

DECISION DELEGATED TO HEAD OF PLANNING

Application No: H09-0775-24 **Applicant:** Ashwood Homes Ltd

Proposal: Details of Construction Management Plan and Method Statement
(Condition 4 of H09-1044-23)

Location: Jasmine Crescent Holbeach Spalding

Terminal Date: 7th November 2024

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

28 The Natural Environment
30 Pollution
31 Climate Change and Renewable and Low Carbon Energy

National Guidance

National Planning Policy Framework 2023

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	1	0	0	0
SOUTH HOLLAND INTERNAL DRAINAGE BOARD	0	0	0	1
SHDC INTERNAL	0	0	1	1

CASE OFFICER ASSESSMENT

Proposal

Details of Construction Management Plan and Method Statement (Condition 4 of H09-1044-23)

Site Description

As per host consent.

History

H09-0521-14 - Residential development of up to 900 dwellings, with access off Hall Gate and Fen Road, including public open space, drainage infrastructure, landscaping, including demolition of two dwellings and agricultural buildings (but not listed Manor Farm and adjacent buildings). Outline planning permission - Approved 07.12.16.

H09-0331-17 - Application for access, appearance, landscaping, layout and scale for highways infrastructure (new link road, roundabout, junctions and modifications to Hall Gate and Fen Road (Phase 1A)), and two phases of residential development totalling 330 dwellings (Phases 1B and 2). Development Brief and Masterplan for phased development of remainder of site (Outline permission H09-0521-14) at Manor Farm, Fen Road (Land south of Hall Gate) Holbeach. Reserved Matters - Approved 09.11.17.

H09-0416-19 - Modification of Section 106 agreement to: -Reduce the percentage of affordable housing from 33.3% to 25% of the remaining balance of 570 dwellings; -Manor Farmhouse scheme to be submitted by the 100th occupation; -Indexation calculation to commence as each phase starts. Approved 12.06.19.

The Section 106 agreement with the outline permission (H09-0521-14) sought to provide policy compliant affordable housing but also included a viability review mechanism. The reserved matters application included a significant amount of upfront infrastructure which would service the whole development, i.e. the roundabout, main roads and drainage. The developer submitted a viability report which was independently checked on behalf of the Council. The result of this was, it was accepted on the basis of the viability evidence that the first phases of development of 330 dwellings could not support the provision of any affordable housing units.

H09-1172-20 - Erection of a 66 bed two storey care home for the elderly with access, car parking and associated works. Approved 28.04.21.

H09-0845-22 - Land to the West of Fen Road - Erection of 100 dwellings with associated parking, roads and drainage. Withdrawn 16.11.23.

H09-1118-22 - Holbeach Meadows - Reserved Matters - Erection of 170 dwellings including parking, public open space, drainage, infrastructure and landscaping (Phase 3) - outline approval H09-0521-14. Withdrawn 16.11.23.

H09-1093-22 - Holbeach Meadows - Revised S106 Application - Modification of 106 Agreement relating to affordable housing - planning approval H09-0521-14. Approved 05.03.24.

This application modified the overall Section 106 agreement to reduce the number of affordable housing units to 140, reduced the overall payment to Peppermint Junction to £900,000 and altered other trigger levels associated with the agreement enabling later payments for various pieces of infrastructure. The amount associated with Education contributions of £2,159,920 remains unchanged, as does the requirement to provide a serviced parcel of land for Education, plus the restoration of Manor Farm House to use as a community facility. The £5,000 town centre regeneration payment, the £150,000 Traffic Signals contribution, The £40,000 'CallConnect' Bus contribution and a £290,000 'CallConnect' Bus Service Maintenance contribution are still required as part of the legal agreement.

H09-1031-22 - Holbeach Meadows - Section 73 Application - Access, appearance, landscaping, layout and scale for highways infrastructure (new link road, roundabout, junctions and modifications to Hall Gate and Fen Road (Phase 1A)), and two phases of residential development totalling 330 dwellings (Phases 1B & 2). Development Brief and Masterplan for phased development of remainder of site (Outline permission H09-0521-14) - approved under H09-0331-17. Modification of Condition 1 to allow amendments to previously approved plans. Approved subject to S106 agreement. Approved 11.03.24.

H09-0598-23 - Manor Farm - Change of use from farmhouse and outbuilding to community use. Approved 12.03.24.

H09-0591-23 - Manor Farm - Listed Building Consent - Demolition of modern additions and refurbishment of farm house and outbuilding to provide community facilities. Approved 12.03.24.

H09-0219-23 - Holbeach Meadows Phase 2B, Land off Hall Gate - Access, appearance, landscaping, layout and scale for highways infrastructure (new link road, roundabout, junctions and modifications to Hall Gate and Fen Road (Phase 1A)), and two phases of residential development totalling 330 dwellings (Phases 1B & 2). Development Brief and Masterplan for phased development of remainder of site (Outline permission H09-0521-14) - approved under H09-0331-17. Modification of Condition 1 to allow amendments to previously approved plans. Approved 8 May 2024.

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 9 September 2024.

Consultation Responses

Local Lead Highways and Flood Authority

Initial Response dated 11 October 2024

The construction management plan is read in conjunction with the S38 design submission to this Authority as they go hand in hand with one another. We are unable to discharge the condition for the CMP without technical approval for the S38 Agreement. Should anything be picked up at the s38 technical review that could potentially influence changes to the CMP, of which we have agreed to be discharged, then the applicant does not have to agree to any of our comments to mitigate our concerns. We have always taken this approach.

Response dated 16 October 2024

Having spoken to our delivery team who undertake S38 design submissions for technical approval and our street works team, I can advise that the details shown on the CMP and MS are acceptable with this Authority and the discharge of Condition 4 would be acceptable to proceed with no objections.

SHDC Environmental Protection

No comments.

The construction management plan submitted is acceptable to Environmental Protection.

Planning Considerations

Condition 4 of H09-1044-23

"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.

Reason: 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."

U]Condition Detail

A construction management plan has been submitted together with a drawing reference 13-CMP-01 together with a further plan showing a Filter Strip & Infiltration Trench Detail.

The Construction Management plan is to use the compound/storage area of the land allocated to the education facility, lists site safety equipment to be worn, areas of no works (over the existing Anglian Water Main), areas which have no access to construction traffic, and has a key which sets out compound storage, site ingress and egress, the sales complex, the main site Haul Road access from Fen Road, the proposed site roads to be constructed, areas demarcated for traffic in and out, the site boundary, Heras Fencing and existing hedgerows.

The Construction Environmental Management Plan details site management including site personnel, development site layout and welfare arrangements, managing materials, site storage, and good housekeeping. It includes sections on community liaison, including a complaints procedure, implementation, monitoring and corrective action, site operations, deliveries, loading and unloading, noise and vibration, dust, air quality, mud, artificial lighting, waste management, soil/land management, surface water management during the construction phase, construction phase maintenance, drainage maintenance and an incident action plan.

The details are considered satisfactory and therefore can be discharge.

Conclusion

The proposals are considered acceptable. Discharge Condition 4.

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.