



**SOUTH  
KESTEVEN  
DISTRICT  
COUNCIL**

## Planning Committee

11 December 2025



### S25/0890

Proposal:	Proposed residential development to create up to 9no dwellinghouses (outline planning permission with all matters reserved)
Location:	Thaddeus Farm, Main Street, Marston
Applicant:	Mr and Mrs R Pearson
Agent:	Mike Sibthorp Planning
Application Type:	Outline Planning Permission
Reason for Referral to Committee:	Departure from Development Plan
Key Issues:	Principle of Development Impacts on the character of the area Highway safety/parking Drainage/flood risk
Technical Documents:	Preliminary Ecological Appraisal

#### Report Author

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**Corporate Priority:**

**Growth**

**Decision type:**

**Regulatory**

**Wards:**

**Viking**

**Reviewed by:**

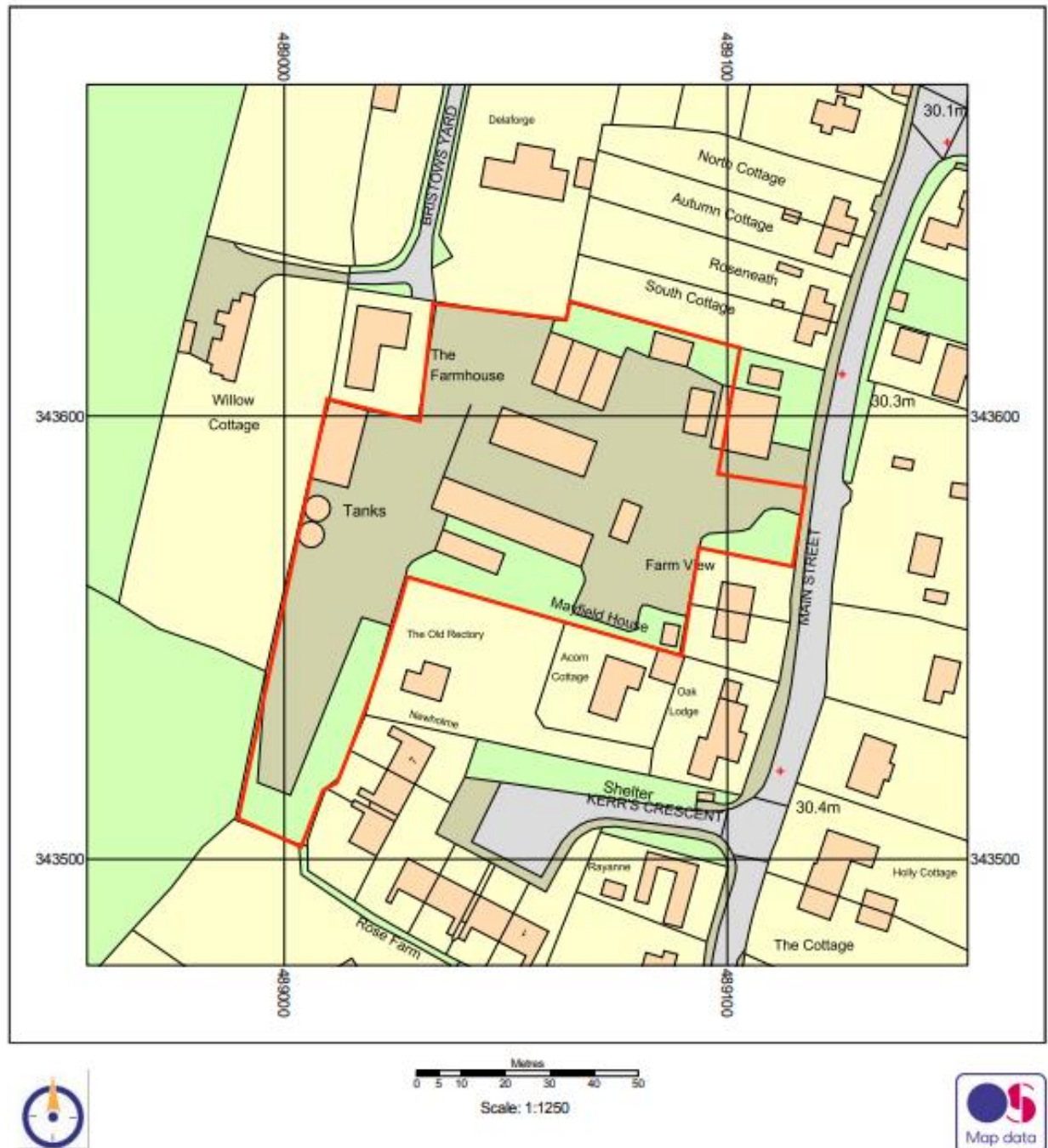
Adam Murray – Principal Development Management Planner

3 December 2025

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

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

S25/0890 – Thaddeus Farm, Main Street, Marston



## **1 Description of Site**

- 1.1 The application site is located on the western side of Main Street within the main built-up part of Marston village. The site area is approximately 0.68ha and comprises a number of modern outbuildings that form part of a farmyard. The site is accessed from Main Street via gap between existing residential development. The farmyard is largely surrounded by existing development and so the farm buildings, which are set back within the site, and are visible in part within gaps the street frontages (from Main Street to the east, Bristows Yard to the north, Kerrs Crescent to the south, Public Footpath to south, south-west and from farmland to the west).

## **2 Description of Proposal**

- 2.1 This application is for outline planning permission with all matters reserved for the erection of up to 9 dwellings on land that has a use in connection with agriculture. It has been shown on the drawings that the site is capable of accessing an adoptable highway (Main Street), although details of access is a reserved matter.

## **3 Relevant History**

- S19/0350 Full Planning Permission  
Demolition of existing barns and erection of 2no. dwellings at Thaddeus House Farm,  
Main Street, Marston  
Approved 16 May 2019

## **4 Policy Considerations**

### **4.1 SKDC Local Plan 2011 – 2036**

Policy SD1 'The Principles of Sustainable Development in South Kesteven'  
Policy SP1 'Spatial Strategy'  
Policy SP2 'Settlement Hierarchy'  
Policy SP3 'Infill Development'  
Policy SB1 'Sustainable Building'  
Policy DE1 'Promoting Good Design'  
Policy ID2 'Transport and Strategic Transport Infrastructure'  
Policy EN6 'The Historic Environment'

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

Chapter 4 'Decision Making'  
Chapter 5 'Delivering a sufficient supply of homes'  
Chapter 6 'Promoting sustainable transport'  
Chapter 12 'Achieving well-designed places'  
Chapter 14 'Meeting the challenge of climate change, flooding and coastal change'  
Chapter 16 'Conserving and enhancing the historic environment'

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

Design Guidelines for Rutland and South Kesteven (November 2021)

## 5 Representations received

### 5.1 Anglian Water Services

- 5.1.1 Wastewater Treatment : When assessing the receiving water recycling centre's (WRC) dry weather flow (DWF) headroom we take the latest Q90 DWF figures, as verified by the Environment Agency and add to this, sites with planning consent. Based on the above assessment Marston WRC is within the acceptance parameters and can accommodate the flows from the proposed growth.
- 5.1.2 Used Water Network: Anglian Water objects to any connection into our foul network from the proposed development, due to capacity constraints and pollution risk. In order to overcome our objection we require that the applicant consults Anglian Water in the form of a PreDevelopment enquiry (PPE) in order to define a Sustainable Point of Connection (SPOC).
- 5.1.3 However, if the LPA are minded to approve the application, we recommend a condition is applied to require the submission of a strategic foul water strategy to be submitted and approved in writing prior to commencement of works, in consultation with Anglian Water Services. This strategy will identify a sustainable point of connection to the public foul network. Prior to occupation, the foul water drainage works must have been carried out in complete accordance with the approved scheme. To protect water quality, prevent pollution and secure sustainable development having regard to paragraphs 7/8 and 180 of the National Planning Policy Framework.
- 5.1.4 Surface Water Disposal: The preferred method of surface water disposal would be to a sustainable drainage system (SuDS) with connection to sewer seen as the last option. Building Regulations (part H) on Drainage and Waste Disposal for England includes a surface water drainage hierarchy, with infiltration on site as the preferred disposal option, followed by discharge to watercourse and then connection to a sewer. The preferred method of surface water disposal would be to a sustainable drainage system SUDS with connection to the sewer seen as the last option. The documents submitted with the planning application relevant to Anglian Water are unacceptable due to no surface water strategy provided and no evidence of the surface water hierarchy. Once the surface water hierarchy has been explored and evidenced, and only if the hierarchy has confirmed that there is no other option than to connect to a public sewer, we would recommend that the applicant consults with Anglian Water in the form of a Surface Water Pre-Planning Enquiry (PPE).
- 5.1.5 We request a condition be applied to the decision notice if permission is granted, requiring a surface water management strategy be submitted to and approved in writing by the LPA, prior to commencement of development.

### 5.2 Environment Agency

- 5.2.1 Environment Agency position: Whilst we have no objections to this application, we would like to draw yours and the applicant's attention to the following informative comment regarding foul drainage:
- 5.2.2 Water recycling centre capacity the evidence available to us demonstrates that the Marston 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.

- 5.2.3 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.
- 5.2.4 Our conservation officers have reviewed the referenced development against a series of strategic conservation and ecological criteria. In review of the variation documents presented The Trust has no substantive comments or recommendations on the proposal.

### 5.3 **Heritage Lincolnshire**

- 5.3.1 The village lies close to the River Witham and is situated in an area of known archaeological activity. Surrounding the village there are a number of cropmarks (MLI88459 & MLI88479) comprising predominately undated enclosures and linear and circular features which may be of prehistoric date. In areas surrounding the village there are areas of surviving ridge and furrow earthworks, evidence of medieval agriculture (MLI90683).
- 5.3.2 The historic core of the settlement is located on the northeast side of the modern village and includes Marston Hall (MLI30401), which contains fabric of late 16th century date. Also in the area is the Grade I listed St Mary's Church (MLI30399), which incorporates 12th century stonework and has traces of re-used Norman masonry. The church is located approximately 250m to the north east of the proposed development. An archaeological watching brief undertaken during development at Thorold's Charity Primary School to the east of the proposed development recovered a small assemblage of Late Saxon pottery (Lincoln Shelly Ware dated to the early to mid 10th century).
- 5.3.3 Due to the site's location in an area of archaeological potential, it is highly possible that archaeological remains may be present. Development in the area could disturb previously unknown archaeological finds and features which could further our knowledge of the development of this area.
- 5.3.4 Recommendation: It is considered that the site offers a potential for archaeological remains to be present based on the extent and type of remains recorded in the vicinity. Insufficient information is available at present with which to make any reliable observation regarding the impact of this development upon any archaeological remains.
- 5.3.5 Therefore, given this it is recommended that the developer should be required to commission a Scheme of Archaeological Work, in the form of an archaeological evaluation to determine the presence, character and date of any archaeological deposits present at the site. This evaluation should initially consist of trial trenching. Further archaeological mitigation work may be required if archaeological remains are identified in the evaluation.

### 5.4 **Lincolnshire Fire and Rescue**

- 5.4.1 The Fire Authority would make no objection to the application provided that the following items were included within the development:
  - I. Access to buildings for fire appliances and fire fighters must meet with the requirements specified in Building Regulations 2010 (As Amended), Part B5. These requirements may be satisfied with other equivalent standards relating to access for firefighting, in which case those standards should be quoted in correspondence.
  - II. Lincolnshire Fire and Rescue also requires a minimum carrying capacity for hard standing for pumping appliances of 18 tonnes, not 12.5 tonnes as detailed in the

Building Regulations 2010 (As Amended), Part B5. This weight limit would also apply to any private/shared access roads in order to achieve the above item.

- III. Lincolnshire Fire and Rescue recommends that fire hydrants be installed within this development at the developer's expense in accordance with the provisions of the Building Regulations 2010 (As Amended), Part B5. However, it is not possible, at this time, to determine the number of fire hydrants required for fire-fighting purposes. The requirement will be determined at the water planning stage when site plans have been submitted by the water companies.

## **5.5 LCC Highways & SuDS**

- 5.5.1 The site is located near to the centre of Marston, it is surrounded by dwellings on all sides, apart from the Southwest corner which has a PROW Mars/6/1 running along the boundary and open farmland. The proposal is for an outline application for residential development including demolition of existing farm buildings with all matters reserved.
- 5.5.2 This application is outline for with all matters reserved and the principle of development is acceptable. As this is an outline application with all matters reserved, access and layout have not been considered. Please make the applicant aware of the requirements for access, parking, visibility, turning and layout as detailed within the Lincolnshire County Council Design Approach.
- 5.5.3 Site Layout: Although all matters are reserved, an indicative layout has been provided, as such I have provided some general comments on the indicative layout. The general layout is acceptable, the junction with Main Street meets the visibility guidelines set out in Manual for Streets. The car parking provided is in line with the guidance set out in Lincolnshire County Councils Design Approach. Should this site remain private, a refuge collection point will be required in close proximity to the adopted highway.
- 5.5.4 As per Section 6.8.9 of Manual for Streets, residents should not be required to carry waste more than 30 m (excluding any vertical distance) to the storage point and waste collection vehicles should be able to get to within 25 m of the storage point (note, BS 5906: 200518 recommends shorter distances) and the gradient between the two should not exceed 1:12.
- 5.5.5 The proposal has only made some consideration for tree line streets, however, more could be provided in accordance with Lincolnshire County Council's Development Road and Sustainable Drainage Design Approach Document and NPPF paragraph 131, all streets should be tree lined. Lincolnshire County Council would be open to adopting these trees if they are offered for adoption through the S38 process with no commuted sum. Marston
- 5.5.6 Public Footpath No. 6 runs along the southern and southwestern boundary of the proposed development site, but it is not included in Block Plan layout. The public footpath should therefore be included in the layout and laid out to a minimum width of 2m and a greater width if the proposal involves planting hedging along the northern side of the affected section of footpath.
- 5.5.7 Existing Conditions: The site benefits from a footway to the front (East) and a PROW to the back of the site (Southwest). From the frontage footway, local facilities can easily be accessed by foot, however, there is a lack of suitable crossing points to modern standards, as such, the Highway Authority are requesting a new tactile crossing to be installed on Main Street and School Lane to allow access for residents of all abilities. As there is a PROW to

the Southwest boundary of the site, the Highway Authority are requesting that a connection be made to the this to allow future residents access to the open countryside.

## 5.6 **Lincolnshire Wildlife Trust**

5.6.1 Our conservation officers have reviewed the referenced development against a series of strategic conservation and ecological criteria. In review of the variation documents presented The Trust has no substantive comments or recommendations on the proposal.

## 5.7 **Marston Parish Council**

5.7.1 Whilst the Parish Council are keen to work with localised plans & development / developers, we in principle, have no objections to the development. However, we must raise the issue that we have had many queries & concerns over the last few years raised by residents regarding the existing drainage system. Practically all Councillors have expressed interest and raised concerns about a potential blocked sewer pipe and the continuous flooding on Toll Bar road / Main Street. We would ask SKDC to apply a condition that the applicant seeks investigatory work within the existing network to try to mitigate any impact from the development in conjunction with the Anglian Water.

# 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 4 letters of representation have been received and the comments are summarised as follows:

- Ecology mitigation and protection of birds (ie Swifts and migrant birds).
- Loss of agricultural character of the site, site has had an agricultural use for over 80 years and is a defining feature of the villages rural identity.
- The proposed redevelopment of the site should be sensitive, proportionate and reflective of the village's longstanding rural context and historical character.
- It is difficult to assess the scale, height or proximity of the proposed dwellings without appropriately scaled drawings or details of materials.
- Acorn Cottage lies 1 metre from the boundary hedge (owned by applicant) – requires confirmation of its retention is requested
- Concerns regarding loss of residential amenity, including possible overlooking, loss of privacy and visual intrusion, loss of daylight and outlook, noise and disturbance and light pollution
- Village infrastructure and sustainability of Marston – development would result in additional pressure to existing fragile infrastructure, including impact on highway safety and no public transport provision, village occupants are car dependent

# 7 **Evaluation**

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

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

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

- 7.3 The Local Planning Authority have also adopted a Design Guidelines Supplementary Planning Document (SPD) (Adopted November 2021), and this document is material consideration in the determination of planning applications.
- 7.4 The policies and provisions of the National Planning Policy Framework (NPPF) (“the Framework”) (Published December 2024) are also a relevant material consideration in the determination of planning applications.
- 7.5 It is also appreciated that the Local Planning Authority are also in the process of conducting a Local Plan Review. The Regulation 18 consultation on the draft Plan was carried out between February and April 2024. A further regulation 18 consultation on the proposed housing and mixed use allocations was carried out between July and August 2025. At this stage, the policies contained within the draft Plan Review can be attributed very little weight in the determination of planning applications. However, the updated evidence base which accompanies the ongoing Plan Review is a material consideration and must be taken into account in the determination of planning applications.
- 7.6 Furthermore, as of March 2025, South Kesteven District Council are presently unable to demonstrate a 5-year housing land supply 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 11 of the National Planning Policy Framework. In these circumstances, Paragraph 11(d) 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 when taken as a whole; or where specific policies in the Framework indicate that development be restricted.
- 7.7 **Principle of Development**
- 7.8 Local Plan Policy SP2 provides the settlement hierarchy, and Marston is listed as a smaller village within the hierarchy. Paragraph 2.12 of the SKLP states that “in the Smaller Villages, there is limited capacity to accommodate new development, and whilst previously planning policies strictly limited development in these locations, it is the intention of the Local Plan to allow small, sensitive infill developments (generally expected to be no more than 3 dwellings) so that these smaller communities can positively respond to the housing needs of their people and fulfil their role as sustainable communities.”
- 7.9 Policy SP3 of the SKLP states that:
- 7.10 In all settlements defined in Policy SP2, infill development, which is in accordance with all other relevant Local Plan policies, will be supported provided that:
- a. it is within a substantially built-up frontage or re-development opportunity (previously development land);
  - b. it is within the main built-up part of the settlement;
  - c. it does not cause harm or unacceptable impact upon the occupiers amenity of adjacent properties;
  - d. 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.
- 7.11 It is the Officers assessment that in this case the proposal is for outline planning permission for up to 9 dwellings (which is more than the prescribed 3 dwellings stated within the Local



Plan text) within a site that can otherwise be described as suitable infill development. As such this proposal represents a departure from the current Local Plan policy due to the quantum of development proposed. As a result, the development proposal has been appropriately advertised as a 'departure from the local plan' in accordance with the Councils Statement of Community Involvement (SOCl).

- 7.12 The site currently comprises part of an agricultural farmyard which contains existing development and is considered previously developed land, whilst the proposed number of dwellings would result in a departure from the local plan policy, the development can otherwise be described as 'in-fill development' for the following reasons:

The access to the site falls within a gap in the Main Street frontage and;(criteria SP3a)

The site is surrounded in all directions by existing development and is located in the main built-up part of Marston (criteria SP3b)

The development would not extend the pattern of development beyond the existing limits of the village (criteria SP3d)

- 7.13 Taking the above into account, the proposed development would be in accordance with the overall principles of Policy SP3 insofar as it represents a suitable redevelopment opportunity within the main built-up area of an established settlement within the District. However, the quantum of development proposed would exceed the levels anticipated for Smaller Villages, and therefore, would be contrary to the overall spatial strategy, which seeks to direct development of larger number of dwellings to the higher order settlements within the District. As such, the proposed development would be contrary to the adopted Development Plan when taken as a whole.

## **8 Impact on the Character of the Area**

- 8.1 The application site is a farmyard and is open in character comprising a collection of modern agricultural buildings on an irregular shaped plot which is accessed from Main Street. Whilst the site is in agricultural use, it is located within the main built-up part of Marston and is surrounded by built form which is largely residential development. To the east there are residential properties fronting Main Street. To the north are dwellings set on Main Street and further to the north, Stonepit Lane. To the north-west and west are dwellings served from Bristow's Yard (which runs southwards off Stonepit Lane), including the farmhouse. To the south are residential properties on Kerrs Crescent. The site is visible in glimpses from various vantage points around the site, including Main Street, Kerrs Crescent, Bristow's Yard.
- 8.2 A north-eastern corner of the farmyard has been the subject of a previous planning approval (S19/0350) which resulted in the removal of some existing farm buildings that fronted onto Main Street and have now been replaced with two detached dwellings.
- 8.3 The proposed application documents include an indicative layout of 9no. dwellings accessed from Main Street arranged around a single access road, in a cul-de-sac formation. The proposed plan, although only indicative at this stage, shows a density of development that is consistent with other development within the surrounding village, including Kerrs Crescent which is located immediately to the south of the site.
- 8.4 It is appreciated that this an outline application where all matters are reserved for subsequent approval, including layout, scale, design, landscaping and access. Whilst it is accepted that the loss of a farmyard that has existed in this location for 80 plus years would

result in a change in the overall character of the site, it is not considered that the buildings within the farmyard are of particular distinction. It is the officer's assessment that the redevelopment of the site would be unlikely to have a significant negative impact on the character and appearance of the settlement as the site is surrounded by residential development, although this would be subject to appropriate and sensitive design. Access to the dwellings would be possible via an existing established access, which is in the existing frontage on Main Street. It is the Officers assessment that a residential development, subject to detail, would relate well with the existing built form that surrounds the development and would not extend the existing pattern of development beyond the edge of the village.

- 8.5 It is considered that the proposal would not be contrary to NPPF Section 12 and both policy SP3 and DE1 in that the proposal would result in residential development with the benefit of road frontage that would reinforce the existing pattern of development.
- 8.6 Taking into account the above matters it is considered that the proposed development would accord with local plan policy SP3 and DE1 and NPPF Section 12 particularly if the development was to be undertaken in broad accordance with the submitted indicative layout plan.

## **9 Impact on Residential Amenity**

- 9.1 As discussed above, as all matters are reserved for subsequent approval and the impact on the amenity of neighbouring occupiers cannot be fully assessed at this point. However, taking into account the location of the site and separation distances to existing neighbouring properties it is considered that the site could be redeveloped for residential purposes without any significant impact on the amenity of neighbouring occupiers subject to appropriately designed dwellings.
- 9.2 Taking into account the above matters it is considered that a reserved matters application could be submitted in accordance with Policy DE1 and SP3 of the Local Plan in respect of impact on amenity of both future occupiers and occupiers of adjacent properties.

## **10 Highway Safety/Parking**

- 10.1 The submitted application is in outline form with all matters reserved including access.
- 10.2 No objections have been raised by Lincolnshire County Council (as local Highway Authority) in relation to the principle of development. The have stated that the indicative layout is acceptable and the junction with Main Street meets the visibility guidelines set out in the Manual for Streets. LCC have requested several conditions be applied should planning permission be granted relating to construction management, vehicular access, and safe provision of pedestrian access.
- 10.3 As this application is for outline planning permission with all matters reserved, including access and layout, it is the Officers assessment that it would not be appropriate to impose such conditions at this stage, in relation to access to the development from the public highway. Furthermore, it has been requested that site specific conditions should be imposed requiring tactile crossing points and upgrades in and around Main Street, in the vicinity of North Cottage/Autumn Cottage and crossing points/upgrades outside of the School and School Lane. Whilst it is stated why these improvements are desirable it has not been justified or demonstrated why the proposed development would make these improvements necessary. These conditions would be best required once the layout of the development has been submitted, including the details of the access to and from the site.

- 10.4 LCC have made comments and requests for conditions in relation to the public right of way. However, it is considered that these could be addressed and the existing PRow incorporated into the layout, at Reserved Matters stage should the scheme be approved
- 10.5 Based on the submitted information, including the amount of houses, it is considered that safe and suitable access could be achieved and that the development would not have an unacceptable impact on highway safety or the highways network, subject to further detail, and therefore the scheme would be in accordance with Policy ID2 and the NPPF Section 9, paragraph 116.

## **11 Ecology and Biodiversity**

- 11.1 Policy EN2 (Protecting Biodiversity and Geodiversity) identifies that the Council will seek to facilitate the conservation, enhancement and promotion of the District's biodiversity and geological interest of the natural environment. This includes seeking to enhance ecological networks and seeking to deliver a net gain on all proposals where possible.
- 11.2 Further, Section 7A of the Town and Country Planning Act 1990 (as amended by the Environment Act 2021), imposes a statutory obligation for all planning permissions granted to deliver a minimum 10% biodiversity net gain, which is to be measured using the DEFRA biodiversity metric. The requirement to deliver this 10% net gain is to be secured via a statutory pre-commencement condition attached to all planning permissions.
- 11.3 The application is accompanied by a preliminary ecological assessment, reptile survey and completed metric. The PEA confirms that there are no protected species on the site, it does however recommend a further reptile survey to be carried out. The results of that survey were submitted during the life of the application which found no presence of reptiles within the site, but made recommendations for precautionary measures should planning permission be granted.
- 11.4 Therefore, it is considered that the scheme could be compliant with Policy EN2 and the NPPF para 193, as well as the statutory requirements of BNG, however this has not been fully demonstrated through this application and it is not clear what affect full compliance would have on the proposed number of dwellings.

## **12 Drainage and Flooding**

- 12.1 Lincolnshire County Councils as Lead Flood Authority have commented that how the site is drained will have a big impact on the layout. Therefore, to assess any future application, a full drainage strategy, based on sustainable principles for surface water management and cleansing. Therefore, the Lead Local Flood Authority does not consider that this proposal would increase flood risk in the immediate vicinity of the site. The Lead Local Flood Authority has requested a drainage condition to ensure a working drainage strategy can be achieved; however, it is expected that the proposed is very likely to be suitable.
- 12.2 The application is site located within Environment Agency (EA) Flood Zones 1 which means that the land has a low probability of flooding from rivers. However, in the context of the above, the proposed development scheme is a major development proposal and, therefore, in accordance with Section 14 of the Framework, the application has been accompanied by a Flood Risk Assessment, as well as a Drainage Strategy, in order for the application to be validated. Environment Agency have stated that Marston Water Recycling Centre is at or near its permitted limits. . 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.

- 12.3 Anglian Water Services (AWS) have been consulted and have commented as follows:
- 12.4 Assets Affected they have stated that a 225mm public foul sewer and a 150mm public surface water crosses the development site and will be affected by the proposed development layout. Anglian Water does not permit these assets to be located within the curtilage of sensitive development (such as dwellings & cafes) and they do not permit permeable paving or suds features over their assets. Should the application be recommended for approval, they have requested the implementation of a suitable condition.
- 12.5 Treatment of Waste Water: In regard to the treatment of wastewater, AWS have not objected as Marston WRC is within the acceptance parameters and can accommodate the flows from the proposed growth. With regard to the used water network. AWS have stated that they object to any connection into their foul network from the proposed development, due to capacity constraints and pollution risk.
- 12.6 Used Water Network: AWS objects on the basis of capacity constraints. However, if the LPA are minded to approve the application, they have recommended an appropriately worded condition.
- 12.7 Surface Water Disposal: With regards to surface water disposal Anglian Water have stated that new development must comply with Building Regulations Part H, which sets out the surface water hierarchy. Anglian Waters surface water policy aligns with this, and requires that other forms of surface water disposal be explored and exhausted before a connection to a public surface water sewer is considered. Although this is an application for a replacement building, and that some drainage information has been provided, it is the officers assessment that a suitably worded condition would be reasonable and necessary and could be attached to the planning permission, to ensure that the surface water hierarchy is followed and that the development is in accordance with the requirements of SKLP Policy EN5 and that it aligns with the requirements of the Building Regulations Act, Part H.
- 12.8 It is not considered that a condition to require the submission of a plan detailing existing Anglian Water Assessment is necessary or relevant to the granting of planning permission as this is governed by other legislation. This is a matter best agreed between the Applicants and Anglian Water. In respect of condition requested by AWS relating to the used water network and surface water disposal, these conditions are considered relevant to planning and necessary to the granting of planning permission.
- 12.9 Given the above, it is the Officer's assessment that the drainage matters can be adequately addressed by appropriate mitigation measures secured by conditions. The proposal is acceptable, subject to conditions, and is in accordance with Policies ID2 and EN5 of the South Kesteven Local Plan and Sections 9 and 14 of the NPPF

## **13 Crime and Disorder**

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

## **14 Human Rights Implications**

- 14.1 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.

## **15 Conclusion and Planning Balance**

- 15.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that the Local Planning Authority makes decisions in accordance with the adopted Development Plan, unless material considerations indicate otherwise.
- 15.2 The current proposal is an outline planning application which seeks permission for the erection of up to 9 dwellings on an existing farmyard with all matters reserved.
- 15.3 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.
- 15.4 The proposal is for the development of 9 dwellings in the centre of Marston. The acceptable quantum of new dwellings in a smaller village is typically accepted to be up to 3 dwellings as such this proposal for 9 dwellings is a departure from the Development Plan and this a negative impact that is attributed weight. The Local Plan directs larger developments toward the larger settlements identified within the hierarchy. However, although Marston is categorised as a 'smaller' settlement it does benefit from having key facilities and services that would support new housing, such as a primary school, local shop, village hall and public house. Furthermore, the proposed development site is an existing agricultural yard that offers a redevelopment opportunity. Moreover, the re-use of the site for residential development in this location, is considered to be acceptable in principle and complies largely with the criteria set out within SKLP Policy SP3. The site is considered to be of a scale where up to 9no. dwellings could be comfortably accommodated on the site without it appearing unduly cramped or out of keeping with surrounding development. The details of the proposal would be subject to further assessment of material considerations.
- 15.5 The application scheme would deliver up to 9no.dwellings, which would be a significant benefit of the development, however, would only make a minor contribution to the supply of housing. The provision of this additional housing is a significant benefit, which Officers' would attribute moderate weight.
- 15.6 The scheme would result in economic benefits associated with the construction and occupation of the proposed development; these benefits would be applicable to any form of residential development and therefore are also attributed some limited weight. It is considered that 10% BNG uplift is capable of being achieved as a result of the development and this can be secured by appropriate condition, and as such is a benefit of the proposal.
- 15.7 Despite the conflict with the development plan, the site is within a village that does benefit from key local services and represents an opportunity to redevelopment a farmyard, that may otherwise be vacant, within a main-built up part of the settlement, where there would be limited visual impacts and could help to provide support for local services and businesses. The negative impacts have been weighed against the benefits. The identified

negative impacts in this instance do not outweigh the benefits identified, when assessed against the policies in the Framework taken as a whole.

- 15.8 Taking all of the above into account, whilst the proposed development would be contrary to the adopted Development Plan when taken as a whole. It is Officer's assessment that the material considerations in this case, including the tilted balance, would weigh in favour of the proposal, such that planning permission should be granted.

## **16 Recommendations**

- 16.1 To authorise the Assistant Director – Planning & Growth to GRANT planning permission, subject to conditions.

### Time Limit for Commencement

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

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

2. Details of the reserved matters 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
  - v. Access

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

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

### Approved Plans

3. The development hereby permitted shall be carried out in accordance with the following list of approved plans:
  - Drg No.2049 001 Site Location Plan received 14 May 2025

Unless otherwise required by another condition of this permission.

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

### Prior to Commencement

4. The development shall not commence until a Habitat Management and Monitoring Plan (the HMMP)], prepared in accordance with the approved Biodiversity Gain Plan and including:
  - a) a non-technical summary;
  - (b) the roles and responsibilities of the people or organisation(s) delivering the (HMMP)
  - (c) the planned habitat creation and enhancement works to create or improve habitat to achieve the biodiversity net gain in accordance with the approved Biodiversity Gain Plan;
  - (d) the management measures to maintain habitat in accordance with the approved Biodiversity Gain Plan for a period of 30 years from the completion of development; (could be occupation)and
  - (e) the monitoring methodology and frequency in respect of the created or enhanced habitat to be submitted to the local planning authority, has 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 the development delivers a biodiversity net gain on site in accordance with Schedule 7A of the Town and Country Planning Act 1990 (and policy EN2).

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

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.

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

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

7. The development hereby permitted shall be undertaken in accordance with a Construction Management Plan and Method Statement that shall first be approved in writing by the Local Planning Authority. The Plan and Statement shall indicate measures to mitigate the adverse impacts of vehicle activity and the means to manage the drainage of the site during the construction stage of the permitted development. It shall include;

- o the phasing of the development to include access construction;
- o the on-site parking of all vehicles of site operatives and visitors;
- o the on-site loading and unloading of all plant and materials;
- o the on-site storage of all plant and materials used in constructing the development;
- o wheel washing facilities;
- o 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 (temporary or permanent) connect to an outfall (temporary or permanent) during construction.

Reason: In the interests of the safety and free passage of those using the adjacent public highway and to ensure that the permitted development is adequately drained without creating or increasing flood risk to land or property adjacent to, or downstream of, the permitted development during construction.

8. No development shall commence until a strategic foul water strategy has been submitted to and approved in writing by the local Planning Authority, in consultation with Anglian Water. This strategy will identify a sustainable point of connection to the public foul network. Prior to occupation, the foul water drainage works must have been carried out in complete accordance with the approved scheme.

Reason: To protect water quality, prevent pollution and secure sustainable development having regard to paragraphs 7/8 and 180 of the National Planning Policy Framework and SKLP Policy EN5.

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

The submitted scheme must:

- i. Be based on the results of evidenced groundwater levels and seasonal variations.
- ii. Be based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development.
- iii. Provide flood exceedance routing for storm events greater than 1 in 100 year



- iv. Where necessary, 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 runoff rate for the undeveloped site.
- v. Where necessary, provide attenuation details and discharge rates which shall be restricted to the existing runoff rate
- vi. Provide details of the timetable for and any phasing of implementation for the drainage scheme; and
- vii. Provide details of how the scheme will be maintained and managed for 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.

Thereafter, no part of the development shall be occupied / brought into use until the approved scheme has been completed or provided on 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 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.

#### During Building Works

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

Reason: To ensure the satisfactory development of the site.

#### Ongoing

11. The total number of dwellings to be constructed on the application site shall not exceed 9 in total.

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

## Site Location Plan



Scale 1:1250



Drawn by:  
Lecturer number:  
Produced:  
Serial number:

Mike Galloway Planning  
100001001  
06/09/2014  
200000

### Site Location Plan

Thaddaea Farm, Main Street, Merton  
Residential development outline  
R Pearson  
Plan Ref: M6P000000001

## Proposed Indicative Plot Plan

