SOUTH HOLLAND DISTRICT COUNCIL

Report of: **Development Manager**

To: **Planning Committee - 11 November 2020**

(Author: **Polly Harris-Gorf - Principal Planning Officer)**

Purpose: **To consider Planning Application H04-0208-20**

Application Number:	H04-0208-20	**Date Received:**	02 March 2020
Application Type:	FULL		
Description:	Erection of 2 retail units, car park, landscaping and associated works including demolition of existing buildings		
Location:	Land East of Church Street and South of Bicker Road Donington		
Applicant:	Minster Commercial Property Limited	**Agent:**	Surface Planning
Ward:	Donington, Quadring and Gosberton	**Ward Councillors:**	Cllr H J W Bingham Cllr S C Walsh Cllr Jane King

You can view this application on the Council's web site at
http://planning.sholland.gov.uk/OcellaWeb/planningDetails?reference=H04-0208-20

1.0 REASON FOR COMMITTEE CONSIDERATION

1.1 The policy issues merit Committee consideration.

2.0 PROPOSAL

2.1 Full application for the erection of a freestanding building to provide 2 retail units, car parking for 34 vehicles, acoustic fencing, landscaping and associated works including demolition of existing buildings.

2.2 The application is supported by a Heritage Impact Assessment and since submission additional information has been provided regarding the details of the air conditioning and chiller machinery as well as a Retail Impact Appraisal.

2.3 The application form states that the proposals would employ up to 27 FTE staff, although there is no end user proposed at this time.

2.4 Since original submission the proposal has been amended to increase the number of parking spaces to accord with the SELLP standard, and to provide acoustic fencing to the southern boundary of the site.

3.0 SITE DESCRIPTION

3.1 The site is approximately 0.34ha and sits at the junction of Church Street and the A52, and

forms a visually prominent entry point to the village. The site is currently in commercial use, by a van sales firm and an asbestos removal company office.

3.2 The site immediately adjoins the Donington conservation area and nearby are the listed buildings of the Church of St Mary and the Holy Rood (Grade I).

3.3 Donington as a settlement is considered to be a Main Service Centre within the SELLP.

3.4 The site is currently in use by a vehicle dealership which is considered to be a sui generis use (not fitting within a defined Use Class).

4.0 RELEVANT PLANNING POLICIES

4.1 **The Development Plan**

South East Lincolnshire Local Plan, March 2019

If regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts, Section 38 (6) to the Town and Country Planning Act as amended by the 2004 Act states that the determination must be made in accordance with the plan unless material considerations indicate otherwise.

1 - Spatial Strategy
2 - Development Management
3 - Design of New Development
4 - Approach to Flood Risk
7 - Improving S E Lincolnshire's Employment Land Portfolio
24 - The Retail Hierarchy
27 - Additional Retail Provision
28 - The Natural Environment
29 - The Historic Environment
30 - Pollution
31 - Climate Change and Renewable and Low Carbon Energy
36 - Vehicle and Cycle Parking
APPENDIX 6 Parking Standards

National Guidance

National Planning Policy Framework (NPPF), 2019

Section 2 - Achieving sustainable development
Section 4 - Decision-making
Section 6 - Building a strong competitive economy
Section 12 - Achieving well-designed places
Section 14 - Meeting the challenge of climate change, flooding and coastal change
Section 16 - Conserving and enhancing the Historic Environment

Planning Practice Guidance (PPG)

5.0 RELEVANT PLANNING HISTORY

5.1 H04-0807-18. Proposed residential development - up to 8 dwellings (including access). Approved. 05-11-18.

6.0 REPRESENTATIONS

6.1 Donington Parish Council

Object to the proposed development for two retail units on land east of Church Street for the following reasons:

Reduction in visibility entering and exiting to/from A52.

Already a dangerous junction with the Northorpe Road and Church Street joining the A52 which has a 60mph speed limit. The amount of traffic visiting a shop/shops would be far greater than it would for housing (approved scheme).
When the church and church hall hold events parking along Church Street is worse as none or very few of the houses along there have off road parking.
Don't want to detract from the businesses already trading in the Market Place.
There is no guarantee that enough parking space will be made available on site so potentially there could be a situation where people dither about at the entrance looking for a parking spot and then reverse out and park as near as possible to the entrance obscuring the view of anyone leaving Church Lane.
You only have to look at Gosberton Co-op at busy times to see the chaos it can cause and that is not adjacent to a very busy A52.
The Parish Council have requested a socially distanced site visit with LCC Highways and a few of the Parish Councillors so these matters can be explained in more detail.

6.2 Ward Councillors

Cllr J L King - "Church street has always been problematic where traffic is concerned and this application may cause added problems. The retail unit should compliment the village of Donington and not detract from it we want people to continue to use the established shops already there."

In response to the revised plans submitted, Cllr King states the following:

"Further to my previous comment I feel that the retail hours are far to long for what is a very residential area, feel that the closing times should be at the latest 10pm keeping earlier closing Sundays Bank and public holidays. Also that opening should be 8am Sundays Bank and Public holidays. I agree that deliveries should not be outside the opening and closing times."

Cllr S C Walsh - "Whilst the establishment of any new retail units is encouraged, this should not be to the detriment of any existing good businesses, within the area, it should be complimentary. The area of the proposed development is near a very busy junction and traffic will need to be very closely monitored and a good size entrance to the site would be vital to protect traffic and other users using the site. The area is also very close to the Church and may prove to be of "interest".

I understand that LCC Highways do not see there being any issue with access to the property - again based on historical data and not as I see a projection of future levels of vehicle movement. It would be interesting to see their full impact assessment on future levels of vehicle use. "

6.3 SHDC Environmental Protection

No objection but would request the following conditions:
No deliveries shall be taken at or dispatched from the site outside the hours of 07.00 and 20.00 nor at any time on Sundays, Bank or Public Holidays.

The shops shall not be open to customers outside the following times:
- 0700 and 2300 hours Mondays to Sundays
- 0700 and 2100 hours on Bank Holidays.

6.4 LCC Highways and SUDS

Does not wish to restrict the grant of permission.

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 is acceptable and accordingly, does not wish to object to this planning application.

The collision data (held by Lincolnshire Road Safety Partnership) are reports of factual occurrences. The view of the professional road safety officer is that the data indicates there is no significant history of collisions occurring due to deficiencies in the design, geometry or use of the junction.

6.5 Lincolnshire Road Safety Partnership

We have 3 injury collisions in the vicinity of the junction for the 5 year period to 31/12/19; with only a single slight being related to a manoeuvre at the junction itself.

The collision at the junction was in 2019 and involved a vehicle turning right from Church Street across the path of a vehicle on the A52. The others involved a burst tyre forcing a moped to lose control and an altercation inside a vehicle leading to a passenger throwing themselves from the vehicle at approx. 30mph.

Historically there isn't really an issue with the junction as you have to go back to 2006 for the next injury there.

No safety concerns at this location in my opinion with regards to the collision history.

6.6 LCC Historic Environment Officer

This office has previously been consulted on earlier proposals for this site, which is in an area of archaeological potential close to Donington's medieval church, and in an area where early settlement and activity might be expected.

Ordinarily this office would make recommendation for pre-determination evaluation by trial trenching, but it is understood that the current use of the site by active businesses makes this difficult. A solution was agreed that instead there would be a post-determination programme of evaluation, and if necessary mitigation to preserve or record archaeological remains present.

Therefore given this it is recommended that the developer should be required to commission a Scheme of Archaeological Works (on the lines of 4.8.1 in the Lincolnshire Archaeological Handbook). This should be secured by South Holland District Councils Standard Conditions AR01, 02 and 03. 'They should .... require developers to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part), in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible' National Planning Policy Framework Section 16, paragraph 199. Initially I envisage that this would involve a post-determination evaluation by trial trenching, which if necessary, could be followed by a mitigation strategy to either preserve in situ any remains or ensure that they are preserved by record.

6.7 Black Sluice Internal Drainage Board

Comments made regarding the discharge of surface water, filling or culverting of watercourses and site ground levels. This letter is in the public realm.

6.8 Public

Three objections have been received to the original scheme, raising the following matters:

Dangerous junction of Church Street and the A52.
Residents living opposite park on the grass verges making visibility even worse.
Will this retail unit open up its car park for visitors?
Demolition of existing building would open up a residential dwelling to issues of privacy and road noise from the A52.
Need for acoustic fence.
Impact of access adjacent to residential rooms/windows within a dwelling.
Need for sound attenuation.
Making good of boundary walls.
Disturbance during construction works.
Suggestion of purchasing adjacent property for demolition and replace dwelling over the shop units.
Loss of existing businesses in Donington.

6.9 One submission has been received supporting the scheme;

Would be perfect for a local dance school to expand in to.

6.10 In response to the revised plans submitted, one objection has been received setting out the

following objections:

The acoustic fence should also be of a height that does not take away the privacy to existing neighbouring gardens.
The entrance of the proposed site and it not being within the required stopping distance of vehicles which come off the 60mph A52 road into a 30mph speed limit, this is creating a very dangerous situation where accidents can and probably will occur.
Impact of development during construction and any damage to garden walls and property.

7.0 CONSIDERATIONS

7.1 Planning Considerations

7.2 Principle of Development

7.3 Para. 86 of the NPPF states that:

Main town centre uses should be located in town centres, then in edge of centre locations; and only if suitable sites are not available (or expected to become available within a reasonable period) should out of centre sites be considered.

7.4 The NPPF Sequential Test

7.5 The proposed development comprises a retail unit amounting to 394 sqm gross floorspace and 280 sqm net sales area, and a second smaller unit of 73 sqm gross (approx. 50 sqm net). The scheme as a whole is not significantly above the minimum 250 sqm threshold set out in Policy 24.

7.6 The Town Centre Boundary and Primary Shopping Area in Donington are tightly defined, such that there are no sites within the existing centre that could accommodate the proposals, either via extensions to existing stores or in the form of a new development. Accordingly, there are no available sites within the defined centre, and edge of centre locations should be considered.

7.7 For retail purposes the NPPF defines edge of centre as a location that is well connected to, and up to 300 metres from, the primary shopping area.

7.8 The application site is located 260m from the nearest boundary of the Primary Shopping Area via a direct pedestrian route along Church Street, and therefore comprises an edge of centre location and the most appropriate site to accommodate the development in the terms of the NPPF sequential test.

7.9 Policy 1: Spatial Strategy sets out that within the settlement boundaries of the Main Service Centres development will be permitted that supports their role as a service centre for the settlement itself, helps sustain existing facilities or helps meet the service needs of other local communities.

7.10 Policy 24: The Retail Hierarchy sets the policy stance for retail development within South Holland. For the purposes of this policy Donington is considered to be a District Centre, the policy stating that retail and other main town centre uses should be located in accordance with the following hierarchy, as defined on the Policies Map:

7.11 As the settlement of Donington is considered to be a District Centre, Part B of Policy 24 applies, stating -

7.12 *B. District and Local Centres*

7.13 *In the District Centre of Holbeach and the Local Centres of Crowland, Donington, Kirton, Long Sutton and Sutton Bridge, town centre uses will be permitted where they, on their own or cumulatively with other permitted development, will generate no significant harm upon the*

vitality and viability of that centre or any other centre within the hierarchy, particularly with regard to their role for food shopping. The provision of markets and other appropriate initiatives that would enhance the vitality and viability of such centres will be supported.

New development within the Sub-Regional, District and Local Centres will be expected to:

1. be physically integrated and have good pedestrian and cycle links, with the rest of the centre;
2. generate a reasonable level of footfall and be open to the public;
3. contribute to an appropriate balance of uses;
4. achieve an acceptable level of amenity, including provision of refuse and recycling facilities; and
5. achieve an acceptable level of highway access, parking and servicing.

7.14 It is to be noted that the Retail Capacity Study undertaken on behalf of the Council was published in December 2013, and although now 7 years old, was considered in 2018/19 sufficient to underpin the considerations within the SELLP 2019, and is a document behind the retail policies within the Plan, in the absence of a later study.

7.15 Looking at the criteria above in turn,

1. The site is 60m from the retail centre of Donington, and has good vehicular and pedestrian links to the centre via a direct pedestrian route along Church Street, comprises an edge of centre location and an appropriate site to accommodate the development in terms of the NPPF sequential test.

2. The convenience retail offer would generate footfall and be open to the public.

3. The retail units would contribute to the balance of uses within Donington as a District Centre.

4. The development can achieve an acceptable level of amenity, subject to conditions in the usual way and matters regarding hours of opening, fencing to the site and refuse collection arrangements.

5. The access from the highway is considered to be acceptable and no objection is raised by LCC Highways Service. The site would be able to provide parking for 27 parking spaces, plus 3 spaces for disabled users, totalling 30 spaces. The SELLP would require a development of this size to have 34 spaces (rounding up) and the agent has been requested to address this matter. Servicing for the site is via the existing access and the layout plan shows more than adequate facilities for servicing by HGVs and smaller vehicles.

7.16 Policy 24 also sets out the following requirements applicable to the current proposals:

...other than for provision under Policy 27, a robust assessment of impact on nearby town centres will be required for any retail proposal that:

1. provides a retail floor space of 500sqm (net) or more outside Boston town centre boundary (but within Boston Borough); and
2. provides a retail floor space of 250sqm (net) or more outside Spalding town centre boundary and the District and Local Centres (for Kirton within Boston Borough and for all other town centres within South Holland District).

7.17 Notwithstanding that the application site is within a District Centre, a Retail Impact Assessment has been provided to support the application, and is discussed below.

7.18 Policy 27: Additional Retail Provision, sets out that

B. Convenience goods floor space

There is no quantitative need for additional convenience goods floor space in the Local Plan area before 2021. There is expected to be a quantitative need for an additional 3,365 sqm (net) floor space by 2031. Such provision should be provided as small-scale units of up to 500 sqm (net) either within a new Local Centre to serve a Sustainable Urban Extension or to provide for an underserved area. Extensions which would take existing shops in these locations up to these sizes to improve their viability will be permitted.

7.19 However, in looking at Policy 27, this is to be balanced against Policy 24 and the sequential test requirement of the NPPF 2019. It is considered by officers that Policy 27 can be given lesser weight than Policy 24 and the sequential test; given the lack of sites within the Primary Shopping Area in Donington such that there are no sites within the existing centre that could accommodate the proposals, either via extensions to existing stores or in the form of a new development, so edge of centre locations are to be considered.

7.20 The most recent Retail Capacity Study undertaken on behalf of the Council was published in December 2013 and the projected retail spend per capita assumed within the 2013 study is significantly lower than the reported spend available from current industry information (2018, reported in 2019) and indicates that the 2013 study underestimated spend.

7.21 The current application is supported by a Retail Impact Assessment, which sets out the following key matters:

7.22 *In this case, the application of the sequential test is relatively straightforward. The Town Centre Boundary and Primary Shopping Area in Donington are tightly defined, such that there are no sites within the existing centre that could accommodate the proposals, either via extensions to existing stores or in the form of a new development. Accordingly, there are no available sites within the defined centre, and edge of centre locations should be considered. For retail purposes the NPPF defines edge of centre as "a location that is well connected to, and up to 300 metres from, the primary shopping area." The application site is located 260m from the nearest boundary of the Primary Shopping Area via a direct pedestrian route along Church Street, and therefore comprises an edge of centre location and the most appropriate site to accommodate the development in the terms of the NPPF sequential test.*

7.23 *There has been no significant change to the retail offer within Donington since 2013, and aside from the current proposals there are no planned or committed stores. Meanwhile, Morrisons at Pinchbeck and Tesco at Boston remain the dominant out of centre stores, and it is therefore likely that the proportions of trade draw remain largely unchanged since the time of the 2013 Study.*

7.24 *By clawing back a proportion of the significant convenience spending which is currently being lost to out of centre stores, the proposal will increase the number of linked trips to other retail stores, shops and services within the defined Primary Shopping Area. As a result, the scheme will have an overall positive impact on the vitality and viability of the town centre.*

7.25 This document can be viewed in full on line in the usual way.

7.26 It can be seen that the proposals are outside, but within a distance defined as "edge of centre" for retail purposes. It is on this basis that the proposal is to be considered, in line with other policies of the SELLP. It is considered on balance that this site could be considered to accord with the retail policies of the SELLP, provided other policies of the SELLP relating to detailed matters are satisfied.

7.27 Policy 27 sets out that in such locations that the *range of goods sold may be restricted either through planning conditions or legal agreement.* However the agent and applicant state that there is no end user in mind at present, and the development seems to be speculative.

7.28 As this is the case, at present officers are suggesting no restriction on goods, but are proposing other restrictions, such as opening and delivery hours, and this is discussed below.

7.29 Heritage Impact

7.30 The application is supported by a Heritage Impact Statement, that sets out an assessment of the proposal and its impact on the historic environment and the impact and mitigation measures that can be put in place.

7.31 Paragraph 189 of the NPPF sets out

In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes or has the potential to include heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.

7.32 The Planning (Listed Buildings and Conservation Areas) Act 1990, clarifies that when looking at development impacting upon a listed building or its setting, the Local Planning Authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. (Section 66 of the Act).

7.33 The Act also sets out that *with respect to any buildings or other land in a conservation area... special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.* (Section 72 of the Act).

7.34 Policy 29: The Historic Environment, of the SELLP also sets out the policy requirements.

7.35 The proposals seek the demolition of the existing buildings on the site and the erection of a purpose designed building, as well as landscaping to the site.

7.36 It is not considered that the proposals would have an adverse impact on views in to and out of the conservation area and would not have a detrimental impact on the setting of the nearby listed buildings. As such it is considered that the development proposals are in accordance with the intentions of Policy 29 of the SELLP and the NPPF.

7.37 Highway Safety and Parking

7.38 The highway safety issues raised by the consultation process have been carefully considered and the responses of the LCC Highway Service and the Lincolnshire Road Safety Partnership are set out above.

7.39 The access to this site is established, and has good visibility in both directions, as well as to the junction with the A52. It is not considered that a retail use of the size proposed would generate such movements that it could be refused on the grounds of highway safety. The development is thus considered to be in accordance with the SELLP and the NPPF.

7.40 The parking layout proposes 34 spaces, which accords with the SELLP requirements, and if the development is considered acceptable in all other regards, then this is a matter that can be resolved by the redesign of the car park.

7.41 Impact on Residential Amenity

7.42 The closest dwelling to this site that would be impacted is located to the south of the entrance of the site. This property is a bungalow with ground floor windows facing the site. The amenity of this dwelling could be protected by the use of acoustic screening if the development is considered to be acceptable in all other ways, and this could be delivered in conjunction with a condition appended to any decision issued to seek the full details of the proposed acoustic fence, and its retention.

7.43 Walnut Lodge is a two storey residential building located to the south, and an overall benefit would be provided to this building by the demolition of the existing building on the site and the location of the proposed retail building further away from the shared boundary. Careful consideration would need to be given to detailing and retention of the acoustic fencing, to ensure no loss of amenity as a result of the service yard use, air extract equipment and chillers as well as lighting. Also, refuse storage and collection would need to be carefully controlled.

7.44 To the east of the site is a dwelling on the A52, which is separated from the site by a hedge. Provided the details of the air con and chiller units are controlled as recommended above, then the development would be acceptable and not have a detrimental impact on this dwelling.

7.45 The levels across the site and for the built form would need to be carefully controlled via condition, so that the overall impact of the development is minimised.

7.46 Flooding and Drainage

7.47 The site is not within an area of flood risk and the development proposes that foul sewage and surface water drainage would be disposed of via the main sewer.

7.48 Contaminated Land

7.49 As the site has been in commercial use the Council's Environmental Protection Officer has recommended a condition to deal with any potential contamination on the site.

7.50 Other Matters

7.51 Disturbance during construction works - Construction works are by their nature temporary, however a condition controlling construction times and a Construction Process Management Plan is recommended, given the proximity to dwellings.

Damage during construction works would be a civil matter and would not be controlled by planning legislation so cannot be given weight.

Suggestion of purchasing adjacent property for demolition and replace dwelling over the shop units. - This is not part of this proposal so this request cannot be given weight.

7.52 **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.

7.53 Conclusion

7.54 In the light of the above it is recommended that permission be granted, subject to the conditions set out in the report. The proposal is considered to be compliant with the policies of the SELLP.

8.0 RECOMMENDATIONS

8.1 **Grant permission subject to those Conditions listed in Section 9.0 of this report.**

9.0 CONDITIONS

1. The development must be begun not later than the expiration of three years beginning with the date of this permission.

   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 and documents:

   Application form
   004 P02
   006 P01
   005 P04
   Proposed layout dated July 2020
   003-P07
   005-P08
   006-P05
   Heritage Impact Assessment HS 116

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

3. No deliveries shall be taken at or dispatched from the site outside the hours of 07.00 and 20.00 nor at any time on Sundays, Bank or Public Holidays.

   Reason: In the interests of the amenity of local residents.
   This Condition is imposed in accordance with Policies 2, 3 and 30 of the South East Lincolnshire Local Plan, 2019 and the provisions of the National Planning Policy Framework, 2019.

4. The shops hereby permitted shall not be open to customers outside the following times:
   - 0700 and 2300 hours Mondays to Sundays.
   - 0700 and 2100 hours on Bank Holidays.

   Reason: To safeguard the amenities of nearby residents.
   This Condition is imposed in accordance with Policies 2, 3 and 30 of the South East Lincolnshire Local Plan, 2019 and the provisions of the National Planning Policy Framework, 2019.

5. Before the access is brought into use all obstructions exceeding 0.6 metres high shall be cleared from the land adjacent to the access and thereafter the visibility splays shall be kept free of obstacles exceeding 0.6 metres in height.

Reason: In the interests of safety of the users of the public highway and the safety of the users of the site.
This Condition is imposed in accordance with Policy 2 of the South East Lincolnshire Local Plan, 2019 and the provisions of the National Planning Policy Framework, 2019.

6. No development shall take place until a written scheme of archaeological investigation has been submitted to and approved in writing by the Local Planning Authority. This scheme should include the following and should be in accordance with the archaeological brief supplied by the Lincolnshire County Council Historic Environment advisor on behalf of the Local Planning Authority:

1. An assessment of significance and proposed mitigation strategy (i.e. preservation by record, preservation in situ or a mix of these elements).
2. A methodology and timetable of site investigation and recording
3. Provision for site analysis
4. Provision for publication and dissemination of analysis and records
5. Provision for archive deposition
6. Nomination of a competent person/organisation to undertake the work
7. The scheme to be in accordance with the Lincolnshire Archaeological Handbook.
The archaeological site work shall only be undertaken in accordance with the approved written scheme.

Reason: To ensure the preparation and implementation of an appropriate scheme of archaeological mitigation in accordance with national guidance contained in Section 16 of the National Planning Policy Framework, 2019. This issue is integral to the development and therefore full details need to be finalised prior to the commencement of works.
This Condition is imposed in accordance with Policy 29 of the South East Lincolnshire Local Plan, 2019.

7. The applicant shall notify the Lincolnshire County Council Historic Environment Department in writing of the intention to commence at least fourteen days before the start of archaeological work required in connection with Condition 6 above in order to facilitate adequate monitoring arrangements.

Reason: To ensure satisfactory archaeological investigation and retrieval of archaeological finds in accordance with national guidance contained in Section 16 of the National Planning Policy Framework, 2019.
This Condition is imposed in accordance with Policy 29 of the South East Lincolnshire Local Plan, 2019.

8. A copy of the final report required in connection with Condition 6 above shall be submitted within three months of the work being carried out to the Local Planning Authority and the Lincolnshire Historic Environment Record. The material and paper archive required as part of the written scheme of investigation shall be deposited with an appropriate archive in accordance with guidelines published in The Lincolnshire Archaeological Handbook.

Reason: To ensure satisfactory arrangements are made for the recording of possible archaeological remains in accordance with national guidance contained in Section 16 of the National Planning Policy Framework, 2019.
This Condition is imposed in accordance with Policy 29 of the South East Lincolnshire Local Plan, 2019.

9. Before the commencement of the development hereby granted beyond oversite, full details of the proposed means of foul and surface water disposal to separate systems shall be submitted to and approved in writing by the Local Planning Authority and the details so approved shall be implemented in full before there are any flows into the receiving systems.

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 2, 3 and 30 of the South East Lincolnshire Local Plan, 2019 and national guidance contained in Section 14 of the National Planning Policy Framework, 2019.

10. No part of the development hereby permitted shall be occupied before details of the means of storage and disposal of refuse and recycling have been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be fully implemented before any of the development is brought in to use and shall thereafter be retained.

Reason: To ensure that adequate facilities are made available for refuse storage and disposal to avoid pollution, to protect residential amenity, and in the interests of the appearance of the site and the area within which it is set. This issue is integral to the development and therefore full details need to be finalised prior to the commencement of works.
This Condition is imposed in accordance with Policies 2, 3 and 30 of the South East Lincolnshire Local Plan, 2019 and the provisions of the National Planning Policy Framework, 2019.

11. 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 issue is integral to the development and therefore full details need to be finalised prior to the commencement of works.
This Condition is imposed in accordance with Policies 2, 3 and 4 of the South East Lincolnshire Local Plan, 2019.

12. Before the commencement of the development hereby permitted beyond oversite a schedule of external materials of construction of 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 materials so approved.

Reason: To ensure that the Local Planning Authority retains control over the external materials of construction of the development in the interests of the appearance of the development, and the character and visual amenity of the adjacent Conservation Area.
This Condition is imposed in accordance with Policies 2, 3 and 29 of the South East Lincolnshire Local Plan, 2019 and national guidance contained in Section 16 of the National Planning Policy Framework, 2019.

13. 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 beyond oversite and the construction process shall be carried out in accordance with the scheme so approved. It shall also include hours of working, 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 the local road network and residential amenity.

Reason: In the interests of the amenity of local residents. This issue is integral to the development and therefore full details need to be finalised prior to the commencement of works.
This Condition is imposed in accordance with Policies 2 and 3 of the South East Lincolnshire Local Plan, 2019.

14. Details of the external illumination of all buildings and areas of the site including details of luminance and fields of illumination shall be submitted to and approved in writing by the Local Planning Authority prior to the first use of those buildings and areas and there shall be no external illumination other than that so approved.

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 Policies 2, 3 and 30 of the South East Lincolnshire Local Plan, 2019 and the provisions of the National Planning Policy Framework, 2019.

15. Before the development hereby permitted is first brought into use, the associated plant/machinery, air conditioning and chiller units shall be enclosed with sound-insulating material in accordance with a scheme which shall be submitted to and approved in writing by the Local Planning Authority. The plant/machinery and chiller units shall be installed and retained in accordance with the approved details.

Reason: To ensure that there is no noise nuisance to nearby residents.
This Condition is imposed in accordance with Policies 2, 3 and 30 of the South East Lincolnshire Local Plan, 2019 and the provisions of the National Planning Policy Framework, 2019.

16. The Local Planning Authority has acted positively and proactively in determining this application by assessing it against all material considerations, including national guidance, planning policies and representations that have been received during the public consultation exercise, and by identifying matters of concern within the application and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal.

This decision notice, the relevant accompanying report and the determined plans can be viewed online at http://planning.sholland.gov.uk/OcellaWeb/planningSearch

17. Please contact the Lincolnshire County Council Streetworks and Permitting Team on 01522 782070 to discuss any proposed statutory utility connections and any other works which will be required within the public highway in association with the development permitted under this Consent. This will enable Lincolnshire County Council to assist in the coordination and timings of these works.

Background papers:- Planning Application Working File

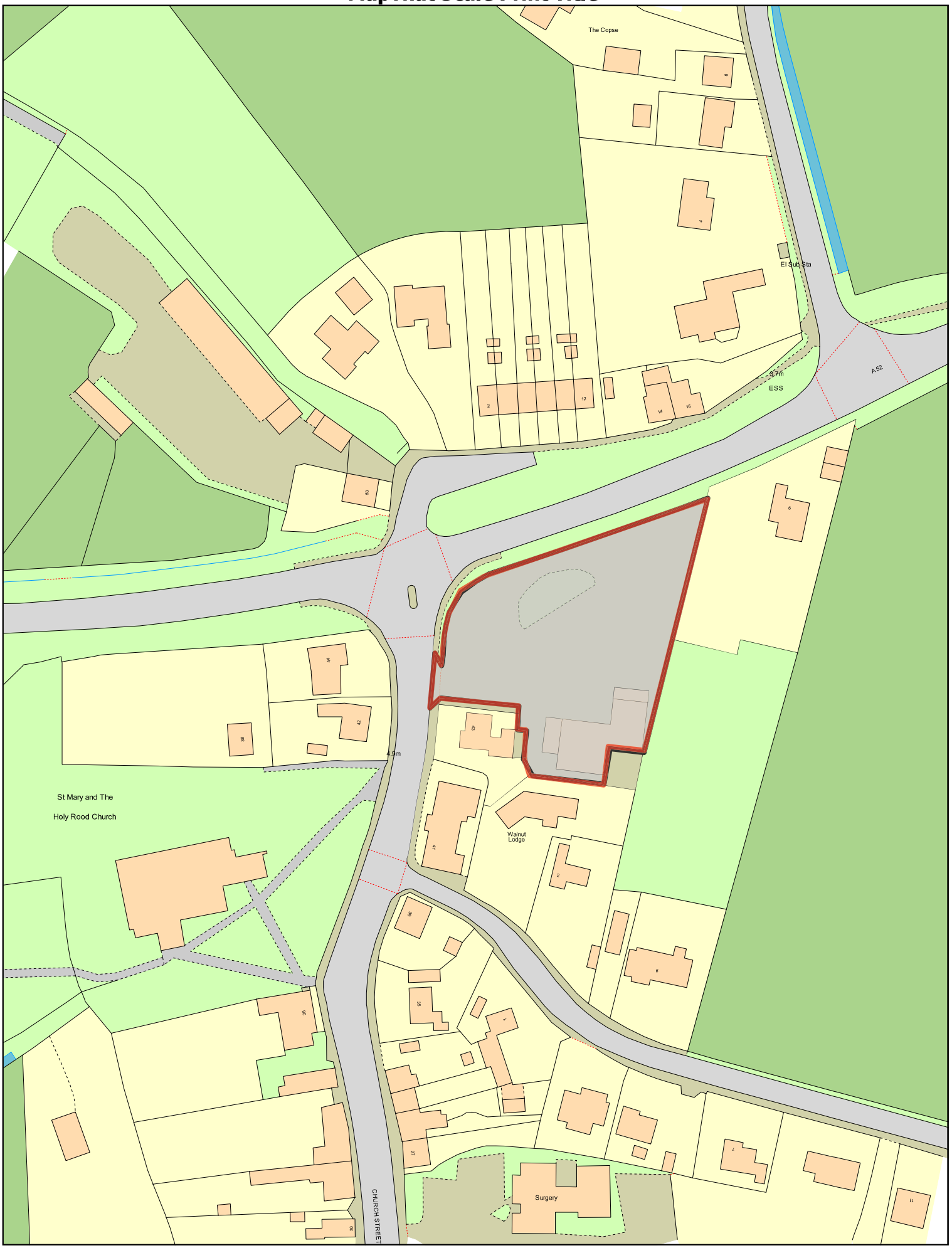
Lead Contact Officer

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Appendices attached to this report:

Appendix A Plan A

MapThat Scale Print Title



SOUTH HOLLAND DISTRICT COUNCIL

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