

# Minutes

## Planning Committee

Thursday, 22 January 2026, 1.00 pm

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



SOUTH  
KESTEVEN  
DISTRICT  
COUNCIL

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### Committee Members present

Councillor Penny Milnes (Vice-Chairman)

Councillor Pam Byrd

Councillor Helen Crawford

Councillor Patsy Ellis

Councillor Paul Fellows

Councillor Tim Harrison

Councillor Gloria Johnson

Councillor Vanessa Smith

Councillor Sarah Trotter

Councillor Mark Whittington

Councillor Max Sawyer

### Cabinet Members present

Councillor Phil Dilks (Cabinet Member for Planning)

### Other Members present

Councillor Graham Jeal

### 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)

Kevin Cartwright (Senior Planning Officer)

Hannah Noutch (Development Management Planner)

Craig Dickinson (Development Management Planner)

Amy Pryde (Democratic Services Officer)

Martha Rees (Legal Advisor)

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

Apologies for absence were received from Councillors Charmaine Morgan, Paul Wood and Harrish Bisnauthsing.

Councillor Max Sawyer substituted for Councillor Harrish Bisnauthsing.

Councillor Penny Milnes acted as Chairman for this meeting.

## **77. Disclosure of interests**

Councillor Pam Byrd declared she was a Member of the Wildlife Trust and came to the Committee with an open mind.

The Chairman made the following statement:

*'With regards to items 5,6,7 and 8 of the Agenda, I make a declaration on behalf of all members that whilst it is acknowledged that the Council either manage the property, are the Applicant or landowner, this will not affect how members of the planning committee determine the application. All members have been trained and will determine the applications in accordance with their planning training and with an open mind. Any member who does not feel they are open minded to determine the applications should make a declaration to that effect and not vote on the application.'*

## **78. Minutes of the meeting held on 11 December 2025**

One Member highlighted the minutes of the meeting held on 11 December 2025 were not included within the agenda.

The determination of the minutes were **DEFERRED** to the next meeting.

## **79. Application S24/1035**

<b>Proposal:</b>	Change of Use of agriculture to multi-functional Nature Reserve and associated engineering operations
<b>Location:</b>	Bourne North Fen Nature Reserve, Spalding Road Twenty, Bourne, PE10 0AU
<b>Recommendation:</b>	To authorise the Assistant Director – Planning to GRANT planning permission, subject to conditions and completion of a Section 106 Agreement

Noting comments in the public speaking session by:

Mark Tarttelin - Wild Planet Associates (Working on behalf of the Lincolnshire Wildlife Trust) [Answer questions only]

Together with:

- Provisions within SKDC Local Plan 2011-2036 and National Planning Policy Framework (NPPF).
- No comments received from Anglian Water.

- No comments received from Bourne Town Council.
- Comments received from Environmental Agency.
- No comments received from Environmental Protection.
- Comments received from Heritage Trust of Lincolnshire.
- No comments received from Lincolnshire County Council Highways.
- No comments received from Natural England.
- Comments received from SKDC Tree Officer.
- No comments received from South Holland District Council.
- No comments received from Welland and Deepings Internal Drainage Board.

During questions to public speaker, Members commented on the following:

- Whether the site had any proposals for a level of access open to members of the public.

The agent confirmed there were no proposals at present for full public access to the site. It was noted that public open days would be explored going forward.

- How the long-term management of the site would be secured and enforced.

A S106 agreement would be secured and monitored.

- Whether the Agent could address the points outlined by the SKDC Tree Officer.

The Agent confirmed the comments had been taken on board. It was hoped all trees would be maintained and the proposal outlined would not impact any trees and would be monitored through the S106 agreement.

- Whether there were any harms against the current use of the site as agricultural land.

It was highlighted the project going forward would explore the way that nature reserves sit within the landscape, however, there would still be agricultural activities within the site. It was noted there were no harms.

- Clarification was sought on lack of information on paludiculture.

It was noted that parts of the reports were redacted around protected species, which was routine in a planning process.

- Whether there was a concern for possible flooding and whether any mitigations would be implemented as a preventative.

The Agent confirmed they were aware of the flooding concerns. They were open to working with the Environment Agency and explore funding opportunities for studies.

During questions to officers and debate, Members commented on the following:

- Whether the Officer was satisfied that S106 conditions were robust enough to secure the benefits of the development.

The S106 agreement predominantly related to a habitat management and monitoring plan going forward. Part of that plan was to secure a mechanism on how many units created might be used.

It was highlighted the legal agreement was based on the same template used for the Boothby Wildland application.

- It was queried whether any engineering works would require building regulations alongside any traffic concerns during construction phase.

The Planning Officer clarified the primary engineering works on the application was for the surrounding bund which would accumulate some vehicular traffic. The site was isolated meaning there was no safety issues on construction in terms of traffic.

- One Member queried whether a condition could be secured on the access, following concerns.

It was outlined that phase two of the application would highlight operational arrangements in terms of access and parking to facilitate any visitors.

Condition 3 within the report outlined future aspirations for public visitors to the site.

### **Final decision**

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

### **Time Limit for Commencement**

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

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

### **Approved Plans**

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

i. Site location Plan- Date received: 17.06.2024

Unless otherwise required by another condition of this permission.

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

## Before the Development is Occupied

3) Before the site is first brought into use, a Site Operational Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The Management Plan shall include, but is not limited to:

- a. An assessment of visitor numbers
- b. Details of access and parking arrangements
- c. Details of areas of the site to be made accessible to the public; and
- d. An assessment of any impacts on neighbouring amenity resulting from visitor access to the site.

Thereafter, the site shall be operated in accordance with the approved Management Plan at all times.

Reason: To ensure that the proposed use does not have any unacceptable adverse impacts on highways safety and capacity, and residential amenity, as required by Policy DE1 and ID2 of the adopted Local Plan.

## 80. Application S25/2380

**Proposal:** Change of use from an area of the recreation ground to a community activity hub

**Location:** Dysart Park, Houghton Road, Grantham

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

*(Councillor Patsy Ellis declared this application was within her Ward, however, she came to the meeting with an open view).*

Noting comments in the public speaking session by:

Planning Agent Georgina McCrae  
Inspire + - Emma Sharpe  
Councillor Charmaine Morgan (Statement)

Together with:

- Provisions within SKDC Local Plan 2011-2036, National Planning Policy Framework (NPPF) and The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

- No comments received from Grantham Town Council.
- No comments received from Environmental Protection.
- Comments received from Lincolnshire County Council (Highways).

The following comments were made by the public speaker:

- The District Ward Councillor highlighted the applications would be a real investment in the targeted support for young people who had previously been hard to reach.
- It was outlined that there had previously been anti-social behaviour concerns within the park and the applications were desired to support the young people whilst protecting residential amenity.
- Inspire + commented on the clear significant benefit that the applications would bring to the community, alongside the health and wellbeing improvement.
- The applications were in line with the Council's policies and Lincolnshire County Council (Highways) had not raised any objections.
- The hub would be around 40m away from the nearest residential property, there was an overall support from the local community.

During questions to public speakers, Members commented on the following:

- A query was raised on who would lead the forest school at the hub.

It was confirmed the forest school would be led by Inspire +, however, local experts and contacts would be involved in the running of the forest school.

- Whether an application for a community fund would be considered for additional security to the site.

Inspire + were aware of the anti-social behaviour within the park, security measures were being considered and funding options were being explored.

- Clarification was sought around the type of organisation that Inspire + were.

It was clarified that Inspire + was a charity founded in 2011. At present they had a holiday club provision, deliver apprenticeships in local schools and had been successful in the local area.

- A query was raised on how the project would be funded ongoing.

Inspire + had received funding from the UK Shared Prosperity Fund, which was used to install perimeter fencing and put towards cost of equipment for the forest

school. Local businesses and organisations had shown an interest in supporting Inspire +. Other funding opportunities were being explored.

- The flexibility of opening times of the hub was queried. Further clarification was sought around the supervision and safeguarding of children when attending the forest school.

The hub would be flexible in terms of timings, and the ambition was for it to be owned by the local community as a shared facility. For example, evening/weekend sessions and working in conjunction with Men's Shed.

In terms of safeguarding, the boundary fence was installed to enclose and safeguard the children.

- Whether the park had adequate lighting.

At present, there was not adequate lighting, however, Inspire + were considering how the space could be utilised and how additional lighting could be installed.

- A query was raised on whether the boundary fence wood cladding was fire retardant.

It was confirmed Inspire+ would liaise with the contractors to ensure the boundary fencing is protected.

During questions to officers and debate, Members commented on the following:

- Members were in favour of the application and the benefits it would bring to the local community as a whole.

### **Final decision**

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

#### **Time Limit for Commencement**

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

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

#### **Approved Plans**

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

- i. Location Plan received 8 December 2025
- ii. Proposed Site Plan drawing no. INS-LIN-XX-XX-DR-A-0012 received 8 December 2025
- iii. Community hub building plans and elevations drawing nos. INS-LIN-XX-XX-DR-A-0110 and INS-LIN-XX-XX-DR-A-0210 received 8 December 2025
- iv. Storage building plans and elevations drawing no. INS-LIN-XX-XX-DR-A-0211 received 8 December 2025

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 Before the development hereby permitted is commenced, details of the surface and foul drainage scheme shall have been submitted to and approved by the Local Planning Authority.

Reason: To ensure there is an appropriate means of drainage for the development, hereby approved, and in accordance with Local Plan Policy EN5.

### **Before the development is brought into use**

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

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

- 5 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 on the approved plans unless otherwise agreed in writing by the Local Planning Authority.

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

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

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

## 81. Application S25/2352

**Proposal:** Use of land for multi-use games/sports area (MUGA) (Use Class F2) at Dysart Park

**Location:** Dysart Park, Houghton Road, Grantham

**Recommendation:** To authorise the Assistant Director – Planning & Growth to GRANT the Lawful Development Certificate

*(Councillor Patsy Ellis declared this application was within her Ward, however, she came to the meeting with an open view).*

Together with:

- Provisions within SKDC Local Plan 2011-2036, National Planning Policy Framework (NPPF) and The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).
- No comments received from Grantham Town Council.
- No comments received from Environmental Protection.
- Comments received from Lincolnshire County Council (Highways).

During questions to officers and debate, Members commented on the following:

- One Member queried the ongoing maintenance of the MUGA.

The Assistant Director of Planning and Growth reminded the Committee that the Lawful Development Certificate was to decide whether it was lawful for planning permission or not.

As the Council were the Applicant, the leisure team would take ongoing maintenance into consideration.

### **Final Decision**

It was proposed, seconded and **AGREED** to authorise the Assistant Director – Planning & Growth to **GRANT** a Lawful Development Certificate for the proposed works.

## 82. Application S25/1889

**Proposal:** Division of 1no. dwelling into 2no. dwellings. The erection of a porch side extension and 3 x rear extensions.

**Location:** 16 And 18 Market Place, Folkingham, Lincolnshire, NG34 0SF

**Recommendation:** To authorise the Assistant Director – Planning & Growth to GRANT the lawful development certificate

Together with:

- Provisions within the Town and Country Planning Act, 1990.
- No comments received from Parish Council.

During questions to officers and debate, Members commented on the following:

- Whether the proposed works would enhance the building from its current condition.
- Clarification was sought around the 10-year rule in terms of enforcement.

The Planning Officer clarified for the period for it to become immune from enforcement action was 10 years. The works were carried out in terms of the subdivision and extensions (side and rear). Following Officer assessment, the subdivision was completed prior in excess of 10 years.

- A query was raised whether the cement mortar and replaced in any other areas of the site.

It was confirmed that where any cement mortar on the building has been removed, it had proposed to be replaced.

- One Member raised how the application site had not been brought to the Committee's attention previously and what had prompted the application to be brought to Committee.

The Planning Officer highlighted that the Officers had been made aware of the application and then invited Applicant's to put forward the application and demonstrate it to be lawful.

The Lawful Development Certificate would show that the application was not completed in excess of 10 years. If the application was not lawful, sufficient evidence would need to be provided.

- A query was raised on whether the Council owned the property.

It was clarified the property was Council-owned.

The Principal Development Management Planner highlighted that the Lawful Development Certificate dealt with the extensions and any development elements of the application. The Listed Building Consent dealt with the retrospective elements of the application and also works that were being proposed in terms of enhancing the building.

The Assistant Director of Planning and Growth further clarified that the Planning Authority were only aware of the application due to discussions around works to make improvements to the property. At this point, the Planning Authority became aware of previous alterations to the property.

### **Final decision**

It was proposed, seconded and **AGREED** to authorise the Assistant Director – Planning & Growth to **GRANT** the lawful development certificate.

### **83. Application S25/1881**

<b>Proposal:</b>	Various remedial works to restore the external facades and remove previous works that are not in-keeping with the building's heritage. Retrospective permission for internal works to divide the property into two dwellings, and for a small side extension as well as various rear extensions.
<b>Location:</b>	16 And 18 Market Place, Folkingham, NG34 0SFL
<b>Recommendation:</b>	To authorise the Assistant Director – Planning to GRANT listed building consent, subject to conditions.

Together with:

- Provisions within SKDC Local Plan 2011-2036 and National Planning Policy Framework (NPPF).
- No comments received from Folkingham Parish Council.
- No comments received from The Big Six Amenity Societies

### **Final decision**

It was proposed, seconded and **AGREED** to authorise the Assistant Director – Planning to **GRANT** listed building consent, subject to conditions:

### **Time Limit for Commencement**

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

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

### **Approved Plans**

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

- i. Location Plan [received 06 October 2025]
- ii. 12981-WMS-ZZ-ZZ-D-A-10201-S8-P01 – Proposed Works Building Plans [received 06 October 2025]]
- ii 12981-WMS-ZZ-ZZ-D-A-10601-S8-P01 – Proposed Works Building Elevations [received 06 October 2025]

Unless otherwise required by another condition of this permission.

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

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

3) Before any rendering hereby permitted is undertaken, specification of the render (including colour of any render, paintwork or colourwash) to be used in the construction of the external surfaces shall have been submitted to and approved in writing by the Local Planning Authority.

The works shall be carried out in accordance with the approved details.

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

4) Before the installation of any of the new external windows hereby consented, full details of all proposed joinery works for those windows, including 1:20 sample elevations and 1:1 joinery profiles, shall have been submitted to and approved in writing by the Local Planning Authority.

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

Reason: To ensure the satisfactory preservation of this listed building and in accordance with Policy EN6 of the adopted South Kesteven Local Plan.

5) Before the installation of any of the new external doors hereby consented, full details of all proposed joinery works for those doors, including 1:20 sample elevations and 1:1 joinery profiles, shall have been submitted to and approved in writing by the Local Planning Authority.

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

Reason: To ensure the satisfactory preservation of this listed building and in accordance with Policy EN6 of the adopted South Kesteven Local Plan.

6) Before any of the works on the external elevations for the building hereby permitted are begun, specification of the mortar to be used in the repointing of the external surfaces shall have been submitted to and approved in writing by the Local Planning Authority.

The works shall be undertaken using the approved details.

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

*(The Committee adjourned until 1pm).*

#### **84. Application S25/1799**

<b>Proposal:</b>	Section 73 application to vary Condition 13 (Off-site highways works) of planning permission S24/1297
<b>Location:</b>	Land to the north of Longcliffe Road, Grantham
<b>Recommendation:</b>	To authorise the Assistant Director – Planning & Growth to GRANT planning permission, subject to conditions

Noting comments in the public speaking session by:

For George Wilkinson (Planning Manager from  
Allison Homes)

Together with:

- Provisions within SKDC Local Plan 2011-2036, Design Guidelines Supplementary Planning Document and National Planning Policy Framework (NPPF).
- Comments received from Great Gonerby Parish Council.
- Comments received from Lincolnshire County Council (Highways & SuDS).
- No comments received from National Highways.

The following comments were made by the public speaker:

- The application was for a variation of condition 13.
- It was noted that traffic lights and signage had been agreed by Lincolnshire County Council (Highways).
- Anglian Water had delayed works that were due to commence on 2 February 2026, these had been pushed back to the end of May 2026.
- There had been no objections from Lincolnshire County Council (Highways) and a transport statement had been provided.
- It was highlighted that highway footpaths and drive had been completed.

During questions to the public speaker, Members commented on the following:

- A query was raised on whether 13 of the properties were occupied. The condition stated that no houses could be occupied until the junction works had taken place meaning the condition had been breached.

The Public Speaker clarified that prior to the S278 agreement being in place, informal discussions had taken place with the Council and Lincolnshire County Council before a formal application was submitted. The site currently had 10 occupations on site as of September 2025. Since further analysis of the S278 agreement, no further properties had been occupied.

- A query was raised on how many properties were complete and ready to sell.

It was confirmed that the site had 60 occupations and whilst the works are complete, there would be no breach of condition. By June 2026, the site would be around 50 occupations. The earliest that the properties could be occupied is mid-March 2026.

- Whether the properties were social or public housing.

During questions to officers and debate, Members commented on the following:

- One Member questioned whether any record of the discussions had been documented, as they could not be seen in the report.

The Principal Development Management Planner clarified that the Council, Lincolnshire County Council and Alison Homes were notified of the likely breach of condition. The critical point for the Planning Authority was to determine whether it was expedient to take action and the likelihood of harm arising.

An informal conversation took place with Lincolnshire County Council about whether 60 occupations would be harmful to the junction in terms of capacity. They had informally confirmed that capacity would not be an issue, subject to evidence through the modelling as part of the transport assessment.

The Development Management and Enforcement Manager noted the application was a form of enforcement action. An alternative approach may have been to not submit a retrospective application and for the Applicants to allow 60 occupations on the site. This was a voluntary application from the developer.

- Clarification was sought on how conditions can be enforced in future rather than being brought to Committee retrospectively.

Any occupation of the site as it stands would be a breach of condition. Notwithstanding that, discussions had taken place on whether occupations were to take place, what the potential impact of that would be. Comments provided to Committee were from the Local Highways Authority's assessment of the potential impact.

The Assistant Director of Planning and Growth outlined that rules are not always followed correctly in terms of breaches of conditions. The Council cannot stop an

Applicant breaking rules ahead of time, however, they can proactively enforce after the event of the breach.

- One Member queried who was responsible for the junction works being compliant.

It was confirmed Lincolnshire County Council (Highways) were responsible for the junction works and they were beginning on 2 February 2026.

- Whether a condition could be imposed to stop the occupancy going over 60 to provide reassurance to the Committee.

The wording of condition 14 states specifically no more than 60 dwellings shall be occupied.

- Clarification was sought on the original application that Lincolnshire County Council submitted and reasons for them requesting no occupations and what had changed since then.

The transport assessment was completed and the application originated to when the Longcliffe Road access was removed from the proposal. The scheme was assessed on the impact on the Belton Lane A607 junction based on 0 occupations, 180 occupations, 330 occupations and 440 occupations. The modelling at that point showed that at zero occupations, the junction would still operate within capacity, but at 180 occupation it would operate at over capacity.

Following this assessment, a condition was imposed that prior to any occupation, the junction works must be completed. Without the modelling, Lincolnshire County Council were unable to specify the exact number of occupations that would make the junction over capacity.

- The Committee as a whole were frustrated that the application was retrospective. The developer had breached a condition, and the Committee requested this be noted.

### **Final decision**

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

### **Approved Plans**

2. The development hereby permitted shall be carried out in accordance with the following plans and documents:
  1. Design Code and Masterplan (Allison Homes Limited) (Dated July 2018); and Any plans granted as part of the reserved matters permission(s) approved pursuant to planning permission S15/3189 or subsequent variations approved thereafter; and

For the avoidance of doubt, the development hereby permitted shall have vehicular access from Belton Lane and Rosedale Drive only.

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

### **During Building Works**

3. The development hereby permitted shall be carried out in accordance with the approved Arboricultural Method Statement, unless otherwise agreed in writing by the Local Planning Authority:
  1. Arboricultural Method Statement (Nicholsons) (Ref: 18-0635/Rev 4)
  2. Tree Protection Plan (Ref: 3764/35/180637/V4)

No works shall be permitted within the tree protection areas, including:

1. The removal of earth
2. The storage of materials
3. Any vehicular movements (including parking); and / or
4. The siting of any temporary buildings.

Reason: To prevent unnecessary damage to existing trees and in accordance with Policy EN2 (Protecting Biodiversity and Geodiversity) of the adopted South Kesteven Local Plan.

4. All construction works shall be completed in accordance with the approved Construction Management Plan (Ref: L052-CMP-PH1-01/Rev B) and Traffic Management Plan (Allison Homes) (received 01 August 2024) approved under application ref: S24/0977, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of safety and free passage of those using the highway; and to ensure that the permitted development does not give rise to any unacceptable adverse impacts on neighbouring residential amenities during the construction period in accordance with Policy EN4 (Pollution Control) of the adopted South Kesteven Local Plan.

5. The development hereby permitted shall be undertaken in accordance with the Phasing Parameters Plan (Ref: L171/Phasing/01/Rev A) and Phasing Plan and Timetable document (April 2024/V1), unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of ensuring the timely provision of each element of the approved development.

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

6. No dwellings shall be occupied until the drainage works have been implemented in accordance with the foul water drainage strategy approved under application ref: S24/0977, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the provision of satisfactory foul water drainage in accordance with Policy EN5 (Water Environment and Flood Risk Management) of the adopted South Kesteven Local Plan.

7. No building hereby permitted shall be occupied until the sustainable drainage system of the site has been completed in accordance with the details approved under application ref: S24/0977, unless otherwise agreed in writing by the Local Planning Authority.

Thereafter, the sustainable drainage scheme shall be managed and maintained in accordance with the approved management and maintenance plan.

Reason: To ensure the provision of satisfactory surface water drainage in accordance with Policy EN5 (Water Environment and Flood Risk Management) of the adopted South Kesteven Local Plan.

8. No part of the non-residential elements (school, commercial and neighbourhood centre) of the approved development shall be occupied until Travel Plan(s) have been submitted to, and approved in writing by the Local Planning Authority. These Travel Plan(s) shall only relate to non-residential buildings, including the school, commercial buildings and neighbourhood centre.

Thereafter, an annual staff survey shall be submitted to the Local Planning Authority that will provide details of the implementation of the Travel Plan for a period of 10 years following the completion and first occupation of the building(s) to which they relate. The occupier shall ensure that travel arrangements are fulfilled in accordance with the Travel Plan(s), unless the Local Planning Authority provides written approval to any variation to the submitted details.

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

9. No building or part of the site shall be occupied or otherwise brought into use until the means of access thereto has been constructed to at least base course level in accordance with the details approved under application ref: S24/0977, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of safety and to avoid the creation of pedestrian trip hazards and vehicular hazards that may arise due to an extended period of dissimilar construction levels.

10. No building, other than those within Phase 1A, shall be occupied until a scheme for the provision of fire hydrants to serve that phase of the development – in which the subject building is located – has been submitted to and approved in writing by the Local Planning Authority.

Thereafter, the fire hydrant(s) serving each phase of the development shall be installed and retained as approved.

Reason: In the interests of the safety of the occupiers / users of the permitted development.

11. Before each building within Phase 1A of the development hereby permitted is occupied, the fire hydrant(s) serving that dwelling shall be installed in accordance with the details approved under planning application ref: S25/0813, and shall be retained for the lifetime of the development.

Reason: In the interests of the safety of the occupiers / users of the permitted development.

12. No dwelling(s) within the approved development shall be occupied until any bus stop(s) within that phase have been provided. The bus stop(s) shall comprise raised kerbs, bus stop poles with timetable casings / flags and dropped crossing points with tactile paving.

Thereafter, the bus stop(s) shall be retained in perpetuity.

Reason: In order that the permitted development conforms to the requirements of the National Planning Policy Framework by ensuring that access to the site is sustainable and that there is reduced dependency on the private car for journeys to and from the site; and to ensure the necessary active travel modes are implemented in a timely manner.

13. No more than 50 dwellings hereby permitted shall be occupied until the bus stop improvements have been completed in accordance with the details approved under planning application ref: S25/0813.

Reason: In order that the permitted development conforms to the requirements of the National Planning Policy Framework by ensuring that access to the site is sustainable and that there is reduced dependency on the private car for journeys to and from the site; and to ensure that the necessary upgrades to the local highways network is implemented in a timely manner in order to mitigate the additional movements generated by this development.

14. No more than 60 dwellings hereby permitted shall be occupied before the works to improve the public highway be means of signalising the A607 / Belton Lane junction, as shown indicatively on drawing ref: 14227-WIE-ZZ-XX-DR-C-951255/Rev A02 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.

15. No part of the development hereby permitted shall be occupied before a safe and suitable pedestrian access is provided within the development and connected to existing pedestrian facilities on Rosedale Drive, and certified complete by the Local Planning Authority.

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

### **Ongoing Conditions**

16. The total number of dwellings to be constructed on the application site shall not exceed 480 in total.

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

17. No buildings within the development shall be constructed in the area above the 65 metre contour line, as shown on the Illustrative Masterplan (Ref: EMS.2490\_101G)/

Reason: Development above this line would give rise to unacceptable impacts on the landscape and to the setting of the nearby heritage assets; and to ensure compliance with Policy EN1 (Landscape Character) and Policy EN6 (The Historic Environment) of the adopted South Kesteven Local Plan.

18. Each dwelling within Phase 1A of the approved Phasing Plan (Ref: L171/Phasing/01/Rev A) shall not be occupied until the noise mitigation measures detailed in the Noise Impact Assessment (Ref: DC4717-NR1/V2) (as applicable) have been completed.

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

Reason: To mitigate any noise impacts to dwellings resulting from the neighbouring railway line and to comply with Policy EN4 (Pollution Control) of the adopted South Kesteven Local Plan.

19. The gross internal floor area of the retail use (for all uses falling within Use Class E(a) of the Town and Country Planning (Use Classes) Order 1987 (as amended), or any Order revoking or re-enacting that Order (with or without modification), within the proposed Neighbourhood Centre shall not exceed 630 square metres, and the largest of those units shall not exceed 390 sq. metres at any time.

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

20. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or any Order revoking or re-enacting any such Order with or without modification), the non-residential part of the proposed Neighbourhood Centre shall not be used for any purpose other than those falling within Class E (Part A, B, C, E and F only), Class F1 or Class F2 (Part A only), or as a public house, wine bar or drinking establishment, or drinking establishment with expanded food provision; or hot food takeaway; unless planning permission for a new use of the premises has been granted by the Local Planning Authority.

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

21. No more than 300 dwellings shall be occupied before the proposed Neighbourhood Centre is completed and available for occupation.

Reason: To ensure the timely implementation of local facilities to serve the residents of the proposed development.

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

Reason: To ensure the provision, establishment and maintenance of a reasonable standard of landscaping in accordance with the approved details; and in accordance with Policy DE1 (Promoting Good Quality Design) and Policy EN2 (Protecting Biodiversity and Geodiversity) of the adopted South Kesteven Local Plan.

23. Following first occupation of the final dwelling hereby permitted, the Landscape and Environmental Management Plan approved under application ref: S25/0813 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 DE1 of the adopted South Kesteven Local Plan.

## **85. Application S24/2214**

*(Councillor Vanessa Smith joined the meeting).*

<b>Proposal:</b>	Application for approval of reserved matters relating to layout, scale, appearance and landscaping for the erection of up to 50 dwellings pursuant to outline planning permission S20/0775
<b>Location:</b>	Land West of Main Road, Long Bennington
<b>Recommendation:</b>	To authorise the Assistant Director – Planning & Growth to GRANT reserved matters consent, subject to conditions

Noting comments in the public speaking session by:

Long Bennington Parish Council Applicant	Cllr John Leventhall Edward Langtry, Arkwood Developments Ltd (Lee Russell of Seagate Homes to answer questions)
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Together with:

- Provisions within SKDC Local Plan 2011-2036, National Planning Policy Framework (NPPF), Long Bennington Neighbourhood Plan and Design Guidelines for Rutland and South Kesteven.
- Comments received from Long Bennington Parish Council.
- Comments received from Local Highway Authority.
- Comments received from Fire and Rescue.
- Comments received from Anglian Water.
- Comments received from Environmental Protection.
- Comments received from Upper Witham IDB.
- Comments received from SKDC Affordable Housing.

The following comments were made by the public speakers:

- The Parish Councillor provided concerns from Long Bennington Parish Council around drainage. This had been recognised via local knowledge in the area.
- It was noted there was a sewerage connection upstream of the development and a connection further south of the site.
- It was stated there was periodic intervention from Anglian Water on capacity. It would be preferred if the site was connected further south of the site.
- Concern was raised on the 1.8m mesh boarded fencing which would not provide a barrier for privacy.
- The Applicant highlighted the site was secure for developing properties.
- The existing outline permission was approved for 30% affordable housing (2-5 bedrooms), 1/5 of the site being bungalows.

During questions to public speaker, Members commented on the following:

- Whether the Parish Councillor had any knowledge on how long concerns had been ongoing in relation to flooding.

The Parish Councillor clarified the sewerage would overflow a couple of times per year. Anglian Water were regularly called to unblock water treatments in the area.

- A Member of the Committee sought reassurance that the Applicant would look into drainage concerns. They also requested that the Applicant liaises with local residents on their concerns.

The Applicant highlighted a revised drainage strategy would be completed alongside a pre-application with Anglian Water on the connection.

- A query was raised on the hedgerow to the northern boundary of the site and the access to maintaining it.

In terms of boundary treatment, a 1.5m fence was proposed, however, privacy concerns raised would be taken into consideration. The hedgerow would still be maintained to facilitate birds, local ecology and habitation.

- Clarification was sought around who was responsible for the drainage.

Condition 9 of the outline planning permission did require specification and the ongoing maintenance of the drainage.

- One Member queried whether there were any pathways from the proposed properties to the children's play area.

The Applicant's confirmed footpaths and roads had been discussed with Highways. Crossing points had been advised but had not yet been confirmed. Shared surface roads would be around the family homes to access the play area.

During questions to officers and debate, Members commented on the following:

- Whether a surface water drainage system could be installed by the developer and the impact this could have on the edge of the site.

The Senior Planning Officer clarified it would be under control of the lead flood authority, the IDB or riparian owners of the dyke/drain. This was not within the remit of the planning process.

- Further clarification was sought on the height of the solid boundary treatment proposed.

It was clarified the 1.8m high solid boundary treatment would be appropriate for the site.

- One Member queried what the speed limit would be through the development.

The Committee were reminded that speed limit was not part of the Committee's remit, however, it was noted the roads within the development would likely be 30mph.

- It was queried whether matters concerning drainage would be brought back to the Committee.

The Committee or local Ward Members could call-in the application relating to drainage for consideration, if they felt necessary.

- Members were in favour of the site having the provision of bungalows.

The Senior Planning Officer confirmed there was a current live application (S25/0014) for the discharge of conditions. Boundary treatments would be included within this application.

### **Final decision**

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

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

- Location Plan Drawing No. 8002-L-01
- Planning Site Layout Drawing No. 20026-SGH-AR-PSL-001 Rev P08
- House Type B985 – Floor Plan and Elevations Rev B
- House Type B1023 – Floor Plans and Elevations Rev A
- House Type H5201 – Floor Plans Rev A
- House Type H5201 – Elevations Rev A
- House Type 4202 V2 – Plans and Elevations (Plots 30 and 45 only)
- House Type B810 – Floor Plans and Elevations
- House Type B987 – Floor Plans and Elevations
- House Type H2201 – Floor Plans and Elevations
- House Type H3201 – Floor Plans and Elevations
- House Type H3204 – Floor Plans and Elevations
- House Type H4201 - Floor Plans and Elevations
- House Type H4202 – Floor Plans and Elevations
- House Type H5201 – Elevations
- House Type H5201 – Floor Plans
- House Type H732 – Floor Plans and Elevations
- House Type H902 - Floor Plans and Elevations
- House Type S318 and S319 – Floor Plans and Elevations
- Double Garage Dwg No. 8002-DGAR-001
- Single Garage Dwg No. 8002-SGAR-001
- Pump Station Perimeter Wall Plan and Elevation

- Levels Plan 20026-SGH-AR-LPS-005 P04

2 Notwithstanding the submitted details, prior to any landscaping and planting being undertaken within the development precise details of the species, number, location and details of future maintenance of the planting shall be submitted to and approved in writing by the local planning authority.

Planting and maintenance shall be undertaken in accordance with the agreed details.

Reason: In the interests of visual amenity and to ensure a satisfactory form of development.

*(The Committee adjourned for a 10 minute break).*

## 86. Application S25/1656

**Proposal:** Planning application for a proposed change of use of a Residential Care Home (Use Class C2) to two 12-bedroom House of Multiple Occupancy (Use Class Sui Generis).

**Location:** Birchwood Nursing Home, 6 Dudley Road, Grantham, Lincolnshire NG31 9AA

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

Noting comments in the public speaking session by:

District Ward Councillor	Cllr Matt Bailey – statement to be read out
	Cllr Patsy Ellis
	Cllr Graham Jeal
Against	John Morgan (speaking as St Vincent Town Ward Councillor but not on behalf of the Town Council) Steven Preston Caryn Garner
Applicant	John Benson – statement to be read out

Together with:

- Provisions within SKDC Local Plan 2011 – 2036, National Planning Policy Framework (NPPF) and Lincolnshire County Council (Highways).
- Comments received from Grantham Town Council.
- Comments received from Lincolnshire County Council (Community Based Services).
- Comments received Lincolnshire Police (Designing Out Crime).
- Comments received from Grantham Town Councillor Tracey Forman.
- Comments received from SKDC Conservation Officer.
- No comments received from Environmental Protection.

- Comments received from Grantham Town Councillor John Morgan.
- Comments received from Grantham Town and District Ward Councillor Charmaine Morgan.

Councillor Sarah Trotter made the following statement:

*'As community champions, it is legitimate for members to campaign on local issues and advocate for their residents. This is support by section 25 of the Localism Act 2011, which provides that members should not be regarded as having a closed mind, simply because they, directly or indirectly previously indicated a position they may take in relation to a particular matter.'*

*'A Member is entitled to be predisposed on a matter before it comes to Committee, provided they remain open to considering all the arguments and changing their views in light of the information presented at the meeting. Whilst it is the case that the SKDC Conservative Group have actively advocated for greater statutory rigour around HMO's and a removal of associated permitted development rights. I personally consider that I have an open mind upon the application to be determined. I can openly consider all planning arguments and information presented upon this specific application before forming any firm view upon the decision to approve or refuse the application.'*

(Councillor Helen Crawford and Gloria Johnson concurred with the statement made and remained open minded).

(Councillor Max Sawyer declared he knew a public speaker; however, he remained open minded on the application).

(Councillor Patsy Ellis did not sit on the Committee for this application, as she had registered to speak as Ward Councillor).

The following comments were made by the public speakers:

- Excessive density contrary to Policy DE1.
- Harm to Conservation Area through subdivision of heritage bay windows contrary to Policy EN6.
- Adverse impact on neighbouring amenity contrary to Policy DE1 through waste management and noise.
- Failure to demonstrate alternative uses explored as required by Policy SP6.
- Nearby residents had sent 56 objection letters. This application would adversely impact residents of Dudley Road.
- Concern was raised on cumulative impact of HMO's in Grantham's town centre.
- The lack of a parking survey on vehicle ownership and parking was raised. It was noted there was no cycling infrastructure in Grantham.
- A waste and site management plan was suggested.

- Concern was raised on anti-social behaviour and possible increase of crime alongside the lack of policing.
- That previous CQC reports had shown no more than 16 people resided in the property, when it was a care facility.
- The bin storage at the property was a great concern for the neighbour, alongside privacy concerns.
- Concern was raised on the number of bathrooms and kitchens not meeting the specified requirements.
- The lack of laundry provision was raised.

During questions to public speakers, Members commented on the following:

- Whether residents had stated that the future 24 occupants of the HMO were unlikely to own cars.

Residents had highlighted that the future occupants of the HMO would likely own a vehicle.

- Whether residents had confidence in parking data that had used people with 0 cars and 1 car only alongside a waste collection site that did not currently exist on the site.

Residents had highlighted that they were not confident with the parking data or waste collection route provided.

- It was noted that the Committee attended a site visit at 11:30am, where the traffic was busy. It was queried whether this was the 'norm' for this area at that time of day.

The District Ward Councillor confirmed that was the 'norm'. It was highlighted that 5 schools were within close proximity to the site. He felt it was the wrong application in the wrong location.

*(The Committee declared they knew Charmaine and John Morgan, however, remained open minded).*

- Clarification was sought around the photos shown, where the neighbour would overlook the bin storage. It was queried how far away the bins were from the neighbouring property.

The Public Speaker confirmed the bin storage was within close proximity to the neighbours' hallway/lounge windows. It was approximately 3 metres away.

- A query was raised on where the previous care home stored their bins.

The Public Speaker clarified the care home had previously stored bins on the rear side of the building which was not in view.

A statement was read out on behalf of the Applicant which outlined the following:

- The Conservation Officer had not raised any concerns on the proposal and minimal changes to the exterior of the building would have no detrimental impact.
- That the building would not be extended to facilitate the end use.
- It was unlikely that the differences in the number of visitors and deliveries would be significantly different to the previous use.
- Lincolnshire County Council Highways had no objections to the proposal.
- Extensive cycle parking provides 24 secure spaces along with 8 car parking spaces on site.
- Car ownership in the area is low which was evidenced in Census data.
- That prospective residents should be treated differently than other residential occupiers.
- That the property will be well managed and occupied by tenants who are fully respectful.

During questions to officers and debate, Members commented on the following:

- One Member queried whether Lincs Fire and Rescue had submitted any comments on the application around the safety of residents.

The Principal Development Management Planner informed the Committee that fire and rescue safety were matters for building regulations.

- It was noted key issues around parking and bin management had to be an assumption. Members were disappointed that they were unable to ask robust questions of the Applicant.

It was confirmed that Highways had assessed parking provision and had not objected to the application.

- One Member queried whether cumulative impact was a matter for planning or licensing.

The Principal Development Management Planner highlighted that the type of cumulative impact would need to be assessed on harm. Clarification was sought on whether the cumulative impact was in terms of amenity or parking. The number of HMO's within the area was not a planning consideration for cumulative impact.

- Clarification was sought on whether any grass or mature hedging was being removed.

There were limited changes to the external appearance of the building. The application proposed to remove a small section of mature hedge from the pillar to halfway across the window, which would then be split and hard standing would replace a section of grass to accommodate parking.

- Whether the Committee could share their concerns on parking of 4 or more cars being unacceptable for the site. It was queried whether the Committee could change the perspective from Highways.

Parking was a relevant planning consideration. Highways had the responsibility to assess the likely requirements that sort of development would have in terms of movements and demand and base their assessment on whether the site could accommodate that or not, alongside whether it would have an impact on the local highways network. Highways had assessed the application as a town centre location, and they felt there was sufficient opportunity for parking.

- Clarification was sought around heritage and the division of the bay windows and whether this was a planning consideration.

The Principal Development Management Planner confirmed the bay windows were operational development and a relevant planning consideration. It was noted the Conservation Officer had not raised any concerns.

- A query was raised on whether a parking stress survey had been undertaken.

A parking stress survey had not been completed, and the Highways authority had made their assessment and were satisfied there were no unacceptable impact in parking zones.

- Clarification was sought on whether the HMO would act as one 24 occupancy HMO or two 12 occupancy HMOs.

Conditions had outlined the two properties could occupy up to 12 people in each building. The internal standards, internal space and level of occupancy that was acceptable from an HMO licensing point of view was a separate process.

The Development Management and Enforcement Manager informed the Committee that the intensity of the development and the harm from that was relevant to debate.

- One Member suggested the following policies to debate: EN1 - landscape and character, DE1 – loss of amenity, increased noise/disturbance, EN4 – mitigating pollution and protecting amenity.

It was clarified that policy EN1 primarily related to landscape character. Policy DE1 seemed more relevant in terms of the concerns around the impact of street scene. Other concerns highlighted would come under the remit of an alternative regime.

- Clarification was sought around the report which stated, 'suitable as a residential use, particularly taking into account the previous use of the site as a care home'. It was noted that the operation of a HMO compared to a care home was completely different.

- Further clarification was sought around the note on scheme of crime prevention measures having to be submitted and approved in writing by the local planning authority prior to occupation. This implied an increase of crime was expected from the application.

A note had been received from the Crime Prevention Officer, which related to the internal requirements for the property e.g. locks inside the rooms.

- Further concern was raised on the over occupancy of the site and waste management.
- Another concern was raised on the impact of parking provision on the area.

One Member proposed a deferral of the application due to the Committee not having the robust site-specific evidence to determine the application. A deferral would allow the Applicant to provide the necessary information and clarification. A site-specific parking and car ownership assessment, clarification and correction of the design and access statement, a clear waste and servicing strategy and a re-consideration whether 24 occupants was appropriate for this site.

The Principal Development Management Planner informed the Committee that the appropriate route for the Committee to take would be to refuse the application on the basis of insufficient information rather than defer the application. If the application be deferred on a specific point, the Committee would be making it clear that they accept the application in all other aspects, if the specific point be addressed.

This proposal was withdrawn.

One Member proposed to refuse the application for the following reasons:

- The proposed use for two 12-bedroom HMOs was an over intensification and harm to residential amenity (contrary to DE1 and NPPF).
- Inadequate living conditions for future occupiers, internal layout, communal space, constrained bathroom provision and restricted external amenity space (contrary to DE1 and NPPF).
- Harm to the character and appearance of the Conservation Area, including bin storage and parking (contrary to EN6 and NPPF).
- Cumulative impact of HMOs. The proposal would contribute to an over concentration of HMOs within the surrounding area exacerbating existing social and environmental pressures and undermine the balance and mix of housing (contrary to policies H4 and DE1).
- Insufficient and inconsistent information where the application contains conflicting and incomplete information regarding waste storage, management arrangements, internal facilities and parking (contrary to DE1 and NPPF).

The Development Management and Enforcement Manager provided advice to the Committee that the intensity of use and associated harm on the character and appearance of the area (DE1 and S12 of NPPF) had merit in terms of refusal.

Insufficient information around parking and waste management could also be considered in terms of refusal for the impact.

- Clarification was sought from the Legal Advisor. It was noted that 'a deferral does not imply acceptance of any other issues, all matters remain live' (Section 38.6 Planning and Compulsory Purchase Act).

The Legal Advisor clarified that deferring for further information at this meeting and then returning to the next meeting to reconsider the application and refusing it for a different reason (not the issues previously deferred on). It could be considered as unreasonable behaviour by the Applicant and potentially an Inspector, as it was not best practice.

One Member felt they were unable to make a decision on accepting or declining the application due to lack of evidence.

Some Members of the Committee had raised concern on the operation of the development affecting character and appearance of the property (internal subdivisions).

It was proposed, seconded and **AGREED** to extend the meeting until 5pm.

The previous proposal was withdrawn.

- One Member raised concern on risks to the Council if the application is deferred, the developer go to appeal and wins against deferring and requesting further information and make an assessment on all information.

The Principal Development Management Planner confirmed the likelihood is that it would end up at appeal in both situations. Either the application is refused and the Applicant appeals against the reasons given or the Applicant appeals against non-determination. The risk is normally a lot higher for non-determination applications as the Local Planning Authority would have failed to make a decision.

### **Final decision**

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

*'The proposed change of use to 2(no) houses of multiple occupation, each with up to 12 occupants, would require operational development in the form of subdivision of an existing window, removal of boundary treatments, increased hardstanding and additional bin storage and cycle storage, which would cumulatively result in harm to the character and appearance of the area contrary to Policy DE1 of the adopted Local Plan. The material considerations in this case, including the public benefits associated with the provision of 2 residential units, which is identified as a*

*significant benefit, would not outweigh the identified harms as similar benefits could be derived from a less intensive residential use.'*

*'There is insufficient information on which to assess the potential parking and waste storage required to support the development, such that the local planning authority cannot be satisfied that the proposed development would not result in an increase level of on-street parking, or would result in an unacceptable impact on the character of the area, contrary to Policy DE1 of the adopted Local Plan.'*

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

There were none.

**88. Close of meeting**

The Chairman closed the meeting at 16:38.