

# Meeting of the Planning Committee

Friday, 19 January 2024, 10.00 am



SOUTH  
KESTEVEN  
DISTRICT  
COUNCIL

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## Committee Members present

Councillor David Bellamy (Chairman)  
Councillor Charmaine Morgan (Vice-Chairman)  
Councillor Harrish Bisnauthsing  
Councillor Pam Byrd  
Councillor Paul Fellows  
Councillor Phil Gadd  
Councillor Tim Harrison  
Councillor Penny Milnes  
Councillor Paul Wood  
Councillor Helen Crawford  
Councillor Sarah Trotter

## Other Members present

Councillor Richard Dixon-Warren

## Officers

Emma Whittaker (Assistant Director of Planning)  
Phil Jordan (Development Management & Enforcement Manager)  
Adam Murray (Principal Development Management Planner)  
Hannah Noutch (Planning Officer)  
Letitia Barrowcliff (Assistant Planning Officer)  
Arevik Jackson (Legal Advisor)  
Lucy Bonshor (Democratic Officer)

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

Apologies for absence were received from Councillor Gloria Johnson, Councillor Vanessa Smith and Councillor Ian Stokes.

Councillor Gloria Johnson was substituted by Councillor Helen Crawford.

The South Kesteven Coalition vacancy was taken by Councillor Sarah Trotter.

### 85. Disclosure of interests

Councillor Helen Crawford disclosed that she visited a resident of the care home which was the subject of application S22/1853.

Councillor Sarah Trotter stated that she would be reading a statement on behalf of a resident in her capacity as the Ward Councillor in respect of application S23/1255 and took no part in the debate or decision making in respect of this application.

Councillor Sarah Trotter also advised the Committee that she had gone to college with the neighbour who lived next door to the Care Home which was the subject of application S22/1853.

The Assistant Director of Planning reminded Members that they needed to have a clear mind in respect of the applications before them and that any decision made should be impartial with no apparent bias or pre-determination.

#### **86. Minutes of the Additional meeting held on 22 November 2023**

The minutes of the meeting held on 22 November 2024 were proposed, seconded and **AGREED** as a correct record.

#### **87. Minutes of the meeting held on 7 December 2023**

The minutes of the meeting held on 7 December 2023 were proposed, seconded and **AGREED** as a correct record.

#### **88. Application S23/1959**

<b>Proposal:</b>	Erection of a Waste Depot (Use Class B2) with ancillary office space and storage, and associated service yard and parking area.
<b>Location:</b>	Turnpike Close, Grantham, NG31 7XU
<b>Recommendation:</b>	To authorise the Assistant Director – Planning to GRANT planning permission, subject to National Highways removing their holding response to the application and not raising any new material objections AND subject to the conditions listed in the report and any additional conditions as a result of National Highways' final comments.

Noting the following comments:

- No objection from Anglian Water subject to conditions.
- No objection from Cadent Gas
- No objection from the Environment Agency subject to conditions.
- No comments from Heritage Lincolnshire.
- No objection from Lincolnshire County Council (Highways & SuDs) subject to conditions.
- No comments from Lincolnshire Wildlife Trust.
- No objection from the Ministry of Defence.

- Notification from National Highways following their holding position that they were comfortable with the conditions in relation to the foundations and the boundary treatments on the western side.
- No objection from SKDC Environmental Protection subject to conditions.

During questions to Officers and debate, Members commented on:

- The recent flooding and the flood risk for the site.
- The flood maps used had been collated by the Environment Agency and were up to date. The flood risk had been modelled on surface water flooding.
- Land contamination.
- A desktop assessment had been carried out following the ground investigation appraisal carried out in April 2021. The Environment Agency required conditions in relation to further detailed investigations.
- A question was asked about the recycling of water in respect of vehicle washing on site.
- This was a design decision and not part of the application before the Committee.
- A comment was made about the inclusion of solar panels and Members were referred to paragraph 6.11.2 of the report.
- Further comments were made in respect of the foul water drainage and capacity at Marston treatment works. It was stated that it was for Anglian Water to make the necessary sufficient provisions, although concern was expressed where water authorities hadn't carried out their duty, it was stated that this was not within the remit of the Planning Committee and conditions had been requested by Anglian Water who had not objected to the application.
- A comment was made about odour on the site which had been raised by residents and it was stated that waste materials would not be stored on site and an odour management plan would be put in place.
- A comment was made in respect of the holding response from National Highways and any conditions which they may put forward. It was stated that if the updated comments from the National Highways resulted in a material change to the application, or raised objections, the application would return to Committee.

It was felt that a new site facility was needed and it was proposed, seconded and unanimously **AGREED** to authorise the Assistant Director – Planning to **GRANT** planning permission, subject to National Highways removing their holding response to the application and not raising any new material objections AND subject to the conditions listed in the report and any additional conditions as a result of National Highways' final comments.

## **Time Limit for Commencement**

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

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

## **Approved Plans**

- 2) The development hereby permitted shall be carried out in accordance with the following list of approved plans:
  - a) Proposed Site Plan (Ref: 8765-NDA-ST-XX-DR-A-1001/P1)
  - b) Proposed External Elevations (Ref: 8765-NDA-MB-XX-DR-A-5501/P1)
  - c) Proposed Main Building Roof Plan (Ref: 8765-NDA-MB-02-DR-A-4601/P1)
  - d) Proposed Main Building – Floor Plan (Ref: 8765-NDA-MB-XX-DR-A-4501/P1)
  - e) Proposed Store Floor Plan (Ref: 8765-NDA-SB-XX-DR-A-4501/P1)
  - f) Proposed Store Elevations (Ref: 8765-NDA-SB-XX-DR-A-5501/P1)
  - g) Proposed Store Roof Plan (Ref: 8765-NDA-SB-XX-DR-A-4505/P1)
  - h) Proposed External Lighting Layout (Ref: 220833-CPW-ZZ-ZZ-DR-E\_307001/S3/P01)
  - i) Proposed Drainage Layout (Ref: 8765-NDA-XX-XX-DR-C-1201/P1)
  - j) Proposed Section 278 General Arrangement (Ref: 8765-NDA-ZZ-ZZ-DR-C-1101/P1)
  - k) Proposed Section 278 Site Clearance (Ref: 8765-NDA-ZZ-ZZ-DR-C-1102/P1)
  - l) Proposed Section 278 Construction Layout (Ref: 8765-NDA-XX-DR-C-1103/P1)
  - m) Proposed Planting Plan (Ref: P/1867/23/02/Rev A)
  - n) Proposed Landscape Layout (Ref: P/1867/23/01/Rev A)

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**

### Construction Management Plan

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

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

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

### Drainage Strategy

- 4) Before the development hereby permitted is commenced, a scheme for the treatment of surface water drainage shall have been submitted to and approved in writing by the Local Planning Authority. The scheme shall be based on the submitted Proposed Drainage Layout (Ref: 8765-NDA-XX-XX-DR-C-1201/P1) and the details must:
- a. Be based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development.
  - b. Provide flood exceedance routing for storm events greater than the 1 in 100 year event.
  - c. Provide details of how run-off will be safely conveyed and attenuated during storms up to and including the 1 in 100 year

critical storm event, with an allowance for climate change, from all hard surfaced areas within the development into the existing local drainage infrastructure and watercourse system without exceeding the runoff rate for the undeveloped site.

- d. Provide attenuation details and discharge rates which shall be agreed in writing with Anglian Water
- e. Provide details of the timetable for and any phasing of implementation for the drainage scheme; and
- f. Provide details of how the scheme shall be maintained and managed over the lifetime of the development, including any arrangements for adoption by any public body or Statutory Undertaker and any other arrangements required to secure the operation of the drainage system throughout its lifetime.

Thereafter, no 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 the permitted development is adequately drained without creating or increasing flood risk to land or property adjacent to, or downstream of, or upstream of, the permitted development.

### Ground Conditions

- 5) No works pursuant to this permission shall commence, unless otherwise agreed in writing by the Local Planning Authority, until there have been submitted to and approved in writing:
  - a. A desk top study documenting all the previous and existing land uses of the site and the adjacent land (Phase 1);

Should the Phase 1 Study identify potentially contaminative land uses, the Applicant shall proceed to a Phase 2 site investigation detailed below:

- b. A site investigation report assessing the ground conditions of the site and incorporating chemical and gas analysis identified as appropriate by the desk top study; and if required
- c. A detailed scheme for remedial works (should such works be required) and measures to be undertaken to avoid risk from contaminants and / or gases when the site is development 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 users of the development; and in accordance with Local Plan Policy EN4 (Pollution Control) and national guidance contained in the NPPF.

### Underground Tanks

- 6) The development hereby permitted may not commence until such time as a scheme to install underground tanks has been submitted to, and approved in writing by, the Local Planning Authority.

The scheme shall include the full structural details of the installation, including details of: excavation, the tanks, tank surround, associated pipework and monitoring systems.

The scheme shall be fully implemented and subsequently maintained in accordance with the scheme, or any changes subsequently agreed, in writing by the Local Planning Authority.

Reason: To ensure that the underground storage tanks do not harm the water environment in line with Paragraph 174 of the National Planning Policy Framework.

### **During Building Works**

#### Construction Hours

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

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

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

#### Delivery Hours

- 8) Deliveries of construction materials shall only take place between the hours of 0800 to 1700 Monday to Friday, and 0800 to 1700 on

Saturdays. No deliveries shall take place on a Sunday or Public Holiday.

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

### Ecological Mitigation

- 9) All works on site, including construction works, shall be carried out in accordance with the recommendations contained within the Preliminary Ecological Appraisal (Ecology Link) (July 2021), including the installation of bat and bird roosting boxes.

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

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

### Previously Unidentified Contamination

- 10) Should the developer, during excavation and construction works of the approved development site, find any area where it is suspected that the land is contaminated, then all works must stop and the Local Planning Authority notified immediately. An investigation and risk assessment must be undertaken and, where remediation is necessary, a remediation scheme must be prepared in accordance with current good practice and legislation, and submitted to and approved in writing by the Local Planning Authority. Thereafter, the approved remediation scheme shall be implemented in accordance with the approved details. Following the completion of measures identified in the approved remediation scheme, a verification report must be prepared, which is subject to the approval in writing by the Local Planning Authority prior to the first occupation of the dwellings hereby permitted.

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

## **Before the Development is Occupied**

### Materials Implementation

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

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

### Hard Landscaping Implementation

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

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

### Contamination Verification

- 13) The development hereby permitted shall not be occupied or brought into use until a verification report has been submitted to and approved in writing by the Local Planning Authority. The report shall have been submitted by the agreed competent person and identify that the approved remedial works have been implemented. The report shall include, unless otherwise agreed in writing:

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

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

Reason: Previous activities associated with this site may have caused, or had the potential to cause, land contamination and to ensure that the proposed site investigations and remediation will not cause pollution in

the interests of future residents and users of the development, and in accordance with Policy EN4 of the adopted South Kesteven Local Plan and national guidance contained in the National Planning Policy Framework.

#### Acoustic Mitigation

- 14) The development hereby permitted shall not be occupied or brought into use until a 3m high acoustic barrier is installed to the north of the service yard to reduce noise levels to acceptable levels. The proposed barrier should extend from ground level to at least the specified height, sealed at the base, be solid i.e., imperforate and have a minimum superficial mass of 15kg/m<sup>2</sup>. Any penetrations or junctions should be treated to maintain acoustic integrity.

Reason: In order to protect the amenity of nearby noise sensitive receptors in accordance with Policy EN4 (Pollution Control) of the adopted South Kesteven Local Plan.

#### Off-Site Highways Improvements

- 15) No part of the development hereby permitted shall be occupied / brought into use until a new footway and tactile crossing points are installed at the existing and newly created accesses on Turnpike Close, and the relocation of a gully pot, and surplus hardstanding has been returned to grass in the extent of the highway, have been certified as complete by the Local Planning Authority.

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

#### Sustainable Building Implementation

- 16) Before any part of the development hereby permitted is first brought into use, the approved sustainable building measures set out in the Design and Access Statement (Norder) (Ref: 8765-NDA-ZZ-XX-RP-A-8302/P2) and the provision of the EV charging stations indicated on the approved Site Layout, shall be completed in full.

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

## Ongoing

### Soft Landscaping Implementation

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

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

### Soft Landscaping Protection

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

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

### Noise Levels

- 19) Noise from operations conducted on the premises shall not exceed 55dB LAeq 1 hour, as measured at the northern boundary of the application site, between the hours of 0700 to 1900 on Monday to Friday and 0700 to 1200 on Saturdays.

Reason: To protect the amenity of nearby noise sensitive receptors.

### Hours of Operation

- 20) The proposed Waste Depot (Use Class B2) with ancillary office space and storage, and associated service yard and parking area shall not be open for use outside the following hours:

0700 to 1800 Monday to Friday.

Reason: To define the extent of the permission and in the interests of amenity.

### Lighting Hours

- 21) The external lighting hereby permitted, as shown on the approved Proposed External Lighting Layout (Ref: 220833-CPW-ZZ-ZZ-DR-E\_307001/S3/P01) shall not be operational outside of the following hours:  
0630 to 1830 Monday to Friday

Reason: To define the extent of the permission and in the interests of neighbouring amenity.

### Standard Note(s) to Applicant

- 1) In reaching the decision, the Council has worked with the applicant in a positive and proactive manner by determining the application without undue delay. As such it is considered that the decision is in accordance with Paragraph 38 of the National Planning Policy Framework (September 2021).
- 2) Anglian Water has assets close to or crossing this site or there are assets subject to an adoption agreement. Therefore, the site layout should take this into account and accommodate those assets with either prospectively adoptable highways or public open space. If this is not practicable then the sewers will need to be diverted at the developers cost under Section 185 of the Water Industry Act 1991, or in the case of apparatus under an adoption agreement, liaise with the owners of the apparatus. It should be noted that the diversion works should normally be completed before the development can commence.
- 3) 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.
- 4) No building will be permitted within the statutory easement width of 3m from the pipeline without agreement from Anglian Water.
- 5) 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.

- 6) The submitted proposals require the public highway to be stopped up that is located within the red line site boundary. This should be progressed via Section 247 of the Town and Country Planning Act 1990.
- 7) The permitted development requires the formation of a new / amended vehicular access. These works will require approval from the Highway Authority in accordance with Section 184 of the Highways Act. Any traffic management required to undertake works within the highway will be subject to agreement. The access must be constructed in accordance with a current specification issued by the Highways Authority. Any requirement to relocate existing apparatus, underground services or street furniture because of the installation of an access will be the responsibility and cost of the applicant, and must be agreed prior to a vehicle access application. The application form, costs and guidance can be found on the highways authority's website.

## 89. Application S23/1934

<b>Proposal:</b>	Installation of solar farm comprising ground mounted solar photovoltaic panels, including mounting system, inverters, underground cabling, stock proof fencing, CCTV, internal access tracks, electrical substation and associated infrastructure for a temporary period of 40 years (Revised submission of S23/0689)
<b>Location:</b>	Land off Green Lane, Gonerby Moor, NG32 2AD
<b>Recommendation:</b>	To authorise the Assistant Director – Planning to GRANT planning permission, subject to conditions.

Noting comments in the public speaking session by:

Applicant: Katy McGuinness (Head of Environmental Planning) Lightsource bp  
Harry Gilham Lightsource bp to answer technical questions

Together with:

- Provisions within South Kesteven Local Plan 2011-2036 (Adopted January 2020)
- Design Guidelines for Rutland and South Kesteven Supplementary Planning Document (Adopted November 2021)

- Provisions within the National Planning Policy Framework (NPPF) (Published December 2023)
- The National Policy Statement for Energy (EN1) (Published November 2023)
- The National Statement for Renewable Energy (EN3) (Published November 2023)
- No comments from the Association of Gardens Trust
- No comments from the Environment Agency
- No comments from Foston Parish Council
- No comments from Great Gonerby Parish Council
- No objections from Heritage Lincolnshire subject to conditions

During questions to the Public Speakers Members commented on:

- What negotiations had been carried out with Parish Councils and their feedback.
- The applicants had met with Marston Parish and feedback from the community and the Parish included returning the fields that had been allocated as wild flower meadows back to agricultural use and also vehicle traffic and the access to the site coming from the north and surfacing Green Lane.
- The level of support and number of responses received in respect of the questionnaire undertaken by the applicant.
- Recognition by the applicants about the loss of agricultural land.
- Concern about the refurbishment of the Green Lane carriageway – this was not something that could have conditions attached as there were separate powers under the Highways Act.
- Where the solar panels and equipment were sourced – 90% of solar panels were manufactured in China. Members were advised that this was not a material planning consideration.
- Current solar panel life was between 30-40 years and 99% of the materials used would be recycled and reused once the project was decommissioned.
- Concern in respect of the location of fields that were being retained for agriculture use and the categories used to define the agriculture land.
- Land that was defined as 3a was being retained for agriculture use.
- No comments had been received from the Country Park situated near to the proposal.
- How the solar panels would be erected – the panels would be affixed to frames that were piled into the ground at 1metre depths with minimal impact. Concrete bases would only be used to stabilise structures on the top of the ground.
- Concern over the run off from the panels and the possible corrosive impact on the surrounding ground – drainage swales would be introduced where any run-off issues became apparent.
- A comment was made that one of the questions within the surveys should include whether green countryside or farm land should be

retained rather than solar panels and this was acknowledged by the applicants.

- Also, the £30,000 given to Marston Parish Council was this part of the process – the Assistant Director of Planning stated that this was something that was carried out within the industry and was not part of the planning process.
- A question was asked in respect of the higher grade land and whether if this degraded over time, the project could be expanded. It was noted that conditions were attached to the proposal and any expansion would be a separate scheme.

During questions to Officers and debate, Members comments on:

- It was noted that the reasons for the refusal of the scheme the last time it had been before Committee had been mitigated to a certain extent.

The Planning Officer reminded Members that it was a matter of planning balance. The land that was best and most versatile which had been removed from the original scheme had been retained. The second and third issues related to the impact on the area and public rights of ways. Although measures had been put in place to mitigate and soften the impact, the assessment was that there was still a degree of harm and a planning balance had to be undertaken. It was noted that with renewable energy schemes there would be a level of impact on the character of the land due to the scale of the schemes. It was also noted that if an appeal was made, Planning Inspectors were finding in favour of the schemes due to the public benefit over the landscaped and visual impact. Although two of the issues were still there and although mitigation factors had been put in place, on balance the changes to the proposal tipped the balance in its favour.

- Comments were made on the cumulative impact of solar farm applications within a specific area.
- The importance of grade 3b land for the production of animal feed and cereal.
- Reference was made to the additional papers received and the concerns still in place regarding the visual impacts.

The Assistant Director of Planning reminded Members of their planning training and that planning decisions were a matter of balance. Applications were to be determined in accordance with the Development Plan unless there were material considerations which meant a decision was determined otherwise. Decisions were also to be made on sustainable proposals without any delay. It was noted that with any proposal such as the one before Members there would be harm in respect of the landscape. It was for Members to balance that harm. Officers could recommend the approval of an application even though there was harm to the landscape as they had to balance that acceptable harm against the benefits of the development.

- Further comments on the visual impact that the proposal would have on the area and also the loss of the agricultural land.

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

Councillor Tim Harrison and Councillor Charmaine Morgan asked for their votes against the proposal be recorded.

### **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 first export of electricity from the solar farm to the electricity grid network; excluding electricity exported during initial testing and commissioning.

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

- a. The extent of equipment and foundation removal, and the site restoration to be carried out.
- b. The management and timing of any works
- c. A Traffic Management Plan to address the likely traffic impacts arising during the decommissioning period.
- d. An Environmental Management Plan to include details of measures to be taken during the decommissioning period to protect wildlife, habitat features and trees on the site.
- e. The location of any temporary compound and parking areas.

- f. Full details of the removal of the solar arrays, associated buildings and plant, any access tracks and sub-surface cabling and all associated works of ground restoration, including trench backfilling.
- g. Full details of all other works to the land to allow for renewed agricultural production following the removal of structures from the site.
- h. A programme of implementation.

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

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

### **Approved Plans**

- 3) The development hereby permitted shall be carried out in accordance with the following list of approved plans:
  - a. Preliminary Design Layout (Ref: LP2-PDL/11)
  - b. Proposed Access Track Cross Section (Ref: UK-EPD-RCS)
  - c. Proposed Auxiliary Transformer Plans (Ref: UK-EPD-AUX+300)
  - d. Proposed CCTV Plans (Ref: UK-EPD-CAM)
  - e. Proposed Customer Substation Plan (Ref: UK-EPD-CSS)
  - f. Proposed Fence Elevation (Ref: UK\_EPD\_FNC)
  - g. Proposed Gate Elevation (Ref: UK\_EPD\_GTD)
  - h. Proposed Inverter Plan (Ref: UK\_EFD\_INV)
  - i. Proposed Monitoring / Communication Building (Ref: UK\_EFD\_MH/CB)
  - j. Proposed Solar Panel Elevation (Ref: PNL\_2P\_25/6854)
  - k. Proposed Storage Container (Ref: UK\_EFD\_S40)
  - l. Proposed Substation (Ref: UK\_EFD\_SWG)
  - m. Proposed Toilet (Ref: UK\_EFD\_TLT)
  - n. Proposed Transformer (Ref: UK\_EFD\_TRM)
  - o. Detailed Soft Landscaping Plan (Ref: P22\_1169\_EN\_00\_16)  
(Dated 3 January 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 Commenced**

### Archaeological Investigation

- 4) 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 also have been completed in accordance with the approved Written Scheme of Investigation prior to the commencement of development.

Reason: In order to provide a reasonable opportunity to record the history of the site and in accordance with Policy EN6 (The Historic Environment) of the adopted South Kesteven Local Plan 2011-2036.

### Tree Protection

- 5) No works pursuant to this permission shall commence until the Tree Protection Measures indicated on the Tree Retention and Removal Plan (Ref: BHA\_5082\_02) (Barton Hyett Associates) have been implemented in full. Thereafter, the development must be carried out in accordance with the approved details and the approved measures shall be retained until all construction activities have been completed.

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

### Landscape and Ecological Management Plan

- 6) Before the development hereby permitted is commenced, a Landscape and Ecological Management Plan (LEMP) shall be submitted to and approved in writing by the Local Planning Authority. The submitted LEMP shall be in broad accordance with the Proposed Landscaping Plan (Ref: P22\_1169\_EN\_00\_16) (Dated 3 January 2024) and the recommendations contained within the Preliminary Ecological Appraisal (Western Ecology) (Dated March 2023). The LEMP shall include, but is not limited to: (i) details

of the proposed new hedgerow and tree planting, including any strengthening of existing vegetation; (ii) details of planting plans, written specifications (including cultivation and other operations associated with plant and grass establishment), and schedule of plants (noting species, sizes and proposed numbers / densities); and (iii) 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 DE1 (Landscape Character); EN2 (Protecting Biodiversity and Geodiversity) and DE1 (Promoting Good Quality Design) of the adopted South Kesteven Local Plan 2011-2036.

#### Detailed Construction and Environmental Management Plan

- 7) No development shall take place until a detailed Construction and Environmental Management Plan, based on the details contained within the Outline Construction Environmental Management Plan (Lightsource BP) (Dated October 2023) has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall include measures to mitigate against the adverse impacts of vehicular movements; noise, dust and vibration and a means to manage drainage during the construction stage of the proposed development. The submitted CEMP shall include:
- a. The phasing of the development, to include access construction.
  - b. The parking of all vehicles of site operatives and visitors.
  - c. The loading and unloading of all plant and materials
  - d. The storage of all plant and materials used in constructing the development
  - e. Wheel washing facilities.
  - f. The routing of all vehicles associated with the construction stage of the development
  - g. A strategy stating how surface water will be managed during construction and protection measures for any sustainable drainage features. This should include drawing(s) showing how the drainage systems (temporary or permanent) connect to an outfall (temporary or permanent) during construction.
  - h. A Method Statement for the installation for the proposed cable connection from the approved development to the point of connection at the 132kV substation within the approved Cliff Lane Solar Farm (LPA Ref: S21/1018).

- i. Any temporary diversion of Public Rights of Way during the construction period.

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

Reason: In the interests of safety and free passage of those using the adjacent public highways and public rights of way, and to ensure that the permitted development is adequately drained without creating or increasing flood risk to land or property adjacent to, or downstream of the permitted development during construction.

### Surface Water Drainage Strategy

- 8) Before the development hereby permitted is commenced, a scheme for the treatment of surface water drainage shall have been submitted to and approved in writing by the Local Planning Authority. The submitted drainage strategy must be in broad accordance with the conceptual Surface Water Drainage Strategy (Ref: J-15014-NUK-22-XX-DR-3001-XX/Rev P05) submitted as part of the host planning permission. The drainage details must:
  - a. Be based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development.
  - b. Provide flood exceedance routing for storm events greater than the 1 in 100 years.
  - c. Provide details of how run-off will be safely conveyed and attenuated during storms up to and including the 1 in 100 year critical storm event, with an allowance for climate change, from all hard surfaced areas within the development into the existing local drainage infrastructure and watercourse system without exceeding the run-off rate for the undeveloped site.
  - d. Provide attenuation details and discharge rates which shall be restricted to greenfield rates.
  - e. Provide details of the timetable for and any phasing of implementation for the drainage scheme; and
  - f. Provide details of how the scheme shall be maintained and managed over the lifetime of the development, including any arrangements for adoption by any public body or Statutory Undertaker and any other arrangements required to secure the operation of the drainage system throughout its lifetime.

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

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

Reason: To ensure that the permitted development is adequately drained without creating or increasing flood risk to land or property adjacent to, or downstream of, or upstream of, the permitted development; and in accordance with Policy EN5 of the adopted South Kesteven Local Plan 2011-2036.

#### Access Implementation via Toll Barr Road and Green Lane only.

- 9) No development shall take place until details of the design and construction of the proposed accesses on Toll Barr Road and Green Lane (as shown on the approved Proposed Preliminary Design Layout (Ref: LP2-PDL/11) have been submitted to and approved in writing by the Local Planning Authority. The submitted details shall include the widening of the vehicular access to the public highway, including materials, specification of works, and construction method and shall be in broad accordance with the details shown in Figure 3.1 of the Construction Traffic Management Plan (Pegasus Group) (October 2023) (Ref: P22- 1169/TR02).

The agreed details shall be fully implemented prior to the commencement of construction on site.

Thereafter, all vehicular access and egress to the proposed development shall be made via the approved accesses.

Reason: In the interests of highways safety and the users of the surrounding public rights of way network.

#### **During Building Works**

##### Ecological Mitigation

- 10) All works on site during the construction period shall be carried out in accordance with the recommendations contained within the Ecological Appraisal (Western Ecology) (June 2022), including reasonable avoidance measures to protected species.

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

## **Before the Development is Operational**

### Landscaping Implementation

- 11) Before the end of the first planting / seeding season following the date when electrical power is first exported (“first export date”), all landscaping works shown on the approved Proposed Landscaping Plan (Ref: P22\_1169\_EN\_00\_16) (Dated 3 January 2024) shall have been carried out in full.

Reason: To mitigate the harm to the rural character caused by the proposal and to secure a biodiversity net gain and in accordance with Policy EN1 (Landscape Character) and Policy EN2 (Protecting Biodiversity and Geodiversity) of the adopted South Kesteven Local Plan 2011-2036.

### External Materials Implementation – as per approved plans.

- 12) Before the development is operational, the external elevations of all built form on the site shall have been completed in accordance with the approved external materials detailed on the approved plans listed under Condition 3.

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.

## **Ongoing**

### Lighting Details

- 13) 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 the 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 2011-2036.

### Compliance with LEMP

- 14) 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 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 2011-2306.

### Landscape Protection

- 15) 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) and Policy

EN2 (Protecting Biodiversity and Geodiversity) of the adopted South Kesteven Local Plan 2011-2036.

### Early Decommissioning

- 16) 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 (Landscape Character) and Policy RE1 (Renewable

Energy Generation) of the adopted South Kesteven Local Plan 2011-2036.

### Repair or Replacement of Solar Arrays

- 17) In the event that repairs and / or replacements are required to the approved solar infrastructure, details of the proposed Remedial Works (“the Remedial Scheme”) shall be submitted to and approved in writing by the Local Planning Authority. The Remedial Scheme shall include details for the management of all construction activities associated with the remediation works, and the remediation scheme shall include the same details required by the CEMP set out in Condition 7 of this permission.

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 (Landscape Character) and Policy RE1 (Renewable Energy Generation) of the adopted South Kesteven Local Plan 2011-2036.

*(An adjournment took place between 11:50 and 12 noon)*

### **90. Application S22/1853**

**Proposal:** Erection of a new detached building and extension to existing care home. Resubmission of S20/1103  
**Location:** The Willows Residential Care Home, 74 Station Street, Rippingale, PE10 0SX  
**Recommendation:** To authorise the Assistant Director – Planning to GRANT planning permission subject to conditions.

Noting comments made in the public speaking session by:

District Ward Councillor: Councillor Richard Dixon-Warren  
Parish Council Chris Charlton (Chairman – Rippingale Parish Council)  
Against: Hal Gervis  
Sue Howard  
Charlotte Gervis (statement)  
Applicant: Sunny Nahil (Director – Willow Homes Limited)

Together with:

- Provisions within South Kesteven District Council’s Local Plan 2011-2036 (adopted January 2023)
- Provisions within the National Policy Framework (NPPF) (Published December 2023)

- Ripplingale Neighbourhood Plan (18 May 2023)
- Comments received from Ripplingale Parish Council
- No objection from Lincolnshire County Council Highways and SuDS Support
- Comments made by Environmental Protection to mitigate any potential noise.
- No objections from South Kesteven District Council's Tree Officer
- No objections from Lincolnshire Fire and Rescue subject to meeting criteria as outlined in report
- Representations received as a result of publicity

During questions to Public Speakers, Members commented on:

- Concern by neighbours over increased noise.
- Concern over flooding and surface water.
- Lack of public consultation – it was noted that applicants are encouraged to consult at the pre application stage but they were not obligated to do so. Statutory consultations on behalf of the Local Planning Authority were carried out.
- Comments on what green space would be available to residents.
- Confirmation that only 10 additional rooms would be provided.
- What mitigating factors would be in place with regard to noise – it was stated that in the past assessments had not been carried out properly and residents had been put in the home which was unsuitable for their needs. More care was being undertaken in respect of resident admissions.

*(12:49 Councillor Tim Harrison left the meeting and did not return or take any further part in the debate or decision)*

- Members expressed concern over the parking facilities especially with an increase in resident numbers and the potential for more visitors. It was stated that it was rare that there were any parking issues.
- Questions were asked about the location of the new building and the boundary to the site.

The Assistant Director of Planning confirmed that the Planning Officers had assessed the site and found the scheme to be acceptable. However, it was for Members to judge whether or not they felt that the lack of amenity space and not enough parking were sufficient reasons for refusal.

- Comments were made about the location and overlooking.
- Sewage treatment, blockages and overflow were referenced and it was stated that these would be dealt with under Building Regulations.
- The footprint of the previous application was queried and it was confirmed that the detached section had not altered in scale and footprint from the previous application.
- The design was also questioned and residents' outlooks.

Members were concerned about the design, loss of green space, residents outlook, the extra parking, the character of the area, the possible loss of the beech tree hedge, the impact on residents and the layout and were minded to refuse the application.

The Planning Officer clarified for Members that the grounds for refusal that they were looking at were based on the scale of the design which they felt was poor, the unacceptable impact on the residents and the loss of the trees and hedges on the bio diversity of the area.

Comments were made in relation to noise but no objections had been raised by Environmental Protection in this respect and there would not be sufficient evidence to sustain a reason for refusal on this basis.

Further comments were made in respect of the planning policy reasons and it was stated that these would be outlined by the Planning Officer.

It was proposed, seconded and **AGREED** to **REFUSE** planning permission on the following grounds:

- 1) By virtue of the scale of the proposed development in relation to the application site, the proposed development would appear cramped and contrived to fit into an unsuitable space. This represents poor design and would be harmful to the character and appearance of the area and is symptomatic of overdevelopment of the site. As such, the application proposals would be contrary to Policy E5 and DE1 of the adopted South Kesteven Local Plan, Policy DM1 and RE1 of the made Rippingale Neighbourhood Plan, and Section 12 of the National Planning Policy Framework. In this case, the Local Planning Authority considers that the public benefits of the proposal, including the provision of additional extra care accommodation, would not outweigh the identified harm.
- 2) As result of the close proximity of the proposed development to the application site boundaries, the proposed development would have an unacceptable adverse impact on the outlook of neighbouring properties. Likewise, the proposed development would result in a poor outlook and would fail to provide a high standard of amenity for future residents of the care home. As such, the application proposals would be contrary to Policy E5 and DE1 of the adopted South Kesteven Local Plan, Policy DM1 of the made Rippingale Neighbourhood Plan, the adopted Design Guidelines SPD, and Section 12 of the National Planning Policy Framework. In this case, the Local Planning Authority considers that the public benefits of the proposal, including the provision of additional extra care accommodation, would not outweigh the identified harm.
- 3) The proposed removal of the existing trees and hedgerow to facilitate the proposed development would be harmful to the character and appearance of the area and to local biodiversity, contrary to Policy DE1 and EN2 of the adopted South Kesteven Local Plan, Policy DM1 and EP1 of the made Rippingale Neighbourhood Plan and Section 12 of the National Planning Policy Framework. In this case, the Local Planning

Authority considers that the public benefits of the proposal, including the provision of additional extra care accommodation, would not outweigh the identified harm.

*As the meeting had reached three hours Members agreed to continue with the meeting.*

*(An adjournment took place between 13:32 – 13:46)*

*Councillor Paul Wood left the meeting at 13:32 and did not return.*

*The Chairman altered the order of the agenda at this point and dealt with agenda item 9 – S23/1652 before agenda item 8 - S23/1255*

## **91. Application S23/1652**

<b>Proposal:</b>	Proposed single storey front extension, conversion of existing garage to residential use, and first floor rear extension over existing single storey element.
<b>Location:</b>	65 Harrowby Lane, Grantham, Lincolnshire, NG31 9HZ
<b>Recommendation:</b>	To authorise the Assistant Director – Planning to GRANT planning permission, subject to conditions.

Noting comments made in the public speaking session by:

Applicants Agent: Luke Gittens

Together with:

- Provisions within South Kesteven District Council Local Plan 2011-2036.
- Provisions within the National Planning Policy Framework (NPPF).
- No objections from Lincolnshire County Council Highways.

During questions to the Public Speaker, Members commented on:

- Size of the development.

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

### **Time Limit for Commencement**

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

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

### **Approved Plans**

- 2) The development hereby permitted shall be carried out in accordance with the following list of approved plans:
  - i) Proposed Plans and Elevations- including site location plan and block plan- Drawing number: 17J-046- Date received: 14/09/2023  
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 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.

### **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.

## **92. Application S23/1255**

<b>Proposal:</b>	Construction of a dormer bungalow on part of former garden of 38 High Street.
<b>Location:</b>	38 High Street, Ropsley
<b>Recommendation:</b>	To authorise the Assistant Director – Planning to GRANT planning permission, subject to conditions.

Noting comments made in the public speaking by:

District Councillor: Councillor Sarah Trotter - statement on behalf of the resident who lived at 36 High Street, Ropsley.  
Applicant: Martin Valentine, Managing Director – Positive Homes Ltd

*(Councillor Sarah Trotter took no part in the debate or decision)*

Together with:

- Provisions within South Kesteven District Council's Local Plan 2011 – 2036
- Ropsley and District Neighbourhood Plan
- Provisions within the National Planning Policy Framework (NPPF)
- A condition from South Kesteven District Council's Tree Consultant
- No comments from Ropsley Parish Council.
- No objections from Lincolnshire County Council Highways & SuDs Support
- No objections from Anglian Water
- Representations received as a result of publicity

During questions to Public Speakers, Members commented on:

- Window overlooking next door property – applicant happy to install opaque/frosted glass.
- What screening landscaping would be carried out – removal of small portion of hedging and three trees, including two large leylandii.

It was proposed, seconded and **AGREED** to authorise the Assistant Director – Planning to **GRANT** planning permission, subject to conditions including the additional condition (Condition 10) in respect of the window which overlooked the neighbouring property to have opaque/frosted glass.

#### **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 re. 1000 received 4 July 2023
  - ii. Proposed Floor Plan re. 2201 received 4 July 2023

- iii. Proposed Site Plan re. 1200 REV P01 received 6 November 2023
- iv. Proposed Site Plan re. 3200 REV P01 received 6 November 2023

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) Notwithstanding the information already submitted, prior to any works commencing a tree protection method statement including scale protection plan shall be submitted to and approved by the LPA in writing. The method statement and plan must have regard to the BS5837 (2012) Trees in Relation to Design, Demolition and Construction-Recommendations. The site-specific tree protection scheme must take into account potential impacts from construction work including but not limited to new foundations, new hard surfaces, drainage systems, and utilities. The development shall thereafter be carried out in full accordance with the approved statement and plans.

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

- 4) Prior to the commencement of any ground preparation works on site (with the exception of works to the access), a presence / absence badger sett survey shall be undertaken by an experienced ecologist which shall be submitted and approved in writing by the Local Planning Authority. The survey shall identify any necessary mitigation measures to ensure no harm to any identified badgers. Prior to occupation the works shall be carried out with any identified mitigation measures.

Reason: To ensure the satisfactory protection of protected species within the site in accordance with Policy EN2 of the South Kesteven Local Plan.

- 5) No development shall take place until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. The Plan and Statement shall include measures to mitigate the adverse impacts during the construction stages of the permitted development and shall include:
  - a. The phasing of the development, including access construction
  - b. The on-site parking of all vehicles of site operatives and visitors
  - c. The on-site loading and unloading of all plant and materials.

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

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

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

### **During Building Works**

- 6) Before any construction work above foundation level is commenced, details of any soft landscaping works shall have been submitted to and approved in writing by the Local Planning Authority. Details shall include:
  - i. planting plans;
  - ii. written specifications (including cultivation and other operations associated with plant and grass establishment);
  - iii. schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate;

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

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

which is subject to the approval in writing of the Local Planning Authority.

Reason: To ensure that works do not cause pollution in the interests of the amenities of the future residents and users of the development; and in accordance with Policies EN2 and EN4 of the adopted South Kesteven Local Plan.

- 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 relating to the provision of electric car charging points have been submitted to and approved by the Local Planning Authority.

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

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

- 9) 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.

- 10) Before any part of the development hereby permitted is occupied, the first floor window on the western elevation shall have been installed with obscure glazing and with no opening part being less than 1.7m above the floor level immediately below the centre of the opening part. The obscure glazing must be obscured to a minimum of Pilkington - Privacy Level 3 or an equivalent product. Once installed, the window units shall thereafter be retained as such at all times.

Reason: To safeguard the privacy of the occupiers of the neighbouring/adjoining properties

## Ongoing

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

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.

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

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

- 13) Notwithstanding the provisions of Schedule 2, Part 1, Classes A, B & C of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking or re-enacting that Order with or without modification), no window, dormer window, rooflight or other shall be inserted into the elevations of the property other than those expressly authorised by this permission without Planning Permission first having been granted by the Local Planning Authority.

Reason: To safeguard the amenities of the occupiers of nearby properties.

- 14) Notwithstanding the provisions of Schedule 2, Part 1, Class E of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking or re-enacting that Order with or without modification), no building, enclosure, swimming or other pool or container used for domestic heating purposes shall be constructed within the curtilage of the dwellinghouse without Planning Permission first having been granted by the Local Planning Authority.

Reason: The Local Planning Authority considers that further development could cause detriment to the amenities of the occupiers of

nearby properties or to the character of the area, and for this reason would wish to control any future development and in accordance with Policy DE1 of the adopted South Kesteven Local Plan.

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

Reason: To safeguard the amenities of the occupiers of nearby properties.

**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) Please contact the Lincolnshire County Council Streetworks and Permitting Team on 01522 782070 to discuss any proposed statutory utility connections, Section 50 licences and any other works which will be required within the public highway in association with the development permitted under this Consent. This will enable Lincolnshire County Council to assist in the coordination and timings of these works. For further guidance please visit the Highway Authority's website via the following link: Traffic Management - <https://www.lincolnshire.gov.uk/traffic-management>

**93. Application S23/2027**

**Proposal:** Proposed two storey side extension and single storey rear extension

**Location:** 12 Manor Road, Barrowby, Lincolnshire, NG32 1BB

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

Together with:

- Provisions within the SKDC Local Plan 2011-2036
- Provisions within the National Planning Policy Framework (NPPF)
- No objections from Lincolnshire County Council Highways
- No comments from Barrowby Parish Council

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

### **Time Limit for Commencement**

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

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

### **Approved Plans**

- 2) The development hereby permitted shall be carried out in accordance with the following list of approved plans:
  - i) Proposed Floor Plans and Elevations- including site location plan and block plan- Drawing number: PL02 REV C- Date received: 02/11/2023

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 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.

### **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.

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

There were none.

**95. Close of meeting**

The meeting closed at 14:18.