



**DALCOUR
MACLAREN**

Planning Supporting Statement

Kirkstead, Timberland Drove

Client: Cadent Gas Limited

Date: December 2023



Project Details

Project Name	LS - 8741 - EP - Kirkstead
Scheme Number	23002540
Report Number	001

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Drawings

Drawing No.	Title	Scale
104524-MMD-KRKS-XX-PLN-M-0002s1	Existing Location Plan	1:1000@A3
104524-MMD-KRKS-XX-PLN-M-0003	Proposed Regulator Building Elevations	1:25@A3
104524-MMD-KRKS-XX-PLN-M-0002s2	Proposed Layout Plan	1:1000@A3

1 Introduction

1.1 Background to the Planning Application

- 1.1.1 Dalcour Maclaren (DM) has been commissioned by Cadent Gas Ltd (CG) to seek full planning permission for the construction of a new regulator building at their operational site at Kirkstead, Timberland Drove. This supporting statement to the application being made to North Kesteven District Council sets out the need and principle of development and appraises the proposal against both local and national planning policies.
- 1.1.2 The proposed development is located off Timberland Drove, Fen Side Lodge, Timberland, Martin, North Kesteven, LN10 6XT (National Grid Reference: TF 17720 60135).
- 1.1.3 The proposed development is required as part of the Metering Systems Upgrade project where CG is required to install new regulators, which in turn require a new kiosk to house them in. The new building will secure the sensitive gas infrastructure and ensure the apparatus meets the recently updated CG health and safety guidelines as well as industry standards.

1.2 Site Location and Description

- 1.2.1 The proposed development is located at NGR TF 17720 60135 off Timberland Drove, as shown in Figure 1 and drawing 104524-MMD-KRKS-XX-PLN-M-0002s1. Timberland Drove is an unclassified road according to North Kesteven District Council website. The nearest residential building is situated 290m east away from the operational site.



Figure 1: Image showing the proposed site and the wider site owned by Cadent Gas.

1.2.2 The Site is currently accessed off to the west of Timberland Drove via gated access and currently comprises of gas infrastructure situated on hardstanding. The Site is bordered by perimeter fencing and mature planting which provides screening of the Site from the roadside and from surrounding land users.

1.2.3 The site is bounded by:

- To the north of the Site is Timberland Drove with agricultural fields beyond.
- To the east and south are agricultural fields extending beyond.
- To the West are more agricultural fields with scattered residential dwellings beyond.

2 Environmental Considerations

2.1 Environmental and Landscape Constraints

- 2.1.1 The Site is not located within any statutory designations such as National Landscapes (formerly known as Areas of Outstanding Natural Beauty (AONB)), Country Parks, National Parks and Green Belt.
- 2.1.2 The proposed development is situated within The Fens National Landscape Character Area (NLCA). This area is a distinctive, historic and human-influenced wetland landscape lying to the west of the Wash estuary, which formerly constituted the largest wetland in England. The area is notable for its large-scale, flat, open landscape with extensive vistas to level horizons. Due to this not being a statutory designation, no consent or permissions are required and therefore not considered a constraint to the development.

2.2 Ecology and Arboriculture

- 2.2.1 The Site does not fall within any ecological designation, such as Sites of Special Scientific Interest (SSSI), Special Area of Conservation (SAC), Special Protection Area (SPA) and Ramsar.
- 2.2.2 However, the proposed development does fall within a SSSI Impact Risk Zone (IRZ) for Tattershall Old Gravel Pits SSSI. After reviewing the citation, the site is notified to support some of the best examples of the aquatic plant communities of nutrient-rich open water systems in Lincolnshire. Given that the Site is operational and the distance between the Site and the SSSI, there are no adverse impacts anticipated to the designated site or to any others further afield.
- 2.2.3 A Preliminary Ecological Appraisal (PEA) was undertaken in July 2023 of the Site to support the planning application.
- 2.2.4 There is a Local Wildlife Site (LWS) 'Timberland Delph' which is situated 10m north of the site and consists of coarse or rank grassland, drain and scattered scrub. However, the works are not expected to directly impact upon this site and that all vehicle accesses to the site will not encroach onto this LWS and pollution prevention measures will be put in place during construction.
- 2.2.5 The Site consists of neutral, semi-improved grassland and due to the highly managed nature of the grassland, the habitat is seen as being of low nature conservation value for a site on this scale.
- 2.2.6 Where the temporary compound is to be sited adjacent to the operational site, the land consists of cultivated/disturbed arable land. The PEA concluded that due to the modified nature of the area and the limited species diversity present, this arable field is also deemed to be of low nature conservation value on a local scale.

- 2.2.7 As the proposed regulator building is to be built on existing hardstanding, it is not anticipated that vegetation clearance will need to be undertaken, however, if any clearance is required, this will be completed outside of the main nesting bird season (March to August inclusive) as works are programmed for January 2024.
- 2.2.8 Further to this, due to no trees being removed, the PEA has deemed that no further surveys are required for foraging or roosting bats. However, the works will follow the recommendations outlined within the PEA regarding lighting.
- 2.2.9 As aforementioned, due to the managed nature of the site, it is not envisaged that there will be any significant ecological impacts as a result of the works. Nonetheless, best practice measures will still be employed during the works to mitigate any potential impacts on the ecology and arboriculture on site. These measures include:
- No storage of materials, equipment and machinery on the soft ground within the Root Protection Area of any trees.
 - All works near to trees to be carried out in accordance with guidance provided in the Streetworks UK (National Joint Utilities Group) Booklet 4:2007 Guidelines for the planning, installation and maintenance of utilities services in close proximity to trees (NJUG4)
 - For any excavations required to complete the installation of the new kiosks and associated equipment, escape ramps will be provided to ensure that no animals become trapped overnight and any pipework capped. Each morning, the excavations will be inspected for the presence of animals before works are allowed to commence.
 - All plant to be refueled on hard standing using drip trays with spill kits made available. Stationary plant or mobile plant left stationary for prolonged periods of time will have drip trays or plant nappies placed underneath.

2.3 Flood Risk

- 2.3.1 The proposed development is situated within Flood Zone 3 which is land assessed as having a 1% or greater probability of flooding from rivers.
- 2.3.2 The National Planning Policy Framework requires a Flood Risk Assessment (FRA) for sites in Flood Zone 3.
- 2.3.3 There are two EA Main Rivers (River Witham and Timberland Delph) which are located approximately 845m east and north of the site, respectively. Due to the nature of the development and the physical separation between the rivers and the Site, they are not deemed to be a constraint.

- 2.3.4 Further to this, the site and surrounding areas have a network of drainage channels, which increase connectivity to Rivers Witham and Timberland Delph. This has been taken into account within the FRA.
- 2.3.5 In October 2023, a Flood Risk Assessment was carried out of the Site, which stated that the main source of flooding for the area is the River Witham. Due to the development being classed as essential infrastructure, it was recommended that flood resistant measures were put in place to reduce the risk from flooding to the proposed development.
- 2.3.6 It was noted that modelled flood levels/depths at the site itself were not provided by the EA, however, it was indicated that the site is calculated to be at a low hazard of 1 in 1000-year flooding events.
- 2.3.7 The nature of the proposed gas regulator building means that it contains pressurized gas pipework with vents piped to 3m above ground level. Due to this, the equipment within the building will operate under water and continue to supply gas as designed. The current equipment is located in a different building on site at ground level, therefore Cadent Gas are required to relocate it due to the sequence of equipment on site. The other infrastructure that is situated on site is situated at ground level; if these became flooded, depending on the water height, they would cease to operate. However, the gas supply would not be affected.
- 2.3.8 Given that the gas regulator building can remain operational during a flood event, it is not proposed to raise the equipment or building. Furthermore, the proposed development is considered to have a negligible effect on the flood risk to the surrounding area.
- 2.3.9 Following this, it will be ensured that the replacement equipment is set at a level no lower than in the existing building, and that the equipment is designed to fully operate during a flood event.
- 2.3.10 If a flood warning is issued, CG will carry out their flood protocol, which involves shutdown of flood sensitive equipment, and this kiosk would be incorporated into this plan.

2.4 Heritage and Archaeology

- 2.4.1 The Site is not located within or in close proximity to any statutory archaeological or heritage designations. The area is taken to have existed as open agricultural land until installation of the present structures.
- 2.4.2 The Site lies within a historically and current rural area which is characterized by dispersed pos-medieval farmsteads. The nearest being 'Dales Bridge Farm' which is situated 350m to the northwest and comprises a partially extant 19th century farmhouse, detached from the main working complex.

Whilst contributing to the historical narrative of the area of Kirkstead, it is not considered to be a constraint to the proposed development.

- 2.4.3 Furthermore, the operational site has been subject to a significant amount of excavation in the past, and as a result, it is considered that there is a very low risk of encountering any significant, unknown archaeology.
- 2.4.4 Therefore, due to the nature and scope of the proposed development, it is suggested that there are no requirements to undertake any further archaeological or heritage works to inform the proposals.

2.5 Mineral Safeguarding

- 2.5.1 The Site is situated within a Mineral Safeguarding Area for Sand and Gravel. Works are proposed within the limits of the existing operational site; therefore, we would argue that the existing development on-site would have most likely resulted in the sterilisation of the mineral resource in this location.
- 2.5.2 As such, it is considered highly unlikely and unviable that the Site will be used for mineral extraction in the future. It is therefore considered that the proposed development will have a negligible impact upon the mineral resource and no further assessments or statements are required to support planning.

2.6 Traffic

- 2.6.1 As aforementioned, the proposed development is situated within a rural area and the roads are single track leading up to and passed the Site.
- 2.6.2 Only light goods vans, rigid flat bed truck (to deliver the regulator building) and cranes (to put the building into position) will be used during construction.
- 2.6.3 During construction there will be a minor temporary increase in traffic to the Site for the delivery of materials, plant and equipment etc. This will only be required for the duration of the construction works, which are expected to take up to 15-20 weeks to complete.
- 2.6.4 During works, any vehicles will be parked within the operational site.
- 2.6.5 Further to this, due to the low maintenance nature of the asset, the proposed development will not require any additional visits from Cadent Gas personnel and will only require periodic management and maintenance in line with the existing operational requirements.

2.7 Noise

- 2.7.1 During construction there is the potential for some additional noise source, however, any increase will be temporary and short in nature and will be

mitigated by noise within the existing operational site, and from the surrounding road network.

- 2.7.2 All plant, vehicles and machinery will be maintained in good condition and will be switched off when not in use so as to minimise construction noise and pollution.
- 2.7.3 As the proposed development comprises of a new regulator building to house essential gas infrastructure, the new equipment is not expected to generate any new or increased noise levels above current background. Furthermore, the proposed building will minimise any noise impact produced the new gas equipment.

2.8 Dust

- 2.8.1 To minimise time on Site, the regulator building will be prefabricated off site and delivered, then craned into place.
- 2.8.2 Best practice methods will be used to suppress construction dust which may be generated during the installation of the new regulator building and all plant and machinery will be maintained in good condition and will be switched off when not in use to minimise pollution.
- 2.8.3 During operation, there are not anticipated to be any dust emissions from the development, similar to the existing on-site infrastructure. Therefore, there is not expected to be any long-term and adverse impact on air quality as result of the works.

3 Description of the Proposed Development

3.1 Need for the Proposed Development

3.1.1 As part of the Metering Systems Upgrade project, CG are required to install new regulators, which in turn require a new kiosk to house them in. The installation of the new regulator building will be in accordance with the relevant industry standards and guidance from the institution of Gas Engineers and Managers (IGEM). It also means that it will be able to support the current demand as well as the increased demand in the future. It is also necessary for the safeguarding and the integrity of the gas network and the continued customer supply.

3.2 Description of the Development

3.2.1 The proposed development can be seen in drawing 104524-MMD-KRKS-XX-PLN-M-0002s2 and shows the location of the proposed regulator building as well as the area of land ownership.

3.2.2 The new regulator building will measure 6.9m x 3.9m x 2.2m (length x width x height) and will be of a similar appearance to the existing buildings and infrastructure on site.

3.2.3 The regulator building will be constructed on existing hardstanding within the operational site and no further fencing or bollards are required. The new building will be constructed out of Glass Reinforced Plastic (GRP) and will be prefabricated, so it can be delivered and craned into position on site.

3.3 Permitted Development

3.3.1 CG have Permitted Development rights to install the governor as plant but are required to seek planning permission to install the regulator building to house the apparatus and protect it from the elements as well as flooding.

3.3.2 CG is a regulated utility company which has a statutory responsibility for the provision of gas supply in accordance with Section 9(1) of the Gas Act 1986 and bound by duty to:

“to develop and maintain an efficient and economical pipe-line system for the conveyance of gas”

3.3.3 Consequently, CG benefit from permitted development rights afforded to gas transporters under Schedule 2, Part 15 Class A of the Town and Country Planning (General Permitted Development) Order 2015, as amended, for the provision of certain apparatus in order to meet this statutory duty.

3.3.4 The proposals here include for the installation of apparatus to control the pressure and flow of gas and a building in which to house this equipment. Part 15 A(b) of the Order states:

“Development by a gas transporter required for the purposes of its undertaking consisting of –

- a) The laying underground of mains, pipe or other apparatus;*
- b) The installation in a gas distribution system of apparatus for measuring, recording, controlling or varying the pressure, flow or volume of gas, and structures for housing such apparatus....”*

3.3.5 However, the installation of the regulator building is not permitted under Part 15 A.1(a) as the building exceeds the threshold of 29 cubic meters. Therefore, planning permission is required.

3.3.6 It should be noted that a temporary compound is to be sited adjacent to the operational site, and this constitutes Permitted Development under Part 4 Class A.

4 Planning Policy Review

4.1 Environmental Impact Assessment Review

4.1.1 The proposed development is not considered to be Schedule 1 or 2 development under the Town and Country Planning (Environmental Impact Assessment) Regulations 2017. The proposed development does not match any of the descriptions in either Schedule 1 or 2 and is also not considered to be located within a 'sensitive area' as defined by these regulations.

4.2 National Planning Policy Framework (2021)

4.2.1 The National Planning Policy Framework (NPPF) was issued in March 2012, and most recently updated in September 2023. The NPPF sets out the planning policies set out by the Government for England and how they should be applied to planning decisions. Under this framework, the local development plan must be considered when making planning decisions. The NPPF supersedes all previous planning policy and guidelines. The planning policies within the NPPF relevant to this planning application are given below:

4.2.2 Paragraph 11 states that:

“Plans and decisions should apply a presumption in favour of sustainable development...for decision taking this means; approving development proposals that accord with an up-to-date development plan without delay”.

4.2.3 Chapter 2, paragraph 8 states that: *‘achieving sustainable development means that the planning system has three overarching objectives:*

a) An economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;

b) A social objective – to support, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generation; and by fostering well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities’ health, social and cultural well-being; and

c) An environmental objective – to protect and enhance our natural built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.’

4.2.4 Paragraph 38 goes on to indicate that:

“Local planning authorities should approach decisions on proposed development in a positive and creative way...and work proactively with applicants to secure developments that will improve the economic, special and environmental conditions of the area. Decision makers at every level should seek to approve applications for sustainable development where possible”.

4.2.5 The NPPF goes on in Paragraph 126 to state that:

“Good design is a key aspect of sustainable development, creates better places in which to live and work and helps development acceptable in communities”.

4.2.6 Therefore, the presumption in favour of sustainable development, has been demonstrated above, should apply here.

4.3 Local Planning Policy

4.3.1 Section 38 of the Planning and Compulsory Purchase Act 2004 replicates the provisions of Section 54A of the Town and Country Planning Act 1990 (as amended) and required that when making any determination, regard is held to the Development Plan, and that determination shall be made in accordance with the Plan unless material considerations indicate otherwise. In this case, the statutory development plan relevant to this planning application consists of the Central Lincolnshire Local Plan 2018-2040 which was adopted in April 2023.

4.3.2 The Central Lincolnshire Local Plan 2018-2040 sets out the vision for what Central Lincolnshire will look like by 2040.

4.3.3 The key policies relevant to the proposed development from the Central Lincolnshire Local Plan are listed in Table 1 below, with a full planning policy appraisal provided in Section 5.

Table 1: Local Plan Policies relevant to this application

Policy No	Policy Description
Policy S5	Development in the Countryside
Policy S20	Resilient and Adaptable Design
Policy S21	Flood Risk and Water Resources
Policy S53	Design and Amenity
Policy S60	Protecting Biodiversity and Geodiversity
Policy S66	Trees, Woodland and Hedgerows

4.3.4 Policy S20 – Resilient and Adaptable Design:

4.3.5 The proposed development is the minimum size required to house necessary equipment and has been designed to be similar to the existing assets on-site in terms of appearance and functionality. Colours and materials for the new building have also been chosen to be sympathetic to the local landscape and to mitigate any additional visual impact that may result from the proposed development. Therefore, it is in accordance with Policy S5 and S20 of the Local Plan.

4.3.6 Policy S53 – Design and Amenity

4.3.7 As aforementioned, the nearest residential building is located 290m east, it is considered highly unlikely that the proposed development will present any adverse visual impact or affect the amenity of this property.

4.3.8 Construction works have the potential to result in temporary noise and vibration impacts in the form of plant use and construction vehicle movements. However, these will be localised and temporary in nature and will be managed in accordance with best practice measures and therefore, not anticipated to generate significant adverse effects.

4.3.9 Nuisance to local residents/landowners of local road users is likely to be limited during construction. The Site is located adjacent to the existing substation site and as aforementioned, is separated from any residential properties by the local highway network and agricultural fields. Therefore, there is unlikely to be any permanent nuisance impacts on local residents as result of the proposed development within the context of existing noise sources.

4.3.10 Policy S60 – Protecting Biodiversity and Geodiversity

4.3.11 A Preliminary Ecological Appraisal was carried out in June 2023 to understand the impacts of the proposed development. No vegetation clearance has taken place, however, any clearance will be carried out under detailed methodology and under the supervision of a Suitably Qualified Ecologist if it is to be undertaken during bird nesting season (March to August inclusive), however the vegetation that will be cleared is of low ecological value.

4.3.12 Policy S66 – Trees, Woodland and Hedgerows

4.3.13 The proposed regulator building will be situated within an operational Site operated by CG and will be small in scale, with a footprint of 69m². The building will be designed in a way that remains in keeping with the built infrastructure on the existing site. Furthermore, the design will be functional in both scale and appearance.

4.3.14 There will be some localised vegetation clearance of managed grassland on Site in order to facilitate the construction of the proposed regulator building. However, no trees or hedgerow will be required to remove and therefore the existing tree cover on site will be retained which will screen the development from view within the operational site.

5 Summary of Policy Review

Principle of Development

5.1.1 There is no one policy within the Central Lincolnshire Local Plan that is specific to this proposal. Nonetheless, it is considered that the installation of the new regulator building is required to house essential gas infrastructure and accords with the wider visions and objectives of the Local Plan by promoting development to manage and facilitate sustainable growth for the area, particularly in the context of climate change.

Sustainable Development

5.1.2 The proposed development seeks to provide improved gas infrastructure for the benefit of the local community in line with CG's commitments, whilst having a minimal environmental impact. It can be argued that the proposed development will therefore improve the economic, social and environmental conditions of the local area in accordance with National Planning Policy and the three key pillars of sustainable development. This is demonstrated below:

- **Economic:** The proposal has been assessed by CG to ensure that it is an economic design and that it ensures a long term solution at the site.
- **Social:** The proposal will ensure that gas supply is maintained to the local residential properties, which therefore ensures the longevity of amenity and quality of life, especially for local residents.
- **Environmental:** The proposal will protect the wider environment in accordance with CG's key responsibilities under the Gas Act 1986 (as amended). The proposed development will not significantly visually impact the rural setting of the Site and the scale of the building has been minimised as far as possible and is similar in size to the existing brick-built utility building adjacent. Furthermore, the materials and colour have been matched to the existing on site, such that the development will assimilate with the existing locale.

Design

5.1.3 Policy S53 highlights the importance of high-quality sustainable design and encourages high standards of landscaping and the use of sustainable construction measures. The proposed development comprises of the installation of one regulator building within the limits of the existing operational site.

5.1.4 Furthermore, Policy S20 highlights how buildings should be adaptable in the future. The proposed development is the minimum size required to house necessary equipment and has been designed to be similar to the existing

assets on-site in terms of appearance and functionality. Colours and materials for the new building have also been chosen to be sympathetic to the local landscape and to mitigate any additional visual impact that may result from the proposed development. Therefore, it is in accordance with Policy S5 and S20 of the Local Plan.

- 5.1.5 As aforementioned, the nearest residential building is located 290m east of the site and it is considered unlikely that the proposed development will result in any adverse visual impacts or affect the amenity of this property. Nuisance to local residents/landowners of local road users is likely to be limited during construction. The Site is located adjacent to the existing substation site and as aforementioned, is separated from any residential properties by the local highway network and agricultural fields.
- 5.1.6 Construction works have the potential to result in temporary noise and vibration impacts in the form of plant use and construction vehicle movements. However, these will be localised and temporary in nature and will be managed in accordance with best practice measures and therefore, not anticipated to generate significant adverse effects.

Biodiversity and Geodiversity

- 5.1.7 Due to the proposal's location within an existing operational site and the managed nature of the Site, there are no impacts to trees or ecology because of the works. Nonetheless, best practice measures will be employed by contractors and personnel during the works to ensure no harm comes to any protected species or notable habitats. It is therefore considered that the proposed development accords with Policies S60 and S66 of the Central Lincolnshire Local Plan.

Flood Risk

- 5.1.8 As aforementioned, the nature of this building means it contains pressurised gas pipework with vents piped to 3m above ground level. Due to this, the equipment within the building will operate under water and continue to supply gas as designed. The current equipment is located in a different building on site at ground level and Cadent Gas require to relocate this building/equipment due to sequence of equipment on site. The other infrastructure on site (such as a boiler house for pre heat and telemetry /metering room to provide data back to their control centre) would become flooded, depending on the water height, and cease to operate. However, the gas supply would not be affected due to the design of the equipment.
- 5.1.9 Therefore, it is seen that the proposed development is in line with Policy S20 '*is resilient to flood risk, from all forms of flooding*' and Policy S21 of the Central Lincolnshire Local Plan where '*a) the development does not place*

itself or existing land or buildings at increased risk of flooding and c) that the development will safe during its lifetime taking into account the impacts of climate change and will be resilient to flood risk from all forms of flooding such that in the event of a flood and the development could be quickly brought back into use without significant refurbishment'

6 Conclusion

- 6.1.1 The proposed development comprises of the installation of one regulator building to house gas infrastructure within the limits of CG's existing operational site at near Kirkstead, Lincolnshire.
- 6.1.2 The new regulator building will house CG equipment required to operate in concurrence with the existing CG infrastructure on-site and will support sustainable development and growth by reinforcing the gas network and ensuring the longevity and steady supply to the local area.
- 6.1.3 The location of the proposed regulator building is within the limits of the operational site and its sensitive design and screening will ensure that the new development will not be prominent within the landscape and will have a minimal impact on surrounding receptors, biodiversity and the natural environment.
- 6.1.4 Given that the gas regulator building can remain operational during a flood event, it is not proposed to raise the equipment or building. Furthermore, the proposed development is considered to have a negligible effect on the flood risk to the surrounding area.
- 6.1.5 This statement and supporting information supplied within this application have demonstrated that the proposed development accords with both national and local planning policy and guidance and that it aligns with the sustainable development principles of the NPPF.
- 6.1.6 Furthermore, the proposed development is considered to be 'sustainable development' and align with the three pillars of sustainability as outlined within the NPPF and also aligns with the Central Lincolnshire Local Plan.
- 6.1.7 In view of this information provided within this statement, it is considered that there are no material reasons why planning permission should not be granted.



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