



**SOUTH
KESTEVEN
DISTRICT
COUNCIL**



S24/2066

Proposal:	Outline planning application for residential development of up to 73 no. dwellings together with open space, landscaping, drainage, and associated works (all matters reserved except means of access)
Location:	Land north of Wilsford Lane, Ancaster
Applicant:	Nightingale Land
Agent:	Mr James Stone
Application Type:	Outline Planning Permission (Major)
Reason for Referral to Committee:	Major application
Key Issues:	Principle of development Impact on the character of the area Impact on highway safety
Technical Documents:	Air Quality Screening and Mineral Dust Assessment Arboricultural Assessment Design and Access Statement Flood Risk Assessment and Outline Surface Water Drainage Strategy Ecological Appraisal (includes Biodiversity Net Gain) Heritage Statement Landscape & Visual Appraisal November Mineral Assessment Noise Impact Assessment

Report Author

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Corporate Priority:

Growth

Decision type:

Regulatory

Wards:

Peascliffe & Ridgeway

Reviewed by:

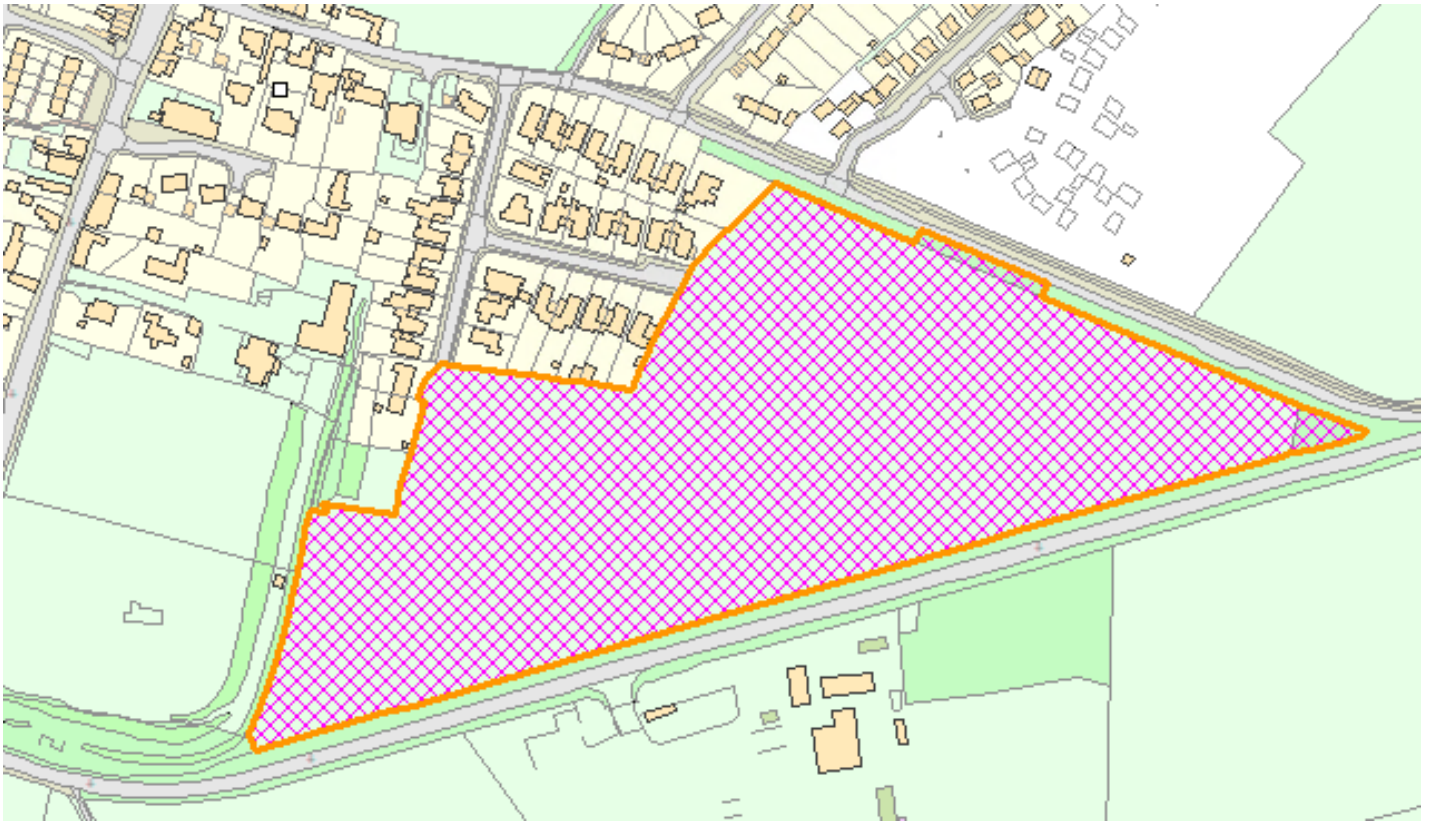
Phil Jordan – Development Management &
Enforcement Manager

16 September 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 Agreement

S24/2066 - Land north of Wilsford Lane, Ancaster



Key



Application
Boundary



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1 Description of Site

- 1.1 The site is 6.3 hectares in area, located at the southern developed edge of the village of Ancaster. The site is accessed off Wilsford Lane and comprises an agricultural field. It is bounded by Wilsford Lane to the north, Sleaford Road to the south and existing residential development that bounds the site to the north-west.
- 1.2 A residential scheme for 96 dwellings is currently being constructed to the north-east, on the opposite side of Wilsford Lane that was the subject of outline planning permission S20/1169 and associated reserved matters approval S21/2500.
- 1.3 The site includes Local Plan allocation LV-H2 for residential development and some additional land outside of the allocated area to the south and east, within the confines of Sleaford Road to the south and Wilsford Lane to the north.
- 1.4 To the south of the site is the operational Castle Quarry.
- 1.5 Ancaster conservation area abuts the site to the west which also includes the Scheduled Monument of the Ancaster Roman Settlement and beyond this to the west are the listed building of St Martin's Church, The Old Vicarage and Ancaster Hall.
- 1.6 There are a number of trees along the western boundary, just beyond the application site, that are protected by a tree preservation order.

2 Description of Proposal

- 2.1 This application is seeking outline planning permission for the erection of up to 73 dwellings. The application is in outline form with all matters reserved except for access.
- 2.2 Vehicular access is proposed from Wilsford Lane in the form of a new junction.
- 2.3 The applicant has provided an indicative site layout plan showing 73 dwellings on the site with the 'illustrative' Street Hierarchy following a simple network of interconnected grids with pedestrian connectivity given priority over vehicular movement. The secondary streets lead off from the Main Street, which then connect to the lowest order streets comprising edge lanes and private drives around the perimeter of the site.
- 2.4 The illustrative layout demonstrates how a circular walking route around the site would be created, includes a locally equipped area of play (LEAP), meadow grassland, allotments and tree planting. These details would be secured through a landscaping scheme that would be required at the reserved matters stage that would follow any grant of outline consent.
- 2.5 The proposed 73 dwellings would be sited within the area of the allocation which is approximately 2.4 hectares in area. This would give a density of 30 dwellings per hectare.

The wider site area which includes areas shown on the illustrative layout as landscaped areas extends to approximately 6.28 hectares.

3 Relevant History

3.1 No relevant planning history

4 Policy Considerations

4.1 SKDC Local Plan 2011 - 2036

Policy SP1 – Spatial Strategy

Policy SP4 – Development on the Edge of Settlements

Policy H1 – Housing Allocations

Policy H2 – Affordable Housing Contributions

Policy H4 – Meeting all Housing Needs

Policy EN1 – Landscape Character

Policy EN2 – Protecting Biodiversity and Geodiversity

Policy EN4 – Pollution Control

Policy EN5 – Water and Flood Risk Management

Policy ID2 – Transport and Strategic Transport Infrastructure

Policy DE1 – Promoting Good Quality Design

Policy SB1 – Sustainable Building

Policy LV-H2 – Wilsford Lane, Ancaster

4.2 National Planning Policy Framework (NPPF)

Section 5 - Delivering a sufficient supply of homes

Section 9 - Promoting sustainable transport

Section 11 - Making effective use of land

Section 12 - Achieving well-designed places

Section 14 - Meeting the challenge of climate change, flooding and coastal change

Section 16 – Conserving and Enhancing the Historic Environment

5 Representations Received

5.1 Ancaster Parish Council

5.1.1 Raises the following points:

- Impact on village as it grows larger without the facilities to support the expansion.
- Should be designed to be sensitive to the character of the village and should be less dense
- The local plan designates the land for 35 units with a density of 16 dwellings per hectare reflecting the gateway location and relationship with heritage features. Ancaster PC formally objects to the increased density and number of dwellings.
- What is the justification for the increased density?
- Wilsford Lane is narrow and poorly suited to increased traffic.
- The junctions at either end have limited visibility.

- If the development proceeds, solutions for Wilsford Lane and the junctions prioritising the safety of residents should be explored.
- Parking is a problem in Ancaster. There should be at least two spaces per dwelling.
- There should be safe crossing for children and pedestrians over Wilsford Lane.
- Clarification of retention of existing boundary treatments
- Concern in relation to the attenuation pond overtopping and flooding houses.
- 73 dwellings would result in approximately an additional 175 residents. There should be appropriate S106 developer contributions to support village infrastructure.

5.2 Environmental Protection Services (SKDC)

5.2.1 Final comments 12-8-2025 - Environmental Protection are satisfied that based upon the further acoustic assessment on a “worst-case scenario” of the quarry stone cutting activities, with a proposed acoustic barrier along the boundary with Sleaford Road there would not be an adverse impact to the proposed development (impact predicted to be -2db below the PPG) and importantly Environmental protection consider that the proposed development (with the mitigation measures for the development site as recommended in the Wardell Armstrong acoustic reports) would not necessarily prejudice the operation and existing planning controls for the quarry.

5.3 LCC Highways & SuDS Support

5.3.1 No objection subject to S106 developer contribution to off-site highway works on Wilsford Lane - £158,000, extension of the 30mph speed restriction along Wilsford Lane - £2,500 and Travel Plan Monitoring - £5,000 and a number of conditions.

5.4 Environment Agency

5.4.1 Whilst we have no objection to this application, we would like to draw the applicant’s attention to the following informative comments: Advice to the Local Planning Authority Water recycling centre capacity The evidence available to us demonstrates that the Ancaster Water Recycling Centre is at or near its permitted limits. Additional flows from new developments such as this could lead to the works causing pollution of the receiving watercourse. Anglian Water Services (AWS) is legally obliged to operate within permit limits and the Environment Agency will take all necessary action to ensure that the receiving watercourse is protected.

5.4.2 We urge the council to liaise with AWS before determining the planning application. This collaboration is essential to ensure that adequate plans are in place to provide capacity at the works, for it to handle the foul flows from this development, and avoid pollution.

5.5 Anglian Water

5.5.1 Objection - Comments we provide in response to planning applications are always based on current data and practises at time of comment. Previously, when assessing the receiving water recycling centre’s (WRC) dry weather flow (DWF) headroom we took an average flow

over the past 5 years to take into account changing weather patterns. Where the average exceeded the WRC's permitted allowance we also took account of the following Environment Agency enforcement trigger - "has the DWF permit been exceeded in 3 of the last 5 years" – this included non-compliance from the last annual data return. Based on the above assessment Ancaster WRC was found to be flow non-compliant.

- 5.5.2 Any additional flow above what our permit allows poses an unacceptable risk to the receiving watercourse. The permit is set at limits in order to ensure the watercourse is protected against harm and flow is an absolute value that should not be exceeded. Anglian Waters position remains to object to the proposed development, and recommend planning permission be refused on this basis.

5.6 Fire Authority

- 5.6.1 No objection – subject to the development complying with the relevant Building Regulation requirements in relation to fire appliance access.

5.7 LCC Minerals and Waste

- 5.8 The proposals would comprise an intensification of sensitive land uses in close proximity to Castle Quarry, in excess of what was envisaged as part of allocation LV-H2. The information submitted with the proposals also fails to adequately assess the potential impacts on the development from Castle Quarry, and it is considered more could be done in terms of incorporating mitigation into the site design. We would recommend that the district council, as determining authority, seek further information from the applicant to address the matters outlined above, and, having regard to our comments, seek the views of relevant experts such as the EHO in terms of whether the submitted noise and dust assessments and any resultant mitigation is acceptable before determining this application.

5.9 LCC Education

- 5.9.1 S106 request for £416,083.50 towards education provision at Ancaster Primary School. No requests for contributions to secondary or sixth form education.

5.10 North Kesteven District Council

- 5.10.1 No objections.

5.11 NHS England

- 5.11.1 A contribution of £46,172.50 is requested to mitigate the impact of the proposed development on local surgeries.

5.12 Witham Internal Drainage Board

- 5.12.1 No objection. The board has no comments on this application. If any temporary or permanent works or structures are within any watercourse, Land Drainage Consent may be required.

5.13 Heritage Lincolnshire

- 5.12.1 A programme of archaeological investigation (geophysical survey and trial trenching) has been carried out at the site. Archaeological remains including inhumation burials, ditches, ceramic building material and pottery of Romano-British date have been identified in parts of the site. Therefore, it is recommended that prior to any development there should be a

programme of open area archaeological excavation. This excavation should be subject to the relevant planning condition and that it should be completed in advance of any work beginning on this part of the site.

5.14 SKDC Principal Urban Design Officer

- 5.14.1 The Design Guidelines for Rutland and South Kesteven need to be followed – particularly in terms of following the design process and undertaking a thorough site and contextual analysis and then separately demonstrating a response to context before producing a layout.
- 5.14.2 Views to the church to the west from the site need to be studied, illustrated and responded to with the layout.
- 5.14.3 The response to context needs to be more sensitive to the hedgerow and trees along the northern boundary, allowing more space and setting development back and also careful design of the main vehicular entrance and associated visibility splay.
- 5.14.4 Connecting to the existing PROW in the South-Western corner (and other pedestrian desire lines to the village centre and adjacent development sites needs marking on the response to context work.
- 5.14.5 Connecting to the existing streets to the west is welcomed.
- 5.14.6 The layout is premature, as described above. Another element that needs space within the layout and designing in early is the SuDS drainage proposals – these need to be integrated into the layout and not placed in one large basin – this will affect and inform the layout.
- 5.14.7 Street trees (and roadside swales) – forming tree lined streets, are absent from the indicative layout – these elements will need designing in the streets and will require more space.

5.15 Conservation Officer

- 5.15.1 An Evaluation Report (Allen Archaeology 2025) was provided for the site, with trenches targeting the results of a geophysical survey. The evaluation confirmed the presence of 3rd to 4th century Roman activity within the site, as well as some medieval agricultural activity. This confirms that the site was associated to some level with the Ancaster Roman settlement. The development may therefore result in a less than substantial harm to the setting of the Scheduled Monument (NHLE 1005004), dependent on a full assessment of the archaeological material. A programme of archaeological excavation works would therefore be recommended to fully identify and assess the nature, extent and date of the archaeological remains, and record them prior to potential development of the site. Further advice on this is being provided by Heritage Lincolnshire.
- 5.15.2 Based on the current proposal, and the close proximity of the site to the Scheduled Monument of the Ancaster Roman Settlement, it is likely that the proposed development would result in less than substantial harm to the setting of the Scheduled Monument, at the lower level.
- 5.15.3 A full assessment of the potential impact cannot be made at this point, until a defined design has been presented, and further archaeological investigations undertaken. Considering the immediate streetscape, low scale buildings such as single storey bungalows and 1.5 storey dwellings would be recommended, especially towards the

western and southern extent of the proposed build-up area. There is a prevalence of bungalows immediately adjacent to the site, as well as low two storey buildings in close proximity along Wilsford Lane. This should be taken into consideration for the final design. It is noted that the applicant is taking the wider streetscape form and materials into consideration in the documents presented, which is appreciated.

- 5.15.4 Therefore, in principle the proposed development is acceptable. This is however dependent on the overall design, layout and materials. Low levels of less than substantial harm are currently anticipated for the adjacent designated heritage assets. This impact can likely be mitigated through design choices and further archaeological interventions.

5.16 Historic England

- 5.16.1 Thank you for sight of the geophysical survey and trial trenching reports which appear to have been effective in characterising the archaeological remains on site. We refer you to the expertise of your own archaeological advisors as regards appropriate archaeological mitigation secured by planning conditions including any design solutions which may be appropriate given their importance as archaeological setting to the scheduled Roman Settlement

5.17 Natural England

- 5.16.1 No objection subject to a Construction Environment Management Plan.
- 5.16.2 In particular, the CEMP must include measures to prevent impacts from pollution of watercourses running to the SSSI. The development site lies within the catchment of Moor Closes SSSI, which is currently in unfavourable condition due to drainage and high water levels. Therefore, without appropriate management of surface water during construction, any pollutants and discharge from the site during construction (i.e. sediment, fuel/oils, chemicals) may reach the SSSI and cause an adverse impact.

5.18 Affordable Housing Officer

- 5.18.1 The requirement for the scheme is 22 affordable units. Of the total number of Affordable Homes (22 units) SKDC policy stipulates that there must be a mix of 60% affordable rent (13 units) and 40% affordable ownership (9 units).

5.19 Lincolnshire Wildlife Trust

- 5.19.1 We are encouraged to see the applicant has conducted an initial BNG assessment showing net gains from sensitive design and interplay between the dwellings and adjacent greenspace. During the full application we would expect to see the finalised habitat creation/enhancement and planting details to confirm the units that are to be delivered. A habitat management and monitoring plan (HMMP) will secure these gains for the full 30-year period.
- 5.19.2 In addition to the habitat enhancements that are demonstrated through BNG, the proposal presents many opportunities for faunal enhancements given its proximity to the wider countryside. The forthcoming ecological assessments should provide details on locations and installation requirements ensuring the benefits are realised. These may include habitat refugia and a range of appropriate bird and bat boxes which may be integrated into the brickwork. Hedgehog highways between all garden plots are also strongly encouraged to support the declining mammal species.

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 6no. letters of representation have been received raising the following relevant points:

- Concerns in relation to the proximity of the development to the quarry.
- Significant concerns that the permitted operations at the quarry will have an unacceptable noise impact on the occupants of these dwellings and potentially result in noise complaints.
- The quarry may be unable to comply with noise limits as set out within their existing planning conditions and may therefore be forced to limit and/or cease operations.
- We have already suffered two years of building. Now there will be building on the opposite side. How many more years do we have to put up with this inconvenience?
- There is archaeology on the site.
- Risk of flooding my bungalow from any increased run-off from the site
- The entrance and exit to Ermine Street from Wilsford Lane is difficult due to vehicles parking on Ermine Street and the width of the road. Any extra flow of traffic will make this worse and more dangerous.
- Wilsford Lane is narrow and vehicles regularly over-run onto the verge.
- Road requires widening and kerbing to prevent grass verges being damaged and the lane is safer to travel on.
- Object to two or three storey properties immediately adjacent to Flaminian Way (all single storey properties) as this will seriously affect our privacy and almost certainly increase the level of noise from larger family homes
- Increased traffic on narrow streets
- Any new building applications should take into account Flaminian Way is an established close of single storey properties.
- Flood risk for the properties on Flaminian Way from the drainage lagoon as the properties in Flaminian Way are at a lower level.
- The bungalows and self-build plots should be incorporated within the main area.
- The drainage lagoon should be moved into the main body of the site away from the existing properties.
- When purchased the property in 2012, advised that nothing would be built on the field as it was a Roman burial ground. The site should not be development.
- Increased noise and disturbance from vehicles being parked next to my rear boundary.
- Increased pollution.
- Unclear as to the height of the properties. Would result in significant overlooking and loss of privacy.
- Wilsford Lane is used as a short cut. Widening of the road would encourage faster driving. Drivers currently disregard the 30mph speed limit.
- GP surgery is oversubscribed.
- Impact on local school and sewage processing has not been progressed.

7 Evaluation

7.1 Principle of Development

- 7.1.1 Policy SP1 of the South Kesteven Local Plan (2020) sets out a framework guiding the location of new development within the District and provides that the majority of new development shall be focussed on Grantham and the market towns. Policy SP1 sets out that development should create strong, sustainable, cohesive communities, making the most effective use of previously development (brownfield) land (where possible). Development should also provide for a scale and mix of housing to meet identified needs.
- 7.1.2 Policy H1 of the Local Plan sets out that development will be delivered through a series of site allocations across the district, including to Larger Villages including Ancaster.
- 7.1.3 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.
- 7.1.4 Policy DE1 of the Local Plan seeks to ensure high quality design is achieved, with proposals to make a positive contribution towards the character of the area, local identity, and not adversely impact on the street scene and townscape and be of an appropriate scale, density, massing, height and material and not impact on neighbouring residential amenity.
- 7.1.5 Paragraph 124 of the NPPF sets out that planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Strategic policies should set out a clear strategy for accommodating objectively assessed needs.
- 7.1.6 Section 12 of the NPPF sets out the importance of achieving well-designed places to ensure that proposals are only approved when they address the need to improve the character and quality of an area.
- 7.1.7 The site forms part of Local Plan allocation site LV-H2: Wilsford Lane (SKLP211). The site allocation is for an indicative 35 dwellings in total at around 16dph. (the lower density based on the gateway location and heritage features to the south. Policy LV-H2 includes the following criteria:
 - (a) Landscape screening to Southern edge will be required so as to reduce the impact on views into the site from the open countryside.
 - (b) There will be no negative impacts on the Wilsford Lane Verge, Ancaster Local Wildlife Site and the development will provide net gains in biodiversity on site and contribute to wider ecological networks where possible.
 - (c) There is the potential for archaeology remains on this site and the appropriate pre-commencement investigations should be carried out.

The site is situated within a Minerals Safeguarding Areas and a Limestone Mineral Safeguarding Area. Before considering a planning application for this site a Minerals Assessment will be required.

- 7.1.8 In relation to compliance with Local Plan Policy LV-H2 criteria above the following information has been provided in support of the application:
- (a) An Illustrative Layout Plan illustrating landscaping around the site
 - (b) An Ecological Appraisal and Biodiversity Net Gain Assessment
 - (c) An Archaeological Appraisal including investigatory works within the site in the form of trial trenching.
- 7.1.9 The proposal is considered to meet the relevant criterion a) above, whilst landscaping is not being considered through this outline application, the indicative layout includes retention of the existing trees and hedgerows, with further landscaping around the southern boundary.
- 7.1.10 Compliance with criteria b) and c) are discussed elsewhere in this report. However, it is considered that these requirements can be complied with through any subsequent reserved matters application, the indicative layout plan and details in the ecology survey and archaeological assessment submitted with this application.
- 7.1.11 In relation to Minerals safeguarding, the applicant has provided the necessary Minerals Assessment and LCC Minerals and Waste have reviewed this and do not have any objections to the proposal subject to matters of noise from the adjacent quarry site being effectively investigated. This is discussed further below.
- 7.1.12 Taking the above policies into account, the principle of the proposed development is considered to be acceptable.
- 7.1.13 The site is part of an allocation within the Local Plan, with this proposal to provide up to 73 dwellings with the policy indicative figure of 35 dwellings.
- 7.1.14 It is acknowledged that the number of units is significantly more than the indicative unit numbers specified in policy LV-H2. However, the submitted indicative layout plan demonstrates that 73no. dwellings can be accommodated within the area of the allocation with the remainder of the site area beyond the allocation being utilised as landscaped areas.
- 7.1.15 In addition to the allocated site, the remainder of the application land to the south and east falls to be assessed against the spatial strategy as set out in Policy SP2. The site lies on the edge of the settlement and any land outside of the allocation would be subject to consideration under Policy SP4 of the Local Plan – Development on the Edge of Settlements.
- 7.1.16 Policy SP4 states that proposals for development on the edge of a settlement, as defined in Policy SP2, which are in accordance all other relevant Local Plan policies, will be supported provided that the essential criteria a – f below are met.

7.1.17 Policy SP4 states that a proposal must:

- a. demonstrate clear evidence of substantial support from the local community* through an appropriate, thorough and proportionate pre-application community consultation exercise. Where this cannot be determined, support (or otherwise) should be sought from the Town or Parish Council or Neighbourhood Plan Group or Forum, based upon material planning considerations;
- b. be well designed and appropriate in size / scale, layout and character to the setting and area;
- c. be adjacent to the existing pattern of development for the area, or adjacent to developed site allocations as identified in the development plan;
- d. not extend obtrusively into the open countryside and be appropriate to the landscape, environmental and heritage characteristics of the area;
- e. in the case of housing development, meet a proven local need for housing and seeks to address a specific targeted need for local market housing; and
- f. enable the delivery of essential infrastructure to support growth proposals.

7.1.18 To satisfy the above criteria the following supporting information has been provided:

(a) A public consultation event was held on two separate days including a letter drop. The scheme consulted on was for up to 81 dwellings. This generated 27 responses of which 16no. were companies selling professional services and a further response from a journalist requesting a comment.

Positive comments received stated: "Excited about having a view of a pond rather than the existing field" and "Proposed layout is well thought out".

Concerns were raised in relation to views being blocked, impact on privacy and overlooking. Other concerns raised included pressure on public services including that the doctors surgery and school is oversubscribed, lack of a supermarket and sewage plant capacity.

In relation to highway matters, concerns were also raised regarding increased traffic, road safety, and existing roads are too small.

Concerns were also raised in relation to flood risk and drainage specifically the ability of the pond/drainage system to cope with excess water due to climate change.

7.1.19 It is stated within the supporting information that following consideration of the concerns raised the scheme was reduced from 81 dwellings to 73 dwellings.

7.1.20 The consultation exercise and associated results, particularly taking into account the absence of support from Ancaster Parish Council, result in a degree of tension in relation to SP4 (a) in that clear evidence of substantial support has not been demonstrated.

7.1.21 In relation to SP4 (b), (c) and (d) The application is in outline form with all matters reserved except access. An illustrative layout plan has been provided which sets out where within the site the residential development would be located, to include public open space, a play space, attenuation, vehicular access, pedestrian access and allotments.

7.1.22 It is considered that a development of up to 73 dwellings in accordance with the illustrative layout, subject to details of the scale and design of the dwellings, result in a layout and density of development that would be in keeping with the character, appearance and setting of the area that be adjacent to the existing pattern of development, and would not extend obtrusively into the open countryside.

- 7.1.23 In relation to criterion (e), Policy H4 of the SKLP (Meeting All Housing Needs) requires all major proposal for residential development to provide appropriate type and sized dwellings to meet the needs of current and future households in the district. Policy H2: Affordable Housing Contributions” States that all development comprising 11 or more dwellings should make provision for 30% affordable housing. Criterion a. of the policy sets out that all affordable housing will be expected to ‘include a mix of socially rented/affordable rent/intermediate rent and intermediate market housing’. It is proposed to provide a policy compliant scheme of 30% affordable housing provision which will include a mix of social rent, affordable housing and intermediate market housing and rent appropriate to the local need.
- 7.1.24 In this instance the proposed 73no. dwellings would result in a requirement for 22 affordable units. Of the total number of Affordable Homes (22 units) SKDC policy stipulates that there must be a mix of 60% affordable rent (13 units) and 40% affordable ownership (9 units).
- 7.1.25 In relation to criterion (f) the NPPF Section 3: Plan Making, para 34 states that plans should set out the contributions expected from development. This should include setting out the levels and types of affordable housing provision required, along with other infrastructure (such as that needed for education, health, transport, flood and water management, green and digital infrastructure).
- 7.1.26 In this instance the applicant has confirmed their agreement to the package of developer contributions. The draft heads of terms, subject to agreement, as planning obligations would be covered within a Section 106 Agreement and are discussed further below.
- 7.1.27 To summarise, it is the Case Officer’s assessment that the development of the site, when taken as a whole, including the allocated and non-allocated areas identified within the red line would be capable of accommodating the erection of up to 73 dwellings with associated infrastructure.
- 7.1.28 It is considered that the development of the site would be in accordance with the overall strategy for the District, as set out in SP1, H1, H4, and LV-H2 of the South Kesteven Local Plan and Sections 5, 11 and 12 of the NPPF and associated Planning Practice Guidance.
- 7.1.29 However, it is acknowledged that there is a degree of tension in relation to policy SP4a in that clear evidence of public support has not been demonstrated. Specific environmental and technical issues, which support this conclusion, are discussed in detail in the following sections below.

7.2 Impact on the Character of the Area

- 7.2.1 Policy DE1 seeks to ensure development is appropriate for its context. Section 12 of the NPPF seeks the creation of well-designed buildings and places.
- 7.2.2 Policy EN1 seeks to ensure that development is appropriate for the character and significant natural, historical and cultural attributes and features of the landscape and contribute to its conservation, enhancement and restoration.

- 7.2.3 The proposal is an outline application for the erection of 73 dwellings on a site which is in part allocated for residential development in the Local Plan. While the proposed development would inevitably result in a change to the existing rural character of the area, this needs to be considered in the context that part of the site is already allocated for residential development. The proposal is residential in nature, which is in keeping with the surrounding context and whilst the application site includes additional land beyond the site allocation it is an edge of settlement location, and the site is physically constrained by the hard boundaries of the two roads that bound the site to the north and south
- 7.2.4 The proposal is considered not to detract from the character and appearance of the wider residential area and is respectful of its context. The proposed density of 30 dwellings per hectare is not considered to be out of character with the surrounding development including the adjacent development on Flaminian Way and the new development to the north.
- 7.2.5 The development would change the landscape when entering and leaving the village to the south-east on Wilsford Lane. However, the site allocation takes account of this with a specific criteria for further landscape screening to the south.
- 7.2.6 The illustrative layout plan shows built form within the site allocation area, with the additional land beyond the allocation being the ancillary works including drainage, landscaping and allotments.
- 7.2.7 Final details have not been provided at this stage, with landscaping a reserved matter, however indicatively the layout located on the footprint of the allocation is considered to provide appropriate set back and an opportunity for landscaping. As such a proposal is considered to meet the criterion a) of the site allocation policy.
- 7.2.8 The site is located within the Southern Lincolnshire Edge Landscape Character Area (LCA), with key characteristics of this LCA being large scale open arable landscape, dominant western scarp slope, large open fields with fragmented hedgerows and shelterbelts, spare settlement patterns on an escarpment and active and redundant airfields.
- 7.2.9 The applicant has provided a Landscape and Visual Appraisal (November 2024). This considers the impact of the proposed development on a series of visual receptors including residential dwellings to the north/west, public right of way users to the north and south of Ancaster and users of Wilsford Lane.
- 7.2.10 The Appraisal summarises the visual impact:

“The visual envelope of the proposed development is relatively contained locally with some longer-range views anticipated from the north of Ancaster. In the area surrounding the Site, visibility is limited by the combined screening effects of the boundary vegetation as well as by the residential properties adjacent to the site’s north-western boundary. The tall trees adjacent to Roman Way, close to the Site’s western boundary also provide filtering and screening of the proposed development from the Ancaster Conservation Area and gateway entrance.

In terms of longer-range views, some inter-visibility is anticipated with the wider settlement area owing to the nature of the surrounding landform. Any distant views from the land to the north of Ancaster, such as Fir Tree Lane and Pottergate Road Track as it crosses the railway, will view the proposed development in context with the existing built form of Ancaster, which reinforces the residential context for the site. Once the development is complete, new planting within the built area and within the proposed open space in the southern area of the site, together with enhanced boundary planting and planting along the southern edge of the proposed built development will all help to soften the appearance of the new housing”.

- 7.2.11 The conclusions of the Landscape and Visual Appraisal are accepted, in that the proposed development will change the character of the site from an open field to a residential area, the new site features will not be different from existing residential dwellings and adjacent roads. Furthermore, views across the southern portion of the site from High Dike/Ermine Street will be maintained by the site's proposed open space. New planting along the southern edge of the developable area and retained boundary vegetation will help soften and filter any views of the proposed scheme.
- 7.2.12 As a result, the landscape and visual effects would likely be localised and only those residential receptors located closest to the site's northern and north-western edge would likely be affected at a greater level.
- 7.2.13 Whilst the proposal will have a visual impact on the immediately adjoining dwellings, the majority of dwellings on Flaminian Way are single storey and orientated to front the road.
- 7.2.14 Due to the location of Ancaster within a 'bowl' in topography, there will be a change in the view from a public right of way to the north of the settlement from Fir Tree Lane where the site can be seen at a distance due to its rising topography. New planting/landscaping to the southern boundary will both help to mitigate any wider landscape harm from this distance viewpoint.
- 7.2.15 The SKDC Urban Design Officer has been consulted on the application and has provided comments in relation to the indicative layout. These raise some concerns with the illustrative layout, and it is likely that changes would be required in order for the reserved matters submission to be supported. However, it should be noted that this is an outline application with all matters reserved for subsequent approval with the exception of access. As such the illustrative layout would not form part of the approval.
- 7.2.16 A note to applicant is proposed to be included to any permission stating that the proposed internal layout of dwellings is not approved and therefore any reserved matters will not be conditioned to be in broad accordance with the illustrative layout.
- 7.2.17 The application is in outline form, with scale, appearance, landscaping and layout all reserved matters. The illustrative layout with regards to the layout of dwellings is not considered acceptable at this stage, although the higher level principles of the layout including the proposal to retain hedgerows and include a landscaping buffer around the site are considered to be acceptable. As such the proposal is considered to be acceptable in the surrounding context and in accordance with Policies EN1 and DE1 of the Local Plan and Section 12 of the NPPF.

7.3 Impact on Residential Amenity

- 7.3.1 The proposed development for up to 73 dwellings is located adjacent to residential development to the north/north west and is bound by the roads to the north, south and east. The application is outline, with all matters reserved except for access and an illustrative layout plan has been submitted.
- 7.3.2 The closest dwellings to the proposed are on Flaminian Way. Dwellings on Flaminian Way are predominantly single storey dwellings. The illustrative layout shows dwellings with similar orientations to that of the existing dwellings on Flaminian Way, with the exception the plots directly to the south of the rear garden of 10, Flaminian Way.
- 7.3.3 Taking into account that the site layout plan submitted is indicative only, it does nonetheless, show dwellings with an acceptable relationship with the existing properties to the west on Flaminian Way. Further consideration at reserved matters stage will include considering any overbearing or overlooking impact on neighbouring dwellings. The loss of the existing view to the field is noted, however this is not considered to be a material consideration and with the site allocated for residential development.
- 7.3.4 The SKDC Environmental Protection Team have no objections to the proposal subject to appropriate mitigation in relation to the existing quarry operation to the south of the site.
- 7.3.5 In support of the application a noise assessment was undertaken which has been assessed by the Council's Environmental Protection Team. Its findings indicate a requirement for noise mitigation measures along the southern boundary of the site to protect the amenity of the future occupiers of the development from the noise and disturbance from the active quarry.
- 7.3.6 The mitigation in the form of an acoustic barrier along part of the southern boundary of the development adjacent to Ancaster Quarry is required. The acoustic barrier should be 3m in height and approximately 150m in length with a minimum surface density of 10kg/ms²
- 7.3.7 With this mitigation in place, noise levels from the Ancaster Quarry are considered to be acceptable. This is supported by the comments of the Environmental Protection Team stating:
- “Environmental Protection are satisfied that based upon the further acoustic assessment on a “worst-case scenario” of the quarry stone cutting activities, with a proposed acoustic barrier along the boundary with Sleaford Road there would not be an adverse impact to the proposed development.....importantly Environmental Protection consider that the proposed development (with the mitigation measures for the development site as recommended in the Wardell Armstrong acoustic reports) would not necessarily prejudice the operation and existing planning controls for the quarry”.*
- 7.3.8 The applicant has not submitted a Construction Management Plan (CEMP) to include proposed mitigation measures to take account of neighbouring impacts including dust and

noise. Any impacts on neighbours during the construction period will be temporary during construction only and subject to a planning condition requiring submission of a CEMP.

- 7.3.9 The CEMP would also include any necessary mitigation measures, specifically measures to prevent impacts from pollution of watercourses running to the SSSI.
- 7.3.10 Taking into account the outline nature of the proposal, there is not considered to be an unacceptable adverse impact on any residential amenity, subject to conditions to include a CEMP and securing scale, layout and landscaping details through reserved matters. The proposal is considered to comply with Policy DE1 of the Local Plan.

7.4 Highway Issues

- 7.4.1 The impact upon the highway network is the key matter that has been raised in objections from members of the public, with the impact on Wilsford Lane and the junctions at either end (Ermine Street and Sleaford Road) raised in the majority of objections.
- 7.4.2 The site access has been proposed in a suitable location with visibility in line with Manual for Streets, in addition to this it has been proposed to apply for a speed limit reduction so that the main access and crossing points fall within this speed limit, ensuring safe access to and from the site.
- 7.4.3 The main concern expressed by the highway authority is in relation to safety of the site is the lack of safe pedestrian connectivity to the local facilities in the village. There is currently a section of Wilsford Lane that has no footway, known as the 'pinch point'. Following consultation between the applicant and the Highway Authority, there are now two solutions that can be put forward to resolve the concern with the 'pinch point' and provide a safe access to pedestrians of all abilities.
- 7.4.4 There have been numerous discussions in relation to highway matters and the solution is determined to be that the highway authority undertake the improvement works themselves. Hence the requirement for a developer contribution for the costs of these works, or the developer undertakes the improvement works via a Section 278 agreement. In this instance the works would be secured by a planning condition.
- 7.4.5 In addition to the off-site improvement works the 30mph restriction along Wilsford Lane would be extended. This would help to prevent excessive speed of drivers along Wilsford Lane that is a concern expressed by members of the public and would ensure a safe arrangement for the proposed development. These off-site improvements are considered to result in a betterment to Wilsford Lane, both in terms of accommodating the proposed development and for existing residents.
- 7.4.6 Ancaster is a sustainable location for development, with a number of services and facilities in the settlement that are accessible by sustainable modes (walking and cycling). Further onward journeys are also possible through bus travel, with a bus stop on Wilsford Lane.

- 7.4.7 The submitted Transport Assessment includes a Travel Plan which seek to build upon and a maximise the sustainable opportunities that the proposed development provides. As per the comments of the Highway Authority, it is considered appropriate to require the development to be undertaken in accordance with the submitted travel plan.
- 7.4.8 The Highway Authority are satisfied that the development can be accommodated within the existing highway network without adversely impacting upon highway safety or capacity subject to improvements to address the narrowing/pinch point that currently exists on Wilsford Lane. As such, the outline proposal would result in adequate access from Wilsford Lane and would not have an unacceptable adverse impact on highway safety subject to the aforementioned off-site highway works.
- 7.4.9 In summary, the proposed development is considered to comply with Local Plan Policy ID2 and Section 9 of the NPPF.

7.5 Drainage

- 7.5.1 Policy EN5 of the Local Plan together with Section 14 of the NPPF seek to direct development to areas with the least probability of flooding, together with implementation of SuDS drainage where possible, in order to minimise surface water runoff.
- 7.5.2 The site is located within Flood Zone 1. As such the site is considered to be at low risk of flooding.
- 7.5.3 The applicant has submitted a Flood Risk Assessment and Drainage Strategy (LDE November 2024). This proposes that foul water will be pumped into the existing Anglian Water network (connection at Wilsford Lane).
- 7.5.4 Surface water run-off will be through infiltration. The strategy for surface water drainage will therefore be to a series of infiltration tranches/balancing ponds.
- 7.5.5 The development will incorporate a surface water drainage strategy to accommodate surface water generated on site. Surface water will be attenuated on site and discharged directly to the ground via infiltration features. SuDS will be utilised to control surface water flows, designed to store the volume of water associated with a 1 in 100 year rainfall event (including a 40% allowance for climate change).
- 7.5.6 Taking into account the above matters the proposed surface water drainage strategy is considered to be acceptable in principle and would be secured through an appropriately worded condition and the submission of reserved matters relating to layout. As such the surface water drainage scheme is considered to comply with Local Plan Policy EN5.
- 7.5.7 In relation to foul water, Anglian Water have assessed the proposal and have stated that the sewerage system at present has no capacity for the flows created by the development and they have objected on this basis.

- 7.5.8 In response, the developer has submitted their own foul drainage technical note that sets-out why they believe there is sufficient capacity within the system, without resulting in environmental harm.
- 7.5.9 Further information has been sought from Anglian Water in relation to the site-specific risk and environmental harm that would occur should the development be approved and connected to the existing foul network. No further information or alternative options/mitigation measures have been provided.
- 7.5.10 The NPPF at para 201 states:

“The focus of planning policies and decisions should be on whether proposed development is an acceptable use of land, rather than the control of processes or emissions (where these are subject to separate pollution control regimes). Planning decisions should assume that these regimes will operate effectively. Equally, where a planning decision has been made on a particular development, the planning issues should not be revisited through the permitting regimes operated by pollution control authorities”.

- 7.5.11 The NPPG (National Planning Policy Guidance) at para 016: Assessing Impacts on Water Quality states water quality is only likely to be a significant planning concern when a proposal would:
- involve physical modifications to a water body such as flood storage areas, channel diversions and dredging, removing natural barriers, construction of new locks, new culverts, major bridges, new barrages/dams, new weirs (including for hydropower) and removal of existing weirs; and/or
 - indirectly affect water bodies, for example,
 - as a result of new development such as the redevelopment of land that may be affected by contamination, mineral workings, water or wastewater treatment, waste management facilities and transport schemes including culverts and bridges;
 - result in runoff into surface water sewers that drain directly, or via combined sewers, into sensitive waterbodies e.g. water bodies with local, national or international habitat designations;
 - through a lack of adequate infrastructure to deal with wastewater
 - through a lack of adequate infrastructure to deal with wastewater where development occurs in an area where there is a strategic water quality plan e.g. [Nutrient Management Plans](#), River Basin Management Plans, water cycle studies, diffuse water pollution plans or sewerage undertakers’ drainage strategies which set out strategies to manage water quality locally and help deliver new development.
- 7.5.12 It is considered that the proposal would not result in any of the above scenarios, particularly as Anglian Water in its capacity as sewerage undertaker has not articulated the risk or harm that may occur from the development and that any risk or harm is directly attributable to the proposed development.

- 7.5.13 It should be noted that the site is allocated in the local plan. As such Anglian Water has had advanced warning of the proposal and the opportunity to plan and ensure that adequate infrastructure is present to accept any resultant increased flows.
- 7.5.14 On this basis it is considered that an appropriately worded condition to require the submission of foul drainage details prior to development commencing is considered acceptable in this instance.
- 7.5.15 Taking into account the above matters, notwithstanding the concerns indicated by Anglian Water, it is considered that the proposal would comply with Local Policy EN5, subject to compliance with the recommended drainage conditions.

7.6 Ecology

- 7.6.1 The application site is greenfield land of agricultural fields with boundary trees and hedgerows.
- 7.6.2 The applicant has submitted an Ecological Appraisal (FPCR November 2024). The findings indicate that the habitats and species present within and around the site do not pose an in principle constraint to the proposed development. It does however conclude that there are a number of habitat features and protected species that should be considered within the scheme with relevant mitigation where necessary.
- 7.6.3 Due to the intensively managed nature of the arable land and low species diversity, the arable land is considered to be of negligible importance. The woodland habitat is considered to be of Site level importance due to the relatively small size. The treelines are considered to be of Local importance.
- 7.6.4 The habitats identified during the survey that fall within any of the above listed categories are the treelines, the majority of which are to be retained as indicated on the Illustrative layout. No habitats of principal importance or ancient woodland was identified on site.
- 7.6.5 To avoid damage/disturbance of any retained ecological features during construction it is recommended that an Ecological Protection Zone (EPZ) is established around retained woodland and treelines during the construction phase.
- 7.6.6 Retained trees and hedgerows should also be protected. This can be achieved by an appropriately worded condition.
- 7.6.7 The proposed landscaping and planting has the potential to create additional habitat types of value that do not currently exist on the site. For example, drainage features, grassland areas and new tree planting. These can again be secured by appropriately worded conditions.

- 7.6.8 There was no evidence of badgers on the site, although there is potential for the site to be used for foraging. As such a specific CEMP is required to ensure construction best practice is followed on the site.
- 7.6.9 Bats were identified as using the site for foraging and commuting. Particularly along the lines of tree.
- 7.6.10 In relation to birds, the retention of the perimeter hedgerows and standard trees, particularly the areas of concentrated breeding bird activity along the southern and eastern half of the northern boundary, will retain and buffer the most-utilised habitat for breeding birds within the site. Minor losses of this habitat elsewhere to facilitate access are expected to only negligibly impact the breeding birds. To avoid disturbance to breeding birds, ground and vegetation clearance works will be undertaken prior to the bird-breeding season (March to August, inclusive).
- 7.6.11 As part of the residential development there is the opportunity to provide new and enhanced opportunities for nesting via the installation of integrated nest boxes with the number of boxes to be at least equal to the number of dwellings. These boxes should be installed in clusters of 3-5 on suitable aspects close to open areas with scattered trees and shrubs.
- 7.6.12 Also, whilst principally targeting swifts, the provision of integral nest sites in the form of hollow chambers fitted into the fabric of a building while in construction will also be used by species such as house sparrows, tits and starlings.
- 7.6.13 In relation to reptiles, the site is considered to be of limited suitable habitat. The tree lined areas being the most appropriate. These would be retained. This in addition to precautionary methods of working to avoid harm to any reptiles during construction is considered sufficient given that the majority of the suitable habitats are retained and new habitats can be secured through landscaping and planting.
- 7.6.14 Whilst not currently protected species the report encourages hedgehog holes to ensure movement within the completed development.
- 7.6.15 The site is located in proximity to two Sites of Specific Scientific Interest (SSSI) and Local Wildlife Sites, with the closest SSSIs of Moors Closes approximately 350 m to the west and Ancaster Valley approximately 230m to the south.
- 7.6.16 Both SSSIs have this designation due to their specific flora, which would not be supported by the application site. It is considered that due to the separation distance the proposal would not result in any impact on the nearby SSSIs.
- 7.6.17 In relation to the Local Wildlife Site, Wilsford Lane (calcareous grassland) verge overlaps with the eastern corner of the application site. Whilst this area is to be retained as shown by the illustrative layout the verge would be impacted by the formation of pedestrian and vehicle access to the site.

- 7.6.18 Caste Quarry is also a Local Wildlife Site and is located to the south of the site. It is not considered that there would be any impact from the proposed development.
- 7.6.19 The Appraisal proposes recommendations with regards to clearance works outside of bird nesting season, retention of hedgerows and trees and additional planting with native species. The recommendations of the appraisal will be secured through a planning condition.
- 7.6.20 Taking into account the above matters the proposal is considered to comply with Local Plan Policy EN2.

7.7 Biodiversity Net Gain

- 7.7.1 The relevant metric and assessments have been completed to establish the current baseline on the site. The legislation requires a minimum of 10% gain as part of a development. In this instance the scheme would deliver a positive 22.8% gain from tree planting, grassland, allotments and sustainable urban drainage.
- 7.7.2 This would be secured by the standard BNG condition that is deemed to be attached to all relevant planning permissions and would be formally discharged by the planning authority ahead of any development commencing on site.

7.8 Heritage and Archaeology

- 7.8.1 The application site at Wilsford Lane is adjacent to the Scheduled Monument of the Ancaster Roman Settlement and is thus of high archaeological potential, with known Roman activity within the site.
- 7.8.2 The site is also in close proximity to the grade I listed Church of St Martin), grade II* listed Ancaster Hall (and its associated grade II listed Former Kitchen and the grade II listed Rectory and Outbuilding. The site is also set immediately adjacent to the Ancaster Conservation Area. As such, the proposed works have the potential to impact upon the setting of these designated heritage assets. Any such impact would need to be weighed against the public benefit of the proposed works (NPPF 215).
- 7.8.3 Include standard para in relation to section 66 of Listed Buildings Act
- 7.8.4 Noting the comments of the Conservation Officer, it is accepted that there would be intervisibility between the western part of the site and heritage assets. However, whilst the site is within the context of the important vista point from St Martins Churches and view across the Scheduled Monument, the current plan presents a large public open space, to be created within the western and southern extent of the site, which would aid in preserving this important vista.
- 7.8.5 Additionally, as much as possible of the existing boundary screening would be retained in the form of the existing trees and hedgerows. This would again mitigate impacts on the setting of the church. Notwithstanding this absence of built form in the western part of the site, the proposed development would be likely to result in less than substantial harm to the setting of the church.

- 7.8.6 In relation to the Rectory and Ancaster Hall, these assets both benefit from views over the Scheduled Monument. Again, the existing boundary vegetation on the site does provide a degree of screening. However, it is considered that the proposed development would result in less than substantial harm to its setting.
- 7.8.7 The close proximity of the Schedule Monument to the west, as per the previously discussed heritage assets, it is considered that there would be less than substantial harm to its setting.
- 7.8.8 It should be noted that the only matter for consideration at this stage is access. As such, at reserved matters stage careful consideration should be given to the siting, design and massing of the development and the impact this may have on the setting of the identified heritage assets.
- 7.8.9 In relation to archaeology the applicant has submitted a Heritage Statement in support of the application (November 2024). The assessment summarises the known heritage assets within the site and in the surrounding area. Geophysical surveys were undertaken and intrusive trial trenching was undertaken in January 2025. The results of this investigation as assessed by Heritage Lincolnshire.
- 7.8.10 Heritage Lincolnshire reports that Archaeological remains including inhumation burials, ditches, ceramic building material and pottery of Romano-British date have been identified in parts of the site and as such recommend that prior to any development a programme of open archaeological excavation should be undertaken. This can be secured by an appropriately worded pre-commencement condition.
- 7.8.11 Taking into account the above matters it is considered that the proposed development would result in less than substantial harm to the identified heritage assets, including the Scheduled Monument of the Ancaster Roman Settlement, and the listed building of St Martin's Church, The Old Vicarage and Ancaster Hall and the conservation area as a whole.
- 7.8.12 The NPPF requires that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.
- 7.8.13 In this instance, it is considered that there would be benefits of the delivery of a significant amount of dwellings, including affordable units on a site that is in part already allocated for residential development within the local plan allocation would outweigh the identified less than substantial harm.

7.9 Contamination

- 7.9.1 The planning application is accompanied by a Phase 1 Contamination Desk Study. The key findings of the geo-environmental assessment are that the site has remained as arable farmland since the first available mapping, That the site is underlain by a Principal aquifer relating to the limestone bedrock. That an active quarry is present to the south.
- 7.9.2 The Study recommends that an intrusive investigation be undertaken to address remaining uncertainties and it is considered that this can be addressed by a suitably worded planning condition.
- 7.9.3 The conclusions of the report are accepted and it is agreed that this matter can be effectively addressed by a suitably worded condition.

7.9.4 As such the proposal is considered to accord with local plan policy EN4 and NPPF Section 15.

7.10 Sustainability

7.10.1 The proposal is for the erection of 73 dwellings. The applicant has not provided a sustainability assessment of the scheme to demonstrate compliance with Policy SB1. The detail of these measures to ensure compliance with Policy SB1 is therefore recommended to be conditioned.

7.10.2 Ancaster has a number of services and facilities including a Co-Op, butchers, primary school, village hall and medical practice. As such the site is regarded as a sustainable location.

7.10.3 Subject to an appropriate condition to secure sustainable measures on site, the proposal is considered to be in compliance with Local Plan Policy SB1.

7.11 S106 Heads of Terms

7.11.1 The proposal is major development for up to 73 dwellings and results in S106 contributions including:

- (i) LCC Education - £416,083.50 Ancaster Primary
- (ii) NHS England - £46,172.50.
- (iii) Affordable Housing – minimum of 30% (29 dwellings) on site. The scheme proposes 35%.
LCC Highways – £158,000 for off-site highway improvement works to Wilsford Lane, £2,500 for extension to the 30mph speed limit along Wilsford Lane and £5,000 for Travel Plan Monitoring.
- (iv) Provision of onsite informal/natural green space (20sqm per person), allotments, Local Area for Play (LAP) and Locally Equipped Area for Play (LEAP).

7.11.2 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.

7.11.3 These contributions will ensure that local infrastructure is suitably upgraded to cope with the additional population. It is considered that these requirements would be compliant with the statutory tests of the CIL regulations as well as local and national policy requirements.

8 Crime and Disorder

8.1 It is considered that the proposal would not result in any significant crime and disorder implications. Lincolnshire Police have been consulted and have no objections to the proposal.

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

- 10.1.1 As of March 2025, the Council are presently unable to demonstrate a 5-year supply of housing land and as a result, the policies most important for determining the application are deemed to be out-of-date by virtue of footnote 8 and paragraph 11d) of the Framework. Paragraph 11d) requires that planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole; or where specific policies in The Framework, indicate that development should be restricted.
- 10.1.2 It is accepted that ancillary elements of the proposal are sited beyond the site allocation and thus fall to be assessed Policy SP4 and there is identified less than substantial harm in relation to the impact the proposed development would have on setting of heritage assets.
- 10.1.3 Whilst concerns have been raised in relation to highway matters and residential amenity and visual amenity, no harm has been found in relation to these matters when assessed against local and national policy
- 10.1.4 The delivery of 73 dwellings including affordable housing in a sustainable location is given substantial weight in the planning balance.
- 10.1.5 As such It is considered that the identified harm does not demonstrably outweigh the benefits of the delivery of 73 dwellings, including affordable housing in a sustainable location.
- 10.1.6 The proposed development is therefore considered to be in accordance with the development plan, when taken as a whole and is in accordance with Policies LV-H2, SP1, SP4 H1, H2 H4, EN1, EN2, EN5, ID2, DE1 and SB1 of the Local Plan and Sections 5, 9, 11, 12, 14 and 16 of the NPPF and there are no material considerations that indicate otherwise, as such the proposal is therefore acceptable.

11 RECOMMENDATION:

Recommendation – Part 1

To authorise the Assistant Director – Planning & Growth to GRANT planning permission, subject to the completion of a Section 106 legal agreement securing the necessary financial contribution towards healthcare provision, education, highway works, open space and affordable housing.

Recommendation – Part 2

- 11.3 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.

- 11.4 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), secondary education and affordable housing. As such the necessary criteria essential to make what would otherwise be unacceptable development acceptable have not been forthcoming.

Time Limit for Commencement

- 1 The development hereby permitted shall be commenced before the expiration of three years from the date of this permission or two years from the approval of the last of the reserved matters, whichever is the latter.

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

Reserved matters

- 2 Details of the reserved matters set out below shall have been submitted to the Local Planning Authority for approval within three years from the date of this permission:
 - i. layout;
 - ii. scale
 - iii. appearance
 - iv. landscaping

Approval of all reserved matters shall have been obtained from the Local Planning Authority in writing before any development is commenced.

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

Approved Plans

- 3
 - i) Site Location Plan Drawing No. WL-001 Rev B
 - ii) Access details only shown on the Illustrative layout plan Drawing No. 12394-FPCR-XX-XX-DR-A-0003 Rev P08

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

Unless otherwise required by another condition of this permission.

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

Pre-commencement

- 4 Before the development hereby permitted is commenced, a scheme for the treatment of foul water drainage shall have been submitted to and approved in writing by the Local Planning Authority.

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.

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

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

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

- 6 No development shall take place until a Construction Management Plan and Method Statement has been submitted to and approved in writing by the Local Planning Authority which shall indicate measures to mitigate against traffic generation and drainage of the site during the construction stage of the proposed development. The Construction Management Plan and Method Statement shall include but not necessarily limited to:

- phasing of the development to include access construction;
- the parking of vehicles of site operatives and visitors;
- loading and unloading of plant and materials;
- storage of plant and materials used in constructing the development;
- wheel washing facilities;
- the routes of construction traffic to and from the site including any off site routes for the disposal of excavated material;
- hours of construction work including hours of deliveries;
- full details of any piling to be employed, if relevant; and;
- strategy stating how surface water run off on and from the development will be managed during construction and protection measures for any sustainable drainage features. This should include drawing(s) showing how the drainage systems (permanent or temporary) connect to an outfall (temporary or permanent) during construction
- details regarding dust mitigation

-details of the ecological avoidance, mitigation and protective measures to be implemented before and during the construction phase, including but not necessarily limited to, the following:

- (i) Identification of ecological protection areas/buffer zones and tree root protection areas and details of physical means of protection, e.g. protection fencing.
- (ii) Working method statements for protected/priority species, such as nesting birds, reptiles, amphibians, roosting bats, badger and dormice.
- (iii) Full details/measures to mitigate any impact on Moor Closes SSSI.
- (iv) Details of any external lighting during the construction phase adjacent to identified ecological protection areas/buffer zones.

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

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

- 7 Prior to any groundworks the developer shall commission a Scheme of Archaeological Works in accordance with a written scheme of investigation to submitted to and approved in writing by the local planning authority.

This shall consist of set piece archaeological excavation. The required written scheme of investigation should make provision for the archive from the trial trenching to be included in the post excavation and analysis phase for the excavation. Any recommendations made by finds specialist at the evaluation stage shall be carried forward and any material classes from the trial trenching which were not reported on should be included.

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

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

- 8 A reserved matters application shall include 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.

- 9 No works pursuant to this permission shall commence, unless otherwise agreed in writing by the Local Planning Authority, until there have been submitted to and approved in writing:
- i. A site investigation report assessing the ground conditions of the site and incorporating chemical and gas analysis identified as appropriate by the submitted desk-based study; and if required
 - ii. A detailed scheme for remedial works (should such works be required) and measures to be undertaken to avoid risk from contaminants and / or gases when the site is developed and proposals for future maintenance and monitoring. Such a scheme shall include nomination of a competent person to oversee the implementation of the works.

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

- 10 Before the development hereby permitted is commenced, details demonstrating that at least 10% of the dwellings would be constructed as "Accessible and Adaptable" in line with the standard set-out in Part M4(2) of the Building Regulations must be submitted to and approved in writing by the Local Planning Authority.
The development must be carried out in accordance with the approved details.

Reason: To ensure the development meets the needs of all potential future occupiers in accordance with Local Plan Policy DE1.

During Building Works

- 11 Notwithstanding the submitted details, before the development hereby permitted is commenced, a detailed arboricultural method statement and tree protection plan for the protection of retained trees, including a tree protection programme for the provision and retention of trees within that phase, shall be submitted to and approved in writing by the Local Planning Authority. The method statement and plan shall meet with the standards set out in BS5837:2012 Trees in relation to Design, Demolition and Construction – Recommendations. The protection scheme and plan shall be completely implemented prior to site preparation and shall be retained in accordance with the approved programme, unless otherwise agreed in writing by the Local Planning Authority. The protection scheme must include details of all trees to be retained and positioning of tree protection fencing, and ground covers to create construction exclusion zones. No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be pruned in any manner without the prior written approval of the Local Planning Authority.

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

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

Long term design objectives

Management responsibilities; and

Maintenance schedules for all landscaped areas, other than privately owned, domestic gardens.

A plan specifying the location and type of integral bird nesting features (including for swift) and bat roosting features to be provided. Numbers to be provided in line with best practice guidelines.

A plan distinguishing between formal and informal open space and land required to meet mitigation and BNG objectives.

A plan specifying features to be provided to promote other protected species/non-protected species as outlined within the submitted Ecological Appraisal (Nov 2024).

Reason: Soft landscaping/ecological improvements makes an important contribution to the development and its assimilation with its surroundings; and in accordance with Policy EN2 of the adopted Local Plan.

Before the development is occupied

- 13 Before any residential dwelling is occupied, the acoustic mitigation measures identified within the Noise Impact Assessment shall have been completed and a Validation Report shall be submitted to, and approved in writing by, the Local Planning Authority, which demonstrates the scientific and technical effectiveness of the noise mitigation measures.

Thereafter, the acoustic mitigation shall be maintained and retained for the lifetime of the development, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the proposed development does not give rise to any unacceptable impacts on residential amenity.

- 14 Within seven days of the new access being brought into use, the existing agricultural access onto Wilsford Lane shall be permanently closed to vehicle 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 Wilsford Lane, in the interests of road safety.

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 in accordance with South Kesteven Local Plan Policy ID2.

- 15 The development hereby permitted shall not be occupied before the five pedestrian crossing points along Wilsford Lane (Over Hillside, Over Wilsford Lane near to the PROW, Over Roman Way, Over the BT Exchange entrance, junction with Ermine Street) that connect the site to the village 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.

- 16 No part of the development hereby permitted shall be occupied before the works to improve the public highway to as shown in drawing 'NEW GIVEWAY' under Sheet Number '35171-SUTZZ-XX-DR-C-6400' 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 pedestrians of all abilities.

- 17 Before any dwelling 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.

- 18 The permitted development shall not be occupied until those parts of the approved Travel Plan that are identified therein as being capable of implementation before occupation shall be implemented in accordance with the timetable contained therein and shall continue to be implemented for as long as any part of the development is occupied.

Reason: In order that the permitted development conforms to the requirements of the National Planning Policy Framework, by ensuring that access to the site is sustainable and that there is a reduced dependency on the private car for journeys to and from the development.

- 19 The permitted development shall be undertaken in accordance with an Estate Road Phasing and Completion Plan, which shall first be approved in writing by the Local Planning Authority. The Plan shall set out how the construction of the development

will be phased and standards to which the estate roads on each phase will be completed during the construction period of the development.

Reason: To ensure that a safe and suitable standard of vehicular and pedestrian access is provided for residents throughout the construction period of the development.

- 20 The permitted development shall be undertaken in accordance with a surface water drainage scheme which shall first have been approved in writing by the Local Planning Authority.

The scheme shall:

- be based on the results of evidenced groundwater levels and seasonal variations (e.g. via relevant groundwater records or on-site monitoring in wells, ideally over a 12-month period);
- be based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development;
- provide flood exceedance routing for storm event greater than 1 in 100 year;
- provide details of how run-off will be safely conveyed and attenuated during storms up to and including the 1 in 100 year critical storm event, with an allowance for climate change, from all hard surfaced areas within the development into the existing local drainage infrastructure and watercourse system without exceeding the run-off rate for the undeveloped site;
- provide attenuation details and discharge rates which shall be restricted to an agreed rate of litres per second;
- provide details of the timetable for and any phasing of implementation for the drainage scheme; and
 - provide details of how the scheme shall be maintained and managed over the lifetime of the development, including any arrangements for adoption by any public body or Statutory Undertaker and any other arrangements required to secure the operation of the drainage system throughout its lifetime.

No dwelling/ no part of the development shall be occupied until the approved scheme has been completed or provided on the site in accordance with the approved phasing. The approved scheme shall be retained and maintained in full, in accordance with the approved details.

Reason: To ensure that the permitted development is adequately drained without creating or increasing flood risk to land or property adjacent to, or downstream of, or upstream of, the permitted development.

- 21 Prior to the commencement of development, details are to be provided for a pedestrian and cycle link onto Flaminian Way and a pedestrian link onto Roman

Way, that will be constructed in line with the corresponding phase of that development and opened with the occupation of that phase of development, that connect seamlessly to the boundaries of the application site (red line boundary) and incorporate at works on the adopted highway to facilitate them, shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the development integrates with existing and future surrounding development, and secures comprehensive and coordinated movement networks in accordance with paragraphs 114, 115, 116 and 119 of the NPPF.

- 22 Before any building/dwelling hereby permitted is occupied/brought into use, the finished floor levels for that building shall have been constructed in accordance with the approved land levels 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.

- 23 No part of the development hereby permitted shall be occupied or brought into use until a verification report for that part of the development has been submitted to and approved in writing by the Local Planning Authority. The report shall have been submitted by the agreed competent person and identify that the approved remedial works have been implemented. The report shall include, unless otherwise agreed in writing:

- i. A complete record of remediation activities, and data collected, as identified in the remediation scheme to support compliance with the agreed remediation objectives.
- ii. Photographs of the remediation works in progress; and
- iii. Certificates demonstrating that imported and / or material left in situ is free from contamination.

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

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

Ongoing conditions

- 24 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

- 25 Following first occupation of any part of the development hereby permitted, the approved Landscape and Ecological Management Plan (LEMP) shall be adhered to in full, unless otherwise agreed in writing by the Local Planning Authority.

Reason: Soft landscaping/ecological improvements make an important contribution to the development and its assimilation with its surroundings; and in accordance with Policy EN2 of the adopted Local Plan.

- 26 The number of dwellings on site shall not exceed 73.

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

Standard Note(s) to Applicant:

- 1) In reaching the decision the Council has worked with the applicant in a positive and proactive manner by determining the application without undue delay. As such it is considered that the decision is in accordance with paras 38 of the National Planning Policy Framework.
- 2) Please contact the Lincolnshire County Council Streetworks and Permitting Team on 01522 782070 to discuss any proposed statutory utility connections 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.
- 3) The permitted development requires the formation of a new vehicular access. These works will require approval from the Highway Authority in accordance with Section 184 of the Highways Act. The works should be constructed in accordance with the Authority's specification that is current at the time of construction. For approval and specification details, please contact: vehiclecrossings@lincolnshire.gov.uk
- 4) 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 39 of the National Planning Policy Framework.
- 5) 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.

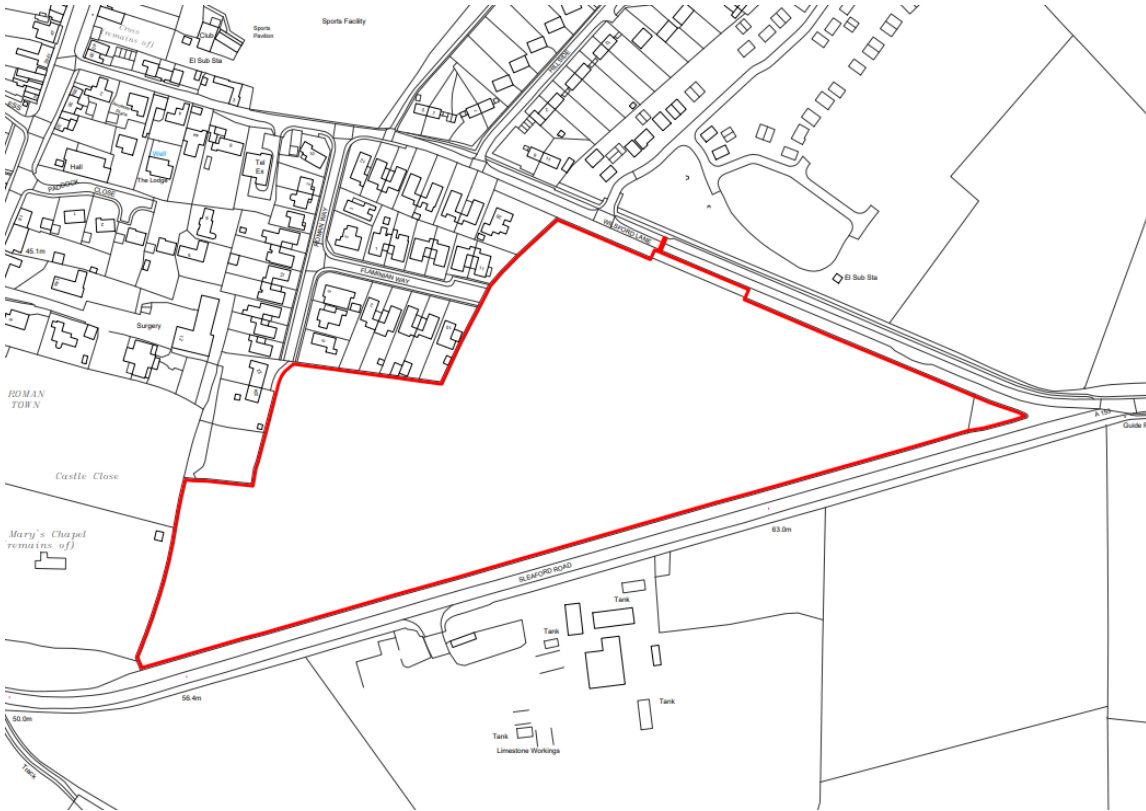
The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan if one is required in respect of this permission would be South Kesteven District Council.

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 listed below are considered to apply.

- 6) The illustrative layout plan does not form part of this approval. Amendments are required to achieve a suitable internal layout, landscaping and SuDs.

Location Plan



Illustrative Layout Plan

