

## DECISION DELEGATED TO HEAD OF PLANNING

**Application No:** H09-0867-19      **Applicant:** Ashley King Developments Ltd

**Proposal:** Details of Conditions 3, 4, 5, 6, 7, 8, 9, 10, 11, 13, 14, 15 and 16 of H09-0706-19

**Location:** Land Off: Balmoral Way Holbeach Spalding

**Terminal Date:** 24th January 2024

### 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 |

#### National Guidance

#### National Planning Policy Framework 2023

Section 2. Achieving sustainable development.  
Section 12. Achieving well designed and beautiful places.  
Section 14. Meeting the challenge 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       | 2        |
| OTHER STATUTORY BODIES  | 0      | 0       | 0       | 2        |

## **CASE OFFICER ASSESSMENT**

### **Proposal**

The application is to discharge conditions 3, 4, 5, 6, 7, 8, 9, 10, 11, 13, 14, 15 and 16 of H09-0706-19. The development is largely complete and occupied.

### **Site Description**

The site amounts to 1.75 hectares and is on the north-east of the existing built up estate, including Balmoral Way, through which access is taken for the new dwellings.

The properties on the existing estate to the west include fairly large detached houses. A detached bungalow is located to the south off Foxes Low Road. Land to the east has consent for 81 dwellings (ref. H09-0613-21).

### **History**

H09-0288-15 - Proposed residential development comprising 36 dwellings - Full - Approved February 2018.

H09-0706-19 - S73 - Proposed residential development comprising 36 dwellings - Approved under H09-0288-15. Modification of Condition 2 to allow amendments to previously approved plans - Approved 21 November 2019.

H09-0707-19 - Modification of 106 Agreement to reduce the level of affordable housing from 12 to 9 units - planning approval H09-0288-15 - Approved 26 November 2019,

H09-0902-20 - Modification of 106 Agreement (planning approval H09-0288-15) and Deed of Variation (H09-0707-19) to change the definition of 'chargee', update exemptions and amend mortgage exemption clause - Approved 2 December 2020.

### **Consultation Responses**

#### **LCC Highway and Lead Local Flood Authority**

Does not wish to restrict the grant of permission.

#### **SHDC Building Control**

We are satisfied that the floor design being installed on site suits the requirements of the ground investigation report dated 31st July 2015, i.e. suspended, ventilated floor with an additional low permeability gas membrane. However, not in a position to confirm this will be enough information to satisfy Environmental Protection.

#### **Environmental Protection**

Recommend discharge of condition 4 of H09-0706-19.

#### **Anglian Water**

The proposed foul water details (as per drawing Drainage GA - AHL1437-01-DR-002) are acceptable.

### **Planning Considerations**

Condition 3 (materials) - The proposed bricks include a combination of red, red multi, cream and cream multi. The dwellings have been constructed. Roofing materials are slate, and natural red or red brown tiles. The details are considered acceptable.

Condition 4 (contamination) - Environmental Protection have reviewed the information submitted and recommend discharge of condition 4 of H09-0706-19.

Condition 5 (flood risk) - The condition specifies that finished floor levels be set at 3.6m aOD and be

two storey. The development has been constructed and is considered acceptable. The recommended measures are outlined within the supporting letter dated 4 December 2019.

Condition 6 (existing/proposed site levels) - The submitted details shown on the external works plan are satisfactory. The development has been constructed and is considered acceptable.

Condition 7 (drainage) - Foul water is to be discharged into the mains via the existing foul sewer system serving Balmoral Way.

Condition 8 (soakaway system) - Surface water from the roofs discharges into soakaway under permeable drives. In respect of the highway network, the applicant has stated that discharge to a soakaway or other infiltration system was not practicable as the depth and size of soakaway required exceeded the specification for installation of soakaways close to the water table and as such this method was discounted. Discharge to an IDB watercourse as shown on the general arrangement drawing was therefore chosen. Approval notices to confirm this was agreed and accepted by South Holland IDB also the Local Lead Flood Authority have been submitted. Anglian Water have had no involvement because of no discharge to a surface water sewer.

Condition 9 (landscaping) - The landscaping scheme includes native tree planting, plus shrub planting, including within the public open space.

Maintenance of the planting within the plot boundaries will be the responsibility of the homeowner. The public open space areas will be maintained by the management company, Encore Estate Management.

Condition 10 (boundary treatment) - Boundary treatment includes hedging along open boundaries and 1.8m close boarded fencing where rear gardens adjoin public open space, neighbouring residential properties, etc. Properties adjoining Primrose Holt include 1.8m high close boarded fencing along their rear (south-eastern) boundary.

Condition 11 (play area) - The scheme includes a LAP play area.

condition 13 (open space management) - The application is accompanied by a public open space maintenance plan and estate management overview, which indicates that the areas would be maintained by a management company.

Condition 14 (roads and footways) - The roads and footways are largely complete. LCC Highways have raised no objections.

Condition 15 (construction management) - The construction management plan included access arrangements off Battlefields Lane South, plus a storage compound, car parking, emergency access off Foxes Low Road, etc. The development has now been completed.

Condition 16 (domestic accoutrements) - Some of the properties have meter boxes on the front elevations. However, the development has been completed and there is not considered to be sufficient reason to resist this given the site's location towards the rear of the estate.

## **Conclusion**

That conditions 3, 4, 5, 6, 7, 8, 9, 10, 11, 13, 14, 15 and 16 of H09-0706-19 be discharged.