SOUTH HOLLAND DISTRICT COUNCIL

Report of: **Development Manager**

To: **Planning Committee - 04 September 2024**

(Author: **Mark Niland - Planning Officer)**

Purpose: **To consider Planning Application H13-0483-24**

Application Number:	H13-0483-24	**Date Received:**	30 May 2024
Application Type:	S73A CONTINUATION		
Description:	Erection of 86 dwellings and associated works - approved under H13-1215-18. Modification of Condition 2 to allow amendments to previously approved plans		
Location:	Land North Of: Roman Road Moulton Chapel Spalding		
Applicant:	Allison Homes East	**Agent:**	Allison Homes East
Ward:	Cowbit, Weston and Moulton	**Ward Councillors:**	Cllr T E Sneath Cllr A Casson Cllr A R Woolf

You can view this application on the Council's web site at
http://planning.sholland.gov.uk/OcellaWeb/planningDetails?reference=H13-0483-24

1.0 REASON FOR COMMITTEE CONSIDERATION

1.1 The proposal raises issues that warrant consideration by Planning Committee.

2.0 PROPOSAL

2.1 The site has full planning permission for the erection of 86 dwellings consisting of 8 no. 2 bed, 35 no. 3 bed, 38 no. 4 bed and 5 no. 5 bed properties (ref. H13-1215-18). The permission is accompanied by a S106 planning obligation for the provision of affordable housing (12 properties - approximately 14%), public open space, plus education (£112,764) and healthcare facilities (£28,380) contributions. A subsequent condition compliance application was granted in relation to such matters as existing/proposed ground levels, boundary treatment, surface water/foul drainage, etc (ref. H13-0709-23).

2.2 This application is to revise the scheme, through a Section 73 application. The applicant has indicated that 44 plots have been revised "through introducing Allison Homes' new house type range and sales mix to reflect current market need". Some of the other plots have been re-positioned as result. It should also be noted that the name of the plots has been revised (eg, plot 1 is now plot 101). The density is approximately 22 units per hectare (8.8 units/acre) as previously.

2.3 The approved and proposed range of dwelling types are outlined below:

Approved Scheme:
1 Bed - 0
2 Bed - 8
3 Bed - 35

4 Bed - 38
5 Bed - 5
Bungalow - 3

Terraced - 9
Semi Detached - 22
Detached - 55

2.4 Proposed Scheme:
1 Bed - 0
2 Bed - 7
3 Bed - 43
4 Bed - 35
5 Bed - 1
Bungalow - 13

Terraced - 9
Semi Detached - 24
Detached - 53

2.5 For clarity, the overall number of plots remains at 86. There are no significant changes to the approved levels, road layout, POS, etc. The S106 affordable housing units are also unaffected. The biggest change is the inclusion of 10 no. single storey bungalows to replace houses, predominantly along the western boundary of the development adjoining the existing property boundaries.

A Deed of Variation to the S106 would need to be drafted to tie the existing obligations to any new permission.

3.0 SITE DESCRIPTION

3.1 The site (some 3.9 ha) is located on the northern side of Roman Road and was formerly agricultural land. A drain runs along its northern boundary with agricultural land beyond.

3.2 Frontage 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.

4.0 RELEVANT PLANNING POLICIES

4.1 **The Development Plan**

South East Lincolnshire Local Plan, March 2019

Policy 1 - Spatial Strategy;
Policy 2 - Development Management;
Policy 3 - Design of New Development;
Policy 4 - Approach to Flood Risk;
Policy 10 - Meeting Assessed Housing Requirements;
Policy 11 - Distribution of New Housing;
Policy 17 - Providing a Mix of Housing;
Policy 18 - Affordable Housing;
Policy 28 - The Natural Environment;
Policy 30 - Pollution;
Policy 31 - Climate Change and Renewable and Low Carbon Energy;
Policy 36 - Vehicle and Cycle Parking.

If regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts, Section 38 (6) of the Planning and Compulsory Purchase Act 2004, as amended states that the determination must be made in accordance with the plan unless material considerations indicate otherwise.

National Guidance

National Planning Policy Framework (NPPF), December 2023

Section 2 - Achieving Sustainable development;
Section 3 - Plan Making;
Section 4 - Decision Making;
Section 5 - Delivering a Sufficient Supply of Homes;
Section 11 - Making Effective Use of Land;
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 Historic Environment.

Planning Practice Guidance (PPG)

5.0 RELEVANT PLANNING HISTORY

5.1 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.

6.0 REPRESENTATIONS

6.1 Moulton Parish Council

No response.

6.2 LCC Highways/SUDS

No objections.

6.3 South Holland Internal Drainage Board

The Board has issued Land Drainage Consent for the discharge of surface water to the watercourse along the northern boundary of the site. Should the amended plans result in any changes to the approved Drainage Strategy (e.g. any increase in the contributing impermeable area to be positively drained from the development), then we ask that the applicant contacts the Board to make us aware of any such amendments. The Board has no further comments to make.

6.4 Environment Agency

We did not recommend Condition 2 on application H13-1215-18 and therefore have no comment to make on this application (H13-0483-24).

6.5 SHDC Environmental Protection

No comments or amendments.

6.6 SHDC Building Control

The build-up of private roads needs to be such that access is provided to Fire Service vehicles with a weight of 18 tonnes.

6.7 Anglian Water

There is no new information pertaining to drainage and we have no further comments to make.

6.8 LCC Historic Environment Officer

No objection to Modification of Condition 2.

6.9 Lincolnshire Police

No objections. Refer to guidance on crime prevention.

6.10 Public

This application has been advertised in accordance with the Development Procedure Order and the Council's Statement of Community Involvement. In this instance, objections have been received (summarised).
- No local facilities. No room in local school. No shops, doctors, dentist.
- Where is food going to be grown?
- Don't want another ski slope.

7.0 CONSIDERATIONS

7.1 Evaluation

7.2 Section 38 (6) of the Planning and Compulsory Purchase Act 2004, as amended, requires that the Local Planning Authority makes decisions in accordance with the adopted Development Plan, unless material considerations indicate otherwise.

7.3 In this case, the adopted South East Lincolnshire Local Plan 2011-2036, adopted March 2019, forms the development plan for the District, and is the basis for decision making in South Holland. The relevant development plan policies are detailed within the report above.

7.4 The policies and provisions set out in the National Planning Policy Framework (December 2023) are also a material consideration in the determination of planning applications, alongside adopted Supplementary Planning Documents.
Furthermore, where a Neighbourhood Plan has been adopted, this alongside the adopted Local Plan, forms part of the Development Plan for the District, and must be considered when assessing development proposals. In this instance, no relevant neighbourhood plans have been adopted.

7.5 The Authority is able to demonstrate a supply of deliverable sites equivalent to in excess of 5 years through the latest Housing Land Supply Assessment.

7.6 **Planning Considerations**

7.7 The purpose of an application made under Section 73 of the Town and Country Planning Act 1990 is to vary or remove conditions associated with an existing planning permission. These applications are used to allow for amendments to an approved scheme and can be made both retrospectively and prior to a permission being implemented, so long as the permission is extant.

7.8 The Act is very clear that: "On such an application the Local Planning Authority shall consider only the question of the conditions subject to which planning permission should be granted." As such, the Local Planning Authority are not able to revisit the principle of development and only matters relevant to the specific conditions can be considered.

7.9 The Planning Practice Guidance, under Paragraph 31, details this further by stating that "In deciding an application under Section 73, the Local Planning Authority must only consider the disputed condition/s that are the subject of the application - it is not a complete re-consideration of the application".

7.10 For the purpose of clarity, decision notices for the grant of planning permission under Section 73 should set out all of the conditions imposed on the new permission, and reinstate the conditions imposed on earlier permissions that continue to have effect.

7.11 Taking all of the above into account, the Local Planning Authority are content that the proposed amendments can be considered under a variation application, via a Section 73 application.

7.12 In light of the above, the main issues are whether the revised scheme is acceptable in terms of dwelling mix, character/appearance, the likely impact upon the amenity of nearby residents, highway safety, flood risk, drainage, etc.

7.13 Dwelling Mix

7.14 Policy 17 of the SELLP states that the provision of new houses will seek to meet the long-term needs of the Plan area in order to maintain and provide mixed, inclusive and sustainable communities. Family homes of two or three bedrooms are in highest demand for both the market and affordable housing sectors.

7.15 The previously approved and proposed dwelling mixes are outlined earlier within the report, but for clarity comprise:

Approved Scheme:
1 Bed - 0
2 Bed - 8
3 Bed - 35
4 Bed - 38
5 Bed - 5
Bungalow - 3

Terraced - 9
Semi Detached - 22
Detached - 55

7.16 Proposed Scheme:
1 Bed - 0
2 Bed - 7
3 Bed - 43
4 Bed - 35
5 Bed - 1
Bungalow - 13

Terraced - 9
Semi Detached - 24
Detached - 53

7.17 The mix now proposed is considered acceptable, including the substitution of 10 houses by bungalows.

7.18 The proposal therefore complies with Policy 17 of the South East Lincolnshire Local Plan in this respect.

7.19 Character/Appearance

7.20 Section 12 of the National Planning Policy Framework (December 2023) specifically relates to 'Achieving well-designed and beautiful places' and details that the "creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve" and as such, it is generally accepted that good design plays a key role towards sustainable development.

Paragraph 135, contained within Section 12 of the National Planning Policy Framework (December 2023), states that new development should function well and add to the overall quality of the area (including beyond the short term) and should be visually attractive as a result of good architecture and appropriate landscaping. This goes on to establish that it is important that new development should be of the highest quality to enhance and reinforce good design characteristics, and that decisions must have regard towards the impact that the proposed development would have on local character and history, including the surrounding built environment and landscape setting such as topography, street patterns, building lines, boundary treatment and through scale and massing.

7.21 Development proposals should also ensure that developments create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users, among other considerations.

7.22 Likewise, Policy 2 of the South East Lincolnshire Local Plan outlines sustainable development considerations for development proposals, providing a framework for an operational policy to be used in assessing the sustainable development attributes of all development proposals. Furthermore, Policy 3 accords with the provisions of Section 12 of the National Planning Policy Framework, in that it requires development to comprise good design; identifying issues that should be considered when preparing schemes so that development sits comfortably with, and adds positively to, its historically-designated or undesignated townscape or landscape surroundings.

7.23 These policies accord with the provisions of the National Planning Policy Framework and require that design which is inappropriate to the local area, or which fails to maximise opportunities for improving the character and quality of an area, will not be acceptable.

7.24 Proposals for new development would therefore require the aforementioned considerations to be adequately assessed and designed, including the siting, design and scale to be respectful of surrounding development and ensure that the character of the area is not compromised.

7.25 The site is situated on the northern side of Roman Road and adjoins existing estate (depth) development to the west. Existing development nearby dates from pre 1900's to the present day, but is mostly 20th Century in construction. The historic village was first situated at the cross point of Roman Road and Woodgate Road. Today, the village has spread further along

these roads and to the east and west.

7.26 Existing development is a varied mixture ranging from single storey to 2 storey dwellings across the village. The properties are typically detached with some semi- detached and terraced dwellings. The materials used in the construction of village properties are also mixed and include a range of red, cream and grey brick. Some of the properties use white render and stone detailing to individualise the property.

7.27 The village also has a varying style of roof types. Slate, red and brown roof tiles are all materials identified across the village. Fenestration is typically in the form of uPVC casement windows.

7.28 The applicant has previously indicated that the design concept is a response to the site's opportunities and constraints and underpins the planning layout. The principle aim is to successfully manage the interface between existing and proposed development - along principally, the western edge of the site - and the transition between the site and the area of open countryside to the North and East.

7.29 The proposed dwellings are of varied design and appearance to reflect existing development nearby. Although some properties have been replaced by bungalows, this is considered acceptable. It is considered that the development would not materially harm the existing character or appearance of this part of the village. It would not affect the setting of Moulton Chapel Mill (grade II listed) or the Chapel of St. James (grade II* Listed), both of which are situated further to the southwest.

7.30 Taking the above into account, the proposal is considered to be acceptable. The proposal would not cause an adverse impact to the character or appearance of the area and no harm would be caused to the neabry heritage assets. Therefore, the proposal would be in accordance with policies 2, 3 and 29 of the South East Lincolnshire Local Plan and Section 12 of the National Planning Policy Framework (December 2023).

7.31 Residential Amenity

7.32 Policies 2 and 3 of South East Lincolnshire Local Plan (2019) set out that residential amenity and the relationship to existing development and land uses is a main consideration when making planning decisions.

7.33 Paragraph 135 of the National Planning Policy Framework (December 2023) states that development should create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

7.34 Frontage 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.

7.35 Vehicular access to the site is between nos. 52 and 58 Roman Road. The proposed dwellings along the northern and eastern perimeters would overlook open land and land to the rear of Greystones, with the exception of Plots 178 and 186, which adjoin an existing landscape belt. The dwellings along the western boundary (plots 113-122) would back onto existing development off Benton Close, Wiles Avenue and Braybrooks Way. Plots 101-112 border leylandii hedging with a transition zone between them and existing dwellings off Roman Road.

7.36 Finished floor levels of properties along the western boundary (plots 113-122) remain between 3.00m aOD and 3.15m aOD and, with the exception of plot 122, are now single storey as opposed to predominantly two storey previously. There is generally a degree of separation between neighbouring properties and the proposed dwellings. Plot 119 has a FFL of 3.15m aOD but is at an angle to the neighbouring dwelling. Proposed ground level adjoining the rear elevation of plot 119 would be 2.85m aOD, similar to most of the proposed dwellings along the western boundary. Existing ground levels along the western boundary generally vary between

2.61m aOD (plot 119) and 2.98m aOD. To alleviate overlooking, especially around the area of plots 119 and 120, boundary screening along the western boundary should consist of 1.8m close boarded fencing on 300mm concrete gravel boards (total height 2.1m) as previously agreed.

7.37 It is considered that the amended scheme would not materially harm the amenity of neighbouring residents in terms of overlooking, lack of privacy, overshadowing, overbearing effect, noise and disturbance, etc, subject to satisfactory boundary screening. Overall, it will generally lessen the impact of the development upon the occupiers of existing dwellings off Benton Close, Wiles Avenue and Braybrooks Way. The proposal therefore complies with the aims and objectives of Policies 2 and 3 of the South East Lincolnshire Local Plan, 2019 in this respect.

7.38 Highway Issues

7.39 Section 9 of the National Planning Policy Framework (December 2023) specifically relates to 'Promoting sustainable transport'. Paragraph 115 of the National Planning Policy Framework (December 2023) advises that "development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe".

7.40 In respect of highway matters, Policy 2 details that proposals requiring planning permission for development will be permitted provided that sustainable development considerations are met, specifically in relation to access and vehicle generation. Policy 3 details that development proposals will demonstrate how accessibility by a choice of travel modes including the provision of public transport, public rights of way and cycle ways will be secured, where they are relevant to the proposal.

7.41 Further, Policy 36, to be read in conjunction with Appendix 6 of the South East Lincolnshire Local Plan, sets out minimum vehicle parking standards and requires at least two spaces for dwellings of up to three bedrooms and three spaces for dwellings with four or more bedrooms.

7.42 Each property would have individual parking spaces. The County Highways Authority has been consulted and has indicated that the amendments proposed do not have an adverse impact upon highway safety.

7.43 The proposal would therefore be acceptable and would not have an unacceptable adverse impact on highway safety in accordance with Local Plan Policies 2, 3 and 36, and Section 9 of the National Planning Policy Framework (December 2023).

7.44 Other Matters

7.45 Flood Risk - This matter has previously been addressed as part of full permission ref. H13-1215-18 and a condition imposed stating that finished floor levels shall be set at least 300mm above existing ground level.

7.46 Drainage - Drainage details have previously been approved by virtue of condition compliance application ref. H13-0709-23. Foul water would be disposed of via the mains drain sewer. A SUDs scheme would be utilised to dispose of surface water, including swales and a pond/ attenuation basin, with an outfall to a South Holland Internal Drainage Board drain running along the northern boundary of the site. Land drains would be installed along the site's eastern and western boundaries to address any issues of surface water run-off given that ground levels would be raised slightly in respect of some plots, with an outfall to the drain along the northern boundary.

7.47 Contamination - The Phase 1 Geo-Environmental Desk Study indicated that there were no plausible contaminant linkages active on the site when the survey was carried out in January 2023. The Remediation Method Statement indicated that previously imported soil would be removed down to the proposed levels, along with the road base, etc. It also stated that a risk assessment would be carried out during this phase. Parts i)-iii) of condition 9 of H13-1215-18 have therefore been discharged, with part iv) remaining outstanding. Part iv) would consist of

the submission of a validation report to validate the imported fill material for each plot prior to completion and would be provided by an independent Geotechnical Consultant.

7.48 Archaeology - The LCC Historic Places Team has previously confirmed that the written scheme of archaeological investigation submitted meets its requirements (ref. H13-0709-23).

7.49 Ecology/Bio-diversity Net Gain - The original ecology report accompanying application ref. H13-1215-18 indicated that the site was of limited ecological interest with no significant adverse effects. The previously approved landscaping scheme (ref. H13-0709-23) included both native tree and hedge planting, including within the areas of public open space and at the site's entrance. An existing Sycamore tree within plot 15 is to be retained and has been made the subject of a provisional tree preservation order (Tree Preservation (Moulton Chapel No. 7) Order 2022).

7.50 The details constituted a biodiversity enhancement and complied with the aims and objectives of Policies 2, 3 and 28 of the South East Lincolnshire Local Plan, 2019 in this respect. They were approved prior to introduction of mandatory 10% bio-diversity net gain.

7.51 Refuse Collection - A limited number of properties would be served by a private driveway. Refuse collection points have been provided at the entrance to private drives.

7.52 S106 Planning Obligations - The original consent (ref. H13-1215-18) is accompanied by a S106 planning obligation for the provision of affordable housing (12 properties - approximately 14%), public open space, plus education (£112,764) and healthcare facilities (£28,380) contributions. A Deed of Variation to the S106 needs to be drafted to tie the existing obligations to any new permission.

7.53 **Planning Balance**

7.54 As detailed above, Section 38 (6) of the Planning and Compulsory Purchase Act 2004, as amended, requires that the Local Planning Authority makes decisions in accordance with the adopted Development Plan, unless material considerations indicate otherwise.

7.55 The amended scheme is satisfactory in terms of dwelling mix and does not materially harm the character or appearance of the locality, or amenity of nearby residents. It is acceptable on other planning grounds such as highway safety, etc, whilst conforming with the South East Lincolnshire Local Plan and the provisions of the National Planning Policy Framework when viewed as a whole.

7.56 In this instance, there are no material considerations that weigh against the proposal and as such, the planning balance is in favour of the development.

7.57 **Additional Considerations**

7.58 Public Sector Equality Duty

7.59 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.

7.60 The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

7.61 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.

7.62 It is not considered that the recommendation in this case will have a disproportionately adverse impact on a protected characteristic.

7.63 Human Rights

7.64 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).

7.65 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.

7.66 **Conclusion**

Taking the above considerations into account, the proposal is considered to be in accordance with the South East Lincolnshire Local Plan (SELLP) (2019) when viewed as a whole, along with the identified sections contained within the National Planning Policy Framework (December 2023). There are no significant factors in this case that indicate against the proposal and outweigh the considerations in favour of the proposal.

8.0 RECOMMENDATIONS

8.1 **Grant Permission subject to conditions listed at Section 9 of the report and the drafting of a Deed of Variation to the S106 planning obligation.**

9.0 CONDITIONS

1. The development hereby permitted shall be carried out in accordance with the following approved plans/documents as superseded or amended by a subsequent consent(s):
REF. H13-1215-18
1:2500 Location Plan
SL-01 Rev E
1206/A00/DS
1207/L00/DS
L000/2110/DS
L00/2224/DS Rev B
2307/L00/DS
L000/2308/DS
2318/DS
2318b/DS
L00/2324/DS
L00/2328/DS
L00/2329/DS1
L00/2329/DS2
L00/2401/DS
2404/L00/DS
L00/2409/DS
L00/2430/DS
2432/A00/DS
L00/2434/DS
2435/L00/DS
2510/L00/DS/AS/02
2510/L00/DS/AS/01
L00/2513/DS
L000/DG/01
L000/DG/02
L000/DSG/02
L000/SG/04
L000/SG/05
Transport Assessment by ADC Infrastructure Ltd (Ref: ADC1892-RP-A)
Flood Risk Assessment by RSK (Ref: 881565-R1(02) - FRA) dated April 2019
Archaeological Desk-Based Assessment by CGMS Heritage (Ref: MF/24826/01) dated September 2018
Archaeological Evaluation Report No. R14069 by Pre-Construct Archaeology Ltd dated March 2020
Arboricultural Report by AWA Tree Consultants (Ref: AWA2421) dated October 2018
Protected Species Report by Lockhart Garratt (Ref: 18-0898 - Version V1) dated 16 July 2018

REF. H13-0709-23
Discharge of Conditions Statement by Allison Homes dated August 2023
L181/SITE/01 Rev G
L181/CHARTER/01 Rev D
JBA21/255-01 Rev B
JBA21/255-02 Rev B
JBA21/255-03 Rev B
JBA21/255-04 Rev B
40-01 Rev P12
40-02-01 Rev P4 Sheet 1 of 2
40-02-01 Rev P4 Sheet 2 of 2
40-03-01 Rev P5
40-03-02 Rev P5
40-04 Rev P5
40-05 Rev P8
40-06 Rev P3
40-07-01 Rev P5
40-07-02 Rev P5
40-08 Rev P8
40-12 Rev P9
40-13 Rev P11
40-15-01 Rev P7
40-15-02 Rev P7
40-16 Rev P5
40-17-01 Rev P4
40-17-02 Rev P5
40-17-03 Rev P3

40-18 Rev P12
40-19-01 Rev P4
40-19-02 Rev P4
40-19-03 Rev P4
40-19-04 Rev P4
40-19-05 Rev P5
40-19-06 Rev P2
40-19-07 Rev P2
40-20 Rev P2
40-21-01 Rev P2
40-21-02 Rev P2
L181/LANDDRN/01 Rev C
L181/PLANSECTION/01 Rev J
L181/SEC/A-A Rev B
L181/SEC/B-B Rev B
L181/SEC/C-C Rev B
L181/SEC/D-D Rev D
L181/SEC/E-E Rev D
L181/SEC/F-F Rev D
L181/SEC/G-G Rev D
L181/SEC/H-H Rev D
L181/SEC/I-I Rev D
L181/SEC/J-J Rev D
L181/SEC/K-K Rev D
L181/SEC/L-L Rev D
L181/SEC/M-M Rev D
L181/SEC/N-N Rev D
L181/SEC/O-O Rev C
L181/SEC/P-P Rev B
L181/SEC/Q-Q Rev D
L181/SEC/R-R Rev E
L181/SEC/S-S Rev E
L181/SEC/T-T Rev D
L181/SEC/U-U Rev A
L181/SEC/V-V Rev A
Construction Management Plan by Larkfleet Homes Ltd dated July 2021
Ground Investigation Report by EPS (ref. no. UK18.4158 issue 1) dated 26 October 2018
Phase 1 Geo-Environmental Desk Study by EPS (ref. no. UK22.6185 Issue 2) dated 20 January 2023
Remediation Method Statement by Tangent Group dated 14 July 2023
Written Scheme of Archaeological Investigation (Issue 1) by Pre-Construct Archaeology Ltd dated August 2021

REF. H13-1111-23
Estate and Landscaping Management Plan dated 21 October 2022.
Dwg. no. L181/MSTRCON/01 Rev B relating to Estate and Landscaping Management details.
Details of Management Company within letter dated 10 October 2022
Details of play area by Proludic Ltd dated 29 April 2022
Email from Allison Homes East dated 26 February 2024

REF. H13-0511-24
L181/CMP/01 Rev F

REF. H13-0483-24
Application Form
L181/LP/01
L181/AH/01
L181/SH/01
L181/SITE/01 Rev H
L181/CHARTER/01
L181/LANDSCAPE/01
L181/LANDSCAPE/02
L181/LANDSCAPE/03
L181/LANDSCAPE/04
L000/DSG/02
L000/SG/04
L181/1206/01 Rev D
L181.1305.DS.01

L181/2309/01 Rev D
L181/2435/01 Rev D
L181-C306-D-DS-01
L181-D401-D-DS-01
L181-D404-DS-01
L181-D409-D-DS-01
L181-D409-D-DS-02
L181-M410-D-DS-01
L181.3.DS-01
40-01 Rev P20
40-14-01 Rev P10
40-14-02 Rev P10
40-15-01 Rev P10
40-15-02 Rev P10
40-18 Rev P18
40-20 Rev P6
L181/LSP/01
L181/PLANSECTION/O1 Rev K
L181/SEC/A-A Rev C
LIBI/SEC/D-D Rev E
L181/SEC/H.H Rev E
L181/SEC/K-K Rev E
L181/SEC/M-M Rev E

Reason: For the avoidance of doubt and in the interests of proper planning.

2. The development shall be constructed in accordance with the approved schedule of external materials of construction of buildings and hard surfaced areas.

Reason: 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.

3. The approved scheme of landscaping shall be carried out and completed in its entirety during the first planting season following practical completion of the development. All trees, shrubs and bushes shall be maintained by the owner or owners of the land on which they are situated for the period of five years beginning with the date of completion of the scheme and during that period all losses shall be made good as and when necessary.

Reason: To ensure that the development is adequately landscaped, in the interests of its visual amenity and that 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.

4. Boundary treatment/screening shall be in accordance with details shown on dwg. no. L181/CHARTER/01 and Section Plans accompanying this application (ref. H13-0483-24). Screening along the western boundary shall consist of 1.8 metre close boarded fencing on 300mm concrete gravel boards (total height 2.1 metres above ground level).

Reason: For the avoidance of doubt and to define the terms of the permission, in the interests of the amenities of the locality.
This Condition is imposed in accordance with Policies 2 and 3 of the South East Lincolnshire Local Plan, 2019 and national guidance contained within the National Planning Policy Framework, December 2023.

5. Proposed finished floor levels of the buildings and proposed site levels of the highway, hard surfaced areas and garden/amenity areas shall be strictly in accordance with details shown on dwg. nos. 40-14-01 Rev P10 and 40-14-02 Rev P10 (External Works) accompanying this application (ref. H13-0483-24). The development shall be constructed and retained in accordance with the details so approved.

Reason: For the avoidance of doubt and to define the terms of the permission in the interests of the character, appearance and amenities of the locality.
This Condition is imposed in accordance with Policies 2 and 3 of the South East Lincolnshire Local Plan, 2019 and national guidance contained within the National Planning Policy Framework, December 2023.

6. The construction process shall be carried out in accordance with the approved Construction Management Plan.

Reason: In the interests of the amenity of local residents.
This Condition is imposed in accordance with Policies 2 and 3 of the South East Lincolnshire Local Plan, 2019.

7. The development hereby permitted shall be carried out in accordance with the measures set out in the approved Flood Risk Assessment, unless otherwise agreed in writing by the Local Planning Authority. In particular the following measures shall be fully implemented before the property is first occupied:
- Finished floor levels shall be set at least 300mm above existing ground level;
- Flood resilient construction shall be incorporated within the development up to 300mm above finished floor level.

Note: Future occupants are advised to sign up to the Environment Agency's free Floodline Warnings Direct Service.

Reason: To ensure that the development does not increase the risk of flooding or be at risk of flooding.
This Condition is imposed in accordance with Policies 3 and 4 of the South East Lincolnshire Local Plan, 2019 and national guidance contained in Section 14 of the National Planning Policy Framework, December 2023.

8. 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.

Reason: To ensure the satisfactory remediation of contaminated land and/or waters.
This Condition is imposed in accordance with Policy 30 of the South East Lincolnshire Local Plan, 2019.

9. Management of the areas of publicly accessible open space shall be carried out in accordance with the approved details.

Reason: To ensure that adequate open space provision is made available for the occupiers of the development hereby permitted and that provision is made for the management and maintenance of the open space.
This Condition is imposed in accordance with Policy 32 of the South East Lincolnshire Local Plan, 2019.

10. An equipped children's play area shall be provided within the site in accordance with the approved details, and thereafter so maintained.

Reason: To ensure that adequate play provision is made for the occupiers of the development hereby permitted and that the facility is adequately managed and maintained.
This Condition is imposed in accordance with Policy 32 of the South East Lincolnshire Local Plan, 2019.

11. The approved scheme for the storage and disposal of refuse and recycling shall be fully implemented before any dwelling to which it relates is occupied and shall thereafter be retained.

Reason: To ensure that adequate facilities are made available for refuse storage and disposal to avoid pollution, to protect residential amenity, and in the interests of the appearance of the site and the area within which it is set.
This Condition is imposed in accordance with Policies 2, 3 and 30 of the South East Lincolnshire Local Plan, 2019.

12. Before each dwelling is occupied, the roads and footways providing access to that dwelling, for the whole of its frontage from an existing public highway, shall be constructed in accordance with the approved details. The carriageway and footway surface courses shall be completed within three months from the date upon which the erection is commenced of the penultimate dwelling.

Reason: To ensure that a safe and suitable standard of vehicular and pedestrian access is provided for residents throughout the construction period of the development and that the roads and footways are completed within a reasonable period following completion of the dwellings.
This Condition is imposed in accordance with Policy 2 of the South East Lincolnshire Local Plan, 2019.

13. No dwelling shall be commenced before the first 60 metres of estate road from its junction with Roman Road, including visibility splays, has been completed.

Reason: To ensure construction and delivery vehicles, and the vehicles of site personnel may be parked and/or unloaded off the existing highway, in the interests of highway safety and the amenity of neighbouring residents.
This Condition is imposed in accordance with Policy 2 of the South East Lincolnshire Local Plan, 2019.

14. Before any dwelling is commenced, 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 the approved details.

Reason: In the interests of safety of the users of the public highway and the safety of the users of the site.
This Condition is imposed in accordance with Policy 2 of the South East Lincolnshire Local Plan, 2019.

15. No dwelling shall be occupied until the approved surface water drainage scheme has been completed or provided on the site in accordance with the approved details. The approved scheme shall be retained and maintained in full, in accordance with the approved details.

Reason: 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.
This Condition is imposed in accordance with Policies 2 and 3 of the South East Lincolnshire Local Plan, 2019 and national guidance contained in Section 14 of the National Planning Policy Framework, December 2023.

16. No dwelling shall be occupied until land drains have been provided along the eastern and western boundaries of the site in accordance with the approved details. They shall thereafter be retained and maintained in full working order.

Reason: To ensure a satisfactory development and alleviate surface water run-off onto neighbouring property, in the interests of the amenities of the locality.
This Condition is imposed in accordance with Policies 2, 3 and 4 of the South East Lincolnshire Local Plan, 2019 and national guidance contained within the National Planning Policy Framework, December 2023.

17. Prior to the occupation of any dwelling, the foul water drainage works relating to that dwelling must have been carried out in complete accordance with the approved scheme.

Reason: To prevent flooding, pollution and detriment to public amenity through provision of suitable water infrastructure.
This Condition is imposed in accordance with Policies 2 and 3 of the South East Lincolnshire Local Plan, 2019.

18. 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.

Reason: 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.

19. The development shall be carried out in accordance with the recommendations within the approved Extended Phase 1 Survey Report.

Reason: In the interest of biodiversity.
This Condition is imposed in accordance with Policy 28 of the South East Lincolnshire Local Plan, 2019.

20. Archaeological work shall be carried out on site in accordance with the approved written scheme of archaeological investigation and a copy of the final report shall be submitted to the Local Planning Authority and the Lincolnshire Historic Environment Record within 3 months of the work being carried out. The material and paper archive required as part of the written scheme of investigation shall be deposited with an appropriate archive in accordance with guidelines published in The Lincolnshire Archaeological Handbook.

Reason: To ensure satisfactory arrangements are made for the recording of possible archaeological remains in accordance with national guidance contained in Section 16 of the National Planning Policy Framework, December 2023.
This Condition is imposed in accordance with Policy 29 of the South East Lincolnshire Local Plan, 2019.

21. The Local Planning Authority has acted positively and proactively in determining this application by assessing it against all material considerations, including national guidance, planning policies and representations that have been received during the public consultation exercise, and subsequently determining to grant planning permission.

This decision notice, the relevant accompanying report and the determined plans can be viewed online at http://planning.sholland.gov.uk/OcellaWeb/planningSearch

22. This planning permission is subject to a Deed of Variation to a Section 106 Agreement and can only be implemented as a consequence of meeting the provisions of that Agreement.

23. The permitted development requires the formation of a new/amended vehicular access. Applicants should note the provisions of Section 184 of the Highways Act 1980. The works should be constructed to the satisfaction of the Highway Authority in accordance with the Authority's specification that is current at the time of construction. For further information, please telephone 01522 782070 or e-mail developmentmanagement@lincolnshire.gov.uk.

24. All roads within the development hereby permitted must be constructed to an engineering standard equivalent to that of adoptable highways. Those roads that are to be put forward for adoption as public highways must be constructed in accordance with the Lincolnshire County Council Development Road Specification that is current at the time of construction and the developer will be required to enter into a legal agreement with the Highway Authority under Section 38 of the Highways Act 1980. Those roads that are not to be voluntarily put forward for adoption as public highways, may be subject to action by the Highway Authority under Section 219 (the Advance Payments code) of the Highways Act 1980. In all cases, the developer is advised to undertake early discussions with statutory undertakers to co-ordinate the laying of utility services under the highway.

25. Please contact the Lincolnshire County Council Streetworks and Permitting Team on 01522 782070 to discuss any proposed statutory utility connections and any other works which will be required within the public highway in association with the development permitted under this Consent. This will enable Lincolnshire County Council to assist in the coordination and timings of these works.

26. Your attention is drawn to correspondence from the South Holland Internal Drainage Board dated 14 June 2024. You are advised of the need to comply with the requirements of the Drainage Board, which are covered by their own Bye-laws. You are reminded that any amendments must respect those Bye-laws. Please contact the Drainage Board directly for further information.

27. All drainage works within the spread of the preserved Sycamore tree to the rear of plot 115 and also neighbouring trees along the western boundary in particular should be carried out by hand and care taken not to damage tree roots whatsoever.

Background papers:- Planning Application Working File

Lead Contact Officer

Name and Post:	Mark Simmonds; Development Manager (Interim)
Telephone Number:	01775 764444
Email	mark.simmonds@sholland.gov.uk

Appendices attached to this report:

Appendix A Plan A

MapThat Scale Print Title



SOUTH HOLLAND DISTRICT COUNCIL

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MAP SCALE 1:2500
CREATED DATE: 19/08/2024
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