

DECISION DELEGATED TO HEAD OF PLANNING

Application No: H13-0464-25 **Applicant:** Allison Homes

Proposal: Details of verification report (Condition 8 of H13-0483-24)

Location: Land North Of Roman Road Moulton Chapel Spalding

Terminal Date: 11th July 2025

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

30 Pollution

National Guidance

National Planning Policy Framework December 2024

Section 15 - Conserving and enhancing the natural environment

Representations:

	Object	Support	No Obj.	Comments
SHDC INTERNAL	0	0	0	1

CASE OFFICER ASSESSMENT

Proposal

This is a discharge of conditions application providing details of a verification report attached as Condition 8 of planning permission H13-0483-24.

Site Description

The site (3.9 ha) is located on the northern side of Roman Road and was formerly agricultural land, it now benefits from planning permission to erect 86 number dwellings. A drain runs along its northern boundary with agricultural land beyond.

Nearby dwellings are located to the south off Roman Road, including nos. 52 and 58 adjacent the new access roadway. Land associated with Greystones is situated to the east and residential development off Braybrooks Way, Wiles Avenue and Benton Close to the west.

History

H13-0483-24 - Erection of 86 dwellings and associated works - approved under H13-1215-18. Modification of Condition 2 to allow amendments to previously approved plans. 11-09-24

H13-1215-18 - Full - Erection of 86 dwellings and associated works - Approved 8 March 2021.

H13-0846-21 - Cond Comp - Details of external materials, boundary treatment & construction management (Conditions 3, 5 & 7 of H13-1215-18) - Withdrawn 10 October 2022.

H13-0977-21 - Cond Comp - Details of scheme to deal with contamination, estate road & footways, surface water drainage & foul water drainage including connection points & discharge rates (Conditions 9, 15, 16 & 17 of H13-1215-18) - Withdrawn 10 October 2022.

H13-1082-21 - Cond Comp - Details of existing & proposed site levels & floor levels and hard surfaced areas (Condition 6 of H13-1215-18) - Refused 9 June 2022.

H13-0352-22 - Cond Comp - Details of scheme of landscaping and means of storage & disposal of refuse & recycling (Conditions 4 & 12 of H13-1215-18) - Withdrawn 13 October 2022.

H13-0606-22 - Cond Comp - Details of existing & proposed site levels & proposed floor levels of the buildings & hard surfaced areas (Condition 6 of H13-1215-18) - Withdrawn 13 October 2022.

H13-0876-22 - Cond Comp - Details of archaeological investigation. (Condition 20 of H13-1215-18) - Withdrawn 18 October 2022.

H13-0988-22 - Cond Comp - Details of external materials, landscaping, boundary treatments/screening, existing and proposed site levels/floor levels, construction management, contamination and pollution, storage and disposal of refuse and recycling, estate road and footways finished surface levels, surface water drainage scheme, foul water drainage works and archaeological investigation. (Conditions 3, 4, 5, 6, 7, 9 (parts i-iii), 12, 15, 16, 17 & 20 of H13-1215-18) - Refused 22 March 2023.

H13-0709-23 - Cond Comp - Details of external materials, landscaping, boundary treatments & screening, existing & proposed site levels & floor levels, construction management, contamination & pollution, storage & disposal of refuse & recycling, estate road & footways finished surface levels, surface water drainage scheme, foul water drainage works & archaeological investigation (Conditions 3, 4, 5, 6, 7, 9 (parts i-iii), 12, 15, 16, 17 & 20 of H13-1215-18) - Approved 5 October 2023.

H13-1111-23 - Cond Comp - Details of management plan for publicly accessible open space and details of equipped children's play area (Conditions 10 and 11 of H13-1215-18) - Approved 7 March 2024.

H13-0511-24 - Cond Comp - Details of construction management scheme (Condition 7 of H13-1215-18) - Approved 25 July 2024.

Consultation Responses

Environmental Protection Officer

I have reviewed the 'EPS Response to Details of verification report (condition 8 of H13-0483- 24)- Land North of Roman Road, Moulton Chapel' document dated 15th May 2025 and EPS materials management plan- verification report, project reference: UK21.5680e, dated 23rd April 2024 issue 1. I am in agreement with the findings of these documents and recommend that condition 8 of H13-0483-24 is fully discharged.

Planning Considerations

Condition 8 - Verification Report

The condition requires:

A full copy of a verification report shall be submitted to, and approved in writing by, the Local Planning Authority prior to the first occupation of the development. The report shall provide verification that the required works regarding contamination have been carried out in accordance with the approved Method Statement(s). Post-remediation sampling and monitoring results shall be included in the closure report to demonstrate that the required remediation objectives and criteria has been fully met.

The applicant has provided the following documents:

- Ground Investigation Report - 26th October 2018 - Issue 1
- Supplementary Ground Investigation Report - 26th January 2024 - Issue 1
- Materials Management Plan - Verification Report - 23rd April 2024 - Issue 1
- Test Report - 19/12/2023
- Phase I Geo-Environmental Desk Study - 26th January 2023 - Issue 3

The Environmental Protection Officer has reviewed the above information and considers it sufficient to discharge the condition. Condition 8 based upon this information is therefore discharged.

Conclusion

Condition 8 of planning permission H13-0483-24 is hereby Discharged.

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.