

MINUTES

PLANNING COMMITTEE



SOUTH
KESTEVEN
DISTRICT
COUNCIL

Thursday 9 July 2026

Application ref: S26/0237

Proposal: Outline planning application for a residential development with all matters reserved except for access

Location: Land adjacent Heatherway House, Fenton Road, Stubton, NG23 5DB

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

Noting comments in the public speaking session by:

District Ward Councillor
Stubton Parish Council
Against

Councillor Penny Milnes
Sam Kirk
Jeremy Flint
Thomas Gill
Mike Sibthorp

On behalf of the Applicant

Together with:

- Provisions within SKDC Local Plan 2011-2036, National Planning Policy Framework (NPPF), Stubton Neighbourhood Plan and Design Guidelines for Rutland and South Kesteven Supplementary Planning Document.
- No comments received from LCC Highways.
- Comments received from Heritage Lincolnshire.
- Comments received from Environmental Protection.
- Comments received from Anglian Water.
- Comments received from Conservation Officer.
- Comments received from Parish Council.

The following comments were made by the public speakers:

- The District Councillor felt the application posed a dilemma with tilted balance.
- That an accumulation of impacts can be collectively destructive to a small rural community.
- Concerns were raised around backhanding extending obtrusively into open countryside, impact on Stubton Hall and park, habitats, sustainability, landscape setting and character of the area.
- The Member commented on recent approval of developments within the area and that a total of 14 houses had been approved. The village had absorbed over 25% more houses in a short period of time.

- The Member suggested the application be refused under The Local Plan (DE1, EN6, EN1, EN2, the Stubton Neighbourhood Plan, the NPPF (5, 12, 15 and 16).
- Concern was raised around the character and wildlife of the area alongside the protected species of great crested newts. It was also felt the village was a tranquil place to live.
- Stubton Parish Council had submitted they do not support the proposal.
- It was felt the application was environmentally unsuitable. Stubton had around 77 homes with 12 recently approved and 5 more proposed for this application. The report confirmed a 28% increase in a short period. It was noted there was no shop, school or public transport within the village.
- It was felt that drainage was unsafe, and Anglian Water had formally objected stating that Stubton Water Recycling Centre cannot accept additional flow and that connection would risk pollution.
- That the application provided no community benefit, removes pasture lands and threatens protected species.
- Concern was raised on impact to neighbouring residents on the outlook, privacy, tranquillity and the quite rural setting of the village.
- Further concern was raised on access to the site, which could cause harm due to several existing accesses within close proximity. There were no footpaths and pedestrians would have limited protection and may have to walk along the road.
- The Agent clarified the proposed development would not result in an unacceptable adverse impact on the character of the village.
- That the Officer report highlighted that whilst the prevailing type of development in the village was linear in style, there were also example of back land development, including St Martins Close.
- It was clarified that other planning permissions had been granted within the area.
- There would be no adverse or cumulative impact from this application.
- The existing property benefitted from a septic drainage tank and this was satisfactory under prevailing ground conditions.
- It was noted the presence of a protected species would not present a barrier to a grant of planning permission, subject to biodiversity and habitat mitigation conditions.

During questions to public speakers, Members commented on the following:

- One Member sought clarification around the number of homes within the area exceeding a certain %.

It was confirmed that there was a concern for 5 dwellings on the site and that the northern part of the site would extend beyond the last house on the frontage and would impact views to Stubton Hall and Park.

- A query was raised on where a public footpath was located in relation to the application site.

It was clarified the public footpath was next to the proposed development and ran from Fenton Road to Claypole Road.

- One Member sought clarification around the ponds in relation to the development site.

It was confirmed the nearest pond was to the south of the site, which was referred to as having the biggest impact to the site. However, there were other ponds within the vicinity to the site.

- Clarification was sought around the access to the site.

The Public Speaker clarified there was access to the proposed site, there was access to Park Cottage. Opposite the access for this site was St Martins Close and Stubton Hall was adjacent to the road. Stubton Hall was used as a wedding venue and conference centre so was used regularly throughout the week and weekends.

- A query was raised on whether all the BnG requirement would be achievable on site and not elsewhere.

The Agent confirmed that the site had every potential for BnG requirements to be met on site at outline stage but would be submitted as part of a reserved matters application.

- It was questioned whether any of the demonstrable harm could be negated.

It was noted the Planning Officer had outlined a degree of harm. The ecology and the great crested newts on adjoining land had been accepted, however, there was a mitigation via licensing to mitigate the harm. The Highway authority had not objected to any part of the application including access. It was felt there was not a degree of harm to justify the refusal of planning permission.

- One Member queried whether the willow tree at the access point would be affected.

The Agent informed the Committee the willow tree had been removed before this application had been put forward.

During questions to officers and debate, the following comments were made:

- Whether minor objections had been received.

The Planning Officer confirmed the application was outline and did not include appearance, scale etc. This application was merely to determine whether this site in principle could be used for residential development. The Officer had addressed the level of impact not outweighing the benefit of housing.

- Clarification was sought around the difference between edge of settlement and open countryside development.

It was clarified each application should be considered on a 'case by case' basis. This application would be directly adjacent to residential plots, meaning there could be a clear link to existing settlement.

- Members raised concern on the fact Stubton was a small rural village.

Members were informed that other developments were within different areas within the village. It was at their discretion to give certain weight to any harm and benefits.

- That the Conservation Officer had reflected the possible impacts on existing heritage once the reserved matters application had been submitted.
- Concern was raised on Highways and amenities of existing residents with an increased number of cars accessing the driveway immediately adjacent to the site.
- One Member felt the condition around the great crested newts could be strengthened and how the condition would protect the species.

The Planning Officer clarified the Committee were considering the principle of development and access. There was no harm in relation to the development at present. A level of impact had been acknowledged with vehicles travelling up the access route; however, it was not considered to be unacceptable in terms of noise and light pollution.

Licensing measures would cover protection of the great crested newts and would be controlled by legislation. Any works would not be able to proceed until this mitigation was in place.

- Clarification was sought around the potential native impact and harm on Stubton Hall in terms of the setting and character.

The Planning Officer and Conservation Officer had assessed the immediate impact on the asset. There was likely to be an impact, however, the Conservation Officer could not assess the amount of impact at this stage as the details of the development were not part of this application.

- One Member raised the 25% increase of homes in the village in line with the NPPF. It was queried how many houses this represented.

The Principal Development Management Planner clarified through the Council's Local Plan, the Council should identify a minimum of 10% of its supply for small sites of no more than one hectare. The reference within the NPPF did not reference that the Council should not exceed the capacity within a settlement.

The Development Management and Enforcement Manager confirmed that footnote 7 of the NPPF had the ability to disengage the piece of policy, but only when those elements provide a strong reason for refusing the proposed development. This would need to be supported by strong evidence for refusal.

It was noted that drainage, ecology, Highways and heritage could be conditioned. However, the Committee had raised harms around the characters and appearance of the area.

- One Member discussed previous applications within the area that had been to appeal and were approved by appeal.
- The negative impact to the two properties either side of the driveway was highlighted.

It was confirmed that the Council's Environmental Protection Team had been consulted on noise and light pollution for the additional traffic on the access driveway.

It was proposed, seconded and **AGREED** to authorise the Assistant Director – Planning & Growth to **REFUSE** planning permission for the following reason:

The proposed development would, as a matter of principle, result in a backland form of development that would be contrary to the prevailing form of the existing settlement, resulting in significant harm to the rural character and appearance of the site and surrounding area. The identified harm would be contrary to Policy DE1 of the adopted Local Plan, Policy BE2 of the made Stubton Neighbourhood Plan and Section 12 of the National Planning Policy Framework. The material considerations in this case, including tilted balance and the public benefits associated with the erection of up to 5 dwellings, would not outweigh the identified harm.