DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H03-1043-24**	**Applicant:**	**Emerald Homes Lincolnshire Limited**
Proposal:	Details of construction management, mud precautions, bicycle storage/parking, public open space, proposed boundary treatments and bird/bat boxes (Conditions 4, 5, 6, 12, 17 and 20 of H03-0161-17)		
Location:	Home Farm Littleworth Drove Deeping St Nicholas		
Terminal Date:	6th February 2025		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

02	Development Management
03	Design of New Development
04	Approach to Flood Risk
32	Community, Health and Well-being
33	Delivering a More Sustainable Transport Network
36	Vehicle and Cycle Parking
APPENDIX 6	Parking Standards

National Guidance

National Planning Policy Framework December 2024

8 Promoting Healthy and Safe communities
12 Achieving well designed places
14 Meeting the challenge of climate change, flooding and coastal change
15 Conserving and enhancing the natural environment

Representations:

	Object	Support	No Obj.	Comments
HIGHWAYS & SUDS SUPPORT	0	0	0	1
WELLAND AND DEEPINGS INTERNAL DRAINAGE BOARD	0	0	0	1
SHDC INTERNAL	0	0	1	1

CASE OFFICER ASSESSMENT

Proposal

Details of construction management, mud precautions, bicycle storage/parking, public open space, proposed boundary treatments and bird/bat boxes (Conditions 4, 5, 6, 12, 17 and 20 of H03-0161-17).

Site Description

As host consent.

History

H03-0161-17 - Outline planning application with all matters reserved - Erection of up to 120 dwellings and a village hall and ancillary development. Approved 22.12.2021.

H03-0598-24 - Erection of 119 dwellings and a village hall along with ancillary development including the construction of an attenuation pond - Outline approval H03-0161-17. Approved 7.11.2024.

H03-1044-24 - Details of existing and proposed site levels, proposed floor levels, hard surfaced areas, garden/amenity areas, mitigation measures and external materials (Conditions 2 and 4 of H03-0598-24). Undetermined.

Consultation Responses

Lead Local Highway and Flood Authority

Response dated 17 January 2025

No Objections

Having given due regard to the appropriate local and national planning policy guidance (in particular the National Planning Policy Framework), Lincolnshire County Council (as Highway Authority and Lead Local Flood Authority) has concluded that the proposed development would not be expected to have an unacceptable impact upon highway safety or a severe
residual cumulative impact upon the local highway network or increase surface water flood risk and therefore does not wish to object to this planning application.

The details submitted to discharge conditions 4, 6 and 17 attached to H03-0161-17 are acceptable in accordance with approved drawing LDC4244-151C dated 14.01.2025.

Response dated 2 January 2025

4.CMP - Condition has not been fully addressed - 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 (permanent or temporary) connect to an outfall (temporary or permanent) during construction.

C6- OK.

C17. Knee post rails are not required and should be removed, 1.8m brick wall should not be erected adjacent to parking spaces as this will impair visibility.

SHDC Environmental Protection

No objection and no concerns regarding Construction Management Plan.

Welland and Deepings IDB

No objection.

My colleague's previous comments made under outline application H03-0161-17 reference NSM/JP/P/D/5, dated 9th
July 2020 still stand with nothing further to add at this stage.

Planning Considerations

Condition 4 - Construction Management

Condition Wording

A detailed scheme of construction management to minimise disturbance during the construction process through noise, dust, vibration and smoke shall be submitted to and approved in writing by the Local Planning Authority before the development commences and the construction process shall be carried out in accordance with the scheme so approved. It shall also include a method statement, detailing how construction traffic, site personnel vehicles, materials deliveries and site accommodation will be managed to safeguard highway safety, free passage along Littleworth Drove and residential amenity.

Condition detail

The applicant has submitted a Construction Management Plan and a Construction Method Statement. The plan shows the proposed site management and operation layout, together with material storage and container area, the flow of construction traffic, site office and welfare facilities, a hoarding and heras fencing compound, and construction parking. These are in the centre of the site. The Construction Method Statement details how construction methods will be carried out. The details make it clear that no parking will occur on the road and will not affect neighbours.

The attenuation basin will be formed following the site strip and bulk earth movements. The sewer and highway drainage network will be constructed with perforated pipes laid under the infiltration trenches. Surface water is to use the drainage system as it is built with the adoptable sewers constructed under a S104 agreement and highway drainage under a S38 agreement.

As the adjacent road is constructed sections of bullnose kerbing will be removed following binder course surfacing to allow water to flow into the infiltration trench/sewer. Gullies are to be maintained and kept clear from debris. Materials are not to be stored near to gullies to avoid run off. Manhole covers are to be lined with geotextile and covered with a thin layer pipe bedding material to minimise silt deposits into the system. The proposed outfall for the surface water drainage system is to the existing IDB watercourse along the southwest boundary of the site.

Following construction and prior to transition to maintenance periods, the surface water drainage system is to be surveyed and cleaned fully to ensure the removal of any silt or debris. The protection to infiltration trenches is to be removed and the engineered topsoil root zone is installed. The missing bullnose kerbing is to be laid on a mortar bed to suit final finished carriageway levels.

The Local Highway Authority and Environmental Protection do not object to the details.

It is considered that the details are satisfactory and can be discharged.

Condition 5 - Mud on the public highway

Condition Wording

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.

Condition detail

The applicant has submitted a Construction Management Plan and a Construction Method Statement. The plan shows material storage and container area, the flow of construction traffic, site office and welfare facilities, a hoarding and heras fencing compound, and construction parking. These are in the centre of the site. The Construction Method Statement details how construction methods will be carried out. The site shall have wheel washing facilities to allow vehicles to be washed down prior to leaving the site as and when required, so as to reduce unwanted debris spreading onto the highway during earth works or if site conditions warrant this.

The top of the infiltration trench and permanent permeable membrane (geotextile) shall be protected with a sacrificial layer of geotextile and pipe bedding material to intercept any silt from the construction phase. Following construction these will be removed and engineering topsoil root zone installed. The perimeter of the infiltration trenches and the perimeter of the attenuation basin shall be protected from site traffic by signing and guarding avoid vehicles trafficking them. Manhole covers are to be lined with geotextile and covered with a thin layer pipe bedding material to minimise silt deposits into the system. No materials are to be stored near SuDS features to avoid run-off into the features.

The Local Highway Authority and Environmental Protection do not object to the proposal

It is considered that the details are satisfactory and can be discharged.

Condition 6 - cycle parking.

Condition Wording

Prior to the commencement of the first use of the development hereby permitted details of provision for the storage/parking of at least 2 bicycles for all approved dwellings shall be approved in writing by the Local Planning Authority.

Condition detail

The plans show each dwelling has at least 2 cycle parking spaces to be provided in each plot.

Cycle parking is also provided in the public parking area to the front of the community building.

The Local Highway Authority do not object to the proposal.

The details comply with the condition and as a result the details can be discharged.

Condition 12 - Open Space Area

Condition Wording

Prior to the commencement of the development hereby permitted beyond oversite, a plan illustrating all areas of publicly accessible open space shall be submitted to and approved in writing by the Local Planning Authority. The areas so approved shall be laid out and made available for use in accordance with a specification and phasing that shall first be agreed in writing by the Local Planning Authority, and shall thereafter be so maintained.

Condition detail

The submitted conditions plan shows the area of public open space to be located in the south west corner of the site.

The public open space to be planted with 'Emorsgate Seeds' EG1General Purpose Meadow Grass Mixture. All to comply with, and carried out in accordance with requirements noted for Grass Mix A.

EG1 is a combination of low growing grasses that produce a short, open 'flower-friendly sward. This grass mixture has many applications in low maintenance naturalistic areas. t does not encourage weeds.

The open space is to be planted with 14 medium trees and 2 large trees to replace two large trees being lost at the front.

The public open space also acts as an attenuation pond.

It is considered that the details are satisfactory and this condition can be discharged.

Condition 17 - boundary treatments

Condition Wording

Prior to its installation, details of the proposed boundary treatments, including a schedule of fencing levels, heights and 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 and retained thereafter.

Note: Where levels are raised above existing ground levels, the submission shall be supported by cross-sectional drawings showing the relationship with adjoining uses and buildings to enable the Local Planning Authority to be satisfied that sufficient mitigation measures will be in place.

Condition detail

Boundary treatments are shown on the submitted conditions plan and consist of:

-Hedge 1: Fagus sylvatica
-Hedge 2: Lonicera nitida 'Baggesen's Gold'
-Hedge 3: Ligustrum ovalifolium 'Aureum'.
-Black Metal Railings 1.2m
-2.4m close boarded timber fencing
-1.2m close boarded timber fencing
-1.8m Masonry Boarded timber fence
-Hedgerow

The three hedge types shown on the submitted plans are situated at the front of many of the properties and are set at a low height so as not to impede vehicular visibility.

There is a native hedge along the rear of the public open space next to farmland.

Hedge type 1, Fagus sylvatica, borders the car parking area to the community building. Other hedge types are mainly at the front of dwellings in a variety of locations to add interest.

Some properties have 1.8m masonry walls which define the corner plots. The Local Highway Authority suggested a slightly shorter length of wall associated with Plot 18 and replace this with a hedge to improve visibility of exiting vehicles.

Rear gardens have 1.8m close boarded fences.

The boundary to Wisteria house alongside the access road, but set back has a 2.4m close boarded fence. This will not adversely affect the street scene.

Some of the properties that have smaller front gardens and have 1.2m close boarded fences along the front and the side. Some corner plots have 1.2m black metal railings to add interest.

Cross sectional drawings have been submitted showing the relationship to adjoining land. The difference in ground levels is slight and not significant to cause a significant adverse effect on adjoining properties.

The boundary treatments are considered satisfactory and it is considered these can be discharged.

Condition 20

Condition Wording

Prior to the commencement of the development hereby permitted, details of a scheme for the provision of bird and bat boxes to be installed on dwellings within the site shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be fully implemented prior to the completion of the development hereby approved, and shall thereafter be

retained.

Condition detail

The submitted conditions plan shows integrated universal nesting bricks/boxes. These are numerous and scattered throughout the development on the flanks of buildings.

The details are considered satisfactory and the condition can be discharged.

Conclusion

Discharge conditions 4, 5, 6, 12, 17 and 20.

Additional Considerations

Public Sector Equality Duty

In making this decision the Authority must have regard to the public sector equality duty (PSED) under s.149 of the Equalities Act. This means that the Council must have due regard to the need (in discharging its functions) to:
A. Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act
B. Advance equality of opportunity between people who share a protected characteristic and those who do not. This may include removing or minimising disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic; taking steps to meet the special needs of those with a protected characteristic; encouraging participation in public life (or other areas where they are underrepresented) of people with a protected characteristic(s).
C. Foster good relations between people who share a protected characteristic and those who do not including tackling prejudice and promoting understanding.

The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

The PSED must be considered as a relevant factor in making this decision but does not impose a duty to achieve the outcomes in s.149. It is only one factor that needs to be considered, and may be balanced against other relevant factors.

It is not considered that the recommendation in this case will have a disproportionately adverse impact on a protected characteristic.

Human Rights

In making a decision, the Authority should be aware of and take into account any implications that may arise from the Human Rights Act 1998. Under the Act, it is unlawful for a public authority such as South Holland District Council to act in a manner that is incompatible with the European Convention on Human Rights. The Authority is referred specifically to Article 8 (right to respect for private and family life) and Article 1 of the First Protocol (protection of property).

It is not considered that the recommendation in this case interferes with local residents' right to respect for their private and family life, home and correspondence, except insofar as it is necessary to protect the rights and freedoms of others (in this case, the rights of the applicant). The Council is also permitted to control the use of property in accordance with the general public interest and the recommendation is considered to be a proportionate response to the submitted application based on the considerations set out in this report.