SOUTH HOLLAND DISTRICT COUNCIL

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Town and Country Planning Act 1990

Planning Permission

Reference: H02-0100-15 **Received:** 9th February 2015 **Type:** SEC 73 MODIFICATION

Name: Ashley King (Developments) Ltd
C/O Studio 11 Architecture
The Boathouse
Harbour Square
Nene Parade
Wisbech Cambs
PE13 3BH

Agent: Studio 11 Architecture
The Boathouse
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Nene Parade
Wisbech
Cambs
PE13 3BH

Description: Proposed residential development of 50 dwellings - approved under H02-0468-14 - Modification of 2 of H02-0468-14 to allow amendments to previously approved plans

Location : Land off Peterborough Road Crowland

South Holland District Council hereby give notice that PERMISSION HAS BEEN GRANTED for the proposal described above, subject to any condition(s) set out below:

1 The development must be begun before 2nd December 2017.

Reason: As required by Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

2 The development hereby permitted shall be carried out in accordance with the following approved plans:
Dwg No's: 163.LP.01, 163.SL.01E, 163.K2S2B01-B.P.01, 163.K2S2B02-.P.01B, 163.K2S3B01-B.P.01, 163.K2S3B02-B.P.01, 163.K2S3B03-R.P.01, 163.K2S3B04-B.P.01, 163.Aff-1B2P-01R.P.01, 163.Aff-2B4P-01.P.01, 163.Aff-3B5P-01.P.01, 163.DSG.P.01, 163.DDG.P.01, Flood Risk Assessment (prepared by Geoff Beel Consultancy, dated April 2014) and External Material Schedule (dated 1st December 2014).

Reason: For the avoidance of doubt and in the interests of proper planning.

3 Before the development is commenced there shall be submitted to and approved in writing by the Local Planning Authority a scheme for the provision and phasing of 16 of the total residential units as affordable housing on the site to meet local housing needs. The scheme shall identify

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how the affordable housing is to be provided, whether by means of a non-profit registered provider or otherwise, and the timing of delivery. In the submission of these details the location of each affordable housing unit shall be indicated, along with the size and tenure, the type of affordable housing, and arrangements for ensuring that the affordable housing to be provided meets identified local housing need. Not more than 17 of the total number of the approved dwellings, excluding the affordable element, shall be occupied until there has been a material commencement on the affordable housing units and not more than 30 of the approved dwellings, excluding the affordable element, shall be occupied until all the affordable housing units have been completed.

Note:
In order to comply with this condition it may be necessary for the applicant/developer to enter into a planning obligation and/or agreement. You are therefore asked to bear this in mind when determining the timing of your submissions.

Reason: To ensure that the affordable dwellings are provided to meet identified local need, and remain affordable in perpetuity.
This Condition is imposed in accordance with Policy HS8 of the South Holland Local Plan 2006.

4 A minimum of 10% of the predicted energy needs of the development hereby permitted shall be met through renewable energy production equipment in accordance with details that shall be submitted to and approved in writing by the Local Planning Authority. The details and equipment so approved shall be provided and made operational prior to the first use of the development hereby permitted and thereafter 10% of the energy needs of the development shall be met through renewable energy production equipment.

Reason: In the interests of sustainable development and the protection of the environment.
This Condition is imposed in accordance with Policy SG7 of the South Holland Local Plan 2006.

5 The development hereby permitted shall not be commenced until a scheme to deal with any contamination of land or pollution of controlled waters has been submitted to and approved in writing by the Local Planning Authority (LPA) and until the measures approved in that scheme have been implemented. The scheme shall include all of the following measures.
i) a desk-top study carried out to identify and evaluate all potential sources of contamination and the impacts on land and/or controlled waters, relevant to the site. The desk-top study shall establish a 'conceptual site model' and identify all plausible pollutant linkages. Furthermore, the assessment shall set objectives for intrusive site investigation works/Quantitative Risk Assessment (or state if none required). Two full copies of the desk-top study and a non-technical summary shall be submitted to the LPA without delay upon completion.
ii) if identified as being required following the completion of the desk-top study, a site investigation shall be carried out to fully and effectively characterise the nature and extent of any land contamination and/or pollution of controlled waters. It shall specifically include a risk assessment

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that adopts the Source-Pathway-Receptor principle, in order that any potential risks are adequately assessed taking into account the sites existing status and proposed new use. Two full copies of the site investigation and findings shall be forwarded to the LPA without delay upon completion.
iii) thereafter, a written method statement detailing the remediation requirements for land contamination and/or pollution of controlled waters affecting the site shall be submitted to and approved in writing by the LPA, and all requirements shall be implemented and completed to the satisfaction of the LPA. No deviation shall be made from this scheme. If during redevelopment contamination not previously considered is identified, then the LPA shall be notified immediately and no further work shall be carried out until a method statement detailing a scheme for dealing with the suspect contamination has been submitted to and agreed in writing by the LPA.
iv) two full copies of a full closure report shall be submitted to and approved in writing by the LPA. The report shall provide verification that the required works regarding contamination have been carried out in accordance with the approved Method Statement(s). Post-remediation sampling and monitoring results shall be included in the closure report to demonstrate that the required remediation has been fully met.

Note
The applicant is advised that the phased risk assessment required by the Contaminated Land Scheme Condition should be carried out in accordance with the procedural guidance of the Environmental Protection Act 1990 Part 11A.

The applicant's attention is also drawn to the document entitled "Developing Land Within Lincolnshire - A guide to submitting planning applications to develop land that may be contaminated", which can be obtained through the Local Environmental Health Department.

Reason: To assess whether the site is polluted and to address any pollution to ensure a satisfactory development.
This Condition is imposed in accordance with Policy SG13 of the South Holland Local Plan 2006.

6 Notwithstanding the details submitted, before the commencement of the development hereby permitted, the approval of the Local Planning Authority is required to a scheme of landscaping and tree planting for the site indicating, inter alia, the number, species, heights on planting and positions of all the trees, together with details of post-planting maintenance. Such scheme as is approved by the Local Planning Authority shall be carried out in its entirety within a period of twelve months beginning with the date on which development is commenced. All trees, shrubs and bushes shall be maintained by the owner or owners of the land on which they are situated for the period of five years beginning with the date of completion of the scheme and during that period all losses shall be made good as and when necessary.

Note: The applicant is recommended to employ a qualified and experienced landscape designer to produce a landscaping scheme for the development.

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Reason: To ensure that the development is adequately landscaped, in the interests of its visual amenity and that of the area in which it is set.
This Condition is imposed in accordance with Policy SG18 of the South Holland Local Plan 2006.

7 Notwithstanding the details submitted, before the commencement of development hereby permitted, details of the proposed boundary treatment, including a schedule of materials, and details of the size and species of any hedging, shall be submitted to and approved in writing by the Local Planning Authority, and the details so approved shall be implemented in full before the development is first brought into use.

Reason: In the interests of the character and appearance of the development and the visual amenity of the area in which it is set.
This Condition is imposed in accordance with Policy SG14 of the South Holland Local Plan 2006.

8 Before the commencement of the development hereby permitted, the detailed design and location of all lighting to be provided to roads, parking areas and footpaths within the development shall be submitted to and approved in writing by the Local Planning Authority and all lighting utilised in the development shall conform to the details so approved. The approved scheme shall be implemented in its entirety before any dwelling is occupied.

Reason: To ensure that the Local Planning Authority retains control over these matters, in the interests of the visual amenity of the overall development, to prevent light pollution and to ensure that the development is adequately lit.
This Condition is imposed in accordance with Policy SG13 and SG14 of the South Holland Local Plan 2006.

9 Before the commencement of the development hereby granted, full details of the means of surface water disposal shall be submitted to and approved in writing by the Local Planning Authority. The details so approved shall be implemented in full before the development hereby permitted is first brought into use.

Reason: To ensure that the site is adequately drained, to avoid pollution, and to prevent increased risk of flooding.
This Condition is imposed in accordance with Policies SG11 and SG13 of the South Holland Local Plan 2006, and national guidance contained in Section 10 of the National Planning Policy Framework, 2012.

10 Before the commencement of development hereby permitted, a management plan for the areas of publicly accessible open space, including management responsibilities and maintenance schedules, shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development hereby permitted. The management of these areas shall

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be carried out in accordance with the details so approved.

Reason: To ensure that adequate open space provision is made available for the occupiers of the development hereby permitted and that provision is made for the management and maintenance of the open space.
This Condition is imposed in accordance with Policies SG1 and HS11 of the South Holland Local Plan 2006.

11 No dwelling shall be occupied until details of the landscape management and maintenance schedule for the areas of incidental open space, refuse/recycling collection points and parking courts have been submitted to and approved in writing by the Local Planning Authority. Thereafter these areas shall be maintained in accordance with the approved details.

Reason: To ensure that provision is made for the management and maintenance of communal areas.
This Condition is imposed in accordance with Policies SG1 and HS11 of the South Holland Local Plan 2006.

12 Before the commencement of the development hereby permitted, full details of the existing and proposed site levels and proposed floor levels of the buildings and hard surfaced areas shall be submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in accordance with the details so approved.

Reason: To ensure that the Local Planning Authority retains control over the finished site and floor levels of the development, in the interests of the amenity of adjacent residents and its visual and architectural relationship with adjacent development.
This Condition is imposed in accordance with Policies SG14 and SG17 of the South Holland Local Plan 2006.

13 Before the commencement of development hereby permitted, details of the design and positions of all external boxes for gas and electricity supplies and of any gas flues and soil vent pipes shall be submitted to and approved in writing by the Local Planning Authority and there shall be no variation from the details so approved.

Reason: To ensure that the Local Planning Authority retains control over these details of the development in the interests of the character and appearance of the development and the visual amenity of the area in which it is set.
This Condition is imposed in accordance with Policy SG14 of the South Holland Local Plan 2006.

14 Before the commencement of development hereby permitted, a detailed scheme of construction management to minimise disturbance during the construction process through noise, dust,

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vibration and smoke shall be submitted to and approved in writing by the Local Planning Authority and the construction process shall be carried out in accordance with the scheme so approved.

Reason: In the interests of the amenity of local residents.
This Condition is imposed in accordance with Policy SG17 of the South Holland Local Plan 2006.

15 Details of the precautions to be taken to prevent the deposit of mud on public highways by vehicles travelling from the site during construction of the development shall be submitted to and approved in writing by the Local Planning Authority before the development commences. These facilities shall include the provision of wheel washing facilities where considered necessary by the Local Planning Authority. These precautions shall be made available before commencement of the construction of the development and be kept available and in full working order until such time as the Local Planning Authority agrees in writing to their withdrawal or the completion of the development.

Reason: In the interests of highway safety during the construction process.
This Condition is imposed in accordance with Policies SG15 and SG17 of the South Holland Local Plan 2006.

16 Prior to the occupation of each dwelling having a frontage onto a potentially adoptable highway, the roads and/or footways providing access to that dwelling, for the whole of its frontage, from Peterborough Road, shall be constructed to a specification to enable them to be adopted as highways maintainable at the public expense, less the carriageway and footway surface courses. The carriageway and footway surface courses shall be completed within three months from the date upon which construction of the penultimate dwelling is commenced.

Reason: To ensure safe access to the site and to each dwelling in the interests of safety and residential amenity.
This Condition is imposed in accordance with Policy SG14 and SG15 of the South Holland Local Plan 2006.

17 No dwelling shall be commenced before the junction with Peterborough Road, including the visibility splays and the first 60 metres of estate road, as shown on Dwg. No. 163.SL.01E, have been completed.

Reason: In the interests of safety of the users of the public highway, the safety of the users of the site and to enable calling vehicles to wait clear of the carriageway of Peterborough Road.
This Condition is imposed in accordance with Policy SG14 and SG15 of the South Holland Local Plan 2006.

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18 Before any dwelling is commenced, all of that part of the estate road and associated footways that form the junction with Peterborough Road and which fall within the confines of the existing public highway shall be laid out and constructed to finished surface levels in accordance with the details to be submitted to and approved by the local planning authority.

Reason: in the interests of safety of the users of the public highway and the users of the site. This Condition is imposed in accordance with Policy SG14 and SG15 of the South Holland Local Plan 2006.

The Local Planning Authority has acted positively and proactively in determining this application by assessing the application against all material considerations, including national guidance, planning policies and representations that have been received during the public consultation exercise and subsequently determining to grant planning permission within the statutory timeframe in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

Copies of all documentation submitted in connection with this application can be viewed online at www.sholland.gov.uk/doitonline/plandev/plansearch.aspx.

Paul Jackson
Planning Manager

16th March 2015 **H02-0100-15**

This decision refers only to that required for the purposes of the Town and Country Planning Acts and not for Building Regulations or any other legislation.