

Minutes

Planning Committee

Thursday, 7 November 2024, 1.00 pm

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



SOUTH
KESTEVEN
DISTRICT
COUNCIL

Committee Members present

Councillor Charmaine Morgan (Chairman)
Councillor David Bellamy
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

Cabinet Members present

Councillor Richard Cleaver (Cabinet Member for Property and Public Engagement)
Councillor Phil Dilks (Cabinet Member for Planning)

Other Members present

Councillor Gareth Knight
Councillor Matthew Bailey

Officers

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

69. Register of attendance and apologies for absence

Apologies for absence were received from Councillors Penny Milnes and Harrish Bisnauthsing.

Councillor Max Sawyer substituted for Councillor Harrish Bisnauthsing.

70. Disclosure of interests

The Chairman made the following statement:

'With regards to item 5 of the Agenda (S24/1180 - Car Park, Stamford) and Agenda item 10 (S24/1620 - Tree works to TPO tree St Wulfram's, Grantham), I make a declaration on behalf of all members that whilst it is acknowledged that the applicant is the Council, this will not affect how members of the planning committee determine the application. All members have been trained and will determine the application in accordance with their planning training and with an open mind. Any member who does not feel they are open minded to determine the application today should make a declaration to that effect and not vote on the application.'

71. Minutes of the meeting held on 17 October 2024

The minutes of the meeting held on 17 October 2024 were proposed, seconded and **AGREED** as a correct record.

72. Application S24/0986

Proposal: Demolition of existing building and construction of 3no. commercial units (Use Class B2/B8), associated car parking, servicing yard and landscaping

Location: Autumn Park Business Centre, Dysart Road, Grantham

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

Noting comments in the public speaking session by:

Applicant Oliver Eves (Planner, NJL Consulting)

Together with:

- Provisions within SKDC Local Plan 2011-2036, National Planning Policy Framework (NPPF) and Rutland and South Kesteven Design Guide SPD.
- Comments received from Environmental Protection Services (SKDC).
- Comments received from LCC Highways & SuDS Support.
- No comments received from Environment Agency.
- Comments received from Anglian Water.

During questions to Public Speakers, Members commented on:

- Clarification was sought as to why the Applicant had requested a breakdown of the Section 106 financial contribution.

The Applicant confirmed their client had requested a breakdown of the cited figure provided by Highways. The request was in order to identify the financial contribution would include upgrades to the existing pedestrian crossing facilities to modern standards. The Highway Authority confirmed that the contribution was in relation to improvements to 7no. crossing points at a cost of approximately £4300 each.

The Senior Planning Officer clarified that without a signed agreement of a Section 106 financial contribution, the scheme could not commence.

- Concern was raised on disturbance of construction during the demolition of the existing building and construction of commercial units.

It was clarified the intention was for minimal disturbance, however, construction managements plans would be submitted to Highways, following a decision made on the application

During questions to Officers and debate, Members commented on:

Members discussed the overall improvement of the area in relation to appearance, access and drainage.

- A query was raised whether the proposal included the use of solar panels or electric charging points.

The Senior Planning Officer noted there were not any solar panels proposed on the application, however, the site was a town centre location and cycle storage was proposed. It was highlighted there was no requirement under legislation for solar panels to be implemented.

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

Time Limit for Commencement

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

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

Approved Plans

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

- i. Site Location Plan Dwg No. 18855 THPM XX 00
DR A 1000
- ii. Proposed Site Plan Dwg No. 18855 THPM XX 00
DR A 1011 Rev P05
- iii. Proposed Ground Floor Plan Dwg. No. 18855
THPM XX 00 DR A 1012 Rev P02
- iv. Proposed Elevation Plan Dwg. No. 18855 THPM
XX EL DR A 1013 Rev P04
- v. Proposed Roof Plan Dwg. No. 18855 THPM XX R1
DR A 1014 Rev P01

Unless otherwise required by another condition of this permission.

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

Pre-commencement

3 No development (including any demolition and/or site clearance/preparation works) shall be carried out until a Construction Environmental Management Plan has been submitted to the Local Planning Authority for approval in writing. The development shall, thereafter, be carried out in strict accordance with the details approved in response to this condition. The details shall provide the following:

- a) the parking of vehicles of site operatives and visitors;
- b) loading/unloading and storage of construction materials
- c) wheel cleaning facilities and road cleaning arrangements;
- d) measures to control the emission of dust and noise during construction;
- e) a scheme for recycling/disposing of waste resulting from site preparation and construction works;
- f) hours of construction work, site opening times, hours of deliveries and removal of materials; and
- i) routeing of construction traffic

Reason: To minimise detrimental effects to the neighbouring amenities and the amenities of the area in general, having regard to Local Plan Policy DE1 and the National Planning Policy Framework.

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

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

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

Prior to Occupation

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

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

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

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

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

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

8 Before the end of the first planting/seeding season following the occupation/first use of any part of the development hereby permitted, all soft landscape works shall have been carried out in accordance with the approved soft landscaping details Dwg No. 18855 SFH XX XX DR L 1001 Rev P01.

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

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

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

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

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

Ongoing Conditions

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

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

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

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

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

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

13 Prior to the first occupation of each individual unit hereby approved a delivery management plan for that unit shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

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

(Councillor Vanessa Smith joined the meeting at 13:23).

73. Application S24/1180

Proposal: Construction of an extension to the existing car park, comprised of 146 parking bays, including 11 accessible bays and 8 EV charging parking bays

Location: Car Park, Station Road, Stamford, Lincolnshire PE9 2JL

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

Noting comments in the public speaking session by:

SKDC Cabinet Member for Property and Public Engagement
Councillor Richard Cleaver

Together with:

- Provisions within SKDC Local Plan 2011-2036, Stamford Neighbourhood Plan, Design Guidelines for Rutland and South Kesteven and National Planning Policy Framework.
- Comments received from SKDC Conservation.
- Comments received from Environment Agency.
- Comments received from Lincolnshire County Council.
- No comments received from The Gardens Trust.
- Comments received from Stamford Town Council.
- Comments received from Heritage Lincolnshire.
- Comments received from Environmental Protection.

During questions to Public Speakers, Members commented on:

- One Member queried why Stamford Town Council wished to delay the decision until a full survey had taken place.

The Cabinet Member for Property and Public Engagement was unaware of the reasoning behind Stamford Town Council's objections.

During questions to Officers and debate, Members commented on:

- A query was raised on whether Stamford Town Council's objections should be considered and taken into account or not.

The Assistant Director of Planning and Growth advised that the Committee had enough information from Officers to make a decision.

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

Time Limit for Commencement

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

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

Approved Plans

- 2) The development hereby permitted shall be carried out in accordance with the following list of approved plans:
 - 1) Site Location Plan (received 10/07/24)
 - 2) Car Park General Arrangement, drawing ref. 12741-WMS-ZZ-XX-D-39501-S8-P4 (received 10/07/24)
 - 3) Levels Layout, drawing ref. 12741-WMS-ZZ-XX-D-39003-S8-P2 (received 10/07/24)
 - 4) Drainage Layout, drawing ref. 12741-WMS-ZZ-XX-D-39201-SB-P2 (received 10/07/24)
 - 5) Kerbs and Surfacing Layout, drawing ref. 12741-WMS-ZZ-XX-D-39503-S8-P2 (received 10/07/24)
 - 6) Proposed Car Park Lighting Plan, drawing ref. 1274/NPL/LTG/001 (received 10/07/24)

Unless otherwise required by another condition of this permission.

Before the Development is Commenced

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

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

During the Building Works

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

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

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

Before the Development is Occupied

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

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

- 6) Before any part of the development hereby permitted is occupied/brought into use, any lighting shall have been completed in accordance with the approved details.

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

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

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

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

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

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

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

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

- 10) Before any part of the development hereby permitted is occupied/brought into use, a verification report confirming that remedial works have been completed shall have been submitted to and approved in writing by the Local Planning Authority. The report shall have been submitted by the nominated competent person approved, as required by condition above. The report shall include:
- i. A complete record of remediation activities, and data collected as identified in the remediation scheme, to support compliance with agreed remediation objectives;
 - ii. As built drawings of the implemented scheme;
 - iii. Photographs of the remediation works in progress; and
 - iv. Certificates demonstrating that imported and/or material left in situ is free from contamination.

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

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

Ongoing Conditions

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

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

74. Application S24/1481 & S24/1482

S24/1481

Proposal:

Submission of details reserved by Condition 24 (Off-site highways works)

of planning permission S16/2816

Location: Land at Rectory Farm (Phase 1), Grantham

Recommendation: To authorise the Assistant Director – Planning & Growth to APPROVE the details submitted pursuant to condition 24 of planning permission S16/2816

S24/1482

Proposal: Submission of details reserved by Condition 24 (Off-site highways works) of planning permission S16/2819

Location: Land at Rectory Farm (Phase 1), Grantham

Recommendation: To authorise the Assistant Director – Planning & Growth to APPROVE the details submitted pursuant to condition 24 of planning permission S16/2819

Noting comments in the public speaking session by:

Applicant	Rob Thorley, Land and Planning Director, Jelson Homes Jonathan Gimblett, Vistry Homes
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Together with:

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

During questions to Officers and debate, Members commented on:

- Lincolnshire County Council and National Highways were satisfied with the proposal.
- Members encouraged allocated sites to commence work, due to other projects being delayed around Grantham. The Committee were eager to achieve the housing delivery target.
- Members welcomed significant junction improvements as part of the proposal.

S24/1481

It was proposed, seconded and **AGREED** to authorise the Assistant Director – Planning & Growth to **APPROVE** the details submitted pursuant to condition 24 of planning permission S16/2816:

S24/1482

It was proposed, seconded and **AGREED** to **APPROVE** the following details pursuant to Condition 24 of planning permission S16/2819.

75. Application S24/1442 & S24/1443

S24/1442

Proposal: Section 73 application to vary Condition 24 (Off-site highways works) of planning permission S16/2816 (Revised submission of planning application S24/0140)

Location: Land at Rectory Farm (Phase 1), Grantham

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

S24/1443

Proposal: Section 73 application to vary Condition 24 (Off-site highways works) of planning permission S16/2819

Location: Land at Rectory Farm (Phase 1), Grantham

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

Noting comments in the public speaking session by:

District Ward Councillors

Councillor Paul Martin (Statement read out)
Councillor Gareth Knight

Against

Roger Graves, Local Resident

Applicant

Mike Walker, Land Director for Vistry Homes
Chris Holloway (Transport Consultant)

Together with:

- Provisions within South Kesteven Local Plan 2011-2036, Design Guidelines for Rutland and South Kesteven Supplementary Planning Document and National Planning Policy Framework (NPPF).
- Comments received from Lincolnshire County Council (Highways & SuDS).
- Comments received from Barrowby Parish Council.
- Comments received from National Highways.
- Comments received from Grantham Town Council.

During questions to Public Speakers, Members commented on:

- Clarification was sought around a comment made on a masterplan.

The Ward Councillor outlined the significant amount of development taking place in this part of the town. There were very few objections to surrounding developments, due to other developers on nearby applications contributing to transport infrastructure.

- One Member requested examples of when the Council had “rolled over” applications in the past.

It was highlighted that various conditions were proposed for the Barrowby Gate development in 1970-80s. The issue had been long term in this part of the town around the lack of infrastructure and/or facilities, when the applications had conditioned sports facilities, shops, play areas etc.

The Assistant Director of Planning & Growth issued a caution in terms of comments made in relation to past developments that date back to 1970-80s in terms of failed delivery infrastructure.

The Committee were reminded to consider the acceptability of the proposal and the proposal in this case was whether the trigger point for requiring the works to be completed could be moved, not whether the developer could avoid delivering the junction improvements

It was clarified the Council did not have a planning application for the Poplar Farm development at present to vary any of the terms of the planning permission that had been previously granted.

- A Member queried whether the Ward Councillor had any specific contrary evidence regarding movements in the area at present. The Ward Councillor disagreed with the comments from Highways stating the site would have 11 two-way trips at peak times.

The Ward Councillor provided anecdotal evidence from personal experiences. Concern was raised the junction was already congested, without this application.

The Assistant Director of Planning & Growth informed the Committee that technical evidence would need to be provided to the Inspector if the application was refused on vehicular movements. Anecdotal information and evidence was unlikely to assist in an appeal decision.

(Councillor Tim Harrison declared he was the Chairman of Grantham Town Council, who had objected to this proposal. It was confirmed that Councillor Harrison had no input into the objection comments and he was not pre-determined).

- One Member queried the reasoning behind the delay in the junction improvements.

The Applicant confirmed that they were required to follow formal approval processes with other authorities. The original planning permissions had been approved with a junction improvement design, which had been assumed to be at a satisfactory standard to allow the technical approval process to be advanced. However, the Applicant's have subsequently been required to

redesign the junction improvements, which had taken an extended period of time. The revised scheme can now be put forward for technical approval, but this process could take up to 12 months.

- One Member noted the previous application for the site had gone to appeal. It was queried whether the Applicant's would continue to appeal the previous application for 150 homes on the site, if this application be granted.

The Applicant's engineering and highways consultants still considered that the occupation of 150 dwellings as proposed by the previous application would still be safe and would not have a severe impact on the junction.

The Applicant's would be reluctant to withdraw the appeal and would not commit to a decision at present.

The Assistant Director for Planning & Growth reminded the Committee of the live appeal situation. The appellant's view in terms of the appeal was not material for the consideration of this application and the decision would not bind the Council to any course of action in terms of that appeal. This application should be judged on its own merits.

The Applicant clarified they had received dialogue with the authorities, which had got them to 50 homes position, which National Highways and Lincolnshire County Council were satisfied with.

- Clarification was sought on whether the Applicant's were aware of timescales that authorities work to prior to submitting the application.

The Applicant confirmed they had a planning permission for two junction designs for northbound and southbound slip roads. The designs had gone through the process as part of the application that had been signed off by all authorities. The Applicant's design works on the junction, in liaison with Highways had taken 9-12 months, however, it was a time-consuming process.

- It was noted that an application for the site was submitted 8 years ago, however, traffic issues were so significant that the junction was deemed unacceptable and a condition was put in requiring the junction improvement prior to occupancy. A query was raised on whether the volume of traffic had changed in the last 8 years and whether there was any data to show an ongoing increase or decrease in traffic since the original condition was put into place.

The Applicant confirmed the original submission and the technical work completed to reach an agreement for junction improvements was only completed in 2020. The data was based on data from 2019, which had been updated and assessed since the original submission, which was standard practice.

More up to date data had been completed following the pandemic which had affected traffic flows. Long-term monitoring suggested that traffic data had only recently returned to pre-pandemic levels. Ongoing monitoring was taking place, however, traffic flows had not materially changed since the original assessment in 2019.

- One Member queried whether data for monitoring traffic was desk based or actual equipment on the roads assessing the volume of traffic.

The Applicant clarified the volume of traffic was undertaken in a traffic survey itself. The monitoring was general statistics for road networks across the County as a whole, which were mainly automatic traffic counters, however, was not specifically used at the junction in question.

During questions to Officers and debate, Members commented on:

- Whether the application could be refused on any planning grounds as there were no objections from National Highways.
- What weight could be given to anecdotal evidence from residents and public speakers against National Highways evidence.

The Assistant Director of Planning and Growth reminded the Committee to take regard to both forms of evidence. The Council carried out consultations with statutory and other stakeholders who had expertly advised the Planning Authority and the Committee in terms of their position. At any appeal, evidence would need to be provided to persuade an inspector that the position was correct.

In this occasion, technical data had been provided via detailed transport assessment which had been assessed by the Highways Authority and by National Highways. These provided expert opinions, at safety and capacity had raised no objections to the proposal. Members were requested to provide valid evidence that could be used to present to an Inspector if the application was refused, to reasonably defend the position. Anecdotal evidence was not sufficient for a reason for refusal at appeal.

- It was queried whether the figures that 50 dwellings would result in 12 additional two-way trips and 11 two-way trips in the PM was based on a national standardised formula.
- One Member requested figures surrounding the number of accidents occurring in the area within the junction.

The Assistant Director of Planning & Growth clarified that actual data had been collected and included within the report. Data varied from being selected, traffic modelling for Lincolnshire and other evidence from similar developments with the same sets of circumstances. The figures provided

within the report would have been scrutinised by Lincolnshire County Council and National Highways.

The Principal Development Management Planner highlighted that accident data was provided from a 7 year period up to July 2023, there had been a total of 7 accidents at the junction, equating to 1 per year.

As part of the previous refusal, Lincolnshire and National Highways both objected to the application prior to a decision being made. This refusal decision had gone to appeal.

- Concern was raised that if this application was refused and went to appeal, the Council would be at great risk of losing the appeal and delaying works that would take place in the future.
- Clarification was sought around the wording of condition 24 and advice given by Highways.

It was clarified the use of terminology. The previous application considered was a submission of details, therefore the condition was still relevant to this application and the details would have to be implemented. Lincolnshire County Council's response outlined they were comfortable with the details being the same and provide the same level of mitigation. However, the condition would not be formally fulfilled, until the junction works had taken place.

The effect of a Section 73 permission was to still condition the junction works being completed prior to 50 occupations in total across the two schemes.

The Assistant Director of Planning & Growth noted the original condition was technical design of the junction to be implemented before any occupation. The previous application was merely to determine the technical design of the junction. This application was to change the trigger point of the delivery of the junction, from 0 occupations to 50 occupations.

- It was queried whether a condition could be included to ensure the junction works are completed at 50 occupations only.

It was confirmed that applicants were entitled to apply for a variation of applications if they wished to do so, therefore, that was not possible.

- Further concern was raised on desk-based modelling of the junction works. It was queried whether a condition could be included regarding ongoing traffic maintenance.

The Committee were informed that the desk-based data was the evidence given and a decision should be made on the information provided.

- Concern was raised on the buildout of the 50 dwellings would be built prior to any works taking place on the junction.

The Assistant Director of Planning & Growth estimated that 50 dwellings could be completed in one year for a single house builder. For this application, several dwellings had already been built.

- Clarification was sought around timescale of when the junction would be completed.

It was clarified that a definitive date could not be given in terms of the junction works being improved due to a process being followed before road space being implemented to complete the works. The Applicant had previously informed the Committee they were anticipating commencing the junction in March 2026, the junction works would then be completed and operational in September 2026.

- A query was raised on whether there were any material planning considerations that the application could be rejected on.

The Officer recommendation was for the application to be approved. The original condition was to ensure that the A1/A52 junction has adequate capacity to accommodate the additional traffic generated by the development which should be considered.

- Further concern was raised on the quality of data being relied on and further information was requested on what data was used. It was raised that residents concerned of the traffic could commission their own expert report which could be used as evidence.
- A query was raised on whether the housing being provided as part of the application would include affordable homes.

The Principal Development Management Planner confirmed that traffic had been assessed on transport models which were based upon survey data collected from the site itself. The information is then used to produce a model alongside other sites with similar schemes around the locality and country, which were used to sense check the site-specific modelling.

The application did not specify whether the dwellings would be open market or affordable homes.

- Clarification was sought on whether the original refusal was based on the entire development or on 50 dwellings as currently proposed.

The original application was not a refusal, previously Lincolnshire County Council and Highways England reviewed the applications and had concerns around the capacity of the junction, and therefore required junction improvements to be carried out prior to any occupations on site.

- One Member highlighted that if the application was approved, residents may take alternative routes through other roads which may result in unintended impact on other routes.

Traffic modelling took into consideration that behaviours would mean people may travel in different directions and routes which may provide a form of impacts.

- A query was raised on a trigger for a bus service within the area.

The Council communicate with Lincolnshire County Council on bus services, which were difficult to sustain. Due to this application being a variation of an original application, a requirement for a bus service could not be implemented.

- Whether the assumption had been made that 50 houses were acceptable but 50 houses was unacceptable.

The Assistant Director of Planning & Growth confirmed that it could not be predicted whether an application for further houses could be submitted. Lincolnshire County Council and Highways Authorities had robustly defended the 150 houses, which the Council would continue to defend through the appeal process.

S24/1442

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

Schedule of Conditions

Approved Plans

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

Site Location Plan: 379-LP-01C received 24 January 2019

Access: NTW 477 014 received 24 January 2019

Site Wide Plans: 379-SK-01F; 379-SK-02F; 379-SK-03F; 379-SK-04F; 379-SK-05F; 8247-L-01C; GRA01.PL001D; GRA01.PL004A; GRA01.PL006A; GRA01.PL008B; GRA01.PL009B all received 18 September 2020

House Types and garages: HWK.pe7; EVE.pe; WAY.pe; MOU.pe; MYL.pe; PEM.pe; Rip.pe; KNI.pe; ASL.pe; COT.CH.pe; SG.pe; DTG.pe all received 08 June 2018

Unless otherwise required by another condition of this permission.

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

During Building Works

Construction Management Plan

- 2) All construction works on site shall be carried out in accordance the Construction Management Plan and Method Statement (Dated February 2023) approved under application reference: S23/0300, unless otherwise agreed in writing by the Local Planning Authority.

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.

Ecological Mitigation

- 3) The development shall be carried out in accordance with the ecological mitigation measures specified in the Environmental Statement (Dated May 2018).

Reason: In the interests of ecology and biodiversity.

Before the Development is Occupied

Estate Road

- 4) Before any dwelling is occupied, all of that part of the estate road and associated footway that forms the junction with the main road and 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.

Hard Landscaping

- 5) Before any part of the development hereby permitted is occupied / brought into use, all hard landscaping works shall have been carried out in accordance with the details approved under application ref: S23/0300 except where amended by application ref: S24/0525, unless otherwise agreed in writing by the Local Planning Authority.

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.

Soft Landscaping

- 6) Before the end of the first planting / seeding season following the occupation / first use of any part of the development hereby permitted, all soft landscaping works shall have been carried out in accordance with the soft landscaping details approved under application ref: S23/0300, unless otherwise agreed in writing by the Local Planning Authority.

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.

Materials

- 7) Before any part of the development hereby permitted is occupied / brought into use, the external surfaces shall have been completed in accordance with the details approved under application ref: S23/0300, 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.

Boundary Treatments

- 8) 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 details approved under application ref: S23/0300, unless otherwise agreed in writing by the Local Planning Authority.

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.

Surface and Foul Water Drainage

- 9) Before any part of the development hereby permitted is occupied / brought into use, the works to provide the surface and foul water drainage shall have been completed in accordance with the details approved under application ref: S23/0300, unless otherwise agreed in writing by the Local Planning Authority.

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

Sustainable Building

- 10) Prior to first occupation of each dwelling hereby permitted, the approved sustainable building measures shall be completed in accordance with the details approved under application ref: S23/0500, unless otherwise agreed in writing by the Local Planning Authority.

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

Off-Site Highways Works

- 11) No more than 30 dwellings within the development hereby approved shall be occupied, until either the scheme shown on drawing 103790 PEF ZZ XX DR Y SK002 (Linden/Jelson Eastern junction 'top up' scheme), the scheme shown on drawing 103790 PEF ZZ XX DR Y SK001 (GDOV Eastern junction 'top up' scheme as required under condition 28 of planning permission S17/1262), [the scheme shown on Proposed General Arrangement Plan (Ref: SK18/SB JCN/Rev P1)] or any other alternative scheme providing the same mitigation that may be submitted to and approved in writing by the LPA has been completed.

Reason: To ensure that the A1 / A52 junction has adequate capacity to accommodate the additional traffic generated by the development.

Off-Site Highways Works (Western junction)

- 12) No more than 448 dwellings within the development hereby approved, either alone or in combination with planning permission S16/2819 shall

be occupied, until the scheme shown on drawing no. 106648-SK006 Rev A (the Western junction GDOV scheme) has been completed.

Reason: To ensure that the A1 / A52 junction has adequate capacity to accommodate the additional traffic generated by the development.

Ongoing Conditions

Landscaping Protection

- 13) 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 identified in the approved soft landscaping scheme, 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 plans and in accordance with Policy DE1, EN3 and OS1 of the adopted South Kesteven Local Plan.

Landscape Management Plan

- 14) Following the first occupation of the final dwelling / unit hereby permitted, the approved Landscape and Biodiversity Management Plan approved under application ref: S23/0300 shall be adhered to in full, unless otherwise agreed in writing by the Local Planning Authority.

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 Policy DE1, EN3 and OS1 of the adopted South Kesteven Local Plan.

Surface Water Drainage

- 15) The approved surface water drainage 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, the permitted development.

(Councillors Tim Harrison and Patsy Ellis voted against the proposal.)

S24/1443

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

Schedule of Conditions

Approved Plans

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

Site Wide Plans

- Green Infrastructure Strategy Plan (Ref: 8247-L-01-C)
- Composite Proposed Site Plan (Ref: GRA01.PL001J)

- Proposed Site Plan (Ref: GRA01.PL002J)
- Composite Proposed House Type Plan (Ref: GRA01.PL004G)
- Proposed House Type Plan (Ref: GRA01.PL005G)
- Composite Storey Height Plan (Ref: GRA01.PL006E)
- Proposed Storey Height Plan (Ref: GRA01.PL007E)
- Composite Proposed Movement Plan (Ref: GRA01.PL008E)
- Proposed Materials Layout (received 27 April 2023)
- Composite Proposed Store and Bin Plan (Ref: GRA01.PL011E)
- Close Coupled Substation – Pyramid Roof Detail (Ref: GTC-E-SS-0012_R2-1_1of1)

House Types and Garages

- Redpoll (Brick) (Ref: JD313X_AS)
- Redpoll (Brick) (Ref: JD313X_OP)
- Redpoll (Render) (Ref: JD313Y_AS)
- Redpoll (Render) (Ref: JD313Y_OP)
- Redpoll (Ref: JD331Y-AS)
- Redpoll (Ref: JD331Y-OP)
- Whinchat (Ref: JD315X-AS)
- Whinchat (Ref: JD315X-OP)
- Willowby (Brick) (Ref: JD319X-AS)
- Willowby (Brick) (Ref: JD319X-OP)
- Willowby (Render) (Ref: JD319Y-AS)
- Willowby (Render) (Ref: JD319Y-OP)
- Willowby (Ref: JS319X_AS)
- Willowby (Ref: JS319X_OP)
- Willowby (Ref: JS319HAX_OP)
- Willowby (Ref: JS319HAX_AS)
- Woodcock (Ref: JD326X-AS)
- Woodcock (Ref: JD326X-OP)
- Woodcock (Ref: JS326X_AS)
- Woodcock (Ref: JS326X_OP)
- Auklet (Ref: JD332Y_AS)
- Auklet (Ref: JD332Y_OP)
- Maple (Ref: JD401Y_AS)
- Maple (Ref: JD401Y_OP)
- Siskin (Ref: JD402Y-AS)
- Siskin (Ref: JD402Y_OP)
- Osprey (Ref: JD407X_AS)
- Osprey (Ref: JD407X_OP)
- Aspen (Ref: JD408X-AS)
- Aspen (Ref: JD408X_OP)
- Cardinal (Ref: JD411X_AS)
- Cardinal (Ref: JD411X_OP)
- Redwood (Brick) (Ref: JD416X_AS)
- Redwood (Brick) (Ref: JD416X_OP)
- Redwood (Render) (Ref: JD416Y_AS)

- Redwood (Render) (Ref: JD416Y_OP)
- Kingfisher (Brick) (Ref: JD421X_AS)
- Kingfisher (Brick) (Ref: JD421X_OP)
- Kingfisher (Render) (Ref: JD421Y_AS)
- Kingfisher (Render) (Ref: JD421Y_OP)
- Amber (Ref: JS203X_AS)
- Amber (Ref: JS203X_OP)
- Amber (JS203XHA_AS)
- Amber (JS203XHA_OP)
- Heron (Brick) (Ref: JS318X_AS)
- Heron (Brick) (Ref: JS318X_OP)
- Heron (Render) (Ref: JS318Y-AS)
- Heron (Render) (Ref: JS318Y_OP)
- Plover (Brick) (Ref: S304XHA_AS/OP)
- Plover (Brick) (Ref: S304X_AS/OP)
- Plover (Render) (Ref: S304Y_AS/OP)
- Garage Design (Ref: GD1-P01-AS)
- Garage Design (Ref: GS1C-P01-AS)

Unless otherwise required by another condition of this permission.

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

During Building Works

Construction Management Plan

- 2) The development hereby permitted shall be undertaken in accordance with the Construction Management Plan and Construction Phase Surface Water Management Plan approved as part of application reference: S23/0092, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the permitted development is adequately drained without creating or increasing flood risk to land or property to, or downstream of, the permitted development during construction and to ensure that suitable traffic routes are utilised.

Before the Development is Occupied

Sustainable Buildings

- 3) Prior to first occupation of each dwelling hereby permitted, the sustainable building measures approved as part of application reference: S23/0092 shall be completed in full for each dwelling, in accordance with the agreed scheme.

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

Surface and Foul Water Drainage

- 4) Before any part of the development hereby permitted is occupied / brought into use, the works to provide the surface and foul water drainage scheme approved as part of the application reference: S23/0092 shall have been completed in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.

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

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

Hard Landscaping

- 5) Before any part of the development hereby permitted is occupied / brought into use, all hard landscaping works shall have been carried out in accordance with the hard landscaping details approved as part of application reference: S23/0092, unless otherwise agreed in writing by the Local Planning Authority.

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.

Materials

- 6) Before any part of the development hereby permitted is occupied / brought into use, all external surfaces shall have been completed in accordance with the Materials Layout (Received 27 April 2023) approved as part of application reference: S23/0592, 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.

Boundary Treatments

- 7) Before any part of the development hereby permitted is occupied / brought into use, the boundary treatments shall have been completed in accordance with the Boundary Treatment details and Phasing and Build Route approved as part of application reference: S23/0092, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To provide a satisfactory appearance to any boundary treatments and by screening rear gardens from public view, in the interests of 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.

Estate Road

- 8) Before any part of the development hereby permitted is occupied, all of that part of the estate road and associated footways that forms the junction with Barrowby Road and which will be constructed within the limits of the existing highway, shall be laid out and constructed to finished surface levels in accordance with the details approved under application reference: S23/0092, unless otherwise agreed 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.

Soft Landscaping

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

soft landscaping details approved under application S23/0092, unless otherwise agreed in writing by the Local Planning Authority.

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

Off-Site Highways Works

- 10) No more than 20 dwellings within the development hereby approved shall be occupied, until either the scheme shown on drawing 103790 PEF ZZ XX DR Y SK002 (Linden/Jelson Eastern junction 'top up' scheme), the scheme shown on drawing 103790 PEF ZZ XX DR Y SK001 (GDOV Eastern junction 'top up' scheme as required under condition 28 of planning permission S17/1262), [the scheme shown on Proposed General Arrangement Plan (Ref: SK18/SB JCN/Rev P1)] or any other alternative scheme providing the same mitigation that may be submitted to and approved in writing by the LPA has been completed.

Reason: To ensure that the A1 / A52 junction has adequate capacity to accommodate the additional traffic generated by the development.

Off-Site Highways Works (Western junction)

- 11) No more than 448 dwellings within the development hereby approved, either alone or in combination with planning permission S16/2819 shall be occupied, until the scheme shown on drawing no. 106648-SK006 Rev A (the Western junction GDOV scheme) has been completed.

Reason: To ensure that the A1 / A52 junction has adequate capacity to accommodate the additional traffic generated by the development.

Ongoing Conditions

Landscaping Protection

- 12) 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 identified in the approved soft landscaping scheme, unless otherwise agreed by the Local Planning Authority.

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

Landscape Management Plan

- 13) Following the first occupation of the final dwelling / unit hereby permitted, the Landscape and Biodiversity Management Plan and Preliminary Ecological Appraisal approved under application ref: S23/1745 shall be adhered to in full thereafter, unless otherwise agreed in writing by the Local Planning Authority.

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 Policy DE1, EN3 and OS1 of the adopted South Kesteven Local Plan.

(Councillors Tim Harrison and Patsy Ellis voted against the proposal.)

76. Application S24/1620

Proposal: Annual removal of basal shoots and epicormic growth on lower stems to heights of 2m to lime trees T3- T10, T13-T15 and T17 with the addition of crown lift to 6m T9 only

Location: St Wulfram's Church, Church Street, Grantham, Lincolnshire, NG31 6SR

Recommendation: To authorise the Assistant Director – Planning to GRANT Consent, subject to conditions.

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

1. Crown lifting to T9 shall be to a maximum height above ground level of 6m. This work shall involve the removal of low branches to the height specified and result in a tree of balanced appearance. Those branches to be removed shall be cut at their origin and all branch collars shall be left intact. Climbing irons or 'spikes' shall not be used and the works shall have regard to the BS3998 (2010) Tree Work-Recommendations.

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

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

The Chairman invited the Planning Committee to attend a Joint Environment and Rural & Communities Overview and Scrutiny Committee on 9 December 2024 at 10am. The Joint Overview and Scrutiny Committee were due to discuss Planning Policies.

78. Close of meeting

The Chairman closed the meeting at 15:30.