

Planning Committee



SOUTH
KESTEVEN
DISTRICT
COUNCIL

Thursday, 6 March 2025 at 1.00 pm
Council Chamber - Council Offices, 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 23 January 2025** (Pages 3 - 20)
4. **Minutes of the meeting held on 6 February 2025** (Pages 21 - 62)

Planning matters

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

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

- 5. Application S24/2100** (Pages 63 - 94)
- Proposal:** Installation of solar farm, comprising ground mounted solar photovoltaic panels, including mounting systems, inverters and transformers, stock proof fencing, CCTV internal access tracks and associated infrastructure and landscaping for a temporary period of 40 years.
- Location:** Home Farm, Dyke Drove, Bourne
- Recommendation:** To authorise the Assistant Director – Planning & Growth to GRANT planning permission, subject to conditions.
- 6. Application S24//2037** (Pages 95 - 115)
- Proposal:** Section 73 application for the variation of condition 2 (approved plans) of planning permission S22/2308 (Erection of 21 affordable dwellings with associated access, landscaping, parking and cycle storage provision)
- Location:** Land to the rear of Larch Close and Shaw Road, Grantham
- Recommendation:** To authorise the Assistant Director – Planning to GRANT planning permission, subject to conditions.
- 7. Application S25///0069** (Pages 117 - 123)
- Proposal:** Removal of a modern stud partition to enlarge an existing office and provide additional means of access/escape to the Mayor's Parlour within the Guildhall.
- Location:** Guildhall Arts Centre, St Peter's Hill, Grantham, Lincolnshire, NG31 6PY
- Recommendation:** To authorise the Assistant Director for Planning to GRANT listed building consent subject to conditions
- 8. Any other business, which the Chairman, by reason of special circumstances, decides is urgent**

Minutes

Planning Committee

Thursday, 23 January 2025, 1.00pm

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



SOUTH
KESTEVEN
DISTRICT
COUNCIL

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 Tim Harrison
Councillor Paul Wood
Councillor Max Sawyer

Cabinet Member present

Councillor Phil Dilks (Cabinet Member for Planning)

Other Members present

Councillor Ben Green

Officers

Emma Whittaker (Assistant Director of Planning & Growth)
Phil Jordan (Development Management & Enforcement Manager)
Adam Murray (Principal Development Management Planner)
Venezia Ross-Gilmore (Senior Planning Officer)
Amy Pryde (Democratic Services Officer)
Paul Weeks (Legal Advisor)

100. Register of attendance and apologies for absence

Apologies for absence were received from Councillors Paul Fellows, Vanessa Smith, Patsy Ellis, Sarah Trotter and Gloria Johnson.

Councillor Max Sawyer substituted for Councillor Vanessa Smith.

101. Disclosure of interests

Councillor Paul Wood declared interests on all applications as he had been lobbied on them. Councillor Paul Wood came to the meeting with an open and transparent mind.

Councillor Helen Crawford declared an interest on applications S24/0568 and S24/1707 as she had been lobbied on them. Councillor Helen Crawford came to the meeting with an open and transparent mind.

Councillor David Bellamy declared an interest on application on S24/0568 as he was speaking as Ward Councillor. Councillor David Bellamy would not take part in the debate or vote.

Councillor Penny Milnes declared an interest on application on S24/1418 as she was speaking as Ward Councillor. Councillor Penny Milnes would not take part in the debate or vote.

The Chairman declared that all Members of the Committee had been lobbied on all applications, however, a decision would be made with an open and transparent mind.

102. Minutes of the meeting held on 9 January 2025

The minutes of the meeting held on 9 January 2025 were proposed, seconded and **AGREED** as a correct record.

103. Application S24/0568

Proposal:	Erection of an anaerobic digestion (AD) facility and carbon capture, improvement of existing and part creation of new access track, landscaping and other associated infrastructure.
Location:	Development East of Sewstern Industrial Estate, South of Sewstern Road, Gunby, Lincolnshire NG33 5RD
Recommendation:	To authorise the Assistant Director – Planning & Growth to GRANT planning permission, subject to conditions

Noting comments in the public speaking session by:

District Ward Councillors	Cllr David Bellamy Cllr Ben Green
Parish Council's	Cllr Caroline Hainsworth (Stainby and Gunby Ward of Colsterworth and District). Mrs J Arnold (Buckminster Parish Council)
Against	Vanessa Tombs Ron Simpson
Applicant	Phillipp Lukas (Chief Executive of Future Biogas)

Together with:

- Provisions within SKDC Local Plan 2011-2036, Colsterworth and District Neighbourhood Plan, Lincolnshire Minerals and Waste Local Plan: Core Strategy and Development Management Policies DPD, Design Guidelines for Rutland and South Kesteven, Renewable Energy Appendix 3, National Planning Policy Framework (NPPF), National Policy Statement for Energy (EN1) and National Policy Statement for Renewable Energy (EN-3).
- Comments received from Lincolnshire County Council – Highways.
- Comments received from Anglian Water.
- Comments received from Environmental Protection.
- Comments received from Cadent Gas.
- Comments received from Natural England.
- Comments received from Heritage Lincolnshire.
- Comments received from Leicestershire County Council – Highways.
- Comments received from Environment Agency.
- No comments received from Historic England.
- Comments received from Melton Borough Council.
- Comments received from CPRE Rutland.
- Comments received from Colsterworth and District Parish Council.
- Comments received from SKDC Conservation Officer.
- No comments received from Rutland County Council – Highways.
- Comments received from Lincolnshire Wildlife Trust.
- Comments received from SKDC Tree Officer.
- Comments received from Councillor Ben Green.
- Comments received from SKDC Design Officer.
- Comments received from Buckminster Parish Council.
- Comments received from South Witham Parish Council.
- Comments received from Corby Glen Parish Council.

During questions to Public Speakers, Members commented on:

- Clarification was sought around the difference between a smaller scale AD with the farming land surrounding it relating to a larger scale AD bringing crops from elsewhere.
- The importance of an appeal statement on whether the land was agricultural or industrial.

It was noted that from the appeal decisions, the Inspector had a view that products being transported to the AD from outside the area at over 50,000 tonnes per annum, it would be on an industrial scale.

- Further clarification around a statement made on endless HGV traffic.

It was felt that the nature of these plans demanded vehicles of such nature continuously on a daily basis which the Speaker felt was inappropriate with existing infrastructures on site.

- Whether the HGV movements was 70 vehicular movements a day or 140.

It was confirmed that the 70 movements a day from HGV vehicles would be 1 trip in and out the site.

- The impact on overspill materials outside of the 50,000 tonnes was queried.

Concern was raised on road structures through local villages and also an impact on A1 closures. Further concern was raised on the development being operational before the access road works had taken place.

- Lincolnshire County Council (Highways) having no objection to the plans.

The Public Speaker felt as if anybody visiting the site would reach an alternative opinion to Lincolnshire County Council (Highways).

- Whether the scale of the proposal was the main issue.

The Public Speaker had no objections to schemes of this nature. However, the location and landscaping of the scheme was not appropriate for the scale of the development. It was felt the roads could not accommodate any additional vehicles or HGV's.

- Clarification was sought around the 163% increase on traffic movements as stated by a Public Speaker.

It was clarified that the 163% increase on traffic movements had been received by the Parish Council on other reports and statistics that had been found to be severe during harvest.

- The Public Speaker referred to sensitive receptors .The meaning of sensitive receptors was queried.

Sensitive receptors referred to evidence that should be considered for a number of recognised measuring activities relating to levels of noise and odours within the community.

- Whether the CPRE would reject to any size or location of an AD.

The CPRE would normally accept a proportionally sized AD in the correct location which would cause minimal impact.

- Whether the Public Speaker felt the AD proposal was too large on scale.

It was felt the AD proposal was far too big and was a commercial investment and not an energy contributor.

- Whether the Applicant felt the proposal was a big scale in a rural area.

The Applicant compared the proposal to other existing AD sites across the country and the footprint was not bigger than other sites. It was highlighted that the proposal was not financially viable to be any smaller.

- That the Committee were aware of tonnage coming into the site. It was queried how much tonnage would be leaving the site and how many movements this would equate to.

The Applicant confirmed that all tonnage was included within the movements and the vehicles being employed would have the ability to backhaul meaning the same vehicles would be delivering in and out. The local farms around the site would produce around 2000 tonnes of feedstock in and out, meaning vehicles would not access the Highway.

- The Applicant clarified that transportation would be within a 15-mile radius of the AD plant. It was queried which smaller villages would be affected by 50,000 tonnes being transported.

It was confirmed that crops would already be farmed, at harvest all material would be removed. Hub clamps were being sought from the East to the West of the B676 road, there should not be any material impact on other villages.

A benefit of a hub clamp model was to minimise the haulage and harvest, the crops on the AD plant would travel on average around 5 miles to a hub clamp.

- One Member requested a virtual 360° visualisation of the facility could be shown.
- Clarification was sought around subsequent combustion of the gas.

The gas produced would be injected into the National Gas Grid on site and any combustion of the gas would be used for home/industry use.

- That the site was considerably bigger compared to other AD sites with different areas and infrastructure.

The Applicant clarified they had 2 other AD sites that take 100,000 tonnes.

- Clarification was sought around the carbon capture and how it was stored.

Raw biogas would be produced and would bubble in the digester at a 50% Co₂ and 50% methane. The carbon dioxide was taken from the atmosphere and plants grown in the previous season. It would then be liquified on site and would be transported off site by 1 or 2 movements a day around the Country for uses such as sustainable fuel or underground storage, in order to reverse the impacts of climate change.

- Clarification was sought around the 15-mile radius.

The Applicant was unable to provide the exact fields the crops would be grown on, due to crop rotation. The proposed location was chosen deliberately for the access of the B676 to easily access West towards Melton and East beyond the A1 Road where there was suitable land for growing crops.

- The specific types of crops proposed to be grown was requested.

The variety of crops would depend on rotations and the individual farms. It was likely that grass, cereals and maize would be grown depending on the type of land it was being grown on.

- Concern was raised that maize was detrimental to soil. The percentage of crops was queried.

The Applicant clarified that maize was a water efficient plant that would need a small number of visits within growing season. More farmland would be utilised within crop rotation giving time for other farmers to decarbonise their farms and more opportunities for agronomy and blackgrass issues to be addressed.

- Whether any sound, light or smell emissions would come from the AD plant 24 hours a day.

The lighting on site would be used to a minimum to not reflect off-site. Everything on the site would be noise shrouded, and no noise would be heard beyond the boundary of the site. There would be no smells that may come from the plant, there may be a slight sweet smell of silage, and the rest of the process was sealed to be an anaerobic process.

- It was noted the Applicant had other AD plants elsewhere, the size of these AD plants were queried.

Government supported tariffs in the past meant that sites tended to be around 50-60,000 tonnes. The two largest sites of the Applicant's were around 100,000 tonnes. The largest AD in the country were between 250-350,000 tonnes of input.

- The number of people who would be employed on site was queried.

On site, there could be 7-9 operators, site managers and engineers alongside the rural employment from the production and delivery of the crop.

- A query was raised on burn off from the plant.

In the event of the gas grid not being able to take the gas or the equipment being defective. For safety purposes, there was a shrouded flare on site that would produce hot air that allowed the plant to convert the methane into carbon dioxide and safely discharge it.

The Applicant confirmed they did not currently know all locations of the farms where crops would be. However, they had received expressions of interest and looing in areas outlined previously.

- Whether the storage of materials and the hubs would still need to be transported to the AD plant.

It was confirmed that storage of materials and the hubs would need to be transported to the AD plant, this was the nature of the vehicle movements throughout the year on a daily basis.

- It was queried as to why the East to West hub clamp model was not built into the application.

Seeking hub clamps and farmers to grow required approval of a planning application so that the crops had a location to be digested at.

- What surface would be provided for vehicles on the route from the B676 down the long track.

The long track was currently a metal surface access to the woodyard and used to be a railway line would become asphalted to avoid dust and noise.

- What tonnage the long asphalted track proposed would be able to take.

The vehicle weight would be specified to Highways grade.

- Whether the Applicant had been consulted by the Fire Brigade.

The Fire Brigade had been consulted and had visited all sites elsewhere. All sights had comprehensive lightning protection, which was a common start to fires in AD plants.

The Assistant Director of Planning and Growth informed the Committee that although the Applicant had offered a community fund, this was not being secured through a S106 agreement and therefore was not a material planning consideration.

During question to Officers and debate, Members commented on:

- Whether the Country's national aim to be carbon neutral by 2025 could be considered as a material consideration for the application.

The Assistant Director of Planning and Growth highlighted the Council had declared a climate emergency and the need to find alternative fuel sources which could be used as a material considered alongside the benefits of meeting climate change targets. This material consideration should be weighed up against other benefits or negative impacts.

- That the application was contrary to an appeal statement on the scale size and location of the application.
- It was felt the area had poor infrastructure and concerns were raised on traffic of HGV's.
- Concerns raised from local residents within the area.
- Whether there was any scope for the HGV vehicles to be electric or gas powered.

The Senior Planning Officer was not certain on the types of vehicles that would be used. It was noted that the UK was dependant on fossil fuels which were delivered by gas networks in pipes and liquified product that was transported from outside of the UK, which would be carried via vehicle traffic, so the proposal would help reduce reliance on fossil fuels even if the scheme itself did not use electric vehicles.

- Members discussed the rural diversification, and the fact crops could be transported up to 15 miles away. It was felt this application was an industrial process.
- The need for biogas nationally was accepted, however, in the right place. It was noted that a more appropriate space, close to a A road would be more acceptable and therefore would not impact local amenities or be within rural countryside.
- Concern was raised on the burn off from the AD. It was stated that each gram of methane burnt produced more than 3 grams of carbon dioxide.
- Whether the proposed facility could agree with the 15 parameters within the document SR2021 (7) from the Environment Agency.

The Chairman informed the Committee of a report presented by Richard Buxton Solicitors with a transport technical note provided an alternative view of how to assess the impact of the HGV movements. This report outlined that both Highways authorities had considered the overall movement of HGV vehicles but had not taken into account the increased impact of HGV's travelling through small rural villages. Concern was raised on movements and manoeuvrability to gain access to the site.

- Fire & Rescue did not support the application, if it was to go ahead there would be a requirement of a significant amount of water within infrastructure and upgrade to the track access route for a fire engine to gain access if necessary. This representation could be found on page 78 of the report.

The Assistant Director for Planning and Growth clarified that rural diversification would not specify one farm and could be up to a number of farms within the rural business community.

The Committee were reminded to determine the application site and location as seen and were questioned with where an appropriate location for a site of this size would be in terms of vehicular HGV movements.

The Environment Agency's document was a different consenting regime, and appropriate permits would need to be secured for the legislation. Planning uses should be considered alongside public benefits and harms.

- It was highlighted that Anglian Water had stated this site was out of their boundary.

The representation received would mean that Anglian Water were not the responsible body for foul sewerage network. There had been no representations received for foul sewerage and drinking water. The water course and river would be the Environment Agency's responsibility.

- The Exposure and Safety of Anaerobic Digester Guidance outlined several high-profile incidents whereby serious injuries and deaths had occurred due to explosions. One Member reiterated comments received from Fire & Rescue with this information in mind.
- Members questioned the response from Lincolnshire County Council (Highways) that the movements would not make a significant difference to traffic throughout the year.

(Councillor Harris Bisnauthsing left the meeting at 15:27)

It was clarified that the process being proposed was that the operation would be all year round, however, peaks in harvest may occur.

- That a smaller AD plant would be preferred.

The Assistant Director of Planning and Growth confirmed that material considerations were included within the report. The policies around principle of development and renewable energy schemes should carry weight. Other material considerations would include the Council's climate change declarations, reduction of fossil fuels and biodiversity net gain as well as vehicular impact.

It was confirmed that the appeal decision could not be considered when determining this application.

It was proposed, seconded and **AGREED to REFUSE** the application for the reasons discussed with final wording to be agreed deferred to the Assistant Director of Planning and Growth, in consultation with the Chairman and Vice-Chairman of the Planning Committee:

The proposal, including the required upgraded access route, would result in a large-scale, industrial development which is considered to be an inappropriate form of development in this countryside location. The large scale and industrial nature of the development proposal would result in an adverse impact on the landscape setting and character of the area, which would be reduced, but not fully mitigated by the proposed landscaping and planting scheme resulting in harm to the rural landscape of the Kesteven Uplands.

The proposal would additionally negatively impact on neighbouring villages and residents through disturbance from the generation of additional traffic movements on local roads. There is particular concern with increased numbers of HGV movements on minor rural roads, including through the neighbouring villages, that are used by vulnerable road users such as walkers, cyclists, horse riders and children. The mitigation of the site access road does not remove the concern regarding the increase in HGV movements through neighbouring villages, and the application does not suitably take into account or address the negative impacts from the development on the transport network or amenity of neighbouring communities.

It is acknowledged that the generation of renewable energy would be a significant benefit provided by the scheme, however, it is not considered to outweigh the harm from the development in terms of impact on landscape, character and appearance of the area, and the amenity of neighbouring residents. The development is therefore contrary to Local Plan Policy E7, EN1, EN4, DE1 and RE1, and paragraph 135 of the NPPF.

(The Committee had a 10 minute break)

(It was proposed, seconded and AGREED to continue the meeting until 17:00)

104. Application S24/1418

Proposal:	Erection of a single dwelling with associated access, landscaping and engineering works
Location:	Fulbeck Heights, Pottergate Road, Fulbeck
Recommendation:	To authorise the Assistant Director – Planning and Growth to GRANT planning permission, subject to conditions.

Noting comments in the public speaking session by:

District Ward Councillor Against	Councillor Penny Milnes Alix Fane Julian Fane
Applicant/Client Agent	Kevin Kelly and David Sayer

Together with:

- Provisions within SKDC Local Plan 2011-2036, Lincolnshire Minerals and Waste Local Plan: Core Strategy and Development Management Policies DPD, Design Guidelines for Rutland and South Kesteven Supplementary Planning Document, National Planning Policy Framework (NPPF) and South Kesteven Local Plan Review 2021 – 2041 (Regulation 18 Draft).
- Comments received from Fulbeck Parish Council

- Comments received from Heritage Lincolnshire
- Comments received from Historic England
- Comments received from Lincolnshire County Council (Highways & SuDS).
- No comments received from Lincolnshire County Council (Minerals).
- Comments received from Lincolnshire Wildlife Trust.
- No comments received from Ministry of Defence (Defence Infrastructure Organisation).
- Comments received from SKDC Conservation Officer.
- No comments received from SKDC Environmental Protection Officer.
- Comments received from SKDC Principal Urban Design Officer.
- No comments received from The Gardens Trust.
- No comments received from The Ramblers Association.

During questions to Public Speakers, Members commented on:

- A query was raised on what type of protected species within the area were.

The Public Speaker had provided video and photo evidence of 6 types of protected species, however, this could not be shown in the public domain due to possible unwanted attention being drawn to them.

- Whether any mitigations could be put into place to protect the species, if the application was approved.

The location of the proposal was at the centre of the woodlands where the protected species pass through.

- Clarification was sought that the location of the proposal would block movement.

It was noted the proposal may block the nature highway and cause upset to the species.

- Whether the site had any designation of special interest.

It was clarified that the roadside verges had a designation for wildflowers, however the proposed site did not have any designation of special interest.

- It was highlighted that Lincolnshire Wildlife Trust had not objected to the application.
- That the land was previously used for farming. It was queried whether the land could still be utilised for farming.

The Public Speaker felt that the land could become agricultural land.

- It was confirmed that species utilising the land were vertebrates and invertebrates.
- Whether the proposal meant the property would be built directly on top of a spring. It was queried whether a previous owner of the land could foresee any potential risks of flooding.

The Assistant Director of Planning and Growth clarified that the land could be used as agricultural if the application was not approved, which would not require planning permission.

- Clarification was sought around the biodiversity net gain.

The Applicant confirmed the biodiversity net gain was 23.79% for habitats and the hedgerows had a 132% gain. There were no credit or offsetting in the proposed scheme.

- One Member commented on the design of the property.

The Applicant had previously won awards for outstanding designs. This design took into characteristics of existing woodland and worked with stone masonry and intricate details.

- Whether the proposed dwelling was a single, residential home.

It was confirmed the proposal was for a single dwelling, residential home. The use class would need to be submitted via a full planning permission if the Applicant's wished to split the property into several dwellings.

- Whether the pond had any link to the spring.

It was clarified there was 2 slopes to the side of the building which reflected ground build ups. At the bottom of 1 slope, water emerged into an existing pond, the house sat back from the spring in the valley and water would run downhill. The closest newt recording was 1.53km away. There was another small pond nearby which worked as a sustainable drainage system.

- Whether the height of trees could be conditioned when planting, as the appearance of the proposal looked like mature vegetation.

The Applicant's confirmed that planting would be planting as per the design on site. The intention of the landscape design was for the existing trees to remain and be reinstated in part, with the addition to the property.

- Concerns were raised on lighting from the property.

The Applicant clarified that there were existing clusters of light from existing residential buildings which had been documented.

- Whether a list had been collated of potential wildlife and if the differing landscape areas had biodiversity opportunities.
- It was queried whether a sufficient mitigation plan would be put into place in order to assist habitats during the construction period.

Condition 3 included a construction environmental management plan. The final criteria of the plan was for an ecological management plan dealing with construction impacts, requiring the appointment of an ecological clerk of works.

- The arrangement for sewerage and greywater disposal was queried.

The sewerage and greywater disposal would be at a domestic level and was not required for this planning permission. It would be extended into the existing system for offices and nearby properties. Alternatively, an underground sewerage tank could be used which would not be visible.

During question to Officers and debate, Members commented on:

- Members requested view of the protected species in question.

The Assistant Director of Planning and Growth confirmed the protected species had been assessed by Officers and were also raised in the ecological report, which was within the public domain. The Wildlife Trust had also submitted their objection after seeing photos of the protected species.

- Concern was raised on the prominent position of the property and the visibility of it from the rights of way. It was felt the proposal detracted from the landscape.
- That the application was not within the Council's Local Plan, being contrary to SP5 and the NPPF paragraph 84.
- The Committee were informed they were to make a planning balance and give weight to the harm and benefits of the application.
- That the proposed location was not a protected site in regard to the use of the land and created habitats for future use.

*(It was proposed, seconded and **AGREED** to go into private session for the Committee to view photographs of the protected species).*

*(It was proposed, seconded and **AGREED** to extend the meeting until 17:30)*

- That the design had been through a full process and modified to reach the current stage.

It was clarified that one type of protected species identified in the photos had been included within the Applicant's report. However, sightings could not be found. The protected species were protected under a different legislation, regardless of the decision made on this planning application. Photos received of the protected species could also not be verified.

It was proposed and seconded to authorise the Assistant Director – Planning and Growth to GRANT planning permission, subject to conditions.

This proposal fell.

It was proposed, seconded and **AGREED** to **REFUSE** the application for the following reasons:

The application proposes the erection of a residential dwelling outside of the main built-up area of Fulbeck and does not have a demonstrable need to be located within the Open Countryside. As such, the application is contrary to the Policy SP5 of the adopted South Kesteven Local Plan 2011-2036, and the overall principles of the spatial strategy for the District. Consequently, the application is contrary to the adopted Development Plan when taken as a whole. In respect of material planning considerations, it is the Local Planning Authority's assessment that the scale and materiality of the proposed dwelling, coupled with its prominent location on the escarpment, would be harmful to the character and appearance of the area contrary to Policy DE1 and EN1 of the Local Plan, such that it does not fall to be defined as exceptional quality under the provisions of Paragraph 84(e) of the Framework. Therefore, the material considerations in this case do not justify granting planning permission contrary to the development plan.

*(It was proposed, seconded and **AGREED** to extend the meeting until the end of the application)*

105. Application S24/1707

Proposal:	Change of use from dwelling (C3) to children's home (C2) for up to 2 young people
Location:	The Lodge, Main Street, Hougham
Recommendation:	To authorise the Assistant Director Planning & Growth to GRANT planning permission subject to conditions

Noting comments in the public speaking session by:

Hougham Parish Council
Against

Peter Baker
Marc Whelan
Rod Bonshor

Together with:

- Provisions within South Kesteven Local Plan 2011-2036, Design Guidelines for Rutland and South Kesteven Supplementary Planning Document, National Planning Policy Framework (NPPF) and South Kesteven Local Plan Review 2021-2041 (Regulation 18 Draft).
- Comments received from Hougham Parish Council.
- Comments received from Lincolnshire County Council (Highways & SuDS).
- No comments received from Lincolnshire County Council (Children's Care Home – Senior Commissioning Officer).

During questions to Public Speakers, Members commented on:

- Whether the Parish Council had engaged with the Applicant for this application.

The Applicant stated they would engage with the local community and Parish Council and had view of objections made.

- Clarification was sought around amenities available in the village which could be accessed by the children.

A Public Speaker confirmed a playing field was shared with Marston and was outside of the Hougham boundary. It was noted there were no clubs or facilities for children to attend within the village.

- Where the nearest facilities available were.

A Public Speaker clarified there were no actual facilities within the vicinity. The closest children facility was in Long Bennington, which was 6 miles from Hougham.

- Clarification was sought from a Public Speaker who had stated the applicant had supplied incorrect or misleading information.

The Public Speaker noted the Applicant had stated there were two double garages on site, however there was one garage. The Applicant's parking plan stated that staff could utilise a Call Connect service, however this was not available for shift pattern suggestions. Other information related to a differ in numbers of children that would live in the home.

During question to Officers and debate, Members commented on:

- Clarification over the number of children that would reside in the home.

The Principal Planning Officer confirmed the application was for up to 2 children which would be strictly controlled by condition 3 of planning conditions.

- That the Applicant's had applied for a lawful development certificate which had previously been refused by the Council as the property would not operate as a residential dwelling, there would be an increase on vehicle movement, in excess of a 'normal' dwelling and would become a place of residence and work. It was felt the change of use could impact on neighbouring properties.

A lawful development certificate and planning application assessments were different. The certificate was to a degree on whether a change of use was occurring, it did not gauge any assessment on whether the change of use was acceptable or not.

Officers had accepted a material change of use which gave some rise to impact, but it was not harmful or unacceptable.

- That Hougham was a small, agricultural village with limited amenities.
- Concern was raised on the size and number of vehicles travelling through the village.
- That the Ministerial Statement highlighted that children's homes should be close to children's communities, access to schools and community support. It was felt that children's homes should be more within an urban area.
- The application form had stated care for up to 2 young people, however, the form also stated the dwelling had 5 bedrooms and 3 bathrooms and the Applicant's intention was to have any more than 4 young people living in the home.

The application was for 2 young people which was covered by condition. Another application for variation would need to be submitted if the operators wished to have 4 young people living in this home.

- That a rural village may be more suitable for the needs of the young people possibly living there.
- The balance of the benefit of the young people to the detriment to surrounding neighbours was discussed.
- Whether the Council had received any evidence that the care provider was a suitable organisation to care for young people.

The Principal Planning Officer highlighted that the organisation was not relevant to the application. The operation of the home would be covered by OFSTED.

- Further concern was raised that the young people become isolated with limited access to peers and excluded from the wider community.
- Whether any weight could be given to the lack of communication between the Applicant and local community and Parish Council.

It was highlighted that the private property could be occupied by a young family with 2 children, meaning access to facilities would remain the same. The property being isolated would have to be defended at an appeal against a young family living there against 2 young people with carers living and working there.

- It was noted that young people living in this property would be in need of special care and would not have the same behaviours as a family living in the property. Concerns from public speakers was that the young people would not be supervised 24/7.

The safety and supervision of children related to the appropriate management of the site itself and was relevant to the application. The application was for land use only.

It was confirmed that a site management plan could be conditioned.

- The wellbeing of the young people's mental health was a concern.

*(It was proposed, seconded and **AGREED** to extend the meeting until 18:15)*

- The sustainability of location for a business of this type was discussed.

The Assistant Director of Planning and Growth reminded the Committee of the existing dwelling which could be occupied for a family. The differences of the proposed use and a single dwelling were requested.

It was proposed, seconded and **AGREED** to authorise the Assistant Director Planning & Growth 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 permission is commenced in a timely manner, as set out in Section 91 of the Town and Country Planning Act 1990 (as amended).

Approved Plans

Approved Plans

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

- Site Location Plan (received 2nd October 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) Notwithstanding the submitted details, before the development hereby permitted is occupied, a site management plan shall be submitted to and approved in writing by the Local Planning Authority. The Site Management Plan shall include, but shall not be limited to, the following details:

- Staff numbers
- Ratio of children to staff
- Supervision arrangements for occupants on and off site
- Shift patterns
- Staff parking management
- Additional service requirement (including any scheduled visits for education or healthcare purposes)

Thereafter, the approved Site Management Plan shall be implemented prior to first use and shall be strictly adhered to throughout the operation of the use, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of the safety and amenity of the occupiers, and to protect the residential amenity of neighbouring properties, as required by Policy DE1 of the South Kesteven Local Plan.

Ongoing Conditions

Use of the Property

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

Reason: To ensure that the development operates as assessed.

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

There were none.

107. Close of meeting

The Chairman closed the meeting at 18:10.

Minutes

Planning Committee

Thursday, 6 February 2025, 1.00 pm

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



SOUTH
KESTEVEN
DISTRICT
COUNCIL

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 Paul Fellows
Councillor Tim Harrison
Councillor Paul Wood
Councillor Max Sawyer

Officers

Phil Jordan (Development Management & Enforcement Manager)
Adam Murray (Principal Development Management Planner)
Miranda Beavers (Senior Development Management Planning Officer)
Amy Pryde (Democratic Services Officer)

Paul Weeks (Legal Advisor)

108. Register of attendance and apologies for absence

Apologies for absence were received from Councillors Sarah Trotter, Vanessa Smith, Gloria Johnson and Patsy Ellis and Phil Dilks.

Councillor Max Sawyer substituted for Councillor Vanessa Smith.

109. Disclosure of interests

Councillor Harrish Bisnauthsing declared an interest on application S24/1719 due to calling – in the application. Councillor Bisnauthsing came to the meeting with an open mind on the application.

Councillor Charmaine Morgan declared an interest on application S24/1040 as she was a Member of the National Trust. She did not have a pecuniary interest and would be open minded on the application.

110. Minutes of the additional meeting held on 23 January 2025

It was proposed, seconded and **AGREED** to defer the approval of the minutes of the meeting held on 23 January 2025, they would be considered and voted on at the next meeting of Planning Committee.

ACTION: For the wording of reason for refusal on application S24/0568 to be shared with the Committee, at the earliest opportunity.

111. Application S24/1040

Proposal:	Installation of solar farm with associated battery storage, comprising ground mounted solar photovoltaic panels, including mounting systems, inverters and transformers, electrical substation, underground cabling, stock proof fencing, CCTV, internal access tracks and associated infrastructure for a temporary period of 40 years
Location:	Pastures Farm, High Dike, Welby
Recommendation:	To authorise the Assistant Director – Planning & Growth to GRANT planning permission, subject to conditions.

Noting comments in the public speaking session by:

Londonthorpe & Harrowby Without Parish Council
Agent

Cllr Alan Bowling
Charlie Mayer
(Arcadis Consulting (UK) Ltd)

Together with:

- Provisions within South Kesteven Local Plan 2011-2036, Lincolnshire Minerals and Waste Local Plan: Core Strategy and Development Management Policies DPD, Design Guidelines for Rutland and South Kesteven Supplementary Planning Document, National Planning Policy Framework (NPPF), National Policy Statement for Energy (EN1) and National Policy Statement for Renewable Energy (EN3).
- No comments received from Association of Gardens Trust
- No comments received from Civil Aviation Authority
- Comments received from Defence Infrastructure Organisation
- No comments received from Environment Agency
- Comments received from Heritage Lincolnshire
- Comments received from Historic England
- No comments received from Black Sluice Internal Drainage Board
- No comments received from Lincolnshire County Council (Highways & SuDS)
- No comments received from Lincolnshire County Council (Minerals)
- No comments received from Lincolnshire County Council (Planning Policy)
- No comments received from Lincolnshire Fire and Rescue

- No comments received from Lincolnshire Wildlife Trust
- Comments received from Londonthorpe and Harrowby Without Parish Council
- Comments received from Natural England
- Comments received from National Trust
- Comments received from North Kesteven District Council
- No comments received from National Grid
- No comments received from National Trust
- Comments received from SKDC Conservation Officer
- Comments received from SKDC Environmental Protection Officer
- Comments received from Welby Parish Council

During questions to Public Speakers, Members commented on:

- Further clarification was sought around problems with deer's and bats within the vicinity of the proposal.

The Public Speaker noted that a large herd of deer (between 30-60) had been pictured within the proposed site. The deer used the proposed site as a route between two forest areas of land. It was stated that the road near the site was a deer accident hotspot.

It was further clarified that bats had been seen within the area during the night. The battery units would run through the night generating noise, which may impact hunting capabilities for the bats.

- It was queried how many species of bats had been seen within the area.

It was unknown as to the type of species of bats. It was clarified that the species of deer were large deer, rather than smaller muntjac deer.

- It was queried whether the land was currently being used for sheep grazing.

The Applicant confirmed the land was currently not being used for grazing, however, the farmer had plans to use the land for grazing, if the development was approved.

- Concern was raised on the placement of PV panels not being feasible to allow sheep grazing.

The Applicant clarified the solar panel would be on trackers and slightly raised at a pivot of 2.3 metres above ground level which allow space for sheep grazing beneath the panels.

- It was queried under what conditions 46MW would be produced.

46MW was a maximum export capacity to the grid. The generation was though a bell curve throughout sunrise and sunset. Maximum generation tended to be more towards

summer and the middle of the day. In legislation, maximum capacity was limited to 50MW for planning applications. Schemes with a larger generating capacity would be assessed as a Nationally Significant Infrastructure Project.

- One Member queried the average daily energy generation, based on a yearly assessment.

There was a government-based statistic that looked at generation in terms of the number of homes powered. This information for the proposal was included within the report.

- The Applicant's were queried as to how they would mitigate a safe passage for wildlife, in line with Policy DE1.

The Applicant's had engaged with ecological consultants and no major impact on wildlife had been identified.

- It was further queried whether a wildlife passage or channel could be managed by plantation or whether the site would be completely fenced off.

The Applicant confirmed corridors between the hedgerows and the fence line which the deer would be able to travel through. The proposed site itself would have fencing around the perimeter but would be set back 4-5 metres from the hedgerow.

The Principal Planning Officer provided a visual representation of the wildlife corridors available.

- Whether anything would be put into place to guide the deer to the appropriate route, rather than their original route.

It was clarified that the High Dyke had continuous hedgerow and the proposed would be for the road, then the hedgerow then the fencing within the fields and in between the hedgerow and the solar panels. This would not impact the deer crossing the High Dyke.

- Clarification was sought on the number of solar panels and battery storage units proposed.

There would be roughly under 100,000 solar panels across the site. The battery storage units were grouped into 5 sets of 8.

- How long production of green energy would take to cover the manufacturing, transportation and installation of 100,000 panels and 40 battery storage units.

Government statistics had been published which outlined the total life cycle carbon footprint of solar was lower than any other type of generation.

One Member informed the Committee that Mallard Pass would take between 10-12 years in terms of timings to produce green energy to cover the manufacturing, transportation and installation of the site.

- Concern was raised on impacts on nearby neighbouring properties and whether the site would generate further traffic and noise.
- Whether all electricity produced would be fed into the grid and whether there would be any financial benefit on electricity bills for residents within the neighbourhood.

As part of the development, there would be a community benefit fund where money would be transferred to Loundthorpe and Welby Parish Council's to spend on community projects. Members were reminded that this was not a material planning consideration and could not be taken into account in the assessment of the application.

Following a noise assessment, there was a little to very low impact on noise. A 3-metre barrier was proposed to be erected around the edges of the battery storage area which would significantly reduce noise impact within that farm.

During construction period, there would be a limited impact from construction vehicles assuming that the Grantham Southern Relief Road was completed by that point. Construction vehicles would turn off the A1 and onto the new relief road onto the High Dyke and would avoid the centre of town entirely.

The peak number of vehicles accessing the site during the construction was about 10 HGV's and 50 cars and low-goods vehicles per day which equated to 1-2 HGV's per hour or 8-9 cars an hour at construction peak and construction would last between 6-9 months.

A Cabinet Member from Lincolnshire County Council Highways had advised it was unknown when the Grantham Southern Relief Road would be completed. This proposal was due to start within 3 years, if approved.

- It was queried whether the Applicant would replace the proposed panels with more efficient ones if they became available, which would enable half the land to be released but also generate the 46MW.

The Applicant clarified that newer panels would require a whole reconstruction of the site. It was not their intention to fulfil this for this proposal to repower.

- Whether the Royal Air Force had indicated concerns regarding potential interference and the type of grass proposed that wouldn't attract a flock of birds to the site.

Electrical interference was conditioned and a plan would be agreed and need to be discharged by the Council as usual with any condition.

The bird strike risk related to the landscaping of the site itself and ensuring it was appropriately managed. Condition 12 of the schedule of conditions referred to a landscape and ecological management plan.

During question to Officers and debate, Members commented on:

- Whether the solar panels would decline in efficiency after a 10-year period.

Conditions within the report limited the output to 46MW. A condition outlined operational management plans which secured the potential replacement of panels to ensure electricity was produced effectively. Further conditions were in place if panels were producing power output effectively via a decommissioning scheme.

- The temporary period of 40 years was queried and how the recommendation would differ for a permanent site.

The DM Manager clarified that a temporary 40 year timeframe was Government Policy and was recognised within the industry at present. 40 years was based on the effective lifespan of the solar panels, as they would degrade over a period of time and technology was improving.

- Whether the math to work out electricity output of the panels was an industry standard.

It was confirmed the output would depend on the type of panels, context and landscape of where they were situated and gradient of land. It was noted that tracker panels made better use by following the direction of the sun. The inclusion of the battery storage allowed the scheme to make best use of the land.

- Whether the highest part of the proposed land had detrimental impact to Belton House, Grantham.

Consultee responses from The Gardens Trust and Historic England accepted they felt there was no harm to the asset, taking into account the cumulative potential of other sites.

- The benefits of reducing carbon emissions were queried and concern was raised on the benefits of increased biodiversity against the decrease.

The biodiversity net gain metric looked at the baseline habitat where there was a minimum requirement to provide the 10% net gain. Offsets would need to be put into place if the biodiversity net gain decreased. Conditions covered biodiversity net gain, ecological mitigations and the construction management plan had an ecological scheme of works.

- Whether the battery storage would allow electricity to be staggered into the main grid. Concern was raised that the substation would be at over capacity with 3 developments of this nature within the vicinity.

The availability of capacity was unknown. The 3 developments would require their own agreements in place in terms of connection points to the grid, which would include capacity of the grid.

- Concern was raised that the application be completed prior to the Grantham Southern Relief road. It was queried whether the traffic management plan could look into the use of best roads to use for HGV's outside of the town centre.
- Whether an informative note could be included that the traffic management plan avoided Gainsborough Corner.

The wording of a condition allowed for the routing of construction vehicles to be agreed at a different point of the process.

It was confirmed that landscaping plans covered the concerns received from National Trust.

- The percentage of cumulative impact on character and appearance and the agricultural land was queried.

Planning Authorities were unable to compel landowners to use land for agriculture and had no control over the process. As the scheme would be returned to agricultural land after the 40-year operational period, the Inspector felt there was no loss of agricultural land.

- How many days 'back-up' could be provided by the battery storage facility proposed, in the event of bad weather.
- It was queried how the Ministerial Statement on BMV protection linked into the Inspectors comment around BMV.

For solar developments, there was a sequential approach that Applicant's should take on avoiding certain grades of land. Grade 3A and 3B, such as the site proposed. Recognition from appeals of a similar nature had received high level mapping from Natural England had sequential testing could not expect Applicant's to soil test on land not within their ownership. The Ministerial Statement was still relevant in avoiding best and most versatile land.

- Whether Fire and Rescue had sufficient water supply and whether the site would have access for an 18 tonne vehicle.

The battery energy storage systems had water tanks as part of the development. The available amount of water exceeded the requirements stated by Lincolnshire Fire and Rescue.

Part A of Condition 7 had the requirement for the construction management plan to include details of the access construction to ensure emergency vehicles could access the site.

- Whether a condition could be included that the acoustic barrier for the battery storage could blend in with the landscape.

Condition 16 required the acoustic barrier to be implemented. The condition could include the need for details of an acoustic barrier to be submitted for approval.

One Member felt it was wrong to remove agricultural land from use for 40 years at a time when food security was becoming increasingly important.

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

Time Limit for Commencement

Time Limit for Commencement

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

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

Temporary Permission Limits

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

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

- (1) The extent of equipment and foundation removal, and the site restoration to be carried out;
- (2) The management and timing of any works;
- (3) A Traffic Management Plan to address the likely traffic impacts arising during the decommissioning period.
- (4) An Environmental Management Plan to include details of measures to be taken during the decommissioning period to protect wildlife, habitat features and trees on the site.
- (5) The location of any temporary compound and parking areas.
- (6) Full details of the removal of the solar arrays, associated buildings and plant, any access tracks and sub-surface cabling and all associated ground restoration, including trench backfilling.

(7) Full details of all other works to the land to allow for renewed agricultural production following the removal of structures from the site.

(8) A programme of implementation.

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

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

Approved Plans

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

- a. Proposed Site Layout (Ref: IGP-02)
- b. Proposed PV Mounting Structure (Ref: IGP-03)
- c. Proposed 33kV Substation (Ref: IGP-04)
- d. Proposed BESS and Conversion Unit (Ref: IGP-05)
- e. Proposed Battery Energy Storage Unit (Ref: IGP-06)
- f. Proposed Battery Energy Storage Water Tanks (Ref: IGP-07)
- g. Proposed CCTV Pole Details (Ref: IGP-08)
- h. Proposed Deer Fence Details (Ref: IGP-09)
- i. Proposed Weldmesh Fence Details (Ref: IGP-10)
- j. Drainage Strategy Plan (Ref: 30183533-ARC-SW-XX-RP-CE-0001)
- k. Landscape Mitigation Plan (Ref: 30183533-ARC-ELS-ZZ-DR-LV-00016-S2-P01)

Unless otherwise required by another condition of this permission.

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

Power Output

4) The exported output of the solar farm hereby approved must not exceed 46 MW (AC).

Reason: To define the permission and ensure that the output of the proposal remains below the limitations allowed under the Town and Country Planning Act.

Before the Development is Commenced

Heritage / Archaeology

Archaeological Mitigation Plan

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

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

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

Materials Details

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

Reason: To ensure a satisfactory appearance to the development and in accordance with Policy DE1 and EN1 of the adopted South Kesteven Local Plan; and to ensure that the development does not result in any harm to nearby heritage assets as required by Policy EN6 of the adopted Local Plan.

Biodiversity / Ecology

Construction Environmental Management Plan

- 7) Before any part of the development hereby permitted is commenced, a detailed Construction Environmental Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The submitted CEMP shall be based on the submitted Outline Construction Environmental Management Plan (OCEMP) (Arcadis) (May 2024) and shall include measures to mitigate against the adverse effects of vehicular movements and noise and means to manage the drainage and ecological impacts of the construction stages of the development. The detailed CEMP shall include:

- a. Details of access construction to ensure that the proposed development can be accessed by emergency vehicles.
- b. Construction hours
- c. The routing of all construction vehicles
- d. The parking of all vehicles and site operatives
- e. The loading and unloading of all plant and materials
- f. The storage of all plant and materials used in constructing the development
- g. Wheel washing facilities
- h. Ecological Management Plan, including appointment of an Ecological Clerk of Works, and the implementation of Natural England licences as required.
- i. Relevant details of the archaeological mitigation strategy for the protection of retained features during the construction period.

The approved CEMP shall be strictly adhered to throughout the construction period.

Reason: To minimise the effects of the construction stage of the development on the highway, and ecological and archaeological assets.

Tree Protection & Arboricultural Method Statement

- 8) No works pursuant to this permission shall commence until a final detailed arboricultural method statement and protection plan for the protection of the retained trees and hedgerows have been submitted to and approved in writing by the Local Planning Authority.

The protection scheme and plan shall be completely implemented prior to site preparation, clearance and building works, starting on site and not removed until entirely complete. The protection scheme must include details of all trees and hedgerows to be retained and positioning of protection fencing and ground covers to create construction exclusion zones. No retained tree or hedgerow shall be cut down, uprooted, or destroyed, nor shall any retained tree or hedgerow be pruned in any manner without the prior written approval of the Local Planning Authority.

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

Flood Risk and Drainage

Surface Water Management Plan

- 9) The development hereby permitted shall not be commenced until such time as a scheme for the disposal of surface water in the event of a fire within the battery energy storage system (BESS) have been submitted to and approved in writing by the Local Planning Authority.

Thereafter, the approved scheme shall be implemented before the development hereby permitted is first brought into use, and shall be retained and maintained in full for the lifetime of the development.

Reason: To ensure that the proposed development does not give risk to an unacceptable risk of surface water flooding and groundwater pollution, as required by Policy EN4 and EN5 of the adopted South Kesteven Local Plan.

Aircraft and Associated Activities

Electrical Noise Interference Management Plan

10) No works pursuant to this permission shall commence until such time as an Electrical Noise Interference Management Plan (ENIMP) has been submitted to and approved in writing by the Local Planning Authority in consultation with the Ministry of Defence. The submitted ENIMP shall contain, but not be limited to:

- a. Manufacturers specifications for any generating and associated infrastructure to be installed at the site, to include any inverters, substations, PV panels and any associated cables (including all interconnecting cables as well as the export cables to the national grid) and connectors
- b. Details of measures designed to prevent electrical noise interference being caused to transmitter/receiver technical installations at RAF Barkston Heath
- c. A schedule setting of how the development will be operated, maintained and tested throughout its lifetime to ensure that any electrical noise interference on transmitter/receiver technical installations at RAF Barkston Heath is prevented; and
- d. A protocol through which the site operator can be notified of electrical noise interference issues or observations, the measures that would be taken to investigate, and a description of the approach to resolving/mitigating those impacts.

The provisions set out in the approved ENIMP and any modifications or mitigation, as agreed in writing by the Local Planning Authority shall be maintained for the lifetime of the development. No electrical component or electrical equipment not specified in the approved ENIMP shall be installed or operated within the site without the express written consent of the Local Planning Authority, in consultation with the Ministry of Defence.

Reason: In the interests of maintaining the effective operation of national defence infrastructure and to maintain aviation safety.

During Building Works

Biodiversity / Ecology

Ecological Mitigation

- 11) All works on site during the construction period shall be carried out in accordance with the recommendations contained within Section 3 of the Ecological Impact Assessment (Clarkson and Woods) (May 2024), including reasonable avoidance measures for protected species and the provision and retention of skylark mitigation plots.

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

Before the Development is Operational

Landscape and Visual Impact

Landscape and Ecological Management Plan

- 12) Before the solar development hereby permitted is operational, a Landscape and Ecological Management Plan (LEMP) shall have been submitted to and approved in writing by the Local Planning Authority and shall include details of the management and monitoring of the site during the operational period.

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

Landscaping Implementation

- 13) Before the end of the first planting / seeding season following the date when electrical power is first exported ("first export date"), all landscaping works shown on the approved Landscape Mitigation Plan (Ref: 30183533-ARC-ELS-ZZ-DR-LV-00016-S2-P01) shall have been carried out in full, unless otherwise required by another condition of this permission,

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

External Material Implementation

- 14) Before the development is operational, the external appearance of all built form on the site shall have been completed in accordance with the details approved by Condition 6 above.

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

Access / Highways

Operational Environmental Management Plan

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

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

Pollution Control

Noise Mitigation Implementation

- 16) Before the date of the first export of electricity from the development hereby permitted, a 3m high acoustic barrier to the Battery Energy Storage System (BESS) shall be installed, as indicated on Figure 6-5 of the submitted Noise Assessment (ref: 30183533-ARC-NOI-REP-00001/Rev 02), in accordance with details which shall have first been submitted to and approved in writing by the Local Planning Authority. Thereafter, the acoustic barrier shall be retained and maintained for the lifetime of the development.

Reason: To ensure that the solar farm does not give rise to any unacceptable adverse noise impacts on residential amenity, and to ensure that the development operates as assessed; and in accordance with Policy EN4 and DE1 of the adopted South Kesteven Local Plan.

Ongoing

Landscape and Visual Impact

Lighting Details

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

with the approved details and thereafter retained for the lifetime of the development.

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

Compliance with LEMP

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

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

Landscape Protection

- 19) Within a period of five years from the first export date, any trees or plants provided as part of the approved Landscaping Plan that die or become, in the opinion of the Local Planning Authority, seriously damaged or defective, shall be replaced in the first planting season following any such loss with a specimen of the same size and species, unless otherwise agreed by the Local Planning Authority.

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

Early Decommissioning

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

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

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

(Councillor Tim Harrison and Max Sawyer voted against this proposal)

112. Application S24/1327

Proposal:	Conversion of former school house building together with erection of 3 (no) 3-storey apartment blocks to form a total of 60 (no) apartments with associated amenity space and vehicle parking; following demolition of the existing workshop and office building (Revised submission of S23/0882)
Location:	The Old School House, Station Road East, Grantham
Recommendation:	To authorise the Assistant Director – Planning & Growth to GRANT planning permission, subject to conditions

Noting comments in the public speaking session by:

Applicant Agent

Adam Partington

Together with:

- Provisions within South Kesteven Local Plan 2011-2036, Design Guidelines for Rutland and South Kesteven Supplementary Planning Document, National Planning Policy Framework (NPPF) and South Kesteven Local Plan Review 2021 – 2041.
- Comments received from Anglian Water
- No comments received from Cadent Gas
- Comments received from Grantham Civic Society
- Comments received from Grantham Town Council
- Comments received from Heritage Lincolnshire
- No comments received from Historic England
- No comments received from Lincolnshire County Council (Education)
- Comments received from Lincolnshire County Council (Highways & SuDS)
- No comments received from Lincolnshire Fire & Rescue
- No comments received from Lincolnshire Police Crime Prevention Officer
- No comments received from Lincolnshire Wildlife Trust
- Comments received from LNER
- Comments received from NHS Lincolnshire Integrated Care Board
- Comments received from SKDC Conservation Officer
- No comments received from SKDC Environmental Protection
- No comments received from SKDC Planning Policy Officer – Affordable Housing
- Comments received from SKDC Urban Design Officer
- Comments received from Network Rail

(Councillor Charmaine Morgan declared this application was within her District Ward)

During questions to Public Speakers, Members commented on:

- A query was raised to the Applicant on the difference in height between the existing school and the proposed building.

The height difference was available on the scale drawings. The difference in height between the retained old school building and the ridge height of the new build element was 2 metres.

- Concern was raised on parking provided and bin storage.

The bin storage within the report was the full bin provision proposed.

- The height between the proposal and St Johns Church, Grantham was queried.

The Committee were shown indicative illustrations of a visual representation. The proposed new build was comparable to properties on the opposite side of Launder Terrace, Grantham.

- Whether the Applicant would accept the inclusion of the key Victorian features on the window treatments.

The Applicant confirmed that a detailed characterisation survey was undertaken of the area North to the site. With bringing a terraced form design onto the site, there was a deliberate design choice to suite the area but also allowing the existing buildings gothic features to exist. Decorative elements could also be conditioned.

- Whether any of the proposed properties had accessibility design features.

Condition 3 secured details of accessible and adaptable properties. A minimum of 10% of properties would need to be of an accessible standard.

- The number of car parking spaces provided against how many residents may have cars was queried.

The Applicant confirmed that 15 car parking spaces were provided, with 3 accessible spaces. There would also be the opportunity for motorcycle and bike storage. The Applicant's ambition was for future residents to recognise the walking distances to the bus station and train station.

During question to Officers and debate, Members commented on:

- Members were pleased that the Junior School would be retained. The loss of the Infant School was regrettable.
- That comments from the Civic Society had raised concerns on the condition of the building. It was disappointing that a significant amount of roofing was removed from the building resulting in damage.

- The site was directly opposite a low-cost public car park. It was stated that residents may park on the public highway rather than paying for a low-cost car park. The parking in conjunction with bin storage was already a concern for this area.

A further response had been received from Highways following a parking assessment being submitted by the Applicant. Highways had not provided any further comments, however, firstly they had not raised a formal objection to the application and did not raise an objection to the original refused application. Parking was not a reason for refusal on the previous application.

- That the application included commercial waste collection arrangements.
- Whether the increase of parking would mean a reduction of flats, questioning the viability of the application.

The Principal Planning Officer clarified that if the quantum of houses being provided was decreased, this would impact the viability position.

- Further concern was raised on the design, parking and that a S106 agreement could not be secured.
- It was suggested that a parking management plan be implemented and for the Applicant to negotiate with the neighbouring car park on a discount scheme.

Condition 4 looked into large scale details including design of brickwork and other features.

- Whether trees and landscaping could be included within the proposal.

A soft landscaping condition could be included alongside the mandatory biodiversity net gain condition to ensure the 10% net gain was met.

It was proposed, seconded and **AGREED** to authorise the Assistant Director – Planning & Growth 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 permission 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 Block Plan (Ref: 21-107-001)
 - b. Proposed Elevations Plan – Block A, B and D – Part 1 (Ref: 21-107-006/Rev A)

- c. Proposed Elevations Plan – Block A, B and D – Part 2 (Ref: 21-107-007/Rev A)
- d. Proposed Elevations Plan – Block C (Ref: 21-107-005/Rev A)
- e. Proposed Ground Floor Plans (Ref: 21-107-002)
- f. Proposed First Floor Plans (Ref: 21-107-003/Rev A)
- g. Proposed Second Floor Plans (Ref: 21-107-004)

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

Meeting All Housing Needs

Part M4(2) Dwellings

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

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

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

Design Quality and Visual Impact

Large Scale Details

- 4) No part of the development hereby permitted shall be commenced, until large scale details of all external features (including fenestration, brickwork embellishment, dormer detailing and materials, and eaves detailing) 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 prior to first occupation.

Reason: To ensure a satisfactory appearance to the development in accordance with Policy DE1 (Promoting Good Quality Design) and to minimise the harm to a non-designated heritage asset in accordance with Policy EN6 (The Historic Environment) of the adopted South Kesteven Local Plan.

Heritage and Archaeology

Written Scheme of Investigation – Building Recording

- 5) Before any part of the development hereby permitted is commenced, a Written Scheme of Archaeological Investigation (WSI) shall have been submitted to and approved in writing by the Local Planning Authority. The submitted WSI shall include details of a Level 3 Historic Building Recording as defined by Historic England (Understanding Historic Buildings) for any structures to be demolished prior to any works being undertaken and for the retention of the former school notice boards.

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

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

Residential Amenity

Demolition Method Statement & Construction Management Plan

- 6) No works pursuant to this permission, including demolition of buildings hereby permitted, until a Demolition Method Statement and Construction and Environmental Management Plan has been submitted to and approved in writing by the Local Planning Authority. The submitted Plan and Statement shall include measures to mitigate the adverse impacts of noise, dust and vehicular movements during the demolition and construction stages of the permitted development. The submitted document shall include:
 - a. The phasing of the development, to include demolition phasing and build routes.
 - b. Construction, demolition and delivery hours
 - c. The parking of all vehicles of site operatives and visitors
 - d. The on-site loading and unloading of all plant and materials.
 - e. The on-site storage of all plant and materials used in constructing the development
 - f. The routing of all vehicles associated with the demolition and construction activities of the development.
 - g. Wheel washing facilities
 - h. A strategy stating how surface water runoff on and from the development will be managed during construction, and protection measures for any sustainable drainage features. This should include drawing(s) showing how the drainage systems (temporary or permanent) connect to an outfall (temporary or permanent) during construction.
 - i. A method statement for how demolition and removal works of the existing buildings will be undertaken.
 - j. Ecological Management Plan, including appointment of an Ecological Clerk of Works, and the implementation of Natural England licences as required.

Thereafter, the Demolition Method Statement shall be strictly adhered to throughout the demolition period.

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

Reason: To minimise the effects of the demolition and construction activities on the residential amenity of neighbouring properties and the public highway and protected species.

Flood Risk and Drainage

Surface Water Drainage Strategy

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

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

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

Pollution Control

Ground Investigation

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

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

Should the Phase I Study identify potentially contaminative land uses, the Applicant shall provide to a Phase 2 site investigation detailed below:

- b. A site investigation report assessing the ground conditions of the site and incorporating chemical and gas analysis identified as appropriate by the desk top study; and if required
- c. A detailed scheme for remediation 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 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 investigation and remediation will not cause pollution in the interests of the amenities of future residents and users of the development; and in accordance with Local Plan Policy EN4 (Pollution Control)

Biodiversity / Ecology

Ecological Assessment and Mitigation

- 9) Notwithstanding the submitted documentation, no works pursuant to this permission shall be commenced until an up-to-date Ecological Impact Assessment, including the results of any necessary protected species surveys, has been submitted to and approved in writing by the Local Planning Authority. The submitted Ecological Impact Assessment must include a Biodiversity Mitigation and Enhancement Scheme, including a scheme for the provision of bat and bird boxes as part of the development scheme.

The submitted Mitigation and Enhancement Scheme shall include a plan identifying the location of any mitigation and enhancement, along with a detailed scheme (and technical details of each of the proposed measures. Thereafter, the required mitigation and enhancement measures shall be completed in full in accordance with the agreed scheme, prior to the first occupation of the development.

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

During Building Works

Design Quality and Visual Impact

Materials Details – salvaged material

- 10) Following the demolition works hereby approved, but prior to the commencement of any works for the development of the replacement structures, a detailed specification of the material to be used in the construction of the external surfaces of the development hereby permitted shall be submitted to and approved in writing by the Local Planning Authority. The submitted specification shall include large scale details of the use salvaged materials from the demolition of the former building.

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

Soft Landscaping Details

- 11) No development above damp-proof course shall take place until details of any soft landscaping works shall have been submitted to and approved in writing by the Local Planning Authority. Details shall include:
- a. planting plans;
 - b. written specifications (including cultivation and other operations associated with plant and grass establishment);
 - c. schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate;

Thereafter, the approved soft landscaping scheme shall be implemented before any part of the development hereby permitted is occupied.

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.

Climate Change

Sustainable Construction

- 12) No development above damp-proof course shall take place until details demonstrating how the proposed development would comply with the requirements of Policy SB1 have been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of how carbon dioxide emissions would be minimised through the design and construction of the development, details of water efficiency; and provision of electric car charging infrastructure.

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

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

Access and Highways

Parking Management Plan

- 13) No development above damp-proof course shall take place until a Parking Management Plan has been submitted to and approved in writing by the Local Planning Authority. The Parking Management Plan shall set out details for the allocation and management of the available on-site parking spaces.

Reason: To ensure that the development does not give rise to any unacceptable impacts on highways safety due to encouraging on-street parking; in order to comply with the requirements of Policy ID2 of the adopted South Kesteven Local Plan.

Before the Development is Occupied

Design Quality and Visual Impact

Materials Implementation

- 14) Before any part of the development hereby permitted is occupied, the external elevations shall have been completed in accordance with the materials details approved by Condition 10 above.

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

Boundary Treatment Implementation

- 15) Before any part of the development hereby permitted is occupied, the works to provide the boundary treatments for the site as shown on the approved plans shall have been completed in accordance with the approved details.

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

Pollution Control

Verification Report

16) Before any part of the development hereby permitted is occupied, where remediation is required by Condition 8 above, a verification report shall be 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 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 investigation and remediation will not cause pollution in the interests of the amenities of future residents and users of the development; and in accordance with Local Plan Policy EN4 (Pollution Control)

(Councillor Tim Harrison voted against the proposal)

(The Committee had a 10-minute break)

113. Application S24/1822

Proposal: Proposed demolition of Class Q consented barn and erection of a detached dwelling, hard and soft landscaping and formation of a re-wilding Zone

Location: Wildwood, Nightingale Lane, Aisby, NG32 3NE

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

Noting comments in the public speaking session by:

Against

Simon Jones

Applicant Agent

John Dickie

Together with:

- Provisions within SKDC Local Plan 2011-2036, National Planning Policy Framework and Design Guidelines for Rutland and South Kesteven (November 2021).

- Comments received from LCC Highways & SuDS.
- Comments received from Lincolnshire Wildlife Trust.
- Comments received from Heydour Parish Council.
- No comments received from Environmental Protection.
- No comments received from Historic England.

During questions to Public Speakers, Members commented on:

- Clarification was sought around the objector's property in relation to the proposal.

The Committee were shown a Google earth aerial view to provide a visual representation.

During question to Officers and debate, Members commented on:

- Whether the proposal was for a separate dwelling and whether the garden was included within the application.

The application was for a standalone dwelling house with its own residential curtilage including landscaping within the access point and garden.

- Whether further information could be provided on the materials used for thermal efficiency.

A pre-commencement condition requested details of materials being used for thermal efficiency.

It was confirmed that the property closest to the proposal was an outbuilding.

- Whether any boundary treatments would screen the 2 proposed windows from the neighboring property.

The Planning Officer confirmed the separation distance between the neighbor was to a certain standard and was assessed against the fallback position.

- The approximate distance between the proposal, Hawthorne House and Wildwood was queried.

It was confirmed there was 100 meters between the proposal and Hawthorne House and Wildwood.

It was suggested a condition be included on the requirement for landscaping edging to prevent any overlooking.

Condition 9 required details of a soft landscaping scheme to be submitted. An informative would be suitable to request further planting along boundaries for native species.

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

Time Limit for Commencement

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

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

Approved Plans

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

- i. Drawing No.JDA 202-0755-LOCATION.001 Location Plan
- ii. Drawing No.JDA 2024-0755-SITE.001A Proposed Site Plan
- iii. Drawing No.JDA 2024-755-FLOORS-ELEVS.001A Proposed Floor Plans and Elevations
- iv. Drawing No.JDA 2024-0755-LIGHTING.001 Proposed Lighting

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

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

During construction of the development hereby permitted, the approved Construction Management Plan October 2024 (Drawing No.JDA/2024/755/CEMP/001) shall be adhered to in full unless otherwise agreed in writing by the Local Planning Authority.

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.

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.

'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.

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.

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.

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

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.

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.

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.

Ongoing

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.

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

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

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

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

114. Application S24/1719

Proposal:	Change of use of outbuilding to single dwelling
Location:	1 Albert Road, Stamford, Lincolnshire, PE9 2EA
Recommendation:	To authorise the Assistant Director – Planning & Growth to GRANT planning permission, subject to conditions.

Together with:

- Provisions within SKDC Local Plan 2011-2036, National Planning Policy Framework and Stamford Neighbourhood Plan
- No comments received from the Parish Council.
- No comments received from LCC Highways and SuDS Support.
- No comments received from Ward Councillors.
- Comments received from Conservation Officer.
- Comments received from Environment Agency.
- No comments received from Peterborough City Council.
- Comments received from Environmental Protection Services.

During question to Officers and debate, Members commented on:

- Whether there was any parking proposed.

There was no additional parking proposed beyond the current position. The building currently could be lawfully occupied for ancillary residential accommodation; therefore, it was difficult to justify an increase in parking demand.

- That the building was within close proximity to several car parks.
- Whether Officer's were satisfied with the flooding risks.

There had been no changes to the flooding risk as the dwelling would remain the same.

- Concern was raised on the difference between an outbuilding and a dwelling of residence. It was further queried whether the proposal had building regulations for an outbuilding or dwelling.

The DM Manager clarified the change from an ancillary outbuilding to a dwelling would require the appropriate building regulations, this was a separate matter but could be an informative.

- Clarification was sought around the flood risk and drainage in relation to whether the proposal met Environment Agency's strict measurements.

Condition 3 required the finished floor levels to be completed in accordance with the flood risk assessment which specified measurements for finished floor levels.

Any advisories recommended by the Environment Agency would be provided and included on the decision notice.

- Clarification was sought whether condition 4 removed permitted development rights.

The removal of permitted development rights meant the Applicant could not automatically add extensions or outbuildings without the need for an application to the Council.

It was proposed, seconded and **AGREED** to authorise the Assistant Director – Planning & Growth 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. OS Location Plan as shown on Site Plan, Block Plan and OS Location Plan as Existing re. Drawing No.5 received 4 October 2024
- ii. Site Plan, Block Plan and OS Location Plan as Proposed re. Drawing No.7 received 4 October 2024
- iii. Proposed Elevations re. Drawing No.8 received 4 October 2024 Unless otherwise required by another condition of this permission.

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

Before the development is occupied

3 Prior to the occupation of the development hereby permitted, the finished floor levels shall have been completed in accordance with the submitted flood risk assessment in section 6.6 of the Planning Statement, undertaken by James Turley Planning Ltd (dated October 2024) and the following mitigation measures it details:

- Finished floor level for the bedroom to be set no lower than 23.335 mAOD
 - Finished floor level for the living area to be set no lower than 22.36 mAOD
- These mitigation measures 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

Ongoing conditions

4. 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 and the character and appearance of the ar.

- 1.1 Notwithstanding the provisions of Schedule 2, Part 1, Classes B & C of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking or re-enacting that Order

with or without modification), no window, dormer window, rooflight or other development consisting of an alteration to the roof of the property other than those expressly authorised by this permission shall be constructed without Planning Permission first having been granted by the Local Planning Authority.

Reason: To safeguard the amenities of the occupiers of nearby properties and the character and appearance of the area.

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.

- 1.2 Notwithstanding the provisions of Schedule 2, Part 2, 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 gate, fence, wall or other means of enclosure shall be constructed within or on the boundary of the curtilage of the site 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.

115. Application S23/0299

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

conditions and the completion of a Section 106 Agreement

During question to Officers and debate, Members commented on:

- One Member raised their disappointment on Lincolnshire County Council.

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

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

Approved Plans

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

Unless otherwise required by another condition of this permission.

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

Before Development is Commenced

Archaeological Investigation

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

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

Construction Management Plan

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

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

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

Part M4(2) Dwellings

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

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

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

Surface Water Drainage Strategy

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

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

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

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

Tree Protection Measures

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

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

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

Estate Road Phasing Plan

- 8) Before the development hereby permitted is commenced, an Estate Road Phasing and Completion Plan shall be submitted to and approved in writing by the Local Planning Authority. The Plan shall set out how

the construction of the development will be phased and standards to which the estate roads on each phase will be completed during the construction period of the development.

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

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

During Building Works

EV Charging Points Plan

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

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

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

Construction Hours

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

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

Reason: To minimise noise impacts on nearby residential dwellings.

Delivery Hours

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

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

Ecological Mitigation

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

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

Previously Unidentified Contamination

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

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

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

Revised Travel Plan

- 14) Notwithstanding the submitted details, before any development above damp-proof course, a revised Travel Plan, including specific modal share targets for active travel modes which seek to achieve the Government's objectives for 50% of all trips to be made by active travel methods, shall have been submitted to and approved in writing by the Local Planning Authority. This shall include a scheme making available 2 free annual travel passes per dwelling for the first year of their occupation.

Reason: In order that the permitted development conforms to the requirements of the National Planning Policy Framework, by ensuring that

access to the site is sustainable and that there is reduced dependency on the private car for journeys to and from the development.

Before the Development is Occupied

Sustainable Building

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

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

Materials Compliance

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

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

Hard Landscaping

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

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

Boundary Treatments

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

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

Travel Plan Compliance

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

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

Reedings Road / Owen Way junction

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

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

Ongoing Conditions

Soft Landscaping

- 21) Before the end of the first planting / seeding season following the first occupation of the development hereby permitted, all soft landscaping works shall have been completed in accordance with the approved planting plans:

- FPCR, Detailed POS Planting Sheet 1 of 5, drawing number 10821-FPCR-XX-XX-DR-L-0001 P14
- FPCR, Detailed POS Planting Plan Sheet 2 of 5, drawing number 10821-FPCR-XX-XX-DR-L-0002 P14
- FPCR, Detailed On-Plot Planting Plan, drawing number 10821-FPCR-XX-XX-DR-L-0003 P13
- FPCR, Detailed On-Plot Planting Plan, drawing number 10821-FPCR-XX-XX-DR-L-0004 P13

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

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

Soft Landscaping Protection

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

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

Landscape Ecology Management Plan

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

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

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

There were none.

117. Close of meeting

The Chairman closed the meeting at 16:14.

This page is intentionally left blank



**SOUTH
KESTEVEN
DISTRICT
COUNCIL**



Planning Committee

6 March 2025

S24/2100

Proposal:	Installation of solar farm, comprising ground mounted solar photovoltaic panels, including mounting systems, inverters and transformers, stock proof fencing, CCTV internal access tracks and associated infrastructure and landscaping for a temporary period of 40 years.
Location:	Home Farm, Dyke Drove, Bourne
Applicant	Integrum SPV 21014 Limited
Application Type:	Full Planning Permission (Major)
Reason for Referral to Committee:	Called in by Councillor Zoe Lane citing the following considerations: <ul style="list-style-type: none"> • Impact on the open countryside • Impact on residential amenity
Key Issues:	Effect of the proposal on agricultural land Effect of the proposal on the character and appearance of the area Effect of the proposal on biodiversity and ecology Flood Risk and Drainage
Technical Documents:	<ul style="list-style-type: none"> • Agricultural Land Classification Survey • Alternative Site Assessment • Arboricultural Impact Assessment • Construction Traffic Management Plan • Ecological Impact Assessment • Flood Risk Assessment and Drainage Strategy • Flood Evacuation and Emergency Plan • Geophysical Survey • Glint and Glare Report • Historic Environment Desk Based Assessment • Landscape and Visual Appraisal • Ground Investigation • Planning, Design and Access Statement • Preliminary Ecological Appraisal • Statement of Community involvement • Transport Statement

Report Author

Adam Murray – Principal Development Management Planner



01476 406080

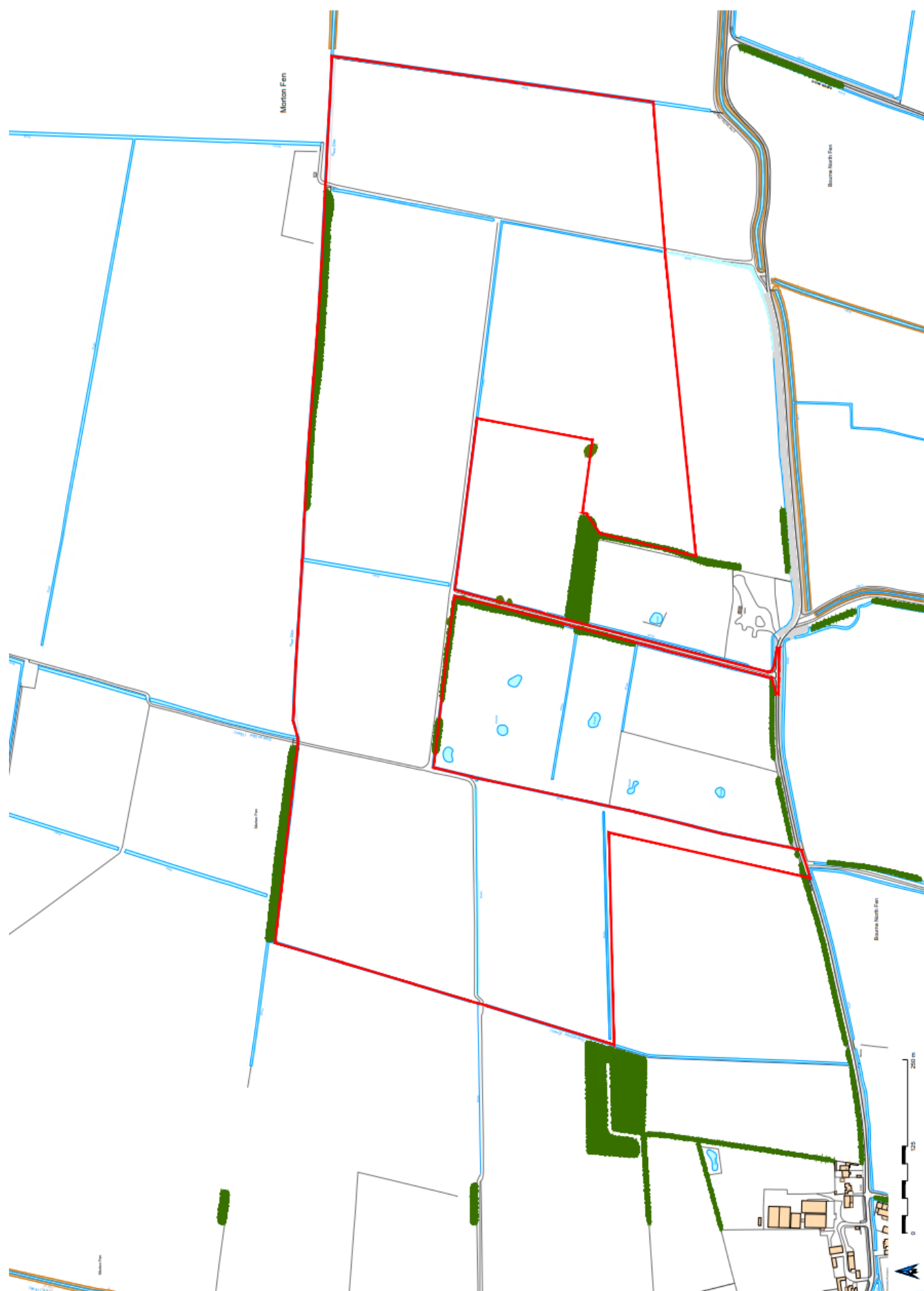


Adam.Murray@southkesteven.gov.uk

Corporate Priority:	Decision type:	Wards:
Growth	Regulatory	Bourne East
Reviewed by:	Phil Jordan, Development Management & Enforcement Manager	25 February 2025

Recommendation (s) to the decision maker (s)

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



1 Description of the site

- 1.1 The application site consists of an area of 54.53 hectares (134.74 acres) of irregular shaped land located to the north of the A151 (Spalding Road) and situated to the east of Dyke and the north-east of the main built-up area of Bourne. The site comprises of 6 fields of arable agricultural land with an internal access track, part of which is an existing track, and drainage ditches.
- 1.2 The site is bound by drains maintained by the Black Sluice Internal Drainage Board. The northern edge of the site is bound by the New Dike Drain; the western boundary is defined by Gravel Dike Drain; and Herring Dike runs north to south along the eastern boundary. The site is bound to the south by Dyke Drove and the site's internal boundaries are defined by internal drains, trees and hedgerows. There is an existing 4.6MW operational solar farm located 1.4km to the south of the site, which was granted planning permission in 2011.
- 1.3 The proposed development site lies outside of the main built-up area of a defined settlement, and therefore, falls to be defined as being located within the Open Countryside. The site is also identified as being within Flood Zone 3 of the Flood Map for Planning and also includes areas of medium risk of surface water flooding. Furthermore, the Natural England Provisional Agricultural Land Classification Maps identify the site as being Grade 2 agricultural land value; a detailed Agricultural Land Classification Survey has been completed as part of the application submission, and this is discussed in further detail below.
- 1.4 The site is not subject to any statutory landscape designations. However, the site is located within the Fens Landscape Character Area (South Kesteven Landscape Character Assessment, 2007), which is defined by large scale open rectangular fields divided by drainage ditches and embanked rivers, with sparse tree and woodland cover.
- 1.5 The site does not contain any designated heritage assets. However, there are a number of designated assets located within the main built-up area of Dyke; including a cluster of 9no. Grade II Listed Buildings. In addition, Car Dyke, south of Dyke, is a Scheduled Ancient Monument, located approximately 630 metres to the west of the site.
- 1.6 The site includes two designated Local Wildlife Sites (LWS), which include Dike Fen Drains LWS, and Gravel Dike and New Dike. There are also a further 8 statutory designated ecological sites within 10km of the site.
- 1.7 There are no public rights of way that cross the site. The nearest are located at Dyke and form a network of routes connecting Dyke to Morton.
- 1.8 The proposed development has not been the subject of any previous planning applications. However, the application proposals have been the subject of an Environmental Impact Assessment [EIA] Screening Opinion (LPA Ref: S24/1052) in August 2024, which concluded that the proposed development was not defined as being EIA development, and therefore, the current application was not required to be accompanied by an Environmental Statement.
- 1.9 In respect of potential cumulative effects, it is appreciated that the current application is one of four solar proposals on the eastern side of Bourne. The current status of these proposals are as follows:
 - LPA Ref: S11/0431 – Limes Farm – approximately 1.4km to the south-east of the current application site. Operational 4.6MW solar farm granted planning permission in 2011.

- LPA Ref: S24/2191 – Limes Farm – approximately 1.2km to the south east of the current application site. Proposed 20MW solar farm with Battery Energy Storage System. Pending Consideration.
- Northorpe Fen Farm – located approximately 3.7km to the south of the current application site. EIA Screening Opinion issued in April 2024. No application has been submitted to date.

2 Description of the proposal

- 2.1 The current application seeks full planning permission for the installation and operation of a solar farm, comprising ground mounted solar photovoltaic panels, including mounting systems, inverters, transformers, substation, underground cabling, stock proof fencing, CCTV, internal access tracks and associated infrastructure for a temporary period of 40 years.
- 2.2 The proposed solar farm is anticipated to have an energy generating capacity of up to 28 megawatts (MW) and would be operational for a temporary 40-year period, with all equipment to be removed from the site at the end of the operational period, and the land subsequently returned to its current agricultural use. The application states that the energy generating capacity of the solar farm would provide the equivalent energy needs for approximately 13,661 homes in the UK.
- 2.3 The application submission has been accompanied by a series of Proposed Plans and Elevations, as well as detailed technical assessments, which indicate that the development would consist of the following:
 - Ground mounted solar array – panels based on a metal mounting structure to form an array, which would be pile driven into the ground. The panels would be tracker panels which would follow the sun throughout the day. The arrays would be positioned with a maximum height of up to 2.9m at the highest point in the day.
 - 6 solar transformers – 2.4m wide, 6.1m length and 2.6m height with finished levels a minimum of 0.3m above ground level.
 - 1 Project Control Room – 3.3m wide, 12m length and 3m height with finished levels a minimum of 0.3m above ground level
 - 1 auxiliary transformer – 2.2m wide, 1.8m length and 2m height with finished levels a minimum of 0.3m above ground level
 - Boundary Fencing – deer fencing, comprising of wooden posts and wire mesh fencing approximately 2km in height.
 - CCTV system – the CCTV system is to be pole or fence mounted around the perimeter of the site at a maximum height of 3.5m
 - Storage container for spare parts
 - Upgrade of site access and internal access tracks to connect the site
- 2.4 The proposed development would connect to the National Grid via the existing Bourne BSP substation located to the west of the centre of Bourne. The cable connection is to be undertaken by the District Network Operator utilising permitted development rights and, therefore, the cable connection route does not form part of the consideration of the current application.

- 2.5 Access to the site for the development is to be taken via an existing agricultural access from Dyke Drove, which currently serves Home Farm. The access is proposed to be widened to accommodate construction traffic, as well as vehicles accessing the site during the operational period; including emergency vehicles if necessary.
- 2.6 The application submission has also been accompanied by a Proposed Landscaping Strategy, which identifies that all existing tree, hedgerow and shrub vegetation will be retained, and new hedgerow planting is proposed to the southern boundary to enhance the east-west hedgerows evident elsewhere along Dyke Drove. New tree and native planting is proposed along the site boundaries to provide further screening. A 5m buffer is proposed around all internal drains, and a 9m buffer is proposed to the IDB ditches to the boundaries of the site. Within and around the PV arrays and infrastructure, the land will be sown with a meadow seed mix and will be managed as a species rich neutral grassland.

3 Relevant History

Application Ref	Description of Development	Decision
S24/1052	Request for an EIA Screening Opinion for the installation of a ground mounted photovoltaic solar farm with grid connection and supporting infrastructure	EIA Not Required 12.08.2024

4 Policy Considerations

- 4.1 **South Kesteven Local Plan 2011-2036 (Adopted January 2020)**
 Policy SD1 – The Principles of Sustainable Development in South Kesteven
 Policy SP1 – Spatial Strategy
 Policy SP5 – Development in the Open Countryside
 Policy EN1 – Landscape Character
 Policy EN2 – Protecting and Enhancing Biodiversity and Geodiversity
 Policy EN4 – Pollution Control
 Policy EN5 – Water Environment and Flood Risk Management
 Policy EN6 – The Historic Environment
 Policy DE1 – Promoting Good Quality Design
 Policy RE1 – Renewable Energy Generation
 Policy ID1 – Infrastructure for Growth
 Policy ID2 – Transport and Strategic Transport Infrastructure
Local Plan Appendix 3 – Renewable Energy
- 4.2 **Design Guidelines for Rutland and South Kesteven Supplementary Planning Document (Adopted November 2021)**
- 4.3 **National Planning Policy Framework (NPPF) (Published December 2024)**
 Section 2 – Achieving sustainable development
 Section 4 – Decision-making
 Section 9 – Promoting sustainable transport
 Section 11 – Making effective use of land
 Section 12 – Achieving well-designed places
 Section 14 – Meeting the challenge of climate change, flooding and coastal change
 Section 15 – Conserving and enhancing the natural environment
 Section 16 – Conserving and enhancing the historic environment

- 4.4 **National Policy Statement for Energy (EN1) (Published November 2023)**
- 4.5 **National Policy Statement for Renewable Energy (EN3) (Published November 2023)**

5 Representations Received

5.1 Bourne Town Council

- 5.1.1 No objections.

5.2 Civil Aviation Authority

- 5.2.1 No comments received.

5.3 Defence Infrastructure Organisation

- 5.3.1 No objections.

5.4 Environment Agency

- 5.4.1 No objection subject to conditions.

5.5 Heritage Lincolnshire

- 5.5.1 No objection, subject to conditions.

5.5.2 A Historic Environment Desk Based Assessment and geophysical survey have been undertaken over the proposed area of the development. A programme of pre-determination archaeological trial trenching was undertaken during August 2024, although the report has not been submitted. The results of the trial trenching evaluation should be submitted to the Local Planning Authority so that an informed decision can be made on any required archaeological mitigation.

5.5.3 A mitigation strategy should be submitted to and agreed by the Local Planning Authority prior to the commencement of any development. The strategy should set out a scheme of mitigation which details how the long-term survival of archaeological remains identified in the area of development will be achieved. The scheme may include proposals for preservation in situ or investigation and recording of archaeological remains, or a combination of both measures.

5.5.4 The strategy should contain illustrations which show the locations of significant archaeological remains set against all areas of proposed impact and ground disturbance. This should include temporary compounds, drainage proposals and landscaping. Consideration should also be given to the impact of construction traffic during development and decommissioning. Written details of construction methods and groundworks should be detailed as part of the process of compiling the strategy. Protected areas should be clearly demarcated and fenced off during construction and decommissioning to prevent incursion into these areas.

5.6 Lincolnshire County Council (Highways & SuDS)

- 5.6.1 No objections.

5.7 Lincolnshire Fire and Rescue

- 5.7.1 No objections.

5.8 Lincolnshire Wildlife Trust

- 5.8.1 No objection.

- 5.8.2 The applicant sought early advice from Lincolnshire Wildlife Trust regarding any potential ecological impacts the solar farm may have, opportunities for biodiversity enhancement and developed an evidence-based strategy to mitigate against the impacts of breeding success of skylarks. The implementation of the latter along with regular monitoring of their breeding success would be a milestone in improving our understanding of solar farm impacts on this ground nesting bird in lowland arable landscapes.
- 5.9 The ecology information and BNG metric includes the drains (watercourses) throughout the site. While watercourse units remain difficult to achieve in reality, habitat enhancement can nevertheless be achieved through sensitive management of bankside vegetation. We understand IDBs are positive towards cutting only one side of ditches under their management per single year. This has been shown to lead to a significant increase in breeding territories of warblers, bunting and waterfowl and will improve habitat connectivity along these easements. We strongly encourage these management practices are implemented across the site with the co-operation of the IDB.
- 5.10 This is an example of a non-NSIP solar farm proposal that has actively looked at opportunities to deliver multiple benefits for people and nature. Seeking early advice on such matters exemplifies this and has demonstrated biodiversity uplift through additional measures additional to that captured in the BNG metric.
- 5.11 **Morton Parish Council**
- 5.11.1 No comments received.
- 5.12 **Natural England**
- 5.12.1 No objections.
- 5.13 **SKDC Environmental Protection**
- 5.13.1 No comments received.
- 5.14 **SKDC Conservation Officer**
- 5.14.1 No objections.
- 5.14.2 The proposed location of the site has limited to no visibility with the nearby listed buildings and will not negatively impact their setting in the village of Dyke.

6 Representations as a Result of Publicity

- 6.1 The application has been advertised in accordance with the Council's Statement of Community Involvement and letters of public representation have been received from 2 interested parties; both of which have raised formal objections. The material considerations raised within the representations can be summarised as follows:
- (1) Impact of the development on agricultural land
- Objection to the use of BMVAL.
- (2) Effect of the development on residential amenity
- Objection to the noise impacts associated with the inverters and tracker panels on residential properties.
- (3) Cumulative Impacts

- Objection to the cumulative impact of the proposed development in connection with the Limes Farm proposal and the Mallard Pass NSIP.

(4) Access and Highways

- Objection to the impact of construction vehicles travelling through local villages and causing damage to local roads.

7 Evaluation

- 7.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that the Local Planning Authority makes decisions in accordance with the adopted Development Plan, unless material considerations indicate otherwise. The Council adopted the South Kesteven Local Plan 2011-2036 on 30 January 2020, and this forms the Development Plan for the District and is the basis for decision-making for the current application.
- 7.2 The Local Planning Authority have also adopted a Design Guidelines Supplementary Planning Document (SPD) (Adopted November 2021), and this document is a material consideration in the determination of planning applications.
- 7.3 The policies and provisions set out in the National Planning Policy Framework (NPPF) (“the Framework”) (Published December 2024), and the National Policy Statements for Energy (EN1) and Renewable Energy (EN3) are also a relevant material consideration in the determination of applications.
- 7.4 **Principle of Development / Effect of the proposals on climate change**
- 7.4.1 The proposed development site is located outside of the main built-up area of an existing settlement within the District, and therefore, falls to be defined as being located within the Open Countryside. Policy SP5 (Development in the Countryside) limits development in such locations to that which has an essential need to be located outside of the existing built form of a settlement. This policy includes support for rural diversification project. The proposed solar farm would be defined as a rural diversification project and, therefore, would be acceptable within this countryside location.
- 7.4.2 The application proposals would have a generating capacity of approximately 28MW and would make a positive contribution towards meeting the national objectives in respect of energy generation and would also be consistent with the principles of the adopted Local Plan, which supports renewable energy generation in principle, subject to material considerations. It is also acknowledged that South Kesteven District Council has formally declared a climate emergency, and has published a Climate Change Strategy (2023) which, amongst other things, seeks to maximise opportunities for the District to become more self-sufficient for energy and to reverse biodiversity loss and expand existing habitats. It also recognises that the development of renewable energy at every level will be important to drive local energy generation and provide a tangible contribution to national net zero targets. These matters are material considerations that weigh in favour of the application.
- 7.4.3 In assessing the application proposals against the specific policy obligations of Policy RE1 (Renewable Energy Generation):
- (a) A detailed Agricultural Land Classification Report has been submitted as part of the application and confirms that 41.64 hectares of the site is classed as Grade 2 (Very Good) quality land and the remaining 12.89 hectares is classed as Grade 3A (Good Quality) land. Therefore, the total 54.53 hectare site is classed as Best and Most Versatile Agricultural Land (BMVAL).

- (b) The application submission has been accompanied by a Statement of Community Involvement, which provides a summary of the consultation undertaken by the Applicant prior to the submission of the application. It is noted that representations received from Bourne Town Council during the course of the application have raised no objections, and there has been a low number of public representations raised objections to the proposals. Therefore, without any significant evidence to the contrary, it can be concluded that the proposed scheme does benefit from support from the affected community.

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

- (c) The application proposals have a generating capacity of up to 28MW and this limit is recommended to be controlled via planning condition. Electricity generated from the development would be transferred to the National Grid at the Bourne BSP substation using permitted development rights.
- (d) The submitted Planning, Design and Access Statement confirms that permission is sought for a temporary period of 40 years from the date of first export of electricity to the National Grid. The Statement also confirms that the site would be decommissioned at the end of the operational period. A condition requiring a decommissioning and restoration strategy to be submitted would ensure that the site is appropriately reinstated at the end of the operational lifetime.
- (e) Other relevant local and national planning policies and the prospective impacts of the development are discussed in further detail below.

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

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

7.5.1 It is noted that representations have raised objections on the basis that the proposed development would result in the loss of an area of BMVAL agricultural land, and the submission documents do not adequately justify the use of BMVAL to accommodate the development.

7.5.2 As outlined above, 41.64 hectares of the site is classed as Grade 2 (Very Good) quality land and the remaining 12.89 hectares is classed as Grade 3A (Good Quality) land. Therefore, the total site is classed as BMVAL.

7.5.3 Policy SP1 requires a sequential approach to the development of BMVAL; with the use of BMVAL requiring robust justification and evidence that there is insufficient lower grade agricultural land to accommodate the development proposal. In this regard, the application has been accompanied by an Alternative Sites Assessment & Site Justification Statement, which outlines the following:

- The starting point for the assessment is the identification of a suitable point of connection with adequate capacity. National Grid confirmed capacity at Bourne BSP substation and did not report sufficient capacity at any further substations at the time of undertaking the search.
- A 6km search radius from the Bourne BSP was used, based on the length of a viable connection route.
- Areas to the east of Bourne are identified on the Provisional Agricultural Land Classification Maps as Grade 2 land quality. The land to the west of Bourne is identified as Grade 3 but is subject to restriction relating to Bourne Wood, Elsea Wood, Round Plantation and Grimsthorpe Park (Grade I Listed Registered Park and Garden).
- 9 alternative areas of approximately 50ha (required to accommodate the scale of development proposed) are identified, which excludes areas of Grade 2 agricultural land. All 9 sites are discounted from further assessment on the basis that the Landowners were contacted and did not express an interest for promoting their land for development. As such, these sites cannot be deemed to be available.
- Northorpe Fen Farm and Limes Farm were identified as being alternative sites, but they also contain Grade 2 quality land on the Provisional Maps, and therefore, it is determined that they are not sequentially preferable to the application site.
- The application site represents approximately 6% of the landowners agricultural holding, and therefore, would not undermine the continued operation of the farm.

7.5.4 Whilst the proposed development would result in the use of Grade 2 (Very Good) quality agricultural land, the submitted assessment has adequately demonstrated that there are no available sites within a reasonable proximity of the proposed grid connection point, which are solely Grade 3 or lower value land. The available sites within the area (Limes Farm and Northorpe Fen Farm) are also shown to include Grade 2 land, and whilst it is possible that these alternative sites would have a lower proportion of BMVAL, it is acknowledged that it is not possible to confirm the proportion of BMVAL without accessing private land to undertake intrusive soil assessments. Appeal decisions have accepted that such an approach would be disproportionate, impractical and unreasonable, and is not the intent of national policy.

7.5.5 Taking all of the above into account, it is the Case Officer's assessment that the submitted Alternative Sites Assessment does provide adequate evidence to demonstrate that the application site is sequentially preferable.

7.5.6 Furthermore, as accepted in the Church Lane appeal decision, whilst the use of higher quality agricultural land is discouraged by the Local Plan and NPPF, the proposed solar development would be for a temporary period of 40 years and, therefore, the agricultural land would not be permanently or irreversibly lost. The current application scheme allows for grazing to occur between and underneath the solar panels, which would allow for the continuation of an alternative agricultural use and also allows for the soil condition and structure to improve through recovery from the current intensive use.

7.5.7 In addition, most of the land will continue to be used for some agricultural purpose during the operational period and can be returned to arable farming at the expiration of the temporary planning permission. Also, it is accepted that the way in which agricultural land is used is not a matter of planning control and, therefore, there is nothing to restrict the

farmer from using the fields subject to the current application for grazing use or even leaving them to fallow. As such, whilst the proposals would limit the ability to carry out arable farming during the operational period, this does not result in the loss of agricultural land.

In view of the above, it is Officers assessment that the proposed development would be in accordance with Policy SP1 and Solar Energy Criteria 9 of Appendix 3 of the Local Plan and therefore does not negatively impact the District's agricultural land asset.

7.6 Effect of the development on the character and appearance of the area

7.6.1 The site is not subject to any statutory landscape designations. However, the site is located within the Fens Landscape Character Area (South Kesteven Landscape Character Assessment, 2007), which is defined by large scale open rectangular fields divided by drainage ditches and embanked rivers, with sparse tree and woodland cover.

7.6.2 The application has been accompanied by a Landscape and Visual Appraisal, which reaches the following key conclusions in relation to the landscape character impacts:

- The key characteristics of The Fens LCA would be unaffected by the development at Day 1. There would be a minimal change to the perceptual qualities where views of the development would be available from the more open locations to the east but limited generally to glimpsed over long distances and filtered by intervening vegetation. The Fens LCA is judged to be subject to minimal change overall in terms of magnitude of landscape effect, resulting in no importance of landscape effects at Day 1 and remaining at Year 15.

7.6.3 In this respect, it is the Case Officer's assessment that the proposed development would invariably result in a change in the landscape character of the application site, as a result of the change of use of the site and the introduction of the proposed large scale energy infrastructure. However, it is the Case Officer's assessment that the topography of the surrounding area, together with the existing and proposed landscaping, would ensure that the extent of landscape impacts would be localised to the application site. As such, the proposed development would not result in any adverse impacts or residual harm to the overall landscape character area.

7.6.4 With regards to the visual impact of the development, it is appreciated that the proposed development would be visible to users of the Public Rights of Way network (PRoW) and road users in the immediate area, as well as residential properties within Dyke. In connection with the effect on these receptors, the LVA provides the following assessment:

- The development would be seen from the PRoW network to the north, north-west and west of the site where the existing vegetated context of the site is perceived, and the landscape generally includes a higher degree of tree and hedge cover than the more open arable landscape of the Fens to the east. No users of the PRoW would experience open and direct views of the development, and none are assessed as experiencing an importance of effect greater than moderate adverse in Year 1 or slight adverse in Year 15.
- The majority of private properties are contained by hedges and garden vegetation that would screen views of the development. Where views are considered likely to be possible, these are likely to result in minimal changes. Taking a precautionary approach, two properties are identified where visual effects may be of a moderate adverse impact at Year 1, however, by Year 15, new planting provided as part of the development would reduce this to slight adverse.

7.6.5 As such, the proposed development would result in a visual impact, which would be reduced through the proposed landscaping mitigation scheme, which can be secured via planning conditions. However, there would remain a residual, minor adverse visual impact and, therefore, the proposed development would be contrary to Policy DE1 of the adopted South Kesteven Local Plan and Section 12 of the National Planning Policy Framework. This policy conflict falls to be weighed in the overall planning balance.

7.7 Flood Risk and Drainage

7.7.1 The site is identified as being within Flood Zone 3 of the Flood Map for Planning and also includes areas of medium risk of surface water flooding.

7.7.2 Local Plan Policy EN5 (Water Environment and Flood Risk Management) and Section 14 of the National Planning Policy Framework require a sequential approach to the location of development, seeking to direct development to the areas of lowest risk of flooding. In addition, the development is also required to pass the exception test, which obliges the Applicant to demonstrate that the development would provide wider sustainability benefits to the community that outweigh the flood risk, and the development will be safe for its lifetime, without increasing flood risk elsewhere.

7.7.3 In connection with the above, the Flood Risk Assessment and Drainage Strategy submitted as part of the application outlines the following:

- The Sequential Test has been carried out as part of the Alternative Sites Assessment, which assesses a number of alternative locations and concludes that the application site is the most suitable.
- Wider sustainability benefits – it is necessary to increase the number of solar farms across the UK to provide renewable energy. This contributes to the reduction of carbon emissions and supports national renewable energy targets. The local community will benefit from the energy produced by the solar farm.
- Safety for the lifetime of the development – The Flood Risk Assessment considers the potential flood risk posed to the site during a 1 in 100 year plus 20% climate change fluvial flood event, with further modelling undertaken to ensure that there is minimal risk to the site during a fluvial breach event. Flood mitigation measures are specified to ensure the safety of the solar panels and the electrical equipment. Furthermore, a drainage strategy has been devised with an attenuation allowance for up to and including the 1 in 100 year + 40% climate change event post development. A Flood Evacuation and Emergency Plan has also been provided for the development.
- In order to mitigate against the risk of fluvial flooding, the majority of essential infrastructure on the site has been located outside the area of risk to ensure that the equipment remains operational throughout any flood event. The easternmost solar transformer is still located within the fluvial flood extent. This transformer has been placed in this location due to operational reasons, as well as site constraints, and therefore cannot be relocated outside of this area. The flood risk to this transport will be dealt with via bunding around the equipment up to 1.25m AOD, which will allow the transformer to remain safely operational during this flood event.
- The primary option for surface water disposal is to use an outfall to a watercourse, subject to an agreement with the LLFA/IDB. There are a number of suitable

watercourses located within the site boundary. It is proposed that surface water will discharge through an unnamed watercourse within the centre of the site.

- 7.7.4 Lincolnshire County Council (as Lead Local Flood Authority) have been consulted on the application proposals and have raised no objections in relation to matters of flood risk. It is noted that matters relating to works to any ditch, dyke or watercourse within the site would require express written consent and also require maintenance of an appropriate 9m easement. The submitted plans demonstrate that this can be accommodated, and they are also regulated through the Land Drainage Act and therefore do not require any further planning control through planning conditions.
- 7.7.5 The Environment Agency (EA) have confirmed that they have no objections subject to conditions requiring the submission of a detailed flood mitigation scheme which outlines measures to ensure that the site will remain operational during any flooding events. This is proposed to be included as a pre-commencement condition and is proposed to require details of any bunds around the operational infrastructure.
- 7.7.6 Conditions are also proposed to require compliance with the submitted Flood Evacuation and Emergency Plan during the operational period of the development. This Plan outlines how the Applicant will sign up to the EA Flood Alert and Warning System and shall display a site notice on the site indicating the live flood alert status. A safe egress point will be maintained from the site to Main Road, Dyke to the west, to ensure that the site remains safe for maintenance operatives during the operational period.
- 7.7.7 Taking the above into account, it is the Case Officer's assessment that the applicant has demonstrated that the site is sequentially preferable and thus has passed the sequential test. In respect of the exception test, the proposed solar farm would provide renewable energy which would provide significant public benefits to justify the need to be located within an area of flood risk, and subject to conditions, the site would remain safe for the lifetime of the development. As such, subject to the imposition of conditions, the proposed development would not give rise to any unacceptable risk of flooding, and therefore, the development would accord with Policy EN5 of the adopted Local Plan and Section 14 of the Framework.

7.8 **Access and Highways Impacts**

- 7.8.1 Access to the site is proposed to be taken via an existing access located on Dyke Drove, to the south of the site, which currently serves Home Farm. The access is proposed to be used for the construction of the proposed development, as well as the operational period, including periodic attendance by maintenance operatives. The proposed access is to be widened at the western radii of the junction onto Dyke Drove to ensure construction/delivery/emergency vehicles can appropriately access the site in a forward gear.
- 7.8.2 Lincolnshire County Council (as Local Highways Authority) have been consulted and have not raised any objections. It is acknowledged that they have requested further information regarding the management of vehicles along Dyke Drove, and it is understood that this is in relation to HGVs used during the construction period. In this respect, it is the Case Officer's assessment that these details would be secured through conditions requiring the submission of a detailed Construction Environmental Management Plan, which is to include details of the vehicle routing and management of construction vehicles to avoid conflicts on Dyke Drove. This is proposed to be imposed as a pre-commencement planning condition.

- 7.8.3 It is noted that public representations received on the application have similarly raised objections on the basis of adverse impacts on amenity resulting from construction vehicles travelling through the local villages. In addition, concerns have been raised about potential damage to roads due to the increase in use by HGVs.
- 7.8.4 In connection with the above, details relating to the routing of construction vehicles would be confirmed by planning conditions requiring the submission of a detailed Construction Environmental Management Plan. Nonetheless, the application has been accompanied by an Indicative Construction Traffic Management Plan, which confirms that construction vehicles will not be routed through Dyke. It is anticipated that construction traffic is to be routed onto Cherry Holt Road and then onto Spalding Road before routing north onto Meadow Drive. Nonetheless, any impacts relating to construction vehicles would be temporary and would not be adequate grounds to warrant refusal of the application.
- 7.8.5 Similarly, in relation to potential damage to roads resulting from intensified use, this is a matter controlled by Section 59 of the Highways Act. An informative is to be included on the decision notice which reaffirms the responsibilities under this Act and the ability for the Highways Authority to recover any costs associated with repairing damage from construction vehicles.
- 7.8.6 In view of the above, the application proposals would not give rise to any unacceptable adverse impacts on highways safety and / or capacity during the construction, operation and decommissioning phases of the development. As such, the application proposals would accord with Policy ID2 of the Local Plan, Solar Energy Criteria 6 of the Renewable Energy Appendix and Section 9 of the Framework.

7.9 Cumulative Impacts

- 7.9.1 It is noted that public representations have raised objections on the basis of the potential cumulative impact of the development, in combination with other proposed solar developments together with the consented Mallard Pass NSIP, on the loss of agricultural land and the landscape and visual impact on the area.
- 7.9.2 As referenced above, it is appreciated that the application scheme is one of four solar developments on the eastern side of Bourne. The current status of the proposals are as follows:
- LPA Ref: S11/0431 – Limes Farm – approximately 1.4km to the south-east of the current application site. Operational 4.6MW solar farm granted planning permission in 2011.
 - LPA Ref: S24/2191 – Limes Farm – approximately 1.2km to the south east of the current application site. Proposed 20MW solar farm with Battery Energy Storage System. Pending Consideration.
 - Northorpe Fen Farm – located approximately 3.7km to the south of the current application site. EIA Screening Opinion issued in April 2024. No application has been submitted to date.
- 7.9.3 The existing, operational 4.6MW solar farm at Limes Farm has been operational for an extended period of time, and as such, the assessments of the current application have accounted for the solar farm within the baseline conditions. As such, the cumulative impacts of the application in associated with the existing solar farm has been included within the respective technical assessments outlined elsewhere within this report.

- 7.9.4 In respect of the other proposals within the Bourne area, these schemes do not currently benefit from planning permission. Therefore, it is not necessary to consider any cumulative impacts associated with those proposals as part of the determination of the current application. In the event that the Committee resolve to approve the current application, the cumulative impacts would be a matter for consideration as part of the subsequent determination of applications for the other sites.
- 7.9.5 Notwithstanding this, the Landscape Visual Appraisal submitted as part of the current application has considered the potential cumulative impact of the other proposed developments. The submitted report concludes the following:
- Given the flat topography and the distance between the application site and the proposed Limes Solar Farm site, and their separation by an expanse of agricultural land including vegetation with proposed setbacks and new planting, it is considered that the potential for cumulative landscape and visual impacts is limited.
 - There is the potential for both developments to be perceived from parts of Bourne Drove and Dyke Drove but this would be likely to be restricted to glimpses of new horizontal built form on Day 1. The lack of elevated landform in the locality means that there are no views across both sites or wider intervisibility between the two that are considered to alter the overall perception of the landscape.
- 7.9.6 In respect of the Mallard Pass Solar Project, which has been formally consented, the application site is sufficiently separated to ensure that there would be no cumulative visual impacts. The submitted representations suggest that there is no justification for additional solar development schemes in view of the large scale nature of the consented NSIP. However, it should be appreciated that the Local Plan adopts a permissive approach to renewable energy proposals, and does not impose any limitations or targets on the level of solar development allowed within the District. The Council have formally declared a climate change emergency and national policy indicates that a step change is required to achieve a reduction in greenhouse gas emissions. As such, the consenting of Mallard Pass does not mean that further solar development proposals cannot be consented.
- 7.9.7 Taking the above into account, it is Officer's assessment that the proposed development would be in accordance with Solar Energy Criteria 3 of the Local Plan Renewable Energy Appendix.
- 7.10 **Effect of the development on biodiversity and ecology**
- 7.11 As outlined previously, the site includes two designated Local Wildlife Sites (LWS), which include Dike Fen Drains LWS, and Gravel Dike and New Dike. There are also a further 8 statutory designated ecological sites within 10km of the site.
- 7.11.1 The application has been accompanied by an Ecological Impact Assessment (MKA Ecology) (November 2024), which outlines the following:
- Five of the ditches on or immediately adjacent to the site form part or all of three Local Wildlife Sites identified for their botanical value. Ditches on site are to be fully retained within the development and development set back by a minimum of 5m and up to 9m in place.
 - The majority of on site habitat is arable cropland. Although of value to certain species, this habitat is not considered to be of high value in itself. Overall impacts upon habitats at the completion phase are therefore considered to be minimal.

- The creation of new habitats, including neutral meadow grassland (precautionary classified as modified grassland in the Metric), woodland, and mixed scrub will lead to a net gain of 62.31% in habitat units. The planting of native hedgerows will result in an overall net gain of 833.20% in hedgerow units, whilst the reduction in riparian encroachment alongside the ditches will result in a net gain of 18.95% watercourse units.
- It is considered that the creation of these new habitats will significantly compensate for the losses that are expected, this is evident given that the trading rules are satisfied.
- A mitigation plan for skylarks has been developed in consultation with Lincolnshire Wildlife Trust. Adjacent land parcels within the same ownership will be used to deliver mitigation for skylarks in the form of plots. The creation of skylark plots will significantly increase the productivity of these species. Plots will be a minimum of 3m wide and 16 sq. metres in area and will be located within nearby land defined as suitable by Lincolnshire Wildlife Trust.
- The creation of 46ha of species rich meadow grassland will result in enhanced foraging opportunity for many bird species.
- In order to minimise risks of impacts to wildlife, and to ensure that ecological features are retained, created and managed effectively, a Construction Ecological Management Plan and Habitat Management Plan and Monitoring Plan will be required.

7.11.2 Lincolnshire Wildlife Trust have been consulted on the application proposals and have not raised any objections. As part of their comments, they have indicated that the current application scheme is an exemplar scheme in relation to delivering biodiversity net gain and ecological benefits as part of a non-NSIP solar development.

7.11.3 Conditions are proposed to required compliance with the submitted Landscaping Strategy Plans, as well as the submission of a detailed Landscape and Ecological Management Plan. Similarly, conditions are proposed to require compliance with the recommendations contained in the Ecological Impact Assessment, including the submission of a Construction and Environmental Management Plan (CEMP). Furthermore, the development is subject to the statutory biodiversity gain condition, which will require the submission of a Biodiversity Gain Plan and Habitat Management and Monitoring Plan prior to the commencement of the development.

7.11.4 In respect of the impact of the proposed development on the existing field boundary hedgerows and trees, the submitted Arboricultural Impact Assessment (AIA) identifies the following:

- Tree protection measures are not required for the majority of the site as works are not located in proximity to trees. The exception is G8 where security fencing is in proximity to trees. It is recommended that this fencing is installed prior to other works in the area and can then act as tree protection fencing.
- Overall, the development will have no significant impact on the arboricultural value of the site.

7.11.5 Taking the above into account, subject to the imposition of conditions, the application proposals would accord with Local Plan Policy EN2, Solar Energy Criteria 7, Section 15 of the National Planning Policy Framework, and the Environment Act 2021.

7.12 Pollution Control

- 7.12.1 Representations received from members of the public have raised objection of the basis of adverse impacts on residential amenity as a result of noise from the operation of the inverters and the solar panels.
- 7.12.2 The proposed solar panels themselves would not emit noise, dust or vibration during the operational period. However, the operation of the solar farm does require the installation of transformers and inverters which would convert the solar energy generated into AC (Alternating Current) to be supplied to the National Grid. The inverters would be operational during daylight periods when the solar panels were generating electricity and would be actively cooled with the operation of fans to control the temperature.
- 7.12.3 The Noise Impact Assessment concludes that the proposed development would generate noise levels that would not exceed background sound levels in the area, and therefore, would not be harmful to residential amenity.
- 7.12.4 The Council's Environmental Protection Team have been consulted on the application and have raised no objections.
- 7.12.5 As such, it is Officers assessment that, the proposed solar operations would not result in any unacceptable adverse impacts on noise sensitive receptors and therefore, would be in accordance with Local Plan Policy EN4 (Pollution Control), Solar Energy Criteria 5 of the Renewable Energy Appendix, and Section 15 of the National Planning Policy Framework.
- 7.12.6 In relation to the potential for noise, dust and vibration to be generated as a result of the construction and decommissioning of the proposed solar farm, the Council's Environmental protection have raised no concerns in relation to the submitted Outline Environmental Management Plan. Conditions are proposed to require the submission of a detailed Construction Environmental Management Plan, prior to the commencement of development, which will reflect any updates to the proposed site layout accounting for the results of the archaeological investigations and any further requirements for surveys to be completed.
- 7.12.7 Furthermore, conditions are proposed to require the submission of a detailed Decommissioning Plan, which will be required to include details relating to decommissioning activities. Conditions are also required for the submission of an Operational Management Plan, which will set out details of any approval for maintenance or repair works, to ensure that these operations do not give rise to any unacceptable adverse impacts on the amenity of residents of the surrounding villages.
- 7.12.8 Taking the above into account, it is Officer's assessment that, subject to conditions, the construction, operation and decommissioning of the proposed solar farm will not give rise to any unacceptable adverse impacts in relation to dust, noise and vibration. Therefore, the application proposals would be in accordance with Local Plan Policy EN4 and Section 15 of the Framework.

7.13 Impact on heritage assets

- 7.13.1 The site does not contain any designated heritage assets. However, there are a number of designated assets located within the main built-up area of Dyke; including a cluster of 9 no. Grade II Listed Buildings. In addition, Car Dyke, south of Dyke, is a Scheduled Ancient Monument, located approximately 630 metres to the west of the site.

- 7.13.2 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 special architectural interest which it possesses.
- 7.13.3 A Historic Environment Desk Based Assessment has been submitted as part of the application, which draws the following conclusions:
- Car Dyke is a Scheduled Monument and is located c. 630m to the west of the site. There does not appear to be any evidence that the scheduled monument extends into the site and the site walkover has not identified any views between the site and the monument. The site is not considered to make a contribution to the scheduled monuments significance.
 - The Assessment has identified three designated and non-designated built heritage assets within a 1km radius of the site. The site is not considered to contribute to the significance of the three built heritage assets and is located within the wider agricultural context to these assets.
 - Whilst the development would result in a change to this agricultural context it is not considered that there would be any harm to the significance of the built heritage assets arising from the development.
 - It is noted that the development has incorporated vegetation planting, appropriate to the surrounding landscape, which would further reduce any visual impact.
- 7.13.4 The Council's Conservation Officer has been consulted on the application and has raised no formal objections.
- 7.13.5 Taking the above into account, it is Officer's assessment that the application proposals would not result in any harm to the setting or significance of the nearby built heritage assets. As such, the application scheme would be in accordance with Policy EN6 of the adopted South Kesteven Local Plan, and Section 16 of the National Planning Policy Framework.
- 7.14 **Impact on archaeological assets**
- 7.14.1 Heritage Lincolnshire (as Local Archaeological Advisors) have been consulted on the application proposals and have confirmed that they have no objections, subject to the imposition of conditions requiring the submission of an archaeological mitigation strategy, areas where remains are to be protected and / or recorded during construction and the safeguarding of areas during construction activities. This is included within the recommended schedule of conditions set out below.
- 7.14.2 Taking the above into account, subject to the recommended conditions, the application proposals would accord with Policy EN6 of the Local Plan, and Section 16 of the Framework in respect of archaeological matters.
- 7.15 **Aircraft Movements and Associated Activities**
- 7.15.1 Criteria 8 of the Renewable Energy Appendix requires proposals to demonstrate that the design and positioning of the proposed solar installation has been carefully considered to avoid the potential nuisance of glint and glare to aircraft movements.
- 7.15.2 In connection with the above, the Ministry of Defence and Civil Aviation Authority have both been consulted on the application and no objections have been received. The MoD have confirmed that they have no concerns in relation to glint and glare impacts.

- 7.15.3 As such, it is Officers assessment that the application proposals would not give rise to any unacceptable adverse impacts on aircraft movements and associated activities, and therefore, the application proposals would accord with Solar Energy Criteria 8 of the Local Plan Renewable Energy Appendix.

7.16 **Other Matters**

- 7.16.1 Lincolnshire Fire and Rescue have been consulted on the application and have raised 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 the Act will be breached in making this decision.

10 Planning Balance and Conclusions

- 10.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that the Local Planning Authority makes decisions in accordance with the adopted Development Plan, unless material considerations indicate otherwise.
- 10.2 The application proposals seek permission for the installation of a solar farm comprising ground mounted solar photovoltaic panels, including mounting systems, inverters, transformers, underground cabling, stock proof fencing, CCTV, internal access tracks and associated infrastructure for a temporary period of 40 years with a generating capacity of up to 28 megawatts (AC).
- 10.3 The proposed development is located within an area of Open Countryside, where Policy SP5 strictly limits development to those which have an essential need to be located within such areas; this includes support for rural diversification projects, such as the current proposals. In addition, Polic RE1 (Renewable Energy Generation) of the Local Plan advocates a generally permissive approach to renewable energy schemes, subject to a series of criteria which consider the site-specific associated with a particular project. As such, the application proposals are acceptable in principle, subject to material planning considerations.
- 10.4 In this context, the application proposals would make an important contribution towards meeting the national objectives in respect of reducing greenhouse gas emissions as set out in the Climate Change Act 2019. On a local level, South Kesteven District Council have formally declared a climate emergency, and the published Climate Action Strategy identifies increasing the provision of sustainable forms of energy as a key action for achieving net zero. These matters are material considerations that weigh in favour of the application proposals.
- 10.5 In respect of the effect of the development on the character and appearance of the area, it is Officers assessment that the proposed development would result in a minor impact on localised visual receptors, as a result of the change of use of the site and the scale of the proposed development. Whilst these visual impacts can be reduced through the submitted landscaping scheme, the application proposals would still result in a minor adverse impact,

contrary to Policy DE1 of the adopted South Kesteven Local Plan and Solar Energy Criteria 1 of the Renewable Energy Appendix.

- 10.6 In respect of whether there are material considerations which indicate that the proposals should be determined other than in accordance with the adopted Development Plan, the electricity generated by the proposed development and the contribution that this makes towards meeting the national and local objectives of reducing reliance on fossil fuels and reducing greenhouse gas emissions is a significant benefit which Officers attribute substantial weight. In addition, the scheme would also achieve a biodiversity net gain which significant exceeds the statutory 10% requirements, and therefore, Officers would attribute this significant weight. It is appreciated that the proposed development would also attract benefits to the local economy in association with the construction of the scheme over a temporary period; accordingly, Officers would attribute this minor weight.
- 10.7 All other impacts assessed above are considered to be capable of being mitigated to a position of being in accordance with the development plan.
- 10.8 Balanced against the proposal would be the minor adverse impacts on the visual appearance of the area.
- 10.9 Taking all of the above into account, it is Officers assessment that the identified policy conflicts within the Development Plan would be outweighed by the benefits. Further, it is Officers' assessment that the balance of material considerations in this case would also indicate that planning permission should be granted.

11 Recommendation

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

Schedule of Conditions

Time Limit for Commencement

Time Limit for Commencement

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

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

Temporary Permission Limits

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

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

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

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

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

Approved Plans

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

- (a) Proposed Site Layout Plan (Ref: INT1002-110 Rev12)
- (b) Compound Area Contextual Elevation Plan (Ref: INT1002-240 Rev06)
- (c) Compound Area (Ref: INT1002-140 Rev0)
- (d) Solar Array Elevation (Ref: INT1002-200 Rev01)
- (e) Project Control Room (Ref: INT1002-221 Rev03)
- (f) Spare Part Container Details (Ref: INT1002-222 Rev01)
- (g) Solar Transformer (Ref: INT1002-223 Rev04)
- (h) Access Track Section Details (Ref: INT1002-230 Rev01)
- (i) Fence & Gates Details (Ref: INT1002-231 Rev02)
- (j) CCTV Pole Mounting Details (Ref: INT1002-232 Rev0)
- (k) Auxiliary Transformer (Ref: INT1002-256 Rev03)

Unless otherwise required by another condition of this permission.

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

Power Output

- 4) The exported output of the solar farm hereby approved must not exceed 28 MW.

Reason: To define the permission and ensure that the output of the proposal remains below the limitations allowed under the Town and Country Planning Act.

Before the Development is Commenced

Heritage / Archaeology

Archaeological Mitigation Plan

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

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

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

Materials Details

- 6) Before any part of the development hereby permitted is commenced, a specification of the materials to be used in the construction of external surfaces of the development shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure a satisfactory appearance to the development and in accordance with Policy DE1 and EN1 of the adopted South Kesteven Local Plan; and to ensure that the development does not result in any harm to nearby heritage assets as required by Policy EN6 of the adopted Local Plan.

Biodiversity / Ecology

Construction Environmental Management Plan

- 7) Before any part of the development hereby permitted is commenced, a detailed Construction Environmental Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The submitted CEMP shall be based on the submitted Indicative Construction Traffic Management Plan (Andrew Moseley Associates) (November 2024) and shall include measures to mitigate against the adverse effects of vehicular movements and noise and means to manage the drainage and ecological impacts of the construction stages of the development. The detailed CEMP shall include:
- a. Details of access construction to ensure that the proposed development can be accessed by emergency vehicles and construction vehicles.
 - b. Construction hours
 - c. The routing and management of all construction vehicles to avoid conflicts on Dyke Drove
 - d. The parking of all vehicles and site operatives
 - e. The loading and unloading of all plant and materials
 - f. The storage of all plant and materials used in constructing the development
 - g. Wheel washing facilities
 - h. Ecological Management Plan, including appointment of an Ecological Clerk of Works, and the implementation of Natural England licences as required.
 - i. Relevant details of the archaeological mitigation strategy for the protection of retained features during the construction period.

The approved CEMP shall be strictly adhered to throughout the construction period.

Reason: To minimise the effects of the construction stage of the development on the highway, and ecological and archaeological assets.

During Building Works

Flood Risk and Drainage

Flood Mitigation Scheme

- 8) The development of the essential infrastructure on site, namely the Project Control Room, Solar Transformer and Auxiliary Transformer, shall not commence until a detailed flood mitigation scheme to ensure that the development shall remain operational during a fluvial flood breach event with a 1 in 1000 (0.1%) chance of occurring in any year during its lifetime, has been submitted to and approved in writing by the Local Planning Authority.

The mitigation scheme shall be implemented as approved and subsequently shall be retained and maintained thereafter for the lifetime of the development.

Reason: To ensure that the development remains operational at times of flooding in accordance with Policy EN5 of the adopted South Kesteven Local Plan, Section 14 of the National Planning Policy Framework and Paragraph 079 of the Planning Practice Guidance.

Biodiversity / Ecology

Ecological Mitigation

- 9) All works on site during the construction period shall be carried out in accordance with the recommendations contained within Section 6 of the Ecological Impact Assessment (MKA Ecology) (November 2024), including reasonable avoidance measures for protected species and the provision and retention of skylark mitigation plots, as detailed in the accompanying appendices.

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

Before the Development is Operational

Landscape and Visual Impact

Landscape and Ecological Management Plan

- 10) Before the solar development hereby permitted is operational, a Landscape and Ecological Management Plan (LEMP) shall have been submitted to and approved in writing by the Local Planning Authority and shall include details of the management and monitoring of the site during the operational period.

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

Landscaping Implementation

- 11) Before the end of the first planting / seeding season following the date when electrical power is first exported ("first export date"), all landscaping works shown on the approved Landscaping Strategy (Huskisson Brown) (Ref: HBA-942-001 (Rev L)) shall have been carried out in full, unless otherwise required by another condition of this permission.

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

External Material Implementation

- 12) Before the development is operational, the external appearance of all built form on the site shall have been completed in accordance with the details approved by Condition 6 above.

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

Access / Highways

Operational Environmental Management Plan

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

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

Flood Risk and Drainage

Flood Warning and Evacuation Compliance

- 14) Before the date of the first export of electricity from the development hereby permitted, the Flood Evacuation and Emergency Plan (Andrew Moseley Associates) (November 2024) submitted as part of the application, shall be implemented and shall be retained for the lifetime of the development.

Reason: To ensure that the safety of all users during the lifetime of the development, as required by the Exception Test for flooding detailed in Policy EN5 of the adopted Local Plan and Section 14 of the National Planning Policy Framework.

Ongoing

Landscape and Visual Impact

Lighting Details

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

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

Compliance with LEMP

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

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

Landscape Protection

- 17) Within a period of five years from the first export date, any trees or plants provided as part of the approved Landscaping Plan that die or become, in the opinion of the Local Planning Authority, seriously damaged or defective, shall be replaced in the first planting season following any such loss with a specimen of the same size and species, unless otherwise agreed by the Local Planning Authority.

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

Early Decommissioning

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

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

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

Standard Note(s) to Applicant

- 1) In reaching the decision, the Council has worked with the applicant in a positive and proactive manner by determining the application without undue delay. As such it is considered that the decision is in accordance with Paragraph 38 of the National Planning Policy Framework (2024).
- 2) 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.

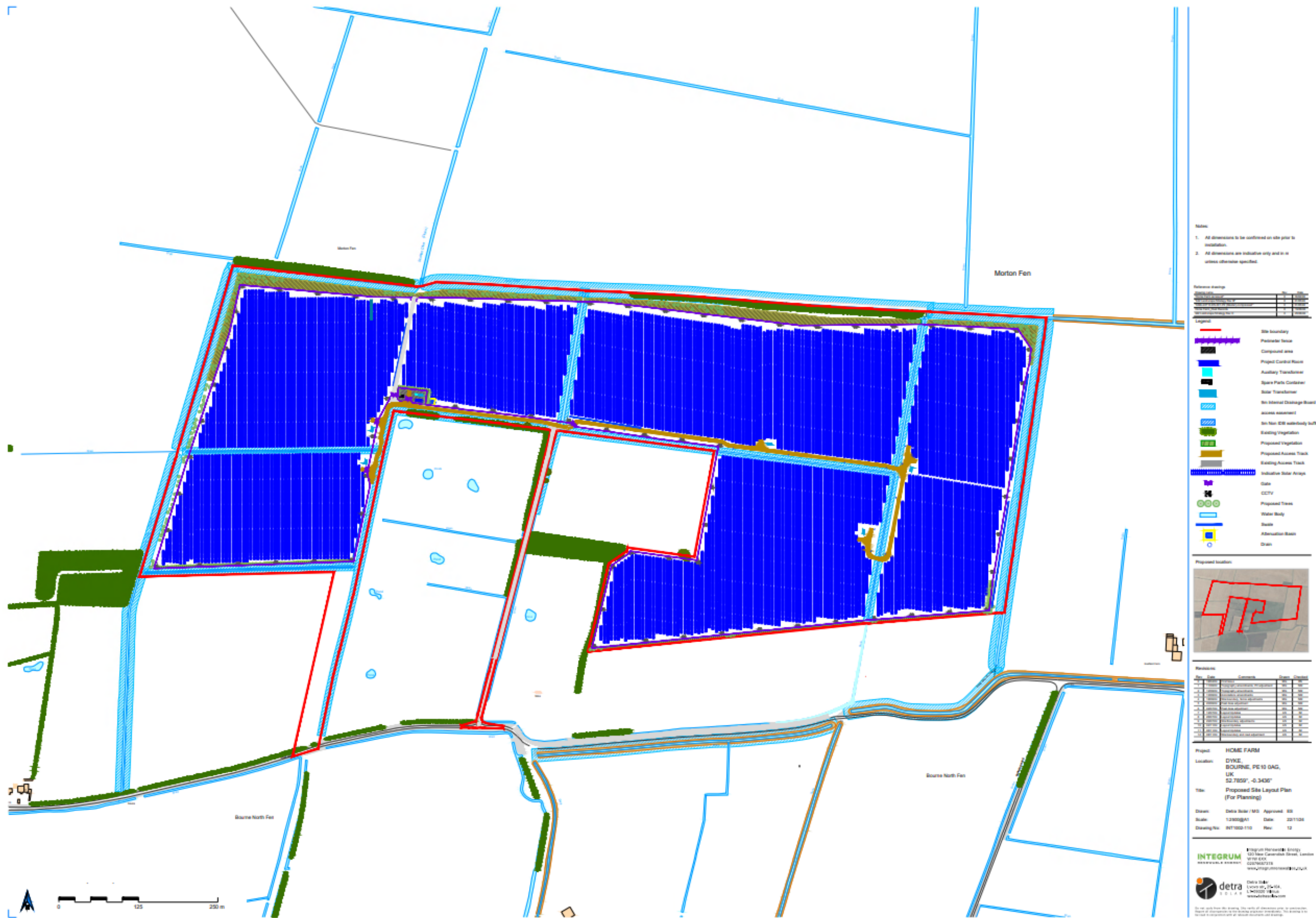
There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. These are listed below.

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 listed below are considered to apply.

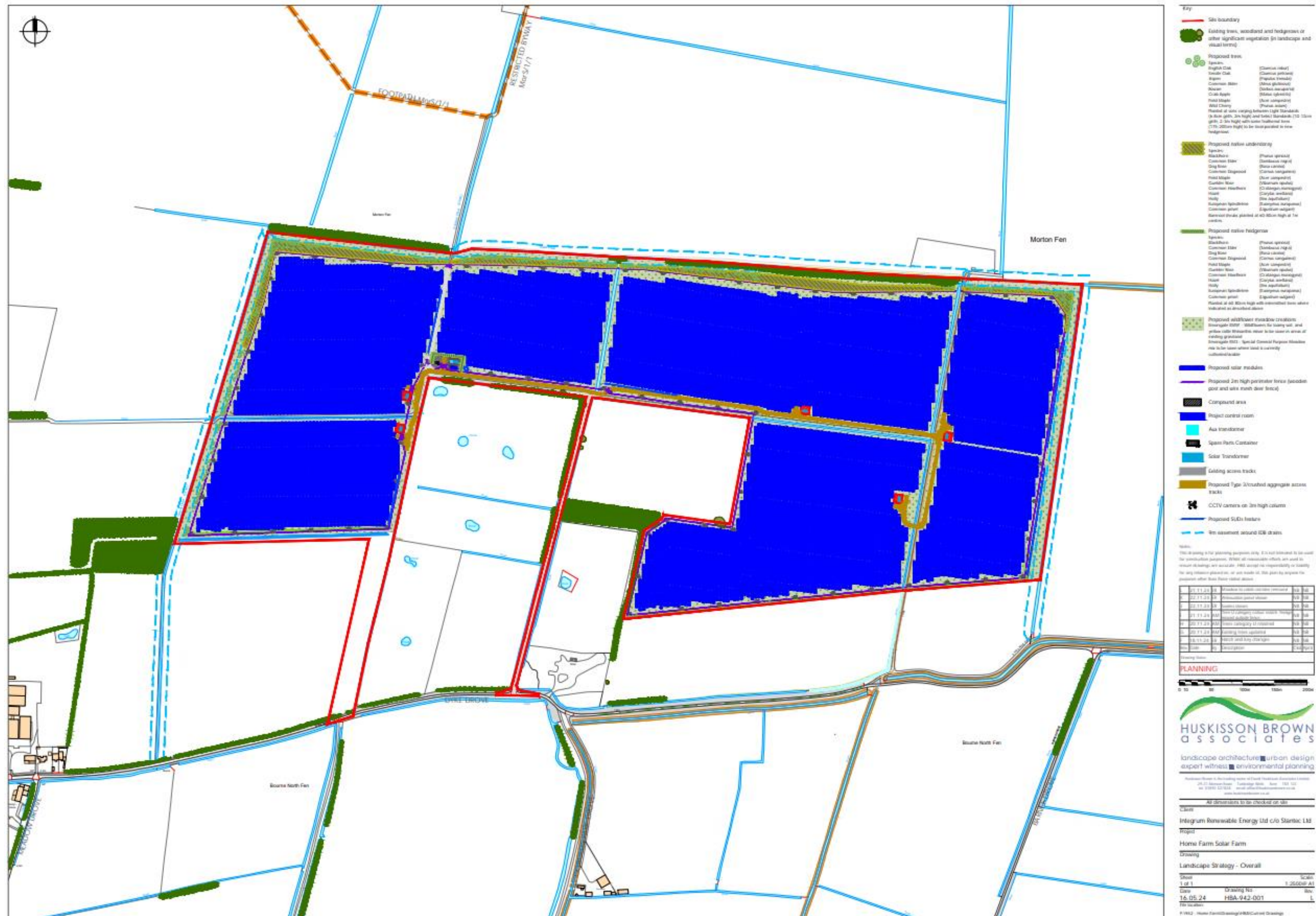
- 3) In accordance with Section 59 of the Highways Act 1980, please be considerate of causing damage to the existing highway during construction and implement mitigation measures as necessary. Should extraordinary expenses be incurred by the Highways Authority in maintaining the highway by reason of damage caused by construction traffic, the Highways Authority may seek to recover these expenses from the developer.
- 4) Please contact the Lincolnshire County Council Streetworks and Permitting Team on 01522782070 to discuss any proposed statutory utility connections, Section 50 licences and any other works which will be required within the public highway in association with the development permitted under this Consent. This will enable Lincolnshire County Council to assist in the coordination and timings of these works. For further guidance please visit the Highway Authority's website via the following link: Traffic Management -

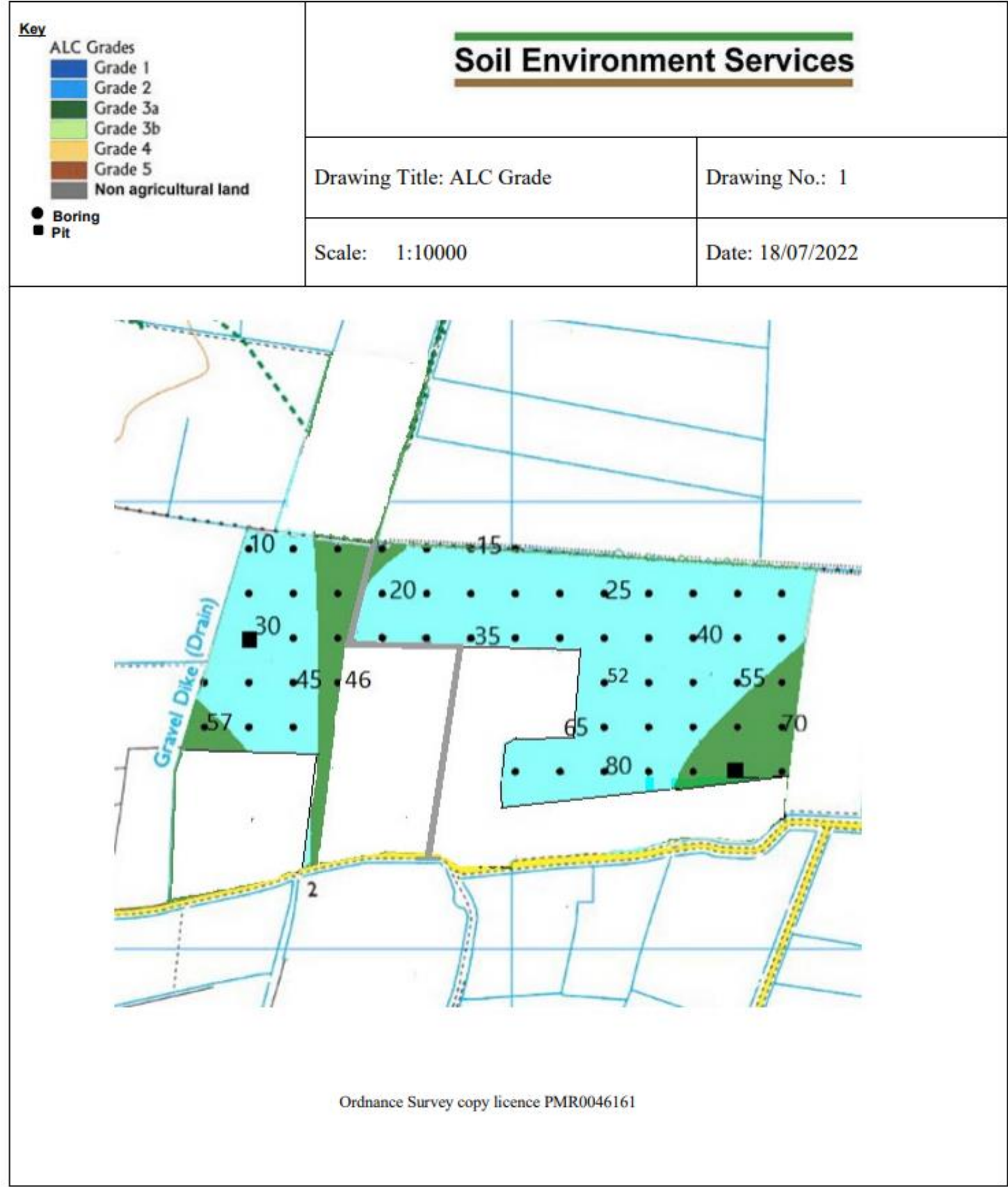
<https://www.lincolnshire.gov.uk/traffic-management>

Proposed Site Layout



92







**SOUTH
KESTEVEN
DISTRICT
COUNCIL**



Planning Committee

6 March 2025

S24/2037

Proposal:	Section 73 application for the variation of condition 2 (approved plans) of planning permission S22/2308 (Erection of 21 affordable dwellings with associated access, landscaping, parking and cycle storage provision)
Location:	Land to the rear of Larch Close and Shaw Road, Grantham
Applicant:	South Kesteven District Council
Agent:	Mr David Parker, Pelham Architects
Application Type:	Full planning permission
Reason for Referral to Committee:	South Kesteven District Council is Landowner and Applicant
Key Issues:	<ul style="list-style-type: none"> Design Quality and Visual Impact Residential Amenity

Report Author

Venezia Ross-Gilmore – Senior Planning Officer



01476 406351



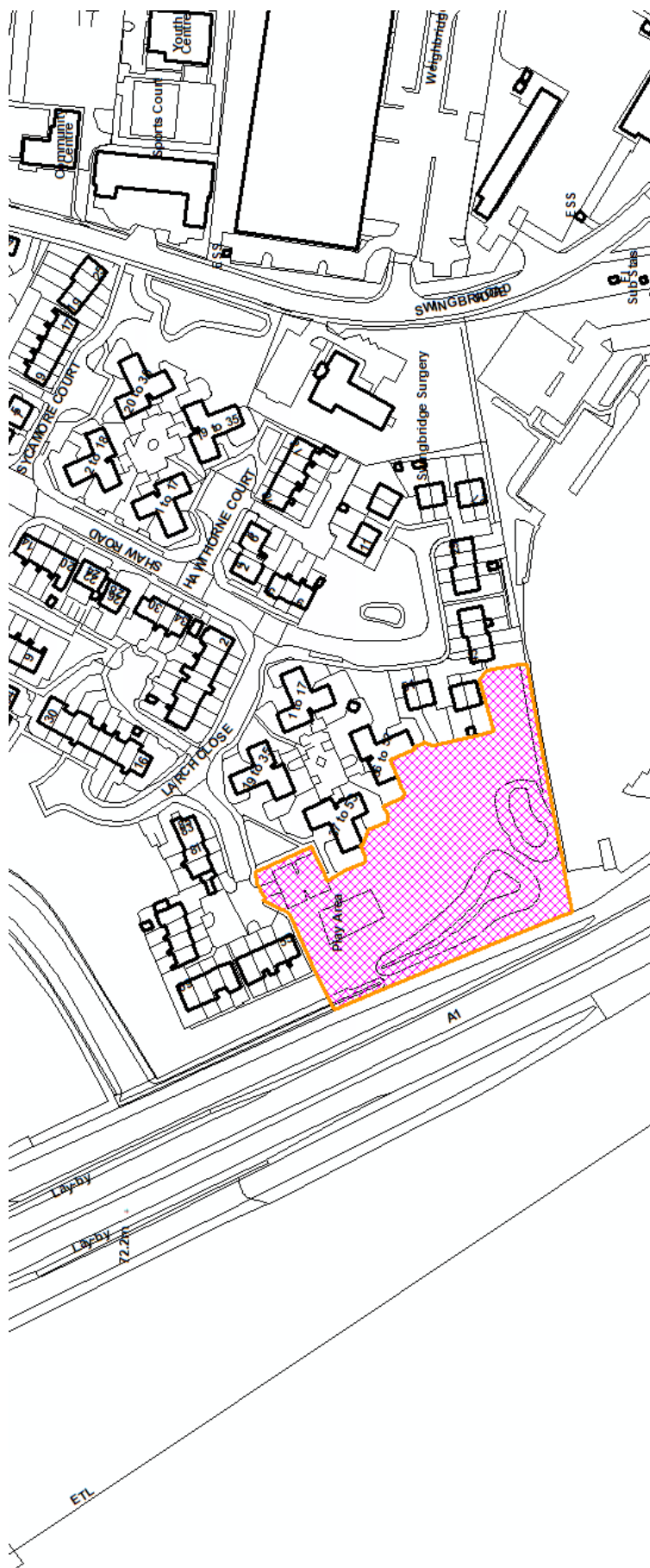
venezia.ross-gilmore@southkesteven.gov.uk

Corporate Priority:	Decision type:	Wards:
Growth	Regulatory	Grantham Earlesfield

Reviewed by:	Adam Murray – Principal Development Management Planner	25 February 2025
---------------------	--	------------------

Recommendation (s) to the decision maker (s)

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



Key



**Application
Boundary**



Reproduced from the Ordnance Survey mapping with the permission of the Controller of Her Majesty's Stationary Office Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. © South Kesteven District Council (2015) - Licence No. 100018662

1 Description of Site

- 1.1 The proposed development site comprises an area of approximately 0.82 hectares (2.02 acres) of irregular shaped land situated to the rear of Larch Close and Shaw Road, positioned to the south-west of Grantham.
- 1.2 The site currently forms an area of informal open space serving the local residents of the nearby residential properties. The site is broadly flat with a gentle fall from north to south.
- 1.3 The application site is bound to the north by existing residential properties which front onto Larch Close, with an informal parking area situated immediately adjacent to the north-east corner of the site; to the west are existing residential dwellings fronting onto Shaw Road; to the south by vacant, former Fenland Foods processing site, which falls within the Earlesfield Industrial Estate; and the site is bound to the west by the A1 trunk road.
- 1.4 The application site benefits from clearly defined boundaries to all sides; to the north and east the site is bound by close boarded fencing marking the rear gardens of the existing residential properties on Larch Close and Shaw Road; to the south, the site is defined by a low-level landscaped bund, with commercial palisade fencing beyond, which separates the site from the vacant employment land. Similarly, to the west, the site boundary is marked by a landscaped bund with mature boundary trees and hedgerow beyond.
- 1.5 There is existing planning permission (**S22/2308**) for the residential development of 21 no. dwellings with associated access, landscaping, parking and cycle storage provision.

2 Description of the proposal

- 2.1 The application seeks to vary condition 2 (approved plans) of planning permission **S22/2308** (Erection of 21 affordable dwellings with associated access, landscaping, parking and cycle storage provision). Planning Condition 2 of **S22/2308** states:

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

- a. Proposed Site Plan (Ref: 004-PL-8635/Rev E)
- b. Proposed Boundary Treatment Plan (Ref: 005-PL-8635/Rev B)
- c. Apartment Block 1 (2-storey) – Proposed Floor Plans (Ref: 104-PL-8635/Rev A)
- d. Apartment Block 1 (2-storey) – Proposed Elevations Plan (Ref: 204-PL-8635/Rev C)
- e. Apartment Block 2 (3-storey) Proposed Floor Plans (Ref: 105-PL-8635)
- f. Apartment Block 2 (3-storey) – Proposed Elevations Plan (Ref: 205-PL-8635/Rev B)
- g. House Type 1 (2-bed) – Proposed Elevations Plan (Ref: 201-PL-8635/Rev B)
- h. House Type 1 (2 bed) Proposed Floor Plans (Ref: 101-PL-8635)
- i. House Type 2 (2-bed) – Proposed Elevations Plan (Ref: 202-PL-8635/Rev A)
- j. House Type 2 (2 bed) Proposed Floor Plans (Ref: 102-PL-8635)
- k. House Type 3 (4-bed) – Proposed Elevations Plan (Ref: 203-PL-8635/Rev B)
- l. House Type 3 (4-bed) Proposed Floor Plans (Ref: 103-PL-8635)
- m. Landscape Masterplan (Ref: D9049.001/Rev B)

- 2.2 The amendments through this planning application will retain the number of units, and the amendments relate to alterations to house types to accord with housing need for the area, and to meet the requirements of the local highway authority. The approved drawings would be replaced with:
- 2860/P 101 C - Proposed Site Plan
 - 2860/P 200 B - Bungalow - Plots 1 & 2
 - 2860/P 201 A - House - Plots 3-8
 - 2860/P 202 A - Apartments - Plots 9-12
 - 2860/P 203 A - Apartments - Plots 13-21
- 2.3 The proposed development would provide 21no. affordable dwellings, which would provide a range of dwelling types:
- 1no. 2-bedroom semi-detached bungalow
 - 1no. 3-bedroom semi-detached bungalow
 - 6no. 2-bedroom semi-detached houses
 - 13no. 1-bedroom apartments
- 2.4 The apartments are provided in two apartment blocks. Apartment Block 1 would be 2-storey and would provide 4 apartments. Apartment Block 2 would be 3-storey and would provide 9 apartments. Therefore, the main variation from the house types provided by **S22/2308**, would be that the site would no longer provide 2no. 4-bedroom houses, with these replaced by the two bungalows.
- 2.5 All the properties are characterised by simple, contemporary architectural design. The apartment blocks have been designed to emulate residential housing in design, and area similarly contemporary. No details have been provided regarding proposed materials, but the proposed materials can be secured by planning condition.
- 2.6 Access to the site is proposed from Larch Close to the northeast, replacing an existing area of parking provision. The road is designed to be a 5.5m wide tarmac carriageway with a turning head positioned in the eastern corner of the site, with a 1.8m footway on the western side of the carriageway. The road would be tree lined on both the east and west side of the carriageway. There is an area of open space to the north of the site, and to the east of the site providing separation from the existing dwellings to the north and east.
- 2.7 The building line will be maintained with the bungalows and dwelling houses fronting the new access road with small front gardens, and off-street parking for 2 vehicles to the east. Each of the bungalows and dwelling houses has a private garden providing amenity space to the west. The apartment blocks are sited to the south of the site with an area of communal gardens / open space to the west of Block 1 and to the southeast of Block 2. This area also includes a cycle store providing space for 9no. bicycles.
- 2.8 There is an area of off-street parking provision to the northeast of the site and further parking related to the apartments to the east and southeast of the site. There are 10 visitor's spaces with 7 to the northeast of the site and a further 3 to the east of the site. There are 13 parking spaces in proximity to the apartment blocks, and 5 of these spaces are accessible.
- 2.9 In respect of proposed boundary treatments, the provided Site Plan details that the site will be landscaped with a 1.8m high close boarded timber fence with hedgehog gaps to the rear gardens and the communal gardens. There will be a 1.2 high close boarded timber fence provided around the apartment bin store. Front gardens will be denoted by a 0.4m high timber knee rail. The eastern boundary of Block 2 will have a 0.4m high timber knee rail to the communal open space.

3 Policy Considerations

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

Policy SD1 – The Principles of Sustainable Development in South Kesteven

Policy SP1 – Spatial Strategy

Policy SP2 – Settlement Hierarchy

Policy SP3 – Infill Development

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 Environment and Flood Risk Management

Policy DE1 – Promoting Good Quality Design

Policy SB1 – Sustainable Building

Policy OS1 – Open Space

Policy GR2 – Sustainable Transport in Grantham

Policy ID1 – Infrastructure for Growth

Policy ID2 – Transport and Strategic Transport Infrastructure

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

3.3 National Planning Policy Framework (NPPF) (Published September 2023)

Section 2 – Achieving sustainable development.

Section 4 – Decision-making

Section 5 – Delivering a sufficient supply of homes.

Section 8 – Promoting healthy and safe communities.

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 15 – Conserving and enhancing the natural environment.

4 Representations Received

4.1 Grantham Town Council

4.1.1 No objections to the proposed change/variation.

4.2 SKDC Conservation Officer

4.2.1 No objections.

4.2.2 *'The site is located to the west of Grantham and is enclosed by the A1 to the west, residential development to the north and east and industrial development to the south. The site is located within 1500m of Harlaxton Manor a Grade II* listed Park & Garden (NHLE 1000982).*

It is proposed to vary condition 2 (approved plans) of planning permission S22/2308 which was for the erection of 21 affordable dwellings with associated access, landscaping, parking and cycle storage provision.

The proposal, whilst located within 1500 metres of the Grade II Registered Park & Garden does not have an impact on the setting of Harlaxton Manor. The proposed development is located on the edge of Grantham and the scale of the proposed development is in keeping with the built*

environment that surrounds it. The A1 trunk road acts as a buffer and the site will be shielded from the A1 by tree planting. There will be no intervisibility between the site and Harlaxton Manor therefore no impact on the assets setting.

The proposal therefore is in line with South Kesteven District Councils Local Plan Policy EN6: The Historic Environment.

Overall, there are no concerns with the proposal on heritage grounds

4.3 Lincolnshire County Council (Highways and SuDS)

4.3.1 No objections

4.4 SKDC Environmental Protection

4.4.1 No further comment to make.

4.5 National Highways

4.5.1 No objections.

4.6 Heritage Lincolnshire

4.6.1 Any variation/removal of conditions attached to S22/2308 should be subject to the provisions of condition 3 requiring a scheme of archaeological works.

4.7 Lincolnshire County Council (Education)

4.7.1 No comments to make.

4.8 Anglian Water

4.8.1 No comments to make.

4.9 Historic England

4.9.1 You do not need to notify or consult us on this application.

4.10 National Grid

4.10.1 There are no National Gas assets affected in this area.

5 Representations as a Result of Publicity

5.1 The application has been advertised in accordance with the Council's Statement of Community Involvement and 2 letters of representation have been received, which has raised objection to the development. The letters of representation have raised the following material planning considerations:

- Concerns expressed regarding the proposed boundary treatment of 1.8m fence adjacent to dwelling on Shaw Road
- Objection to parking spaces in proximity to existing dwelling on Shaw Road
- Raised concerns regarding access being taken from Larch Close and the additional demand for parking provision
- Objection to the loss of the open space, as it is used by local community to walk dogs and for children to play
- Query about employment opportunities for people living in the proposed dwellings
- Comment that Grantham already suffers from traffic congestion.

6 Evaluation

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

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

6.3 In addition, the policies and provisions set out in the National Planning Policy Framework (NPPF) ("the Framework") (Updated December 2024) are also a relevant material consideration in the determination of planning applications.

6.4 Principle of Development

6.4.1 The purpose of an application made under Section 73 of the Town and Country Planning Act 1990 (As Amended) is to vary or remove conditions associated with a planning permission. The LPA is unable to revisit the principle of the development or those issues which are not covered by the conditions, and only minor material changes can be considered.

6.4.2 The relevant condition is condition 2 (approved plans) and this permission seeks alterations to house types to accord with housing need for the area, and to meet the requirements of the local highway authority.

6.4.3 Taking the above into account, the principle of development on the site was established by the extant permission **S22/2308**, and there are only minor amendments proposed to this permission.

6.4.4 The principle of development on the site and the loss of open space provision was established by extant permission **S22/2308**, and the development of the site would be in accordance with Policy OS1.

6.5 Meeting All Housing Needs

6.5.1 The mix of house types has been changed to accord with housing need for the area, and to meet the requirements of the local highway authority. The development would provide:

- 1no. 2-bedroom semi-detached bungalow
- 1no. 3-bedroom semi-detached bungalow
- 6no. 2-bedroom semi-detached houses
- 13no. 1-bedroom apartments

6.5.2 The Strategic Housing Market Assessment (SHMA) 2014 recommends housing provision in the District should be monitored against the following broad mix up to 2036:

	1-bed	2-bed	3-bed	4+ bed
Market	0-5%	30-35%	45-50%	15-20%
Affordable	20-25%	40-45%	25-30%	5-10%

6.5.3 The submitted application proposals would provide the following housing mix:

	1-bed	2-bed	3-bed	4+ bed
Affordable	62% (13 units)	33% (7 units)	5% (1 unit)	% (0 units)

6.5.4 The proposed development would provide a greater number of 1-bedroom dwellings and fewer 2-bedroom dwellings and 3-bedroom dwellings than identified in the recommended housing mix contained in the Strategic Housing Market Assessment. However, the scheme has been revised to contribute towards meeting identified housing needs on the Council's Housing Register and would provide a range of property types and sizes including single storey bungalows, to contribute towards meeting the identified local need for affordable housing.

6.5.5 It is considered that the proposal would be in accordance with Policies H2 and H4 of the adopted Local Plan, and Section 5 of the NPPF.

6.6 Design Quality and Visual Impact

6.6.1 The previously approved plans illustrated a scheme of 21no. affordable housing units, comprised of mixed house types fronting onto the new access road with parking to the east and private gardens to the west. The apartment blocks were to be sited to the northwest and southeast of the site. There would have been communal gardens / open space to the west of the northwest block and to the east of the southeast block. This area also included a cycle store providing space for 9no. bicycles. The proposal was revised during the application process and the proposal maintained the building line of the existing Earlesfield Estate with well-defined and strong character for the streetscene.

6.6.2 The amended design proposes to retain the 21no. affordable housing units but with an amended housing mix. The scheme is illustrated on the submitted Site Plan drawing ref. 2860/P 101 C and shows a similar layout of the development site, with the dwellings fronting the new access road and the access off Larch Close to the northeast of the site.

6.6.3 The house types proposed are traditional semi-detached single storey bungalows, semi-detached two storey dwelling houses, and two apartment blocks. The apartment blocks would be two storey and three storey in keeping with the wider Earlsfield Estate and would take design references from the dwelling houses on the site. The design features include brick detail to the frontage, and a material palette of the local area.

6.6.4 The layout of the development retains the two areas of public open space adjacent to the apartment blocks, as well as private amenity space to the bungalows and dwelling houses on site. There is additional space for off-street car parking and for landscaped areas of grassland and wild flower meadow to the east of the site between the new access road and parking areas and the existing apartment blocks on the eastern boundary. There is an additional area of public open space grassland to the north of the site providing a further buffer between the new dwellings and the existing dwellings on the northern boundary.

6.6.5 There are proposed shrubs and hedgerow denoting boundaries to dwelling amenity space, and a variation of boundary fencing including timber knee rail, and 1.2m and 1.8m high close boarded timber fencing to rear private amenity space. The new access road is tree lined with a native selection of species. There are additional trees proposed within the areas of open space and parking provision to provide a more verdant environment.

6.6.6 By virtue of the design, scale and materials to be used, the proposal would be in keeping with the earlier phases of the development site and would be in accordance with the NPPF Section 12, and Policy DE1 of the Local Plan.

6.7 Impact on Amenity and Neighbouring Uses

- 6.7.1 The proposal includes amendments to house types, with the numbers of dwellings remaining the same as the extant permission. The proposed layout has been altered so that the proposed single storey bungalows and the dwelling houses are situated to the north and centre of the site, and the two apartment blocks are sited to the south of the site. The apartment blocks no longer include internal balconies. The proposed car parking provision to the east of the site remains as the extant planning permission with only minor amendments.
- 6.7.2 A representation has been received on the application which raised objection to the proposed boundary treatment of 1.8m fence adjacent to a dwelling on Shaw Road, and to the parking spaces in proximity to an existing dwelling on Shaw Road.
- 6.7.3 The proposals retain boundary screening as previously approved, with proposals for new planting of hedgerow, and trees and proposed boundary fencing. It is considered that the boundary treatments and new planting will provide an acceptable level of screening and verdant environment for the inhabitants of the new development and neighbouring dwellings.
- 6.7.4 The new layout proposes car parking spaces in the same location of the site as previously approved. The parking will be to the back of rear gardens with the gardens providing separation and the boundary treatments screening. There is one area of parking adjacent to the existing apartment building fronting Shaw Road, however, this is again separated by vegetative planting, and is not considered that this will have an adverse impact on the amenity of the neighbouring residential use.
- 6.7.5 The amendments to house types and the site layout are not considered to be a significant adverse impact on the streetscene or the character of the surrounding area. It is the officer's assessment that the layout would be acceptable in terms of the impact on residential amenity of future residents, and there are no concerns with the amenity of neighbouring dwellings on Larch Close or Shaw Road, in terms of loss of privacy and loss of light from overshadowing. The dwellings are positioned to maximise separation from the residential uses to the north and east of the site, with the proposed access road and parking areas.
- 6.7.6 The development amendments have provided sufficient amenity space suitable for the housing use, and incorporate planting where appropriate. All the dwelling houses and the bungalows benefit from private amenity space to the rear of the dwelling. The apartment blocks also benefit from communal garden areas to the rear or side of the building. It is the officer's assessment that the proposed dwellings would benefit from a proportionate level of private amenity space.
- 6.7.7 The Environmental Protection Officer was consulted, and raised no comments. Planning conditions were secured on the previous permission S22/2308 in regards to the impacts of construction activities on residential amenity, and proximity to the A1 and the requirement for an update Noise Impact Assessment, and suitable scheme of mitigation. It will be necessary to update this condition on this s73 application.

The proposal is therefore considered to comply with Local Plan Policy DE1, and the NPPF (section 12).

6.8 Access, Highways Impacts and Parking

- 6.8.1 It is proposed to access the site via an extension of the existing road Larch Close. The proposed junction has been amended from the previous approval to meet the requirements of Lincolnshire County Council for adoption. The proposed carriageway would be 5.5 metres wide and with a 1.8m wide footway on the western side of the carriageway.
- 6.8.2 The proposed layout incorporates sufficient off-street parking with two parking spaces to the site frontage of the two bedroom and three bedroom bungalows, and two bedroom dwelling houses. The apartment blocks would have communal parking in an area to the east and west of the new access road. There would be one parking space per apartment plus visitor parking. Five accessible spaces are provided to the frontage of the apartment blocks.

- 6.8.3 Lincolnshire County Council, as local highways authority, has been consulted and has no objections to the amendments to the layout or access arrangements. Planning conditions were secured on the previous permission S22/2308 in regards to completion of the proposed access road and footways prior to occupation. It will be necessary to update this condition on this s73 application.
- 6.8.4 National Highways has been consulted and has no objections to the amendments to the development.
- 6.8.5 The proposal would therefore be acceptable and would not have an unacceptable adverse impact on highway safety in accordance with Local Plan Policy ID2 and Section 9 of the NPPF.
- 6.9 Impact on Biodiversity, Ecology and Trees**
- 6.9.1 An ecology survey was undertaken and a Preliminary Ecological Appraisal report provided with the submission of the original application S22/2308. The report identified key considerations and recommended mitigation measures. Bird boxes will be secured by planning condition on the proposed and existing trees within the open space.
- 6.9.2 Additionally, this application was submitted with an updated Site Plan drawing reference. 2860/P101C, containing landscape information. The drawing illustrated the site will have areas of wildflower planting, grass seeded public open space and gardens, and a variety of planted shrubs, native hedgerow and native trees to the boundaries and private amenity space. There will be native hedgerow along the northern and southern boundaries of the site. The open space to the north of the site will be grass seeded with native trees. To the east of the site there will be an area of wildflower grassland with native tree planting. The embankment to the west will be retained as an ecological corridor, designed to civil engineer design for drainage. Additional shrub planting and tree planting is proposed to landscape the parking areas for visitors and the two apartment blocks.
- 6.9.3 It will be necessary to update the conditions for the development to be carried out in accordance with the ecological mitigation and enhancement measures set out in the Preliminary Ecological Appraisal, and the Site Plan which contains the landscape masterplan.
- 6.9.4 Subject to conditions, the proposal would accord with Policy EN2 and EN3 of the Local Plan, and Section 5 and 14 of the NPPF in respect of ecology and biodiversity.

7 Crime and Disorder

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

8 Human Rights Implications

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

9 Planning Balance and Conclusions

- 9.1 In summary, the details of the house types and layout would result in a high-quality development scheme in the town of Grantham. The minor amendments to the house types and layout on the site are considered to be acceptable and considered to be in line with the existing permission S22/2308.
- 9.2 The amendment to condition 2 (approved plans) is therefore acceptable, and subject to the updated schedule of conditions detailed below.

10 Recommendation

- 10.1 To authorise the Assistant Director-Planning to GRANT planning permission, subject to the following conditions:

Schedule of Conditions

Time Limit for Commencement

- 1) The development hereby permitted shall be commenced before the expiration of three years from the date of the S22/2308 planning 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, drawing ref. 001-(PL)-8635 (received 22/11/22)
 - ii. Proposed Site Plan, drawing ref. 2860/P 101 C (received 26/11/24)
 - iii. Bungalow Plots 1 & 2, drawing ref. 2860/P 200 B (received 26/11/24)
 - iv. House Plots 3-8, drawing ref. 2860/P 201 A (received 26/11/24)
 - v. Apartments Plots 9-12, drawing ref. 2860/P 202 A (received 26/11/24)
 - vi. Apartments Plots 13-21, drawing ref. 2860/P 203 A (received 26/11/24)

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

Archaeological Investigation

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

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

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

Construction Management Plan

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

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

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

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

Noise Impact Assessment Update

- 5) Before the development hereby permitted is commenced, a comprehensive noise assessment to determine the level of noise both internally and externally, shall have been completed in accordance with a scheme to be agreed in writing by the Local Planning Authority.

The written report(s) shall identify and consider the potential impacts on all identified receptors. All investigations must be carried out in accordance with the current best practice, and the written reports shall be submitted to and approved in writing by the Local Planning Authority.

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

Drainage Strategy

- 6) Before the development hereby permitted is commenced, a scheme for the treatment of surface water drainage shall have been submitted to and approved in writing by the Local Planning Authority. The scheme shall be based on the submitted Proposed Drainage Strategy (Ref: B24598-JNP-92-XX-DR-C-2002-P01) and the details must:
 - a. Be based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development.
 - b. Provide flood exceedance routing for storm events greater than the 1 in 100 year event.
 - c. Provide details of how run-off will be safely conveyed and attenuated during storms up to and including the 1 in 100 year critical storm event, with an allowance for climate change, from all hard surfaced areas within the development into the existing local drainage infrastructure and watercourse system without exceeding the runoff rate for the undeveloped site.
 - d. Provide attenuation details and discharge rates which shall be restricted to 2 litres per second.
 - e. Provide details of the timetable for and any phasing of implementation for the drainage scheme; and
 - f. Provide details of how the scheme shall be maintained and managed over the lifetime of the development, including any arrangements for adoption by any public body or Statutory Undertaker and any other arrangements required to secure the operation of the drainage system throughout its lifetime.

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

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

Ground Conditions

- 7) 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 detailed scheme for remedial works and measures to be undertaken to avoid risks from contaminants and / or gases when the site is developed and proposals for future maintenance and monitoring. Such a scheme 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 is suitable for the intended end users; and in accordance with Local Plan Policy EN4 (Pollution Control) and national guidance contained in the NPPF.

During Building Works

Remediation Scheme

- 8) If the Noise Assessment, required under Condition 5 above, determines that remediation is required, before any development above foundation level, a remediation strategy shall be submitted to and approved in writing by the Local Planning Authority.

Thereafter, the development shall be carried out in accordance with the approved noise remediation scheme, including in accordance with any approved phasing scheme.

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

Sustainable Building

- 9) No development above damp-proof course shall take place until details demonstrating how the proposed dwellings would comply with the requirements of Local Plan Policy SB1 have been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of how carbon dioxide emissions would be minimised through the design and construction of the development, details of water efficiency; and the provision of electric car charging infrastructure.

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

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

Construction Hours

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

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

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

Ecological Mitigation

- 11) All works on site, including construction works, shall be carried out in accordance with the recommendations contained within the Preliminary Ecology Report (Andrew Chick) (Dated June 2021), including the installation of bat and bird roosting boxes, provided as part of the submission for S22/2308.

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

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

Previously Unidentified Contamination

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

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

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

Before the Development is Occupied

Noise Validation Testing

- 13) Before any dwelling hereby permitted is occupied, a verification report that scientifically and technically demonstrates the effectiveness of the noise remediation scheme, as required, shall be submitted to and approved in writing by the Local Planning Authority.

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

Shaw Road Pedestrian Crossing

- 14) No part of the development hereby permitted shall be occupied before the works to improve the public highway (by means of an uncontrolled pedestrian crossing connecting people from Shaw Road over Trent Road) has been certified complete by the Local Planning Authority.

Reason: To ensure safe means of connectivity to the permitted development.

Estate Road Surface Levels

- 15) Before any dwelling hereby permitted is occupied, all of that part of the estate road and associated footways that form the junction with Shaw 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 that shall first 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 of time at dissimilar, interim construction levels.

Materials Implementation

- 16) Before the dwellings hereby permitted are first occupied, the external materials must have been completed in accordance with the approved external materials details.

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

Hard Landscaping Implementation

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

Reason: Hard landscaping makes an important contribution to development and its assimilation with its surroundings, and in accordance with Policy DE1 and EN6 of the adopted South Kesteven Local Plan.

Contamination Verification

- 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. As built drawings of the implemented scheme
- c. Photographs of the remediation works in progress; and
- d. Certificates demonstrating that imported and / or material left in situ is free from contamination.

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

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

Ongoing

Soft Landscaping Implementation

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

Reason: Soft landscaping makes an important contribution to the development and its assimilation with its surroundings, and in accordance with Policy DE1 and EN6 of the adopted South Kesteven Local Plan.

Soft Landscaping Protection

- 20) 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, unless otherwise agreed by the Local Planning Authority.

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

SITE LOCATION PLAN



[illegible]

FRONT ELEVATIONS – BUNGALOWS AND HOUSES



Front Elevation
1 : 100



Front Elevation
1 : 100

FRONT ELEVATIONS – APARTMENT BLOCK 1 AND 2



Front Elevation

1 : 100



Front Elevation

1 : 100

Financial Implications reviewed by: Not applicable

Legal Implications reviewed by: Not applicable

This page is intentionally left blank



**SOUTH
KESTEVEN
DISTRICT
COUNCIL**



Planning Committee

6 March 2025

S25/0069

Proposal:	Removal of a modern stud partition to enlarge an existing office and provide additional means of access/escape to the Mayor's Parlour within the Guildhall.
Location:	Guildhall Arts Centre, St Peter's Hill, Grantham, Lincolnshire, NG31 6PY
Applicant:	South Kesteven District Council
Agent:	Steve Saunders of William Saunders
Application Type:	Listed Building Consent
Reason for Referral to Committee:	South Kesteven District Council is the applicant
Key Issues:	Impact on listed building
Technical Documents:	Heritage Statement, Design and Access Statement

Report Author

Ariane Buschmann, Conservation Officer



01476 406 521



Ariane.buschmann@southkesteven.gov.uk

Corporate Priority:

Growth

Decision type:

Regulatory

Wards:

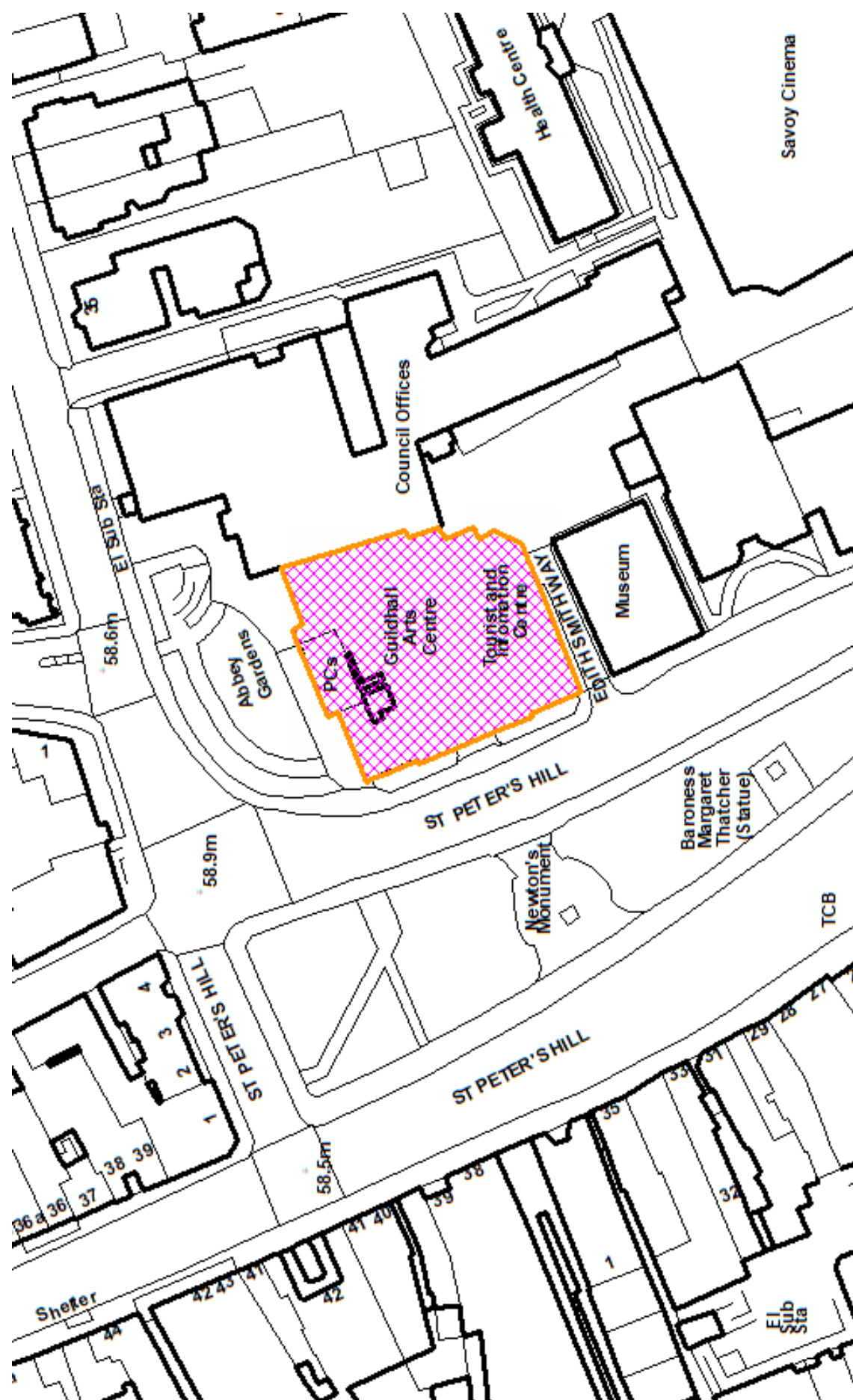
Grantham St Wulfram's

Reviewed by:

Phil Jordan, Development Management & Enforcement Manager 26 February 2025

Recommendation (s) to the decision maker (s)

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



Key

Application
Boundary



1 Description of Site

- 1.1 The application site comprises a Grade II Listed Building (NHLE 1360282). The area affected by the proposed works is associated with the Mayors Parlour, at the north-western corner of the building. The site is located within the Grantham town centre, which falls within the Civic Centre character area of the Grantham Conservation Area.

2 Description of proposal

- 2.1 This application is seeking Listed Building Consent for the removal of a modern stud partition wall to create a larger office space, and to provide an additional means of access and egress to and from the office within the Mayor's Parlour. The proposed works would remove a modern studwork wall which currently separates the office and storeroom. The former storeroom door opening would be maintained and utilised to provide an additional means of access and escape to the office area.

3 Policy Considerations

- 3.1 **South Kesteven Local Plan 2011-2016 (Adopted January 2020)**
Policy EN6 – The Historic Environment
Policy DE1 – Promoting Good Quality Design
- 3.2 **Design Guidelines for Rutland and South Kesteven Supplementary Planning Document (Adopted November 2021)**
- 3.3 **National Planning Policy Framework (NPPF) (Adopted December 2024)**
Section 16 – Conserving and enhancing the historic environment

4 Representations Received

- 4.1 **Grantham Town Council**
4.1.1 No objections.

5 Representations as a Result of Publicity

- 5.1 The 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 **Impact on heritage assets**
- 6.2 The Local Planning Authority is required to ensure that special regard to preserving the Listed Buildings and their settings in relation to Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the 'Act'). No harm should be caused with the historical assets and their surroundings requiring to be preserved or enhanced.

- 6.3 Furthermore, the importance of considering the impact of development on the significance of designated heritage assets is expressed in the National Planning Policy Framework (NPPF). The NPPF advises that development and alterations to designated assets and their settings can cause harm. These policies ensure the protection and enhancement of the historic buildings and environments. Proposals that preserve those elements of the setting that make a positive contribution to or better reveal the significance should be treated favourably.
- 6.4 Policy EN6 of the SKDC Local Plan (The Historic Environment) states amongst other criteria that the Council will seek to protect and enhance heritage assets and their settings, in keeping with the policies in the National Planning Policy Framework. Proposals will be expected to take into account the Conservation Area Appraisals, where these have been adopted by the Council.
- 6.5 The proposed works would remove a very modern plasterboard partition wall, which currently separates a larger room into an office and storeroom. The proposal would maintain the ceiling duct leading to an external vent, installed in 2001 in the course of previous works (S01/LB/5691). The proposed works would restore the previous planform of the room, which would be beneficial to the appreciation of the building. The works would not impact any historic material. There would therefore be no harm to the significance of the designated heritage asset.
- 6.6 As the works are interior only, the proposed works would not impact upon the Grantham Conservation Area.
- 6.7 The works would preserve the heritage asset, by removing a modern partition, and restoring a more accurate floorplan of the building. There would be no loss of historic fabric, and therefore there would be no harm to the significance of the building. As such, the proposed works would preserve the character and appearance of the listed building and accords with Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990, Policy DE1 and EN6 of the South Kesteven Local Plan, and Section 16 of the National Planning Policy Framework.

7 Conclusion

- 7.1 Taking the above into account, it is considered that the proposal would preserve the character and appearance of the listed building in accordance with Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990, Policy DE1 and EN6 of the South Kesteven Local Plan, and Section 16 of the National Planning Policy Framework.

8 Recommendation

- 8.1 To authorise the Assistant Director for Planning to GRANT listed building consent subject to the following conditions:

Time Limit for Commencement

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

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

Approved Plans

- 2 The works hereby consented shall be carried out in accordance with the following list of approved plans and reports:
 - i) Location Plan received 14 January 2025
 - ii) Proposed Ground Floor Plan, Drawing No 12903-WMS-ZZ-00-D-A-10401-S8-P1 received 14 January 2025
 - iii) Heritage Statement received 14 January 2025
 - iv) Design and Access Statement received 14 January 2025

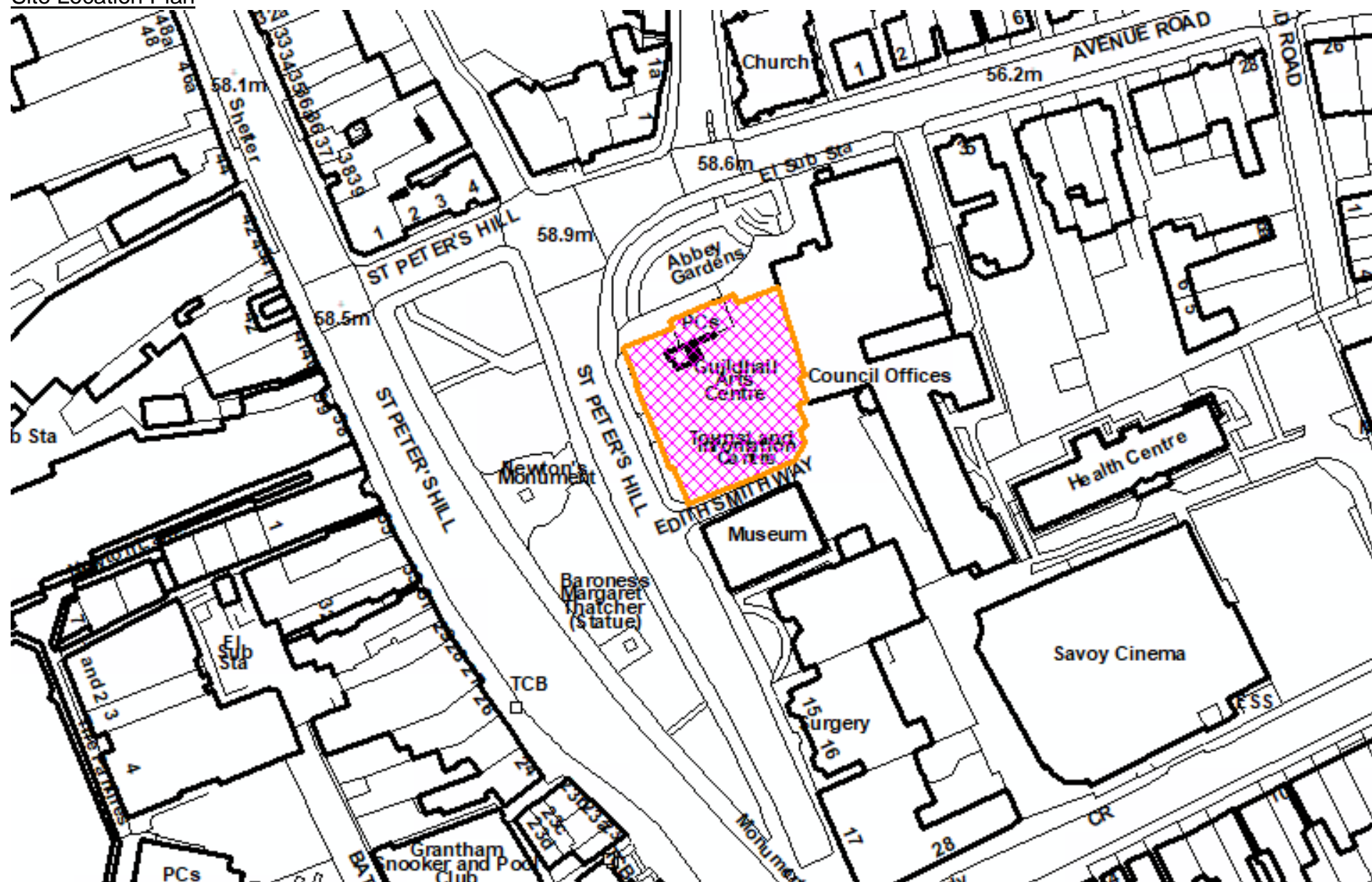
Unless otherwise required by another condition of this permission.

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

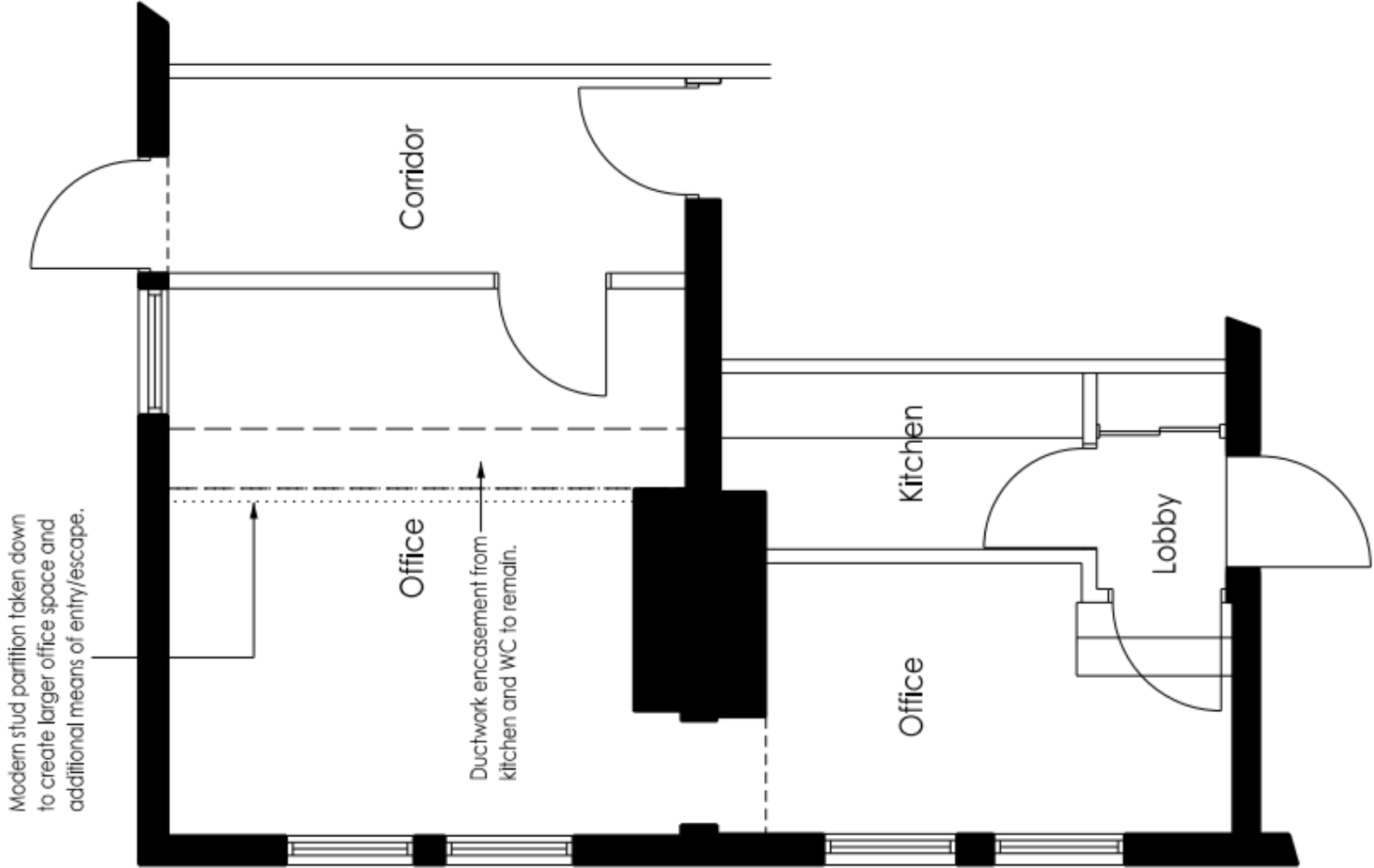
Standard Note(s) to Applicant

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

Site Location Plan



Proposed Works



This page is intentionally left blank