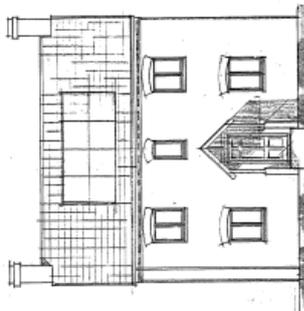
S WEST



N WEST



N EAST



S EAST

**EAST MIDLANDS
DESIGN ASSOC.**

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Client: **J W E Banks Ltd**

Project: Residential development of land off
Stanton Road,
Trenton
Boston
Lincolnshire

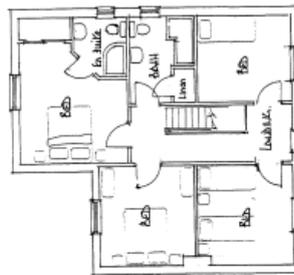
Plots 1 & 2
Plans and elevations

Scale: 1:100

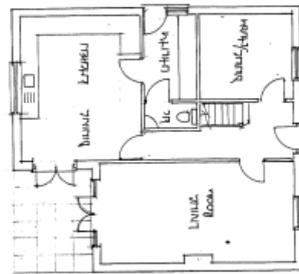
Date: February 2024 AL

Drawn by: RCP

1152 11

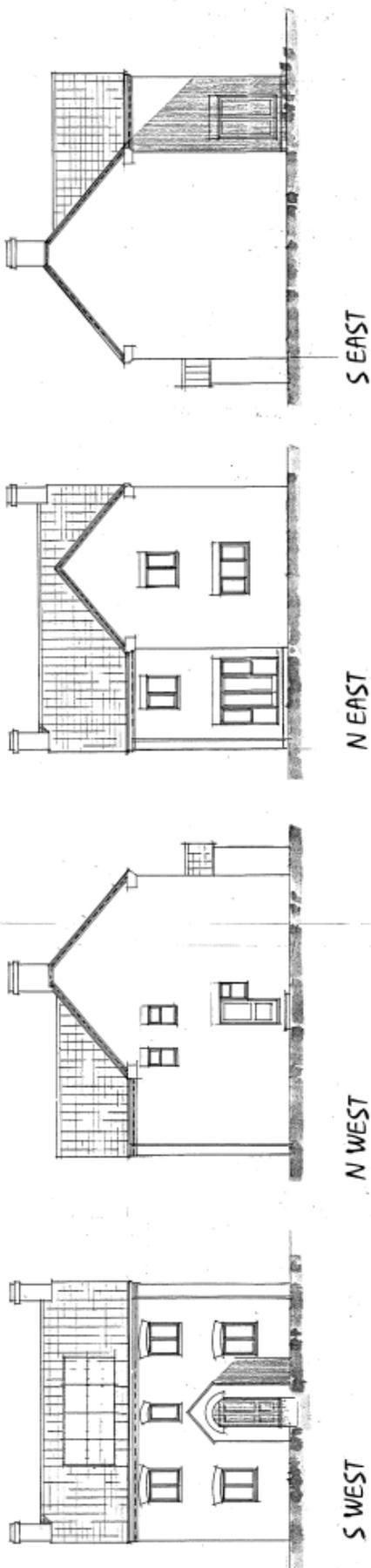


FIRST FLOOR PLAN



GROUND FLOOR PLAN

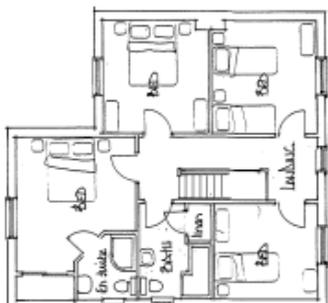




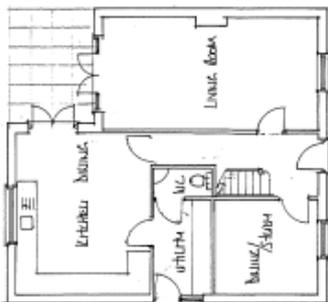
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 Client: JWE Banks Ltd
 Project: Residential development at land off
 Station Road,
 South
 Bourne

Plot 3, 4 & 5
 Plans and elevations
 Scale: 1:100
 Date: March
 February 2008 AL
 Draw No: 1152 14



FIRST FLOOR PLAN



GROUND FLOOR PLAN

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**SOUTH
KESTEVEN
DISTRICT
COUNCIL**

Planning Committee

3 October 2024



S24/1467

Proposal:	Installation of 574 Solar PV panels
Location:	Grantham Meres Leisure Centre, Trent Road, Grantham, NG31 7XQ
Applicant:	South Kesteven District Council
Agent:	Leisure Energy Technology Centre, Walter Nash Road West, Kidderminster, DY11 7HJ
Application Type:	Application to determine if prior approval is required for a proposed: Installation of other Solar Photovoltaics (PV) equipment on the Roofs of Non-domestic Buildings The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) - Schedule 2, Part 14, Class J
Reason for Referral to Committee:	South Kesteven District Council are the applicant
Key Issues:	Design and external appearance Impacts on residential occupiers in particular glare
Technical Documents:	

Report Author

Miranda Beavers – Senior Development Management Planner



01476 406302



Miranda.beavers@southkesteven.gov.uk

Corporate Priority:

Growth

Decision type:

Regulatory

Wards:

Grantham Earlesfield

Reviewed by:

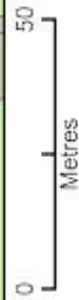
Adam Murray – Principal Development Management Planner

23 August 2024

Recommendation (s) to the decision maker (s)

To authorise the Assistant Director – Planning to GRANT prior approval

Grantham Meres LC



Plan Produced for: **Leisure Energy**
Date Produced: 21 Aug 2024
Plan Reference Number: TOROM24234170505259
Scale: 1:1250 @ A4



1 Description of Site

- 1.1 The application site is the Grantham Meres Leisure Centre and Sports Complex located on the east side of Trent Road, Grantham.

2 Description of Proposal

- 2.1 The application is for prior approval for the installation of solar panels under the Town and Country Planning (General Permitted Development) (England) Order 2015 Schedule 2, Part 14, Class J.

3 Policy Considerations

3.1 SKDC Local Plan 2011 – 2036

Policy SD1 'The Principles of Sustainable Development in South Kesteven'
Policy DE1 'Promoting Good Design'

3.2 National Planning Policy Framework (NPPF)

Chapter 12 'Achieving well-designed places'

3.3 Supplementary Planning Document:

Design Guidelines for Rutland and South Kesteven (November 2021)

4 Representations received

4.1 LCC Highways & SuDS

- 4.1.1 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.

4.2 Grantham Town Council

- 4.2.1 No comments.

4.3 Environmental Protection

- 4.3.1 No objections.

5 Representations as a Result of Publicity

- 5.1 This application has been advertised in accordance with the Council's Statement of Community Involvement and no letters of representation have been received.

6 Evaluation

6.1 Background

- 6.1.1 This is an application for Prior Approval for the installation of Solar Photovoltaics (PV) equipment on the Roofs of Non-domestic Buildings, up to a Capacity of 1 Megawatt, subject to certain limitations under the Town and Country Planning (General Permitted

Development) (England) Order 2015 Schedule 2, Part 14, Class J. The application proposes the installation a roof mounted 252.56kW solar PV system comprising of 574 JA Solar 440w modules. Each panel size is 1722mm x 1134mm x 30mm. The solar panel modules have 3.2mm tempered glass front cover with anti-reflective coating. The panels will be installed in sections and mounted onto the east facing roof slope of the southern most section of existing roof, and on the northern most section of the building on both sides of the pitched roof facing east and west.

6.2 **Assessment**

6.2.1 The application needs to be assessed to establish if the works are classed as permitted development under the Town and Country Planning (General Permitted Development) (England) Order 2015 (GDPO) Schedule 2, Part 14, Class J.

6.2.2 Part 14, Class J states permits the installation, alteration or replacement of— (a) microgeneration solar thermal equipment on a building; (b) microgeneration solar PV equipment on a building; or (c) other solar PV equipment on the roof of a building, other than a dwellinghouse or a block of flats.

6.2.3 Development is not permitted by Class J.1 if;

(a) the solar PV equipment or solar thermal equipment would be installed on a pitched roof and would protrude more than 0.2 metres beyond the plane of the roof slope when measured from the perpendicular with the external surface of the roof slope;

(b) the solar PV equipment or solar thermal equipment would be installed on a flat roof, where the highest part of the solar PV equipment would be higher than 1 metre above the highest part of the roof (excluding any chimney);

(c) the solar PV equipment or solar thermal equipment would be installed within 1 metre of the external edge of that roof;

(d) in the case of a building on article 2(3) land, the solar PV equipment or solar thermal equipment would be installed on a roof slope which fronts a highway;

(e) the solar PV equipment or solar thermal equipment would be installed on a site designated as a scheduled monument; or

(f) the solar PV equipment or solar thermal equipment would be installed on a listed building or on a building within the curtilage of a listed building.

The application states that there would not be any part of the solar PV equipment higher than 1 metre above the highest part of the roof, and no part of the solar PV equipment would come within 1 metre of the external edge of the roof. The solar panels would be installed on the pitched roof that is not within a Conservation Area and notwithstanding this the roof slopes face east and west and this aspect does directly not front a highway. The site is not a designated Scheduled Monument. The site is not a Listed Building or in the curtilage of a Listed Building.

6.2.4 Development is not permitted by Class J.2 if;

(a) the solar PV equipment or solar thermal equipment would be installed on a wall and would protrude more than 0.2 metres beyond the plane of the wall when measured from the perpendicular with the external surface of the wall;

(b) the solar PV equipment or solar thermal equipment would be installed on a wall and within 1 metre of a junction of that wall with another wall or with the roof of the building; or

(c) in the case of a building on article 2(3) land, the solar PV equipment or solar thermal equipment would be installed on a wall which fronts a highway.

The proposed solar PV equipment is not to be installed on a wall and as such Class J.2 not applicable.

6.2.5 Class J.3 relating to maximum generating capacity has been deleted from the legislation.

6.2.6 Conditions: J.4 (1) Class J development is permitted subject to the following conditions.

(a) the solar PV equipment or solar thermal equipment must, so far as practicable, be sited so as to minimise its effect on the external appearance of the building and the amenity of the area; and

(b) the solar PV equipment or solar thermal equipment is removed as soon as reasonably practicable when no longer needed.

(2) Class J(c) development is permitted subject to the condition that before beginning the development the developer must apply to the local planning authority for a determination as to whether the prior approval of the authority will be required as to the design or external appearance of the development, in particular the impact of glare on occupiers of neighbouring land, and the following sub-paragraphs apply in relation to that application.

Having assessed the submitted information, the proposed solar panels would meet the provisions set out above and is considered to be permitted development.

7 Crime and Disorder

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

8 Human Rights Implications

8.1 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.

9 Conclusion

9.1 The Local Planning Authority is satisfied that the developer in applying for prior approval as set out in J.4 (above) have complied with the conditions set out within the GDPO. Having assessed the submitted information, the design and external appearance of the proposed solar panels and their impact upon neighbouring occupiers, particularly the impact of glare on occupiers, would meet the provisions set out above and it is considered to be permitted development and that no further information is required.

10 Recommendation

To authorise the Assistant Director – Planning to GRANT prior approval.

Proposed Site Plan

Grantham Meres LC

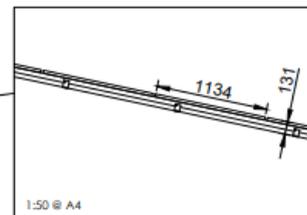
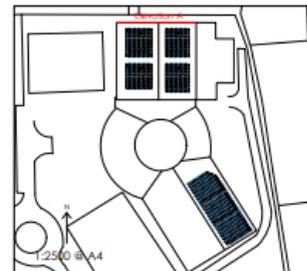
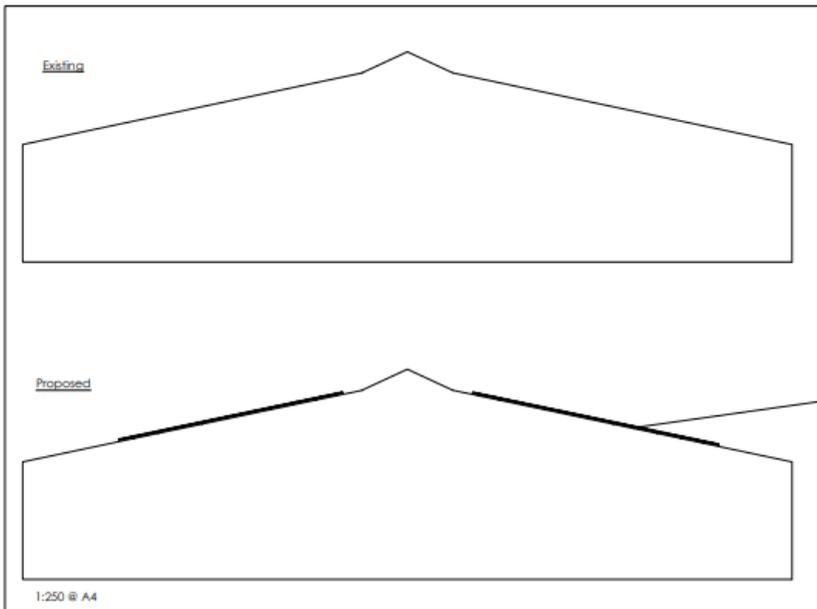


Plan Produced for: Leisure Energy
 Date Produced: 21 Aug 2024
 Plan Reference Number: TQRQM24234170505259
 Scale: 1:1250 @ A4



Proposed Elevation

Elevation Plan (A) Grantham Meres Leisure Centre, Trent Rd, Grantham, NG31 7XQ



General Notes:

- Proposed roof mounted PV system comprising of 30 x 300mm x 1000mm solar modules.
- Solar panel size: 1720mm x 1134mm x 20mm.
- Solar panel modules have 2.0mm tempered glass front cover with an reflective coating.

Work Order: 4142

Site Address:
 Grantham Meres Leisure Centre
 Trent Rd
 Grantham
 NG31 7XQ

Draw Name & Address:
 Drew Green Power Ltd
 2011
 Bradmore Business Park
 Southborough Road
 Runcy
 NG11 4DA

Drawn by: Drew Green Power Ltd
 Telephone: 0203 989 3188
 Website: www.drewgreenpower.co.uk

Date: 20/08/2024
DWG reference: ElevPlan/11284



**SOUTH
KESTEVEN
DISTRICT
COUNCIL**

Planning Committee

3 October 2024



S24/1225

Proposal	Proposed single storey rear elevation extension, internal alterations to garage / store, and installation of 3no skylights to main 2-storey property.
Location	White Farm Cottage, 16 Pond Street, Harlaxton
Applicant	Mrs Claire Morgan
Agent	Steve Turner Design
Reason for Referral to Committee	Applicant is a member of staff
Key Issues	<ul style="list-style-type: none"> • Impact on the character and appearance of the area • Impact on heritage assets • Impact on neighbouring amenity

Report Author

Adam Murray – Principal Development Management Planner



01476 406380



adam.murray@southkesteven.gov.uk

Corporate Priority:

Growth

Decision type:

Regulatory

Wards:

Belvoir

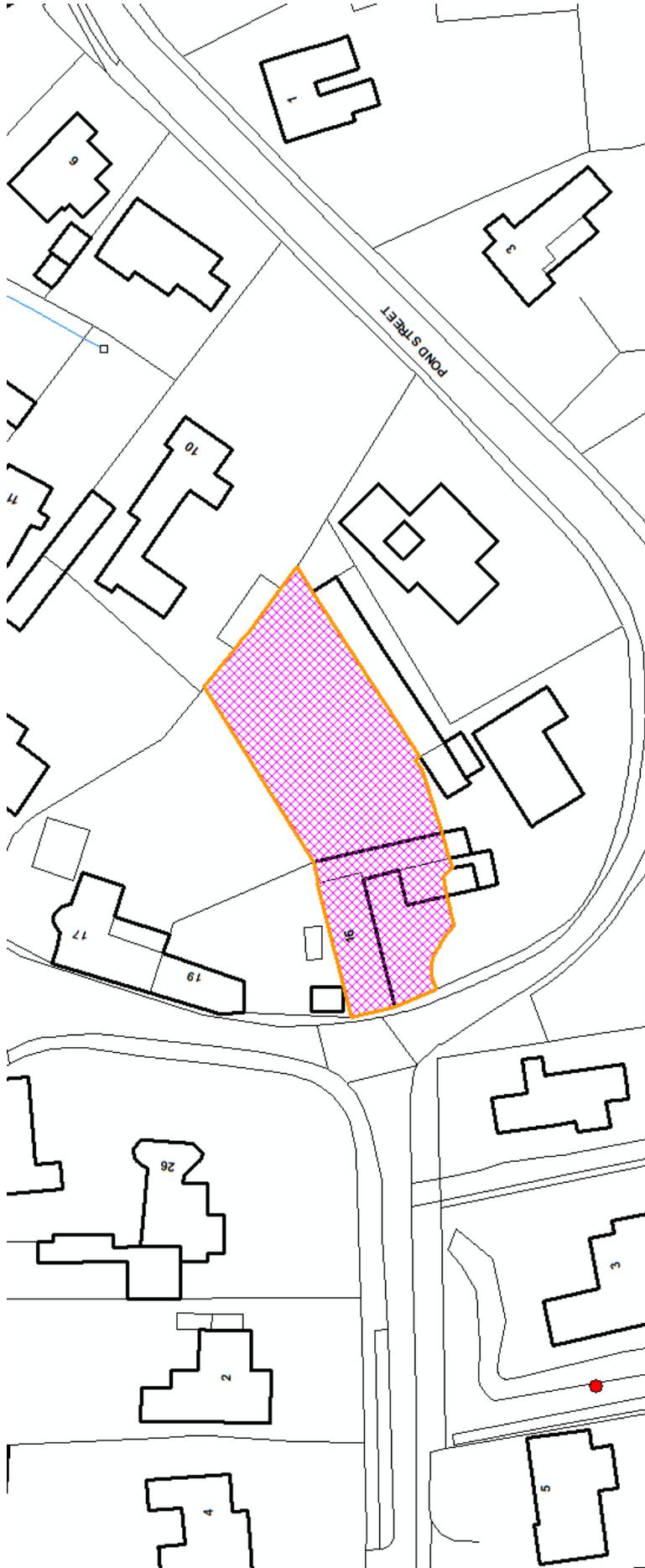
Reviewed by:

Phil Jordan, Development Management & Enforcement Manager

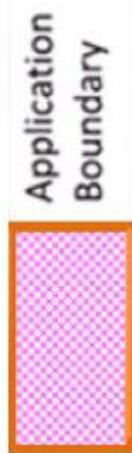
24 September 2024

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 comprises White Farm Cottage, 16 Pond Street, Harlaxton; a two-storey detached dwelling, positioned on the junction of Pond Street, Church Street, and Rectory Lane, situated in the centre of the main built-up area of the village of Harlaxton.
- 1.2 The host dwelling is a two-storey, 4-bedroom dwelling with hipped roof design, which sits immediately to the rear of the footway at the junction of Pond Street and Church Street, orientated east-west. The property occupies an L-plan form with attached entrance wing and garage to the side of the main form of the dwelling. The property is constructed with brick and faced with white render, under concrete tile roof.
- 1.3 The existing property occupies a prominent position within the streetscene and sits at the front of a broadly rectangular plot, which measures approximately, 0.11 hectares (0.27 acres).
- 1.4 The site is bound to the north, south and east by further residential dwellings, which occupy a range of plot sizes, and are similarly in a range of positions within the plot.
- 1.5 The host property lies within the historic core of the village and is located within the Harlaxton Conservation Area (first designated in 1981). The published Conservation Area Appraisal (2013) states the following in relation to this part of the village:
- *Harlaxton is a nucleated settlement which has an attractive, harmonious unit of character derived from the picturesque estate cottages and a consistent palette of materials. The circular plan form of Church Street and Pond Street forms the centre of the settlement with Rectory Lane and High Street radiating outwards.*
 - *Pond Street has a fragmented character in terms of architectural quality as post war bungalows constructed of a contrasting buff brick are interspersed with traditional red brick buildings. The presence of stone boundary walls and mature trees does provide a degree of cohesiveness to the streetscene. The buildings occupy large plots and are set back from the highways within attractive mature grounds.*
 - *Church Street has an enclosed character as the buildings are mainly aligned to the rear of narrow footways with recessed outbuildings; where the buildings are slightly set back, the presence of boundary walls maintains the continuity of the building line along the street.*
- 1.6 In relation to the above, the site is located within close proximity to a large number of statutory listed assets, including Jasmine Cottage (Grade II Listed) on the opposite side of Church Street, and Village Farmhouse (Grade II Listed), which bounds the site to the north.
- 1.7 The application site is not subject to any further planning policy constraints.

2 Description of the proposals

- 2.1 The current application seeks planning permission for a proposed single storey extension, internal alterations to garage / store and installation of 3 skylights to main 2-storey property. The proposed works are intended to assist in the formation of a 1-bedroom annexe to the host dwelling, which will provide living accommodation for an older family member.
- 2.2 The proposed single storey extension would be situated to the rear of the existing garage / store wing of the host property, and would consist of a single-storey lean-to addition measuring approximately 3.8m depth, 7.3m width, and 3m ground to eaves height. The proposed extension would be finished in timber effect concrete planking with concrete roof

tiles. The proposed extension would provide a bedroom and lounge for the proposed annexe formed from the garage conversion. The extension would include a single rooflight window on the roofscape and would have patio doors to provide access to the rear garden.

- 2.3 In total, the proposed annexe would benefit from a kitchen-diner, 1 bedroom and lounge, and ensuite bathroom, and would remain physically attached to the host dwelling, and would share the same amenity space to the front and rear. An independent access to the annexe is to be formed from the replacement of an existing garage window with a door.
- 2.4 The proposed skylight windows are to be installed on the north and south roofslope of the host dwelling and will provide additional light to the existing bedrooms. The proposed windows would be black aluminium.

3 Relevant History

<u>Application Ref</u>	<u>Description of Development</u>	<u>Decision</u>
S12/1818	External insulation and rendering to dwelling	Approved Conditionally 11.09.2012
S18/2265	Single storey glazed link extension, including conversion of attached outbuildings and addition of rooflights	Approved Conditionally 13.02.2019
S20/0166	Erection of single storey porch extension including conversion of outbuilding and external alterations	Approved Conditionally 20.03.2020

4 Planning Policies and Documents

4.1 South Kesteven Local Plan 2011-2036 (Adopted January 2020)

Policy SD1 – The Principles of Sustainable Development in South Kesteven

Policy EN6 – The Historic Environment

Policy DE1 – Promoting Good Quality Design

4.2 Design Guidelines Supplementary Planning Document (Adopted November 2021)

4.3 National Planning Policy Framework (Published December 2023)

Section 12 – Achieving well-designed and beautiful places

Section 16 – Preserving and enhancing the historic environment

5 Representations Received

5.1 Harlaxton Parish Council

5.1.1 No comments received

5.2 Lincolnshire County Council (Highways and SuDS)

5.2.1 No objections.

5.3 SKDC Conservation Officer

- 5.3.1 No objections.
- 5.3.2 The extension is fairly modest in scale, and would not be visible from the highway. There is a moderate potential for intervisibility to the designated Village Farmhouse, although the boundary between the properties appears to be a well established hedgerow and trees, which would provide some screening. The materials proposed are at contrast with the existing structure, however this is not considered to cause harm to the setting of the designated heritage asset. The use of a more natural wood colour wood be recommended to blend the structure better with its surroundings, however this is not essential.
- 5.3.3 The proposed works to the existing garage, comprising of the conversion of the window to a door and the slight extension to the garage door are considered to be minor alterations to a 20th century structure. They are not considered to cause harm to the setting of the designated assets in proximity, nor the appreciation of the conservation area.
- 5.3.4 The proposal is not considered to cause harm to the significance of the Harlaxton Conservation Area.

6 Representations received as a result of publicity

- 6.1 The 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 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that the Local Planning Authority (LPA) makes decisions in accordance with the adopted Development Plan, unless material considerations indicate otherwise. In this case, the Development Plan comprises of the following documents:

- South Kesteven Local Plan 2011-2036 (Adopted January 2020)

- 7.2 The Local Planning Authority also have an adopted Design Guidelines Supplementary Planning Document (SPD) (Adopted November 2021) and this document is a material consideration in the determination of planning applications.

- 7.3 The policies and provisions set out in the National Planning Policy Framework (NPPF) ("the Framework") (Published December 2023) are also a relevant material consideration in the determination of planning applications.

7.4 Principle of Development

- 7.4.1 The application proposals involve development to an existing domestic dwelling located within the main built-up area of Harlaxton, which would involve the formation of an annexe to provide accommodation for an elderly family member. Whilst the proposed annexe would benefit from an independent entrance, it would remain physically and functionally linked to the host property through the retention of existing openings, and the sharing of parking and private amenity. As such, the proposals are capable of being considered as householder development. In this respect, the application proposals are acceptable in principle, in accordance with the provisions of Policy SD1 (The Principles of Sustainable Development in South Kesteven) of the adopted Local Plan, subject to relevant material considerations. These include the impact of the development on the character and appearance of the area, the impact on neighbouring amenity, and the impact on heritage assets. These matters are discussed below.

7.5 Impact on the character and appearance of the area

- 7.5.1 The proposed installation of 3 skylights to the main dwelling, and the replacement doors to the garage are relatively minor works that would not materially alter the overall character and appearance of the host dwelling, or the streetscene. The use of materials to match the existing fenestration of the host dwelling is appropriate and would further assist in assimilating these works to the streetscene. In any event, these works fall within the permitted development rights set out within Part 1: Class A of the Town and Country Planning (General Permitted Development) (England) Order and therefore express planning permission is not required for these works.
- 7.5.2 In respect of the proposed single storey rear extension, the scale of the proposal would ensure that it remains subordinate to the host dwelling, and it is Officers' assessment that the plot is sufficiently large to accommodate the extension without appearing overly cramped. Whilst the proposed cedar timber cladding would contrast with the existing materiality of the host dwelling, the proposed extension would have limited visibility from the streetscene and therefore would not have an unacceptable adverse impact on the character and appearance of the area.
- 7.5.3 Taking the above into account, it is Officer's assessment that the design, scale and materiality of the proposed development would assimilate with the character of the host dwelling, and would result in a scheme which does not result in any unacceptable impacts to the character and appearance of the area, and the surrounding streetscene. As such, the application proposals would be in accordance with Policy DE1 of the adopted Local Plan and Section 12 of the National Planning Policy Framework.
- 7.6 **Impact on neighbouring amenity**
- 7.6.1 It is noted that no public representations have been received raising concerns in respect of the effect of the development on neighbouring amenity.
- 7.6.2 Notwithstanding this, in assessing the scheme against the amenity standards contained within the Design Guidelines SPD (Adopted November 2021), it is Officers assessment that the proposed development would comply with the relevant amenity standards, and would not result in any acceptable adverse impacts in respect of light, outlook or privacy.
- 7.6.3 Taking the above into account, the application proposals would not give rise to any unacceptable adverse impacts on privacy, overshadowing or outlook for existing and future occupants. As such, the application proposals would accord with Policy DE1 of the adopted Local Plan, the adopted Design Guidelines SPD, and Section 12 of the National Planning Policy Framework.
- 7.7 **Impact on heritage assets**
- 7.7.1 As referenced above, the application site lies within the designated Harlaxton Conservation Area and is also located within close proximity to a number of statutorily listed heritage assets.
- 7.7.2 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 features of special architectural or historic interest which it possesses. Similarly, Section 72 of the Act requires Local Planning Authorities to give special attention to the desirability of preserving or enhancing the character or appearance of the Conservation Area.

7.7.3 In this respect, the Council's Conservation Officer has been consulted on the application proposals and has confirmed that they do not have any objections to the proposed development, and do not consider the proposed development to result in any harm to heritage assets.

7.7.4 Taking the above into account, the application proposals would not result in any harm to the setting and significance of the Harlaxton Conservation Area and the nearby Listed assets, and therefore, would be in accordance with Policy EN6 of the adopted Local Plan and Section 16 of the Framework.

7.8 **Other Matters**

7.8.1 The proposed development would not result in any changes to the access or parking arrangements for the site. Nonetheless, Lincolnshire County Council (as Local Highways Authority) have confirmed that they have no objections.

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 that Act will be breach in making this decision.

10 **Planning Balance and Conclusion**

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 involve the alteration and extension of White Farm Cottage, 16 Pond Street, Harlaxton to form an annexe for an elderly family member. Whilst the proposed annexe benefits from an independent entrance, it would remain physically and functionally connected to the host dwelling through shared amenity space, parking and access. As such, the development proposals are acceptable in principle, in accordance with Policy SD1 of the adopted Local Plan, subject to material planning considerations.

10.3 In this case, it is Officers' assessment that the design and scale of the proposed development would be subservient to the host dwelling, and would appear proportionate to the size of the plot. The proposed works would have limited public visibility, but in any case, would not be considered to harm the character of the area, or the surrounding streetscene. Similarly, the proposed development would not result in any unacceptable adverse impacts on neighbouring amenity.

10.4 Taking the above into account, it is Officers' assessment that the application proposals would be in accordance with Policy DE1 and EN6 of the adopted Local Plan, the Design Guidelines SPD, and the National Planning Policy Framework. As such, the proposed development would be in accordance with the adopted Development Plan when taken as a whole, and there are no material considerations to indicate that planning permission should be withheld; although the statutory obligations of Section 66 and 72 of the Act have been given significant weight in this decision.

11 Recommendation

- 11.1 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:

- a. Proposed Plans and Elevations (Ref: 0257-02/Rev C)

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 in accordance with the materials stated in the submitted 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.

Ongoing Conditions

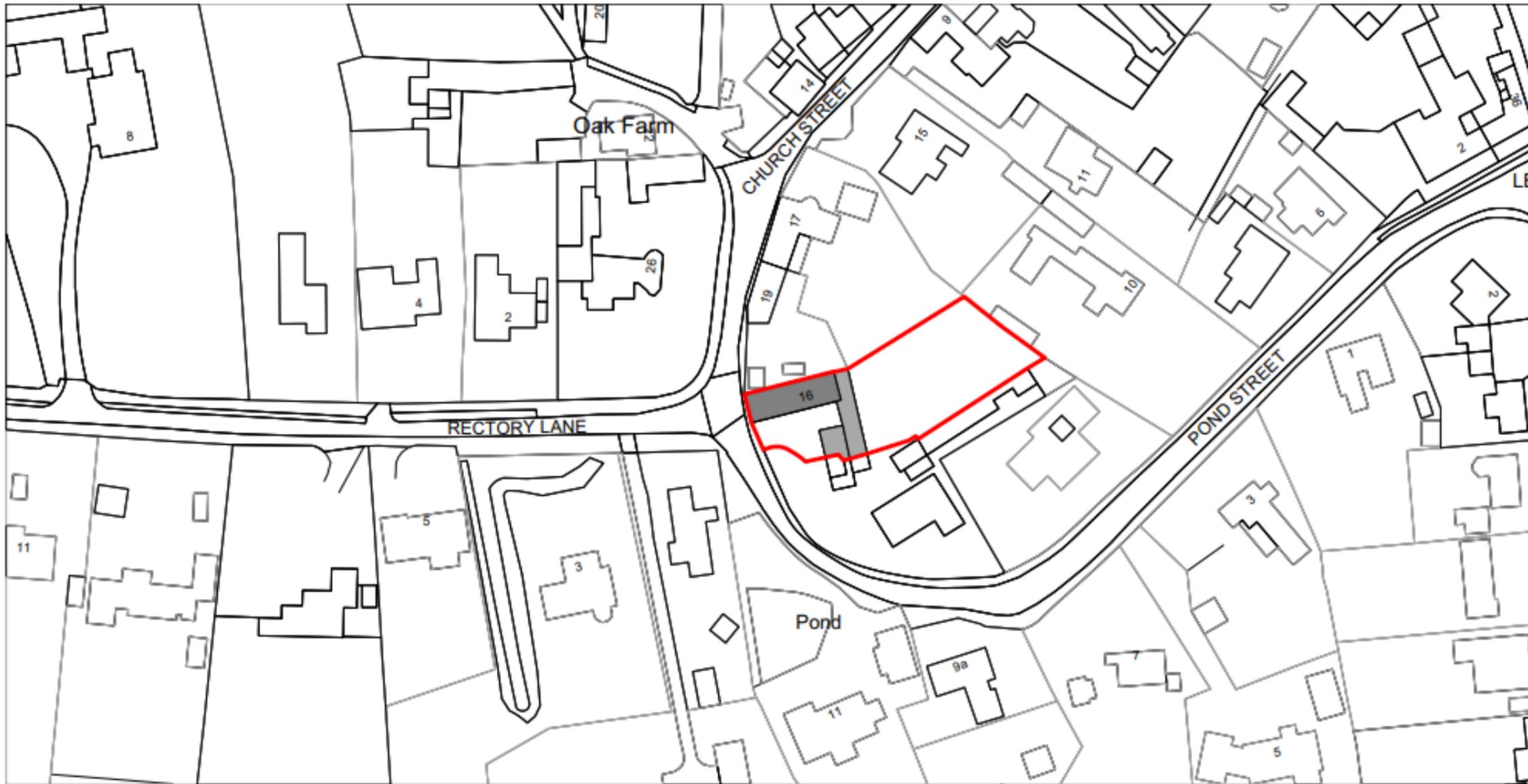
- 4) The annexe hereby permitted shall only be occupied for residential purposes which are ancillary to the residential use of the host dwelling; White Farm Cottage, 16 Pond Street, Harlaxton. The annexe shall not be let, leased, sold, split in title, or otherwise occupied such as to constitute the formation of an independent / separate dwelling or holiday let planning unit. Separate utilities, utility meters, oil tanks or septic tanks, shall not be installed. Separate vehicular access, parking or garden areas shall not be created / demarcated. A separate postal address shall not be created for the annexe.

Reason: The establishment of a further independent dwelling on the site would give rise to conditions detrimental to the amenity of the existing and proposed accommodation.

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.

Site Location Plan



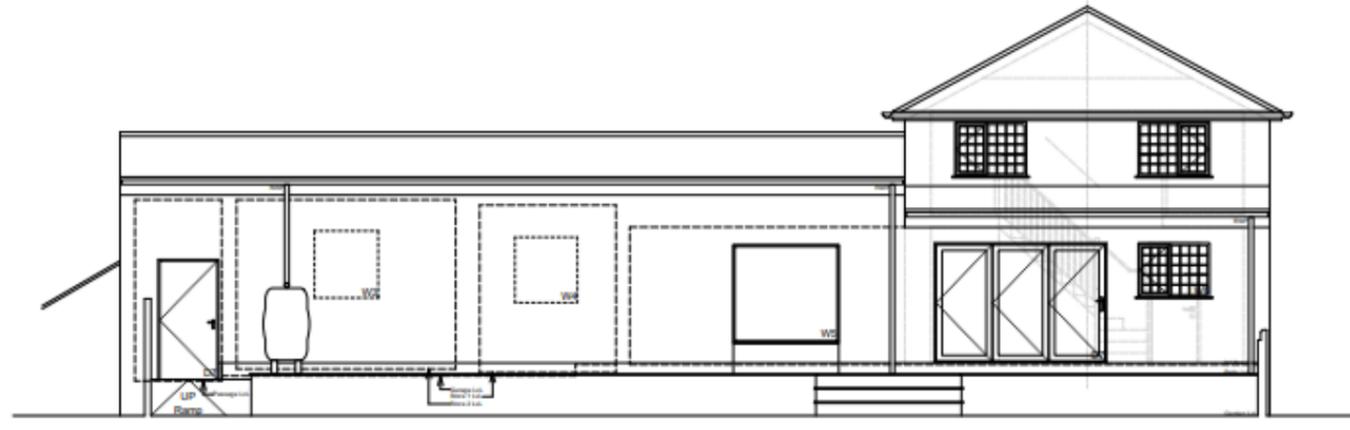
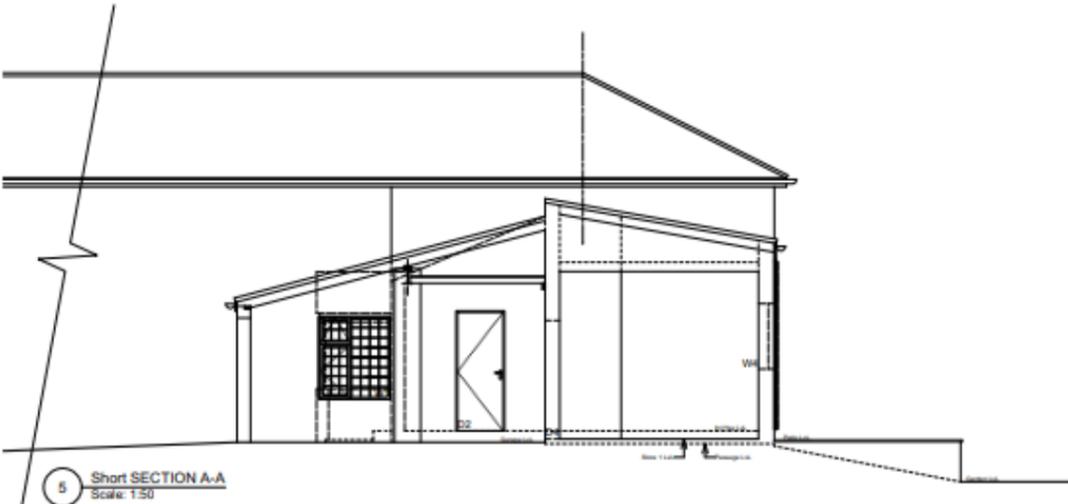
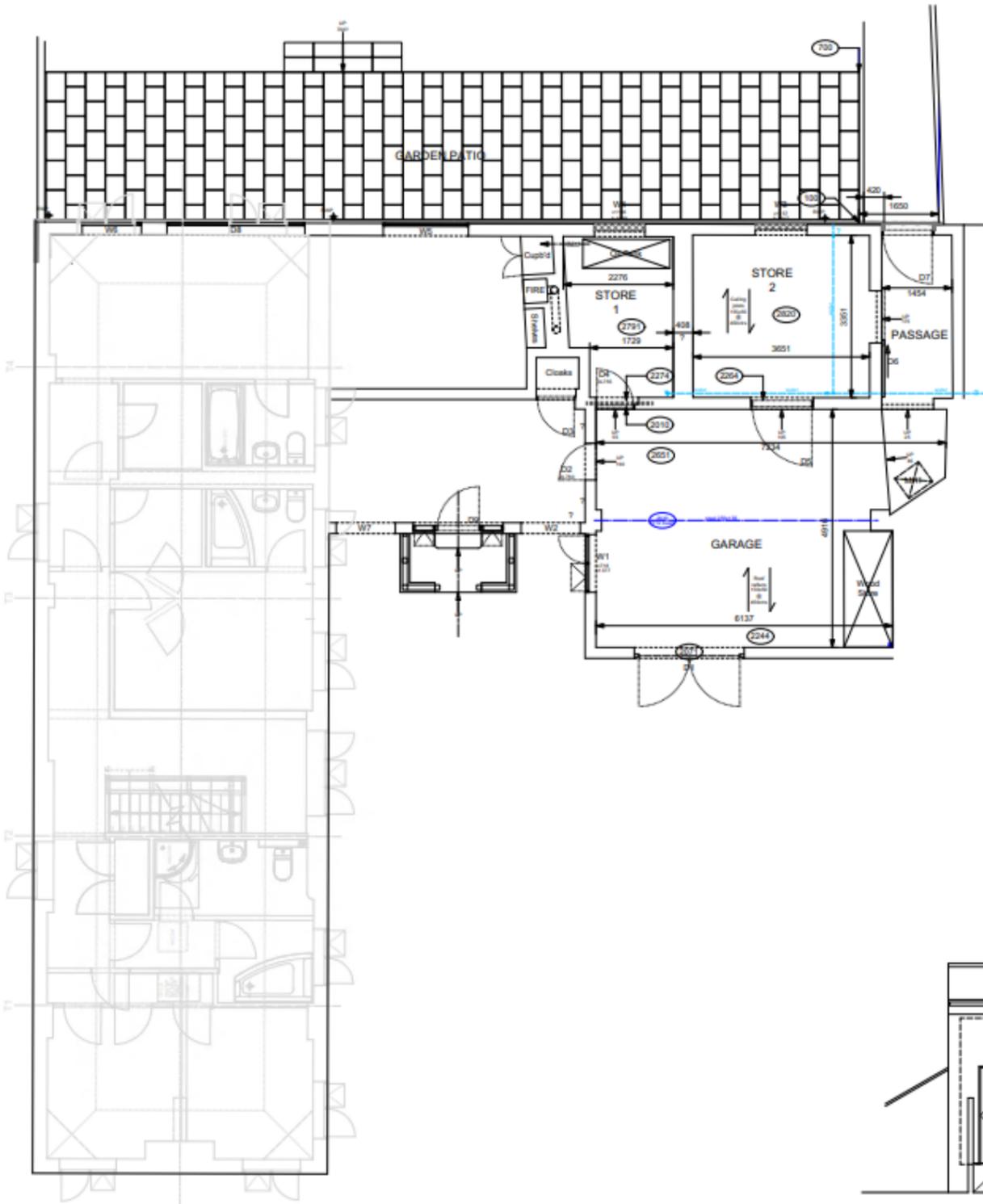
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 Title: 16 Pond Street, Harlaxton, NG32 1HW
 © Crown copyright and database rights 2024 OS 100042766
 Project ID:
 Date of Purchase: 11-07-2024
 1 Years subscription from 11-07-2024 for 1 workstation.

CLIENT	Mr & Mrs Morgan 16 Pond Street, Harlaxton, Lincs, NG32 1HW		
PROJECT	Single Storey Rear Extension & Internal alterations	DRG TITLE	LOCATION PLAN
DRG No	0257-04	DATE	11-07-2024
		SCALE	1:1250 @ A4

**steveturner
DESIGN**
 8.POND STREET, HARLAXTON, Lincs, NG32 1HW
 TEL.07785-023309
 inf@steveturnerdesigns.co.uk



Existing Plans



1 Grd Fir Survey PLAN
Scale: 1:50
NB - Gray lines indicate outline of building with 1st floor survey layout shown

5 Short SECTION A-A
Scale: 1:50

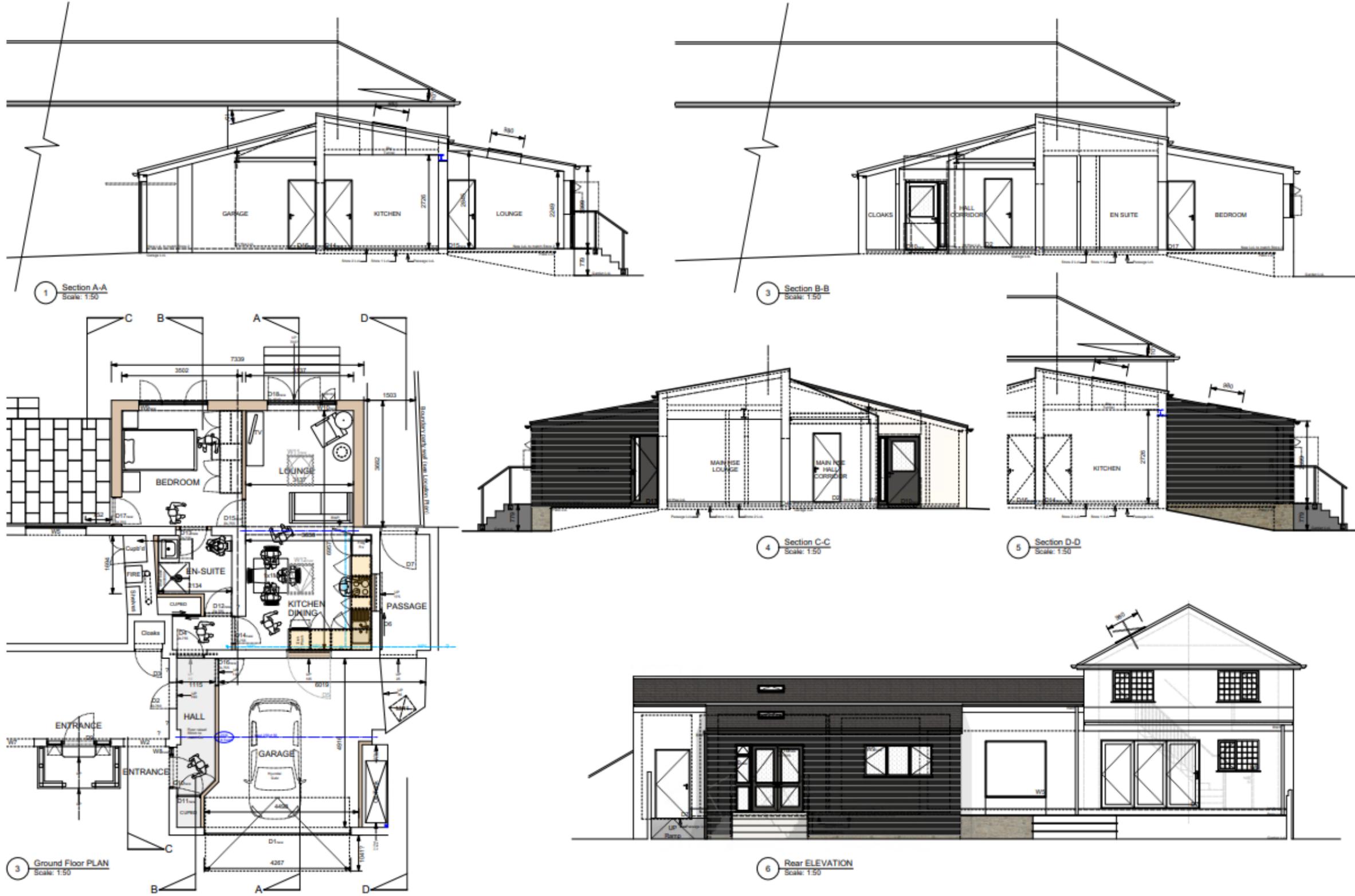
2 Rear ELEVATION
Scale: 1:50

109

PROJECT Rear Extension & Internal alts	DRG No 0257-01	ALTERATIONS REV DATE DESCRIPTION	BY	ALTERATIONS REV DATE DESCRIPTION	BY	
SCALE As Noted @ A1	DATE 14-05-2024					
DRG TITLE SURVEY PLAN - SECTION	DWN BY				CLIENT Mrs Morgan	

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Proposed Plans



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PROJECT Rear Extension & Internal alterations	DRG No 0257-02C	ALTERATIONS REV DATE DESCRIPTION	BY	ALTERATIONS REV DATE DESCRIPTION	BY
SCALE As Noted @ A1		A 21-6-24 W10 to door / Fitted bedroom furniture / New door to patio / 4ft bed / L shape storage to kitchen / floor door to garage			
DATE 21-06-2024		B 10-7-24 Add in/move roof lights W12/13/15 remove water butt / planking to exterior / Black and cream planking options			
DRAWN BY		C 11-7-24 Remove Cream planking / add in Elev's CID			
DRG TITLE Proposal C Plan-Elev's					CLIENT

SEVSTURNER DESIGN
 8 POND STREET, HARBINGTON, LINCS, NG32 1HW
 TEL: 01779 420000
 www.sevsturnerdesign.co.uk

Mrs Morgan
 16 Pond St, Harlaxton, Lincs, NG32 1HW

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**SOUTH
KESTEVEN
DISTRICT
COUNCIL**

Planning Committee

3 October 2024



S24/1150

Proposal:	Application for works to 0JSX (T6) - Fagus Sylvatica - Crown Lift to maximum of 6m, 4m only over driveway and 0JSW (T7) - Fagus Sylvatica Purpurea - Crown lift to a maximum of 3m, bark wound <30%
Location:	Highgrove Gardens, Stamford, PE9 2GR
Applicant:	South Kesteven District Council
Application Type:	Works to TPO trees
Reason for Referral to Committee:	Council owned land
Key Issues:	Impact on the amenity of the area. Justification for the works

Report Author

Julie Carroll – Assistant Development Management Planner



01476 406431



j.carroll@southkesteven.gov.uk

Corporate Priority:	Decision type:	Wards:
Growth	Regulatory	Stamford St John's

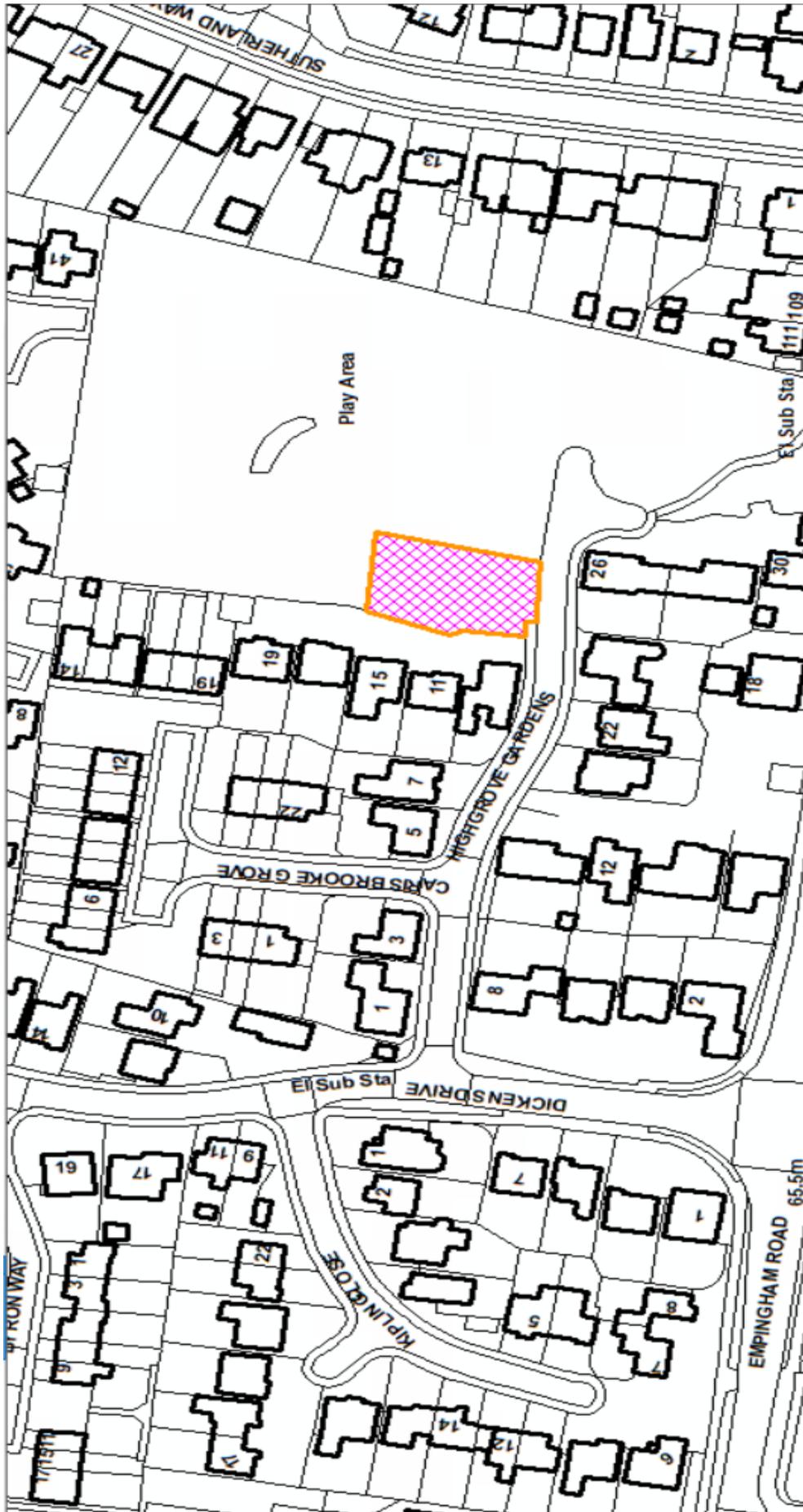
Reviewed by:

Phil Jordan, Development Management & Enforcement Manager

24 September 2024

Recommendation (s) to the decision maker (s)

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



Key



Application
Boundary



1 Description of Site

- 1.1 The application site is situated within the SKDC owned park off Highgrove Gardens, which is surrounded by residential development. The trees are protected by Tree Preservation Order number 268.

2 Description of proposal

- 2.1 The proposal is to carry out various tree works to 0JSX (T6) - Fagus Sylvatica - Crown Lift to maximum of 6m, 4m only over driveway and 0JSW (T7) - Fagus Sylvatica Purpurea - Crown lift to a maximum of 3m, bark wound <30%

3 Consultation responses

- 3.1 **Stamford Town Council** – No objections
- 3.2 No objections have been raised by members of the public.

4 Relevant Considerations

- 3.1 South Kesteven District Council (SKDC) has a duty to assess the value of the tree/s subject to this application and the likely impact of the proposal on the amenity of the area. It must consider whether or not the proposal is justified having regard to the reasons put forward in support of it. The council must consider whether any loss or damage is likely to arise if consent is refused or granted subject to conditions and whether it will impact on the amenity of the area. In deciding an application SKDC are not required to have regard to the local development plan. Each application will be treated on its merits.

5 Evaluation

- 5.1 The proposed works are recommended by the arborist, as part of the annual assessment of the trees.
- 5.2 The proposed tree works are a minor, reasonable and are justified. There would not be any harm to the visual amenity of the area as a result of the proposed works that are recommended to be undertaken in the interests of good arboricultural practice.
- 5.3 Subject to the conditions proposed it is considered that the works would not result in any harm to the visual amenity of the area and there would be clear public safety benefits from the proposed works.

6 Crime and Disorder

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

7 Human Rights Implications

- 7.1 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.

8 Conclusion

- 7.1 Taking the above into account, it is considered that the proposed tree works would be appropriate and would not result in any harm to the trees and amenity of the area and would provide a benefit from a public safety perspective.

9 Recommendation

- 8.1 To authorise the Assistant Director-Planning to GRANT consent, subject to the following conditions:

- (1) Crown lifting shall be to a maximum height above ground level as described in the accompanying paperwork. This work shall involve the removal of low branches to the height specified and result in a tree of balanced appearance. Those branches to be removed shall be cut at their origin and all branch collars shall be left intact. Climbing irons or 'spikes' shall not be used and the works shall have regard to the BS3998 (2010) Tree Work-Recommendations.

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

Standard Note(s) to Applicant:

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.

TREE LOCATION PLAN



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