

Additional Planning Committee



SOUTH
KESTEVEN
DISTRICT
COUNCIL

Thursday, 17 October 2024 at 1.00 pm
Council Chamber - South Kesteven House,
St. Peter's Hill, Grantham. NG31 6PZ

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

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

Agenda

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

- 1. Register of attendance and apologies for absence**
- 2. Disclosure of interests**
Members are asked to disclose any interests in matters for consideration at the meeting
- 3. Minutes of the meeting held on 3 October 2024** (To follow)

Planning matters

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

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

4. **Application S24/1200** (Pages 3 - 13)
- Proposal:** Change of use from dwellinghouses (C3) to educational use (F1) in connection with Kirkstone House School
- Location:** 22 And 24 School Lane, Baston, PE6 9PD
- Recommendation:** To authorise the Assistant Director Planning & Growth to GRANT planning permission subject to conditions
5. **Application S23/2199** (Pages 15 - 48)
- Proposal:** Construction and operation of a solar photovoltaic farm with battery storage and associated infrastructure
- Location:** Land At High Dike Road, Londonthorpe
- Recommendation:** To authorise the Assistant Director – Planning & Growth to GRANT planning permission, subject to conditions.
6. **Application S24/0986** (Pages 49 - 64)
- Proposal:** Demolition of existing building and construction of 3no. commercial units (Use Class B2/B8), associated car parking, servicing yard and landscaping
- Location:** Autumn Park Business Centre, Dysart Road, Grantham
- Recommendation:** To authorise the Assistant Director of Planning & Growth to GRANT planning permission subject to conditions, and completion of a Section 106 Agreement.
7. **Application S24/1180** (Pages 65 - 84)
- Proposal:** Construction of an extension to the existing car park, comprised of 146 parking bays, including 11 accessible bays and 8 EV charging parking bays
- Location:** Car Park, Station Road, Stamford, Lincolnshire PE9 2JL
- Recommendation:** To authorise the Assistant Director of Planning & Growth to GRANT planning permission, subject to conditions
8. **Any other business, which the Chairman, by reason of special circumstances, decides is urgent**



**SOUTH
KESTEVEN
DISTRICT
COUNCIL**

Planning Committee

3 October 2024



S24/1200

Proposal:	Change of use from dwellinghouses (C3) to educational use (F1) in connection with Kirkstone House School
Location:	22 And 24 School Lane, Baston, PE6 9PD
Applicant:	Mr Mike Sibthorp
Agent:	Mr G Wyman – Kirkstone House School
Application Type:	Full Planning Application
Reason for Referral to Committee:	Councillor call-in due to loss of housing
Key Issues:	<ul style="list-style-type: none"> • Principle of Development • Impact on character appearance of the area • Impact on neighbours' residential amenities • Impact on highway safety

Report Author

Hannah Noutch, Development Management Planner



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Corporate Priority:

Growth

Decision type:

Regulatory

Wards:

Casewick

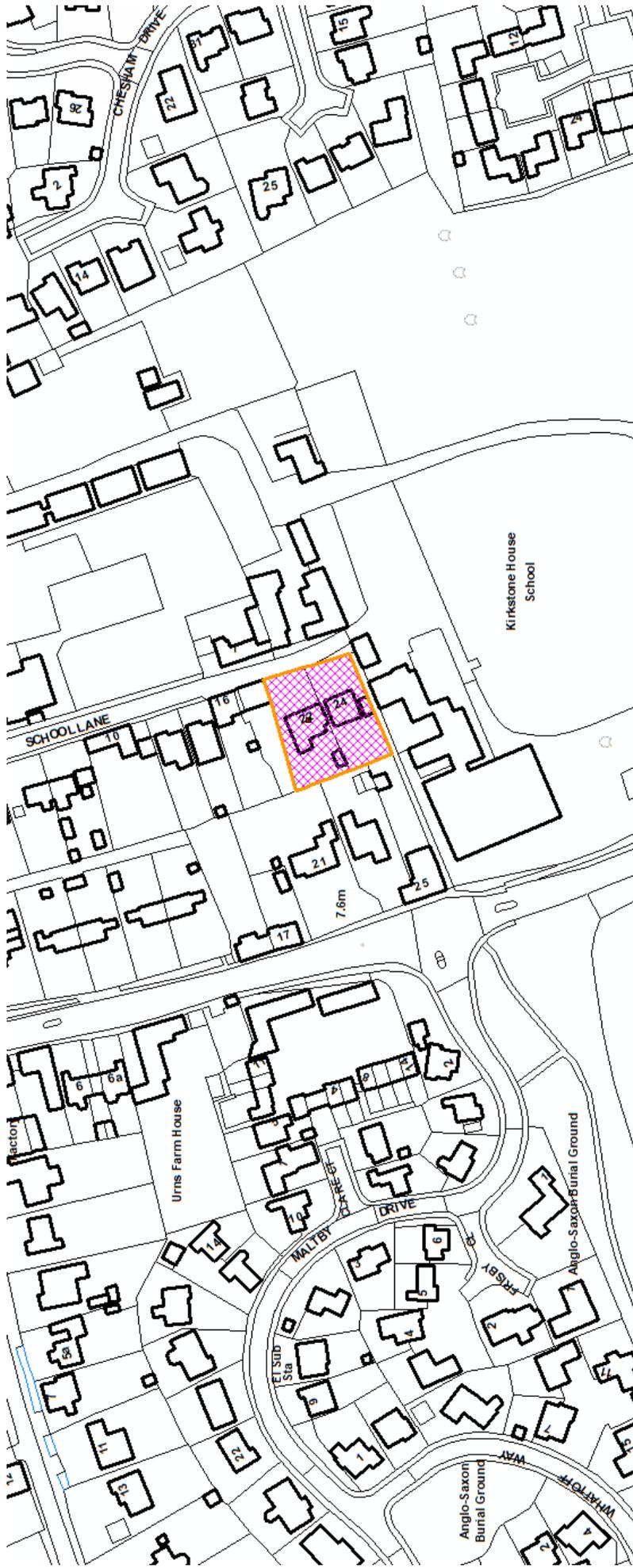
Reviewed by:

Adam Murray – Principal Development Management Planner

23 September 2024

Recommendation (s) to the decision maker (s)

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



**Application
Boundary**



Key

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1 Description of Site

1.1 The application site is located at the end of School Lane in the village of Baston, adjacent the existing Kirkstone House School site. The application site comprises of two semi-detached bungalows set back from the lane, Nos. 22 and 24 School Lane. Other than the further school site buildings, School Lane is predominantly residential.

2 Description of Proposal

2.1 The proposal relates to a change of use of the bungalows from C3 residential use to F1 educational use. The proposed educational use would be in connection with the existing Kirkstone House School, with the buildings set to form part of their wider campus and range of buildings. The operational details submitted with the application explain that the building would be utilised for a variety of educational purposes, including small teaching groups, teaching resource storage, extra-curricular activities such as cooking, cleaning and household budgeting.

3 Relevant History

4 No relevant planning history

5 Relevant Planning Policies & Documents

SKDC Local Plan 2011 – 2036

- Policy SP6 - Community Services and Facilities
- Policy DE1 - Promoting Good Quality Design

National Planning Policy Framework (NPPF)

- Section 12 - Achieving well-designed places
- Section 9 - Promoting sustainable transport

6 Representations Received

6.1 Crime Prevention Design Advisor

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

6.3 Education and Cultural Services (LCC)

6.4 LCC Education has no comments on the application in relation to education

6.5 Lincolnshire Fieldpaths Association

6.6 No comments

6.7 South Kesteven District Council Footpaths Officer

6.8 No comments

6.9 The Ramblers Association

6.10 No comments

6.11 LCC Highways and SuDS Support

6.12 No Objection - This proposal is for the change of use from dwellinghouses (C3) to educational use (F1) in connection with Kirkstone House School. The vehicular accesses meet the visibility guidelines set out in Manual for Streets, the widening / addition drive, will

require a S184 agreement, details listed below in informative 3. Therefore, it is considered that this proposal would not result in an unacceptable impact upon highway safety

6.13 **Parish Council**

Inaccuracies and misleading statements in the submission.

General points of objection.

- Number 22 and 24 School Lane are both bungalow style residential properties in a reasonable state of repair.
- They are situated at the end of a cul-de-sac that is wholly residential.
- Bungalows because of the nature of their design are in short supply in the general housing market even though there is high demand for this style of property especially for elderly and disabled residents.
- In the proposed Lincolnshire Plan under the section of proposed residential building proposals for the county given the housing shortfall Baston has been proposed for a potential build of 83 new properties which given the size of the village will be a considerable % rise in houses.
- We there would question as to why 2 perfectly good residential properties would be allowed to convert from residential use to educational use.
- There is a serious shortage of affordable houses in Baston and because of their size and design if put on the open market these would help to reduce that shortage.
- As previously stated within the ground of KHS there are several former residential buildings that could be utilised for this purpose.
- These properties site outside of the curtilage of KHS. As with many schools to ensure child safety and safeguarding KHS entire site is enclosed within a steel fencing boarder approximately 8 feet high.

7 Representations as a Result of Publicity

7.1 This application has been advertised in accordance with the Council's Statement of Community Involvement and 3 letters of representation have been received. The points raised can be summarised as follows:

1. The proposed use of these properties would provide much-needed facilities
2. Proposal would have a negative impact on the street scene
3. Proposal would lead to a loss of privacy to neighbouring properties and parking spaces
4. The front driveways and gardens would be used as recreational space for staff causing disturbance
5. Loss of residential use
6. Existing school properties not maintained and concerns this would be the case for the resulting buildings

8 Evaluation

8.1 The proposal relates to the change of use of two residential dwellings into educational use in connection with the adjacent existing school premises, Kirkstone House School, bringing the buildings into community facility use. Therefore, Policy SP6 of the SKDC Local Plan is applicable. Policy SP6 states:

Proposals for new community facilities will be supported, and should wherever feasible:

e. Prioritise and promote access by walking, cycling and public transport Community facilities may have a local or wider catchment area, and their accessibility should be considered proportionately relative to their purpose, scale and catchment area and;

f. Be physically accessible to all members of society;

g. Be designed so that they are adaptable and can be easily altered to respond to future demands if necessary; and

h. Where applicable be operated without detriment to local residents.

The principle of this use would be acceptable, consideration is given to the site specific criteria below.

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

8.2.1 Externally, there would be no alterations to the dwelling that would detract from the street scene. The appearance would largely retain as that of the previous use as dwellings and therefore other than movements to and from the buildings and alterations to the front boundary wall to widen the access, there would be no greater increase in impact to the character and appearance of the area.

8.2.2 The use of the buildings for educational purposes in connection with the existing neighbouring school premises would be achievable without increasing the impact to the extent that would result in harm to the street scene. This is due to the proximity of the application site to the neighbouring site and the two dwellings the application relates to being set back from the main building line, out of view when entering School Lane from Main Street.

8.2.3 The supporting statement confirms that the converted buildings would be physically accessible offering level access from the street to the school's staff and pupils. Whilst there are no alterations proposed at present, the buildings are adaptable and can be easily altered to respond to future demands if necessary.

8.2.4 By virtue of the nature of the proposed use, the proposal being an expansion of the adjacent land use, and the buildings would retain their overall existing appearance, the proposal would be in keeping with street scene and surrounding context in accordance with the NPPF Section 12, and Policy DE1 of the Local Plan.

8.3 **Impact on the neighbours' residential amenities**

8.4 Criteria (h) of Policy SP6 states where applicable new community uses or facilities should be operated without detriment to local residents.

8.5 The concerns raised by neighbours in relation to increased noise impact are noted. It is possible dependant on the level of children present in the buildings at any one time there may be an increased level of noise generated from the properties than that of a residential dwelling, however this is not to such an extent that would be deemed to result in an

unacceptable noise impact on the adjacent properties. This is further supported by the relationship between the existing school site and neighbouring properties, with the proposed relationship not being dissimilar.

8.6 Taking into account the nature of the proposal 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 Policies DE1 and SP6 of the Local Plan.

8.7 **Highway issues**

8.8 Paragraph 115 of the NPPF advises that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

8.9 Lincolnshire County Council as the Highways Authority advised the vehicular accesses meet the visibility guidelines set out in Manual for Streets, with the widening of the drive requiring a S184 agreement which would be undertaken directly with LCC. An informative detailing this has been attached. LCC have raised no objections to the proposal.

8.10 Concerns have been raised over the change of use potentially exacerbating on street parking and congestion along School Lane. The proposal does not include any alterations to the existing schools parking arrangements, with this scheme providing additional off-road spaces of 4 spaces to the front of No.24 School Lane and 2 spaces to the front of No. 22 School Lane.

8.11 Criteria (e) of Policy SP6 advises new proposals should promote and prioritise access by walking, cycling and public transport. With the building set to form part of the wider school campus, the location of the buildings would be easily accessible via sustainable transport methods to the residents of Baston and to the existing users of the wider school. The proposal would result in adequate access, parking and turning facilities and would not have an unacceptable adverse impact on highway safety in accordance with the NPPF Section 9.

8.12 **Loss of Housing**

8.13 The proposal would result in the loss of two market houses from the change of use. It is acknowledged that the loss of housing carries weight in the decision-making process. SKDC have an established housing land supply of 5.01 as of September 2023, which does mean that full weight can be given to the policies within the Local Plan. The concern of comments both in representation and from the Parish Council is that the loss of these houses would be harmful to the level of houses available within the village of Baston. Reference has been made to the proposed allocation within the draft local plan in Baston and therefore should we be considering removing 2 houses from residential use if there is a need for additional housing.

8.14 The draft local plan currently holds no weight in the decision-making process, and the current situation should be accounted for. The comments note that these bungalows are much needed affordable housing, however the existing dwellings are not affordable homes they are market housing. In this instance, these specific homes have been vacant for almost 10 years and the proposed change of use would bring these buildings back into use as part of an established school and allow for the provision of more specialised teaching such as smaller teaching groups and extra-curricular learning.

8.15 Overall, the loss of two market housing properties is not considered to be unacceptable to the overall supply of housing in the district, particularly given the properties have not been occupied for a substantial length of time. The reuse of the buildings as community facilities is considered to be a benefit that would outweigh the material consideration of the loss of housing in this instance.

8.16 Therefore, it is considered that the proposed change of use and resulting loss of housing would not warrant refusal of the application in this instance.

8.17 **Other Matters**

8.18 The comments raised by the Parish Council in relation to the existing condition of the front gardens of the property is not a material consideration. The section of the Parish Councils comments in relation to the proposed educational services to be offered to the students are noted, however all of these functions fall under the same educational use and, there is no reason to suggest that the provisions such as smaller teaching groups, life skill teaching and other educational resources would not be provided as part of the proposed use as this is what has been specified. On the point on the specifics of the use, concerns were raised in relation to the potential required boundary treatments which can be required around schools for safety purposes. Based on the details submitted on how the proposal would operate, it is not anticipated large groups of children being within the premises at one time and there to be constant supervision, the existing boundary treatment arrangements are considered to be acceptable.

8.19 Questions have been raised over how the change of use would impact the need for paying Council Tax, as the properties would no longer be domestic properties, business rates would be payable. However, this is not a material planning consideration.

8.20 **Crime and Disorder**

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

8.22 **Human Rights Implications**

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

8.24 **Conclusion**

8.25 Taking the above into account, it is considered that the proposal is appropriate for its context and is in accordance with the NPPF (Sections 9 and 12) and Policies DE1 and SP6 of the South Kesteven Local Plan. Whilst the proposed development would result in the loss of housing, this adverse impact is deemed to be outweighed by the public benefits of the proposal. As such, it is recommended that planning permission is granted subject to conditions.

9 **Recommendation**

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

Time Limit for Commencement

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

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

Approved Plans

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

- i. Site Location Plan received 29 July 2024
- ii. Proposed Floor Plans received 31 July 2024

Unless otherwise required by another condition of this permission.

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

Ongoing Conditions

3 The conversion hereby approved shall only be used for purposes which are ancillary to the educational use of Kirkstone House School, Baston. The buildings shall not be let, leased, sold, split in title, or otherwise occupied such as to constitute the formation of an independent educational facility.

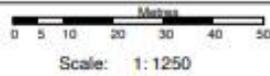
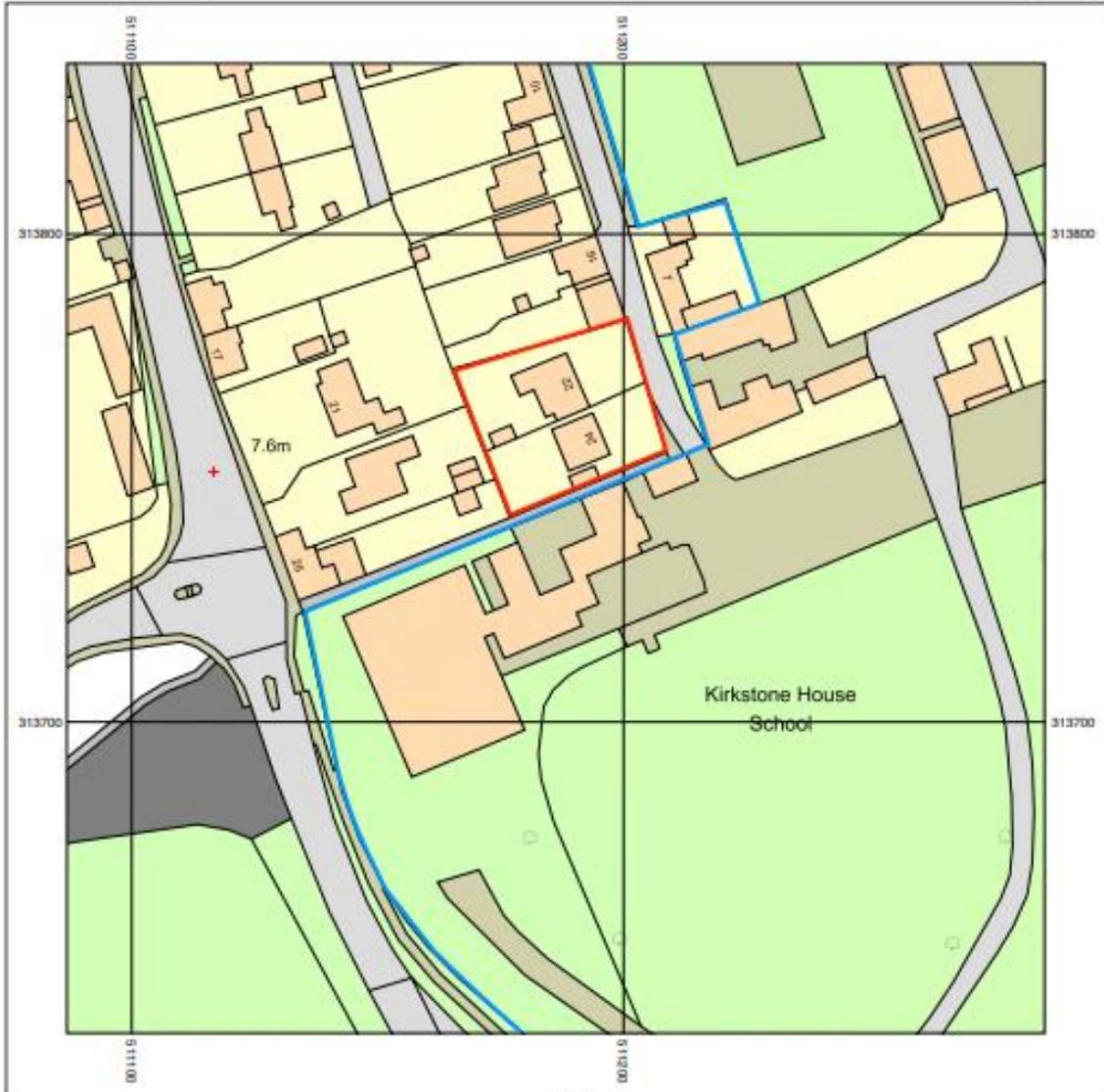
Reason: The establishment of an independent educational facility on this site would give rise to conditions detrimental to the amenities and privacy of both the adjacent residential properties.

Location Plan

NATIONAL
MAP CENTRE


MIKE SIBTHORP PLANNING
LOGAN HOUSE, LIME GROVE, GRANTHAM, NG31 9JD
TEL: 014765 569065 MOB: 07983 470950


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Site Location Plan
22 & 24 School Lane, Baston
Proposed change of use to educational use (F1)
Kirkstone House School
Plan Ref: MSP.2080/001A

Proposed Floor Plans

FLOOR PLAN 24 SCHOOL LANE



FLOOR PLAN 22 SCHOOL LANE



Existing Floor and Block Plan



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**SOUTH
KESTEVEN
DISTRICT
COUNCIL**

Planning Committee

17 October 2024



S23/2199

Proposal:	Construction and operation of a solar photovoltaic farm with battery storage and associated infrastructure
Location:	Land At High Dike Road, Londonthorpe
Applicant	Low Carbon Solar Park 38 Limited
Application Type:	Full Planning Permission (Major)
Reason for Referral to Committee:	Called in by Cllr Elvis Stooke for the following reasons: <ul style="list-style-type: none"> • Loss of BMV land • Impact of heritage assets • Lack of community support • Landscape and visual impact
Key Issues:	Climate Change / Principle of Development Effect of the proposal on agricultural land Effect of the proposal on the character and appearance of the area Effect of the proposal on biodiversity and ecology
Technical Documents:	<ul style="list-style-type: none"> • Planning, Design and Access Statement • Consultation Report • Mineral Safeguarding Assessment • Transport Statement • Historic Environment Assessment • Glint and Glare Assessment • Preliminary Ecological Appraisal • Flood Risk Assessment • Landscape and Visual Impact Assessment • Construction Traffic Management Plan • Agricultural Land Classification Report

Report Author

Phil Jordan, Development Management & Enforcement Manager



01476 406080



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Corporate Priority:

Growth

Decision type:

Regulatory

Wards:

Lincrest

Reviewed by:

Adam Murray – Principal Development Management
Planner

09 October 2024

Recommendation (s) to the decision maker (s)

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

1 Description of the site

- 1.1 Firstly, it is noted that the current proposed scheme has been significantly reduced in scale from the proposal that was initially submitted. The initial scheme comprised 144 hectares of land, which has now been reduced to an area of approximately 53.8 hectares. The initial scheme also included over 20 hectares of best and most versatile agricultural land (BMV), which has now largely been excluded from the scheme. Land required for the cable corridor has also been excluded from the amended scheme.
- 1.2 The land is situated to the east of High Dike (B5403), approximately 1km to the north of the village of Londonthorpe and 6km north-east of the town centre of Grantham. The site comprises four adjoining fields, which are currently in agricultural use. The land levels fall gradually from the northern part of the site to the south-east.
- 1.3 The application site primarily follows the established field boundaries, with the exception of the eastern boundary to the southern part of the site which does not follow a clearly defined physical feature. All other internal and external boundaries of the site are marked by mature hedgerow and vegetation, with some sporadic mature trees within the site, which are primarily positioned along the internal field boundaries. There is a particularly dense plantation of trees to the existing northern boundary of the site. The High Dike (B6403) runs adjacent to the eastern edge of the site, with the remaining land bound by open countryside, including further agricultural land.
- 1.4 As indicated above, the proposed development site lies outside of the main built-up area of any defined settlement within the District. The nearest settlement is Londonthorpe, which is located approximately 1km to the south of the proposed development site. The site is also identified as being within Flood Zone 1 of the Flood Map for Planning, with the vast majority of the site also at low risk from surface water flooding. Furthermore, the Natural England Provisional Agricultural Land Classification Maps identify the site as being Grade 3 agricultural land value; a detailed Agricultural Land Classification Survey has been completed as part of the application submission, and this is discussed in further detail below. The site also falls within a Minerals Safeguarding Area for Limestone as designated in the Lincolnshire Minerals and Waste Local Plan: Core Strategy and Development Management Policies DPD (Adopted June 2016).
- 1.5 The site is not subject to any statutory landscape designations. However, the site is located within the Southern Lincolnshire Edge Landscape Character Area (South Kesteven Landscape Character Assessment, 2007), which is defined by the large-scale, open arable landscape character; and comprises of open rectilinear fields under arable cultivation with some fragmented hedgerow trees, which allow extensive views.
- 1.6 Similarly, the proposed development site does not contain any designated built heritage assets, but there are a number of designated built heritage assets located within the surrounding area; including the Grade I Listed Belton House and its associated Registered Park and Garden, the Grade II* Bellmount Tower and Londonthorpe Conservation Area and associated listed buildings.
- 1.7 Furthermore, whilst the site is not subject to any ecological designations, it is noted that the High Dike, Copper Hill to Londonthorpe road verges are identified as a Local Wildlife Site (LWS) and forms one of seven LWS's within 2km of the proposed development site. The nearest nationally designated site is the Honington Camp Site of Special Scientific Interest, which is approximately 2km to the north.

1.8 The proposed development site has not been the subject of any previous planning applications. However, the application proposals have been the subject of an Environmental Impact Assessment [EIA] Screening Opinion (LPA Ref: S23/2235) determined May 2024, which concluded that the proposed development was not defined as being EIA development, and therefore, the current application was not required to be accompanied by an Environmental Statement.

2 Description of the proposal

2.1 The amended application seeks full planning permission for the installation of solar farm comprising ground mounted solar photovoltaic panels, including mounting systems, inverters, batteries, perimeter fencing, CCTV, internal access tracks, electrical substation and associated infrastructure for a temporary period of 40 years.

2.2 The proposed solar farm is anticipated to have an energy generating capacity of up to 49.9 megawatts (MW) (AC), and would be operational for a temporary 40 year period; with all equipment removed from the site at the end of the operational period, and the land subsequently returned to its current agricultural use.

2.3 The application submission has been accompanied by a series of Proposed Plans and Elevations, as well as detailed technical assessments, which indicate that the development would consist of the following:

2.4 Approximately 54,000 Solar Photovoltaic (PV) panels based on a simple metal framework

2.5 The batteries would be contained within shipping containers or similar cabin type structure. Each cabin would measure up to approximately 12 m long, 2.6 m wide and 2.9 m high. Each cabin would be placed on a hardcore/concrete base, with a stepped access at one end. Each battery would be located adjacent to heating, ventilation and cooling ('HVAC') units; and a battery power conversion system. The site layout plans shows 60 batteries in two separate areas to the south-west of the site. Each separate area contains a 260,000 litre water tank and pump house, switchgear, a spare parts container and welfare building.

2.6 The inverters/ transformers would be within containerised units similar to shipping containers. Each unit would measure approximately 12.2 m long, 2.5 m wide and 2.9 m high. Each unit would be placed on a concrete base (with up to 1 m deep foundations). The site layout plan shows 22 inverters located in central areas in each of the field parcels.

2.7 The customer substation would measure approximately 10 m long, 4 m wide and 3 m high and the DNO substation would measure approximately 8 m long, 5.4 m wide and 4.1 m high, and would be placed on a concrete base. The final details of the external appearance are not specified but the application states that the structure would either be clad in brick or wood to comply with local vernacular, or coloured green (or in any other colour) to minimise any visual impact. This is shown to be in a central area within the site.

2.8 Boundary fencing (deer fencing) around the site perimeter which would be 2m high and would include a gap at the bottom for small mammals to pass through.

2.9 CCTV cameras are proposed to be positioned on a 2.5m posts located around the boundary of the site.

2.10 Internal access tracks would be constructed of compacted stone of aggregate.

2.11 Access to the site is proposed to be taken via an existing agricultural field access from High Dike (B6043). The access is proposed to be used for construction of the proposed

development, as well as the operational period, including periodic attendance by maintenance operatives.

- 2.12 The application submission has also been accompanied by a Landscape Strategy Plan, which indicates that the existing boundary and internal hedgerow will be retained and enhanced through gapping up with native hedgerow; further additional native hedgerow is to be planted on open boundaries to the west of the site and at the site access. The existing northern boundary is to be planted with new native species trees to create a transitional woodland edge habitat. Within the site, the existing agricultural land is proposed to be seeded with native species and species rich grassland.
- 2.13 A 15m buffer is proposed between the any built development and the woodland to the north, with a 10m buffer proposed between any existing hedgerow and the solar arrays.

3 Relevant History

Application Ref	Description of Development	Decision
S23/2235	EIA Screening Opinion Request - Ash Tree solar farm.	EIA Not Required 17.05.24

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 E9 – Visitor Economy

Policy GR1 - Protecting and Enhancing the Setting of Belton House and Park

Policy DE1 – Promoting Good Quality Design

Policy RE1 – Renewable Energy Generation

Policy ID1 – Infrastructure for Growth

Policy ID2 – Transport and Strategic Transport Infrastructure

Local Plan Appendix 3 – Renewable Energy

4.2 Lincolnshire Minerals and Waste Local Plan: Core Strategy and Development Management Policies DPD (Adopted June 2016)

Policy M11 – Safeguarding of Mineral Resources

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

4.4 National Planning Policy Framework (NPPF) (Published December 2023)

Section 2 – Achieving sustainable development

Section 4 – Decision-making

Section 9 – Promoting sustainable transport

Section 11 – Making effective use of land

Section 12 – Achieving well-designed and beautiful places

Section 14 – Meeting the challenge of climate change, flooding and coastal change

Section 15 – Conserving and enhancing the natural environment

Section 16 – Conserving and enhancing the historic environment

Section 17 – Facilitating the sustainable use of minerals

4.5 **National Policy Statement for Energy (EN1) (Published November 2023)**

4.6 **National Policy Statement for Renewable Energy (EN3) (Published November 2023)**

5 Representations Received

5.1 The Gardens Trust

5.1.1 We welcome the amended Site Layout and Landscape Strategy Plans which show an increased distance between the solar farm development and the eastern boundary of the RPG, together with strengthening of tree and hedgerow planting, and consider this will help to reduce the visual impact on the eastern area of Belton House RPG, Bellmount Tower and Bellmount Plantation. However, we are concerned that this will be less effective over the winter months and will also take some years to establish to allow effective screening. Nor are we convinced that these planting proposals will offer sufficient screening of the associated infrastructure required. In addition, careful ongoing management of the existing woodland cover will also be required to maintain effective cover, particularly if future thinning operations are considered.

5.1.2 On balance and not having been included in the earlier stages of this consultation, the GT considers the latest amendments appear to offer an improvement compared to the original proposals. However, we do not consider they will eliminate the impact on Belton House RPG and would ask that South Kesteven District Council, in making a decision, to carefully consider that this heritage asset is Registered at Grade I and should therefore be accorded great weight to its conservation in line with Nation Planning Policy Framework (NPPF) paragraph 205. Any harm to, or loss of, the significance should therefore require clear and convincing justification, and in this case should be wholly exceptional NPPF para 206.

5.2 Civil Aviation Authority

5.2.1 No comments received.

5.3 Ministry of Defence

5.3.1 Aerodrome height safeguarding zone – no concerns with height of proposed development.

5.3.2 Birdstrike safeguarding zone – Request conditions to minimise the risk of birdstrike.

5.3.3 Glint & Glare – no concerns raised.

5.3.4 Technical Safeguarding Zone – request condition to secure an Electrical Noise Management Plan (ENMP).

5.4 Environment Agency

5.4.1 No objections – but provided advice regarding managing water run-off from batteries to reduce risk of pollution and for dealing with waste at end of life.

5.5 Heritage Lincolnshire

5.5.1 The geophysical survey already undertaken on the site has revealed extensive areas of potentially significant archaeological remains. A programme of archaeological trial trenching is now required to assess the state of preservation, date and significance of archaeological remains which survive on the site. We advise that the trial trenching is undertaken prior to

determination and should inform a mitigation strategy. The mitigation strategy should be submitted as part of the application.

5.6 **Historic England**

5.6.1 We note the updated design largely addressed our concerns.

5.6.2 We note there is not a revised ZTV, and the photomontages do not show the containers/inverters/battery storage areas. It is important to consider the sighting of this infrastructure, in particular with the historic walk and ride within Belton as well as the historic approach route from the north west corner.

5.6.3 We are supportive of the reinstatement of hedgerows along historic hedgerow boundaries. To relieve linear regularity of these hedgerows, standard trees scattered through the hedges would be welcomed. Historically these were often oak, ash and elm, however we note that ash and elm would not be suitable due to disease, along with fruiting trees such as crab apple, wild cherry, hazel, elder and wild pear. Sufficient space should be allocated to ensure confidence in maintaining 3m high, dense hedgerows. We are also supportive of the enhancement of existing hedgerows, when planting into a gap of existing hedgerows, hedgerow gaps may also be suitable for planting hedgerow trees.

5.6.4 We note the argument put forward by Cotswold as regards the industrial character of solar arrays. The increasing frequency with which one encounters such installations in the rural landscape does not however in itself lessen their impact upon the significance of designed landscapes. These parks and gardens frame a relationship to the character of the countryside in which they were set. There is much more of that historic landscape context to be experienced in fields set with grass or a cycle of crops and cultivation, than in their appearance ranged with ranks of panels. Our advice takes a view on pulling back the most intrusive elements of the scheme.

5.6.5 We refer you to the expertise of the LPA's archaeological advisors. Effective measures to address the significance of archaeological remains rely upon a structured process of pre-determination evaluation including where proportionate trial trenching.

5.6.6 If design or mitigation solutions are to be relied upon the character and importance of buried remains should be understood. Sensitive structural or human remains should not be piled through, Where, as in this instance, such remains appear likely to be present trial trenching is necessary to viably deploy appropriate design / mitigation solutions.

5.6.7 Historic England has concerns regarding the application on heritage grounds. We consider that the issues and safeguards outlined in our advice need to be addressed in order for the application to meet the requirements of paragraphs 205, 206, 208 & 209 of the NPPF.

5.6.8 In determining this application you should bear in mind the statutory duty of section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they possess.

5.7 **Lincolnshire County Council (Highways & SuDS)**

5.7.1 This proposal is for a solar farm and associated infrastructure. Construction period is expected to be 6 months, and during this time there would be 40 vehicles per day (including 10HGVs) using the existing access on the High Dike.

- 5.7.2 The existing access has visibility in accordance with DMRB standards, and it would require to be upgraded to LCC industrial access specification under a Section 184 application.
- 5.7.3 The volume of traffic (around 4 per hour) during the construction period would not cause capacity problems or have an unacceptable impact on highway safety.
- 5.7.4 The surface water flood risk is considered in the Flood Risk Assessment, and whilst solar farms do not significantly affect the water regime due to the runoff from the panels falling on the ground below, there is some change from access tracks and battery storage areas which are addressed by using permeable material and filter drains and swales around the perimeter.
- 5.7.5 Public Rights of Way - There are no recorded PROWs within the application site. However, a Definitive Map Modification Order Application has been submitted to add Beggar's Lane to the Definitive Map and Statement as a Public Byway. In addition, Welby Public Footpath Nos. 3 and 4 meet the High Dike to the east of the application site. It would be desirable to create a behind the hedge public footpath on the western side of the High Dike linking Welby Public Footpath Nos. 3 and 4. The footpath should be 2m in width and it would be desirable to leave a further 3m between the footpath and the solar arrays.
- 5.8 **Lincolnshire Fire and Rescue**
- 5.8.1 Provided detailed advice for mitigating fire risk associated with Battery Energy Storage System (BESS). This includes recommendation for a risk reduction strategy to be developed in collaboration with LFR.
- 5.9 **Lincolnshire Wildlife Trust**
- 5.9.1 There are a number of unknowns following the amended site layout concerning the ecological impact of the site. The scale and overplanting document states the solar arrays will be spaced further apart following the reduced land take. A revised BNG assessment will need to be produced of the revised development footprint and cable route.
- 5.9.2 We also wish to reiterate that the BNG associated with the site is predicated on the enhancement of post-development habitats and thus a management plan must be provided for the during of the operational phase of the scheme (40 years according to the design and access statement). We strongly encourage this be provided under a planning condition prior to any works beginning onsite. The Environment Act 2021 requires that BNG be assessed for all development but also include stipulations that ensure calculated gains are realised through the actions stated in documents such as Landscape Environmental Management Plans (LEMPs).
- 5.10 **National Trust**
- 5.10.1 This response is provided in relation to further recent amendments made to the proposals, amounting to a third revision. For the avoidance of doubt, this response should also be read in conjunction with our previous representations. We consider that the supporting assessment and analysis of Belton is still relevant to the decision-making process. Including that relating to Belton's historic significance, interest and setting.
- 5.10.2 We note the applicant's amended Site Layout Plan, Site Location Plan and Landscape Strategy Plan which act to further withdraw solar panels from the south and southeast of

the scheme. A new redline area has also been established. As such there is a further reduction in development massing across the south of the (former) site.

- 5.10.3 To the south and southeast, the withdrawal of additional solar panels, in principle, appears to further lower the risk to the historic setting of Bellmount Tower and Plantation. In turn helping to further mitigate the immediacy of visual impact. The reduced massing is also potentially to the benefit of views available from High Dike Road across to Belton's eastern parkland.
- 5.10.4 We note that the applicant has provided a more detailed analysis of ash dieback disease and its potential impact in a submitted Arboricultural Addendum. However, it is apparent that no Zone of Theoretical Visibility (ZTV) work is provided by the applicant supporting the amended proposals.
- 5.10.5 In relation to the northwest of the site. Notwithstanding any wider reduction, an area of proposed solar panels still appears to run into an area outlined in the Belton House and Park Setting Study (2010) as 'adjacent to the approach route that provides an appreciation of the parks rural location'. Therefore, continuing to present a potential impact on setting in this area, as outlined in the Setting Study. Specifically, the approach routes help with the appreciation of Belton's wider rural setting, landscape and character.
- 5.10.6 We ask that this, alongside the overall risk to historic setting, is given careful consideration by South Kesteven District Council. This is where the revised scale, mass and width of the amended proposals are concerned in relation to rural landscape character. This is in addition to the impact of construction, security measures (e.g. fencing and CCTV), infrastructure (e.g. battery storage) and operational impact (e.g. access, noise and glint and glare).
- 5.10.7 Additionally, it is noted that there remain wider proposals for solar development to the east of Belton. In light of this we request that an assessment of potential cumulative impact is carried out. This is with a view to the overall capacity of the rural landscape for change in its local and unique context.
- 5.10.8 In all, the National Trust recognise that the proposed amendments offer additional improvement to the scheme. Helping to further mitigate the immediacy of visual impact from within Belton's eastern parkland and reducing associated risk of impact from the south. We still have some concern, albeit this has been lessened as a result of the revised proposals.
- 5.10.9 The National Trust now ask that South Kesteven District Council arrive at a balanced decision in relation to these proposals. This is accounting for the above, alongside the overall significance, interest and setting of Belton.
- 5.10.10 More broadly, if South Kesteven District Council consider that this application should be approved, we request that the type and nature of solar panels is agreed to minimise the risk of glint and glare in the wider landscape. This includes the use of non-glare/non-reflective type panels. Also, that all opportunity is taken to maximise visual screening in a means suitable to the site and landscape, supported by a detailed landscape management plan which assures long term management. Finally, an appropriate site decommissioning and restoration plan should also be in place, with robust associated conditions. This is to assure the future legacy of this site beyond an operational period and to seek enhancement opportunities

5.11 **Natural England**

5.11.1 No objection - Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites or landscapes.

5.12 **Lincolnshire County Council (Policy)**

5.12.1 Objection to initial version of scheme and loss of Best and Most Versatile Agricultural Land.

5.13 **Black Sluice Drainage IDB**

5.13.1 A suitable maintenance strip should be left to allow access to watercourses

5.14 **SKDC Conservation Officer**

5.14.1 The new proposal noticeably reduced the extent of the solar farm in the western extent of the site, taking into account the comments from all parties especially about the potential visual impact of the south-western corner and north-western corner. The significant reduction especially at the south-western corner now sets the solar panels back sufficiently to likely not immediately be visually noticeable. Given the slope of the landscape, especially when experienced from the boundary of the Bellmount Plantation, this area is likely not visible, especially in combination with the proposed reinstatement of the historic boundary and reinforcement of the existing boundary. These are welcome steps taken to preserve the settings of the Designated Park and Bellmount Tower. The long term maintenance of the hedgerows proposed and enhanced should also be considered, to maintain their screening purpose throughout the existence of the solar farm.

5.14.2 While the large open section within the Parks boundary to the north of the site that provides a full view of the north-western extent of the site has clearly been taken into consideration with the reduction of the site, this location should have been noted as a vista point for the photomontage to fully understand the visual impact of the remaining solar panels in the northern extent, as well as of the substation and battery storage, which has not been considered. As previously noted, the corner of the site is an 'area adjacent to the approach routes that provide an appreciation of the parks rural location', and the proposed site's extent still encroaches slightly upon this. The proposed planting is unlikely to provide full coverage for some years, but will provide some level of screening.

5.14.3 The impact of glint and glare upon the heritage assets and their setting has still not been considered in depth, so further information on this would be appreciated.

5.14.4 The reduction in the size would reduce the potential visual impact upon the setting of the Londonthorpe Conservation Area. The concerns of impact for this heritage asset are therefore resolved.

5.14.5 The overall impact of the proposed works on the heritage significance of the adjacent heritage assets has definitely been reduced with the changed design. The immediate impact upon Bellmount Tower would be considered to be of less than substantial harm, which on a scale would be considered to be at a low level. The impact upon Belton Park and Garden, with the focus on the experience of the Bellmount Plantation and its wider setting, would be considered of less than substantial harm, which on a scale would be considered to be at a moderate level. This may be mitigated with some smaller design changes to a lower level.

5.15 **SKDC Environmental Protection Officer**

5.15.1 EP has reviewed the noise report dated October 2023 produced by LF Acoustics and accepts the findings. Any assumptions made within the report regarding layout should be adhered to and any material changes will require the modelling to be adjusted and resubmitted to the local planning authority.

5.16 **Londonthorpe and Harrowby Without Parish Council**

5.16.1 We note the removal of the cable route from this application, but they still do not give us any assurances that it will not eventually go through our conservation village. We all know that it should be going under the fields as per the other applications in the pipeline propose.

5.16.2 We note also the reduction in size, but this does not change the fact it is in the wrong place next to both a conservation village and the historic Belmont Woods.

5.16.3 Our objection still remains the same as per the BESS units being placed on the nearest point to the village, surely if this was to go ahead these should be at the furthest point from the populated areas.

5.16.4 There still appears to be the same objections in place from some of the Statutory Bodies as previously.

5.17 **Barkston & Syston Parish Council**

5.17.1 Raise the following points:

- Need to consider visual impact, although comment it is well separated from residential properties.
- Comments provided regarding loss of agricultural land, but note potential for grazing and that more food producing land is being lost to AD plants than solar.

5.18 **Lincolnshire Police**

5.18.1 No objections – designing out crime advice offered

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 51 letters of representation (50 objecting, 1 in support) have been received. The points raised within the representations can be summarised as follows:

Objection

- Noise impact from battery energy storage system (BESS) and inverters
- Potential for groundwater pollution
- Potential for light pollution
- Objection to the loss of agricultural land, including BMV land
- Potential negative impacts on land quality after 40 years
- Objection to the visual impact of the development on the rural landscape character and setting
- The proposed development would adversely affect the setting and significance of Belton House Registered Park and Gardens, Bellmount Tower and Londonthorpe Conservation Area

- Impact from the proposed cable route
- Impacts on ecology and biodiversity
- Objection to the cumulative impact of the proposed development in combination with the nearby applications on the rural landscape character.
- Visual impact on users of PRow network
- Impact on archaeology
- Adverse impact to visitors and walkers in the area and to tourism in the area
- No public support for proposals
- Fire risk
- Impact on property values
- Impacts during construction
- Traffic impacts
- Potential for rural crime
- Potential health impacts

Support

- Need for renewable energy
- Site is well screened
- Relatively low agricultural land quality

7 Evaluation

- 7.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that the Local Planning Authority makes decisions in accordance with the adopted Development Plan, unless material considerations indicate otherwise. The Council adopted the South Kesteven Local Plan 2011-2036 on 30 January 2020, and this forms the Development Plan for the District and is the basis for decision-making for the current application.
- 7.2 The Lincolnshire Minerals and Waste Local Plan: Core Strategy and Development Management Policies DPD (Adopted June 2016) also forms the development plan for the District in relation to minerals planning.
- 7.3 The Local Planning Authority have also adopted a Design Guidelines Supplementary Planning Document (SPD) (Adopted November 2021), and this document is a material consideration in the determination of planning applications.
- 7.4 The policies and provisions set out in the National Planning Policy Framework (NPPF) (“the Framework”) (Published December 2023), and the National Policy Statements for Energy (EN1) and Renewable Energy (EN3) are also a relevant material consideration in the determination of applications.
- 7.5 **Principle of Development / Effect of the proposals on climate change**
- 7.5.1 The proposed development site is located outside of the main built-up area of an existing settlement within the District; the nearest settlement is Londonthorpe, which is located

approximately 1km to the south of the site. Therefore, the site falls to be defined as being located with the Open Countryside. Policy SP5 (Development in the Countryside) limits development in such locations to that which has an essential need to be located outside of the existing built form of a settlement. This policy includes support for rural diversification projects. The proposed solar development would reasonably fall within the consideration of a rural diversification project, and therefore, would be acceptable within this open countryside location.

7.5.2 The application proposals would have a generating capacity of approximately 49.9MW (AC). While the grid connection offer is stated to be 25MW, the proposed solar farm 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 excess energy generated during sunnier periods. This would make a positive contribution towards meeting the national objectives in respect of energy generation, and would also be consistent with the Local Plan, which supports renewable energy generation in principle. It is also acknowledged that South Kesteven District Council has formally declared a climate emergency, and has also published a Climate Change Strategy (2023) which, amongst other things seeks to maximise opportunities for the District to become more self-sufficient for energy and to reverse biodiversity loss and expand existing habitats. It also recognises that the development of renewable energy at every level will be important to drive local energy generation and provide a tangible contribution to national Net Zero targets. These matters are both material considerations that weigh in favour of the application.

7.5.3 In assessing the application proposals against the specific policy obligations of Policy RE1 (Renewable Energy Generation):

- (a) The amended scheme comprises 99% grade 3b agricultural land, with only two very small areas of grade 3a land remaining within the proposed layout.
- (b) The application submission has been accompanied by a Consultation Report (November 2023) which sets-out the consultation that took place prior to the application being submitted. It is noted that representations received from Londonthorpe and Harrowby Without Parish Council and members of the public during the course of the consideration of the application have raised objections to the proposed development and, therefore, it can be concluded that the proposal cannot demonstrate the support of the affected local community. The applicant has sought to overcome the objections raised by the submission of amended plans and it is noted that only two further comments were received following consultation on the latest version of the plans.

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

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

- (c) The application proposals would have a generating capacity of up to 49.9MW (AC) and this limit is recommended to be secured by condition. Electricity generated from the development would be transferred to the National Grid via substation located approximately 2km to the south of the site, off Newgate Lane. Land required for the cable route to the grid connection point has been removed from the application. The applicant has stated that this to allow consideration of alternative options for the cable route and they maintain that they have an option that could be implemented using Permitted Development Rights. This approach has been accepted through previous appeals (including ref S23/0511) and is accepted in this instance.
- (d) The submitted Planning Statement confirms that permission is sought for a temporary period of 40 years from the date of the first export of electricity from the site to the National Grid. The Statement also confirms that the site would be decommissioned at the end of the operational period. A condition requiring a decommissioning and reinstatement 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.

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

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

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

7.6.2 As outlined above, the amended layout plan identifies that the majority of the site is grade 3b land with only two very small parcels 0.5ha (1%) of Best and Most Versatile Agricultural Land (BMVAL) remaining. These remaining areas would be impractical to remove from the scheme and therefore it is accepted that the amended proposals now avoid any significant loss of BMVAL.

7.6.3 While the scheme would still use 53 ha of agricultural land for solar generation, the temporary 40 year period sought for the scheme is noted. Likewise, it is accepted that alternative agricultural uses such as grazing could continue during that time period.

7.6.4 In view of the above, it is Officer's assessment that the application proposals would be in accordance with Policy SP1 and Solar Energy Criteria 9 of the Renewable Energy Appendix of the adopted Local Plan.

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

- 7.7.1 The site is located within National Character Area 47 Southern Lincolnshire Edge and Regional Character Type 10a Forest Hills and Ridges. Locally, the site is located within the Southern Lincolnshire Edge Landscape Character Area (South Kesteven Landscape Character Assessment, 2007), which is defined by the large-scale, open arable landscape character; and comprises of open rectilinear fields under arable cultivation with some fragmented hedgerow trees, which allow extensive views.
- 7.7.2 The original application was accompanied by a Landscape and Visual Impact Assessment (Aspect Landscape Planning) (November 2023), which reached the following key conclusion(s):
- There would be no significance of effect on the National Character Area 47 Southern Lincolnshire Edge and Regional Character Type 10a Forest Hills and Ridges.
 - The proposals would give rise to a low magnitude of change upon the character of the Southern Lincolnshire Edge Landscape Character Area resulting in a significance of effect of Moderate/ Minor. Any effects on the Grantham Scarps and Valleys Character Area would be negligible.
 - The significance of effect on the site and its setting would be Moderate Adverse initially which would reduce once the landscape mitigation and enhancements has established and would revert to an enhanced baseline and the end of the operational period.
 - Partial localised views were identified from the PRow network in close proximity to the east of the site and from the south-west. However, the proposals would not be seen as a whole and mitigation planting would reduce any visual effects over time.
- 7.7.3 It is noted that the amended proposals have now removed a significant portion of the site that was assessed as part of the submitted LVIA. The amended scheme is also separated by approximately 385m from the closest part of the Bellmount Plantation and over 1km from Bellmount Tower. The closest residential property is located approximately 700m to the south-east of the site, with the closest dwellings in Londonthorpe located 1km to the south. However, the amended scheme would still result in 53.8 ha of agricultural land being used for the proposed solar development. Likewise, there would remain some localised views towards the site from the PRow network to the east and from the edge of the Bellmount Plantation. As such, there would remain some visual effects and impacts on the landscape character of the area, as result of the change of use of the site and the introduction of the proposed large scale energy infrastructure. These impacts would be softened through the proposed soft landscaping scheme, which is recommended to be secured by condition.
- 7.7.4 The application has been assessed on the basis of the 'Rochdale Envelope' approach i.e. the worst case parameters for each component have been considered. Therefore, it is considered necessary to impose conditions allowing for the submission of the final detailed design of the scheme. This would limit development to the amended red line area, but allow further consideration of the final scale, layout, appearance of the solar scheme. This approach would also allow the final design to respond to any design recommendations which may be necessary following further archaeology and noise assessments, which are discussed further below.
- 7.7.5 In summary, it is officers' assessment that the proposed development would result in a minor adverse impact on the landscape character. There would also be some moderate

adverse visual impacts on localised views towards the site. While these adverse impacts could be partly mitigated through the implementation of a robust landscaping scheme, this harm remains contrary to Policies EN1 and DE1 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.

7.8 **Impact on heritage assets**

- 7.8.1 The proposed development site does not contain any designated built heritage assets, but there are a number of designated built heritage assets located within the surrounding area; including the Grade I Listed Belton House and its associated Registered Park and Garden, the Grade II* Bellmount Tower and Londonthorpe Conservation Area and associated listed buildings.
- 7.8.2 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires Local Planning Authorities to have special regard for the desirability of preserving listed buildings and their settings, or any special architectural interest which it possesses.
- 7.8.3 The amended scheme is separated by approximately 385m from the closest part of the Bellmount Plantation and over 1km from Bellmount Tower. Bellmount Tower was built in 1750, with an avenue of trees leading from Belton House towards the tower. While the tower was predominantly designed to enjoy views to the west, there are smaller windows at attic level which allow views in all directions. Further, while the plantation to the east has matured over time and now obscures views in that direction, historic maps show significantly less dense planting. Likewise, the plantation is currently subject to planned thinning as a result of Ash dieback. The plantation forms the eastern extent of the Registered Park and Garden and walks to Bellmount Tower and through the plantation are publicly accessible and managed by the National Trust. Along the eastern extent of the plantation and particularly in the north-eastern part of the plantation, there are more prominent views towards the application site which form part of the setting of the Registered Park and Garden. As such, it is concluded that the application site does make some contribution to the cultural, historic and experiential significance of the Bellmount Tower and the Belton House Registered Park and Garden, as a result of its rural landscape setting.
- 7.8.4 Londonthorpe Conservation Area is located approximately 1km to the south of the site and contains a number of listed buildings. The significance of the conservation area is largely derived from its linear plan form along High Street and the distinctive architecture and limited palette of natural materials used in the historic buildings. The conservation area is located on the rise of a hill overlooking Grantham with the Belton Estate to the west and the open heathland to the east. These rural views frame the conservation area and also make some contribution to its significance. Likewise, there are some important views heading north along Church Lane with the eastern extent of the Registered Park and Garden and the application site in the distance. As such, it is concluded that the application site also makes some contribution to the cultural and experiential significance of Londonthorpe Conservation Area, as a result of its rural landscape setting. However, this is limited to the conservation area as a whole, as opposed any individual listed buildings.
- 7.8.5 Historic England, the Council's Conservation Officer and National Trust all objected to the initial proposal raising concern that the proposals would result in less than substantial harm to the significance of the above heritage assets. All of the above bodies, as well as the Gardens Trust have acknowledged that the amended proposals reduce the adverse impacts on those designated heritage assets. Nonetheless, they all continue to raise

concerns with the proposals and emphasise the importance of an effective landscaping strategy, as well as the final detailed design of the scheme in order to further mitigate any impacts of the proposals in the event that the application is approved. The applicant's setting study and addendum (Cotswold Archaeology) submitted with the application maintains that the amended proposals would not harm the significance of any of those identified heritage assets.

- 7.8.6 It is the Case Officer's assessment that the proposed development scheme would result in a degree of impact on the rural landscape character in which the site is experienced, and that this landscape contributes to the heritage value as part of the setting of the nearby Belton House Registered Park and Garden, Bellmount Tower and Londonthorpe Conservation Area. As concluded above, the proposed development would result in a minor adverse impact on the landscape character of the area, and that this would alter the setting of those designated heritage assets. The extent of the impact on those heritage assets would be reduced by effective landscaping and careful consideration of the final detailed design of the scheme which could be secured by condition.
- 7.8.7 Due to the limited intervisibility between Bellmount Tower and the application site, as well as the separation distance and landscaping mitigation between the amended proposal and Londonthorpe Conservation Area, it is the Case Officer's assessment that this would not amount to harm to the significance of those heritage assets. However, there would remain a less than substantial impact on the significance of the Registered Park and Garden.
- 7.8.8 In these circumstances, Local Plan Policy EN6 and the NPPF (para 208) require the identified less than substantial harm to the significance of the designated heritage asset, to be weighed against the public benefits of the proposal. When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be) (NPPF, para 205). Great weight is therefore afforded to the conservation of this important heritage asset.
- 7.8.9 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 are considered to be significant public benefits that weigh substantially in favour of the application proposals.
- 7.8.10 Taking the above into account, it is Officer's assessment that the significant public benefits associated with the application proposals would outweigh the less than substantial harm to the significance of Belton House Registered and Park and Garden. As such, the application scheme would be in accordance with Policy EN6 of the adopted South Kesteven Local Plan, and Section 16 of the National Planning Policy Framework.

7.9 **Impact on archaeological assets**

- 7.9.1 The application is accompanied by a Historic Environment Desk Based Assessment (Cotswold Archaeology 2023) and a geophysical survey (Magnitude Surveys 2023).
- 7.9.2 Cropmarks interpreted as a possible prehistoric trackway and ditch are recorded running north-west to south-east through the Site, along with further cropmarks of a prehistoric

enclosure within the north-west. The Lincolnshire Historic Environment Record (HER) also records a possible cemetery within the east of the site.

- 7.9.3 Heritage Lincolnshire (as Local Archaeological Advisors) have been consulted on the application proposals and have advised that the site offers a potential for archaeological remains to be present based on the extent and type of remains recorded in the vicinity. As such, they have advised that sufficient site-specific evaluation needs to be undertaken, in order to determine the presence, significance, depth and character of any archaeological remains. They recommend that further pre-determination evaluation should consist of a programme of trial trenching in order to provide an assessment of potential and likely impact of the proposals on any archaeological deposits. The results of the evaluation should inform the archaeological mitigation strategy.
- 7.9.4 The applicants have submitted that targeted trial trenching would be appropriate and proportionate to inform an archaeological mitigation strategy and that this could be carried out post decision and prior to development commencing. Officers have considered this position and the advice from Heritage Lincolnshire and conclude that such an approach would only be acceptable if there is flexibility in the final detailed design to take account of any recommendations from archaeological mitigation strategy.
- 7.9.5 Taking the above into account, subject to the recommended conditions, the application proposals would accord with Policies GR1 and EN6 of the Local Plan, and Section 16 of the Framework in respect of archaeological matters.

7.10 **Cumulative Impacts**

- 7.10.1 It is noted that the application site is not located within close proximity of any of the approved planning permissions for solar development within the District. However, it is acknowledged that the Local Planning Authority are in receipt of two further planning applications for solar development within the immediate vicinity of the site. These are as follows:
- LPA Ref: S24/1040 – Pastures Farm, High Dike, Welby – approximately 110 hectares of land situated to the north of Welby which is proposed to use the same grid connection point as the current application scheme. This application has yet to be determined.
 - LPA Ref: S24/0360 – Land West of Church Lane, Welby – approximately 44 hectares of land situated to the south of Welby and to the west of Church Lane which also proposes to use the same grid connection point as the current application scheme. This application was refused planning permission on 25 July 2024 and an appeal has been lodged following that decision.
- 7.10.2 In this respect, these proposed schemes do not currently represent a committed / allocated development scheme. As such, it is not necessary to consider any cumulative impacts associated with those proposals as part of the determination of the current application. In the event that the Committee resolved to approve the current application, the cumulative impacts of the application together with the other proposed solar developments within the area would be a matter for consideration as part of the subsequent determination of the other two applications.
- 7.10.3 Taking the above into account, it is Officer's assessment that the proposed development would be in accordance with Solar Energy Criteria 3 of the Local Plan Renewable Energy Appendix.

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

7.11.1 As set-out above, the site is not subject to any ecological designations. However, it is noted that the High Dike, Copper Hill to Londonthorpe road verges are identified as a Local Wildlife Site (LWS) and forms one of seven LWS's within 2km of the proposed development site. The nearest nationally designated site is the Honington Camp Site of Special Scientific Interest, which is approximately 2km to the north.

7.11.2 The application scheme has been accompanied by a Preliminary Ecological Appraisal (November 2023) which draws the following conclusions:

- The site is heavily managed agricultural land, and consists of cropland, modified grassland, hedgerows (some with trees), two lines of trees, a deciduous woodland, mixed scrub, and tall ruderal vegetation.
- The site is of low biodiversity value, and the habitats on site are of poor condition and are both common and widespread within the local area. This presents good opportunities for biodiversity enhancements which could have positive impacts for the site and the wider landscape.
- Any design should seek to include enhancements delivering BNG within the landholding and maximise its value (both in unit value and in terms of the Ecological Impact Assessment) by ensuring habitat connectivity and a focus on achieving local conservation priorities.
- The proposed development should seek to avoid constraints outlined within report, with both embedded measures and project commitments and the implementation of a CEMP, which is to be secured via a planning condition.

7.11.3 The report also states that the following measures should be considered for biodiversity enhancement:

- Creation of species rich grassland in areas between solar panels with shade tolerant species sown under the solar panels and wildflower grassland / meadow in field margins;
- Enhancement and strengthening of the existing hedgerows through gap and tree planting of native species, which will increase diversity;
- Reinstating historic field boundaries with new hedgerow planting within the northwest of the site;
- Provision of bird and bat boxes on suitable mature trees along the boundaries of the site; and
- Provision of mammal (specifically badger) gates in the security fencing to allow free movement throughout the site.

7.11.4 The recommended mitigation measures are incorporated within the Proposed Landscaping Plan submitted with the application. Conditions are proposed to require final details and compliance with this plan, as well as the submission of a detailed Landscape and Ecological Mitigation Plan. Similarly, conditions are proposed to require compliance with the recommendations in the Preliminary Ecological Appraisal, including the submission of a Construction and Environmental Management Plan (CEMP).

7.11.5 The application was submitted prior to the statutory requirements for Biodiversity Net Gain imposed by the Environment Act. Nonetheless, given the low biodiversity value of the current site and the proposed biodiversity enhancement measures, it is likely that biodiversity net gain for both habitat and hedgerow units will be achieved, subject to compliance with the recommended conditions. This is supported by the BNG assessment that accompanied the initial submission which anticipated a total net unit change for habitat units of 320.21 (11.16%) and hedgerow units of 36.31 (116.64%).

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

7.12 Access and Highways Impacts

7.13 Access to the site is proposed to be taken via an existing agricultural field access from High Dike (B6043). The access is proposed to be used for construction of the proposed development, as well as the operational period, including periodic attendance by maintenance operatives.

7.13.1 The Transport Statement (Motion, Nov 2023) submitted with the application advises that minor widening works would be required to the site access. It states that the construction phase of the proposed development will generate 40 two-way vehicle movements per day, including 10 two-way HGV movements over a temporary 26-week period and that during the operational phase, the development will generate up to 8 two-way vehicle trips per week.

7.13.2 Lincolnshire County Council (as Local Highways Authority) have been consulted on the application and have raised no objections subject to the imposition of a condition to secure a Construction Management Plan and have advised that the access works would be completed under a section 184 application.

7.13.3 In view of the above, subject to the imposition of the recommended condition 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.

7.14 Flood Risk and Drainage

7.14.1 The site is identified as being within Flood Zone 1 of the Flood Map for Planning, with the vast majority of the site also at low risk from surface water flooding. The Flood Risk Assessment (Logika November 2023) submitted as part of the application draws the following conclusions:

- Maintenance tracks, inverters, substations, battery storage and welfare will be required as part of the Proposed Development. It is anticipated that these features are unlikely to cause significant increases in surface water runoff. However, the utilisation of SuDS such as permeable surfacing along with filter drains or swales would be incorporated to minimise surface water runoff and promote natural infiltration.
- Post construction, the on-Site management company will be responsible for the SuDS included within the scheme to ensure they are maintained appropriately and continue to remain operational for the lifetime of the Proposed Development

- 7.14.2 Lincolnshire County Council (as Lead Local Flood Authority) have been consulted on the application and have confirmed that the proposed development would not significantly increase flood risk in the immediate vicinity of the site, and therefore, they have confirmed that they have no objections. The Environment Agency (EA) have also provided advice on mitigating the risk of groundwater pollution from water run-off associated with the battery storage area.
- 7.14.3 It is noted that comments received from the Internal Drainage Board have confirmed that any works to any ditch, dyke or watercourse would require express written consent, and have also set out the duties for the maintenance of any watercourse within the site. These matters are covered under the Land Drainage Act and therefore do not require further planning control through planning conditions.
- 7.14.4 Taking the above into account, it is Officer's assessment that the application proposals would not give rise to any unacceptable risk of flooding and, therefore, would accord with Policy EN5 of the adopted South Kesteven Local Plan and Section 14 of the Framework, subject to a condition to secure an appropriate surface water drainage scheme.

7.15 **Pollution Control**

- 7.15.1 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. Further, the application includes a Battery Energy Storage System (BESS). The operation of the central inverters, battery stations and substation transformer would be the main sources of noise within the solar farm. The solar 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 temperature. The principal sources of noise within the battery stations would be associated with the cooling fans located within the battery containers, which would operate, as required, to ensure the batteries operated at their correct temperature. While the solar inverters would only operate during hours of daylight, the equipment associated with the operation of the battery stations would potentially operate on a 24-hour basis.
- 7.15.2 There are a small number of noise sensitive properties surrounding the proposed solar farm, which have the potential to be affected by noise attributable to the operation. These include Belton Ashes, Heath House, Pywipe Cottages and residential properties to the north of Londonthorpe village.
- 7.15.3 The noise assessment (LF Acoustics, Oct 2023) submitted with the application was based on an assessment of the initially submitted scheme. The report concludes that the operation of the solar farm would generate noise levels at surrounding properties both during the day and night-time periods that would not be considered harmful to residential amenity.
- 7.15.4 In this respect, the Council's Environmental Protection Team have been consulted on the application and have not raised any objections in relation to noise impacts. They did however state that updated noise modelling should be carried out to inform any mitigation in the event of any material changes to the design of the scheme. While it is noted that the scheme has been reduced in scale, the final layout is not yet confirmed and therefore it is considered necessary to impose a condition that requires an updated noise assessment and any necessary mitigation measures to be implemented, based on the final design of the scheme.

- 7.15.5 Subject to the above condition, it is Officers' assessment that the proposed solar operations would not result in any unacceptable adverse impacts on noise sensitive receptors and, therefore, would be in accordance with Local Plan Policy EN4 (Pollution Control), Solar Energy Criteria 5 of the Renewable Energy Appendix, and Section 15 of the National Planning Policy Framework on these matters.
- 7.15.6 In relation to the potential for noise, dust and vibration to be generated as a result of the construction and decommissioning of the proposed solar farm, conditions are proposed to require compliance with the submitted Construction Environmental Management Plan, and Construction Traffic Management Plan throughout the construction period of the development.
- 7.15.7 Furthermore, conditions are proposed to require the submission of a detailed Decommissioning Plan, which will be required to include details relating to decommissioning activities. Conditions will also be required for the submission of an Operational Environmental Management Plan, which will set out details of any approval for maintenance or repair works, to ensure that these operations do not give rise to any unacceptable impacts on the amenity of residents of the surrounding villages.
- 7.15.8 A condition requiring details of any external lighting is recommended to ensure that the impacts on any such scheme can be considered to avoid and mitigate against any light pollution.
- 7.15.9 Any cabling works are proposed to be located underground and the separation distances from residential properties are sufficient to ensure there would be no health risks associated with Electro Magnetic Fields (EMF).
- 7.15.10 Taking the above into account, it is Officer's assessment that, subject to conditions, the construction, operation and decommissioning of the proposed solar farm would not give rise to any unacceptable adverse impacts in relation to dust, noise and vibration. Therefore, the application proposals would be in accordance with Local Plan Policy EN4 and Section 15 of the National Planning Policy Framework.
- 7.16 **Aircraft Movements and Associated Activities**
- 7.16.1 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.
- 7.16.2 In connection with the above, the Ministry of Defence and the Civil Aviation Authority have been consulted on the application and no objections have been received.
- 7.16.3 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 comply with Solar Energy Criteria 8 of the Local Plan Renewable Energy Appendix.
- 7.17 **Other Matters**
- 7.17.1 Mineral Safeguarding Area - The application scheme would involve the temporary change of use of the land to form a solar development, and therefore the development proposals would be reversible, and would retain the potential for future minerals extraction at the site. As such, the application scheme would accord with Policy M11 of the Lincolnshire Minerals and Waste Local Plan.

- 7.17.2 Fire Safety – An outline battery safety management plan has been submitted and the design and layout of the battery storage areas has been changed to take account of comments and advice from Lincolnshire Fire & Rescue. The final detailed design of the scheme is to be approved and a final version of the battery storage management plan will be secured by condition, which will be subject to further consultation with Lincolnshire Fire & Rescue.
- 7.17.3 Crime Prevention – Lincolnshire Police Designing Out Crime Officer has provided advice on design measures to mitigate against the risk of crime. These include security measures for perimeter fencing and CCTV. The final detailed design of the scheme is to be approved, which will be subject to further consultation with Lincolnshire Police.
- 7.17.4 Tourism – As set-out above, the application proposals have been amended to significantly reduce any impact on Belton House and its associated Registered Park & Garden. While there would remain some minor adverse impact on limited views from the publicly available walks around Bellmount Plantation, this would be unlikely to have any material impact on the overall tourist offer or result in a reduced number of visitors to the area.

8 Crime and Disorder

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

9 Human Rights Implications

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

10 Planning Balance and Conclusions

- 10.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that the Local Planning Authority makes decisions in accordance with the adopted Development Plan, unless material considerations indicate otherwise.
- 10.2 The application proposals seek planning permission for the installation of a solar farm comprising ground mounted solar photovoltaic panels, including mounting systems, inverters, batteries, perimeter fencing, CCTV, internal access tracks, electrical substation and associated infrastructure for a temporary period of 40 years with a generating capacity of up to 49.9 megawatts (AC).
- 10.3 The proposed development is located within an area of Open Countryside, where Policy SP5 strictly limits development to schemes which have an essential need to be located within such areas; this includes support for rural diversification projects, such as the current application proposals. In addition, Policy RE1 (Renewable Energy Generation) of the Local Plan advocates a generally permissive approach to renewable energy schemes, subject to a series of criteria which consider the site specific impacts associated with a particular proposal. As such, the application proposals are acceptable in principle, subject to material planning considerations.
- 10.4 In this context, the application proposals would make an important contribution towards meeting the national objectives in respect of reducing greenhouse gas emissions as set out in the Climate Change Act 2019. On a local level, South Kesteven District Council have formally declared a climate emergency, and the published Climate Action Strategy identifies increasing the provision of sustainable forms of energy as a key action for achieving net

zero. These matters are material considerations that weigh in favour of the application proposals.

- 10.5 In respect of the effect of the development on the character and appearance of the area, it is Officer's assessment that the proposed development would result in a degree of impact on the landscape character of the area and for visual receptors of the adjacent public rights of way and publicly accessible walks through Bellmount Plantation, as a result of the change in use of the site and the scale of the proposed development. Whilst these landscape and visual impacts can be reduced through the submitted proposed landscaping scheme, the application proposals would still result in a minor adverse impact on the landscape character and visual receptors, contrary to Policies DE1 and EN1 of the adopted South Kesteven Local Plan and Solar Energy Criteria 1 of the Renewable Energy Appendix. Further, this would result in a less than substantial impact on the significance of Belton House Registered Park and Garden, as a result of the minor landscape harm to the setting of that designated heritage assets. The extent of the impact would be reduced by effective landscaping and careful consideration of the final detailed design of the scheme which could be secured by condition.
- 10.6 In respect of whether there are material considerations which indicate that proposal should be determined other than in accordance with the adopted Development Plan, the electricity generated by the proposed development and the contribution that this makes towards meeting the national and local objectives of reducing reliance on fossil fuels and reducing greenhouse gas emissions is a significant benefit which Officer's attribute substantial weight. In addition, the biodiversity net gain that would be achieved by the proposed landscaping scheme would represent a benefit which Officers' would attribute moderate weight. It is appreciated that the proposed development would also attract benefits to the local economy in association with the construction of the scheme over a temporary period; accordingly, Officers' would attribute this limited weight.
- 10.7 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 landscape character and visual appearance of the area and the associated less than substantial harm to the significance of Belton House Registered Park.
- 10.9 Taking all of the above into account, it is Officer's assessment that the identified policy conflicts with the Development Plan would be outweighed by the benefits of the proposal. Further, it is Officers' assessment that the balance of material considerations in this case would also indicate that planning permission should be granted.

11 Recommendation

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

Schedule of Conditions

Time Limit for Commencement

Time Limit for Commencement

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

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

Temporary Permission Limits

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

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

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

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

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

Approved Plans

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

- a. Site location plan drawing no. LCS104-SP-02 Rev 04
- b. Development Zone Plan drawing no. LCS104-DZ-03 Rev 04

Unless otherwise required by another condition of this permission.

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

Power output

- 4) The output of the solar farm, hereby approved, must not exceed 49 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

Electrical Noise Management Plan

- 5) No development shall take place unless or until such time as an Electrical Noise Management Plan (ENMP) has been submitted to, and approved in writing by, the Local Planning Authority in consultation with the Ministry of Defence (MOD). The submitted ENMP shall contain, but not be limited to:

- manufacturer's specifications for generating, and associated, infrastructure to be installed at the site, to include any inverter(s), substation(s), PV panels, and any associated cables (including all interconnecting cables as well as the export cable(s) to the national grid) and connectors.
- details of measures designed to prevent electrical noise interference being caused to East 1 WAM Network installation;
- a schedule setting out how the development will be operated, maintained and tested throughout its life to ensure that any electrical noise interference on the East 1 WAM Network installation is prevented; and
- a protocol through which the site operator can be notified of electrical noise interference issues or observations, the measures that would be taken to investigate, and a description of the approach to resolving/rectifying/mitigated those impacts.

The provisions set out in the ENMP and any modifications/mitigation, as agreed in writing with the local planning authority in consultation with the MOD, shall be maintained for the life of the development.

Reason: In the interest of aviation safety.

Detailed Design

- 6) Prior to the commencement of the development, full details of the layout and appearance (including the specification and colours of external materials to be agreed) of the development, including the solar arrays, inverters, batteries, DNO substation, access tracks, CCTV cameras, fencing, and other associated infrastructure must be submitted to and approved in writing by the local planning authority. The details must be limited to the extent of the Development Zone Plan (LCS104-DZ-03 Rev 04) and not exceed the maximum dimensions shown on drawing nos. (LCS-SD-01.2) DNO Substation Elevations and Dimensions plan, (LCS-SD-02.1) Customer Substation Elevations and Dimensions, (LCS-SD-14 DNO) Substation Floor Plan, (LCS-SD-15) Customer Substation Floor Plan, (LCS-SD-16) Inverter Floor Plan, (LCS-SD-28) 40 ft Battery Container (HVAC on Ground with acoustic louvres), (LCS-SD-04.1) Security/Stock Fence and CCTV Elevation, (LCS-SD-06.2) Access

Track, (LCS-SD-32) Gateway Plan, (LCS-SD-33) 20ft Spare parts container, (LCS-SD-36) O&M Building, (LCS-SD-39.4) Solar Panel Elevation 3.0m.

The development must be constructed and operated fully in accordance with the approved details.

Reason: To ensure that the final appearance of the scheme is appropriate and that any necessary mitigation measures required by condition 9 (archaeology) and 7 (noise mitigation) can be taken into account.

Noise Mitigation

- 7) When an application for the detailed design of the scheme is made, that application must be accompanied by a further noise assessment based on the proposed layout and shall include details of any necessary noise mitigation measures.

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

Reason: To ensure there is appropriate mitigation from the impact of noise from the proposed development in the interests of the residential amenities of futures occupiers of the site.

Landscaping

- 8) Before any construction work above ground is commenced, details of a landscaping mitigation plan must have been submitted to and approved in writing by the Local Planning Authority. Details shall be based on the landscape strategy plan drawing no. 8298.ASP5.LSP.F and include:

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

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

Archaeology

- 9) Before the development hereby permitted is commenced, a Written Scheme of Archaeological Investigation and an Archaeological Mitigation Strategy shall be submitted to and approved in writing by the Local Planning Authority. The details must include:

- a. Details of a programme of trial trenching, which must be first completed and used to inform the mitigation strategy;
- b. A plan illustrating the location of any 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.

Tree Protection

- 10) No works pursuant to this permission shall commence until the Tree Protection Measures that indicated on the Tree Protection Plan enclosed at Appendix C of the Arboricultural Impact Assessment (Aspect Arboriculture) (November 2023) that relate to the development zone plan approved by condition 3 have been implemented. Thereafter, the development must be carried out in accordance with the approved details and the approved measures shall be retained until all construction activities have been completed.

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

Landscape and Ecological Management Plan

- 11) Before the development hereby permitted is commenced, a Landscape and Ecological Management Plan (LEMP) shall be submitted to and approved in writing by the Local Planning Authority 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.

Construction Ecological Management Plan

- 12) Before the development hereby permitted is commenced, a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority. All works on site shall be carried out in accordance with the approved details throughout the construction period.

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

During Building Works

Ecological Mitigation

- 13) All works on site during the construction period shall be carried out in accordance with the recommendations contained within the Preliminary Ecological Appraisal (Logika) (November 2023), including reasonable avoidance measures for protected species.

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

Before the Development is Operational

Landscaping Implementation

- 14) Before the end of the first planting / seeding season following the date when electrical power is first exported ("first export date"), all landscaping works shown on the approved Landscape Mitigation Plan required by condition 6 shall have been carried out in full.

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

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.

The approved OEMP must be adhered to through the operational period of the development.

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.

Battery Safety Management Plan

- 16) Before the date of the first export of electricity from the development hereby permitted, a Battery Safety Management Plan (BSMP) relating to safety measures for the battery storage areas shall be submitted to, and approved in writing by the Local Planning Authority.

The approved BSMP must be adhered to through the operational period of the development.

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

Ongoing

Lighting Details

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

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

Compliance with LEMP

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

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

Landscape Protection

- 19) Within a period of five years from the first export date, any trees or plants provided as part of the approved Landscaping Plan that die or become, in the opinion of the Local Planning Authority, seriously damaged or defective, shall be replaced in the first planting season

following any such loss with a specimen of the same size and species, unless otherwise agreed by the Local Planning Authority.

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

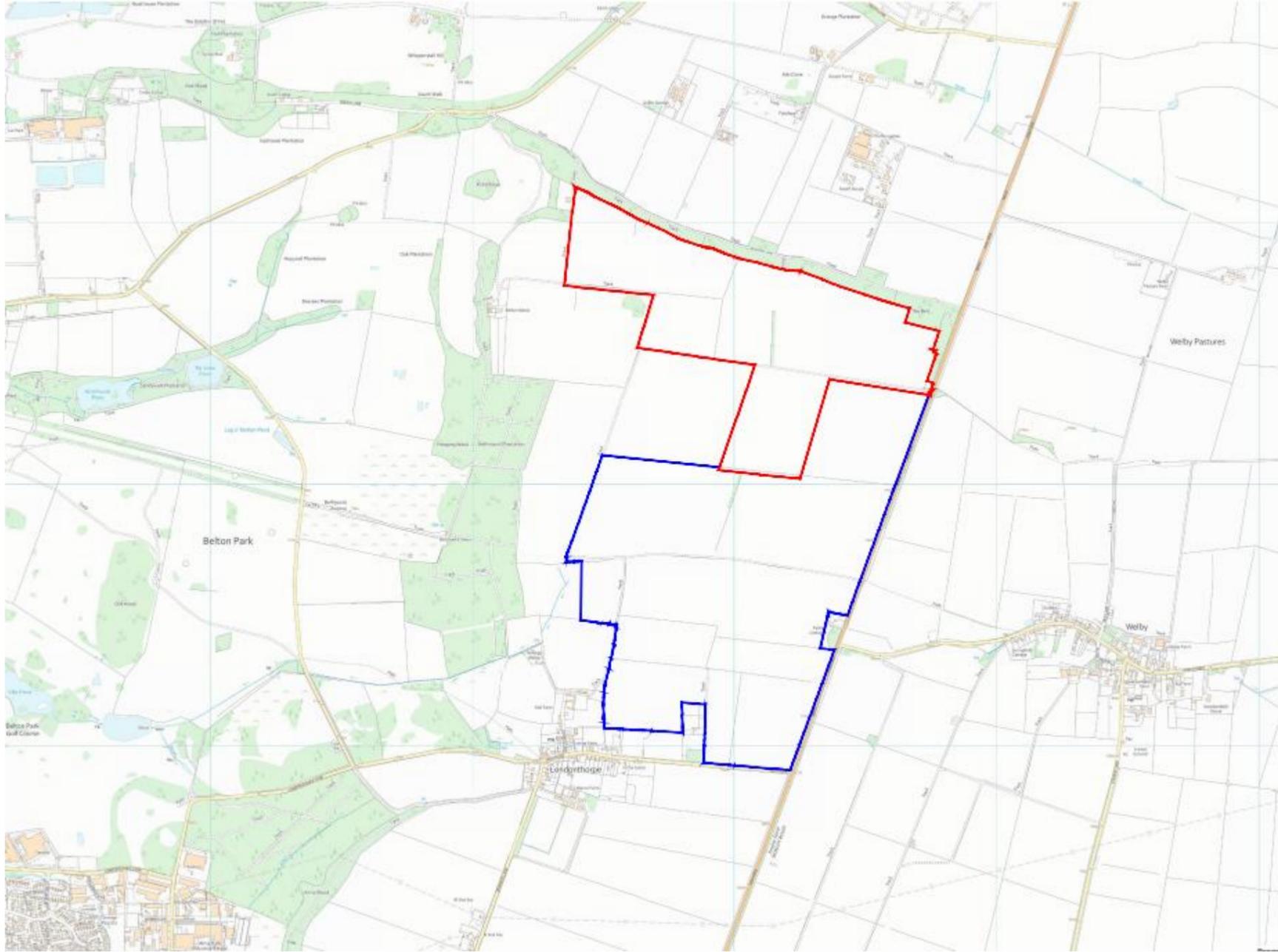
Early Decommissioning

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

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

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

Site Location Plan



Development Zone Plan



Landscaping Strategy Plan





**SOUTH
KESTEVEN
DISTRICT
COUNCIL**

Planning Committee

3rd October 2024



S24/0986

Proposal:	Demolition of existing building and construction of 3no. commercial units (Use Class B2/B8), associated car parking, servicing yard and landscaping
Location:	Autumn Park Business Centre, Dysart Road, Grantham
Applicant:	C/O agent
Agent:	NJL Consulting
Application Type:	Full Planning Permission
Reason for Referral to Committee:	Section 106 agreement for financial contribution
Key Issues:	Development principle Amenity impacts Impact on Character and Appearance Highway safety
Technical Documents:	Design & Access Statement/Planning Statement Air Quality Assessment Transport Statement Planning Statement Noise Assessment Flood Risk Assessment Lighting Assessment

Report Author

Kevin Cartwright (Senior Planning Officer)



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Corporate Priority:

Growth

Decision type:

Regulatory

Wards:

Grantham Barrowby Gate

Reviewed by:

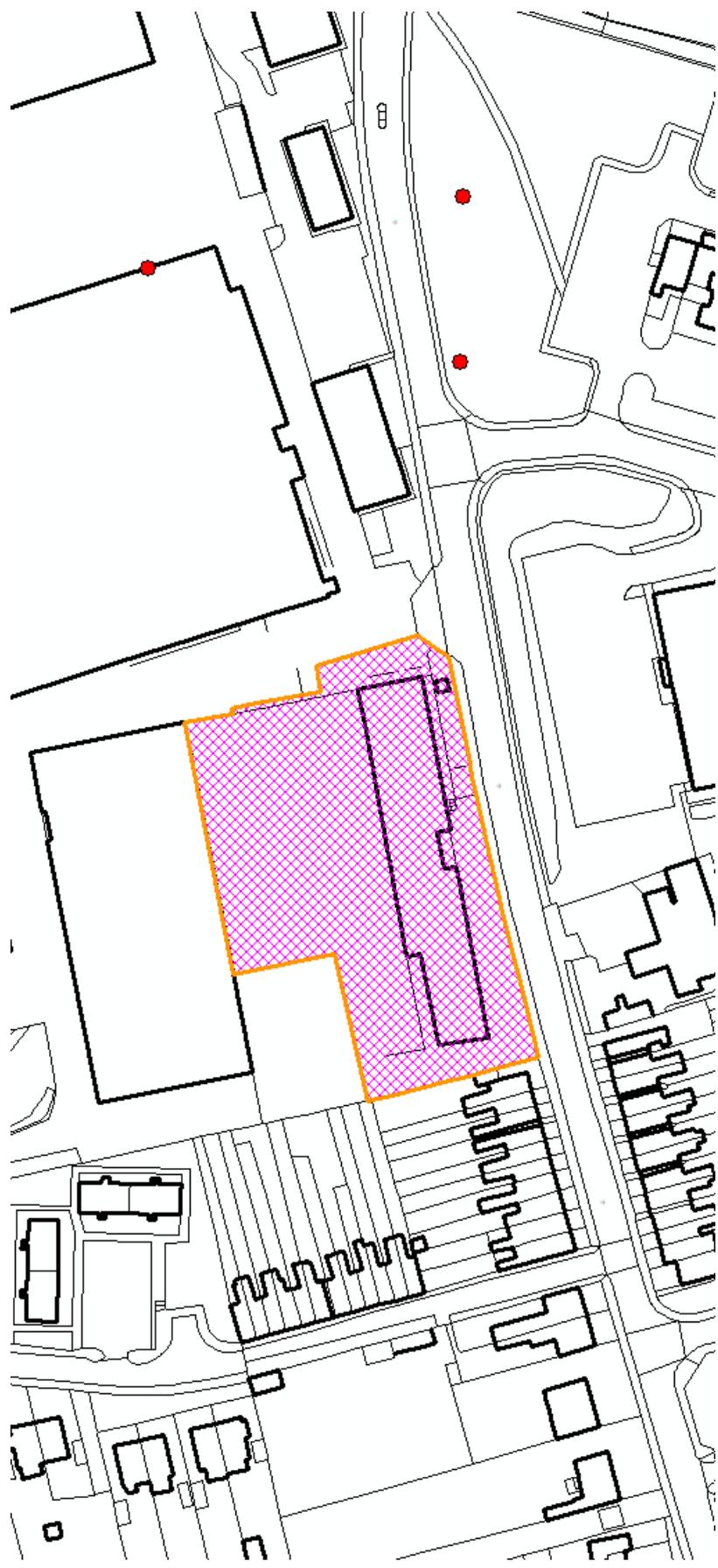
Adam Murray – Principal Development Management Planner

23 September 2024

Recommendation (s) to the decision maker (s)

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

S24/0986 – Autumn Park Business Centre, Dysart Road, Grantham



1 Description of Site

- 1.1 The site comprises an area of 0.4 hectares and is located in the south-western corner of the Autumn Park Industrial Estate which fronts onto Dysart Road. The site is currently occupied by Autumn Park Business Centre and parking spaces associated with the wider Industrial Estate.
- 1.2 There are a number of varied operators currently occupying the estate including a hardware shop, courier service, brewery, vehicle repairs, engineering and removals and self-storage.
- 1.3 The site is bounded by Dysart Road to the south, the wider industrial estate to the north and east. To the west are residential town houses.

2 Description of Proposal

The proposed development relates to the demolition of the existing Autumn Park Business Centre and the construction of one building split into 3no. trade counter units.

- 2.1 The two outer units would have floor spaces of 465m² with the central unit smaller at 418m². Parking and turning would be located between the proposed building and Dysart Road.
- 2.2 The unit would have a flat roof and a modern appearance. Profiled cladding is proposed for the building's exterior with an eaves height of approximately 7.5m and an overall ridge height of approximately 8.8m. There would be glazing and wood cladding to the front elevation.
- 2.3 30 parking spaces would be provided including a disabled access bays and a bike store for 8no. cycles.

3 Relevant History on site

- 3.1 S13/0937 – Change of use from A3/A5 to B1 Offices- Approved May 2013. 1986.
- 3.2 S12/0887 – Change of use of building from B1 to a mixed use of B1, A3 and A5 – Approved June 2012.

Wider Site History

- 3.3 S23/1727- Retrospective planning application for open storage (Use Class B8)-current application.
- 3.4 S21/2115 - New External cladding with steel sheeting (grey) to Units 2,3,4,5,6,12a/b. Demolition of part of offices to Unit 18 and formation of new gable wall - Approved November 2021.

4 Policy Considerations

4.1 SKDC Local Plan 2011 - 2036

Policy SD1 – The Principles of Sustainable Development in South Kesteven

Policy SP1 – Spatial Strategy

Policy SP2 – Settlement Hierarchy

Policy SB1 – Sustainable Building

Policy EN4 – Pollution Control

Policy EN5 – Water Environment and Flood Risk Management

Policy DE1 – Promoting Good Quality Design

Policy ID2 – Transport and Strategic Transport Infrastructure

Policy E4 – Protection of Existing Employment Sites

Policy E5 – Expansion of Businesses

4.2 National Planning Policy Framework (NPPF)

Section 2 – Achieving sustainable development

Section 4 – Decision making

Section 6 – Building a strong and competitive economy

Section 9 – Promoting Sustainable Travel

Section 12 – Achieving well designed places

Section 14 – Meeting the challenge of climate change, flooding and coastal change environment

Other Relevant Documents

Rutland and South Kesteven Design Guide SPD.

5 Representations Received

5.1 Environmental Protection Services (SKDC)

5.1.1 No objection subject to conditions in relation to: any unexpected contamination be found on the site, hours of construction work and construction deliveries, construction/demolition management plan and works in accordance with the submitted noise assessment report.

5.2 LCC Highways & SuDS Support

5.2.1 No objection – Subject to improvements to pedestrian footways accessing the site and removal of the two closed accesses.

5.2.2 A request for a financial contribution of £30,000 in relation to improvements along Dysart Road between Sankt Augustin Way and Brading Avenue. This will include upgrades to the existing pedestrian crossing facilities to modern standards.

5.2.3 This application using permeable paving to capture, cleanse and store surface water, before discharging it in the current system as a reduced rate. Therefore, the Lead Local Flood Authority does not consider that this proposal would increase flood risk in the immediate vicinity of the site.

5.3 **Environment Agency**

5.4 No comments to make.

5.5 **Anglian Water**

5.5.1 The foul drainage from this development is in the catchment of Marston (Lincs) Water Recycling Centre that will have available capacity for these flows.

5.5.2 The Local Planning Authority should seek the advice of the Lead Local Flood Authority or the Internal Drainage Board to ensure that an effective surface water drainage strategy is prepared and implemented.

6 Representations as a Result of Publicity

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

7 Evaluation

7.1 **Principle of Development**

7.1.1 The site is a protected employment site (Site Ref: EMP-G18) within Grantham Urban Area under Policy E4 of the Local Plan where proposals for new B1 (now Use Class E as amended in 2021), B2 and/or B8 uses will be supported by the Local Planning Authority provided that the criteria of Policy E4 can be addressed. These include:

- do not conflict with neighbouring land uses;
- scale does not harm the character and/or amenities of locality; and
- do not impact unacceptably on the local and/or strategic highway network.

7.1.2 Consideration against these matters will be discussed elsewhere in the report.

7.1.3 As the proposal relates to the construction of employment uses subject to assessment in relation to Policy E4 the proposed development is considered to be acceptable in principle.

7.2 **Amenity impacts**

7.2.1 The proposed development would result in the construction of 3no. trade counter units to replace the existing office block that would be demolished. It is considered that there would be adequate separation distance from the residential properties to the west of the site to ensure that there would not be any significant impact on the amenity of the neighbouring occupiers in the form of noise and disturbance, overlooking/loss of privacy or overshadowing.

7.2.2 As the proposal would result in revised parking and access arrangements when compared to the current situation in that access and egress would be from a single point off the existing access that serves the Autumn Park industrial estate. Coupled with the secondary accesses on the western edge of the site adjacent to the residential properties and centrally within the site being removed/closed off it is considered that this would be a betterment in that vehicle would no longer enter the site adjacent to these residential properties.

7.2.3 The planning application is accompanied by a comprehensive package of supporting including a noise assessment and lighting assessment all of which have been considered and assessed by Environmental Protection. No objections have been raised subject to planning conditions in relation to the demolition and construction phase limiting hours, deliveries and a construction/demolition management plan.

7.2.4 Taking into account the above matters the application would accord with Policy DE1 and E4 of the Local Plan in terms of amenity impacts.

7.3 **Impact on Character and Appearance**

7.3.1 The application is within an established industrial estate. The proposal relates to the construction of 3no. trade counter units. They would be of a modern design incorporating modern profiled sheeting with feature cladding and glazing to the front elevation.

7.3.2 The units would be seen as a logical addition to the existing industrial estate replacing the existing offices and would provide appropriate front facing units that would act as an entrance feature to the estate as a whole.

7.3.3 Whilst there would be limited opportunity for landscaping within the site due to the parking and turning area. There would be a grassed area with tree planting around the boundary of the site.

7.3.4 The existing railings around the site would be removed with the wall to which they are attached being retained and sections of matching infill brickwork to continue the wall to close off the existing secondary access points along Dysart Road.

7.3.5 Taking into account the above matters it is considered that the proposal would be an acceptable form of development that would be in keeping with the character and an appearance of the area in accordance with local plan policy DE1 and E4.

7.4 **Highway Safety**

7.4.1 The proposal would, on the whole, utilise the existing access arrangements and include the closure of the secondary vehicle access to the west of the site. The highway authority have raised no objection to this arrangement, requesting a condition to ensure that the existing secondary access points on to Dysart Road are closed off.

7.4.2 A developer contribution of £30,000 has also been requested to provide pedestrian crossing improvements along Dysart Road between Sankt Augustin Way and Brading Avenue. This would include upgrades to the exiting pedestrian crossing facilities to modern standards. This would help to promote safe and sustainable traveling methods to and from the site.

7.4.3 The applicant's agent initially queried the request and sought a breakdown of the requested contribution.

- 7.4.4 The Highway Authority confirmed that the contribution is in relation to improvements to 7no. crossing points at a cost of approximately £4300 each.
- 7.4.5 Whilst specific end users of the units have not been identified at this point, it is accepted that trade counter customers may, on the whole, be by vehicle due to the bulky nature of the goods sold. However, trade counters do have a varied range of products, some of which could reasonably be purchased by walk in customers.
- 7.4.6 On this basis it is considered that the proposed development would result in an increased use of the crossing points along Dysart Road.
- 7.4.7 Regulation 122 of the Community Infrastructure Regulations 2010 (and repeated in Paragraph 57 of the Framework) requires planning obligations to be fair and reasonably related in scale and kind to the development proposal and necessary to make the development acceptable terms.
- 7.4.8 It is considered that the request from the Highway Authority satisfies the above tests in that without the contribution there would be an unacceptable and unmitigated impact the road network.
- 7.4.9 The applicant has confirmed their agreement to the £30,000 contribution request.
- 7.4.10 It can therefore be concluded that the application, in respect of highway safety, is not in conflict with Policy ID2, E4 of the Local Plan, or with Paragraph 115 of the NPPF.

7.5 **Sustainability**

- 7.5.1 No specific add-ons such as solar panels or heat pumps are proposed. However, the conversion would require to be in accordance with the Building Regulations, thereby helping to improve the energy efficiency of the building as required by those Regulations (EV charging points, insulation, ventilation, efficiency of apparatus etc).
- 7.5.2 The re-use of a substantial building for a new purpose, especially in a town centre location close to existing services, is in itself sustainable development to a certain extent. Residents would not have to travel far to use the good range of services available in Grantham and options for public transport are available from this location. Whilst the development does offer parking, it is considered the sustainable location would potentially encourage occupiers to be less car dependent. The proposals also include a cycle store.
- 7.5.3 Taking into account the above matters the application would give rise to an acceptable form of sustainable development, in accord with Policies SD1, SB1 and DE1 of the Local Plan, and with the NPPF.

7.6 **Drainage**

- 7.6.1 The comments of Lincolnshire County Council in its capacity as Local Lead Flood Authority are noted. The site is currently predominantly hard-surfaced and it is proposed to use permeable paving discharging to the current system.
- 7.6.2 No objections have been raised from the Local Lead Flood Authority, Anglian Water or the Environment Agency. On this basis it is considered that the proposal would be acceptable from a drainage perspective.

As such the proposal is considered to accord with local plan policy EN5.

7.7 Biodiversity Net gain

- 7.7.1 Planning applications received after 12th February 2024 are required to provide Biodiversity Net Gain (BNG). This objective is for development to deliver at least a 10% increase in biodiversity value relative to the pre-development biodiversity value of the onsite habitat. This increase can be achieved through onsite biodiversity gains, registered offsite biodiversity gains or statutory biodiversity credits.
- 7.7.2 In this instance the site is previously developed and on the whole either occupied by the existing building to be demolished or hard-surfaced parking area. As such, in this instance the development is exempt from the BNG requirement as with the exception of 4no. trees that would be felled, no exiting habitat would be affected.
- 7.7.3 It should be noted that notwithstanding being exempt from the BNG requirements, the proposed development would result in improved landscaping around the boundary of the site including the planting of 13no.tree, shrubs and a hedgerow. This would be secured by an appropriately worded condition.
- 7.7.4 Taking into account the above matters the proposal is considered to accord with local plan policy DE1.

8 Crime and Disorder

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

9 Human Rights Implications

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

10 Conclusion and Planning Balance

- 10.1 The creation of the two retail/commercial units and the conversion of the existing building and rear extension to residential use is considered acceptable in terms of the development principle, having regard to the NPPF and to the Local Plan, in particular Policies SD1, SP1, SP2, SB1, EN4, EN5, DE1, ID2, E4 and E5 and GR4 and NPPF Sections 2, 4, 6, 9, 12, 14 and 16.
- 10.2 As a result, the proposals are fully in accordance with the polices referred to above and there are no material considerations that outweigh the policies referred to above. Therefore, the proposal is recommended for approval.

RECOMMENDATION:

Recommendation – Part 1

- 10.6 To authorise the Assistant Director – Planning to GRANT planning permission, subject to conditions, and the completion of a Section 106 legal agreement securing the necessary financial contribution towards highway improvements.

Recommendation – Part 2

- 10.7 Where the Section 106 Agreement has not been concluded prior to the Committee, a period not exceeding 12 weeks after the date of the Committee shall be set for the completion of the obligation.
- 10.8 In the event that the agreement has not been concluded within the 12-week period and where, in the opinion of the Assistant Director – Planning, there are no extenuating circumstances which would justify a further extension of time, the related planning application shall be refused for the following reason(s):

The applicant has failed to enter into a planning obligation to secure the necessary financial contribution towards provision of highway improvements. As such the necessary criteria essential to make what would otherwise be unacceptable development acceptable have not been forthcoming.

Schedule of Conditions

Time Limit for Commencement

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

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

Approved Plans

- 2 The development hereby permitted shall be carried out in accordance with planning application form, and with the following list of approved plans:
- i. Site Location Plan Dwg No. 18855 THPM XX 00 DR A 1000
 - ii. Proposed Site Plan Dwg No. 18855 THPM XX 00 DR A 1011 Rev P05
 - iii. Proposed Ground Floor Plan Dwg. No. 18855 THPM XX 00 DR A 1012 Rev P02
 - iv. Proposed Elevation Plan Dwg. No. 18855 THPM XX EL DR A 1013 Rev P04
 - v. Proposed Roof Plan Dwg. No. 18855 THPM XX R1 DR A 1014 Rev P01

Unless otherwise required by another condition of this permission.

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

Pre-commencement

- 3 No development (including any demolition and/or site clearance/preparation works) shall be carried out until a Construction Environmental Management Plan has been submitted to the Local Planning Authority for approval in writing. The development shall, thereafter, be carried out in strict accordance with the details approved in response to this condition. The details shall provide the following:
- a) the parking of vehicles of site operatives and visitors;
 - b) loading/unloading and storage of construction materials
 - c) wheel cleaning facilities and road cleaning arrangements;
 - d) measures to control the emission of dust and noise during construction;
 - e) a scheme for recycling/disposing of waste resulting from site preparation and construction works;
 - f) hours of construction work, site opening times, hours of deliveries and removal of materials; and
 - i) routing of 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.

- 4 The development hereby permitted shall not be occupied until the two existing accesses onto Dysart Road have been permanently closed in accordance with details to be submitted to and approved in writing by the local planning authority.

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

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

Prior to Occupation

- 5 Prior to the occupation of the units hereby permitted the boundary treatments as shown on Dwg no. 18855 THPM XX 00 DR A 1015 Rev P03 shall be constructed and retained as such thereafter.

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

- 6 Following first occupation of any part of the development hereby permitted, the vehicle parking and turning areas shall have been completed in accordance with Proposed Site Plan Dwg No. 18855 THPM XX 00 DR A 1011 P05 and shall not be used for any purpose other than for the parking, servicing and deliveries.

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

- 7 Prior to the occupation of the units hereby permitted the hard surfacing and drainage shall be undertaken in accordance with SUDS Drainage Layout Dwg. No. SK01 and retained as such thereafter.

Reason: To ensure a satisfactory drainage for the site and in the interests of visual amenity.

- 8 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 Dwg No. 18855 SFH XX XX DR L 1001 Rev P01.

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 of the adopted South Kesteven Local Plan

- 9 The external lighting on the site shall be installed and operate in accordance with the submitted Lighting Impact Assessment Report Document reference: SHD1413-SHD-HLG-DYSA-RP-EO-Lighting Assessment Report-R1 and shall be angled downwards.

Reason: To minimise light spill and to protect the amenity of neighbouring occupiers.

- 10 Before the development hereby permitted is first brought into use, the external materials of the approved units shall have been completed in accordance with the approved details.

Reason: To ensure that the development is appropriate for the character and appearance of the area, and in accordance with Policy DE1 and E4 of the adopted Local Plan

Ongoing Conditions

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

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

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

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority.

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

- 12 Deliveries to the units hereby permitted shall be the hours of 09.30 -15.00 and 16.00-18.00 Monday to Saturday and not on Sundays or bank holidays.

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

- 13 Prior to the first occupation of each individual unit hereby approved a delivery management plan for that unit 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.

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

Standard Note(s) to Applicant:

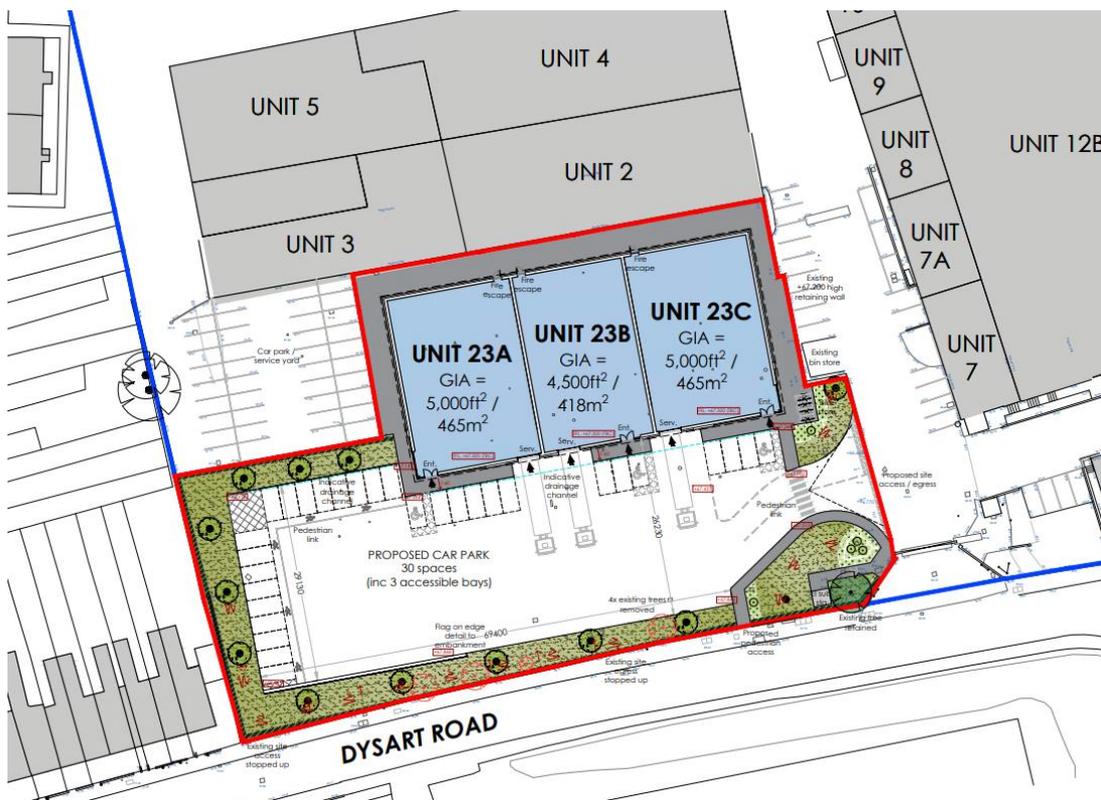
- In reaching the decision the Council has worked with the applicant in a positive and proactive manner by determining the application without undue delay. As such it is considered that the decision is in accordance with paras 38 of the National Planning Policy Framework.
- In accordance with Section 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 Highway Authority in maintaining the highway by reason of damage caused by construction traffic, the Highway Authority may seek to recover these expenses from the developer.
- The permitted development requires the formation of a new/amended vehicular access. These works will require approval from the Highway Authority in accordance with Section 184 of the Highways Act. Any traffic management required to undertake works within the highway will be subject to agreement. The access must be constructed in accordance with a current specification issued by the Highway Authority. Any requirement to relocate existing apparatus, underground services, or street furniture because of the installation of an access will be the responsibility, and cost, of the applicant and must be agreed prior to a vehicle access application. The

application form, costs and guidance documentation can be found on the Highway Authority's website, accessible via the following link:

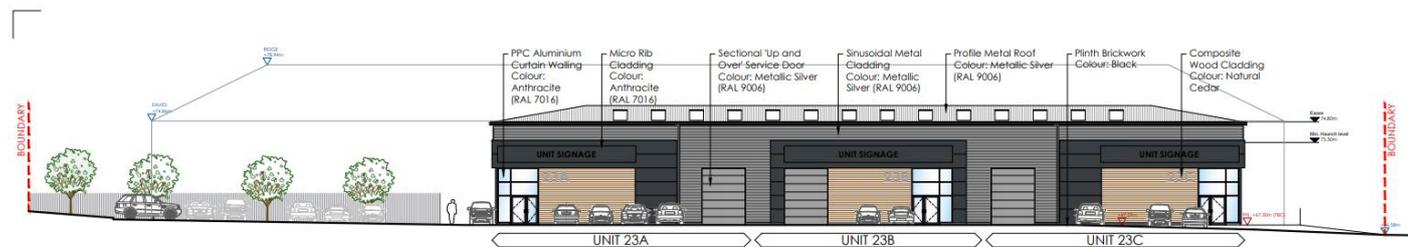
<https://www.lincolnshire.gov.uk/licences-permits/apply-dropped-kerb>.

- Please contact the Lincolnshire County Council Street works and Permitting Team on 01522 782070 to discuss any proposed statutory utility connections, Section 50 licences and any other works which will be required within the public highway in association with the development permitted under this Consent. This will enable Lincolnshire County Council to assist in the coordination and timings of these works. For further guidance please visit the Highway Authority's website via the following link: Traffic Management - <https://www.lincolnshire.gov.uk/traffic-management>
- The applicant should undertake a survey/assessment to ensure that the building does not contain asbestos prior to demolition taking place. If asbestos is identified then the applicant must ensure that all health and safety precautions are taken in accordance with HSE guidance and legislation for its safe removal and disposal by a licence removal company and waste disposal carrier.
- The road serving the permitted development is approved as a private road which will not be adopted as a Highway Maintainable at the Public Expense (under the Highways Act 1980). As such, the liability for the future maintenance of the road will rest with those who gain access to their property from it.
- The highway improvement works referred to in the above condition are required to be carried out by means of a legal agreement between the landowner and the County Council, as the Local Highway Authority. For further guidance please visit our website; www.lincolnshire.gov.uk/highwaysplanning/works-existing-highway

Site/Block Plan



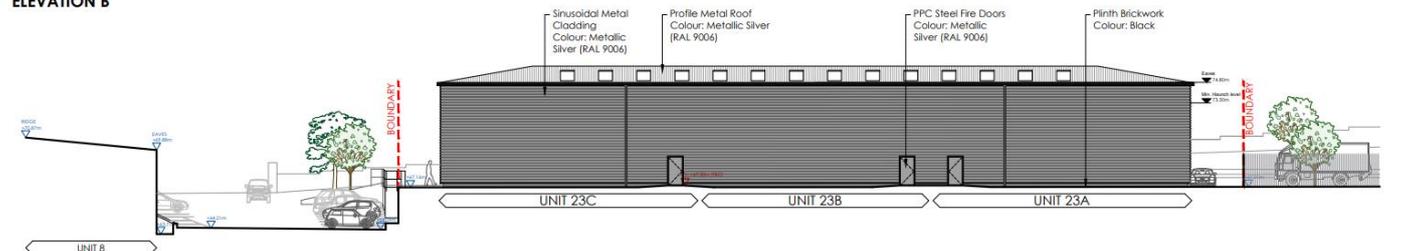
Proposed Elevations



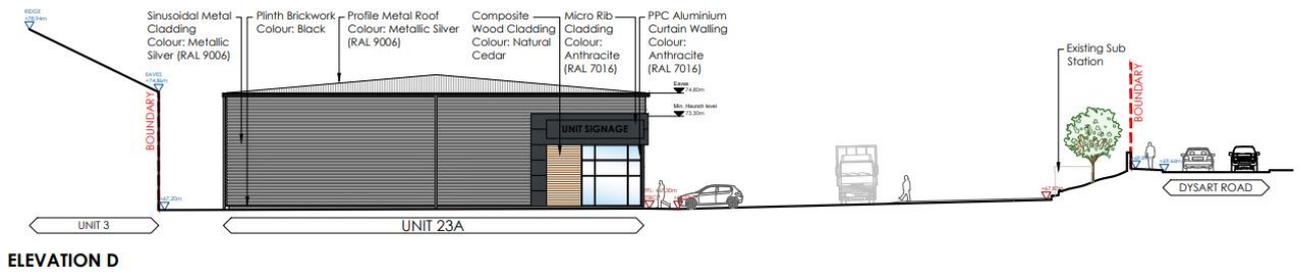
ELEVATION A



ELEVATION B



ELEVATION C



ELEVATION D



**SOUTH
KESTEVEN
DISTRICT
COUNCIL**

Planning Committee

17th October 2024



S24/1180

Proposal:	Construction of an extension to the existing car park, comprised of 146 parking bays, including 11 accessible bays and 8 EV charging parking bays
Location:	Car Park, Station Road, Stamford, Lincolnshire PE9 2JL
Applicant:	Mr Gyles Teasdale, South Kesteven District Council
Agent:	Mr Samuel Eccleston, William Saunders
Application Type:	Full Planning Permission
Reason for Referral to Committee:	South Kesteven District Council application
Key Issues:	Character and Appearance Heritage Impact
Technical Documents:	Design and Access Statement Archaeological Desk Based Assessment Design Risk Assessment Drainage Layout Drainage Strategy Report Outdoor Lighting Report Phase 1 Desk Study Report Phase 2 Investigation Report Preliminary Ecological Appraisal BNG Assessment Transport Statement Minerals Assessment

Report Author

Venezia Ross-Gilmore, Senior Planning Officer



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Corporate Priority:

Growth

Decision type:

Regulatory

Wards:

Stamford St Mary's

Reviewed by:

Adam Murray – Principal Development Management
Planner

9 October 2024

Recommendation (s) to the decision maker (s)

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



Key



Application
Boundary



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1 Description of Site

- 1.1 The site is situated to the south and west of the car park on Wothorpe Road and east of the Stamford Junior School and Stamford Nursery School, in the town of Stamford. The car park (Cattle Market Car Park) is an existing South Kesteven District Council facility servicing this part of Stamford and operated by the council. There is an existing access off Station Road / Wothorpe Road. The car park is a pay and display car park providing long stay. There are 275 bays with 24 accessible bays, however, a height restriction prevents coach parking on the site.
- 1.2 The application site is a vacant, brownfield site, fenced off from the existing car parking areas. It is surrounded by temporary Heras boundary fencing and there is a brick wall to the north / northwest of the site. The site was formerly the outdoor cattle market in Stamford, and access to the site is to the immediate west of the existing car park access. The site is surfaced in a mixture of concrete and brickwork, and the southwestern section of the site is surfaced in a granular material.
- 1.3 To the north of the car park there is the River Welland and the Town Meadows park, to the east there is a hotel, arts centre, residential uses, and town centre uses. To the south an access road leading to Stamford Junior School and Stamford Nursery School, and to the west the neighbouring school sites and their associated parking area. Further to the south there is a residential area comprising of Gresley Drive, Mallard Court and Seaton Road, and to the far south, the Stamford Railway Station.

2 Description of Proposal

- 2.1 The proposal seeks full planning permission for the change of use of land, the former cattle market site, to provide an extension of the existing Long Stay car park. Access would be taken from the existing access to the car park, and a secondary exit formed in the southwestern end of the site.
- 2.2 The new car park area would comprise of 146 parking bays including 11 accessible bays and the provision of 8 EV charging bays. The accessible bays would be located to the main entrance to the car park. The 8no. EV charging bays would be located to the north of the site alongside the northwestern boundary wall. There are currently 4 EV charging bays in the Short Stay North Street Car Park in Stamford, so this will significantly increase the provision of EV charging bays in the council's public car parks in the town of Stamford.
- 2.3 The proposed car park would be surfaced in tarmac with white lining to denote the parking bays and directional arrows. It is proposed to be lit with a lighting scheme designed to provide sufficient lighting during the evenings as the car park operates 24 hours.
- 2.4 It is proposed to plant a new hedgerow along the southwestern boundary of the site providing a buffer between the car park and the existing education use. There would also be supplemental shrub planting on the boundary of the site, with existing vegetation removed and replaced with new planting. In addition, there will be buffer areas of planting between the blocks of parking bays with shrubs. The existing boundary wall will be retained.

3 Planning History

Reference	Proposal	Decision	Date
S21/2360	Full planning permission for the change of use of Cattle Market to car park	Approved Conditionally	04/03/2022

4 Relevant Planning Policies & Documents

4.1 SKDC Local Plan 2011 – 2036 (Adopted January 2020)

Policy SD1 – The Principles of Sustainable Development in South Kesteven
Policy SP1 – Spatial Strategy
Policy SP2 – Settlement Hierarchy
Policy SP3 – Infill Development
Policy E6 – Loss of Employment Land
Policy EN2 – Protecting Biodiversity and Geodiversity
Policy EN3 – Green infrastructure
Policy EN4 – Pollution Control
Policy EN5 – Water Environment and Flood Risk Management
Policy EN6 – The Historic Environment
Policy DE1 – Promoting Good Quality Design
Policy SB1 – Sustainable Building
Policy ID2 – Transport and Strategic Transport Infrastructure

Stamford Neighbourhood Plan (Made July 2022)

Design Guidelines for Rutland and South Kesteven (Adopted November 2021)

4.2 National Planning Policy Framework (NPPF) (Published December 2023)

Section 7 – Ensuring the vitality of town centres
Section 9 – Promoting sustainable transport
Section 12 – Achieving well-designed and beautiful places
Section 15 – Conserving and enhancing the natural environment
Section 16 – Conserving and enhancing the historic environment

5 Representations Received

SKDC Conservation

5.1 The proposal is acceptable on heritage grounds.

5.2 *'The project seeks to construct an extension to the existing car park, comprised of 146 parking bays, including 11 accessible bays and 8 electrical vehicle charging parking bays. The application is regarding the former Cattle Market at Station Road, Stamford. The site is set to the west of the St Martin Character Area of the Stamford Conservation Area, and is considered to be within the buffer zone of the conservation area. The proposal therefore has the potential to impact upon the significance, setting and the appreciation of the conservation area. Any such harm will need to be weighed against the public benefit of the*

proposed works (NPPF 208). New developments within conservation area, to enhance and better reveal their significance are being treated favourably (NPPF 212)

As the site is located with the buffer zone of the Stamford Conservation Area, consideration needs to be given to the contribution of this site to the significance of this conservation area. Under the Planning (Listed Buildings and Conservation Areas) Act, 1990, special attention should be paid to the desirability of preserving or enhancing the character or appearance of conservation areas.

It is proposed to convert the former cattle market, established at the site in the 1890s, into a car park, comprising 146 parking bays. The surrounding land has already been converted into a car park, thus this proposal would incorporate an area of wasteland into the existing Cattlemarket Car Park.

The structures within the former cattle market were removed and demolished around 2011. The only feature remaining is a low buff brick boundary wall to the northwest of the site, which is currently in a derelict state. No other upstanding features associated with the cattlemarket appears to have been retained. It is noted in the Design and Access Statement that 'The existing wall will be maintained throughout construction to completion.' The current plans provided do not clearly reflect if the brick wall is to be retained, and if so, what works are proposed to it. Given the current state of the boundary wall, partially rebuilding will likely be required. Further information regarding this would be required.

The site is screened to the north by the tree line following the course of the River Welland. To the south is a cobblestone paved road, leading to Stamford Nursery School. Part of this expands into the southern section of the site. The cobblestone areas are associated with the former cattle market. Retention of, or incorporation of some of this cobblestone paving would be appreciated and could be considered to result in a positive contribution to the setting of the conservation area.

Overall, the proposal is acceptable on heritage grounds. Very little of the historic fabric of the cattle market remains, and the proposed car park is not considered to cause harm to the significance of the conservation area. There are some concerns regarding the boundary wall which could be alleviated with further information and plans provided. Incorporation of the cobblestone paving could have a positive impact upon the conservation area'.

Environment Agency

5.3 Environment Agency position

We have reviewed the following reports submitted in support of this planning application:

- Drainage Strategy: Cattlemarket Car Park, ref: 12741-WMS-ZZ-XX-T-C-39211- S8-P2, by William Saunders, dated May 2024*
- Phase 2: Site Investigation, Station Road Car Park, Stamford, Lincolnshire; William Saunders, ref S231030, by Solmek Ltd, dated February 2024*

The drainage proposals in terms of ground conditions and proposed end use appear to be appropriately designed, providing that installation follows the design as described in the Drainage Strategy and Drainage Layout Plan, and the maintenance schedule outlined in Appendix E is adopted.

The proposed development will be served by a soakaway for surface water drainage, and is situated in source protection zone 3, which is designated for the protection of potable water used for human drinking water supplies.

The planning application has demonstrated that it is not necessary to connect to a mains sewer network in line with national planning policy, and that appropriate mitigation measures can be employed to ensure that risks to groundwater are minimised. The proposed development will therefore be acceptable if the measures detailed in the Drainage Strategy submitted with this application are implemented and secured by way of a planning condition on any planning permission. Without this condition the development would pose unacceptable risk to groundwater because the site sits within the total catchment of a public water supply, and also borders source protection zone 2 and a groundwater safeguard zone, indicating the high sensitivity of groundwater in this location.

The Anglian River Basin Management Plan requires the restoration and enhancement of water bodies to prevent deterioration and promote recovery of water bodies. The proposal could cause pollution to controlled waters because it could cause an unacceptable release of pollutants into groundwater should widespread infiltration occur across the site. The site investigation has established that the made ground should not pose a risk of contamination, however this is a limited study.

Lincolnshire County Council

5.4 No objection.

5.5 *This proposal is for an extension to the existing car park and the access arrangements remain unchanged; therefore, it is considered that the proposals would not result in an unacceptable impact on highway safety.*

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.

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.

The Gardens Trust

5.6 Do does not wish to comment on the proposals.

Stamford Town Council

5.7 No comments received.

Heritage Lincolnshire

5.8 *The application area lies within the grounds of St. Michael's nunnery nunnery which was founded in 1155. Cartographic evidence suggests that the site remained undeveloped until a cattle market was established on the site in 1887. Roman, Saxon and medieval artefacts have been recovered to the south of the site in the area of Stamford Junior School.*

A programme of archaeological works is required to record archaeological remains which survive on the site in advance of their destruction. A strip, map and record excavation should be undertaken in the area of the geocellular soakaway tank. The results of the excavation

will be used to inform on the extent of archaeological monitoring which will be required during the reduction of the existing car park. Archaeological monitoring and recording should be undertaken during the construction of interceptors and drainage runs on the north and west sides of the site.

Environmental Protection

5.9 Environmental Protection has reviewed the documents in respect of the above application and has the following comments to make:

Given the intended use of the land, the contaminants identified during the phase 2 investigation are unlikely to pose a risk to current and future users of the site. Whilst we acknowledge and accept the findings of the Phase 2 site investigation report, should the developer during excavation and construction works of the said development site find any area of the site where it is suspected that the land is contaminated then all works must stop, and the local planning authority notified immediately. An investigation and risk assessment must be undertaken and where remediation is necessary a remediation scheme must be prepared in accordance with current good practice and legislation and submitted to and approved by the Local Planning Authority, and the approved remediation shall thereafter be implemented. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority.

Construction work

The applicant produces a management plan for controlling construction noise and dust during the development of the site (to protect the amenity of the existing residential dwellings).

Stamford Town Council

5.10 Stamford Town Council object to the application and submitted the following comments:

Following a review of the proposed car parking charges increase, it was recommended that there should be a further assessment completed on the future capacity requirements for additional parking in Stamford. This was ratified at the SKDC Cabinet meeting on September 24th. This can be noted in point number 6 of the enclosed printed minutes. Therefore, we would like to object to this current application until the revised assessment has been completed – once this assessment has been received, we will comment further

6 Representations as a Result of Publicity

6.1 This application has been advertised in accordance with the Council's Statement of Community Involvement and 1 letter of representation has been received in support of the proposed development. The points raised can be summarised as follows:

- no clear details of the proposed EV charging infrastructure so it's hard to determine the value of the proposed provision and any impacts that might be associated e.g. rapid DC or slower AC charging, the design of the chargers and associated switchgear and/or transformers.
- supports the provision of EV chargers in this location

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. In this case, the adopted Development Plan comprises of the following documents:
- (a) South Kesteven Local Plan (Adopted January 2020); and
 - (b) Stamford Neighbourhood Plan (Made July 2022)
- 7.2 In addition, 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 application.
- 7.3 The policies and provisions set out in the National Planning Policy Framework (NPPF) ("the Framework") (Published December 2023) are also a relevant material consideration in the determination of planning applications.

Principle of Development

- 7.4 Policy SP2 confirms that Stamford is one of the three market towns and development which maintains and supports the role of the town will be allowed, provided that it does not compromise the towns nature and character. Priority will be given to sustainable sites within the built up part of the town and appropriate edge of settlements extensions.
- 7.5 Moreover, paragraph 108e of the NPPF (2023) states that 'patterns of movement, streets, parking and other transport considerations are integral to the design of schemes, and contribute to making high quality places'. Paragraph 112 continues that 'In town centres, local authorities should seek to improve the quality of parking so that it is convenient, safe and secure, alongside measures to promote accessibility for pedestrians and cyclists'.
- 7.6 The site is a brownfield site that is currently unused and located within the market town of Stamford. Local Plan Policy SP3 confirms that infill development in settlements defined in Policy SP2 will be supported provided that
- a. it is within a substantially built up frontage or re-development opportunity (previously developed land)
 - b. it is within the main built up part of the settlement
 - c. it does not cause harm or unacceptable impact upon the occupiers amenity of adjacent properties
 - d. it does not extend the pattern of development beyond the existing built form, and it is in keeping with the character of the area, and is sensitive to the setting of adjacent properties.
- 7.7 It is deemed that the development proposal constitutes infill development as it is within a built up part of Stamford (b) and offers a redevelopment opportunity as a brownfield site (a). Criterion (c) and (d) are related to design and layout discussed in detail below. However, it is not thought that the development would cause an unacceptable impact on the residential amenity of adjacent dwelling houses to the east and south, or the amenities of the neighbouring schools. The reuse of this site would not cause harm or unacceptable impact, and the proposal is an appropriate use in an area that already has car parking as well as

residential and education uses, and would be in keeping with the character of the area which is a mixture of heritage and modern uses.

7.8 The site's previous use was as the cattle market for Stamford. This use ceased and the site was cleared, and has been vacant since October 2010. Policy E6 (Loss of Employment Land and Buildings to Non-Employment Uses) states that 'The Council will seek to retain and enhance existing areas of employment use...unless it can be demonstrated that:

- a) The site is vacant and no longer appropriate or viable as an employment site – this may include the need for an effective, robust and proportionate marketing of the land and buildings to be undertaken; or
- b) Redevelopment would maintain the scale of employment opportunities on the site, or would deliver wider benefits, including regenerating vacant or unutilised land; or
- c) The alternative use would not be detrimental to the overall supply and quality of employment land within the district; or
- d) The alternative use would resolve existing conflicts between land uses.'

7.9 The site has not been used for several years and has laid vacant since October 2010 (a), it is surrounded by residential uses and the existing car park. The redevelopment of the site to provide further public car parking will provide wider benefits to the public including the provision of additional spaces to meet demand on busy days and further the EV charging points for the town of Stamford (b). The use is considered appropriate in this location without conflict with the surrounding uses of car parking, education and residential. The alternative use would not be detrimental to the overall supply of employment land (c) as it was a use that was an intermittent use of the site. The provision of additional car parking will support the economic function of the town centre and businesses, such as the hotel, in the area.

7.10 The redevelopment of the site to provide additional car parking is considered to be acceptable in principle, being an infill opportunity within Stamford, and having been a vacant brownfield site for over a decade. This is subject to the assessment against site specific criteria including the impact of the proposal on the character and appearance of the area, impact upon heritage assets, impact on the residential amenities of neighbouring uses and the impact on the public highway, which are discussed below.

Impact on the Character and Appearance of the area

7.11 It is proposed to create an extension to the existing car park utilising this area of the former Cattle Market. The site is bounded by the existing car park to the north and further car parking to the west related to the schools, and it is considered that the extension would be in character with the site's location in Stamford.

7.12 The site has a dilapidated character, overgrown and unkept. The proposal would ensure the provision of new public realm providing additional long stay car parking. The proposal would ensure a suitable layout and design for the site, and is considered to enhance the character and appearance of the area providing a reuse of the site. The proposal includes the retention of hedging and vegetation on the boundary of the site as well as a new area of planting. The soft landscaping will provide a more pleasant verdant character to the hard landscaped car parking areas.

7.13 Taking the above into account, it is considered that the proposed use, layout and scale would be acceptable, and the proposed development would not result in an adverse impact

to the character or appearance of the area. The development proposal is in accordance with Local Plan Policy SP3 and ID2, and section 12 of the NPPF.

Heritage Impact

- 7.14 Policy EN6 (The Historic Environment) is the primary development plan policy through which the Council exercises its statutory responsibilities. This policy states that the Council will seek to protect and enhance heritage assets and their settings in keeping with the policies in the National Planning Policy Framework, and proposals will be expected to take Conservation Area Appraisals into account, where these have been adopted by the Council. Development that is likely to cause harm to the significance of a heritage asset or its setting will only be granted permission where the public benefits of the proposal outweigh the potential harm.
- 7.15 In connection with the above, 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 or historic interest which it possesses. Similarly, Section 72 of the Act 1990 requires Local Planning Authorities to give special attention to the desirability of preserving or enhancing the character or appearance of Conservation Areas.
- 7.16 The adjacent Conservation Area is located with adequate separation from the site, including separation by the existing car park site. It is considered that the Conservation Area would not be adversely impacted, and the reused and regenerated site would provide public benefit. The site is separated from the Town Meadows park by the river and a line of mature trees and vegetation, providing a verdant buffer to the north. It is considered that the proposal would not cause an unacceptable impact to the character or appearance of the area, or cause harm to the nearby Conservation Area or heritage assets.
- 7.17 The Conservation Officer has been consulted and has commented that overall the proposal is acceptable on heritage grounds. The Conservation Officer has noted that very little of the historic fabric of the cattle market remains and the proposed car park is not considered to cause harm to the significance of the conservation area. The Officer did raise concerns regarding the retention of the boundary walls and request further information. Additionally, the Officer commented that the incorporation of the cobblestone paving could have a positive impact upon the Conservation Area.
- 7.18 The agent responded to the Conservation Officer's comments and confirmed that there will be a provision within the works to carry out minor repairs and re-building work where required to the boundary walls. The agent has also replied regarding the Conservation Officer's request to incorporate the cobblestone paving into the surfacing, and verified that this would not be practical for a car park as it would provide an uneven surface for wheelchair users and would lead to the loss of lining over time. The agent considers that the site is outside the conservation area and would not have a suitable conservation value to be considered in the buffer zone.
- 7.19 The submission included an Archaeological Desk Based Assessment, and the report concluded that the site has the potential for Saxon, medieval and postmedieval remains. It is proposed to mitigate the potential impact from the development using the imposition of a planning condition for a watching brief.
- 7.20 Taking the above into account, it is considered that the proposed use, layout and scale would be acceptable, and the proposed development would not result in an adverse impact

to the Conservation Area and any neighbouring heritage assets. The development proposal is in accordance with Local Plan Policy EN6, and section 16 of the NPPF.

Ecology and Trees

- 7.21 There is a line of mature trees and vegetation to the north of the existing car park site adjacent to the River Welland. On the application site, it is proposed to plant a new hedgerow along the southwestern boundary of the site. There would also be supplemental shrub planting on the boundary of the site, with existing vegetation removed and replaced with new planting. In addition, there will be buffer areas of planting between the blocks of parking bays with shrubs.
- 7.22 A preliminary Ecological Appraisal was undertaken and provided with the submission of the application. The report confirms that there are no existing habitats recorded on the site and it has a low value to wildlife. The application proposes the enhancement of the site by the provision of the additional hedgerow on the western boundary and areas of new planting on the site to create buffers.
- 7.23 In terms of Biodiversity Net Gain, the provision of the new hedgerow and vegetation to the northern boundary and within the site, will achieve in excess of the 10% net gain target. The total net percentage change would be 62.37% for habitat units and 597.36% for hedgerow units. This evidence is contained in the submitted Small Sites Metric table.
- 7.24 It is considered that the proposed use and mitigation measures to improve biodiversity on the site would be acceptable, and in accordance with Local Plan Policy EN2 and EN3 and section 15 of the NPPF.

Impact on the Residential Amenities of Neighbouring Uses

- 7.25 The development site is located within a mixed-use area, and this includes residential uses in proximity. The wider site includes a large car park and there is an adjacent car parking associated with the educational use. The proposal is not considered to cause a significant adverse impact in terms of noise, or light pollution. It will provide an addition to the public realm, replacing a vacant brownfield site. The previous use of the site as a cattle market would have generated a level of noise and disturbance to the surrounding area. The now vacant site is unsightly, and as a derelict site it is presenting a negative impact on residential amenity, as well as the environment and economy.
- 7.26 The previous use of the site as a cattle market has been investigated in consideration to the potential for pollution. The submission was accompanied by a Phase 2 report which has confirmed that there is made ground on the site, but no groundwater was recorded. The report concluded that the levels of contamination on the site are unlikely to pose a significant risk to the users of the site and proposes mitigation measures. Environmental Protection has been consulted and commented that they accept the findings of the Phase 2 site investigation report. However, should contamination be suspected on the site during construction, then an investigation and risk assessment must be undertaken and a remediation scheme prepared, and a subsequent verification report prepared. It is therefore proposed to mitigate any potential impact from the development using the imposition of a planning condition for pollution.
- 7.27 Taking the above into account, it is considered that there would be no significant unacceptable adverse impact on the residential amenities of the neighbouring area, and the reuse and regeneration of the site would provide betterment to the amenity of the area and

a valuable contribution to the town centre economy. As such the proposal accords with Local Plan Policy DE1 and section 12 of the NPPF.

Climate Change

- 7.28 Policy SD1 (The Principles of Sustainable Development in South Kesteven) sets out the overarching obligation for development proposals to minimise its impact on climate change and contribute towards a strong, stable and more diverse economy. The policy requires consideration of a number of matters including minimising the use of resources and the production of waste; meeting high environmental standards in terms of design and construction; encouraging the use of sustainable construction materials and proactively enhancing the District's character and natural environment.
- 7.29 Similarly, Policy SB1 (Sustainable Buildings) states that all development proposals will be expected to mitigate against and adapt to climate change. This includes a requirement for development proposals to support low carbon travel, including the provision of electric car charging points. All development proposals should therefore include information on energy consumption in particular demonstrating how carbon dioxide emissions have been minimised in accordance with the energy hierarchy, and on water resources, to promote enhanced sustainability.
- 7.30 Contributing to low-carbon travel has been demonstrated with the provision of 8no. electric car charging bays. This provision will significantly increase the number of EV charging bays in the council's public car parks in the town.
- 7.31 The development proposal has addressed its potential impact on climate change through the provision of EV charging bays, therefore the proposal would be in accordance with Policy SB1 of the Local Plan, and section 12 of the NPPF.

Impact on the Local Highway

- 7.32 The site is located within the town of Stamford and is well connected for walking, cycling, and public transport. The proposal seeks the change of use and construction of a public car park to expand an existing car park utilised by visitors to Stamford. Access will be taken from the existing access to the wider car park area.
- 7.33 The application was supported by a Transport Statement, which details the potential impact of the development. The report confirms that the existing car park is very popular, particularly on Friday market days, where the provision can reach full occupancy in the afternoon. With insufficient car parking provision in the car park, it leads to vehicles circling looking for spaces or pressures on other car parks in the town and on-street parking where vehicles seek alternative provision. The proposed increase in car parking will relieve parking pressure.
- 7.34 Lincolnshire County Council was consulted and had no objection to the proposed development. LCC commented that this is for an extension to the existing car park and the access arrangements remain unchanged. The officer considered that the proposals would not result in an unacceptable impact on highway safety.
- 7.35 The application is therefore in accordance with the requirements of Policy ID2 of the Local Plan and Section 9 of the NPPF in so far as it has regard to highways matters

Drainage and Flood Risk

- 7.36 The application site is located within Flood Zone 1, with a low risk of surface water flooding. The proposed development would increase hard surfaces that generate surface water run-off and therefore an effective surface water drainage strategy is necessary. The application has been supported by a Drainage Strategy Report and a Drainage Layout Plan.
- 7.37 The Environment Agency was consulted and has commented that the drainage proposals appear to be appropriately designed. The development would be served by a soakaway, and is it not necessary for the site to connect to the mains sewer network. The proposed development would be acceptable if the measures detailed in the Drainage Strategy are implemented and secured by planning condition/s on any planning permission.
- 7.38 In this regard, the proposal would therefore be in accordance with Local Plan Policy EN5.

8 Crime and Disorder

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

9 Human Rights Implications

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

10 Planning Balance and Conclusion

- 10.1 In summary, the principle of the development is acceptable, and the proposals would result in the provision of additional car parking provision in the market town of Stamford. The proposals would provide 146 parking bays including 11 accessible bays and the provision of 8 EV charging bays, utilising a vacant brownfield site adjacent to the existing public car park. The use is considered appropriate as it is a mixed-use area, with car parking provision already present, and offers an infill opportunity. The redevelopment of the site would provide wider benefits to the public including the provision of additional parking spaces to meet demand and further the EV charging points that are publicly accessible.
- 10.2 The proposed car park scheme would provide new public realm in this area of Stamford, and the design incorporates practical surfacing, lining and lighting to provide 24-hour operation. It includes the retention of hedging and vegetation on the boundary of the site as well as new areas of planting, providing a verdant buffer between the car park and the neighbouring education use, as well as additional planting to the boundary of the site and between the blocks of parking areas. It is considered that the proposals would enhance the character and appearance of the area and be beneficial to the residential amenities of neighbouring dwellings by providing a reuse and regeneration, and improvement from the current derelict site.
- 10.3 In heritage terms the proposed use is acceptable, and the remaining historic fabric, the boundary walls to the cattle market, will be retained additionally there will be minor repairs and re-building work where necessary. It is considered that the with the site's location outside of the Conservation Area that the proposed use, layout and scale would be acceptable, and the proposals would not result in an adverse impact to the Conservation Area and any neighbouring heritage assets.

- 10.4 Taking the above into account, it is considered that the proposal, proposing a car park, is appropriate for its context and would be in accordance with Policy SP2, DE1, EN6, and ID2 of the South Kesteven Local Plan and Sections 9, 12 and 16 of the NPPF. There are no material considerations that indicate otherwise although conditions have been attached.

11 Recommendation

To authorise the Assistant Director-Planning to GRANT planning permission, subject to the following 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 (received 10/07/24)
- ii) Car Park General Arrangement, drawing ref. 12741-WMS-ZZ-XX-D-39501-S8-P4 (received 10/07/24)
- iii) Levels Layout, drawing ref. 12741-WMS-ZZ-XX-D-39003-S8-P2 (received 10/07/24)
- iv) Drainage Layout, drawing ref. 12741-WMS-ZZ-XX-D-39201-SB-P2 (received 10/07/24)
- v) Kerbs and Surfacing Layout, drawing ref. 12741-WMS-ZZ-XX-D-39503-S8-P2 (received 10/07/24)
- vi) Proposed Car Park Lighting Plan, drawing ref. 1274/NPL/LTG/001 (received 10/07/24)

Unless otherwise required by another condition of this permission.

Before the Development is Commenced

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

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

During the Building Works

- 4) To minimise noise impacts on the existing residential dwellings, 'construction work' shall only be carried out between the hours of 7:30 am to 6:00 pm Monday to Friday and 9:00 am to 1:00 pm on a Saturday. Construction work shall not be carried out on Sundays or Public Holidays. The term 'construction work' shall include mobile and fixed plant/machinery, (e.g. generators) radios and the delivery of construction materials.

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

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

Before the Development is Occupied

- 5) Before any part of the development hereby permitted is occupied/brought into use, the development shall have been completed using only the materials stated in the approved plans and Design and Access Statement.

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

- 6) Before any part of the development hereby permitted is occupied/brought into use, any lighting 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.

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

Reason: To provide a satisfactory appearance to any boundary treatments in accordance with Policy DE1 of the adopted South Kesteven Local Plan.

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

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

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

i. long term design objectives,

ii. management responsibilities and

iii. maintenance schedules for all landscape areas, other than privately owned, domestic gardens.

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

- 10) Before any part of the development hereby permitted is occupied/brought into use, a verification report confirming that remedial works have been completed shall have been submitted to and approved in writing by the Local Planning Authority. The report shall have

been submitted by the nominated competent person approved, as required by condition above. The report shall include:

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

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

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

Ongoing Conditions

- 11) 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.

Standard Note(s) to Applicant:

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

SITE LOCATION PLAN



