DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H11-0979-25**	**Applicant:**	**Seagate Homes**
Proposal:	Details of management plan, management and maintenance schedule (Conditions 13 and 15 of H11-0289-25)		
Location:	Four Acres 36 Lime Walk Long Sutton		
Terminal Date:	5th December 2025		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

National Guidance

National Planning Policy Framework December 2024

Section 12 - Achieving well-designed places
Section 15 - Conserving and enhancing the natural environment

Representations:

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

CASE OFFICER ASSESSMENT

Proposal

This is a discharge of conditions application providing details of management plan, management and maintenance schedule (Conditions 13 and 15 of H11-0289-25).

Condition 13 relates to the management and maintenance schedule for the areas of landscaping, incidental open space, refuse/recycling collection points and parking courts/private drives. Condition 15 relates to a management plan for the areas of publicly accessible open space and any outdoor play areas, including management responsibilities and maintenance schedules.

Planning permission H11-0289-25 is itself a Section S73 application, which varied the original permission, H11-0842-23.

Site Description

The application site relates to a housing allocation Los008 (which abuts Los026) the allocation site area is 1.72ha approximately (though this includes an existing dwelling and its curtilage) and the

allocation sets a capacity for 34 number dwellings.

Number 36 Lime Walk is located immediately to the west. Phase 1 (70 dwellings) is located to the southwest on the opposite side of a LCC footpath and estate (Anfield Road/Magpie Close) A play area is located to the south east and thereafter residential properties off St John Swains Way.

The application site abuts the open countryside along its northern boundary and recreational open space to its east. To the south the settlement is located and Lime Walk runs along the west.

History

H11-0994-FULL - Residential Development comprising of 56 dwellings. Appeal Allowed
H11-0842-23 - Residential development comprising 48 dwellings - re-submission of H11-0994-22. Allowed at Appeal
H11-0418-25 - Details of Construction Method Statement (Condition 3 of H11-0842-23). Approved 25-06-25
H11-0289-25 - Residential development comprising 48 dwellings approved under H11-0842-23 (allowed on Appeal). Modification of Condition 2 to allow amendments to previously approved plans and Conditions 17 and 18 relating to finished floor levels. Approved 15-08-25
H11-0590-25 - Details of Biodiversity Net Gain Plan (Condition 10 of H11-0842-23) - approved on Appeal. Approved 05-08-25

Consultation Responses

Highways & SuDs

No Objections 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 would not be expected to have an unacceptable impact upon highway safety or a severe residual cumulative impact upon the local highway network or increase surface water flood risk and therefore does not wish to object to this planning application. Comments: The Highway and Lead Local Flood Authority does not wish to make comment on Condition no. 13 & 15 as this was not requested by ourselves and the authority has no objection to its discharge

Planning Considerations

Condition 13 - Management and Maintenance Schedule

The condition requires:

Prior to the occupation of any dwelling hereby permitted, details of the management and maintenance schedule for the areas of landscaping, incidental open space, refuse/recycling collection points and parking courts/private drives shall be submitted to and approved in writing by the Local Planning Authority

The applicant has provided:

-Maintenance and Conveyance Plan
-Public Open Space, Landscape & Management Plan

The above documents show how the landscaping, open space and parking courts are all managed and maintained. The Maintenance and Conveyance Plan show areas to be adopted and areas that are transferred to the responsibility of a management company. All other areas are privately owned with access to the rear of all plots to allow for refuse to be brought in and out.

The information contained within these document is sufficient top discharge condition 13.

Condition 15 - Management Plan

The condition requires:

A management plan for the areas of publicly accessible open space and any outdoor play areas, including management responsibilities and maintenance schedules, shall be submitted to and

approved in writing by the Local Planning Authority prior to the commencement of the development hereby permitted beyond oversite. The management of these areas shall be carried out in accordance with the details so approved.

The applicant has provided:

-Maintenance and Conveyance Plan
-Public Open Space, Landscape & Management Plan

A section within the Maintenance and Conveyance Plan is directly related to the management of open space and any outdoor play areas. The document includes a section on 'Habitat Management' and 'other general maintenance' the schedule of these works and the management of the spaces is considered appropriate.

The information presented in these document, and that visually displayed in the plans is sufficient to discharge the said condition.

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.

Conclusion

Conditions 13 and 15 of H11-0289-25 are hereby discharged.