DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H09-0363-25**	**Applicant:**	**Ashwood Homes**
Proposal:	Details of construction management plan & method statement, estate road & associated footways that forms junction with main road shall be laid out & constructed to finished surface levels, frontage footways from development site on to Fen Road with pedestrian crossing points & tactile paving to connect development to existing footway network, public art, materials, signage, utilities & other street furniture as part of the public realm, timetable & programme of works & water consumption (Conditions 4, 5, 7, 8, 9 & 11 of H09-1044-23)		
Location:	Land Off Hallgate & Fen Road Holbeach Spalding		
Terminal Date:	10th June 2025		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

02	Development Management
03	Design of New Development
04	Approach to Flood Risk
28	The Natural Environment
30	Pollution
31	Climate Change and Renewable and Low Carbon Energy
36	Vehicle and Cycle Parking

National Guidance

National Planning Policy Framework December 2024

Section 9: Promoting Sustainable Transport
Section 12: Achieving Well-designed Places
Section 14: Meeting the Challenges of Climate Change, Flooding and Coastal Change
Section 15: Conserving and Enhancing the Natural Environment.

Representations:

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

CASE OFFICER ASSESSMENT

Proposal

This application seeks to discharge several conditions attached to planning permission H09-1044-23 for the residential development of 285 dwellings. The relevant conditions seeking discharge are; Condition 04 (Construction Management), Condition 05 (Estate Road and Footways), Condition 07 (Fen Road Off Site Works), Condition 08 (Signage and Utilities), Condition 09 (Road Timetable and Phasing Plan) and Condition 11 (Water Consumption).

Site Description

The site is located within the settlement boundary of Holbeach and forms part of a large residential housing site with an outline consent for 900 dwellings. The site is divided into phases, Phase 3 was granted consent for 285 dwellings in November 2023 under planning permission reference H09-1044-23.

History

H09-1044-23: Erection of 285 dwellings including parking, public open space, drainage, infrastructure, landscaping, access, appearance, layout and scale (Phase 3). Outline approval H09-0521-14 and re-submission of H09-0845-22 and H09-1118-22. Approved 08.09.2024.

H09-0775-24: Details of construction management plan and method statement (Condition 04 0f H09-1044-23). Approved 23.10.2024.

H09-0133-25: Details of estate road phasing and completion (Condition 06 of H09-1044-23). Approved 05.03.2025.

Consultation Responses

Highway and Lead Local Flood Authority

No objection to the discharge of the conditions.

Environmental Protection

The Construction Management Plan arrangements are satisfactory.

Planning Considerations

Condition 04 Wording

The development hereby permitted shall be undertaken in accordance with a Construction Management Plan and Method Statement that shall first be approved in writing by the Local Planning Authority. The Plan and Statement shall indicate measures to mitigate the adverse impacts of vehicle activity and the means to manage the drainage of the site during the construction stage of the permitted development. It shall include:

· the phasing of the development to include access construction;
· the on-site parking of all vehicles of site operatives and visitors;
· the on-site loading and unloading of all plant and materials;
· the on-site storage of all plant and materials used in constructing the development;
· wheel washing facilities;
· the routes of construction traffic to and from the site including any off-site routes for the disposal of excavated material and;
· 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 (temporary or permanent) connect to an outfall (temporary or permanent) during construction.

The reason for the condition is:

In the interests of the safety and free passage of those using the adjacent public highway and to ensure that the permitted development is adequately drained without creating or increasing flood risk to land or property adjacent to, or downstream of, the permitted development during construction.
This Condition is imposed in accordance with Policies 2, 3, 4 and 36 of the South East Lincolnshire Local Plan, 2019.

Condition 04 Detail

Condition 04 was discharged under application reference H09-0775-24. The application advises an updated construction management plan has been submitted for discharge which will take effect once the site roads are constructed as indicated on the estate road phasing plan (drawing 137-ERP-01), discharged under application reference H09-0133-25.

The highway authority and Environmental Protection Officer have no objection to this updated construction management plan and as such condition 04 may be discharged.

Condition 05 Wording

Before any dwelling is occupied, all of that part of the estate road and associated footways that forms the junction with the main road and which will be constructed within the limits of the existing highway, shall be laid out and constructed to finished surface levels in accordance with details to be submitted to, and approved in writing by, the Local Planning Authority.

The reason for the condition is:

In the interests of safety, to avoid the creation of pedestrian trip hazards within the public highway from surfacing materials, manholes and gullies that may otherwise remain for an extended period at dissimilar, interim construction levels.
This Condition is imposed as a result of Policy 36 of the South East Lincolnshire Local Plan, 2019.

Condition 05 Detail

The highway authority has no objection to the submitted details and advises the condition may be discharged.

Condition 07 Wording

The development hereby permitted shall not be occupied before frontage footways from the development site on to Fen Road with pedestrian crossing points and tactile paving, to connect the development to the existing footway network, has been provided in accordance with details that shall first have been submitted to, and approved in writing by, the Local Planning Authority. The works shall also include appropriate arrangements for the management of surface water run-off from the highway.

The reason for the condition is:

To ensure the provision of safe and adequate pedestrian access to the permitted development, without increasing flood risk to the highway and adjacent land and property.
This Condition is imposed as a result of Policy 36 of the South East Lincolnshire Local Plan, 2019.

Condition 07 Detail

The highway authority has no objection to the submitted details and advises the condition may be discharged.

Condition 08 Wording

Notwithstanding the submitted details, prior to its installation, details of public art, materials, signage, utilities and any other street furniture as part of the public realm shall be submitted to and approved by the Local Planning Authority.

The reason for the condition is:

To ensure that the Local Planning Authority retains control over the details associated with the public realm 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 Policies 2 and 3 of the South East Lincolnshire Local Plan, 2019.

Condition 08 Detail

The submitted plans show the provision of a electricity substation within the site. This is modest in size, 4.4metres by 4.4metres with a pyramid roof constructed from facing brick with a tiled roof. The structure is sited in a position that will not affect residential amenity, and the size, scale and design are considered acceptable in terms of visual amenity. The submitted drawing also shows the provision of several highway signs appropriately located at the junction of estate roads.

The submitted details are considered acceptable and this condition may be discharged.

Condition 09 Wording

Notwithstanding the submitted details, prior to first occupation, a timetable and programme of works associated with the completion of the spine road and provision of the access to Fen Road shall be submitted to and approved by the Local Planning Authority.

The reason for the condition is:

To ensure that the Local Planning Authority retains control over the details associated with the spine road network.
This Condition is imposed in accordance with Policies 2, 3 and 36 of the South East Lincolnshire Local Plan, 2019.

Condition 09 Detail

The highway authority has no objection to the submitted details and advises the condition may be discharged.

Condition 11 Wording

The water consumption of each dwelling hereby permitted should not exceed the requirement of 110 litres per person per day (as set out as the optional requirement in Part G of the Building Regulations 2010 and the South East Lincolnshire Local Plan, 2019). The person carrying out the work must inform the Building Control Body that this duty applies. A notice confirming the requirement for the water consumption has been met shall be submitted to the Building Control Body and Local Planning Authority, no later than five days after the completion of each individual dwelling.

The reason for the condition is:

To protect the quality and quantity of water resources available to the district. This Condition is imposed in accordance with Policy 31 of the South East Lincolnshire Local Plan, 2019.

Condition 11 Detail

Water calculations have been provided, these show the water consumption per person per day for open market and shared ownership properties will be 104.1 litres. A separate calculation has been provided for rented properties which states the water consumption per person per day for these dwellings will be 107.9 litres.

These figures do not exceed the threshold permitted under the terms of condition 11 and in this regard the condition may be discharged.

Conclusion

The submitted details are considered acceptable.

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.

Recommendation

Conditions 04, 05, 06, 07, 08, 09 and 11 of application reference H09-1044-23 are discharged.