

# Planning Committee



SOUTH  
KESTEVEN  
DISTRICT  
COUNCIL

---

Thursday, 12 June 2025 at 1.00 pm  
Council Chamber - Council Offices,  
St. Peter's Hill, Grantham. NG31 6PZ

---

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

Councillor David Bellamy, Councillor Harrish Bisnauthsing, Councillor Pam Byrd,  
Councillor Patsy Ellis, Councillor Paul Fellows, Councillor Tim Harrison,  
Councillor Gloria Johnson, Councillor Vanessa Smith, Councillor Sarah Trotter,  
Councillor Mark Whittington 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 8 May 2025**

(Pages 3 - 20)

### Planning matters

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

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

4. **Application S24/2103** (Pages 21 - 34)

**Proposal:** Change of residential dwelling (Use Class C3) to a small care home for 2no. children (Use Class C2)

**Location:** 6, Dunster Close, Grantham, Lincolnshire

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

5. **Application S24/2110** (Pages 35 - 63)

**Proposal:** Erection of 11 dwellings with associated access, parking and landscaping

**Location:** Wellington Way, Market Deeping, Lincolnshire, PE6 8LW

**Recommendation:** To authorise the Assistant Director – Planning & Growth to GRANT planning permission, subject to conditions and completion of a Unilateral Undertaking

6. **Application S24/2198** (Pages 65 - 105)

**Proposal:** Outline application for up to 268 residential dwellings (Use Class C3), up to 80 bed care home (Use Class C2), local centre, and public open space with associated access, landscaping, drainage and infrastructure (Access for approval only)

**Location:** Land at Exeter Fields, Stamford

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

7. **Application S25/0588** (Pages 107 - 116)

**Proposal:** Single storey rear extension

**Location:** The Conifers, School Lane, Old Somerby, Lincolnshire, NG33 4AQ

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

8. **Application S25/0471** (Pages 117 - 126)

**Proposal:** Proposed single storey rear extension

**Location:** The Caretakers House, 27A Queensway, Grantham, Lincolnshire, NG31 9QB

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

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

## Minutes

### Planning Committee

Thursday, 8 May 2025, 1.00 pm

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



SOUTH  
KESTEVEN  
DISTRICT  
COUNCIL

---

#### Committee Members present

Councillor Charmaine Morgan (Chairman)  
Councillor Penny Milnes (Vice-Chairman)

Councillor Harrish Bisnauthsing  
Councillor Patsy Ellis  
Councillor Tim Harrison  
Councillor Gloria Johnson  
Councillor Vanessa Smith  
Councillor Max Sawyer  
Councillor Sarah Trotter  
Councillor Paul Wood

#### Other Members present

Councillor Zoe Lane

#### Officers

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

Paul Weeks (Legal Advisor)

---

#### 134. Chairman announcement

The Chairman provided a speech to commemorate the 80<sup>th</sup> anniversary of VE Day.

*(The Council Chamber had a 2-minute silence in memory of the fallen during World War 2)*

#### 135. Register of attendance and apologies for absence

Apologies for absence were received from Councillors Paul Fellows, Pam Byrd, David Bellamy, Helen Crawford and Tim Harrison.

Councillor Max Sawyer substituted for Councillor Pam Byrd, for this meeting.

The Cabinet Member for Planning sent his apologies to this meeting.

### **136. Disclosure of interests**

Councillor Max Sawyer declared he would not take part in the debate or vote for application S24/2191.

The Assistant Director of Planning declared a personal interest in knowing an objector to Application S25/0203, however, this would not prevent the Assistant Director of Planning giving advice to the Committee as decision makers.

### **137. Minutes of the meeting held on 3 April 2025**

The minutes of the meeting held on 3 April 2025 were proposed, seconded and **AGREED** as a correct record.

### **138. Application S25/0203**

**Proposal:** Change of use from Use Class C3 Residential Dwelling House to Use Class C2 Children's Care Home

**Location:** 9A School Lane, Colsterworth, Lincolnshire NG33 5NW

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

Noting comments in the public speaking session by:

District Ward Councillor:	Cllr David Bellamy
Against:	Ian Thorpe
	Sirah Parkes
	Darron Haylock
Applicants	Rachael Allen and Melanie Fletcher

Together with:

- Provisions within South Kesteven Local Plan 2011-2036 (Adopted January 2020), Design Guidelines for Rutland and South Kesteven Supplementary Planning Document, National Planning Policy Framework (NPPF) and Colsterworth and District Neighbourhood Plan 2016-2026.
- No comments received from Historic England.
- No comments received from SKDC Environmental Protection.
- Comments received from Lincolnshire County Council Highways.
- Comments received from Environment Agency.
- Comments received from Colsterworth Parish Council.
- No comments received from Lincolnshire Police Crime Prevention Design Adviser.

- Comments received from Conservation Officer.
- No comments received from Lincolnshire County Council Senior Commissioning Officer.

During questions to Public Speakers, Members commented on:

- It was queried whether there was a river close by to the proposed site.

The Public Speaker clarified that there was a river approximately 6 metres away from the boundary.

- It was stated that the river was prone to flooding. A query was raised on whether it caused disruption to traffic.

A Public Speaker stated that in 2024, the fire service was called due to the river flooding, where residents were rescued from the end of School Lane. The fire engine struggled to access certain properties on the lane.

- It was queried how frequently the area flooded.

The Public Speaker, who was a long-standing resident of the area noted that the river flooded atleast annually.

- Whether any mitigation had been recommended to be put into place for flooding.

The Environment Agency had attended School Lane to clear drains and provide a flood defence mechanism. They had also attended to escort elderly people out of their homes prior to a flood taking place.

- It was queried whether any properties on School Lane had experienced internal flooding.

It was stated that recently residents that lived within 10 metres of the river had to be rescued from their properties and a number had experienced internal flooding.

- There was a boundary fence between 9 and 9a School Lane, it was queried who had responsibility of the boundary fence.

It was unknown who had responsibility of the boundary fence. The fence was 1.1m away from 9a School Lane and 1.5-2m away from 9 School Lane.

- The Public Speaker was requested to expand on their concerns of the river in relation to safety.

The Public Speaker clarified that recent flooding was excessive and floodwater came up to the doorstep of the proposed site and footpaths were not passable by foot or vehicles.

- Members requested further information on the location of flood photographs provided.

*(Councillor Gloria Johnson left the Chamber at 13:53 and returned. She did not further participate in the vote).*

- It was queried who would provide education and therapeutic support for the children from diverse backgrounds and what qualifications would be expected of them.

The Applicants confirmed the following teams that would make up the care of the children:

- Care team, level 3 in children and residential care
- Managers, level 5 in children and residential care.
- Education team, qualified teachers or TA's.
- Clinical team, overseen by a Clinical Psychologist with qualifications relevant to the area of work.

It was clarified the children could attend a specialist school or an online service. Clinical appointments and therapy would be attended away from the home.

It was clarified that only 2 children would reside at the property, at any one time.

- It was noted that children would range from 6-17 years old. A query was queried whether any perimeter and mitigation fencing would be to protect the 6-17 year olds.

The Applicant stated that children would be placed in an area where environmental concerns were minimal. The home would be staffed on a 1-1 basis and the children would always be supervised.

- Concern was raised on parking for 5 vehicles and the monitoring of children during shift changes.

It was confirmed that a manager would always be onsite should any vehicles need to be moved. The allowance for constant supervision had been considered.

- Whether the Applicant had any plans to increase parking provision on site.

The Applicant felt the parking provision at present was sufficient. Further parking would be created if necessary.

- How far the specialist school was from the site and whether the young people would be transported to the school each day was queried.

A specialist school was located in Grantham, however, the type of education accessed would be specific to the children's needs.

- Clarification was sought around timings of shift changes.

It was confirmed staff members would work 24-hour shifts with a sleep-in period at the home. Shift changeovers would generally be between 8-10am.

- It was queried whether the children would come from within the District or the County.

The Applicant's stated that children from the local area would have priority, however, children that needed placement away from their local area would be considered.

A business development team work with local authorities such as Lincolnshire County Council to offer their services once the home was in operation.

- Further clarification was sought around plans for boundary mitigations.

The Applicant did not anticipate making any changes to the boundary at present. They were leasing the property, and no works had been undertaken by them at the property at present.

During question to Officers and debate, Members on:

- Clarification was sought around the dual planning uses as outlined within the report.

Class V was part of the General Permitted Development Order and covered the opportunity for an Applicant to identify multiple uses that they may wish to develop the property for. This application was for a children's care home (C2), Class V allowed the Applicant's to change the use within the class providing it met certain conditions of the permitted development order, for example the change of use for another institutional care home.

- Whether the permitted change of use meant that other forms of care could take place at the home, for example, an elderly care home.

C2 use covered residential institutions meaning that only forms of care accommodation could take place on site. Condition 3 restricted the manner in which the property could be used and the number of children that can reside in the property.

- How the Committee could be assured that conditions applied would be adequate for a future change of use without coming back to the Committee.

The Permitted Development Order stipulated that an Applicant could not undertake a change of use if it conflicted with a condition on the permission granted. Condition 3 would prevent the change of use from taking place.

The Assistant Director of Planning clarified the application was for the use of the property as a children's care home (C2). A recommended condition would control the use of the property.

- Whether the 10-year timescale was fixed.

Within legislation, the 10-year was fixed with any Class C application. The condition recommended removed the permitted development right meaning the use must stay as a children's home within the use class. The conditions would remain until removed, varied or replaced by a different planning permission.

- Whether concerns around flooding and health and safety concerns should be a material consideration for the Committee or the operators of the care home.

The Committee were to determine the change of use as a property and whether it was appropriate for a children's care home. Concerns raised on the operation of the care home were for Ofsted to consider.

- It was queried whether parking spaces were of specified width and whether any flood lighting was proposed to be within the scope of change of use.

The Planning Officer clarified that the proposed parking was of standard size (2.3 by 5m) with the double garage being around 2.7m by 5m wide. The Applicant's had not provided any details in relation to lighting, it was deemed inappropriate to have flood lighting on a residential property.

The property was within flood zone 1, however, access to the property did fall within flood zone 2. It was stated that a flood evacuation plan could be conditioned for the application, if necessary.

- Several Members felt the application location was out of character for the area and outlined further concerns on health and safety of children being close to the river and insufficient boundary treatments. It was questioned whether Highways had addressed any transport or traffic problems with the site.

The Planning Officer clarified the Committee could impose a condition to require details of boundary treatments and parking. They would need to be submitted prior to first occupation, which would provide an element of control to ensure appropriateness for the character of the area.

- Whether any evidence had been provided from Lincolnshire County Council that they would use the property to house local children and how this complied with Policy H4 (meeting the needs of households in the District).

Lincolnshire County Council had produced a recent 'Children in Care Sufficiency Strategy' which detailed Lincolnshire's position in terms of children in care. The population of children in care was increasing and they were keen to find

placements. The aim was to place children close to home, however, 53% of children were not being placed in Lincolnshire.

The Chairman clarified that the application plan before the Committee did not state removal of any trees but implied removal due to four trees being left in total on the plan presented to the Committee.

- It was questioned whether a condition could be included to protect any remaining trees.

The Assistant Director of Planning and Growth clarified the application was not seeking the removal of any trees. An existing block plan showed six trees shown which was the same as the proposed plan.

A condition could be imposed to require a landscaping scheme alongside a further condition to protect the landscaping within the first 5-year period.

Councillor Vanessa Smith proposed to authorise the Assistant Director – Planning & Growth to GRANT planning permission, subject to conditions and the addition of a flood evacuation plan, parking management strategy, specific boundary treatment and to condition lighting and a landscaping scheme.

This proposal fell.

- Members raised further concern on the location and proximity of the site to the river in conjunction with the ages of the children that would be residing at the home and their safety.
- It was highlighted that the vegetation, trees and hedges contributed to the landscaping of the area and the setting of listed buildings within the vicinity.
- In addition to the concern around close proximity to open running water, the steepness of the site both down to the river at the side of the house and to the road from the house was raised.
- That the site would need to be accessed via an exceptionally steep set of steps, which would make it difficult to use as a family home. It was felt the gate at the bottom of the driveway would not be secure

The following concerns were raised on the open plan design of the property:

- Affords access to the kitchen area which could be hazardous.
- The open plan design may mean the only place staff could have a private discussion would be upstairs in a bedroom, as there was no designated office space.

The Chairman highlighted paragraph 115b of the National Planning Policy Framework which related to safe access, Paragraph 181e of the National Planning Policy Framework related to safe access and escape routes.

- It was queried whether the age of the children could be conditioned to older children who may be less attracted to the river.
- Concern was raised on the boundary between 9 and 9a School Lane and the boundary at the front of the property and the side boundary near the river.
- Comments were raised on the flooding concerns from objectors.
- One Member was not satisfied with the internal layout of the property taking needs of the children into consideration. The ground floor of the property was open plan.

Members were requested to differentiate between the current use of the building as a dwelling house and the proposed use. They considered the additional staff movements and the vulnerability of the type of children residing the care home.

Paragraph 181 of the National Planning Policy Framework stated that where a development or part of a development is located in a higher risk area (access to property in flood zone 2). Section E outlined that the development should provide safe access and escape routes where appropriate, as part of an agreed emergency plan.

The Assistant Director of Planning and Growth stated that Paragraph 102 of the National Planning Policy Framework outlined planning policies and decisions should promote public safety and take into account wider security and defence requirements by:

- a) Anticipating and addressing, where possible, malicious threats and other hazards were the natural 'man-made', especially in locations where large number of people are expected to congregate. Policies for relevant areas, such as town center and regeneration frameworks and the layout and design of development should be informed by the most up-to-date information available from the Police and other agencies about the nature of potential threats and their implications. This includes appropriate and proportionate steps that can be taken to reduce vulnerability, increase resilience, and ensure public safety and security. The safety of children and other vulnerable users in proximity to open water, railways and other potential hazards should be considered in planning and assessing proposals for the development.

A footnote stated that a) included hubs, nighttime economy venues, cinemas, theatres, sports stadiums/arenas, shopping centers, health and education establishments, places of worship, hotels, restaurants, attractions and commercial centers.

The Assistant Director of Planning and Growth noted that Paragraph 102 of the National Planning Policy Framework related to larger venue and facilities and was not aimed at the type of development proposed.

*(Councillor Tim Harrison arrived at 15:10)*

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

*The nature of the proposed use would involve occupation by vulnerable users, and the proposed development is located within close proximity to the River Witham without any secure boundary treatments. These safety concerns would require the implementation of revised boundary treatments, which would have an adverse impact on the character and appearance of the area, contrary to Policy DE1 of the Local Plan and Paragraph 135 of the National Planning Policy Framework.*

*(The Committee had a 10-minute break).*

### **139. Application S24/2191**

**Proposal:** Installation of solar farm with associated battery storage, comprising ground mounted solar photovoltaic panels, including mounting systems, inverters and transformers, electrical substation, underground cabling, stock proof fencing, CCTV, internal access tracks and associated infrastructure for a temporary period of 40 years

**Location:** Land adjacent to Spalding Road, Bourne, Lincolnshire

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

Noting comments in the public speaking session by:

District Ward Councillor:	Cllr Zoe Lane
Behalf of Applicant	Tony Gannon

Together with:

- Provisions within South Kesteven Local Plan 2011-2036, Design Guidelines for Rutland and South Kesteven Supplementary Planning Document, National Planning Policy Framework (NPPF), National Policy Statement for Energy (EN1) and National Policy Statement for Renewable Energy (EN3).
- No comments received from Black Sluice Internal Drainage Board.
- Comments received from Bourne Civic Society.
- Comments received from Bourne Town Council.
- No comments received from Civil Aviation Authority.
- No comments received from Defence Infrastructure Organisation.
- Comments received from Environment Agency.
- Comments received from Heritage Lincolnshire.
- Comments received from Lincolnshire County Council (Highways and SuDS)
- Comments received from Lincolnshire County Council (Planning Policy)
- No comments received from Lincolnshire Fire and Rescue.
- No comments received from Lincolnshire Wildlife Trust.
- No comments received from National Grid.
- Comments received from Natural England.
- Comments received from Peterborough City Council.

- Comments received from SKDC Conservation Officer.
- No comments received from SKDC Environmental Protection.
- Comments received from South Holland District Council.

During questions to Public Speakers, Members commented on:

- Clarification was sought around concern raised on contaminated water run-off to the land.

The District Councillor clarified that lithium-ion batteries were used for energy storage and if they were to catch fire, the waste and surface water would run-off from the site would go into the drains.

- It was discussed whether the batteries were lithium-ion or lithium-ion phosphate.
- It was highlighted that the Black Sluice Drainage Board had not raised any objections.

The Applicant confirmed that the final composition of the batteries had not yet been determined via a procurement exercise.

Included within the submitted plan was a water tank which would include enough water to extinguish any fires in addition to other fire measures. Any contaminated water would be captured and would not be directly released into the drains. A condition outlined the submission of a surface water management plan for approval which would address containment of water as a result of the use of a fire extinguisher.

- It was queried where the solar panels would be procured from.

The Applicant encouraged the use of local procurement, at present solar panels manufactured in the UK were limited and therefore be sourced overseas. The Applicant's were Members of the Solar Stewardship Initiative meaning the manufacturing of the panels would not incur any raw materials or exploitation of workers.

It was clarified that the application was of a temporary nature meaning there was not a permanent loss, and no land would be lost for agriculture as sheep grazing would be permitted on site.

- Whether the Applicant's had approached other landowners with lower quality land for the proposed site.

As part of a search site process, there were no other sites identified. Applicant's found difficulty in finding suitable areas with lower BMV land with a grid connection, due to most land being best and most versatile.

- Whether the Applicants could avoid installing solar panels on areas of the land which were best and most versatile.

It was confirmed that the site had been reduced to 34 hectares with the majority not being best and most versatile land in order to protect the land.

It was clarified that the site would be for temporary permission for 40 years. Following the 40-year period, the site would be decommissioned and returned to its original use and condition.

- Whether any mitigations could be put into place to increase the biodiversity net gain further.

The Planning Officer confirmed the application would bring a 18.79 unit increase and could not be quantified as a percentage as there was not an existing hedgerow.

- Whether the site being prone to flooding could impact the possibility of grazing sheep on the land.

The full site was not within flood zone 3 and the solar farm was designed to be compatible with flood zone 3 and would not impact sheep grazing.

- Whether the fencing would be raised to enable smaller mammals access to the site.

The fencing proposed was a standard agricultural fence, which would consist of 2 metres in height with large gaps to enable riparian corridors.

- Whether the Applicant had plans to undertake meadow flower planting in addition to hedgerow planting.

It was clarified that within the north-west of the site, a large area of biodiversity enhancement, which would include wildflower meadow planting.

- Whether the wildflower meadow planting would be native Lincolnshire seeding.

Within the site plan proposals, it was conditioned that any seeding from stakeholders would match the local environment.

*(It was **AGREED** to extend the meeting to 17:00)*

During question to Officers and debate, Members commented on:

- Clarification was sought on whether other solar farm applications had been approved near to the proposed site.

The Planning Officer confirmed and provided visuals on the other 2 solar farms within the close vicinity that had planning permission.

- Whether any objections had been received from neighboring properties to the site.

3 objection letters had been received on this application.

- Whether there was any provision to condition funding to cover decommissioning, in the event the business is unsuccessful.

The condition relating to the decommissioning of the site was in conjunction to the land rather than the operator of the land.

- Members raised concern on the loss of the best and most versatile land (BMV).
- The details of the amount of best and most versatile land temporarily lost to solar farms in the District was requested.

The Planning Officer confirmed this application had 16 hectares of BMV, the Church Farm application was 27 hectares of BMV, Ash Tree Solar Farm, Welby was 0.5 hectares of BMV and Pastures Farm, Welby was 40 hectares of BMV.

- One Member noted that weight should be given to the enhanced biodiversity of the schemes.

A landscape and ecological management plan which would ensure the requirement of sheep grazing.

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

### **Time Limit for Commencement**

#### Time Limit for Commencement

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

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

#### Temporary Permission Limits

- 2) Written confirmation of the first export date shall be provided to the Local Planning Authority no later than 20 days following the event. The development hereby permitted shall cease on or before the expiry of a 40 year period from the date of the first export of electricity from the solar farm to the electricity grid network; excluding electricity exported during initial testing and commissioning. The land shall thereafter be restored to its former condition in accordance with a scheme of decommissioning work ("Decommissioning Scheme") which shall make provision for the removal of the solar panels and all other associated equipment, and the subsequent restoration of the site. The scheme shall include details of:

The extent of equipment and foundation removal, and the site restoration to be carried out;

The management and timing of any works;

A Traffic Management Plan to address the likely traffic impacts arising during the decommissioning period.

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.

The location of any temporary compound and parking areas.

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.

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

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:

- Proposed Site Layout Plan (Rev I) (received 28 January 2025)
- Standard Equipment Drawings Pack (Rev 5) (received 28 January 2025)

Unless otherwise required by another condition of this permission.

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

### Power Output

4) The exported output of the solar farm hereby approved to the licenced Distribution Network must not exceed 20 MW (AC)

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

### **Before the Development is Commenced**

#### *Heritage / Archaeology*

#### Archaeological Mitigation Plan

5) Before the development hereby permitted is commenced, an Archaeological Mitigation Strategy shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall include:

- A Written Scheme of Investigation for further archaeological evaluation of the site
- A plan illustrating the location of archaeological remains on the site;
- Areas which are designated for archaeological monitoring and recording;
- 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;
- A programme for the implementation of the archaeological mitigation strategy.

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

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

#### Materials Details

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

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

#### *Biodiversity / Ecology*

#### Construction Environmental Management Plan

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

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

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

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

#### **During Building Works**

##### *Landscape and Visual Impact*

##### Detailed Soft Landscaping Plans

8) No development above ground shall commence until details of all soft landscaping works have been submitted to and approved in writing by the Local Planning Authority. Details shall be in broad accordance with the submitted Landscape Ecological Management Plan (Ref: NEO01024\_033/Rev A) and shall include:

- a. Planting plans;
- b. Written specifications (including cultivation and other operations associated with plant and grass establishment); and

c. Schedules of plants, noting species, plant sizes and proposed numbers / densities where appropriate.

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

*Flood Risk and Drainage*

Surface Water Management Plan

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

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

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

Flood Mitigation Scheme

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

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

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

*Biodiversity / Ecology*

Ecological Mitigation

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

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

**Before the Development is Operational**

*Landscape and Visual Impact*

Landscape and Ecological Management Plan

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

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

Landscaping Implementation

13) Before the end of the first planting / seeding season following the date when electrical power is first exported ("first export date"), all landscaping works shown on the approved Landscaping Strategy shall have been carried out in full, unless otherwise required by another condition of this permission.

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

#### External Material Implementation

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

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

#### *Access / Highways*

#### Operational Environmental Management Plan

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

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

#### **Ongoing**

##### *Landscape and Visual Impact*

##### Lighting Details

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

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

##### Compliance with LEMP

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

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

##### Landscape Protection

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

replaced in the first planting season following any such loss with a specimen of the same size and species, unless otherwise agreed by the Local Planning Authority. Reason: To mitigate the harm to the rural character caused by the proposal and to secure a biodiversity net gain and in accordance with Policy EN1 (Landscape Character) of the adopted Local Plan.

Early Decommissioning

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

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

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

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

There were none.

**141. Close of meeting**

The Chairman closed the meeting at 16:45.

This page is intentionally left blank



SOUTH  
KESTEVEN  
DISTRICT  
COUNCIL



## Planning Committee

12 June 2025

## S24/2103

Proposal: Change of residential dwelling (Use Class C3) to a small care home for 2no. children (Use Class C2)

Location: 6, Dunster Close, Grantham, Lincolnshire

Applicant: Mr Brankin

Agent: DK Plans Architectural Services

Application Type: Full Planning Permission

Reason for Referral to Committee: Member Call in by Cllr Morgan – Public/Local Interest

Key Issues: Amenity impacts  
Highway safety

Technical Documents: Supporting Information/Planning Statement

### Report Author

Kevin Cartwright (Senior Planning Officer)

01476 406375

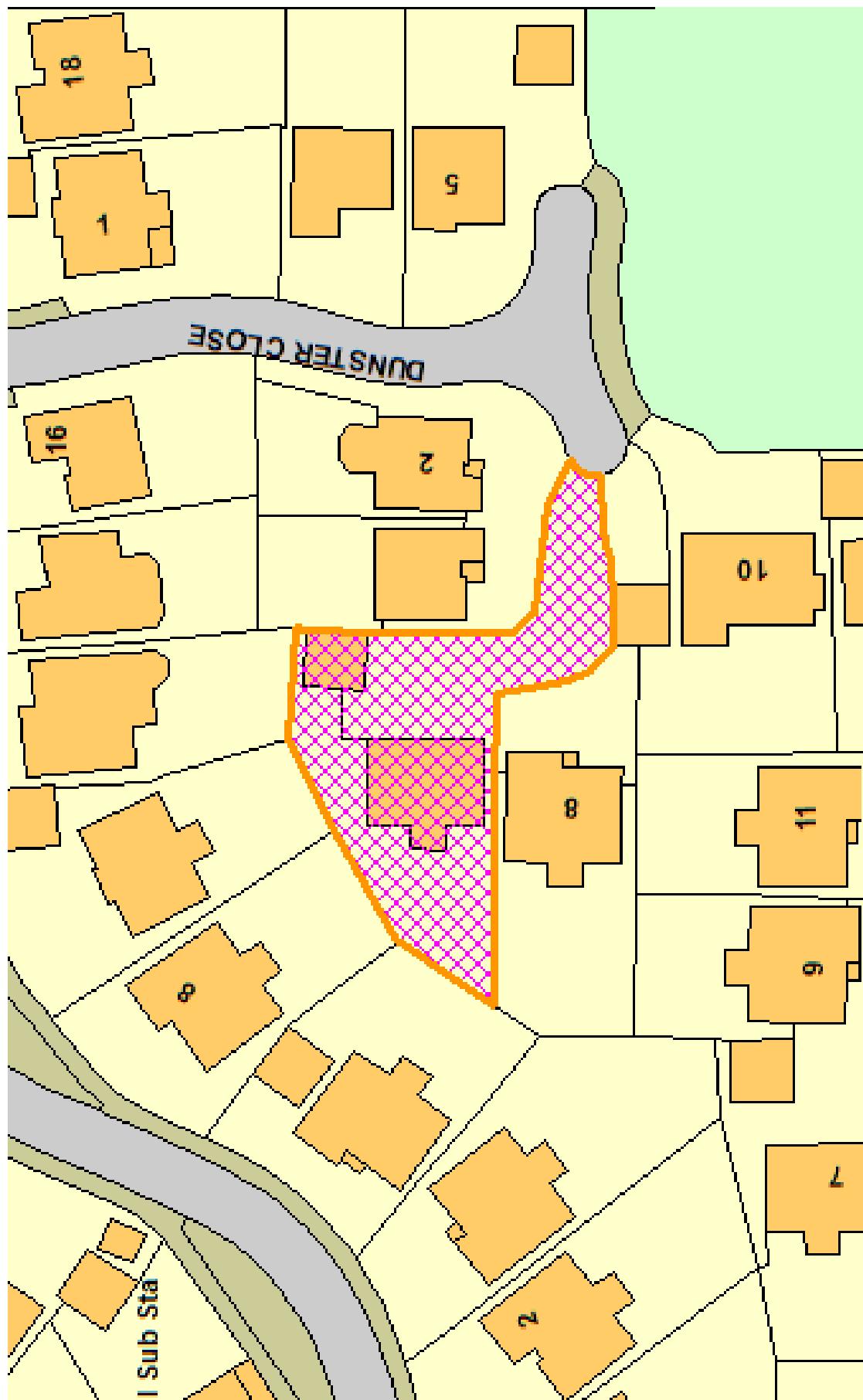
Kevin.cartwright@southkesteven.gov.uk

Corporate Priority:	Decision type:	Wards:
Growth	Regulatory	Grantham Arnoldfield
Reviewed by:	Phil Jordan, Development Management & Enforcement Manager	3 June 2025

### Recommendation (s) to the decision maker (s)

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

S24/2103- 6, Dunster Close, Grantham, Lincolnshire



## 1 Description of Site

- 1.1 The application property is located on Dunster Close which is a cul-de-sac located with the Poplar Farm residential estate.
- 1.2 The detached property, is accessed via a shared private driveway from the turning head on Dunster Close that also serves the neighbouring properties.
- 1.3 The application site is located on the eastern side of the Poplar Farm estate.
- 1.4 The property has a roughly triangular shaped rear garden which is bounded by close boarded fencing. The frontage of the plot is open plan and accommodates a detached double garage and associated off-road parking on the driveway.

## 2 Description of Proposal

- 2.1 The application proposes the change of use of the property from a dwelling to be used as a care home for 2no. children. The applicant has provided the following comments as to how the proposal would operate:
  - 2.2 *"Dunster Close will provide care for a maximum of 2 young people, who will be aged between 8 and 18 years old, which will be in line with our Ofsted registration.*
  - 2.3 *There will be 2 staff on duty at any one time. The staffing levels we have set is for the benefit of our children, but they do not require 1-1 staffing constantly. 1 staff member could take the children out whilst the 2nd staff member is cooking or completing paperwork.*
  - 2.4 *There will be one handover period, 10.00 – 10.30 every morning, where 2 staff will be finishing their shift whilst another 2 will be taking over.*
  - 2.5 *Two staff members would be at the home for a 24 hour period including sleeping at the property overnight.*
  - 2.6 *The young people do have multi-agency work involvement, but meetings are encouraged virtually or at another location as the home is the 'safe space' for the children and not a working environment.*
  - 2.7 *There may be a requirement for a professional visit for the children, this would be during 'working hours' but could be in the early evening (up to 19.00) as the children will be in education and may have after school clubs or activities planned.*
  - 2.8 *We will be placing Lincolnshire young people in Dunster Close, to ensure they stay within their local county, rather than being placed miles away from home, which benefits not only the children, but also the local authority as the social workers will not need to travel long distances to visit. We have consulted Sarah Keating, who is a commissioning officer in the Lincolnshire County Council, Children's Strategic Commissioning Team. Sarah has confirmed they would welcome the opening of the home, to offer placements for Lincolnshire young people.*
  - 2.9 *There would be no structural changes to the home, inside or out which would require planning permission".*

### **3 Relevant History**

3.1 None

### **4 Policy Considerations**

#### **4.1 SKDC Local Plan 2011 – 2036**

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

#### **4.3 National Planning Policy Framework (NPPF)**

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

### **5 Representations Received**

#### **5.1 LCC Highways & SuDS Support**

5.2 No objections. LCC does not have adopted parking standards and considers each application on its own merits and whilst it is possible that the development may result in more parking demand there is parking available on the highway in the vicinity, and it is therefore not considered that this proposal would result in an unacceptable impact on highway safety.

#### **5.3 Environmental Protection**

5.4 No objection to the change of use.

#### **5.5 Lincolnshire Police**

5.6 No objections to the development.

#### **5.7 Lincolnshire County Council Children's Care (Senior Commissioning Officer)**

5.8 At this point in time we are not able to comment on any planning requests. However, I can sign post you to our Sufficiency Strategy and Market Position Statement, however I do want to add both of these documents were created over a year ago and are currently under review.

## **6 Representations as a Result of Publicity**

6.1 This application has been advertised in accordance with the Council's Statement of Community Involvement. 24no. letter of representation have been received.

6.2 A summary of the main concerns are listed below:

- Dunster Close is a small cul-de-sac of 8 residential dwellings, No.6 is in the very far corner sharing a driveway with 2 other properties. There is no turning space on the shared driveway.
- How would vehicles from shift movements be accommodated.
- Dunster Close has no footpaths
- Parking spaces are unsuitable for the mobility impaired, older people, people with young children or loading and unloading
- The proposal does not show 4no. parking spaces required when four staff are present during changeover periods.
- Proposal will lead to on street parking
- Support for the children will generate further parking needs
- Loss of privacy. The garden of No.2 Dunster Close is overlooked by the northern side elevation of No. 6 Dunster Close
- Increased light pollution if street lights are lit all night to facilitate the care home use
- Facilities including schools, surgery, shops, recreation etc. between 10 and 40 minutes away.
- Parked cars will prevent bins being carried along the driveway
- No secure boundary treatment
- The shared driveway widths are not correct as there is a planted area adjacent to 10, Dunster Close.
- Increased noise and disturbance from vehicle/staff movements
- Potential increased anti-social behaviour
- Lack of a business management plan
- Loss of community character as the cul-de-sac contains 8no. dwellings and the change of use of one would impact on neighbourhood amenity
- If granted conditions in relation to arrival and departure times of staff, and business management plan is required and enforced.
- Driveway is narrow with poor visibility.
- Deeds prevent non-residential use and any obstruction of the driveway
- The driveway is shared with 2,4,6,8 and 10 Dunster Close and is designed for single car passage proposal. Proposal would restrict this.
- Security of the property is inadequate for vulnerable children
- Adjacent gardens are in full visibility. This would not provide adequate privacy for neither the children in care or for other residents

- Severe loss of privacy and constant disturbance psychological and emotional suffering.
- Will not be able to enjoy the use of their garden due to noise disturbance
- Negative impact on property values. (Not a material planning consideration).
- Wider publicity should have been undertaken along Berkely Avenue as Dunster Close can only be accessed via Berkely Avenue.
- Concern regarding the welfare of the future occupiers. Care cannot be provided successfully in a commercial setting.

6.3 Additionally, 1no. letters of support have been received from the applicant. A summary of the comments are listed below:

- We will only ever provide care for 2 young people in this home, as we do not believe in children growing up in institutional homes.
- I have managed large 7 bedded Local Authorities Children's homes and they do not provide the outcomes I expect for children.
- There will be 2 staff members working with our children daily, to try and replicate a "normal" family structure.
- The children will not be on a 1:1 staffing ratio but have 2 adults in the home to allow for the children to remain at home with one adult, whilst the other goes shopping, or one adult can take the 2 children out, whilst 1 adult is preparing dinner.
- There will be a maximum of 5 cars at the property for approximately 30 minutes per day, at handover which will be between 1000-1030 in the morning.
- There will be no constant flow of vehicles to and from our home
- The rest of the day there will be a maximum of 3 vehicles and the parking availability can be covered on the existing driveway
- No children with disabilities will live in Dunster Close. Planning approval will grant permission in line with Ofsted categorisation and Children with disabilities cannot be placed at Dunster.
- There will be visitors to our home but not more than the typical family home. The only exception to this is the daily handover period 10.00-10.30.
- We are not requesting any structural modifications to the home, which means there will be no increased loss of privacy for the neighbourhood.
- It is our expectation the street lighting will remain exactly the same as it currently is. We do not have increased over night lighting at our other homes where planning has been granted, including Lincolnshire, and do not request this in Dunster Close.
- All amenities are within an appropriate distance for our children to access, just the same as any other family who lives in this area. The walking distances which have been quoted are just the same for any other children who live near Dunster Close.
- I will not be drawn into negative, stereotypical views on anti-social and offending behaviour committed by children in care, which should be considered discriminatory.

- These are children, who, through no fault of their own, cannot live with their biological families, and need a safe, nurturing and caring home to grow up in.
- We would be willing to devise a fair effective management plan as mentioned by Mr Wagstaff, to ensure neighbours and my children who will live at Dunster Close, live in peace and do not face any unwanted disturbance.
- Deeds and covenants are a private law matter and therefore cannot be considered within the planning application.
- Positive Independence has been subject to Ofsted inspections and have never received a rating below good, and we consider ourselves to be an active part of the community.

## 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 consists of the following documents:

- South Kesteven Local Plan 2011-2036 (Adopted 30 January 2020)

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

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

### 7.4 Principle of Development

7.5 Lincolnshire County Council (LCC) Children’s Strategic Commissioning Children’s Services Independent Placements Market Position Statement 2024-25 states:

7.6 *“LCC wants to continue developing partnerships with independent placement providers, especially those in Lincolnshire or in directly adjacent counties, in order to meet the care, support, and education needs of Lincolnshire children and young people, keeping them as close to home and existing communities as possible.”*

7.7 The proposal relates to a proposed change of use from a residential dwelling house to a small residential children’s home for two children. Grantham is the main settlement within the district to which development should be steered, as it has facilities and services for not only its community but that of surrounding villages and settlements. As such, the site is considered to be a sustainable location and acceptable in principle.

7.8 Additionally, Policy H4 (Meeting all Housing Needs) states that new housing proposals shall (a) enable older people and the most vulnerable to promote, secure and sustain their independence in a home appropriate to their circumstances, including through the

provision of specialist housing across all tenures in sustainable locations. It is considered that the proposal would provide accommodation as envisaged by Policy H4.

## 7.9 Impact on the character and Appearance of the area

7.9.1 Local Plan Policy DE1 requires development to make a positive contribution to the character of the area, avoiding harm to the street scene. This is consistent with NPPF Section 12 (Achieving well-designed places) which amongst other things states that developments should be visually attractive as a result of good architecture, layout and effective landscaping.

7.9.2 The proposal relates to a change of use and would not require any external/internal alterations to the building.

7.9.3 While it is likely that that proposed development may result in an increase in vehicles being parked at the property or on the public highway, particularly during shift changes, this additional parking would not be unusual when compared to multiple car ownership which is now often the norm for families living in a property of this size. As such it would not be detrimental to the character and appearance of the area, particularly as it would be a transient in nature during the staff change over. This is discussed further below in the context of a recent appeal decision that relates to a lawful development certificate for a children's care home for two children, that was allowed at appeal.

7.9.4 The proposal therefore complies with Policy DE1 of the South Kesteven Local Plan and NPPF Section 12.

## 7.9.5 Residential Amenity

7.9.6 In a recent Appeal Decision ref. APP/E2530/X/24/3354568 at Main Street, Hougham, the Planning Inspector came to the conclusion that a proposed change of use of a private dwelling Use Class C3 to a children's care home Use Class C2 for 2 children, would not as a matter of fact and degree be a material change of use.

7.9.7 The Inspector noted that in this case the children's home would be managed 'as if it were a family home in all respects apart from the presence of staff carers' and the appellants maintained that 'the use would not be materially different to the use of this house by a typical family household'.

7.9.8 The Inspector agreed that the use of the house as a large family home 'would create a variety of traffic movements and a substantial demand for parking facilities' but did not 'envisage that the use as a children's home would make a significant difference to the effect that a typical family household's use had on the level of activity, trip generation and overall comings and goings'.

7.9.9 The role of the carers would not be significantly different to that of parents looking after children in a family home and taking them to school or on trips out'.

7.9.10 The Inspector considered that 'A typical family household here could have several car drivers and separate travel patterns associated with each individual's education, work and leisure'.

7.9.11 In this instance the supporting information states that the proposed development would operate in a similar manner:

7.10 *"There would be two staff on duty at any one time. The staffing levels being set for the benefit of our children, but they do not require 1-1 staffing constantly. One staff member could take the children out whilst the second staff member is cooking or completing paperwork."*

7.11 This is considered to be directly comparable with how a family would function in this property.

7.11.1 It is noted that concerns have been raised in relation to noise and disturbance, however it is considered that the proposed use would not differ materially from the occupation of the house by a family with children.

7.11.2 It is accepted that there would be a degree of increased activity during shift changes, and any professional visits that are required, but as discussed above these would be transient in nature and as such would not result in any significant harm to the amenity of neighbouring occupiers.

7.11.3 In relation to overlooking and loss of privacy, it is considered that the proposal would not result in any additional overlooking or loss of privacy beyond that of occupation of the site by a family. The rear garden area is bounded by a substantial close boarded fence.

7.11.4 Taking into account the above matters the proposal is considered to accord with Policy DE1 of the local plan and NPPF Section 12.

## 7.12 **Highway Safety**

7.12.1 From a visual inspection of the site there is a detached double garage that provides 2no. parking spaces. There is a distance of approximately 12 metres from the front of the garage to the edge of the shared driveway which would also be available for car parking.

7.12.2 The current driveway arrangements do not allow occupiers to enter the site and leave in a forward gear. Drivers are required to reverse along the shared driveway onto the turning head of Dunster Close. This arrangement would continue.

7.12.3 Policy ID2 of the South Kesteven Local Plan (SKLP) seeks to ensure the impacts of development proposals are addressed in terms of strategic and local transport infrastructure. Paragraph 116 of the framework makes clear that development should only be refused on highway grounds where there is an unacceptable impact on highway safety or where the residual cumulative impacts on the highway network would be severe. Whilst it is clear that there would at times be a need for some parking on the highway. For example during staff change over, it is considered that this would not be detrimental to highway safety.

7.12.4 During shift change overs, arriving staff could park on Dunster Close, allow the on-site staff to move a vehicle to free up a space and then proceed to park within the curtilage of the property. It should be noted that there is no objection to the proposal from Lincolnshire County Council in its capacity as local highway authority.

7.12.5 It is often a regular occurrence that garages are used for general storage rather than for vehicle parking. In this instance, it is considered appropriate to require the garage to be

available for vehicle parking at all times that the use is in operation. This can be secured by an appropriately worded condition.

7.12.6 It can therefore be concluded that the application, in respect of highway safety, is not in conflict with Policy ID2 of the Local Plan and NPPF Section 9.

7.13 **Flood Risk**

Policy SD1 sets out the criteria for new development to ensure it is sustainable. Local Plan Policy EN5 (Water Environment and Flood Risk Management) together with Section 14 of the NPPF seeks to direct development to areas with the least probability of flooding, together with implementation of SUDs drainage where possible, in order to minimise surface water runoff. The application site is located within an established residential area that is located in Flood Zone 1 which is at the lowest risk of flooding and relates solely to the change of use of the property.

7.14 As such the proposed development is considered to be acceptable from a flood risk perspective.

**8 Other matters**

8.1 Publicity

8.2 The planning application has been advertised in accordance with the adopted Statement of Community Involvement including neighbour notifications, site notice and relevant consultees.

8.3 Access to facilities and services

8.4 The application site is located within Grantham which is regarded as a sub-regional centre providing services and facilities not only for its residents but also support for the surrounding villages and settlements around them. Whilst it is accepted that the site is not in a town centre location, or immediately adjacent to essential facilities, it is nonetheless located in a sustainable location within a reasonable distance of the services and facilities that Grantham provides.

8.5 This relationship to services and facilities is no different to that of the neighbouring residential properties. As such the proposal is considered acceptable in this respect.

8.6 Security and safety and management

8.7 Unfortunately, Lincolnshire County Council Children's Care have confirmed that they are unable to provide comments on individual planning applications. However, it is understood that children's care homes are registered and regulated by Ofsted who undertake inspections. Ofsted inspections consider a number of matters including: 'overall experience and progress of children and young people, how well children and young people are helped and protected and the effectiveness of leaders and managers'.

8.8 The applicant has confirmed that all the relevant information has been sent to Ofsted to commence the registration of the home, which would be completed subject to planning permission being forthcoming. The applicant has advised that the documents submitted include location risk assessment which identifies any possible risks in the local community and how these risks are managed. Registration would be completed should planning permission be granted and Ofsted visiting the site.

8.9 As such, it is considered that the safety/operational and management aspects of the proposal fall within the remit of other regulatory bodies not the local planning authority and would be appropriately addressed.

8.10 It is noted that the applicant has indicated an agreement to a planning condition in relation to a management plan. However, it is considered that this is not required due to the regulatory regime (Ofsted) within which the children and young peoples care homes must operate and the absence of any objection from consultees.

8.11 **Need**

8.12 The applicant has confirmed that there is an on-going dialogue with Lincolnshire County Council Strategic Commissioning Team in relation to the home and that they would welcome the opening of the home to offer placements for Lincolnshire young people. Whilst no comments have been received from LCC in relation to this application, there is no evidence to the contrary to dispute these comments.

## **9 Crime and Disorder**

9.1 It is considered that the proposal would not result in any significant crime and disorder implications. This is supported by the fact that the Police Liaison officer has not raised any objection to the proposal.

## **10 Human Rights Implications**

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

## **11 Conclusion and Planning Balance**

11.1 Taking the above into account, it is considered that the proposed use will have no impact on the appearance of the dwelling house, or the character of the area, no significant impact on the amenity of neighbouring occupiers and would not have a significant impact on the surrounding highway network as the care home would operate in a similar manner in terms of vehicle trip generation to a residential dwelling house.

11.2 Whilst concerns have been raised in relation to residential amenity, highway safety and impact on the character and appearance of the area, the officer assessment of the application is that the proposal does not result in any conflict with the policies referred to below.

11.3 As such the proposed development is considered to be in accordance with the development plan, when taken as a whole, and there are no material considerations, including the NPPF to indicate otherwise.

### **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 planning application form, and with the following list of approved plans:
  - i. The Location Plan – DK246\_LP Rev A.
  - ii. Existing and Proposed Site Plan – DK246\_300 Rev A.
  - iii. Proposed Ground Floor Plan -DK246\_301
  - iv. Proposed First Floor Plan -DK246\_302

Unless otherwise required by another condition of this permission.

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

## **Ongoing Conditions**

- 3 The garage on site shall be available for the parking of vehicles at all times that the use, hereby permitted, is in operation.
- 4 Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 (or any order revoking and re-enacting that order with or without modification) the premises shall be used only as a children's care home for up to two children and for no other purpose (including any other use falling within Class C2 of the Order).

Reason: To ensure that the development operates as assessed.

## **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 39 of the National Planning Policy Framework.

## Legal Implications reviewed by: Not applicable

### Existing and Proposed Site Plan



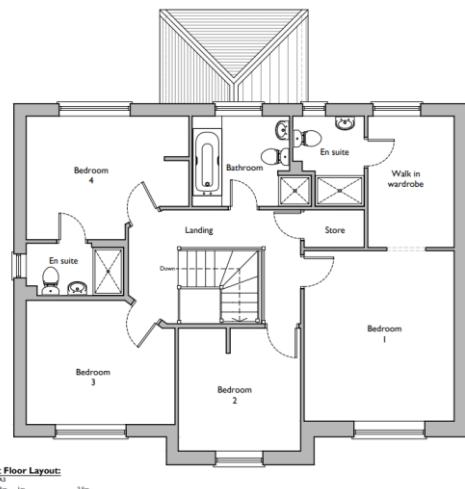
### Existing Ground Floor Plan



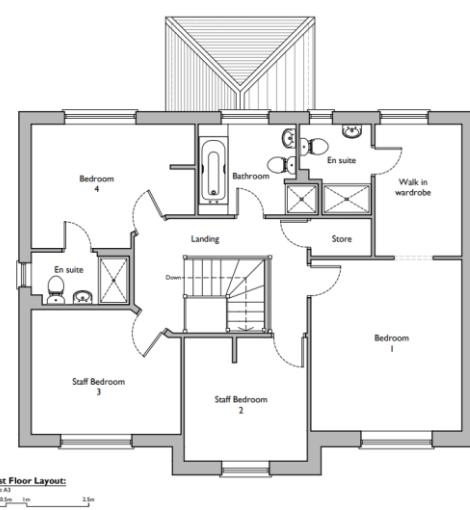
### Proposed Ground Floor Plan



Existing First Floor Plan



Proposed First Floor Plan





## Planning Committee

12 June 2025

## S24/2110

Proposal:	Erection of 11 dwellings with associated access, parking and landscaping
Location:	Wellington Way, Market Deeping, Lincolnshire, PE6 8LW
Applicant:	South Kesteven District Council
Application Type:	Full Planning Permission
Reason for Referral to Committee:	South Kesteven District Council is Landowner and Applicant
Key Issues:	<ul style="list-style-type: none"><li>• Principle of Development</li><li>• Open Space</li><li>• Design quality and Visual Impact</li><li>• Impact on residential amenity</li><li>• Impact on highways and parking</li></ul>
Technical Documents:	Flood Risk Assessment and Drainage Strategy Preliminary Ecological Report Environmental Noise Assessment Open Space Assessment Arboricultural Method Statement Archaeology and Heritage Assessment

### Report Author

Debbie Wetherill, Development Management Planner

01476 406271

[Deborah.wetherill@southkesteven.gov.uk](mailto:Deborah.wetherill@southkesteven.gov.uk)

Corporate Priority:	Decision type:	Wards:
Growth	Regulatory	Market and West Deeping

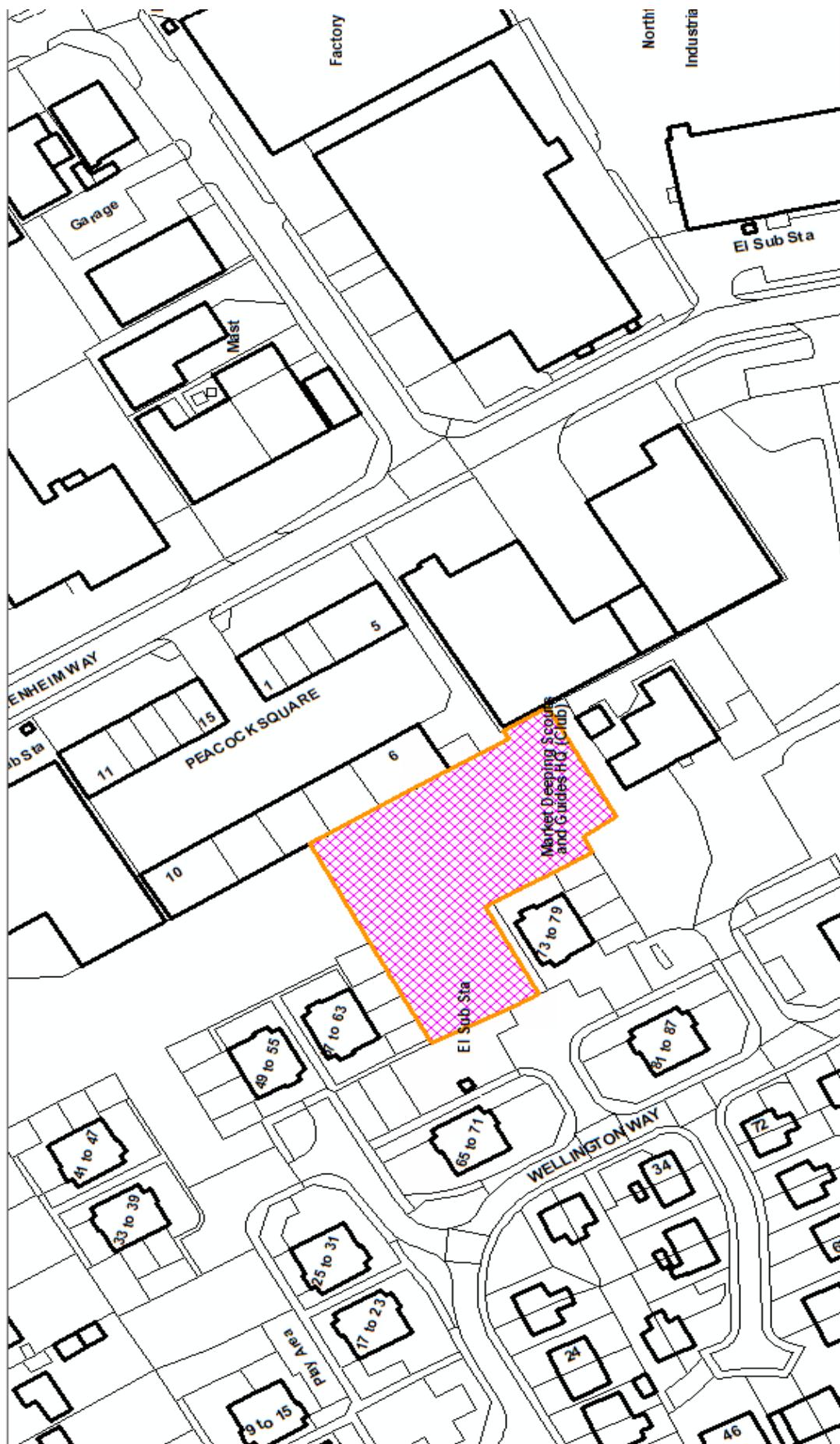
Reviewed by:

Adam Murray – Principal Development Management Planner

3 June 2025

## **Recommendation (s) to the decision maker (s)**

To authorise the Assistant Director – Planning & Growth to GRANT planning permission, subject to conditions and completion of a Unilateral Undertaking



## Application Boundary



Key

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

## 1 Description of Site

- 1.1 The proposed development site comprises an 'L' shaped area of grassed open space of approximately 0.29 hectares (2855m<sup>2</sup>) situated between Northfields Industrial Estate and residential properties located on Wellington Way, to the north of the town centre of Market Deeping.
- 1.2 The site is bordered to the north by retained open space, to the west by existing residential properties and parking areas, to the south by Wellington Way Scout Hut, and to the east by a single storey warehouse unit occupied as part of Northfields Industrial Estate.
- 1.3 The site currently forms part of an area of open green space serving the local residents of the nearby residential properties and the Scout and Guide HQ which is located just to the south. The area and housing estate benefits from large verdant grassed open areas and low level bunding interspersed with trees, residential blocks of flats and houses with fenced off amenity areas, some of which are shared, along with communal parking areas
- 1.4 The site falls partly within the allocation boundary of the Northfields Industrial Estate, which is an Existing Employment Area designated by Policy E4 of the adopted Local Plan. In addition, the site is also identified as Important Open Land (Policy DNP13) within the Neighbourhood Plan for the Deepings. Finally, the site is allocated as part of the Minerals Safeguarding Areas for Sand and Gravel identified in the Lincolnshire Minerals and Waste Local Plan (Policy M11).

## 2 Description of Proposal

- 2.1 The application seeks full planning permission for the erection 11 dwellings with associated access, parking and landscaping.
- 2.2 The application scheme has been the subject of a number of revisions during the course of the determination period following continued engagement between Officers and the Applicant. The revised proposals were submitted in December 2024, and have been the subject of further formal consultation with all consultees, neighbours and interested parties.
- 2.3 The proposals, which are subject to determination, have been accompanied by a range of technical reports including an Open Space Assessment, Ecological Survey, Ground Investigations and a Flood Risk Assessment. The submission consists of the following plans: Amended Proposed Site Layout, Proposed Floor Plans and Elevations Plans, Proposed Boundary Treatment Plans, Proposed Landscaping Plans, which indicate that the development would comprise of the following
- 2.4 The proposed development scheme would provide 11 (no) affordable dwellings, which would provide a range of 1 and 2 bed flats, and 2-bed houses, which would include a mix of terrace, semi-detached houses, as well as 3(no) apartment blocks. The proposed housing mix would comprise 5 x 2-bed houses, 4 x 2 bed flats and 2 x 1-bed flats. The proposed houses would be 2-storey in scale, 2 x Apartment Block would also be 2-storey and would provide 4 flats, whilst 1 x Apartment Block would be 2-storey in scale and provide 2 flats.
- 2.5 All properties are characterised by a simple, contemporary architectural design and would be constructed with buff brick and a concrete interlocking roof. The proposed front elevations would include recessed brickwork features and would also include barge boards

and fascia boards. The proposed apartment blocks would also feature a projecting central gable, and include balconies finished with a glazed balustrade to the front elevations.

2.6 Access to the site is proposed to be taken via an extension of the existing road serving properties on Wellington Way. The proposed access road would follow around to the east and enter the site centrally between the existing blocks of flats, with the commercial units beyond bounded from the east. All dwellings have been arranged around the edge of the site fronting the access road, resulting in a Cul-de-Sac design with private amenity gardens positioned back-to-back with those existing exposed gardens. The area of retained communal space, between the development and the commercial units will be planted with additional trees and includes a connecting footpath and access through to the industrial estate which also links back to the undeveloped open green space to the north of the site. All proposed houses would have private rear gardens, whilst the proposed flats share amenity between them and have individual rear access .

2.7 The Proposed Site Layout demonstrates that the 2-bed houses would be provided with 2 (no) frontage parking spaces each; the proposed flats have a communal parking court to the end and east of the development, which provides 4 car parking spaces, and have dual parking for 4 cars to the side of plots 6/7 and 8/9.

2.8 The proposed street has been designed as a 5.5m wide tarmac carriageway with a turning head positioned in the south-east corner of the site, with a 1.8m footway positioned on the western side, which would be served by private paths providing access to the proposed dwellings. The proposed street would be tree-lined along the eastern side, and would also include a number of additional street trees and hedgerow along the western side to soften the proposed permeable parking areas.

2.9 In respect of the proposed boundary treatments, the submitted plans demonstrate that all existing boundaries would be retained and would be supplemented by new native hedgerow planting to the north, south and east. The existing landscaped bunds along the southern and western boundaries would also be retained and any gaps infilled with additional native planting and tree planting. The proposed public open space to the north of the site is proposed to be planted with species rich wildflower planting and native tree planting, and would include a small seating area with ornamental planting. The proposed property boundaries are to be marked by low level hedgerow planting to the front, and would have close boarded timber fencing to the rear.

2.10 The submitted application form and drainage strategy indicate that foul and surface water drainage will be discharged via the existing sewer network. On site attenuation is proposed in the form of a geocellular tanks positioned in the southern portion of the site.

## **Policy Considerations**

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

Policy SD1 – The Principles of Sustainable Development in South Kesteven

Policy SP1 – Spatial Strategy

Policy SP2 – Settlement Hierarchy

Policy SP3 – Infill Development

Policy H2 – Affordable Housing Contributions

Policy H4 – Meeting All Housing Needs

Policy E4 – Protection of Existing Employment Sites

Policy EN1 – Landscape Character

Policy EN2 – Protecting Biodiversity and Geodiversity  
Policy EN4 – Pollution Control  
Policy EN5 – Water Environment and Flood Risk Management  
Policy DE1 – Promoting Good Quality Design  
Policy SB1 – Sustainable Building  
Policy OS1 – Open Space  
Policy ID2 – Transport and Strategic Transport Infrastructure

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

2.13 **National Planning Policy Framework (NPPF) (Published September 2023)**

Section 2 – Achieving sustainable development.  
Section 4 – Decision-making  
Section 5 – Delivering a sufficient supply of homes.  
Section 8 – Promoting healthy and safe communities.  
Section 9 – Promoting sustainable transport.  
Section 11 – Making effective use of land.  
Section 12 – Achieving well-designed places.  
Section 14 – Meeting the challenge of climate change, flooding and coastal change.  
Section 15 – Conserving and enhancing the natural environment  
Section 17 – Facilitating the sustainable use of minerals.

### **The Deepings Neighbourhood Plan (Made June 2021)**

Policy DNP2: Providing Guidelines for Additional Residential Development  
Policy DNP3: Ensuring a Varied Mix of Homes to Meet Community Needs  
Policy DNP9: Promoting Best Practice in Design  
Policy DNP13: Protecting Important Open Spaces  
Policy DNP16: Developing Sustainable Travel and Enhancing Local Transport Infrastructure

## **3 Representations Received**

3.1 **Market Deeping Town Council**

3.2 They would like to see adequate screening to be installed to protect residents from the impact of the neighbouring industrial processes (from businesses on the Northfields industrial estate). They would like electrical vehicle charging points and solar panels to be installed. The existing access to the Northfields Industrial estate should be maintained and improved in terms of surface and lighting for cyclists, pedestrians etc.

3.3 **Anglian Water**

3.4 No objections

3.5 There are assets owned by Anglian Water or those subject to an adoption agreement within or close to the development boundary that may affect the layout of the site.

3.6 The foul drainage from this development is in the catchment of Deeping Water Recycling Centre that will have available capacity for these flows

3.7 **Cadent Gas**  
3.8 There are no National Gas assets affected in this area

3.9 **Lincolnshire Fire & Rescue Service**  
3.10 No objections subject to conditions

Access  
3.11 Access to buildings for fire appliances and fire fighters must meet with the requirements specified in Building Regulations 2010 (As Amended) Part B5. Lincolnshire Fire and Rescue also requires a minimum carrying capacity for hard standing for pumping appliances of 18 tonnes, not 12.5 tonnes as detailed in the Building Regulations 2010 (As Amended) Part B5.

Water Supply  
3.12 Requires the installation of a fire hydrant conforming to BS750-2012 within 90m of all dwelling entrances in respect of this planning application to be provided at the developer's expense. Fire hydrant acceptance testing will be carried out by a Hydrant Inspector on completion and a standard hydrant marker "H" plate will be fitted nearby. Following adoption, the Fire Service will be responsible for the ongoing maintenance and repairs for the lifetime of the fire hydrant.

3.13 **Lincolnshire County Council (Education)**  
3.14 LCC Education has no comments on this consultation in relation to education as there is sufficient capacity in the locality for the children generated by this scheme.

3.15 **NHS Lincolnshire ICB**  
3.16 Section 106 contribution required.  
3.17 NHS Lincolnshire wishes for a Section 106 contribution from the developer to contribute to the expansion in capacity through remodelling/changes to layout or extension to existing facilities within the South Lincolnshire Rural Primary Care Network (PCN) at The Deepings Practice. Alternatively, the funding may, where appropriate, be used to support expansion in capacity at an alternative general practice site as required to meet the local population health need.  
3.18 The contribution requested for the proposed development is £7,260.00

3.19 **National Grid**  
3.20 No comments

3.21 **LCC Highways & SuDS Support**  
3.22 No objection  
3.23 • More detailed drainage information is required, where the outfall will be, if this is a highway drain a full survey will need carrying out to assess capacity and condition from connection to the outfall.  
3.24 • Detailed site layout plans including locations of SUDS  
3.25 • Cycle storage to be included for each property  
3.26 • There needs to be a link footway from the development joining up to the footpath not just stopping in the car park.  
3.27 • Tactile crossing should be included in the proposal as well as in the surrounding area for pedestrians. A sufficient footpath/cycle path should be included to connect to the industrial estate to increase connectivity to the local area as this is already a established route.

3.28 **SKDC Environmental Protection Officer**  
3.29 No objection subject to conditions.

3.30 Noise  
3.31 Further information is required in relation to noise from the extract fans of the adjacent commercial unit. The developer is required to arrange a plan to mitigate the noise from the extraction to protect the amenity of future residents of the site.

3.32 Construction Management  
3.33 Request that a construction management plan and method statement is submitted for the development prior to commencement, in order to protect the neighbouring properties from noise and dust. This can be secured via planning conditions.

3.34 Contamination  
3.35 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.

3.36 **SKDC Urban Design Officer**  
3.37 No objections raised.

3.38 **SKDC Planning Policy Officer**  
3.39 The development would not be compliant with the policy requirement for affordable housing to be split between affordable rent and affordable ownership.  
3.40 However, the SKDC Housing Register shows that is a need for 195 affordable rental units in Market Deeping

3.41 **The Deepings Neighbourhood Plan Group**  
3.42 Welcome affordable housing with reference to the HNA document.  
3.43 Support the application subject to a planning condition preventing any development starting until a scheme for enhancement of the adjacent open space is agreed with the LPA.

3.44 **Lincolnshire Wildlife Trust**  
3.45 Holding objection pending the inclusion of plans to achieve the mandatory 10% Biodiversity Net Gain (BNG).  
3.46 The BNG Metric submitted with this application shows a projected overall biodiversity loss of 59.35%, falling outside of BNG regulations that state that developments must achieve a minimum of 10% net gain.  
3.47 We understand that planning permission can be granted with conditional BNG, but it would be our recommendation that BNG should be integrated into the design of the site. Consideration of how the biodiversity will be created, enhanced, managed and monitored - for a minimum of 30 years – is more effective when it is a part of the design process

3.48 **Heritage Lincolnshire**

3.49 The site for the proposed development lies in an area of archaeological interest/importance. Market Deeping lies in an area of dense archaeological activity, dating from the prehistoric period onwards. In addition, the course of the Car Dyke (which dates from the Roman period) runs through Market Deeping, passing within 200m of the western side of the proposed development. King Street (a Roman road) passes to the west of the village.

3.50 Archaeological work, carried out as part of the Market Deeping Bypass, identified several areas of archaeological importance including a possible Bronze Age barrow cemetery, an area of industrial activity dating to the Late Neolithic/Early Bronze Age period and an enclosure of Roman date.

3.51 The proposed development area lies within a large and complex multi-phase prehistoric landscape known from cropmarks and archaeological investigations. Evidence of Roman remains are recorded in the vicinity, with some evidence of Anglo-Saxon and medieval occupation (represented by pottery scatters).

3.52 It is recommended that the developer should be required to commission a Scheme of Archaeological Work in the form of an archaeological evaluation to determine the presence, character and date of any archaeological deposits present at the site.

### **3.53 Heritage England**

3.54 Advises the Authority to seek the views of your specialist conservation and archaeological advisers.

## **4 Representations as a result of publicity**

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

1. Loss of open space and play area for children as current flats do not have gardens.
2. No doctors to cope with the current demand of dwellings.
3. While the loss of open space is undesirable, this has to be balanced against the benefits of the proposal. I would suggest that the authority should seek to ensure that the remaining open space is suitability enhanced to help mitigate this impact.
4. Support the pedestrian route to the adjacent industrial estate.
5. The area includes various amenities, and of course employment, that it is beneficial for both residents of the proposed development and other nearby residential areas to have good access to.
6. The precise nature of the proposed connection is unclear but I would expect this to have a tarmac surface or similar and ideally of a width suitable for use by both pedestrians and cyclists.
7. I welcome that the design of the development provides a degree of overlooking of the connection. It is unclear what lightning is proposed but this connection would benefit from lightning, in the interests of safety and security of its users.

The developer should take this opportunity, while improving this route, to also provide future legal certainty and dedicate the route for public use. The entire route from Blenheim Way to Wellington Way should be offered to the highway authority for adoption as public highway, for both walking and cycling

8. Ensuring provision is made for swifts via the planning system is crucial, so anything you can do to encourage developers and applicants to incorporate swift bricks into building plans would be very valuable.
9. The proposed access road will in effect lose parking spaces for the current residents in 3 blocks of flats.
10. Concerns about noise complaints for adjacent businesses

## **5 Evaluation**

- 5.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that the Local Planning Authority makes decisions in accordance with the adopted Development Plan, unless material considerations indicate otherwise. The Council adopted the South Kesteven Local Plan 2011-2036 on 30 January 2020, and this forms the Development Plan for the District and is the basis for decision-making in South Kesteven, along with The Deepings Neighbourhood Plan made 7th June 2021
- 5.2 The Local Planning Authority have also adopted a Design Guidelines Supplementary Planning Document (SPD) (Adopted November 2021) and this document is a material consideration in the determination of planning applications.
- 5.3 In addition, the policies and provisions set out in the National Planning Policy Framework (NPPF) (“the Framework”) (Published December 2024) are also a relevant material consideration in the determination of planning applications.
- 5.4 Furthermore, as of March 2025, South Kesteven District Council are presently unable to demonstrate a 5-year housing land supply and as a result, the policies most important for determining the application are deemed to be out-of-date by virtue of footnote 8 and Paragraph 11 of the National Planning Policy Framework. In these circumstances, Paragraph 11(d) requires that planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework when taken as a whole; or where specific policies in the Framework, indicate that development be restricted.

### **5.5 Principle of the development**

- 5.5.1 Policy SP1 (Spatial Strategy) identifies that the focus for the majority of growth is in and around the four market towns, with Grantham being a particular focal point for development. In connection with the above, decisions about the location and scale of new development will be taken on the basis of the settlement hierarchy set out in Policy SP2.
- 5.5.2 Policy SP2 (Settlement Hierarchy) identifies Grantham as being the primary focal point for development within the District during the plan period with a view to strengthening its position as a sub-regional centre. The policy states that “new development proposals will be supported on appropriate and deliverable brownfield sites and on sustainable greenfield sites (including urban extensions), where development will not compromise the town’s nature and character”.
- 5.5.3 In addition, Policy SP3 (Infill Development) recognises that infill development, which is in accordance with all other relevant Local Plan policies, will be supported, provided that:
  - (a) It is within a substantially built-up frontage or redevelopment opportunity (previously development land)
  - (b) It is within the main built-up part of the settlement.

- (c) It does not cause unacceptable impact on the occupiers' amenity of adjacent properties.
- (d) It does not extend the pattern of development beyond the existing built form; and
- (e) It is in keeping with the character of the area and is sensitive to the setting of adjacent properties.

5.5.4 In respect of the above, the application comprises an area of grassed open space situated between Northfields Industrial Estate and residential properties located on Wellington Way, to the north of the town centre of Market Deeping. The site is bordered to the north by retained open space, to the west by existing residential properties and parking areas, to the south by Wellington Way Scout Hut, and to the east by a single storey warehouse unit occupied as part of Northfields Industrial Estate. As such, whilst the site does not occupy a position within a substantially built-up frontage, it is viewed within the context of existing built form on all sides, and is substantially contained by this existing built form and strategic infrastructure. Development of the site would not extend the pattern of development beyond the existing limits of the town in any direction.

5.5.5 Taking the above into account, development of the site would be in accordance with the principles of criteria (a), (b), (d) of Policy SP3, and would be in accordance the overarching spatial strategy for the District. With regards to criteria (c) and (e), these matters fall to be assessed against the relevant material considerations, which are discussed in further detail below.

#### Impact on Open Space Provision

5.5.6 Notwithstanding the above, it is appreciated that the proposed development scheme would involve the residential development on land which currently comprises informal open space, serving the existing properties on Wellington Way. Whilst this land is currently vacant grassland, the site is allocated as an Important Open Space (IOS33 – Scout Hut Area) in the Neighbourhood Plan for the Deepings. Policy DNP13: Protecting Important Open Spaces of the Neighbourhood Plan states that development proposals on these sites will only be supported where they are in accordance with SKLP Policy OS1 (Open Space) of the adopted Local Plan..

5.5.7 In this respect, it is appreciated that public representations received on the application have raised objections on the basis of the proposed loss of the area of informal open space. With regards to this, Policy OS1 provides a permissive approach to the protection of existing areas of open space within the District. It states that all existing open space, including allotments, parks, equipped play space, sports pitches, and informal natural open space will be protected. Development proposals for such spaces will only be permitted where it can be demonstrated that:

- (a) The proposal will provide increased or improved open space and / or recreational facilities; or
- (b) The site is not required to meet local standards; or
- (c) Equivalent (or better) replacement provision is to be made within the locality; and
- (d) The site does not support important or protected habitats or species.

5.5.8 In this respect, the application has been accompanied by an Open Space Assessment (Knight, Davanagh & Page) (Dated July 2024), which has assessed the use of the

application, together with the availability of alternative open space provision within the local area. The assessment provides the following conclusions:

- The site currently rates as poor quality and low value in the Open Space Study and is a relatively small part of a wider open area within the residential estate that will remain.
- Furthermore, the proposal will look to enhance the remaining land through landscaping, tree planting and accessible paths. (These details can be secured by way of a 'Grampian condition' to ensure improved open space provision would be delivered as part of the development scheme)
- The redline boundary also includes the existing open space, which is to be partially retained as part of the proposed development. The open space will be enhanced with native planting to increase biodiversity, ecological value and connectivity.
- Through enhancement of the retained open space, the quality score will be raised to good. The proposed development will also greatly improve its usability and meet the exception of Policy OS1.

5.5.9 Taking the above, it is Officers' assessment that whilst the application scheme would reduce the quantity of public open space on the site, it would enhance the quality of the retained area of open space, through increased landscaping, tree planting and accessibility; as well as enhancing the biodiversity value of the open space.

5.5.10 Consequently, it is Officers' assessment that the application proposals would fulfil the requirements of Policy OS1.

5.5.11 Notwithstanding the above, the site also falls partially within the allocation boundary of the Northfields Industrial Estates, which is a Protected Existing Employment Site (EMP-D3) identified as part of Policy E4: Protection of Existing Employment Sites of the adopted Local Plan. This policy states that such sites will be protected to ensure continued provision of locally important employment sites. In this respect, it is acknowledged that the application site is functionally distinct from the adjacent industrial estate and, therefore, residential development would not compromise the principles of the allocation, subject to detailed design considerations referenced below.

5.5.12 Furthermore, the site also falls within a Minerals Safeguarding Area for Sand and Gravel designated under Policy M11. This policy states that applications for non-minerals development in a Minerals Safeguarding Area must be accompanied by a Minerals Assessment. Planning permission will be granted provided that it would not sterilise mineral resources within the Mineral Safeguarding Areas or prevent future minerals extraction of neighbouring land. Where this is not the case, planning permission will be granted where: "The applicant can demonstrate to the Mineral Planning Authority that prior extraction of the mineral would be impracticable, and that the development could not be reasonably sited elsewhere". In this regard, it is appreciated that, in view of the surrounding existing residential, recreational and industrial land uses, extraction of any minerals resources is unlikely to be considered practicable.

5.5.13 Having consideration of the above, it is Officers' assessment that the proposed development of the site would be in accordance with the overall spatial strategy for the District, as set out in Policy SP1, SP2, SP3 and OS1 of the adopted South Kesteven Local Plan. As such, the principle of development is acceptable, subject to material considerations. These matters have been assessed below.

5.5.14 Notwithstanding this, as detailed above, South Kesteven District Council are presently unable to demonstrate a 5 year housing land supply and, therefore, the policies most important for determining the application are deemed to be out-of-date, and the tilted balance set out at Paragraph 11 of the National Planning Policy Framework is engaged. This requires planning permission to be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework when taken as a whole; or where specific policies in the Framework, indicate that development should be restricted.

5.5.15 In this context, the proposed development would involve the delivery of 11 dwellings, which is a significant public benefit, that Officer's would attribute substantial weight in the tilted balance.

## 5.6 **Meeting all Housing Needs**

5.6.1 As referenced above, the current application proposals seek planning permission for the erection of 11 (no) affordable housing units, all of which are proposed to be delivered as affordable rented accommodation.

5.6.2 Policy H2 (Affordable Housing Contributions) seeks to meet the needs for affordable housing within the District by requiring all major development proposals to provide affordable housing. Within the built-up area of Market Deeping, the affordable housing requirement is 30%. In this respect, the proposed development would exceed the requirements for affordable housing set out within Policy H2.

5.6.3 In addition, with regards to the mix of property types and sizes across the development scheme, Policy H4 (Meeting All Housing Needs) seeks to ensure that residential development is of an appropriate size and type to meet the current and future needs of the District. In particular, Policy H4 encourages the provision of high quality and affordable housing for all.

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

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

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

	<b>1-bed</b>	<b>2-bed</b>	<b>3-bed</b>	<b>4+ bed</b>
<b>Affordable</b>	18.2%(2 units)	81.8% (9 units)	0% (0 units)	0% (2 units)

5.6.6 In view of the above, it is appreciated that the proposed development would provide a greater number of 2-bed dwellings, and fewer 1-bed dwellings than that identified in the recommended housing mix contained in the Strategic Housing Market Assessment. However, it is noted that the scheme has been designed to contribute towards meeting the identified housing needs on the Council's Housing Register. As such, the current application proposals would provide a range of property types and sizes and would contribute towards meeting the identified local need for affordable housing.

5.6.7 Taking the above into account, it is concluded that the proposal would be in accordance with Policy H2 and H4 of the adopted South Kesteven Local Plan, and Section 5 of the National Planning Policy Framework.

5.7 **Design Quality and Visual Impact**

5.7.1 Following on from the feedback of a public consultation undertaken in July of last year and further pre application advice and discussions between Officers, Consultees and the Applicant. The development proposals have been revisited, and amendments have been made to address the concerns raised.

5.7.2 Having considered its proximity to that of the existing Scout and Guide HQ, together with the industrial estate, the site location is considered of an acceptable distance and relationship, with the importance of the linked access through to the industrial estate. A further footpath is added through the site to maintain the route and connects well into the retained open space further north, passing between the development and the back of the commercial units. This area will be planted out with further trees and subject to an additional landscaping plan.

5.7.3 The reduced number and revised layout of 11 dwellings have been designed to result in a cohesive arrangement of properties that sit well within the surrounding context and respond to neighbouring dwellings. Such that the provision of back-to-back rear gardens will provide privacy to those previously exposed, screening garden paraphernalia and will generally improve the character and appearance of the locality.

5.7.4 All properties are proposed to have well-defined boundaries, with individual rear amenity gardens, small open frontages and are arranged so that they front onto the street, which provides an appropriate sense of enclosure and would also be orientated so that they are well related to the existing properties.

5.7.5 In relation to the above, the Council's Principal Urban Design Officer has been part of the process and pre application discussions, advising on the scheme and have confirmed that they have no objection to the proposed development, and that it is now an appropriately designed scheme. The Urban Design Officer has completed a Building for Healthy Life Assessment and this has demonstrated that the scheme performs positively against this nationally accredited design metric.

5.7.6 Where the layout has been revised to include a well-designed area of retained public open space and a paved path to provide connections between the development and the commercial site, the proposed house Plot 5 (which would be positioned adjacent to this area of open space) has been revised to include a number of windows in the north / side elevation, to provide an appropriate degree of natural surveillance.

5.7.7 In respect of the scale and appearance of the proposed development, the proposed houses and flats are all designed to be 2-storey in scale, which would be in keeping with the scale of development within the Wellington Way Estate. All properties benefit from appropriately sized plots, which include private amenity space.

5.7.8 The proposed built form adopts a simple, contemporary architectural, which includes the use of projecting brickwork and projecting gable features in the front elevation to provide a degree of visual interest. It is Officers' assessment that the proposed built form would enhance the character of the existing built-form within Wellington Way, which is broadly defined by uninspiring 1980s houses. The proposed dwellings would be constructed with buff brick and concrete interlocking roof tiles, which would be in keeping with the materials

palette of the local area. In view of the above, it is considered that the proposed built form would be in keeping with the character and appearance of the area.

5.7.9 Taking the above into account, it is the Officers' assessment that the application proposals would provide an acceptable appearance, layout, landscaping, scale and massing which would ensure that the development scheme positively integrates with the character and appearance of the surrounding residential estate. Consequently, it is Officers' position that the application scheme would accord with Policy DE1 of the adopted South Kesteven Local Plan, the adopted Design Guidelines SPD, and Section 12 of the National Planning Policy Framework; although appropriate conditions are attached to require compliance and the timely implementation of the submitted scheme.

## 5.8 Impact on amenity and neighbouring uses

5.8.1 With regard to the impact of the proposed development on the residential amenity of neighbouring uses, it is appreciated that no representations have been received on the application in this respect.

5.8.2 Nonetheless, in assessing the application proposals against the standards set out within the adopted Design Guidelines SPD, it is Officers' assessment that the orientation of the proposed houses, coupled with the separation distances between the existing properties to the north, south and west, would ensure that the proposed development would not give rise to any unacceptable adverse impacts on the existing properties in respect of loss of privacy, overshadowing and outlook

5.8.3 With regards to the relationship between the existing properties and the proposed flats situated to the north and west of the proposed development, it is appreciated that these proposed buildings include internal balconies positioned in the rear elevation of the building. However, it is Officers' assessment that the orientation and separation distance of the proposed buildings will ensure that there are limited opportunities for direct overlooking of the existing properties and, therefore, it is considered that the proposed development would not have an unacceptable impact on the privacy of the rear gardens of the existing properties. Similarly, it is also appreciated that these properties include windows in the side elevation of the buildings but do not give rise for concern in relation to reducing the residential amenities to an unacceptable level. However, they would ensure that there are adequate opportunities for natural surveillance of the communal amenity areas

5.8.4 In respect of the impacts of construction activities on the amenity of existing residential properties, it is appreciated that the application site is located within a residential setting and, therefore, there is the potential for short-term impacts on the residential amenity of the existing properties as a result of noise, dust and vehicle movements associated with the construction of the proposed scheme. In view of the above, conditions are proposed to require the submission and approval of a Construction Management Plan prior to the commencement of development, in order to mitigate these potential impacts.

5.8.5 In respect of the provision of an appropriate level of amenity for future occupants of the proposed development, it is noted that all houses and flats will benefit from private amenity space positioned to the rear and measure approximately 50 sq. metres and above. Similarly, As such, it is Officers' assessment that the proposed dwellings would benefit from a proportionate level of private amenity space, as well as, use of the existing retained public open space.

5.8.6 Furthermore, it is appreciated that the application site is located immediately adjacent to the commercial/industrial units on Peacock Square. The application has been accompanied by a Noise Impact Assessment (Environmental Noise Solutions Limited) which identifies the following conclusions:

- External noise levels at the boundary of the existing vacant site are generally  $\leq 55$  dB LAeq,16hr and are therefore below the upper guideline level set out in BS 8233.
- For those areas of the site which are adjacent to the extract plant on the western façade of the nearest units, a minimum set-back distance of 5m is recommended to reduce noise levels in the gardens.
- Noise levels within private gardens may be further reduced with localised screening in the form of close boarded timber fences ( $\geq 10$ gk/m<sup>2</sup> superficial mass), to a minimum height of 1.8m above ground level. With the introduction of localised screening, the majority of external amenity areas are expected to be exposed to noise levels  $\leq 50$  dB LAeq,16hr.

5.8.7 In relation to the above, the Council's Environmental Protection Team have been consulted on the application and have confirmed that they have no objections in principle to the development. However, they have noted that Section 4 of the noise assessment states: Noise from extract fans on the western façade of the adjacent commercial unit result in slightly higher noise levels of 56 dB LAeq,1hr within a localised area at the northern edge of the site. Noise from the fans was not observed during the night time period.

5.8.8 It is Officers' assessment that this could be appropriately addressed through the built fabric such as acoustic ventilation. As such, conditions are proposed to require the submission of an Acoustic Mitigation Scheme and Noise Validation testing to demonstrate that internal and external levels would meet the relevant standards

5.8.9 Taking the above into account, subject to the imposition of conditions, it is Officers' assessment that the application proposals would not have any unacceptable adverse impacts on neighbouring properties, and would provide an appropriate level of amenity for all existing and future residential occupants. As such, the application would accord with Policy SP3, DE1, and EN4 of the adopted Local Plan, and Section 12 of the National Planning Policy Framework in respect of residential amenity considerations.

**5.9 Access, Highways Impacts and parking**

5.9.1 As outlined above, access to the site is proposed to be taken via an extension of the existing unadopted road, via Wellington Way and between the existing two blocks of flats within the site. The initial proposed carriageway would be approx. 5.5 metres in width and retains the footway on the southern side. A further new footpath is detailed to the opposing side to the front of the proposed flats to the north, which again link into the site east toward the commercial site and connecting footpath. The proposed site layout demonstrates that all 2-bed houses would be provided with 2 (no) frontage parking spaces, the 2-bed apartment Blocks x 2 would each have 4 spaces to the side and the 1-bed apartment block would have a communal parking court to the back, within the site (east) which contains 4 parking space (1 parking space per apartment). There are a number of further communal parking areas in close proximity including the Scout and Guide HQ. In addition, all dwellings are provided with secure cycle storage within the plot boundaries.

5.9.2 Lincolnshire County Council (as Local Highways Authority) have been consulted on the application proposals and have raised no objections in relation to matters of highways impacts.

5.9.3 Conditions are also proposed to require the estate road and footway to be completed to finished surface levels, prior to first occupation of the development, in order to ensure that these primary access routes are completed in a timely manner and do not present any safety hazards to future occupants of the site by way of interim construction levels.

5.9.4 Consequently, subject to the imposition of conditions, it is concluded that the site benefits from a location which would ensure that future occupants can travel to / from the site in via sustainable modes of transport. The application proposals would not give rise to any unacceptable adverse impacts on highways safety and / or capacity, and would provide an appropriate level of parking provision. As such, the application proposals are assessed as being in accordance with Policy ID2 of the adopted South Kesteven and Section 9 of the Framework.

## 5.10 **Flood Risk and Drainage**

5.10.1 In respect of flood risk and drainage matters, it is noted that there have been no representations received on the application on these matters.

5.10.2 Notwithstanding this, the application site is located within Flood Zone 1 of the Flood Map for Planning, and is also identified as being primarily at very low risk of surface water flooding; however, there are some isolated areas of low-medium risk of surface water flooding located in the south-eastern corner of the site. Overall, the site is concluded to present an overall low risk of flooding.

5.10.3 Furthermore, Anglian Water have also been consulted on the application and have also confirmed that the proposed connection to their network is acceptable.

5.10.4 In connection with the above, the application has been accompanied by a Flood Risk Assessment and Drainage Strategy (JNP Group)

5.10.5 Lincolnshire County Council (as Lead Local Flood Authority) have been consulted on the scheme and have provided initial comments requesting further information in relation to the drainage and SUDS. In particular, they have stated that more detailed drainage information is required, where the outfall will be, if this is a highway drain a full survey will need carrying out to assess capacity and condition from connection to the outfall. Detailed site layout plans including locations of SUDS should also be provided.

5.10.6 However, having due regard for the above comments, it is the Case Officers assessment that these details can be appropriately secured through conditions requiring the submission of a surface water drainage scheme, including a requirement to undertake a drainage condition survey.

5.10.7 Taking the above into account, subject to the imposition of conditions requiring the submission of a surface water drainage strategy, the application proposals would accord with Policy EN5 of the adopted Local Plan and Section 14 of the Framework.

## 5.11 **Impact on biodiversity, ecology and trees**

5.11.1 In respect of the impact of the proposed development on biodiversity and ecology, it is appreciated that the application site comprises an undeveloped greenfield site, which currently provides public open space serving the existing occupants of the Wellington Way

estate and, therefore, is a highly managed habitat. Nonetheless, it is also appreciated that the site also contains a number of trees and native planting, which may provide an appropriate habitat for protected species.

- 5.11.2 The application is subject to statutory biodiversity net gain, which requires the submission of a Biodiversity Gain Plan and Habitat Management and Monitoring Plan prior to the commencement of development. As referenced above, this net gain is to be delivered on the retained open space falling outside of the application site boundary, and the statutory biodiversity gain condition is sufficient to secure the obligations in this case.
- 5.11.3 In view of the above, subject to the imposition of conditions, the application proposals would accord with Policy EN2 of the adopted Local Plan, and Section 5 and 14 of the Framework in respect of ecology and biodiversity.

#### **5.12 *Ground Conditions***

- 5.12.1 As indicated above, it is appreciated that the application site comprises undeveloped grassland and is also located within close proximity to a number of industrial uses and, therefore, may be subject to sources of land contamination.
- 5.12.2 The Councils Environmental Protection Team were consulted as part of the application in this respect and raised no objection to the development subject to a condition requiring the developer to stop all works, if during excavation and construction it is suspected that the land is contaminated. A full investigation and risk assessment must then be undertaken and submitted to the LPA with a remediation scheme to be approved.
- 5.12.3 Taking the above into account, it is concluded that, subject to conditions, the proposed development would not give rise to any unacceptable risks of ground contamination and, as such, the application proposals would accord with Policy EN4 of the adopted Local Plan and Section 15 of the National Planning Policy Framework on these matters.

#### **5.13 *Climate Change***

- 5.13.1 As previously identified, the application proposals would involve the development of undeveloped, greenfield land within the main built-up area of Market Deeping and, therefore, the site is deemed to be an appropriate location for residential development. As such, the application scheme would be consistent with the locational principles of Policy SD1.
- 5.13.2 In this respect, it is appreciated that the Applicant has not submitted a Sustainability Statement for the scheme and, therefore, has not demonstrated how the proposed development would comply with the requirements of Policy SB1 of the adopted Local Plan. However, it is Officers' assessment that this can be appropriately addressed through the imposition of conditions requiring the submission of details to demonstrate compliance with Policy SB1; these details are proposed to be required prior to development above damp-proof course.
- 5.13.3 Therefore, subject to the imposition of conditions securing further details of sustainable building measures, the proposal would represent sustainable development when taken as a whole and, therefore, would accord with the requirements of Policy SB1 and SD1 of the adopted South Kesteven Local Plan.

#### **5.14 *Impact on Archaeological Assets***

- 5.14.1 Heritage Lincolnshire (as Local Archaeological Advisors) have been consulted on the application proposals and have confirmed that they have no objections, subject to the

imposition of conditions requiring the submission of a Written Scheme of Investigation for a programme of archaeological evaluation. These details, and the subsequent completion of the investigation, are proposed to be secured as part of a pre-commencement condition.

5.14.2 Therefore, subject to conditions, the application proposals would accord with Policy EN6 and Section 16 of the Framework in respect of archaeological matters.

## 5.15 **Infrastructure for Growth**

5.15.1 Local Plan Policy ID1 (Infrastructure for Growth) states that all development proposals will be expected to demonstrate that there is, or will be, sufficient infrastructure capacity to support and meet the essential infrastructure requirements arising from the proposed development.

5.15.2 In this respect, Lincolnshire Integrated Care Board (LICB) have been consulted on the application and have confirmed that the development will impact on the capacity of existing GP services within the area. Therefore, they have requested a contribution of £7260.00 towards expanding healthcare capacity within the local area.

5.15.3 Lincolnshire County Council (Highways) have also responded to the application scheme and requested a contribution of £11,000.00 toward providing annual bus passes for each dwelling. However, further engagement with Officer's have indicated that this would be appropriately addressed through planning conditions.

5.15.4 Furthermore, Lincolnshire County Council (as Local Education Authority) have been consulted on the application scheme. However, they have confirmed that there is sufficient capacity within the local area to accommodate the educational needs of the proposed development.

5.15.5 Therefore, subject to the completion of a Section 106 Agreement, the application proposals would be in accordance with Policy ID1 of the adopted South Kesteven Local Plan.

## 6 **Crime and Disorder**

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

## 7 **Human Rights Implications**

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

## 8 **Planning Balance and Conclusions**

8.1 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.

8.2 The application proposals seek full planning permission for the erection of 11 affordable dwellings with associated access, landscaping, parking and cycle storage provision on land situated within the Wellington Way housing estate located within the main built-up area of Market Deeping. The site is currently utilised as public open space associated with the existing residential properties and, therefore, falls to be assessed in the context of Policy OS1 of the adopted Local Plan.

8.3 In this case, the Applicant has submitted an Open Space Assessment which demonstrates that whilst the scheme would reduce the quantity of open space on the site, it would enhance the quality of the open space through the proposed biodiversity net gain and improved connectivity. As such, the application would accord with Policy OS1 of the adopted Local Plan.

8.4 Notwithstanding the above, as of March 2025, South Kesteven District Council are presently unable to demonstrate a 5-year housing land supply and as a result, the policies most important for determining the application are deemed to be out-of-date by virtue of footnote 8 and Paragraph 11 of the National Planning Policy Framework. In these circumstances, Paragraph 11(d) requires that planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework when taken as a whole; or where specific policies in the Framework, indicate that development be restricted.

8.5 As identified the proposed development scheme would make provision for 11 residential dwellings, which would wholly be affordable dwellings; this would make a significant contribution towards meeting the identified housing needs of the District, including the acute need for affordable housing, as well as contributing to addressing the identified housing land supply shortage. The provision of this additional housing is a significant public benefit, which Officers advise should be given substantial weight. The scheme represents sustainable development when taken as a whole, and there are significant benefits to be afforded substantial weight in the assessment of the application proposals.

8.6 Taking all of the above into account, it is Officer's assessment that the adverse impacts of the development do not significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework when taken as a whole, such that the tilted balance set out within Paragraph 11(d) weighs in favour of the development.

8.7 Consequently, it is Officers assessment that the application proposals would accord with the adopted Development Plan when taken as a whole, and the material considerations, including the tilted balance required by Paragraph 11(d) of the Framework also weigh in favour of granting planning permission.

## **9 Recommendation**

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

## **Time Limit for Commencement**

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

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

## **Approved Plans**

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

- i. Location Plan re.
- ii. Plans, Elevations and Sections

Unless otherwise required by another condition of this permission.

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

## **Before the Development is Commenced**

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

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

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

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

- 4) Before any part of the development hereby permitted is commenced, a surface water drainage scheme shall have first been submitted to, and approved in writing by, the Local Planning Authority. The submitted scheme must:
  - i. Be based on the results of evidenced groundwater levels and seasonal variations.
  - ii. Be based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development.
  - iii. Provide flood exceedance routing for storm events greater than 1 in 100 year
  - iv. Where necessary, provide details of how run-off will be safely conveyed and attenuated during storms up to and including the 1 in 100 year critical storm event, with an allowance for climate change, from all hard surfaced areas within the development into the existing local drainage infrastructure and watercourse system without exceeding the runoff rate for the undeveloped site.
  - v. Where necessary, provide attenuation details and discharge rates which shall be restricted to the greenfield runoff rate
  - vi. Provide details of the timetable for and any phasing of implementation for the drainage scheme; and
  - vii. Provide details of how the scheme will be maintained and managed for the lifetime of the development, including any arrangements for adoption by any public body or Statutory Undertaker and any other arrangements required to secure the operation of the drainage system throughout its lifetime.

Thereafter, no part of the development shall be occupied / brought into use until the approved scheme has been completed or provided on site in accordance with the approved phasing.

The approved scheme shall be retained and maintained in full, in accordance with the approved details.

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

- 5) Where required by Condition 4, before the development hereby permitted commences, a priority risk assessment for the proposed outfall location, in accordance with DMRB CD535 and informed by a pre-construction condition survey, shall be submitted to and approved in writing by the Local Planning Authority. If identified as necessary following the priority culvert risk assessment, a mitigation scheme for the proposed outfall location should be submitted to and approved in writing by the Local Planning Authority. Thereafter, the mitigation works shall be completed in accordance with the approved scheme prior to the commencement of development.

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

### **During Building Works**

- 6) Before works to erect any external lighting associated with the development hereby permitted are commenced, details of the lighting including an external lighting plan, levels of illumination and hours of operation shall have been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of the amenities of the area and in accordance with Policies EN4 and DE1 of the adopted South Kesteven Local Plan.

- 7) Before the development hereby permitted is commenced, a noise management plan for the dwellings shall have been submitted to and approved by the Local Planning Authority. The mitigation measures detailed within the management plan shall be implemented prior to occupation and shall remain in place in perpetuity, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of the amenities of the area and in accordance with Policies EN4 and DE1 of the adopted South Kesteven Local Plan.

- 8) No development above damp-proof course shall take place until details demonstrating how the proposed dwelling would comply with the requirements of Local Plan Policy SB1 and SD1 must be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of how carbon dioxide emissions would be minimised through the design and construction of the building; details of water efficiency; and the provision of electric car charging points.

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

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

- 9) Before any part of the development hereby permitted is commenced, a site-specific Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include a scheme making available 2 free annual travel passes per dwelling for the first year of their occupation.

Thereafter, the Travel Plan shall be implemented in accordance with the approved details prior to first occupation and shall be in place / action in accordance with the approved timescales.

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

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

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

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

### **Before the Development is Occupied**

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

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

12) 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 (as shown on the approved Planting Plan and Schedule Ref: D10503.001/Rev 01) shall have been carried out in accordance with the approved soft landscaping details.

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

13) Before any dwelling hereby permitted is occupied, the acoustic mitigation measures identified within the Noise Management Plan shall have been completed and a Validation Report shall be submitted to, and approved in writing by, the Local Planning Authority, which demonstrates the scientific and technical effectiveness of the noise mitigation measures.

Thereafter, the acoustic mitigation shall be maintained and retained for the lifetime of the development, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the proposed development does not give rise to any unacceptable impacts on residential amenity.

14) No part of the development hereby permitted shall be occupied before the works to improve the public highway (by means of a tactile pedestrian crossings to provide connections to the west of the site to Wellington Way has been certified complete by the Local Planning Authority.

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

### **Ongoing Conditions**

15) Within a period of five years from the first occupation 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 this decision, the Council has worked with the Applicant in a positive and proactive manner by determining the application without undue delay. As such, it is considered that the decision is in accordance with Paragraph 38 of the National Planning Policy Framework (December 2024).
- 2) The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition "(the biodiversity gain condition)" that development may not begin unless:
  - (a) a Biodiversity Gain Plan has been submitted to the planning authority, and
  - (b) the planning authority has approved the plan.

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

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

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

- 3) All roads within the development hereby permitted must be constructed to an acceptable engineering standard. Those roads that are out forward for adoption as public highways must be constructed in accordance with the Lincolnshire County Council Development Road Specification that is current at the time of construction, and the developer will be required to enter into a legal agreement with the Highway Authority under Section 38 of the Highways Act 1980. Those roads that are not to be voluntarily out forward for adoption as public highways may be subject to action by the Highway Authority under Section 219 (Advanced Payments Code) of the Highways Act 1980.

- 4) 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. The works should be constructed in accordance with the Authority's specification that is current at the time of construction. Relocation of existing apparatus, underground services or street furniture will be the responsibility of the applicant, prior to application. For application guidance, approval and specification details, please visit  
<https://www.lincolnshire.gov.uk/licences-permits/apply-dropped-kerb>
  
- 5) Please contact the Lincolnshire County Council Streetworks and Permitting Team on 01522 782070 to discuss any proposed statutory utility connections and any other works which will be required within the public highway in association with the development hereby 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 our website via the following links:  
Traffic Management - <https://www.lincolnshire.gov.uk/traffic-management>  
Licences and Permits – <https://www.lincolnshire.gov.uk/licences/permits>.

**Financial Implications reviewed by: Not applicable**

**Legal Implications reviewed by: Not applicable**

## Location Plan



## Proposed site layout



## Proposed elevations



## Proposed elevations



This page is intentionally left blank



## Planning Committee

12 June 2025

### S24/2198

Proposal:	Outline application for up to 268 residential dwellings (Use Class C3), up to 80 bed care home (Use Class C2), local centre, and public open space with associated access, landscaping, drainage and infrastructure (Access for approval only)
Location:	Land at Exeter Fields, Stamford
Applicant	Commercial Estates Group & Cecil Estate Family Trust
Agent	Nexus Planning
Application Type:	Outline Planning Permission (Access for approval only)
Reason for Referral to Committee:	Major development which requires a Section 106 Agreement to secure financial contributions.
Key Issues:	<ul style="list-style-type: none"><li>• Principle of Development</li><li>• Access and Highways Impacts</li><li>• Infrastructure for Growth</li><li>• Archaeological Desk Based Assessment</li><li>• Biodiversity Net Gain Feasibility Assessment</li><li>• Design and Access Statement</li><li>• Ecological Appraisal</li><li>• Energy and Sustainability Assessment</li><li>• Flood Risk Assessment and Sustainable Drainage Statement</li><li>• Framework Travel Plan</li><li>• Landscape Technical Note</li><li>• Marketing Assessment</li><li>• Minerals Assessment</li><li>• Noise Impact Assessment</li><li>• Planning Statement</li><li>• Retail Impact Assessment</li><li>• Transport Assessment</li></ul>
Technical Documents:	

#### Report Author

Adam Murray – Principal Development Management Planner

01476 406080

Adam.Murray@southkesteven.gov.uk

Corporate Priority:

Decision type:

Wards:

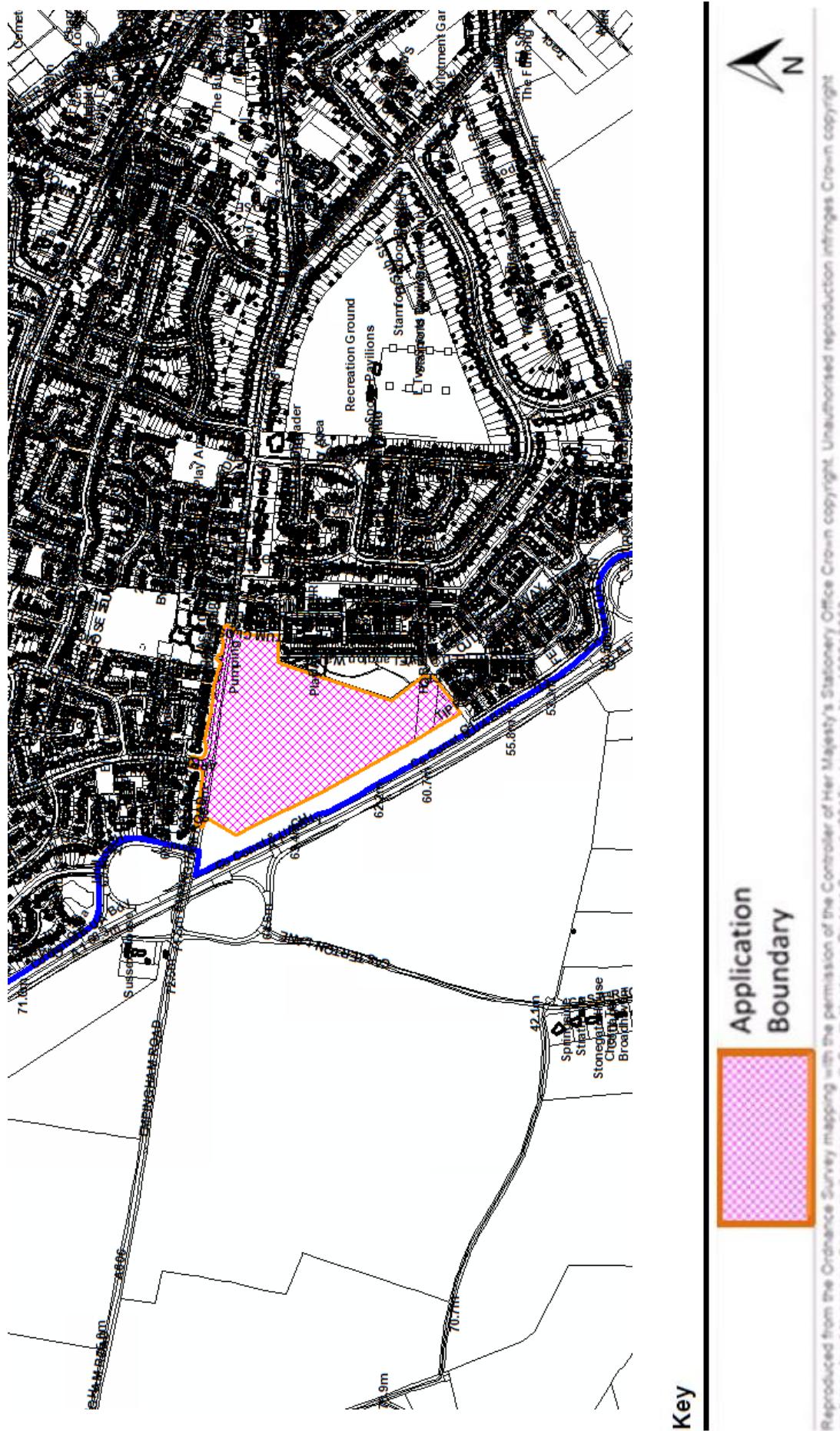
**Reviewed by:**Phil Jordan, Development Management &  
Enforcement Manager

3 June 2025

**Recommendation (s) to the decision maker (s)**

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

## S24/2198 – Land at Exeter Fields, Stamford



## **EXECUTIVE SUMMARY**

The application site comprises an area of approximately 10 hectares of land situated to the south of Empingham Road, at the western edge of the main built-up area of Stamford.

The site is currently allocated as a strategic employment site (Site Ref: ST-SE1) under Policy E2 of the adopted Local Plan, where development for B1, B2 and / or B8 uses will be supported.

The current application seeks outline planning permission for the erection of up to 268 residential dwellings (Use Class C3), up to 80 bed care home (Use Class C2), local centre, and public open space with associated access, landscaping, drainage and infrastructure. The current application has been submitted in outline form with all matters reserved for future determination except for access.

Policy E6 of the adopted Local Plan is a permissive policy which seeks to retain and enhance existing areas of employment use, unless Applicant's meet one of a number of criteria. In this case, the application site has been subject to extensive marketing, which has demonstrated that the site is not viable for traditional employment uses, and the Council's Employment Land Study (2024) also indicates that the site is no longer suitable for employment development. As such, the application accords with criteria (a) of Policy E6. In addition, it is also appreciated that the proposed development would include a local centre, which would generate a number of employment opportunities, which could be comparable to the number that could be provided if the site was brought forward as a B8 employment development under Policy E2.

Notwithstanding the above, as of March 2025, South Kesteven District Council are presently unable to demonstrate a 5-year housing land supply and as a result, the policies most important for determining the application are deemed to be out-of-date by virtue of footnote 8 and Paragraph 11 of the National Planning Policy Framework. In these circumstances, Paragraph 11(d) requires that planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework when taken as a whole; or where specific policies in the Framework, indicate that development be restricted.

In this case, it is the Case Officer's assessment that the minor adverse visual impact resulting from the change in the character of the land would not significantly and demonstrably outweigh the significant public benefits provided by the delivery of a significant number of residential dwellings, including affordable housing, employment opportunities and biodiversity net gain.

Consequently, it is the Officer assessment that the application proposals would accord with the adopted Development Plan when taken as a whole, and the material considerations, including the tilted balance required by Paragraph 11(d) of the Framework also weigh in favour of granting planning permission.

**Therefore, the Planning Committee are recommended to authorise the Assistant Director of Planning & Growth to GRANT planning permission, subject to the completion of a Section 106 Agreement and subject to conditions.**

## **1 Description of the site**

- 1.1 The application site comprises an area of approximately 10 hectares of irregular shaped land located to the south of Empingham Road, at the western edge of the main built-up of Stamford.
- 1.2 The site consists of a single field of vacant, arable agricultural land which is bound to the north, south and east by existing residential development and to the west by the A1 carriageway. The site benefits from clearly defined boundaries to the north and west, which are marked by mature hedgerows and trees, and a wide grassed verge, that separates the site from the adjacent highway.
- 1.3 It is appreciated that the proposed development site formed part of an outline planning permission ref: S12/0864, which granted permission for “a sustainable urban extension at Stamford West including a residential development (including affordable housing), a business park (10 hectares) and a local centre with associated highways improvements, pedestrian and cycle links, landscaping and open space”. Reserved matters approval was granted for the residential parcel in 2015 and has subsequently been delivered by Taylor Wimpey. The current application site formed the proposed employment land of the former outline planning application, and to that effect the site is currently allocated under Policy E2 (Strategic Employment Sites) of the adopted Local Plan (Ref: Site Ref: ST-SE1).
- 1.4 The application site is identified as being Grade 3 value on the Natural England Provisional Land Classification Maps. The site is also identified as falling within Flood Zone 1 and is similarly deemed to be at very low risk of surface water flooding. The site is designated as a Minerals Safeguarding Area for Limestone in the Lincolnshire Minerals and Waste Local Plan.
- 1.5 The proposed development site is not subject to any statutory landscape designations, but falls within the Kesteven Uplands Landscape Character Area (South Kesteven Landscape Character Assessment, 2007) and the West Stamford Character Area of the Stamford Character Study, which accompanies the made Stamford Neighbourhood Plan.
- 1.6 Similarly, the proposed development site does not contain any designated built heritage assets. The nearest designated assets are the Grade II listed The Old Vicarage and Tinwell House, located within the village of Tinwell to the south of the A1.
- 1.7 The site does not contain any statutory or non-statutory ecology; the nearest site is the Great Casterton Verges located 250m to the north of the site. As detailed above, the application site consists of a vacant parcel of agricultural land, and therefore, the internal site area is understood to be of low ecological value. However, the site boundaries do include mature boundary hedgerow and trees, and the southern area of the site does include an area of young woodland planted as part of the Taylor Wimpey development scheme, which is likely to be of some value.

## **2 Description of the proposal**

- 2.1 The current application seeks outline planning permission for the erection of up to 268 residential dwellings (Use Class C3), up to 80 bed care home (Use Class C2), local centre, and public open space with associated access, landscaping, drainage and infrastructure. The current application has been submitted in outline with all matters reserved for future determination except for access.

2.2 The proposals have been accompanied by a range of technical reports, including Archaeological Desk Based Assessment, Biodiversity Net Gain Assessment, Ecological Appraisal, Flood Risk Assessment, Market Assessment and Planning Statement. The submission has also been accompanied by a proposed Parameter Plan, which outlines the nature and extent of the proposed development.

2.3 Access to the site would be taken from Empingham Road (A607) to the north of the site via the formation of a signalised junction at the existing junction with Arran Road. The primary access is to include a shared pedestrian and cycle access, with a proposed secondary point of access to be provided in the north-eastern corner of the site, opposite Malcom Sargent Primary School.

2.4 The submitted Parameter Plan shows that the proposed local centre would be positioned at the northern end of the site, fronting onto Empingham Road, and would be adjacent to a proposed area of open space position opposite Malcom Sargent Primary School. The proposed local centre would include the proposed Care Home (Use Class C2), as well as 1,788 sq. metres of uses include Class E and Sui Generis. Development within the Local Centre would be a maximum of 2 storeys. The residential development to the south of the site would be limited to 2 storeys. A central area of public open space would be provided as part of the main residential parcel.

### 3 Relevant History

Application Ref.	Description of Development	Decision
S12/0864	Outline application for sustainable urban extension at Stamford West including residential development (including affordable housing), a business park (10 hectares) and a local centre with associated highways improvements, pedestrian and cycle links, landscaping and open space	Approved Conditionally 30.05.13
S24/0596	EIA Screening Request for proposed residential led development of up to 300 dwellings, a Local Centre, a Care Home (Use Class C2), and a GP Surgery (Use Class E), with associated open space, access and infrastructure	EIA Not Required 23.05.24

### 4 Policy Considerations

#### 4.1 South Kesteven Local Plan 2011-2036 (Adopted January 2024)

Policy SD1 – The Principles of Sustainable Development in South Kesteven

Policy SP1 – Spatial Strategy

Policy SP2 – Settlement Hierarchy

Policy H2 – Affordable Housing Contributions

Policy H4 – Meeting All Housing Needs

Policy E2 – Strategic Employment Sites

Policy E6 – Loss of Employment Land and Buildings to Non-Employment Uses

Policy EN1 – Landscape Character

Policy EN2 – Protecting Biodiversity and Geodiversity

Policy EN4 – Pollution Control

Policy EN5 – Water Environment and Flood Risk Management

Policy EN6 – The Historic Environment

Policy DE1 – Promoting Good Quality Design  
Policy SB1 – Sustainable Building  
Policy OS1 – Open Space  
Policy STM2 – Stamford Town Centre Policy  
Policy ID1 – Infrastructure for Growth  
Policy ID2 – Transport and Strategic Transport infrastructure

#### 4.2 **Stamford Neighbourhood Plan 2016-2036 (Made July 2022)**

Policy 3 – Housing type and mix on new developments  
Policy 8 – The Historic Environment  
Policy 10 – Character Areas  
Policy 11 – Sustainable Travel

#### 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 5 – Delivering a sufficient supply of homes  
Section 6 – Building a strong, competitive economy  
Section 8 – Promoting healthy and safe communities  
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 **South Kesteven Local Plan Review 2021 – 2041 (Regulation 18 Draft)**

### **5 Representations received**

#### 5.1 **Active Travel England**

5.1.1 No comments received.

#### 5.2 **Anglian Water**

5.2.1 No objections.

#### 5.3 **Cadent Gas**

5.3.1 No objections.

#### 5.4 **East Northamptonshire Council**

5.4.1 No comments received.

#### 5.5 **Environment Agency**

5.5.1 No comments to make.

#### 5.6 **Gardens Trust**

5.6.1 No comments to make.

## 5.7 **Heritage Lincolnshire**

- 5.7.1 No objection, subject to conditions.
- 5.7.2 The site for the proposed development lies in an area of archaeological interest. Significant archaeological remains have been identified over the eastern and northern area of the site, comprising an Iron Age enclosure with associated circular buildings and evidence of Iron working of early to middle Iron Age date.
- 5.7.3 The development proposals will necessarily have an impact on any buried archaeological remains. An Archaeological Desk Based Assessment submitted in support of the application has integrated the existing archaeological information available for the site.
- 5.7.4 Archaeological field evaluation will be required to determine the presence, significance, depth and character of any archaeological deposits that may be impacted by the proposal.

## 5.8 **Historic England**

- 5.8.1 No comments to make.

## 5.9 **Lincolnshire County Council (Education)**

- 5.9.1 Section 106 contributions requested for Secondary and Sixth Form education. £26,717 contribution per place to be provided.

## 5.10 **Lincolnshire County Council (Highways & SuDS)**

- 5.10.1 No objections, subject to conditions and Section 106 contributions.
- 5.10.2 The proposed development has been designed to accommodate movements by all types of mode. There has been an emphasis on promoting the use of sustainable modes of travel by the provision of walking and cycling infrastructure. These include connecting to existing routes in the vicinity of the site as well as providing enhancements to benefit both future residents also allowing local residents in the area to reach the new facilities on site. The provision of the access into the site has been carefully considered to accommodate demand from the site whilst minimising the impact on current movements. It has been designed to incorporate pedestrian and cycling crossings as well as allowing enhancements to public transport infrastructure by the provision of two new bus stops.
- 5.10.3 Vehicular access will be provided via Empingham Road to the north. There will be a single traffic signal controlled junction with both Empingham Road and Arran Road that will form a crossroads junction. On the Empingham Road approaches there will be ahead/left and right turning lanes with single lanes on both the site access and Arran Road approaches. The junction has been designed to accommodate the likely quantum and type of traffic to use the junction providing sufficient capacity to minimise delays to road users.
- 5.10.4 There will be multiple pedestrian access points to the proposed development site providing a permeable, connected development. The new traffic signal junction with Empingham Road will have shared use pedestrian /cycleways either side of the access road into the development. There will be further pedestrian access points along the northern boundary providing connections to the proposed bus stops on Empingham Road and also the proposed signalised pedestrian crossing over Empingham Road in the vicinity of the Primary School. There will be pedestrian connections to the east, linking to the existing provision for pedestrians through the adjacent development. A dedicated pedestrian / cycle link will also be provided in the south of the site connecting to Barrowfield Drive that ultimately provides access onto Tinwell Road.

5.10.5 Conditions requested for a Construction Management Plan, junction improvements including relocating bus stops, Travel Plan details and drainage scheme.

5.10.6 Section 106 contributions requested for Travel Plan monitoring and bus pass provision.

5.11 **Lincolnshire County Council (Minerals)**

5.11.1 No comments received.

5.12 **Lincolnshire Fire and Rescue**

5.12.1 No comments received.

5.13 **Lincolnshire Police Crime Prevention Officer**

5.13.1 No comments received.

5.14 **Lincolnshire Wildlife Trust**

5.14.1 No comments received.

5.15 **National Highways**

5.15.1 No objection, subject to conditions requiring the submission and approval of a Travel Plan, Construction Management Plan, Noise Assessment and Drainage Strategy.

5.16 **Natural England**

5.16.1 No objection.

5.17 **NHS Lincolnshire Integrated Care Board**

5.17.1 Section 106 contributions requested.

5.17.2 Contributions requested: £660 per dwelling and £393.25 per care home occupant.

5.18 **Peterborough City Council**

5.18.1 Peterborough City Council advise that the transport implications are considered in relation to traffic on the Peterborough network.

5.19 **Rutland County Council**

5.19.1 No comments received.

5.20 **SKDC Affordable Housing Officer**

5.20.1 No objections, subject to Section 106 Agreement.

5.20.2 Note that the application has presented two separate quantities of housing delivery “up to 268 residential dwellings” (Use Class C3) and “up to 80 bed care home” (Use Class C2). The High Court rule in Rectory Homes Limited v SSHCLG and South Oxfordshire District Council (2020) EWHC 2098 that extra care developments within Use Class C2 are not exempt from providing affordable housing solely by virtue of falling within that use class. Therefore, the 3% policy requirement should be applied to all 348 units.

5.21 **SKDC Environmental Protection**

5.21.1 No objection, subject to conditions requiring the submission of a Noise Impact Assessment and Construction Management Plan.

5.22 **SKDC Principal Urban Design Officer**

5.22.1 No comments received.

## 5.23 **Stamford Civic Society**

- 5.23.1 Objection.
- 5.23.2 The Civic Society consider the removal of the employment land would be a lost opportunity to enable employment to move out of the town, thus reducing the volume of traffic passing through the historic core of the town. The majority of employment land is to the east, most notably in the Ryhall Road area and allowing employment land to the west opens up far better access straight to the A1.

## 5.24 **Stamford Town Council**

- 5.24.1 Objection.
- 5.24.2 The adopted Local Plan and Neighbourhood Plan both recognise this site as the only strategic employment land in Stamford. Current policies make it clear that strategic employment land should be protected against proposals that cause harm to the employment focus of these sites.
- 5.24.3 Whilst the Regulation 18 Local Plan Review suggests the site should be reallocated for residential, this is based on flawed analysis carried out by the Council's consultants AECOM. Their report did not have regard to Stamford's road network or specific market circumstances i.e., the chronic lack of employment space and land.
- 5.24.4 The LP Review recommends protecting and extending strategic employment land reserves in Bourne, Deepings and Long Bennington but reduces Stamford's reserves by more than 50% to less than 4 hectares.
- 5.24.5 The suggested replacement strategic land reserve for Stamford is currently undevelopable, having no highways access and being on the floodplain of the River Gwash.
- 5.24.6 Recent surveys of local commercial estate agents reveal there is little or no employment space available in Stamford and that no new space has been constructed for at least 10 years.
- 5.24.7 Neighbouring towns who have protected their employment land have seen employment-led schemes delivered over this 10-year period.
- 5.24.8 Reallocations of employment land to retail and residential has meant the loss of half the employment space identified in Stamford by AECOM. This has encouraged landowners to not bring employment sites forward as local residential land values are some 4-5 times higher than employment land.
- 5.24.9 There is no necessity to reallocate this site for residential development to meet housing targets for Stamford or SKDC.
- 5.24.10 Stamford's employment base needs protection and enhancement as the town already suffers from high rates of outward commuting. With other 3,000 homes planned for the town (including the allocation of 650 homes at Quarry Farm) during the plan period a balance must be struck by protecting employment opportunities (as required by NPPF).
- 5.24.11 SKDC has a duty to control the use of land in the public interest and therefore we respectfully suggest that Stamford needs a strategic employment land reserve and as previously identified, Exeter Fields is the best site to achieve this.

## **6 Representations as a Result of Publicity**

6.1 The application has been advertised in accordance with the Council's Statement of Community Involvement and letters of representation have been received from 7 parties; all of whom have raised objections. The material considerations raised within the representations can be summarised as follows:

### **(1) Principle of Development**

- a. The site is needed for commercial purposes.

### **(2) Access and Highways**

- a. The development would have an unacceptable impact on highways capacity within Stamford.
- b. The development would result in additional parking on the existing estate.

### **(3) Infrastructure for Growth**

- a. Insufficient capacity in schools and health centres to accommodate development

## **7 Evaluation**

7.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that the Local Planning Authority makes decisions in accordance with the adopted Development Plan, unless material considerations indicate otherwise.

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

- South Kesteven Local Plan 2011-2036 (Adopted January 2020); and
- Stamford Neighbourhood Plan 2016-2036 (Made July 2022).

7.3 Furthermore, the Lincolnshire Minerals and Waste Local Plan forms part of the development plan in relation to minerals planning.

7.4 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.

7.5 The policies and provisions of the National Planning Policy Framework (NPPF) ("the Framework") (Published December 2024) are also a relevant material consideration in the determination of planning applications.

7.6 It is also appreciated that the Local Planning Authority are also in the process of conducting a Local Plan Review. The initial Regulation 18 consultation on the draft Plan was carried out between February and April 2024 and a further Regulation 18 consultation on proposed housing and mixed-use allocations is due to be completed between June and July 2025. At this stage, the allocations and policies contained in the Local Plan Review can be attributed very little weight in the determination of planning applications. However, the updated evidence base which accompanies the Local Plan Review is a material consideration and must be taken into account in the determination of planning applications.

7.7 Furthermore, as of March 2025, South Kesteven District Council are presently unable to demonstrate a 5-year housing land supply and as a result, the policies most important for determining the application are deemed to be out-of-date by virtue of footnote 8 and Paragraph 11 of the National Planning Policy Framework. In these circumstances, Paragraph 11(d) requires that planning permission should be granted unless any adverse

impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework when taken as a whole; or where specific policies in the Framework, indicate that development be restricted.

## 7.8 Principle of Development

### Loss of Employment Land

7.8.1 As identified above, Policy E2 (Strategic Employment Sites) allocates sites of strategic employment importance due to their relationship with principal areas of growth. As referenced above, the current development site is allocated as a site of strategic employment importance (Site Ref: ST-SE1), where proposals for Class B1, B2 and / or B8 uses will be supported.

7.8.2 Policy E6 (Loss of Employment Land and Buildings to Non-Employment Uses) is a permissive policy, which 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 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 of employment land within the District; or*
- (d) *The alternative use would resolve existing conflicts between land uses.*

7.8.3 It is noted that representations received from Stamford Town Council and local residents have raised objections to the loss of the land for employment uses and have indicated that there remains a demand for employment land on the western side of Stamford.

7.8.4 As stated above, Policy E6 is a permissive policy which seeks to retain existing employment allocations unless proposals meet one of a number of criteria. In this respect, the applicant has been completed a Marketing Assessment and Planning Assessment, which sets out the following:

- The Applicant has undertaken extensive marketing of the site in order to establish demand for uses compliant with Policy E2 including initial marketing between 2015 and 2020, further marketing between Summer 2015 and October 2015; and more recent marketing between October 2022 and July 2023.
- Expressions of Interest received during this period were generally not for the site as a whole and did not include employment use classes compliant with Policy E2.
- Only 2 bids were for the whole site, and even then, these were not employment led and did not include any typical employment uses. One bid was for a purely residential scheme whilst the other was for a mixed-use scheme with only a small amount of employment uses.
- Marketing evidence shows greater market demand from local service uses. The prevailing interest from local centre and road frontage users remains buoyant, with enquiries received from a range of end-users. The strong demand for the local centre and road frontage uses reflect the site's location close to the A1 but more importantly

in close proximity to a large catchment of housing (both recent and more established which are currently poorly served by existing facilities.

- 7.8.5 Furthermore, it is noted that the Employment Land Study (2023) which supports the Local Plan Review recommends that the application site is de-allocated as a strategic employment site due to its unsuitability for strategic employment uses.
- 7.8.6 Taking the above into account, it is Officer's assessment that the proposed redevelopment of the site for a mixed-use residential-led development would be in accordance with the requirements of criteria (a) of Policy E6 and therefore, would be acceptable in principle.
- 7.8.7 In addition, it is appreciated that the proposed development includes a Care Home (Use Class C2) and Local Centre, which is to include commercial uses, and therefore would provide a level of alternative employment comparable with the employment generated by a potential B1, B2 or B8 development. As such, the application scheme would also be compliant with criteria b of Policy E2.

#### Local Centre

- 7.8.8 As detailed previously, the proposed development scheme would also include a local centre which is proposed to include up to 1,788 sq. metres of commercial floorspace within Use Class E and Sui Generis. The proposed uses are intended to allow for a potential GP surgery as well as small-scale retail uses.
- 7.8.9 In view of the above, the application scheme proposes main town centre uses on land which is outside of the defined Stamford Town Centre and therefore, is subject to assessment against Policy STM2 of the Local Plan, which requires a sequential approach to be undertaken. Policy STM2 also requires the submission of a Retail Impact Assessment for main town centre uses in edge of centre locations where the gross floorspace is above 1,000 sq. metres.
- 7.8.10 In this case, the proposed Local Centre is designed to meet a localised need within the western area of Stamford and as such, it would not be possible for this need to be met elsewhere within Stamford. As such, the proposed local centre would be sequentially preferable in this instance.
- 7.8.11 The application has been accompanied by a Retail Impact Assessment (Nexus Planning) (September 2024), which confirms that the proposed development would not impact on any planned investment in the town centre and would not have any adverse impact on the viability of the town centre. Officer's have reviewed the conclusions of the report and accept the findings of the report.

#### Summary

- 7.8.12 In summary, it is Officers' assessment that the proposed development, as a matter of principle, would be in accordance the overall spatial strategy for the District, as set out in Policy SP1, SP2 and E6 of the adopted Local Plan, the Stamford Neighbourhood Plan and Section 5, 6 and 11 of the Framework.
- 7.8.13 Notwithstanding this, as detailed above, South Kesteven District Council are presently unable to demonstrate a 5 year housing land supply and, therefore, the policies most important for determining the application are deemed to be out-of-date, and the tilted balance set out at Paragraph 11 of the National Planning Policy Framework is engaged. This requires planning permission to be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the

policies in the Framework when taken as a whole; or where specific policies in the Framework, indicate that development should be restricted.

7.8.14 In this respect, the proposed development would involve the delivery of up to 268 dwellings (Use Class C3), which is a significant public benefit, that Officer's would attribute significant weight in the tilted balance. Similarly, the proposed scheme would also result in the generation of employment opportunities, which is also a significant public benefit, which Officers would attribute significant weight. In respect of other public benefits of the proposals, these are discussed in further detail below.

7.8.15 Conditions are proposed to define the development specification, which confirms the overall quantum of development as well as the approved land uses for the site, to ensure that the outline planning permission is appropriately defined.

## 7.9 **Meeting All Housing Needs**

### Affordable Housing

7.9.1 Policy H2 (Affordable Housing Contributions) requires all developments comprising of 11 or more dwellings to make provision for 30% of the scheme's total capacity as affordable housing.

7.9.2 The application submission has been accompanied by a Planning Statement, which confirms that 30% of the residential dwellings (Use Class C3) would be provided as affordable dwellings.

7.9.3 The Council's Affordable Housing Officer has been consulted on the application proposals and has indicated that 30% provision would be required as part of the residential dwellings and the proposed 80-bed care home. However, the *Rectory Homes Limited v SSCLG* and *South Oxfordshire District Council* high court judgement referenced in the Affordable Housing Officer's comments does not cover the scope of the current application.

7.9.4 The *Rectory Homes* case determined whether extra care accommodation (Use Class C2) would be defined as dwellings and therefore, subject to affordable housing policy requirements. In that case, the proposed extra care accommodation was found to comprise of 78 units each with their own front door and private facilities, such that the High Court found that they were considered to be dwellings, irrespective of whether an element of care was provided, and as such, were subject to an affordable housing contribution.

7.9.5 In the case of the current application, the description of development defines the proposed use as an "80-bedroom care home". A care home does not comprise of independent living, insofar as it comprises of bedrooms supported by a high level of care as opposed to dwellings. The facilities to be provided within individual rooms are not to a level to support occupation of them as an independent dwelling. On that basis, the proposed care home would not be subject to an affordable housing contribution. Conditions are proposed to define the use of the care home to ensure that this is appropriately defined, and the development has been assessed as intended.

7.9.6 In view of the above, the proposed Heads of Terms for the Section 106 Agreement detailed below, includes the requirement for 30% of the residential dwellings (Use Class C3) to be provided as affordable housing, which equates to up to 80 dwellings. The proposed tenure and distribution of the dwellings would be subject to approval through an Affordable Housing Scheme, which will be required to be subject as part of the reserved matters application for the proposed residential dwellings. The Section 106 Agreement will also include an

obligation for priority to be given to people with a local connection to Stamford as part of the nomination and allocations process for affordable housing.

7.9.7 As such, subject to the completion of a Section 106 Agreement, the scheme would be in accordance with Policy H2.

#### Housing Mix

7.9.8 In respect of the overall housing mix to be provided across the development, Policy H4 (Meeting All Housing Needs) requires all major proposals for residential development to provide an appropriate type and size of dwellings to meet the needs of current and future households in the District. This includes supporting the provision of specialist housing in sustainable locations, including residential care accommodation. Policy 3 of the Stamford Neighbourhood Plan also supports a mix of housing.

7.9.9 The current application has been submitted in outline with all matters reserved except for access. As such, the proposed housing mix would be subject to assessment as part of the reserved matters application.

7.9.10 Notwithstanding this, the proposed development specification, which is to be secured via planning condition, allows for the provision of dwellings as well as a care home, which will ensure that the scheme provides a wide variety of housing types. Conditions are also proposed to ensure that 10% of all dwellings are Accessible and Adaptable as required by Policy H4.

#### Summary

7.9.11 Taking the above into account, it is Officers assessment that, subject to the completion of a Section 106 Agreement to secure the required affordable housing contributions, the proposed development would be in accordance with Policy H2 and H4 of the adopted Local Plan, the Stamford Neighbourhood Plan, and Section 5 of the National Planning Policy Framework.

### **7.10 Effect of the development on the character and appearance of the area**

7.10.1 As the current application has been submitted in outline with access only for approval, detailed design matters relating to appearance, layout, landscaping and scale are reserved for future determination and would be subject to assessment as part of a future reserved matters application.

7.10.2 Nonetheless, it is appreciated that the proposed development would invariably result in a visual impact as a result of the change for the current, undeveloped agricultural field to a mixed-use residential-led development. However, the principle of this change, and the extension of the urban form on this site, has been established through the site's allocation within the adopted Local Plan, albeit with a different use proposed.

7.10.3 The application has been accompanied by a Parameters Plan, which indicates how the proposed land uses would be distributed through the site. This Plan indicates that the existing trees and hedgerow fronting onto Empingham Road would be retained, with the exception of the proposed access to the site positioned opposite Arran Road. The proposed Local Centre, including the Care Home, would be positioned in the north-eastern corner of the site and would front onto Empingham Road. The development of the Local Centre would be limited to 3-storeys in height and would include an adjacent area of public open space, including hard and soft landscaping, which is intended to serve as a meeting space in conjunction with Malcom Sargent Primary School on the opposite side of Empingham Road.

The remainder of the site would be utilised for the proposed residential dwellings, which would be limited to 2 storeys in the southern part of the site. An area of public open space is proposed at the southern end of the site, and the development would also include a central, feature green. Furthermore, the Parameters Plan also shows the retention of a key view from Empingham Road towards All Saints Church.

7.10.4 In respect of the distribution of the land uses within the site, it is Officer's assessment that the proposed location of the Local Centre would allow for the co-location of these facilities in conjunction with the Malcom Sargent Primary School on the opposite side of Empingham Road, and the development also includes the provision of a direct pedestrian crossing point to facilitate the safe passage between these two public areas. The proposed location of the Local Centre would ensure that the future facilities would be accessible to existing residents within the western part of Stamford, as well as recognising the key desire lines between the school and local centre.

7.10.5 With regards to the proposed height and density of the built form, it is Officers assessment that the proposed variation of heights of dwellings is appropriate for the area having regard to the character and form of residential development in the area, together with allowing for the formation of key buildings and view lines, which encourage legibility of the development. In respect of the proposed density of development, the application proposes up to 268 residential dwellings on a site area of 10 hectares, which equates to a density of development of approximately 26.8 dwellings per hectare, which is appropriate for an edge of town location. Furthermore, it is acknowledged that the proposed development includes for the provision of some of the residential dwellings as part of the local centre, through the development of flats above the ground floor retail uses. It is anticipated that approximately 40 dwellings will be provided within this area. As such, it is Officers' assessment that the overall quantum of development proposed provides an appropriate density of development for an edge of settlement location and would be consistent with the requirements of the Framework in relation to making an effective use of land. Conditions are proposed to secure the development specification and compliance with the overall parameters of the development, to ensure that the future reserved matters are consistent with the outline assessment.

7.10.6 The submission has also been accompanied by an Illustrative Masterplan, which indicates how the proposed development could be delivered within the application site. The submitted Parameters Plan and Illustrative Masterplan have been the subject of extensive engagement between Officers' and the Applicant, including presentation at the Council's Design PAD service, which has resulted in a number of amendments being made, including:

- Retention of the trees and hedgerows along Empingham Road, and setting development back from these features to ensure their long-term retention.
- Removal of a secondary point of access from Empingham Road, to allow the Local Centre to front onto the main road.
- Additional access to the south of the site to allow for improved permeability.
- Pedestrian crossing point has been relocated directly opposite Malcom Sargent Primary School entrance.
- Submission of a Landscaping Strategy, which identifies various character areas and differentiates between the nature of use of the proposed public open spaces.

7.10.7 As such, it is Officers' assessment that the proposed Parameters Plan represents the principles of good design and allows for a high-quality development to be submitted as part of the detailed designs assessed as part of a future reserved matters application.

7.10.8 Consequently, it is Officers assessment that, subject to the imposition of conditions requiring future reserved matters applications to be in broad accordance with the submitted Parameters Plan, as a matter of principle, the development of the site would be appropriate for the site's context and would not result in any unacceptable adverse impacts on the character and appearance of the area. As such, the application proposals would be in accordance with Policy DE1 and EN1 of the adopted Local Plan, the made Stamford Neighbourhood Plan, the adopted Design Guidelines SPD, and Section 12 of the Framework in this regard.

## 7.11 Impact on amenity

### Built Form

7.11.1 As discussed, the current application has been submitted in outline with all matters reserved. Therefore, the appearance, layout and scale of the built form would be subject of a future reserved matters application. Any consideration of that application would require an assessment of the proposals against the Council's adopted Design Guidelines SPD, which sets out the relevant standards for assessing the provision of an appropriate standard of amenity.

7.11.2 However, as a matter of principle, it is Officer's assessment that the submitted Parameters Plan demonstrates that appropriate separation distances can be maintained between the existing and proposed residential uses to enable the delivery of the development in a manner that would adhere to the amenity standards contained within the adopted Design Guidelines SPD.

### Noise, Air Quality and Lighting

7.11.3 It is appreciated that the application site is located immediately adjacent to the A1 strategic road network and, therefore, likely to be subject to elevated levels of noise and air pollution as a result of vehicular movements. In this regard, the application has been accompanied by a Noise Impact Assessment (BWB) and Air Quality Assessment (BWB). These reports identify the following:

- The assessment shows that with appropriate consideration to noise mitigation measures, including site layout with screening buildings, the provision of localised acoustic barriers and appropriate glazing and ventilation to dwellings, an appropriate level of protection could be afforded to future noise sensitive receptors on the site.
- The development was not predicted to result in any new exceedances of the current relevant air quality objectives and the impact of the development on local air quality was predicted to be "negligible" in accordance with guidance.
- Pollutant concentrations were also predicted across the site and the suitability of the site for the proposed development was assessed with regard to air quality objectives. Pollutant concentrations were predicted to be below the current relevant air quality objectives and the site was therefore considered suitable for the proposed end use.
- Based on the assessment results, the impact of the proposed development with regards to air quality objectives was considered to be not significant. No further mitigation is required but measures included in the development that can be

considered beneficial to air quality include photovoltaic panels and electric vehicle charging points.

7.11.4 In relation to the above, the Council's Environmental Protection Team have been consulted on the application and have confirmed that they have no objection in principle to the development. However, they note that the submitted Noise Assessment indicates that mitigation measures are required to ensure appropriate internal and external noise levels are maintained and therefore a further Noise Impact Assessment and scheme of acoustic mitigation will be required as part of any reserved matters application relating to the layout of the site. National Highways have also echoed the request for conditions. As such, conditions are proposed to require the submission of a further Noise Impact Assessment as part of any reserved matters application, which will be required to take account of the detailed site layout and identify any acoustic mitigation measures necessary to ensure that noise levels meet the recommended guidance.

7.11.5 Furthermore, it is appreciated that the proposed development is located within a residential setting, and therefore, there is the potential for short-term impacts on the residential amenity of existing properties as a result of noise, dust, and vehicle movements associated with the construction of the development. Therefore, conditions are proposed to require the submission and approval of a Construction and Environmental Management Plan prior to the commencement of development, in order to mitigate these potential impacts.

7.11.6 Taking the above into account, subject to the imposition of conditions, it is Officers assessment that, as a matter of principle, the application proposals would not give rise to any unacceptable adverse impacts on the privacy, outlook or loss of light of existing properties, and would be capable of providing an appropriate level of amenity for all future occupants of the proposed development site. As such, the application proposals would accord with Policy DE1 and EN4 of the adopted South Kesteven Local Plan, the made Stamford Neighbourhood Plan, the adopted Design Guidelines SPD, and Section 12 of the National Planning Policy Framework in respect of residential amenity considerations.

## 7.12 Access, Highways and Sustainable Travel

7.12.1 Representations received on the application have raised objections on the basis of the impact of the development on highways safety and capacity within Stamford Town Centre and the wider area.

### Effect of the development on highways safety and capacity

7.12.2 The application has been accompanied by a Transport Assessment (Bryan G Hall) producing using traffic modelling using the latest Stamford Transport Model and using the results of traffic counts from the adjacent completed Taylor Wimpey development. The submitted modelling has been subject to analysis by Lincolnshire County Council (as Local Highways Authority) and National Highways (as Strategic Highways Authority) to ensure that the impacts of the development on the local highways network and A1 are fully assessed.

7.12.3 The results of the modelling are as follows:

- Details of the predicted trip generation of the proposed development and a comparison with the trip generation for the extant approval for employment development on the site has been provided (N.B. the extant approval for employment

development of the site has now lapsed, but the site is allocated for employment uses within the Local Plan).

- The proposed residential and local centre development is anticipated to generate 223 and 242 two-way vehicle trips during the weekday morning and evening peak hours respectively. This trip generation is 455 fewer two-way trips during the morning peak hour and 294 fewer two-way trips during the evening peak hour, than the employment development. This is clearly a significant reduction in future development generated trips on the local and strategic road networks in the vicinity of the site.
- The tidal impact of the proposed development traffic flows when compared to the extant approval has also been considered. When considering both the net change in two-way flows and the tidal net changes in additional vehicle trips, this will not have a significant impact and, on the majority of links, there is a net reduction in development generated traffic flow.
- The operation of the proposed signalised site access junction with the A606 (Empingham Road) / Arran Road has been assessed. It has been demonstrated that the proposed signalised site access junction will have sufficient capacity to serve the proposed residential development with local centre.

7.12.4 Lincolnshire County Council (as Local Highways Authority) have extensively reviewed and accepted the results of the modelling and have raised no objections.

7.12.5 Similarly, National Highways (as Strategic Highways Authority) have been consulted on the submitted proposals and have confirmed that following review of the modelling results, they accept that no mitigation is required to the A1 junctions.

7.12.6 In respect of the public representations raising concerns about the potential for increase in off-street parking in the surrounding residential estates, this falls to be assessed as part of any future reserved matters application relating to layout, which will need to ensure adequate parking provision is provided within the site to meet the needs of the development.

#### Access

7.12.7 As stated above, the current application has been submitted in outline with access for detailed approval. The application has been accompanied by a Proposed Site Access Plan which demonstrates that access into the site from the A606/Empingham Road will be via a signalised junction which will incorporate the existing junction with Arran Road. The proposed site access arrangements will also incorporate signalised shared pedestrian and cycle crossing points over Arran Road, the site access, and Empingham Road. There will be either a 2m wide footway or 3m wide shared footway/cycleway on each side of the junction.

7.12.8 The existing bus stop that are located on Empingham Road in the vicinity of the Arran Road junction are to be relocated to the east and enhanced with the provision of bus cages, shelters and raised kerbs. Pedestrian connection points will be provided from the site for the westbound bus stop.

7.12.9 Two other pedestrian / cycle access points are to be provided as part of the development. One will be provided onto the Empingham Road opposite the Malcom Sargent Primary School, which will connect with a proposed signalised crossing facility. The other will be to the south of the site connecting to facilities on Barrowfield Drive.

7.12.10 Lincolnshire County Council (as Local Highways Authority) have been consulted on the access arrangements and have confirmed that they have no objections and have acknowledged that the proposed arrangements would provide betterment for existing residents in the area in terms of providing better accessibility and safety for non-car modes of transport. Conditions are proposed to ensure the delivery of the proposed site access and associated improvements.

7.12.11 Conditions are also recommended, which would require the submission and approval of an Estate Road phasing plan, to ensure that all roads within the site are not left at unsuitable levels whilst construction activities are continuing.

#### Sustainable Travel

7.12.12 The application has been accompanied by a Framework Travel Plan, which includes a wide range of active travel improvements, together with proposals to encourage use of non-car modes of transport by future occupants.

7.12.13 Lincolnshire County Council (as Local Highways Authority) have reviewed the Framework Travel Plan and have raised no objections. A financial contribution of £5,000 has been requested to allow for monitoring of the implementation of the Travel Plan; this is proposed to be included within the Heads of Terms for the Section 106 Agreement; and conditions are proposed to require the submission of a detailed Travel Plan based on the Framework Travel Plan, prior to the commencement of development.

7.12.14 Furthermore, it is noted that Lincolnshire County Council have also requested the provision of 2 free travel passes per dwelling in the first year of their occupation. Whilst the comments received from Lincolnshire County Council referred to a financial contribution, engagement with Officers at Lincolnshire County Council has identified that this is more appropriately secured through planning conditions, which requires the Developer to make provision directly to occupants, as this reduces the administrative burden and therefore, increases the likelihood of future occupants accessing the passes. As such, this is proposed to be secured via planning conditions to ensure that the development accords with Policy ID2 of the adopted Local Plan, and Policy 11 of the made Stamford Neighbourhood Plan.

#### Summary

7.12.15 Taking all of the above into account, it is the Case Officer's assessment that, subject to the imposition of conditions and Section 106 contributions, the application proposals would not give rise to any unacceptable impacts on highways safety and capacity and would include appropriate arrangements to encourage the use of sustainable modes of transport as well as active travel opportunities. Consequently, the application proposals would be in accordance with Policy ID2 of the Local Plan, the made Stamford Neighbourhood Plan, and Section 9 of the National Planning Policy Framework.

### **7.13 Flood Risk and Drainage**

7.13.1 The proposed development site is identified as falling within Flood Zone 1 of the Flood Map for Planning, and the surface water flood map also indicates that the site is predominantly at very low risk of surface water flooding. As such, the site is deemed to be at low risk of overall flooding.

7.13.2 The application has been accompanied by a Flood Risk Assessment and Sustainable Drainage Strategy, which sets out the following:

- It is recommended that finished floor levels are raised a minimum of 150 above immediate surrounding ground levels, where possible, to help mitigate residual risk of flooding from pluvial and sewer sources. Ground levels should be profiled to encourage pluvial runoff and overland flows away from the built development and towards the nearest drainage point.
- To mitigate the impact of the proposed development on the current drainage regime, it is proposed to incorporate surface water attenuation and storage as part of the development proposals. It is proposed to drain foul water from the proposed development separately to surface water.
- Based on the topography of the site, a pumped foul solution will be required to connect to the existing public foul water sewer. The proposed pumping station will convey flows through the development and towards the 225mm public foul water sewer located within Empingham Road.

7.13.3 Lincolnshire County Council (as Lead Local Flood Authority) have been consulted on the application proposals and have confirmed that they have no objections, subject to the imposition of conditions requiring the submission of a detailed drainage strategy. Conditions are proposed to require the submission of a detailed surface water drainage strategy as part of the reserved matters application relating to layout. Similarly, conditions are also proposed to require the submission of a site levels strategy to ensure that the topographical variations within the site are appropriately addressed.

7.13.4 In respect of foul water drainage, Anglian Water have been consulted on the application proposals and have confirmed that there is sufficient capacity within the Empingham Road point of connection to accommodate the new development.

7.13.5 Taking the above into account, subject to the imposition of conditions requiring the submission of a detailed surface water drainage strategy, the application proposals would accord with Local Plan Policy EN5 and Section 14 of the Framework.

#### 7.14 Open Space Provision

7.14.1 In respect of the provision of new open space to mitigate the increased population as a result of the development, matters of layout and landscaping are reserved for future determination. However, the current application, as a matter of principle falls to be assessed against the requirements of Policy OS1 of the adopted Local Plan, to ensure that the application secures sufficient provision of open space to meet the needs of the development.

7.14.2 The proposed development would generate a requirement to provide a minimum of 1.48 hectares of public open space, which comprises of 1.28 hectares as informal / natural greenspace, 0.1 hectares of equipped play space and 0.1 hectares of young persons play space, which is to be provided on-site as part of the development. The submitted Parameters Plan indicates that this will be provided as part of the development and can be appropriately secured through planning conditions and the Section 106 Agreement.

7.14.3 In respect of the requirements for outdoor sports provision, it is noted that there are no proposals for provision of such facilities within the application site. As such, appropriate financial contributions will be required towards improving existing facilities in Stamford, which have been identified as being at capacity without the development and therefore are required to mitigate against the impacts generated by the additional population generated by the development. In this case, a financial contribution of £253,215.06 would be

proportionate to the scale of development proposed and is proposed to be included within the Heads of Terms for the Section 106 Agreement.

7.14.4 In terms of the management of the on-site open space, it is anticipated that this would be undertaken via a private management company. However, conditions are proposed to require the submission of a Landscape and Ecological Management Plan, and the details submitted pursuant to this condition would be required to confirm the long-term management arrangements.

7.14.5 Taking the above into account, subject to the imposition of conditions and the completion of a Section 106 Agreement, the application scheme would provide sufficient open space to meet the needs of the development. As such, the application would be in accordance with Policy OS1 of the adopted Local Plan and Section 8 of the National Planning Policy Framework.

## 7.15 Biodiversity and Ecology

7.15.1 The application has been accompanied by an Ecological Impact Assessment (Baker Consultants) (July 2024), which identifies the following conclusions:

- The site is dominated by a single arable field with linear sections of scrub to the west and south. A small section of unmanaged grassland is also present to the south and species-poor hedgerows on the northern boundary.
- Mitigation measures should be considered through the masterplan design process with actions during the construction and operation phases agreed and established in a Construction Environmental Management Plan and Landscape and Ecological Management Plan.
- Compensation for any loss of scrub and hedgerows will be considered for inclusion within the final design. Compensation may include the planting of native trees and shrubs, ideally comprising wildlife friendly species, providing nectar rich flowers, fruit and seeds. The development provides the potential to trade up the loss of arable land through the creation of grassland, ponds and urban trees. The inclusion of additional lengths of hedgerow with trees enhancing this habitat resource across the site, will provide wildlife corridors and stepping stones that are currently absent from the site.

7.15.2 Lincolnshire Wildlife Trust have been consulted on the application proposals and have not raised any objections. Conditions are proposed to require the submission and a detailed Landscape and Ecological Management Plan, as well as the submission of a Construction and Environmental Management Plan, which will include a requirement to appoint an Ecological Clerk of Works and evidence of compliance with Natural England's licencing requirements; this will ensure that there is no unacceptable adverse impact on existing ecological assets.

7.15.3 In addition, a Biodiversity Net Gain Feasibility Assessment and statutory metric have been submitted, which indicates that the development can achieve a 27.9% net gain in habitat units and a 42.7% net gain in hedgerow units. This net gain is to be delivered through a mixture of on-site provision as well as off-site improvements to the adjacent mixed scrubland to the west of the site. The development is subject to the statutory biodiversity gain condition, which requires the submission of a Biodiversity Gain Plan and Habitat Management and Monitoring Plan prior to the commencement of the development. However, given that this is to be secured through a mixture of on-site provision and off-site provision on additional land within the Applicant's ownership, it is necessary for this to be secured through a Section

106 Agreement to ensure the appropriate management of the additional land. Furthermore, a financial contribution based on the number of units to be provided, and would be subject to a review mechanism, is proposed to be included within the Heads of Terms.

- 7.15.4 The application submission also includes an Arboricultural Survey Report (BWB) which confirms that the site includes 11 individual trees, 2 tree groups, 2 hedgerow and 1 woodland, all of which are of moderate quality. To facilitate the proposed access, a small group of low value trees will need to be removed and there are also likely to be impacts on the tree protection areas of neighbouring trees. However, given that the access design has been slightly updated during the course of the application, it is appropriate to impose conditions requiring the submission of an updated Arboricultural Method Statement and Tree Protection Plan to ensure that construction activities on site do not result in any unnecessary loss of trees and hedgerow.
- 7.15.5 The submitted Landscaping Strategy demonstrates that any trees lost to facilitate the access can be appropriately mitigated through compensatory planning. Further details of which would be provided as part of any reserved matters application relating to landscaping.
- 7.15.6 Taking the above into account, it is Officers' assessment that subject to the imposition of conditions and completion of a Section 106 Agreement, the proposed development would result in a biodiversity net gain and would not result in any unacceptable ecological or arboricultural impacts. As such, the proposed development would be in accordance with Local Plan Policy EN2, Section 15 of the National Planning Policy Framework and the Environment Act 2021.

## 7.16 **Climate Change**

- 7.16.1 Local Plan Policy SB1 (Sustainable Buildings) sets out the requirement for all development proposals to mitigate against and adapt to climate change.
- 7.16.2 In this respect, the application has been accompanied by an Energy and Sustainability Statement (BWB), which outlines that the scheme will incorporate a number of sustainable development principles, including sustainable sourcing of materials, adherence to the energy hierarchy and consideration of waste management. However, detailed proposals will be formulated as part of the detailed design of the development. As such, conditions are proposed to require the submission of a detailed Sustainability Statement, which should be in accordance with the submitted Energy and Sustainability Strategy, which outlines which sustainability measures will be incorporated within each building, including the provision of electric vehicle charging points. It is important to note that these matters are also addressed through Building Regulations and, therefore, compliance with the proposed condition would not override any obligation to achieve higher energy efficiency standards imposed through Building Regulations.
- 7.16.3 Therefore, subject to the imposition of conditions securing details of sustainable building measures as part of the detailed design approval process, the proposals would represent sustainable development when taken as a whole, and as such would fulfil the requirements of Policy SB1 and SD1 of the adopted Local Plan.

## 7.17 **Impact on heritage and archaeology**

- 7.17.1 With regards to the impact of the development on heritage and archaeology, the proposed development site does not contain any designated heritage assets (Listed Buildings or Scheduled Ancient Monuments) and the site is not located within either of the Stamford Conservation Areas. However, it is appreciated that there are a large number of designated

assets within the surrounding area, including views towards the Grade II\* Listed Church of All Saints in Tinwell and the Grade I Listed Church of All Saints in Easton on the Hill.

7.17.2 In relation to the above, the Council's Conservation Officer has been consulted on the application and has raised no objections. They have advised that the retained view of the Grade I Listed Church of All Saints is a positive feature of the development that is supported. Similarly, Historic England have also raised no objections.

7.17.3 With regards to the impact of the development on archaeology, Heritage Lincolnshire (as Local Archaeological Advisors) have been consulted on the application and have confirmed that the site offers the potential for archaeological remains to be present. Therefore, further investigation is required, and conditions are proposed to require the submission of a Written Scheme of Investigation.

7.17.4 Therefore, subject to the imposition of conditions, the application proposals would not result in any unacceptable adverse impacts on any below ground archaeological assets, or any designated heritage assets. As such, the proposals would be in accordance with Policy EN6 of the Local Plan, and Section 16 of the Framework and Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

## 7.18 Infrastructure for Growth

7.18.1 Representations received on the application have raised objections on the basis that there is insufficient infrastructure capacity within the town to accommodate new development. In particular, representations have referred to an absence of adequate education and healthcare facilities to serve the development.

7.18.2 In this respect, Lincolnshire County Council (as Local Education Authority) have been consulted on the application, and they have confirmed that there is sufficient primary education capacity to accommodate the development but have requested contributions towards secondary and sixth form education. These contributions would be calculated based on the number and mix of dwellings proposed, which determines the number of school places required to support the development. The contribution per school place is £26,717 per place to be provided.

7.18.3 Furthermore, Lincolnshire Integrated Care Board (LICB) have been consulted on the application and have confirmed that the development will impact on healthcare capacity within the local area. It is noted that the proposed local centre has the potential to include a health centre, and the submitted Planning Statement indicates that this could be a 555 sq. metre facility. However, in this case, the LICB have requested a financial contribution towards the delivery or improvement of other facilities. Notwithstanding this, the development specification does allow for the provision of a health centre should the ICB engage positively with the Applicant to bring this forward. The contribution requested is £660 per residential dwelling and £393.25 per care home bedroom.

7.18.4 Taking the above into account, the application proposals are for a major, residential-led mixed use development which results in the need for a Section 106 Agreement to secure contributions and planning obligations to mitigate the impacts of the application scheme on local infrastructure.

7.18.5 The proposed Heads of Terms for the Section 106 Agreement are as follows:

- **Open Space** – 1.28 hectares as informal / natural greenspace, 0.1 hectares of equipped play space and 0.1 hectares of young persons play space, which is to be

provided on-site as part of the development and £253,215.06 towards improving existing sports facilities in Stamford.

- **Affordable Housing** – 30% of all residential dwellings (Use Class C3) on site with the type and tenure to be agreed through an Affordable Housing Scheme, which will also set out details of the distribution of affordable housing within the application site. The Nominations Agreements will also be secured as part of the Section 106 Agreement.
- **Highways (Travel Plan)** - £5,000.00 towards the monitoring of the Travel Plan
- **Biodiversity Net Gain (Off-site management for net gain)** – Secures land outside the site boundary, but within the Applicant's ownership, for the delivery biodiversity net gain. This includes the requirement to complete a baseline habitat survey, net gain plan, and management and monitoring plan.
- **Biodiversity Net Gain (Monitoring Fee)** – Calculated based on the number of units to be provided: £31,458.00 payable with review mechanism.
- **Education** – Financial contributions towards expanding secondary and sixth-form education provision within the Stamford secondary planning area; calculated based on the number of dwellings confirmed at reserved matters.
- **Healthcare** – Financial contributions towards expanding healthcare capacity in the Primary Care Network; £660 per residential dwelling and £393.25 per care home bedroom; confirmed at reserved matters stage.
- **Monitoring Fee** - £15,000.00

7.18.6 As such, in the event that the application was deemed to be acceptable in all other respects, the above financial contributions would ensure that local infrastructure is appropriately upgraded to cope with the additional population generated by the development. As such, it is concluded that these financial requests are compliant with the statutory tests of the CIL regulations, as well as local and national planning policy requirements.

7.18.7 Therefore, subject to the completion of a Section 106 Agreement, the application proposals would accord with Policy OS1, ID1, ID2 and H2 of the adopted South Kesteven Local Plan and the Environment Act 2021.

## 7.19 Other Matters

### Minerals Safeguarding

7.19.1 As identified, it is appreciated that the application site falls within a Minerals Safeguarding Area as designated in the Lincolnshire Minerals and Waste Local Plan.

7.19.2 Lincolnshire County Council (as Minerals Planning Authority) have been consulted on the application and have confirmed that they have no objections.

7.19.3 As such, the application is deemed to comply with the requirements of Policy M11 of the Lincolnshire Minerals and Waste Local Plan.

### Ground Conditions

7.19.4 The application has been accompanied by a Phase 1 Geo-Environmental Assessment (BWB) (June 2024), which concludes that the development is considered to pose a moderate to low risk to human health and the risk to controlled waters is considered to be

low due to the lack of a contaminant source. It recommends the completion of a detailed ground investigation to confirm ground conditions.

7.19.5 The Council's Environmental Protection Officer has been consulted and have confirmed that they accept the findings of the report. Conditions are requested for the submission of a detailed ground investigation.

## **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 current application seeks outline planning permission for the erection of up to 268 residential dwellings (Use Class C3), up to 80 bed care home (Use Class C2), local centre, and public open space with associated access, landscaping, drainage and infrastructure. The current application has been submitted in outline with all matters reserved for future determination except for access.

10.3 The proposed development site is allocated as a site of strategic employment importance (Site Ref: ST-SE1), where proposals for Class B1, B2 and / or B8 uses will be supported. Policy E6 of the adopted Local Plan is a permissive policy, which seeks to protect existing and allocated employment sites, unless applicant's demonstrate compliance with one of a number of criteria. In this case, the application site has been subject to extensive marketing, which has indicated that the site is not viable as a traditional employment development, and that the market interest in the site is for local centre uses, as part of a residential-led development. Furthermore, it is acknowledged that the Employment Land Study (2024), which supports the emerging Local Plan Review, indicates that the site is no longer suitable for employment uses and therefore recommends de-allocation of the site. As such, the application accords with criteria (a) of Policy E6. Similarly, it is also appreciated that the proposed development of the local centre would entail the provision of a number of employment opportunities and this is likely to be similar to the levels of employment that could have been realised as part of a B8-led employment development. Therefore, the proposed development would still provide employment opportunities albeit in an alternative form. Taking the above into account, it is Officers' assessment that the application would accord with Policy E6 of the adopted Local Plan, and therefore, is acceptable in principle, subject to material considerations.

10.4 With regards to all technical matters, it is the Case Officer's assessment that, subject to the imposition of conditions and planning obligations, as a matter of principle, the proposed development is capable of complying with the adopted Development Plan.

10.5 Notwithstanding the above, as of March 2025, South Kesteven District Council are presently unable to demonstrate a 5-year housing land supply and as a result, the policies most important for determining the application are deemed to be out-of-date by virtue of footnote 8 and Paragraph 11 of the National Planning Policy Framework. In these circumstances, Paragraph 11(d) requires that planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework when taken as a whole; or where specific policies in the Framework, indicate that development be restricted.

10.6 As identified, the proposed development scheme would make provision for up to 268 residential dwellings, including 30% affordable housing, and an 80-bed care home, this would make a significant contribution towards meeting the identified housing needs of the District, including the acute need for affordable housing, as well as contributing to addressing the identified housing land supply shortage. The provision of this additional housing is a significant public benefit, which Officers advise should be given significant weight. Similarly, the scheme would also provide a number of direct and indirect employment opportunities, both through the on-site employment provision made within the Local Centre, and the construction of the scheme, as well as the increased patronage of local services and facilities. The scheme represents sustainable development when taken as a whole, and there are significant benefits to be afforded significant weight in the assessment of the application proposals.

10.7 The proposed development would also provide a 27.9% net gain in habitat units and 42.7% net gain in hedgerow units, which exceeds the statutory requirement for 10% net gain, and therefore, Officers would also advise that this should be attributed moderate weight.

10.8 Balanced against the proposals would be the minor visual impacts as a result of the change of use of the land. However, it is Officer's assessment that subject to the delivery of a high-quality development at reserved matters stage, these impacts can be mitigated to a negligible level.

10.9 Taking all of the above into account, it is Officer's assessment that the adverse impacts of the development do not significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework when taken as a whole, such that the tilted balance set out within Paragraph 11(d) weighs in favour of the development.

10.10 Consequently, it is Officers assessment that the application proposals would accord with the adopted Development Plan when taken as a whole, and the material considerations, including the tilted balance required by Paragraph 11(d) of the Framework also weigh in favour of granting planning permission.

## **11 Recommendation**

### **Recommendation – Part 1**

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

### **Recommendation – Part 2**

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

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

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

## **Time Limit for Commencement**

### Time Limit for Commencement

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

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

### Time Limit for Reserved Matters

- 2) Details of the reserved matters set out below shall have been submitted to the Local Planning Authority for approval within three years from the date of this permission:
  - i. Appearance
  - ii. Layout
  - iii. Landscaping
  - iv. Scale

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

Reason: To enable the Local Planning Authority to control the development in detail and in order that the development is commenced in a timely manner, as set out in Section 92 of the Town and Country Planning Act 1990 (as amended)

## **Approved Plans**

### Approved Plans

- 3) The development hereby permitted shall be carried out in accordance with the following list of approved plans:
  - a. Site Location Plan (Ref: COMU3000\_01/Rev A)
  - b. Proposed Site Access with Crossing Points and Bus Stops (Ref: 23/215/TR/003/Rev B)

Unless otherwise required by another condition of this permission.

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

### Parameter Plan

- 4) The development hereby permitted shall be carried out in accordance with the broad principles of the following plans:
  - i. Parameter Plan (Ref: COMU3000\_02/Rev F)

Unless otherwise required by another condition of this permission.

Reason: To define the permission and for the avoidance of doubt, and to ensure that the development operates as assessed.

## **Before Development is Commenced**

### *Meeting All Housing Needs*

#### Part M4(2) Details

- 5) Before any part of the development hereby permitted commences, a plan indicating the provision of 10% of the residential dwellings (Use Class C2) to be provided as Accessible and Adaptable in line with the standards set out in Part M4(2) of the Building Regulations shall have been submitted to and approved in writing by the Local Planning Authority.

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

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

### *Residential Amenity*

#### Construction and Environmental Management Plan

- 6) Before the development hereby permitted is commenced, a detailed Construction and Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority. The CEMP shall include measures to mitigate against the adverse effects of vehicular movements, noise, dust and vibration and means to manage drainage and ecological impacts during the construction stages of the development. The submitted CEMP shall include:

- i. Access construction and build routes
- ii. The hours of construction work and delivery hours
- iii. The parking of all vehicles and site operatives
- iv. The loading and unloading of all plant and materials
- v. The storage of all plant and materials used in constructing the development
- vi. Wheel washing facilities
- vii. The routing of all vehicles associated with the construction of the development, including any offsite routes for the disposal of excavated material.
- viii. A strategy stating how surface water will be managed during the construction stage and protection measures for any sustainable drainage features. This should include drawing(s) showing how the drainage systems (temporary or permanent) connect to an outfall (temporary or permanent) during construction
- ix. Ecological Management Plan, including appointment of an Ecological Clerk of Works, and the implementation of Natural England licences as required.

Any variation to the approved CEMP shall be submitted to and approved in writing by the Local Planning Authority. The approved CEMP shall be strictly adhered to throughout the construction period.

Reason: To minimise the effects of the construction stage of the development on the amenity of existing residents, and to ensure that the proposed development does not result in any unacceptable adverse impacts on highways, drainage and ecological assets.

#### Noise Impact Assessment

- 7) As part of any reserved matters applications, a detailed Noise Impact Assessment considering the impact of the development and its location adjacent to the A1, shall be submitted to and approved in writing by the Local Planning Authority. The Assessment must be carried out in accordance with current best practice and shall be based on up-to-date modelling of all noise sources.

Where necessary, the submitted Noise Assessment shall identify a scheme of acoustic mitigation or the submission of a Noise Management Plan, to ensure that internal and external noise levels meet the recommended professional standards.

Reason: To ensure that the proposed development does not give rise to any unacceptable impacts on residential amenity.

#### *Access and Highways*

#### Estate Road Phasing & Completion Plan

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

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

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

#### Travel Plan

- 9) Before any part of the development hereby permitted is commenced, a site-specific Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall be in broad accordance with the approved Framework Travel Plan (Bryan G Hall) (June 2024) and shall include a scheme making available 2 free annual travel passes per dwelling for the first year of their occupation.

Thereafter, the Travel Plan shall be implemented in accordance with the approved details prior to first occupation and shall be in place / action in accordance with the approved timescales.

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

## *Drainage*

### Surface Water Drainage

10) As part of any reserved matters application relating to layout, a surface water drainage scheme shall have first been submitted to, and approved in writing by, the Local Planning Authority. The submitted scheme must:

- i. Be based on the results of evidenced groundwater levels and seasonal variations.
- ii. Be based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development.
- iii. Provide flood exceedance routing for storm events greater than 1 in 100 year
- iv. Where necessary, provide details of how run-off will be safely conveyed and attenuated during storms up to and including the 1 in 100 year critical storm event, with an allowance for climate change, from all hard surfaced areas within the development into the existing local drainage infrastructure and watercourse system without exceeding the runoff rate for the undeveloped site.
- v. Where necessary, provide attenuation details and discharge rates which shall be restricted to the greenfield runoff rate
- vi. Provide details of the timetable for and any phasing of implementation for the drainage scheme; and
- vii. Provide details of how the scheme will be maintained and managed for the lifetime of the development, including any arrangements for adoption by any public body or Statutory Undertaker and any other arrangements required to secure the operation of the drainage system throughout its lifetime.

Thereafter, no part of the development shall be occupied / brought into use until the approved scheme has been completed or provided on site in accordance with the approved phasing.

The approved scheme shall be retained and maintained in full, in accordance with the approved details.

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

### Site Levels and Groundworks Strategy

11) Prior to the determination of the 1<sup>st</sup> reserved matters application, a Groundworks Strategy detailing the existing and proposed site levels and land profiling (areas of cut, areas of fill, mounding, shaping and contouring works), with reference to an off-site datum point, shall have been submitted to and approved in writing by the Local Planning Authority. Site Levels Plans shall then be submitted as part of each reserved matters application in broad accordance with the approved Groundworks Strategy.

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

Reason: To ensure that the proposed development is adequately drained without creating or increasing flood risk to land or property adjacent to, or downstream of, or upstream of, the permitted development; and in the interests of visual and residential amenity.

#### *Biodiversity / Ecology*

##### Arboricultural Method Statement and Tree Protection Plan

12) Notwithstanding the submitted details, before the development hereby permitted is commenced, a detailed arboricultural method statement and tree protection plan for the protection of retained trees, including a tree protection programme for the provision and retention of trees within that phase, shall be submitted to and approved in writing by the Local Planning Authority. The method statement and plan shall meet with the standards set out in BS5837:2012 Trees in relation to Design, Demolition and Construction – Recommendations. The protection scheme and plan shall be completely implemented prior to site preparation and shall be retained in accordance with the approved programme, unless otherwise agreed in writing by the Local Planning Authority. The protection scheme must include details of all trees to be retained and positioning of tree protection fencing, and ground covers to create construction exclusion zones. No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be pruned in any manner without the prior written approval of the Local Planning Authority.

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

#### *Ground Contamination*

##### Land Contamination Risk Management Phase II Investigation

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

- i. A site investigation report assessing the ground conditions of the site and incorporating chemical and gas analysis identified as appropriate by the submitted desk based study; and if required
- ii. A detailed scheme for remedial works (should such works be required) and measures to be undertaken to avoid risk from contaminants and / or gases when the site is developed and proposals for future maintenance and monitoring. Such a scheme shall include nomination of a competent person to oversee the implementation of the works.

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

#### *Archaeology*

## Archaeological Investigation

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

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

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

## **During Building Works**

### *Climate Change*

### Sustainable Construction

15) No development above damp-proof course shall commence until a Sustainability Statement outlining how the proposed development would comply with the requirements with Local Plan Policy SB1 has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of how carbon dioxide emissions have been minimised through the design and construction of the development, details of water efficiency, and the provision of electric car charging infrastructure.

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

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

## **Before the Development is Occupied**

### *Residential Amenity*

### Noise Mitigation – Implementation and Retention

16) Before any residential dwelling (Use Class C3) or care home unit (Use Class C2) is occupied, the acoustic mitigation measures identified within the Noise Impact Assessment shall have been completed and a Validation Report shall be submitted to, and approved in writing by, the Local Planning Authority, which demonstrates the scientific and technical effectiveness of the noise mitigation measures.

Thereafter, the acoustic mitigation shall be maintained and retained for the lifetime of the development, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the proposed development does not give rise to any unacceptable impacts on residential amenity.

## *Access and Highways*

### Access Implementation

17) Before any part of the development hereby permitted is occupied or first brought into use, the works to proposed access and works to improve the public highway (by means of a signalised junction with Arran Road, two enhanced and relocated bus stops and a signalised pedestrian crossing opposite Malcom Sargent Primary School along with all associated works) (as shown on drawing ref: 23/215/TR/003/Rev A) shall have been certified complete by the Local Planning Authority.

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

### Estate Road Completion Compliance

18) Before any part of the development hereby permitted is occupied or brought into use, all of that part of the estate road and associated footways that form the junction within the main road or Empingham Road, which will be constructed within the limits of the existing highway, and which serves that part of the development, shall be laid out and constructed to finished surface levels in accordance with details to be submitted to, and approved in writing by, the Local Planning Authority.

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

## *Biodiversity / Ecology*

### Landscape and Ecological Management Plan

19) Before any part of the development hereby permitted is occupied / brought into use, a Landscape and Ecological Management Plan shall have been submitted to and approved in writing by the Local Planning Authority. The plan shall include:

- i. Long term design objectives
- ii. Management responsibilities; and
- iii. Maintenance schedules for all landscaped areas, other than privately owned, domestic gardens.

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

## *Ground Contamination*

### Verification Report

20) No part of the development hereby permitted shall be occupied or brought into use until a verification report for that part of the development has been submitted to and approved in writing by the Local Planning Authority. The report shall have been submitted by the agreed competent person and identify that the approved remedial works have been implemented. The report shall include, unless otherwise agreed in writing:

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

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

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

## **Ongoing Conditions**

### Development Specification

21) The development hereby permitted shall not exceed the following development parameters:

- i. Up to 268 residential dwellings (Use Class C3 – Dwellinghouses)
- ii. Up to 80-bed residential care home (Use Class C2 – Residential Institutions)
- iii. Up to 1,788 sq. metres Local Centre, to include:
  - i. Commercial, business and service uses (Retail, restaurant, medical or health facilities, creche or day nursery – Use Class E)
  - ii. Public house, wine bar or drinking establishment
  - iii. Drinking establishment with expanded food provision
  - iv. Hot food takeaway for the sale of hot food where consumption of that food is mostly taken off the premises.
- iv. Associated green infrastructure including provision of public open space, landscaping and informal play areas.
- v. Utility provision (including drainage); and
- vi. Associated access and ancillary works.

Reason: To define the permission and for the avoidance of doubt and to ensure that the development proceeds as assessed.

### Residential Care Home (Use Class C2)

22) Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 (or any order revoking or re-enacting that order with or without modification), the proposed 80-bedroom residential care home (Use Class C2) shall only be used for those purposes and for no other purpose (including any other use falling within Class C2 of the Order). It shall

comprise of individual rooms within a residential building where a high level of care (as defined in the Order) is provided to meet all activities of daily living. It shall not include support services for independent living, such that occupiers have independent "dwellings".

Reason: To define the permission and for the avoidance of doubt and to ensure that the development proceeds as assessed.

### *Biodiversity / Ecology*

#### Landscape and Ecological Management Plan

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

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

#### Note(s) to Applicant

- 1) In reaching this decision, the Council has worked with the Applicant in a positive and proactive manner by determining the application without undue delay. As such, it is considered that the decision is in accordance with Paragraph 38 of the National Planning Policy Framework (December 2024).
- 2) The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition "(the biodiversity gain condition)" that development may not begin unless:
  - (a) a Biodiversity Gain Plan has been submitted to the planning authority, and
  - (b) the planning authority has approved the plan.

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

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

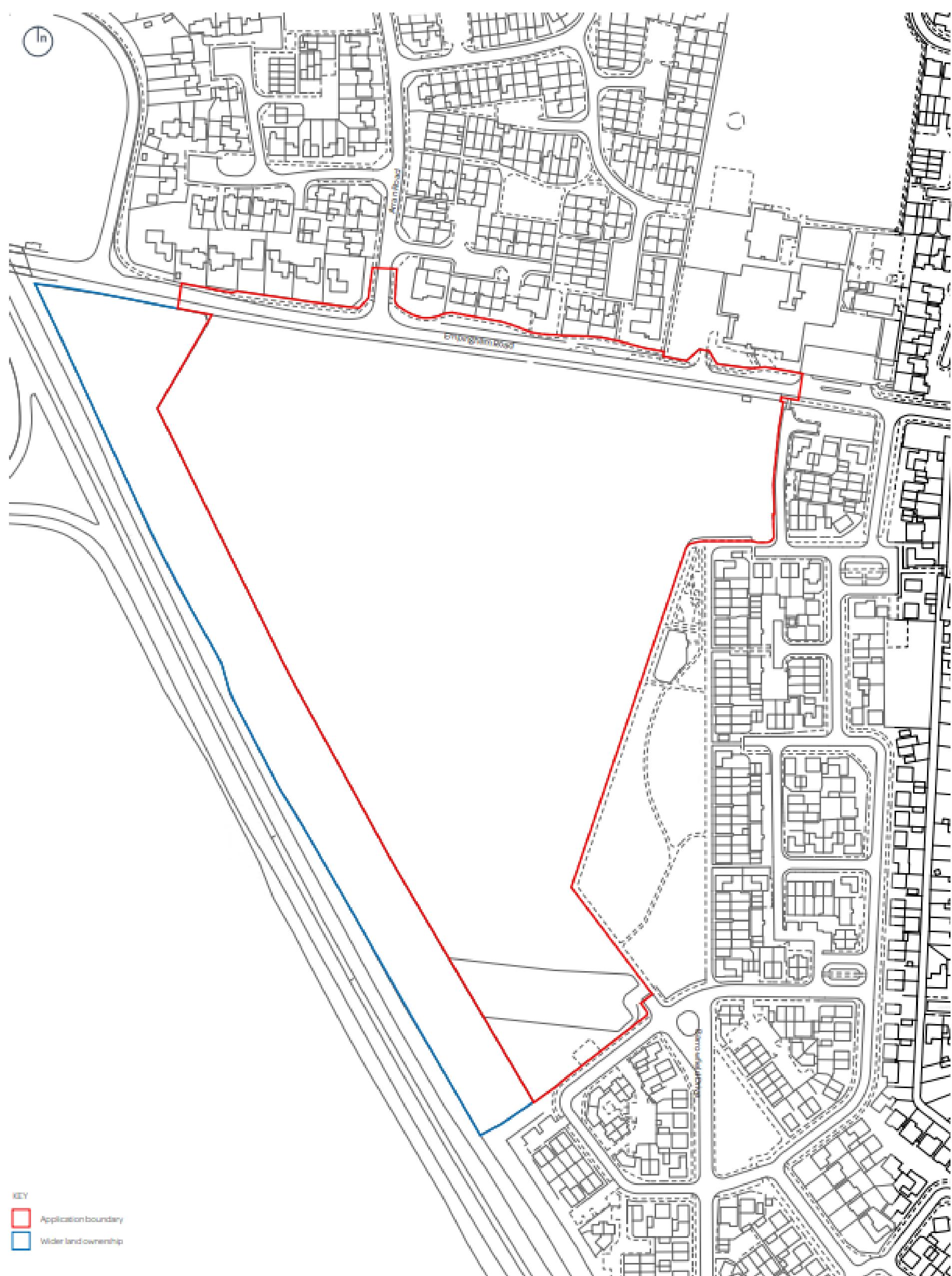
Based on the information available this permission is considered to be one which will require the approval of a biodiversity gain plan before development is begun because none of the statutory exemptions or transitional arrangements listed below are considered to apply.

- 3) All roads within the development hereby permitted must be constructed to an acceptable engineering standard. Those roads that are put forward for adoption as public highways must be constructed in accordance with the Lincolnshire County Council Development Road Specification that is current at the time of construction, and the developer will be

required to enter into a legal agreement with the Highway Authority under Section 38 of the Highways Act 1980. Those roads that are not to be voluntarily out forward for adoption as public highways may be subject to action by the Highway Authority under Section 219 (Advanced Payments Code) of the Highways Act 1980.

- 4) 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. The works should be constructed in accordance with the Authority's specification that is current at the time of construction. Relocation of existing apparatus, underground services or street furniture will be the responsibility of the applicant, prior to application. For application guidance, approval and specification details, please visit  
<https://www.lincolnshire.gov.uk/licences-permits/apply-dropped-kerb>
- 5) Please contact the Lincolnshire County Council Streetworks and Permitting Team on 01522 782070 to discuss any proposed statutory utility connections and any other works which will be required within the public highway in association with the development hereby 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 our website via the following links:  
Traffic Management - <https://www.lincolnshire.gov.uk/traffic-management>  
Licences and Permits – <https://www.lincolnshire.gov.uk/licences/permits>.
- 6) 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.
- 7) Notification of intention to connect to the public sewer under Section 106 of the Water Industry Act approval and consent will be required by Anglian Water under the Water Industry Act 1991. Contact Development Services on 0345 606 6087.
- 8) No building will be permitted within the statutory easement width of 3m from the pipeline without agreement from Anglian Water.
- 9) The Developer should note that the site drainage details submitted have not been approved for the purposes of adoption. If the developer wishes to have the sewers included in a sewer adoption agreement with Anglian Water (under Section 104 of the Water Industry Act 1991), they should contact the Development Services Team at the earliest opportunity. Sewers intended for adoption should be designed and constructed in accordance with Sewers for Adoption guide for developers, as supplemented by Anglian Water's requirements.

## Site Location Plan



**Copyright of Turley**  
This drawing is for illustrative purposes only and should not be used for any construction or planning purposes. To be used for planning application purposes only. Liability or responsibility is accepted among the relevant agencies for information contained within this drawing.

Plan's reproducibility permission of Ordnance Survey on behalf of The Controller of Her Majesty's Stationery Office. All rights reserved. Copyright and database rights (2004) Ordnance Survey. Licence number 000000000001.

**CLIENT** Commercial Estates Group

**PROJECT** Stamford Gateway

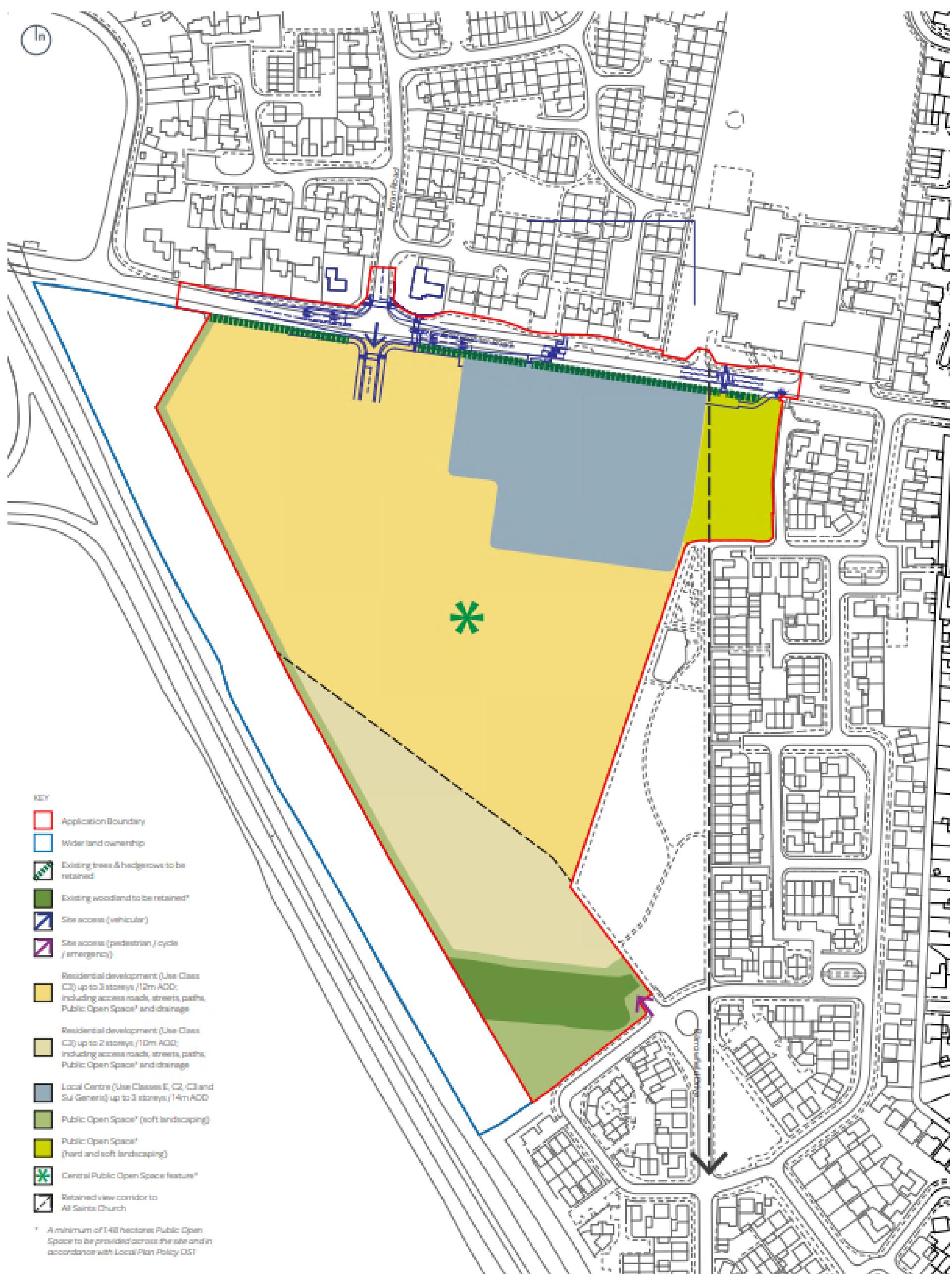
**DRAWING** Site Location Plan

**PROJECT NO.** COMM00000

**DRAWING NO.** COMM00000.D1

**REVISION** A **DATE** June 2004 **CHECKED BY** DC

## Proposed Parameter Plan



**Copyright of Turley**  
 This drawing is for illustrative purposes only and should not be used for any construction or planning purposes. To the extent that planning application purposes only, liability or responsibility is accepted arising from reliance upon the information contained within this drawing.

Plan reproduced by permission of Ordnance Survey on behalf of The Controller of Her Majesty's Stationery Office & Crown Copyright under licence number 00000000000000000000000000000000.

**CLIENT** Commercial Estates Group  
**PROJECT** Stamford Gateway  
**DRAWING** Parameter Plan

**PROJECT NO.** C00000000000000000000000000000000  
**STATUS** Final  
**DRAWING NO.** 00000000000000000000000000000000  
**SCALE** 1:20000 (WFS)  
**REVISION** 00000000000000000000000000000000  
**DATE** July 2009  
**CHECKED BY** DC

**Turley**



© Incola 2024. This document shall not be relied upon as a formal Plan for which it was prepared and for which it was appointed. Incola shall accept no responsibility for this document in any other form or other than the process by which it was appointed. This plan is for planning purposes only and should not be used for construction purposes.

Plan Name	Landscape Strategy
Plan Number	Imcilla 1074 P04
Revision	A
Date	28/06/2024
Not to scale	
	N
Stamford Road Landscape Masterplan Incola 2024 P04	

This page is intentionally left blank



SOUTH  
KESTEVEN  
DISTRICT  
COUNCIL



## Planning Committee

12 June 2025

### S25/0588

**Proposal  
Location**

Single storey rear extension  
The Conifers, School Lane, Old Somerby, Lincolnshire,  
NG33 4AQ

**Applicant  
Agent**

Mrs A Selby  
Mr Simon Webb

**Reason for Referral to Committee  
Key Issues**

Applicant is a relative of SKDC Councillor  
Residential amenity

#### Report Author

Alex McDonough – Assistant Development Management Planner



01476 406247



[alexander.mcdonough@southkesteven.gov.uk](mailto:alexander.mcdonough@southkesteven.gov.uk)

**Corporate Priority:**

Growth

**Decision type:**

Regulatory

**Wards:**

Lincrest

**Reviewed by:**

Phil Jordan, Development Management &  
Enforcement Manager

3 June 2025

#### Recommendation (s) to the decision maker (s)

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



Key

Application  
Boundary



Reproduced from the Ordnance Survey mapping with the permission of the Controller of Her Majesty's Stationery Office. Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. © South Kesteven District Council (2015) - Licence No. 100016562

## **1 Description of Site**

- 1.1 The existing property is a detached one-and-a-half-storey dwelling, situated on School Lane, Old Somerby. Planning permission was granted under S21/1714 for the erection of the two storey rear extension to the property, which was subsequently amended under S24/1514.
- 1.2 The application site is surrounded by dwellings of varying scales and designs, with open countryside to the north.

## **2 Description of the proposals**

- 2.1 This is an application for the erection of a single storey rear extension.
- 2.2 The proposed materials would be matching the existing.
- 2.3 The proposed rear extension would measure 3m in depth; 3m in width and 2.700m in height.

## **3 Site history**

- 3.1 S21/1714 - Erection of a two storey rear extension – Approved 05.01.2022
- 3.2 S24/1514 - Door added to side of garage, window added to side elevation and gable to front of two storey will not be rendered – Approved 30.09.2024

## **4 Planning Policies and Documents**

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

- Policy SD1 – The Principles of Sustainable Development in South Kesteven
- Policy DE1 – Promoting Good Quality Design

### **4.2 Design Guidelines Supplementary Planning Document (Adopted November 2021)**

### **4.3 National Planning Policy Framework (Published December 2024)**

- Section 9 – Promoting Sustainable Transport
- Section 12 - Achieving well-designed and beautiful places

### **4.4 Old Somerby Neighbourhood Development Plan (Adopted 29 June 2021)**

## **5 Representations Received**

### **5.1 Old Somerby Parish Council**

- 5.1.1 This application relates to the erection of a single storey rear extension to form a sun room at this property. It was noted that the work had already been commenced, but following a visit from an officer of the Planning Enforcement Team the Applicant had been advised to cease building and apply for planning permission. The Councillors had no representations to make in relation to this application.

### **5.2 Lincolnshire County Council (Highways and SuDS)**

- 5.2.1 No Objections

5.2.2 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.

## **6 Representations received as a result of publicity**

6.1 This application has been advertised in accordance with the Council's Statement of Community Involvement and two letters of representation have been received.

6.2 The points raised can be summarised as follows:

2x Objections:

1 Reduce privacy to neighbouring dwelling

2 Side window is positioned higher than neighbouring fence

## **7 Evaluation**

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

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

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

7.3 The policies and provisions set out in the National Planning Policy Framework (NPPF) ("the Framework") (Published December 2024) are also a relevant material consideration in the determination of planning applications.

### **7.4 Principle of Development**

7.4.1 The proposal relates to the erection of a single-storey rear extension. This proposal is considered to be acceptable in principle and in accordance with Policy SD1 (Principles of Sustainable Development in South Kesteven) of the adopted Local Plan subject to assessment against site specific criteria. These include the impact of the proposal on the character or appearance of the area, impact on the residential amenities of neighbouring occupiers, and impact on highway safety, which are discussed in turn as follows.

### **7.5 Impact on the character and appearance of the area**

7.5.1 Policy DE1 (Promoting Good Quality Design) of the adopted Local Plan states (amongst other criteria) that to ensure high quality design is achieved throughout the District, all development proposals will be expected to make a positive contribution to local distinctiveness, vernacular and character of the area. Proposals should reinforce local identity and not have an adverse impact on the street scene, settlement pattern or the

landscape / townscape character of the surrounding area. Proposals should be of an appropriate scale, density, massing, height and material, given the context of the area. Part 12 of the NPPF (Achieving well-designed places) states that good design is a key aspect of sustainable development and new development should be visually attractive as a result of good architecture and appropriate landscaping.

- 7.5.2 The proposed single-storey rear extension would be subordinate to the host dwelling, modest in scale and would not be visible from the street scene on School Lane. The materials proposed would be sympathetic to the existing dwelling and street scene therefore, there would be no unacceptable adverse impact caused to the character and appearance of the area.
- 7.5.3 The proposal has been assessed against the Old Somerby Neighbourhood Development Plan 2018 -2036, where Policy 1 – Residential Development has been applied. Criterion c) states that development would be supported where it is *designed with regards to scale, layout and materials to retain local distinctiveness and create a sense of place*. The proposal is small in scale and the materials would match the existing dwelling and therefore, this policy has been satisfied.
- 7.5.4 By virtue of the design, scale and materials to be used, the proposal would be in keeping with the host dwelling, street scene and surrounding context in accordance with the NPPF Section 12, Policy DE1 of the Local Plan, and the Old Somerby Neighbourhood Development Plan.

## 7.6 Impact on neighbourhood amenity

- 7.6.1 Policy DE1 (Promoting Good Quality Design) of the adopted Local Plan states (amongst other criteria) that all development proposals will be expected to ensure there is no adverse impact on the amenity of neighbouring users in terms of noise, light pollution, loss of privacy and loss of light and provide sufficient private amenity space, suitable to the type and amount of development proposed. Paragraph 135 of the NPPF states that developments should create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.
- 7.6.2 The proposal would be subordinate to the existing dwelling and modest in scale. Due to the fact that the proposed extension is at single-storey level, it would not result in an unacceptable adverse impact on neighbouring amenities through overbearing or overshadowing.
- 7.6.3 The proposed extension would introduce additional windows and doors on each elevation of the development. This includes two doors—one on the east side and one on the south—as well as an additional window on the west side. The location of the extension would place it centrally within the rear garden of the site, ensuring an adequate separation distance from neighbouring dwellings and amenity spaces.
- 7.6.4 An objection received regarding the application raised concerns about the west-facing window impacting the neighbouring rear amenity space. However, it is the Officer assessment that the level of the window, combined with the existing boundary treatment, would ensure there would be no overlooking to that property. Therefore, the inclusion of the additional window and doors is not considered to have an unacceptable impact on neighbouring amenity.

7.6.5 The proposal has been assessed against the Old Somerby Neighbourhood Development Plan 2018 -2036, where Policy 1 – Residential Development has been applied. Criterion b) states that development would be supported where *it is appropriate to its surroundings and does not have an unacceptable impact on the amenities of adjoining properties*. As above, it is Officer's assessment that this proposal would not have an unacceptable adverse impact on the residential amenity of the occupiers of neighbouring dwellings, and this policy has therefore been satisfied.

7.6.6 Taking into account the nature of the proposal being small scale, and the existing boundary treatments, it is considered that there would not be an unacceptable adverse impact on the residential amenities of the occupiers of adjacent properties in accordance with the NPPF Section 12, Policy DE1 of the Local Plan, and the Old Somerby Neighbourhood Development Plan.

## 7.7 Impact on Highways

7.7.1 Paragraph 116 of the NPPF advises that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

7.7.2 The proposal does not have an impact on the Public Highway and as the Lead Local Flood Authority, they have made no objections.

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

## 8 Crime and Disorder

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

## 9 Human Rights Implications

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

## 10 Planning Balance and Conclusion

10.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that the Local Planning Authority makes decisions in accordance with the adopted Development Plan, unless material considerations indicate otherwise.

10.2 The application proposal involves a domestic extension, which is acceptable in principle, in accordance with Policy SD1 of the adopted Local Plan, subject to material considerations.

10.3 The proposed extension is not considered to result in any unacceptable impacts on the character and appearance of the area or on the amenities of neighbouring occupiers.

10.4 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), Policy DE1 of the South Kesteven Local Plan, and the Old Somerby Neighbourhood Development Plan. There are no material considerations that indicate otherwise although conditions have been attached.

## 11 Recommendation

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

### Time limit

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

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

### Approved Plans

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

- a. Site Location Plan - Date received: 28.03.2025
- b. Proposed Plans and Elevations - Drawing number: 25.020PL01-2 - Date received: 24.03.2025

Unless otherwise required by another condition of this permission.

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

### Materials

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

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

### Standard Note(s) to Applicant:

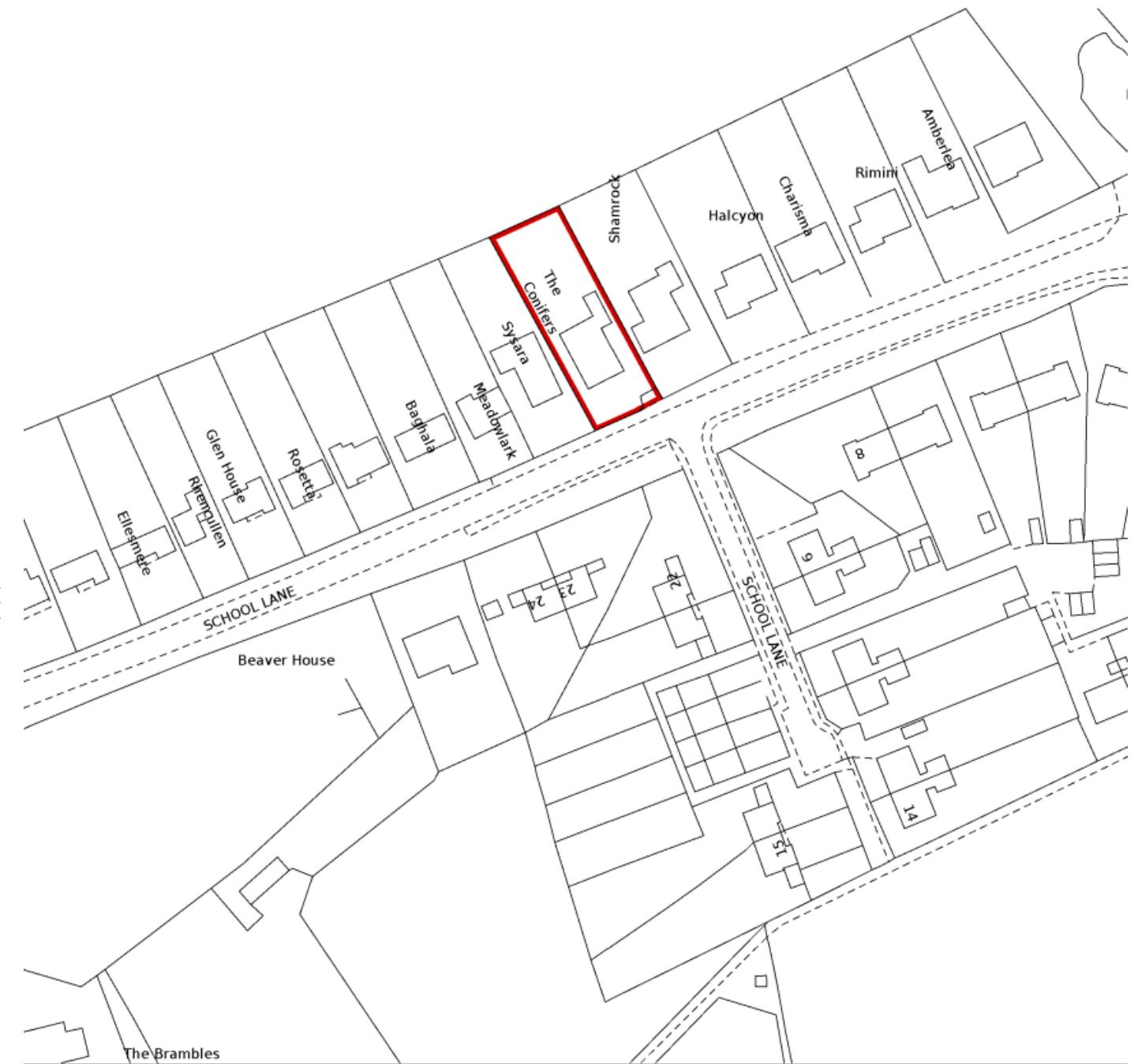
- 1 In reaching the decision the Council has worked with the applicant in a positive and proactive manner by determining the application without undue delay. As such it is considered that the decision is in accordance with paras 38 of the National Planning Policy Framework.

HM Land Registry  
Current title plan

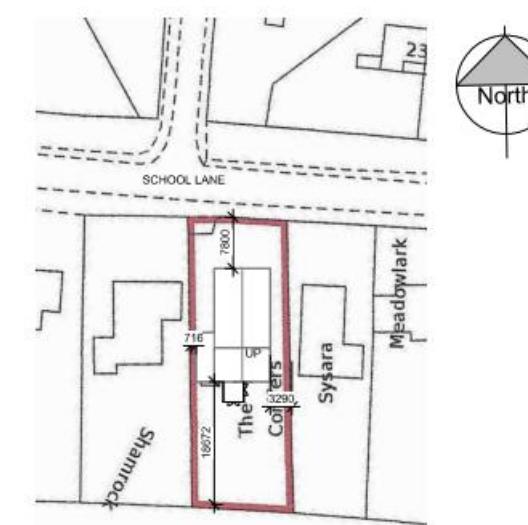
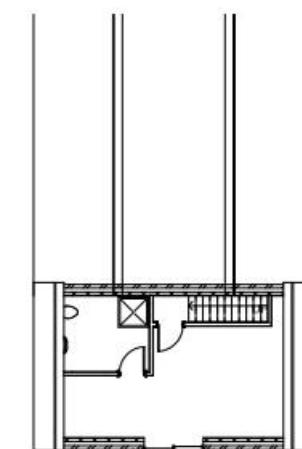
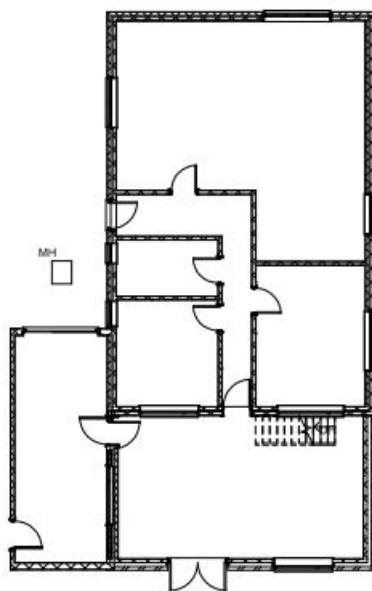
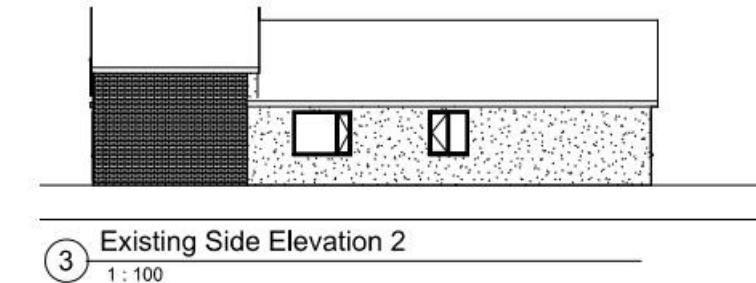
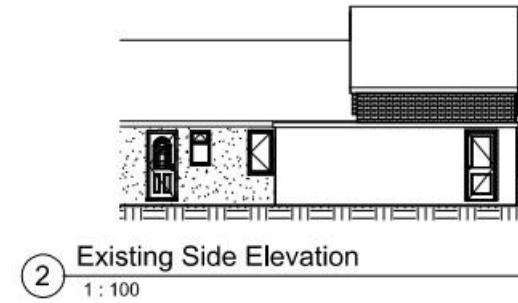
Title number **LL355385**  
Ordnance Survey map reference **SK9533NE**  
Scale **1:1250 enlarged from 1:2500**  
Administrative area **Lincolnshire : South**  
**Kesteven**



© Crown copyright and database rights 2015 Ordnance Survey 100026316. You are not permitted to copy, sub-license, distribute or sell any of this data to third parties in any form.



## Existing Plans and Elevations



SCALE BAR 1:500 AT A1 SIZE  
0 10m 20m 30m 40m 50m  
SCALE BAR 1:50 AT A1 SIZE  
0 1m 2m 3m 4m 5m



Client  
Mr & Mrs J Selby

Project Address  
The Conifers  
School Lane, Old Somerby  
NG33 4AQ

Project  
Single storey extension to rear

Drawing  
Title  
Existing Plans & Elevations

Scale  
As indicated Date  
20/03/25 Drawn  
By  
SRW

Drg  
No.  
25.020PL01-1

This drawing must not be copied. All dimensions must be checked on site.

## Proposed Plans and Elevations





SOUTH  
KESTEVEN  
DISTRICT  
COUNCIL



## Planning Committee

12 June 2025

### S25/0471

**Proposal  
Location**

Proposed single storey rear extension  
The Caretakers House, 27A Queensway, Grantham,  
Lincolnshire, NG31 9QB

**Applicant  
Agent**

Carol Walmsley

Gary Milnes

**Reason for Referral to Committee**

Site is a Council property

**Key Issues**

Council property

**Report Author**

Alex McDonough – Assistant Development Management Planner



01476 406247



[alexander.mcdonough@southkesteven.gov.uk](mailto:alexander.mcdonough@southkesteven.gov.uk)

**Corporate Priority:**

**Growth**

**Decision type:**

**Regulatory**

**Wards:**

**Grantham Harrowby**

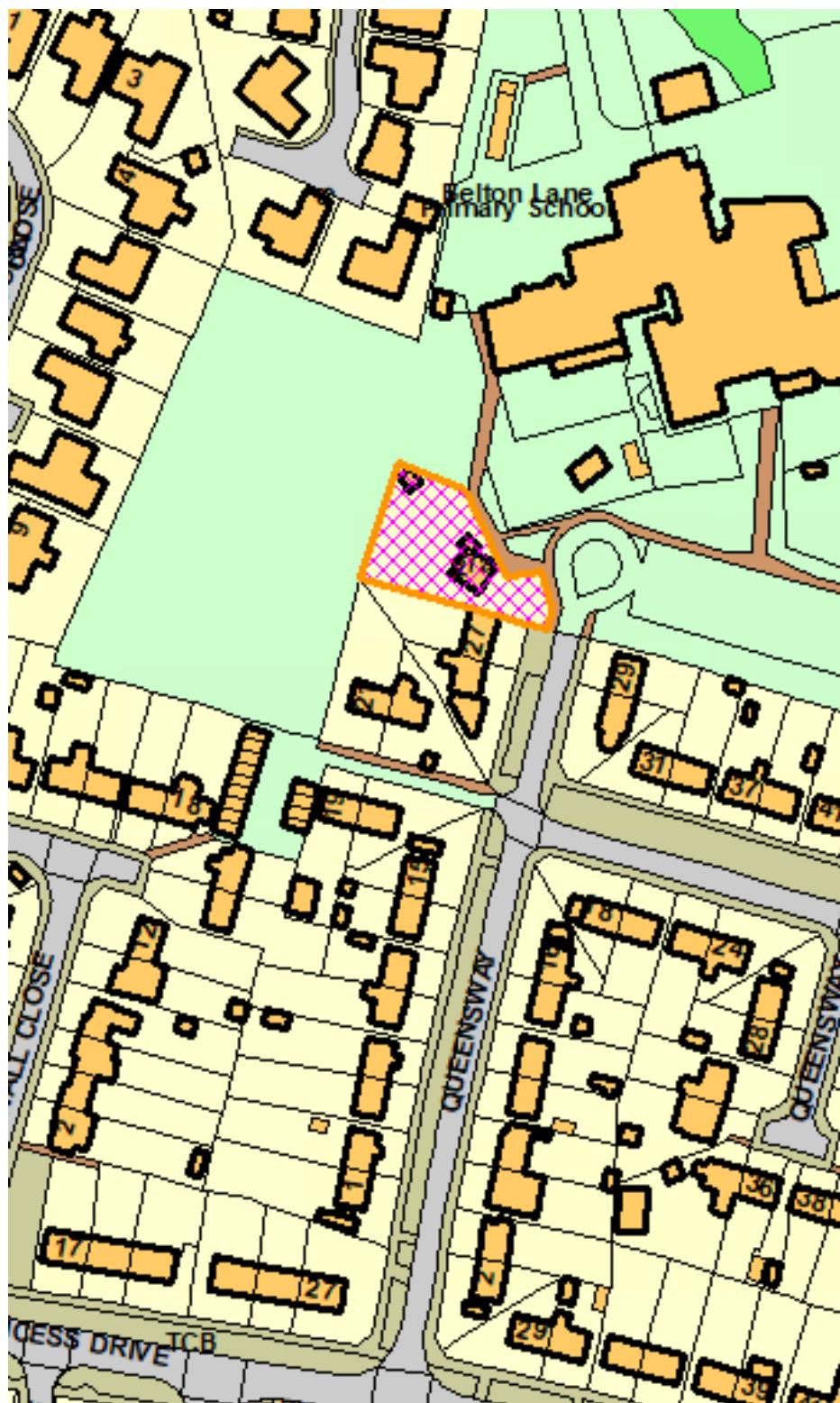
**Reviewed by:**

Phil Jordan, Development Management &  
Enforcement Manager

3 June 2025

### Recommendation (s) to the decision maker (s)

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



Key

Application  
Boundary



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

## **1 Description of Site**

- 1.1 The application site is a corner plot detached two-storey dwelling off Queensway, Grantham, at the end of the road.
- 1.2 The site has Belton Lane Community Primary School to the north, with the playing field to the west. There are dwellings to the east and south of similar appearance.

## **2 Description of the proposals**

- 2.1 The application proposes a single-storey rear extension and addition of a ramped access to the side.
- 2.2 The proposed materials would be ivory render with composite weatherboard panel, GRP flat roof in anthracite grey, with grey uPVC windows and doors.
- 2.3 The proposed rear extension would measure 4.356m in depth; 8.733m in width and 2.627m to the eaves.
- 2.4 The extension is to be used for downstairs bedrooms and bathroom.

## **3 Planning Policies and Documents**

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

Policy SD1 – The Principles of Sustainable Development in South Kesteven

Policy DE1 – Promoting Good Quality Design

### **3.2 Design Guidelines Supplementary Planning Document (Adopted November 2021)**

### **3.3 National Planning Policy Framework (Published December 2024)**

Section 9 – Promoting Sustainable Transport

Section 12 - Achieving well-designed and beautiful places

## **4 Representations Received**

### **4.1 Grantham Town Council**

- 4.1.1 We see no reason to raise an objection.

### **4.2 Lincolnshire County Council (Highways and SuDS)**

- 4.2.1 No Objections

- 4.2.2 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.

### **4.3 Cadent Gas**

- 4.3.1 No objection – informative note required

- 4.3.2 To prevent damage to our assets or interference with our rights, please add the following Informative Note into the Decision Notice:
  - 4.3.3 Cadent Gas Ltd own and operate the gas infrastructure within the area of your development. There may be a legal interest (easements and other rights) in the land that restrict activity in proximity to Cadent assets in private land. The applicant must ensure that the proposed works do not infringe on legal rights of access and or restrictive covenants that exist.
  - 4.3.4 If buildings or structures are proposed directly above the apparatus the development may only take place following diversion of the apparatus. The applicant should apply online to have apparatus diverted in advance of any works, by visiting [cadentgas.com/diversions](http://cadentgas.com/diversions)
  - 4.3.5 Prior to carrying out works, including the construction of access points, please register on [www.linsearchbeforeudig.co.uk](http://www.linsearchbeforeudig.co.uk) to submit details of the planned works for review, ensuring requirements are adhered to.

## **5 Representations received as a result of publicity**

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

## **6 Evaluation**

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

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

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

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

### **Principle of Development**

- 6.4.1 The proposal relates to the erection of a single-storey rear extension and the addition of a ramped access to the side. This proposal is considered to be acceptable in principle and in accordance with Policy SD1 (Principles of Sustainable Development in South Kesteven) of the adopted Local Plan subject to assessment against site specific criteria. These include the impact of the proposal on the character or appearance of the area, impact on the residential amenities of neighbouring occupiers, and impact on highway safety, which are discussed in turn as follows.

## 6.5 Impact on the character and appearance of the area

6.5.1 Policy DE1 (Promoting Good Quality Design) of the adopted Local Plan states (amongst other criteria) that to ensure high quality design is achieved throughout the District, all development proposals will be expected to make a positive contribution to local distinctiveness, vernacular and character of the area. Proposals should reinforce local identity and not have an adverse impact on the street scene, settlement pattern or the landscape / townscape character of the surrounding area. Proposals should be of an appropriate scale, density, massing, height and material, given the context of the area. Part 12 of the NPPF (Achieving well-designed places) states that good design is a key aspect of sustainable development and new development should be visually attractive as a result of good architecture and appropriate landscaping.

6.5.2 The proposed single-storey rear extension would be connected to the host dwelling running the length of the rear wall. The proposal would be subordinate to the host dwelling, modest in scale and would only be partly visible from the streetscene on Queensway. The materials proposed would be sympathetic to the host dwelling and streetscene, therefore, there would be no unacceptable adverse impact caused to the character and appearance of the area.

6.5.3 By virtue of the design, scale and materials to be used, the proposal would be in keeping with the host dwelling, street scene and surrounding context in accordance with the NPPF Section 12, and Policy DE1 of the Local Plan.

## 6.6 Impact on neighbourhood amenity

6.6.1 Policy DE1 (Promoting Good Quality Design) of the adopted Local Plan states (amongst other criteria) that all development proposals will be expected to ensure there is no adverse impact on the amenity of neighbouring users in terms of noise, light pollution, loss of privacy and loss of light and provide sufficient private amenity space, suitable to the type and amount of development proposed. Paragraph 135 of the NPPF states that developments should create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

6.6.2 The proposed rear extension is a modest addition to the host dwelling that does not include any additional side facing windows. There are additional windows that are rear facing, however, these are existing windows that face this direction. As such, it is Officer assessment that the development would not result in an increase in overlooking to neighbouring dwellings

6.6.3 The size and scale of the proposal being a modest addition, would not increase overshadowing to an unacceptable degree, and would not result in an overbearing impact.

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

## 6.7 Impact on Highways

6.7.1 Paragraph 116 of the NPPF advises that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

- 6.7.2 The proposal does not have an impact on the Public Highway and as the Lead Local Flood Authority, they have made no objections.
- 6.7.3 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.

## **7 Crime and Disorder**

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

## **8 Human Rights Implications**

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

## **9 Planning Balance and Conclusion**

- 9.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that the Local Planning Authority makes decisions in accordance with the adopted Development Plan, unless material considerations indicate otherwise.
- 9.2 The application proposals involve a domestic extension, which is acceptable in principle, in accordance with Policy SD1 of the adopted Local Plan, subject to material considerations.
- 9.3 The proposed extension is not considered to result in any unacceptable impacts on the character and appearance of the area or on the amenities of neighbouring occupiers.
- 9.4 Taking the above into account, it is considered that the proposal is appropriate for its context and is in accordance with the NPPF (Sections 9 and 12) and Policy DE1 of the South Kesteven Local Plan. There are no material considerations that indicate otherwise although conditions have been attached.

## **10 Recommendation**

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

### **Time limit**

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

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

### **Approved plans**

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

- a. A4 Location Plan – 27A Queensway Grantham – 03 – Received 17/03/25

Unless otherwise required by another condition of this permission.

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

## **Materials**

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

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

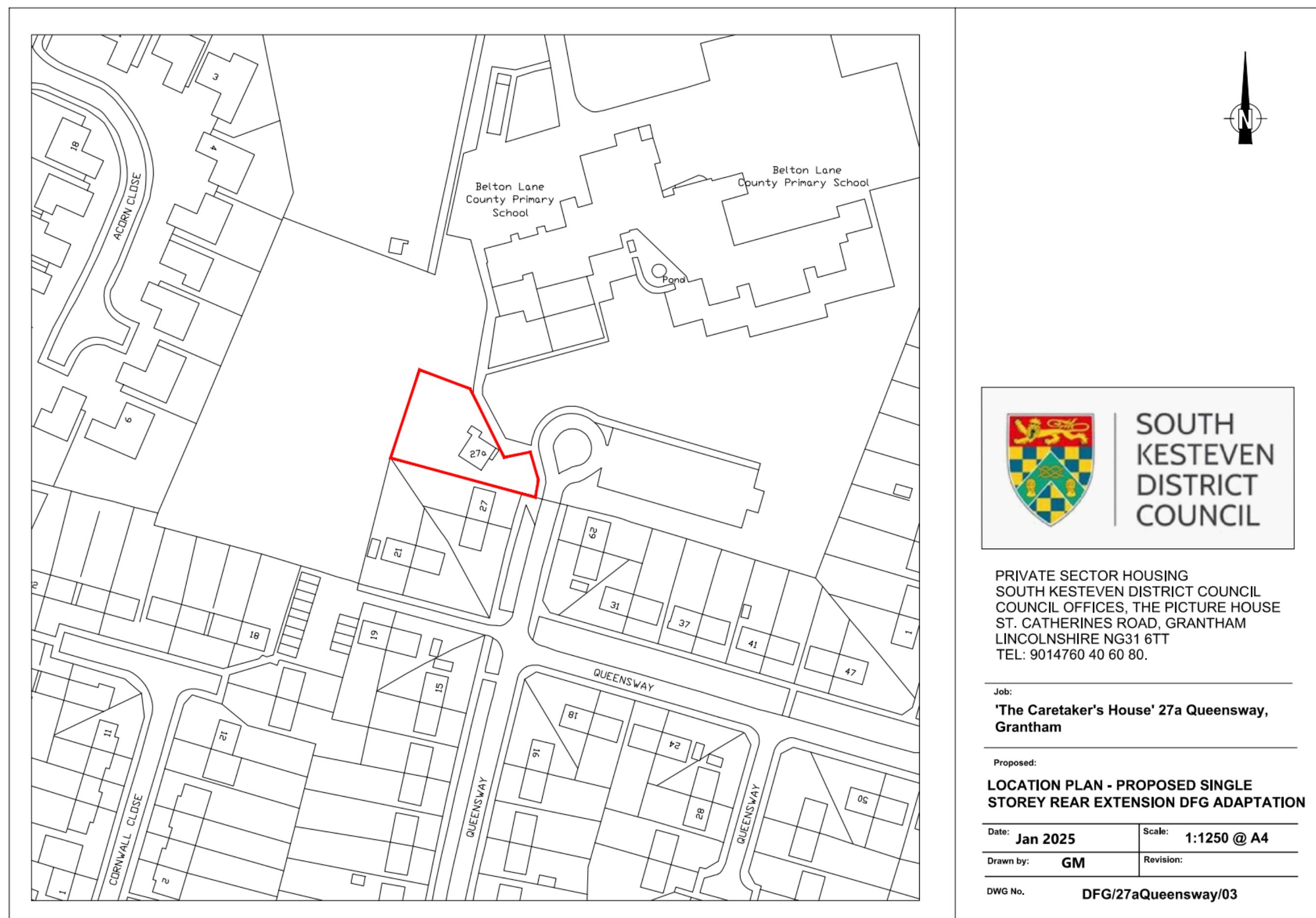
## **Standard Note(s) to Applicant:**

- 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 Cadent Gas Ltd own and operate the gas infrastructure within the area of your development. There may be a legal interest (easements and other rights) in the land that restrict activity in proximity to Cadent assets in private land. The applicant must ensure that the proposed works do not infringe on legal rights of access and or restrictive covenants that exist.

If buildings or structures are proposed directly above the apparatus the development may only take place following diversion of the apparatus. The applicant should apply online to have apparatus diverted in advance of any works, by visiting [cadentgas.com/diversions](http://cadentgas.com/diversions)

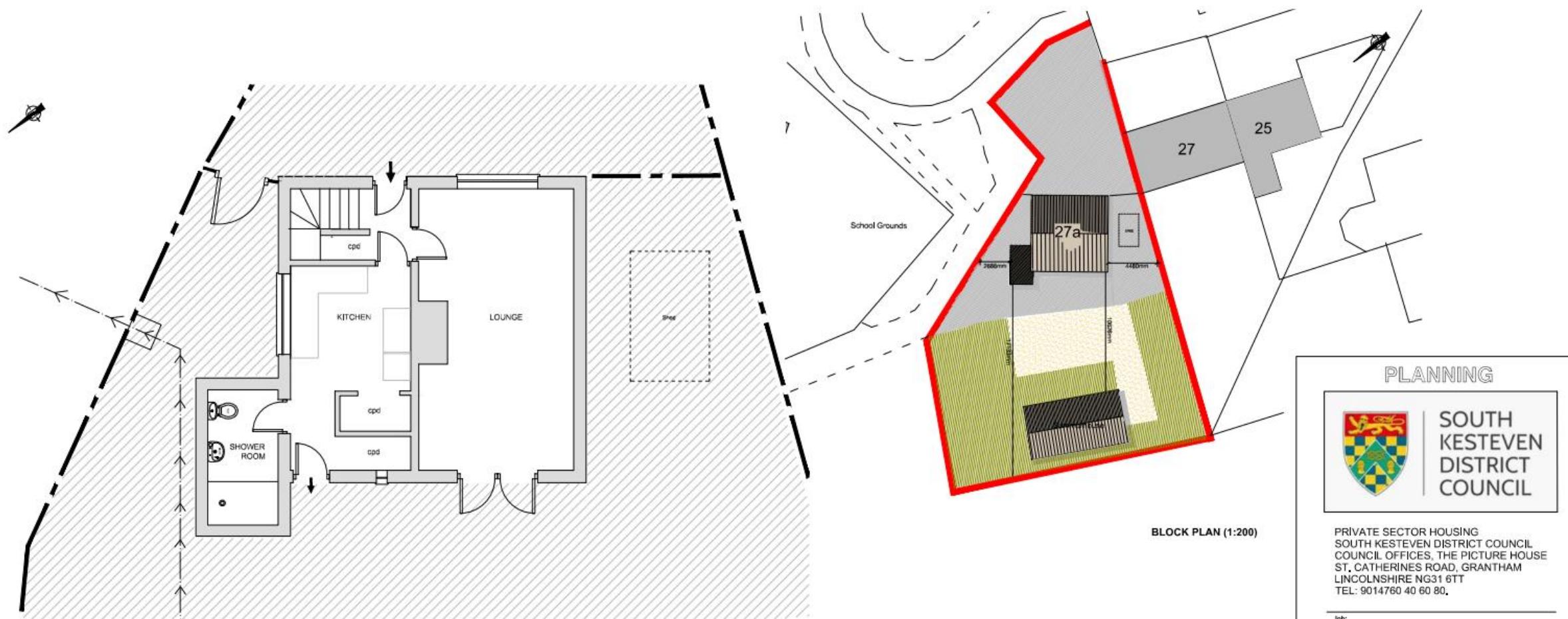
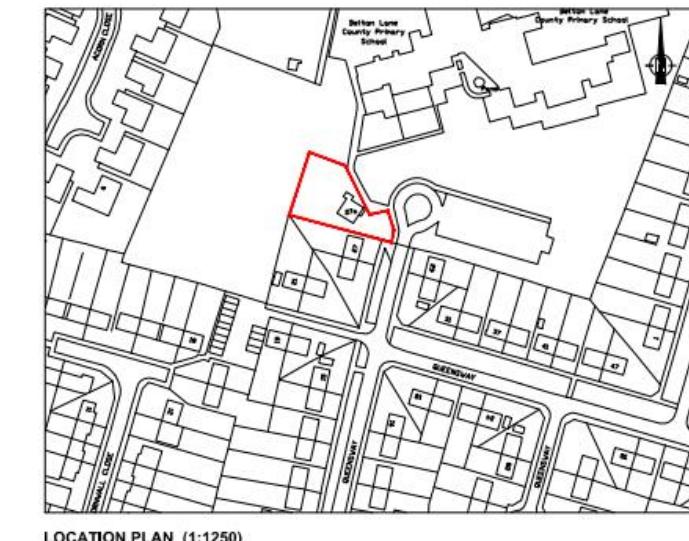
Prior to carrying out works, including the construction of access points, please register on [www.linetsearchbeforeudig.co.uk](http://www.linetsearchbeforeudig.co.uk) to submit details of the planned works for review, ensuring requirements are adhered to.

Site Location Plan



Elevation Elevational, Floor, Block, and Location Plans

EXISTING



PRIVATE SECTOR HOUSING  
SOUTH KESTEVEN DISTRICT COUNCIL  
COUNCIL OFFICES, THE PICTURE HOUSE  
ST, CATHERINES ROAD, GRANTHAM  
LINCOLNSHIRE NG31 6TT  
TEL: 01476 40 60 80.

Job:  
**'The Caretaker's House' 27a Queensway,  
Grantham**

Proposed:  
**EXISTING LAYOUT - PROPOSED SINGLE  
STOREY REAR EXTENSION DFG ADAPTATION**

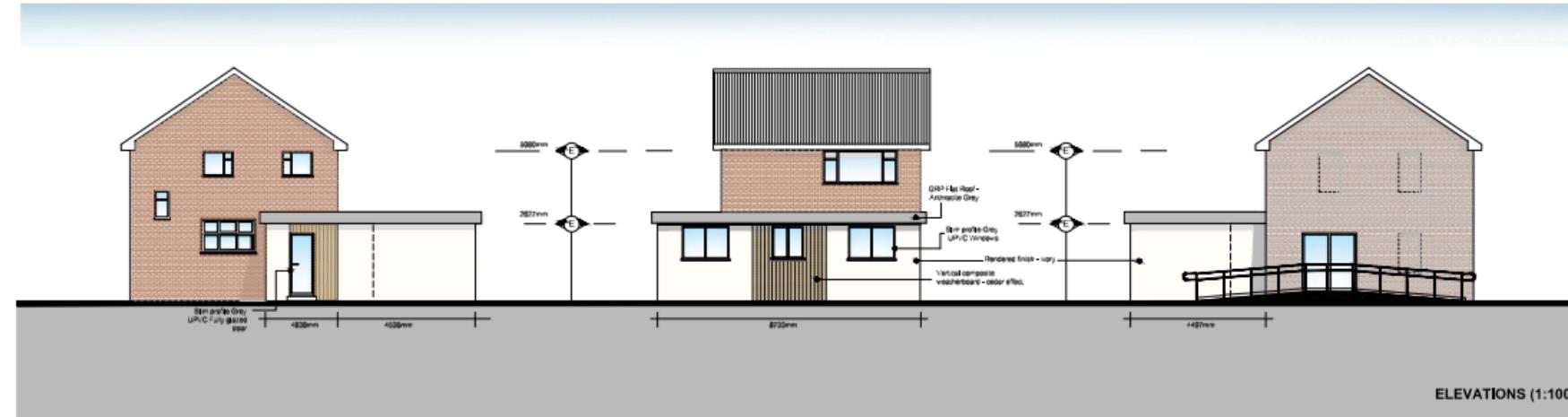
Date: Jan 2025 Scale: As shown

Drawn by: GM Revision:

DWG No. DFG/27aQueensway/01

## Proposed Elevational, Floor, Block, and Location Plans

## PROPOSED



126

