



Planning Committee

3 April 2025

S24/1842

Proposal:	Proposed demolition of existing buildings and erection of new 66 bed care home for elderly people
Location:	The Woodlands, Tarragon Way, Bourne, Lincolnshire
Applicant:	LNT Care Developments
Agent:	Jo Kemp LNT Construction
Application Type:	Full Planning Permission
Reason for Referral to Committee:	Section 106 agreement for financial contribution Call-in received from Councillor Kelly and Councillor Crawford citing concerns relating to access and parking.
Key Issues:	Development principle Amenity impacts Highway safety
Technical Documents:	Design & Access and Planning Statement Flood Risk Assessment Contamination Report Ecological Appraisal Transport Statement/Travel Plan Construction Environment Management Plan Biodiversity Net Gain Assessment Drainage Strategy Sustainability Statement Arboricultural Method Statement Planning Needs Assessment

Report Author

Kevin Cartwright (Senior Planning Officer)

 01476 406375

 Kevin.cartwright@southkesteven.gov.uk

Corporate Priority:	Decision type:	Wards:
Growth	Regulatory	Bourne West

Reviewed by:

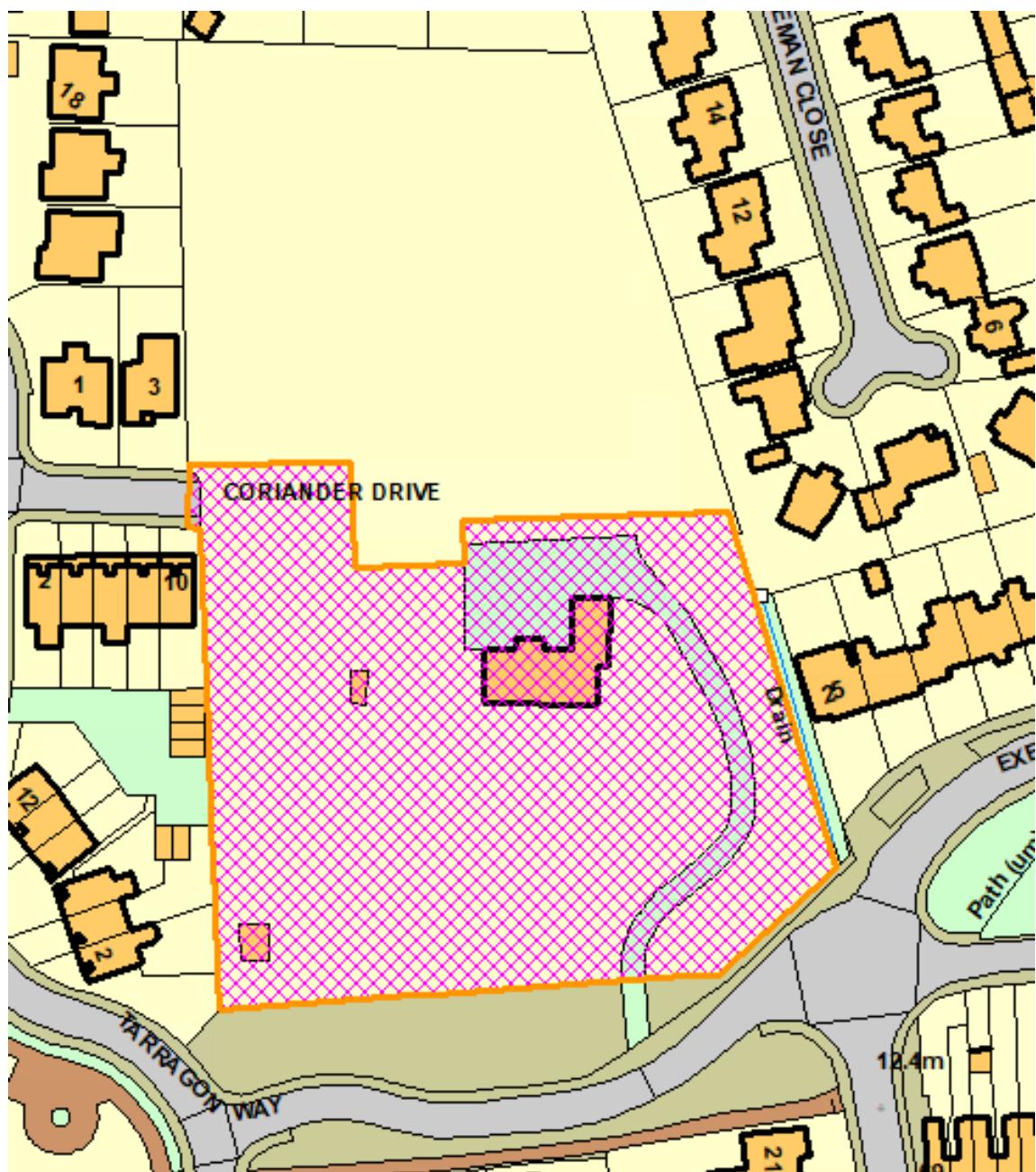
Adam Murray – Principal Development Management
Planner

24 March 2025

Recommendation (s) to the decision maker (s)

To authorise the Assistant Director – Planning to GRANT planning permission, subject to conditions and the completion of a Section 106 legal agreement

S24/1842 – The Woodlands, Tarragon Way, Bourne



1 Description of Site

- 1.1 The application site is located within Bourne in a predominantly residential area. The site is approximately 0.67 hectares and currently hosts an unoccupied 2 storey dwelling and associated ancillary buildings located roughly centrally within the plot.
- 1.2 There are a number of small to medium sized trees on the site.
- 1.3 The existing dwelling is accessed from the south adjacent to the roundabout on Exeter Street/Tarragon Way.

2 Description of Proposal

- 2.1 The proposal is to redevelop the site, including the demolition of the existing property and construct a 66-bed residential care home with associated infrastructure, access, car parking and landscaping.
- 2.2 The applicant has stated that the proposal is designed to be fully compliant with the Care Standards Act 2000 including the following provisions:
 - A two-storey, purpose-built building with brick, render and timber-effect clad façade, with dark grey windows and dark tile roof totalling 3,178 sqm GIA.
 - Single-room accommodation with en-suite wet room facilities.
 - High quality amenity spaces, including cafes/bars/dining rooms; quiet lounges/family rooms; a library, garden room, cinema and a hair salon.
 - State-of-the-art back of house / catering facilities, including staff showers and changing rooms.
 - Wide corridors, with level/amenable access throughout.
 - parking spaces (including 2 accessible, 6 Electric Vehicle Charging Point, 1 motorcycle space and 8 cycle spaces).
 - External service buildings (including a meter house, solar PV battery store and bin store).
- 2.3 The proposed building would be two-storey with a central ridge height of approximately 9.8 metres. It would be constructed of a mix of brick and cladding.
- 2.4 The building would have a H plan layout with accommodation in four wings located around a central lounge and dining area.
- 2.5 The proposal would be accessed off Coriander Drive with parking and servicing to the north of the building.
- 2.6 In addition to the main building there would be an ancillary PV battery storage building, bin store and cycle store.

- 2.7 There would be residents garden areas to the east and west of the building linked by a walkways that circulate the proposed building.
- 2.8 The existing access to the south of the site would be closed off with brick work of a similar style to that of the existing boundary.
- 2.9 The proposal was amended during the life of the application to provide additional car parking providing a total of 30no. spaces.

3 Policy Considerations

3.1 SKDC Local Plan 2011 – 2036

Policy SD1 – The Principles of Sustainable Development in South Kesteven
Policy SP1 – Spatial Strategy
Policy SP2 – Settlement Hierarchy
Policy SP3 – Infill Development
Policy H4 – Meeting All Housing Needs
Policy SB1 – Sustainable Building
Policy EN4 – Pollution Control
Policy EN5 – Water Environment and Flood Risk Management
Policy DE1 – Promoting Good Quality Design
Policy ID2 – Transport and Strategic Transport Infrastructure

3.2 National Planning Policy Framework (NPPF)

Section 2 – Achieving sustainable development
Section 4 – Decision making
Section 5 – Delivering a sufficient supply of homes
Section 12 – Achieving well designed places
Section 14 – Meeting the challenge of climate change, flooding and coastal change
Section 15 – Conserving and Enhancing the Natural Environment

Other Relevant Documents

Design Guidelines for Rutland and South Kesteven

4 Representations Received

4.1 Environmental Protection Services (SKDC)

- 4.1.1 No objection.

4.2 LCC Highways & SuDS Support

4.2.1 Initial comments – Please provide additional information in relation to the possibility of accessing the site from the south, increase parking provision and provide clarification why drainage by soakaway is not suitable.

Final Comments – No objection subject to conditions in relation to closing off the existing access, provision of bus station crossing, crossing for vision impaired pedestrians and provision of footway road connection to the existing highway.

4.3 NHS Lincolnshire Integrated Care Board

4.3.1 A contribution of £25, 954 is requested to mitigate against the impact of an increased demand on local health care centres/services

4.4 Lincolnshire Fire and Rescue

4.4.1 No comments to make. The proposal would be required to comply with the relevant Building Regulations requirements.

4.5 Anglian Water

4.5.1 Bourne Water Recycling Centre is within the acceptance parameters and can accommodate the flow for the proposed growth.

4.5.2 The sewerage system at present has capacity for these flows.

4.5.3 The submitted documents (FRA Oct 2024 Rev 03/Drainage Strategy WOBO-BSP-XXXX-T-W-0001-P04_Drainage_Strategy 11 Feb 2025) and can confirm that these are acceptable to us at a maximum of 2l/s. We require these documents to be listed as approved plans/documents if permission is granted.

4.6 Environment Agency

4.6.1 No objection noting that Anglian Water have indicated capacity at the water recycling centre.

4.7 Lincolnshire Wildlife Trust

4.7.1 The Trust have no substantive comments or recommendations on the proposal.

4.8 Lincolnshire Police

4.9 No objections to this development.

5 Representations as a Result of Publicity

5.1 This application has been advertised in accordance with the Council's Statement of Community Involvement and 53no. letters of representation have been received. A summary of the comments is set out below:

- Access is unsuitable
- Existing parking along Tarragon Way causes concerns
- Access should be from the existing roundabout
- No objection in principle to a care home
- Increase in volume of traffic would be dangerous

- Car parking is not sufficient
- Large HGV's would not be able to access the site
- Noise and disturbance from construction traffic
- The additional land to the north would add further concerns in relation to traffic and disruption
- Proposal would add to existing drainage problems
- Increased traffic generation would be dangerous
- Existing car parking on the road restricts visibility
- Noise and disturbance for neighbouring residents as care homes allow 24 hour visitors and deliveries
- There is limited traffic along Coriander Drive at present proposal would significantly increase this
- Increased traffic during shift changes
- The communal area would result in overlooking and loss of privacy
- Increased light pollution
- Proposal would result in loss of trees
- Would have detrimental impact on the character and appearance of the area
- There is no bus service as per the submitted details
- The road, sewerage and drainage is not sufficient to accommodate the proposal
- The Estate is already congested
- Inadequate parking would result in overflow onto the estate causing safety and congestion issues to residents
- Staff will use cars because of the shift patterns and times
- One delivery van per week seems to be a complete underestimate
- Bin store adjacent to 10 Coriander Drive would result in noise and disturbance, odour and vermin problems
- Would turn a peaceful estate into a dangerous heavy traffic area
- The estate is used by children as a route to the schools
- The application is misleading as access is off Coriander Drive not Exeter Road
- Any future application on the remaining land to the north would further increase traffic and safety concerns
- Health and social Care Act requires adequate parking provision
- Difficult for emergency vehicles to access the site
- Would result in loss of green space
- Construction traffic should not be allowed through Coriander Drive
- Would take staff from existing care homes
- Access could be made to Exeter Road it would not result in the loss of the open space

6.2 A further consultation was undertaken in relation to the amended plans. A further 20no. representations have been received. A summary of the main concerns is detailed below:

- No access from Tarragon Way
- Entrance should not be from Coriander Drive. Should be from the existing access
- Relocating the bin store does not address the issues of noise and odours
- Additional parking does not address concerns regarding the access
- Amending the access has been totally ignored
- Concerns remain regarding access
- No effort has been made to review the impact of construction traffic

- Detrimental impact on health and wellbeing of residents
- Access is unsuitable. Road is not wide enough
- Existing parked cars force pedestrians into the road
- Unclear as to what is proposed to the footway adjacent to the access
- Will cause parking chaos. Yellow lines would make this worse by moving the parked traffic towards the entrance of Tarragon Way.
- Coriander Drive is a cul-de-sac and designed for this purpose. Creating a through passage will be problematic for residents and visitors alike.

6 Evaluation

6.1 Principle of Development

The proposal would result in the construction of a 66 bed care home following the demolition of the existing dwelling on the site. The relevant policies in relation to proposal are discussed below

6.1.1 Overarching Policy SD1 is inevitably of relevance, with regard to the following objectives:

- minimise the need to travel/locate close to services
- convert/redevelop vacant buildings within settlements
- provide housing that meets the need of future and present generations

6.1.2 Policy SP1 is also relevant to consideration of the development principle, in particular where it discusses the following objectives:

- deliver sustainable growth including new housing
- focus growth in main settlements, especially Grantham
- create strong, sustainable, cohesive and inclusive communities
- make effective use of previously developed land
- enable access to jobs, services and facilities locally

6.1.3 Policy SP3 supports infill development subject to a number of criteria:

- it is within a substantially built-up frontage or re-development opportunity (previously development land);
- it is within the main built-up part of the settlement;
- it does not cause harm or unacceptable impact upon the occupiers amenity of adjacent properties;
- it does not extend the pattern of development beyond the existing built form; and it is in keeping with the character of the area and is sensitive to the setting of adjacent properties.

6.1.4 Policy H4 of the Local Plan promotes a mix of types of housing provision, including housing to enable older people and the most vulnerable to promote, secure and sustain their independence in a home appropriate to their circumstances, including through the provision of specialist housing accommodation in sustainable locations.

6.1.5 Section 5 of the NPPF outlines the Government's objective of delivering a sufficient supply of homes. At para 63 the states:

Within this context of establishing need, the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies. These groups should include (but are not limited to) those who require affordable housing (including Social Rent); families with children; looked after children; older people (including those who require retirement housing, housing with-care and care homes); students; people with disabilities; service families; travellers; people who rent their homes and people wishing to commission or build their own homes.

6.1.6 The Planning Practice Guidance entitled 'Housing for older and disabled people' provides guidance and can be summarised below:

- The need to provide housing for older people is critical. People are living longer lives and the proportion of older people in the population is increasing;
- Offering older people a better choice of accommodation to suit their changing needs can help them live independently for longer, feel more connected to their communities and help reduce costs to the social care and health systems;
- The provision of appropriate housing for people with disabilities, including specialist and supported housing, is crucial in helping them to live safe and independent lives;

7.1.8 Taking the above policies into account, the principle of the proposal is considered to be acceptable. The site is located centrally within Bourne, and the proposal will provide a specialist form of needed housing in the district in the form of care provision for the elderly. The proposal is therefore considered to be in accordance with Policies SP1, SP3, H4, of the South Kesteven Local Plan and Sections 5 and 12 of the NPPF and associated Planning Practice Guidance. Specific environmental and technical issues, which support this conclusion, are discussed in detail in the following sections below.

6.2 Impact on the character of the Area

6.2.1 The proposal is for the erection of a care home building on the site of an existing dwelling. Whilst accepting that the proposed building would be larger than the dwelling it would replace it is considered that the building due to its residential nature would be in keeping with the character and appearance of the area and surrounding residential form.

6.2.2 Additionally, the site is well screened by the existing wall which would be infilled to close off the current access and set back from the road frontage along the Tarragon Way/Exeter Street frontage by an area of informal open space.

6.2.3 Landscaping is proposed as part of the scheme and would include retention of the existing hedges and main trees and supplemented by extensive tree planting within and around the boundary of the site. A total of 31 no. extra heavy standard trees and 64 no. standard trees would be planted in addition to single species and mixed species native hedges.

6.2.4 Taking into account the above matters it is considered that the proposal would be an acceptable form of development in keeping with the context and character and appearance of the street scene. As such the proposal would be in accordance with Policy DE1 of the Local Plan and Section 12 of the NPPF.

6.3 Impact on Residential Amenity

- 6.3.1 The proposed building would be located in a predominantly residential area. With the exception of the land directly north of the site which is currently part of the extensive rear garden area of the existing dwelling the site is adjacent to residential properties.
- 6.3.2 However, due to the size of the plot and siting of the dwelling within the site, there would be adequate separation distances to ensure that the proposal would not result in any significant overlooking loss of privacy or overshadowing with the proposed building being set approximately 18 metres from western boundary of the site and approximately 18 metres to the eastern boundary.
- 6.3.3 Whilst it is accepted that the parking and turning areas are located to the north and west of the building and therefore would be closer to the neighbouring properties there would be still be adequate separation of approximately 3m to 3.5m between the parking bays and the boundary of the site to ensure that neighbouring occupiers would not experience any significant noise and disturbance from comings and goings to the site that would justify a refusal of planning permission on this basis.
- 6.3.4 The proposed bin store has been relocated adjacent to the PV battery storage which would be located adjacent to the rear parking area that serves no. 2-12 Tarragon Way. This would ensure that there would not be any significant impact on the amenity of neighbouring occupiers.
- 6.3.5 It is accepted that the proposal would result in additional vehicle movements via Tarragon Way and Coriander Drive and it is not disputed that this will to some extent intensify the use of what is a small cul-de sac that serves a limited number of residents.
- 6.3.6 The care home would operate a policy of unrestricted visiting times. This would help disperse visits/trips.
- 6.3.7 Based on the applicant's submission and their experience of similar proposals it is estimated that the proposal would provide approximately 58 jobs. This would be the total employment and not the number of staff on site at any one time.
- 6.3.8 Based on shift patterns it is estimated that at any one time there would be a maximum number of 24 staff on site. Staff generally work on a 3 days on and 3 days off shifts with the following patterns:

APPENDIX ONE – INDICATIVE STAFF AND SHIFT PATTERNS

Table 1: Employment Table			
Day shifts	Total No. of staff	No. of staff per shift	Shift pattern
Manager	1	1	08.00 – 17.00
Care Manager	1	1	08.00 – 17.00
Front of House Manager	1	1	09.00 – 17.00
Lifestyle Manager	1	1	09.00 – 17.00
Activities Coordinator	2	1	10.00 – 15.00
Deputy	2	1	08.00 – 20.00
Senior Care Assistant	8	4	08.00 – 20.00
Care Assistant	8	4	08.00 – 20.00
Part Time Care Assistant	6	3	07.00 – 14.30
Caretaker	1	1	10.00 – 14.00
Kitchen Manager/Cook	2	1	08.00 – 17.00
Kitchen Assistant	2	1	09.00 – 15.00
Domestic Staff	3	2	08.00 – 13.00
Head of Housekeeping	1	1	08.00 – 13.00
Laundry Staff	2	1	08.00 – 13.00
Total Day shift	41	24	
Evening Shift (14.30 – 22.00)			
Part Time Care Assistant	6	3	14.30 – 22.00
Night shifts	Total No. of staff	No. of staff per shift	Shift pattern
Night care manager	1	1	20.00 – 08.00
Senior Care Assistant	4	2	20.00 – 08.00
Care Assistant	6	3	20.00 – 08.00
Total Night shift	12	6	
Total Day & Night shift	58	33	
Total Week	58	33	

6.3.9 The submitted transport statement indicates that in terms of servicing requirements, the frequency and size of vehicles is relatively low. On average the proposed home would generally receive only one delivery vehicle per day in the form of a 7.5 tonne vehicle delivering foodstuffs and perishables.

6.3.10 Whilst accepting that the proposal would increase vehicle movements, it is not considered that the number of trips generated by the proposal would result in any significant noise and disturbance that would harm the amenity of neighbouring occupiers that would justify a refusal of planning permission on this basis. This is confirmed by the comments of the environmental protection team who have not raised any objection to the proposed development.

6.3.11 The demolition and construction phase of the development may result in a degree of disturbance to the occupiers of neighbouring properties. A construction management plan has been submitted that has been assessed by the Council's Environmental Protection Team. This would ensure that the development is undertaken minimise impact on the amenity of neighbouring occupiers. Compliance with this document would be secured by an appropriately worded condition.

6.3.12 Taking into account the scale and nature of the proposal, there is not considered to be an unacceptable adverse impact on any residential amenity, subject to conditions to include a Construction Management Plan and securing landscaping as per the submitted details. The proposal is considered to comply with Policy DE1 of the Local Plan.

6.4 Highway Safety

6.4.1 The proposal would be served by a vehicle access from Coriander Drive which in turn connects to Tarragon Way.

6.4.2 The existing access from the south of the site onto Tarragon Way/Exeter Road that serves the dwelling would be permanently closed off by infilling the boundary treatment.

6.4.3 The local highway authority has assessed the proposed development and has not raised any objection subject to conditions in relation to the closure of the existing access, the provision of a bus station crossing, crossing for vision impaired pedestrians and the provision of safe and level infrastructure.

6.4.4 The Highway Authority has provided a comprehensive assessment of the proposal and arrives at the following conclusions:

- Future residents of the site can access the Town centre and local facilities to the South and East along Exeter Street, however, many of the crossing points along these roads are limited to a dropped kerb crossing, as such, with the increased use of these crossings from the care home, the Highway Authority are seeking their upgrade to facilitate future residents that may be vision impaired. This would also improve access to the bus stop that is located to the South of the site.
- To the East of the site is the Bus Station, this can be accessed from the site with a short walk, however, there are limited means in which residents would be able to cross safely to access the Bus Station, therefore, the Highway Authority are requesting the installation of a Zebra Crossing at this point.
- The site layout provides access to the Northwest of the site, travelling through the previous development before joining Exeter Street at the roundabout. It would have been preferred that access to the site was provided from the South boundary, removing the need for traffic through the site traveling along Tarragon Way and provided a more sustainable link to the town for pedestrians, however, the applicant demonstrated that this would not be achievable.
- The parking provision for the site exceeds Lincolnshire County Council's official guidance, the applicant has demonstrated that the parking will be sufficient to meet the peak staff and visitor levels for the site.
- This application proposes a mix of permeable paving and traditional drainage to capture and cleanse surface water before it is stored in underground storage and discharged. Therefore, the Lead Local Flood Authority does not consider that this proposal would increase flood risk in the immediate vicinity of the site.

6.4.5 The concerns of residents are noted, and it is accepted that the proposal will to some extent change the nature of the surrounding roads in that it would increase in the number of vehicles visiting the proposed care home both in the form of staff and servicing and also visitors. However, the highway authority has not raised any objection subject to off-site works to improve connectivity back towards North Street and Bourne town centre.

7.4.6 It can therefore be concluded that the application, in respect of highway safety, is not in conflict with Policy ID2 of the Local Plan, or with Paragraph 116 of the NPPF.

6.5 **Sustainability**

6.5.1 The planning application is accompanied by a sustainability statement that highlights how the proposed development would deliver its sustainable development objectives:

- The Site is well-served by existing public transport connections, and by foot and bike. The proposals intend to make best use of this to minimise the use of private motor vehicles through the implementation of the submitted Travel Plan.
- Appropriate forms of renewable energy (including solar PV panels and Ground Source Heat Pumps) will be used to continually manage the care homes operational viability and resource efficiency. Waste will also be regularly monitored and appropriately managed through construction and operation stages
- A PV battery store on the site would allow excess energy to be stored on the site
- The building would be constructed on a ‘fabric is first’ basis. This would involve the provision of good levels of insulation and airtight construction, effective glazing and natural passive heating and cooling.
- The Ground Source Heat Pump will heat water and provide comfort cooling in communal areas and feed into underfloor heating (in bedrooms) to overall maintain constant and comfortable temperatures. A ‘back-up’ boiler will also be available and will be powered by electricity generated from the PV panels, or in the worst-case scenario mains supply.
- A by-product of Ground Source Heating is Ground Source Cooling. This method uses the heat exchange with the cold ground and will cool the building in the summer months. This is a highly efficient way of cooling the care home in the summer months.
- Water efficiency and conservation is particularly important in the Southeast where water scarcity is of concern. By taking steps to address this and reduce water consumption within the care home, we can also decrease energy consumption (associated with water heating).
- Dual flush mechanisms will be fitted to all toilets throughout the facility. All taps and showers will be fitted with flow restrictors to further minimise water consumption.

6.5.2 Taking into account the above matters the application would give rise to an acceptable form of sustainable development, in accord with Policies SD1, SB1 and DE1 of the Local Plan, and with the NPPF.

6.6 **Drainage**

6.6.1 A comprehensive drainage strategy has been provided following the applicant’s pre-application consultation with Anglian Water. Due to site conditions soakaway testing has

demonstrated that infiltration is not viable. As such surface water runoff would be restricted to 2litres per second via onsite underground storage tanks and permeable paving.

- 6.6.2 Foul drainage would connect to the existing sewer with Coriander Drive.
- 6.6.3 This proposed drainage solution has been assessed by both Anglian Water and Lincolnshire County Council in its capacity as Lead Local Flood Authority and no objections have been raised. As such the proposal is considered to accord with local plan policy EN5.

6.7 **Fire Safety**

- 6.7.1 The comments of Lincolnshire Fire and Rescue are noted. Of particular importance is the fact that they reference compliance with the relevant Building Regulations requirements. As such it is not the role of the planning system to duplicate any requirements in this respect.

6.6 **S106 Developer Contributions**

- 6.6.1 Regulation 122 of the Community Infrastructure Regulations 2010 (and repeated in Paragraph 58 of the Framework) requires planning obligations to be fair and reasonably related in scale and kind to the development proposal and necessary to make the development acceptable terms.
- 6.6.2 The following requests for developer contributions have been received:
- 6.6.3 NHS Lincolnshire Integrated Care Board - A £25, 954 contribution to mitigate the impact on Hereward Medical Centre, Bourne Galletly Practice, Glenside Country Practice and Market Cross Surgery as the development is within their catchment area.
- 6.6.4 It is considered that the request satisfies the above tests in that without the contributions there would be an unacceptable and unmitigated impact on identified local surgeries.

6.7 **Other Matters**

Alternative Access

- 6.7.1 A number of representations have been made in relation to the proposed access and why it has not been taken from the south of the site as per the existing dwelling onto Exeter Street and Tarragon Way as an alternative to the proposed access onto Coriander Way from the west.
- 6.7.2 Officers would echo the comments of the Highway Authority in that it would be preferable for the access to be from the south of the site. However, the applicants do not have a right of access over third party land that is owned by Barratt David Wilson following the construction of the wider Tarragon Way/Thyme Avenue housing development. As such an alternative access route to the site cannot be achieved and it falls for this application to be considered as submitted.

Biodiversity Net gain

- 7.7.3 A Biodiversity Net gain (BNG) metric has been submitted which demonstrates that the proposed development would achieve a 10.4% net gain in habit units and 917.9% increase in hedgerow units. This would be secured through the submission of a BNG Management Plan which would secure the implementation, management and monitoring of the site for at least 30 years to ensure that the identified gain is delivered.

7.7.3 Need

The applicants have provided a planning need assessment which demonstrates that there is a shortfall in provision. This conclusion is confirmed by the South Kesteven District Local Housing Needs Assessment (LHNA) 2023 – Final Report September 2023.

The report, based on elderly population growth over the period of 2021 to 2041 estimates that there would be a need for between 37-65 additional care home beds with or without nursing per annum over the 20 year period.

Contamination

7.7.4 The planning application was accompanied by a contamination report which indicates that there is no evidence of contamination on the site. These conclusions are supported by the comments of the Environmental Protection Team no raising any objection. As such the proposal is considered to accord with local plan policy EN4 and NPPF Section 15.

7 Crime and Disorder

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

8 Human Rights Implications

8.1 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.

9 Conclusion and Planning Balance

10.1 The proposed care home is considered acceptable having regard to the NPPF and to the Local Plan, in particular Local Plan Policies SD1, SP1, SP2, SP3, H4, SB1, EN4, EN5, DE1, ID2 and NPPF Sections 2, 4, 5, 12, 14 and 15. Whilst concerns have been raised in relation to highway matters and residential amenity they are not considered to outweigh the policies referred to above.

RECOMMENDATION:

Recommendation – Part 1

10.2 To authorise the Assistant Director – Planning to GRANT planning permission, subject to the completion of a Section 106 legal agreement securing the necessary financial contribution towards healthcare provision.

Recommendation – Part 2

9.3 Where the Section 106 Agreement has not been concluded prior to the Committee, a period not exceeding 12 weeks after the date of the Committee shall be set for the completion of the obligation.

9.4 In the event that the agreement has not been concluded within the 12-week period and where, in the opinion of the Assistant Director – Planning, there are no extenuating circumstances which would justify a further extension of time, the related planning application shall be refused for the following reason(s):

The applicant has failed to enter into a planning obligation to secure the necessary financial contribution towards provision of local surgery(s) and town centre improvements. As such the necessary criteria essential to make what would otherwise be unacceptable development acceptable have not been forthcoming.

Schedule of 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 planning application form, and with the following list of approved plans:
 - (i) Location Plan
 - (ii) Proposed Site Plan – Dwg No. PE10 9NJ-A-03-A
 - (iii) Proposed Elevations – Dwg. No. PE10 9NJ-A-05
 - (iv) Proposed Floor and Roof Plans – Dwg No. PE10 9NJ – A-04
 - (v) Soft Landscape Specification – Dwg. No. MR24-093/101 Rev B

Unless otherwise required by another condition of this permission.

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

Prior to Commencement

- 3 Before the development hereby permitted is commenced, plans showing the existing and proposed land levels of the site including [site sections, spot heights, contours and the finished floor levels of all buildings] with reference to [neighbouring properties/an off-site datum point] shall have been submitted to and approved in writing by the Local Planning Authority.

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

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

- 4 Notwithstanding the submitted details before any of the works on the external elevations above damp proof course for the building(s) and the infilling of the boundary wall to the southern elevation hereby permitted are begun, samples of the materials (including colour of any render, paintwork or colourwash) to be used in the construction of the external surfaces shall have been submitted to and approved in writing by the Local Planning Authority.

The development shall be undertaken 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.

Prior to Occupation

- 5 Prior to the occupation of the development hereby permitted the surface and foul drainage for the site shall be undertaken in accordance with Proposed Drainage Strategy WOBO-BSP-XX-XX-T-W-0001-P04_Drainage_Strategy dated 11 Feb 2025 and retained as such thereafter.

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

- 6 Prior to occupation of the development hereby permitted the hard landscaping works shall have been undertaken in accordance with Proposed Site Plan – Dwg No. PE10 9NJ-A-03-A and retained as such thereafter.

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

- 7 Before any part of the development hereby permitted is occupied/brought into use, the storage of refuse and recycling and cycle storage shall be undertaken in accordance with Proposed Site Plan – Dwg No. PE10 9NJ-A-03-A and retained as such thereafter.

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

- 8 Before any part of the development hereby permitted is occupied/brought into use, the vehicle parking and turning area shall have been undertaken in accordance with Proposed Site Plan – Dwg No. PE10 9NJ-A-03-A and retained as such thereafter.

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

- 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 landscape works shall have been carried out in accordance with the approved soft landscaping details Soft Landscape Specification – Dwg. No. MR24-093/101 Rev B.

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.

- 10 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.

- 11 Within seven days of the new access being brought into use, the existing access onto Tarragon Way (South of the site that serves the dwelling) shall be permanently closed in accordance with details to be agreed in writing with the Local Planning Authority.

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

- 12 No part of the development hereby permitted shall be occupied before the works to improve the public highway by installation of a Zebra Crossing adjacent to the Bus Station have been certified complete by the Local Planning Authority.

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

- 13 The development hereby permitted shall not be occupied before the 8 pedestrian crossing points over Exeter Street (junction with Tin Lane, junction with Exeter Gardens, junction with Burghley Street, Junction with Exeter Close, junction with Exeter Court, crossings at the with Tarragon Way, junction with St Gilberts Road) have been upgraded to tactile crossing points, to improve the existing footway network for vision impaired pedestrians, they will be provided in accordance with details that shall first have been submitted to, and approved in writing by, the Local Planning Authority. The works shall also include appropriate arrangements for the management of surface water run-off from the highway.

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

- 14 Before the development is occupied, all of that part of the estate road and associated footways 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.

During Construction

15 During any demolition/construction all existing trees and hedges to be retained shall be protected in accordance with Arboricultural Impact Assessment Drawing No. Arbtech AIA 01 Rev A and Tree Protection Drawing No. Arbtech TPP o1 Rev A.

Reason: To ensure a satisfactory form of development.

16 The development hereby permitted shall be undertaken in accordance with the sustainable development design and construction methods as set out in the approved Sustainability Statement – LNT Care Developments dated October 2024.

Reason: To ensure that the development mitigates against, and adapts to climate change, in accordance with Policy SB1 of the adopted South Kesteven Local Plan.

17 The development hereby permitted shall be undertaken in accordance with the submitted Construction Environmental Management Plan Dated December 2024 and the Site Setup Plan Drawing No. PE10 9NJ CP-04-C.

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

Standard Note(s) to Applicant:

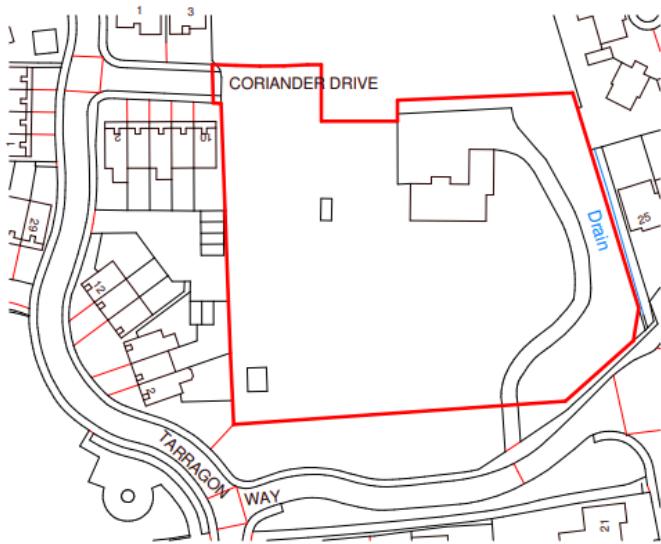
- In reaching the decision the Council has worked with the applicant in a positive and proactive manner by determining the application without undue delay. As such it is considered that the decision is in accordance with paras 38 of the National Planning Policy Framework.
- All roads within the development hereby permitted must be constructed to an acceptable engineering standard. Those roads that are to be put forward for adoption as public highways must be constructed in accordance with the Lincolnshire County Council Development Road Specification that is current at the time of construction and the developer will be required to enter into a legal agreement with the Highway Authority under Section 38 of the Highways Act 1980. Those roads that are not to be voluntarily put forward for adoption as public highways, may be subject to action by the Highway Authority under Section 219 (the Advance Payments code) of the Highways Act 1980. For guidance, please refer to <https://www.lincolnshire.gov.uk>
- 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>
- In accordance with Section 59 of the Highways Act 1980, please be considerate of causing damage to the existing highway during construction and implement mitigation measures as necessary. Should extraordinary expenses be incurred by the Highway Authority in maintaining the highway by reason of damage caused by construction traffic, the Highway Authority may seek to recover these expenses from the developer.
- 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

Location Plan



LOCATION PLAN

1 : 1250

Site Plan



Proposed Elevations



REV 0 DATE 07/04/2004 DRAWN
DETAILS OF AMENDMENTS
PROVISIONS

LNT Construction

LNT CONSTRUCTION LTD
144 STATION ROAD
ISABELLA ROAD
GARSTANG
Lancs LA6 2EP
Tel: 0115 385 3658
Fax: 0115 385 3658

LNT CARE DEVELOPMENTS

THE WOODLANDS
BEECHWOOD
PE10 9NU

PROPOSED ELEVATIONS

Scale	1:100	Date	20/06/2004 09:21:08
Author	L.J.	Version	P010 Rev A-05
Comments			

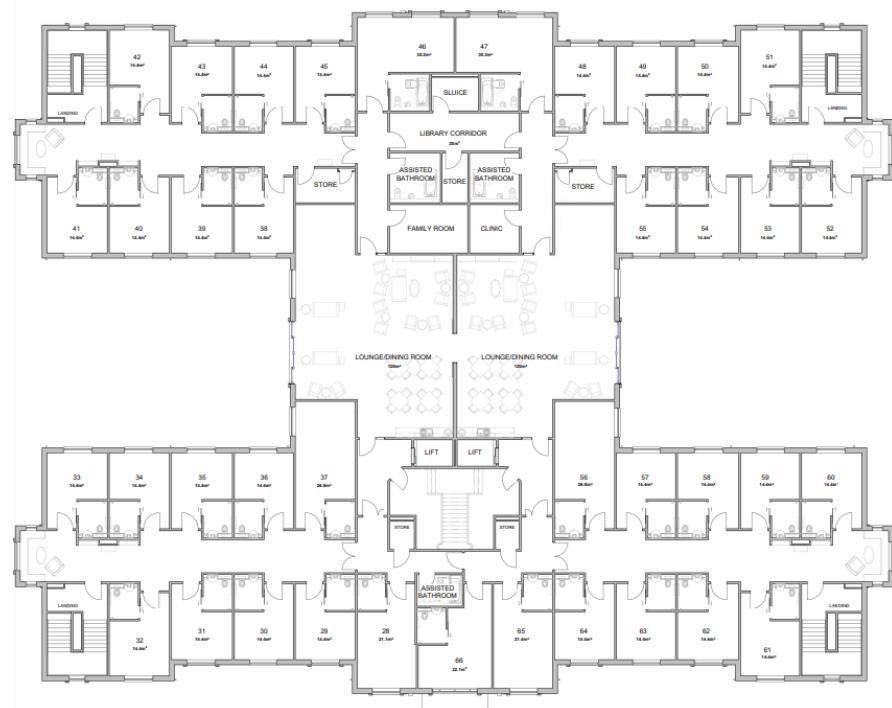
FOR PLANNING APPROVAL

Proposed Floor Plans



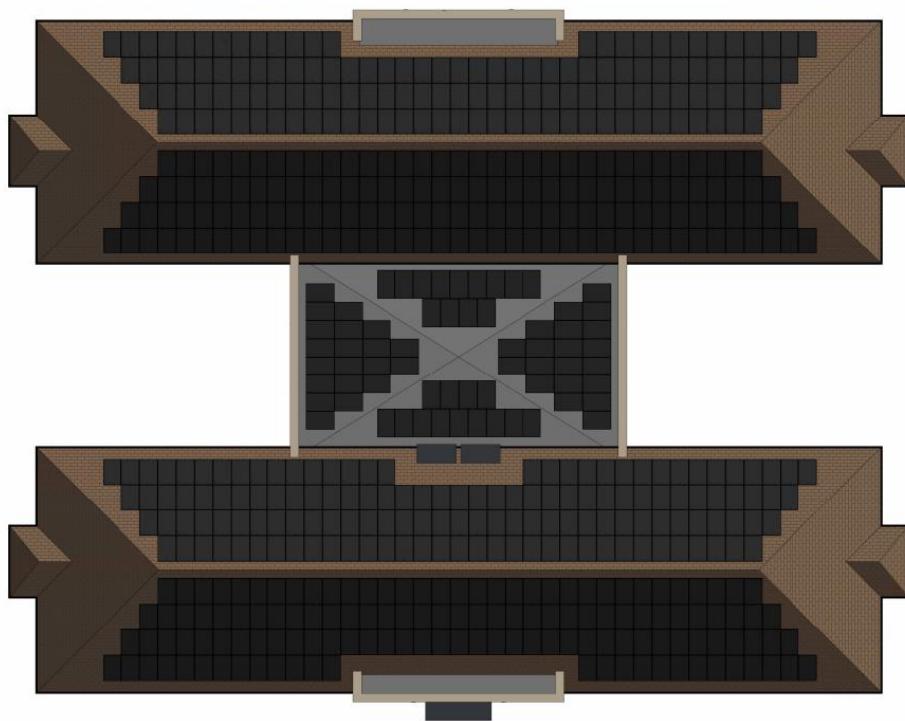
GROUND FLOOR

1 : 200



FIRST FLOOR

1 : 200



ROOF PLAN

1 : 200