

# Meeting of the Planning Committee (Minutes)



SOUTH  
KESTEVEN  
DISTRICT  
COUNCIL

**Thursday, 5 September 2024, 1.00 pm**  
The Council Chamber, South Kesteven  
House, St. Peter's Hill, Grantham, NG31  
6PZ.

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## **Committee Members present**

Councillor Charmaine Morgan (Chairman)  
Councillor Penny Milnes (Vice-Chairman)  
Councillor David Bellamy  
Councillor Harrish Bisnauthsing  
Councillor Pam Byrd  
Councillor Helen Crawford  
Councillor Patsy Ellis  
Councillor Paul Fellows  
Councillor Tim Harrison  
Councillor Gloria Johnson  
Councillor Vanessa Smith  
Councillor Sarah Trotter  
Councillor Paul Wood

## **Other Members present**

Councillor Ashley Baxter  
Councillor Phil Dilks  
Councillor Phil Gadd

## **Officers**

Emma Whittaker, Assistant Director of Planning and Growth  
James Welbourn, Democratic Services Manager (Deputy Monitoring Officer)  
Phil Jordan, Development Management & Enforcement Manager  
Miranda Beavers, Senior Development Management Planner  
Joshua Mann, Democratic Services Officer  
Adam Murray, Principle Development Management Planner  
Venezia Ross-Gilmore, Management Development Planner  
Kevin Cartwright, Senior Development Management Planner  
James Felton, Legal Services Lincolnshire (Legal Advisor)

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### **38. Register of attendance and apologies for absence**

There were no apologies for absence.

### **39. Disclosure of interests**

The Chairman made the following disclosure:

“In relation to Agenda Item 6, the land at 28 Stonebridge Road, it is declared by the Committee and its members that this land is owned by the Council.

This declaration is made in the interests of transparency and this application, along with all others considered in this meeting will be determined solely on its planning merits against planning policy.”

The Chairman also noted that they are the ward member for the St. Vincent Ward, but they would approach Item 6 with an open mind.

### **40. Minutes of the meeting held on 8 August 2024**

The minutes of the meeting held on 8 August 2024 were proposed, seconded and **AGREED** as a correct record.

### **41. Boothby Wildland**

**Proposal:** The creation of a biodiversity habitat bank to be secured for a period of 30 years.

**Location:** Exton’s Wood and Ark Field, East of Boothby Pagnell and Witherns and Kirkhill, West of Bitchfield.

**Recommendation:** To authorise the Assistant Director of Planning & Growth to enter into a Section 106 Agreement with Boothby Wildland Ltd to create, manage and maintain Biodiversity Net Gain Units for the purpose of satisfying Biodiversity Net Gain Obligations for developments for a period of 30 years.

*Councillor Trotter declared that whilst she was the Ward Member, she was approaching the application with an open mind.*

**Noting comments in the public speaking session by:**

Mr Ivan de Klee - Agent, Head of Natural Capital.

**During questions to Public Speakers, Members commented on:**

-Members requested reassurance that the land could be maintained for 30 years given that it would be managed by a Limited Company. The speaker confirmed that within the provisions, the land would be under a binding Section 106 agreement. Whilst there would not be a bond in place with SKDC, the speaker also confirmed that much of the habitat would be managed by grazing and deer management.

-Members requested clarity from the speaker regarding Boothby Wildland Limited's definition of regenerative farming. The speaker identified the key principle of regenerative farming to be using 'restorative practices', particularly regarding soil.

-Another Member highlighted the danger of animals having to cross the road and asked if there would be anything in place to safeguard them. The speaker recognised the concern and noted that they were keen to work on creating safer animal crossings. However, other than initial badger gates, implementing more specifically designated animal crossings was a consideration for the future.

-The Member responded to request clarity regarding the process following the initial 30-year period. The speaker disclosed that their ambition was for the land to be a nature habitat for over a century, and that they hoped to bind this under a covenant. The Assistant Director of Planning and Growth noted that the proposals are currently for 30 years due to the current requirements for developers to meet legislative requirements for Biodiversity Net Gain (BNG).

-In response to a Member, the speaker stated that they 'hoped' for the site to gain 'designated' status in the future.

-After expressing their excitement about the proposed habitat, a Member queried the nature and process of the funding, particularly in the event that all units were sold. The speaker confirmed that in the event that all BNG units were sold, there were other eco-services that could be sold such as flood management or carbon sequestration systems in order to support the wider business model. The land could also be used for glamping or old farm buildings could be used for other rural diversification businesses. Overall, the aim is that this would fund 20-30 years of nature restoration.

-One Member sought clarification about the timeframe for seeing the benefits of the proposals. The speaker stated that 'remarkable change' would be seen within 10-15 years, and there was a team of 20 volunteers out spreading wildflower seeds on the day of the meeting.

-The Chairman asked why the target within the Management Plan was for only 'moderate quality'. The speaker clarified that since they were entering into a legal agreement, they had used DEFRA's metric but been conservative with their target to mitigate from external risks. Therefore, they were working on the basis that they were hoping to overachieve this target.

**During questions to Officers and debate, Members commented on:**

-Whether developers would be able to purchase BNG credits to avoid on-site mitigation and enhancement of biodiversity. The Planning Officer advised that the legislation requires a hierarchical approach to the protection and enhance of biodiversity. i.e. on-site measures would need to be considered first.

-How monitoring enforcement could be implemented to protect the site, and the confidence Officers had that enforcement powers would be sufficient for 30 years. The Planning Officer confirmed SKDC would have to be satisfied that the developer would commit to the BNG and controls within the Management Plan. Furthermore, annual reports would be provided during the first five years and SKDC have sufficient funding to send specialists to site to ensure the accuracy of the reports. The Assistant Director of Planning and Growth added that such enforcement and monitoring is a requirement.

-Confirmation was requested that the proposed land would be considered agricultural in the Town and Country Planning Act 1990. The Planning Officer confirmed that they considered the proposal to fall within the definition.

*It was proposed, seconded and **AGREED** unanimously to authorise the Assistant Director of Planning & Growth to enter into a Section 106 Agreement with Boothby Wildland Ltd to create, manage and maintain Biodiversity Net Gain Units for the purpose of satisfying Biodiversity Net Gain Obligations for developments for a period of 30 years.*

**42. Application S24/0617**

**Proposal:** Outline planning application for up to 80 dwellings, including vehicular access, pedestrian and cycle links, public open space, landscaping, drainage and associated works (All matters reserved except access)

**Location:** Land South of A15 West of Peterborough Road, Market Deeping

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

*Cllr Byrd declared that she was the District Ward Member and a member of the relevant Town Council and Neighbourhood Plan Group. However, she would be objective and remain openminded.*

**Noting comments in the public speaking session by:**

-Mr Robert Love – Agent, Bidwells.

Together with:

- Provisions within the SKDC Local Plan 2011-2036
- Provisions within the National Planning Policy Framework (NPPF)
- Provisions within the Neighbourhood Plan
- Provisions within the Supplementary Planning Document.
- Comments received by 5.1 LCC Highways & SuDS Support
- Comments received by Lincolnshire County Council (Education)
- Comments received by NHS Integrated Care Board
- Comments received by Deepings Neighbourhood Plan Group
- Comments received by Anglican Water Services
- Comments received by Welland and Deeping Internal Drainage Board
- Comments received by Lincolnshire Wildlife Trust
- Comments received by SKDC Affordable Housing Officer
- Comments received by SKDC Environmental Protection Officer
- Comments received by SKDC Conservation Officer
- Comments received by Historic England Comments
- Comments received by Market Deeping Town Council
- Comments received by Heritage Lincolnshire
- Comments received by Market Deeping Town Council.

**During questions to Public Speakers, Members commented on:**

-Whether the open spaces and BNG targets would remain. The speaker confirmed that the Development Framework Plan sets out open space areas to the West and further development areas to the East. Regarding the BNG level would be secured at 45% within the planning conditions and Section 106 agreement, significantly in excess of the 10% required.

**During questions to Officers and debate, Members commented on:**

-Further details of the crossing point in Section 5.4.7 of the proposal, particularly with regards securing a safe design. The Planning Officer confirmed that whilst the location of the crossing had been identified, there were still options for the exact detail of the crossing. Additionally, the Local Highways Authority had been consulted and they had requested the condition of a foot/cycleway being included either within or along the front of the site.

-Section 7.7.7 regarding the hedgerow along the eastern boundary with Peterborough Road. The Planning Officer stated that the exact layout was yet to be confirmed and this would determine how much of the hedge will remain. However, the developer is minded to keep 'as much of the hedge as possible.'

-The Lincolnshire County Council (LCC) education contribution and whether there was any scope for the amounts to be reviewed. The Planning Officer stated that the exact figure could only be determined when they know the exact number of residential properties to be built on the site.

-Whether the Section 106 funding would be sufficient for the proposals. The Planning Officer confirmed this.

-Members praised the developer for their engagement with local groups and residents.

*It was proposed, seconded and **AGREED** unanimously to authorise the Assistant Director – Planning to GRANT planning permission – subject to conditions and subject to the 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 or two years from the approval of the last of the reserved matters, whichever is the latter.

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

2. Details of the reserved matters shall have been submitted to the Local Planning Authority for approval within three years from the date of this permission. Approval of all reserved matters shall have been obtained from the Local Planning Authority in writing before any development is commenced.

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

#### Approved Plans

3. The development hereby permitted shall be carried out in accordance with the planning application form, and with following list of approved plans:

Development Access General Arrangement Drawing (Ref:23810\_03\_020\_01/ Rev B) Drawing No. UDS73162-A1-1401 Rev A Parameter Plan (in so far as access only)

Unless otherwise required by another condition of this permission.

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

#### Pre-commencement

4. The development hereby permitted shall be carried out in accordance with the broad principles of the following plans:

Drawing No. UDS73162-A1-1401 Rev A Parameter Plan

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

5. Before the development hereby permitted is commenced, details demonstrating how the proposed dwellings would comply with the requirements of Local Plan Policy SB1 must be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of how carbon dioxide emissions would be minimised through the design and construction of the buildings; details of water efficiency and the provision of electric car charging points.

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

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

6. Before the development hereby permitted is commenced, a Construction Management Plan and Method Statement shall have been submitted to and approved in writing by the Local Planning Authority. The Management Plan and Method Statement shall indicate measures to mitigate against traffic generation and drainage of the site during the construction stage of the proposed development. The Construction Management Plan and Method Statement shall be strictly adhered to throughout the construction period.

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, the permitted development during construction and to ensure that suitable traffic routes are agreed.

7. 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. This evaluation should consist of a programme of trial trenching.

Thereafter, the archaeological investigations shall be carried out in accordance with the approved Written Scheme of Investigation.

Reason: In order to provide a reasonable opportunity to record the history of the site and in accordance with Policy EN6 of the adopted South Kesteven Local Plan and the NPPF (section 16)

8. As part of any reserved matters application relating to layout and / or scale, plans showing the existing and proposed land levels of the site including site sections, spot heights, contours and the finished floor levels of all buildings with reference to neighbouring properties/and off-site datum point shall have been submitted to and approved in writing by the Local Planning Authority.

Thereafter, the development shall be carried out in accordance with the approved details, and the site levels completed in accordance with the approved phasing required by Condition 6 above.

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

9. As part of any reserved matters application relating to layout, an updated acoustic assessment shall be submitted which models the impact of noise sources and shall identify any necessary mitigation measures.

Reason: In the interests of protecting the amenities of future occupiers of the dwellings in accordance with Policy DE1 of the South Kesteven Local Plan.

10. Before the development hereby permitted is commenced, a surface water drainage scheme which shall have been submitted to and approved in writing by the Local Planning Authority.

The scheme shall:

- be based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development;
- provide flood exceedance routing for storm event greater than 1 in 100 year;
- 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;
- provide attenuation details and discharge rates which shall be restricted to and agreed amount of litres per second;
- provide details of the timetable for and any phasing of implementation for the drainage scheme; and
- 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.

No dwelling/ no part of the development shall be occupied 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.

11. 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 site investigation report assessing the ground conditions of the site and incorporating chemical and gas analysis identified as appropriate by the Phase I Geo-Environmental Desk Study (M-EC) (March 2024) (Revision B); and if required.
- b. A detailed scheme for remedial works (should such works be required) and measures to be undertaken to avoid risk from contaminants and / or gases when the site is developed and proposals for future maintenance and monitoring. Such a scheme shall include nomination of a competent person to oversee the implementation of the works.

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

12. As part of any reserved matters application(s) relating to appearance, details of the materials (including the colour of render, paintwork or colourwash) to be used in the construction of the external surfaces of the development hereby permitted shall have been submitted to and approved in writing by the Local Planning Authority.

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

#### During Building Works

13. All works on site shall be carried out in accordance with the recommendations of the Ecological Impact Assessment (Section 4 of the Ecological Impact Assessment ref RSE\_5864\_R2\_V3\_ECIA Issued April 2024 RammSanderson)

Reason: To provide ecological enhancement and comply with Policy EN2 of the adopted South Kesteven Local Plan and Section 15 of the NPPF

Before the Development is Occupied

14. The development hereby permitted shall not be occupied before a 3-metre-wide footway/ cycleway from the crossing to the northeast of the site along or adjacent to Peterborough Road, to the south-eastern area of the site and continuing to Towngate West has been provided in accordance with details that shall first have been submitted to, and approved in writing by, the Local Planning Authority. The works shall also include appropriate arrangements for the management of surface water run-off from the highway.

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

15. The development hereby permitted shall not be occupied before the crossing point to the North of the site, on Peterborough Road, has been upgraded to an island crossing, in accordance with details that shall first have been submitted to, and approved in writing by, the Local Planning Authority. The works shall also include appropriate arrangements for the management of surface water run-off from the highway.

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

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

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

17. Before any dwelling hereby permitted is occupied, the scheme for acoustic mitigation and ventilation, shall have been completed in full.

Reason: To ensure that future residents of the development benefit from an appropriate level of amenity in accordance with Policy DE1 and EN4 of the adopted South Kesteven Local Plan.

18. 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. Photographs of the remediation works in progress; and
- c. 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 scheme.

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

#### Ongoing

19. The number of dwellings to be constructed on the application site shall not exceed 80 in total.

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

### **43. Application S23/2281**

**Proposal:** Proposed development of 8no new semi-detached residential Dwellings

**Location:** 28 Stonebridge Road, Grantham, Lincolnshire NG31 9AR

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

*Cllr Harrison disclosed that he knew the Agent of the application and therefore left the Chamber for the remainder of agenda item six.*

*There were no public speakers for this application.*

Together with –

- Provisions within the SKDC Local Plan 2011-2036
- Provisions within the National Planning Policy Framework (NPPF)
- Comments received from Lincolnshire County Council Highways
- Comments received from SKDC Environmental Health
- Comments received from SKDC Tree Officer
- Comments received from SKDC Conservation Officer

**During questions to Officers and debate, Members commented on:**

- The improved aesthetic to the site which the proposals would bring.
- The application would not require a BNG assessment given that the application was submitted before this became a statutory requirement.
- Concerns that the trees at the rear of the site would have on overshadowing and overgrowing the back gardens of some of the properties. It was noted by the Chairman that little could be done regarding this as the trees are bound to remain under the guise of the character of the area. Furthermore, the properties could not be moved forward because this would compromise the parking.
- The condition within the Supplementary papers to protect the roots of the trees. This caused concern to the extent to which the trees would continue to grow and exacerbate the overshadowing issue. The Assistant Director of Planning noted that the trees were mature and so further significant growth would be unlikely. Considering the roots, the Assistant Director also noted that ensuring that the foundations of the properties were structurally sound would be covered within the building regulations.

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

**Time Limit for Commencement**

- 1) The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.  
Reason: In order that the development is commenced in a timely manner, as set out in Section 91 of the Town and Country Planning Act 1990 (as amended).

**Approved Plans**

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

- I. Site Location Plan (received 09/07/24)
- II. Proposed Block Plan (received 09/07/24)
- III. Proposed New Dwellings - House Type A, drawing ref. 0832 (received 20/06/24)
- IV. Proposed New Dwellings – House Type B, drawing ref. 0832 (received 20/06/24)
- V. Proposed New Dwellings – House Type C, drawing ref. 0832 (received 20/06/24)
- VI. Proposed New Dwellings – House Type D, drawing ref. 0832 (received 20/06/24)
- VII. Topographical Block Plan, drawing ref. 0832 Rev 1 (received 20/06/24)
- VIII. Proposed Street Scene, drawing ref. 0832 Rev 3 (received 20/06/24)

Unless otherwise required by another condition of this permission.

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

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

- 3) No development shall be carried out (other than site preparation works) until a detailed surface water drainage scheme has been submitted to and approved in writing by the Local Planning Authority. Such a scheme shall include the measures to be installed together with a timetable for implementation. The works shall thereafter be carried out fully in accordance with the approved strategy.

Reason: To prevent flooding and to comply with Policy EN5 of the South Kesteven Local Plan.

- 4) 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

- i. 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 in accordance with Policies EN4 and DE1 of the adopted South Kesteven Local Plan.

### **During Building Works**

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

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

- 6) Before any construction work above ground 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) Before any construction work above ground is commenced, the details of hard landscaping works shall have been submitted to and

approved in writing by the Local Planning Authority. Details shall include:

- i. proposed finished levels and contours;
- ii. means of enclosure;
- iii. car parking layouts;
- iv. other vehicle and pedestrian access and circulation areas;
- v. hard surfacing materials;
- vi. minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting etc.);
- vii. proposed and existing functional services above and below ground (e.g. drainage power, communications cables, pipelines etc. indicating lines, manholes, supports etc.);
- viii. retained historic landscape features and proposals for restoration, where relevant.

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

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

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

- 9) To minimise noise impacts on the existing residential dwellings, 'construction work' shall only be carried out between the hours of 7:30 am to 6:00 pm Monday to Friday and 9:00 am to 1:00 pm on a Saturday. Construction work shall not be carried out on Sundays or

Public Holidays. The term 'construction work' shall include mobile and fixed plant/machinery, (e.g. generators) radios and the delivery of construction materials.

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

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

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

- 10) Prior to first occupation of the development hereby permitted, details demonstrating how the proposed dwellings would comply with the requirements of Local Plan Policy SB1 must have been submitted to and approved in writing by the local planning authority. The scheme shall include details of how carbon dioxide emissions would be minimised through the design and construction of the buildings; details of water efficiency and the provision of electric car charging points. The approved sustainable building measures shall be completed in full, in accordance with the agreed scheme, prior to the first occupation of the dwellings hereby permitted.

Reason: This condition is necessary in order to ensure that the proposal complies with the Council policy on sustainable building.

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

Reason: To provide a satisfactory appearance to any boundary treatments and by screening rear gardens from public view, in the interests of the privacy and amenity of the occupants of the proposed and neighbouring dwellings and in accordance with Policy DE1 of the adopted South Kesteven Local Plan.

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

- i. long term design objectives,

- ii. management responsibilities and
- iii. maintenance schedules for all landscape areas, other than privately owned, domestic gardens.

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

- 13) Before any part of the development hereby permitted is occupied/brought into use, the external elevations of the dwelling houses 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.

### **Ongoing Conditions**

- 14) 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.

- 15) 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, shall be replaced in the first planting season following any such loss with a specimen of the same size and species as was approved in condition above unless otherwise agreed by the Local Planning Authority.

Reason: To ensure the provision, establishment and maintenance of a reasonable standard of landscape in accordance with the approved designs and in accordance with Policies DE1, EN3 and OS1 of the adopted South Kesteven Local Plan.

- 16) 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 dwelling house 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 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.

- 17) 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: The Local Planning Authority considers that further development could cause detriment 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.

#### 44. Application S23/2033

**Proposal:** Conversion of public house to 2no. commercial units and 12no. residential units (2no. commercial units on the ground floor with 4no. flats over and a conversion of existing rear extension into 8no. residential houses).

**Location:** 41 Watergate, Grantham, Lincolnshire

**Recommendation:** To authorise the Assistant Director of Planning & Growth to GRANT planning permission.

*Cllr Harrison returned to the Chamber and declared that he was the Ward Member, however, he would remain objective with the application.*

#### **Noting comments in the public speaking session by:**

-Dr Sarmad Aslam - Applicant

Together with:

- Provisions within the SKDC Local Plan 2011-2036
- Provisions within the National Planning Policy Framework (NPPF)
- Other relevant documentation – Grantham Shopfront Design Guide
- Comments received from Environmental Protection Services (SKDC)
- Comments received from LCC Highways & SuDS Support
- Comments received from NHS Lincolnshire Integrated Care Board
- Comments received from LCC Education
- Comments received from Lincolnshire Fire and Rescue
- Comments received from Anglican Water
- Comments received from SKDC Historic Buildings Advisor

**During questions to Public Speakers, Members commented on:**

-Whether the speaker intended to keep the building the colour blue. The speaker confirmed that they intend to remove the blue to fit in with the surrounding buildings.

-One Member raised a point of order that prior to the building's current incarnation, it had been an ironmongers with a green shopfront.

-It was noted that the application had been prior to the requirement for BNG.

-Whether there was the prospect of any natural greenery. The speaker confirmed their intention to create a communal garden for visitors.

-It was asked what the speaker's intentions were with the building name. The speaker confirmed they intended to keep the name as the 'The Playhouse'.

**During questions to Officers and debate, Members commented on:**

-A Ward Councillor for the area welcomed the 'fantastic development'.

-Whether the insulation between the residential dwellings would be sufficient. The Assistant Director of Planning clarified that this would be picked up by building control.

-Whether the speaker's intention of installing a communal garden at the rear of the property would compromise the access for emergency services. This is particularly significant given that section 5.5.1 on page 211 of the Agenda Report Pack identifies that Lincolnshire Fire and Rescue had objected on the basis of inadequate access. The Planning Officer confirmed that building regulations would ensure that acceptable safety standards are met regarding fire safety.

-Given that the communal garden was not included in the proposals being considered, the Chairman enquired to the Planning Officer about inserting a condition into the proposals to ensure the garden area did not create the

negative consequence. The Planning Officer confirmed this could be done with a 'regular soft landscaping condition.'

-A Member proposed approving the application but declined to insert a condition regarding the garden.

*Following this proposal, the motion was seconded and **AGREED** to authorise the Assistant Director of Planning & Growth to GRANT planning permission subject to the completion of a Section 106 legal agreement, and subject to condition. Furthermore, the vote agreed to part Two of the recommendation regarding the timeframe for the Section 106 agreement: where the Section 106 Agreement has not been concluded prior to the Committee, a period not exceeding 12 weeks after the date of the Committee shall be set for the completion of the obligation. In the event that the agreement has not been concluded within the 12-week period and where, in the opinion of the Assistant Director – Planning, there are no extenuating circumstances which would justify a further extension of time, the related planning application shall be refused for the following reason(s): (1) The applicant has failed to enter into a planning obligation to secure the necessary financial contribution towards provision of local surgery(s) and town centre improvements. As such the necessary criteria essential to make what would otherwise be unacceptable development acceptable have not been forthcoming.*

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

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

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

#### **Approved Plans**

- 2 The development hereby permitted shall be carried out in accordance with planning application form, and with the following list of approved plans:
  - i. Site Location Plan dated 2 Nov 2023
  - ii. Proposed Site Plan Parking Arrangements Dwg No. 15\_03 Site Plans
  - iii. Proposed Floor Plans Dwg No. 14-02 Proposed\_03
  - iv. Proposed Elevations and Sectional Detail Dwg No. 15-02 Proposed \_03.

Unless otherwise required by another condition of this permission.

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

### **Prior to Commencement**

- 3 Prior to the commencement of the development hereby details of surface/sewage/used water connections shall have been submitted to and approved in writing by the local planning authority.

The surface water drainage details shall:

- be based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development;
- provide flood exceedance routing for storm event greater than 1 in 100 year;
- 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;
- provide attenuation details and discharge rates;
- provide details of the timetable for and any phasing of implementation for the drainage scheme; and
- 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

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

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

- 4 Before the development hereby permitted is commenced, details of hard and soft landscaping works shall have been submitted to and approved in writing by the Local Planning Authority.

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

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

### **Prior to Occupation**

- 5 Before any part of the development hereby permitted is occupied/brought into use, the details of the storage of refuse and recycling and cycle storage shall have been submitted to and approved in writing by the local planning authority.

The development shall be undertaken in accordance with the approved details and shall thereafter be retained for use at all times.

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

- 6 Before any part of the development hereby permitted is occupied/brought into use, details of the vehicle parking and turning area shall have been submitted to and approved in writing by the local planning authority.

The development shall be completed in accordance with approved details prior to first occupation of the development and shall not be used for any purpose other than for the parking and turning of private vehicles and motorcycles belonging to the occupants of the property and their visitors, servicing and deliveries.

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

- 7 Notwithstanding the submitted details before any part of the rear conversion element (properties 1-8) are occupied, precise joinery details of the windows and doors to be installed shall be submitted to and approved in writing by the local planning authority.

The details shall include:

- confirmation that the doors and windows are of timber construction
- 1:20 sample elevations
- 1:1 joinery profiles

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

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

- 8 Prior to the occupation of any part of the rear conversion element (properties 1-8) details of the materials to be used in making good/bricking up any openings shall be 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 a satisfactory form of development and the use of similar/matching materials.

- 9 Prior to the occupation of the main building apartments 1-4 the windows shall be repaired and secondary glazing/internal double-glazed units installed as per the submitted details provided by Artic Glaze Ltd dated 07/07/2021.

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

*The meeting adjourned for a break at 15:22.*

#### **45. Application S24/0070**

*The meeting resumed at 15:40.*

**Proposal:** Proposed residential development of 9no. 3- bedroom houses with associated access off The Drift

**Location:** Land off The Drift, Harlaxton

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

*There were no public speakers for this application.*

Together with:

- Provisions within the SKDC Local Plan 2011-2036
- Provisions within the National Planning Policy Framework (NPPF)
- Provisions within the Design Guidelines for Rutland and South Kesteven
- Comments received from SKDC Environmental Health
- Comments received from SKDC Tree Officer
- Comments received from SKDC Conservation Officer
- Comments received from SKDC Design Officer
- Comments received from Heritage Lincolnshire
- Comments received from Historic England
- Comments received from Lincolnshire County Council Highways
- Comments received from Anglican Water
- Comments received from SKDC Local Plans Team
- No comments received from The Gardens Trust
- No comments received from the Environment Agency

**During questions to Officers and debate, Members commented on:**

-One Member asked whether the site was allocated in the Local Plan for residential development. The Planning Officer confirmed that the site had been identified as a draft allocation in the Local Plan Review, but it was not allocated in the current, adopted Local Plan.

-The Chairman praised those involved and recognised the good work of the Design PAD.

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

**Time Limit for Commencement**

- 18) 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**

- 19) The development hereby permitted shall be carried out in accordance with the following list of approved plans:
- i. Site Location Plan (received 16/01/24)
  - ii. Proposed Site Plan, drawing ref. (04)03-01 C (received 29/07/24)

- iii. Proposed Landscaping Plan, drawing ref. (03)05-01 C (received 29/07/24)
- iv. Proposed Site Details, drawing ref. (04)06-01 A (received 29/07/24)
- v. Proposed Swept Path Analysis, drawing ref. (04)07-01 B (received 29/07/24)
- vi. House Type – Plot 01 Type A, drawing ref. (04)08-01 A (received 10/06/24)
- vii. House Type – Plot 02 Type Cv.1, drawing ref. (04)08-02 B (received 29/07/24)
- viii. House Type – Plot 03 Type Bv.1, drawing ref. (04)08-03 A (received 10/06/24)
- ix. House Type – Plot 04 Type Cv.2, drawing ref. (04)08-04 A (received 10/06/24)
- x. House Type – Plot 05 Type Bv.2, drawing ref. (04)08-05 A (received 10/06/24)
- xi. House Type – Plot 06 Type Cv.3, drawing ref. (04)08-06 A (received 10/06/24)
- xii. House Type – Plot 07 Type Dv.1, drawing ref. (04)08-07 A (received 10/06/24)
- xiii. House Type – Plot 08 Type Dv.2, drawing ref. (04)08-08 A (received 10/06/24)
- xiv. House Type – Plot 09 Type E, drawing ref. (04)08-09 A (received 10/06/24)
- xv. Drainage Layout, drawing ref. 0-500 P2 (received 16/01/24)

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**

- 20) 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.  
Reason: To ensure the provision of satisfactory surface water drainage is provided in accordance with Policy EN5 of the adopted South Kesteven Local Plan.
- 21) Before the development hereby permitted is commenced, a scheme relating to the survey of the land for contamination shall have been submitted to and approved in writing by the Local Planning Authority.  
The scheme shall include:
  - i. A desk top study documenting all the previous and existing land uses of the site and adjacent land;

- ii. 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
- iii. A detailed scheme for remedial works and measures to be undertaken to avoid risk from contaminants and/or gases when the site is developed and proposals for future maintenance and monitoring.
- iv. Shall include the 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 the future residents and users of the development; and in accordance with South Kesteven Local Plan (Jan 2020) Policy EN4 (Pollution Control) and national guidance contained in the NPPF.

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

Thereafter, the archaeological investigations shall be completed in accordance with the approved WSI, including in accordance with any approved phasing.

Reason: In order to provide a reasonable opportunity to record the history of the site and in accordance with Policy EN6 of the adopted South Kesteven Local Plan and Paragraph 199 of the NPPF.

- 23) Before the development hereby permitted is commenced, all existing trees shown on the approved plan to be retained shall have been fenced off to the limit of their branch spread in accordance with BS 5837. No works including:

- i. removal of earth,
- ii. storage of materials,
- iii. vehicular movements or
- iv. siting of temporary buildings

shall be permitted within these protected areas.

Reason: To prevent unnecessary damage to existing trees and in accordance with Policies EN2 and OS1 of the adopted South Kesteven Local Plan.

### **During Building Works**

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

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

- 25) All works on site, including construction and delivery works, shall be carried out in accordance with the recommendations contained within the Habitats and Protected Species Report (May 2024) ref. 2464-PHA, unless otherwise agreed in writing by the Local Planning Authority.

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

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

- 26) Prior to first occupation of each dwelling hereby permitted, the sustainable building measures for the development shall be completed in accordance with the details set out within the approved Sustainable Building Statement (Boden Associates) (Dated 10 July 2024), and shall thereafter be retained for the lifetime of the development.

Reason: This condition is necessary in order to ensure that the proposal complies with the Council policy on sustainable building.

- 27) Before any part of the development hereby permitted is occupied/brought into use, a landscape management plan shall have

been submitted to and approved in writing by the Local Planning Authority. The plan shall include:

- iv. long term design objectives,
- v. management responsibilities and
- vi. maintenance schedules for all landscape areas, other than privately owned, domestic gardens.

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

- 28) Before any part of the development hereby permitted is occupied, the works to provide the boundary treatments shall have been completed in accordance with the approved Proposed Landscaping Plan, drawing ref. (03)05-01 Rev C and Site Details Fencing Plan, drawing ref. (04)06-01 Rev A.

Reason: To provide a satisfactory appearance to any boundary treatments, in the interests of the amenity of the occupants of the proposed dwellings and the outlook onto The Drift, in accordance with Policy DE1 of the adopted South Kesteven Local Plan.

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

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

- 30) Before any part of the development hereby permitted is occupied/brought into use, the external elevations of the dwelling houses 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.

### **Ongoing Conditions**

- 31) Following first occupation, the approved Habitats and Protected Species Report (May 2024) ref. 2464-PHA and Proposed Landscaping Plan, drawing ref. (03)05-01 Rev C 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 the interests of best ecological practice; and in accordance with Policy DE1 and EN2 of the adopted South Kesteven Local Plan.
- 32) Following first occupation, the approved Proposed Landscaping Plan, drawing ref. (03)05-01 Rev C and Site Details Fencing Plan, drawing ref. (04)06-01 Rev A shall be adhered to in full, unless otherwise agreed in writing by the Local Planning Authority.
- Reason: To provide a satisfactory appearance to any boundary treatments, in the interests of the amenity of the occupants of the proposed dwellings and the outlook onto The Drift, in accordance with Policy DE1 of the adopted South Kesteven Local Plan.
- 33) 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, shall be replaced in the first planting season following any such loss with a specimen of the same size and species as was approved in condition above unless otherwise agreed by the Local Planning Authority.
- Reason: To ensure the provision, establishment and maintenance of a reasonable standard of landscape in accordance with the approved designs and in accordance with Policies DE1, EN3 and OS1 of the adopted South Kesteven Local Plan.

#### **46. Application S24/0706**

**Proposal:** Section 73 application to vary condition 2 (approved plans) of S20/1862 Amendments to Plot 3 house type

**Location:** Osier Farm, 141B Eastgate, Deeping St James

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

**Noting comments in the public speaking session by:**

- Cllr Phil Dilks – As Ward Member.
- Statement read by Democratic Services on behalf of the Chairman of Deeping St James Parish Council.

Together with:

- Provisions within the SKDC Local Plan 2011-2036.*
- Provisions within the National Planning Policy Framework (NPPF).*
- Provisions within the Neighbourhood Plan.*
- Provisions within the Design Guidelines for Rutland and South Kesteven.*
- Comments received from LCC Highways and SuDS.*
- Comments received from SKDC Conservation Officer*
- Comments received from Deeping St. James Town Council*
- Comments received from Market and West Deeping Ward Councillors.*
- No comments received from Deepings Neighbourhood Plan Group.*

**During questions to Public Speakers, Members commented on:**

- The increase in height that was being proposed. This was confirmed to be an increase of 1.75 metres from 7 metres to 8.75 metres.
- The report from the Conservation Officer stating that this would have a 'neutral impact' upon the significance of the listed building, in the context of the surrounding plots.
- Whether the original application was for a three-storey building and, if not, at what point did the application change to seek three-storey approval. The Ward Member acting as speaker confirmed that the original plans had been for two-storey approval, however, it has become three-storey as a result of this application.
- Any objections raised by neighbours. The Ward Member acting as speaker confirmed that no objections from neighbours had been raised.

**During questions to Officers and debate, Members commented on:**

- The distance between Osier Farm and the nearest point of the proposed plots. The Assistant Director of Planning confirmed this to be 76.195 metres from the Supplementary papers.
- One Member identified that from Eastgate, the building on Plot 2 would shield Plot 3, subsequently minimising the impact of the height increase. This is also considering that there is a slight slope on the Eastgate Road.

-The reality of the slope was disputed by some Members; however, this was confirmed by the Officer.

*It was proposed, seconded and **AGREED** to authorise the Assistant Director of Planning to grant Planning Permission.*

*It was proposed, seconded and unanimously **AGREED** to extend the Planning Committee meeting beyond the initial three hours for another 40 minutes.*

*Cllr Fellows and Cllr Smith left the meeting.*

### **Time Limit for Commencement**

1. The development hereby permitted shall be commenced before the expiration of three years from the date of permission Ref. S20/1862.

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:

Drawing No.MSP.1517.001A Site Location Plan, received 29 October 2020

Drawing No.1837.A.1b Proposed Block Plan, received 19 April 2021

Drawing No.1837.A.2a Plot 1 drawings received 19 April 2021

Drawing No. 4533 D2-1 Rev A House Plot 2 Plan and Elevations received 4 March

2024

Drawing No. 4533 D100 Site Plan Plot 2 received 14 December 2023 (insofar as it

relates to Plot 2 only)

Drawing No.D01 Rev A Site Plan Plot 3 received 3 July 2024 (insofar as it relates to

Plot 3 only)

Drawing No.D02 Rev A Plot 3 Floor Plans received 3 July 2024

Drawing No.D03 Rev A Plot 3 Elevations received 3 July 2024

Drawing No.D04 Plot 3 Garage Plans and Elevations received 3 July 2024 (insofar

as it relates to Plot 3 only)

Drawing No. D01 Site Plan Plot 4 received 22 May 2024 (insofar as it relates to Plot 4 only)

Drawing No. D02 Plot 4 Plan and Elevations received 22 May 2024

Drawing No. D03 Plot 4 Garage Plan and Elevations received 22 May 2024 (insofar as it relates to plot 4 only)

Drawing No. D-03 Rev A Plot 5 Proposed Floor Plan and Elevations received 13 March 2024

Drawing No. D-01 Rev A Site Plan received 23 April 2024 (insofar as it relates to Plots 5 and 6 only)

Drawing No. D-02 Rev A Plot 6: Barn Proposed Floor Plans and Elevations received 5 March 2024

Drawing No. D-04 Plot 5 & 6 Garage plans received 27 December 2023 (insofar as it relates to Plots 5 & 6 only)

Drawing No.1837.A.8 Plot 7 Conversion and extension of cart barn received 29 October 2020

Drawing No.1837.a.10 Garages plans 4, 7 and 8 received 29 October 2020

Drawing No.D-05 Osier Farmhouse Garage Plan and Elevations received 27 December 2023 (insofar as it relates to Osier Farmhouse Only)

Unless otherwise required by another condition of this permission.

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

### **Prior to Commencement**

3. The archaeological investigations shall also have been completed in accordance with the approved details before development commences.

Reason: In order to provide a reasonable opportunity to record the history of the site and in accordance with Policy EN6 of the adopted South Kesteven Local Plan and Paragraph 199 of the NPPF.

### **During Building Works**

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 shall be notified immediately. An investigation and risk assessment shall be undertaken and where remediation is necessary a remediation scheme shall 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 shall be prepared, which is subject to the approval in writing of the Local Planning Authority.

Reason: To ensure the satisfactory development of the site.

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

4. The development hereby approved shall proceed fully in accordance with the recommendations within the Ecology and Protected Species Survey report by Inspired Ecology Ltd dated October 2019.

Reason: To ensure that satisfactory provision is made to safeguard the habitat of protected species that may be present on site.

5. Before any dwelling hereby permitted is occupied, radius kerbs should be provided on either side of the access so that it has the appearance of a private road junction. The radius kerbs should be dropped so as not to impede the passage of wheelchairs and perambulators.

Reason: In the interests of highway safety to accord with Section 9 of the NPPF (2023).

6. Before any part of the development hereby permitted is occupied/brought into use electric vehicle charging points shall be made available for use by each dwelling and shall be retained as such for the lifetime of the development.

Reason: To ensure that the development contributes to low carbon travel in accordance with Policy SB1 of the South Kesteven Local Plan (2020).

7. 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 materials schedule received 8 August 2024 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.

8. Before any part of the development hereby permitted is occupied/brought into use, the external surfaces shall have been completed in accordance with the approved details.

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

### **Ongoing**

9. 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.

10. 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.

## **47. Application S24/1191**

**Proposal: Removal of existing passenger lift to be replaced with new lift in the same location**

**Location: Stamford Arts Centre, 27 St Mary's Street, Stamford, Lincolnshire, PE9 2DL**

**Recommendation: To authorise the Assistant Director – Planning to GRANT listed building consent, subject to conditions.**

*There were no public speakers for this application.*

Together with:

- Provisions within the SKDC Local Plan 2011-2036
- Provisions within the Stamford Neighbourhood Plan
- Provisions within the National Planning Policy Framework
- Comments received from Stamford Town Council
- Comments received from Stamford Civic Society
- No comments received from Historic England.

**During questions to Officers and debate, Members commented on:**

-A Member endorsed their support for the application, highlighting that the lift had been out of order for over three years.

*It was proposed, seconded and **AGREED** unanimously 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. 206 P01 – Location & Site Plan received 31 May 2024
- ii. 206 P02A – Proposed Ground Floor Plan [received 31 May 2024]
- ii 206 P03 – Proposed South & East Elevation [received 31 May 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 any part of the development hereby permitted is occupied/brought into use, the external elevations shall have been completed using only the materials stated in the planning application forms unless otherwise agreed in writing by the Local Planning Authority.

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

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

One Member raised the issue of the North Street development in Stamford, explaining that its apparent abandonment was an eyesore for the community. It is believed that the same developer has left the Salvation Army site in the same condition. The Member queried what could be done in terms of enforcement action. This query was supported by another Member.

The Assistant Director of Planning confirmed that there was 'little' that could be done in terms of enforcement. However, they could serve an Untidy Site Notice under Section 215 of the Town & Country Planning Act.

A Member responded by querying if there was any leverage by using the ombudsman, particularly given that one of the areas has been in such a condition for over 30 years. The Assistant Director of Planning confirmed that the ombudsman can only intervene with public bodies, not individuals, so this was not an option. However, they would request their team to visit the site again. The Member asked if the owner would have to pay rates on the land given that the building had been demolished. The Assistant Director of Planning was unaware at the time.

*Cllr Bellamy left the meeting.*

A similar query was raised by another Member regarding the halted development on Dysart Road, Grantham as a resident of the area has contacted the relevant Councillor to report a landslip. The Assistant Director of Planning confirmed that any damage to the individual as a result of the landslip is unfortunately a civil matter, however, she would request the Enforcement Team to review the current situation with the site.

A Member asked if there were any updates regarding Haddon Road. The Assistant Director of Planning confirmed that this matter was currently with the Legal Team.

**49. Close of meeting**

*The Chairman closed the Planning Committee meeting at 16:50.*

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