



Planning Services
North Kesteven District Council
District Council Offices
Kesteven Street
Seaford
Lincolnshire
NG34 7EF

Date: 22nd February 2024
Our Ref: PH/486/24
LPA Ref: 21/1433/FUL (Original Application)

Dear Sir/Madam

S73 APPLICATION TO VARY PLANNING APPLICATION APPROVAL 21/1433/FUL FOR EXTENSIONS AND ALTERATIONS to NEALE COURT CARE HOME, TO ALLOW FOR THE PROVISION OF SOLAR/PV PANELS TO THE ROOF - NEALE ROAD, NORTH HYKEHAM, LINCOLN, LN6 9UA.

My clients at Country Court Care Ltd., have instructed me to submit this s73 application to you for your consideration.

The application is made under s73 of the Town and Country Planning Act 1990, which allows for applications for the development of land without complying with conditions subject to which a previous planning permission was granted.

You will recall that planning permission was granted for the extensions and alterations to the care home on the 14th January 2022, under application 21/1433/FUL. As part of that permission the decision notice listed the approved drawings for the development on page 4 of the decision notice, and Condition 2 sought to ensure that the (roof) materials to be used in the construction of the extension were as listed in Section 7 of the planning application forms, so as to match the existing materials in the care home.

As my clients now wish to install 31 solar/PV panels to the south facing roof of the approved extension, we need to make formal provision for these accordingly. As the extension is yet to be constructed, the appropriate course of action for gaining approval for the inclusion of the solar/PV panels would be via a s73 application to vary the list of the approved drawings to include the solar/PV details, and to vary Condition 2 to account for this change in roofing materials for the approved extension.

In terms of planning policy, paragraph 164 of the NPPF states that LPAs should give significant weight to the need to support energy efficiency and low carbon heating improvements to buildings, including through the installation of solar panels.

In terms of 'Development Plan' policies, Policy S6 of the Central Lincolnshire Local Plan (2023) allows for the use of renewable energy generation as a 'design expectation' and Policy S13 focusses on reducing energy consumption in existing buildings through the use of (*inter alia*) solar panels for electricity generation. Whilst the proposed solar/PV panels will be located on the new extension, they will help to provide energy/power for the entire care home once the development is complete, thus complying with this latter policy accordingly.

Policy S14 relates to 'Renewable Energy' and, whilst focussing on stand-alone renewable energy projects, does provide support for solar and PV installations on existing structures. Policy S20 relates to 'Resilient and Adaptable Design' and allows for the potential to utilise roof space for PV or solar panels were possible.

The above paragraphs show that the proposed development is wholly in accordance with the national planning guidance set out in the NPPF and, at a local level, the Local Plan policies as referred to above. For these reasons it is considered that the proposed development is wholly compliant with both national and local planning policy.

With no other material considerations to indicate that the development should be resisted, and in accordance with paragraph 11 of the NPPF and Section 38(6) of the PCPA 2004, it is respectfully requested that the development is '*...approved without delay*'.

The application has been submitted electronically and comprises of the details listed above, this covering letter, the completed application forms and the appropriate fee.

The fee for this application is **£293**. This fee will be paid directly by my clients, via Planning Portal, on the submission of the application.

I trust that this application is complete and can be registered without delay.

I look forward to the receipt of your acknowledgement of the registration of the application in due course and it would be appreciated if you could keep me informed on the progress of the application as it moves forwards.

Yours sincerely



Matt Hubbard

PG Dip TP, MRTPI
Director

CC - Clients by email