



## Planning Committee

6 February 2025

### S24/1822

Proposal:	Proposed demolition of Class Q consented barn and erection of a detached dwelling, hard and soft landscaping and formation of a re-wilding Zone
Location:	Wildwood, Nightingale Lane, Aisby, NG32 3NE
Applicant:	J King and P Kermeen
Agent:	Mr John Dickie, John Dickie Associates, 5 Victor Way, Cherryholt Road, Bourne
Application Type:	Full Planning Permission
Reason for Referral to Committee:	Call In – Councillor Sarah Trotter due to concerns about visual intrusiveness/impact
Key Issues:	Impacts on the character of the area Impacts on amenity Highway safety/parking Drainage/flood risk

#### Report Author

Miranda Beavers – Senior Development Management Planner

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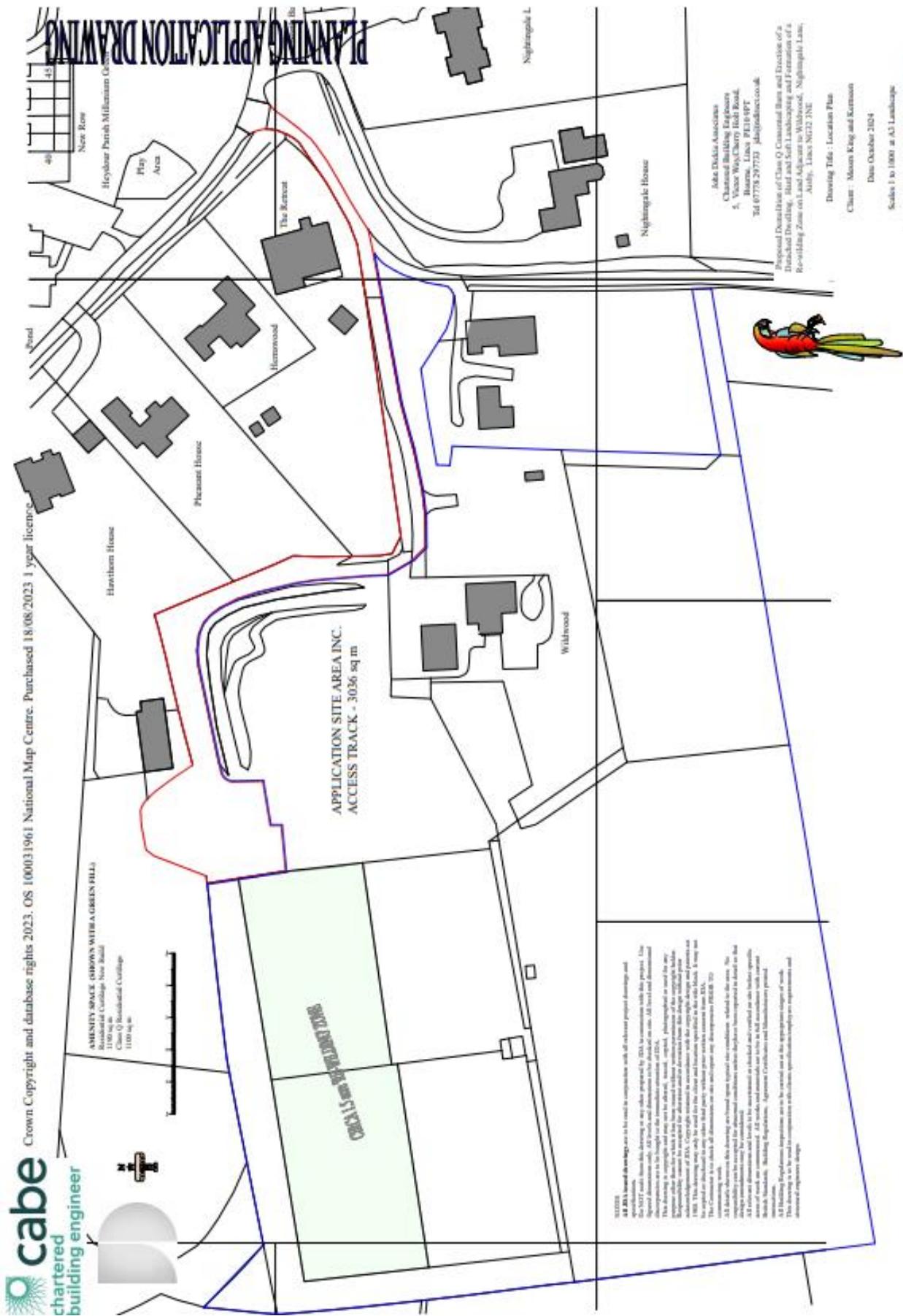
[Miranda.beavers@southkesteven.gov.uk](mailto:Miranda.beavers@southkesteven.gov.uk)

Corporate Priority:	Decision type:	Wards:
Growth	Regulatory	Lincrest

Reviewed by: Adam Murray – Principal Development Management Planner | 29 January 2025

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

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



## 1 Description of Site

1.1 The existing barn comprises a steel framed, wooden clad agricultural building (previously used for lambing), with pitched roof. There are 16 photovoltaics panels on the south facing roof slope. The land is situated to the western edge of the village, Aisby. The land lies to the rear (west) of four detached dwellings which lie to the western side of Green Lane. The application site is initially accessed from Green Lane via a shared access road along Nightingale Lane, with the remaining access being located to the north of 'Wildwood'.

## 2 Description of Proposal

2.1 This application is for the demolition of an existing barn and erection of a detached dwelling, hard and soft landscaping (including access way) and creation of re-wilding zone. The replacement dwelling in this instance is recognised as being smaller in scale than the dwelling that was applied for and refused under S23/1913 and again under S24/1291. These applications were refused for the following reason:

- 1) *The proposed development would result in the erection of a new building dwelling within an area identified as being Open Countryside, and there is no demonstrable need for the dwelling to be located in this location contrary to Policy SP5 of the adopted Local Plan. Whilst the site benefits from a fallback position, which has established the principle of a single dwelling on the site, the application proposals would result in a form of development which would be harmful to the character and appearance of the area, and would not represent a betterment when assessed against the fallback position. As such, the application proposals are contrary to Policy SP5 and DE1 of the adopted South Kesteven Local Plan, the Design Guidelines SPD (Adopted November 2021), and Section 12 of the National Planning Policy Framework (2023). The material considerations in this case, including the betterment provided by the proposed rewilding area would not outweigh the conflict with the adopted development plan.*

## 3 Relevant History

- S22/1235 Conversion of existing agricultural building (sited to the northern boundary of Wildwood) into a single dwelling, with the provision & insertion of new windows and roof windows to provide natural light to all habitable rooms  
Approved Details Not Required (with conditions) 05/08/2022
- S23/1913 Demolition of existing barn and erection of a detached dwelling, detached storage building and formation of a re-wilding zone.  
Refused 31/01/2024  
Appeal in Progress
- S24/1291 Proposed demolition of Class Q consented barn and erection of a detached dwelling, garaging, hard and soft landscaping and formation of a re-wilding Zone.  
Refused 13/08/2024

## 4 Policy Considerations

### 4.1 SKDC Local Plan 2011 – 2036

Policy SD1 'The Principles of Sustainable Development in South Kesteven'  
Policy SP1 'Spatial Strategy'  
Policy SP2 'Settlement Hierarchy'  
Policy SP5 'Development in the Open Countryside'  
Policy SB1 'Sustainable Building'  
Policy DE1 'Promoting Good Design'  
Policy ID2 'Transport and Strategic Transport Infrastructure'  
Policy EN1 Landscape Character

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

Chapter 4 'Decision Making'  
Chapter 5 'Delivering a sufficient supply of homes'  
Chapter 9 'Promoting sustainable transport'  
Chapter 12 'Achieving well-designed places'  
Chapter 14 'Meeting the challenge of climate change, flooding and coastal change'  
Chapter 15 'Conserving and enhancing the natural environment'

#### 4.3 **Supplementary Planning Document:**

Design Guidelines for Rutland and South Kesteven (November 2021)

### 5 **Representations received**

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

5.1.1 No objections subject to conditions.

5.1.2 The lane serving the property is a private road, and the highway authority has no jurisdiction over the use of this road. With regard to this application, we have considered the safety and impact of these proposals on Green Lane and its junction with the private lane. It is for the Local Planning Authority to determine whether the access provided by the private road is safe and suitable for all users. The junction of the private lane and Green Lane remains unchanged and parking has been provided in line with the guidance set out in Lincolnshire County Councils Design Approach and turning space has been provided within the limits of the site to allow vehicles to enter and leave in a forward gear and therefore, it is considered that this proposal would not result in an unacceptable impact upon highway safety

5.1.3 Access to the application site is gained via the track over which a public right of way passes. The surface of the public footpath should not be disturbed without the consent of the Highway Authority. The legal alignment of the public footpath should remain open and available for public use. It is expected that there will be no encroachment, either permanent or temporary, onto the right of way as a result of the proposal. The proposed works shall not pose any dangers or inconvenience to the public using the right of way. No additional structures (i.e gates) should be erected on the surface of the public footpath without the prior consent of the Highway Authority.

#### 5.2 **Lincolnshire Wildlife Trust**

5.2.1 I like the separation of the vegetated garden and neutral grassland. As long as these two sites remain distinct with the latter maintained to the appropriate condition I feel this would be appropriate implementation of the metric.

#### 5.3 **Heydour Parish Council**

5.3.1 At Heydour PC meeting held on the 10th September it was resolved that the Council submit that they have 'No comment' on the application S24/1291.

#### 5.4 **Environmental Protection**

5.4.1 No objections subject to conditions

#### 5.5 **Historic England**

5.5.1 No objections.

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

6.1 This application has been advertised in accordance with the Council's Statement of Community Involvement and 7 letters of representation have been received, comments are summarised:

Three No. Letters of Objections:

- a) A single-track lane is the only access, also used for BE equestrian events and dog walkers, not suitable as road for a family home.
- b) Light intrusion from car headlights on access road to and from the property, impacting neighbour residential amenities
- c) Overlooking and loss of privacy to existing adjacent occupiers

Four No. Letters of Support (non-local addresses):

- a) Barely impinges/impacts on the view from neighbouring property as would be screened mature by trees;
- b) It is energy efficient – much 'greener' than converting the lambing shed
- c) The present structure does not lend itself to redevelopment. New build is more energy efficient.

### **7 Evaluation**

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

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

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

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

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

7.1.4 It is acknowledged that the Local Planning Authority are in the process of conducting a Local Plan Review. The Regulation 18 consultation on the draft Plan was carried out between February and April 2024. At this stage, the policies contained within the draft Plan Review can be attributed very little weight in the determination of planning applications.

However, the updated evidence base which accompanies the ongoing Plan Review is a material consideration and must be taken into account in the determination of planning applications.

7.1.5 In respect of the current development proposals, it is noted that prior approval has been granted for the conversion of existing agricultural building (sited to the northern boundary of Wildwood) into a single dwelling, with the provision and insertion of new windows and roof windows to provide natural light to all habitable rooms via planning application reference: S22/1235. This prior approval remains extant and capable of implementation and, therefore, it is a material consideration in the assessment of the current proposals. Similarly, the previous refusals for a replacement dwelling in lieu of the Class Q fallback position are also a material consideration in the determination of the application.

## 7.2 Principle of Development

7.2.1 In this instance, this site is located beyond the settlement boundaries of Aisby and is considered to be in the open countryside and relevant the policy for this location is SP5. This policy seeks to limit development to that related to agriculture, forestry or equine, rural diversification, replacement dwellings or conversion of existing buildings. In this case, the proposed development would not form one of the identified acceptable forms of development within the Open Countryside and, therefore, would be contrary to Policy SP5 of the adopted Local Plan, and would be contrary to the overall principles of the spatial strategy.

7.2.2 Whilst this proposal does not fall within any of these categories, a significant material consideration is the extant prior approval granted under Class Q. Case law has established that an existing planning permission (granted using Permitted Development Rights under Part 3 (Change of Use) Class Q of the GDPO) can be used as a 'fall back' position to gain planning permission for an alternate scheme.

7.2.3 This current application is for the demolition of the existing barn and erection of 1 detached dwelling, hard and soft landscaping and formation of a re-wilding zone. The proposed development would result in the provision of 1 dwelling on the site, resulting in the removal of the existing steel framed, timber clad barn and is considered would be no less sustainable in terms of its location than the extant Class Q approval. The extant Class Q permission (S22/1235) was approved on the 8 August 2022 and therefore the development is required to be completed by the 22 August 2025. This gives the Applicants less than 7 months to complete the conversion works before the existing permission expires. It is the Officers assessment that this time constraint weakens the weight that can be attributed to the realistic prospect of the fall-back position taking place.

7.2.4 Taking the above into account, the proposed development would involve the erection of a single dwelling on land situated within the Open Countryside and would not form one of the acceptable forms of development in such locations. As such, the application proposals would be contrary to Policy SP5 of the adopted Local Plan. However, it is acknowledged that the application site benefits from prior approval for the formation of a single dwelling on the site, and this deemed consent remains extant and represents a valid fallback position, albeit with less weight attributed to it given the time that has now passed since the prior approval was granted. Notwithstanding this, the principle of development has previously been deemed to be acceptable.

## 7.3 Impact on the Character of the Area

7.3.1 The proposed dwelling would have the appearance of a rectangular modern barn conversion with contemporary domestic design features such a Zinc roof, timber clad walls and floor to ceiling feature windows on the principal elevation. The dwelling would have 2 storeys having an overall height of 6.3m. The dwelling would be approximately 192.96 sqm in floor area (over 2 floors). If the application were to be recommended for approval, materials details could be secured by way of an appropriately worded condition.

7.3.2 The existing barn, which has planning permission to be converted into a house (S22/1235) has an existing height of 5.8m. The conversion of the barn into a dwelling, as approved would not comprise an external enlargement to the existing built form and the resultant dwelling would comprise additional doors and windows to the north, south and east elevation, whilst a first floor would be formed following the removal of an existing mezzanine level. The dwelling would have 2 bedrooms on the upper floor. The resultant dwelling would comprise a floorspace that is larger than 100sqm, but of a lesser scale than 465sqm; the dwelling would therefore fall to be a 'larger dwellinghouse' for the purposes outlined within Class Q.

7.3.3 It is accepted that the site is not highly visible from within Aisby village, however the proposed dwelling would be visible from surrounding land. The supporting Design and Access Statement states that the "high quality design will enhance the landscape character". A Contextual Analysis document was submitted with the application which includes images of other agricultural buildings within the District. There is one example of a replacement dwelling application that was approved (with a Class Q fall-back position) within the village of Aisby, however it is not considered that this example is comparable as the original building in that case was a large grain dryer, as opposed to the much small lambing shed that would be converted in this case. A further parameter plan demonstrates view of the site from various vantage points surrounding the site and this helps to understand the visibility of the site from a wider area.

7.3.4 Notwithstanding the limited contextual analysis, the proposed dwellinghouse (as amended) would not be significantly larger than if the existing barn were to be converted, as approved. The dwelling would be greater in height; however, it would occupy a similar footprint to the existing barn (to be demolished) and is similarly orientated within the site as the Class Q approval so that the principal elevation is facing south. Much of the residential garden would be on the northern side, and the access way to the eastern side.

7.3.5 It is the Officers assessment that the scale and siting would not result in greater impact upon the character and appearance of the area when compared to the fall-back position, especially given the residential curtilage that is proposed is not greatly extended when compared to the Class Q approval. It is the Officers assessment that dwelling does represent a design that would be more suitable than the fall-back proposal within the context of this site, given the increased thermal efficiency design details of the new dwelling and, subject to conditions requiring further materials and landscaping specifications it would be no less in keeping with the local vernacular than the approved conversion.

7.3.6 The site is relatively discreetly located and is not widely visible from surrounding land, as demonstrated by photographs submitted in the parameters plan. It has been demonstrated through supporting documents and plans that the design is similar in scale to the approved scheme and would be a betterment, when compared to the fallback position, within the context of this rural village location.

7.4 By granting planning permission for a change of use of the land, to be used as residential garden, it would allow the occupants to benefit from the associated permitted development rights relating to residential structures, which include the right to construct certain sized outbuildings and means of enclosure. It is considered that in this instance, given the size of the land and the site characteristics, the erection of additional built forms or the erection of boundary treatments surrounding the area, are likely to cause impacts which could be harmful to the rural character and appearance of the area; as such, it is considered reasonable to impose an appropriately worded conditions to restrict/remove some of the of Permitted Development rights under Schedule 2, Part 1 or Part 2.

7.4.1 Class Q case law makes it clear that, where a fallback position exists, authorities should seek to approve alternative schemes that result in a better planning outcome. In view of the above, the proposal would result in a betterment when compared to the Class Q fallback position. In this instance as the scale and design aesthetic of the proposed dwelling, when compared to the existing permission, would result in an enhanced or better form of development. It therefore complies with Policy DE1 of South Kesteven Local Plan and the NPPF (2024) Section 12.

## 7.5 **Impact on Residential Amenity**

7.6 Whilst the proposed development would result in an impact on neighbours' residential amenities as a result of the siting of a new dwelling, it is not considered that these impacts would be any greater than if the existing barn were to be converted as per the existing permission.

7.7 The proposed dwelling would have a maximum ridge height of approximately 6.3m and would be sufficiently separated from the nearest residential property so it would not harm residential amenity through being overbearing or causing an unacceptable loss of light or loss of privacy through overlooking. Any harm to the privacy afforded to neighbouring properties could be satisfactorily mitigated by requiring appropriate screening boundary treatments as a condition attached to any permission granted. Taking into account the concerns regarding light pollution from cars entering and leaving the site via the access road, although there would be some noise, exhaust emissions and light from vehicle headlights, the comings and goings generated by a single dwelling are not considered to be sufficient to justify a refusal of planning permission, especially given the fall back position.

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

## 7.9 **Highway Safety/Parking**

7.10 The proposed development would make use of an existing access from Nightingale Lane and drawings show the ability to turn and manoeuvre within the application site.

Lincolnshire County Council as the Local Highway Authority have given due regard to the appropriate local and national planning policy guidance and has concluded that the proposed development is acceptable and accordingly does not wish to object. Taking the above into account, the application proposals would be in accordance with Local Plan Policy ID2 and Section 9 of the National Planning Policy Framework

## 7.11 **Biodiversity and Ecology**

7.11.1 In England Biodiversity Net Gain (BNG) became mandatory from 12 February 2024 under Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021. This means that developers must deliver a BNG of 10%. This means that a development will result in more or better natural habitat than there was before development.

7.11.2 The benefits of the rewilding scheme, combined with the thermal efficiency of the new dwelling have been taken into consideration and the proposals would, in time, enhance and promote the Districts biodiversity and geological interest.

7.11.3 For this application the applicant has completed the statutory biodiversity metric. The results of the base-line survey compared to the proposed development would create a 104.11% net increase of habitat units and 27.07% increase in hedgerow units across the site. Lincolnshire Wildlife Trust were consulted with the submitted information, and they have not raised any objections. Whilst Lincolnshire Wildlife Trust have express that they would ideally like to see conditions sheets for neutral grassland and more substantial information stating how net gain would be achieved in the long term, it is Officers assessment that these matters would be appropriately addressed through the statutory biodiversity condition. This requires the submission of a Biodiversity Gain Plan prior to the commencement of development, and also includes a requirement for the submission of appropriate Habitat Management and Monitoring arrangements.

7.11.4 Consequently, subject to appropriate conditions, it is considered that the proposed development would be acceptable and in accordance with Policies EN2 of the SKLP and Section 15 of the NPPF.

## 7.12 **Drainage**

7.12.1 The site is located in Flood Zone 1, so it is not at unusual risk of flooding from fluvial flooding, and the site is also identified by the Environment Agency as being at very low risk from surface water flooding. Lincolnshire County Councils as Lead Flood Authority have also not raised objections to the proposal. The applicant has stated on the application form that surface water is to be disposed of to a soakaway, and it is therefore considered that compliance with the Building Regulations is sufficient to ensure that the proposal does not increase the risk of flooding elsewhere. In this respect the proposal is therefore in accordance with the NPPF Section 14: Meeting the challenge of climate change, flooding and coastal change) and Local Plan policy EN5.

## 7.13 **Climate Change and Sustainability**

7.13.1 In the context of the above, as previously stated, Aisby is identified as a smaller village, with an absence of plentiful local services and facilities. As such, the characteristics of the location of the application site means that the scheme would be unlikely to accord with the overarching sustainability objectives of the Local Plan in respect of minimising the need to travel and encouraging low carbon travel.

7.13.2 Notwithstanding this, Policy SB1 principally relates to the sustainability credentials of all development proposals, including residential development, and due to the nature of this application being for 1 x new dwellings, details of mitigation against and adaptation to climate change would be required to be provided.

7.13.3 It is therefore considered that these matters and details can be appropriately addressed through the use of planning conditions, if the application were to be recommended for

approval; requiring the submission of further details in relation to demonstrating how the proposed dwelling would comply with the requirements of Local Plan Policy SB1, including details of how carbon dioxide emissions would be minimised through the design and construction of the building and details of water efficiency and electric car charging points.

## **8 Crime and Disorder**

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

## **9 Human Rights Implications**

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

## **10 Conclusion and Planning Balance**

10.1 The proposal is for development in the open countryside, and it fails to comply with any of the rural exception criteria contained within Local Plan Policies SP5. However, prior approval has been obtained to carry out the conversion of an existing agricultural building to a residential dwelling via Class Q of the GDPO and therefore a valid Class Q fallback position exists. This current application is for the erection of 1 detached dwelling, hard and soft landscaping and formation of a re-wilding zone. The proposed development would result in the provision of 1 dwelling on the site and would be no less sustainable in terms of its location than the extant Class Q approval. The extant Class Q permission (S22/1235) was approved on the 8 August 2022 and therefore the development is required to be completed by the 22 August 2025. This gives the Applicants less than 7 months to complete the conversion works before the existing permission expires. It is the opinion of the Officer that this time constraint further weakens the argument that there is a realistic prospect of the fall-back position taking place.

10.2 Notwithstanding this, the principle of development for a single dwelling on the site has been established by the class Q fallback. It is the Officers opinion that the planning application, as submitted, would result in an improved design or better outcome for development of the site. The benefits of the rewilding scheme, combined with the thermal efficiency of the new dwelling have been taken into consideration and the proposals would, in time, enhance and promote the Districts biodiversity and geological interest. The alternative proposal in this case meets all 3 of the fallback tests, in particular that the proposed development would result in an overall betterment when compared to the fallback position and therefore the Council can justify a departure from the local plan policies in this instance.

10.3 The proposal would not be harmful to the character of the surrounding area and complies with Local Plan Policies DE1, and has regard to section 12 of the NPPF. The material considerations in this case outweigh the above conflicts with policy and the proposal is therefore recommended for approval subject to conditions.

## **11 Recommendation**

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

### Time Limit for Commencement

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

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

### Approved Plans

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

- i. Drawing No.JDA 202-0755-LOCATION.001 Location Plan
- ii. Drawing No.JDA 2024-0755-SITE.001A Proposed Site Plan
- iii. Drawing No.JDA 2024-755-FLOORS-ELEVS.001A Proposed Floor Plans and Elevations
- iv. Drawing No.JDA 2024-0755-LIGHTING.001 Proposed Lighting

Unless otherwise required by another condition of this permission.

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

### Before the Development is Commenced

3. Before the development hereby permitted is commenced, 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 Policies EN2 and EN4 of the adopted South Kesteven Local Plan and national guidance contained in the NPPF.

### During Building Works

4. During construction of the development hereby permitted, the approved Construction Management Plan October 2024 (Drawing No.JDA/2024/755/CEMP/001) 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 Policies DE1, EN3 and OS1 of the adopted South Kesteven Local Plan.

5. Before any of the works on the external elevations for the building(s) hereby permitted are begun, a detailed specification 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. '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.

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.

7. During construction work, 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: In order to minimise noise impacts on the occupiers of adjacent residential dwellings, in accordance with Policy DE1 of the South Kesteven Local Plan.

8. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to and approved in writing by the Local Planning Authority. The remediation strategy shall be implemented as approved.

Reason: To ensure that the proposed development not cause pollution in the interests of the amenities of the future residents and users of the development; and in accordance with Local Plan Policy EN4.

9. 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.

#### Before the Development is Occupied

10. 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.

11. Before any part of the development hereby permitted is occupied, a verification report confirming that remedial works have been completed shall have been submitted to and approved in writing by the Local Planning Authority should any contaminated land be identified by the above condition. 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.

12. Before any part of the development hereby permitted is occupied/brought into use, all hard landscape and soft landscaping works shall have been carried out in accordance with the approved hard landscaping details.

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.

#### Ongoing

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 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.

14. 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 of the approved properties, 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 harm to the character of the area, and for this reason would wish to control any future development and in accordance with Policy DE1 (Promoting Good Quality Design) of the adopted South Kesteven Local Plan.

15. 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 buildings etc. incidental to the enjoyment of the dwellinghouse, shall be constructed without planning permission first having been granted by the Local Planning Authority.

Reason: The Local Planning Authority considers that further development could cause harm to the character of the area, and for this reason would wish to control any future development and in accordance with Policy DE1 (Promoting Good Quality Design) of the adopted South Kesteven Local Plan.

#### Informative(s)

1. The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development of land in England is deemed to have been granted subject to the condition "(the biodiversity gain condition") that development may not begin unless:
  - (a) a Biodiversity Gain Plan has been submitted to the planning authority, and
  - (b) the planning authority has approved the plan.

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

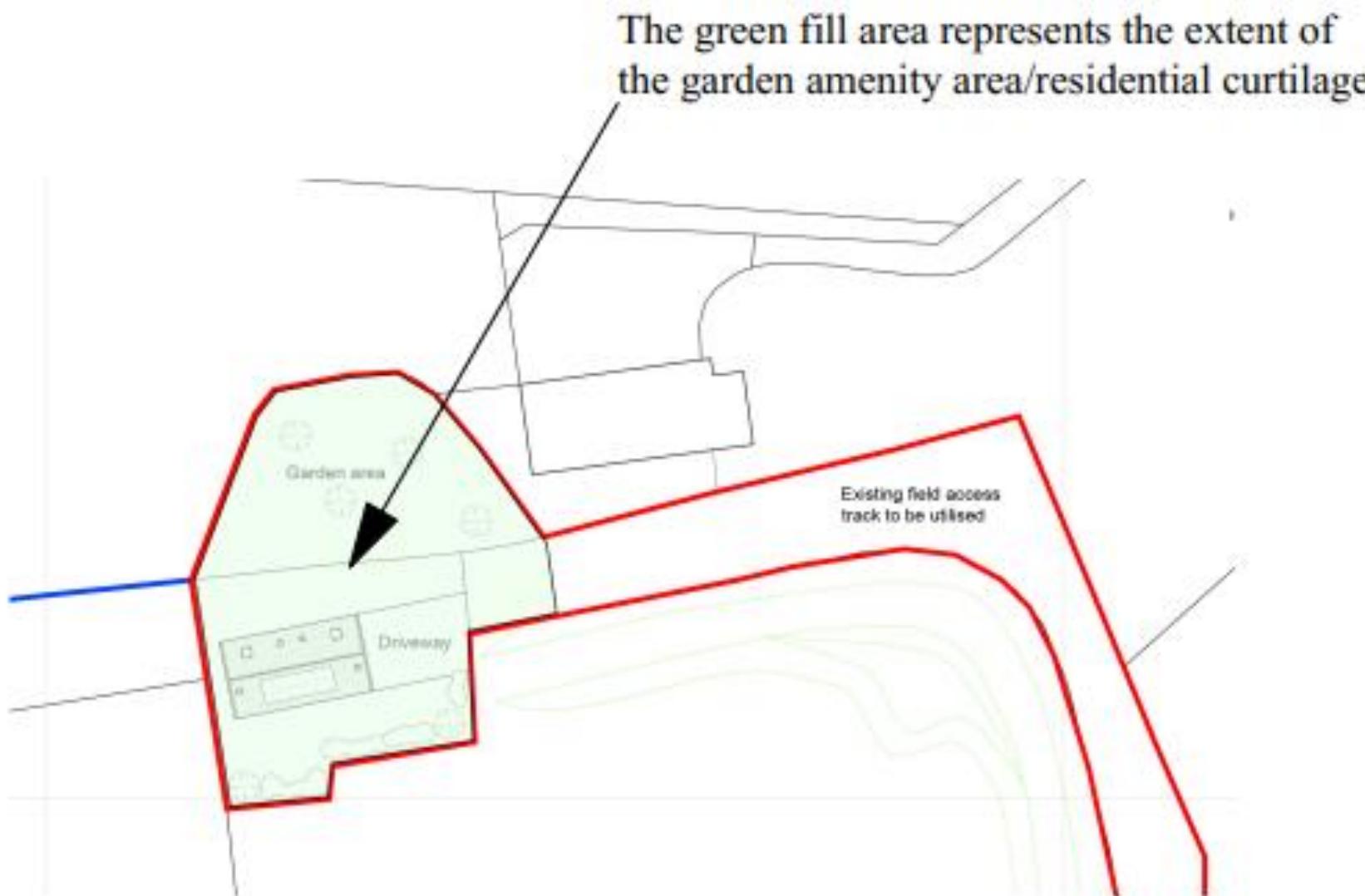
There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. These are listed below.

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

2. The highway improvement works referred to in the above condition are required to be carried out by means of a legal agreement between the landowner and the County Council, as the Local Highway Authority. For further guidance please visit our website; [www.lincolnshire.gov.uk/highwaysplanning/works-existing-highway](http://www.lincolnshire.gov.uk/highwaysplanning/works-existing-highway)

#### Highway Informative 08

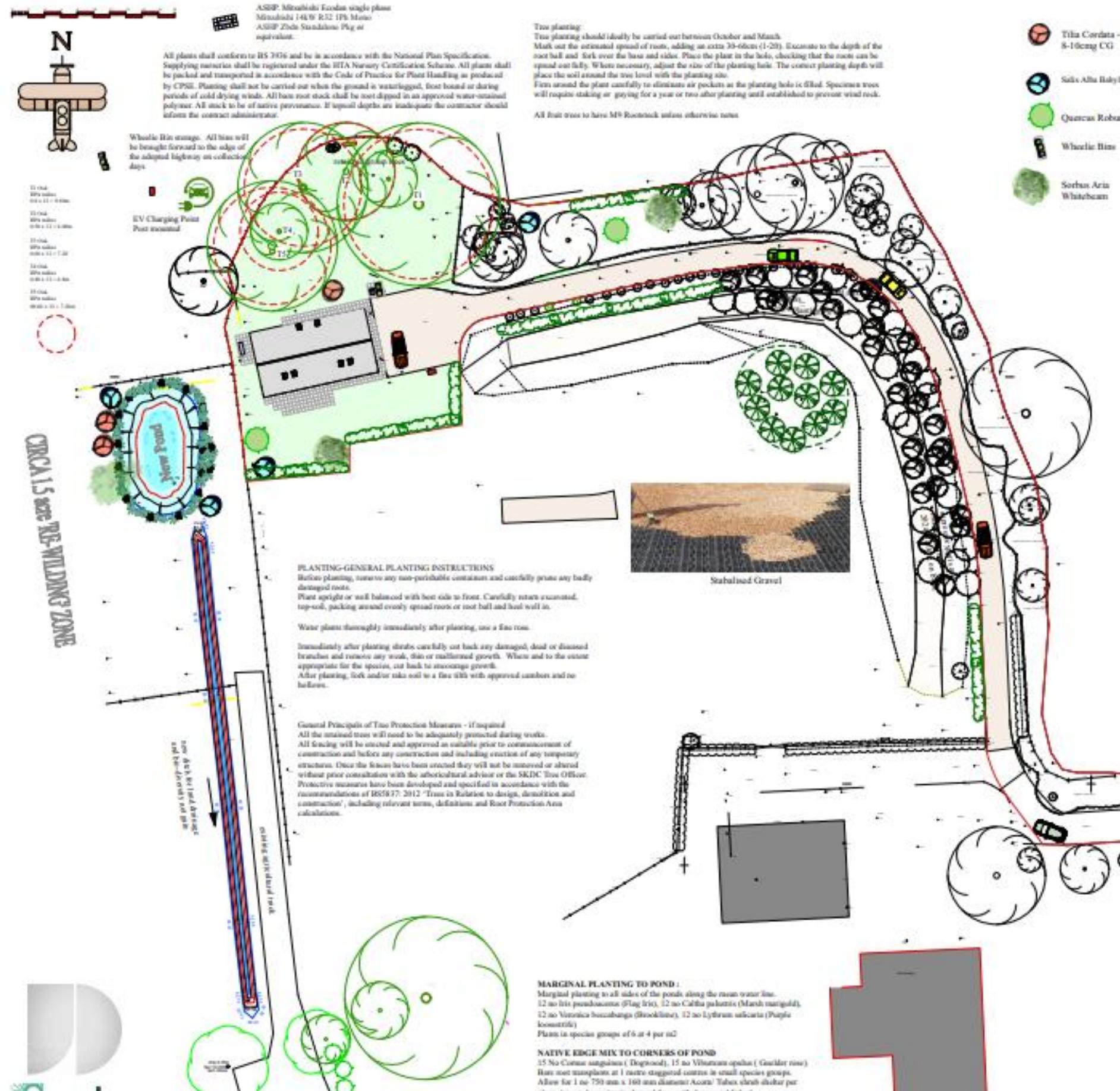
Please contact the Lincolnshire County Council Streetworks and Permitting Team on 01522 782070 to discuss any proposed statutory utility connections, Section 50 licences and any other works which will be required within the public highway in association with the development permitted under this Consent.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



SNAPSHOT FROM THE CONSENTED  
CLASS Q SCHEME S22/1235 (NTS)

**AMENITY SPACE (SHOWN WITH A  
GREEN FILL)**

Residential Curtilage New Build  
1100 sq m  
Class Q Residential Curtilage  
1100 sq m



Proposed Elevations and Floor Plans



PROPOSED FRONT ELEVATION



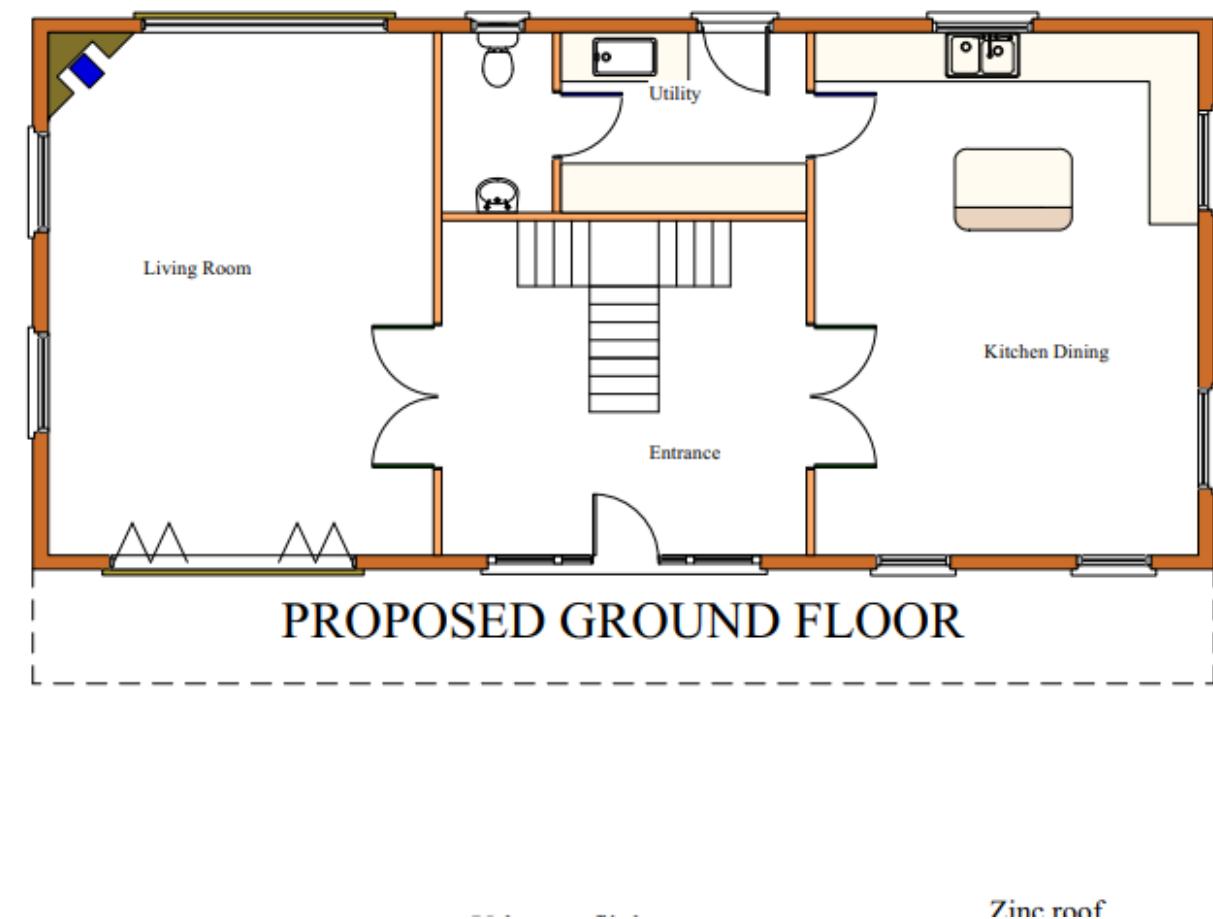
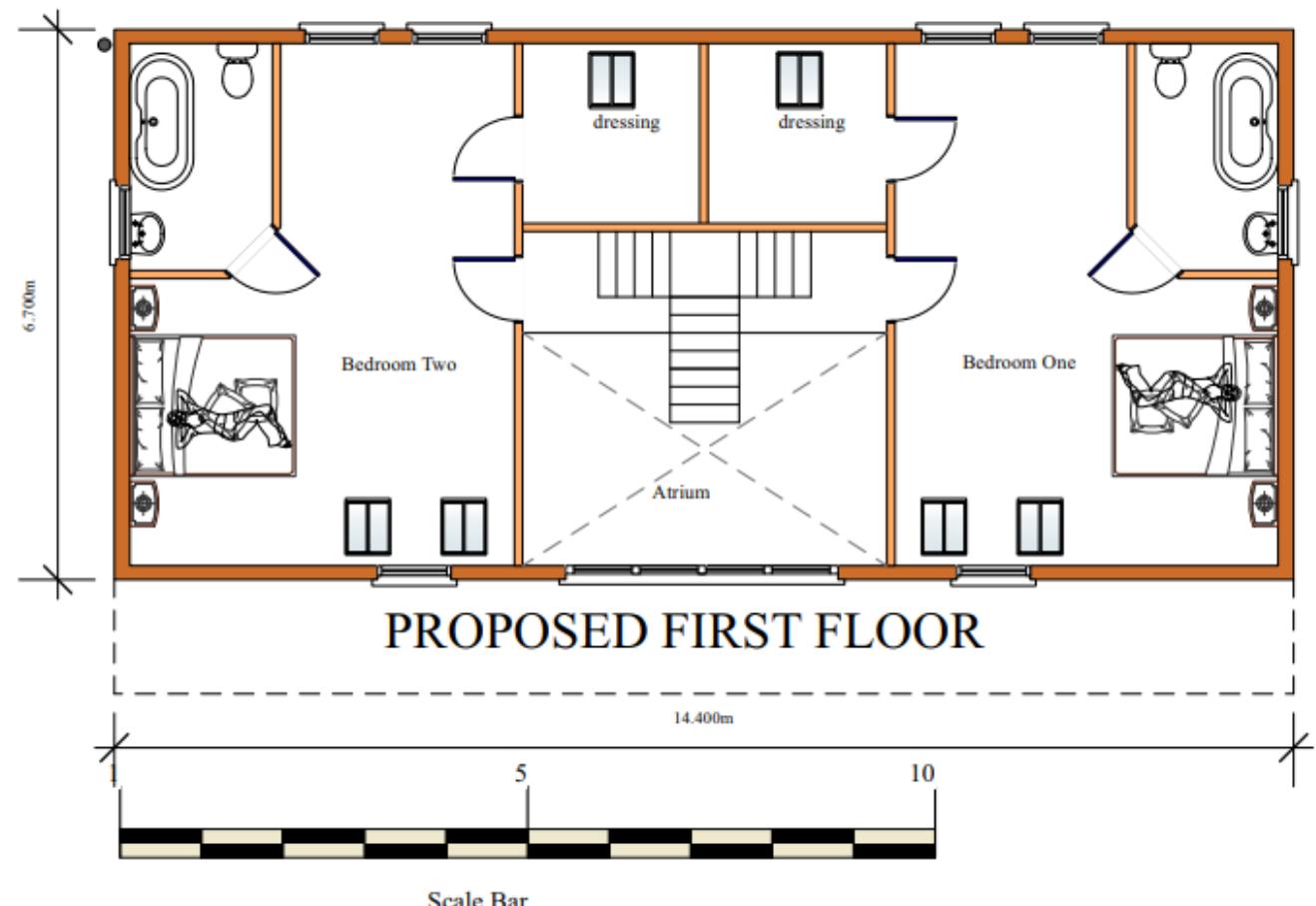
PROPOSED REAR ELEVATION



PROPOSED SIDE ELEVATION



PROPOSED SIDE ELEVATION



## Proposed Elevations and Floor Plans



## Approved Design Under Class Q S22/1822

