

DECISION DELEGATED TO HEAD OF PLANNING

Application No: H14-0352-25 **Applicant:** Postland Developments Ltd

Proposal: Details of boundary treatments, plan illustrating all areas of publicly accessible open space, landscape management & maintenance schedule, storage & disposal of refuse & recycling, widening of carriageway, surface water drainage scheme, foul water disposal, cycle storage & presence of any bats & owls (Conditions 6 Part, 7 Part, 8, 9, 11, 17, 18, 21 & 22 of H14-1311-16)

Location: Site South Of Milestone Lane Pinchbeck Spalding

Terminal Date: 4th July 2025

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

01	Spatial Strategy
02	Development Management
03	Design of New Development
04	Approach to Flood Risk
28	The Natural Environment
36	Vehicle and Cycle Parking
APPENDIX 6	Parking Standards

National Guidance

National Planning Policy Framework December 2024

Section 2: Achieving Sustainable Development
Section 9: Promoting Sustainable Transport
Section 12: Achieving Well-designed 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
PARISH COUNCIL	0	0	1	0
HIGHWAYS & SUDS SUPPORT	0	0	0	1
WELLAND AND DEEPINGS INTERNAL DRAINAGE BOARD	0	0	0	1

OTHER STATUTORY BODIES	0	0	0	1
RESIDENTS	1	0	0	0

CASE OFFICER ASSESSMENT

Proposal

This application seeks the partial approval of Condition 06 and Condition 07 and approval of Conditions 08,09,11,17,18,21, and 22 of outline planning permission H14-1311-16. Condition 06 requires details of the proposed boundary treatment to be submitted, Condition 07 relates to publicly accessible open space, Condition 08 relates to the submission of a management and maintenance schedule of the open space, Condition 09 requires the provision of refuse and recycling storage, Condition 11 relates the the widening of the highway carriageway, Conditions 17 and 18 require the submission of details in respect of surface and foul water drainage, Condition 21 requires the provision of cycle storage and Condition 22 relates to ecology.

Site Description

The site relates to a 1.87hectare site previously used as a vehicle repair workshop, stables and paddock. The site is outside the settlement boundary of Pinchbeck but adjoins the development limit along three boundaries.

Outline planning permission was granted in September 2017 under application reference H14-1311-16 for the residential development of the site with a condition limiting the number of dwellings to no more than 38 residential units. A subsequent application seeking approval of reserved matters for 35 houses on the site was approved in September 2024 under application reference H14-0328-21.

History

H14-1311-16: Outline application for residential development (limited to no more than 38 dwellings) with S106 for developer contributions. Approved 11.09.2017.

H14-0328-21: Reserved matters approval for the residential development of 35 dwellings and associated works-outline approval H14-1311-16 and consideration of Condition 03,05 and 15 of H14-1311-16. Approved 25.09.2024.

Consultation Responses

Pinchbeck Parish Council

No comments to make.

Anglian Water

The foul drainage strategy is acceptable to Anglian Water with gravity flows connecting in Crossgate Lane. The surface water strategy is not relevant to Anglian Water with flows discharging to a ditch and not a public sewer.

Welland and Deepings Internal Drainage Board

The proposed discharge of surface water requires an application for consent to discharge surface water being submitted to the Board which is subject to the agreement of technical details and payment of a fee.

Highway and Lead Local Flood Authority: 02.05.2025

Recommend refusal, the highway authority are unable to approve the application until such time as full details of the S38 Agreement and S278 Minor Works Agreement are submitted and approved.

Highway and Lead Local Flood Authority: 02.07.2025

No objections.

Representations

One letter of representation has been received which raises concern that there are no details on how the road is to be widened and that there are no details of the overshadowing on 50 Milestone Lane.

Planning Considerations

Condition 06 Wording

Prior to its installation, details of the proposed boundary treatment, including a schedule of materials, and details of the size and species of any hedging, shall be submitted to and approved in writing by the Local Planning Authority, and the details so approved shall be implemented in full before the development is first brought into use.

The reason for the condition is:

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 Policy SG14 of the South Holland Local Plan, 2006.

Condition 06 Detail

The boundary treatment to the rear of properties is to comprise 1.8metre high close boarded fencing, the detail design of which has been submitted and is considered acceptable. Where hedging exists to the boundaries, this it to be retained with Weldmesh fencing used for protection and security, this will be used adjacent to the public highways of Gallery Walk and Crossgate, details of the design of the Weldmesh have been provided, which given their open appearance are considered visually appropriate and acceptable. Partial discharge of condition 06 is sought as further detail in the form of cross-sections of the height of existing fencing and the height of Weldmesh fencing where it exceeds 1.8metres in height are provided under application H14-0350-25, an informative will be attached advising of this.

Condition 07 Wording

Prior to the commencement of the development hereby permitted beyond oversight, a plan illustrating all areas of publicly accessible open space shall be submitted to and approved in writing by the Local Planning Authority. The areas so approved shall be laid out and made available for use in accordance with a specification and phasing that shall first be agreed in writing by the Local Planning Authority, and shall thereafter be so maintained.

The reason for the condition is:

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 Policies SG14 and HS11 of the South Holland Local Plan, 2006.

Condition 07 Detail

An area of public open space is proposed centrally within the site. The extent of open space and its location is considered appropriate and acceptable. Partial discharge of condition 07 is sought, details of the specification and phasing of provision have not been submitted, an informative will be attached advising of this.

Condition 08 Wording

Before the commencement of development hereby permitted, details of the landscape management and maintenance schedule for the areas of 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. Thereafter these areas shall be maintained in accordance with the approved details.

The reason for the condition is:

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 Policies SG14 and HS11 of the South Holland Local Plan 2006.

Condition 08 Detail

A landscape management and maintenance schedule have been provided with details of the management of existing trees and hedges along a schedule of maintenance work which are considered acceptable.

Condition 09 Wording

Details of the means of storage and disposal of refuse and recycling shall be submitted to and be approved by the Local Planning Authority and the development shall not commence in advance of that approval. The approved scheme shall be fully implemented and thereafter be retained.

The reason for the condition is:

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 issue is integral to the development and therefore full details need to be finalised prior to the commencement of works. This Condition is imposed in accordance with Policies SG13 and SG17 of the South Holland Local Plan, 2006.

Condition 09 Detail

The estate road is to be adopted, driveways are located sufficient distance for occupants of dwellings to appropriately dispose for refuse collection and curtilages are of sufficient size to store refuse and recycling facilities. Refuse collection points are proposed adjacent to the access point to four private shared drives which are considered appropriate.

Condition 11 Wording

Prior to the commencement of any part of the development hereby permitted, details shall be submitted to and approved by the Local Planning Authority for the widening of the carriageway of Milestone Lane, on the section between the site entrance and the junction of Milestone Lane with Crossgate Lane, to no less than 5.0 metres, together with the provision of a 1.8 metre footway, kerbing, street lighting and associated highway drainage over the same section of Milestone Lane on the site side of the carriageway. The works, as approved, shall be completed prior to the occupation of any dwelling on the permitted development.

The reason for the condition is:

In the interests of safety of the users of the public highway and the safety of the users of the site. This issue is integral to the development and therefore full details need to be finalised prior to the commencement of works.

This Condition is imposed in accordance with Policies SG14 and SG15 of the South Holland Local Plan, 2006.

Condition 11 Detail

The highway authority initially recommended the discharge of the condition be refused as Section 38 and 278 Agreements to the highway authority had not been submitted and approved. The applicant's agent subsequently confirmed that these Agreements had been submitted to the highway authority, given that the Section 38 and 278 Agreements will provide the detail of the highway works that will be subject to the approval, the highway authority has advised they have no objection to the discharge of the condition.

Condition 17 Wording

No development shall take place until a surface water drainage scheme for the site, based on sustainable urban drainage principles and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall:

- a) Provide details of how run-off will be safely conveyed and attenuated during storms up to and including the 1 in 100 year critical storm event, with an allowance for climate change, from all hard surfaced areas within the development into the existing local drainage infrastructure and watercourse system without exceeding the run-off rate for the undeveloped site;
- b) Provide attenuation details and discharge rates which, unless agreed otherwise with the surface water receiving body, shall be restricted to 1.4 litres per second per hectare;
- c) Provide details of the timetable for and any phasing of implementation for the drainage scheme; and
- d) Provide details of how the scheme shall be maintained and managed over the lifetime of the development, including any arrangements for adoption by any public body or Statutory Undertaker and any other arrangements required to secure the operation of the drainage system throughout its lifetime.

The development shall be carried out in accordance with the approved drainage scheme and no dwelling shall be occupied until the approved scheme has been completed or provided on the site in accordance with the approved phasing. The approved scheme shall be retained and maintained in full in accordance with the approved details.

The reason for the condition is:

To ensure that the site is adequately drained, to avoid pollution, and to prevent increased risk of flooding. This issue is integral to the development and therefore full details need to be finalised prior to the commencement of works.

This Condition is imposed in accordance with Policies SG11 and SG12 of the South Holland Local Plan, 2006 and national guidance contained in Section 10 of the National Planning Policy Framework, 2012.

Condition 17 Detail

Welland and Deepings IDB advise the proposed discharge of surface water requires an application for consent to discharge surface water being submitted to the Board which is subject to the agreement of technical details and payment of a fee.

In response the agent has advised this is to be concurrently addressed following the submission of the S38, further stating the IDB are content with the developers' broad approach.

Condition 18 Wording

Before the commencement of the development hereby granted, details of the means of foul water disposal shall be submitted to and approved in writing by the Local Planning Authority. The details so approved shall be implemented in full before the development hereby permitted is first brought into use.

The reason for the condition is:

To ensure that the site is adequately drained and to avoid pollution. This Condition is imposed in accordance with Policies SG12 and SG13 of the South Holland Local Plan 2006.

Condition 18 Detail

Anglian Water advise the foul drainage strategy is acceptable to Anglian Water with gravity flows connecting in Crossgate Lane.

Condition 21 Wording

Prior to the commencement of the first use of the development hereby permitted means of cycle storage shall be provided in the vicinity of each dwelling of a design and in positions which shall be first submitted to and approved by the Local Planning Authority.

The reason for the condition is:

To ensure that adequate secure facilities are provided for cyclists using the site. This Condition is imposed in accordance with Policy SG15 of the South Holland Local Plan, 2006.

Condition 21 Detail

Cycle stores are proposed within the rear gardens of those dwellings that do not have gardens, plots 5,9-12 and 27-33. The remaining properties have extended garages to facilitate the provision of cycles. The design, size and location of the cycle stores are acceptable.

Condition 22 Wording

Before the commencement of development hereby permitted details of a survey undertaken to establish the likely presence of any bats and owls within the development site shall submitted to and approved in writing by the Local Planning Authority. If protected species are present a working design, method and timetable to mitigate any harm to the species shall be submitted to be approved by the Local Planning Authority before the use commences.

The reason for the condition is:

In the interests of nature conservation and because bats and owls are a protected species under the Wildlife and Countryside Act 1981. This issue is integral to the development and therefore full details need to be finalised prior to the commencement of works.

Condition 22 Detail

An Ecological Appraisal was submitted as part of reserved matters application H14-0328-21 which concluded the buildings on site were considered to have negligible to low potential to support roosting bats, and no signs or use by other statutory protected species was noted. A condition was attached to application H14-0328-21 requiring the provision of swift nest bricks to be incorporated within the development.

Other Matters

A letter of representation received raised concern that there are no details of how the road is to be widened. The engineering details showing this will form part of the Section 38 Agreement to be considered by the highway authority.

Concern has also been raised that there are no details of the overshadowing on 50 Milestone Lane. Sections of the site and buildings are required under Condition 05 of permission H14-0328-21 and have been submitted for approval under application reference H14-0350-25.

Conclusion

The submitted details are considered acceptable.

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.

Recommendation

Conditions 08, 09, 11, 17,18, 21 and 22 of application H14-1311-16 are discharged along with the partial discharge of Condition 06 and 07 of application H14-1311-16.