DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H05-0273-24**	**Applicant:**	**Holbeach House Management Company Ltd**
Proposal:	Details of site management company responsible for the upkeep of grounds, access roadway and footpaths, maintenance of buildings and waste disposal (Condition 23 of H05-0077-16)		
Location:	Fleet Mews & Orchard House Orchard Park Fleet Road		
Terminal Date:	22nd May 2024		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

02	Development Management
03	Design of New Development
30	Pollution

National Guidance

National Planning Policy Framework 2023

Section 2. Achieving sustainable development.
Section 12. Achieving well designed and beautiful places.
Section 15. Conserving and enhancing the natural environment.
Section 16. Conserving and enhancing the historic environment.

Representations:

	Object	Support	No Obj.	Comments
HIGHWAYS & SUDS SUPPORT	0	0	0	1
SHDC INTERNAL	0	1	0	0

CASE OFFICER ASSESSMENT

Proposal

Permission was granted under S73A for conversion of a redundant health facility into 14 dwellings and erection of 18 terraced dwellings with parking facilities in March 2016 (ref. H05-0077-16). This

application is to discharge condition 23. It is a re-submission following previous refusals.

It is noted that there is a later S73A approval relating to the site (ref. H05-0636-19), including a similar condition (no. 22). However, this application is to discharge condition 23 of H05-0077-16 and has therefore been assessed on that basis.

Site Description

The site is occupied by a former health facility (Orchard House - grade II listed) that has been converted to residential units, plus the erection of 18 terraced dwellings in 3 blocks to the east. It is located to the rear of Holbeach House (grade II listed), with shared vehicular access off Fleet Road.

Relevant Planning History

H05-0181-08 - Full - Convert former hospital into 13 apartments, including erection of single-storey and two-storey extensions - Non determination 9 May 2011.

H05-0182-08 - LBC - Convert former hospital into 13 apartments, including erection of single-storey and two-storey extensions - Non determination 9 May 2011

H05-0563-11 - Full - Conversion of redundant health facility into 14 dwellings and erection of 18 terraced dwellings complete with parking facilities - Approved 1 November 2011.

H05-0564-11 - LBC - Conversion of redundant health facility to form 14 dwellings and associated parking - Approved 1 November 2011.

H05-0945-15 - Cond Comp - Details of Conditions 2, 3, 4, 5, 6, 10, 11, 12, 13, 14, 15, 16, 17, 18 and 19 of H05-0077-16 - Part approved, part refused July 2016.

H05-0946-15 - Cond Comp - Details of Conditions 2, 3, 5 & 6 of H05-0078-16 - Approved July 2016.

H05-0077-16 - S73A - Conversion of redundant health facility into 14 dwellings and erection of 18 terraced dwellings with parking facilities - approved under H05-0563-11. Modification of Condition 2 of H05-0563-11 to allow amendments to previously approved plans - Approved 24 March 2016.

H05-0078-16 - S73A - Conversion of redundant health facility to form 14 dwellings and associated parking - approved under H05-0564-11. Modification of Condition 2 to allow amendments to previously approved plans - Approved 24 March 2016.

H05-0737-16 - Cond Comp - Details of existing and proposed site levels and proposed floor levels, contamination report, large scale details, foul surface water disposal, materials of construction and design and means of enclosure and external illumination (Conditions 2,4,15 (part), 17,18 and 19 of H05-0077-16). Approved 24 March 2020.

H05-1079-17 - Conversion of redundant health facility into 14 dwellings and erection of 18 terraced dwellings complete with parking facilities - approved under H05-0563-11 - Modification of Condition 2 to allow amendments to previously approved plans. Withdrawn February 2018.

H05-0128-18 - Full - Conversion of existing terraced dwelling (unit 14) to 2 apartments - Approved 24 March 2020.

H05-0129-18 - LBC - Conversion of existing terraced dwelling (unit 14) to 2 apartments - Approved 24 March 2020.

H05-0130-18 - Full - Conversion of existing terraced dwelling (unit 12) to 3 apartments - Approved 11 June 2018.

H05-0131-18 - LBC - Conversion of existing terraced dwelling (unit 12) to 3 apartments - Approved 11 June 2018.

H05-0636-19 - S73A - Conversion of redundant health facility into 14 dwellings and erection of 18 terraced dwellings with parking facilities - approved under H05-0077-16 - Removal of Condition 3 relating to affordable housing - Approved 24 March 2020.

H05-0780-19 - Cond Comp - Details of site management company responsible for upkeep of grounds, access roadway, etc (Condition 23 of H05-0077-16) - Refused 6 July 2023.

H05-0892-23 - Cond Comp - Details of the management company responsible for the upkeep of grounds, access roadway and footpaths, maintenance of buildings and waste disposal (Condition 23 of H05-0077-16) - Refused 20 December 2023.

Consultation Responses

LCC Highway and Lead Local Flood Authority

No objections.

SHDC Operations Manager

Waste is currently being collected on site subject to it being segregated and placed in the collection points as agreed. Anything left anywhere else on site will not be collected.

Environmental Services

Support this application regarding the clarification of waste arrangements. Previous arrangements have led to an increase of rodent activity due to poor waste management by some residents.

Planning Considerations

The application is to discharge condition 23 of H05-0077-16, which is as follows:

"Prior to the first occupation of the development hereby permitted the applicant shall submit to and have approved in writing by the Local Planning Authority details of a site management company responsible for the upkeep of grounds, access roadway and footpaths, maintenance of buildings and waste disposal. The management company shall be formed in accordance with the details so approved before the development is first occupied, and shall thereafter remain in place.

Reason: To ensure that the site is maintained and household waste disposed of in a satisfactory way, in the interests of the amenities of residents.
This Condition is imposed in accordance with Policy SG17 of the South Holland Local Plan 2006."

The applicant has indicated that the management company in this case is Holbeach Property Management Company Ltd. The Articles of Association for the management company state that the Company's objects include the following: "to provide services of every description in relation to the Managed Property and to maintain, repair, renew, redecorate, repaint, clean, construct, alter and add to the Managed Property and to arrange for the supply to it of services and amenities and the maintenance of the same and the cultivation, maintenance, landscaping and planting of any land, gardens and grounds comprised in the Managed Property and to enter into contracts with builder, tenants, contractors and others and to employ appropriate staff and managing or other agents accordingly". This appears to cover the management company's responsibilities in condition 23, with the exception of waste. Waste disposal could be included within "services" but it is understood that this is not the developer's intention.

The current proposal is that general and recycled waste will be stored in designated bin stores along the eastern and western boundaries of the premises ready for collection by SHDC on refuse collection days. The applicant has advised residents of the procedure that needs to be undertaken and has submitted an indemnity agreement. SHDC Operational Services are presently undertaking this arrangement subject to the waste being stored strictly in accordance with the submitted details. Waste stored anywhere else on the premises or not in accordance with the submitted details is not being collected.

The proposed arrangement is considered acceptable and will satisfactorily resolve the matter. Residents have been reminded of their responsibilities by the developer. Previously, some residents were depositing refuse in the bin stores, etc on site that was not being collected or put out for collection on a regular basis. Alternatively, some were depositing bags at the site's entrance for considerable periods of time awaiting collection by South Holland District Council. This arrangement was materially harmful to the amenity of both existing occupiers on the site and also that of nearby or neighbouring residents.

Recommendation

That condition 23 of H05-0077-16 be discharged.