

Planning Committee



SOUTH
KESTEVEN
DISTRICT
COUNCIL

Thursday, 8 May 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 3 April 2025** (Pages 3 - 20)

Planning matters

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

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

- 4.1 **Application S25/0203** (Pages 21 - 43)
Proposal: Change of use from Use Class C3 Residential Dwelling House to Use Class C2 Children's Care Home
Location: 9A School Lane, Colsterworth, Lincolnshire NG33 5NW
Recommendation: To authorise the Assistant Director – Planning & Growth to GRANT planning permission, subject to conditions

4.2 Application S24/2191

(Pages 45 - 76)

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: Land adjacent to Spalding Road, Bourne, Lincolnshire

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

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

Minutes

Planning Committee

Thursday, 3 April 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 Patsy Ellis
Councillor Paul Fellows
Councillor Tim Harrison
Councillor Sarah Trotter
Councillor Max Sawyer

Cabinet Members present

Councillor Phil Dilks (Cabinet Member for Planning)

Officers

Emma Whittaker (Assistant Director of Planning and Growth)
Phil Jordan (Development Management & Enforcement Manager)
Adam Murray (Principal Development Management Planner)
Kevin Cartwright (Senior Planning Officer)
Amy Pryde (Democratic Services Officer)

Paul Weeks (Legal Advisor)

126. Register of attendance and apologies for absence

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

Councillor Max Sawyer substituted for Councillor Vanessa Smith.

127. Disclosure of interests

Councillor Helen Crawford declared an interest on application S24/1842 as she had registered to speak as Ward Councillor, she would not participate in the debate or vote.

Councillor Patsy Ellis declared an interest on application S24/2106 due to being a Director of LeisureSK Ltd. She would not participate in the debate or vote and would leave the Chamber.

The Chairman made the following statement:

‘With regards to item 6 of the Agenda, I make a declaration on behalf of all members that whilst it is acknowledged that the applicant is the Council, this will not affect how members of the planning committee determine the application. All members have been trained and will determine the application in accordance with their planning training and with an open mind. Any member who does not feel they are open minded to determine the application today should make a declaration to that effect and not vote on the application.’

128. Minutes of the meeting held on 6 March 2025

The minutes of the meeting held on 6 March 2025 were proposed, seconded and **AGREED** as a correct record.

129. Application S24/1842

Proposal:	Proposed demolition of existing buildings and erection of new 66 bed care home for elderly people
Location:	The Woodlands, Tarragon Way, Bourne, Lincolnshire
Recommendation:	To authorise the Assistant Director – Planning to GRANT planning permission, subject to conditions and the completion of a Section 106 legal agreement

Noting comments in the public speaking session by:

District Ward Councillor
Against
Applicant

Councillor Helen Crawford
Matthew Barber
Jo Kemp

Together with:

- Provisions within SKDC Local Plan 2011-2036 and National Planning Policy Framework (NPPF).
- No comments received from Environmental Protection Services (SKDC).
- Comments received from LCC Highways & SuDS Support.
- Comments received from NHS Lincolnshire Integrated Care Board.
- Comments received from Lincolnshire Fire and Rescue.
- Comments received from Anglian Water.

- Comments received from Environment Agency.
- No comments received from Lincolnshire Wildlife Trust.
- No comments received from Lincolnshire Police.

During questions to Public Speakers, Members commented on:

- One Member queried the existing parking concerns within the vicinity of the proposal.

The Public Speaker noted that residents and or visitors parked along the road rather than designated parking. Concern was raised on HGV's accessing the proposed site through Tarragon Way, Bourne with vehicles parking along the road.

- A query was raised on a ransom strip within proximity to the site.

It was highlighted the ransom strip was formerly to access the proposed site. The ransom strip had been sold to a third party and was not permitted for any development. It was confirmed that the developer for the ransom strip had declined all offers for any development.

- It was queried how long Coriander Drive, Bourne had been a cul-de-sac for.

The Public Speaker noted that Coriander Drive, Bourne had been a cul-de-sac since it was built around 2002.

- One Member outlined the possibility of land to the north of the proposed site becoming a housing development in the near future, where the cul-de-sac could be used as an access road.

The Public Speaker highlighted that if the ransom strip became available for access to the site, all objections and concerns regarding parking on Tarragon Way would be addressed.

The Assistant Director for Planning and Growth reminded the Committee to determine the application and access proposed on its own merits as set out in the report.

- The Public Speaker was asked whether their concerns on access related to traffic health and safety or the amenity of residents.

The Public Speakers main concern related to the 12-month build period down the cul-de-sac which he felt was not suitable access for a construction site. At present, there were up to 18 cars parking and manoeuvring in the cul-de-sac.

- A Member queried whether the Public Speaker (who occupied near to the proposed site) was aware of the double entrance gate meaning potential development to the north of the site.

The Public Speaker was not aware of the site being used for further development. At present, the double entrance gate was used for the landowner to access a skip and collect waste.

- One Member asked the Applicant whether they had considered gaining access from a nearby roundabout where the access would be direct without disruption to residents.

The Applicant confirmed the previous owners of the house on the proposed site historically did access the site from the nearby roundabout, however, there had been an alternative ownership of land.

- It was queried whether the Applicant had requested permanent access or temporary building access during construction period.

The Applicant confirmed the land in question was preserved POS land. It was clarified that legally the Applicant's could not seek access through the existing access, due to the third-party ransom strip.

The Applicant confirmed they were made aware of residents concerns of access and loss of the driveway through their objections.

- A query was raised on whether the Applicant's had considered providing a small parking allocation within the development for use of the residents.

The Applicant's were happy to liaise with residents and engage with the community throughout the construction phase. It was felt there wasn't enough space on the site to provide parking for residents as well as staff. Temporary parking may be offered to residents during the construction phase of the project.

- Concern was raised on healthy mature specimen trees being cut down. It was queried how many trees would be removed in the process.

The Applicant confirmed 20 trees would be removed in the process, however, they would be planting 95 more trees. Trees would always try to be relocated before removal; however, this was not always possible.

- Whether there would be a limit on the size of vehicles accessing the site during construction phase and whether articulated lorries would need access.

The Applicant clarified that a site access through a residential estate would be limited to a rigid vehicle which were smaller HGV's. Where larger vehicles may be required, the Site Manager would liaise with residents directly to cause minimal disruption.

- Whether there would be any management regarding potential mud and debris on the road leading to and from the site.

It was confirmed the Construction Management Plan included a commitment to the use of a 'wheel wash' on site, alongside dust management techniques and a road sweeper if required.

- It was queried whether there was enough space within the car park for the manoeuvrability of ambulances and fire engines.

The proposal included an ambulance bay/drop-off area outside the main entrance to the building. Vehicle tracking had taking place to ensure a sufficient turning area for a refuse vehicle/fire engine.

- It was queried whether the Applicant's had investigated costs on relocating trees up to 30ft high rather than removing the trees.

The Applicant confirmed wherever possible, trees would be relocated rather than removed his decision would be made on advice provided by an arboriculturist.

- Whether the site would produce the generation of renewable energy and batter storage.

It was confirmed the proposal was for PV panels on the roof and ground source heat pumps which would generate over 70% of the home's energy. The battery storage would store any surplus energy, which could be used when the solar panels were not producing to a capacity due to weather conditions.

During question to Officers and debate, Members commented on:

It was clarified that the construction management plan was conditioned, and the Council would request details, including hours of operation, demolition and construction in liaison with Environmental Protection in relation to noise, disturbance and impact on amenity.

- Whether ornamental would be replaced by native trees, which would mitigate loss.
- It was suggested that the Applicant show sympathy to residents and allow extra car parking spaces for residents, which would assist in reducing problems during the construction period.
- Clarification was sought on whether all trees were ornamental. Concern was raised that established trees be removed and not relocated.

The Senior Planning Officer stated it was unknown whether all trees were ornamental. As part of the planting scheme, a number of extra heavy standard trees would be planted at 4 metres high with the rest being planted at 3 metres high.

- It was queried whether the concerns raised could be included when the construction plan was considered.

(The Committee had a 5-minute recess)

The Chairman clarified that a construction plan had been received, however, if the application was approved as recommended, further points of concern could not be added onto the construction plan. It was highlighted that a request for a new construction plan including concerns raised could be recommended by the Committee.

- One Member queried whether a full report from the Council's Tree Officer could be requested in order to establish the types of trees, and which trees could be relocated.

The Assistant Director of Planning and Growth clarified that the Planning team did not currently have a Tree Officer, however an Officer in a different team would provide support when necessary. It was confirmed that a comprehensive tree survey accompanied the application and no comments had been received from the Tree Officer on the survey.

- That native trees were preferred to enhance wildlife.
- In order to recognise local residents concerns around vehicle movements. The Committee could request a travel plan as a condition in order to emphasise the use of car sharing and public transport.
- Whether the new details of the construction plan could be shared with the Chairman and Vice-Chairman of the Committee and the Assistant Director of Planning and Growth in order to ensure concerns raised have been included.
- It was noted that a biodiversity net gain plan had been provided. It was queried whether net gain would be met on site due to the removal of trees.

The Planning Officer confirmed the 10% biodiversity net gain and plan would need to be demonstrated within the landscaping scheme.

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 legal 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 planning application form, and with the following list of approved plans:

(1) Location Plan

- (2) Proposed Site Plan – Dwg No. PE10 9NJ-A-03-A
- (3) Proposed Elevations – Dwg. No. PE10 9NJ-A-05
- (4) Proposed Floor and Roof Plans – Dwg No. PE10 9NJ – A-04
- (5) Soft Landscape Specification – Dwg. No. MR24-093/101 Rev B

Unless otherwise required by another condition of this permission.

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

Prior to Commencement

3 Before the development hereby permitted is commenced, plans showing the existing and proposed land levels of the site including [site sections, spot heights, contours and the finished floor levels of all buildings] with reference to [neighbouring properties/an off-site datum point] shall have been submitted to and approved in writing by the Local Planning Authority.

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

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

4 Notwithstanding the submitted details before any of the works on the external elevations above damp proof course for the building(s) and the infilling of the boundary wall to the southern elevation hereby permitted are begun, samples of the materials (including colour of any render, paintwork or colourwash) to be used in the construction of the external surfaces shall have been submitted to and approved in writing by the Local Planning Authority.

The development shall be undertaken 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.

Prior to Occupation

5 Prior to the occupation of the development hereby permitted the surface and foul drainage for the site shall be undertaken in accordance with Proposed Drainage Strategy WOBO-BSP-XX-XX-T-W-0001-P04_Drainage_Strategy dated 11 Feb 2025 and retained as such thereafter.

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

6 Prior to occupation of the development hereby permitted the hard landscaping works shall have been undertaken in accordance with Proposed Site Plan – Dwg No. PE10 9NJ-A-03-A and retained as such thereafter.

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.

7 Before any part of the development hereby permitted is occupied/brought into use, the storage of refuse and recycling and cycle storage shall be undertaken in accordance with Proposed Site Plan – Dwg No. PE10 9NJ-A-03-A and retained as such thereafter.

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

8 Before any part of the development hereby permitted is occupied/brought into use, the vehicle parking and turning area shall have been undertaken in accordance with Proposed Site Plan – Dwg No. PE10 9NJ-A-03-A and retained as such thereafter.

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

9 Before the end of the first planting/seeding season following the occupation/first use of any part of the development hereby permitted, all soft landscape works shall have been carried out in accordance with the approved soft landscaping details Soft Landscape Specification – Dwg. No. MR24-093/101 Rev B.

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.

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

11 Within seven days of the new access being brought into use, the existing access onto Tarragon Way (South of the site that serves the dwelling) shall be permanently closed in accordance with details to be agreed in writing with the Local Planning Authority.

Reason: To reduce to a minimum, the number of individual access points to the Tarragon Way in the interests of road safety.

12 No part of the development hereby permitted shall be occupied before the works to improve the public highway by installation of a Zebra Crossing adjacent to the Bus Station have been certified complete by the Local Planning Authority.

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

13 The development hereby permitted shall not be occupied before the 8 pedestrian crossing points over Exeter Street (junction with Tin Lane, junction with Exeter Gardens, junction with Burghley Street, Junction with Exeter Close, junction with Exeter Court, crossings at the with Tarragon Way, junction with St Gilberts Road) have been upgraded to tactile crossing points, to improve the existing footway network for vision impaired pedestrians, they will be provided in accordance with details that shall first have been submitted to, and approved in writing by, the Local Planning Authority. The works shall also include appropriate arrangements for the management of surface water run-off from the highway.

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

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

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

During Construction

15 During any demolition/construction all existing trees and hedges to be retained shall be protected in accordance with Arboricultural Impact Assessment Drawing No. Arbtech AIA 01 Rev A and Tree Protection Drawing No. Arbtech TPP 01 Rev A.

Reason: To ensure a satisfactory form of development.

16 The development hereby permitted shall be undertaken in accordance with the sustainable development design and construction methods as set out in the approved Sustainability Statement – LNT Care Developments dated October 2024.

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.

17 Notwithstanding the submitted details no development (including any site clearance/preparation or demolition works) shall be carried out until a Construction/Demolition Environmental Management Plan has been submitted to the Local Planning Authority for approval in writing. Details shall provide but not limited to the following details, which shall be adhered to throughout the period of development:

- the parking of vehicles of site operatives and visitors;
- loading/unloading and storage of construction materials
- wheel cleaning facilities and road cleaning arrangements;
- measures to control the emission of dust and noise during demolition /construction;
- a scheme for recycling/disposing of waste resulting from site preparation demolition and construction works;
- hours of demolition/construction work, site opening times, hours of deliveries and removal of materials; and
- routing of demolition/construction traffic

Reason: To minimise detrimental effects to the neighbouring amenities and the amenities of the area in general, having regard to Local Plan Policy DE1 and the National Planning Policy Framework.

18 Prior to the occupation/first use of any part of the development hereby permitted, a Full Travel Plan shall be submitted to the Local Planning Authority for agreement in writing. The Full Travel Plan shall be implemented from the date of first use/occupation of the development, and shall be in place/action at all times when the development permitted is in use.

Reason: To ensure that the Travel Plan is developed, adopted, and retained at all times, in order to encourage sustainable modes of transport to and from the site in accordance with the principles of sustainable development as advocated by the NPPF.

Note to Applicant: *The applicant is advised that deliveries to and from the site should not be by articulated heavy goods vehicles during both the demolition/construction phase and operational phase of the development in the interests of the reasonable residential amenity of neighbouring occupiers.*

(The Committee had a 15-minute break)

130. Application S24/1681

Proposal:	Application for the approval of reserved matters relating to access, appearance, landscaping, layout and scale for convenience store (Class E) as part of local centre pursuant to outline planning permission S08/1231
Location:	Land to the west of Penryhn Way, Poplar Farm, Grantham
Recommendation:	To authorise the Assistant Director – Planning & Growth to GRANT reserved matters consent, subject to conditions

Noting comments in the public speaking session by:

Applicant Stuart Bizley and William Lee (Buckminster)

Together with:

- Provisions within SKDC 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.
- No comments received from Anglian Water.
- Comments received from Grantham Town Council.
- Comments received from Lincolnshire County Council (Highways & SuDS).
- No comments received from Lincolnshire Police Crime Prevention Officer.
- No comments received from Lincolnshire Wildlife Trust.
- No comments received from Network Rail.
- No comments received from SKDC Environmental Protection.
- No comments received from SKDC Principal Urban Design Officer.

During questions to Public Speakers, Members commented on:

- Whether the Applicant had any plans to include EV charging points within the proposal.

The Applicant confirmed EV charging points would be included within the car parking area of the proposal.

- One Member sought figures of residents in favour of the proposal.

The Principal Planning Officer clarified the figures had been provided from Grantham Town Council as a consultee. The Council had received 2 comments from members of the public on the application.

- A query was raised on the plans around solar panels and sustainable electricity.

The Applicant confirmed all climate change measures would be driven via policy and the requirements of the end user and occupier.

(A declaration was made that Councillors Charmaine Morgan and Tim Harrison were Members of Grantham Town Council, however, they had not been involved with the application),

During question to Officers and debate, Members commented on:

- That the ground would be levelled and therefore the height of the shop would not impose on any surrounding buildings.
- The local need for a shop in the residential area was highlighted. It was noted that this may encourage more sustainable travel and reduce traffic concerns on Harrowby Road.

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

Approved Plans

- 1) The development hereby permitted shall be carried out in accordance with the following list of approved plans:
 - a.Site Location Plan (Ref: J2138/001/01/Rev A)
 - b.Proposed Block Plan (Ref: J2138/001/03/Rev A)
 - c.Proposed Site Layout Plan (Ref: J2138/001/04/Rev A)
 - d.Proposed Ground Floor and Roof Plan (Ref: J2138/001/06/Rev B)
 - e.Proposed Elevation Plan (Ref: J2138/001/07/Rev A)
 - f. Proposed Colour Elevation Plan (Ref: J2138/001/08/Rev A)
 - g.Proposed Boundary Treatment Plan (Ref: J2138/001/09/Rev A)
 - h.Existing and Proposed Section Plan (Ref: J2138/001/05/Rev A)
 - i. Proposed Planting Plan (Ref: SL0490/02)

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

Residential Amenity

Construction Management Plan

- 2) No works pursuant to this permission, including demolition of buildings hereby permitted, until a 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 construction stages of the permitted development. The submitted document shall include:
 - a.The phasing of the development
 - b.Construction 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. Ecological Management Plan, including appointment of an Ecological Clerk of Works, and the implementation of Natural England licences as required.
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.

Before the Development is Operational

Design Quality and Visual Impact

Landscaping Implementation

- 3) Before the store hereby permitted is first brought into use, all hard and soft landscaping 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.

Landscape and Ecological Management Plan

- 4) Before the store hereby permitted is first brought into use, a Landscape and Ecological Management Plan shall have been submitted to and approved in writing by the Local Planning Authority. The plan shall include:

- a. Long term design objectives
- b. Management responsibilities
- c. Maintenance schedules for all landscaped areas

Thereafter, the development shall be operated and maintained in accordance with the approved Landscape and Ecological Management Plan.

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 of the adopted Local Plan.

Amenity

Delivery Management Plan

- 5) Before the store hereby permitted is first brought into use, a Delivery Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The submitted plan shall include:

- Delivery hours
- Measures to reduce noise impacts during the arrival of delivery vehicles.
- Measures to reduce noise impacts during loading and unloading of delivery vehicles.
- Measures to reduce noise impacts during the departure of delivery vehicles.

Thereafter, the development shall be operated in accordance with the approved Delivery Management Plan for the lifetime of the development, unless otherwise approved in writing by the Local Planning Authority.

Reason: To ensure that the proposed development does not have unacceptable adverse impact on neighbouring amenity in accordance with Policy DE1 and Policy EN4 of the adopted South Kesteven Local Plan.

Lighting Scheme

- 6) Prior to the store being brought into use, details of external lighting, together with times of illumination shall be submitted to and approved in writing by the Local Planning Authority. Once approved the lighting shall be installed and managed in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

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

Flood Risk and Drainage

Drainage Strategy Implementation

- 7) Before the development hereby permitted is first operational, the surface and foul water drainage strategy shall have been completed in accordance with the details shown on the approved plan (Ref: 24B38-DWG-DR-01/P1), unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the development does not give rise to an unacceptable flood risk as required by Policy EN5 of the adopted South Kesteven Local Plan.

Ongoing Conditions

Principle of Development

Change of Use

- 8) Notwithstanding the provisions of Schedule 2 Part 3 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, the premises shall only be used for the purposes specified below and for no other purpose, including any other purposes in Class E of the schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended), unless planning permission for a new use of the premises have been granted by the Local Planning Authority.

- Convenience store (Use Class E(a))

Reason: The use of the premises for any other purpose at this location could result in impacts that would require further assessment by the Local Planning Authority, and may result in conflicts with the outline planning permission.

Design Quality and Visual Impact

Landscape Protection

- 9) Within a period of five years from the store being brought into use, 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 seasons following any such loss with a specimen of the same size and species, unless otherwise agreed in writing by the Local Planning Authority.

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

Amenity

Operational Hours

- 10) The operational hours of the proposed convenience store hereby permitted shall be limited to the following hours:
0700-22:30 hours Monday to Sunday (including public holidays).
Reason: To protect the amenity of neighbouring land uses.

131. Application S24/2106

(Councillor Patsy Ellis left the meeting due to being a Director of LeisureSK Ltd).

Proposal:	Installation of Air Source Heat Pumps and evaporator decks and erection of timber fencing enclosure to rear of the main leisure centre building
Location:	Grantham Meres Leisure Centre, Trent Road, Grantham, NG31 7XQ
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 (NPPF) and Design Guidelines for Rutland and South Kesteven.
- Comments received from LCC Highways & SuDS.
- No comments received from Grantham Town Council.
- Comments received from Cadent Gas.
- Comments received from Lincolnshire Wildlife Trust.
- No comments received from Environmental Protection.

During question to Officers and debate, Members commented on:

- A query was raised as to why the proposal was for air source rather than ground source.

The Principal Planning Officer clarified the application was for an air source heat pump and was a decision of the Applicant's.

- It was queried whether the biodiversity net gain was a strict requirement for the application.

It was confirmed that biodiversity net gain was a mandatory requirement on most planning permissions. The Applicant had covered the requirements in terms via submission of the metric which established baseline details. There was a mandatory pre-commencement planning condition which secured the details of how the net gain would be achieved.

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

Time Limit for Commencement

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

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

Approved Plans

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

Site Location Plan received 12 February 2025

Drawing No.PLO7 Rev P01 External Pod Location

Drawing No.E.2100 Rev P01 External Site Services

Unless otherwise required by another condition of this permission.

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

During Building Works

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

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

Policy DE1 of the adopted South Kesteven Local Plan.

Before the Building 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.

Informatives

1) 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 are considered to apply.

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

There were none.

133. Close of meeting

The Chairman closed the meeting at 15:10.

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**SOUTH
KESTEVEN
DISTRICT
COUNCIL**



Planning Committee

8 May 2025

S25/0203

Proposal:	Change of use from Use Class C3 Residential Dwelling House to Use Class C2 Children's Care Home
Location:	9A School Lane, Colsterworth, Lincolnshire NG33 5NW
Applicant:	Esland North Limited
Agent:	Mr Nathan Turner, Gillings Planning Limited
Application Type:	Full Planning Permission
Reason for Referral to Committee:	Called by Councillor Bellamy citing concerns relating to: <ul style="list-style-type: none"> Residential amenity Road safety and parking
Key Issues:	<ul style="list-style-type: none"> Residential Amenity Highways and Transport
Technical Documents:	Transport Note Parking Plan Swept Path Analysis Flood Risk Assessment Note

Report Author

Venezia Ross-Gilmore – Senior Planning Officer



01476 406419



Venezia.ross-gilmore@southkesteven.gov.uk

Corporate Priority:

Growth

Decision type:

Regulatory

Wards:

Isaac Newton

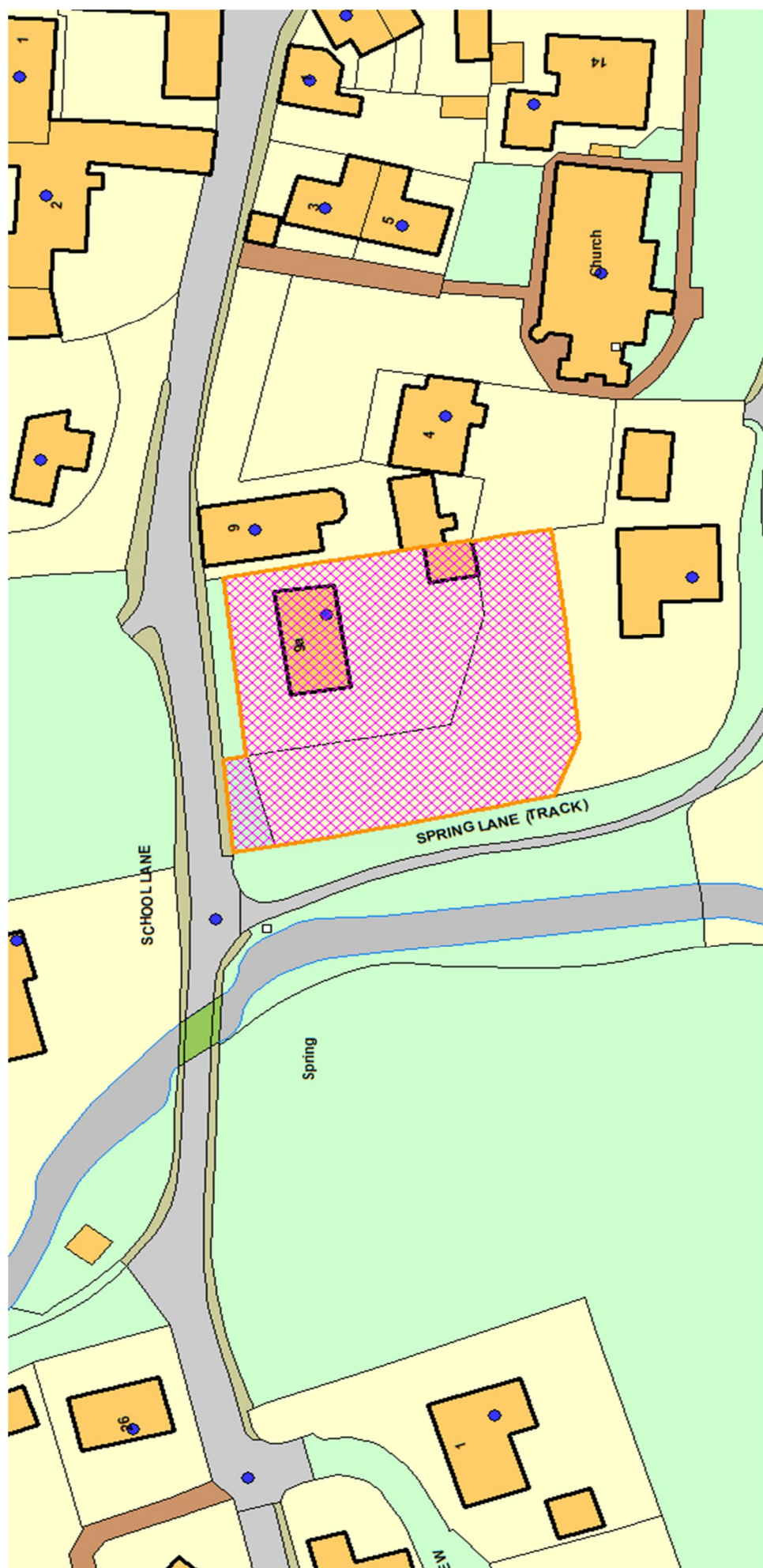
Reviewed by:

Adam Murray – Principal Development Management Planner

29 April 2025

Recommendation (s) to the decision maker (s)

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



Key



Application
Boundary



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1 Description of Site

- 1.1 The application site, no.9A School Lane, is a detached dwellinghouse situated on School Lane, in the village of Colsterworth. The dwelling is central to School Lane, and consists of a 4-bedroom house with a double garage and off-road parking, adjacent to the River Witham. The dwelling has garden amenity space to the front, side and rear.
- 1.2 The surrounding area consists of residential use, with a mainly detached and semi-detached houses or bungalows. The Church cemetery is situated opposite to the application site, with an access off School Lane.

2 Description of the Proposal

- 2.1 The planning application seeks a proposed change of use from a Residential Dwellinghouse (Use Class C3) to a small Children's Home (Use Class C2) for 2 children.
- 2.2 Class V of the General Permitted Development Order is a mechanism to create a dual-use planning permission, and in effect planning permission is sought for the change of use to two separate planning uses that can be used interchangeable over a 10-year period. After this time period, the authorised use will be the last use on the relevant date.

3 Policy Considerations

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

Policy SD1 – The Principles of Sustainable Development
Policy SP1 – Spatial Strategy
Policy SP2 – Settlement Hierarchy
Policy SP3 – Infill Development
Policy H4 – Meeting All Housing Needs
Policy EN5 – Water Environment and Flood Risk Management
Policy DE1 – Promoting Good Quality Design
Policy SB1 – Sustainable Building
Policy ID2 – Transport and Strategic Transport Infrastructure

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

3.3 National Planning Policy Framework (NPPF) (Updated December 2024)

Section 2 – Achieving sustainable development
Section 9 – Promoting sustainable transport
Section 12 – Achieving well-designed places
Section 14 – Meeting the challenge of climate change, flooding and coastal change
Section 16 – Conserving and enhancing the historic environment

3.4 Colsterworth and District Neighbourhood Plan 2016-2026

Policy 1 – Residential Development

Policy 7 – Heritage Assets

4 Representations Received

4.1 Historic England

Do not wish to comment.

4.2 SKDC Environmental Protection

No comments to make.

4.3 Lincolnshire County Council Highways

No objections.

Comments

'Having given due regard to the appropriate local and national planning policy guidance (in particular the National Planning Policy Framework), Lincolnshire County Council (as Highway Authority and Lead Local Flood Authority) has concluded that the proposed development would not be expected to have an unacceptable impact upon highway safety or a severe residual cumulative impact upon the local highway network or increase surface water flood risk and therefore does not wish to object to this planning application.

As Lead Local Flood Authority, Lincolnshire County Council is required to provide a statutory planning consultation response with regard to drainage and surface water flood risk on all Major applications. This application is classified as a Minor Application and it is therefore the duty of the Local Planning Authority to consider the surface water flood risk and drainage proposals for this planning application.

The proposal is for the change of use from a residential dwelling to a children's care home for two children. It is proposed to utilise the existing access which meets the guidelines as set out in Manual for Streets and adequate provision for car parking is proposed within the limits of the site. Lincolnshire County Council does not have adopted parking standards and considers each application on its own merits. This proposal has 5 spaces, which is considered to be an appropriate level of parking. Therefore, it is considered that these proposals would not result in an unacceptable impact on highway safety.

The proposals are served by School Lane which has existing problems with regards to the condition of the road. The traffic impact of the development is estimated at 14 vehicles per day, this level of traffic does not require improvements to the highway which meet the CIL tests of being necessary, fair and reasonable and directly related.

There is no precise definition of "severe" with regards to NPPF Paragraph 116, which advises that "Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network, following mitigation, would be severe, taking into account all reasonable future scenarios." Planning Inspector's decisions regarding severity are specific to the locations of each proposal, but have common considerations:

- *The highway network is over-capacity, usually for period extending beyond the peak hours*

- *The level of provision of alternative transport modes*
- *Whether the level of queuing on the network causes safety issues.*

In view of these criteria, the Highways and Lead Local Flood Authority does not consider that this proposal would result in a severe impact with regard to NPPF'.

4.4 **Environment Agency**

No objections.

'Whilst the red line boundary includes areas within Flood Zone 2 of our Flood Map for Planning, the proposed change of use is located within Flood Zone 1.

Furthermore, as the proposal is a change of use from a 'more vulnerable' use (dwellinghouse) to a 'more vulnerable use' (children's care home), and therefore does not propose an increase in risk to people, we do not wish to object to the application'.

Provided Informative comments regarding signing up for flood warnings, and information on the Environment Agency website.

4.5 **Colsterworth Parish Council**

Objections.

Comments:

'1. We would like to thank SKDC as the Planning Authority for extending the deadline for our comments to 22 April 2025 to take account of the strength of opposition to this proposal and late notification for consultation.

2. At our meeting on 01 April 2025, the Parish Council resolved to object to this application following a number of residents raising concerns directly with Councillors at the Public Session. This is also evidenced by the significant, considered and detailed number of responses already registered on the Planning Authority's Planning Portal which we would urge the Planning Authority to give due consideration.

3. We have received representations regarding a number of omissions and inconsistencies in the application with inaccurate/missing information relating to this specific proposed site, therefore, the Parish Council supports this application being considered at full Planning Committee and not delegated to Officers. This will afford the Planning Committee to have a site visit to properly assess the lack of suitability for the change in use from residential to commercial children's home and the impact on the neighbouring residents and wider community. We would expect this to consider:-

- Disruption from increased traffic both in volume and time of day (e.g., school runs, staff movements - in the morning and late at night)*
- Unrealistic estimates of traffic volume.*
- Unrealistic/unsafe parking plan on the property.*
- Narrowness of School Lane as well as issues with the junction at the top with a very busy High Street*
- The increase in traffic and road safety and suitability of the Lane (particularly when icy or flooded.*
- The parking arrangements at the property and safe entry/egress*
- Access for utility and emergency services*
- The physical alterations in adapting the home to provide certain levels of care and safety for the most vulnerable of residents (e.g., additional lighting, CCTV, fire points)*

- Noise and disturbance (from traffic and light pollution)
- Loss of wildlife in the area (there are bats and owls present)
- Overall effects on the area - this includes the character, availability of infrastructure, position, design and external appearance of buildings and landscaping
- Precedents set by other Local Planning committees; the applicant has recently had very similar applications rejected by Melton Borough Council and Huntingdon district councils.

4. Having considered the Amended Application Form, we would specifically question with the Planning Authority the following statements in the application:-

- Recruitment for the home manager has already been undertaken for the change of use to a children's home but the application states no work has already commenced?
- The property has been empty since October 2024 but the application states it is not vacant?
- Vehicle Parking: States existing spaces = 5; this does not seem adequate at staff shift change times and something that conditions will not mitigate?
- Access: There are two entries into the site. One is the long curved vehicle access and the other a flight of steep steps. The nature of these steps might be acceptable to a potential home owner but are they safe for a commercial property and regular use by the residents and staff? The steps seem unsuitable for disabled access. We would ask whether this would impact on the vehicle parking spaces and traffic movements to ensure suitable and safe access?
- Trees and hedges: Has a full tree survey been received or be required bearing in mind that it has been reported that trees and hedges have already been removed? This is important for the local landscape character.
- Biodiversity: Please justify the reason why biodiversity net gain does not apply: the application includes a change of use only for a building and its curtilage, but it still exceeds 25 sq m; the site exceeds 1600sq m? 227 sq m has been stated on the application form as change of use with two additional rooms?
- Waste Storage and collection. As this is a commercial enterprise waste storage and collection should not fall to SKDC therefore, are existing arrangements no longer valid?
- Proposed employees - no estimate given to base the traffic management plan?
- Risk of flood waters: The property is closer to the water course than stated and poses a risk to residents and children.

5. The Parish Council understands that careful consideration is needed when identifying a suitable location for such a facility and the Parish Council would not object/comment on facilities such as this in principle due to the complex and challenging needs of the residents. However, we believe that this is a perceptible change of use and is therefore a material consideration.

6. We would make the following specific representations:-

6.1 Highways Safety and Traffic Levels

The proposed location is on an historical lane in the rural village of Colsterworth off the High Street. The Lane narrows considerably at the point of the property the subject of this application. It has been acknowledged by LCC Highways as having existing problems with the condition of the road which is only partially adopted. We can also confirm that the gradient of the road is hazardous in icy conditions and the Lane is subject to flooding.

The access/egress to/from School Lane at the junction with the High Street has been well documented as a road safety concern for all road users including pedestrians (especially with wheelchairs and pushchairs) and known to LCC Highways as a hazard. This is further exacerbated when there are closures on the A1 and traffic routes itself via the High Street.

The total nature of our Villages also means that these lanes and footpaths are predominantly used as pedestrian access to local amenities, other estates and Villages and this will increase the risks for pedestrians, particularly children and cyclists.

We note the response from Lincolnshire County Council Highways regarding the NPPF paragraph 116 which we believe relates to housing development and main highways however we would suggest that LCC also consider NPPF paragraph 117, particularly in relation to pedestrians using the county lanes and footpaths in the village.

6.2 Effects on the area – this includes the character of an area, availability of infrastructure, density, over-development, layout, position, design and external appearance of buildings and landscaping.

- Unsuitability of a village such as Colsterworth for the children, due to lack of activities and amenities*
- Limited public service support including GP, emergency services, Schools and Police*
- Change of use from family home, when housing is already in short supply (as demonstrated by the allocations required in SKDC Local Plan now being reviewed)'*

4.6 Lincolnshire Police Crime Prevention Design Adviser

No objections.

4.7 Conservation Officer

No objections.

'9A School Lane is situated in the village of Colsterworth to the west of High Street. The application site is bordered by 4 Spring Lane, a Grade II listed building (NHLE 1147318) and is situated within 1500 metres of Easton Park a Grade II Registered Park & Garden (NHLE 1000976). No. 9A is a non-designated heritage asset as part of the Former School (MLI 126720). Previously this building was joined with No. 9 in an L-plan form. A section was demolished to create two detached houses. The Old School Masters House is located to the rear of the buildings.

It is proposed to change the use of the existing dwelling from Use Class C3 (Dwellinghouse) to Use Class C2 (flexible under Part 3 Class V of GPDO) as a childrens care home.

The proposal does not change the footprint of the plot and therefore will have no impact on the non-designated heritage asset, 4 Spring Lane or the setting of Easton Park.

Overall, I have no concerns with the proposal on heritage grounds'.

4.8 Lincolnshire County Council Senior Commissioning Officer

No comments received.

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 32 letters of representation (as of 22/04/25) have been received, raising objection to the development. The letters of representation have raised the following material planning considerations:

- Concerns expressed about possibility of future expansion of the care home to house more children
- No barriers are proposed to the site and concern that children could leave the site
- Loss of family home to commercial property
- School Lane is a steep narrow lane, with partial pavement. Icy conditions make it impassible
- Children pass the site to school and this would increase traffic to the site
- The access driveway is steep and limited visibility – may lead to vehicles reversing off the driveway
- Parking is limited onsite and could not accommodate 5 vehicles
- Site is next to a watercourse
- Children will have complex needs, and a village is not a suitable location
- Vehicle traffic to/from the site will increase as a result of the development and be more than a normal family house
- Concern about increase in disturbance to neighbouring properties from car engines, headlights, car doors, and voices.
- There are no village amenities for children. The village only has two small food shops and a public house.
- Concerns about additional demands on local service providers.
- Loss of privacy from overlooking of adjacent properties
- Concerns about shift changeover; congestion and noise. Shift changeover may impact children walking along School Lane
- There will be visits by health care professionals, Ofsted, tutoring, laundry, cleaning and family, and there is insufficient parking on-site
- Junction onto High Street has poor visibility
- When the A1 is blocked vehicles divert through Colsterworth causing problems for staff.
- School Lane is not gritted in the winter months, and can flood and becomes impassible
- Vehicles have already increased on School Lane due to deliveries and tourism
- Care homes may have more call outs for emergency services
- The church graveyard access is opposite the site, and people park on School Lane
- No security or soundproofing proposed
- Introduces commercial business on a road that is residential
- There is a public footpath at the bottom of the lane to the village hall/social club and this will be impacted by the increase in traffic
- Should be cited in a town where they have facilities available to help and support
- Colsterworth doesn't have a recreational centre, or secondary school for older children

- Will increase vehicle movements early morning and late evening hours
- Vehicle movements per day appear to be underestimated
- Impact on the surrounding wildlife from increase in vehicle movements
- The site is a distance from emergency services for when they are required
- Parking Plan only shows 3 usable spaces. The other two spaces would require excessive movements to access. This would be dangerous to children
- Parking for only staff, the manager and occasional visitor is unrealistic
- Parking on School Lane causes issues for refuse and deliveries as the vehicles cannot pass
- School Lane is an emergency access for the Brunel Avenue estate
- The Church doesn't have parking off-street so visitors use School Lane
- The Church and graveyard are located close to the site and may prove unsuitable attraction to the children. Opportunity for theft and vandalism.
- Flood Map for Planning shows the site is within flood zone 3
- The properties on School Lane are visited by bats, foxes, squirrels, owls, swallows, deer and hedgehogs. These will be impacted by light and noise pollution.
- The change of use will change the appearance of the house, and it is in an area of listed and significantly important buildings for the village.
- The church bells chime every hour, twenty-four hours a day.
- A further care home is not needed in the village as Colsterworth already has a care home facility for adults with special needs
- Congestion on School Lane
- Noise pollution from the children e.g. shouting and swearing, and increased vehicles
- The property will need security lights and this will disturb residents
- Pedestrian access to the property is up a set of steep steps, and could be problematic if there are mobility issues
- There is little difference on the floorplans, and there doesn't appear to be an office. The upper floor has insufficient toilets and bathrooms so they will need to be shared.
- Children should be homed near to family and friends, in familiar locations
- Street lighting and the condition of pavement is poor
- Children could be attracted to the flood waters during a flood event
- The property is of local and historic interest
- Children could be attracted to the A1 which is dangerous
- Risk to neighbours from children's undesirable visitors
- The plan does not show a safe outside activity area
- Vehicles will not be able to arrive and leave in a forward gear as the driveway turning circle is too small.
- Measurements of the parking are not provided.
- Site borders a Grade 2 listed building
- Risk of crime and disorder
- Lack of detail contained in the application form about intended changes e.g. widening the driveway, fencing, security lighting, removal of trees and shrubs, commercial refuse, CCTV, fire safety.
- No ecology survey has been provided
- The application does not comply with the legal publicity requirements
- Application inaccuracies.

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. In this case, the adopted Development Plan consists of the following documents:

- South Kesteven Local Plan 2011-2036 (Adopted 30 January 2020)
- Colsterworth and District Neighbourhood Plan (Made September 2017)

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

6.5 The proposal relates to a proposed change of use from a residential dwelling house to a small residential children's home for two children.

6.6 Policy SP2 (Settlement Hierarchy) identifies Colsterworth as one of the Larger Villages where 'development proposals which promote the role and function of the Larger Villages, and will not compromise the settlement's nature and character, will be supported'.

6.7 The principle of development for the residential use in this location is established with the current dwelling house, and considered under Policy SP3 for Infill development, however this will be a change of use within residential use classes. It is considered that the proposed use of the dwelling for a small residential children's home, providing accommodation for two children, would be of a limited scale and appearance to the existing use. The application site has sufficient amenity space for off-street parking of 5 vehicles and garden space for the children residing in the house. It is likely to have no greater level of impact than the existing residential use of the site in sustainability and amenity terms. The location of the site is considered appropriate as it is situated in an existing residential area, with access to local services and amenities, and this use would be similar in character to the surrounding use.

6.8 Furthermore, Policy H4 (Meeting all Housing Needs) states that new housing proposals shall (a) enable older people and the most vulnerable to promote, secure and sustain their independence in a home appropriate to their circumstances, including through the provision of specialist housing across all tenures in sustainable locations. New housing proposals shall take account of the desirability of providing retirement accommodation, extra care and residential care housing and other forms of supported housing.

6.9 Colsterworth and District Neighbourhood Plan Policy 1 (Residential Development) states that residential development will be supported providing that:

- a) 'It is acceptable infill of up to 10 dwellings that are located within the existing confines of the built-up area;

- b) It is appropriate to its surroundings;
- c) It is in keeping with the Review of the Built Environment of Colsterworth and Woolsthorpe with regards to scale, layout and materials to retain local distinctiveness and create a sense of place;
- d) There is no adverse impact to the Woolsthorpe Conservation Area and the setting of Woolsthorpe Manor;
- e) It encourages the use of existing network of public footpaths to enable access to services and facilities'

The proposed development would be appropriate infill residential development within the village confines, and is a suitable change of use within a residential area. The application site is outside of the Conservation Area and would be an appropriate scale for the location. The site is well connected to the village services with pedestrian footways, and a public footpath in proximity.

Lincolnshire County Council has produced a Children in Care Sufficiency Strategy 2023-2027 which details Lincolnshire's position in terms of children in care. The population of children in care has increased by 10.5% since 2018, and the council is keen to secure high quality placements. The county council is increasing its number of in-house residential children's homes but there is still the requirement for placements in independent children's homes. The county council aims to place children and young people close to home but in 2023 53% of independent residential care placements were not in Lincolnshire or adjacent counties, therefore there is a strong local need for children's care homes within the county.

- 6.10 The Parish Council has raised concerns about whether Colsterworth is suitable for children due to the lack of activities and amenities, and limited public service support. The concerns have been considered however Colsterworth is a Larger Village in the Local Plan, and considered an appropriate location for the provision of a care home. The village has several amenities including a church, public house, primary school, medical practice, and two convenience stores. The village is located in proximity to the market towns of Grantham and Stamford for wider service provision. There are two children's play areas within walking distance of the site. The first is situated off Old Post Lane, adjacent to the Sports Club, and has play equipment, and the second is off Colster Way with play equipment and a football area as well as informal open space.
- 6.11 The Parish Council also raised concerns about the loss of a family home. The proposal is for a change of use within Class C. This use class includes hotels, residential institutions, dwelling houses and small shared houses (HMO), and are acknowledged to be residential use classes. The application includes reference to flexible use under Class V, therefore the use could be returned to a residential dwelling house during the 10 year period. The concerns have been considered and the planning officer believes that the proposal would meet housing needs for small children's care homes and this would outweigh the loss of the family home, by providing another necessary housing type in a Larger Village.
- 6.12 The proposal would provide an element of specialist housing to benefit the most vulnerable people living in the district. The house is in a sustainable location, and would require little alteration to accommodate the change of use. The proposal is considered to be acceptable in principle and in accordance with Policy SD1 (The Principles of Sustainable Development in South Kesteven) and H4 (Meeting all Housing Needs) of the adopted Local Plan, and Neighbourhood Plan Policy 1, subject to assessment against site specific criteria.

6.13 **Impact on the character and appearance of the area**

6.14 The site is located in proximity to several listed buildings, with no.4 Spring Lane a Grade 2 listed building adjacent to the site. The site is also situated within 1500 metres of Easton Park and Grade 2 registered park and garden. No.9A is a non-designated heritage asset as it was previously part of no.9, a former school.

6.15 Neighbourhood Plan Policy 7 (Heritage Assets) states that development will be supported providing that:

- a) It preserves or enhances designated heritage assets and their settings including listed buildings and Historic Parkland, the Woolsthorpe Conservation Area, scheduled monuments and other designated and non-designated heritage assets above and below ground;
- b) its impact and contribution to local distinctiveness, character and sense of place is acceptable;
- c) it has regard to the Colsterworth and District Landscape Character Assessment and the Review of the Built Environment of Colsterworth and Woolsthorpe; and
- d) it does not harm the setting of Woolsthorpe Manor or any significant views to or from the property.

6.16 The application relates to a non-designated heritage asset in proximity to several listed buildings, and an existing residential dwelling house in a residential area of Colsterworth. The numbers of people living in the house would be not materially different from a family with children. The house is four bedrooms with shared space on the ground floor in the form a living room, kitchen, dining room, utility room and downstairs toilet. This would be unaltered by the change of use. The first floor currently has four bedrooms, dressing room / study, a bathroom and ensuite. This would be unaltered, however the children would each have a bedroom, and the staff would use the remaining two bedrooms for overnight. Therefore, the house would require little alteration to accommodate the change of use which is mainly internal, and it is not proposed to extend the dwelling into outside amenity space, and the use would have no adverse impact on the character of the area.

6.17 There have been representations from members of the public concerned with potential alterations to the exterior of the house e.g. CCTV, and to the site e.g. removal of trees, fencing, alterations to the driveway. The representations have been considered however the applicant has not provided details of any proposed alterations to the house or site which are necessary to facilitate the development proposal, and the described alterations are such that would not require permission as no.9A is not a listed building or located within the Conservation Area.

6.18 There have also been representations from members of the public regarding the potential impact on the neighbouring listed buildings and character of the area. The SKDC Conservation Officer was consulted and had no objections to the proposal. The officer commented that 'The proposal does not change the footprint of the plot and therefore will have no impact on the non-designated heritage asset, 4 Spring Lane or the setting of Easton Park'. The Conservation Officer concluded that there were 'no concerns with the proposal on heritage grounds'.

- 6.19 By virtue of the scale and minimal alterations required, the proposal would be in keeping with the streetscene and surrounding context in accordance with Policy DE1 and EN6 of the Local Plan, Neighbourhood Plan Policy 7, and Section 12 and 16 of the NPPF.
- 6.20 **Impact on the neighbours' residential amenities**
- 6.21 The application site is a 2-storey detached dwelling with amenity space to the front, side and rear. There are neighbouring residential properties to the northwest, east, and south.
- 6.22 The application includes a Covering Letter, and this details that the site would be used as a care home providing care, education and therapeutic support to young people from diverse backgrounds who have encountered a range of adverse experiences. The home would be for two children aged between 6 and 17 years old. The numbers of staff would be determined by the children's needs, there would be 2-3 members of staff on duty at all times working on a rota basis of 2 days on and 4 days off. A manager would be onsite Mondays to Fridays between 9am and 5.30pm. During the week the children would be at local schools during the day. There would be 3-4 vehicles parked onsite, and staff changeover would take place every 48 hours.
- 6.23 There have been representations from members of the public regarding the potential impact on residential amenity. It is considered that will the use of the house would be similar to a 4-bedroom family house, which could accommodate 5-6 people including children. A family would have a similar pattern of arrivals and departures on a typical day with parents commuting to/from work/leisure/retail, children being taken to/from education settings, and have a similar number of vehicles parked onsite, dependent on the age of those inhabiting the dwelling house. It is considered that a residential dwelling house would receive visitors and deliveries, and there would not be a significant change in the character of the activities from the use as a family home that would result in an impact on the use of the land and buildings.
- 6.24 In a recent Appeal Decision ref. **APP/E2530/X/24/3354568** at Main Street, Hougham, the Planning Inspector came to the conclusion that a proposed change of use of a private dwelling Use Class C3 to a children's care home Use Class C2 for 2 children, would not as a matter of fact and degree be a material change of use. The Inspector noted that in this case the children's home would be managed *'as if it were a family home in all respects apart from the presence of staff carers'* and the appellants maintained that *'the use would not be materially different to the use of this house by a typical family household'*. The Inspector agreed that the use of the house as a large family home *'would create a variety of traffic movements and a substantial demand for parking facilities'* but did not *'envisage that the use as a children's home would make a significant difference to the effect that a typical family household's use had on the level of activity, trip generation and overall comings and goings. The role of the carers would not be significantly different to that of parents looking after children in a family home and taking them to school or on trips out'*.
The Inspector considered that *'A typical family household here could have several car drivers and separate travel patterns associated with each individual's education, work and leisure'*.
- 6.25 The proposal does not involve the enlargement of the existing building, and will require little alteration other than internal, so the levels of overlooking and privacy will remain as existing, and there will be no encroachment in terms of loss of light. There were concerns raised

regarding noise, however, it is not considered that the proposed use would differ materially from the existing use as a residential dwelling house with children inhabiting the house.

6.26 In terms of the future resident's amenity, the amenity space to the dwelling will remain the same as existing, and provide sufficient private amenity space for the care home use and two children.

6.27 Similar to other recently permitted children's care homes, it is considered that it is reasonable and necessary to restrict the use as a children's home and for two children to define the permission and allow any future assessment of alternative uses that would otherwise be permitted within the C2 use class.

6.28 Taking into account the nature of the proposal and adequate separation distances, it is considered that there would be no unacceptable adverse impact on the residential amenities of the occupiers of adjacent properties in accordance with the NPPF Section 12, and Policy DE1 of the Local Plan.

6.29 **Ecology and Trees**

6.30 The site currently comprises of an existing dwelling house and its garden e.g. trees, grass, shrubs. The proposed use of the site as a small children's care home would have the existing arrangement of private amenity space and the driveway with onsite parking.

6.31 The application is for a change of use from residential dwelling house to children's care home and does not involve the enlargement of the existing building. In reference to the Biodiversity Net Gain requirements, the development does not impact a priority habitat and impacts less than 25 sqm of non-priority onsite habitat, and is therefore exempt from BNG.

6.32 There have been numerous representations from members of the public regarding the potential impact on ecology and trees. The application has not been accompanied by ecology or tree information, and there are a number of trees on the site, but there are no tree preservation orders in place. The proposal would require little alteration to the site, and it is not proposed to extend the dwelling into outside amenity space.

6.33 To summarise, the proposal would be in accordance with Policy EN2 and EN3 of the Local Plan, and section 15 of the NPPF.

6.34 **Flood Risk**

6.35 Policy SD1 sets out the criteria for new development to ensure it is sustainable. Local Plan Policy EN5 (Water Environment and Flood Risk Management) together with Section 14 of the NPPF seeks to direct development to areas with the least probability of flooding, together with implementation of SUDs drainage where possible, in order to minimise surface water runoff.

6.36 Section 14, para 159 of the NPPF states that inappropriate development in areas of flooding should be avoided by directing development away from areas of highest risk.

6.37 The boundary of the site includes areas within Flood Zone 1 and Flood Zone 2, according to the Environment Agency maps with a low and medium probability of flooding from rivers and the sea. The dwelling house is located within Flood Zone 1 with a low probability of flooding from rivers and the sea.

6.38 The application was accompanied by a Flood Risk Assessment Note which confirms the location of the existing dwelling house in Flood Zone 1 and an area of the site partially within

Flood Zone 2. This is the northwestern corner of the site and driveway access. There are no proposed changes to the layout of the driveway or access.

- 6.39 Should a flood event occur the existing building is raised higher than School Lane, and the pedestrian access located to the northeast of the site would provide an evacuation route.
- 6.40 The Environment Agency was consulted on the development and the response was that the EA did not wish to make any comments on the application as the proposed change of use is located in Flood Zone 1. The EA commented that *'Furthermore, as the proposal is a change of use from a more vulnerable use (dwellinghouse) to a more vulnerable use (children's home) and therefore does not propose an increase in risk to people, we do not wish to object to the application'*.
- 6.41 The Parish Council has commented on the application regarding the proximity of the site to a watercourse and flood risk. The EA and Flood Risk Assessment Note has confirmed that the site is predominantly in Flood Zone 1 and proposed mitigation for evacuation from the pedestrian access.
- 6.42 The case officer notes the concerns raised by neighbours in response to consultation regarding the presence of a watercourse adjacent to the site and recent flood events, however, the Environment Agency has no objection to the proposed development. The case officer considers that a condition to require the mitigation for flood events is reasonable and necessary and have therefore recommended the attachment of such a condition, and would suitably address flood risk on the application site.
- 6.43 With the above condition in place the proposal is in accordance with Local Plan Policy EN5, and Section 14 of the NPPF.
- 6.44 **Highway issues**
- 6.45 The site is located in the village of Colsterworth. Colsterworth is a larger village, and has several amenities including a church, public house, primary school, medical practice, and two convenience stores. There are local bus services providing access to Grantham and Stamford.
- 6.46 The site is located in proximity to public right of way, located on the western boundary of the site adjacent to the River Witham. The site is currently partially screened by boundary trees and hedge on this boundary.
- 6.47 The planning submission includes a Transport Note, Parking Plan and Swept Path analysis. The Transport Note confirms the development location and proposal, and that no works are proposed to the building, site or access as part of the proposal. The staffing proposed would be 2 care staff with potential for a third, and a home manager. The site would be staffed on a two day on, four day off shift pattern. The two staff would arrive at 8am and the two previous staff would depart at 8.30am. The manager would arrive at 9am and depart at 5pm. Visitors would visit during the day and not at shift changeover. The worst case at shift changeover there would be 5 members of staff parked onsite in the 5 parking spaces. The Parking Plan confirms the proposed parking layout onsite and the Swept Path analysis confirms that the spaces can be utilised and vehicles can turn onsite to arrive and depart in a forward gear.
- 6.48 Lincolnshire County Council have commented on the application as highway and lead local flood authority and have raised no objection to the proposal. They have confirmed that the development proposes to utilise the existing access and includes off-street parking for 5

vehicles. The access meets the guidance as set out in Manual for Streets, and the highways officer considers the 5 parking spaces is an appropriate level of parking. The local highway authority notes that there are existing problems on School Lane but that the proposed trip demand of 14 vehicles per day would not require highway improvements. Furthermore, the highways officer does not consider that the development would result in a severe impact on the local highway network.

- 6.49 The Parish Council has raised concerns about the historical nature of the lane, including its narrow width, as well as the impact of adverse weather conditions. They have raised concerns regarding the junction of School Lane and the High Street. The Parish Council has also noted Paragraph 117 of the NPPF, particularly pedestrian and cycle access. Paragraph 117 of the NPPF states that

‘application for development should:

a) give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second – so far as possible – to facilitating access to high quality public transport, with layouts that maximise the catchment area for bus or other public transport services, and appropriate facilities that encourage public transport use...’

- 6.50 There have been representations from members of the public regarding the potential impact on transport and highway issues including concerns about the proposed trip generations being low, insufficient parking onsite, waste collection/deliveries, children walking to school, and existing issues on School Lane and the junction with the High Street.
- 6.51 The case officer notes the concerns raised by the Parish Council and neighbours in response to consultation however, the local highways authority has no objection to the development proposal. The local highways authority was invited to provide further comments following the Parish Council representation and the highways officer responded that *‘Our comments remain unchanged and nothing further to add’*.
- 6.52 The case officer considers that a condition to require improvements to pedestrian and cycle movements in reference to the Parish Council’s representation and Paragraph 117 of the NPPF, would not be reasonable and necessary. There is existing pedestrian footway provision on School Lane, and School Lane is utilised by pedestrians and cyclists currently providing connections to the village services, and this has not been highlighted by the local highway authority for improvements.
- 6.53 The proposal would result in adequate access, parking and turning facilities and would not have an unacceptable adverse impact on highway safety in accordance with Policy ID2 of the Local Plan and the NPPF Section 9.
- 6.54 **Other Matters**
- 6.55 Application Form – The application form contained inaccuracies (proximity to a watercourse, flood risk, foul sewage disposal) which were highlighted to the Applicants Agent, and the application form was amended to correct the inaccuracies. There were no inaccuracies related to the BNG section of the planning application, and this has been addressed above.
- 6.56 Publicity requirements - The application has been fully advertised in accordance with the Statement of Community Involvement including statutory consultee consultation, press notice, neighbour letters, and display of a site notice.

- 6.57 Recruitment – There is no restriction on recruitment taking place in advance of a planning decision as recruitment is outside of the definition of ‘work’ prior to commencement. The care home would not be able to operate without planning permission being granted.
- 6.58 Waste Collection – Waste would be collected by a commercial waste operator, should planning permission be granted.

7 Crime and Disorder

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

8 Human Rights Implications

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

9 Conclusion

- 9.1 Taking the above into account, it is considered that the proposed use will have no detrimental impact on the dwelling house, or the character of the area as the dwelling will retain a residential appearance, and would not have a detrimental impact on the surrounding highway network as the care home will continue to operate in a similar manner in terms of vehicle trip generation to a residential dwelling house. The proposed development is therefore in accordance with Local Plan Policies SP1, SP2, SP3, H4, DE1 and ID2, Colsterworth and District Neighbourhood Plan Policy 1 and Policy 7, and Sections 9 and 12 of the NPPF.

10 Recommendation

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

Planning Conditions

Time Limit for Commencement

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

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

Approved Plans

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

- i. Site Location Plan, drawing ref. ESLA1057-DMW-SLP-001 A (received 04/02/25)
- ii. Proposed Block Plan, drawing ref. ESLA1057-DMW-PBP-001 A (received 27/02/25)
- iii. Parking Plan, drawing ref. ITB200804-GA-001 A (received 04/02/25)
- iv. Proposed Elevations, drawing ref. 106778 (received 27/02/25)
- v. Proposed Floor Plans: Ground, drawing ref. 106778 (received 27/02/25)
- vi. Proposed Floor Plans: First, drawing ref. 106778 (received 27/02/25)

Unless otherwise required by another condition of this permission.

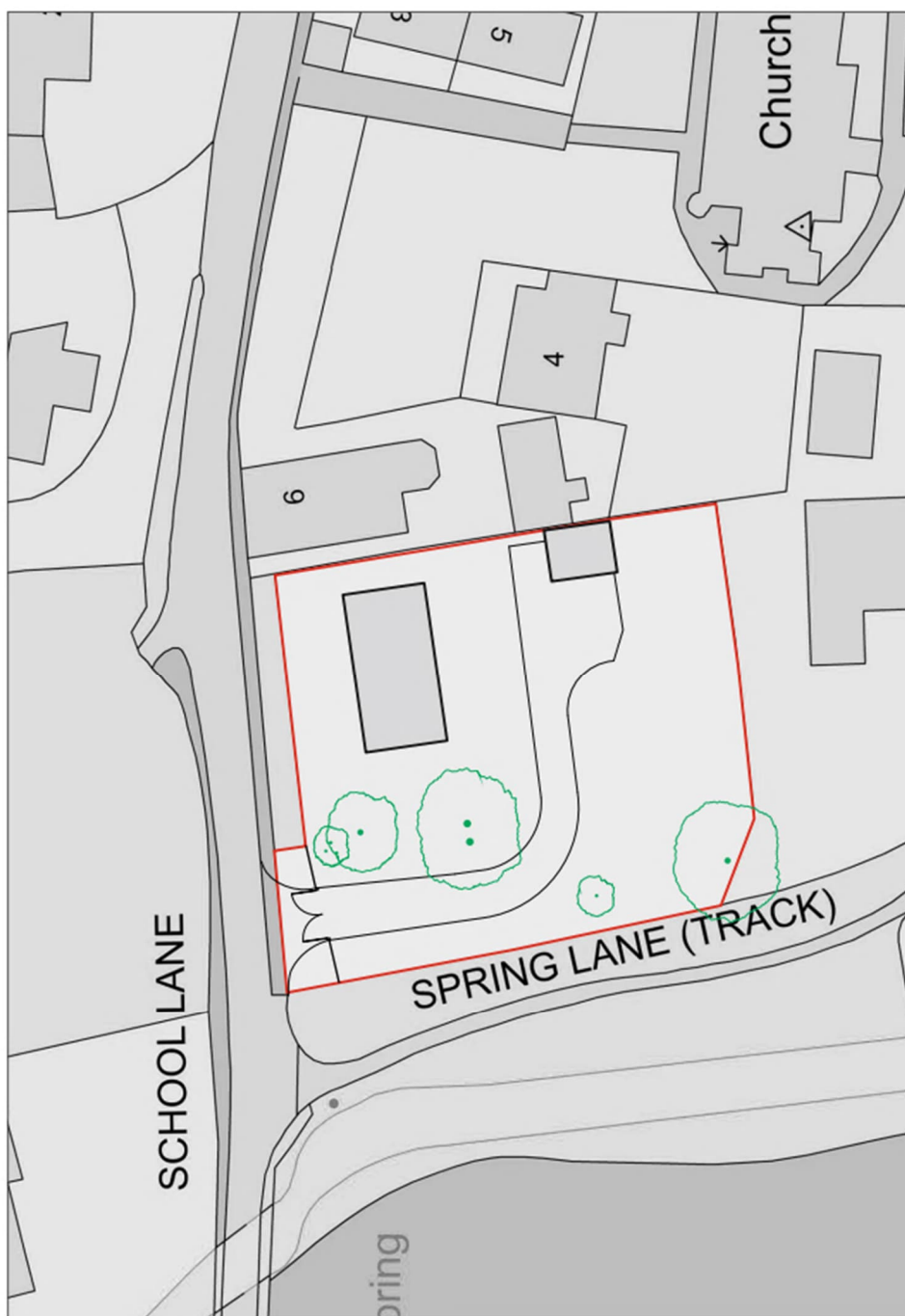
Reason: To define the permission and for the avoidance of doubt.

No other use within Use Class C2

- 3) 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).

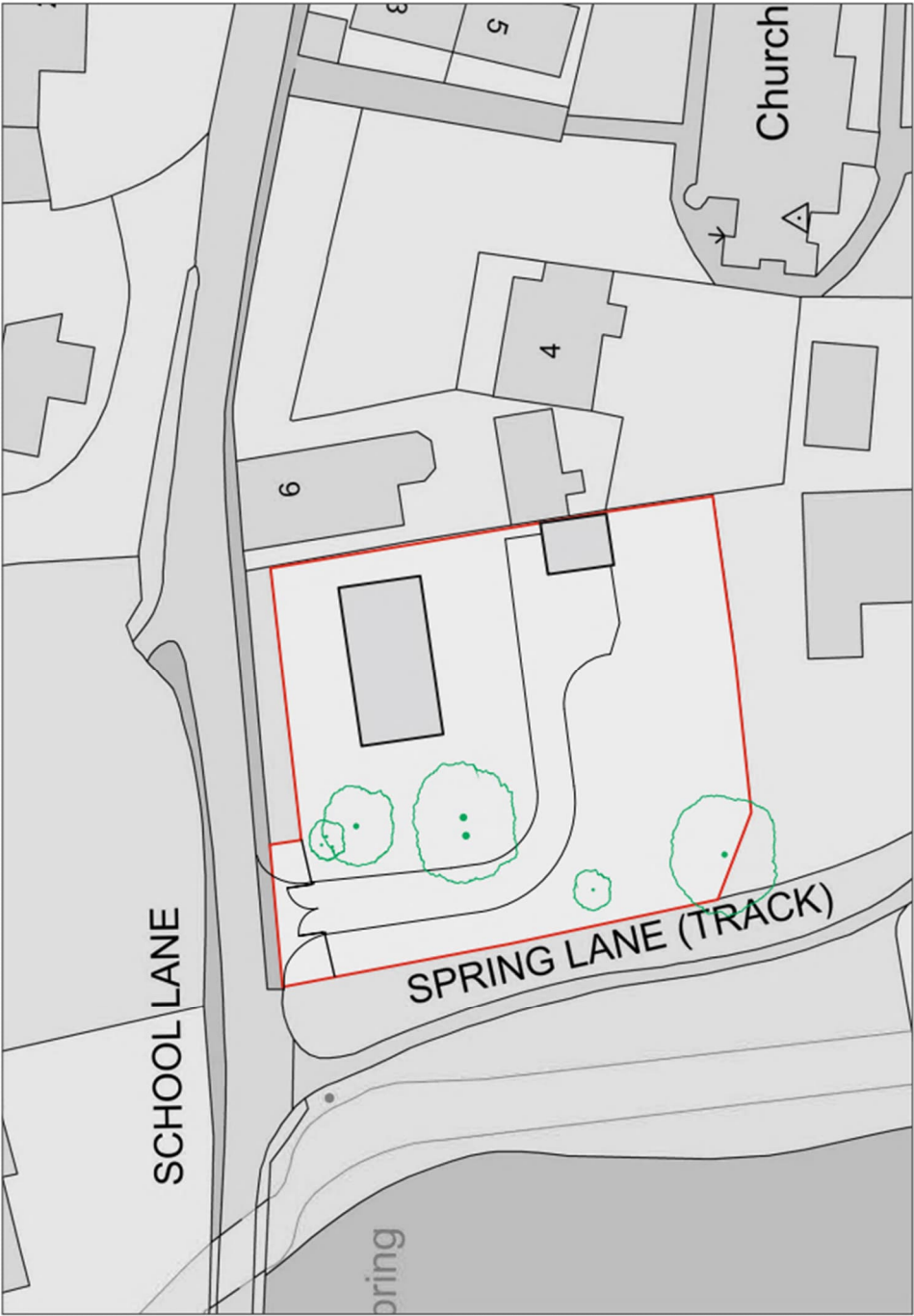
Reason: To ensure that the development operates as assessed.

BLOCK PLAN EXISTING



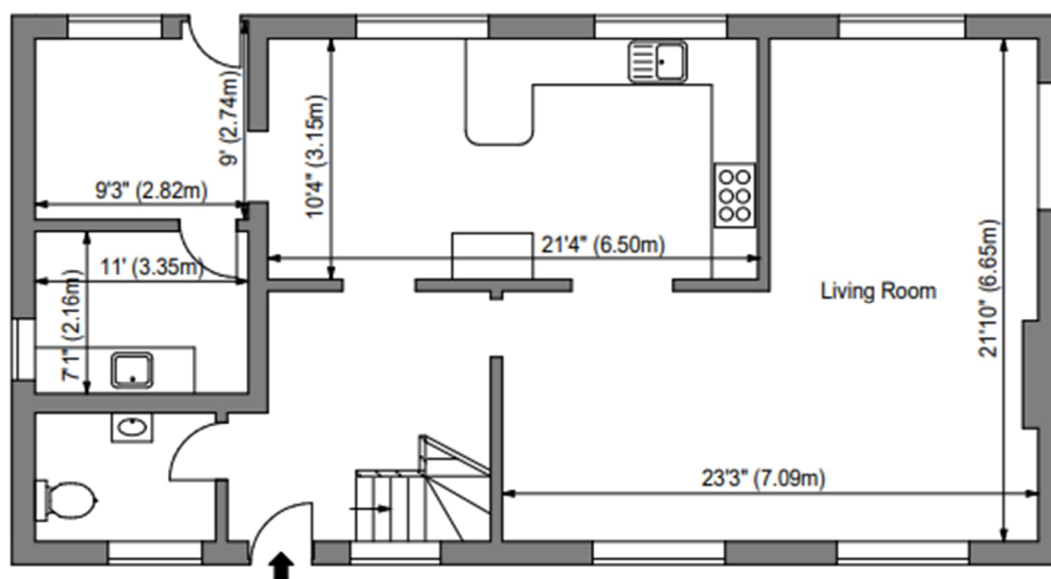
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BLOCK PLAN PROPOSED

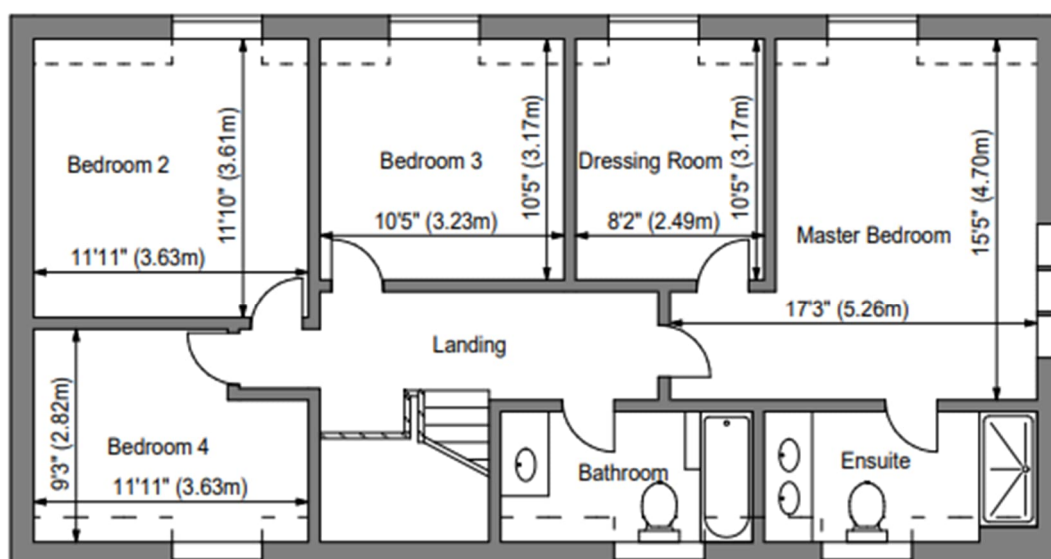


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FLOOR PLANS EXISTING

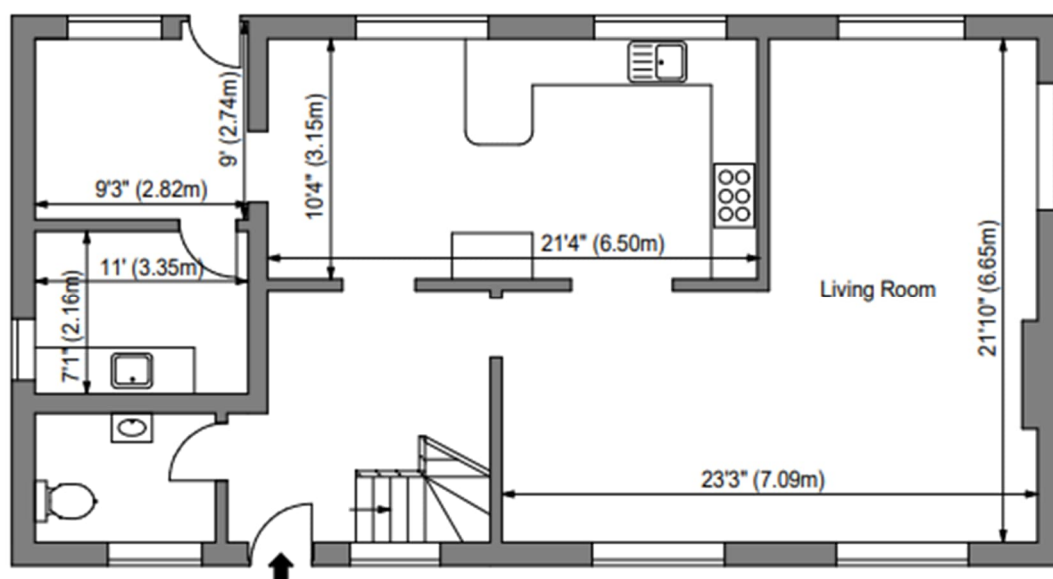


Ground Floor

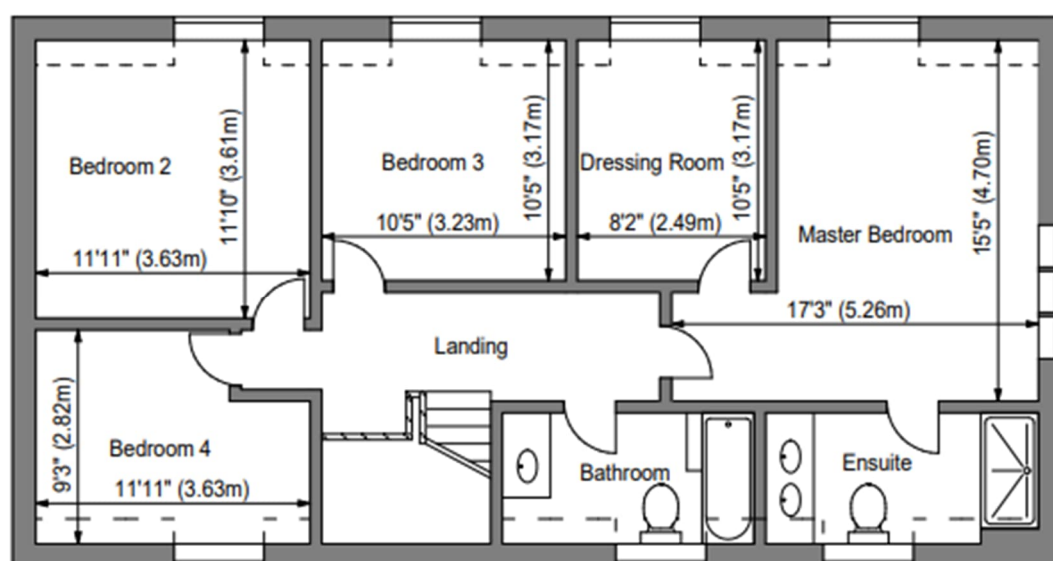


First Floor

FLOOR PLANS PROPOSED



Ground Floor



First Floor

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**SOUTH
KESTEVEN
DISTRICT
COUNCIL**



Planning Committee

8 May 2025

S24/2191

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:	Land adjacent to Spalding Road, Bourne, Lincolnshire
Applicant	Downing Renewable Developments LLP
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
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 Report Arboricultural Impact Assessment Construction Traffic Management Plan Consultation Report Cultural Heritage Impact Assessment Design and Access Statement Ecological Assessment Flood Risk and Drainage Scheme Glint and Glare Assessment Land Use and Agricultural Land Statement Landscape and Visual Impact Assessment Noise Impact Assessment Planning Statement Site Selection Report

Report Author

Adam Murray – Principal Development Management Planner



01476 406080



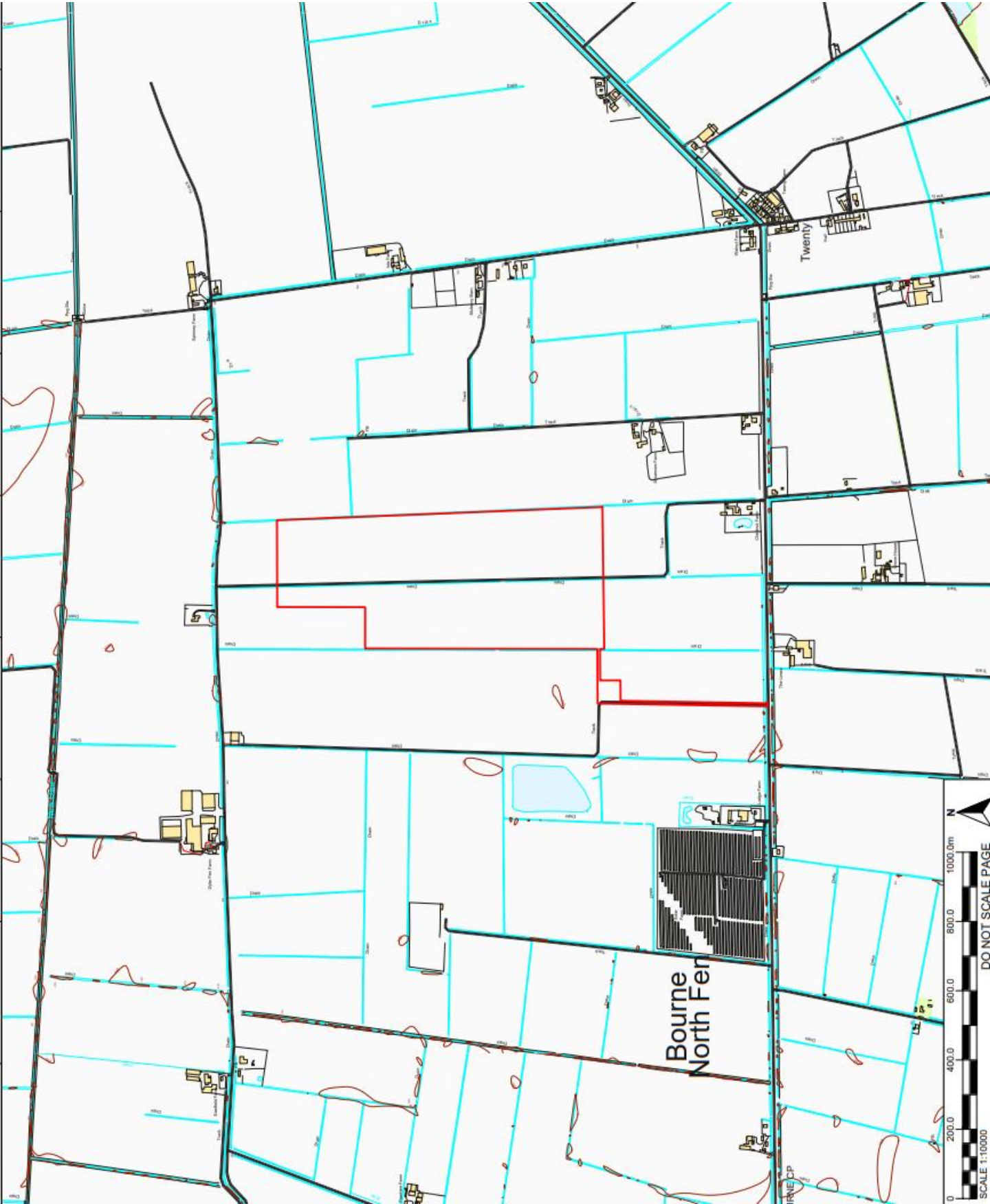
Adam.Murray@southkesteven.gov.uk

Corporate Priority:	Decision type:	Wards:
Growth	Regulatory	Bourne East
Reviewed by:	Phil Jordan, Development Management & Enforcement Manager	29 April 2025

Recommendation (s) to the decision maker (s)

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

S24/2191 – Land adjacent Spalding Road, Bourne



1 Description of the site

- 1.1 The application site consists of an area of 34.6 hectares (85.49 acres) of broadly rectangular land located to the north of the A151 (Spalding Road) and situated approximately 3.5km to the east of the main built-up area of Bourne. The site is generally flat and comprises of two fields of arable agricultural land.
- 1.2 The red line site boundary is bound on all sides by further, retained agricultural land. However, it is appreciated that a short distance (circa 0.5km to the southwest of the application site lies an existing 4.6MW solar farm, granted planning permission under LPA Ref: S11/0431). There are existing overhead electrical lines running northeast to southwest through the application site. The site boundaries are broadly undefined by physical features in this instance.
- 1.3 As indicated above, the 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 land 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 proposed development site is not subject to any other planning policy designations and it is not crossed by any public rights of way.
- 1.6 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: S22/1432) in July 2022, 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.
- 1.7 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 0.5km to the south-west of the current application site. Operational 4.6MW solar farm granted planning permission in 2011.
 - LPA Ref: S24/2100 – Home Farm – approximately 1.2km to the northwest of the current application site. Proposed 28MW solar farm. Approved Conditionally in March 2025.
 - 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 of a solar farm with associated battery storage, comprising ground mounted solar photovoltaic panels, including mounting systems, inverters, transformers, electrical substation, underground cabling, stock proof fencing, CCTV internal access tracks and associated infrastructure for a temporary period of 40 years.
- 2.2 The proposed development is anticipated to have an energy export capacity of up to 20 megawatts (MW) and would be operational for a temporary 40 year period, with all equipment removed from the site at the end of the operational period, and the land subsequently returned to its current agricultural use. The application states that the solar farm would provide a reduction of approximately 9.250 tonnes of CO₂ per annum.
- 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 tilted at an angle in the range of 15 to 25 degrees and orientated due south and will remain in a fixed position.
 - Battery and Substation Storage Compound – the battery energy storage system (BESS) would be located centrally within the site and would consist of 8 battery units, together with 4 inverter stations, 1 spare parts contain and 1 customer substation. The BESS units would be 12.2m in length, 2.5m wide and 3m in height
 - Boundary Fencing – deer fencing, comprising of wooden posts and wire mesh fencing approximately 2km in height. The on-site substation would be bound by metal palisade fencing approximately 3m in height. The BESS compound would be bound by weldmesh fencing which would be 2.5m 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
 - Water Tank for the Battery Energy Storage System (BESS) – the proposed water tank would have capacity for 235,000 litres
 - 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 33kV overhead line that crosses the site and runs between Bourne Substation and Dowsby Fen Substation. Formal connection is to be delivered by the Distribution Network Operator (DNO) using permitted development rights, but the substation facilitating the connection forms part of the current application.
- 2.5 Access to the site is proposed to be taken via the existing agricultural access from Spalding Road (A151), which is currently a field gate entry with dirt track. The access is proposed to be used for the construction of the proposed development, as well as during the operational period.
- 2.6 The application submission has also been accompanied by a Proposed Landscape Mitigation Plan, which indicates that 5,304 sq. metres of new hedgerow would be planted, 32 new boundary trees would be planted, and 27,254 sq. metres of native wildflower mix grassland would be planted.

3 Relevant History

Application Ref	Description of Development	Decision
S24/1432	Request for an EIA Screening Opinion for a solar farm with battery energy storage scheme	EIA Not Required 13.09.2022

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 Black Sluice Internal Drainage Board

5.1.1 No objections.

5.2 Bourne Civic Society

5.2.1 Objection

5.2.2 The use of greenfield land for solar power is unnecessary as this should be installed on industrial premises.

5.3 **Bourne Town Council**

5.3.1 Objection.

5.3.2 The land proposed is the best and most versatile agricultural land (Grade 3 and Grade 3A).

5.4 **Civil Aviation Authority**

5.4.1 No comments received.

5.5 **Defence Infrastructure Organisation**

5.5.1 No comments to make.

5.6 **Environment Agency**

5.6.1 No objection subject to conditions requiring compliance with the flood risk assessment and drainage strategy, and the submission of a surface water management plan to deal with potential fire events at the BESS.

5.7 **Heritage Lincolnshire**

5.7.1 No objection subject to conditions.

5.7.2 The site for the proposed development lies in an area of archaeological interest within the fen where evidence of Iron Age and Roman settlement including salt-making has been recorded. To the west of the site is the line of a Roman canal and finds of the period have been found in the vicinity. To the northeast of the proposal evidence of finds indicating evidence of Iron Age salt-making and a Romano-British field system has been recorded. A Romano-British settlement site dating from the late first to early third century is recorded, also to the northeast, together with evidence of Roman salt making and prehistoric finds. To east of the proposal finds indicating the presence of Iron Age salterns have been recorded. A Cultural Heritage Impact Assessment accompanied by an archaeological geophysical survey has been submitted in support of the application. The results of the geophysical survey were negative.

5.7.3 We recommend that an archaeological mitigation strategy is imposed as a condition of any planning permission which may be forthcoming. The mitigation strategy should be submitted to and agreed by the Local Planning Authority prior to the commencement of development.

5.8 **Lincolnshire County Council (Highways and SuDS)**

5.8.1 No objection subject to conditions.

5.8.2 The proposed solar farm and BESS will be access from one point on the A151. This is suitable for HGVs and currently serves farming, no new junctions from the public road network will be required.

5.8.3 The access track is to be improved with the implementation of hardcore and an improvement to the bellmouth. This is demonstrated in the submitted Construction Traffic Management Plan.

5.8.4 The EA Flood Map shows the application site is located within Flood Zone 3. The outline drainage strategy will consist of an underground piped system connecting to an attenuation structure (likely to be a detention basin or SuDS pond) outside the BESS compound. It is proposed to construct three soakaways/infiltration drains within the application site. The location of the soakaways has been chosen on the downward slope from the inverters. The intent is to use infiltration drainage, however, should infiltration drainage not be suitable the

discharge point will be into the drains that are on the field boundaries within the application site.

5.9 **Lincolnshire County Council (Planning Policy)**

5.9.1 Objection.

5.9.2 The application fails to protect the best and most versatile agricultural land contrary to Policy SP1 of the adopted South Kesteven Local Plan (2020) and New Policy 2 of the draft Local Plan (2024).

5.9.3 The land within the proposed development site is classified as either Grade 3 (31.95%), Grade 3A (38.88%) or Grade 3B (29.17%) agricultural land. The proposal would result in a loss of food production of 51 hectares of good quality and very good quality land (70.83%) for 40 years.

5.10 **Lincolnshire Fire and Rescue**

5.10.1 No objections.

5.11 **Lincolnshire Wildlife Trust**

5.11.1 No comments received.

5.12 **National Grid**

5.12.1 No comments received.

5.13 **Natural England**

5.13.1 No objection.

5.13.2 From the description of the development this application is likely to affect 51ha of BMV agricultural land. We consider that the proposed development, if temporary as described, is unlikely to lead to significant permanent loss of BMV agricultural land, as a resource for future generations. This is because the solar panels would be secured to the ground by steel piles with limited soil disturbance and could be removed in the future with no permanent loss of agricultural land quality likely to occur, provided the appropriate soil management is employed and the development is undertaken to high standards.

5.13.3 A Biodiversity Net Gain (BNG) Assessment has been carried out and ecological and environmental works proposed as part of the project will result in a BNG of 130.93% in habitats units and 33.33% in watercourse units which is above the statutory requirement. We note the production of a Biodiversity Management Plan and a Landscape and Ecology Management Plan.

5.14 **Peterborough City Council**

5.14.1 No objection in principle, subject to the consideration of the following matters:

- Implication of the visual impacts on Peterborough City Council
- Impacts on the local highway network; and
- The observations of the Lead Local Flood Authority.

5.15 **SKDC Conservation Officer**

5.15.1 No objections.

5.15.2 The provided Cultural Heritage Impact Assessment analysed the potential impact upon heritage assets up to a 5km study area for Scheduled Monuments and designated heritage assets. Given the distance of the heritage assets identified, it is unlikely that the proposed development would result in an impact upon the setting of these heritage assets. There is the potential that the site would, however, contribute to the cumulative setting impact upon the heritage assets. At this stage, the solar farm is not considered to cause harm.

5.15.3 There are a number of non-designated heritage assets within close proximity to the site: Lodge Farm (MLI122190), Chestnut Farm (MLI122201), Sycamore Farm (MLI122202), Bottom Farm (MLI122203), Spinney Farm (MLI122204) and a unnamed farm (MLI122206). Given the close proximity of the site to these upstanding heritage assets, there is the likelihood that the solar farm will change the wider setting of these farmsteads, which do derive their setting from the agricultural landscape. While in the assessment the impact is noted to be negligible, it is considered that there will be at least a less than substantial harm to the setting of Chestnut Farm, Sycamore Farm, Bottom Farm and the unnamed farm. This could, however, be mitigated with a landscape strategy providing improved screening towards these farmsteads. It is noted that some screening strategy has been considered. A detailed plan locating the screening, and type of screening (type of planting e.g. hedgerow or tree line, species) should be provided.

5.16 **SKDC Environmental Protection**

5.16.1 No objections.

5.17 **South Holland District Council**

5.17.1 The Proposed Development is located on greenfield land and is supported by an Agricultural Land Classification report which demonstrates the Site forms of Grade 2 (13.5%), Grade 3a (33.2%) and Grade 3b (53.3%) land, which qualifies 46.70% of the Council Offices Priory Road Spalding Lincolnshire PE11 2XE land as 'Best and Most Versatile' (BMV) agricultural land and 53.3% as Non-BMV agricultural land.

5.17.2 Due weight should be given to the loss of BMV land and whether or not the impact on the District's food security outweighs the benefits of bringing forward a solar scheme in this area, and whether or not there are more appropriate locations for such a development.

5.17.3 Consideration should be given to any cumulative impacts, including NSIPs and other solar approvals in the vicinity.

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 3 interested parties; all of whom have raised formal objections. The material considerations raised within the representations can be summarised as follows:

(1) Impact of the development on agricultural land

- Object to the use of BMVAL

(2) Flood Risk and Drainage

- Object to the increase in surface water runoff due to the development

(3) Impact on residential amenity

- Loss of residential privacy during construction and operational periods

(4) Highways Safety

- Impact on highways safety due to increase in vehicular movements

(5) Noise

- Increase in noise from the development site

(6) Impact on biodiversity and ecology

- Insufficient consideration given to the existing features.

(7) Cumulative Impact

- Cumulative visual impact of the development together with Home Farm solar scheme.

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 an energy export capacity of approximately 20MW and includes a Battery Energy Storage System (BESS) that allows for the storage of excess energy meaning energy can be exported when there is less or no sun using the excess energy generated during the sunnier periods, to allow for a smoother delivery to the Grid. The proposed development would make a positive contribution towards meeting the national objectives in respect of energy generation and would also be consistent with the principles of the adopted Local Plan, which supports renewable energy generation in principle, subject to material considerations. It is also acknowledged that South Kesteven District Council has formally declared a climate emergency, and has also published a Climate Change Strategy (2023) which amongst other things seeks to maximise the opportunity 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) of the Local Plan:

- (a) A detailed Agricultural Land Classification Assessment has been submitted as part of the application and confirms that 4.5 ha (13.5%) of the site is Grade 2, 11.1 ha (33.2%) of the site is Grade 3A and 17.8 ha (53.3%) of the site is Grade 3B. As such, the proposed development would involve the use of approximately 16.6 hectares of BMVAL in total.
- (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 consideration of the application have raised formal objections and therefore it can be concluded that the proposed development does not benefit from the express support of the affected local community.

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

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

- (c) The application proposals have an energy export capacity of up to 20MW and this limit is recommended to be secured by planning condition. Electricity generated from the development would be transferred to the National Grid via the electrical overhead lines which cross the site.
- (d) The submitted Planning Statement confirms that permission is sought for a temporary period of 40 years from the date of the first export of electricity 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 would ensure that the site is appropriately reinstated at the end of its operational life.
- (e) Other relevant local and national planning policies and the prospective impacts of the development are discussed in further detail below.

7.4.4 Taking 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 As outlined above, 13.5% of the site is Grade 2, 33.2% of the site is Grade 3A and 53.3% of the site is Grade 3B. As such, the proposed development would involve the use of approximately 16.1 hectares of BMVAL in total.
- 7.5.2 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 capable of accommodating the development proposal. In this regard, the application has been accompanied by a Site Selection Report, which outlines the following:
- Engagement with National Grid Energy Distribution (NGED) established that connection to the electricity grid network for a combined solar farm and BESS project was feasible off the 33kV overhead line that runs from Bourne Substation to Dowsby Fen Substation.
 - Due to the 'tee-off' nature of the connection, a site search with a maximum distance of 0.5km from the OHL was necessary.
 - The areas around the two substations were discounted due to their proximity to urban and residential zones.
 - A solar development of the scale proposed (20MW) would require suitable access for construction, operation and maintenance. Therefore, the preferential location is to be near to suitable roads for access. A 1km buffer was made from the A151 and B1397, where the road buffer intersects the site selection area is a suitable site area.
 - The search process identified three suitable land parcels and following further assets, a single area located within two of the three parcels was selected as the application site.
- 7.5.3 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 suitable proximity of the grid connection point which are identified as being Grade 3 or lower value land. Whilst it is possible that alternative sites may 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.
- 7.5.4 Taking all of the above into account, it is the Case Officer's assessment that the submitted Site Selection Report does provide adequate evidence to demonstrate that the application site is sequentially preferable.
- 7.5.5 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.
- 7.5.6 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 Impact Assessment, which reaches the following conclusions in relation to the impact on the landscape character:

- The introduction of the Solar Farm will lead to a change of character within the confines of the Proposed Development boundary, where the Proposed Development is physically located. It is considered that the development will alter the landscape character within the confines of the site, adding an industrial character to the site and immediate site surroundings where views are possible. The magnitude of landscape change is considered Medium to High within the confines of the Proposed Development and the resulting significance Moderate Adverse as the site is used for agricultural.
- Indirect change will occur outside of the Proposed Development boundary, where the visibility of the Proposed Development has an influence on the perception of the character of the landscape. The indirect change in landscape character is greatest in its immediate and close surroundings where open and partial views are possible within an approximate 0.5km radius from the development boundary. The magnitude of change in these areas is considered Medium. The significance of landscape effects on the landscape character is therefore considered to be Moderate Adverse.

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

7.6.4 With regards to the visual impact of the development, it is appreciated that the proposed development would be visible to road users in the immediate area, as well as localised residential properties. In connection with the effect on these receptors, the LVIA provides the following assessment:

- The majority of residential dwellings in the immediate vicinity of the proposed development are located within 1km of the site. These include residential

developments in Twenty and one-off houses and farmsteads to the north and west of the proposed development.

- The highest visual effects will be experienced within an approximate 0.5km radius of the Proposed Development boundary, from locations with open or partial views of the Proposed Development. However, areas experiencing visibility within 0.5km, will already have elements of electrical infrastructure visible within the local landscape. The magnitude of visual change for views up to 0.5km is considered Medium and the significance Moderate Adverse.
- Between approximately 1km to 5km views towards the Proposed Development will be fully screened due to intervening landform and established mature vegetation planting within the landscape. The magnitude of visual effects on local residents and road users is considered Negligible and the significance Not Significant

7.6.5 Similar to the landscape character assessment, the proposed development would result in a degree of visual impact, which would be reduced through the proposed landscaping mitigation scheme, which can be secured through planning conditions. However, there would remain a residual moderate adverse visual impact for localised receptors. As such, the proposed development would be contrary to Policy EN1 and DE1 of the adopted Local Plan and Section 12 of the National Planning Policy Framework. This policy conflict falls to be assessed in within 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 areas shown to be at risk of flooding within the application site reach 1m AOD. Therefore, as the panels will be pile drive and lifted to be at 1.15m AOD there will be sufficient freeboard between the panel and the flood water. Electrical infrastructure such as battery storage containers, inverters and the substation are located within Flood Zone 1 only.

- It is proposed to construct three soakaways/infiltration drains within the Application Site. The location of the soakaways has been chosen on the downward slope from the inverters. The intent is to use infiltration drainage, however, should infiltration drainage not be suitable the discharge point will be into the drains that are on the field boundaries within the Application 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 also confirmed that they have no objection subject to conditions requiring the submission of a further surface water management plan for managing the risk of groundwater pollution from the BESS in the event of a fire. This is proposed to be included as a pre-commencement condition.
- 7.7.6 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 an 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 field access located on Spalding Road (A151) to the south of the site. The access is proposed to be used for the construction of the proposed development, as well as the operational period, including the periodic attendance by maintenance operatives. The proposed access is to be upgraded at the bellmouth to accommodate HGVs.
- 7.8.2 Lincolnshire County Council (as Local Highways Authority) have been consulted on the application and have raised no objections subject to the imposition of conditions requiring the submission of a Construction Traffic Management Plan. In this respect, it is the Case Officer's assessment that these details can be appropriately 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. This is proposed to be imposed as a pre-commencement planning condition.
- 7.8.3 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.
- 7.8.4 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 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 0.5km to the south-west of the current application site. Operational 4.6MW solar farm granted planning permission in 2011.
- LPA Ref: S24/20 – Home Farm – approximately 1.2km to the south east of the current application site. Proposed 28MW solar farm. Approved Conditionally in March 2025.
- 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 cumulative impact of the current application with the recently consented Home Farm solar farm development, the Landscape and Visual Impact Assessment submitted as part of the application has considered the potential cumulative impact of the other proposed developments. The submitted report concludes the following:

- The potential for cumulative views of the proposed development with the approved planning references from the viewpoints and local area was found to be limited, as many potential views are hindered by distance, localised variations in the topography and screening by natural and built elements across the local landscape.
- Combined medium distance views of the existing solar farm and the proposed development are anticipated along Spalding Road.
- Overall, views towards the proposed development are most significant for residential receptors and road users located to the south of the current application site within 0.5km. Current cumulative views for the receptors within 0.5km of the proposed development consist of many elements of electrical infrastructure. As such, the addition of the proposed development would result in low change to cumulative views.

7.9.5 Taking the above into account, the application proposals would result in a moderate adverse impact on the character and appearance of the area; this harm would not be increased by the cumulative impact of the development together with the approved Home Farm solar development. Nonetheless, this harm falls to be weighed in the overall planning balance.

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

7.10.1 The application has been accompanied by an Ecological Assessment (Neo Environmental) (January 2025), which identifies the following conclusions:

- The construction of the proposed development will occur over land which has been identified primarily as agricultural or modified grassland habitat. This habitat is generally of very low ecological value and currently offers very limited potential to support wildlife.
- Loss of foraging and nesting habitat would cause an impact on birds which rely on the application site (predominantly skylark). 94% of the application site has been proposed with a variety of tussock sward, wildflower and invertebrate plants to mitigate the removal of this land from agricultural rotation and to provide suitable habitat to support the red-listed skylark.
- With the implementation of pre-commencement surveys and the proposed mitigation measures, it is considered that there will be no significant negative effects upon protected or notable species during the construction phase. The implementation of the proposed habitat species-rich grassland planting and improvement of the retained habitat will increase the potential of the application site to support local wildlife. The proposed development will lead to a positive effect on biodiversity on a local scale.

7.10.2 In addition, a Biodiversity Net Gain Assessment and statutory metric have been submitted which indicate that the development would result in an increase in 130.93% habitat units and 33.3% in watercourse units. In addition, there would be an 18.79 unit increase in hedgerow units.

7.10.3 Lincolnshire Wildlife Trust have been consulted on the application proposals and have not raised any objections. Conditions are proposed to require the submission of a detailed Landscaping Plan based on the submitted Landscaping Strategy, 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 Assessment, which includes the requirement to undertake further pre-commencement surveys together with 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 development.

7.10.4 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.

7.11 **Effect of the development on residential amenity**

7.11.1 The proposed solar panels themselves would not emit noise, dust or vibration during the operational period. However, the operation of the solar farm will require the installation of transformers and inverters which would convert the solar energy generated into AC (Alternating Current) to be supplied to the National Grid. Furthermore, the application includes a Battery Energy Storage System (BESS). The operation of the power conversion units together with the battery stations would be the main sources of noise during the operation of the solar farm. The inverters would be operational during daylight periods when the solar panels were generating electricity; the inverters would be actively cooled with the

operation of fans to control the temperature. The principal source of noise within the battery system would also be the cooling fans located within the battery containers, which would operate as required to ensure the batteries operate at their correct temperature. Whilst the solar inverters would only operate during daylight hours, the equipment associated with the operation of the battery stations could potentially operate on a 24-hour basis.

- 7.11.2 The Noise Impact Assessment submitted with the application concludes that the proposed development is predicted to have only low and negligible impacts at all receptors within the study area and no mitigation is required. The Assessment confirms that the proposed development would generate noise levels that would not exceed the baseline noise levels and therefore would not be harmful to residential amenity.
- 7.11.3 The Council's Environmental Protection Team have been consulted on the application and have raised no objections.
- 7.11.4 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
- 7.11.5 In respect 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 Team have raised no concerns. 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.
- 7.11.6 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.
- 7.11.7 It is noted that public representations have raised concerns relating to the potential loss of privacy resulting from the construction and operation of the proposed development. However, it is Officer's assessment that, having regard to the guidance set out within the Design Guidelines SPD, that the proposed development would not give rise to an unacceptable adverse impact on residential amenity such to warrant any refusal of the application on this basis.
- 7.11.8 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 or residential amenity considerations. Therefore, the application proposals would be in accordance with Local Plan Policy EN4 and Section 15 of the Framework.

7.12 **Impact on heritage assets**

- 7.12.1 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.

- 7.12.2 The Council's Conservation Officer has been consulted on the application and has raised no formal objections.
- 7.12.3 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.
- 7.13 Impact on archaeological assets**
- 7.13.1 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. This is included within the recommended schedule of conditions set out below.
- 7.13.2 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.
- 7.14 Aircraft Movements and Associated Activities**
- 7.14.1 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.
- 7.14.2 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.
- 7.14.3 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.
- 7.15 Other Matters**
- 7.15.1 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 with associated battery storage, comprising ground mounted solar photovoltaic panels, including mounting

systems, inverters, transformers, electrical substation, underground cabling, stock proof fencing, CCTV, internal access tracks and associated infrastructure for a temporary period of up to 40 years with an exporting capacity of up to 20 megawatts.

- 10.3 The proposed development is located within an area of Open Countryside, where Policy SP5 strictly limits development to those which have an essential need to be located within such areas; this includes support for rural diversification projects, such as the current proposals. In addition, Policy RE1 (Renewable Energy Generation) of the Local Plan advocates a generally permissive approach to renewable energy schemes, subject to a series of criteria which consider the site-specific 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 moderate 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 strategy, 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 (Rev I) (received 28 January 2025)
- b) Standard Equipment Drawings Pack (Rev 5) (received 28 January 2025)

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 to the licenced Distribution Network must not exceed 20 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 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 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
- 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

Landscape and Visual Impact

Detailed Soft Landscaping Plans

- 8) No development above ground shall commence until details of all soft landscaping works have been submitted to and approved in writing by the Local Planning Authority. Details shall be in broad accordance with the submitted Landscape Ecological Management Plan (Ref: NEO01024_033/Rev A) and shall include:
 - a. Planting plans;
 - b. Written specifications (including cultivation and other operations associated with plant and grass establishment); and
 - c. 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 Policy EN1 and DE1 of the adopted South Kesteven Local Plan

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 rise 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.

Flood Mitigation Scheme

- 10) The development shall be carried out in accordance with the submitted flood risk assessment undertaken by Neo Environmental Ltd [ref: Technical Appendix 4: Flood Risk and Drainage Scheme, dated 27 January 2025] and the following mitigation measures it details:

In particular the solar panels shall be set no lower than 1.15m above Ordnance Datum (AOD)

Reason To reduce the risk of flooding to the proposed development in line with Policy EN5 of the South Kesteven Local Plan

Biodiversity / Ecology

Ecological Mitigation

- 11) All works on site during the construction period shall be carried out in accordance with the recommendations contained within Table 2-11 and Table 2-12 of the Ecological Impact Assessment (Neo-Environmental) (January 2025).

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 Landscaping Strategy 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.

Ongoing

Landscape and Visual Impact

Lighting Details

- 16) 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

- 17) 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

- 18) 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

19) 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) The developer should produce a risk reduction strategy (Regulation 38 of the Building Regulations) as the responsible person for the scheme as stated in the Regulatory Reform (Fire Safety) Order 2005. We would also expect that safety measures and risk mitigation is developed in collaboration with LFR.
- 4) Applicants will also need to comply with relevant Building Regulations in Part B. They require applicants to provide suitable access for the fire service. Battery storage falls within the scope of the UK's producer responsibility regime for batteries and other waste legislation. Operators' of battery storage facilities should be aware of the Producer Responsibility Regulations. When a battery within a battery storage unit ceases to operate, it will need to be removed from the site and dealt with in compliance with waste legislation. The party discarding the battery will have a waste duty of care under the Environmental Protection Act 1990 to ensure that this takes place. The Waste Batteries and Accumulators Regulations 2009 also apply
- 5) 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.
- 6) 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





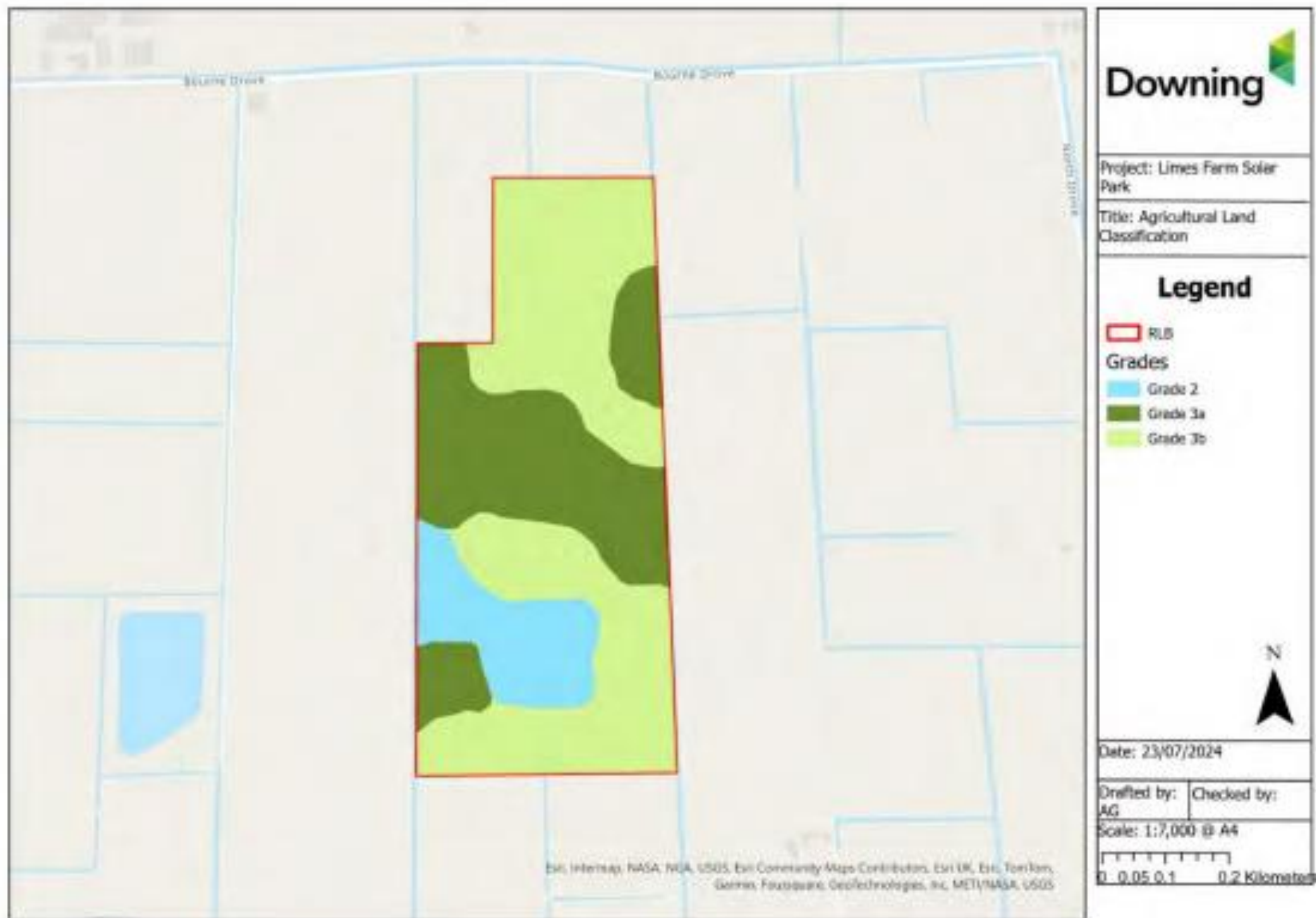


Figure 1 - Agricultural Land Classification Survey Map