

DECISION DELEGATED TO HEAD OF PLANNING

Application No: H13-1111-23 **Applicant:** Allison Homes

Proposal: 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)

Location: Land North Of Roman Road Moulton Chapel Spalding

Terminal Date: 11th March 2024

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

02 Development Management
03 Design of New Development
32 Community, Health and Well-being

National Guidance

National Planning Policy Framework 2023

Section 2. Achieving sustainable development.
Section 8. Promoting healthy and safe communities.
Section 12. Achieving well designed and beautiful places.

Representations:

	Object	Support	No Obj.	Comments
--	--------	---------	---------	----------

CASE OFFICER ASSESSMENT

Proposal

The application is to discharge conditions 10 and 11 of H13-1215-18 (details of management plan for publicly accessible open space and details of equipped children's play area).

Site Description

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.

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.

History

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- Details of external materials, boundary treatment & construction management (Conditions 3, 5 & 7 of H13-1215-18) - Withdrawn.

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& foul water drainage including connection points & discharge rates (Conditions 9, 15, 16 & 17 of H13-1215-18) - Withdrawn.

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of scheme of landscaping and means of storage & disposal of refuse & recycling (Conditions 4 & 12 of H13-1215-18) - Withdrawn.

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 (Condition 20 of H13-1215-18) - Withdrawn.

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.

Planning Considerations

Condition 10 - "A management plan for the areas of publicly accessible open space, 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."

An estate and landscaping management plan has been submitted providing details of how the public open space, play area, SUDs, drainage ditches, ponds, landscaping, etc will be managed.

HLM Property Management (part of the Lambert Smith Hampton/Countrywide group) will be acting as the Managing Agent on behalf of the Residents Management Company Chapel Gate Residents Management Co Ltd, that will be drafted into the individual Transfer documents.

Their role will be to discharge the responsibilities of the Management Company. These will include ensuring the proper management and maintenance of the communal estate areas of the development (the Management Areas), specifically any areas that are not adopted and that do not form part of the individual plots. These elements include the POS, SUDs maintenance and the upkeep and health and safety compliance of the LEAP, all of which will form part of the Management Areas. As such, all elements of their maintenance will be the responsibility of the Management Company but discharged via HLM as their appointed professional managing agent.

The details are considered acceptable.

Condition 11 - "An equipped children's play area shall be provided within the site. The timing of the implementation, location, detailed design, layout, specification of the equipment, and the management and maintenance regime of the play area shall be submitted to and approved in writing by the Local Planning Authority. The play area shall be provided in accordance with the details so approved, and thereafter so maintained."

The play area to be provided includes 8 no. pieces of play equipment, plus Grassmat Safer surfacing, a seat and litter bin. The pieces of equipment include a slide, pod swing, roundabout, seesaw, springer, etc.

The equipped play area is in an accessible and safe location with informal supervision from nearby residential properties. It meets the minimum requirements specified within the Fields in Trust's Guidance for Outdoor Sport and Play. The latter reflects advice within the National Planning Policy Framework.

In terms of timescale, the S106 states that at 80% of occupation of market dwellings, the POS and play area shall be set out and open for use (Schedule 3 Para 4.2). Therefore, prior to occupation of approx. 59 market homes, the POS and play area will be in situ.

The details are considered acceptable.

Conclusion

That conditions 10 and 11 of H13-1215-18 be discharged.